

Township of Seguin
Draft Minutes of Council Meeting
April 19th, 2010

A regular meeting of the Township of Seguin Council was held April 19th, 2010 at 4:00 p.m. at the Township of Seguin Council Chambers. Mayor Conn presided with Councillors Adams, Chidley, Jacklin and Sainsbury present. Councillors Gibbon and Sturgeon sent their regrets.

After the meeting was called to order Mayor Conn asked for approval of the agenda. Council approved the agenda with the following additions/changes. Additional information to Closed Session item a) Use of Property Maple Lake Estates, Village of Orrville. Addition to Delegations item a) Garfield Eaton re: Use of Property Maple Lake Estates, Village of Orrville, of a copy of correspondence from the Township to Christopher Karl Kappes. Addition of a Delegation by Mr. Chris Kappes regarding the matter of Delegation item a) Use of Property Maple Lake Estates, Village of Orrville.

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 9. a) Shore Road Allowance By-law No. 2010-029 (Evans) and vacated her seat during consideration of this matter.

The following resolutions were considered by Council:

2010-113 Chidley-Adams **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 4:02 p.m. in order to address matters pertaining to:

- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
 Use of property Maple Lake Estates, Village of Orrville.
- the receiving of advice that is subject to solicitor/client privilege, including communications necessary for the purpose.
 Use of property Maple Lake Estates, Village of Orrville.
 Rose Point Recreational Trail – relocation of a portion of the Trail.”.

2010-114 Adams-Chidley **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 4:19 p.m.”.

2010-115 Chidley-Adams **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby adopt the minutes of the April 6th, 2010 regular and closed session meetings of Council as circulated.”.

2010-116 Adams-Chidley **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the following accounts in the amount of:

April 1, 2010	\$258,482.64
April 8, 2010	<u>151,315.78</u>
TOTAL	<u>\$409,798.42</u> ”.

2010-117 Chidley-Adams **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby receive the Staff Reports as presented on the Agenda for the April 19th, 2010 meeting of Council.

Development & Protective Services:

- Memo re: Little Otter Lane – Ruzic inquiry.
- Memo re: Fill By-law Exemption request 163 Burgess Road.
- Report No. DPS-PL-2010-031, Application B-2010-0001-F (Gingrich).

- Report No. DPS-PL-2010-032, Application B-2010-0004-H (Reid/Hill) & B-2010-0005-H (Reid/Hill).

Corporate Services:

- Report No. AD-2010-006, Extension of Regional Economic Development Advisory Committee (REDAC) and extension of REDAC Coordinator's Contract.
- Financial Update To April 12th, 2010."

2010-118 Sainsbury-Jacklin

Carried

"**THAT** as per the Memo from Fire Chief Dave Thompson, Fill Exemption 163 Burgess Road dated April 19th, 2010, Council of The Corporation of the Township of Seguin does hereby grant an exemption to the owners of 163 Burgess Road pursuant to Section 5.1 of By-Law No. 2008-105, Being a By-law to prohibit or regulate the placing or dumping of fill in areas of the Township of Seguin, to permit construction of an inclinuator."

2010-119 Sainsbury-Jacklin

Carried

"**WHEREAS**, the Regional Economic Development Advisory Committee (REDAC) has been a partnership among the Municipality of McDougall, the Town of Parry Sound, and the Township of Seguin since 2006;

AND WHEREAS, a REDAC Co-ordinator has been hired to work with the Committee to implement the strategies and recommendations of the Area Economic Development Strategy;

AND WHEREAS, the contract with the REDAC Co-ordinator expires on December 1st, 2010;

NOW THEREFORE UPON THE RECOMMENDATION OF THE REGIONAL ECONOMIC DEVELOPMENT ADVISORY COMMITTEE, Council of The Corporation of the Township of Seguin does hereby approve the extension of the Regional Economic Development Advisory Committee to December 1st, 2011.

AND THAT Council does hereby authorize the extension of the contract with the Area Economic Development Co-ordinator to December 1st, 2011 on a cost sharing basis of 40/40/20, allocated among the Town of Parry Sound, Township of Seguin and the Municipality of McDougall respectively."

2010-120 Adams-Chidley

Carried

"**THAT** Council of The Corporation of the Township of Seguin does hereby authorize a donation in the amount of \$10,000 to the Charles W. Stockey Centre for the Performing Arts."

2010-121 Adams-Chidley

Carried

"**WHEREAS**, a life saving organ or tissue donation can provide thousands of men, women, and children on waiting lists with a second chance at life;

AND WHEREAS, our society unfortunately lacks widespread knowledge of the real need for organ donations, and the list of Ontarians in need of transplants grows annually;

AND WHEREAS, the tireless efforts of the Trillium Gift of Life Network members, volunteers and individual donors and their families can, and do save many lives each year;

AND WHEREAS, education and increased public awareness enable Ontarians to make the important, informed decision to donate their organs and/or tissues and help give the gift of life;

THEREFORE, the Council of The Corporation of the Township of Seguin does hereby proclaim April 18th – 25th, 2010 as Organ and Tissue Donor Awareness Week in the Township of Seguin, and encourage all residents of Seguin Township to register their consent to donate their organs and/or tissues and help save lives."

Councillor Adams declared a possible pecuniary interest regarding the next item of business and vacated her seat during consideration of this matter.

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

- By-law No. 2010-029, (Evans) SRA Horseshoe Lake.
- By-law No. 2010-030, (Grant) SRA 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 these shore road allowances or who wished to be heard on these road allowance closures 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.

2010-122 Jacklin-Sainsbury

Recorded Vote Carried

“**THAT** By-law No. 2010-029, Being a By-law to authorize the stop up, closure and sale of various portions of shore road allowance (Evans), is hereby deemed to have been read a first, second and third time and passed by Council.”.

Division List

Adams – Declared a Possible Pecuniary Interest
 Chidley - Nay
 Gibbon - Absent
 Jacklin - Yea
 Sainsbury - Yea
 Sturgeon - Absent
 Conn - Yea

Councillor Adams returned to her seat.

2010-123 Sainsbury-Jacklin

Carried

“**THAT** By-law No. 2010-030 is hereby deemed to have been read a first, second and third time and passed by Council.”.

2010-124 Jacklin-Sainsbury

Carried

“**THAT** By-law No. 2010-032, Being a By-law to Authorize the Execution of a Collection Site Operator Agreement between Ontario Electronic Stewardship and The Corporation of the Township of Seguin for the operation of an Approved Collection Site at 39 Star Lake Road and to Repeal By-law No. 2009-075, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2010-125 Chidley-Adams

Carried

“**THAT** By-law No. 2010-031, Being a By-law to authorize the granting of a right of way over a portion of Rose Point Trail being Part of Lot 140, Concession A, designated as Part 4, Plan 42R-4897, former Township of Foley, now Township of Seguin, District of Parry Sound, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2010-126 Sainsbury-Jacklin

Carried

“**THAT** By-law No. 2010-034, Being a By-Law for Establishing Tax Ratios, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2010-127 Sainsbury-Jacklin

Carried

“**THAT** By-law No. 2010-035, Being a By-law to Exempt Certain Properties from Part IX of the Municipal Act, 2001, as amended, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2010-128 Chidley-Adams

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 for the April 19th, 2010 meeting of Council.”.

The Mayor advised Council would now hear the following Consent Applications:

- B-2010-0001-F (Gingrich).
- B-2010-0004-H and B-2010-0005-H (Reid & Hill).

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 a 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. Anyone who wishes to receive Notice of a Consent Decision 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 asked the Clerk to state the method by which Notice of the meeting was provided and the dates on which Notice was provided for each proposed consent.

The Clerk advised Notice was provided by first class mail and by posting on the property as follows:

- Application No. B-2010-0001-F (Gingrich) on March 25th by mail and posted on March 26th, 2010.
- Application No. B-2010-0004-H & B-2010-0005-H (Reid/Hill) on March 25th by mail and posted on March 26th, 2010.

Notice was therefore considered to be provided in accordance with the requirement of Section 53 of the Planning Act.

The Mayor advised Consent Application B-2010-0001-F (Gingrich) is for the lands located at 58 Dayspring Drive Otter Lake. The purpose and effect of the proposed Provisional Consent is a lot addition of a 12.3 hectare parcel from (58 Dayspring Drive) Gingrich and conveying the lands to a neighbouring waterfront parcel (68 Dayspring Drive, owner being Wells). No change to shoreline frontages would result, and no new lots would be created.

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

Mr. Russell Wells was present to answer any questions.

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

The Clerk advised correspondence had been received from the Ministry of Transportation Ontario stating no objections.

The Mayor advised Consent Applications B-2010-0004-H & B-2010-0005-H (Reid/Hill) are for the lands located at 28 Shallow Way Lake Joseph. The purpose and effect of the proposed Consent is a lot addition of 0.97 hectares from 28 Shallow Way to 34 Shallow Way, and creation of a right-of-way to encompass the existing laneway providing access to 34 Shallow Way. 28 Shallow Way would be reduced from 2.73 hectares to 1.76 hectares, and 34 Shallow Way would be increased from 0.68 hectares to 1.65 hectares. The new right-of-way would provide legal access to 34 Shallow Way over 28 Shallow Way. No change to shoreline frontages would result, and no new lots would be created.

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

Mr. Greg Corbett, agent for the Applicant addressed Council to ask that Condition No. 8 of the proposed Decision be amended to state that the Owner's Solicitor shall provide an undertaking that any existing rights-of-way on the retained lands be extinguished.

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

The Clerk advised correspondence had been received from the Ministry of Transportation Ontario stating no objections.

2010-129 Adams-Chidley

Carried

“**THAT**, as per Report No.’s DPS-PL-2010-031 and 032, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Applications B-2010-0001-F (Gingrich) and B-2010-0004-H (Reid/Hill) and B-2010-0005-H (Reid/Hill), subject to the conditions set out in the decisions.”.

2010-130 Adams-Chidley

Carried

“**THAT** By-law No. 2010-033, 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.”.

2010-131 Adams-Chidley

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 7:12 p.m. to meet again on May 3rd, 2010 or at the call of the Mayor.”.

Mr. Garfield Eaton addressed Council to express his concerns with uses of a neighbouring property at Maple Lake Estates in the Village of Orrville. Mr. Eaton stated he does not agree with Township Staff’s interpretation of the permitted uses for the subject lands. Mr. Eaton submitted his concerns in writing. Council advised Mr. Eaton they agree with Staff’s position. Mr. Eaton asked if he would receive Council’s decision in writing. Council directed Staff to prepare a response to Mr. Eaton for their consideration.

Mr. Chris Kappes addressed Council to provide information on the uses he currently undertakes at his lands at Maple Lake Estates in the Village of Orrville. Council thanked Mr. Kappes for his information.

Mr. Greg Knight addressed Council to provide an update on the Seguin Place Development. Mr. Knight advised land clearing would be commencing this week and asked for permission to clear additional lands at this time for future development. Council thanked Mr. Knight for the update. Council denied the request to clear additional lands at this time and asked Mr. Knight to continue with the time-line of items as per the agreement.

*David Conn,
Mayor*

*Craig Jeffery,
Clerk*