

Township of Seguin
Draft Minutes of Council Meeting
November 19th, 2007

A regular meeting of the Township of Seguin Council was held November 19th, 2007 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 amendments. Addition of discussions regarding Belvedere Heights Home For the Aged to the Closed Session. Addition of the following reports to the Staff Reports Section: Report CS-FD-2007-008, Lease Agreement with Core Broadband for the use of municipal owned communication towers and lands and Report PW-RD-2007-018, Tender No. 2007-023, Two 2008, 3500 Series, 1 ton, 4 wheel drive diesel pickups. Addition of correspondence received from Chris Bogart regarding Consent Application B-2007-0033-H (Buck).

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. Councillor Chidley declared a possible pecuniary interest in regard to matters involving the Belvedere Heights Home For the Aged and vacated the Chambers during consideration of the matters.

The following resolutions were considered by Council:

2007-458 Adams-Gibbon **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.
- a proposed or pending acquisition or disposition of land for municipal or local board purposes.
- labour relations or employee negotiations.”.

2007-459 Adams-Gibbon **Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened.”.

2007-460 Adams-Gibbon **Carried**

“**THAT**, as per Report AD-2007-08, Council of The Corporation of the Township of Seguin does hereby authorize the execution of the agreement with the Northern Ontario Heritage Fund Corporation (NOHFC) for the construction of an addition to the Humphrey Community Centre (HCC), including a library area of approximately 2,500 square feet, an elevator and other related upgrades.

AND THAT Council does hereby authorize and direct Staff to issue a Request For Proposal for Architectural and Engineering Services for the Project.

AND FURTHER THAT Council does hereby appoint a Project Steering Committee consisting of 2 elected officials, John Flynn Chair of the Township of Seguin Public Library Board, 1 additional member of the Library Board, Wib Bethune Director of Community Services, Michele Fraser Chief Financial Officer and Tom Stockie Chief Administrative Officer.

AND FURTHER THAT Council does hereby authorize and direct Staff to schedule a Public Meeting to be held at the Humphrey Community Centre on December 15th, 2007 commencing at 10:00 a.m. to receive public input on this Project, the Humphrey Vision and the Seniors Housing Project.”.

2007-461 Adams-Gibbon **Carried**

“**THAT** By-law No. 2007-151, Being a By-law to Authorize the Execution of an Infrastructure and Community Development Program Agreement between the Northern Ontario Heritage Fund Corporation (NOHFC) and The Corporation of the Township of Seguin for the Construction of

an Addition to the Humphrey Community Centre, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-462 Adams-Gibbon

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 5th, 2007 as circulated.”.

2007-463 Adams-Gibbon

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the accounts in the amount of \$295,924.51.”.

2007-464 Adams-Gibbon

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby receive the Staff Reports as presented on the agenda for the November 5th meeting of Council.

Community Services:

- Report CS-FD-2007-007, Road Naming Policy.
- Verbal report from Fire Chief Dave Thompson re: animal control.
- Report CS-FD-2007-008, Lease Agreement with Core Broadband for the use of municipal owned communication towers and lands.
- Verbal update from Wes Crown, Director of Planning re: ClubLink Rocky Crest and Lake Joseph North Association Hamer Bay Reports.
- Report CS-PL-2007-159, Application B-2006-0093-C (Fletcher).
- Report CS-PL-2007-160, Application B-2007-0033-H (Buck).
- Report CS-PL-2007-162, Application B-2007-0030-H (Braaten).
- Report CS-PL-2007-158, Rezoning Application R-2007-0020-H (Thring).
- Report CS-PL-2007-165, Rezoning Application R-2007-0021-H (Nelimarkka).
- Report CS-PL-2007-161, By-law No. 2007-146, Being a By-law to deem Lots 1 and 2, Plan M-109 pursuant to Section 50(4) of the Planning Act not to be on a plan of subdivision (4903-010-001-03100-0000 & 4903-010-001-03200-0000).
- Report CS-PL-2007-163, By-law No. 2007-144, Being a By-law to enter into an Agreement with Bruce Lester Cleland and Mary Cleland related to an Agreement under Section 51(26) of the Planning Act R.S.O. as amended.
- Report CS-PL-2007-164, By-law No. 2007-145, Being a By-law to enter into an Agreement with Maurizio Corradi related to an Agreement under Section 51(26) of the Planning Act R.S.O. as amended.

Corporate Services:

- Report TR-2007-03, Cost of living for 2008 and Vacation Policy.
- Report AD-2007-08, Northern Ontario Heritage Fund Corporation Infrastructure and Community Development Program Agreement – addition to the Humphrey Community Centre.

Public Works:

- Report PW-RD-2007-016, Supply, Delivery and Apply Liquid Calcium Chloride on Seguin Township gravel roads, 2008 Contract.
- Report PW-RD-2007-017, 2007 Seguin Township Bridge Inspection Report.
- Report PW-WD-2007-005, Contract Extension Muskoka Containerized Services, Contract No. 2004-018 Recycling.
- Report PW-RD-2007-018, Tender No. 2007-023, Two 2008, 3500 Series, 1 ton, 4 wheel drive diesel pickups.”.

2007-465 Adams-Gibbon

Carried

“**THAT**, as per Report CS-FD-2007-007 Council of The Corporation of the Township of Seguin does hereby adopt Policy #2007-05, Road Naming of Existing Roads attached as Schedule “A” to this resolution.”.

2007-466 Gibbon-Adams

Carried

“**THAT** By-law No. 2007-152, Being a By-law to Authorize the Execution of 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, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-467 Adams-Chidley

Carried

“**THAT**, as per Report TR-2007-03 Council of The Corporation of the Township of Seguin does hereby approve a 2% Cost of Living adjustment to the 2007 Salary Grid and that the 2% Cost of Living adjustment also be applied to Council and all Staff not on the Salary Grid, effective January 1st, 2008.

AND FURTHER THAT Council does hereby approve a change to the Human Resources Policy D-2.3 – Vacation (d), changing the level of service for five (5) weeks vacation entitlement from nineteen (19) years of services to seventeen (17) years of service.”.

2007-468 Chidley-Adams

Carried

“**THAT**, as per Report PW-RD-2007-016, Council of The Corporation of the Township of Seguin does hereby waive section 5.1.2. of By-law No 2005-009, Being a By-law Governing Procurement Policies and Procedures (whereby the procedure for procurement of goods with a value greater than \$30,000 requires a request for tender procedure).

AND THAT Council does hereby accept the offer from Da-Lee Dust Control for the supply, delivery and application of approximately 350,000 litres of Calcium Chloride in 2008 at a 10% reduction from the 2007 unit price, in the total amount of approximately \$65,000 plus G.S.T.”.

2007-469 Chidley-Adams

Carried

“**THAT**, as per Report PW-WD-2007-005, Council of The Corporation of the Township of Seguin does hereby approve the extension of Contract No. 2004-018 RECYCLING (Transportation and Disposal) with Muskoka Containerized Service (MCS) for 2 years commencing January 1st, 2008 with the amendments as noted in Report PW-WD-2007-005.

AND THAT the Council of the Township of Seguin does hereby direct staff to prepare a By-law authorizing the execution of an agreement to extend the above noted contract.”.

2007-470 Adams-Chidley

Carried

“**THAT**, as per Report PW-RD-2007-018, Council of The Corporation of the Township of Seguin does hereby rescind Resolution No. 2007-440, the awarding of Tender No. 2007-023, the purchase of Two (2) 2008, 3500 Series, 1 Ton, 4 Wheel Drive, regular cab Pickup Trucks complete with eight foot box and diesel engine to L and H Motors, Parry Sound.

AND FURTHER THAT Council does hereby accept the bid from Thor Motors Orillia in the amount of \$83,816.64 (plus GST) for the purchase of Two (2) 2008, 3500 Series, 1 Ton, 4 Wheel Drive Pickup Trucks complete with eight foot box and diesel engine as per Tender No. 2007-023.

AND THAT Council does hereby declare one (1), 1 Ton 2002 truck known as VR29 as surplus.

AND THAT Council does hereby accept the trade-in value offer of \$4,000 from Thor Motors, for the Truck known as VR29 and reassign the 2002 Truck known as VR30 to the Fire Department to replace a 1971 ¾ Ton Truck currently in service within the Fire Department.”.

The Mayor advised Council would now hear the following Consent Applications: B-2006-0093-C (Fletcher), B-2007-0033-H (Buck) and B-2007-0030-H (Braaten).

The Mayor advised Council would consider all matters placed before it prior to making a Decision. As required by Subsection 53(31) 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 Council reaching a Decision. The Mayor advised anyone wishing to receive Notice of the Consent Decision who has not submitted such a request in writing should give their full name and address to the Clerk before leaving the meeting.

The Mayor asked if there was anyone present who wished to speak regarding Consent Application B-2006-0093-C (Fletcher).

There were no verbal submissions received.

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

The Clerk advised none had been received.

2007-471 Sturgeon-Jacklin

Carried

“**THAT**, as per Report CS-PL-2007-159, Council of The Corporation of the Township of Seguin does hereby defer Consent Application B-2006-0093-C (Fletcher) until such time as the Site Evaluation Report is updated or a response to the peer review is received.”.

The Mayor asked if there was anyone present who wished to speak regarding Consent Application B-2007-0033-H (Buck).

Christine Tudhope, Agent for the Applicant addressed Council to speak to the Staff Report on this Application. Ms. Tudhope stated the North Bay Mattawa Conservation Authority has stated the lands are suitable for the required septic systems. Ms. Tudhope also provided additional information from Paul Forth, OLS clarifying the lot frontage and the frontage does meet the minimum requirements. Ms. Tudhope advised the Applicants have amended the drawings to meet the concerns of the neighbours. In response to concerns submitted by Mr. Chris Bogart, Ms. Tudhope stated there is a significant ridge of land between the subject lands and the wetlands in the area to protect the wetlands from drainage issues. Ms. Tudhope also stated the Applicants do not intend to remove any of the trees which create a buffer between the subject lands and the neighbours. Ms. Tudhope will submit her comments in writing to Staff.

The Mayor asked if any letters were received in opposition to or support of the proposed Consent.

The Clerk advised correspondence was received from Mr. Chris Bogart stating concerns with the wetlands in the area, road adequacy, drainage and septic systems.

2007-472 Jacklin-Sainsbury

Carried

“**THAT**, as per the Memo dated November 15th, 2007 from the Director of Planning, Council of The Corporation of the Township of Seguin does hereby defer Consent Application B-2007-0033-H (Buck) to permit the applicant the opportunity to address the apparent discrepancy in the lot frontage calculation.”.

The Mayor asked if there was anyone present who wished to speak regarding Consent Application B-2007-0030-H (Braaten).

There were no verbal submissions.

The Mayor asked if any letters were received in opposition to or support of the proposed Consent.

The Clerk advised none were received.

2007-473 Sturgeon-Jacklin

Deferred

“**THAT**, as per Report CS-PL-2007-162, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2007-0030-H (Braaten) subject to the conditions set out in the decision.”.

2007-474 Sainsbury-Jacklin

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 Rezoning Applications:

- R-2007-0020-H (Thring).
- R-2007-0021-H (Nelimarkka).”.

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

- Application No. R-2007-0020-H (Thring), (7 Hoodwink Road). The Owners have applied to rezone the property to a zone exception to allow for the replacement and expansion of a one storey, single slip boathouse.
- Application No. R-2007-0021-H (Nelimarkka), (83 Trail's End). The Owners have applied to rezone the property from the Resort Commercial Zone to the Limited Service Residential Zone to recognize the existing residential use of the property.

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 October 30th, 2007 and by posting on October 30th, 2007.

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.

The Mayor asked if there was anyone present who wished to speak in favour of or in opposition to Application No. R-2007-0020-H (Thring).

David Thring, Applicant was present to answer any questions and explain the reason for the Application.

The Clerk advised there were no written submissions received regarding this Application.

The Mayor asked if there was anyone present who wished to speak in favour of or in opposition to Application No. R-2007-0021-H (Nelimarkka).

There were no verbal submissions received.

The Clerk advised there were no written submissions received regarding this Application.

The Mayor advised anyone wishing to receive notice of the passing of the zoning by-laws not owning land within 120m of the area to which it applies and who has not submitted such a request in writing should give their full name and address to the Clerk before leaving this meeting.

2007-475 Jacklin-Sturgeon

Carried

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

- R-2007-0020-H (Thring).
- R-2007-0021-H (Nelimarkka).”.

2007-476 Sainsbury-Jacklin

Carried

“**THAT** By-law No.'s 2007-147 (Application R-2007-0020-H Thring) and 2007-148 (Application R-2007-0021-H Nelimarkka), Being By-laws to amend Township of Seguin Zoning By-law No. 2006-125, are hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-477 Sturgeon-Jacklin

Carried

“**THAT** By-law No. 2007-146, Being a By-law to deem Lots 1 and 2, Plan M-109 pursuant to Section 50(4) of The Planning Act not to be on a plan of subdivision. Property Owner: Stafford and Susan Higgins Property Roll No. 4903-010-001-03100-0000 (Lot 2) and 4903010-001-

03200-0000 (Lot 1), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-478 Sturgeon-Jacklin **Carried**
“**THAT** By-law No.’s 2007-144 (Cleland) and 2007-145 (Corradi), Being By-laws to enter into Agreements related to Agreements under Section 51(26) of the Planning Act R.S.O. as amended, are hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-479 Jacklin-Sturgeon **Carried**
“**THAT** By-law No. 2007-149, Being a By-law to govern and regulate the proceedings of Council of The Corporation of the Township of Seguin and that all By-laws, or parts thereof, contrary hereto or inconsistent herewith, be and the same are hereby repealed, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2007-480 Chidley-Gibbon **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby offer to host the Fall 2008 meeting of the District of Parry Sound Municipal Association.”.

2007-481 Adams-Chidley **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby adopt Policy #2007-05, Written Reports of Conferences Attended, attached as Schedule “A” to this resolution.”.

2007-482 Sturgeon-Jacklin **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 November 19th meeting of Council.”.

Councillor Chidley left the meeting at this time as he had declared a possible pecuniary interest regarding the matters being considered during the following Closed Session.

2007-483 Adams-Gibbon **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.
- a proposed or pending acquisition or disposition of land for municipal or local board purposes.
- labour relations or employee negotiations.”.

2007-484 Adams-Gibbon **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened.”.

2007-485 Jacklin-Sturgeon **Carried**
“**THAT** By-law No. 2007-150, 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.”.

2007-486 Sainsbury-Jacklin **Carried**
“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn to meet again on December 10th, 2007 or at the call of the Mayor.”.

John Flynn, Chair of the Township of Seguin Public Library Board addressed Council to relay the Board’s support for the proposed renovations to the Humphrey Community Centre Project which includes the addition of space to house the Humphrey Branch Library. Council thanked Mr. Flynn and the Library Board Members for their work and support.

*David Conn,
Mayor*

*Craig Jeffery,
Clerk*