

Township of Seguin
Draft Minutes of Council Meeting
April 20th, 2009

A regular meeting of the Township of Seguin Council was held April 20th, 2009 at the Township of Seguin Council Chambers. Mayor Conn presided with Councillors Adams, Chidley, Jacklin, Sainsbury and Sturgeon present. Councillor Gibbon 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 Addendum. Addition to the Staff Reports Section of a verbal report on Emergency Medical Services. Addition to the Business Section of item e) Draft resolution – Approval of expenses for Councillor Chidley’s attendance at The Muskoka Futures Symposium and The Ontario Rural Council; this resolution did not receive a mover and seconder and therefore was not voted upon. Also added to the Business Section, item f) Invitation to attend a West Parry Sound Health Centre Strategic Plan session.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. Councillor Chidley declared a possible pecuniary interest in regard to a draft resolution for approval of expenses for his attendance at The Muskoka Futures Symposium and The Ontario Rural Council and vacated his seat during consideration of this matter.

The following resolutions were considered by Council:

2009-123 Jacklin-Sturgeon **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 4:05 p.m. in order to address matters 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.
 - Contract No. 2008-002, CN Rail Rankin Lake Road Bridge (COMRIF 3).
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
 - Paul Bak, 59 Burgess Road – OMB Appeal Case No. PL081581.
 - Contract No. 2008-002, CN Rail Rankin Lake Road Bridge (COMRIF 3).”.

2009-124 Sturgeon Jacklin **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 4:14 p.m.”.

2009-125 Chidley-Jacklin **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 April 6th, 2009 as circulated.”.

2009-126 Jacklin-Sturgeon **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the following accounts in the amount of:

| | |
|---------------|----------------------------|
| April 2, 2009 | \$452,495.40 |
| April 9, 2009 | \$161,995.56 |
| TOTAL | <u>\$614,490.96</u> |

2009-127 Sturgeon-Jacklin **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 April 20th meeting of Council.

Public Works:

- 2009 Project Scheduling Update.
- Report No. PW-RD-2009-006, Proposed revision to the Public Works Department 15 Year Vehicle/Equipment Replacement Schedule.

- Report No. PW-RD-2009-007, Tender No. 2008-015, reconstruction of 5.1 km of Blue Lake Road (revised pricing for earth ditching component).

Community Services:

- Memo from Fire Services – Core Broadband’s use of Salmon Lake Pit property for tower location.
- Report No. CS-PL-2009-027, Purchase of vehicle, Seguin Water Quality & Septic Re-inspection Programs.
- Report No. CS-PL-2009-024, Rezoning Application R-2009-0006 (Beukers).
- Report CS-PL-2009-025, By-law No. 2009-047, Being a By-law to enter into an Agreement with Mark Beukers related to an Agreement under Section 51(26) of the Planning Act R.S.O. 1990 as amended.”.

2009-128 Jacklin-Sturgeon

Carried

“**THAT** as per Report PW-RD-2009-006 Council of The Corporation of the Township of Seguin does hereby approve a revision to the Public Works 15 Year Vehicle/Equipment Replacement Forecast and Schedule to allow for the purchase of a Tandem Axle Truck in 2009 (moved forward from 2010) and defer the purchase of a Bull Dozer for the Landfill Site and the replacement of the 1985 Ford Tractor (both scheduled for replacement in 2009), to 2010.”.

2009-129 Chidley-Sturgeon

Carried

“**THAT** as per Report PW-RD-2009-007 Council of The Corporation of the Township of Seguin does hereby accept the revised bid from Wayne Hall Construction Inc. in the amount of \$80,000 plus G.S.T. for the earth and ditching component of Tender No. 2008-015, reconstruction of 5.1 km of Blue Lake Road and award the earth and ditching component of Tender No. 2008-015 to Wayne Hall Construction Inc.”.

2009-130 Chidley-Jacklin

Carried

“**THAT** By-law No. 2009-054, Being a By-law to Amend a Land Lease Agreement Between CORE Broadband Inc. and The Corporation of the Township of Seguin for the use of Municipal Telecommunications Tower Space and Lands to Erect Towers for the Supply of Broadband Internet Services by Adding Schedule 5 (Salmon Lake Site) to the Agreement, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-131 Sturgeon-Jacklin

Carried

“**THAT** as per Report CS-PL-2009-027 Council of The Corporation of the Township of Seguin does hereby approve the purchase of a 2009 full size, four wheel drive Chevrolet/GMC pick-up truck from Ward Edmonds GMC in the amount of \$18,382.00 plus applicable taxes and licensing costs.”.

2009-132 Sturgeon-Jacklin

Recorded Vote Carried

“**WHEREAS**, the Provincial Government in conjunction with Ontario Municipalities undertook a joint Fiscal and Service Delivery Review which was completed in the Fall of 2008;

AND WHEREAS, in 2005, the Ontario Municipal Partnership Fund (OMPF) replaced the Community Reinvestment Fund as the Province’s main transfer to Municipalities;

AND WHEREAS, the OMPF helps Municipalities with their social program costs such as the annual levy from the Parry Sound District Social Services Administration Board (DSSAB);

AND WHEREAS, the Provincial Municipal Fiscal and Service Delivery Review saw cost for the Ontario Drug Benefits and the Ontario Disability Support Program uploaded over four years starting in 2008 and starting in 2010 the Province will upload the municipal costs of Ontario Works Benefits over nine years;

AND WHEREAS, a Key Principle of the Fiscal and Service Delivery Review (see attached page 17 of the *Provincial-Municipal Fiscal and Service Delivery Review Facing the Future Together*) is that the OMPF remain responsive to changes in municipal circumstances, such as the upload of the Ontario Drug Benefits, and the Ontario Disabilities Support Program and Ontario Works Benefits;

AND WHEREAS, consistent with the normal operation of the OMPF, the social program grants will be adjusted to reflect the reduction in municipal costs for these programs as the uploads are phased in and the OMPF will decline to a level of about \$500 million by 2016;

AND WHEREAS, in 2009 the Province uploaded \$1,064,300 for the Parry Sound DSSAB directly effecting the OMPF grant to the District of Parry Sound Municipalities;

AND WHEREAS, DSSAB did not flow those uploaded funds to the District of Parry Sound Municipalities in their 2009 budget;

NOW THEREFORE be it resolved that in future years all Provincial Uploading related to the Parry Sound DSSAB be returned to area municipalities and that there be complete transparency with respect to the uploaded funds from the Province;

AND FURTHER THAT this resolution be circulated to all Municipalities in the District of Parry Sound and the District of Parry Sound Municipal Association requesting each of them to pass a similar resolution.”.

Division List

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

2009-133 Jacklin-Sainsbury

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby authorize and direct Staff to contact, as soon as possible the Ministry of Transportation Ontario (MTO) to determine if the MTO would consider the construction of a “*roundabout*” on Highway #518 in the Village of Orrville.

AND THAT, subject to the MTO confirming they are willing to consider the construction of a “*roundabout*”, Staff obtain any information the MTO may have on criteria for the construction of “*roundabouts*” and the costs to construct them.

AND FURTHER THAT, subject to MTO confirming their willingness to consider the construction of a “*roundabout*”, Council direct Staff to obtain concept plans for a “*roundabout*” and a park together with rough cost estimates to construct each for presentation at a public information session to determine public preference for one or the other of the two projects.”.

2009-134 Jacklin-Sturgeon

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-2009-0006 (Beukers).”.

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

- Application No. R-2009-0006 (Beukers) at 185B Clear Lake Road. The Owners have applied to rezone the lands as a Condition of the Provisional Approval granted for Consent Application B-2007-0037-H. The application to rezone the subject lands from Limited Service Residential (LSR) and Rural Residential (RR) to Limited Service Residential (LSR) Exception Zone, to recognize the following:
 - i. Minimum setback for all buildings and structures from the wetland shall be 50 metres with vegetation removal permitted only to provide a maximum 2 metre wide pathway to access the shoreline made of natural materials;
 - ii. Development shall be subject to Site Plan control pursuant to Section 41 of the Planning Act R.S.O. 1990.

And to rezone the wetlands as Environmental Protection (EP) Exception Zone to recognize that no docking facilities are permitted within the boundaries of the wetland.

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 each proposed amendment.

The Clerk advised Notice was given by first class mail and by posting on March 30th, 2009.

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, with respect to rezoning application R-2009-0006, being Mark Beukers at 185B Clear Lake Road, if there was anyone present who wished to speak in favour of or in opposition to the application.

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

The Mayor asked the Clerk 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 and Hydro One both stating no objections.

2009-135 Sturgeon-Chidley **Carried**
“**THAT** the public meeting held for Rezoning Application R-2009-0006 (Beukers) is hereby closed and the regular meeting is reconvened.”.

2009-136 Chidley-Sturgeon **Carried**
“**THAT** By-law No. 2009-048, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Rezoning R-2009-0006 Beukers), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2009-137 Sturgeon-Jacklin **Carried**
“**THAT** By-law No. 2009-047, Being a By-law to enter into an Agreement with Mark Harvey Beukers 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.”.

2009-138 Jacklin-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 April 20th meeting of Council.”.

2009-139 Jacklin-Sturgeon **Carried**
“**THAT** By-law No. 2009-053, 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.”.

2009-140 Chidley-Jacklin **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 7:48 p.m. to meet again on April 24th, 2009 at 2:30 p.m. or at the call of the Mayor.”.

Neil Hutchinson and Tammy Karst-Riddoch of AECOM addressed Council to provide an update on water quality modeling for the Township of Seguin.

Elaine Vida and Carol Sturgeon representing the Rosseau Active Womens' group addressed Council to update Council on the activities of the Group. Council thanked Ms. Vida and Mrs. Sturgeon for the Group's work.

Rod Smith, Chair of the Township of Seguin Finance Committee addressed Council to present the Committee's recommendations on financing of area assets. Council thanked the Committee for their work on the matter.

David Conn,
Mayor

Craig Jeffery,
Clerk