



Council Meeting Minutes
Tuesday, February 22, 2011
1:00 p.m.
Council Chambers, Town Hall

Mayor M. Morrison
D. Beffort
N. deBoer
P. Foley
G. McClure
R. Mezzapelli
R. Paterak
A. Thompson
R. Whitehead

Chief Administrative Officer: D. Barnes
Fire Chief: B. Bigrigg
Director of Public Works & Engineering: C. Campbell
Director of Planning & Development: M. Hall
Director/Chief Financial Officer/Deputy CAO: R. Kaufman
Town Counsel/Director: N. Koltun
Director of Administration/Town Clerk: K. Landry
Acting Legislative Administrator: L. Ricciuti
Director of Recreation: K. Scott
Legislative Services Supervisor/Deputy Clerk: D. Thompson
Treasurer: F. Wong

Other Staff Present Specific Items Only
Manager of Parks/Landscape Architect: B. Baird
Senior Development Planner: C. Blakely
Manager of By-law Enforcement & Property Standards: G. Blakely
Project Manager – Capital Assets: S. Brake
Senior Transportation Planner: K. Chawla
Solicitor: P. De Sario
Economic Development Officer: S. Dolson
Manager of Civic Properties: S. Doherty
Heritage Resource Officer: S. Drummond
Animal Control Services Supervisor: S. Forrest
Municipal Solicitor/Prosecutor: C. Grant
Manager of Development: S. Kirkwood
Manager of Finance: K. Kocialek
Acting Manager of Policy/Senior Policy Planner: T. Manley
Manager of Taxation: C. Mohr
Customer Service Supervisor/Deputy Clerk: D. Publow
Business Manager: W. Rowland
Energy and Environmental Co-ordinator: J. Schembri
Senior Manager, Capital Projects & Property Management: R. Trudeau

1. **CALL TO ORDER**

Mayor Morrison called the meeting to order at 1:10 p.m.

2. **APPROVAL OF AGENDA**

Moved by A. Thompson - Seconded by N. deBoer

2011-094

That the agenda for the February 22, 2011 Regular Council Meeting, as amended, be approved.
Carried.

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

4. **COUNCIL WORKSHOP** – None scheduled.

5. **CLOSED MEETING**

Council was in Closed Meeting from 1:12 p.m. to 1:47 p.m.

Moved by A. Thompson – Seconded by N. deBoer

2011-095

That Council shall go into closed session under Section 239 of the *Municipal Act* for the purpose of:

- Personal matters about an identifiable individual, including municipal or local board employees; and
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

Carried.

Moved by A. Thompson – Seconded by N. deBoer

2011-096

That Council move into open session.

Carried.

6. MATTERS ARISING FROM CLOSED MEETING

1. Confidential Report ADM-2011-011 re: Personal matters about an identifiable individual, including municipal or local board employees – Appointment to Caledon Environmental Advisory Committee.

Moved by P. Foley – Seconded by N. deBoer

2011-097

That Confidential Report ADM-2011-011 regarding an Appointment to the Caledon Environmental Advisory Committee, be received; and

That Council hereby appoints Paul Parete to the Caledon Environmental Advisory Committee from February 22, 2011 to November 30, 2014 or until such time as a successor has been appointed.

Carried.

2. Confidential Report LS-2011-003 re: Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Request to Waive Solicitor-Client Privilege, Appeal by Kaneff of NEC Refusal of Development Permit.

Moved by R. Paterak – Seconded by G. McClure

2011-098

That Confidential Report LS-2011-003 regarding Release of Council's Solicitor-Client Privilege regarding Closed Report affecting Appeal by Kaneff Properties Limited ("Kaneff") of Niagara Escarpment Commission ("NEC") Refusal of Development Permit, be received; and

That the waiving of solicitor-client privilege with regard to the release of Confidential Report PD-2005-69 be denied.

A recorded vote was requested and taken as follows:

<u>RECORDED VOTE</u>	<u>YES</u>	<u>NO</u>	<u>CONFLICT</u>	<u>ABSENT</u>
Councillor Beffort	X			
Councillor deBoer	X			
Councillor Foley	X			
Councillor McClure	X			
Mayor Morrison	X			
Councillor Paterak	X			
Councillor Mezzapelli	X			
Councillor Thompson	X			
Councillor Whitehead	X			
TOTAL	9			

Carried.

3. Confidential Report LS-2011-006 re: Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Heritage Designation of 12130 Albion-Vaughan Road – Legal Implications of the Ontario Heritage Act.

Moved by D. Beffort – Seconded by G. McClure

2011-099

That Confidential Report LS-2011-006 regarding Heritage Designation of 12130 Albion-Vaughan Road – Legal Implications of the Ontario Heritage Act, be received.

Carried.

7. PRAYER AND O CANADA

Councillor McClure opened the meeting with a prayer.

8. **SUMMARY OF ADDENDUM ITEMS**

Added Delegation Material (See D2).

Added Delegation – D2A – Rosemarie L. Humphries re: PD-2011-014 (See RB9).

Correction to Fee By-law Page 2, Page 5 and Page 20.

Correction to Roads Capital Reserve Fund By-law.

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

10. **INTRODUCTIONS OF NEW STAFF** – None.

11. **DELEGATIONS**

1. Mimi Lowi-Young and Joe McReynolds, Central West LHIN re: Update on Health Care Centre in Bolton.

Moved by A. Thompson – Seconded by P. Foley 2011-100

That the delegation of Mimi Lowi-Young and Joe McReynolds, LHIN regarding an update on Health Care Centre in Bolton, be received.

Carried.

2. Timothy Forster re: Request to Waive Privilege of Confidential Report PD-2005-69.

Moved by R. Paterak – Seconded by R. Whitehead 2011-101

That the delegation of Timothy Forster regarding Request to Waive Privilege of Confidential Report PD-2005-69, be received.

Carried.

3. Rosemarie L. Humphries, President, Humphries Planning Group Inc. re: PD-2011-014.

Moved by R. Paterak – Seconded by P. Foley 2011-102

That the delegation of Rosemarie L. Humphries, President, Humphries Planning Group Inc. regarding PD-2011-014, be received.

Carried.

4. Barbara Imrie, President, Albion Hills Community Farm and Learning Centre re: Introduction of Organization. ***Delegate to be rescheduled.***

12. **COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS**

12.1 Announcements:

The Mayor announced that Councillor Thompson has been acclaimed to the ROMA Board of Directors as the Zone 2 Representative.

12.2 Urgent Business - None.

12.3 Notices of Motion – printed with the agenda.

- (i) Councillor Paterak re: Fill By-law.

Moved by R. Paterak – Seconded by P. Foley 2011-103

Whereas the Town of Caledon regulates the placement of fill through its Fill By-law; and

Whereas the Fill By-law is under Review; and

Whereas the Town of Caledon under the current By-law protects the interests of the Town in regard to road damage by holding a letter of credit and performing visual inspections to determine if damage to the road has occurred; and

Whereas it is an accepted principle that heavy truck traffic shortens the life cycle of roads; and

Whereas it has been established elsewhere that soil movement fees are a sound way for municipalities to protect their interests;

Now therefore be it resolved that the Town of Caledon investigate the implementation of a per load per kilometer charge to be levied against those businesses that haul fill over Town of Caledon roads or have control over such haulers; and

Further that the Town of Caledon retain its provision of a letter of credit to cover catastrophic failure of a road or road section should that occur when fill is being hauled; and

Further be it resolved that the Conservation Authorities and Niagara Escarpment Commission be notified that they must receive written confirmation from the Town of Caledon that all fees and securities for hauling on the road have been received before a Fill placement permit can be issued under the Conservation Authority's regulations and by the Niagara Escarpment Commission, thereby ensuring that the interests of the Town of Caledon are protected.

Carried.

- (ii) Councillor deBoer re: Clarification regarding Resolution 2010-394 support for Girls Rep Hockey.

Moved by N. deBoer – Seconded by A. Thompson

2011-104

Whereas Council passed Resolution No. 2010-394 on June 22, 2010 to support the efforts to develop rep girls hockey in Caledon; and

Whereas the resolution referenced a specific Hockey Association; and

Whereas the intent of the resolution is to support the development of rep girls hockey without specific reference to the organizing association;

Now therefore be it resolved that the Town of Caledon supports the efforts to develop a rep girls hockey league.

Carried.

- (iii) Councillor Paterak re: Clarification regarding Resolution 2010-660 requesting establishment of working group to assist staff with seasonal outdoor ice rinks.

Moved by R. Paterak – Seconded by D. Beffort

2011-105

Whereas Council passed Resolution No. 2010-660 on December 14, 2010 with regard to seasonal outdoor skating rinks; and

Whereas the intent of the resolution is to establish a working group to assist staff with the establishment of operating standards relating to seasonal outdoor skating rinks throughout Caledon;

Now therefore be it resolved that a working group consisting of staff, Councillors Paterak and Thompson and Conservation Authority representatives be established to assist staff with the development of outdoor skating rinks; and

Further that staff report back to Council with recommendations to address seasonal outdoor rink operating standards and funding.

Carried.

12.5 Council Inquiries:

i) Rehabilitation Plans for Gravel Pits

Councillor Paterak advised that under OPA 161 the Town is required to establish a rehabilitation plan for the Caledon pit complex and expressed concern regarding the lack of Town involvement when the Ministry of Natural Resources is establishing rehabilitation plans. The Mayor noted that a meeting of the top 10 aggregate producing municipalities will be taking place at the upcoming ROMA Conference and will bring forward these concerns to the group.

ii) Orangeville/Brampton Railroad

Councillor Beffort noted that plans for re-opening of the Orangeville/Brampton Railroad are continuing and would like to receive information regarding its impacts on Caledon. Director of Public Works Craig Campbell advised that Dufferin municipalities are still in the review/discussion stage and will monitor the status.

iii) O Canada

Councillor Beffort requested staff to obtain a vocal version of O Canada for Council Meetings.

13. REGULAR BUSINESS

1. ADM-2011-003 re: Accessibility Audit Report.

Moved by R. Whitehead – Seconded by R. Paterak 2011-106

That Report ADM-2011-003 regarding the Accessibility Audit Report, be received. Carried.

2. ADM-2011-008 re: Customer Service – Fourth Quarter and Year End 2010 Statistical Report.

Moved by A. Thompson – Seconded by R. Whitehead 2011-107

That Report ADM-2011-008 regarding Customer Service Statistical Report – Fourth Quarter 2010 and Year End Report, be received. Carried.

NOTE: Staff were requested to work with the Region of Peel Health department regarding bi-annual inspections and associated fees.

3. ADM-2011-009 re: By-law Enforcement – Fourth Quarter and Year End 2010 Statistical Report.

Moved by N. deBoer – Seconded by R. Whitehead 2011-108

That Report ADM-2011-009 regarding By-law Enforcement Statistical Report – Fourth Quarter 2010 and Year End Report, be received. Carried.

NOTE: Staff were requested to develop an awareness program related to parking regulations which includes working with the school board regarding parking on school property.

NOTE: Staff were requested to hold a Council Workshop on the fill by-law.

4. CS-2011-007 re: Delegation of Tax Ratio Setting Authority under Section 310 of the Municipal Act.

Moved by A. Thompson – Seconded by R. Paterak 2011-109

That Report CS-2011-007, regarding the Delegation of Tax Ratio – Setting Authority under Section 310 of the *Municipal Act, 2001* be received; and

That Council consent to the enactment of a Regional by-law delegating tax ratio setting from the Region of Peel to the Cities of Mississauga and Brampton and the Town of

Caledon, in accordance with section 310 of the *Municipal Act, 2001*, for the 2011 property tax year.

Carried.

5. CS-2011-008 re: 2011 Fee By-law.

Moved by A. Thompson – Seconded by R. Whitehead

2011-110

That Report CS-2011-008 regarding Caledon's 2011 Fee By-law be received; and

That Council enact a by-law establishing fees under the Municipal Act; and

That Council enact a separate by-law establishing fees under the Planning Act; and

That Council enact a by-law establishing a Roads Capital Reserve Fund for the purpose of investing the net proceeds from the Fill-Heavy Truck Load Road Use fee back to repair and rehabilitate Roads.

Carried.

6. LS-2011-007 re: Consolidation of Traffic By-law.

Moved by A. Thompson – Seconded by G. McClure

2011-111

That Report LS-2011-007 regarding Consolidation of Traffic By-law, be received; and

That Council enact the consolidated Traffic By-law.

Carried.

7. PD-2011-008 re: Proposed Rezoning Application, Part Lots 4 & 5, Concession 6, Being Parts 5, 6 & 9, Plan 43R-22425 and Block 6, Plan 43M-968, Save & Except Parts 27 & 28, Plan 43R-30545 (Albion), East Side of Coleraine Drive, Applicant: Giuseppe DiMillo (formerly Dibco Underground Limited) & Gateview Investments Inc., File No: RZ 04-12 (Associated Files 21T-98003 & M-968).

Moved by N. deBoer – Seconded by R. Whitehead

2011-112

That Report PD-2011-008 regarding Proposed Rezoning Application, Part Lots 4 & 5, Concession 6, being Parts 5, 6 & 9, Plan 43R-22425 and Block 6, Plan 43M-968, save & except Parts 27 & 28, Plan 43R-30545 (Albion) east side of Coleraine Drive, Applicant: Giuseppe DiMillo (formerly Dibco Underground Limited) & Gateview Investments Inc., File No.: RZ 04-12 (Associated Files 21T-98003 & M-968) be received; and

That Council enact a By-law to rezone the subject lands from Prestige Industrial Exception 309 and 310 (MP-309 & MP-310) to Prestige Industrial Exception 489 (MP-489) and Prestige Industrial Exception 490 (MP-490) and Environmental Policy Area 1 (EPA 1).

Carried.

8. PD-2011-010 re: Highway 427 Extension – Ministry of Transportation Southern Ontario Highways Program 2010-2014.

Moved by R. Paterak – Seconded by A. Thompson

2011-113

That Report PD-2011-010 regarding Highway 427 Extension -Ministry of Transportation Southern Ontario Highways Program 2010-2014 be received; and

That the Minister of Transportation be requested to amend the Southern Ontario Highways Program 2010-2014 to include the Highway 427 Extension from Highway 7 to Major Mackenzie Drive; and

That the Ministry of Transportation be requested to initiate a planning study to examine a possible future extension of Highway 427 to at least as far north as Highway 9 to meet longer-term needs; and

That a copy of Report PD-2011-010 and the resulting Council resolution be forwarded to the Ministry of Transportation, the Regions of Peel & York and the Cities of Brampton, Mississauga & Vaughan.

Carried.

9. PD-2011-014 re: Update on Recommendation for Heritage Designation – 12130 Albion-Vaughan Road.

Moved by N. deBoer – Seconded by R. Whitehead 2011-114

That Report PD-2011-014 regarding Update on Recommendation for Heritage Designation – 12130 Albion-Vaughan Road, be referred back to staff for the purpose of discussing with the owner of the property alternative solutions to preserve the building; and

That staff seek a letter of undertaking as agreed to by the delegate Rosemarie L. Humphries, from the solicitor for the owner by February 23, 2011 to the Town setting out that they will not seek a demolition permit prior to Council considering a staff report on alternative solutions to preserve the building.

Carried.

10. PD-2011-017 re: Official Plan Amendment No. 179: Agency and Public Consultation.

Moved by A. Thompson – Seconded by R. Whitehead 2011-115

That Report PD-2011-017 regarding Official Plan Amendment No. 179: Agency and Public Consultation be received.

Carried.

11. PD-2011-018 re: 2011 Green Electricity Certificates.

Moved by R. Paterak – Seconded by R. Whitehead 2011-116

That Report PD-2011-018 regarding 2011 Green Electricity Certificates, be received; and

That Council direct Staff to extend the current agreement with Direct Energy to supply the Town of Caledon with green electricity certificates; and

That Council enact a by-law to authorize the Mayor and Clerk to execute a Green Electricity contract with Direct Energy Business Services.

Carried.

12. PW-2011-002 re: Trails Masterplan Update.

Moved by A. Thompson – Seconded by N. deBoer 2011-117

That Report PW-2011-002 Trails Masterplan Update be received; and

That Council receive the updated Trails Masterplan; and

That Council direct staff to bring the Trails Masterplan back to the regular Council meeting of March 8, 2011 for consideration of adoption.

Carried.

NOTE: Staff were requested to include timelines associated with various actions of the plan.

13. PW-2011-004 re: Community Event Development Fund Activity 2010.

Moved by N. deBoer – Seconded by P. Foley 2011-118

That Report PW-2011-004 regarding the Community Event Development Fund, be received; and

That Councillor deBoer, Councillor Thompson and Councillor Paterak be appointed to the Community Event Development Fund; and

That the committee meets early in 2011 to review the Community Event Development Fund policy and application review process.

Carried.

14. RECEIPT OF MINUTES

Moved by R. Paterak - Seconded by P. Foley 2011-119

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

- Council Meeting February 1, 2011 and Budget Meeting held February 1, 2011.
- Closed Council Meeting held February 1, 2011.

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

- Heritage Caledon Meeting held January 10, 2011.
- Caledon Environmental Advisory Committee Meeting held January 26, 2011.

Carried.

15. PROCLAMATIONS

1. International Women's Week – March 7-14, 2011.

Moved by P. Foley – Seconded by A. Thompson 2011-120

Whereas, women's artistic, economic, innovative, political, and social contributions to our communities locally and internationally must be respected, valued, and celebrated; and

Whereas, any and all progress toward equality for women requires the understanding and appreciation of the "her-stories" of all the women's movements in our past; and

Whereas, women, in all of their diversity of background and experience, continue to challenge the many barriers against equality by finding and using their own power; and

Whereas, the people of our community have established a caring and compassionate society in which everyone has the right to live with dignity, peace and respect; and

Whereas, women and men must fight together to promote equality, fairness, diversity, accessibility, and anti-oppression and anti-discrimination practices to improve the lives of all persons in our communities; and

Whereas, we commit to challenge ourselves as well as the structures and systems that contribute to the practice and maintenance of discrimination, exploitation, oppression, and violence against women;

Therefore be it resolved that the Town of Caledon Proclaim March 8, 2011 to be the 100th Anniversary of International Women's Day and the week of March 7th to March 14th to be International Women's Week in the Town of Caledon.

Carried.

16. CORRESPONDENCE PACKAGE

1. Moved by R. Paterak – Seconded by R. Whitehead 2011-121

That the correspondence items as listed in the correspondence package for the February 22, 2011, Council meeting, be received; and

That the letters from Liz Shaughnessy and Martin Headland be referred back to staff.

Carried.

NOTE: Staff were requested to prepare a report summarizing the Land Use Planning Guide for Businesses.

17. PUBLIC QUESTION PERIOD – No one in attendance came forward.

18. **BY-LAWS**

Moved by A. Thompson – Seconded by P. Foley

2011-122

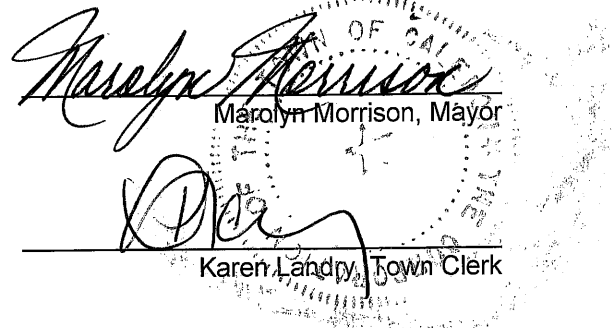
That the following by-laws be taken as read three times and finally passed in open council:

- 2011-017 To establish a Roads Capital Reserve Fund.
- 2011-018 To impose certain fees or charges for services provided by the Town of Caledon and to repeal By-laws Nos. 2010-048 and 2010-131, as amended.
- 2011-019 To establish and require payment of various fees and charges for planning applications and to repeal By-law No. 2010-003, as amended.
- 2011-020 To regulate the use of highways and parking on highways and to repeal certain by-laws.
- 2011-021 To amend Comprehensive Zoning By-law 2006-50, as amended, with respect to lands located in Part Lots 4 and 5, Concession 6 (Albion) designated as Parts 5, 6 and 9 on Plan 43R-22425 and Block 6, Plan 43M-968, save and except Parts 27 and 28, Plan 43R-30545, Town of Caledon, Regional Municipality of Peel.
- 2011-022 To authorize the Mayor and Clerk to execute an agreement between The Corporation of the Town of Caledon and Direct Energy Marketing Limited operating as Direct Energy Business Services.
- 2011-023 To amend By-law 2010-028 to increase the amount of tax reduction against real property taxes.
- 2011-024 To exempt Blocks 54 and 56 and Plan 43M-1824 from the part lot control provisions of the Planning Act.
- 2011-025 To confirm the proceedings of the February 22, 2011 Council Meeting.

Carried.

19. **ADJOURNMENT**

On verbal motion moved by Councillor Foley and seconded by Councillor McClure, Council adjourned at 6:08 p.m.



Marilyn Morrison, Mayor

Karen Landry, Town Clerk