

THE CORPORATION OF THE TOWNSHIP OF ADJALA-TOSORONTIO

Minutes of Council Meeting

ADMINISTRATION CENTRE

6:30 p.m.
Regular Meeting

MONDAY MARCH 7, 2011

The meeting convened with Mayor Tom Walsh presiding

ATTENDANCE

COUNCIL

Mayor	T. Walsh
Deputy Mayor	M. Small Brett
Councillors	F. Pinto
	A. Keenan
	D. Little
	T. Gauley
	S.W. Anderson

STAFF

E. Wargel, CAO and Twp Manager
B. Kane, Clerk
J. Moss, Pub. Works Superintendent
J. Hosick, Dir. Of Growth and Dev.
J. Tschekalin, Director of Planning
D. Bulman, Deputy CAO, Treasurer, Deputy Clerk
K. Korpela, Dir. Of Building & Enforcement Services

I CALL TO ORDER

Mayor Walsh called the meeting to Order.

II LORDS PRAYER, NON-DENOMINATIONAL PRAYER, OR PERSONAL MOMENT OF SILENCE

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

III ACCEPTANCE OF AGENDA

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

THAT the agenda be accepted as printed.

IV DISCLOSURE OF INTEREST

There were no disclosures of interest.

V ADOPTION OF MINUTES

A motion was made by Councillor Keenan, seconded by Councillor Anderson and carried:

THAT the minutes of Meeting of Council Monday February 7, 2011 and Special Meeting of Council Friday February 4, 2011 be adopted as printed.

VI DEPUTATIONS, PUBLIC HEARINGS (MEETINGS) AND PRESENTATIONS

1. 6:30 p.m.

Public Meeting under the Planning Act

Re: Keenansville Road and Cardwell Court Rezoning
Pt Lot 13, Concession 7, former Adjala

To reduce lot and yard requirements for properties on Keenansville Rd and Cardwell Crt, to recognize existing development and lot configurations.

Mayor Walsh declared the meeting to be a public meeting to consider a zoning amendment application pursuant to the Planning Act.

The Director of Planning provided a brief overview of the purpose and procedure of the public meeting and reported that proper notice was given pursuant to the requirements and timelines of the Planning Act and Official Plan.

The Planner provided a summary of the application to Council.

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

There were no speakers.

The public meeting closed at 6:36 p.m.

2. 6:45 p.m.

Kim Gavins, Executive Director
Oak Ridges Moraine Foundation

Re: Update on Oak Ridges Moraine Foundation

Ms. Gavins, on behalf of the Oak Ridges Moraine Foundation, provided Council with an update on the effectiveness of the Oak Ridges Moraine Conservation Plan and the Foundation.

RESOLUTION 11-20

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

WHEREAS the Oak Ridges Moraine Foundation is dedicated to the education and preservation of the conservation lands within the Moraine through land securement, stewardship, education and public awareness;

NOW THEREFORE BE IT RESOLVED THAT Council supports the Oak Ridges Moraine Foundation in their request to the Province for funding to support Policy Development and Monitoring, Land Restoration, Land Securement, Education and Outreach.

3. 6:45 p.m.

Heidi Landers

Re: Request for Changes to Canine Control By-law

Mr. & Mrs. Landers made a deputation to Council expressing concerns regarding the current canine control by-law.

Director of Enforcement Services provided a written report to Council and answered questions.

4. 7:15 p.m.

Tom Pridham, Township Engineer

Re: Review of Drainage Works Report for Glencairn

Tom Pridham, Township Engineer, made a deputation to Council and reviewed the Drainage Works Report for Glencairn.

RESOLUTION 11-21

A motion was made by Councillor Little, seconded by Councillor Keenan and carried:

BE IT RESOLVED THAT Council receive the Township Engineer's report for the Glencairn Drainage Works and set the date for the Consideration of the Report for Thursday, March 31st, 2011 at 7:00 p.m. to meet at the Township Council Chambers;

AND THAT Council direct Staff to notify the assessed owners and agencies as required by the Drainage Act.

AND THAT the Report Review Open House to be held Saturday, March 26th, 2011 from 10:00 a.m. to 2:00 p.m. as recommended by the Township Engineer.

5. 7:45 p.m.

Doug Taylor, Manager of Administrative Services/Treasurer
Township of Tiny

Re: Intake Three Rural Connections Broadband Program

Mr. Taylor made a deputation to Council providing a review of the “Intake Three Rural Connections Broadband Program”.

RESOLUTION 11-22

A motion was made by Deputy Mayor Small Brett, seconded by Councillor Anderson:

BE IT RESOLVED THAT Council confirms their interest in participating in the Intake Three Rural Connections Broadband Program.

Councillor Anderson requested a recorded vote.

Yeas: Small Brett, Anderson

Nays: Gauley, Pinto, Keenan, Little, Walsh

The motion was defeated 5:2

6. Time for Adjala – Tosorontio Ratepayers

There were no speakers

7. Upcoming Events

1. Pitch In Week April 18 – 24, 2011

VII CORRESPONDENCE AND REPORTS

1. PUBLIC WORKS

Roads, Utilities

Chair Councillor Doug Little, Vice Chair Councillor Floyd Pinto

Councillor Little chaired the Public Works Agenda portion of the meeting.

(a) Reports

Councillor Little provided Council with a verbal report on activities within the Public Works Department.

- i) Public Works Superintendent
Re: Ontario Clean Water Agency – 2010 Performance Report
New Horizon Subdivision Sewage Treatment Plant

RESOLUTION 11-23

A motion was made by Councillor Little, seconded by Councillor Pinto and carried:

BE IT RESOLVED THAT Council receive the Ontario Clean Water Agency 2010 Performance Report for the New Horizon Subdivision Sewage Treatment Plant and direct that it be filed as information.

- ii) Public Works Superintendent
Re: Ontario Clean Water Agency – 2010 Annual Summary
Municipal Water Systems Reports

RESOLUTION 11-24

A motion was made by Councillor Little, seconded by Councillor Keenan and carried:

BE IT RESOLVED THAT Council receive the Ontario Clean Water Agency 2010 Annual Summary for Municipal Water Systems and direct that it be filed as information.

- iii) Public Works Superintendent
Re: Opening of unopened road allowance
Elizabeth Street

Brought forward from Regular meeting of Council Monday October 4, 2010.

RESOLUTION 11-25

A motion was made by Councillor Little, seconded by Councillor Keenan and carried:

BE IT RESOLVED THAT the recommendation directing staff to have the vehicles removed from the unmaintained road allowance

of Elizabeth Street at 7597 Highway 89 be referred back to the Public Works Superintendent for a report detailing who will be responsible for the maintenance of this section of road and be brought back to Council for April 4th, 2011.

- iv) Public Works Superintendent
Re: Policy for the sale and other disposition of land policy

RESOLUTION 11-26

A motion was made by Councillor Little, seconded by Councillor Keenan and carried:

BE IT RESOLVED THAT Council receive the Public Works Superintendent Report dated March 7th, 2011 regarding the policy for the sale and other disposition of land and direct that it be filed as information.

2. PROTECTION TO PERSONS AND PROPERTY

Fire Protection, Building, Municipal Law Enforcement and Recreation
Chair Councillor Tom Gauley, Vice Chair Councillor Scott W. Anderson

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

- (a) Reports

Councillor Gauley provided Council with a verbal report on activities within the Fire Department and advised that two new pumpers have been purchased for the Fire Department.

- (b) Rosemont District Fire Department
Re: 2011 Proposed Budget

RESOLUTION 11-27

A motion was made by Councillor Gauley, seconded by Councillor Little and carried:

BE IT RESOLVED THAT Council approve the Rosemont District Fire Department 2011 proposed budget.

- (c) Douglas G. Edwards
Re: Tourism Radio 1800 FM.com
Non Commercial Tourism Information CRTC Radio Station
96.9 on Hwy 400 for Simcoe County Tourism

RESOLUTION 11-28

A Motion was made by Councillor Gauley, seconded by Councillor Keenan and carried:

WHEREAS Tourism Radio has been approved by the CRTC for a license for a non commercial radio station to provide information to tourists along highway 400;

AND WHEREAS Tourism Radio is encouraging the County of Simcoe, tourism operators and municipalities along highway 400 to join in a tourism network with Tourism Radio and other stakeholders to promote tourism and to encourage billboard advertisers to provide a small amount of their billboard space to 96.9 FM;

AND WHEREAS by supporting this initiative, there will be no cost to the residents of Adjala – Tosorontio;

NOW THEREFORE BE IT RESOLVED THAT Council supports in principle the initiative by Tourism Radio.

3. GENERAL GOVERNMENT

Finance and Administration

Chair Deputy Mayor Mary Small Brett, Vice Chair Councillor Ambrose Keenan

Deputy Mayor Small Brett chaired the General Government Agenda portion of the meeting.

(a) Accounts

A motion was made by Councillor Keenan, seconded by Councillor Anderson and carried:

THAT the Accounts Payable Number 3-11 paid by the Treasurer for the period of January 26, 2011 – February 8, 2011 in the amount of \$352,164.10 is hereby approved.

A motion was made by Councillor Little, seconded by Councillor Anderson and carried:

THAT the Accounts Payable Number 4-11 paid by the Treasurer for the period of February 9, 2011 – February 22, 2011 in the amount of \$974,194.09 is hereby approved.

(b) Accessibility Committee

Re: 2011 Accessibility Plan

RESOLUTION 11-29

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

BE IT RESOLVED THAT Council adopt the 2011 Municipal Accessibility Plan;

AND THAT a copy of the Municipal Accessibility Plan be forwarded to the Ministry of Citizenship and Immigration.

- (c) Chief Administrative Officer
Re: Policies

- (i) Workplace Violence and Harassment Policies

RESOLUTION 11-30

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

WHEREAS the Township of Adjala – Tosorontio recognizes that every employee possesses basic human rights with regards to violence and harassment in the workplace;

AND WHEREAS the Township of Adjala – Tosorontio will adhere to the intent of applicable legislation regarding workplace violence and harassment under the Ontario Human Rights Code and the Occupational Health and Safety Act;

NOW THEREFORE BE IT RESOLVED THAT Council for the Township of Adjala – Tosorontio adopts the Workplace Harassment Policy and Workplace Violence Policy dated March 7, 2011, or as amended.

- (ii) Internet and Computer Use Policy

RESOLUTION 11-31

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

BE IT RESOLVED THAT Council adopt the Internet and Computer use Policy dated March 7, 2011, or as amended.

- (d) Stevenson Memorial Hospital
Re: It's Crystal Clear Digital Mammography Campaign
Request for Sponsorship

RESOLUTION 11-32

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

BE IT RESOLVED THAT Council refers the request for financial support to budget deliberations.

4. LAND USE PLANNING AND DEVELOPMENT

Chair Councillor Tom Gauley, Vice Chair Councillor Scott W. Anderson

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

- (a) Reports

There were no reports.

- (b) Director of Growth and Development
Re: Site Plan Review and Agreement

9225 Highway 89, Rosemont, former Adjala

RESOLUTION 11-33

A motion was made by Councillor Gauley, seconded by Councillor Anderson and carried:

BE IT RESOLVED THAT Council adopt the recommendation set out in the Director of Growth and Development report dated March 7, 2011 and pass a by-law authorizing the Mayor and Clerk to execute the Site Plan Agreement

- (i) 2054673 Ontario Inc.
Re: Request for Relief of Required Security Deposit
9225 Highway 89, (Rosemont), former Adjala

RESOLUTION 11-34

A motion was made by Councillor Gauley, seconded by Councillor Keenan and carried:

BE IT RESOLVED THAT Council direct Staff to provide the option to the applicant to pay 100% of the securities being \$163,350.00 with the ability of reducing the holdback at the completion of each stage of the development or pay 50% of the securities being \$81,675.00 to be held until all works have been completed.

- (c) Director of Planning
Re: Dedication of Land to Complete Boundary Line Adjustment
1428 Concession Road 5, former Adjala

RESOLUTION 11-35

A motion was made by Councillor Gauley, seconded by Councillor Keenan and carried:

BE IT RESOLVED THAT Council approve the dedication of land as proposed by Mr. Cancelliere;

AND THAT Council authorizes the Mayor and Clerk to approve all future dedications;

AND THAT the procedures for future dedications, as outlined in the Director of Planning, report are adopted.

VIII RESOLUTIONS

1. Police Services Board
Re: Appointment Structure of Police Services Board

RESOLUTION 11-36

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

WHEREAS the Police Services Board Act provides that in the case of a joint board of municipalities whose combined population to the last enumeration taken under section 15 of the Assessment Act exceeds 25,000 shall consist of;

- a) two persons who are members of the councils of any participating municipalities, appointed by agreement of the councils of the participating municipalities;
- b) one person appointed by agreement of the councils of the participating municipalities, who is neither a member of a council of a participating municipality nor an employee of a participating municipality; and
- c) two persons appointed by the Lieutenant Governor in Council

AND WHEREAS a multi-municipal contract for policing services should have a Board with representation from all participating municipalities;

NOW THEREFORE BE IT RESOLVED THAT the Province be requested to provide for the expansion of the Board to allow for all participating municipalities to appoint a Council representative to the Board.

2. A resolution to accept the agreement of subscription Policy to insure the liability assumed by members of Council, Commissioners, Trustees, Board members, Statutory Officers, Employees or Volunteer Workers of the Corporation of the Township of Adjala – Tosorontio.

RESOLUTION 11-37

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

BE IT RESOLVED THAT the Corporation of the Township of Adjala – Tosorontio accept the agreement of subscription policy to insure the liability assumed by this resolution as follows:

THAT The Corporation of the Township of Adjala – Tosorontio hereby;

1. Assumes the liability for bodily injury to or death of any person or damage to or destruction of property of others, imposed by law upon:
 - (a) Members of Council, Commissioners, Trustees, Board Members, Statutory Officers, Officers, Employees or Volunteer Workers of the Corporation of the Township of Adjala – Tosorontio for liability which arises out of the use or operation by such person of a licensed motor vehicle, or
 - (b) the owner of any licensed motor vehicle, for liability which arises out of the use or operation of such licensed motor vehicle by Members of Council, Commissioners, Trustees, Board Members, Statutory Officers, Officers, Employees or Volunteer Workers of the Corporation of the Township of Adjala – Tosorontio.
2. Declares that such assumption of liability be subject to the following limitations, exclusions and conditions:
 - (a) This assumption of liability applies only to the use or operation of a licensed motor vehicle in Canada or the United States of America by Members of Council, Commissioners, Trustees, Board Members, Statutory Officers, Officers, Employees or Volunteer Workers on behalf of the Corporation of the Township of Adjala –

Tosorontio including travel to and from work and attendance at meetings.

3. A resolution to appoint resident, Tom Cook, to the South Simcoe Economic Alliance.

RESOLUTION 11-38

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

BE IT RESOVLED THAT Council appoint resident, Tom Cook, to the South Simcoe Economic Alliance to represent the Township.

4. Canadian Cancer Society
Re: Request to Proclaim April Daffodil Month

RESOLUTION 11-39

WHEREAS people in our community are touched by cancer every day;

AND WHEREAS since the first Daffodil Month campaign more than 50 years ago, people in our community have helped the Canadian Cancer Society fund research that is helping more people in our community survive cancer;

AND WHEREAS the Canadian Cancer Society is leading the way in the fight against cancer in communities across Ontario by empowering, informing, supporting and improving the lives of Canadians living with cancer and rallying Canadians to make cancer history;

AND WHEREAS 3788 Canadian Cancer Society volunteers in the Simcoe – Muskoka Unit along with thousands of volunteers across Ontario are showing their support for people living with cancer throughout the month of April;

AND WHEREAS Daffodil Month reminds us to learn about the steps we can take to reduce our risk of cancer and celebrates the tremendous contributions of volunteers and donors;

NOW THEREFORE BE IT RESOLVED THAT Council proclaims the month of April to be Daffodil Month;

AND THAT Council urges all citizens of the Township of Adjala – Tosorontio to fight against cancer by supporting the Canadian Cancer Society's annual sale of daffodils and door-to-door fundraising campaign.

IX BY-LAWS

1. BY-LAW 11-05

**A BY-LAW TO AUTHORIZE A LIBRARY AGREEMENT WITH THE
NEW TECUMSETH PUBLIC LIBRARY BOARD**
2011 New Tecumseth Library Agreement

A motion was made by Councillor Gauley, seconded by Councillor Anderson 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 March, 2011.

2. BY-LAW 11-06

**BEING A BY-LAW TO DELEGATE TO THE CLERK ALL POWERS
AND DUTIES UNDER THE MUNICIPAL FREEDOM OF
INFORMATION AND PROTECTION TO PRIVACY ACT**

A motion was made by Deputy Mayor Small Brett, seconded by Councillor Pinto:

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 March, 2011.

Councillor Anderson requested a recorded vote.

Yeas: Gauley, Small Brett, Walsh, Little, Keenan, Pinto

Nays: Anderson

The motion was carried: 6:1

3. BY-LAW 11-07

**BEING A BY-LAW TO PERMIT AND CONTROL THE OPERATION OF
"ALL-TERRAIN VEHICLES" (ATV'S) ON HIGHWAYS UNDER THE
JURISDICTION OF THE CORPORATION OF THE TOWNSHIP OF
ADJALA – TOSORONTIO**
All-Terrain Vehicle Use By-law

A motion was made by Councillor Little, seconded by Councillor Gauley 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 March, 2011.

RESOLUTION 11-40

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

BE IT RESOLVED THAT Council direct staff to forward a copy of the all-terrain use by-law to the County of Simcoe and request the County of Simcoe to investigate the passing of a by-law regulating all-terrain vehicles on County Roads within the Township of Adjala – Tosorontio.

4. BY-LAW 11-08

A BY-LAW TO ADOPT A SALE AND OTHER DISPOSITION OF LAND POLICY

A motion was made by Deputy Mayor Small Brett, seconded by Councillor 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 7th day of March, 2011.

5. BY-LAW 11-09

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

**Part of Lot 13, Concession 7, former Township of Adjala
Keenansville Road and Cardwell Court (Township)**

A motion was made by Councillor Keenan, seconded by Councillor 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 7th day of March, 2011.

6. BY-LAW 11-10

A BY-LAW TO AUTHORIZE THE EXECUTION OF A SITE PLAN DEVELOPMENT AGREEMENT WITH 2054673 ONTARIO INC. (ROSEMONT GAS STATION)

A motion was made by Councillor Keenan, seconded by Councillor 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 7th day of March, 2011.

X GENERAL/UNFINISHED BUSINESS

XI DATE OF NEXT MEETING

The next regular meeting of Council will be held Monday April 4, 2011 at 6:30 p.m.

XII ADJOURNMENT

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

THAT the meeting adjourn.

The meeting adjourned at 8:55 p.m.

 "T. Walsh"
MAYOR TOM WALSH

 "B. Kane"
CLERK BARBARA KANE