

Council Meeting Minutes Tuesday, June 28, 2011 9:30 a.m. Council Chambers, Town Hall

Mayor M. Morrison D. Beffort N. deBoer (Absent – Personal Business) 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: C. Campbell Director of Development Approval & Planning Policy: M. Hall Corporate Communications 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 Director of Recreation: K. Scott Treasurer: F. Wong

Other Staff Present Specific Items Only Manager of Parks/Landscape Architect: B. Baird Assistant District Chief: P. Bebbington Manager, By-law Enforcement & Property Standards: G. Blakely Senior Planner: E. Conley Senior Animal Control/Licensing Officer: S. Forrest Articling Student: M. Gauthey Manager of Development: S. Kirkwood Manager of Finance: K. Kocialek Community Development Planner: B. Lauder Captain: D. Lyons Student, Administration: E. McCannel Senior Financial Analyst: R. Oullette Environmental Progress Officer: S. Peckford Energy and Environmental Coordinator: J. Schembri Administration Assistant: M. Tennant Legislative Services Supervisor/Deputy Clerk: D. Thompson Senior Policy Planner: M. Williams Manager of Policy & Sustainability: H. Xu

# 1. <u>CALL TO ORDER</u>

Mayor Morrison called the meeting to order at 9:37 a.m.

# 2. <u>APPROVAL OF AGENDA</u>

## Moved by R. Mezzapelli - Seconded by R. Paterak

That the agenda for the June 28, 2011 Regular Council Meeting, be approved as amended.

Carried.

# 3. DISCLOSURE OF PECUNIARY INTEREST

(i) Councillor McClure disclosed a pecuniary interest with respect to regular business item 5, Report DP-2011-016 as he is a property owner in the area. He vacated his seat at the table and did not partake in any discussion or voting on this matter.

### 4. CLOSED MEETING

Council was in Closed Meeting from 9:39 a.m. to 10:53 a.m.

2011-396

#### Moved by R. Paterak - Seconded by R. Mezzapelli

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

- A proposed or pending acquisition or disposition of land by the municipality or local board:
  - Confidential Report TC-2011-028 1544215 Ontario Limited, Purchase of Town Lands, Part of Lot 4, Concession 6 (Albion), Designated as Parts 5 to 9 on Plan 43R-32354, Highway 50 and McEwan Drive, Bolton.
- Personal matters about an identifiable individual, including municipal or local board employees:
  - Confidential Verbal Report from Director of Recreation Department organization.
  - Confidential Verbal Report from CAO Organizational Structure Updates.
  - Confidential Verbal Report from CAO Employee matter.

Moved by R. Paterak - Seconded by R. Mezzapelli 2011-398 That Council move into open session. Carried. Council was in Closed Meeting from 12:35 p.m. to 1:10 p.m. Moved by A. Thompson - Seconded by R. Mezzapelli 2011-399

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: Confidential Verbal Report from CAO – Employee matter.

2011-400 Moved by R. Mezzapelli – Seconded by A. Thompson That Council move into open session. Carried.

#### 5. MATTERS ARISING FROM CLOSED MEETING

1. Confidential Report TC-2011-028 re: A proposed or pending acquisition or disposition of land by the municipality or local board - 1544215 Ontario Limited, Purchase of Town Lands, Part of Lot 4, Concession 6 (Albion), Designated as Parts 5 to 9 on Plan 43R-32354, Highway 50 and McEwan Drive, Bolton.

2011-401 Moved by P. Foley - Seconded by R. Mezzapelli

That Confidential Report TC-2011-028 regarding the proposed purchase of Caledon lands by 1544216 Ontario Limited, be received; and

That Council enact a by-law declaring as surplus lands legally described as Part of Lot 4, Concession 6 (Albion), more particularly described as Parts 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 on Plan 43R-32354, in the Town of Caledon, in the Regional Municipality of Peel and located at the intersection of Highway 50 and McEwan Drive in Bolton; and

That Council enact a by-law authorizing the Mayor and Clerk to execute an Agreement of Purchase and Sale with 1544216 Ontario Limited for the purchase of lands described as Part of Lot 4, Concession 6 (Albion), more particularly described 5, 6, 7, 8, 9 on Plan 43R-32354 in the Town of Caledon, in the Regional Municipality of Peel, at a purchase price of \$120,000 subject to the conditions outlined in Report TC-2011-028; and

That Council enact a by-law authorizing

a. The transfer of lands more particularly described as Parts 5, 6, 7, 8, 9 on Plan 43R-32354 to 1544216 Ontario Limited

2011-397

Carried

- b. The transfer of lands more particularly described as Parts 10, 11, 12, 13, 14 and 15 on Plan 43R-32354 to the Regional Municipality of Peel; and
- c. The Mayor and Clerk to execute all necessary documents with respect to the transfer of lands described as Part of Lot 4, Concession 6 (Albion), more particularly described as Parts 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 on Plan 43R-32354, in the Town of Caledon, in the Regional Municipality of Peel to 1544216 Ontario Limited and to the Regional Municipality of Peel; and

That Council authorize the Town Treasurer to deposit the net proceeds of the sale into the Sale of Surplus Lands Reserve Fund.

Carried.

2011-402

Carried.

2. Confidential Verbal Report from Director of Recreation re: Personal matters about an identifiable individual, including municipal or local board employees – Department organization.

## Moved by R. Paterak – Seconded by A. Thompson

That Confidential Verbal Report from Director of Recreation regarding personal matters about an identifiable individual, including municipal or local board employees – Department organization, be received.

3. Confidential Verbal Report from CAO re: Personal matters about an identifiable individual, including municipal or local board employees – Organizational Structure Updates.

Moved by R. Paterak – Seconded by A. Thompson

That Confidential Verbal Report from CAO regarding personal matters about an identifiable individual, including municipal or local board employees – Organizational Structure Updates, be received.

4. Confidential Verbal Report from CAO re: Personal matters about an identifiable individual, including municipal or local board employees – Employee matter.

Moved by A. Thompson – Seconded by R. Paterak

That Confidential Verbal Report from CAO regarding personal matters about an identifiable individual, including municipal or local board employees – Employee Matter, be received.

Carried.

2011-404

# 6. PRAYER AND O CANADA

Councillor Beffort opened the meeting with a prayer.

# 7. SUMMARY OF ADDENDUM ITEMS

Introduction of New Staff

1. Haiqing Xu, Manager of Policy & Sustainability. (Mary Hall)

Added Delegation Material

D1. 10:45 a.m. Marilyn Friedmann, Chief Development Officer, United Way of Peel Region re: Goals, Awareness and Understanding.

# 8. DISCLOSURE OF PECUNIARY INTEREST

See 3(i).

2011-403

## 9. INTRODUCTIONS OF NEW STAFF

1. Mary Hall introduced Haiqing Xu, Manager of Policy & Sustainability.

### 10. DELEGATIONS

1. Marilyn Friedmann, Chief Development Officer, United Way of Peel Region re: Goals, Awareness and Understanding.

Moved by R. Mezzapelli – Seconded by A. Thompson

That the delegation of Marilyn Friedmann, Chief Development Officer, United Way of Peel Region regarding Goals, Awareness and Understanding, be received.

Carried.

2011-405

- 2. An opportunity will be given to those who wish to address the Tax Collectors' Roll Adjustments **No one in attendance came forward.**
- 3. Jerry Gorman re: Proposal for a multi-use trail system in Wards 4 and 5.

#### Moved by R. Mezzapelli – Seconded by P. Foley

2011-406

That the delegation of Jerry Gorman regarding Proposal for a multi-use trail system in Wards 4 and 5, be received.

NOTE: Council requested that a meeting be set up with staff, Region and Conservation Authorities to discuss this issue.

4. Brian Sutherland, Senior Planner, Glen Schnarr & Associates re: RZ 08-19 Chohan.

<u>Moved by A. Thompson – Seconded by P. Foley</u>

That the delegation of Brian Sutherland, Senior Planner, Glen Schnarr & Associates regarding RZ 08-19 Chohan, be received.

Carried.

2011-407

#### 11. COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS

- 11.1 Announcements None.
- 11.2 Urgent Business None.
- 11.3 Notices of Motion printed with the agenda.
- 11.4 Notices of Motion presented at meeting.
  - (i) Councillor Foley presented a Motion regarding the Bolton Train.
- 11.5 Council Inquiries:
  - (i) Enbridge Gas

Councillor Mezzapelli referred to the presentation made at a previous Council meeting by Enbridge regarding Drain Water Recovery.

Councillor Mezzapelli advised that Brookfield Homes will be receiving the Drain Water Recovery units.

(ii) Old School Road

Councillor Thompson complimented the Public Works Department regarding the work completed on Old School Road between Dixie and Bramalea.

(iii) Inglewood

Mayor Morrison advised that on Inglewood Day it came to her attention the poor condition of the side of road near the park.

Craig Campbell advised that Public Works will look into this.

Councillor Beffort requested staff look at drainage issues in the same location.

(iv) Illegal Operation

Mayor Morrison advised that a company has opened and is operating illegally at Dixie and Mayfield (Brampton side). The Mayor will follow up on this matter directly.

# 12. REGULAR BUSINESS

1. ADM-2011-015 re: Caledon Animal Shelter Capital Funding Re-Allocation.

Moved by R. Paterak – Seconded by R. Mezzapelli

2011-408

That Report ADM-2011-015 regarding Caledon Animal Shelter Capital Funding allocation, be received; and

That the Animal Shelter HVAC Replacement capital project, in the amount of \$55,000, and the Animal Shelter Security Upgrades capital project, in the amount of \$12,000, be added to the 2011 Capital Budget, funded from the Capital Tax Levy Reserve Fund.

Carried.

2011-409

2. ADM-2011-040 re: Satellite Business Center Agreement.

Moved by R. Paterak – Seconded by D. Beffort

That Report ADM-2011-040 regarding the Satellite Business Centre Agreement to operate the Caledon Small Business Enterprise Centre be received; and

That Council enact a by-law authorizing the Mayor and Clerk to execute a two (2) year Agreement with an option to extend for an additional two (2) years upon mutual consent, between the Town of Caledon and the City of Brampton, funded from the Economic Development operating budget account 185.857.001.2379.

Carried.

3. CS-2011-034 re: Tax Collectors Roll Adjustments.

Moved by R. Paterak – Seconded by R. Mezzapelli

2011-410

That Report CS-2011-034 regarding Tax Collectors roll adjustments, be received; and

That the Treasurer be authorized to make such tax adjustments as may be necessary in order to adjust the 2008, 2009, 2010 and 2011 tax collector's rolls as follows:

ROLL NUMBER	2008	2009	2010	2011	Grand Total
010.003.07100				(2,267.01)	(2,267.01)
010.009.03300			(1,767.67)		(1,767.67)
010.010.09500			(1,432.93)	(1,470.70)	(2,903.63)
030.002.22120		(157.66)	(213.21)	(269.27)	(640.14)
070.001.05410	(23,129.22)	(24,003.62)			(47,132.84)
130.006.22420			(131.16)		(131.16)
130.010.07000			(163.09)		(163.09)
Grand Total	(23,129.22)	(24,161.28)	(3,708.06)	(4,006.98)	(55,005.54)

4. CS-2011-038 re: Amendments to Town of Caledon Development Charge By-law No. 2009-090.

Moved by R. Mezzapelli – Seconded by A. Thompson 2011-411

That Report CS-2011-038 regarding Amendments to Town of Caledon Development Charge By-law No. 2009-090 be received; and

That the May 16, 2011 Development Charge Background Study, prepared by Watson & Associates Economists Ltd., be adopted; and

That the Town of Caledon's Development Charges By-law No. 2009-090 be amended as outlined in the May 16, 2011 Development Charge Background Study, prepared by Watson & Associates Economists Ltd.

A recorded vote was requested and taken as follows:

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Beffort	Х			
Councillor deBoer				Х
Councillor Foley	Х			
Councillor McClure	Х			
Mayor Morrison	Х			
Councillor Paterak	Х			
Councillor Mezzapelli	Х			
Councillor Thompson	Х			
Councillor Whitehead	Х			
TOTAL	8			1

Carried.

- NOTE: Staff advised that under the Legal implications section (page 6) of the report should read the 7<sup>th</sup> day of August 2011 not 2<sup>nd</sup> day of August, 2011.
- 5. DP-2011-016 re: Mayfield West Phase 2 Secondary Plan, Retainer of STLA Design Strategies.

See Item 3(i) regarding Disclosure of Pecuniary Interest – Councillor McClure.

Moved by A. Thompson – Seconded by P. Foley

2011-412

That Report DP-2011-016, Mayfield West Phase 2 Secondary Plan Retainer of STLA Design Strategies be received; and

That the revised cost estimate of \$611,016 for Development Approval & Planning Policy's 2011 Capital Project 11-92 - Mayfield West Phase 2 – West be approved and the increase of \$165,209 be funded from the Mayfield Station Developer Group; and

That the revised cost estimate of \$124,206 for Development Approval & Planning Policy's 2011 Capital Project 11-93 - Mayfield West Phase 2 – East be approved and the increase of \$39,287 be funded from the Town's Development Charges (Studies) Reserve Fund, in the amount of \$18,072 (46%), and the Capital Tax Levy Reserve Fund, \$21,215 (54%); and

That Council enact a by-law authorizing the Mayor and Clerk to enter into and execute an agreement with STLA Design Strategies in regard to the preparation of a community design and sustainability plan for the Mayfield West Phase 2 Secondary Plan, pursuant to terms of reference contained in a proposal which was issued on February 4, 2011, in the amount of \$230,995, inclusive of non-recoverable HST, funded from Development Approval & Planning Policy capital projects 11-92 and 11-93 in the amounts of \$182,486 and \$48,509, respectively; and

That Council enact a by-law authorizing the Mayor and Clerk to enter into and execute an amendment to the Funding Agreement for the Mayfield West Phase 2 Secondary Plan with the Mayfield Station Developers Group made the 4<sup>th</sup> day of March 2008; and

That Council direct the Development Approval & Planning Policy Department to prepare terms of reference for the purpose of retaining an external land use planning expert for the Mayfield West Phase 2 Secondary Plan; and

That Council direct the Purchasing & Risk Management Division to issue a request for proposal, in accordance with Town of Caledon By-law 2009-151 Purchasing Policy, for the purpose of retaining an external land use planning expert for the Mayfield West Phase 2 Secondary Plan with an upset limit of \$26,702, inclusive of non-recoverable HST, funded from Development Approval & Planning Policy capital projects 11-92 and 11-93 in the amounts of \$21,094 and \$5,608, respectively.

A recorded vote was requested and taken as follows:

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Beffort	Х			
Councillor deBoer				Х
Councillor Foley	X			
Councillor McClure			X	
Mayor Morrison	X			
Councillor Paterak	X			
Councillor Mezzapelli	X			
Councillor Thompson	Х			
Councillor Whitehead	Х			
TOTAL	7		1	1

Carried.

NOTE: It was suggested that this area should consist of low impact development.

6. DP-2011-045 re: 2011 First Quarter (Q1) (January 1, 2011 to March 31, 2011) Department Application and Revenue Update.

Moved by P. Foley – Seconded by R. Paterak

That Report DP-2011-045 regarding the Development Approval & Planning Policy Department 2011 first quarter (Q1) January 1, 2011 to March 31, 2011 Application and Revenue Update, be received.

Carried.

2011-414

7. DP-2011-051 re: Proposed Zoning By-law Amendment & Heritage Designation By-law Amendment, 6259901 Canada Inc. (Bill Chohan), 13941 Airport Road, Sandhill, Part of Lot 10, Concession 1 (Albion), Ward 2, File Number: RZ 08-19.

Moved by A. Thompson – Seconded by G. McClure

That Report DP-2011-051 regarding Proposed Zoning By-law Amendment & Heritage Designation By-law Amendment, 6259901 Canada Inc. (Bill Chohan), 13941 Airport Road, Sandhill, Part of Lot 10, Concession 1 (Albion), Ward 2, File Number: RZ 08-19, be received; and

That Council enact a By-law to amend By-law 83-116 to revise the legal description of the property, known as the Master's House which is located at 13941 Airport Road, Sandhill and identified as Item 2 on Schedule "A" to By-law 83-116; and

That Council direct staff to provide a copy of the amended by-law to the owner of the property and to the Ontario Heritage Trust, and register the by-law against the property in accordance with the provisions of the *Ontario Heritage Act*; and

That Council enact a By-law to amend Zoning By-law 2006-50, as amended, to rezone the subject property from Rural Residential (RR) to Highway Commercial – Exception 510 (CH – 510) in order to permit primarily small scale highway commercial uses and limited industrial uses.

2011-413

A recorded vote was requested and taken as follows:

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Beffort	Х			
Councillor deBoer				Х
Councillor Foley	Х			
Councillor McClure	Х			
Mayor Morrison	Х			
Councillor Paterak	X			
Councillor Mezzapelli	Х			
Councillor Thompson	Х			
Councillor Whitehead	X			
TOTAL	8			1

Carried.

# 8. DP-2011-055 re: Peel Climate Change Strategy.

#### Moved by R. Paterak - Seconded by R. Mezzapelli

2011-415

That Report DP-2011-055 regarding the Peel Climate Change Strategy, be received; and

That Council direct staff to participate in the development of an implementation strategy; and

That Council direct staff to include the Peel Climate Change Strategy's recommendations within the Town's forthcoming Community Climate Change Action Plan and consider associated costs, as unmet needs, during the formulation of the Town of Caledon's 2012 Budget.

Carried.

#### 9. FES-2011-005 re: Fire & Life Safety Trailer.

Moved by A. Thompson – Seconded by R. Mezzapelli

2011-416

That Report FES-2011-005 regarding the purchase of a Fire & Life Safety Trailer, be received; and

That Council approves the addition of a Fire & Life Safety Trailer capital project, in the amount of \$50,000, to the 2011 Capital Budget, to be funded from fundraising initiatives co-ordinated by the Cheltenham Firefighters Association; and

That no expenditures on the Fire & Life Safety Trailer project be authorized until the \$50,000 from donations or actual amount required for the purchase of the trailer, is received; and

That surplus donated funds, if any, at the end of the project be directed to a future public education project of Caledon Fire & Emergency Services; and

That Council enact a by-law authorizing the Mayor and Clerk to execute a Memorandum of Understanding between the Cheltenham Firefighters Association and the Town of Caledon for the purpose of acknowledging the donation of the Cheltenham Firefighters Association in respect of the Fire & Life Safety Trailer and the respective responsibilities of the Association and the Town of Caledon in the project.

A recorded vote was requested and taken as follows:

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Beffort	Х			
Councillor deBoer				Х
Councillor Foley	Х			
Councillor McClure	Х			
Mayor Morrison	Х			
Councillor Paterak	Х			
Councillor Mezzapelli	Х			
Councillor Thompson	Х			
Councillor Whitehead	Х			
TOTAL	8			1

10. PW-2011-020 re: Award of Contract No. 2011-29, Asphalt Repairs of Various Roads.

Moved by R. Paterak - Seconded by D. Beffort

2011-417

That Report PW-2011-020, Award of Request For Tender 2011-29, Asphalt Repairs of Various Roads be received; and

That Request For Tender 2011-29 be awarded to Graham Bros. Construction Limited in the amount of \$861,149.84 (inclusive of non-refundable H.S.T.); to be funded from Public Works capital project 11-01 – Roads Reconstruction and Rehabilitation in the amount of \$778,260.78, capital project 11-10 – Layby Parking, McDonald Street, Inglewood in the amount of \$24,883.32, and General Governance and Administration's capital project 11-89 - Animal Shelter parking lot and sidewalk reconstruction in the amount of \$58,005.74; and

That the budget shortfall, in the amount of \$4,396.82, in Public Works capital project 11-10 – Layby Parking, McDonald Street, Inglewood be funded from the 2011 Roads Reconstruction and Rehabilitation capital project 11-01 (capital tax levy reserve portion of funding); and

That the budget shortfall, in the amount of \$2,005.74, in General Governance and Administration capital project 11-89 – Repaving of the Animal Shelter parking lot be funded from the capital tax levy reserve.

Carried.

# 13. RECEIPT OF MINUTES

Moved by P. Foley - Seconded by R. Mezzapelli

2011-418

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

- Council Meeting held June 14, 2011.
- Closed Council Meeting held June 14, 2011.

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

- Caledon Environmental Advisory Committee Meetings held May 25, 2011 and June 22, 2011.
- Heritage Caledon Meeting held June 13, 2011.
- Caledon Councillors Community Golf Tournament Committee Meeting held June 14, 2011.

That Council adopts recommendation number CEAC-2011-020 and authorizes the submission of the comments regarding the GTA West Corridor Draft Transportation Development Strategy prepared by CEAC to MTO.

Carried.

# 14. CORRESPONDENCE PACKAGE

#### 1. <u>Moved by D. Beffort – Seconded by P. Foley</u>

That the correspondence items as listed in the correspondence package for the June 28, 2011, Council meeting, be received. Carried.

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

### 16. <u>BY-LAWS</u>

Moved by D. Beffort – Seconded by P. Foley

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

2011-080 To declare certain lands surplus and to authorize the conveyance of certain lands to 1544216 Ontario Ltd. and of an easement to The Regional Municipality of Peel.

2011-420

2011-419

- 2011-081 To authorize the Mayor and Clerk to execute an agreement with the City of Brampton regarding the Caledon Satellite Business Centre.
- 2011-082 To impose and provide for certain exemptions and discounts in regard to the payment of development charges.
- 2011-083 To execute an agreement between The Corporation of the Town of Caledon and STLA Design Strategies.
- 2011-084 To execute an amendment to a funding agreement between The Corporation of the Town of Caledon and the Mayfield Station Developers Group.
- 2011-085 To amend Comprehensive Zoning By-law 2006-50, as amended, with respect to Part of Lot 10, Concession 1 (Albion), Town of Caledon, Regional Municipality of Peel, municipally known as 13941 Airport Road.
- 2011-086 To amend Schedule "A" of By-law Number 83-116 being a by-law to designate properties as being of historical and architectural value or interest under Section 29 of the Ontario Heritage Act, 1974.
- 2011-087 To authorize the Mayor and the Clerk to execute a Memorandum of Understanding with the Cheltenham Firefighters Association.
- 2011-088 To exempt Blocks 6 on Plan 43M-968 from the part lot control provisions of the *Planning Act.*
- 2011-089 To exempt Lot 1 on Plan 43M-1659 from the part lot control provisions of the *Planning Act.*
- 2011-090 To confirm the proceedings of the June 28, 2011 Council Meeting.

Carried.

NOTE: A correction to By-law 2011-086 since the printing of the agenda was noted.

# 17. ADJOURNMENT

On verbal motion moved by Councillor Thompson and seconded by Councillor Paterak, Council adjourned at 2:27 p.m.

andry, Clerk Karen