

Corporation of the Township of Selwyn

**Regular Council Meeting
Tuesday, September 12, 2017**

Council Chambers, 1310 Centre Line

A regular meeting of the Council of the Township of Selwyn was held on Tuesday, September 12, 2017 at the Council Chambers, 1310 Centre Line.

Present: Mayor Mary Smith
Deputy Mayor Sherry Senis
Councillor Donna Ballantyne
Councillor Gerry Herron
Councillor Anita Locke

Staff Present: Janice Lavalley, Chief Administrative Officer
Angela Chittick, Manager of Community & Corporate Services /Clerk
Robert Lamarre, Manager of Building and Planning
R. Lane Vance, Manager of Financial Services/Treasurer
Rick Dunford, Manager of Public Works
Tania Goncalves, Deputy Clerk

The Council meeting commenced at 5:00 PM with Mayor Smith in the Chair.

Declaration of Pecuniary Interest

None.

Minutes

Resolution No. 2017- 178 - Minutes

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That the minutes of the regular Council meeting of August 8, 2017 be adopted.

Carried.

Deputations and/or Invited Persons and/or Public Meeting

Manager of Building and Planning Robert Lamarre announced that the Township of Selwyn is holding a public meeting to consider various applications to amend the Comprehensive Zoning By-law for the Township of Selwyn, in accordance with Section 34 of The Planning Act. The prescribed notice of the public meeting was provided by prepaid first class mail to all residents within a 120 metre radius of the subject properties, as well as by way of a sign being posted on the properties. The notices were provided to the prescribed ministries and agencies via email and were also available on the Township website. If a person or public body does not make an oral submission at the public meeting or make a written submission to the Township of Selwyn before the Zoning By-law is passed the person or public body is not entitled to appeal the decision of the Council of the Township of Selwyn to the Ontario Municipal Board, nor can a person or public body be added as a party to the hearing of an appeal before the OMB unless, in the opinion of the Board, there are reasonable grounds to do so. In order to be notified of the decision of the Township of Selwyn on the proposed Zoning By-law Amendments, a written request must be made to the Township.

A public meeting commenced at 5:00 PM to consider an application to amend the Comprehensive Zoning By-law for the Township of Selwyn, in accordance with Section 34 of The Planning Act. The amendment relates to the property described as Part of Lot 8, Concession WCR in the Smith Ward municipally known as 2055 Chemong Road. The subject lands are designated Prime Agriculture and are zoned Agricultural (A). The proposed Zoning By-law Amendment related to the subject lands will change the zoning to Community Facility (CF) Zone as a

condition of consent to sever application B-11-17, which was imposed by the Township. The amendment will place the severed lands into the same zone category as the adjacent lands to which the severed lands will be merged. The intended use of the lands is for community facility purposes (i.e. place of worship), which is reflected in the proposed zone category. The retained lands will continue to be utilized for agricultural purposes. Robert Duffy, member of Gilmour Memorial Baptist Church spoke in favour of the application stating that the proposed lot addition will allow for future expansion to the church building to accommodate accessibility needs as well as provide for an additional parking area. The applicant's agent, Ken Hurford, from EcoVue Consulting Services Inc., noted that the lot addition will permit the construction of a future upgrade to the sewage disposal system as well as allow for a future addition to the church building in order to address accessibility needs for patrons. No one spoke in opposition to the application. Council members noted that creating a more accessibility facility and increasing the size of their facility to accommodate growth was a positive step for the church. There were 24 members of the public present. The public meeting concluded at 5:07 PM.

Resolution No. 2017- 179 - Zoning By-law Amendment Part of Lot 8, Concession WCR (Smith Ward) – 2055 Chemong Road

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Part of Lot 8, Concession WCR in the Smith Ward be received for information; and

That By-law 2017-054, being a By-law to rezone certain lands situated in Part of Lot 8, Concession WCR in the Smith Ward from Agricultural (A) Zone to Community Facility (CF) Zone be brought forward to the By-law section of the agenda for consideration; and

That the Mayor and Clerk be authorized to sign any agreements related to Consent Application File No. B-11-17.

Carried.

A public meeting commenced at 5:08 PM to consider an application to amend the Comprehensive Zoning By-law for the Township of Selwyn, in accordance with Section 34 of The Planning Act. The amendment relates to the property described as Part of Lots 13 & 14, Concession 8 in the Smith Ward municipally known as 1425 & 1429 Fire Route 5. The subject lands are designated Rural and are zoned Rural (RU) and Lakeshore Residential (LR). The proposed zoning By-law amendment related to the subject lands will change the zoning to Lakeshore Residential Exception 551 (LR-551) Zone. The zoning By-law amendment is a condition of consent to sever application B-53-16, which was imposed by the Township. The intent of the severance application was to create a lot addition to an existing waterfront lot. The retained lands will continue to be utilized for rural purposes. The zoning By-law amendment will change the zone category in order to provide for contiguous zoning across the newly merged property and to recognize lot area and frontage deficiencies of the newly merged waterfront lot. Gordon (Jack) Pulkinghorn from 938 Highland Road spoke in opposition to the application stating concerns with additional severances being granted on the subject property. Mr. Pulkinghorn noted that additional severances could potentially result in increased traffic on Highland Road should the severances require the need to connect Fire Route 5 to Highland Road. Mr. Pulkinghorn also expressed concerns with the future potential that the Township will acquire Fire Route 5, which is currently a private road, to accommodate additional development. He noted concerns with ratepayer bearing the costs associated with upgrading Fire Route 5 to Township standards. Mr. Lamarre advised that the County of Peterborough is the approval authority for severances and also noted that the Township Official Plan does not permit additional severances on private roads. Mr. Lamarre also stated that the Township would not consider acquiring a private road unless it adhered to Township standards. Ken Hutcheson from 950 Highland Road requested clarification on the process to

extend a private road and whether the current owner of Fire Route 5 could extend the road at their own accord. Mr. Hutcheson also requested explanation on the difference between a private road and a path on a property. Mr. Lamarre noted that unlike a path on a property, a private road has legal users. Property owners that reside on private roads must go through the legal process of having a right-of-way over the private road to use it. It was noted that the Township has no existing plans to connect Fire Route 5 with Highland Road. There were 25 members of the public present. The public meeting concluded at 5:25 PM.

Resolution No. 2017 - 180 - Zoning By-law Amendment (Part of Lots 13 & 14, Concession 8 (Smith Ward) – 1425 & 1429 Fire Route 5

Councillor Gerry Herron – Councillor Anita Locke –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Part of Lots 13 & 14, Concession 8 in the Smith Ward be received for information; and

That By-law 2017-055, being a By-law to rezone certain lands situated in Part of Lots 13 & 14, Concession 8 in the Smith Ward from Rural (RU) Zone and Lakeshore Residential (LR) Zone to Lakeshore Residential Exception 551 (LR-551) Zone, be brought forward to the By-law section of the agenda for consideration; and

That the Mayor and Clerk be authorized to sign any agreements related to Consent Application File No. B-53-16.

Carried.

Tom Alexander, owner of Buckhorn Home Hardware, made a presentation to Council to request amendments to a Site Plan Agreement for 3350 Buckhorn Road which he entered into with the Township in February of 2017. Mr. Alexander requested that Council grant an extension for completing the mandatory work outlined in the Site Plan Agreement. Mr. Alexander stated that weather conditions and local bridge construction contributed to the delay of work being completed. He requested that the completion date be moved from April 2018 to December 2018. Mr. Alexander also requested that Council consider waiving the requirement for asphalt paving in certain sections of the site stating that these areas are primarily used for loading purposes. Lastly, Mr. Alexander requested that Township of Selwyn Council encourage the County of Peterborough to waive their requirement for a raised island off of County Road 23 and instead allow for a painted barrier or a semi-raised barrier.

Resolution No. 2017 - 181 - Buckhorn Home Hardware

Councillor Gerry Herron – Councillor Donna Ballantyne –

That the Site Plan Agreement between the Township of Selwyn and Buckhorn Hardware Inc. for 3350 Buckhorn Road be amended to extend the work completion date to December 31, 2018.

Councillor Donna Ballantyne - yes

Councillor Gerry Herron - yes

Councillor Anita Locke - yes

Deputy Mayor Sherry Senis - yes

Mayor Mary Smith - no

Carried.

Question Period

Council entertained questions from the public from 6:08 PM to 6:10 PM

Municipal Officers & Staff Reports – Direction

Resolution No. 2017 - 182 - Engineering Services Quote – Concession Street

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report of the Manager of Public Works with respect to the Concession Street sidewalk engineering services fee proposal and proposed scope of work be received for information; and

That the Township of Selwyn proceed with hiring Engage Engineering to examine options for a sidewalk on Concession Street in Lakefield at a cost of \$11,600 plus disbursements and HST; and that these costs be included in the 2018 capital budget and that the Concession Street sidewalk review take place in 2018.

Carried.

Resolution No. 2017 -183 - Ontario's Wildlife Damage Compensation Program

Councillor Donna Ballantyne – Deputy Mayor Sherry Senis –

That the correspondence from the Township of Oro-Medonte be received for information; and

That the Township of Selwyn expresses its support of the correspondence received from the Municipality of Oro-Medonte regarding its August 9th, 2017 resolution pertaining to the Ontario Ministry of Agriculture, Food and Rural Affairs, Ontario's Wildlife Damage Compensation Program (OWDCP); more specifically, requesting that the Province:

- a) expand the OWDCP to include evidence of partial carcass' to allow eligible producers to process legitimate claims; and
- b) rely more heavily on the opinions of the Municipal Investigator, as they are experienced, familiar and knowledgeable with the Municipality's producers, as they continue to process genuine and valid applications; and

Further that a copy of this resolution be forwarded to the Premier, the Ministry of Agriculture, Food and Rural Affairs - MPP Jeff Leal and the Township of Oro-Medonte.

Carried.

Consent Items

Resolution No. 2017 -184 - Municipal Officer's and Staff Reports – Consent Items

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report of the Manager of Public Works with respect to the speed limits on Jones Beach Road and Highland Road in the Smith Ward be received for information; and that By-law 2017 – 056, being a By-law to change the speed limit to a 40 km zone on Jones Beach Road and Highland Road be brought forward to the By-law section of the agenda for consideration; and

That the report of the Manager of Building and Planning with regard to the partnership with Otonabee Region Conservation Authority for funding under the Natural Disaster Mitigation Program be received for information; and that the Township of Selwyn express its support for the funding application for the flood line mapping project which will be utilized for emergency preparedness, mitigation and response purposes and to update mapping in the Official Plan and Zoning Bylaw; and that the Township of Selwyn commit to providing its share of the contribution for the mapping to be undertaken within the Township, in the amount of \$17,160, to be funded through reserve or OMPF as determined through the 2018 budget discussions; and

That the report of the Manager of Corporate & Community Services/Clerk regarding various By-laws be received for information; and that By-law 2017- 053, a By-law to authorize an agreement with Her Majesty the Queen as represented by Parks Canada and the Township of Selwyn

related to the use of lands adjacent to River Avenue/Nathaway Drive in Young's Point to facilitate Township road improvements, be brought forward to the By-laws section of the agenda for consideration; and

Correspondence for Discussion and/or Decision:

That the following items of correspondence be received for information and that staff proceed with the recommended direction therein:

1. Peterborough Regional Farmers Network - Best Practices at Farmers' Markets

That the correspondence from the Peterborough Regional Farmers Network be received for information; and that the Township of Selwyn thank the Peterborough Regional Farmer's Network for providing an update on the group's activities and that the Network be advised that the Township supports initiatives that bring local farmers and area agriculture producers together to collaborate, support and promote agricultural enterprises in the County of Peterborough; and that the Network be requested to keep the Township informed of the group's progress and initiatives; and

2. Ministry of Municipal Affairs – Changes to the Municipal Elections Act

That the correspondence from the Ministry of Municipal Affairs regarding changes to the Municipal Elections Act be received for information; and that the Ministry be advised that the Township of Selwyn supports the amendments to the Elections Act that requires a candidate to be endorsed by 25 eligible electors and that no exemption be considered; and

3. Recycling Council of Ontario – Waste Reduction Week in Canada

That the correspondence from the Recycling Council of Ontario regarding Waste Reduction Week in Ontario be received for information; and that the Township of Selwyn proclaim the week of October 16-22, 2017 Waste Reduction Week; and

Correspondence for Information:

That the following items of correspondence be received for information:

4. Association of Municipalities of Ontario – AMO Releases Digital Government Report
5. Association of Municipalities of Ontario - Highlights of the August 2017 Board Meeting and Helping Latest Double Hatter Firefighters
6. Minister of Small Business and Tourism – Eastern Ontario Development Program
7. Ministry of Natural Resources – Amendments to Bill 68, Conservation Authorities Act
8. Health Canada – National Pharmacare Program
9. Patrick Brown, MPP – Joint and Several Liability System
10. Kawartha Chamber of Commerce – Newsletter August/September
11. Kawartha Chamber of Commerce – Newsflash – July-August-September
12. County of Peterborough – Funding of Infrastructure Projects through HST
13. City of Kawartha Lakes – Farm House Severances
14. Township of Georgian Bay – Invasive Plant Species
15. Township of Central Frontenac – Bill 68 Changes Regarding Tax Registration Procedures; and

Peterborough County Report

That the following items of correspondence from the County of Peterborough be received for information:

1. 2018 Proposed Budget Timetable
2. Agriculture and Food-related Reports
 - Attachment 1 - Farmland, Farmers and Food Production in Peterborough County
 - Attachment 2 - Cultivating a Fertile Environment for Urban Agriculture in the Greater Peterborough Area
 - Attachment 3 - A Peterborough Food Charter: Healthy, Sustainable and Just Food for All
 - Attachment 4 - Community Focus Bulletin - A Call to Action: Food to be viewed as more important
3. Peterborough & the Kawarthas Economic Development's 2017 Second Quarter Update
4. Bridgenorth Organics Pilot Project Results
5. Brad Sinclair – Garbage Concerns on James A. Gifford Causeway
6. Minutes – August 2, 2017 and August 23, 2017
7. Notice of Joint Public Information Centre (PIC) – Ward Street Widening and By-pass/Causeway Connection; and

Committee Reports

That the minutes of the Peterborough Police Services Board of August 1 and August 23rd, 2017 as well as the Lakefield 2nd quarter report and 2nd quarter statistics be received for information.

Carried.

Other, New & Unfinished Business

None.

By-laws

Resolution No. 2017 - 185 - By-laws First, Second & Third Reading

Councillor Anita Locke – Councillor Donna Ballantyne –

That By-law 2017-053, a By-law to authorize an agreement for Road Improvements on River Avenue and Nathaway Drive; and

That By-law 2017-054; being a By-law to authorize a zoning by-law amendment at 2055 Chemong Road; and

That By-law 2017-055, a By-law to authorize a zoning by-law amendment at 1425 and 1429 Fire Route 5; and

That By-law 2017-056, a By-law to authorize a speed limit reduction on Highland Road and Jones Beach Road be read a first, second and third time and finally passed.

Carried.

Resolution No. 2017 - 186 - Confirming By-law

Deputy Mayor Sherry Senis – Councillor Gerry Herron –

That By-law 2017-057, a By-law to confirm the proceedings of the meeting of Council held on September 12, 2017 be read a first, second and third time and finally passed.

Carried.

Adjournment

Resolution No. 2017 - 187 - Adjournment

Councillor Gerry Herron – Councillor Donna Ballantyne –

That the meeting be adjourned. (6:44 PM)

Carried.