

Township of Seguin
Draft Minutes of Council Meeting
November 17th, 2008

A regular meeting of the Township of Seguin Council was held November 17th, 2008 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 Staff Reports of correspondence from the Township's Engineering consultants (Georgian Engineering) regarding The Residences of Georgian Green Inc. development and securities requirements, a memo from the Director of Public Works on the matter and a request from Mr. Bill Sinclair, Agent for the Developer to be heard on the issues. Addition to Staff Reports of a verbal report from Public Works regarding the Building Canada Fund application.

Addition to Business of the following: item b) Economic climate & external levies resolution – correspondence from the Township of Machar supporting Seguin Council's position, item d) Request for funding – Seguin Dog Sled and Mail Run of information from Kelly Collard and Lisa Ernst on the request, item g) Belvedere Heights Board of Management – Notice of deferral of meeting of area municipalities and the Board, item h) Ministry of Finance – Ontario Municipal Partnership Fund 2009, item i) discussion on the Foley and Orrville Visioning and Design Exercises, item j) discussion on the assessment data summary prepared by the Treasurer and, item k) discussion on the process for the installation of the speed bumps on South Sandy Plains Road.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. There were no disclosures of pecuniary interest declared.

The following resolutions were considered by Council:

2008-442 Jacklin-Sainsbury **Carried**
"THAT Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 4:11 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 – The Residences of Georgian Green Inc. development securities requirements, unauthorized works and building permits.
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – Seguin at Seuss Ontario Superior Court of Justice Court File No. 06-CV-313746PDB3.
- personal matters about an identifiable individual, including municipal employees – conduct of committee member."

2008-443 Sturgeon-Jacklin **Carried**
"THAT Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 5:07 p.m."

2008-444 Jacklin-Sainsbury **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 November 3rd, 2008 as circulated."

2008-445 Sturgeon-Jacklin **Carried**
"THAT Council of The Corporation of the Township of Seguin does hereby approve payment of the accounts in the following amounts as presented at the November 3rd meeting of Council:

October 30, 2008	\$493,469.81
November 6, 2008	<u>\$276,352.69</u>
TOTAL	<u>\$769,822.50</u>

2008-446 Jacklin-Sainsbury

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 November 17th meeting of Council.

Community Services:

- GIS Hardware & Software Opportunity.
- Report No. CS-PL-2008-118, Recreational Carrying Capacity – Official Plan Policies.
- Report No. CS-FD-2008-011, Fire Dispatch Services.
- Report No. CS-PL-2008-117, Consent Applications B-2008-0022-C (Sheardown), B-2008-0023-C (Turner) & B-2008-0024-C (Grosso).
- Report No. CS-PL-2008-116, Consent Application B-2008-0025-H (DenBoer).
- Report No. CS-PL-2008-115, Rezoning Application R-2008-0024 (Bak).

Public Works:

- Report No. PW-WD-2008-003, Waste Management Update and AMRC Annual Conference Report.
- 2008 Project Scheduling Update.

Corporate Services:

- Financial update to November 10th, 2008.”.

2008-447 Sainsbury-Jacklin

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the implementation of the GIS Hardware & Software as per the recommendation of the I.T. Committee, copy attached as Schedule “A” to this resolution.”.

2008-448 Sturgeon-Jacklin

Carried

“**THAT** By-law No. 2008-158, Being a By-law to authorize the execution of a Fire Dispatch Agreement between the West Parry Sound Health Centre and The Corporation of the Township of Seguin and Her Majesty, The Queen in Right of the Province of Ontario as represented by the Minister of Health and Long Term Care, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2008-449 Jacklin-Sainsbury

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby authorize and direct Staff to make application under the Building Canada Fund Program for the reconstruction of Tally Ho Swords Road, from Turtle Lake Road to Highway #518, in the amount of \$1,540,017.77 which represents 2/3^{rds} of the total cost of the project estimated in the amount of \$2,312,339.00.

AND THAT The Corporation of the Township of Seguin will fund the balance of \$772,321.23 as the Municipal share.”.

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

- B-2008-0022-C (Sheardown)
- B-2008-0023-C (Turner)
- B-2008-0024-C (Grosso)
- B-2008-0025-H (DenBoer)

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. The Mayor advised anyone wishing to receive Notice of the 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 advised Consent Applications B-2008-0022-C (Sheardown), B-2008-0023-C (Turner) and B-2008-0024-C (Grosso) are for the lands located at Bradley Road, Isabella Lake to

create a new 4 metre right-of-way to provide access from Bradley Road via a new private driveway and relinquish an existing right-of-way.

The Mayor asked if there was anyone present who wished to speak to these Applications for Consent.

Mr. Ross Turner addressed Council to explain the reasons for his Consent Application.

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

The Clerk advised no correspondence had been received.

The Mayor advised Consent Application B-2008-0025-H (DenBoer) is for the lands located at 701 Hwy 141 to create one new lot on Hwy 141.

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

There were no verbal submissions received.

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

The Clerk advised no correspondence had been received.

2008-450 Adams-Gibbon

Carried

“**THAT**, as per Report CS-PL-2008-117, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Applications B-2008-0022-C (Sheardown), B-2008-0023-C (Turner) & B-2008-0024-C (Grosso), subject to the conditions set out in the decision.”.

2008-451 Adams-Gibbon

Carried

“**THAT**, as per Report CS-PL-2008-116, Council of The Corporation of the Township of Seguin does hereby defer Consent Application B-2008-0025-H (DenBoer). ”.

2008-452 Chidley-Gibbon

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-2008-0024 (Bak).”.

The Mayor advised Council would now hold a public meeting regarding the following application to amend the Zoning By-law: Application No. R-2008-0024-H (Bak) Civic Address 59 Burgess Road. The Owners have applied to reduce the extent of the Environmental Protection (EP) Zone along the shoreline frontage of the subject lands.

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 the proposed amendment.

The Clerk advised Notice was given by first class mail on October 28th, 2008 and by posting on October 28th, 2008.

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

Mr. Al Shaw of RiverStone Environmental Solutions, Agent for the Applicant was present to answer any questions.

Mr. John Leeson addressed Council to express concerns regarding the potential impact on his sightlines of any future development related the subject property.

Mr. Steven Lang addressed Council to express concerns regarding the environment including vegetation and fish habitat.

Council adjourned the public meeting to permit Mr. Shaw and Mr. Lang to leave the meeting to discuss the concerns expressed by Mr. Lang.

2008-453 Gibbon-Chidley **Carried**
“**THAT** the public meeting held for Rezoning Application R-2008-0024 (Bak) is hereby closed and the regular meeting is reconvened.”.

2008-454 Gibbon-Chidley **Carried**
“**THAT** By-law No. 2008-154, Being a By-law to write off taxes on property in the Township of Seguin, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2008-455 Chidley-Gibbon **Carried**
“**THAT** By-law No. 2008-157, Being a By-law to authorize the execution of a Mutual Full and Final Release (Suess, Court File No. 06-CV-313746PDB3), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2008-456 Adams-Gibbon **Carried**
“**THAT** as per the Memo dated November 17th, 2008 and recommendation from Staff, Council of The Corporation of the Township of Seguin does hereby direct Staff to close the outstanding application to purchase a portion of shore road allowance, Property Roll No. 4903-030-002-01212 (Scharwz) as the Applicant did not proceed with the Application.”.

2008-457 Sturgeon-Jacklin **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby adopt the “Schedule of Regular Meetings of Council for the Year 2009” attached as Schedule “A” to this resolution.”.

2008-458 Adams-Gibbon **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby authorize and direct the Treasurer to provide funding in the amount of \$3,000 to the Seguin Mail Run and Mush Rush from the 2009 Grants and Donations Budget.”.

2008-459 Adams-Gibbon **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-2008-0024 (Bak).”.

Council convened a public meeting to continue with comments on Rezoning Application R-2008-0024 (Bak).

Mr. Al Shaw of RiverStone Environmental Solutions, Agent for the Applicant addressed Council to summarize the discussions he and Mr. Steven Lang had regarding Mr. Lang’s concerns with the Application.

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

The Clerk advised no correspondence had been received.

2008-460 Gibbon-Adams

Carried

“**THAT** the public meeting held for Rezoning Application R-2008-0024 (Bak) is hereby closed and the regular meeting is reconvened.”.

2008-461 Chidley-Gibbon

Recorded Vote Defeated

“**THAT** By-law No. 2008-155, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Property Roll No. 4903-010-001-19800, Rezoning Application R-2008-0024 Bak, 59 Burgess Road), is hereby deemed to have been read a first, second and third time and passed by Council.”.

Division List

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

2008-462 Adams-Chidley

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 November 17th meeting of Council.”.

2008-463 Chidley-Adams

Carried

“**THAT** By-law No. 2008-156, 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.”.

2008-464 Gibbon-Chidley

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 8:50 p.m. to meet again on December 8th, 2008 or at the call of the Mayor.”.

Mr. Bill Sinclair, Agent for the Developer of The Residences of Georgian Green Inc. addressed Council to speak to the issues of securities for The Residences of Georgian Green Inc. development. Council directed Staff to meet with Mr. Sinclair to discuss possible options for securities for the development and report back to Council.

*David Conn,
Mayor*

*Craig Jeffery,
Clerk*