

**THE CORPORATION OF THE TOWNSHIP OF ADJALA-TOSORONTIO**

**Minutes of Council Meeting**

ADMINISTRATION CENTRE

6:30 p.m.  
Regular Meeting.

MONDAY NOVEMBER 7, 2005

The meeting convened with Mayor Tom Walsh presiding

ATTENDANCE

COUNCIL

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

STAFF

E. Wargel, Director of Public Works  
B. Kane, Clerk  
G. Caterer, Director of Planning  
P. Boissonneault, Fire Chief  
D. Bulman, Treasurer  
T. Schilling, Junior Planner

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

A motion was made by Councillor Wallace, seconded by Councillor Cook 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 October 3, 2005, Wednesday October 26, 2005 and Tuesday November 1, 2005 be adopted as printed.

II DEPUTATIONS, PUBLIC HEARINGS (MEETINGS) AND PRESENTATIONS

1. Public Meeting under the Municipal Act  
Re: Applications for cancellation, reduction, refund of taxes  
Section 357 of the Municipal Act 2001, S.O. 2001, Chapter 25

Mayor Walsh called the Public Meeting to order at 6:35 p.m.

Approximately thirty Members of the Public were in attendance.

The Treasurer reviewed with Council the Treasury Department Tax Write Offs Report pertaining to Applications 1-05, 2-05, 3-05, 4-05, 5-05.

No one objected to the recommendations set out in the Report.

The meeting closed at 6:40 p.m.

RESOLUTION 05-61

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

THAT we receive and accept the Report of the Treasurer regarding Tax Write Offs Applications 01-05, 2-05, 3-05, 4-05, 5-05, a copy of which Report is attached to this Resolution as Schedule "A";

AND THAT the Treasury is directed to write off the taxes as outlined in the Report.

2. Andree Naud, Rob Pickford, William Burns  
Adjala – Tosorontio Fire Department  
Re: Recipient of Certificate of Achievement  
Fire Cause Determination

Mayor Walsh and Fire Chief Paul Boissonneault presented certificate to Firefighter Rob Pickford in recognition of completing Fire Cause Determination. Firefighters Andree Naud and William Burns were unable to attend and will be presented their certificate at a later date.

3. Mr. Floyd Pinto  
Re: Municipal By-laws and Neighbours Property

Council received and reviewed letter from Mr. Pinto dated October 12, 2005.

Mr. Pinto expressed concerns to Council regarding a neighbouring property which contained a leaking oil tank, dead trees and the dumping of furniture on public road. He indicated that he has called Spills Action but no action has been taken.

Council directed staff to follow up with the Ministry of Environment regarding the oil tank and the County of Simcoe regarding the furniture.

4. Public Meeting under the Planning Act  
Part of Lots 16 and 17 and Part 1 on Reference Plan 51R 17271 and Part 4 on Reference Plan 51R 26438, Concession 4, Former Township of Tosorontio

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

Approximately fifty Members of the Public were in attendance.

The purpose of this meeting is to consider a proposed Draft Plan of Subdivision for 22 lots and an amendment to Zoning By-law No. 03-57 for the 22.47 hectare (55.53 acre) property owned by Pine Bark Heights Inc. and Casamare Designs Inc. in the Part of Lots 16 and 17, Concession 4, in the former Township of Tosorontio, now in the Township of Adjala – Tosorontio.

The effect of the Zoning By-law Amendment would be to change the Rural Residential Zone to Estate Residential Zone and Open Space Conservation Zone to permit the development of the subject lands for residential use in the form of a 22 lot plan of subdivision.

Any person may make written or verbal representation either in support of or in opposition to the proposed draft Plan of Subdivision or Zoning By-law Amendment. Copies of your comments will be provided to the County of Simcoe prior to their decision on the draft plan of subdivision.

If you wish to be notified of the approval of the proposed Draft Plan of Subdivision you must make a written request to the County of Simcoe Planning Department, Administration Centre, 1110 Highway 26, Midhurst, Ontario L0L 1X0

If a person or public body that files an appeal of the decision of County of Simcoe as the approval authority in respect of the proposed plan of subdivision does not make an oral submission at the public meeting or make written submissions to the

County of Simcoe before the Draft Plan of Subdivision has been approved or refused, the Ontario Municipal Board may dismiss all or part of the appeal.

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

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

Additional information regarding the proposed Draft Plan Subdivision and the Zoning By-law Amendment is available to the public for inspection between 8:30 a.m. and 4:30 p.m. Monday to Friday at the Municipal Office, 7855 Sideroad 30 R.R.#1 Alliston, Ontario L9R 1V1

Notice of the Public Meeting was given as required by the Planning Act and regulations thereto on October 12, 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 October 18, 2005 advising staff do not object to the rezoning.
2. Nottawasaga Valley Conservation Authority by letter dated October 31, 2005 advising the NVCA has no objection to the approval of this zoning by-law and has provided the County of Simcoe with recommended conditions of draft plan approval.
3. Ms. Patricia Haza by letter dated November 4, 2005 advising that she is not objecting to the development of the Property with the condition that the development is carried out with the least amount of impact on the area's natural rural features as well as the least amount of mitigation for the surrounding landowners as possible.

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

Mr. Brian Goodreid, Senior Planner for the Applicant made a presentation to Council and answered questions of Council.

Mr. Don Harold, 6955 Pine Plains Road, asked whether an analysis has been completed on the quality and quantity of water for the subdivision.

Mr. John Lackey, Engineer for the Applicant stated that an analysis has been completed and that the water meets MOE Standards. They analysed the existing well records in the area.

Mr. Don Harold, expressed concerns regarding drainage and how was the developer dealing with it.

Mr. John Lackey explained that they would ensure that the drainage met pre-development levels to handle a 100 year storm. Lots will drain to the drainage block and not to road.

Mr. Mark Bailey, 7040 Pine Plains Road, indicated he had concerns with the drainage running onto private property and damage occurring to the road from construction.

Director of Public Works stated that the drainage concern would be addressed through the engineering stage of the development.

Council stated that the road issue would be looked into and would be taken up with the developer.

Ms. Patricia Haza, 6853 Pine Plain Road expressed concerns relating to the entrances coming off of Pine Plain Road and not County Road 13.

Mr. Goodreid stated that during the initial design stage this was considered however the County denied access based on their access to County Road policies.

Mr. Joe Brincat, 6804 Pine Plains Road indicated that a culvert was not required when his house was built and wondered who will be responsible for the installation if one is required.

Council indicated that if ditching is required it will be the responsibility of the developer.

Ms. Sandra Gondor, 7047 Pine Plain Road submitted to Council letter dated November 7, 2005 expressing several concerns regarding the proposed development.

Mayor Walsh stated that residents who did not have their questions answered to submit their questions in writing to the Township. Council advised they are also willing to arrange a round table discussion with the residents if need be.

5. Public Announcement  
Re: Amendment to By-law 04-64 – Fees and Charges for Municipal Water

Township Clerk announced that a Public Meeting would be held Thursday December 15, 2005 at 6:30 p.m. to present and obtain public input on a draft By-law and that further information would be available to the Public on Tuesday December 6, 2005.

6. Public Announcement  
Re: Administrative Service Fees

Township Clerk announced that a Public Meeting would be held on Monday December 5, 2005 to present and obtain public input on a draft Service Fee By-law and that a draft By-law would be available to the public 10 business days prior to the Council meeting;

7. Public Announcement  
Re: Building By-law

Township Clerk announced that a Public Meeting would be held on Monday December 5, 2005 to present and obtain public input on a draft Building By-law and that the draft By-law would be available to the public 10 business days prior to the Council meeting.

8. Time for Adjala – Tosorontio Ratepayers

Mary Munnoch on behalf of ATRA thanked all the residents who diverted this year. The Township of Adjala – Tosorontio was the recipient of a Gold Level award at the Recycling Council of Ontario's annual awards ceremony.

6. Upcoming Events

Adjala – Tosorontio Residents Association will also be hosting the annual Seniors Christmas Tea at the Everett Legion on November 23, 2005 from 1:00 p.m. to 4:00 p.m. Everyone is welcomed.

### III CORRESPONDENCE AND REPORTS

#### 1. PUBLIC WORKS

Roads, Water and Sewer Systems

Chair Deputy Mayor Doug Little, Vice Chair Councillor Tom Cook

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

##### (a) Reports

Deputy Mayor Little reported that there is a concern regarding the lack of parking at the Senior Citizen's Hall in Hockley Valley.

It was the consensus of Council that staff is asked to work with the Town of Mono and the Hockley Valley Senior Citizen's Club to investigate and construct an appropriate parking lot.

Deputy Mayor Little also reported that the County of Simcoe has completed a draft County Forest Recreation Policy and will be scheduling four public meetings during the weeks of February 13<sup>th</sup> and February 20<sup>th</sup> at the Township Offices of Clearview, New Tecumseth, Oro-Medonte and Tiny.

##### (b) Nottawasaga Police Services Board

Re: Recommendation to regulate Towing Fees

Council received and reviewed letter from the Nottawasaga Police Services Board whereas they seek support from the Township to adopt a by-law to regulate fees that the towing companies charge within the Nottawasaga Detachment area.

#### RESOLUTION 05-62

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Adjala – Tosorontio hereby direct staff to work in co-operation with the Township of Essa and the Town of New Tecumseth to adopt a Towing Fees By-law to regulate fees charged by towing companies within the three municipalities.

#### 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) Reports

Councillor Cook reported the beginning of the annual Salvation Army Christmas Hamper Program at Hope Acres in Glencairn. For more information call Major Kathleen McAlister at 705-466-3435.

Fire Chief Paul Boissonneault reported the successful completion of Fire Prevention Week and stated that he was proud to work with the four schools and thanked all the schools within the Township for their participation. In Ontario, 2,100 schools and over 1 million people participated on October 12<sup>th</sup>, 2005 at 10:00 am in "Schools Out, Safely Out" fire prevention drill setting a World Record.

Councillor Brett and Councillor Cook gave an update on the Ontario Recycler Workshop which they attended in Toronto on November 3, 2005.

Councillor Greer reported that the Community Policing Committee will be holding a meeting on November 14, 2005 at the Everett Municipal Office beginning at 7:00 p.m.

Councillor Cook stated at the request of Council, the O.P.P. has provided the Township with a report on traffic charges laid within the Municipality.

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 Cook, seconded by Councillor Brett and carried:

THAT the Accounts Payable Number 05-20 paid by the Treasurer for the period September 28, 2005 to October 11, 2005 in the amount of \$459,350.45 are hereby approved.

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

THAT the Accounts Payable Number 05-21 paid by the Treasurer for the period of October 12, 2005 to October 25, 2005 in the amount of \$249,571.19 are hereby approved.

(b) Reports

There were no reports.

(c) ATRA

Re: Request to name a room within the Municipal Office

Council received and reviewed letter dated Tuesday November 1, 2005 from the Adjala – Tosorontio Executive Committee requesting a room in the Township Building be named “The Wardens’ Room”.

It was the consensus of Council that this request be deferred until the December meeting.

(d) R.J. Burnside and Associates Ltd.

Township engineering Consultants

Re: Recommendations for security reductions

Council discussed their concerns with regards to the recommendations

i) New Horizon – Phase 3 Subdivision

RESOLUTION 05-63

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

WHEREAS a letter has been received from R.J. Burnside and Associates Ltd., Township Consulting Engineers, dated November 2, 2005, recommending a Reduction in Securities for the New Horizon Phase 3 Subdivision in Everett;

NOW THEREFORE BE IT RESOLVED THAT we hereby authorize the value of security to be reduced to \$42,826.00.

- ii) New Horizon – Phase 2 Subdivision

RESOLUTION 05-64

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

WHEREAS a letter has been received from R.J. Burnside and Associates Ltd., Township Consulting Engineers, dated November 2, 2005, recommending a Reduction in Securities for the New Horizon Phase 2 Subdivision in Everett;

NOW THEREFORE BE IT RESOLVED THAT we hereby authorize the value of security to be reduced to \$5,000.00

- iii) Lisle Glen Subdivision

RESOLUTION 05-65

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

WHEREAS a letter has been received from R.J. Burnside and Associates Ltd., Township Consulting Engineers, dated November 2, 2005, recommending issuance of Final Acceptance for roads and services within this subdivision and all securities be returned;

AND WHEREAS supporting documentation has been provided including statutory declaration, a statement of certification from the OLS (Sexton McKay Limited), letter of certification from the Consulting Engineer (P.T. Phillips Engineering) all in accordance with the requirements of the Development Agreement.

NOW THEREFORE BE IT RESOLVED THAT we hereby authorize all securities be returned to the developer.

- iv) Cumac (Winzen) Subdivision

RESOLUTION 05-66

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

WHEREAS a letter has been received from R.J. Burnside and Associates Ltd., Township Consulting Engineers, dated November 2, 2005, recommending issuance of Final Acceptance for roads and services within this subdivision and a Reduction of Security;

AND WHEREAS supporting documentation has been provided including statutory declaration from the Developer and a Letter of Certification from the Consulting Engineer (Trow Associates Inc.), all in accordance with the requirements of the Development Agreement.

NOW THEREFORE BE IT RESOLVED THAT we hereby authorize all securities be returned to the developer with the exception of \$500.00 to be retained for the sole purpose of ensuring the satisfactory vegetation of the block of vacant land at the northwest corner of the site.

- (v) Stevenson Memorial Hospital Foundation  
Re: Request for funding support

Council received letter dated November 2, 2005 by Stevenson Memorial Hospital Foundation requesting funding support for the Ophthalmology and Dialysis upgrades.

It was the consensus of Council that this request be deferred until 2006 Budget deliberations.

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.

IV RESOLUTIONS

- 1. Mayor Tom Walsh  
Re: Canadian Diabetes Association  
Request November to be World Diabetes Month

Council received and reviewed letter dated July 14, 2005 from the Canadian Diabetes Association requesting support.

RESOLUTION 05-67

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

WHEREAS diabetes is a serious condition affecting more than two million Canadians and is a leading cause of death by disease;

AND WHEREAS there is a great need to research better methods of diabetes prevention, treatment, and ultimately a cure;

AND WHEREAS the Canadian Diabetes Association this year marks 51 years of improving the lives of people affected by diabetes – through diabetes research, education, service and advocacy;

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Adjala – Tosorontio commends the Canadian Diabetes Association for 51 years of improving lives and Proclaim the month of November 2005 as “Diabetes Awareness Month” in the Township of Adjala – Tosorontio.

- 2. Council received and reviewed letter dated September 26, 2005 from the Township of Oro – Medonte requesting support.

RESOLUTION 05-68

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

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Adjala – Tosorontio hereby supports the

Township of Oro – Medonte in requesting that the Ministry of Natural Resources recognize the threat of predation to livestock by cougars/pumas within Ontario and the Ministry of Agricultural and Food initiate a program of compensation to livestock owners for predation by these wild animals.

3. Council received and reviewed letters dated October 3, 2005 from the City of Peterborough and September 26, 2005 from the Town of Tecumseth requesting support.

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

RESOLUTION 05-69

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Adjala – Tosorontio hereby supports the City of Peterborough and the Town of Tecumseth in their request to the Ministry of Community Safety and Correctional Services to re-affirm their support of the Community Emergency Response Volunteers (CERV) Funding.

4. Council received and reviewed letter dated October 18, 2005 from the Association of Municipal Managers, Clerks and Treasurers of Ontario requesting support

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

RESOLUTION 05-70

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Adjala – Tosorontio hereby supports AMCTO endorsing their position, which is that municipalities should be removed from the list of public bodies subject to Bill 123 and that any openness and transparency issues that the Province wants addressed for municipalities should be addressed through the Municipal Act review.

V. BY-LAWS

1. A BY-LAW TO ADOPT AMEND BY-LAW NO. 03-57, AS AMENDED OF THE TOWNSHIP OF ADJALA - TOSORONTIO

This By-law has been deferred until more public input has been obtained.

2. BY-LAW 05-48

A BY-LAW TO AMEND PROCEDURES FOR NOTICE BY-LAW 03-01

Amendment Number 10

Procedure Schedule for Imposing Fees and Charges for Administrative Services

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 7th day of November, 2005.

3. BY-LAW 05-49

A BY-LAW TO AMEND PROCEDURES FOR NOTICES BY-LAW 03-01

Amendment Number 11  
 Procedure Schedule for Regulating Application and Inspection Fees for Building and Septic Permits

A motion was made by Councillor Boston, 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 7th day of November, 2005.

4. BY-LAW 05-50

A BY-LAW TO AMEND PROCEDURES FOR NOTICES BY-LAW 03-01

Amendment Number 12  
 Procedure Schedule for Imposing Water Fees and Charges

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 7th day of November, 2005.

5. BY-LAW 05-47

A BY-LAW TO AMEND BY-LAW NO. 03-57 OF THE TOWNSHIP OF ADJALA – TOSORONTIO

Tom Summers and Brenda Wintraub, Part of Lot 23, Concession 2, 3715 Concession Road 2, PIF: 006-044-00

A motion was made by Councillor Wallace, 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 7th day of November, 2005.

VI GENERAL/UNFINISHED BUSINESS

1. Mayor Walsh  
 Re: Canada Post Closing Post Offices and Plants  
 Request for Support

Council received and reviewed letter dated October, 2005 from Canadian Union of Postal Workers

RESOLUTION 05-71

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

WHEREAS our public postal network connects communities throughout this vast land, helping us to overcome differences and distances;

AND WHEREAS our public postal network plays a key role in our social and economic life by providing jobs and the infrastructure that healthy communities need to thrive and businesses need to grow.

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Adjala – Tosorontio hereby encourages Canada Post to allow our public postal network to continue to play an important role in rural communities.

- 2. Mayor Walsh  
Re: OPP CRIME PREVENTION WEEK

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

RESOLUTION 05-72

NOW THEREFORE BE IT RESOLVED THAT the Council for the Corporation of the Township of Adjala – Tosorontio hereby declares November 6 – November 12, 2005 as Crime Prevention Week – “YOUR FAMILY, YOUR COMMUNITY: KEEP THEM SAFE!”

- 3. Fire Chief Paul Boissonneault announced to Council that Fire Station 2 would like to raise money to support the son of one of Fire Station 2’s Firefighters who has recently been diagnosed with Muscular Dystrophy and is asking for Council’s support.

It was a consensus that Council support the fire department in their efforts to raise funds for the family.

VII DATE OF NEXT MEETING

The next regular meeting of Council will be held Monday December 5, 2005 at 6:30 p.m.

VIII ADJOURNMENT

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

THAT the meeting adjourn.

The meeting adjourned at 8:55 p.m.

\_\_\_\_\_  
“T. Walsh”  
Mayor Tom Walsh

\_\_\_\_\_  
“B. Kane”  
Clerk Barb Kane