

THE CORPORATION OF THE TOWNSHIP OF ADJALA-TOSORONTIO

Minutes of Council Meeting

ADMINISTRATION CENTRE

6:30 p.m.
Regular Meeting.

MONDAY JULY 18, 2005

The meeting convened with Mayor Tom Walsh presiding

ATTENDANCE

COUNCIL

Mayor T. Walsh
Deputy Mayor D. Little
Councillors B. Boston
M. Brett
T. Cook
J. Greer
R. Wallace

STAFF

Wm. B. Fox, Township Manager
B. Kane, Clerk
G. Caterer, Director of Planning

The Mayor invited those who wished to join him in the Lord's Prayer.

A motion was made by Councillor Wallace, seconded by Councillor Brett and carried:

THAT the Agenda be accepted...

There were no declarations of any direct or indirect conflicts or pecuniary interests in the items on the Agenda.

I ADOPTION OF MINUTES

A motion was made by Deputy Mayor Little, seconded by Councillor Cook and carried:

THAT the minutes of the meetings of Council Monday June 6, 2005 and Thursday June 16, 2005 be adopted as printed.

II DEPUTATIONS, PUBLIC HEARINGS (MEETINGS) AND PRESENTATIONS

1. Public Meeting
Re: Amendment to By-law 04-64 – Fees and Charges for Municipal Water
New Connections
-

Mayor Walsh called the Public Meeting to order at 6:30 p.m.

Notice of the Public Meeting was given at least twenty days prior to the meeting by mail delivery.

The Background information and proposed by-law were available to the public at least two weeks prior to the meeting.

Interested parties may make representation to Council relating to the proposed amendment.

No Member of the Public spoke.

The meeting closed at 6:33 p.m.

2. Paul Cadieux
 Re: Community Day#2 It's all about Heritage Trees
 Follow up to 2004 Great Community Tree Hunt

Mr. Cadieux made a presentation to Council regarding Community Day #2 a follow up to last years Great Community Tree Hunt updating Council on the different types of trees that were discovered and in which were so special they are being designated as Heritage Trees.

Mr. Cadieux also requested a donation of \$500.00 to go towards plaques and Community Day functions.

It was the consensus of Council that Staff confirms with Treasury as to the amount of funds available for donation prior to approval.

4. Alex Taylor
 Re: Royal Canadian Legion
Presentation of Donation to Adjala – Tosorontio Firefighters Association

Alex Taylor a member of the Adjala – Tosorontio Firefighters Association presented to Council First Aid Items which were purchased from a donation by the Royal Canadian Legion in the amount of \$8,282.00. Mr. Taylor thanked the members of the Legion who were present for working hard and putting in many hours of dedicated work to generate these funds.

5. Public Meeting under the Planning Act
 Part of Lot 9, Concession 2, former Township of Adjala

Mayor Walsh called the Public Meeting to order at 7:00 p.m.

Approximately twenty Members of the Public were in attendance.

The purpose of this meeting is to consider an application from the owners of Part of Lot 9, Concession Road 2, for an amendment to former Adjala Zoning By-law 76-4 for the property at Part Lot 9, Concession 2, to change the lands zoned Industrial (M) to Agricultural (A) to permit residential uses on the subject lands.

The effect of the Zoning By-law amendment would be to permit residential uses on the subject lands.

Any person may make written or verbal representation either in support of or in opposition to the Zoning By-law Amendment.

If you wish to be notified of the approval of the proposed Zoning By-law Amendment you must make a written request to the Township of Adjala – Tosorontio, 7855 30th Sideroad Adjala, Alliston, Ontario L9R 1V1

If a person or public body that files an appeal of the Township in respect of the proposed Zoning By-law does not make oral submissions at this meeting or written submissions, the Ontario Municipal Board may dismiss all or part of the appeal.

Notice of the Public Meeting was given as required by the Planning Act and regulations thereto on June 17, 2005.

The following correspondence has been received as a result of the Township's notices of public meeting:

1. Simcoe County District School Board by letter dated July 4, 2005 stating Planning Staff do not object to the rezoning.

2. Nottawasaga Valley Conservation Authority by letter dated July 12, 2005 advising they have no objection to its approval and state “we note the property falls within a fill regulated area whereby a permit is required from the NVCA under Conservation Authorities Act prior to development.”

Mayor Walsh provided an opportunity for those in attendance to speak to the application or ask questions.

There were no questions.

The meeting closed at 7:03 p.m.

9. Time for Adjala – Tosorontio Ratepayers

There were no speakers.

10. Upcoming Events

Adjala – Tosorontio Diversion Days – August 20th and September 17th at 3022 Concession Road 4, Adjala

III CORRESPONDENCE AND REPORTS

1. PUBLIC WORKS
Roads, Water and Sewer Systems

Deputy Mayor Doug Little chaired the Public Works Agenda portion of the meeting.

- (a) Reports

Deputy Mayor Little gave a verbal Report.

- (b) Director of Public Works
Re: Request to Purchase Unopened Road Allowance
Cross Street, Colgan

Council received and reviewed memo from Director of Public Works dated July 18th regarding a letter dated May 5, 2005 from Mr. & Mrs. Howard requesting to purchase “Cross Street” located within the hamlet of Colgan.

RESOLUTION 05-44

A motion was made by Deputy Mayor Little, seconded by Councillor Wallace and carried:

NOW THEREFORE BE IT RESOLVED THAT we receive and accept the report of the Director of Public Works dated July 18, 2005 regarding “Request to purchase Unopened Road Allowance (Cross Street) in Colgan and advise Mr. & Mrs. Howard that the Municipality is not interested in disposing of Cross Street at this time.

2. PROTECTION TO PERSONS AND PROPERTY
Fire Protection, Building, Municipal Law Enforcement and Recreation
Chair Councillor Tom Cook, Vice Chair Councillor John Greer

Councillor Tom Cook chaired the Protection to Person and Property Agenda portion of the meeting.

- (a) Councillor Cook
Re: Increased Vandalism in Everett Parks

Due to the increased amounts of vandalism occurring within Central and John O. Irwin parks, the O.P.P. have been requested to increase patrols in these areas and staff are in the process of purchasing signs to be posted within these parks regulating use and hours of operation in accordance with the municipalities Park By-law.

3. GENERAL GOVERNMENT

Finance and Administration

Chair Councillor Mary Brett, Vice Chair Councillor Ray Wallace

Councillor Mary Brett chaired the General Government Agenda portion of the meeting.

- (a) Accounts

A motion was made by Councillor Boston, seconded by Councillor Wallace and carried:

THAT the Accounts Payable Number 05-11 paid by the Treasurer for the period May 25, 2005 to June 7, 2005 in the amount of \$281,212.90 are hereby approved.

A motion was made by Councillor Boston, seconded by Councillor Greer and carried:

THAT the Accounts Payable Number 05-12 paid by the Treasurer for the period of June 8, 2005 to June 21, 2005 in the amount of \$2,417,813.53 are hereby approved.

A motion was made by Councillor Wallace, seconded by Councillor Cook and carried:

THAT the Accounts Payable Number 05-13 paid by the Treasurer for the period of June 22, 2005 to July 5, 2005 in the amount of \$193,968.95 are hereby approved.

- (b) Reports

There were no reports.

- (c) Melissa Cowl
Re: Request for waiver from Facility Rental Agreement

Council received and reviewed undated letter from Mrs. Melissa Cowl owner of Birth and BeYond Childbirth Education and Doula Services requesting a waiver from conditions set out in the Facility Rental Agreement.

RESOLUTION 05-45

A motion was made by Councillor Brett, seconded by Councillor Cook and carried:

NOW THEREFORE BE IT RESOLVED THAT the request by Mrs. Melissa Cowl owner of Birth and BeYond Childbirth Education and Doula Services to be waived from conditions set out in the Facility Rental Agreement is hereby denied.

- (d) Councillor Brett
Re: Material Management
Update

Councillor Brett gave an update on Diversion Days held so far this year. To date a total of 213.95 imperial tons have been diverted from landfill sites.

- (e) Councillor Brett
Re: Report on Canada Day Celebrations

Councillor Brett reported to Council that Canada Day celebrations held on July 1st was a big success thanks to Council, Staff and residents who volunteered their time.

4. LAND USE PLANNING AND DEVELOPMENT

Chair Councillor Ray Wallace, Vice Chair Councillor Bill Boston

Councillor Ray Wallace chaired the Land Use Planning and Development Agenda portion of the meeting.

- (a) Reports

There were no reports.

- (b) Director of Planning
Re: 5 Year Official Plan Review

The Director of Planning advised Council that in accordance with Section 26 of the Planning Act, R.S.O. 1990, the Township is required to hold a Meeting of Council open to the public to determine the need for revision of the Official Plan for the Township of Adjala – Tosorontio.

The Director of Planning also announced that the Meeting of Council will be held on Tuesday, September 6th, 2005 at 7:00 p.m. at the Township of Adjala – Tosorontio Council Chambers where Council will hear submissions from the public regarding the need, if any, to revise the Official Plan and will receive written submissions regarding same.

IV RESOLUTIONS

1. Mayor Walsh
Re: Township of Mulmur
Request for support – Appeal of NVCA's proposed Planning fees schedule

RESOLUTION 05-46

A motion was made by Deputy Mayor Little, seconded by Councillor Cook and carried:

NOW THEREFORE BE IT RESOLVED THAT Council supports the Township of Mulmur and the Township of Essa in their appeal to the Nottawasaga Valley Conservation Authority regarding their latest fee schedule, and that it is excessive and unaffordable.

2. Mayor Walsh
Re: Request to support City of Kingston Resolution

RESOLUTION 05-47

A motion was made by Councillor Brett, seconded by Councillor Wallace and carried:

NOW THEREFORE BE IT RESOLVED THAT Council supports the City of Kingston in their request to have the Occupiers Liability Act amended so that owners and volunteer organizations will not be held liable in any way for any damages arising from the use of trails by the public.

V. BY-LAWS

1. BY-LAW 05-37

A BY-LAW TO AMEND BY-LAW 04-64 MUNICIPAL WATER RATES BY-LAW

A motion was made by Councillor Brett, seconded by Councillor Cook and carried:

THAT, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 18th day of July, 2005.

2. BY-LAW 05-38

A BY-LAW FOR ESTABLISHING AND MAINTAINING RESERVES AND RESERVE FUNDS

A motion was made by Councillor Wallace, seconded by Councillor Greer and carried:

THAT, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 18th day of July, 2005.

3. BY-LAW 05-39

A BY-LAW TO AMEND BY-LAW NO. 76-4, AS AMENDED FOR THE FORMER TOWNSHIP OF ADJALA

Part of Lot 9, Concession 2, PIF/4-085-50

A motion was made by Councillor Brett, seconded by Councillor Boston and carried:

THAT, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 18th day of July, 2005.

4. BY-LAW 05-40

A BY-LAW TO SET STANDARDS FOR A LEGAL FENCE IN THE TOWNSHIP

Fencing By-law

A motion was made by Councillor Brett, seconded by Deputy Mayor Little and carried:

THAT, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 18th day of July, 2005.

5. BY-LAW 05-41

A BY-LAW TO CONTROL THE SALE, SETTING OFF AND DISPLAY OF FIREWORKS

Fireworks By-law

A motion was made by Deputy Mayor Little, seconded by Councillor Brett and carried:

THAT, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 18th day of July, 2005.

6. BY-LAW 05-42

A BY-LAW TO AUTHORIZE THE MAYOR AND CLERK TO EXECUTE TEMPORARY USE OR REPLACEMENT DWELLING AGREEMENTS

A motion was made by Councillor Wallace, seconded by Councillor Greer and carried:

THAT, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 18th day of July, 2005.

7. BY-LAW 05-44

A BY-LAW TO REGULATE THE SETTING OF FIRES AND TO PREVENT THE SPREAD OF FIRES IN THE TOWNSHIP OF ADJALA – TOSORONTIO AND FOR PROVIDING FIREFIGHTING AND FIRE PROTECTION SERVICES WITHIN THE TOWNSHIP OF ADJALA – TOSORONTIO

Fire Control By-law

A motion was made by Councillor Cook, seconded by Councillor Boston and carried:

THAT, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 18th day of July, 2005.

VI GENERAL/UNFINISHED BUSINESS

1. In Camera

A motion was made by Deputy Mayor Little, seconded by Councillor Boston and carried:

THAT this Council meeting proceed In Camera to discuss the disposition of land by the Municipality.

Council met In Camera from 7:20 p.m. until 7:55 p.m.

A motion was made by Councillor Wallace, seconded by Councillor Brett and carried:

THAT we rise from In Camera and report.

BY-LAW 05-43

A BY-LAW TO AUTHORIZE THE EXECUTION OF A SITE PLAN DEVELOPMENT AGREEMENT WITH 1035533 ONTARIO LTD.

A motion was made by Councillor Wallace, seconded by Councillor Greer and carried:

THAT, notwithstanding anything contrary to the rules of procedure, this By-law be introduced and read a first and second time and be considered read a third time and finally passed this 18th day of July, 2005.

RESOLUTION 05-48

A motion was made by Deputy Mayor Little, seconded by Councillor Cook and carried:

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Adjala – Tosorontio hereby instructs the Municipalities lawyer to advise parties that Council is prepared to consent to, and support the intended proposal by John Barzo Limited with respect to the expansion of Everett’s northern urban boundaries.

VII DATE OF NEXT MEETING

The next regular meeting of Council will be held Monday August 15, 2005 at 6:30 p.m.

VIII ADJOURNMENT

A motion was made by Councillor Wallace, seconded by Councillor Greer and carried:

THAT the meeting adjourn.

The meeting adjourned at 8:00 p.m.

“T Walsh”
Mayor Tom Walsh

“B Kane”
Clerk Barb Kane