

Township of Seguin
Draft Minutes of Council Meeting
March 2nd, 2009

A regular meeting of the Township of Seguin Council was held March 2nd, 2009 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 addendum. Addition to Business of item e) Draft resolution – Support the position of the Federation of Ontario Public Libraries in opposing Private Member’s Bill 128. Addition of correspondence from Nick & Susan Rizzo to Public Meeting item a) Rezoning Application R-2008-0027 (Rizzo).

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. Councillor Adams declared a possible pecuniary interest in regard to item 12. c) By-law No. 2009-033, Being a By-law to authorize the construction and maintenance and interim use of a Private Access Road located on Township lands pending the execution of a Property Purchase Agreement between The Corporation of the Township of Seguin and The Residences of Georgian Green Inc. for Part of the Original Road Allowance between Concession 11 and 12, Lots 28, 29, 30 and 31, and Part Lot 150, Concession A, former Foley, designated as Part 1, Plan 42R-18454, Town of Parry Sound being all the lands described in PIN 52184-0259, and vacated her seat during consideration of this matter. Councillor Chidley declared a possible pecuniary interest in regard to item 10. a) Verbal report - Belvedere Heights Home For the Aged budget, and vacated his seat during consideration of this matter.

The following resolutions were considered by Council:

2009-063 Adams-Gibbon

Carried

“**WHEREAS**, Council of The Corporation of the Township of Seguin and the Finance Committee have discussed and debated the 2009 Capital and Operating Budget and Community Development Plans on several occasions;

AND WHEREAS, this approval for the 2009 Budget is “approval in principle” and subject to final levies from external agencies;

AND WHEREAS, further adjustments to this Budget may occur;

THEREFORE BE IT RESOLVED THAT Council of The Corporation of the Township of Seguin does hereby approve in principle the following:

- the 2009 Capital Budget projected at \$2,940,500.
- the 2009 Operating Budget projected at \$7,400,106.”.

2009-064 Adams-Gibbon

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve, in principle, the 2009 Community Development Plans as presented January 19th, 2009 along with the following Issue Papers:

Community Services:

- Fire: Issue Paper #1 Tanker 39 Replacement.
- Fire: Issue Paper #2 Standardize Self Contained Breathing Apparatus.
- Planning: Issue Paper #1 Water Quality Monitoring Program and Septic Re-Inspection Program.
- Planning: Issue Paper #2 Seguin Lake Stewardship Initiative.

Public Works:

- Issue Paper #2 Proposed Staff Increase.”.

2009-065 Gibbon-Chidley

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 4:13 p.m. 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 – Paul Bak, 59 Burgess Road – OMB Appeal Case No. PL081581.
- personal matters about an identifiable individual, including municipal employees – Human Resource Matters.
- labour relations or employee negotiations - Human Resource Matters.”.

2009-066 Chidley-Gibbon

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 4:45 p.m.”.

Mayor Conn left the meeting and Acting Mayor Adams took the Chair. Staff Sergeant Percy Jollymore addressed Council at this time.

Mayor Conn returned to the Chair.

2009-067 Jacklin-Chidley

Carried

“**THAT** as per Report CS-PL-2009-017, Council of The Corporation of the Township of Seguin does hereby accept the Community of Foley and the Village of Orrville Visioning and Urban Design Reports dated March 2, 2009 by Brook McIlroy Planning and Urban Design/Pace Architects Inc.

AND THAT Council directs the Foley and Orrville Visioning Task Forces to produce a recommended Implementation Plan for their respective Communities for consideration by Council.”.

2009-068 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 Rezoning Application R-2008-0027 (Rizzo).”.

The Mayor advised Council would now hold a Public Meeting for the following Zoning By-law Amendment, Application R-2008-0027 (RIZZO) 1 Mills Lane, Lake Rosseau.

The Mayor advised, the Owners have applied to rezone the lands from the Shoreline Residential One (SR1) Zone to the Shoreline Residential One Exception Fifty-Three (SR1-53) Zone to construct a new dwelling on the footprint of an existing non-complying dwelling, and to construct a new boathouse. The proposed Zoning By-law Amendment is to permit an increase of lot coverage from the maximum 6.75% to 7.75%, and to permit the new dwelling to be located 7.9 metres from the shoreline (being the same distance as the existing dwelling), where the minimum front yard setback is 20 metres.

The Mayor asked the Clerk to state the method and the date that Notice of this Public Meeting was given.

The Clerk advised Notice was given by first class mail to landowners within 120 metres of the subject lands and all applicable external agencies on February 9th, 2009, and by posting on the property on February 10th, 2009.

The Mayor advised anyone who wished to receive Notice of the passing of this Zoning By-law Amendment not owning land within 120 metres of the subject property, and who had not submitted a request in writing to receive Notice of passing, should provide their full name and address to the Clerk before leaving the meeting.

The Mayor advised Council would consider all matters before passing a Zoning By-law Amendment. 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 and/or written submission(s) at or before a Public Meeting, prior to the passing of a Zoning By-law Amendment. In addition, no person or body shall be added as a party to a hearing unless, before the decision on the application was made, oral submission(s) at a Public Meeting or written submission(s) to Council are made, or if the OMB believes there are reasonable grounds to be added as a party.

The Mayor asked if there was anyone present who wished to speak in favour of or in opposition to Zoning By-law Amendment Application R-2008-0027.

Savas Varadas of Wayne Simpson Planning, Agent for the Applicants addressed Council to explain the reasons for the Application and answering any questions.

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

The Clerk advised the Township Planning Department received the following correspondence:

- February 17th, 2009 – Hydro One, No objections.
- February 19th, 2009 – Ministry of Transportation, No objections.
- February 20th, 2009 – Parry Sound Separate School Board, No objections.
- February 26th, 2009 – Letter from Nick & Susan Rizzo to Council Re: Proposed Zoning By-law Amendment.

2009-069 Sainsbury-Jacklin Carried

“**THAT** the public meeting held for Rezoning Application R-2008-0027 (Rizzo) is hereby closed and the regular meeting is reconvened.”

2009-070 Adams-Gibbon Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the following 2009 Discretionary Levies:

Organization	Amount
Park-To-Park Trail Inc. - Operations	\$16,500
Park-To-Park Trail Inc. - Rose Point Recreational Trail Maintenance Agreement	\$5,100
Parry Sound Area Chamber of Commerce	\$4,057
Parry Sound Area Community Business & Development Centre	\$16,000
West Parry Sound District Museum	\$15,000

2009-071 Gibbon-Adams Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the following 2009 Donations/Grants:

Organization	Amount
Georgian Jumpers	\$1200
Horseshoe Men's Club – 2009 Property Taxes	Estimate \$638
North Muskoka Lightning Minor Hockey Association	\$1500
Humphrey Playgroup	\$3,000
Humphrey Public School Graduation Awards	\$150
Maple Lake Club – 2009 Property Taxes	Estimate \$416
Muskoka Lakes Marine Patrol	\$2000
Parry Sound Anglers & Hunters – 2009 Property Taxes	Estimate \$811
Parry Sound High School Graduation	\$500
Rosseau Horticultural Society	\$2000
Seguin Arts Council	\$500
Arts Works	\$500
Festival of the Sound	\$1,300

2009-072 Gibbon-Chidley Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adopt the minutes of the special, regular and closed session meetings of Council of January 29th and February 2nd, 2009 as circulated.”

2009-073 Gibbon-Chidley

Carried

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

January 29, 2009	\$292,512.15
February 5, 2009	\$212,373.54
February 12, 2009	\$252,487.39
February 19, 2009	\$175,547.74
<u>TOTAL</u>	<u>\$932,920.82</u>

2009-074 Chidley-Gibbon

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby receive the Staff Reports as presented on the agenda and the addendum for the March 2nd meeting of Council.

Public Works:

- Report No. PW-RD-2009-001, Tender No. 2008-021, Purchase of a 2008 Backhoe/Loader.

Community Services:

- Report No. CS-FD-2009-002, Township of Seguin Emergency Plan.
- Report No. CS-PL-2009-018, Recreational Carrying Capacity Policies.
- Report No. CS-PL-2009-017, Brook McIlroy Inc./Pace Architects – Foley & Orrville Visioning.
- Report No. CS-PL-2009-016, Rezoning Application R-2008-0027 (Rizzo).

Corporate Services:

- Memorandum re: McTaggart Request Transfer of Title of a Portion of Turtle Lake Road for a Portion of Concession Road Allowance.
- Report No. AD-2009-004, Surplus Lands, Part of Lot 26, Concession 3, geographic Township of Foley, described as Block A on Registered Plan M-296 and the shore road allowance in front thereof.”.

2009-075 Gibbon-Chidley

Carried

“THAT as per Report PW-RD-2009-001 Council of The Corporation of the Township of Seguin does hereby accept the qualified and revised bid from Tracks and Wheels Equipment Brokers Inc., Sudbury in the amount of \$86,174.28 plus G.S.T. (which includes a trade-in value of \$15,000 for VR24) for the purchase of a 2008 backhoe/loader, and award Tender No. 2008-021, to Tracks and Wheels Equipment Brokers Inc., Sudbury.

AND THAT Council does hereby declare the Township owned 1999 215S, JCB backhoe known as VR24 as surplus and approve the sale of this unit to Tracks and Wheels Equipment Brokers Inc., Sudbury for a trade-in value of \$15,000.”.

2009-076 Chidley-Gibbon

Carried

“THAT By-law No. 2009-032, Being a By-law to establish an Emergency Management Program for the protection of public safety, health, the environment, the critical infrastructure and property, and to promote economic stability and a disaster-resilient community and to adopt an Emergency Plan for The Corporation of the Township of Seguin and to Repeal By-law No. 2004-89, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-077 Gibbon-Adams

Carried

“THAT as per Report CS-PL-2009-018 Council of The Corporation of the Township of Seguin does hereby direct Staff to prepare a Draft Official Plan Amendment, with the purpose of amending the Recreational Carrying Capacity policies of the Township of Seguin Official Plan in accordance with Report CS-PL-2009-018 and to proceed to a Public Meeting in accordance with the requirements of the Planning Act.”.

2009-078 Adams-Gibbon

Recorded Vote Carried

“THAT as per the Memorandum from the Clerk’s Department dated March 2, 2009 regarding the request from McTaggart to swap a portion of Turtle Lake Road for a portion of concession road allowance, Council of The Corporation of the Township of Seguin does hereby authorize

and direct Staff to commence the process to complete the transfers with the Township of Seguin's costs to be funded from the Contingency Fund.”.

Division List

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

2009-079 Gibbon-Adams

Carried

“**THAT** as per Report AD-2009-004 and pursuant to By-law No. 98-03, Council of The Corporation of the Township of Seguin does hereby declare the following real property as surplus:

- Part of Lot 26, Concession 3, geographic Township of Foley, now Township of Seguin, District of Parry Sound, described as Block A on Registered Plan M-296 and the shore road allowance in front thereof.

AND THAT Council does hereby authorize and direct Staff to commence the process of listing this property for sale with Steve Elsasser, Coldwell Banker SWE Heritage Real Estate and Darrin O'Brien, Century 21 Granite Properties.”.

Councillor Chidley declared a possible pecuniary interest in regard to the next item, 10. a) Verbal report - Belvedere Heights Home For the Aged budget, and vacated his seat during consideration of this matter.

2009-080 Gibbon-Adams

Carried

“**WHEREAS** the Provincial Municipal Fiscal and Service Delivery Review (PMFSDR) final report was released on October 31, 2008;

AND WHEREAS the PMFSDR Infrastructure Table concluded that the infrastructure investment gap per household for Northern Ontario municipalities is generally higher than other regions in Ontario;

AND WHEREAS the PMFSDR Fiscal Health Table concluded that the fiscal health of Northern municipalities is poorer than other regions of Ontario;

AND WHEREAS Northern Ontario municipalities are more reliant on funding from the Ontario Municipal Partnership Fund (OMPF) than other regions of Ontario;

AND WHEREAS many municipalities in Northern Ontario will see a reduction in their OMPF equal to their upload benefits resulting in very little net upload benefit for several years;

AND WHEREAS the net upload benefits per household for the Northern Ontario region are forecast to be well below the net upload benefits per household for all other regions of the Province;

AND WHEREAS the Province has committed to review the formula for distribution of the OMPF, or its successor unconditional funding program, before 2010;

NOW THEREFORE BE IT RESOLVED that the Council of The Corporation of the Township of Seguin does hereby request the Province of Ontario increase the Northern Communities Grant by \$50.00 per household, to ensure all Municipalities in the North will receive the necessary “Required Support”;

AND BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Premier of Ontario, the Minister of Finance, the Federation of Northern Ontario Municipalities (FONOM), the Association of Municipalities of Ontario (AMO) and the Provincial Leaders of the Opposition.”.

2009-081 Adams-Gibbon

Deferred

“**WHEREAS**, Private Member’s Bill 128, An Act to protect our children from sexual predators and exposure to electronic forms of sexual material by amending Christopher’s Law (Sex Offender Registry), 2000 and other Acts, received First Reading on November 19th, 2008;

AND WHEREAS, a portion of Bill 128 would require public libraries to block access on the internet to sexually explicit material, including written material, pictures and recordings specifically through the use of filtering software;

AND WHEREAS, the Federation of Ontario Public Libraries (FOPL) position is consistent with Internet access policies of the Ontario Library Association (OLA) and the Canadian Library Association (CLA) and therefore the FOPL does not support Bill 128;

AND WHEREAS, the FOPL has identified several false assumptions that were made in the drafting of the Private Members Bill 128;

AND WHEREAS, the Township of Seguin Public Library has procedures and policies in place regarding Internet access for children;

NOW THEREFORE BE IT RESOLVED that the Council of The Corporation of the Township of Seguin supports the Federation of Ontario Public Libraries (FOPL) in its opposition to Private Member’s Bill 128, An Act to protect our children from sexual predators and exposure to electronic forms of sexual material by amending Christopher’s Law (Sex Offender Registry), 2000 and other Acts.”.

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

- By-law No. 2009-026, CRA (Stoneman/Hall Quarries) – Turtle Lake Road area.

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.

No verbal submissions were received.

The Mayor asked if any written objections had been received.

The Clerk advised no written objections had been received.

2009-082 Jacklin-Sainsbury

Carried

“**THAT** By-law No. 2009-026, Being a By-law regarding a road allowance closure and sale, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-083 Sainsbury-Jacklin

Carried

“**THAT** By-law No. 2009-029, Being a By-law to deem Lot 18, North-west corner of Locke Street and Victoria Street, Plan 163 and Lot 19, West side of Locke Street, Plan 163 all in the geographic Village of Rosseau, now the Township of Seguin, District of Parry Sound, pursuant to Section 50(4) of The Planning Act not to be on a plan of subdivision (Property Owner: Donna Griffith Property Roll No. 4903-020-001-01700-0000 (Lot 18) and 4903-020-001-01800-0000 (Lot 19) and to repeal By-law 2008-145), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-084 Adams-Gibbon

Carried

“**THAT** By-law No. 2009-015, Being a By-law to designate parts of Humphrey Drive, Stoneman Drive, North Sandy Plains Road and Sandy Plains Road in the Village of Humphrey in the Township of Seguin, District of Parry Sound as Community Safety Zones, is hereby deemed to have been read a first, second and third time and passed by Council.”.

Councillor Adams declared a possible pecuniary interest in regard to the next item, 12. c) By-law No. 2009-033, Being a By-law to authorize the construction and maintenance and interim use of an Private Access Road located on Township lands pending the execution of a Property Purchase Agreement between The Corporation of the Township of Seguin and The Residences of

Georgian Green Inc. for Part of the Original Road Allowance between Concession 11 and 12, Lots 28, 29, 30 and 31, and Part Lot 150, Concession A, former Foley, designated as Part 1, Plan 42R-18454, Town of Parry Sound being all the lands described in PIN 52184-0259, and vacated her seat during consideration of this matter.

2009-085 Jacklin-Sainsbury

Deferred

“**THAT** By-law No. 2009-033, Being a By-law to authorize the construction and maintenance and interim use of an Private Access Road located on Township lands pending the execution of a Property Purchase Agreement between The Corporation of the Township of Seguin and The Residences of Georgian Green Inc. for Part of the Original Road Allowance between Concession 11 and 12, Lots 28, 29, 30 and 31, and Part Lot 150, Concession A, former Foley, designated as Part 1, Plan 42R-18454, Town of Parry Sound being all the lands described in PIN 52184-0259, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-086 Sainsbury-Jacklin

Carried

“**THAT** By-law No. 2009-031, Being a By-law regarding an easement for Bell Canada and Hydro One over part of the original road allowance between Lots 30 and 31, Concession 6, in the geographic Township of Humphrey, now in the Township of Seguin, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-087 Jacklin-Sainsbury

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby receive the Board and Committee Minutes and the Correspondence as presented on the Agenda and the Addendum for the March 2nd meeting of Council.”.

2009-088 Adams-Gibbon

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 9:16 p.m. in order to address a matter(s) pertaining to:

- personal matters about an identifiable individual, including municipal employees – Human Resource Matters.
- labour relations or employee negotiations - Human Resource Matters.”.

2009-089 Gibbon-Adams

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 9:38 p.m.”.

2009-090 Sainsbury-Jacklin

Carried

“**THAT** By-law No. 2009-034, 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.”.

2009-091 Jacklin-Sainsbury

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 9:39 p.m. to meet again on April 6th, 2009 or at the call of the Mayor.”.

Bonnie Beatty, President of The Festival of the Sound addressed Council to request the Township of Seguin sponsor the Festival for their 30th anniversary season this year. Council thanked Ms. Beatty for her presentation and agreed to a sponsorship in the amount of \$1,300. Council passed Resolution No. 2009-071 approving 2009 Donations/Grants including the sponsorship of the Festival.

Ontario Provincial Police Staff Sergeant Percy Jollymore of the West Parry Sound Detachment addressed Council to present the Business Planning Results for 2008. Council thanked Staff Sergeant Jollymore for his presentation.

Stacey Teasdale of Brook McIlroy Planning and Urban Design/Pace Architects Inc. addressed Council to present the Community of Foley and the Village of Orrville Final Visioning and Urban Design Reports. Council thanked Ms. Teasdale for her presentation. Council passed Resolution No. 2009-067 accepting the Reports and providing further direction.

Brian Downing of the Parry Sound Motorcycle Association addressed Council to request the Township of Seguin provide funding in the amount of \$5,000 to support the 2009 SUPERBIKES event. Council thanked Mr. Downing for his presentation and advised Mr. Downing that Council would not grant the request for funding.

*David Conn,
Mayor*

*Craig Jeffery,
Clerk*