



Council Meeting Minutes
Tuesday, May 31, 2011
9:30 a.m.
Council Chambers, Town Hall

Mayor M. Morrison
D. Beffort
N. deBoer (Arrived at 9:39 a.m.)
P. Foley
G. McClure
R. Mezzapelli
R. Paterak
A. Thompson
R. Whitehead (Arrived at 9:39 a.m.)

Chief Administrative Officer: D. Barnes
Director of Public Works: C. Campbell
Director of Planning & Development: M. Hall
Corporate Communication Manager: L. Johnston
Legislative Administrator: B. Karrandjas
Director/Chief Financial Officer/Deputy CAO: R. Kaufman
Town Counsel/Director: N. Koltun
Director of Administration/Town Clerk: K. Landry
Manager of Economic Development: N. Lingard
Deputy Fire Chief: T. Lippers
Director of Recreation: K. Scott
Treasurer: F. Wong

Other Staff Present Specific Items Only

Manager, By-law Enforcement & Property Standards: G. Blakely
Project Manager – Capital Assets: S. Brake
Senior Transportation Planner: K. Chawla
Community Development Planner: R. Conard
Senior Planner: E. Conley
Manager of Civic Properties: S. Doherty
Planning Student: R. Hedoo
Communications Student: J. Hurst
Manager of Development: S. Kirkwood
Senior Policy Planner: K. Kurtz
Community Development Planner: B. Lauder
Senior Policy Planner: T. Manley
Chief Building Official: G. Middlebrook
Accessibility Program Coordinator: L. Ricciuti
Economic Development Officer: B. Roberts
Project Manager: D. Slopek
Senior Manager, Capital Projects & Property Management: R. Trudeau
Manager of Recreation: K. Walton
Senior Policy Planner: M. Williams
Business Manager of Arenas & Pools: G. Young

1. **CALL TO ORDER**

Mayor Morrison called the meeting to order at 9:32 a.m.

2. **APPROVAL OF AGENDA**

Moved by R. Mezzapelli - Seconded by A. Thompson

2011-334

That the agenda for the May 31, 2011 Regular Council Meeting, be approved as amended.

Carried.

3. **CLOSED MEETING** – None scheduled.

4. **PRAYER AND O CANADA**

Councillor Beffort opened the meeting with a prayer.

5. **SUMMARY OF ADDENDUM ITEMS**

Added Delegations

- 2a. 10:00 a.m. Joe Pereira re: Fence By-law Exemption – 15 Cottonfield Circle, Mayfield and 135 James Street, Bolton. (See RB1)
- 2b. 10:15 a.m. Anne McCauley re: Proposed Rezoning Application, Part Lot 10, Concession 1 (Albion), 13803 Airport Road, Sandhill, Town of Caledon, Ward 2, Applicant: Surjit Aujla and Amerjeet Benipal, Agent: Anne McCauley, File No.: RZ 08-20. (See RB7)

Amended Delegation

4. 11:45 a.m. Dely Farrace, Vice Chair of Accessibility Advisory Committee and David Tilson, MP re: Access Awareness Week and the Enabling Accessibility Fund – Photo Op.

Amended By-law

- 2011-xxx To provide for exemptions to the Fence By-law 2005-36. (See RB1)

6. **DISCLOSURE OF PECUNIARY INTEREST** – None stated.

7. **DELEGATIONS**

1. John Stevens, Planner on behalf of Moscorp re: Proposed Zoning By-law Amendment, 12611 & 12627 Old Kennedy Road.

Moved by A. Thompson – Seconded by R. Paterak 2011-335

That the delegation of John Stevens, Planner on behalf of Moscorp regarding Proposed Zoning By-law Amendment, 12611 & 12627 Old Kennedy Road, be received.

Carried.

2. Scott Arbuckle, IBI Group re: GTA West Corridor Study Area.

Moved by A. Thompson – Seconded by R. Mezzapelli 2011-336

That the delegation of Scott Arbuckle, IBI Group regarding GTA West Corridor Study Area, be received.

Carried.

- 2a Joe Pereira re: Fence By-law Exemption – 15 Cottonfield Circle, Mayfield and 135 James Street, Bolton - ***Withdrawn***.

- 2b. Anne McCauley re: Proposed Rezoning Application, Part Lot 10, Concession 1 (Albion), 13803 Airport Road, Sandhill, Town of Caledon, Ward 2, Applicant: Surjit Aujla and Amerjeet Benipal, Agent: Anne McCauley, File No.: RZ 08-20.

Moved by A. Thompson – Seconded by G. McClure 2011-337

That the delegation of Anne McCauley regarding Proposed Rezoning Application, Part Lot 10, Concession 1 (Albion), 13803 Airport Road, Sandhill, Town of Caledon, Ward 2, Applicant: Surjit Aujla and Amerjeet Benipal, Agent: Anne McCauley, File No.: RZ 08-20, be received.

Carried.

3. Narinder Gill re: Balwinder Singh Kahlon “Drug Awareness Walk Across Canada”.

Moved by R. Mezzapelli – Seconded by N. deBoer 2011-338

That the delegation of Narinder Gill regarding Balwinder Singh Kahlon “Drug Awareness Walk Across Canada”, be received.

Carried.

4. Dely Farrace, Vice Chair of Accessibility Advisory Committee and David Tilson, MP re: Access Awareness Week and the Enabling Accessibility Fund.

Moved by P. Foley – Seconded by D. Beffort

2011-339

That the delegation of Dely Farrace, Vice Chair of Accessibility Advisory Committee and David Tilson, MP regarding Access Awareness Week and the Enabling Accessibility Fund, be received.

Carried.

8. COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS

- 9.1 Announcements - None.
9.2 Urgent Business - None.
9.3 Notices of Motion – printed with the agenda.

- (i) Councillor Paterak re: Development Fees for Appeal.

Moved by R. Paterak – Seconded by G. McClure

2011-340

Whereas the Town of Caledon is required from time to time to defend its decisions under the Planning Act; and

Whereas the Planning Act allows Council to establish a fee for the processing of applications made in respect of planning matters; and

Whereas it is reasonably anticipated that the cost of planning decisions may include hearings at the Environment and Land Tribunals, including the Ontario Municipal Board; and

Whereas Council considers it appropriate to establish a reserve to fund the municipal costs in defending Council decisions under the Planning Act;

Therefore Be It Resolved that Town staff report back to Council on the feasibility of adjusting the Town's Planning Act fees to reflect the reasonably anticipated costs of defending Council decisions made under the Planning Act before the Environment and Land Tribunals; and

Further Be It Resolved that Town staff include in the report that the monies collected through this process be accumulated in a Reserve Fund, which is created by a by-law, and held exclusively for the purpose of the Town defending Council decisions made under the Planning Act before the Environment and Land Tribunals and that these fees collected on each and every Planning Act fee be reviewed periodically and, if necessary, adjusted from time to time to reflect the resources needed for the Town to effectively defend Council's decision.

Carried.

NOTE: It was brought to Council's attention that a letter dated May 30, 2011 from Building Industry and Land Development Association was circulated.

- (ii) Councillor Foley re: Procedural By-law – Public Question Period.

Moved by P. Foley – Seconded by D. Beffort

2011-341

Whereas Council deems it expedient to consider amending the Procedural By-law to assist with the orderly and timely conduct of business; and

Whereas the Town's Procedural By-law establishes a framework for registering to delegate Council and lists as an item of business Public Question period; and

Whereas the Town's Procedural By-law provides that any person subsequent to the preparation of the agenda and prior to the commencement of a meeting may request to be heard, and apply in writing to the Clerk and may be heard upon majority approval at the time of approval of the agenda taking into consideration whether the matter is urgent or listed on the agenda;

Now therefore be it resolved that staff prepare a report to Council which outlines the procedural requirements as it relates to delegating Council and public question period in surrounding municipalities and all of Peel Region.

Carried.

9.4 Notices of Motion – presented at meeting.

- (i) Councillor Foley will bring forward a Notice of Motion regarding tree preservation related to development.

9.5 Council Inquiries:

- (i) Podium Microphone

Councillor Whitehead requested staff to look at extending the length of the microphone or utilizing a wireless microphone at the podium.

- (ii) Contractors Yards

Councillor Thompson requested a workshop on contractors' yards prior to the end of the year.

- (iii) Kids of Steel Triathlon

Councillor Beffort advised that the Kids of Steel triathlon took place on May 30, 2011 and it was a successful event.

- (iv) Caledon West Rotary Golf Tournament

Councillor McClure advised that the Caledon West Rotary Golf Tournament will take place on June 15, 2011 at noon at the Caledon Golf Course.

9. REGULAR BUSINESS

- 1. ADM-2011-032 re: Fence By-law Exemption – 15 Cottonfield Circle, Mayfield and 135 James Street, Bolton.

Moved by P. Foley – Seconded by A. Thompson

2011-342

That Report ADM-2011-032 regarding Fence By-law exemption – 15 Cottonfield Circle, Mayfield and 135 James Street, Bolton be received; and

That a fence with a maximum height of 1.83 metres be permitted in the exterior side yard of 15 Cottonfield Circle (Lot 16 Plan 43M-1800), Mayfield; and

That the fence exemption request for 135 James Street, Bolton be deferred until such time as a final decision is made by the Committee of Adjustment; and

That Council enact a by-law granting the exemptions regarding 15 Cottonfield Circle, Mayfield.

Carried.

- 2. ADM-2011-035 re: Seniors' Month.

Moved by A. Thompson – Seconded by R. Mezzapelli

2011-343

That Report ADM-2011-035 regarding Seniors' Month be received.

Carried.

- 3. ADM-2011-037 re: Review of the Town's Notice Policy.

Moved by R. Mezzapelli – Seconded by N. deBoer

2011-344

That Report ADM-2011-037 regarding a Review of the Town's Notice Policy be received; and

That staff review the Notice Policy and report back to Council regarding amendments to address:

- Standards related to notification to property owners within a defined area where an application for a variance or exemption to a regulatory by-law is made; and
- A minimum notification period.

Carried.

NOTE: Council requested that a workshop be held in the fall prior to reporting back to Council on this matter.

4. DP-2011-034 re: Proposed Zoning By-law Amendment, 12611 & 12627 Old Kennedy Road, Part Lot 21, Concession 2 E.H.S. (Ching), Mayfield West Secondary Plan Area, South Fields Community, Applicant: Moscorp III Development Inc., Ward 2, File Number: RZ 10-15 & Related Files 21T-06002 & 21T-06005.

Moved by A. Thompson – Seconded by G. McClure

2011-345

That Report DP-2011-034 regarding Proposed Zoning By-law Amendment, 12611 & 12627 Old Kennedy Road, Part Lot 21, Concession 2 E.H.S. (Ching), Mayfield West Secondary Plan Area, South Fields Community, Applicant: Moscorp III Development Inc., Ward 2, File Number: RZ 10-15 & Related Files 21T-06002 & 21T-06005, be received; and

That Council enact a By-law to rezone the subject lands from Agricultural (A1) to Mixed Density Residential – Exception 456 (RMD-456) and Village Core Commercial – Holding 15 (CCV-H15).

Carried.

5. DP-2011-038 re: GTA West Transportation Corridor Environmental Assessment Study – Draft Transportation Development Strategy.

Moved by A. Thompson – Seconded by P. Foley

2011-346

That Report DP-2011-038 regarding GTA West Transportation Corridor Environmental Assessment Study – Draft Transportation Development Strategy, be received; and

That the Ontario Ministry of Transportation (MTO) be requested to refine the delineated Preliminary Route Planning Study Area to ensure that the Final Route Planning Study Area is consistent with Town's planning objectives and that it does not impact the Town's Planning Areas of Mayfield West (Phases 1 and 2) and South Albion-Bolton Proposed Employment Land Expansion as outlined on Page 5 of Report DP-2011-038; and

That the MTO be requested to consider other alternatives for the integration of Highway 410 with the new GTA West Transportation Corridor so that the approved Mayfield West development lands are not affected; and

That Council direct staff to work with the MTO and other affected jurisdictions to expedite the EA study process in order to minimize delays in advancing current and future developments within the Final Route Planning Study Area; and

That the MTO be requested to work closely with the farming community in the Town to balance the objectives of agricultural operations and long-term transportation planning goals; and

That a copy of Report DP-2011-038 and the resulting Council resolution be forwarded to the MTO, Metrolinx, the Regions of Peel, York and Halton and the Cities of Brampton, Mississauga and Vaughan and the Town of Halton Hills.

Carried.

6. DP-2011-039 re: Community Green Fund Recommendations.

Moved by P. Foley – Seconded by R. Mezzapelli

2011-347

That Report DP-2011-039 regarding Community Green Fund Recommendations be received; and

That Council authorizes the release of \$8000 Community Green Funds to the following recipients, funded from the Community Green Fund account within the Environmental Progress Office's 2011 Budget:

- \$5000 to Ontario Streams for further work on the Caledon Headwaters Rehabilitation Initiative; and,
- \$3000 to Peel District School Board for a community greenhouse project at Belfountain Public School.

Carried.

7. DP-2011-043 re: Proposed Rezoning Application, Part Lot 10, Concession 1 (Albion), 13803 Airport Road, Sandhill, Town of Caledon, Ward 2, Applicant: Surjit Aujla and Amerjeet Benipal, Agent: Anne McCauley, File No.: RZ 08-20.

Moved by A. Thompson – Seconded by G. McClure

2011-348

That Report DP-2011-043 regarding Proposed Rezoning Application, Part Lot 10, Concession 1 (Albion), 13803 Airport Road, Sandhill, Town of Caledon, Ward 2, Applicant: Surjit Aujla and Amerjeet Benipal, Agent: Anne McCauley, File No.: RZ 08-20, be received; and

That, following the payment of all property tax arrears on this property, Council enact a by-law to rezone the subject lands from Rural Residential (RR) to Highway Commercial – Exception 509 (CH-509); and

That Council approve the listing on the municipal Heritage Register of the property at 13803 Airport Road, the heritage attributes of which are detailed in report DP-2011-043; and

That Council direct staff to include this property on the Heritage Register, and so notify the Building Section and the property owner.

Carried.

8. DP-2011-044 re: Designation of Land to Accommodate Forecasted Growth.

Moved by A. Thompson – Seconded by R. Paterak

2011-349

That Report DP-2011-044 regarding Designation of Land to Accommodate Forecasted Growth, be received; and

That copies of this report be forwarded to the Region of Peel and the Cities of Brampton and Mississauga.

Carried.

9. DP-2011-046 re: Request for Sign Variances for: Clarence & Lori Cook, 14045 Airport Road, Johnny Bertacco, Old Church Road, Gurdev & Simerjit Uppal, 15171 Highway 50 and Amrik & Jagjit Gill, 15245 Airport Road.

Moved by R. Paterak – Seconded by N. deBoer

2011-350

That Report DP-2011-046 regarding a request for sign variances for:

- Property #1: Clarence & Lori Cook at 14045 Airport Road, Caledon,
- Property #2: Johnny Bertacco at Northeast corner of Regional Road 50 and Old Church Road, Caledon,
- Property #3: Gurdev & Simerjit Uppal at 15171 Highway 50, Caledon, and
- Property #4: Amrik & Jagjit Gill at 15245 Airport Road, Caledon, be received; and,

That Council grant the variances to Sign By-law 94-14, as amended, to properties #1, #2, #3 & #4, for a period not exceeding five years from the date of approval to permit four ground signs with:

- a) an increase in sign area to a maximum sign area of 14.86 square metres
- b) an increase in height to a maximum height of 6.09 metres

Carried.

10. PW-2011-015 re: Award of Request for Tender (RFT) 2011-22 – Supply and Delivery of Part A – One (1) 19500 G.V.W.R. Crew Cab and Chassis, Part B – One (1) Single Axle Truck, 43,000 LBS. Minimum G.V.W.R. Conventional Chassis only, complete with Plow/Spreader Combination, Part C – One (1) Tandem Axle Truck, 66,000 LBS. Minimum G.V.W.R. Conventional Chassis only, complete with Plow/Spreader Combination.

Moved by R. Mezzapelli – Seconded by A. Thompson

2011-351

That Report PW-2011-015 regarding Award of Request For Tender (RFT) 2011-22 – Supply and Delivery of Part A – One (1) Crew Cab and Chassis; Part B – One (1) Single Axle Truck, complete with Plow/Spreader Combination; Part C – One (1) Tandem Axle Truck, complete with Plow/Spreader Combination be received; and

That Public Works Request for Tender (RFT) 2011-22 for Part A – One (1) Crew Cab and Chassis; Part B – One (1) Single Axle Truck, complete with Plow/Spreader Combination; Part C – One (1) Tandem Axle Truck, complete with Plow/Spreader Combination be awarded to Altruck International Trucks, Burlington Ontario, in the amount of \$543,907.20 (including non-recoverable H.S.T.) funded from 2011 Fleet Capital Project #11-24, Capital Budget account 005.05.006.032.1124; and

That the budgeted replacement of unit 408 included in Fleet Capital Project #11-24 be substituted for unit 413; and

That unit 509 be disposed of in accordance with the Town's Purchasing By-law, with the net proceeds of disposition to be transferred to the Fleet Replacement component of the Equipment Reserve, account 003.03.003.001.5008.

Carried.

11. REC-2011-002 re: Dorado Stars Swim Club Financial Compensation Update.

Moved by A. Thompson – Seconded by G. McClure

2011-352

That Report REC-2011-002 regarding Dorado Stars Swim Club Financial Compensation Update, be received; and

That Dorado receives use of the pool on Tuesday mornings from 6:00-7:30 am at no charge for the 2011-12 season; and

That the Town provides Dorado up to 2 hours of meeting room space at no charge for the purpose of dry-land training at a mutually agreeable time for the 2011-2012 season; and

That the Town provides Dorado with 3 pool lanes on Saturdays from 1-2 pm for the 2011-2012 season at no charge; and

That a Memo of Understanding be created between the Town and the Dorado Stars Swim Club for the 2011-2012 season by July 31, 2011, for the purposes of outlining, but not limited to, the following: Dorado's payment plan, expectation for future invoices, pool time allocation, cancellation policy, use of storage space; and

That staff provides a status update to Council in April 2012 that will include a financial update and a plan on how to address the demand for pool time at the Mayfield Recreation Complex as the membership at the club increases and the population grows; and

That Council enact a by-law authorizing the Mayor and Clerk to execute the Memorandum of Understanding with the Dorado Swim Club for the 2011-2012 season by July 31, 2011, for the purposes of outlining, but not limited to, the following: Dorado's payment plan, expectation for future invoices, pool time allocation, cancellation policy, use of storage space.

Carried.

NOTE: Council noted that Resolution 2011-352 was passed as a result of the loss of access to the pool during construction at the facility.

12. REC-2011-005 re: Caledon Golden Hawks Junior "C" Hockey Team - Annual Report.

Moved by N. deBoer – Seconded by R. Mezzapelli

2011-353

That Report REC-2011-005 regarding Caledon Golden Hawks Junior "C" Hockey Team - Annual Report be received; and

That Staff report to Council if there are issues with ice allocation or if the Junior "C" Team has additional requests associated with their operations.

Carried.

13. TC-2011-023 re: 1387903 Ontario Limited (Rochon Engineering) Release and Registration of Easement for Access to Stormwater Management Pond.

Moved by R. Mezzapelli – Seconded by G. McClure

2011-354

That Report TC-2011-023 regarding 1387903 Ontario Limited (Rochon Engineering) Release and Registration of Easement for Access to Stormwater Management Pond, be received; and

That Council enact a by-law:

1. authorizing the Mayor and Clerk to execute the necessary documents with respect to release of the easement ("existing easement") in favour of The Corporation of the Town of Caledon ("the Town") over the lands owned by 1387903 Ontario Limited legally described as Part Lot 9 on Plan 43M-1660 designated as Parts 1, 2 and 3 on Plan 43R-32310; and
2. authorizing the transfer of an easement ("new easement") from 1387903 Ontario Limited to The Corporation of the Town of Caledon over the lands legally described as Part Lot 9 on Plan 43M-1660 designated as Parts 1, 2 and 3 on Plan 43R-32310.

Carried.

14. TC-2011-024 re: Transfer of Funds to Toronto and Region Conservation Authority, Main Humber River, Bolton.

Moved by P. Foley – Seconded by R. Mezzapelli

2011-355

That Report TC-2011-024 regarding Transfer of Funds to Toronto and Region Conservation Authority, Main Humber River, Bolton, be received; and

That Council authorize the transfer to the Toronto and Region Conservation Authority of \$50,000 given to the Town of Caledon by River's Edge Bolton Ltd. for the purpose of remediating the erosion and implementing erosion control measures along the Main Humber River in Bolton as required.

Carried.

NOTE: Staff were requested to set up a meeting with the Conservation Authority regarding erosion control measures.

10. RECEIPT OF MINUTES

Moved by D. Beffort - Seconded by G. McClure

2011-356

That the minutes of the following meetings be adopted as written and distributed:

- Council Meetings held May 10, 2011, May 17, 2011 and May 25, 2011.
- Closed Council Meetings held May 10, 2011 and May 17, 2011.

And that the minutes of the following meetings be received as written and distributed:

- Caledon Environmental Advisory Committee Meeting held April 27, 2011.
- Committee of Adjustment Meeting held May 4, 2011.
- Heritage Caledon Meeting held May 9, 2011.
- Accessibility Advisory Committee Meeting held May 12, 2011.

Carried.

11. PROCLAMATIONS

1. Parks and Recreation Month – June 2011.

Moved by R. Mezzapelli – Seconded by D. Beffort

2011-357

Whereas the month of June is Recreation and Parks month; and

Whereas recreation programs, services and parks are vital to the Caledon community; and

Whereas municipalities across Ontario are encouraged to support and recognize the importance of health and well-being and being physically active through promotion of the use of recreation programs and parks; and

Whereas the Town of Caledon provides many opportunities through programs, recreation facilities and parks for individuals and families to be physically active and enjoy the beauty of our parks and trails;

Therefore be it resolved that the Town of Caledon hereby proclaims the month of June, 2011 to be "Parks and Recreation Month".

Carried.

2. Seniors' Month – June 2011.

Moved by P. Foley – Seconded by R. Mezzapelli

2011-358

Whereas Seniors' Month is an annual nation-wide celebration; and

Whereas seniors have contributed and continue to contribute immensely to the life and vibrancy of this community; and

Whereas seniors continue to serve as leaders, mentors, volunteers and important and active members of this community; and

Whereas their contributions past and present warrant appreciation and recognition and their stories deserve to be told; and

Whereas the health and well-being of seniors is in the interest of all and further adds to the health and well-being of the community; and

Whereas the knowledge and experience seniors pass on to us continues to benefit all;

Therefore be it resolved that the Town of Caledon hereby proclaims the month of June 2011 as "Seniors' Month".

Carried.

12. **CORRESPONDENCE PACKAGE**

1. Moved by D. Beffort – Seconded by G. McClure

2011-359

That the correspondence items as listed in the correspondence package for the May 31, 2011, Council meeting, be received; and

That the correspondence dated May 30, 2011 from Building Industry and Land Development Association regarding Motion to Review Fees for the Processing of Development Applications, Council Agenda, May 31, 2011, Item 10(ii) Notice of Motion; be received.

Carried.

13. **PUBLIC QUESTION PERIOD** – No one in attendance came forward.

14. **BY-LAWS**

Moved by N. deBoer – Seconded by R. Mezzapelli

2011-360

That the following by-laws be taken as read three times and finally passed in open council:

2011-065 To provide for exemptions to the Fence By-law 2005-36.

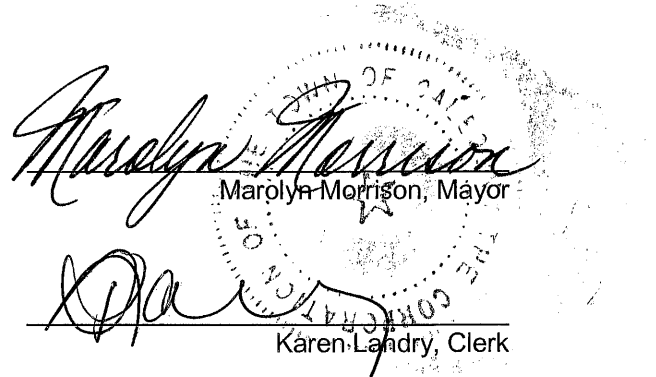
2011-066 To amend Comprehensive Zoning By-law 2006-50, as amended, with respect to Part of the East Half of Lot 21, Concession 2 E.H.S. (Chinguacousy), Town of Caledon, Regional Municipality of Peel.

- 2011-067 To authorize the Mayor and the Clerk to execute a Memorandum of Understanding with the Dorado Stars Swim Club.
- 2011-068 To authorize the release of an existing easement and transfer of a new easement in regard to 84 Simpson Road.
- 2011-069 To amend By-law 2009-088 (Procedural By-law), as amended.
- 2011-070 To confirm the proceedings of the May 31, 2011 Council Meeting.

Carried.

15. **ADJOURNMENT**

On verbal motion moved by Councillor Mezzapelli and seconded by Councillor Paterak, Council adjourned at 1:13 p.m.



Marilyn Morrison, Mayor

Karen Landry, Clerk