

Township of Seguin
Draft Minutes of Council Meeting
May 22nd, 2007

A regular meeting of the Township of Seguin Council was held May 22nd, 2007 at the Township of Seguin Council Chambers. Mayor Conn presided with Councillors Adams, Chidley, Gibbon, Sainsbury and Sturgeon present. Councillor Jacklin sent his regrets.

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 of an email from Councillor Gibbon stating potential issues regarding Delegation item b) 2007 Canadian Duathlon Championships. Addition of the introduction of Aneta Gillies, Intern person working on the Area Economic Development initiative. Removal of Business item d) Northern Ontario Heritage Fund Corporation application for funding for the Humphrey Community Centre. Addition to Business of the following items: discussion re: Contravention of Site Plan Agreement between Julia Ann Newman and The Corporation of the Township of Seguin, a Draft Resolution re: Seguin Seniors and, a Draft Resolution re: Aggregate Resources Act designation. Addition of Closed Session regarding personal matters about an identifiable individual, including municipal employees and/or labour relations or employee negotiations.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. Councillor Adams declared a possible pecuniary interest regarding By-law No. 2007-074, Amendment No. 1 to the Township of Seguin Official Plan pursuant to Sections 17, 21 and 22 of the Planning Act, R.S.O. 1990, C.P.13 as amended and implementing the Northwest Seguin Development Area Secondary Plan Study and requesting the Province to approve the amendment as Councillor Adams is a property owner in the subject study area. Councillor Adams vacated her seat for this matter.

The following resolutions were considered by Council:

2007-198 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 May 7th, 2007 as circulated.”.

2007-199 Adams-Chidley **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the accounts in the amount of \$345,760.45.”.

2007-200 Chidley-Adams **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 May 22nd Meeting of Council.
Community Services:

- Report CS-FC-2007-002, Tender No. 2007-018, 2007 Ice Resurfacers.
- Verbal Report – Repairs to the septic system at the Humphrey Community Centre.
- Verbal Report – Update on the proposed Bali Hai Development.
- Report CS-PL-2007-072, Application B-2007-0001-F (Mittelholtz).
- Report CS-PL-2007-071, Rezoning Application R-2007-0010-H (Stoneman).
- Report CS-PL-2007-075, By-law No. 2007-075, Being a By-law to enter into an Agreement with Ambraska Construction Co. Ltd. related to an agreement under Section 51(26) of the Planning Act R.S.O. as amended.
- Report CS-PL-2007-073 By-law No. 2007-076, Being a By-law to authorize the execution of a Site Plan Agreement between The Corporation of the Township of Seguin and Keith Stoneman.
- Report CS-PL-2007-074, By-law No. 2007-074, Amendment No. 1 to the Township of Seguin Official Plan pursuant to Sections 17, 21 and 22 of the Planning Act, R.S.O. 1990, C.P.13 as amended and implementing the Northwest Seguin Development Area Secondary Plan Study and requesting the Province to approve the amendment.

Public Works Services:

- Memo re: Turtle Lake Bridges Reconstruction.”.

2007-201 Adams-Chidley

Carried

“**THAT** as per Report CS-FC-2007-008 Council of The Corporation of the Township of Seguin does hereby accept the bid from Resurface Corp in the amount of \$48,393. and award Tender No. 2007-018, for one new 2007 Ice Resurfacers to Resurface Corp.”.

2007-202 Chidley-Adams

Carried

“**WHEREAS** application has been made by the abutting landowner for the closing and sale of a portion of the Lake Joseph Colonization Road designated as Part 1, Plan 42R-17941 (the “Lands”);

AND WHEREAS Council of The Corporation of the Township of Seguin has determined that the Lands are not required for municipal purposes;

NOW THEREFORE BE IT RESOLVED THAT:

1. Pursuant to By-law No. 98-03 the Lands are hereby declared to be surplus.”.

2007-109 Adams-Sainsbury

Withdrawn

“**THAT** By-law No.’s 2007-036 and Z290-2007 are hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-203 Adams-Gibbon

Recorded Vote Carried

“Whereas the Ministry of Natural Resources (MNR) announced in November, 2006 that the District of Parry Sound would be designated under the Aggregate Resources Act (ARA) effective January 1st, 2007;

And whereas the Township of Seguin joined with other District of Parry Sound municipalities to attempt to convince the MNR to withdraw it’s plan to designate the District of Parry Sound under the ARA;

And whereas the MNR were adamant that designation would occur and agreed to review their designation regulations with a view to making them less severe and onerous for compliance by individual pit and quarry owners;

And whereas the MNR did in fact issue the attached revised regulations which are considerably less severe than the original regulations;

And whereas, with the exception of the requirement for annual royalty payments, the revised MNR regulations are very similar in intent and purpose to Seguin Township’s Pits and Quarries by-laws;

And whereas the registration of pits and quarries is reasonably simple and straightforward if done before July 1st, 2007 but any quarries not registered by this date must cease operation and the process of registering after July 1st, 2007, is more complex and expensive;

Therefore, be it resolved that the Township will advise all pits and quarry owners on record in the Township files that the Township of Seguin recommends that pits and quarries be registered prior to July 1st, 2007;

And further be it resolved that Township staff will be available to assist in the registration process if required by any pit and quarry owner.”.

Division List

Adams - Yea

Chidley - Nay

Gibbon - Yea

Jacklin - Absent

Sainsbury - Yea

Sturgeon - Yea

Conn - Yea

2007-204 Sturgeon-Sainsbury

Recorded Vote Carried

“**THAT** By-law No. 2007-072, Being a By-law for Establishing Tax Ratios and By-law No. 2007-073, Being a By-law to adopt the estimates of all sums required during the year and to strike the tax rates for the year 2007, are hereby deemed to have been read a first, second and third time and passed by Council.”.

Division List

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

2007-205 Sainsbury-Sturgeon

Carried

“**THAT** By-law No. 2007-071, Being a By-law to Prescribe Fees and Charges for Recreation Programs and to Repeal By-law No. 2004-070, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-206 Sturgeon-Sainsbury

Carried

“**THAT** By-law No. 2007-077, Being a By-law to Amend By-law No. 2005-052, a By-law Prescribing Times for Setting Fires and Precautions to be Observed and to Repeal By-law No.’s 2006-074 and 2007-051, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-207 Adams-Gibbon

Carried

“Whereas the Seguin Adult Lifestyle Community (SALC) is an incorporated organization with the goal of spearheading the development of a housing project of approximately 30 living units designed to meet the lifestyle needs of seniors;

And whereas SALC expects that the housing project be constructed on land donated by the Township of Seguin, being a portion of Part Lot 105, Concession B, former Township of Humphrey, now Township of Seguin designated as Part 1, Plan RP 42R-14047;

And whereas a previous Seguin Township Council supported via Resolution No. 2000-14 the donation of land for the SALC housing project;

And whereas the current Seguin Township Council continues to support the donation of Township land for the SALC housing project;

And whereas, with the exception of the donation of Township land, Seguin Township Council considers the SALC housing project to be a private enterprise venture;

Therefore be it resolved that Seguin Township Council:

- Agrees to support the SALC housing project by donating approximately 5 hectares of land being a portion of Part Lot 105, Concession B, former Township of Humphrey, now Township of Seguin designated as Part 1, Plan RP 42R-14047;
- Agrees to facilitate the SALC housing project by circulating no later than July 1, 2007 an Expression of Interest request to potential developers of the SALC housing project;
- Confirms that Seguin Township’s financial contribution to the SALC housing project be restricted to the donation of free land.

And further be it resolved that Seguin Township Council expects that the feasibility of the SALC housing project be confirmed and that an agreement be entered into with the Township for the lands by July 1st, 2008, after which the Township of Seguin will withdraw its contribution of land.”.

The Mayor advised that Council would now consider Application for Consent B-2007-0001-F (Mittelholtz) and asked the Clerk to state the method by which Notice of the meeting was given, and the dates on which that Notice was given.

The Clerk advised Notice was given by first class mail on May 4th, 2007 and by posting on May 8th, 2007.

The Mayor advised anyone who wished to receive notice of the Decision regarding this Consent Application who had not submitted such a request in writing should give their full name and address to the Clerk before leaving the meeting.

The Clerk will explained the purpose of the proposed Consent is to create a registered easement for Bell Canada. The effect of the proposed consent will be an easement for a telephone line, 2.0 metres in width and 52.5 metres in length over Property Roll # 4903-030-001-02800 and over the Township owned shore road allowance.

The Mayor asked if there was anyone present who wished to speak in opposition to the Application for Consent. There were no verbal submissions in opposition to the Application.

The Mayor asked if there was anyone present who wished to speak in favour of the Application for Consent. Ted Williams, Agent was present to answer any questions on the Application.

The Mayor asked the Clerk if any letters were received in opposition to or support of the proposed Consent. The Clerk advised no written comments were received.

The Mayor advised that 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 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 reaching a Decision regarding this Application for Consent.

2007-208 Adams-Chidley

Carried

“**THAT**, as per Report CS-PL-2007-072, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2007-0001-F (Mittelholtz) subject to the conditions set out in the decision.”

2007-209 Chidley-Adams

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-2007-0010-H (Stoneman).”

The Mayor advised Council would now hold a public meeting regarding an application to amend the comprehensive Zoning By-law No. Z200-97 of the Township of Humphrey, as amended, (the “Zoning By-law”) being File No. R-2007-0010-H and asked the Clerk to state the method by which Notice of the meeting was given, and the dates on which that Notice was given.

The Clerk advised that Notice was given by first class mail on May 2nd, 2007 and by posting on May 2nd, 2007.

The Mayor advised that anyone who wished to receive notice of the passing of this 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 give your full name and address to the Clerk before leaving the meeting.

The Clerk explained the purpose for the Application is a condition of Provisional Consent Approval regarding Applications No. B-2006-35/36/37-H and the effect is to rezone three newly created lots and one retained lot from the Rural (A) Zone under Humphrey Zoning By-law Z200-97 to the Residential, Recreational (RR) Zone.

The Mayor asked if there was anyone present who wished to speak in opposition to or support of the amendment to the Zoning By-law proposed by File No. R-2007-0010-H. There were no verbal submissions received.

The Mayor asked if any letters were received in opposition to or support of the amendment to the Zoning By-law proposed by File No. R-2007-0010-H. The Clerk advised no written submissions were received.

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.

2007-210 Adams-Chidley **Carried**
“**THAT** the public meeting held for Rezoning Application R-2007-0010-H (Stoneman) is hereby closed and the regular meeting is reconvened.”.

2007-211 Chidley-Adams **Carried**
“**THAT** By-law No. Z296-2007, Being a By-law to amend By-law No. Z200-97 of the former Township of Humphrey (Rezoning Application R-2007-0010-H Stoneman), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-212 Adams-Chidley **Carried**
“**THAT** By-law No. 2007-075, Being a By-law to enter into an Agreement with Ambraska Construction Co. Ltd. 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.”.

2007-213 Chidley-Adams **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby approve Site Plan Application No. SPR-2007-0008-H and the drawings prepared by L.U. Maughan Co. Ltd. Ontario Land Surveyors on February 22nd, 2007 and submitted by Keith Stoneman on April 18th, 2007.”.

2007-214 Chidley-Adams **Carried**
“**THAT** By-law No. 2007-076, Being a By-law to authorize the execution of a Site Plan Agreement between The Corporation of the Township of Seguin and Keith Stoneman, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-215 Sainsbury-Sturgeon **Carried**
“**THAT** By-law No. 2007-074, Being a By-law to adopt Amendment No. 1 to the Official Plan for the Township of Seguin, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-216 Sturgeon-Sainsbury **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 May 22nd meeting of Council.”.

2007-217 Sturgeon-Sainsbury **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:

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

2007-219 Adams-Chidley **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened.”.

2007-220 Sainsbury-Sturgeon **Carried**
“**THAT** By-law No. 2007-070, 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.”.

2007-221 Sturgeon-Sainsbury **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn to meet again on June 4th, 2007 or at the call of the Mayor.”.

Steve Wyrozub representing the Canadian Duathlon Championships addressed Council to request the Township of Seguin host the 2007 Canadian Duathlon Championships on September 14th and 15th, 2007. Mr. Wyrozub requested permission to utilize portions of Oastler Park Drive and Rankin Lake Road for the event. Council informed Mr. Wyrozub that they had concerns with restricting ingress and egress for people from properties along the proposed route and requested Mr. Wyrozub review the matter with Township Staff to determine if there are alternatives available.

David Bradshaw representing the Seguin Adult Lifestyle Community Committee addressed Council to update Council on the status of the initiative and request Council reaffirm the Township of Seguin's commitment to the initiative. Council thanked Mr. Bradshaw for his presentation and passed Resolution No. 2007-207.

David Conn,
Mayor

Craig Jeffery,
Clerk