

Township of Seguin
Draft Minutes of Council Meeting
February 6th, 2006

A regular meeting of the Township of Seguin Council was held February 6th, 2006 at the Township of Seguin Council Chambers. Mayor Conn presided with Councillors Campbell, Graham, Jacklin, Sainsbury and Swift present. Councillor Jameson sent his regrets.

After the meeting was called to order Mayor Conn asked for approval of the agenda. The following items were added to the Business Section of the agenda: a summary sheet of the pros and cons of the relocation of the Rosseau Farmers' Market to the Rosseau Waterfront, a draft resolution to waive rental fees for Rosseau Fund Raising Activities re: 80 IN 80 Campaign, and a draft resolution requesting the Muskoka Lakes Navigation and Hotel Company consider making the Village of Rosseau a regular port of call for the R.M.S. Segwun steamship. A letter from the Ministry of Finance regarding Ontario Municipal Partnership Fund allocations was added to the 2006 Financial Discussions Section of the agenda. A letter from the Friends of the Rosseau Library was added to the delegation by Shirley Jordan and a delegation by Terry Fraser, agent for the Applicant regarding Rezoning Application R02/2006-F (Garside) were added to the Delegations Section of the agenda. The following items were added to the Public Meeting Section of the agenda: correspondence from Jackie McKenzie, Eva & George Kostiuk, Trevor Hawkes on behalf of the Salmon Lake Ratepayers Association, Raymond Kezwer, Verners & Karen Alksnis and the Otter Lake Ratepayers' Association regarding Rezoning Application R04/2006-F (753807 Ontario Inc. Salmon Lake Subdivision Boucher) and correspondence from the Ministry of Transportation Ontario, John Skinner, Doug Gammage, and Steve Gammage regarding Rezoning Application R06/2006-R (Young). By-law No. 2006-1074, Rezoning Application R02/2006-F (Garside) and Report CS-PL-2006-014 were removed from the agenda. The following By-laws were added to the By-laws Section of the agenda: By-law No. 2006-025, being a By-law to authorize the execution of an Assignment and Assumption of Agreement between The Corporation of the Town of Parry Sound and The Corporation of the Township of Seguin and By-law No. 2006-026, being a By-law to authorize the execution of a Release and Consent Agreement for the Parry Sound Area Information Centre. A letter from Dale Nelson re: winter road maintenance was added to the Correspondence Section of the agenda.

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:

2006-051 Campbell-Graham **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:

- a proposed or pending acquisition or disposition of land for municipal or local board purposes.
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
- the receiving of advice that is subject to solicitor/client privilege, including communications necessary for that purpose."

2006-052 Graham-Campbell **Carried**
"THAT Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened."

2006-053 Sainsbury-Swift

Recorded Vote Carried

“THAT the Township of Seguin Council instruct their legal counsel, Dennis Trinaistich to proceed to the Ontario Municipal Board Hearing regarding the Interim Control By-Law No. 2005-073, on March 1, 2006.”.

Division List

Campbell - Nay
Graham - Nay
Jacklin - Yea
Jameson - Absent
Sainsbury - Yea
Swift - Yea
Conn - Yea

2006-054 Graham-Jacklin

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby adopt the minutes of the Council meeting of January 23rd, 2006 as circulated.”.

2006-055 Campbell-Graham

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby approve the accounts in the amount of \$522,085.59.”.

2006-056 Sainsbury-Swift

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby approve, in principle, the 2006 Operating Budget projected at \$6,186,794.”.

2006-057 Jacklin-Sainsbury

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby approve, in principle, the 2006 Capital Budget projected at \$2,548,700.”.

2006-058 Sainsbury-Swift

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby approve, in principle, the Community Services Community Development Plan as presented January 11th, 2006 along with the following Issue Papers, subject to further reporting:

- Fire Services: 1, 2, 3, 4, & 5.
- Planning Services: 1 & 2.
- Building Services: 1, 2 & 3.
- Facilities Services: 1, 2, 3, 4 & 5.”.

2006-059 Jacklin-Sainsbury

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby approve, in principle, the Corporate Services Community Development Plan as presented January 11th, 2006 along with Issue Papers No. 1, 2 & 3, subject to further reporting.”.

2006-060 Sainsbury-Jacklin

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby approve, in principle, the Operations Services Community Development Plan as presented January 11th, 2006 along with the following Issue Papers, subject to further reporting:

- Roads Services: R1, R2, R3, R4, & R5.
- Waste Services: W1, W2 & W3.”.

2006-061 Jacklin-Sainsbury

Withdrawn

“THAT Council of The Corporation of the Township of Seguin does hereby waive the rental fee for the use of the Rosseau Field House and Grounds by the Rosseau Farmers’ Market for 2006 Market Season.”.

2006-062 Sainsbury-Jacklin

Carried

“WHEREAS, Council of The Corporation of the Township of Seguin, recognizing that Campaign 80 IN 80 is a community based fundraising initiative to raise money for the Rosseau Memorial Hall and the Rosseau Nursing Station, and

AND WHEREAS, the Campaign is encouraging service groups, local organizations, churches, schools, businesses and individuals to participate in fundraising events,

THEREFORE BE IT RESOLVED THAT those community groups participating in the 80 IN 80 Campaign that wish to utilize any of the Township's facilities to raise funds for the Rosseau Memorial Hall and/or the Rosseau Nursing Station, be allowed to use the Township Facilities at no charge subject to availability. This resolution is effective as of the date of passage, until December 31st, 2006.”.

2006-063 Jacklin-Sainsbury

Carried

“**THAT** Council of The Corporation of the Township of Seguin requests that the Muskoka Lakes Navigation and Hotel Company consider making the Village of Rosseau a regular port of call for the R.M.S. Segwun Steamship for the upcoming summer season as the Rosseau Waterfront Redevelopment Project has now been completed; and,

FURTHER THAT Council feels that this would be a positive tourism activity for the Village of Rosseau as well as a good business decision for the Muskoka Lakes Navigation and Hotel Company.”.

2006-064 Campbell-Sainsbury

Carried

“**THAT** Council does hereby approve the relocation of the Rosseau Farmers' Market to the Rosseau Waterfront for the 2006 Market Season.”.

2006-065 Swift-Sainsbury

Carried

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

- R04/2006-F (753807 Ontario Inc. Salmon Lake Subdivision Boucher).
- R06/2006-R (Young).”.

The Mayor advised that Council would now hold a public meeting regarding an application to amend the comprehensive Zoning By-law No. 93-1000, as amended, being File No. R04/2005-F.

The Clerk advised the meeting that Notice of the Public Meeting was given by first class mail on January 16th, 2006 and by posting on January 16th, 2006.

The Clerk explained the purpose of the proposed amendment to the Zoning By-law will be to rezone the lands described as, Part of Lots 28 and 29, Concession 2, Reference Plan 42R-10343 (42R-11876) Part 1 and parcels 22958 and 24399, in the former Township of Foley, now in the Township of Seguin as follows:

- from the RURAL (RU) to the WATERFRONT ONE (WF1) Zone;
- from the ENVIRONMENTAL PROTECTION (EP) to the WATERFRONT ONE (WF1) Zone;
- from the RURAL (RU) to the WATERFRONT ONE (WF1) Zone;
- from the WATERFRONT THREE (WF3) to the WATERFRONT ONE (WF1) Zone;
- from the WATERFRONT SIX (WF6) to the WATERFRONT ONE (WF1) Zone;
- and,
- the removal of ENVIRONMENTAL PROTECTION Zone from a portion of the shoreline area.

The effect of the proposed amendment to the Zoning By-law will be to rezone a portion of land towards the rear of lots 3, 4, 5 and 6 which are currently in the RURAL (RU), WATERFRONT THREE (WF3) zones and a small portion of lot 9 which is in the WATERFRONT SIX (WF6) zone to the WATERFRONT ONE (WF1). Secondly, the ENVIRONMENTAL PROTECTION (EP) lands on the shoreline will be adjusted to recognize the updated boundaries of Type 1 Fish Habitat as outlined by the Ministry of Natural Resources.

There were no verbal or written submissions in support of the proposed amendment.

Calvin Watkinson spoke in opposition to the proposed amendment as he had environmental concerns with development in the area and stated he was of the understanding Council had frozen waterfront development in the Township. Council informed Mr. Watkinson the Township had not frozen waterfront development.

Correspondence was received from Jackie McKenzie, dated February 2nd, 2006, Eva & George Kostiuk dated February 1st 2006, Trevor Hawkes, President of Salmon Lake Ratepayers Assoc., dated February 2nd, 2006, Raymond Kezwer dated February 3rd, 2006, Verners & Karen Alksnis, dated February 6th, 2006, Otter Lake Ratepayers' Association dated February 6th, 2006 stating objections to the proposed amendment.

The Mayor advised the meeting Council will 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.

The Mayor advised that Council would now hold a public meeting regarding an application to amend the comprehensive Zoning By-law No. R100-80, as amended, being File No. R06/2006-R.

The Clerk advised the meeting that Notice of the Public Meeting was given by first class mail on January 16th, 2006 and by posting on January 17th, 2006.

The Clerk explained the purpose of the proposed amendment to the Zoning By-law will be to rezone from Rural (RuC) to Village Residential with Special Provision (VR with Special Provision).

The effect of the proposed amendment to the Zoning By-law will be to allow for the construction of an inclinor to the water's edge, so that there may be water access, a dock and a single-level boathouse, as per the Zoning By-Law requirements.

There were no verbal submissions in opposition to or support of the proposed amendment.

There were no written submissions in opposition to the proposed amendment.

Correspondence was received from the Ministry of Transportation Ontario, Mr. John Skinner, Mr. Doug Gammage and Mr. Steve Gammage stating no objections to the proposed amendment.

The Mayor advised the meeting Council will 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.

2006-066 Sainsbury-Jacklin

Carried

“**THAT** the public meeting held for the following proposed Rezoning Applications is hereby closed and the regular meeting is reconvened:

- R04/2006-F (753807 Ontario Inc. Salmon Lake Subdivision Boucher).
- R06/2006-R (Young).”.

2006-067 Sainsbury-Jacklin

Carried

“**THAT** By-law No. 2006-020, being a By-law to close and stop up a portion of abandoned Highway 69, described as follows Part of Lot 34, Concession 6, in the Geographic Township of Humphrey, now Township of Seguin, District of Parry Sound, designated as Part 1, Plan 42R-17410 and to sell that portion of the said abandoned Highway 69 to the abutting owner, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2006-068 Jacklin-Sainsbury **Carried**

“THAT By-law No. 2006-021, being a By-law to authorize the sale of Parcel 22,267 Parry Sound South Section, being Part Lot 30, Concession 7, Geographic Township of Humphrey, now Township of Seguin, District of Parry Sound, designated as Part 9, Plan 42R-8477, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2006-069 Jacklin-Sainsbury **Carried**

“THAT By-law No. 2006-022, being a By-law to grant Site Plan Approval and authorize the execution of an Agreement between William Bernard Park & Jennifer Jewell Park 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.”.

2006-070 Sainsbury-Jacklin **Carried**

“THAT By-law No. 2006-023, being a By-law to amend Site Plan Agreements between Seguin Land Development Company Inc. 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.”.

2006-071 Jacklin-Sainsbury **Carried**

“THAT By-law No. 2006-024, being a By-law to grant Site Plan Approval and authorize the execution of an Agreement between 837481 Ontario Inc. 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.”.

2006-072 Sainsbury-Jacklin **Carried**

“THAT By-law No. 2006-026, being a By-law to authorize the execution of a Release and Consent Agreement for the Parry Sound Area Information Centre, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2006-073 Sainsbury-Jacklin **Carried**

“THAT By-law No. 2006-025, being a By-law to authorize the execution of an Assignment and Assumption of Agreement between The Corporation of the Town of Parry Sound 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.”.

2006-074 Campbell-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 February 6th meeting of Council.”.

2006-075 Campbell-Jacklin **Carried**

“THAT By-law No. 2006-027, 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.”.

2006-076 Campbell-Sainsbury **Carried**

“THAT Council of The Corporation of the Township of Seguin does hereby adjourn to meet again on March 6th, 2006 at 4:00 p.m. or at the call of the Mayor.”.

Shirley Jordan, Chairperson of the Township of Seguin Public Library Board addressed Council to provide an update on activities of the Board and services provided at the Library Branches. Mrs. Jordan informed Council the Board requires one new Member to be appointed. Council directed Staff to advertise for a Member. Mrs. Jordan provided a history of the Rosseau Branch Library, including facilities and services provided and presented the Board’s requests for facilities for the Branch. The Board is concerned with security issues surrounding the new facilities at the Rosseau Branch. Mrs. Jordan concluded her presentation by requesting the Library Board be included in discussions and decisions regarding the Library. Council thanked Mrs. Jordan for the presentation and assured her the Board would be included in decisions regarding the Library.

Terry Fraser, Agent for the Applicant for Rezoning Application R02/2006-F (Garside) addressed Council to explain his and his client's position on the proposed amendment. Mr. Fraser stated they do not agree with the Township Planning Department as to the results of the proposed amendment. Mr. Fraser and his client are of the opinion the resulting zoning should be C1 with additional residential use whereas the Planning Department was of the opinion the resulting zoning will be C1 with Special Provisions. Mr. Fraser stated, in his opinion, the Township is not following proper planning process as the Notice and Public Meeting for the application stated a different resulting zoning than provided by the By-law Amendment. The Township Planner, Ross Cotton, stated the Notice and Public Meeting was for existing uses and Special Provision and the proposed By-law Amendment was so drafted. Mr. Cotton also stated the Planning Act provides Council the authority to amend the proposed by-law without requiring further Public Notice. Mr. Cotton stated the proposed by-law was drafted with provisions being limited to those which the Applicant required. Council requested the Applicant, Mr. Fraser and Mr. Cotton meet to resolve the issue and bring the proposed by-law forward at the March 6th meeting of Council for consideration.

David Conn,
Mayor

Craig Jeffery,
Clerk