

Township of Seguin
Draft Minutes of Council Meeting
January 16th, 2012

A regular meeting of the Township of Seguin Council was held January 16th, 2012 at 3:30 p.m. at the Township of Seguin Council Chambers. Mayor Conn presided with Councillors Chidley, Gibbon, Hepworth, Jacklin, Osborne and Sainsbury present.

After the meeting was called to order Mayor Conn asked for approval of the agenda. Council approved the agenda with the following additions/changes. The addition of further information regarding Closed Session item a) Update re: Ontario Municipal Board File No. PL110544, Minor Variance A-2011-0051-H (Edwards).

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.

2012-001 Sainsbury-Jacklin

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 3:39 p.m. in order to address matters pertaining to:

- the security of the property of the municipality or local board.
 - Municipal Lands.
- personal matters about an identifiable individual, including municipal or local board employees.
 - Human Resources.
- a proposed or pending acquisition or disposition of land by the municipality or local board.
 - Municipal Lands.
- labour relations or employee negotiations.
 - Human Resources.
- litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.
 - Update re: Ontario Municipal Board File No. PL110544, Minor Variance A-2011-0051-H (Edwards).
 - Update re: Ontario Municipal Board Appeal from 1636411 Ontario Inc. to Official Plan Amendment No. 1 Northwest Seguin Development Area.
- the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
 - Update re: Ontario Municipal Board File No. PL110544, Minor Variance A-2011-0051-H (Edwards).
 - Update re: Ontario Municipal Board Appeal from 1636411 Ontario Inc. to Official Plan Amendment No. 1 Northwest Seguin Development Area.
 - Municipal Lands.
- a matter relating to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.
 - Request for Access to Records under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).”.

2012-002 Jacklin-Sainsbury

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby rise from closed session and declare the regular meeting reconvened at 4:19 p.m.”.

2012-003 Sainsbury-Jacklin

Carried

“THAT as per the recommendation from Staff in the Confidential Memo dated January 16th, 2012 (copy attached) Council of The Corporation of the Township of Seguin, as Head under the Municipal Freedom of Information and Protection of Privacy Act, does hereby approve the release of information for the attached request.”.

2012-004 Hepworth-Sainsbury

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 held December 12th, 2011, as circulated.”.

2012-005 Hepworth-Sainsbury

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby approve the following accounts in the total amount of: \$1,114,691.15.

Direct Deposits:

December 8 th , 2011	\$26,303.71
December 15 th , 2011	66,643.55
December 21 st , 2011	17,055.75
December 28 th , 2011	26,987.38
January 6 th , 2012	45,748.52

Cheque Runs:

December 8 th , 2011	114,044.32
December 15 th , 2011	123,886.44
December 21 st , 2011	310,595.57
December 28 th , 2011	125,256.49
January 6 th , 2012	258,169.42

TOTAL

\$1,114,691.15.”.

2012-006 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 January 16th, 2012 meeting of Council.

Development and Protective Services:

- Report No. DPS-PL-2012-009, OPA No. 1 Northwest Seguin Development Area Policy.
- Report No. DPS-BD-2012-001, Update on Building Permit Activity.
- Report No. DPS-PL-2012-002, Consent Applications B-2011-0016-H and B-2011-0019-H (Freeman Et al).
- Report No. DPS-PL-2012-006, Consent Application B-2011-0017-H (2181992 Ontario Ltd.).
- Report No. DPS-PL-2012-001, Rezoning Application R-2011-0010-R (Patten).
- Report No. DPS-PL-2012-008, Concession Road Allowance Application CRA-2011-0001-H (Curtis).
- Report No. AD-2012-001, Shore Road Allowance Application SRA-2010-0017-F (Schneeberger).

Public Works:

- Report No. PW-RD-2012-001, CN Crossing Improvements James Bay Junction Road at Blue Lake Road.
- Report No. PW-RD-2012-002, Speed limit reduction on Brooks Road West to 40km/h.
- Report No. PW-RD-2012-003, Reconstruction – Proposed Schedule of Work Stanley House Road.”.

2011-418 Hepworth-Sainsbury

Withdrawn

“THAT BY-law No. 2011-097, Being a By-law to authorize the Mayor and Clerk to execute and affix The Corporate Seal to the Standard Funded Crossing Warning System Modification Agreement between Canadian National Railway Company and The Corporation of the Township of Seguin (James Bay Junction Road at Blue Lake Road), is hereby deemed to have been read a first, second and third time and passed by Council.”.

Council considered Staff Report No.’s PW-RD-2012-001 and PW-RD-2012-002, and directed Staff to commence the process to set the maximum speed limit on Brooks Road West and 200 metres on both sides of the railway crossing on James Bay Junction Road and Blue Lake Road to 40 km/hr.

Council considered Staff Report No. PW-RD-2012-003, Stanley House Road Reconstruction – Proposed Work Schedule and directed Staff to proceed with the recommendations of the Report. Council also directed Staff, when preparing the tender documents, to include two options for the road base preparation. Option 1 is the completion of the base work for the entire project in 1 year and Option 2 is the completion of the base work for the project split over 2 years.

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

- CRA-003-2010-F (Fowler).

The Mayor asked if there was any member of the public present who believed their land would be prejudicially affected by the closure of this road allowance or who wished to be heard on this road allowance closure and sale.

No verbal submissions were received.

The Mayor asked if any written objections had been received.

The Clerk advised correspondence had been received from Ms. Shannon McDonald however subsequently Ms. McDonald called the Municipal Offices and during the conversation it was determined Ms. McDonald had misunderstood the purpose of the application and subject lands.

2012-007 Osborne-Gibbon

Carried

“THAT By-law No. 2012-001, Being a By-law to stop up, close and sell a portion of concession road allowance (Application CRA-003-2010-F Fowler), is hereby deemed to have been read a first, second and third time and passed by Council.”.

Council considered Staff Report No. AD-2012-001, Shore Road Allowance Application SRA-2010-017-F (Schneeberger) and directed Staff to commence the sale process.

Council considered Staff Report No. DPS-PL-2012-008, Concession Road Allowance Application CRA-2011-0001-H (Curtis). Mr. Steve Curtis was present and spoke to the Application. Council advised Mr. Curtis they were not willing to entertain the sale of the subject portion of the concession road allowance.

2012-008 Hepworth-Sainsbury

Carried

“THAT Council of The Corporation of the Township of Seguin does hereby support and endorse the resolution of the Council of The Corporation of the City of Waterloo dated December 5th, 2011 attached hereto as Schedule “A” regarding the delays by the Municipal Property Assessment Corporation in assessing properties in a timely manner.

AND THAT a copy of this resolution be circulated to the Premier of Ontario, Norm Miller MPP, the Minister of Finance, the Minister of Municipal Affairs and Housing, the Municipal Property Assessment Corporation and the Council of the City of Waterloo.”.

Council considered a recommendation from the Regional Economic Development Advisory Committee (REDAC) regarding Smart Communities. Council passed Resolution No. 2012-009 on this matter and directed Councillors Hepworth & Osborne to work with Fire Chief Dave Thompson as representatives of the Township of Seguin for the completion of the required survey/questionnaires for this Project.

2012-009 Sainsbury-Jacklin

Carried

“WHEREAS, the Township of Seguin has entered into an agreement with the Township of Carling, the Township of McDougall, the Township of McKellar, and the Town of Parry Sound for the operation and management of the Regional Economic Development Advisory Committee (REDAC);

AND WHEREAS, REDAC has, through the Parry Sound Area Community Business & Development Centre Inc. (CB&DC), made application for funding assistance to both the Northern Ontario Heritage Fund Corporation (NOHFC) and FedNor for funding for the development of a Smart Communities Business Plan;

THEREFORE BE IT RESOLVED THAT the Council of The Corporation of the Township of Seguin does hereby approve the Parry Sound Area Community Business & Development Centre Inc. (CB&DC) to act as the Contract Agent on behalf of REDAC and the Member Municipalities.

AND FURTHER THAT Council does hereby support both the FedNor and NOHFC funding applications to complete a Smart Community Business Plan.”.

Council considered information on an Ontario Building Code Act and Permit Information Session being sponsored by the Regional Economic Development Advisory Committee (REDAC). No action was required on this matter.

2012-010 Hepworth-Sainsbury

Carried

“**THAT** By-law No. 2012-003, Being a By-law to Authorize Borrowing for the Year 2012, is hereby deemed to have been read a first, second and third time and passed by Council.”.

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

- B-2011-0016-H and B-2011-0019-H (Freeman Inc. Et al).
- B-2011-0017-H (2181992 Ontario Limited).

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 asked the Clerk to state the method by which Notice of the meeting was provided and the dates on which Notice was provided for each proposed consent.

The Clerk advised Notice for Applications B-2011-0016-H, B-2011-0019-H and B-2011-0017-H was provided by posting on December 16th, 2011 and by first class mail on December 19th, 2011. Notice was therefore provided in accordance with Section 53 of the Planning Act.

The Mayor advised Consent Applications B-2011-0016-H and B-2011-0019-H are for the lands located at 20 Merganser Road, Portage Lake. Application B-2011-0016-H proposes a lot addition of a 0.03 hectare to the benefitting lands at 22 Merganser Road. Application B-2011-0019-H proposes a lot addition of a 0.04 hectare to the benefitting lands at 22 Merganser Road, and to grant a right-of-way benefitting 20 Merganser Road.

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

No verbal submissions were received.

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.

The Mayor advised Consent Application B-2011-0017-H (2181992 Ontario Limited) is for lands on Lake Rosseau. The proposed Consent is to create a new waterfront lot on Lake Rosseau having By-law frontage of 95 metres and area of 1.1 hectares.

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

Mr. John Jackson, Agent for the Applicant advised he and the Applicant were present to answer any questions Council may have of them regarding the Application.

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

The Clerk advised no written submissions had been received.

2012-011 Gibbon-Osborne

Carried

“THAT, as per Report No.’s DPS-PL-2012-002 and DPS-PL-2012-006, Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Applications B-2011-0016-H and B-2011-0019-H (Freeman Et al) and B-2011-0017-H (2181992 Ontario Ltd.) subject to the conditions set out in the decision.”.

2012-012 Osborne-Gibbon

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 matter:

- Rezoning Application R-2011-0010-R (Patten).”.

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

- Application R-2011-0010-R proposes to rezone the subject lands from the Village Residential (R1) Zone to the Village Residential One – Exception Seventy Eight (R1 – 78) Zone to permit the replacement of an existing two-slip boathouse.

The Mayor asked the Clerk to state the method by which Notice of the meeting was provided and the dates on which that Notice was provided for the proposed amendment.

The Clerk advised Notice was provided by posting on December 16th, 2011 and by first class mail on December 19th, 2011.

The Mayor advised anyone who wished to receive Notice of the passing of this zoning by-law not owning land within 120 metres 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 Council 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 were made, or if the OMB believed 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.

Mr. Nick Popovich, Agent for the Applicant and Mr. Randy Patten, the Applicant advised Council they were present to answer any questions of Council regarding the application.

The Mayor asked if the Township had received any correspondence with respect to the Zoning By-law Amendment Application.

The Clerk advised correspondence dated December 29th, 2011 had been received from the Ministry of Natural Resources Ontario stating no objections to the application.

2012-013 Gibbon-Osborne

Carried

“THAT the Public Meeting held for the following matter is hereby closed and the regular meeting is reconvened:

- Rezoning Application R-2011-0010-R (Patten).”.

2012-014 Osborne-Gibbon

Carried

“THAT By-law No. 2012-002, Being a By-law to amend Township of Seguin Zoning By-law No. 2006-125 (Property Roll No. 4903-020-002-08000, Application R-2011-0010-R Patten, 22 Ash Street), is hereby deemed to have been read a first, second and third time and passed by Council.”.

2012-015 Gibbon-Osborne

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 for the January 16th, 2012 meeting of Council.”.

2012-016 Osborne-Gibbon

Carried

“**THAT** By-law No. 2012-004, 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.”.

2012-017 Gibbon-Osborne

Carried

“**THAT** Council of The Corporation of the Township of Seguin does hereby adjourn at 5:57 p.m. to meet again on Monday, February 6th, 2012 or at the call of the Mayor.”.

*David Conn,
Mayor*

*Craig Jeffery,
Clerk*