

Township of Seguin
Draft Minutes of Council Meeting
April 21st, 2008

A regular meeting of the Township of Seguin Council was held April 21st, 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 the Staff Reports Section of correspondence received from the Rankin Lake Property Owners' Association Inc. regarding Staff Report CS-PL-2008-045, Consent Application No.'s B-2006-0088-F & 89-F (Annecca). Addition to the Staff Reports Section of a verbal report from the Director of Planning regarding Sewage System Authority. Addition to the Staff Reports Section of a Report from Gord Crosby of Totten Sims Hubicki regarding Tender Results for Contract No. 2008-002, CN Rankin Lake Road Bridge. Addition to the Business Section of additional information from the Applicant regarding item f) Scheduling of a site inspection - Shore Road Allowance Application 03/2007-F (Evans).

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. Councillor Adams declared a possible pecuniary interest in regard to Business item f) Scheduling of a site inspection re: Shore Road Allowance Application 03/2007-F (Evans) and vacated her seat during consideration of this matter.

The following resolutions were considered by Council:

2008-129 Sainsbury-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 7th, 2008 as circulated."

2008-130 Jacklin-Sainsbury **Carried**
"THAT Council of The Corporation of the Township of Seguin does hereby approve the accounts in the amount of \$418,722.43."

2008-131 Sainsbury-Jacklin **Carried**
"THAT Council of The Corporation of the Township of Seguin does hereby receive the Staff Reports as presented on the agenda for the April 21st meeting of Council.

Community Services:

- Report CS-BD-2008-01, Update on activity in Building Services Department.
- Report CS-PL-2008-045, Annecca Consent B-2006-0088 & 89-F Peer review requested.
- Report CS-PL-2008-046, List/Gregory Parkland dedication request (Consent B33/34/2002 OMB decision).
- Report CS-FD-2008-002, Municipal Fire Agreement with the Ministry of Natural Resources.
- Report CS-PL-2008-044, Proposed Tree Cutting, Blasting and Site Alteration (Fill) By-laws.
- Report CS-PL-2008-043, Application R-2008-0006-H (Remnant).
- Report CS-PL-2008-042, By-law No. 2008-046, Being a By-Law to enter into an Agreement with Janet and David Green related to an Agreement under Section 51(26) of the Planning Act R.S.O. as amended.

Public Works:

- Report PW-RD-2008-005, Tender No. 2008-006, Double High Float Surface Treatment.
- Report from Gord Crosby of Totten Sims Hubicki re: Tender Results for Contract No. 2008-002, CN Rankin Lake Road Bridge.

Corporate Services:

- Verbal update re: Transfer Station commercial poster signage system and "Sign By-law" enforcement."

2008-132 Sturgeon-Sainsbury

Carried

“**THAT** as per Report CS-PL-2008-046, Council of The Corporation of the Township of Seguin does hereby provide the following direction regarding Consent Application No.’s B33/2002 and B34/2002 and OMB Decision/Order No. 2632 – File PL030753:

1. **THAT** the Township accepts the use of the arms length sales for the determination of value of the lands regarding Consent Applications B33/2002 and B34/2002 and OMB Decision/Order No. 2632 – File PL030753 in the calculation of the required 5% cash in lieu of parkland payment.
2. **THAT** the Township continue with its current practice and procedure for the determination of cash in lieu of parkland payments and that all disputes be directed to Council.
3. **THAT** Staff be directed to undertake a review of its current practice and procedure for the determination of cash in lieu of parkland payments and report to Council.”.

2008-133 Sturgeon-Sainsbury

Recorded Vote Carried

“**WHEREAS** the District of Parry Sound Municipal Association passed resolutions at their meetings of October 3rd, 2005 and April 30th, 2007 requesting the province to delegate sewage system approval to the municipalities in the District of Parry Sound from the North Bay Mattawa Conservation Authority;

AND WHEREAS the Township of Seguin communicated with the Building and Development Branch of the Ministry of Municipal Affairs and Housing and the Township received a letter dated March 27th, 2008 from David Brezer (attached) setting out the process and requirements for the delegation to occur;

NOW THEREFORE the Council of The Corporation of the Township of Seguin requests the District of Parry Sound Municipal Association municipalities to direct at least one staff member from each municipality to attend a meeting of member municipalities of the District of Parry Sound to develop a strategy and business case for the delegation of Sewage System approval under Part 8 of the Ontario Building Code from the Conservation Authority to the local municipalities. (Suggested meeting date – May 15th at 1:30 p.m.; Location – Orrville Community Centre, Seguin Township).

AND FURTHER THAT following the meeting of local municipalities, a meeting be arranged with the North Bay Mattawa Conservation Authority and the Province to review and discuss the strategy and business case for the delegation of Part 8 approvals to the local municipalities in the District of Parry Sound.”.

Division List

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

2008-134 Sturgeon-Sainsbury

Recorded Vote Carried

“**WHEREAS** the Ministry of Municipal Affairs and Housing is proposing a number of changes to the Ontario Building Code, including changes to Part 8 Sewage Systems;

AND WHEREAS the proposed changes could significantly impact the Township of Seguin’s Septic Re-Inspection Program with the North Bay Mattawa Conservation Authority;

AND WHEREAS the Township is working towards the delegation of Part 8 authority to the municipality;

AND WHEREAS comments must be submitted to the Ministry by May 1st, 2008;

THEREFORE BE IT RESOLVED THAT Council of The Corporation of the Township of Seguin does hereby direct Staff to provide comments to the Ministry of Municipal Affairs and Housing on the proposed changes to the Ontario Building Code including that the changes ensure that the Code revisions permit a change in Principal Authority respecting Part 8 of the Code without further changes to the Code.”.

Division List

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

2008-135 Sainsbury-Jacklin

Carried

“**THAT** By-law No. 2008-048, Being a By-law to authorize the execution of a Municipal Forest Fire Management Agreement, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2008-136 Jacklin-Sainsbury

Carried

“**THAT** as per Report PW-RD-2008-005 Council of The Corporation of the Township of Seguin does hereby accept the bid from Fowler Construction Company Limited in the amount of \$224,170.50 plus G.S.T. and award Tender No. 2008-006, High Float Surface Treatment, Pulverizing and Gravel for Glen Burney Road, Point Pleasant Road, Harbourview Drive, Timmins Drive and Ash/Cedar Streets to Fowler Construction Company Limited.”.

2008-137 Jacklin-Sainsbury

Carried

“**THAT** as per Report CS-PL-2008-045, Council of The Corporation of the Township of Seguin does hereby provide the following direction regarding Consent Application No.’s B-2006-0088-F (Annecca) and B-2006-0089-F (Poole):

1. **THAT** the Township obtain a peer review of the “Lake Assessment Report – Rankin Lake” dated February, 2008 by Michalski Nielsen & Associates Ltd. submitted in support of Application No.’s B-2006-0088-F & B-2006-0089-F (Annecca) and B-2006-0083-F (Poole).
2. **THAT** the full cost of the peer review be at the expense of the Applicant.
3. **THAT** the owner be requested to review the peer review costs and, if willing to proceed, submit cash or cheque with the municipality to cover the full costs of the peer review.”.

2008-138 Adams-Sainsbury

Carried

“**WHEREAS**, Ingrid Muller, Mayor David Conn and Councillor Doug Sainsbury are the current representatives of the Township of Seguin on the Parry Sound Area Municipal Airport Commission;

AND WHEREAS, Mayor Conn accepted appointment to the Commission on the condition that he be permitted to resign upon completion of the Parry Sound Area Municipal Airport Strategic Plan, which Plan has been completed;

AND WHEREAS, the Township has advertised for applications from interested individuals to be a representative on the Commission to replace Mayor Conn;

AND WHEREAS, the Commission has reviewed the applications and recommends Council appoint Bruce Hatherley as a Township of Seguin representative on the Commission.

THEREFORE BE IT RESOLVED THAT Council of The Corporation of the Township of Seguin does hereby appoint Bruce Hatherley to replace Mayor David Conn as a Township of Seguin representative on the Parry Sound Area Municipal Airport Commission for the remainder of the 2 year term of the appointment.”.

2008-139 Sainsbury-Jacklin

Carried

“**THAT** Council does hereby authorize Councillors Susan Adams and Bruce Gibbon to attend the 2008 Association of Municipalities of Ontario Annual Conference in Ottawa on August 24th to August 27th. Reimbursement of expenses will be as per Township Policy.”.

2008-140 Sturgeon-Sainsbury

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby support the position of the Association of Municipalities of Ontario Board of Directors as stated below;

WHEREAS the Federal Government announced its intention to negotiate the Building Canada Framework Agreement with the Government of Ontario; and

WHEREAS the Building Canada Framework Agreement has funding components for municipalities of all sizes with \$3.1 billion earmarked for Ontario’s municipal government; and

WHEREAS the Federal Government has signed six (6) of 13 framework agreements with Canada’s other provincial and territorial governments; and

WHEREAS Canada and Ontario have been holding discussions on the Building Canada Framework Agreement since late last year;

THEREFORE be it resolved that the Governments of Canada and Ontario make a commitment to renewed, dedicated negotiations that will see a Building Canada Framework Agreement signed expeditiously so that Ontario’s municipal governments can benefit from additional investment opportunities that a collaborative Canada-Ontario contribution agreement can bring to their significant infrastructure needs.”.

2008-141 Sainsbury-Jacklin

Carried

“**WHEREAS** the work of the Municipal Property Assessment Corporation (MPAC) provides services to both municipal governments and the provincial government for the purpose of collecting property taxes;

AND WHEREAS Ontario municipalities pay for MPAC services and costs and the Province does not;

THEREFORE BE IT RESOLVED that the Council of The Corporation of the Township of Seguin does hereby request that the Province of Ontario pay a proportional share of MPAC costs related to education property taxes;

AND BE IT FURTHER RESOLVED that the Council of The Corporation of the Township of Seguin communicate this request to the MPAC Board of Directors, the Association of Municipalities of Ontario and the City of Ottawa.”.

2006-171 Sainsbury-Jacklin

Withdrawn

“**THAT** Council of The Corporation of the Township of Seguin does hereby advise the Ministry of Municipal Affairs and Housing that the Township of Seguin considers the application for Draft Plan of Subdivision submitted by John Jackson Planner Inc. regarding Part of Lots 32 and 33, Concession 11 (Foley) to be premature until a coordinated and comprehensive planning study is completed to address the requirements of Section 1.2 of the Provincial Policy Statement.

AND THAT staff be directed to contact Mr. Jackson and his client with respect to participating in the “Northwest Seguin Development Area” planning study.”.

2008-142 Adams-Gibbon

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby direct Staff to organize a Public Meeting to be held on July 12, 2008 @ 9AM at the Orrville Community Centre to provide information and receive public comments on the Draft Tree-Cutting, Blasting and Site Alteration (Fill) By-laws.

AND THAT Staff provide Notice of the Public Meeting and invitation of written comments up to 2 weeks prior to the Public Meeting in the following manner:

- Notice in the local newspapers.
- Posting on the Township website, including posting of the Draft By-laws.
- Notification to ratepayer associations.

AND FURTHER THAT Staff prepare a summary of all comments received and provide that summary to Council after the deadline for written submissions and prior to the Public Meeting.”.

2008-143 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 the following Rezoning Application:

- R-2008-0006 (Remnant).”.

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

- Application No. R-2008-0006-H (REMNANT) 256 Stanley House Road. The Owner has applied to rezone the lands from the Environmental Protection “EP” Zone to Lakeside “LS” Zone.

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 March 31st, 2008 and by posting on April 1st, 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 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 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 support of or opposition to Rezoning Application R-2008-0006-F (Remnant).

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

The Mayor asked 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 of Ontario indicating no objections.

2008-144 Chidley-Gibbon

Carried

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

- R-2008-0006 (Remnant).”.

2008-145 Gibbon-Chidley

Carried

“**THAT** By-law No. 2008-047, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Rezoning Application R-2008-0006-H Remnant), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2008-146 Chidley-Gibbon

Carried

“**THAT** By-law No. 2008-046, Being a By-Law to enter into an Agreement with Janet and David Green 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.”.

2008-147 Gibbon-Chidley

Carried

“**THAT** By-law No. 2008-050, Being a By-law to acknowledge conditions related to receipt and use of the 2008 Municipal Road and Bridge Infrastructure Investment Funds and to authorize the execution and submission of required documentation related to the funding, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2008-148 Gibbon-Chidley

Carried

“**THAT** By-law No. 2008-052, Being a By-law to appoint Officers for The Corporation of the Township of Seguin (Director of Planning and Building Services), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2008-149 Gibbon-Chidley

Carried

“**THAT** By-law No. 2008-051, Being a By-law to appoint a Chief Building Official/By-law Enforcement Officer and to appoint Deputy Chief Building Officials/By-law Enforcement Officers for The Corporation of the Township of Seguin, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2008-150 Chidley-Gibbon

Carried

“**THAT** By-law No. 2008-053, Being a By-law to enter into a Commercial Lease Agreement between Mike Beasley and The Corporation of the Township of Seguin for facilities located on Plan 163 Part Lot 18, Village of Rosseau known as 1142 Highway #141, is hereby deemed to have been read a first, second and third time and passed by Council.”.

2008-151 Gibbon-Chidley

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 April 21st meeting of Council.”.

2008-152 Chidley-Gibbon

Carried

“**THAT** By-law No. 2008-049, 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.”.

2008-153 Gibbon-Chidley

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn to meet again on May 5th, 2008 or at the call of the Mayor.”.

Gord Crosby of Totten Sims Hubicki (TSH) addressed Council to update Council on Tender No. 2008-002, CN Rail Rankin Lake Road Bridge (COMRIF 3). Mr. Crosby informed Council of an error in the tendering process and various options as to how the Township may proceed. Council directed Mr. Crosby and Staff to contact the bidders to determine if the bidders were opposed to proceeding with the awarding of the tender as per the recommendation of TSH and Staff and to report back to Council.

Debbie Adams addressed Council to request Council consider the adoption of an Advocacy By-law. Mrs. Adams advised she will submit her request in writing.

Robert Cribbie addressed Council to request Council authorization for Mr. Cribbie to make application to purchase a portion of concession road allowance (CRA) adjacent to his property without having the CRA application contingent upon his submission of an application to purchase a portion of shore road allowance (SRA) adjacent to his property. Staff had recommended Mr. Cribbie purchase the portion of SRA in conjunction with his CRA application as Mr. Cribbie has structures located on the SRA. Council approved Mr. Cribbie's request and directed Staff that Mr. Cribbie's application to purchase a portion of CRA not be contingent on an application to purchase a portion of SRA.

*David Conn,
Mayor*

*Craig Jeffery,
Clerk*