

Corporation of the Township of Selwyn

**Regular Council Meeting
Tuesday, September 11, 2018**

Council Chambers, 1310 Centre Line

A regular meeting of the Council of the Township of Selwyn was held on Tuesday, September 11, 2018 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
R. Lane Vance, Manager of Finance/Treasurer
Robert Lamarre, Manager of Building and Planning
Angela Chittick, Manager of Community & Corporate Services/Clerk
Mike Richardson, Manager of Recreation Services
Rick Dunford, Manager of Public Works
Jeannette Thompson, Planner
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. 2018 – 164 – Minutes

Deputy Mayor Sherry Senis – Councillor Donna Ballantyne –

That the minutes of the regular Council meeting of August 7, 2018 be adopted.

Carried.

Resolution No. 2018 – 165 – Agenda Amendment

Councillor Donna Ballantyne – Councillor Anita Locke –

That the agenda be amended to allow that item 10. a) Notice of Motion – Septic Re-inspection Program immediately follow agenda item (c-1) i) being a report from Robert Lamarre, Manager of Building and Planning – Proposed Septic Re-inspection – Public Feedback.

Carried.

Deputations and/or Invited Persons and/or Public Meeting

Mark Potter made a presentation to Council on behalf of the Newcomb Lane Cottagers Association in opposition to the proposed septic re-inspection program.

Don Evelyn from the Environment Council for Clear, Ston(e)y and White Lakes made a presentation to Council to provide feedback regarding the septic re-inspection program and the importance of maintaining clean lake water.

Patsy Young made a presentation to Council in opposition to the proposed septic re-inspection program. Mrs. Young also presented Council with a petition against the proposed program.

Bill Wolfe made a presentation to Council in opposition to the proposed septic re-inspection program.

Rachel Mahoney made a presentation to Council in opposition to the proposed septic re-inspection program suggesting alternatives to the program such as education, partnerships and pilot programs.

Robert Lamarre, Township of Selwyn Manager of Building and Planning provided Council with a summary of public comments regarding the proposed septic re-inspection program. Mr. Lamarre also provided a summary of communication initiatives used by the Township to publicize the proposed program and public open house.

Resolution No. 2018 – 166 – Septic Re-inspection Program

Councillor Donna Ballantyne – Deputy Mayor Sherry Senis –

Whereas the purpose of a Septic Re-inspection program is to ensure safe wastewater disposal to ensure the environmental health of lakes, aquifers, wells and public health and further that Council has been encouraged over the years by many Associations to implement such a program; and

Whereas the Council of the Township of Selwyn first considered the concept of a Septic Re-inspection program in 2015 and subsequently have considered a number of reports outlining how the program would be structured and implemented; and

Whereas on November 28, 2017 a draft Septic Re-inspection By-law was received for information and staff was directed to organize a Public Open House and information session to occur in August of 2018; and

Whereas an Open House was held on August 2, 2018 for members of the public to learn about the proposed program and to provide feedback and further that residents were also invited to provide feedback on the program until September 4, 2018; and

Whereas this public input was intended to assist Council in their decision as to the direction that they would take to move forward the Septic Re-inspection program in Selwyn; and

Whereas the Public Open House was very well attended and following the Open House, public feedback continued through social media, emails, phone calls, comment forms and personal conversations demonstrating the public's interest in providing feedback on the program; and

Whereas the feedback for the most part has expressed concern about costs and the overall value of the program, clearly indicating lack of support for the program;

Now let it be resolved that the Council for the Township of Selwyn not proceed with plans to implement the Septic Re-inspection Program.

Councillor Anita Locke – yes
Deputy Mayor Sherry Senis – yes
Mayor Mary Smith – yes
Councillor Donna Ballantyne – yes
Councillor Gerry Herron – yes

Carried.

Question Period

None.

Municipal Officers & Staff Reports – Direction

None.

Consent Items

Resolution No. 2018 – 167 – Municipal Officer’s and Staff Reports – Consent Items

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report from the Manager of Building and Planning related to correspondence received from Donnelly Law Barrister & Solicitor concerning the expansion of the Lovesick Lake Trailer Park be received for information; and that staff be directed to respond to Donnelly Law Barrister & Solicitor with the information as noted in the staff report dated September 11, 2018 and further, that the correspondence include the information provided through the verbal update from the Manager of Building and Planning related to the correspondence received from the Otonabee Region Conservation Authority indicating the need for Lovesick Lake Trailer Park to obtain a permit supported by a geo-technical report for the work that has already taken place on-site; and further that correspondence be forwarded to Lovesick Lake Trailer Park advising of the same; and

That the report from the Planner regarding a Site Plan Agreement for 1665 Chemong Road (Smith Ward) be received for information; and that By-law 2018-062 to authorize the execution of a Site Plan Agreement between The Corporation of the Township of Selwyn and 2402384 Ontario Inc. for 1665 Chemong Road be forwarded to the By-law section of the agenda for consideration; and

That the report of the Manager of Public Works with respect to the Request for Proposal (RFP) for repairs to the Smith and Ennismore sand domes be received for information; and that the RFP from Kawartha Capital Corporation, in the amount of \$90,183.60 (HST Excluded) for sand dome repairs be approved; and

That the report of the Manager of Public Works with respect to the Request for Proposal (RFP) for a new ¾ Ton, 4 door, double cab, 4x4 pick-up truck be received for information; and that the RFP from Jack McGee Chevrolet Cadillac Ltd., in the amount of \$38,285.00 (HST excluded) for a new pick-up truck be approved; and

That the report of the Clerk regarding the 2018 Municipal Compliance Audit Committee be received for information; and that By-law 2018-063, being a By-law to establish and appoint members to a Compliance Audit Committee in accordance with Section 88.33 – 88.37 of the Municipal Elections Act to review applications for campaign compliance audits in relation to the 2018 Municipal Election along with the Terms of Reference for the Compliance Audit Committee, be forwarded to the By-law section of the agenda for consideration; and

That the report of the Manager of Community & Corporate Services/Clerk, with respect to approving the licensing of a new group to conduct lotteries, be received for information; and that approval be given to license the Down Syndrome Association of Peterborough to conduct lottery gaming events in the Township of Selwyn, subject to all of the required documentation to comply with AGCO regulations being submitted to the Township’s satisfaction; and

Correspondence for Direction:

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

1. Triple T Holdings Limited – Request for Three Year Extension to Draft Plan

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That the correspondence from Caitlin Robinson, Planner for the County of Peterborough regarding Triple T' Holdings Limited's request for a three year extension of the draft plan conditions for draft plan 15CD-14001 be received for information; and that the Township of Selwyn advise the County of Peterborough that it supports a three year extension of the draft plan; and

2. Otonabee Region Conservation Authority – Request for Support of Application for Funding under the Natural Disaster Mitigation Program

That the correspondence from the Otonabee Region Conservation Authority regarding a request for support of an application 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 floodline mapping project which will be utilized for emergency preparedness, mitigation and response purposes and to update mapping in the Official Plan and Zoning By-law; 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 \$9,843.75, to be determined through the 2019 budget discussion; and

3. Teachers of English as a Second Language Association of Ontario – English as a Second Language Week – October 28th to November 3rd, 2018

That the correspondence received from the Teachers of English as a Second Language Association of Ontario regarding English as a Second Language Week be received for information; and that the week of October 28th - November 3rd, 2018 be proclaimed English as a Second Language Week in the Township of Selwyn; and

Correspondence for Information:

That the following items of correspondence be received for information:

4. Association of Municipalities of Ontario - Ontario Strengthening Relationship with Municipalities
5. Otonabee Region Conservation Authority – Fall Issue of Currently
6. Kawartha Chamber of Commerce – Newsflash – August 7 – September 4, 2018
7. Township of North Frontenac - Grandfathering of Volunteer Firefighters to NFP Standards – Update
8. Kids Against Hunger Canada – Thank You; and

County Correspondence for Information:

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

1. Peterborough & the Kawarthas Economic Development 2019 Budget
2. Peterborough & the Kawarthas Economic Development 2018 Second Quarter Report
3. 2017 Resource Productivity and Recovery Authority Datacall and Waste Management Master Plan Update to Council
4. Single-sourcing of Contract Administration & Inspection Services for the James A. Gifford Causeway Widening
5. Minutes – August 1, 2018
6. Minutes – August 15, 2018; and

Committee Reports

That the minutes of the Smith-Ennismore Police Services Board of August 27, 2018 be received for information; and

That the Peterborough Police Services Second Quarter Policing Activity Report for Lakefield Ward be received for information.

Carried.

Planner Jeannette Thompson 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 Local Planning Appeal Tribunal (LPAT), nor can a person or public body be added as a party to the hearing of an appeal before LPAT 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 Plan 35, Lot 14 in the Smith Ward municipally known as 2872 Fire Route 47. The subject lands are designated Seasonal Residential and are zoned Lakeshore Residential (LR). The proposed Zoning By-law Amendment related to the subject lands will change the zoning to Lakeshore Residential Exception 566 (LR-566). The proposed amendment would place a site specific zone on the subject lands which would permit the construction of a 84.5 square metre (910 square foot) boathouse, situated 1.8 metres (5.9 feet) from the easterly side lot line. The applicants' agent Kevin Duguay provided a brief history of the property and noted that the applicants were also in attendance. No one spoke in opposition to the application. There were 14 members of the public present. The public meeting concluded at 6:35 PM.

Resolution No. 2018 – 168 – Zoning By-law Amendment – 2872 Fire Route 47 – Smith Ward

Deputy Mayor Sherry Senis – Councillor Anita Locke –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Plan 35, Lot 14 in the Smith Ward be received for information; and

That By-law 2018-061, being a By-law to rezone certain lands described as Plan 35, Lot 14 in the Smith Ward from Lakeshore Residential (LR) Zone to Lakeshore Residential Exception 566 (LR-566) Zone, be forwarded to the By-law section of the agenda for consideration.

Carried.

A public meeting commenced at 6:35 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 9, Concession 4 in the Ennismore Ward municipally known as 613 Corkery Road & 678 Joseph Street. The subject lands are designated Rural and Rural Settlement Area and are zoned Rural (RU) and Rural Residential (RR). The proposed Zoning By-law Amendment related to the subject lands will change the zoning to Rural Residential Exception 561 (RR-561) and Rural Exception 562 (RU-562) as a condition of consent to sever application B-

90-17, which was imposed by the Township. The intent of the consent to sever application was to sever a 736.9 square metre parcel of land from 613 Corkery Road and merge it with the rural residential property situated at 678 Joseph Street. The proposed amendment will recognize lot area and frontage deficiencies of both properties, as well as the location of existing buildings on 678 Joseph Street. The on-going use of the lands will remain the same; and is reflected in the zone categories. Gord Simmons spoke in favour of the application. No one spoke in opposition to the application. There were 12 members of the public present. The public meeting concluded at 6:38 PM

Resolution No. 2018 – 169 – Zoning By-law Amendment – 613 Corkery Road & 678 Joseph Street – Ennismore Ward

Councillor Anita Locke – Councillor Gerry Herron –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Part of Lot 9, Concession 4 in the Ennismore Ward be received for information; and

That By-law 2018-057, being a By-law to rezone certain lands situated in Part of Lot 9, Concession 4 in the Ennismore Ward from Rural Residential (RR) Zone and Rural (RU) Zone to Rural Residential Exception 561 (RR-561) Zone and from Rural (RU) Zone to Rural Exception 562 (RU-562) Zone, be forwarded to the By-law section of the agenda for consideration; and

That the Mayor and Clerk be authorized to execute any agreements related to Consent Application File No. B-90-17.

Carried.

A public meeting commenced at 6:38 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 Plan 45M 190, Lot 19 in the Smith Ward municipally known as 2112 Truman Drive. The subject lands are designated Lakeshore Residential and are zoned Lakeshore Residential (LR). The proposed Zoning By-law Amendment related to the subject lands will change the zoning to Lakeshore Residential Exception 565 (LR-565). The Zoning By-law Amendment would place a site specific zone on the subject lands which would permit the construction of a 73 square metre (786 square foot) boathouse, situated 4.57 metres (15 feet) from the side lot line. Township Planner Jeannette Thompson noted that correspondence was received from the Otonabee Region Conservation Authority (ORCA) indicating concerns that the proposed structure may be located within the floodplain and within the Natural Heritage System and as such, ORCA has requested additional information from the applicant. Mrs. Thompson also noted that a letter was received from the property owner of 2110 Truman Drive expressing concerns about the size and scope of the proposed structure. Mrs. Thompson recommended that the passage of the By-law be deferred in order that the applicant may obtain the information required by ORCA. The applicants' agent, Adam Leggett from Timberline Custom Homes spoke in support of the application. He expressed concerns with the delay in ORCA's response to the application but noted that the required information will be provided. Mr. Leggett also noted that the applicant had spoken with his neighbour (2110 Truman Drive) and advised that the applicant had satisfied the neighbour's concerns. Planner Jeannette Thompson noted that ORCA responded to the request for feedback within the prescribed 20 day period. The applicants were in attendance in support of the application. No one spoke in opposition to the application. There were nine members of the public present. The public meeting concluded at 6:46 PM.

Resolution No. 2018 – 170 – Zoning By-law Amendment – 2112 Truman Drive – Smith Ward

Councillor Anita Locke – Councillor Donna Ballantyne –

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That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Plan 45M 190, Lot 19 in the Smith Ward be received for information; and

That staff consider the input received resulting from the public consultation period in relation to the Zoning By-law amendment application, specifically input received from the Otonabee Region Conservation Authority requesting additional information related to the location of the floodplain and the natural heritage system, and bring back a recommendation for Council's consideration at a future Council meeting.

Carried.

A public meeting commenced at 6:46 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 28, Concession 16 in the Smith Ward municipally known as 3001 Buckhorn Road. The subject lands are designated Rural and are zoned Highway Commercial Exception 130 (C1-130). Permitted uses within this exception zone are limited to; a real estate office, and uses, buildings, and structures accessory thereto. The proposed Zoning By-Law Amendment related to the subject lands will amend the exception zone in order to permit the establishment of a; business, professional or administrative office, structures and uses accessory to the principal permitted use, and a dwelling unit. Agent Kevin Duguay and the applicants' were in attendance in support of the application. No one spoke in opposition to the application. There were five members of the public present. The public meeting concluded at 6:46 PM.

Resolution No. 2018 – 171 – Zoning By-law Amendment – 3001 Buckhorn Road – Smith Ward

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 28, Concession 16 in the Smith Ward be received for information; and

That By-law 2018-060, being a By-law to amend the zone category of certain lands described as Part of Lot 28, Concession 16 in the Smith Ward in order to permit the establishment of a "business, professional or administrative office, structures and uses accessory to the principal permitted use, and a dwelling unit", be forwarded to the By-law section of the agenda for consideration.

Carried.

A public meeting commenced at 6:52 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 1, Concession 7 in the Ennismore Ward municipally known as 1099 Boundary Road & 55 & 59 Edenderry Line. The subject lands are designated Rural and are zoned Rural (RU) and Rural Residential (RR). The proposed Zoning By-Law Amendment related to the subject lands will change the zoning to Rural Residential Exception 563 (RR-563) Zone and Rural Residential Exception 564 (RR-564) Zone. The Zoning By-law Amendment is a condition of consent to sever applications B-113-17 and B-114-17, which was imposed by the Township. The intent of the consent to sever application B-113-17 was to sever a 1881 square metre parcel of land from 1009 Boundary Road and merge it with the rural residential property situated at 55 Edenderry Line. This property is presently developed with a single detached dwelling. The intent of the consent to sever application B-114-17 was to sever a 1040 square metre parcel of land from 1009 Boundary Road and merge it with the rural residential property situated at 59 Edenderry Line. The subject property is presently vacant. The proposed amendments will recognize lot area deficiencies of the newly merged properties. The on-going use of the lands will remain the same; and is reflected in the zone categories. No one spoke in favour of or in opposition to the application. There

were two members of the public present. The public meeting concluded at 6:54 PM.

Resolution No. 2018 – 172 – Zoning By-law Amendment – 1099 Boundary Road & 55 & 59 Edenderry Line – Ennismore Ward

Councillor Anita Locke – Councillor Gerry Herron –

That the report of the Planner regarding the Zoning By-law Amendment related to lands described as Part of Lot 1, Concession 7 in the Ennismore Ward be received for information; and

That By-law 2018-058, being a By-law to rezone certain lands situated in Part of Lot 1, Concession 7 in the Ennismore Ward from Rural Residential (RR) Zone and Rural (RU) Zone to Rural Residential Exception 563 (RR-563) Zone and Rural Residential Exception 564 (RR-564) Zone, be forwarded 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 Nos. B-113-17 & B-114-17.

Carried.

Petitions

None.

Other, New & Unfinished Business

None.

By-laws

Resolution No. 2018 – 173 – By-laws First, Second & Third Reading

Councillor Donna Ballantyne – Councillor Gerry Herron –

That By-law 2018-057, being a By-law to authorize a zoning By-law amendment at 613 Corkery Road & 678 Joseph Street; and

That By-law 2018-058, being a By-law to authorize a zoning By-law amendment at 1099 Boundary Road, 55 & 59 Edenderry Line; and

That By-law 2018-060, being a By-law to authorize a zoning By-law amendment at 3001 Buckhorn Road; and

That By-law 2018-061, being a By-law to authorize a zoning By-law amendment at 2872 Fire Route 47; and

That By-law 2018-062; being a By-law to authorize a site plan agreement at 1665 Chemong Road; and

That By-law 2018-063, being a By-law to appoint a Compliance Audit Committee be read a first, second and third time and finally passed.

Carried.

Resolution No. 2018 – 174 – Confirming By-law

Councillor Gerry Herron – Deputy Mayor Sherry Senis –

That By-law 2018-064, a By-law to confirm the proceedings of the meeting of Council held on September 11, 2018 be read a first, second and third time and finally passed.

Carried.

Adjournment

Resolution No. 2018 – 175 – Adjournment

Councillor Gerry Herron – Councillor Donna Ballantyne –

That the meeting be adjourned. (6:55 PM)

Carried.