

Township of Seguin
Draft Minutes of Council Meeting
August 23rd, 2010

A regular meeting of the Township of Seguin Council was held August 23rd, 2010 at 9:00 a.m. 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 with the following additions/changes. Addition of correspondence from Georgian Bay Marina and Point Pleasant Marina Limited withdrawing their objections to Public Hearings item a) Rezoning Application R-2010-0011 Township of Seguin Marina Definition. Addition to Business of discussion on the 2010 Municipal Elections Voters' List.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. Councillor Adams declared a possible pecuniary interest regarding item 8. c) The Residences of Georgian Green applications to purchase portions of shore and concession road allowances, and vacated her seat during consideration of this matter.

The following resolutions were considered by Council:

2010-282 Chidley-Gibbon

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adopt the minutes of the August 3rd, 2010 regular meeting of Council as circulated.”.

2010-283 Gibbon-Chidley

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn the regular meeting to hold a public hearing for the following matters:

- Rezoning Application R-2010-0011 Township of Seguin Marina Definition.
- Rezoning Application R-2010-0008-H (Croitoru).
- Rezoning Application R-2010-0010-H (Martin/Jackson).
- Rezoning Application R-2010-0012-C (Forbes).”.

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

- File No. R-2010-0011 (Township of Seguin) Marina definition.
- Application No. R-2010-0008 (Croitoru) 73 Walkers Road on Lake Rosseau.
- Application No. R-2010-0010 (Martin/Jackson) 481 & 493 Hwy 632 Lake Rosseau.
- Application No. R-2010-0012 (Forbes) 36 Maple Lake Estates Road.

The Mayor asked the Clerk to state the method by which Notice of the meeting was provided and the dates on which that Notice was provided for each proposed amendment.

The Clerk advised Notice was provided by first class mail to marina owners and published in the Parry Sound Beacon Star on July 30th, 2010 with respect to Zoning By-law Amendment File No. R-2010-0011. Notice was provided by first class mail on July 9th, 2010 and by posting on July 14th, 2010 with respect to Rezoning Application No. R-2010-0008. Notice was provided by first class mail and by posting on July 30th, 2010 with respect to Rezoning Application No. R-2010-0010. Notice was provided by first class mail July 27th, 2010 and by posting on July 30th, 2010 with respect to Rezoning Application No. R-2010-0012.

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 they apply and who had 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 if a person or public body does not make oral submissions at a public

meeting or make written submissions to the Township of Seguin before the by-law is passed, the person or public body is not entitled to appeal the decision of Council of the Township of Seguin to the Ontario Municipal Board and the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

The Mayor advised the purpose and effect of Rezoning Application R-2010-0008 being (Croitoru), 73 Walkers Road on Lake Rosseau, is to rezone the subject lands from Limited Service Residential (LSR) zone to Limited Service Residential - Exception Seventy (LSR-70) to permit a minimum front yard set back of 12 metres, a maximum lot coverage of 7.32% and 2 dwellings on one lot temporarily being subject to Site Plan Control.

The Mayor asked if there was anyone present who wished to speak in favour of or in opposition to the application.

Mr. Bob List, Agent for the Applicant spoke to answer any questions Council may have on the application. Mr. List also advised his client does not agree with the Township Staff Report which states the structure is a "non-complying building".

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

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

The Mayor advised the purpose and effect of Rezoning Application R-2010-0010, being (Jackson/Martin) 481 & 493 Hwy 632 Lake Rosseau, is a condition of applications to purchase shore road allowance lands located between the Martin and Jackson properties. Any shore road allowance lands that are added to the Martin and Jackson lands following the passage of this zoning by-law amendment shall not be used in the respective calculation of lot frontage or lot area by rezoning the lands from the Shoreline Residential One (SR1) Zone to Shoreline Residential One Exception Seventy-one (SR1-71) Zone.

The Mayor asked if there was anyone present who wished to speak in favour of or in opposition to the application.

Mr. Peter Martin spoke to explain the reasons for the application and to speak to the objection from Ms. Mary Rea. Mr. Martin stated it was not possible, due to the terrain for Ms. Rea to utilize the subject lands as access to the water.

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

The Clerk advised correspondence had been received from the Ministry of Transportation Ontario stating no objections and from Larry A. Yanch, solicitor representing Mary Rea stating objections.

The Mayor advised the purpose and effect of Rezoning Application R-2010-0012, being (Forbes) on Maple Lake Estates Road, is a condition of Provisional Approval for Consent B-2010-0012-C. The owner has applied to rezone the severed parcel from the Rural (RU) Zone to the Rural Residential (RR) Zone to reflect the intended future residential land use.

The Mayor asked if there was anyone present who wished to speak in favour of or in opposition to the application.

There were no verbal submissions received.

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

The Clerk advised no correspondence had been received.

The Mayor advised the purpose and effect of Zoning By-law Amendment File No. R-2010-0011, being Township of Seguin revision to Marina definition, the proposed housekeeping amendment to Zoning By-law No. 2006-125 is to revise the definition of "Marina" in Section 13 by providing additional clarification respecting permitted uses. The revised definition would not affect existing marina uses but would prohibit marinas from being used as in-transit transfer facilities for solid household waste that requires an approval from a government authority having jurisdiction over such matters.

The Mayor asked if there was anyone present who wished to speak in favour of or in opposition to the application.

Township of The Archipelago Reeve Peter Ketchum spoke as the owners of Holiday Cove Marina in objection to the application and submitted the concerns in writing. Reeve Ketchum explained the Township of The Archipelago had moved waste through Holiday Cove Marina on Friday August 20th, 2010 to test the process.

Mr. Len Yauk, representing the area ratepayers spoke to support the application and object to the Township of The Archipelago's transporting of waste through Holiday Cove Marina on Friday August 20th, 2010.

Mr. Doug Graham spoke in support of the application.

Mr. Steve Kaegi, Chief Administrative Officer/Clerk for the Township of The Archipelago spoke to advise the Ministry of the Environment of Ontario were made aware of the transport of waste through Holiday Cove Marina on August 20th, 2010 prior to the shipment and the Ministry had no objections.

Mr. John Chandler spoke in support of the application.

Mr. Andy Metcalfe spoke to suggest mitigation efforts on the proposed use by Holiday Cove Marina to come to an agreement for usage that both the Marina owners and the ratepayers could accept.

Mr. Brian Tait spoke in support of the application.

The Mayor asked if the Township had received any correspondence with respect to the Zoning By-law Amendment.

The Clerk advised correspondence had been received from Jeff Beitz, President of Georgian Bay Marina & Drew Lichtenheldt, President of Point Pleasant Marina. Both had been in objection to the application but both had subsequently withdrawn their objections.

2010-284 Chidley-Gibbon

Carried

"THAT the public hearing held for the following matters is hereby closed and the regular meeting is reconvened:

- Rezoning Application R-2010-0011 Township of Seguin Marina Definition.
- Rezoning Application R-2010-0008-H (Croitoru).
- Rezoning Application R-2010-0010-H (Martin/Jackson).
- Rezoning Application R-2010-0012-C (Forbes)."

2010-285 Gibbon-Chidley

Recorded Vote Carried

"THAT By-law No. 2010-080, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125, Section 13 - Definitions (Rezoning Application R-2010-0011), is hereby deemed to have been read a first, second and third time and passed by Council."

Division List

Adams - Yea
Chidley - Yea
Gibbon - Yea
Jacklin - Yea
Sainsbury - Yea

Sturgeon - Yea
Conn - Yea

2010-286 Adams-Chidley

Carried

“**THAT** By-law No. 2010-078, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Property Roll No. 4903-010-001-18200, Rezoning Application R-2010-0008-H Croitoru), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2010-287 Jacklin-Sturgeon

Carried

“**THAT** By-law No. 2010-091, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Property Roll No. 4903-040-006-03779, Rezoning Application R-2010-0012-C Forbes), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2010-288 Sturgeon-Jacklin

Carried

“**THAT** By-law No. 2010-081, Being a By law to Amend By-law No. 2006-112, Being a By-law to Amend By-law No. 2005-164, Being a By-law to regulate traffic and to govern and control the parking of vehicles in the Township of Seguin on Township of Seguin owned property and on designated Fire Routes, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2010-289 Sturgeon-Jacklin

Carried

“**THAT** By-law No. 2010-087, Being a By-law to stop up temporarily part of the highways municipally known as Rice Street and Oak Street in the former Village of Rosseau, now the Township of Seguin, District of Parry Sound, 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 road allowance applications:

- By-law No. 2010-088, (Muller) CRA Between Lots 15 & 16, Concession 8, former Foley.
- By-law No. 2010-089, (Fowler) CRA Between Lots 25 & 26, Concession 1, former Christie.

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

There were no verbal submissions received.

The Mayor asked if any correspondence had been received in objection to the applications.

The Clerk advised no correspondence had been received.

2010-290 Sainsbury-Jacklin

Carried

“**THAT** By-law No.’s 2010-088 and 2010-089, Being By-laws to authorize the stop up, closure and sale of various portions of road allowance (Muller & Fowler), are hereby deemed to have been read a first, second and third time and passed by Council.”.

Councillor Adams declared a possible pecuniary interest in relation to the next matter and vacated her seat.

2010-291 Chidley-Gibbon

Carried

“**THAT** as per the recommendation of legal counsel, Council of The Corporation of the Township of Seguin does hereby authorize and direct Staff to provide the Applicant (Residences of Georgian Green - Applications to Purchase Portions of Shore & Concession Road Allowances) that the files will be closed within 90 days if the Applicant does not provide the required funds to complete the purchase and permit registration of the deeds.”.

Councillor Adams returned to her seat.

2010-292 Gibbon-Chidley

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby receive the Staff Reports as presented on the Agenda for the August 23rd, 2010 meeting of Council.

Development and Protective Services:

- Verbal update – The Ontario Camp/Mission of the Deaf matters. Correspondence from Georgian Engineering re: stormwater.
- Report No. DPS-BD-2010-003, Customer service levels, Building Permit issuance.
- Report No. DPS-BD-2010-004, Monthly Building activity update.
- Report No. DPS-BL-2010-003, Site Restoration Agreement (Bever).
- Report No. DPS-PL-2010-061, Rezoning Application R-2010-0011 Township of Seguin Marina Definition.
- Report No. DPS-PL-2010-0064, Rezoning Application R-2010-0008-H (Croitoru).
- Report No. DPS-PL-2010-071, Rezoning Application R-2010-0010-H (Martin/Jackson).
- Report No. DPS-PL-2010-066, Rezoning Application R-2010-0012-C (Forbes).

Community Services:

- Memo – Harvest Share fundraiser.
- Report No. CS-FC-2010-008, Tender No. 2010-020, Humphrey Sports Court.

Corporate Services:

- Financial update to August 15th, 2010.

Public Works:

- Report No. 2010-005, Waste Management, 2010 Mid-year Report.”.

2010-293 Adams-Chidley

Carried

“THAT By-law No. 2010-092, Being a By-law to authorize the execution of a Site Restoration Agreement between Jeffrey Bever, Jacqueline Hutton, Jill Bever, Joel Bever 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.”.

2010-294 Adams-Chidley

Deferred

“THAT as per Report CS-FC-2010-008, Council of The Corporation of the Township of Seguin does hereby accept the bid from Fowler Construction Inc. in the amount of \$134,515.76 plus taxes for the construction of the Humphrey Sports Court and award Tender No. 2010-020, to Fowler Construction Inc.

AND FURTHER THAT Council approves the over expenditure in the amount of \$52,000.00 to be funded from the Park Fund.”.

2010-295 Adams-Gibbon

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby authorize any Members of Council to attend the 2010 District of Parry Sound Municipal Association, Fall Meeting hosted by the Municipality of Powassan on October 1st, 2010. Reimbursement of expenses will be as per Township Policy.”.

2010-296 Adams-Chidley

Carried

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

Direct Deposits:		
August 5 th , 2010	\$20,429.20	
August 12 th , 2010	1,895.06	
Cheque Runs:		
August 5 th , 2010	284,937.88	
August 6 th , 2010	25,000.00	
August 12 th , 2010	<u>115,324.10</u>	
TOTAL	<u>\$447,586.20</u>	

2010-297 Jacklin-Sturgeon

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 August 23rd, 2010 meeting of Council.”.

2010-298 Jacklin-Sturgeon

Carried

“**THAT** By-law No. 2010-093, 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.”.

2010-299 Sturgeon-Jacklin

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 1:22 p.m. to meet again on September 7th, 2010 or at the call of the Mayor.”.

Mr. John McCash, representing The Natural Place To Be Committee and Mr. Andy Metcalfe addressed Council to present information on the water quality of Third Lake and siltation and how they believe The Ontario Mission/Camp of the Deaf racing activities are a contributing factor in the issue. Mr. McCash requested Council reconsider By-law No. 2010-050, Being a By-law to Regulate Motor Vehicle Racing in the Township. Council informed Mr. McCash and Mr. Metcalfe of the studies being undertaken by Azimuth Environmental Consulting Inc. in conjunction with the Township and The Mission/Camp. Council thanked Mr. McCash and Mr. Metcalfe for their presentation and requested Mr. Metcalfe provide Township Staff with a copy of the video presentation so Staff could provide a copy to Azimuth. Mr. Metcalfe asked that he be provided a copy of the findings of the studies by Jade Acoustics Inc. and Valcoustics Canada Ltd. on the sounds related to the racing at The Mission/Camp of the Deaf.

David Conn,
Mayor

Craig Jeffery,
Clerk