

Township of Seguin
Draft Minutes of Council Meeting
June 16th, 2008

A regular meeting of the Township of Seguin Council was held June 16th, 2008 at the Township of Seguin Council Chambers. Mayor Conn presided with Councillors Adams, Chidley, Gibbon, Sainsbury and Sturgeon present. Councillor Jacklin joined the meeting at 9:47 a.m.

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. Addition to the By-laws Section of item h) By-law No. 2008-084, Being a By-law to approve a settlement agreement between Paul Dalla Lana and The Corporation of the Township of Seguin. Addition to the Staff Reports Section item a) Community Services of Report CS-BL-2008-04, Update on activity in Building Services and to item b) Corporate Services of a Memorandum re: Application from Licks Homeburgers for a Sign Permit, a minor variance to the By-law is requested.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. Mayor Conn and Councillor Jacklin both declared a possible pecuniary interest in regard to discussions regarding Firefighters' compensation and vacated the Chambers during consideration of this matter. Councillor Gibbon took the Chair as Acting Mayor during this time.

The following resolutions were considered by Council:

2008-221 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 June 2nd, 2008 as circulated.”.

The Mayor advised Council would now hear the following Consent Application(s):

- B-2008-0008 and B-2008-0009-H (Cashman; Ledgett; Hazen).
- B-2008-00011-H (Hanson & Metcalf).

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 if a person or public body that files an appeal of a decision of the Township of Seguin in respect of the proposed consent does not make written submissions to the Township before it gives or refuses to give a provisional consent, the Ontario Municipal Board may dismiss the appeal. The Mayor advised anyone who wished to receive Notice of the Consent Decision who has not submitted such a request in writing should provide their your full name and address to the Clerk before leaving the meeting.

The Mayor advised Consent Applications B-2008-0008 and B-2008-0009-H (Cashman; Ledgett; Hazen) is for the lands located at 140A & B Scully Road, on Lake Joseph and the purpose is for lot additions, no new building lot will be created.

The Mayor asked if there was anyone present who wished to speak to this Application for Consent.

Bob Hawkins of L.U. Maughan Surveyors, Agent for the Applicants was present to answer any questions.

The Mayor asked if any letters had been received in opposition to or support of the proposed Consent.

The Clerk advised no written submissions had been received.

2008-222 Adams-Chidley

Carried

“**THAT**, as per Report CS-PL-2008-068, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Applications B-2008-0008-H & B-2008-0009-H (Cashman, Trustees Hazen & Ledgett) subject to the conditions set out in the decision.”.

The Mayor advised Consent Application B-2008-0011-H (Hanson) is for the lands located at 92b Scully Road, on Lake Joseph and the purpose is for lot addition, no new building lot will be created.

The Mayor asked if there was anyone present who wished to speak to this Application for Consent.

Sebrina Kaletti, Agent for the Applicant addressed Council to explain the reason for the Application and answer any questions.

The Mayor asked if any letters had been received in opposition to or support of the proposed Consent.

The Clerk advised no written submissions had been received.

2008-223 Chidley-Adams

Carried

“**THAT**, as per Report CS-PL-2008-065, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2008-0011-H (Hanson) subject to the conditions set out in the decision.”.

2008-224 Adams-Chidley

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 Applications:

- Application R-2008-0014 (Jones).
- Application R-2008-0012 (Nestman – Turtle Lake Subdivision).
- Application R-2008-0013 (Borg/Kennedy).
- Application R-2008-0015 (Eady).”.

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

1. Application No. R-2008-0014 (Jones). The Owners have applied to rezone the lands from Limited Service Residential “LSR” to a Limited Service Residential Exception Forty-Four Holding “LSR-44(H)” Zone.
2. Application No. R-2008-0012 (Nestman). The Owners have applied to rezone the lands from the Limited Service Residential “LSR” zone to the Shoreline Residential One Exception Forty Two :SR1-42” Exception Zone, from the Rural “RU” & “LSR” Zones to the Open Space “OS” Zone, and from the Rural “RU” Zone to the Rural Residential “RR” and the Rural Holding “RU(H)” Zones.
3. Application No. R-2008-0013 (Borg/Kennedy). The Owners have applied to rezone the lands from the Limited Service Residential “LSR” Zone to Limited Service Residential “LSR-43” Zone.
4. Application No. R-2008-0015 (Eady). The Owners have applied to rezone the lands from the Village Residential One “R1” Zone to Village Residential One Exception Forty-One “R1-41” Zone.

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 for each proposed amendment.

The Clerk advised Notice was given by first class mail on May 26th & 27th and by posting on May 27th and 28th, 2008 with respect to all the applications.

The Mayor advised anyone who wished to receive notice of the passing of the zoning by-laws not owning land within 120m of the area to which the by-law applies and who has not submitted such a request in writing should provide their full name and address to the 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. The Mayor also advised, in addition, no person or body shall be added as a party to a hearing unless, before the by-law is passed, oral submissions at a public meeting or written submissions to Council are made, or if the OMB believes there are reasonable grounds to be added as a party.

The Mayor asked, with respect to Application R-2008-0014 (Jones) if there was anyone present who wished to speak in favour of or in opposition to the application.

Peter Jones and Angela Ghikadis of Planscape, Agent addressed Council to explain the reasons for the application and answer any questions.

The Mayor asked the Clerk if the Township had received any correspondence with respect to the Application.

The Clerk advised no written submissions had been received.

The Mayor asked, with respect to Application R-2008-0012 (Nestman) if there was anyone present who wished to speak in favour of or in opposition to the application.

Greg Corbett, Agent for the Applicant addressed Council to explain the reasons for the application and answer any questions.

The Mayor asked the Clerk if the Township had received any correspondence with respect to the Application.

The Clerk advised no written submissions had been received.

The Mayor asked, with respect to Application R-2008-0013 (Borg/Kennedy) if there was anyone present who wished to speak in favour of or in opposition to the application.

Ian Kennedy addressed Council to explain the reasons for the application and answer any questions.

The Mayor asked the Clerk if the Township had received any correspondence with respect to the Application.

The Clerk advised no written submissions had been received.

The Mayor asked, with respect to Application R-2008-0015 (Eady) if there was anyone present who wished to speak in favour of or in opposition to the application.

Ashley Eady and her Agent Robert MacKenzie addressed Council to explain the reasons for the application and answer any questions.

The Mayor asked the Clerk if the Township had received any correspondence with respect to the Application.

The Clerk advised no written submissions had been received.

2008-225 Chidley-Adams

Carried

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

- Application R-2008-0014 (Jones).
- Application R-2008-0012 (Nestman – Turtle Lake Subdivision).
- Application R-2008-0013 (Borg/Kennedy).
- Application R-2008-0015 (Eady).”.

2008-226 Adams-Chidley

Withdrawn

“**THAT** By-law No. 2008-078, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Rezoning Application R-2008-0015 Eady), is hereby deemed to have been read a first, second and third time and passed by Council.”

Angela Ghikadis, Agent for the Applicant requested Council defer Application R-2008-0014 (Jones).

2008-227 Chidley-Adams

Deferred

“**THAT** By-law No. 2008-079, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Rezoning Application R-2008-0014 Jones), is hereby deemed to have been read a first, second and third time and passed by Council.”

2008-228 Adams-Chidley

Carried

“**THAT** By-law No. 2008-080, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Rezoning Application R-2008-0012 Nestman), is hereby deemed to have been read a first, second and third time and passed by Council.”

2008-229 Chidley-Adams

Carried

“**THAT** By-law No. 2008-081, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Rezoning Application R-2008-0013 Borg/Kennedy), is hereby deemed to have been read a first, second and third time and passed by Council.”

2008-230 Sturgeon-Sainsbury

Carried

“**THAT** By-law No. 2008-077, Being a By-law to Prohibit or Regulate the Placing or Removal of Fill for Part of Yoho Island in Lake Joseph in the Township of Seguin (Draft Plan of Subdivision 49T-05001), is hereby deemed to have been read a first, second and third time and passed by Council.”

2008-231 Sainsbury-Sturgeon

Carried

“**THAT** By-law No. 2008-071, Being a By-law to enter into a Lease Agreement between the West Parry Sound Health Centre and The Corporation of the Township of Seguin for facilities located at 17 Victoria Street, Village of Rosseau (Rosseau Nursing Station), is hereby deemed to have been read a first, second and third time and passed by Council.”

2008-232 Adams-Chidley

Carried

“**THAT** By-law No. 2008-082, Being a By-law to authorize the execution of a Memorandum of Understanding between Seguin Place Inc. and The Corporation of the Township of Seguin, is hereby deemed to have been read a first, second and third time and passed by Council.”

2008-233 Sturgeon-Sainsbury

Carried

“**THAT** By-law No. 2008-084, Being a By-law to approve a settlement agreement between Paul Dalla Lana and The Corporation of the Township of Seguin, is hereby deemed to have been read a first, second and third time and passed by Council.”

2008-234 Sturgeon-Sainsbury

Carried

“**THAT** By-law No. 2008-078, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Rezoning Application R-2008-0015 Eady), is hereby deemed to have been read a first, second and third time and passed by Council.”

The Mayor advised Council would now consider the following shore road allowance application:

- By-law No. 2008-074, SRA (Hodgkinson) – Little Lake Joseph.

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

There were no verbal submissions received.

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

The Clerk advised no written objections had been received.

2008-235 Sainsbury-Sturgeon **Carried**

“**THAT** By-law No. 2008-074 is hereby deemed to have been read a first, second and third time and passed by Council.”.

2008-236 Sturgeon-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 June 16th meeting of Council.

Community Services:

- Memorandum – Status Report re: Water Quality Monitoring Review.
- Report CS-PL-2008-070, G.&E. Martin Legal Access Issue with Seguin Land Development Company.
- Memorandum – Temporary Signs for Parry Sound KOA Due to Bridge Closure.
- Memorandum – Sign By-law.
- Report CS-FD-2008-03, Firefighter Compensation.
- Report CS-PL-2008-069, By-law No. 2008-077, Being a By-law to Prohibit or Regulate the Placing or Removal of Fill for Part of Yoho Island in Lake Joseph in the Township of Seguin (Draft Plan of Subdivision 49T-05001).
- Report CS-PL-2008-066, Application R-2008-0014 (Jones).
- Report CS-PL-2008-072, Application R-2008-0012 (Nestman – Turtle Lake Subdivision).
- Report CS-PL-2008-071, Application R-2008-0013 (Borg/Kennedy).
- Report CS-PL-2008-067, Application R-2008-0015 (Eady).
- Report CS-PL-2008-06, Application B-2008-0008-H (Trustees Cashman; Ledgett; Hazen).
- Report CS-PL-2008-065, Application B-2008-0011-H (Hanson & Metcalf).
- Report CS-BL-2008-04, Update on activity in Building Services.

Corporate Services:

- Verbal update re: YMCA Summer Camp.
- Memorandum re: Application from Licks Homeburgers for a Sign Permit, a minor variance to the By-law is requested.”.

2008-237 Sainsbury-Sturgeon **Deferred**

“**THAT** as per Report CS-PL-2008-070, Council of The Corporation of the Township of Seguin does hereby advise Mr. & Mrs. Martin that the Township of Seguin will not pay the Martin’s legal expenses with respect to the right-of-way dispute with Seguin Land Development.”.

2008-238 Sturgeon-Sainsbury **Carried**

“**THAT** as per the request from Don and Michelle Berry and the Memorandum and recommendation from Staff dated June 4th, 2008, Council of The Corporation of the Township of Seguin does hereby approve an exemption to By-law No. 2007-116, Being a By-law to regulate the size, use, location and maintenance of signs and advertising devices within the Township of Seguin, to permit temporary signage for the Parry Sound KOA Kampground due to the CN Rail Bridge closure on Rankin Lake Road.”.

2008-239 Sainsbury-Sturgeon **Carried**

“**THAT** as per the Memorandum and recommendation from the Fire Chief dated June 10th, 2008, Council of The Corporation of the Township of Seguin does hereby direct Staff to prepare proposed amendments to By-law No. 2007-116, Being a By-law to regulate the size, use, location and maintenance of signs and advertising devices within the Township of Seguin, for Council consideration.

AND FURTHER THAT Council does hereby direct Staff not to enforce the sections of By-law No. 2007-116 that are under consideration for amendment until Council has made a decision on the proposed amendments.”.

2008-240 Sturgeon-Sainsbury **Carried**

“**THAT** as per Report CS-FD-2008-03, Council of The Corporation of the Township of Seguin does hereby adopt Policy# 2008-01, Volunteer Firefighters’ Honourarium Distribution.

AND THAT Council does hereby approve the total amount of honourariums for 2008 in the amount of \$135,000.

AND THAT Council does hereby approve increasing the total honourarium amount each year by an amount equivalent to the cost of living adjustment provided to Township Staff.

AND FURTHER THAT Council does hereby approve the implementation of the service level changes as per the Report.

AND THAT all resolutions, by-laws and any portions thereof, inconsistent herewith or contrary hereto this resolution are hereby repealed.”.

2008-241 Sainsbury-Sturgeon

Carried

“**WHEREAS**, Licks Homeburgers has made Application for Sign Permit for their 1 Horseshoe Lake Road location;

AND WHEREAS, the Application proposes a contravention to the following Sections of By-law No. 2007-116, Being a By-law to regulate the size, use, location and maintenance of signs and advertising devices within the Township of Seguin:

- 5.2.3 No more than two (2) GROUND SIGNS shall be located on any one property and such SIGNS shall not be located closer to each other than 150 metres (500 feet).
- 5.3.3 On a private property no part of any WALL SIGN shall project more than 7.5 centimetres (3 inches) from the face of the wall except in the case of a SIGN painted on canopy, provided such canopy is located at least 2.5 metres (8 feet) above the surface of any sidewalk or pedestrian walkway and complies with setback requirements of the Municipal Zoning By-law.

AND WHEREAS, Section 7. MINOR VARIANCES of By-law No. 2007-116 outlines conditions for Minor Variances to the By-law;

AND WHEREAS, Council considers the variances requested by Licks Homeburgers to be minor in nature;

THEREFORE BE IT RESOLVED THAT Council of The Corporation of the Township of Seguin does hereby approve the following Minor Variances to By-law No. 2007-116, Being a By-law to regulate the size, use, location and maintenance of signs and advertising devices within the Township of Seguin for Licks Homeburgers at 1 Horseshoe Lake Road:

- A Minor Variance to Section 5.2.3 to permit 4 GROUND SIGNS closer than 150 metres to each other.
- A Minor Variance to Section 5.3.3 to permit a WALL SIGN projection not to exceed 10 inches.”.

2008-242 Adams-Gibbon

Carried

“**THAT** as per the attached Schedule “A”, staff request that Council provide direction to staff to advise the low bidder of tender #2008-007 that he will be awarded the above noted contract subject to a potential elimination of several components in order to manage budget constraints. This will permit the bidder to order steel culverts with confidence and avoid the price increases.”.

2008-243 Sainsbury-Sturgeon

Carried

“**THAT**, as per the resolution dated June 9th, 2008 of the Parry Sound Area Municipal Airport Commission Council of The Corporation of the Township of Seguin does hereby support funding applications in the amount of \$22,500 to the Northern Ontario Heritage Fund Corporation (NOHFC) and Industry Canada/FedNor by the Parry Sound Area Community Business and Development Centre Inc. (CB&DC) on behalf of the Parry Sound Area Municipal Airport Commission in support of the Commission’s Industrial Utility Expansion Project 2008.

AND FURTHER THAT Council approves the CB&DC act as the Contract Agent on behalf of the Commission and its member municipalities to the conclusion of the referenced Project.”.

2008-244 Sturgeon-Sainsbury

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the accounts in the amount of:

May 30, 2008 -	\$ 137,726.67
June 5, 2008 -	\$1,703,128.17
June 12, 2008 -	\$ <u>99,263.93</u>
 TOTAL	 \$ <u>1,940,118.77</u> ”.

2008-245 Sainsbury-Sturgeon

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 June 16th meeting of Council.”.

2008-246 Sturgeon-Sainsbury

Carried

“**THAT** By-law No. 2008-083, 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.”.

2008-247 Sainsbury-Sturgeon

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn to meet again on July 7th, 2008 or at the call of the Mayor.”.

Mr. Gord Martin addressed Council to explain his reasons for requesting the Township of Seguin reimburse him for his legal fees regarding an access issue. Council directed Staff to Meet with Mr. Gord Martin to discuss events leading up to the right-of-way from Seguin Land Development to Mr. Martin and Mr. Martin’s request for reimbursement of legal fees. Staff are to provide the additional information to Council for consideration. Council deferred Resolution No. 2008-237 pending further information.

*David Conn,
Mayor*

*Craig Jeffery,
Clerk*