

**Township of Seguin**  
**Draft - Minutes of Council Meeting**  
**September 17<sup>th</sup>, 2007**

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A regular meeting of the Township of Seguin Council was held September 17<sup>th</sup>, 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 following amendments. There will be a closed session to receive advice that is subject to solicitor/client privilege. A letter from E. Marshall Green and Robyn Carlson, Graham Wilson & Green was added to Section 8. d) Delegations. Addition to Section 10. d) Consent Application Decisions of correspondence from John H. Durland and Bruce and Siobhan Clegg with respect to Consent File B-2007-0029-H (Steele) as well as notification from John Jackson, applicant's agent, to withdraw consent application B-2007-0029-H (Steele). Addition of letter from the Mayor of Huntsville regarding the Huntsville Otters and Seguin Bruins challenge during their game series.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. None were declared.

The following resolutions were considered by Council:

**2007-377 Chidley-Adams** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting in order to address a matter(s) pertaining to: the receiving of advice that is subject to solicitor/client privilege, including communications necessary for the purpose.”.

**2007-378 Chidley-Adams** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened.”.

**2007-379 Chidley-Adams** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby adopt the minutes of the regular and closed session meetings of Council of September 4<sup>th</sup>, 2007 as circulated.”.

**2007-380 Chidley-Adams** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the accounts in the amount of \$586,584.48.”.

**2007-381 Sainsbury-Jacklin** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby amend the appointments to the Township of Seguin Rosseau Health Committee as follows:  
Remove Donna Kearney, NP and Kevin Thomson

**AND FURTHER THAT** Donna Kearney and Kevin Thomson continue to be consulted by the Committee when required for resource purposes.”.

**2007-382 Sainsbury-Jacklin** **Carried**  
“**THAT** the Council of the Township of Seguin formally request a meeting with the Ministry of the Environment, ClubLink Corporation, and the Lake Joseph North Association to discuss the issues raised in the *2006 Rocky Crest Tributary Monitoring Study* dated August 2007 by Gartner Lee Limited and to develop with all parties a course of action to resolve all water quality issues.”.

**2007-383 Sainsbury-Jacklin** **Carried**  
“**THAT** the report *Township of Seguin Demographic Review and Population Forecasts* dated September 2007 be received for information and planning purposes.”.

**2007-384 Jacklin-Sainsbury**

**Carried**

“**THAT** the following recommendation is provided to Council for the Township of Seguin for their consideration:

1. That the Township advise the proponents (Zeuter Development Corporation and Jim Marshall) that the municipality has no objections or concerns with the proposed 20 metres broadband internet towers (FR 463, Highway #518 and 44 McNaughton Road) subject to the owners complying with the Township’s Zoning By-law(s) and obtaining the required building permit.
2. That the Planning Department be directed to include in its 2008 Business Plan the development of a formal protocol for the review and commenting on proposals for radio communication and broadcasting antenna systems pursuant to Industry Canada Procedure CPC-02-0-03 Issue 4.”.

**2007-385 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 September 17<sup>th</sup> meeting of Council.

**Community Services:**

- Report CS-PL-2007-127 - Lake Joseph North Association & ClubLink Water Quality Issues
- Report CS-PL-2007-124 - Demographic Review and Growth Forecasts
- Report CS-PL-2007-133 - Tower Proposals and Request for Comments
- Report CS-PL-2007-134 - Bali Hai Site Plan Application
- Report CS-PL-2007-137 - Rezoning Application R-2007-0016-M (Marriott)
- Report CS-PL-2007-129 - Consent Application B-2007-0020 (Manchee/Wagg) Right of Way
- Report CS-PL-2007-130 - Consent Application B-2007-0024 to 26 inclusive (Ontario Mission for the Deaf) Right-of-Ways
- Report CS-PL-2007-131 - Consent Application B-2007-0027 (Ontario Mission for the Deaf) Right-of-Way
- Report CS-PL-2007-128 - Consent Agreement with Michael and Susan McGarrell under S. 51(26) of the Planning Act.
- Report CS-FC-2007-005 - Electricity Appointment and Retainer Agreement with Local Authority Services Limited (LAS).”.

**2007-386 Sainsbury-Jacklin**

**Carried**

“**THAT** Council does hereby authorize David Conn to attend the 2007 Federation of Northern Ontario Municipalities – Northern Ontario Leaders’ Summit in Timmins, October 17, 18, 19. All Councillor expenses to attend the Summit to be paid by the Township.”.

**2007-387 Jacklin-Sainsbury**

**Carried**

“**WHEREAS** Seguin Township recognizes the information and educational value of Councillor attendance at annual and regional conferences of organizations that include, but are not limited to, the Association of Municipalities of Ontario (AMO), the Rural Ontario Municipal Association (ROMA), the Federation of Northern Ontario Municipalities (FONOM), and the Federation of Canadian Municipalities (FCM); and

**WHEREAS** Councillor attendance at these conferences is funded by the Township; and

**WHEREAS** it is important that the information gathered at these conferences be shared with the entire Council and appropriate Staff;

**THEREFORE BE IT RESOLVED** that Council members or staff who attend these conferences will present to Council a joint written report that summarizes the information gathered; and

**THAT** this report will be similar in scope and format to the report attached to this resolution as Schedule “A “; and

**THAT** the report will be presented to Council no later than the 2<sup>nd</sup> meeting of Council following the close of the conference.”.

**2007-388 Sainsbury-Jacklin**

**Carried**

“**THAT** Council for the Township of Seguin does hereby approve and adopt the Information Technology (IT) 5 Year Plan contained in Staff Report CS-AD-2007-06 attached as Schedule “A” to this resolution.”.

**2007-389 Chidley-Adams**

**Carried**

“**THAT** By-law No. 2007-123, being a by-law to enter into an Agreement with Michael David McGarrell and Susan Elizabeth McGarrell 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.”.

**2007-390 Chidley-Adams**

**Carried**

“**THAT** By-law No. 2007-124, being a By-law to authorize the execution of an Electricity Appointment and Retainer Agreement with Local Authority Services Limited (LAS), is hereby deemed to have been read a first, second and third time and passed by Council.”.

**2007-391 Chidley-Adams**

**Carried**

“**THAT** By-law No. 2007-126, being a By-law to authorize the execution of the Rose Point Trail Recreational Maintenance Agreement with Park to Park Trail Association, is hereby deemed to have been read a first, second and third time and passed by Council; and

Further, be it resolved that 4<sup>th</sup> quarter '07 maintenance costs not to exceed \$1,500 will be funded from the contingency fund.”.

**2007-392 Adams-Chidley**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby receive the Correspondence as presented on the Agenda and the Addendum for the September 17<sup>th</sup> meeting of Council.

**2007-393 Sturgeon-Jacklin**

**Recorded Vote Carried**

“**THAT** as per Report CS-PL-2007-134, Council for the Township of Seguin hereby approves the site plan application submitted on behalf of Siegbert and Heidrun Krummrei in respect of those lands located in Part of Lot 99, Concession A (Humphrey) and known municipally as 52 Siku Road comprised of the following drawings and reports:

- Site Plan Drawing “SP-1” dated January, 2006 (revised 29/07/07) by Georgian Engineering.
- Grading Plan Drawing “SP-2” dated January, 2006 (revised 29/07/07) by Georgian Engineering.
- Construction Details Drawing “SP-3” dated January, 2006 (revised 29/07/07) by Georgian Engineering.
- Project Design Brief dated June 26, 2006 by Georgian Engineering.
- Access Road Report by Georgian Engineering dated July 27, 2007.
- Cost estimates by Georgian Engineering dated July 27, 2007 (to be updated to include taxes, contingency, and engineering supervision and management)
- Landscape Layout Drawing No. 1 dated May 07 by Michael Kelly Architectural & Landscape Design.
- Elevation drawings by Quality Engineered Homes Ltd. dated May 30, 2007.
- Michalski Nielsen Associates Limited, *Redevelopment Bali Hai Resort – Impact of Phosphorus Loadings on Little Whitefish Lake*, March 2006 (revised June 2006 and March 2007); and

That the required site plan agreement be prepared and submitted to the owner for execution prior to final approval by Council.”.

**Division List**

Adams - Yea  
Chidley - Nay  
Gibbon - Nay

Jacklin - Yea  
Sainsbury - Yea  
Sturgeon - Yea  
Conn - Yea

**2007-394 Jacklin-Sainsbury**

**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 Rezoning Application:

- R-2007-0016-M (Marriott).”

The Mayor advised Council would now hold a public meeting regarding the following Application to amend the Zoning By-law:

Application No. R-2007-0016-M (Marriott), Pt. Lots 22 & 23, Concession A, geographic Township of Monteith, Pt. Parcel 11,250 SS. The Owners have applied to rezone the property to allow a hunt camp on property which does not meet the minimum area and setback requirements for this use.

The Mayor asked the Acting Clerk to state the method by which Notice of the meeting was given, and the dates on which that Notice was given. The Acting Clerk advised Notice was given by first class mail on August 28<sup>th</sup>, 2007 and by posting on August 28<sup>th</sup>, 2007.

The Mayor asked if there was anyone present who wished to speak in favour of or in opposition to the application. Mr. John Marriott, the applicant, spoke in relation to his application. No other verbal submissions were received.

The Mayor asked if any letters had been received in opposition to or support of the application. The Acting Clerk advised that one letter had been received from Mr. Patrick Taylor who indicated that he had no concern with an amendment to the minimum lot area but objected to any change in the minimum street setback of 100 metres per the Zoning By-law.

The Mayor advised that anyone who wished to receive notice of the passing of a zoning by-law not owning land within 120m of the area to which it applies and who had not submitted such a request in writing should provide their full name and address to the Acting Clerk before leaving the meeting.

The Mayor advised Council would consider all matters placed before it before passing a zoning by-law. As required by Section 34 Subsection 25 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 passing a zoning by-law.

**2007-395 Jacklin-Sainsbury**

**Carried**

“**THAT** the public meeting held for the following Rezoning Application is hereby closed and the regular meeting is reconvened:

- R-2007-0016-M (Marriott).”

**2007-396 Sainsbury-Jacklin**

**Carried**

“**THAT** By-law No. 2007-125, a by-law to amend By-law No. 2006-125 and By-law CT168-2007 SP 14.51, a by-law to amend By-law CT100-83 of the former Townships of Christie and Monteith, are hereby deemed to have been read a first, second and third time and passed by Council.”

The Mayor advised that Council will now consider the following Consent Applications:

- B-2007-0020-C (Manchee/Wagg)
- B-2007-0024 to 26F inclusive (Ontario Mission for the Deaf)
- B-2007-0027-F (Ontario Mission for the Deaf).

The Mayor advised that Council will 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 Council reaching a Decision. Anyone wishing to receive Notice of the Consent Decision who has not submitted such a request in writing should give your full name and address to the Acting Clerk before leaving this meeting.

The first application is Consent File B-2007-0020-C (Manchee/Wagg) for the lands located on Marshall Road. The Mayor asked if there was anyone present who wished to speak in respect of this Application for Consent. There were no verbal submissions.

The Mayor asked if there had been any written comments on the application. The Acting Clerk advised none were received.

**2007-397 Chidley-Adams**

**Carried**

“**THAT**, as per Report CS-PL-2007-129, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2007-0020-C (Manchee/Wagg).”.

The Mayor advised that the final two applications are Consent Applications B-2007-0024 to 26-F inclusive (Ontario Mission for the Deaf) for the lands located at 236 Black/Crane Lake Road, Second Lake and Consent Application B-2007-0027-F (Ontario Mission for the Deaf) for the lands located at 120 Black/Crane Lake Road, Second Lake.

The Mayor asked if there was anyone present who wished to speak in respect of these Applications for Consent. Joe Torrone spoke in opposition indicating he felt the property was being used as a commercial operation for ATV's and that they were very noisy. Darren Vella from Innovative Planning Solutions, representing the applicants, spoke in favour of the application. Both applicants want access to their land over the Mission for the Deaf's lands.

The Mayor asked if there had been any written comments on the application. The Acting Clerk advised a letter of objection had been received from Beverley and Robert Burnham.

**2007-398 Adams-Chidley**

**Carried**

“**THAT**, as per Report CS-PL-2007-130, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2007-0024 to 26-F inclusive (Ontario Mission for the Deaf).”.

**2007-399 Adams-Chidley**

**Carried**

“**THAT**, as per Report CS-PL-2007-131, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2007-0027-F (Ontario Mission for the Deaf).”.

**2007-400 Adams-Chidley**

**Carried**

“**THAT** By-law No. 2007-127, 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.”.

**2007-401 Adams-Chidley**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn to meet again on October 1st, 2007 or at the call of the Mayor.”.

Rebecca Crockford, Muskoka Watershed Council, addressed Council and provided information and a power point presentation on the recently released 2007 Muskoka Watersheds Report Card.

Prior to the delegations regarding the Bali Hai (Seasons of Muskoka) site plan application, and subsequent deliberation by Council, Mayor Conn provided some background information to the public and what Council's responsibilities are when deliberation of this application takes place.

Patrick Harrington of Aird & Berlis, representing the Three Lakes Ratepayers Association, addressed Council in opposition to the Bali Hai (Seasons of Muskoka) site plan application. In his opinion the application does not conform with the applicable zoning regulations and standards under Zoning By-law No. Z200-97 (former Humphrey Township).

John Boyle of the Three Lakes Ratepayers Association addressed Council and provided information and a power point presentation in opposition to the application. The development will put too much pressure on that small bay on Little White Fish Lake with the additional cottages, residents and boats.

Robyn Carlson of Graham, Wilson & Green, representing the applicant, addressed Council in favour of the application. In her opinion, the proposed use is in compliance with Zoning By-law Z200-97 (former Humphrey Township) and the application submitted is adequate for the development on both the C2 and the M1 Zones.

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*David Conn,*  
*Mayor*

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*Craig Jeffrey,*  
*Clerk*