

**Township of Seguin**  
**Draft Minutes of Council Meeting**  
**July 6<sup>th</sup>, 2009**

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A regular meeting of the Township of Seguin Council was held July 6<sup>th</sup>, 2009 at the Township of Seguin Council Chambers. Mayor Conn presided with Councillors Adams, Chidley, Gibbon, Jacklin and Sainsbury present. Councillor Sturgeon 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. Additional information from the CNIB added to Business item a) CNIB Lake Joseph Centre – Request for exemption from By-law No. 2002-45, Being a By-law to prohibit or regulate unusual noises or noises likely to disturb the inhabitants of the Township of Seguin for a Musical Competition Event. Addition to Business item f) Sam Amodeo, Clear Lake Cottagers' Association – Noise pollution from Halls Quarry of further correspondence from Mr. Amodeo received July 2nd and from Steve Davey received July 6th.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. Councillor Adams declared a possible pecuniary interest in regard to Concession Road Allowance Application CRA-003-2008-F (Massassauga Management) and vacated her seat during consideration of this matter. Councillor Jacklin declared a possible pecuniary interest in regard to the Entrance Application for 455 Star Lake Road (Haggett) and vacated his seat during consideration of this matter.

The following resolutions were considered by Council:

**2009-212 Chidley-Gibbon**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 4:03 p.m. in order to address matters pertaining to:

- the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.
  - Municipal Freedom of Information and Protection of Privacy Act - Request for access to records.
- the receiving of advice that is subject to solicitor/client privilege, including communications necessary for the purpose.
  - Use of Property - Ontario Camp of the Deaf/Mission of the Deaf.
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
  - Use of Property - Ontario Camp of the Deaf/Mission of the Deaf.
- personal matters about an identifiable individual, including municipal employees.
  - Organizational Structure.
  - Public Works Supervisor position recruitment.
- labour relations or employee negotiations.
  - Organizational Structure.
  - Public Works Supervisor position recruitment.”.

**2009-213 Gibbon-Chidley**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 5:17 p.m.”.

**2009-214 Chidley-Gibbon**

**Carried**

“**THAT** as per the recommendation from Staff in the Memo dated July 6<sup>th</sup>, 2009 copy attached, Council of The Corporation of the Township of Seguin, as Head under the Municipal Freedom of Information and Protection of Privacy Act, does hereby approve the release of information for the attached request.”.

**2009-215 Gibbon-Chidley**

**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 June 15<sup>th</sup>, 2009 as circulated.”.

**2009-216 Chidley-Gibbon**

**Carried**

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

June 11, 2009	\$270,351.70
June 18, 2009	\$ 97,202.60
June 25, 2009	\$323,608.87
June 26, 2009	<u>\$260,066.79</u>
<b>TOTAL</b>	<b><u>\$951,229.96</u></b>

**2009-217 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 July 6<sup>th</sup> meeting of Council.

Public Works:

- 2009 Project Scheduling Update (Roads and Waste Management).

Corporate Services:

- Financial update as of June 29th, 2009.
- 2009 Successes to June 30th, 2009.
- Report No. AD-2009-007, Concession Road Allowance Application CRA-003-2008-F (Massassauga Management).

Community Services:

- Memorandum from the Director of Planning re: Reclassification of Medium Lakes to Small Lakes.
- Report CS-PL-2009-039, Application B-2009-0002-H (Feuchuk).
- Report CS-PL-2009-040, Applications B-2009-0003-R & B-2009-0004-R (McKay).
- Report CS-PL-2009-038, Application R-2009-0004-C (Galbraith).
- Report CS-PL-2009-037, By-law No. 2009-067, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Application R-2008-0027 Rizzo).
- Report CS-FD-2009-007, ATV 10 Replacement – Foley Firefighters’ Association.
- Report CS-FD-2009-008, Self contained breathing apparatus (SCBA).”.

**2009-218 Gibbon-Chidley**

**Carried**

“THAT as per Report CS-FD-2009-007 Council of The Corporation of the Township of Seguin does hereby declare ATV 10, a 2001 Arctic Cat 300 as surplus and approve of the disposal of the unit, with a minimum value of \$2,000.00.

**AND FURTHER THAT** the funds received for the sale of ATV 10 be provided to the Foley Firefighters’ Association to offset the purchase price of a new Can Am ATV to be purchased by the Foley Firefighters’ Association and donated to the Township of Seguin.”.

**2009-219 Chidley-Gibbon**

**Carried**

“THAT as per Report CS-FD-2009-008 Council of The Corporation of the Township of Seguin does hereby approve the purchase of 36 SCOTT Self Contained Breathing Apparatuses (SCBA’s) with spare bottles and RIT kits from Acklands Grainger in the amount of \$189,549.60 plus taxes to be financed 50% in 2009 and 50% in 2010.

**AND FURTHER THAT** the current SCBA’s be declared surplus, the procurement policy be waived and the Fire Chief be authorized to dispose of all current SCBA in the most financially responsible manner.”.

**2009-220 Chidley-Gibbon**

**Carried**

“THAT as per the request from the CNIB Lake Joseph Centre (copy attached), and pursuant to Section 5 of By-law No. 2002-45, Council of The Corporation of the Township of Seguin does hereby grant an exemption to the CNIB Lake Joseph Centre from By-law No. 2002-45, Being a By-law to prohibit or regulate unusual noises or noises likely to disturb the inhabitants of the Township of Seguin. The said exemption is for the CNIB’s Musical Competition Event to be held Saturday August 8<sup>th</sup>, 2009 from the hours of 7:00 p.m. to 1:00 a.m. local time.”.

Councillor Jacklin had declared a possible pecuniary interest regarding the next matter and vacated his seat.

**2009-221 Adams-Gibbon**

**Carried**

“**THAT** as per the Memo from the Director of Public Works dated June 24, 2009, copy attached as Schedule “A” to this resolution, Council of The Corporation of the Township of Seguin does hereby support Alternative 1 of the Memo for the purpose of creating a driveway for 455 Star Lake Road and subject to the acceptance of this option by Mr. Roger Haggett, the Applicant, Staff are hereby authorized and directed to have the required documents prepared to permit the use of a portion of the unopened road allowance as a driveway entrance for 455 Star Lake Road with all costs to complete this matter to be borne by the Applicant.”.

Councillor Jacklin returned to his seat.

**2009-222 Chidley-Gibbon**

**Carried**

“**WHEREAS**, the Rosseau Nursing Station in our community is a great success of providing health care close to home through active partnership with the Ministry of Health and Long-Term Care, the Township of Seguin and the West Parry Sound Health Centre;

**AND WHEREAS**, the workload at the nursing station is becoming overwhelming for many reasons including increasing aging population, more complicated patient needs and less alternatives for access to health care (e.g. no walk in clinics);

**AND WHEREAS**, the nursing station is a tremendous resource for our community and increasing their funding level to reflect the needs of the population will help their continued success achieving the government’s mandate of providing access to health care close home;

**THEREFORE BE IT RESOLVED THAT** the Council of The Corporation of the Township of Seguin does hereby request, in addition to the economic increases to the budget, that the Underserviced Area Program provides additional salary dollars that would enhance the level of service at the Rosseau Nursing Station by either increasing the nurse practitioner hours or by providing RPN hours to manage patient health issues (e.g. venipuncture).”.

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

- B-2009-0002-H (Feuchuk)
- B-2009-0003-R (H & R McKay Investments Ltd.)
- B-2009-0004-R (McKay).

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 the 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 who wished to receive Notice of the Consent Decision 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 Consent Application B-2009-0002-H (Feuchuk) is for the lands located at 12 Pheasant Drive, on Lake Joseph, for a lot addition of two pieces to rectify an encroachment of a septic system, parking area and storage shed and to grant of right-of-way over a portion of the existing travelled road known as Pleasant Drive.

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

Christine Tudhope, Agent for the Applicant was present to answer any questions on the reason for the Application.

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 Hydro One and the Ministry of Transportation Ontario stating no objections.

The Mayor advised Consent Application B-2009-0003-R (H & R McKay Investments Ltd) Civic Address 38 Bright Street and B-2009-0004-R (McKay) Civic Address 2 Farquhar Street on Lake Rosseau are to permit a land swap. Application No. B-2009-0003-R is to permit a lot addition designated Part 2 Plan 42R-13874 to be added to benefitting land at 2 Farquhar Street and Application No. B-2009-0004-R is to permit a lot addition designated Part 5 Plan 42R-13874 to be added to benefitting land at 38 Bright Street. The effect of the lot additions will be a straight property line.

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

The Applicant, Ruth McKay was present to answer any questions on the reason for the Application.

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 Hydro One and the Ministry of Transportation Ontario stating no objections.

**2009-223 Gibbon-Chidley** **Carried**  
“**THAT**, as per Report CS-PL-2009-039, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2009-0002-H (Feuchuk) subject to the conditions setout in the Decision.”.

**2009-224 Chidley-Gibbon** **Carried**  
“**THAT**, as per Report CS-PL-2009-040, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Applications B-2009-0003-R (H&R McKay Investments Ltd.) and B-2009-0004-R (McKay) subject to the conditions setout in the Decisions.”.

**2009-225 Gibbon-Chidley** **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-2009-0004-C (Galbraith).”.

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

- Application R-2009-0004-C (Galbraith) 166 Burkett Road. The Owners have applied to rezone the lands from Limited Service Residential (LSR) Zone to the Limited Service Residential – Exception Fifty-Four (LSR-54) Zone to permit 2 sleeping cabins, and to permit a reduction of the front yard setback for both cabins.

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.

The Clerk advised Notice was given by first class mail on June 8<sup>th</sup>, 2009 and by posting on the subject lands on June 4<sup>th</sup>, 2009.

The Mayor advised anyone who wished to receive notice of the passing of this zoning by-law amendment 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 before passing a zoning by-law amendment. As required by Section 34, Subsection 25 of the Planning Act, 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 amendment. 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 Application R-2009-0004-C.

John Jackson, Agent for the Applicant was present to answer any questions on the reason for the Application.

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

The Clerk advised correspondence had been received from Aryeh Snitman and Heather Rinzler-Snitman, 166B Burkett Road, stating no objections.

**2009-226 Sainsbury-Jacklin** **Carried**  
“**THAT** the public meeting held for Rezoning Application R-2009-0004-C (Galbraith) is hereby closed and the regular meeting is reconvened.”.

**2009-227 Jacklin-Sainsbury** **Carried**  
“**THAT** By-law No.’s 2009-067 and 2009-071, Being By-laws to amend Township of Seguin Zoning By-law No. 2006-125 (Rezoning Applications R-2008-0027 Rizzo and R-2009-0004-C Galbraith), are hereby deemed to have been read a first, second and third time and passed by Council.”.

Councillor Adams had declared a possible pecuniary interest in regard to the next matter and vacated her seat during consideration of this matter.

John Jackson, Agent for the Applicant was present to answer any questions on the reason for the next Application.

**2009-228 Sainsbury-Jacklin** **Carried**  
“**THAT** as per Report AD-2009-007, Application CRA 003-2008-F Massassauga Management for closure of a portion of the boundary road allowance between the Town of Parry Sound and the Township of Seguin, Council of The Corporation of the Township of Seguin does hereby accept the report from Triton Engineering.

**AND THAT** Council authorizes and directs Staff to contact the Ministry of Transportation Ontario (MTO) to determine if the MTO is willing to transfer lands described as on Plan No. 503 P-2255-61 to the Township of Seguin, (as per the recommendation from Triton Engineering) and that all costs associated with said transfer be borne by the CRA Applicant Massassauga Management.

**AND FURTHER THAT** Council does hereby authorize and direct Staff to proceed with the Application submitted by Massassauga Management to purchase the southerly half of the road allowance between the Town of Parry Sound and the Township of Seguin, subject to the MTO agreeing to transfer lands described as on Plan No. 503 P-2255-61 to the Township.

**AND FURTHER THAT** Council has no objection to the Town of Parry Sound selling the Northerly half of the boundary road allowance to Canadian Tire Corporation as shown on Appendix “A”, subject to the Town of Parry Sound providing a resolution that in the event that the former colonization road allowance running west from Oastler Park Drive is ever constructed as a public road at public cost that the Town of Parry Sound will pay at least 50% of those costs.”.

Councillor Adams returned to her seat.

**2009-229 Sainsbury-Jacklin** **Carried**  
“**THAT** By-law No. 2009-072, Being a By-law to Authorize the Execution of a Land Exchange Agreement between Robert Ian McTaggart and Lorraine Marie McTaggart 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.”.

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

- By-law No. 2009-068, Toner SRA Salmon Lake.
- By-law No. 2009-069, Buffett SRA Horseshoe Lake.
- By-law No. 2009-070, Lakeland Contracting portion of abandoned Highway #69.

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

No verbal submissions were received.

The Mayor asked if any written objections had been received.

The Clerk advised no written objections had been received.

**2009-230 Jacklin-Sainsbury** **Carried**  
“**THAT** By-law No.’s 2009-068, 2009-069 and 2009-070, Being By-laws regarding road allowance closures and sales, are hereby deemed to have been read a first, second and third time and passed by Council.”.

**2009-109 Chidley-Gibbon** **Carried**  
“**THAT** By-law No. 2009-042, Being a By-Law to Adopt a Policy and Prescribe Fees and Charges for Regulating The Construction Or Alteration Of Any Entrance Way Or Access To A Township Road or Property in The Township Of Seguin and to Repeal By-law No. 2005-098, is hereby deemed to have been read a first, second and third time and passed by Council.”.

**2009-231 Sainsbury-Jacklin** **Carried**  
“**THAT** By-law No. 2009-073, Being a By-Law to authorize the execution of an Agreement between The Corporation of the Township of Seguin and Her Majesty The Queen in Right of the Province of Ontario, represented by the Minister of Transportation Ontario for construction of a paved boulevard along a portion of the King’s Highway Number 518 in the Village of Orrville, is hereby deemed to have been read a first, second and third time and passed by Council.”.

**2009-232 Jacklin-Sainsbury** **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 July 6<sup>th</sup> meeting of Council.”.

**2009-233 Jacklin-Sainsbury** **Carried**  
“**THAT** By-law No. 2009-074, 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.”.

**2009-234 Sainsbury-Jacklin** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 8:00 p.m. to meet again on Monday July 20<sup>th</sup>, 2009 at 9:00 a.m. or at the call of the Mayor.”.

Mr. Joe Findley the event organizer of the CNIB Lake Joseph Musical Competition Event addressed Council to explain the Event as the organizers were requesting an exemption from the Township of Seguin’s by-law regulating noise. Council passed Resolution No. 2009-220 approving the exemption.

Mr. Roger Haggett and Mrs. Jane Haggett addressed Council to provide comments on their application for an entrance permit at 455 Star Lake Road and the recommendation from Staff on the matter. Council passed Resolution No. 2009-221 providing direction on this matter.

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*David Conn,  
Mayor*

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*Craig Jeffery,  
Clerk*