

**Township of Seguin**  
**Draft Minutes of Council Meeting**  
**December 8<sup>th</sup>, 2008**

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A regular meeting of the Township of Seguin Council was held December 8<sup>th</sup>, 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. Additional information in closed session regarding The Residences of Georgian Green Inc. development. Addition to Business of item j) Application from The Ontario Mission of the Deaf for a Sign Permit, a minor variance to the By-law is requested. Addition to Public Meeting item a) Rezoning Application R-2008-0026-H (Township of Seguin – SALC) of correspondence received from the Ministry of Transportation.

Mayor Conn requested that any disclosures of pecuniary interest be declared for the record. Councillor Jacklin declared a possible pecuniary interest in regard to Staff Report No. CS-PL-2008-122, request to transfer property to the Municipality (Burnside & Parry Sound Northland lot merger) and vacated the Chambers during consideration of this matter. Councillor Adams declared a possible pecuniary interest in regard to agenda item 9. b) Application CRA 003-2008-F (Massassauga Management) and discussion in regular and closed session regarding The Residences of Georgian Green Inc. Councillor Adams vacated her seat during the open session discussions on the matters and vacated the Chambers during the closed session discussions on The Residences of Georgian Green Inc. matter.

The following resolutions were considered by Council:

**2008-465 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 November 17<sup>th</sup>, 2008 as circulated.”.

**2008-466 Gibbon-Chidley** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the following accounts in the amount of:

November 13, 2008	\$ 201,362.76
November 20, 2008	\$2,177,603.41
November 27, 2008	<u>\$ 201,654.11</u>
TOTAL	\$2,580,620.28”.

**2008-467 Chidley-Gibbon** **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 December 8<sup>th</sup> meeting of Council.

Community Services:

- Report No. CS-FD-2008-013, Preliminary Master Fire Plan results for discussion.
- Report No. CS-PL-2008-120, Amendment to Conditions of Consent Decision and entering into an agreement (Braaten).
- Report No. CS-PL-2008-122, Request to transfer property to the Municipality (Burnside & Parry Sound Northland lot merger).
- Report No. CS-PL-2008-123, Rezoning Application R-2008-0026-H (Township of Seguin - Seguin Adult Lifestyle Community).
- Report No. CS-PL-2008-119, Application B-2007-0036-H (Pennal).

Public Works:

- Report No. PW-WD-2008-004, Municipal Hazardous or Special Waste Management Shared Responsibility Agreement.
- Report No. PW-RD-2008-014, Winter Control Strategy 2008/2009.
- Report No. PW-RD-2008-015, Public Meeting re: Humphrey Village Traffic.
- Report No. PW-RD-2008-016, Salt Management Plan and Level of Service Policy update.”.

**2008-468 Gibbon-Chidley**

**Carried**

“**THAT**, as per Report CS-PL-2008-120, Council of The Corporation of the Township of Seguin does hereby grant an amendment to provisional approval Consent Application B-2007-0030-H (Braaten) of Condition Number 1 the lot line layout, as per to Section 53 (26) of the Planning Act, as the change of Condition is minor.”.

**2008-469 Chidley-Gibbon**

**Carried**

“**THAT** By-law No. 2008-163, Being a by-law to enter into an Agreement with Peter Braaten related to an Agreement under Section 53(12) 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.”.

Councillor Jacklin declared a possible pecuniary interest in regard to the next matter being considered by Council and vacated the Chambers.

**2008-470 Gibbon-Chidley**

**Carried**

“**THAT** as per Report No. CS-PL-2008-122, Council of The Corporation of the Township of Seguin does hereby support-in-principle the conveyance of two one-square foot parcels from the lands known as 42R-13418, Parts 5 & 6, to be added to the Municipal Road Allowance of Black Road (known as 42R-13418 Part 3), subject to the following conditions:

- 1) That all legal, survey, and other associated fees be borne by the applicant (the potential purchaser).
- 2) That a written undertaking be received from the applicant/potential purchasers’ solicitor that the lands to be merged (42R-13418 Parts 5 & 6) will do so upon completion of the aforementioned conveyance and both parcels are in identical ownership.”.

Councillor Jacklin returned to his seat.

**2008-471 Chidley-Gibbon**

**Carried**

“**THAT** By-law No. 2008-166, Being a By-law to authorize the execution of a Municipal Hazardous or Special Waste Management Shared Responsibility Agreement between Stewardship Ontario 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.”.

**2008-472 Gibbon-Chidley**

**Carried**

“**THAT** as per Report No. PW-RD-2008-016, Council of The Corporation of the Township of Seguin does hereby approve the attached Salt Management Plan and Level of Service Policy for Winter Control.”.

**2008-473 Chidley-Gibbon**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the further requests of the 295 MacPherson Squadron of the Royal Canadian Air Cadets to conduct abseiling and rock climbing training exercises on portions of the Rose Point Recreational Trail subject to the following conditions and authorize the Mayor and Clerk to execute the Right of Use between the Township of Seguin and the Royal Canadian Air Cadets:

- Air Cadets to provide the Township of Seguin with a Certificate of Insurance confirming coverage and inclusion of the Township of Seguin, the Township of Seguin Rose Point Recreational Trail Committee and Park-To-Park Trail Inc. as additional insured with respect to the training exercises.
- Air Cadets authorized to have three anchor points installed as per Request 1. of the correspondence dated 25 Nov 08 from the Cadets to Seguin Township.
- Air Cadets to provide written requests to the Rose Point Recreational Trail Committee of the actual dates and times of training exercises for approval by the Committee.
- Air Cadets authorized to perform minor brushing/clearing as approved by the Rose Point Recreational Trail Committee.”.

**2008-474 Sturgeon-Sainsbury**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the Humphrey Public School Mayfest Committee request for use of the Humphrey Community Centre on May 6<sup>th</sup> and 7<sup>th</sup>, 2009 for Mayfest 2009.

**AND FURTHER THAT** Council does hereby waive the rental fee for the use of the Humphrey Community Centre for Mayfest 2009.”.

**2008-475 Chidley-Gibbon**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby appoint the following individual(s) to the Parry Sound Area Municipal Airport Commission for the remainder of the term of Council:

- Councillor Doug Sainsbury
- Ingrid Muller
- Bruce Hatherley.”.

**2008-476 Sainsbury-Sturgeon**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby appoint the following individual(s) to the Rose Point Recreational Trail Committee for the remainder of the term of Council:

- Councillor Bruce Gibbon
- Bill Park
- Catherine McNeice
- Bill Sinclair
- Kirsten Spence
- Mike Timmins.”.

**2008-477 Sturgeon-Sainsbury**

**Deferred**

“**WHEREAS**, The Ontario Mission of the Deaf has made Application for Sign Permit for their location at 236 Black/Crane Lake Road;

**AND WHEREAS**, the Application proposes a contravention to the following Sections of By-law No. 2007-116, Being a By-law to regulate the size, use, location and maintenance of signs and advertising devices within the Township of Seguin:

- Section 5.1.1 Except as otherwise expressly permitted by the provisions of this by-law, SIGNS are permitted only on lands zoned for commercial or industrial uses.
- Section 5.2.1 No GROUND SIGN shall have a SIGN AREA greater than 3 square metres (32 square feet).
- Section 5.2.4 The maximum size, height and setback of GROUND SIGNS shall be as follows: 3m (10 feet).

**AND WHEREAS**, Section 7. MINOR VARIANCES of By-law No. 2007-116 outlines conditions for Minor Variances to the By-law;

**AND WHEREAS**, Council considers the variances requested by The Ontario Mission of the Deaf to be minor in nature;

**THEREFORE BE IT RESOLVED THAT** Council of The Corporation of the Township of Seguin does hereby approve the following Minor Variances to By-law No. 2007-116, Being a By-law to regulate the size, use, location and maintenance of signs and advertising devices within the Township of Seguin for The Ontario Mission of the Deaf for their Application for Sign Permit for their location at 236 Black/Crane Lake Road:

- A Minor Variance to Section 5.1.1 to permit a sign in the Rural zone.
- A Minor Variance to Section 5.2.1 to permit an area of 6.66 square metres.
- A Minor Variance to Section 5.2.4 to permit a height of 4.57 metres.”.

**2008-478 Sainsbury-Sturgeon**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby authorize and direct the Mayor and Clerk to execute the Acknowledgement and Direction, attached as Schedule “A” for Shore Road Allowance Application SRA/1992-F (Espe).”.

Councillor Adams declared a possible pecuniary interest in regard to the next matter being considered by Council and vacated her seat.

**2008-479 Sturgeon-Sainsbury**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby agree with the recommendation of the Town of Parry Sound and that no decision on the road allowance closure application submitted by Massassauga Management be made until an investigation and recommendation from the Town of Parry Sound Municipal Engineer at the costs of the applicants is provided identifying which of the two road allowances leading west from Oastler Park Drive is the most appropriate for use for a connection to Parry Sound Road.”.

Councillor Adams returned to her seat.

**2008-480 Sainsbury-Sturgeon**

**Carried**

“**THAT** By-law No. 2008-159, Being a By-law to close and stop up a portion of the former path of the Blackstone and Crane Lake Road, being Part of Lot 113, Concession A, in the geographic Township of Foley, now the Township of Seguin, District of Parry Sound, designated as Part 15, according to Plan 42R-14822 and to declare surplus and sell Part 15 according to Plan 42R-14822 save and except Part 1 on Plan 42R-18506, 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. 2008-160, Adams, Fedchun, McKenzie, Alksnis SRA in front of Lot 27, Concession 3, and in front of the road allowance between Concessions 2 and 3, former Foley (Salmon Lake).
- By-law No. 2008-161, Cribbie CRA between Concessions 6 and A in front of Lot 20, Concession 6, and Lot 131, Concession A, former Foley.

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.

There were no verbal submissions received.

The Mayor asked if any written objections had been received.

The Clerk advised no written objections had been received.

**2008-481 Sturgeon-Sainsbury**

**Carried**

“**THAT** By-law No.’s 2008-160 and 2008-161, 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.”.

**2008-482 Gibbon-Chidley**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 6:05 p.m. in order to address a matter(s) pertaining to:

- the receiving of advice that is subject to solicitor/client privilege, including communications necessary for the purpose – employment contract and The Residences of Georgian Green Inc. development.
- personal matters about an identifiable individual, including municipal employees – employment contract, termination of Staff and salaries.

- labour relations or employee negotiations - employment contract, termination of Staff and salaries.
- a proposed or pending acquisition or disposition of land for municipal or local board purposes – Part of Lot 150, Concession A, former Township of Foley, now Town of Parry Sound, District of Parry Sound being Part 1, Plan 42R-18454 and portion of road allowance between Concession 11 (former Foley) Township of Seguin and Concession A (former Foley) Town of Parry Sound.”.

**2008-483 Chidley-Gibbon**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 6:35 p.m.”.

**2008-484 Sainsbury-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-2008-0026-H (Township of Seguin – Seguin Adult Lifestyle Community).”.

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

- Application No. R-2008-0026-H (Township of Seguin – Seguin Adult Lifestyle Community), Civic Address 115 Hwy 141. The Owners have applied to rezone the lands from the Village Residential One “R1” Zone to Village Residential Two (R2) with an Exception that would permit six, 5 unit residential townhouse buildings, that the existing frontage on Highway 141.

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 and by posting on November 17<sup>th</sup>, 2008.

The Mayor advised anyone who wished to receive notice of the passing of the 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 if there was anyone present who wished to speak in favour of or in opposition to the application.

John Gallagher of John Gallagher & Associates, Agent for the Applicant addressed Council to outline the studies undertaken for the proposed development and summarize the proposed development. Mr. Gallagher was also present to answer any questions on the application.

Rod Villeneuve addressed Council to express his opposition to the application and proposed development. Mr. Villeneuve stated concerns as an abutting neighbour and the potential adverse effects on his property and well as well as potential effects on the environment from infilling, potential leaching and tree removal.

Larry Cunningham addressed Council to express his concerns the proposed development may have on his well as an abutting neighbour and the proposed location of the entrance to the development.

Rod Villeneuve addressed Council again to question the proposed development and the sale of the lands for the development. Mr. Villeneuve stated he believed when the subject lands were transferred to the Township of Humphrey it was conditional on the lands being used for recreational purposes. Mr. Villeneuve also questioned why the proposed development could not be located further north on the subject lands on North Sandy Plains Road.

Andy Stivrins addressed Council to express concerns whether the proposed location was the most appropriate location for the proposed development.

The Mayor asked the Clerk if the Township had received any correspondence with respect to the Rezoning Application.

The Clerk advised a letter had been received from the Ministry of Transportation with comments.

**2008-485 Sturgeon-Sainsbury Carried**

“**THAT** the public meeting held for the following Rezoning Application R-2008-0026-H (Township of Seguin – Seguin Adult Lifestyle Community) is hereby closed and the regular meeting is reconvened.”.

**2008-486 Adams-Gibbon Carried**

“**THAT** as per the authority granted under Section 34 (17) of the Planning Act R.S.O. 1990, Chapter P.13 as amended, Council has determined that the changes to the proposed By-law for Rezoning Application R-2008-0026-H Township of Seguin – Seguin Adult Lifestyle Community as indicated in the Notice are minor in nature and that no further Notice is required.”.

**2008-487 Adams-Gibbon Recorded Vote Carried**

“**THAT** By-law No. 2008-164, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Application R-2008-0026-H Township of Seguin – Seguin Adult Lifestyle Community), is hereby deemed to have been read a first, second and third time and passed by Council.”.

**Division List**

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

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

- B-2007-0036-H (Pennal).

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 wishing 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-2007-0036-H-(Pennal) is for the lands located at 30 Glenavy Lane. The purpose of the proposed consent is to create one new waterfront lot on Lake Rosseau with access via private right-of-way.

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

Terry Martino, Agent for the Applicant was present to answer any questions on the reason for the application.

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.

**2008-488 Sainsbury-Sturgeon** **Carried**

“**THAT** as per Report No. CS-PL-2008-119, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application B-2007-0036-H (Pennal) subject to the conditions set out in the decision.”.

**2008-489 Sturgeon-Sainsbury** **Carried**

“**THAT** By-law No. 2008-162, Being a By-law to authorize the purchase of lands being Part of Lot 31, Concession 11, former Township of Foley, now Township of Seguin, District of Parry Sound being Part 1, Plan 42R-17702 and to dedicate the said lands as a public highway, is hereby deemed to have been read a first, second and third time and passed by Council.”.

**2008-490 Sainsbury-Sturgeon** **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 December 8<sup>th</sup> meeting of Council.”.

**2008-491 Gibbon-Chidley** **Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 9:11 p.m. in order to address a matter(s) pertaining to:

- the receiving of advice that is subject to solicitor/client privilege, including communications necessary for the purpose – employment contract and The Residences of Georgian Green Inc. development.
- personal matters about an identifiable individual, including municipal employees – employment contract, termination of Staff and salaries.
- labour relations or employee negotiations - employment contract, termination of Staff and salaries.
- a proposed or pending acquisition or disposition of land for municipal or local board purposes – Part of Lot 150, Concession A, former Township of Foley, now Town of Parry Sound, District of Parry Sound being Part 1, Plan 42R-18454 and portion of road allowance between Concession 11 (former Foley) Township of Seguin and Concession A (former Foley) Town of Parry Sound.”.

**2008-492 Adams-Gibbon** **Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 9:30 p.m.”.

Councillor Adams declared a possible pecuniary interest in regard to the next matter being considered by Council and vacated her seat.

**2008-493 Chidley-Gibbon** **Recorded Vote Carried**

“**THAT** Council does hereby approve the attached recommendation regarding The Residences of Georgian Green Inc. development subject to obtaining legal counsel confirmation of the right of first refusal and option to purchase in favour of the Township and confirmation that should the Development not proceed or enter into bankruptcy that the Township shall automatically regain title to “Georgian Green Road”.”.

**Division List**

Adams – Declared possible pecuniary interest  
Chidley - Yea  
Gibbon - Yea

Jacklin - Yea  
Sainsbury - Yea  
Sturgeon - Nay  
Conn - Nay

Councillor Adams returned to her seat.

**2008-494 Adams-Gibbon**

**Carried**

“**THAT**, as per the Memorandum dated December 4<sup>th</sup>, 2008 and Report No. TR-2008-03 from the Chief Administrative Officer Council of The Corporation of the Township of Seguin does hereby approve a 2.6% Cost of Living Adjustment (COLA) to the 2008 Salary Grid and that the 2.6% COLA also be applied to Volunteer Firefighters’ honourariums and all Staff not on the Salary Grid, the COLA to be effective January 1<sup>st</sup>, 2009.”.

**2008-495 Adams-Gibbon**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby authorize and direct the Mayor to execute the Addendum to Employment Agreement between The Corporation of the Township of Seguin and Thomas Stockie.”.

**2008-496 Sturgeon-Sainsbury**

**Carried**

“**THAT** By-law No. 2008-165, 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.”.

**2008-497 Sainsbury-Sturgeon**

**Carried**

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 9:38 p.m. to meet again on January 19<sup>th</sup>, 2009 or at the call of the Mayor.”.

Nicole Sullivan and Fred Heidman of the Regional Economic Development Advisory Committee (REDAC) addressed Council to present REDAC’s 2007/2008 Report Card and outline the initiatives undertaken and the status of those initiatives as well as the Committee’s proposed initiatives for 2009.

Vince Grittani addressed Council to present information on the Rosseau Culture & Arts Project/ARTS WORK and guiding the Village of Rosseau towards becoming a dedicated arts destination.

Mike Murrell of the Seguin Bruins Hockey Club addressed Council to introduce himself to Council and update Council on initiatives the Bruins Hockey Club are taking to improve the Team’s standings and attendance.

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*David Conn,  
Mayor*

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*Craig Jeffery,  
Clerk*