

**Township of Seguin**  
**Draft Minutes of Council Meeting**  
**August 4<sup>th</sup>, 2009**

---

A regular meeting of the Township of Seguin Council was held August 4<sup>th</sup>, 2009 at 3:00 p.m. 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 Staff Reports of Public Works Report No. PW-RD-2009-017, Tender No. 2009-022, Supply, Delivery, Mixing and Stock Piling of Winter Sand. Addition to Business item e) Parry Sound Area Municipal Airport Commission – Request for support for funding applications to the Northern Ontario Heritage Fund Corporation (NOHFC) and FedNor for expansion - an amendment to the draft resolution to include a provision for cost overruns and appoint the CB&DC as Contract Agent. Addition to Business of item h) Draft resolution to support the inclusion of the District of Parry Sound as a Northern District and requests that the District of Parry Sound be included for participation in the Affordable Housing Program AHP 2009 Extension – Northern Component. Addition to Shore/Concession Road Allowance Applications item a) Nestmann, of an Undertaking by the Applicant’s Solicitors to provide the Township with title to Block 15 on the Draft Plan of Subdivision within one year of completion of the transfer of the road allowance. Township Staff asked for this as the Applicant was proposing a “swap” of land for the subject road allowance and the title to Block 15 would not be completed if the Plan of Subdivision did not come to fruition even though the title to the road allowance had been transferred to the Applicant.

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:

**2009-252 Chidley-Gibbon** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 4:02 p.m. in order to address matters pertaining to:

- 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.
  - CN Rail Rankin Lake Road Bridge Replacement Project.”.

**2009-253 Gibbon-Chidley** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby declare the regular meeting reconvened at 4:31 p.m.”.

**2009-254 Chidley-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 July 20<sup>th</sup>, 2009 as circulated.”.

**2009-255 Chidley-Gibbon** **Carried**  
“**THAT** Council of The Corporation of the Township of Seguin does hereby approve the following accounts in the amount of:

July 16 <sup>th</sup> , 2009	\$ 874,424.87
July 23 <sup>rd</sup> , 2009	<u>\$ 163,912.93</u>
<b>TOTAL</b>	<b><u>\$1,038,337.80</u></b>

**2009-256 Gibbon-Chidley**

**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 August 4<sup>th</sup> meeting of Council.

Public Works:

- 2009 Project Scheduling Update.
- Report No. PW-WD-2009-002, Waste Management 2009 Mid-Year Report.
- Report No. PW-WD-2009-003, Proposed Relocation of the HL6 Waste and Recycling Containers from the Humphrey Municipal Offices Property to the former Humphrey Landfill Site.

Corporate Services:

- 2010 Budget and Strategic Planning Draft Schedule.
- Report No. CS-FC-2009-004, Request for Letters of Interest – Landscape/Streetscape Designer.

Community Services:

- Report No. CS-PL-2009-048, Applications B-2009-0005-H & B-2009-0006-H (Island L Holdings Ltd.).
- Report No. CS-PL-2009-049, Application R-2009-0003-H (Island L Holdings Ltd.).
- Report No. CS-PL-2009-050, By-law No. 2009-079, Being a By-law to deem Lot 14, Plan M-220 pursuant to Section 50(4) of the Planning Act not to be on a Plan of Subdivision (Mittag & Hock).”.

**2009-257 Chidley-Gibbon**

**Carried**

“**THAT** as per Report PW-RD-2009-017, Council of The Corporation of the Township of Seguin does hereby accept the bid from Fowler Construction Company Inc. in the amount of \$36,188.75 for 2009 and \$36,785.00 for 2010, for the Supply, Delivery, Mixing and Stockpiling of Winter Sand at the Humphrey Roads Depot, Foley Roads Depot and the Fowler Construction Company Ltd. gravel pit in Madill (stockpile and tarp), for Tender No. 2009-022 and award Tender No. 2009-022 to Fowler Construction Company Inc. for the said works.”.

**2009-258 Jacklin-Sainsbury**

**Carried**

“**THAT** as per Report No. CS-FC-2009-004, Council of The Corporation of the Township of Seguin does hereby approve the appointment of Brooke McIlroy Planning + Urban Design/Pace (BMI/Pace) Architects as the lead Landscape Designer for the G8 Beautification Project in Rosseau, Humphrey and Orrville.

**AND THAT** Council does hereby direct Staff to obtain detailed drawings and budgets from Brooke McIlroy/Pace Architects, to hold meetings with the public in the three Settlement Areas, and to proceed to construction in a timely manner, within the budget as per the grant.”.

**2009-259 Sainsbury-Jacklin**

**Carried**

“**WHEREAS**, the Georgian Bay Country - Parry Sound Area is currently recognized as a premier four season destination in Ontario;

**AND WHEREAS**, tourism is one of the primary generators of the Parry Sound Area’s economy;

**AND WHEREAS**, the “DISCOVERING ONTARIO - A Report on the Future of Tourism” Report proposes to include the Parry Sound Area in a broader tourism region, portions of which would not reflect a similar tourism product or brand;

**THEREFORE BE IT RESOLVED THAT** the Council of The Corporation of the Township of Seguin requests that the proposed boundaries for the Destination Marketing and Management Organizations, as identified in the “DISCOVERING ONTARIO - A Report on the Future of Tourism” Report be revised in order to recognize Muskoka-Parry Sound-Algonquin Park as a separate and distinct tourism region in Ontario with a unique brand.

**AND THAT**, the following recommendation also be forwarded to the Ministry of Tourism:

That the province provide sustainable funding for tourism marketing and management to each tourism region and that destination marketing fees be recognized as only one component of the overall funds needed by each tourism region.”.

**2009-260 Jacklin-Sainsbury**

**Carried**

“WHEREAS, on the 18<sup>th</sup> day of July, 2000 the Corporation of the Town of Parry Sound and The Corporation of the Township of Seguin entered into an Agreement for the operation, control and management of the Parry Sound Area Municipal Airport;

AND WHEREAS, as per Paragraph 13. of the said Agreement, the Corporation of the Town of Parry Sound and The Corporation of the Township of Seguin hold title to the Airport lands;

AND WHEREAS, the Parry Sound Area Municipal Airport Commission has prepared applications to the Northern Ontario Heritage Fund Corporation (NOHFC) and FedNor for funding for capital improvements at the Airport;

**THEFEOFRE BE IT RESOLVED THAT**, as owners of the Parry Sound Area Municipal Airport lands, the Council of The Corporation of the Township of Seguin does hereby support the applications for funding in the amount of \$495,000 each to the Northern Ontario Heritage Fund Corporation (NOHFC) and FedNor for funding for capital improvements at the Airport.

AND FURTHER THAT in the event there are cost overruns for this project, the Township of Seguin will provide financial assistance to the Parry Sound Area Municipal Airport Commission as required.

AND THAT Council approves the Parry Sound Area Community Business & Development Centre Inc. to act as the Contract Agent on behalf of the Commission and its member municipalities to the conclusion of the referenced Project.”.

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

- By-law No. 2009-08, (Nestmann 1587208 ON Inc.) SRA and CRA Turtle Lake.

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 objections were received.

The Mayor asked if any written objections had been received.

The Clerk advised no written objections had been received.

**2009-261 Sainsbury-Jacklin**

**Carried**

“THAT By-law No. 2009-078, Being a By-law for the closure and sale of portions of shore and concession road allowances (Nestmann), is hereby deemed to have been read a first, second and third time and passed by Council.”.

**2009-262 Gibbon-Chidley**

**Carried**

“THAT By-law No. 2009-079, Being a By-law to deem Lot 14, Plan M-220 pursuant to Section 50(4) of The Planning Act not to be on a plan of subdivision, Property Owner: Gerhardt Mittag, Wolfgang Hock and Carola Hock, is hereby deemed to have been read a first, second and third time and passed by Council.”.

**2009-263 Chidley-Gibbon**

**Carried**

“THAT By-law No. 2009-083, Being a By-law to Establish a Procedure for the Closing of Unopened Road Allowances and to Repeal By-law No. 2005-123, is hereby deemed to have been read a first, second and third time and passed by Council.”.

**2009-264- Gibbon-Chidley**

**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 August 4<sup>th</sup> meeting of Council.”.

**2009-265 Chidley-Gibbon**

**Carried**

“**WHEREAS**, the District of Parry Sound Social Services Administration Board is the Municipal Service Manager for delivery of Social Housing for the 22 member municipalities and territories without municipal organization in the District of Parry Sound;

**AND WHEREAS**, the Affordable Housing Program (AHP) 2009 Extension – Northern Component is designed to provide low and moderate income homeowners with an opportunity to repair their homes and bring them up to health and safety standards and that this Program has defined Northern as Ontario north of the French River, including Nipissing District but excluding the District of Parry Sound;

**NOW THEREFORE BE IT RESOLVED THAT** Council of The Corporation of the Township of Seguin does hereby support the inclusion of the District of Parry Sound as a Northern District and requests that the District of Parry Sound be included for participation in the Affordable Housing Program AHP 2009 Extension – Northern Component.”.

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

- B-2009-00005-H and B-2009-0006-H (Island L Holdings Ltd.)

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 a 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 a 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 Applications B-2009-00005-H and B-2009-0006-H (Island L Holdings Ltd.) are for the lands located on Island L (known as Burnt Island) in Lake Joseph. The purpose and effect of the proposed Consents is to create two new lots on Island L.

The Mayor asked if there was anyone present who wished to speak to these Applications for Consent.

Greg Corbett, of Planscape, Agent for the Applicant addressed Council to explain the reason for the Applications and to express concerns regarding proposed Conditions 8. and 10. of the Decisions. After discussions between Mr. Corbett, Council and Township of Seguin Staff, proposed Conditions 8. and 10. were removed from Application B-2009-0005-H in their entirety and proposed Condition 8. a. of Application B-2009-0006-H was amended by replacing, “Development of the severed lands shall be...”, with “Development of the severed Lot 2 and the retained lands shall be...”, and proposed Condition 10. of Application B-2009-0006-H was removed in it’s entirety.

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

The Clerk advised no written submissions had been received.

**2009-266 Jacklin-Sainsbury**

**Carried**

“**THAT**, as per Report CS-PL-2009-048, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Applications B-2009-0005-H and B-2009-0006-H (Island L Holdings) subject to the conditions set out in the decisions.”.

**2009-267 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 Rezoning Application R-2009-0003-H (Island L Holdings).”.

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

- Application R-2009-0003-H (Island L Holdings Ltd.) Burnt Island, Lake Joseph. The Owners have applied to rezone portions of the shoreline contained within the Environmental Protection (EP) Zone to the Environmental Protection Exception - Seven (EP-7) 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.

The Clerk advised Notice was given by first class mail on July 15<sup>th</sup>, 2009 and by posting on July 15<sup>th</sup>, 2009.

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.

Greg Corbett, of Planscape, Agent for the Applicant addressed Council to explain the reason for the Application.

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

The Clerk advised no correspondence had been received.

**2009-268 Jacklin-Sainsbury** **Carried**  
 “**THAT** the public meeting held for Rezoning Application R-2009-0003-H (Island L Holdings) is hereby closed and the regular meeting is reconvened.”

**2009-269 Sainsbury-Jacklin** **Carried**  
 “**THAT** By-law No. 2009-082, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Rezoning Application R-2009-0003-H Island L Holdings Ltd.), is hereby deemed to have been read a first, second and third time and passed by Council.”

**2009-270 Chidley-Gibbon** **Carried**  
 “**THAT** By-law No. 2009-084, 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.”

**2009-271 Chidley-Gibbon** **Carried**  
 “**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 7:50 p.m. to meet again on August 24<sup>th</sup>, 2009 at 9:00 a.m. or at the call of the Mayor.”

---

*David Conn,  
Mayor*

---

*Craig Jeffery,  
Clerk*