



# The Corporation of the Township of Seguin

## **Draft** Minutes of a Regular Meeting of Council

held on Monday, June 3<sup>rd</sup>, 2019 at 4:30p.m.  
in the Township of Seguin Council Chambers

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The following Members were present:

- Mayor Ann MacDiarmid
- Councillor Art Coles
- Councillor Ted Collins
- Councillor Terry Fellner
- Councillor Gail Finson
- Councillor Daryle Moffatt
- Councillor Rod Osborne

### **Approval of Agenda.**

After the meeting was called to order Mayor MacDiarmid asked for approval of the agenda. Council approved the agenda with the following additions/changes. Addition to Closed Session of item c) Verbal update from legal counsel - Local Planning Appeal Tribunal File Number PL 190060, Appeal re Consent B-2017-0004-H (Curtis) and Local Planning Appeal Tribunal File Number PL190059, Appeal re Zoning By-law Amendment R-2017-0019-H (Curtis). Addition to Delegations item a) Geoff Ross, Muskoka Watershed Council of a copy of Mr. Ross' presentation. Addition to Staff Reports item a) Report No. DPS-PL-2019-077, Bill 108 of correspondence from Karen Buck. Addition to Council Reports of "Rules of the Road Review: Bicycles, e-bicycles and e-scooters" from Councillor Moffatt.

### **Disclosure of Pecuniary Interest.**

Mayor MacDiarmid requested that any disclosures of pecuniary interest be declared for the record. Councillor Fellner declared that he may have a pecuniary interest related to Council Meeting Agenda item 05. b) Accounts "B", payment to Wayne Hall Construction and item 08. a) Concession Road Allowance Application No. RAC-2018-0008-F (Hall), as the Party is his employer. Councillor Fellner vacated his seat during consideration of these matters.

The following resolutions were considered.

### **Resolution No. 2019-205**

**Moved by:** Councillor Art Coles

**Seconded by:** Councillor Rod Osborne

"**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 May 21<sup>st</sup>, 2019 as circulated."

**CARRIED**

### **Resolution No. 2019-206**

**Moved by:** Councillor Art Coles

**Seconded by:** Councillor Rod Osborne

**“THAT** the Council of The Corporation of the Township of Seguin does hereby proceed to a closed meeting at 4:32 p.m. in order to address matters pertaining to:

- Litigation or potential litigation, including matters before administrative tribunals, affecting the Municipality or local board.
  - Local Planning Appeal Tribunal File Number PL190217, Appeal re: By-law No. 2019-028 (Smith/Muskoka Lakes Marine - Ganz).
  - Local Planning Appeal Tribunal File Number PL 171271, Appeal re: Hodgkinson.
  - Local Planning Appeal Tribunal File Number PL 190060, Appeal re Consent B-2017-0004-H (Curtis) and Local Planning Appeal Tribunal File Number PL190059, Appeal re Zoning By-law Amendment R-2017-0019-H (Curtis).
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.
  - Local Planning Appeal Tribunal File Number PL190217, Appeal re: By-law No. 2019-028 (Smith/Muskoka Lakes Marine - Ganz).
  - Local Planning Appeal Tribunal File Number PL 171271, Appeal re: Hodgkinson.
  - Local Planning Appeal Tribunal File Number PL 190060, Appeal re Consent B-2017-0004-H (Curtis) and Local Planning Appeal Tribunal File Number PL190059, Appeal re Zoning By-law Amendment R-2017-0019-H (Curtis).”.

**CARRIED**

**Resolution No. 2019-207**

**Moved by:** Councillor Rod Osborne

**Seconded by:** Councillor Art Coles

**“THAT** the Council of The Corporation of the Township of Seguin does hereby rise from closed session and declare the regular meeting reconvened at 5:19 p.m.”.

**CARRIED**

**Resolution No. 2019-208**

**Moved by:** Councillor Rod Osborne

**Seconded by:** Councillor Art Coles

**“THAT** Council of The Corporation of the Township of Seguin does hereby authorize Kim Mullin of the firm Wood Bull LLP to represent The Corporation of the Township of Seguin as legal counsel in the matter of Local Planning Appeal Tribunal File Number PL190217, Appeal re By-law No. 2019-028 (Applicant: Michael Smith, Appellant: Len Ganz).

**AND THAT** Council does hereby authorize and direct the Mayor and Clerk to execute any documentation and to take all action necessary to carry out the intent of this Resolution.”.

**CARRIED**

**Resolution No. 2019-209**

**Moved by:** Councillor Art Coles

**Seconded by:** Councillor Rod Osborne

**“THAT** Council of The Corporation of the Township of Seguin does hereby approve the accounts in the amount of \$819,621.38.”.

Direct Deposits EFT:	May 9 <sup>th</sup> , 2019	\$126,571.50
Pre-Authorized Payments:	May 9 <sup>th</sup> , 2019	\$3,057.63
Direct Deposits EFT:	May 16 <sup>th</sup> , 2019	\$165,201.09
Pre-Authorized Payments:	May 16 <sup>th</sup> , 2019	\$85,249.42
Cheque Run:	May 16 <sup>th</sup> , 2019	\$294,702.33
Direct Deposits EFT:	May 23 <sup>rd</sup> , 2019	\$135,681.80
Pre-Authorized Payments:	May 23 <sup>rd</sup> , 2019	<u>\$9,157.61</u>
	<b>TOTAL</b>	<b><u>\$819,621.38</u></b>

**CARRIED**

Councillor Fellner declared a possible pecuniary interest related to the next two matters and vacated his seat at this time.

**Resolution No. 2019-210**

**Moved by:** Councillor Art Coles

**Seconded by:** Councillor Rod Osborne

**"THAT** Council of The Corporation of the Township of Seguin does hereby approve the accounts in the amount of \$19,639.60."

Direct Deposits EFT:	May 9 <sup>th</sup> , 2019	\$16,118.52
	May 16 <sup>th</sup> , 2019	<u>\$3,521.08</u>
	<b>TOTAL</b>	<b><u>\$19,639.60</u></b>

**CARRIED**

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

- Concession Road Allowance Application No. RAC-2018-0008-F (Hall).  
By-law No. 2019-051.

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 no written objections had been received.

**Resolution No. 2019-211**

**Moved by:** Councillor Art Coles

**Seconded by:** Councillor Rod Osborne

**"THAT** By-law No. 2019-051, Being a By-law to close, stop up and sell a portion of road allowance, Application No. RAC-2018-0008-F (Hall), is hereby

deemed to have been read a first, second and third time and passed by Council.”.

**CARRIED**

Councillor Fellner returned to his seat at this time.

**Resolution No. 2019-212**

**Moved by:** Councillor Terry Fellner

**Seconded by:** Councillor Ted Collins

“**THAT** the Council of The Corporation of the Township of Seguin does hereby adjourn the Regular Meeting to hold a Public Meeting for the following matter:

- Consent Application No. B-2018-0029-C (Harrison).”.

**CARRIED**

The Mayor advised Council would now hold a public meeting for a proposed Consent Application.

The Mayor advised in accordance with the Planning Act, Council would consider all matters placed before it prior to granting a Consent.

The Mayor advised if a person or public body who files an appeal of a decision of the Council of The Corporation of the Township of Seguin in respect of a proposed Consent does not make written submissions to the Council before it provides or refuses to provide a provisional Consent, the Local Planning Appeal Tribunal may dismiss the appeal.

The Mayor advised if a person or public body does not make oral submissions at a public meeting or make written submissions to the Council of The Corporation of the Township of Seguin, the person or public body is not entitled to appeal the decision of Council to the Local Planning Appeal Tribunal and the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

The Mayor advised the purpose of Consent Application No. B-2018-0029-C (Harrison) is to permit a boundary adjustment. The granting lands (20 Hide Lane) would convey a parcel having an area of 0.06 hectares and frontage of 16 metres on Maple Lake to the benefitting lands at 17 Hide Lane. As a result of the adjustment, the benefitting lands would be increased to 0.36 hectares, and increased in frontage from 93 metres to 109 metres. The retained lands would have a lot area of 0.6 hectares and 259 metres of frontage on Maple Lake.

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.

The Clerk advised Notice of the public meeting was provided by posting the property, and by regular mail on May 17<sup>th</sup>, 2019. Notice was therefore considered to be provided in accordance with the requirements of the Planning Act.

The Mayor asked if there was anyone present who wished to speak in favour of or in opposition to this application.

No verbal submissions were received.

The Mayor asked if the Township had received any correspondence with respect to this application.

The Clerk advised no correspondence had been received.

The Mayor advised Council would now close the public meeting and reconvene the regular meeting.

**Resolution No. 2019-213**

**Moved by:** Councillor Ted Collins

**Seconded by:** Councillor Terry Fellner

**"THAT** the Public Meeting held for the following matter is hereby closed and the Regular Meeting is hereby reconvened:

- Consent Application No. B-2018-0029-C (Harrison).".

**CARRIED**

Councillor Osborne left the Chambers at this time.

**Resolution No. 2019-214**

**Moved by:** Councillor Terry Fellner

**Seconded by:** Councillor Ted Collins

**"THAT** Council of The Corporation of the Township of Seguin does hereby grant provisional approval to Consent Application No. B-2018-0029-C (Harrison), subject to the conditions set out in the Decision.".

**CARRIED**

**Resolution No. 2019-215**

**Moved by:** Councillor Daryle Moffatt

**Seconded by:** Councillor Art Coles

**"THAT** the Council of The Corporation of the Township of Seguin does hereby receive the Staff Reports as presented on the Agenda for the June 3<sup>rd</sup>, 2019 meeting of Council.

Development and Protective Services:

- Report No. DPS-PL-2019-077, Bill 108 – The More Homes, More Choices Act, 2019.
- Report No. DPS-PL-2019-078, Exemption Request to Blasting By-law No. 2008-104 (Honda).
- Report No. DPS-PL-2019-073, Concession Road Allowance Application No. RAC-2018-0008-F (Hall).
- Report No. DPS-PL-2019-076, Consent Application No. B-2018-0029-C (Harrison).

Community Services:

- Report No. CS-FC-2019-007, Summary of Public Comments: Extended Mooring of Vessels at the Rosseau Waterfront Docks.
- Report No. CS-FC-2019-008, Portable Washroom Unit for the Village of Rosseau.

Public Works:

- Report No. PW-RD-2019-009, 2019 Dust Control.
- Report No. PW-RD-2019-010, 2019 Paving of a Portion of James Bay Junction Road.".

**CARRIED**

Councillor Osborne returned to his seat at this time.

Council considered Staff Report No. DPS-PL-2019-077, Bill 108 – The More Homes, More Choices Act, 2019. Council directed staff to prepare a draft resolution regarding Bill 108 for consideration by Council at the next

meeting.

**Resolution No. 2019-216**

**Moved by:** Councillor Art Coles

**Seconded by:** Councillor Rod Osborne

**“THAT** Council of The Corporation of the Township of Seguin does hereby grant an exemption for blasting at 9 Rockcliffe Road, Property Roll No. 4903-010-007-00700-0000, (Honda) pursuant to Section 5.1 of By-law No. 2008-104, Being a By-law to prohibit or regulate blasting in areas of the Township of Seguin, subject to the conditions as outlined in Staff Report No. DPS-PL-2019-078 copy attached as Schedule “A” to this resolution.”.

**CARRIED**

Council considered Staff Report No. CS-FC-2019-007, Summary of Public Comments: Extended Mooring of Vessels at the Rosseau Waterfront Docks.

Council directed staff to:

1. Prepare a draft by-law and notice for an amendment to the Control and Regulation of Parks By-law No. 2005-053 Section 6.(1) to remove the 1 hour time limit for mooring of a vessel at a Township dock.
2. Erect signage at the various Township docks advising of mooring regulations, including signage designating a mooring space for the Township of Seguin Fireboat in Rosseau.
3. Collect mooring data over the summer months for the Township docks at the Rosseau Waterfront.

Council considered Staff Report No. CS-FC-2019-008, Portable Washroom Unit for the Village of Rosseau. Council directed staff to maintain the use of the 2 portable washrooms in the Village of Rosseau for 2019; the costs for this will be taken out of the 2019 Contingency Fund. And to include in the Draft 2020 budget the purchase of a portable washroom for the Village of Rosseau.

**Resolution No. 2019-217**

**Moved by:** Councillor Rod Osborne

**Seconded by:** Councillor Art Coles

**“THAT** as per the recommendation of Staff Report No. PW-RD-2019-009 2019 Dust Control, Council of The Corporation of the Township of Seguin does hereby accept the bid from Da-Lee Dust Control in the amount of \$0.2735 per litre plus applicable taxes for the application of 35% liquid calcium chloride and award Contract No. 2019-006 to Da-Lee Dust Control. Total cost of the 2019 Dust Control program not to exceed the budgeted amount of \$75,000.”.

**CARRIED**

**Resolution No. 2019-218**

**Moved by:** Councillor Rod Osborne

**Seconded by:** Councillor Art Coles

**“THAT** as per the recommendation of Staff Report No. PW-RD-2019-010 2019 Paving of a Portion of James Bay Junction Road, Council of The Corporation of the Township of Seguin does hereby accept the bid from Fowler Construction in the amount of \$50,115 plus applicable taxes for the paving of a portion of James Bay Junction Road from Hall’s pit entrance to 70 metres from the CNR railway tracks and award the work to Fowlers Construction.”.

**CARRIED**

Council considered correspondence from the 295 MacPherson Royal Canadian Air Cadets Squadron and an invitation to the 75<sup>th</sup> Annual Review. Mayor MacDiarmid is to provide Councillor Fellner with the contact

information for the Review organizers. Councillor Fellner is to RSVP his attendance to the event as the Township of Seguin representative.

Council considered a resolution from the Council of the Township of McKellar regarding authorization for McKellar ratepayers to have the ability to access Seguin Transfer Sites for the purpose of disposing of household waste. Council directed staff to review the request and report back to Council at a future meeting.

Council considered the Draft Strategic Plan documents. The Members of Council are to provide Mayor MacDiarmid with their written comments on the Draft documents by June 10<sup>th</sup>.

**Resolution No. 2019-219**

**Moved by:** Councillor Ted Collins

**Seconded by:** Councillor Terry Fellner

**“THAT** By-law No. 2019-058, Being a By-law to Write Off Taxes on Properties in the Township of Seguin, is hereby deemed to have been read a first, second and third time and passed by Council.”.

**CARRIED**

Councillor Coles requested Council direct staff to prepare a report on upgrading all seasonal Township roads to year round maintained roads. Council directed staff to prepare a report to Council on the upgrading of all seasonal Township roads to year round maintained roads considering the following criterion:

- Length of the roads in km.
- Number of occupied properties on each road.
- Number of year round residences on each road.
- Current condition of the roads and approximate costs to upgrade each road.

**Resolution No. 2019-220**

**Moved by:** Councillor Terry Fellner

**Seconded by:** Councillor Ted Collins

**“THAT** Council of The Corporation of the Township of Seguin does hereby receive the Board and Committee Agendas and Minutes and the Correspondence as presented on the Agenda for the June 3<sup>rd</sup>, 2019 Meeting of Council.”.

**CARRIED**

**Resolution No. 2019-221**

**Moved by:** Councillor Ted Collins

**Seconded by:** Councillor Terry Fellner

**“THAT** By-law No. 2019-057, 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.”.

**CARRIED**

**Resolution No. 2019-222**

**Moved by:** Councillor Terry Fellner

**Seconded by:** Councillor Ted Collins

**“THAT** Council of The Corporation of the Township of Seguin does hereby adjourn this Regular Meeting of Council at 7:09 p.m. to meet again on Monday, June 17<sup>th</sup>, 2019 or at the call of the Mayor.”.

**CARRIED**

Geoff Ross representing the Muskoka Watershed Council addressed Council to provide a presentation of the various activities and programs undertaken by the Watershed Council and the status of those programs. Mr. Ross also thanked Council for the support of the Watershed Council by Seguin Council. Council thanked Mr. Ross for the presentation.

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*Ann MacDiarmid,  
Mayor*

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*Craig Jeffery,  
Clerk*

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