

Township of Seguin
Draft Minutes of Council Meeting
August 7th, 2007

A regular meeting of the Township of Seguin Council was held August 7th, 2007 at the Township of Seguin Council Chambers. Mayor Conn presided with Councillors Adams, Chidley, Gibbon, Jacklin, Sainsbury and Sturgeon present.

After the meeting was called to order Mayor Conn asked for approval of the agenda. Council approved the agenda as presented with the addition of a Memo from the Director of Public Works regarding Tender No. 2007-021, Granite Screenings and Winter Sand.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. Councillor Adams declared a possible pecuniary interest in regard to Shore Road Allowance Application Evans - (SRA Application 03/2007-F) – family cottage registered in the name of her children Ashley and David Evans. Councillor Adams vacated her seat when this matter was discussed.

The following resolutions were considered by Council:

2007-308 Jacklin-Sainsbury **Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby adopt the minutes of the following meetings of Council as circulated:

- Regular Meeting of July 16th, 2007.
- Closed Session of July 16th, 2007.”

2007-309 Sainsbury-Jacklin **Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the accounts in the amount of \$733,824.60.”

2007-310 Jacklin-Sainsbury **Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby receive the Staff Reports as presented on the agenda for the July 16th Meeting of Council.

Community Services:

- Discussion re: Draft Terms of Reference for the Master Fire Planning Committee.
- Update re: resolutions from Municipalities of McDougall and Whitestone to reconfigure the representation on the Parry Sound District Emergency Medical Services Committee.
- Report CS-FC-2007-003, Tender No. 2007-020, Humphrey Community Centre septic system repairs and upgrades.
- Report CS-FC-2007-004, Semi Annual Drinking Water Test Results for Township of Seguin Regulated Drinking Water Systems.
- Report CS-PL-2007-103, Rezoning Application R-2007-0012-H (Peters).
- Report CS-PL-2007-101, Rezoning Application R-2007-0013-C (Gareh).
- Report CS-PL-2007-098, Application B-2006-0077-F (Moir/Ramos).
- Report CS-PL-2007-099, Application B-2007-0021-H (Gareh).
- Report CS-PL-2007-100, Application B-2007-0011-C (Wilson).
- Report CS-PL-2007-109, By-law No. 2007-104, Being a By-law to enter into an Agreement with Raimo O. Lindquist related to an agreement under Section 51(26) of the Planning Act R.S.O. as amended.

Public Works:

- Report PW-RD-2007-013, Roof replacement – Christie Roads Depot.
- Memorandum re: Rankin Lake Road CN Rail Bridge Open House.
- Memorandum re: Household waste and recycling statistics.
- Memorandum re: reconstruction of Bridge No. 6 (Turtle Lake Road).
- Memorandum re: scrap metal.

Corporate Services:

- Memorandum re: Draft 2008 Budget and Strategic Plan schedule.

- Memorandum re: Council site visit Shore Road Allowance Application 03/2007-F (Evans).”.

2007-311 Sainsbury-Jacklin

Carried

“**THAT** as per Report PW-RD-2007-013 Council of The Corporation of the Township of Seguin does hereby accept the proposal from Centimark Corporation in the amount of \$32,103.00 plus GST for the replacement of the roof at the Christie Roads Depot located at 33 Star Lake Road and Council does hereby approve the works.”.

2007-292 Chidley-Jacklin

Recorded Vote Defeated

“**THAT** Council of The Corporation of the Township of Seguin does hereby accept the bid from Premier Concrete in the amount of \$365,637.55 plus G.S.T. for the reconstruction of Bridge Number 6 (Turtle Lake Road).

AND FURTHER THAT Council does hereby direct that any costs for the entire COMRIF 1 Project over the budgeted amount of \$758,000 be budgeted in 2008.”.

Division List

Adams - Nay
Chidley - Yea
Gibbon - Nay
Jacklin - Yea
Sainsbury - Nay
Sturgeon - Nay
Conn - Nay

2007-298 Sainsbury-Jacklin

Withdrawn

“**THAT** Council of The Corporation of the Township of Seguin does hereby accept the proposal from All Ontario Recycling Inc. to provide the services of scrap metal recycling for the Township of Seguin as per the terms outlined in Report PW-WD-2007-003, attached as Schedule “A”.

2007-312 Sainsbury-Jacklin

Carried

“**THAT** as per the Memo dated 7 August 2007 re: Granite Screenings and Winter Sand Tender attached as Schedule “A” and as per By-law No. 2005-009, Being a By-law Governing Procurement Policies and Procedures, Section 5.1.3 Council has the authority to waive any part or parts of this By-law, Council of The Corporation of the Township of Seguin does hereby authorize the Chief Administrative Officer to award the winter sand tender based upon the lowest bidder and the tender costs not to exceed budget.”.

2007-313 Jacklin-Sainsbury

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby support Resolution No. 2007-131 of the Council of the Town of Parry Sound (copy attached as Schedule “A”) regarding the Private Members Bill C-451, An Act to establish the Economic Development Agency of Canada for the Region of Northern Ontario and urge the defeat of this legislation.

AND THAT copies of this Resolution be circulated to Right Honourable Stephen Harper, Prime Minister, Honourable Tony Clement, Honourable Stephane Dion, Gilles Duceppe, Honourable Jack Layton, the District of Parry Sound Municipal Association, and Council of the Town of Parry Sound.”.

2007-314 Sainsbury-Jacklin

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby support Motion No. 7A-07-201 of the Council of Tay Valley Township (copy attached as Schedule “A”) regarding the reunification of Surface-Rights-Only properties and mining rights.

AND THAT copies of this Resolution be circulated to Honourable Dalton McGuinty, Premier, Honourable Rick Bartolucci, Minister of Northern Development & Mines, the Association of Municipalities of Ontario, and Council of the Tay Valley Township.”.

2007-315 Jacklin-Sainsbury

Carried

“**WHEREAS**, November is recognized as Diabetes Awareness Month and the Diabetes Education Centre of Parry Sound and Area Communities plan events during November to try and increase the awareness of diabetes in our community;

AND WHEREAS, World Diabetes Day is organized by the International Diabetes Federation (IDF) and supported by the World Health Organization (WHO) and is celebrated annually on November 14th, the birth date of Frederick Banting, who discovered insulin in 1922 along with his colleague, Charles Best;

AND WHEREAS, it is believed that increasing the awareness of diabetes will allow more people to reduce their risk of developing diabetes and to help those with diabetes manage it more effectively;

AND WHEREAS, the Diabetes Education Centre of Parry Sound and Area Communities, a member program of the Northern Diabetes Health Network (NDHN) has requested Council declare November 14th Diabetes Day in our community.

THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the Township of Seguin does hereby declare November 14th, 2007 as Diabetes Day in the Township of Seguin.”.

2007-316 Chidley-Gibbon

Carried

“**THAT** By-law No. 2007-103, Being a By-Law to deem Lots 3 and 4, Plan 82 pursuant to Section 50(4) of The Planning Act not to be on a plan of subdivision (Property Roll No. 4903-040-008-00300-0000 and 4903-040-008-00400-0000) and to Repeal By-law No. 2007-080, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-317 Gibbon-Chidley

Carried

“**THAT** By-law No. 2007-104, Being a By-Law to enter into an Agreement with Raimo O. Lindquist related to an agreement under Section 51(26) of the Planning Act R.S.O. as amended, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-234 Jacklin-Sainsbury

Carried

“**THAT** By-law No. 2007-079, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 and By-law No. F-2007-1096, Being a By-law to amend Zoning By-law No. 93-1000 of the former Township of Foley, are hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-318 Chidley-Gibbon

Carried

“**WHEREAS** By-Law No. 2006-001, Being a By-Law to adopt a new Official Plan for the Township of Seguin, was passed January 9th, 2006;

AND WHEREAS the Official Plan for the Township of Seguin was approved by the Ministry of Municipal Affairs and Housing with modifications on March 27th, 2007;

AND WHEREAS a portion of Section E.1.2.6 Road Closure Policy reads as follows:
“Generally, concession roads and other roads that terminate at lakes and shoreline road allowances that abut Type 1 fish habitat or provide access to adjacent lands should not be sold”.

NOW THEREFORE BE IT RESOLVED THAT Council of The Corporation of the Township of Seguin does hereby deny the application to purchase the Concession Road Allowance between Concessions 2 and 3, Part of Lot 27, formerly Township of Foley now Township of Seguin. Property Roll File 030-005-17600 (Alksins).”.

2007-319 Adams-Gibbon

Carried

“**WHEREAS** By-Law No. 2006-001, Being a By-Law to adopt a new Official Plan for the Township of Seguin, was passed January 9th, 2006;

AND WHEREAS the Official Plan for the Township of Seguin was approved by the Ministry of Municipal Affairs and Housing with modifications on March 27th, 2007;

AND WHEREAS a portion of Section E.1.2.6 Road Closure Policy reads as follows:
“Generally, concession roads and other roads that terminate at lakes and shoreline road allowances that abut Type 1 fish habitat or provide access to adjacent lands should not be sold”.

NOW THEREFORE BE IT RESOLVED THAT Council of The Corporation of the Township of Seguin does hereby deny the application to purchase the Concession Road Allowance between Lots 5 and 6, Concession 3, former Township of Humphrey now Township of Seguin. Property Roll Files 010-001-17420 (Minkhorst, and 010-001-17705 (Mugford).”.

The Mayor advised Council would now consider the following shore/concession road allowance applications:

- By-law No. 2007-101, (Gareh Shore Road Allowance Application).
- By-law No. 2007-102, (Emerson Concession Road Allowance Application).

The Mayor asked if there was any member of the public who believed their land would be prejudicially affected by the closure of any of these road allowances or who wished to be heard on any of these road allowance closures and sales.

There were no public comments received.

The Mayor asked if there have been any written objections received.

The Clerk stated no written objections had been received.

2007-320 Gibbon-Chidley **Carried**
“**THAT** By-law No.’s 2007-101 and 2007-102 are hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-321 Gibbon-Chidley **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby receive the Correspondence as presented on the Agenda for the August 7th meeting of Council.”.

2007-322 Sainsbury-Jacklin **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn the regular meeting to hold a public meeting for the following matters:

- A proposed By-law to regulate the size, use, location and maintenance of signs and advertising devices with the Township of Seguin.
- Rezoning Application R-2007-0012-H (Peters).
- Rezoning Application R-2007-0013-C (Gareh).”.

The Mayor advised Council would now hold a public meeting regarding a proposed By-law to regulate the size, use, location and maintenance of signs and advertising devices within the Township of Seguin and asked the Clerk to state the method by which Notice of the meeting was given.

The Clerk advised Notice was given by advertising in the June 27th, July 25th and August 1st, 2007 editions of the Parry Sound North Star and the July 14th and August 4th, 2007 editions of the Parry Sound Beacon Star, by inclusion of notice in the Township of Seguin Summer 2007 Newsletter which was circulated to property owners with the tax notices and by posting on the Township of Seguin web site.

Stephen Fahner a consultant engaged by the Township of Seguin to develop the proposed by-law provided a summary of the proposed By-law.

The Clerk advised no written comments were received in opposition to or support of the proposed By-law.

The Mayor asked if there was anyone present who wished to speak in support of or in opposition to the proposed By-law and advised speakers to please identify themselves by stating their full name and address before providing their comments.

Mr. Frans Brinkman addressed Council to state some concerns he had with the proposed By-law and overall regulatory by-laws adopted or under consideration for adoption by Council. Mr. Brinkman feels the Township of Seguin has adopted/is considering adopting too many regulatory by-laws and questioned the need for the by-laws. Mr. Brinkman stated concerns with the effects on businesses and administration and enforcement costs of such by-laws. Mr. Brinkman questioned the legal authority of the Township to regulate trailers and vehicles used as signs and regulating the placement of poster signs as per Section 3.12 of the proposed by-law on utility poles. Mr. Brinkman feels the language of the proposed by-law is confusing. Mr. Brinkman asked whether there are annual fees for permits as it is not clear in the By-law. Mr. Brinkman also feels the By-law prohibits electronic displays but gas pumps at service stations utilize this technology. Mr. Brinkman stated he would provide his comments to the Township in writing.

Mr. Andrew Frame addressed Council to express his support for the proposed By-law. Mr. Frame expressed concerns with the proliferation of signs along the Highway #141 corridor and, in his opinion the negative effects on the natural environment. Mr. Frame urges the Township to be diligent in enforcing the By-law and recommends the Township provide substantial public notice of the By-law once it is enacted. Mr. Frame also requested Council urge the Ministry of Transportation to terminate existing permits, not renew permits and not issue new permits.

Mr. Jim Swift addressed Council to express his support of the proposed By-law however he is concerned the regulation of Field Signs as per Section 3.15 may encourage clear cutting of large parcels of land to meet the setback requirements. Mr. Swift is not opposed to businesses located in the Township of Seguin having signs along the Highway #141 corridor but does not agree businesses located in other municipalities need to have signs on this Highway. Mr. Swift also encouraged Council to urge the Ministry of Transportation to not renew permits and not issue new permits.

Mr. Jerome Wiley addressed Council to express his support of the proposed By-law and stated he agrees with the comments provided by Andrew Frame and Jim Swift.

The Mayor advised Council would now hold a public meeting regarding the following applications:

1. Application No. R-2007-0012-F (Peters) submitted by Christine Tudhope on behalf of the owners Bruce and Sheila Peters respecting lands located in Part Lots 9 & 10, Concessions 7 & 8, geographic Township of Christie ;
2. Application No. R-2007-0013-C (Gareh) submitted by John Jackson on behalf of the owners Bruce and Miriam Gareh respecting lands located in Part of Lots 28 and 29, Concession 6, geographic Township of Humphrey.

The Mayor asked the Clerk to state the method by which Notice of the meeting was given, and the dates on which that Notice was given.

The Clerk advised Notice with respect to both applications was given by first class mail on July 18th, 2007 and by posting on July 18th, 2007.

The Mayor advised, with respect to both amendments, anyone wishing to receive Notice of the passing of the zoning by-laws should give their full name and address to the Clerk before leaving the meeting.

The Mayor advised if a person or public body that files a notice of appeal of a decision of Council in respect of the proposed zoning bylaw amendments does not make oral submissions at a public meeting or make written submissions to Council before the proposed By-laws are adopted, the Ontario Municipal Board may dismiss all or part of the appeal.

The Clerk explained the purpose and effect of Application No. R-2007-0012-F (Peters), is a condition of Provisional Consent Approval regarding Applications No. B-2006-0090-C, B-2006-0091-C and B-2006-0092-C. The property was granted Provisional Consent Approval to divide and add a section of lands to an existing property and therefore the configuration of the lands has changed. The current zoning does not coincide with the new property configurations and a

rezoning is required to bring the new property's zoning in unison with the new boundaries and uses and to recognize the lot frontages of the two new lots.

The Clerk advised no correspondence was received in respect of the amendment to the Zoning By-law proposed by Application No. R-2007-0012-F (Peters).

Ms. Christine Tudhope, Agent for the Applicant addressed Council to advise she was present to answer any questions and speak to any concerns regarding the Application.

There were no verbal submissions in objection to or support of Application No. R-2007-0012-F (Peters).

The Clerk explained the purpose and effect of Application No. R-2007-0013-H (Gareh) is in conjunction with Consent Applications No. B-2007-0020-H and B-2007-0021-H and the purpose is to rezone the subject property from a Rural (A) Zone under Humphrey Zoning By-law Z200-97 to a Residential, Recreational (RR) Zone and to rezone the subject property from a Rural (RU) Zone under Seguin Zoning By-law 2006-125 to a Limited Service Residential (LSR) Zone to ensure that the enhanced lot has an appropriate residential zone to regulate future development.

The Clerk advised correspondence was received from James Reid suggesting alternatives to the proposal.

Mr. James Reid addressed Council to state the concerns he raised in his written comments.

Mr. John Jackson, Agent for the Applicant and the Applicant were present and Mr. Jackson spoke to comments stated by Mr. Reid.

2007-323 Sainsbury-Jacklin

Carried

“THAT the Public Meeting held for the following matters is hereby closed and the regular meeting of Council is hereby reconvened:

- A proposed By-law to regulate the size, use, location and maintenance of signs and advertising devices with the Township of Seguin.
- Rezoning Application R-2007-0012-H (Peters).
- Rezoning Application R-2007-0013-C (Gareh).”.

The Mayor advised Council would now hear comments with respect to Consent Application B-2006-0077-F (Moir/Ramos), for the lands located at 92 Blue Lake Road and asked the Clerk to state the method by which Notice of the meeting was given, and the dates on which that Notice was given.

The Clerk advised Notice was given by first class mail on July 11th, 2007 and by posting on July 13th, 2007.

The Mayor advised anyone who wished to receive Notice of the Decision regarding this Consent Application who had not submitted such a request in writing should give their full name and address to the Clerk before leaving the meeting.

The Clerk explained the purpose of the proposed Consent is to create a new waterfront lot, on Murdock Lake and the effect of the proposed consent is to have the Retained Lot with approximately a frontage of 146 metres on Murdock Lake and area of 3.8 acres and the Severed Lot with approximately a frontage of 121.8 metres on Murdock Lake and area of 1.3 acres and ensure the Property use will remain residential on both lots.

There were no verbal submissions in opposition to the Application.

Mr. John Jackson, Agent for the Applicant addressed Council to request a deferral of the Decision to permit him an opportunity to address the concerns raised in the Staff Report.

The Clerk advised correspondence had been received from Marilyn & Brent Kelman and Carolyn & Jean-Victor Wittenburg in opposition to the Application and Mr. John Jackson, Agent requesting deferral of the Decision.

The Mayor advised Council would consider all matters placed before it prior to making a Decision. As required by Section 53 Subsection 31 of the Planning Act, R.S.O. 1990, c. P.13, the Mayor informed the public that the Ontario Municipal Board has the power to dismiss an Appeal if the appellant has not provided Council with oral submissions at a public meeting or written submissions prior to it reaching a Decision regarding this Application for Consent.

2007-324 Jacklin-Sainsbury

Deferred to September 4th, 2007

“**THAT**, as per Report CS-PL-2007-098, Council of The Corporation of the Township of Seguin does hereby deny Consent Application B-2006-0077-F (Moir & Ramos).”.

The Mayor advised Council would now hear comments with respect to Consent Application B-2007-0021-H (Gareh), for the lands located at 181 Hamer Bay Road and asked the Clerk to state the method by which Notice of the meeting was given, and the dates on which that Notice was given.

The Clerk advised Notice was given by first class mail on July 16th, 2007 and by posting on July 13th, 2007.

The Mayor advised anyone who wished to receive Notice of the Decision regarding this Consent Application who had not submitted such a request in writing should give their full name and address to the Clerk before leaving the meeting.

The Clerk explained the purpose of the proposed Consent is to permit a lot addition, to enhance an existing lot on Lake Joseph subject to an existing registered right-of-way and that no new building lot would be created. The effect of the proposed consent is to enhance an existing 0.963 hectare lot on Lake Joseph by adding a 9.4 hectare parcel from the subject land. The Lot Addition is subject to an existing private registered right-of-way known as Shallow Way. The benefiting Property is Roll #4903-010-006-00500-0000 with Civic Address of 26 Shallow Way.

There were no verbal submissions in opposition to or support of the Application.

Mr. John Jackson, Agent for the Applicant was present to answer any questions regarding the Application.

The Clerk advised correspondence was received from Evelyn & John Ross regarding the existing registered Right-of-way.

The Mayor advised Council would consider all matters placed before it prior to making a Decision. As required by Section 53 Subsection 31 of the Planning Act, R.S.O. 1990, c. P.13, the Mayor advised the public that the Ontario Municipal Board has the power to dismiss an Appeal if the appellant has not provided Council with oral submissions at a public meeting or written submissions prior to it reaching a Decision regarding this Application for Consent.

2007-325 Sainsbury-Jacklin

Carried

“**THAT**, as per Report CS-PL-2007-099, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2007-0021-H (Gareh).”.

The Mayor advised Council would now hear comments with respect to Consent Application B-2007-0010-C & B-2007-0011-C (Wilson), for the lands located at 33 Wilson Road and asked the Clerk to state the method by which Notice of the meeting was given, and the dates on which that Notice was given.

The Clerk advised Notice was given by first class mail on July 16th, 2007 and by posting on July 13th, 2007.

The Mayor advised anyone wishing to receive Notice of the Decision regarding this Consent Application who had not submitted such a request in writing should give their full name and address to the Clerk before leaving the meeting.

The Clerk explained the purpose of the proposed Consent is to create two new lots with access provided by Wilson Road. The effect of the proposed consent would be two new lots with frontage on Wilson Road. The First Severed Lot with an area of approximately 2.1 hectares and frontage of 110 metres. The Seconded Severed Lot with an area of approximately 6.0 hectares and frontage of 100 metres. The retained Lot will have an area of approximately 2.2 hectares and frontage of 160 metres.

No written or verbal submissions in opposition to or support of the Application were received.

Mr. Jim Wilson, Agent for the Applicant was present to answer any questions on the Application.

The Mayor advised Council would consider all matters placed before it prior to making a Decision. As required by Section 53 Subsection 31 of the Planning Act, R.S.O. 1990, c. P.13, the Mayor informed the public that the Ontario Municipal Board has the power to dismiss an Appeal if the appellant has not provided Council with oral submissions at a public meeting or written submissions prior to it reaching a Decision regarding this Application for Consent.

2007-326 Jacklin-Sainsbury

Carried

“**THAT**, as per Report CS-PL-2007-100, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2007-0010-C and B-2007-0011-C (Wilson).”.

2007-327 Sainsbury-Jacklin

Carried

“**THAT** By-law No.’s 2007-105, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 and CT167-2007, Being a By-law to amend By-law No. CT100-83 former Township of Christie Zoning By-law (Rezoning Application R-2007-0012-H Peters), are hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-328 Jacklin-Sainsbury

Carried

“**THAT** By-law No.’s 2007-106, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 and Z297-2007, Being a By-law to amend By-law No. Z200-97 former Township of Humphrey Zoning By-law (Rezoning Application R-2007-0013-C Gareh), are hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-329 Adams-Chidley

Carried

“**THAT** By-law No. 2007-107, Being a By-law to confirm the proceedings of meetings of Council, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-330 Gibbon-Chidley

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn to meet again on August 20th, 2007 or at the call of the Mayor.”.

Ms. Janet Patterson, Chair of the Board of Directors and Ms. Lynn McGuigan, Executive Director of the Charles W. Stockey Centre for the Performing Arts addressed Council to provide an update on initiatives of the Board and information related to operations and funding for the Centre including sources of funding and volunteer and user information related to the Township of Seguin and it’s households. Ms. Patterson and Ms. McGuigan requested funding from the Township of Seguin in the form of sponsorship for 2007 in the amount of \$25,000 and funding for subsequent years as a donation in the amount of \$25,000. Council informed Ms. Patterson and Ms. McGuigan if they provide the Township Staff with information on sponsorship opportunities, Staff will review the 2007 Budget to identify potential sources of funding for the 2007 sponsorship and report back to Council. Regarding subsequent year’s donations, Council informed Ms. Patterson and Ms. McGuigan of the Township’s policy and process regarding donations and advised that the Board submit to the Township the required application and supporting documentation for review by Council during the annual consideration of donation requests.

David Conn,
Mayor

Craig Jeffery,
Clerk