

**Corporation of the Township of Selwyn**

**Regular Council Meeting  
Tuesday, July 11, 2017**

**Council Chambers, 1310 Centre Line**

A regular meeting of the Council of the Township of Selwyn was held on Tuesday, July 11, 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  
Jeannette Thompson, Planner  
Tania Goncalves, Deputy Clerk

The Council meeting commenced at 6:00 PM with Mayor Smith in the Chair.

**Declaration of Pecuniary Interest**

Councillor Gerry Herron declared pecuniary interest as it relates to agenda item 2. b) iii) regarding the Official Plan & Zoning By-law Amendment for Part of Lot 7 Concession 5 (Ennismore Ward) municipally known as 779 Tara Road. Councillor Herron stated a direct business relationship with the applicant.

**Minutes**

**Resolution No. 2017- 153 - Minutes**

Deputy Mayor Sherry Senis – Councillor Anita Locke –  
That the minutes of the regular Council meeting of June 27, 2017 be adopted. Carried.

**Deputations and/or Invited Persons and/or Public Meeting**

Sheridan Graham, Chair of Sustainable Peterborough made a presentation to Council to present the 2016 Sustainable Peterborough Report Card.

**Resolution No. 2017 - 154 - Sustainable Peterborough – 2016 Report Card**

Councillor Anita Locke – Councillor Donna Ballantyne –  
That the presentation by Sheridan Graham, Chair of Sustainable Peterborough, regarding the 2016 Sustainable Peterborough Report Card be received for information. Carried.

**Question Period**

Council entertained questions from the public from 6:20 PM – 6:25 PM.

**Municipal Officers & Staff Reports – Direction**

**Resolution No. 2017 - 155 - Official Plan Amendment No. 44 & Zoning By-law Amendment File No. C-04-16 45 Rabbit Street – Lakefield Ward**

Councillor Anita Locke – Councillor Gerry Herron –  
That the report of the Planner/Economic Development Officer regarding the Official Plan and Zoning By-law Amendment related to lands described as Plan

15, Lot 9 W Rabbit N Reid in the Lakefield Ward - File Nos. 15OP-17003 & C-04-17 be received for information; and

That By-law 2017-042, being a By-law to rezone certain lands described as Plan 15, Lot 9 W Rabbit N Reid in the Lakefield Ward, municipally known as 45 Rabbit Street, from Residential Type One (R1) Zone to Multiple Residential Exception 548 – holding (R3-548(h)) Zone, be forwarded to the By-law section of the agenda for consideration; and

That the Township of Selwyn advise the County of Peterborough that the Township supports the proposed Official Plan Amendment No. 44 (File No. 15OP-17003) to the County Official Plan as described in the document prepared by the County Planning Department.

Carried.

Township Planner Jeannette Thompson announced that the Township of Selwyn is holding a public meeting 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 prescribed notice of the public meeting was provided by prepaid first class mail to all residents within a 120 metre radius of the subject property, as well as by way of a sign being posted on the property. The notice was provided to the prescribed ministries and agencies via email and was 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 Amendment, a written request must be made to the Township.

A public meeting commenced at 6:30 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 25 & 26, Concession 18 in the Smith Ward municipally known as 3166 & 3170 Buckhorn Road. The subject lands are designated Rural and are zoned Recreational Commercial (RC). The proposed Zoning By-law Amendment related to the subject lands will change the zoning to Lakeshore Residential (LR) Zone in order to provide for contiguous zoning across the subject lands and the property to the south-west that these lands will be merged with. The proposed zoning will reflect the intended residential uses of the subject lands. The subject lands became a remnant parcel from a vacant land plan of condominium that was approved in 2011, and were registered with the land registry office recently. As part of the process, the Township requested that the remnant parcel be merged with other lands that are owned by the applicant. These lands have historically been utilised for residential purposes and will continue to be used as such. The applicant's agent, Joseph Grant from LLF Lawyers, was in attendance to answer any questions. No one spoke in favour or in opposition of the application. There were 11 members of the public present. The public meeting concluded at 6:35 PM.

**Resolution No. 2017 - 156 - Zoning By-law Amendment (Part of Lots 25 & 26, Concession 18 (Smith Ward) – 3166 & 3170 Buckhorn Lane**

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 Lots 25 & 26, Concession 18 in the Smith Ward be received for information; and

That By-law 2017-043, being a By-law to rezone certain lands situated in Part of Lots 25 & 26, Concession 18 in the Smith Ward from Recreational Commercial

(RC) Zone to Lakeshore Residential (LR) Zone be forwarded to the By-law section of the agenda for consideration.

Carried.

Township Planner Jeannette Thompson announced that the County of Peterborough and the Township of Selwyn are holding a joint public meeting to consider applications to amend the local component of the County of Peterborough Official Plan and the Comprehensive Zoning By-law for the Township of Selwyn, in accordance with Sections 17 and 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 notice was provided to the prescribed ministries and agencies via email. The notice was also available on the County and Township websites. If a person or public body does not make an oral submission at the public meeting or make a written submission to the County of Peterborough and/or the Township of Selwyn before the Official Plan amendment is adopted and/or the Zoning By-law is passed the person or public body is not entitled to appeal the decision of the Councils of the County and the Township 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 County of Peterborough or Township of Selwyn on the proposed Official Plan or Zoning By-Law Amendment, a written request must be made to the County or Township. Planner Caitlin Robinson and County Councillor Rodger Bonneau representing the County of Peterborough were present as the County is the approval authority for the Official Plan amendment application.

A public meeting commenced at 6:35 PM to consider an application to amend the local component of the County of Peterborough Official Plan and the Comprehensive Zoning By-law for the Township of Selwyn, in accordance with Sections 17 and 34 of The Planning Act. The amendments relate to the property described as Part of Lot 9, Concession 5 in the Ennismore Ward. The subject lands are designated Rural; and are zoned Rural (RU). The proposed Official Plan Amendment will place the proposed severed portion of the subject lands within a site specific policy area of the Rural designation, which would permit the severance, as well as the use of the lands for self-storage rental units. The proposed Zoning By-law Amendment will have the effect of changing the zone category from Rural (RU) Zone to Rural Industrial Exception 549 – holding (M1-549(h)) Zone in order to permit and regulate the lands to be used for self-storage rental units. A holding provision is being placed on the property, which would obligate the property owner to enter into a site plan agreement with the Township prior to the development of the site. The applicants Paul and Marie Claire Moher and their agent Planner Kevin Duguay were in attendance. Planner Caitlin Robinson and County Councillor Rodger Bonneau representing the County of Peterborough were present to answer any questions as the County is the approval authority for the Official Plan Amendment application. Ms. Robinson noted that correspondence was received from a variety of agencies indicating no objections to the application including Otonabee Region Conservation Authority and Enbridge Gas Distribution. No one spoke in favour or in opposition of the application. Council requested clarification on their involvement in the site plan approval process for the subject lands. Manager of Building and Planning Robert Lamarre noted that Council would be part of the approval process as the structures on the subject lands exceed 500 square metres. Council noted the importance of ensuring that the structures are visually appealing and discussed the option of having a natural buffer between the structures and the property lines. Staff noted that buffering options would be reviewed during the site plan approval process. There were approximately 10 members of the public present. The public meeting concluded at 6:43 PM.

**Resolution No. 2017 - 157 - Zoning By-law Amendment (Part of Lot 9, Concession 5 (Ennismore Ward) – fronts onto Robinson Road**

Councillor Anita Locke – Councillor Donna Ballantyne –  
That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Part of Lot 9, Concession 5 in the Ennismore Ward be received for information; and

That By-law 2017-044, being a By-law to rezone certain lands situated in Part of Lot 9, Concession 5 in the Ennismore Ward from Rural (RU) Zone to Rural Industrial Exception 549 – holding (M1-549(h)) Zone, be forwarded to the By-law section of the agenda for consideration; and

That the Township of Selwyn advise the County of Peterborough that the Township supports the proposed Official Plan Amendment No. 42 (File No. 15OP-16012) to the County Official Plan as described in the document prepared by the County Planning Department.

Carried.

Councillor Gerry Herron restated his earlier declaration of pecuniary interest regarding agenda item 2. b) iii). Councillor Herron left the meeting.

A public meeting commenced at 6:43 PM to consider an application to amend the local component of the County of Peterborough Official Plan and the Comprehensive Zoning By-law for the Township of Selwyn, in accordance with Sections 17 and 34 of The Planning Act. The amendments relate to the property described as Part of Lot 7, Concession 5 in the Ennismore Ward, municipally known as 779 Tara Road. The subject lands are designated Hamlet; and are zoned Rural (RU). The proposed Official Plan Amendment will place the subject lands within a site specific policy area of the Hamlet designation, which would provide relief from Section 7.12.14 of the County Official Plan and permit the additional severance from this property to occur. The Zoning By-law Amendment will have the effect of changing the zone category of the proposed severed portion of the lands to Rural Residential Exception 550 (RR-550) in order to recognize the existing residential uses of the proposed lot; together with a frontage deficiency created as a result of the proposed severance application. Further, the proposed retained parcel will be rezoned to Rural Exception 551 (RU-551) Zone in order to recognize a smaller lot area than that required by the Township's Zoning By-law - eleven (11) hectares versus the required twenty (20) hectares. The portion of the property zoned Environmental Protection (EP) will remain zoned as such. County Planner Caitlin Robinson noted that correspondence was received from Otonabee Region Conservation Authority, Enbridge Gas Distribution, Nexicom and Peterborough Public Health indicating no objections to the application. Ms. Robinson also noted that the subject property has exceeded the maximum number of severances permitted on the property however; within the Hamlet designation, some new development may be permitted by consent in accordance with the policies of Section 7.12. Accordingly, a severance may be considered for the subject lands given that they are located in a Hamlet area. The applicant Sarah Sullivan and her Planner Kevin Duguay were in attendance. No one spoke in favour or in opposition of the application. There were approximately 10 members of the public present. The public meeting concluded at 6:53 PM.

**Resolution No. 2017 - 158 - Official Plan & Zoning By-law Amendment (Part of Lot 7 Concession 5 (Ennismore Ward) – 779 Tara Road**

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Part of Lot 7, Concession 5 in the Ennismore Ward be received for information; and

That By-law 2017-045, being a By-law to rezone certain lands situated in Part of Lot 7, Concession 5 in the Ennismore Ward from Rural (RU) Zone to Rural Residential Exception 550 (RR-550) Zone and Rural Exception 551 (RU-551) be forwarded to the By-law section of the agenda for consideration; and

That the Mayor and Clerk be authorized to sign any relevant documentation that is required to dissolve the agreement related to land severances of the subject lands; and

That the Township of Selwyn advise the County of Peterborough that the Township supports the proposed Official Plan Amendment No. 45 (File No. 15OP-17006) to the County Official Plan as described in the document prepared by the County Planning Department.

Carried.

Councillor Gerry Herron returned to the Council chambers.

### **Consent Items**

#### **Resolution No. 2017 - 159 - Municipal Officer's and Staff Reports – Consent Items**

Councillor Donna Ballantyne – Councillor Gerry Herron –

That the report of the Manager of Community & Corporate Services/Clerk regarding the request to stop-up and close a portion of the West Esplanade in Bridgenorth be received for information; and that the unopened portions of the West Esplanade in Bridgenorth adjacent to 664, 660 and 634 Hatton Avenue, be deemed as surplus lands with the intent to sell the lands to Susan Vallery; Doug and Donna Hayes; and Harold Doran, and that the process to stop-up, close and dispose of these lands be commenced with all costs of the said process being paid for by the applicants, in addition to the costs of the lands as determined by the Township's Procedure for Closure and Disposal of Road Allowances; and that a By-law be brought forward to a future Council meeting to authorize and facilitate the execution of necessary documents to complete the transaction; and

That the report from the HR Coordinator with regards to the recruitment of Robyn Mann as Librarian for the Ennismore Library be received for information; and

#### **Correspondence for Direction:**

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

##### **1. ROMA – Comments on the Proposed Asset Management Plan**

That the correspondence from ROMA regarding the proposed asset management planning regulation be received for information; and that in addition to the Township's feedback on the proposed regulation provided at the June 27, 2017 Council meeting the Township of Selwyn supports ROMA's position that the regulation will increase the regulatory burden on municipalities, specifically as it relates to professional engineer sign off requirements and submitting detailed reporting to the Province; and

##### **2. North Stormont – Resolution – Proposed Changes to Conservation Authority Boards**

That the correspondence from the Township of North Stormont regarding the proposed amendment to the Conservation Authorities Act be received for information; and that the Township of Selwyn supports resolution RES-1134-2017 passed by the Township of North Stormont opposing the amendment to the Conservation Authorities Act whereby Conservation Authority Boards will be required to have a composition of 50% its members with a scientific background restricting the ability of municipal councils to appoint board members; and further that this

resolution be forwarded to the Ministry of Natural Resources, MPP Jeff Leal and the Township of North Stormont; and

**Correspondence for Information:**

3. Ministry of Education – Ontario’s Plan to Strengthen Rural and Northern Education
4. City of Peterborough, Housing Division – 2016 Progress Report on the 10-year Housing and Homelessness Plan
5. Kawartha Chamber of Commerce and Tourism – Newsflash June 27, 2017
6. Southwest Middlesex – Support for Selwyn Resolution 2017-131 – ESA changes
7. Township of Enniskillen - Support for Selwyn Resolution 2017-131 – ESA Changes
8. Township of Lake of Bays – Resolution Tax-exempt Portion – Council Remuneration
9. Municipality of Killarney – Resolution – Tax Registration Procedures
10. LAWS – Thank You
11. Kawartha Chamber of Commerce and Tourism – Thank You; and

**Peterborough County Report**

1. County Official Plan Commencement – Staff Report
  - Attachment – Public Consultation Strategy
  - Attachment – Work Plan
2. Leaf and Yard Waste Program Changes – Staff Report
3. Public Access Defibrillator Program – Staff Report
4. Selwyn – 2016 Waste Management Report
5. Healthy Kids Community Challenge - Presentation
6. Peterborough and District Labour Council – Presentation ESA Changes
7. Peterborough Public Health – Correspondence and Presentation on ESA Changes
8. Kawartha Chamber of Commerce & Tourism – Correspondence on ESA Changes
9. Peterborough Chamber of Commerce – Correspondence on ESA Changes
10. Minutes – Special Meeting May 31, 2017
11. Minutes – Regular Meeting June 7, 2017; and

**Committee Reports**

That the minutes of the Joint Accessibility Advisory Committee of June 21, 2017; and

That the minutes of the Economic Development and Business Committee of June 24, 2017 be received for information.

Carried.

**Resolution No. 2017 - 160 - Economic Development and Business Committee – Support Resolution regarding the Employment Standards Act**

Councillor Donna Ballantyne – Councillor Gerry Herron –  
That the minutes of the Economic Development and Business Committee of July 5, 2017 be received for information; and that the Township of Selwyn endorse the following resolution of the Economic Development and Business Committee:

Whereas the Economic Development and Business Committee (Committee) believes establishing an appropriate minimum wage

and addressing precarious employment is an important priority for the government; and

Whereas the Committee believes that creating a climate for small and medium sized businesses to thrive in the Township of Selwyn is a key initiative in providing local employment; and

Whereas a large increase to the minimum wage will put upward pressure on wage costs generally; and

Whereas the Committee believes that good policy should be evidenced based; and

Whereas the Committee believes that the proposed changes to employment standards and the minimum wage as outlined in Bill 148 need to be implemented in a balanced way; and

Whereas the Township of Selwyn has a high proportion of seniors whose purchasing power may be impacted by potential increased costs passed along to consumers as a result of businesses implementing ESA changes;

Therefore be it resolved that the Committee recommends that the Council for the Township of Selwyn endorse and forward the Committee's Resolution to the Standing Committee on Finance and Economic Affairs that is currently receiving public input on Bill 148, with suggestions on how the government should proceed with implementation of employment standards changes and that a copy of this Resolution be sent to appropriate government ministries, relevant Ministers, area MPPs, the Kawartha Chamber of Commerce and Tourism and the Peterborough Chamber of Commerce.

Be it further resolved that the proposed actions achieve three specific goals:

1. That the cost of increasing the minimum wage and making changes to the ESA be funded through the income tax system and not exclusively by businesses, agricultural producers or consumers.
2. That the benefits of providing increased wages and enhanced employment standards be balanced with the financial capacity of the economy and more specifically the capacity of businesses to absorb the increased costs.
3. That the government introduce specific measures to assist small and medium sized businesses to adopt the planned changes; and

Be it further resolved that the government consider the following specific actions:

- A. That the government delay the implementation of both the minimum wage increase and changes to the ESA as proposed through Bill 148 until January 2020 to allow businesses time to plan and adjust their business

approaches and that the current inflationary increases to the minimum wage be maintained to allow wage increases to remain consistent with consumer price index increases.

- B. That after completing an appropriate economic analysis in 2018/19, any proposed increases in minimum wages or changes to the ESA resulting from Bill 148 be implemented over three years beginning in 2020.
- C. That the unique challenges faced by seasonal employers (such as in tourism and agriculture) and those whose business is impacted by weather (i.e. roofers, window washers, etc.), be considered and that appropriate mitigation measures be implemented in conjunction with any changes.
- D. That any amendments to the minimum wage and the ESA be supported by an economic analysis with suggestions on how to mitigate economic impacts.
- E. That changes to the minimum wage and the ESA be accompanied by a corporate tax cut so as to ensure our businesses remain competitive.
- F. That the small business tax exemption amount be increased and the applicable tax rate be reduced.
- G. That the government provide time limited rebates to small businesses experiencing increased costs associated with the minimum wage increase and changes to ESA.
- H. That the government take measures which reduce input costs for businesses (i.e. Provincial licence fees, such as licence plate renewals).
- I. That the government increase the thresholds relative to a business's payroll burden to ensure that increased payroll costs do not act as a disincentive to businesses to grow and expand.
- J. That the government consider other approaches to assist low wage workers such as:
  - I. An increase in the income threshold subject to income tax,
  - II. A guaranteed annual income,
  - III. A new refundable tax credit for low wage earners.
- K. That the government consider increasing luxury taxes as a means to raise revenues to fund incentives to businesses to implement ESA changes.

Mayor Mary Smith - no  
Councillor Donna Ballantyne - yes  
Councillor Gerry Herron - yes  
Councillor Anita Locke - yes  
Deputy Mayor Sherry Senis - yes



Carried.

**Petitions**

None.

**Other, New & Unfinished Business**

**Resolution No. 2017 - 161 - Canada Celebrations – Thank you**

Councillor Anita Locke – Councillor Gerry Herron –

That the Township of Selwyn send correspondence to the Lakefield Merchants Group and the Kawartha Chamber of Commerce and Tourism to thank them for their exceptional organization and involvement with the Canada 150 celebrations at Isabel Morris Park in Lakefield.

Carried.

**By-laws**

**Resolution No. 2017 - 162 - By-laws First, Second & Third Reading**

Councillor Anita Locke – Councillor Donna Ballantyne –

That By-law 2017-042, being a By-law to authorize a Zoning By-law Amendment at 45 Rabbit Street; and

That By-law 2017-043, being a By-law to authorize a Zoning By-law Amendment at 3166 & 3170 Buckhorn Road; and

That By-law 2017-044, being a By-law to authorize a Zoning By-law Amendment at 827 Robinson Road; and

That By-law 2017-045, being a By-law to authorize a Zoning By-law Amendment at 779 Tara Road be read a first, second and third time and finally passed be read a first, second and third time and finally passed.

Carried.

**Resolution No. 2017 - 163 - Confirming By-law**

Deputy Mayor Sherry Senis – Councillor Gerry Herron –

That By-law 2017-046, a By-law to confirm the proceedings of the meeting of Council held on July 11, 2017 be read a first, second and third time and finally passed.

Carried.

**Adjournment**

**Resolution No. 2017 - 164 - Adjournment**

Councillor Gerry Herron – Councillor Donna Ballantyne –

That the meeting be adjourned. (7:27 PM)

Carried.