



Council Meeting Minutes
Tuesday, April 30, 2013
9:30 a.m.
Council Chambers, Town Hall

Mayor M. Morrison
D. Beffort
N. de Boer
P. Foley
G. McClure (left at 3:59 p.m.)
R. Mezzapelli
R. Paterak
A. Thompson
R. Whitehead (absent 2:09 p.m. to 3:28 p.m. – Personal Business)

Chief Administrative Officer: D. Barnes
Director of Public Works: C. Campbell
Director of Development Approval & Planning Policy: M. Hall
Fire Chief: T Irwin
Council/Committee Co-ordinator: B. Karrandjas
Director/Chief Financial Officer/Deputy CAO: R. Kaufman
Manager of Economic Development: N. Lingard
Director of Human Resources: J. Porter
Director of Parks & Recreation: K. Scott
Legislative Services Manager/Deputy Clerk: D. Thompson
Treasurer: F. Wong

Other Staff Present Specific Items Only

Manager of Development: C. Blakely
Web Editor/Graphic Designer: R. Boyington
Manager of Finance: H. Bryers
Manager Regulatory Services: L. Butko
Solicitor/Manager of Planning Law: P. de Sario
Manager of Legal Services/Solicitor: C. Grant
Accessibility, Election and Special Projects Manager: L. Hall
Senior Financial Analyst: K. Jackson
Manager of Development: R. Hughes
Administrative Assistant: B. Johnson
Student, PW: C. Johnson
Senior Policy Advisor: B. Johnston
Financial Analyst: E. Lane
Community Development Planner: E. Leung
Senior Financial Analyst: P. Li
Senior Policy Planner: T. Manley
Community Development Planner: S. McVittie
Senior Development Planner: M. Nordstrom
Manager of Energy & Environment: S. Peckford
Economic Development Officer: B. Roberts
Municipal Energy Conservation Officer: J. Schembri
Deputy Treasurer: P. Tollett
Manager of Purchasing & Risk Management: A. Valentino
Senior Policy Planner: M. Williams

1. CALL TO ORDER

Mayor Morrison called the meeting to order at 9:30 a.m.

2. APPROVAL OF AGENDA

Moved by A. Thompson - Seconded by D. Beffort

2013-252

That the agenda for the April 30, 2013 Council Meeting, be approved as amended.

Carried.

3. DISCLOSURE OF PECUNIARY INTEREST – None stated

4. CLOSED MEETING

Council was in Closed Meeting from 9:34 a.m. to 11:10 a.m.

Moved by A. Thompson – Seconded by D. Beffort

2013-253

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

- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board:
 - Confidential Verbal Report from Chris Barnett – OPA 226 Update
- Personal matters about an identifiable individual, including municipal or local board employees:
 - Confidential Report PREC-2013-009 - Caledon Walk of Fame 2013 Honouree

Carried.

Moved by A. Thompson – Seconded by R. Mezzapelli

2013-254

That Council move into open session.

Carried.

5. MATTERS ARISING FROM CLOSED MEETING

1. Confidential Verbal Report from Chris Barnett re: Advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – OPA 226 Update.

Moved by A. Thompson – Seconded by N. de Boer

2013-255

That Confidential Verbal Report from Chris Barnett regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – OPA 226 Update, be received; and

That staff proceed as directed.

Carried.

2. Confidential Report PREC-2013-009 re: Personal matters about an identifiable individual, including municipal or local board employees - Caledon Walk of Fame 2013 Honouree.

Moved by P. Foley - Seconded by R. Mezzapelli

2013-256

That Confidential Report PREC-2013-009 regarding personal matters about an identifiable individual, including municipal or local board employees - Caledon Walk of Fame 2013 Honouree, be received; and

That staff proceed as directed by Council.

Carried.

6. PRAYER AND O CANADA

Councillor Beffort opened the meeting with a prayer.

7. SUMMARY OF ADDENDUM ITEMS

Addendum No. 1

Added Delegations

- | | | |
|---|-----------|---|
| 5 | 2:30 p.m. | Al Frost re: DP-2013-056 Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242. (See RB11) |
| 7 | 3:00 p.m. | Ron Webb on behalf of Brampton Brick re: DP-2013-056 Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242. (See RB11) |

Addendum No. 2

Added Delegations

- 6 2:45 p.m. Dave Rutherford re: DP-2013-056 Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242. (See RB11)

Amended By-law

- BL-2013-XXX-086 To amend By-law 2007-128 with respect to the appointment of Clerk, Lottery Licensing Officer, Business Licensing Officer and Official, Municipal Enforcement Officer and Peace Officer, Building Inspector, Property Standards Officer and authority with respect to liquor licensing for events. (See RB3)

Addendum No. 3

Added Delegation

- 4a 2:00 p.m. Leonnard Smith re: Notice of Motion on Moratorium on Telecommunications Towers.

Amended By-law

- BL-2013-XXX-079 To Provide for the Levy and Collection of Property Taxes for the 2013 Taxation Year. (See RB7)

8. **DISCLOSURE OF PECUNIARY INTEREST** – None

9. **INTRODUCTIONS OF NEW STAFF** - None

10. **COUNCIL WORKSHOP**

Moved by A. Thompson - Seconded by D. Beffort

2013-257

That Council convene into Council Workshop.

Carried.

1. Telecom 101.

Stephen D'Agostino, Municipal Lawyer representing all three major carriers, Bell, Rogers and Telus presented the following information:

A Paradigm Shift

- Changing technology and growing competition are creating a paradigm shift in the wireless industry.
- 2010 marks the year when mobile data transactions eclipsed traditional voice.
 - Data traffic is expected to double every year through 2014.
 - Data requires exponentially greater broadband capacity than voice.
 - As demand for CAPACITY increases at a cell site, the COVERAGE area decreases.
- This is compounded by the growing number of entrants in the wireless industry.
 - 3 incumbent providers: Bell, Rogers and TELUS.
 - New entrants actively building networks in Ontario: Globalive, Public Mobile, Dave Wireless.
- The only solution that will meet the escalating growth in demand for wireless service is construction of additional wireless facilities.

Municipal Approval Process

- The wireless industry wants to work with local government to develop protocols that enable us to meet the needs of your community...our customers...and the regulator (Industry Canada).
- *Clarity, certainty and timeliness* are key elements of any approval process.
 - With these in place, industry can focus its resources on securing successful sites, sensitive to their surrounds and land uses.
- We recognize and are mindful of community concerns with regard to site aesthetics.

- Wherever possible and where appropriate, wireless providers will share (co-locate) facilities and/or locate infrastructure on existing structures
- For sensitive geographies, we implement customized, stealth design options to minimize visual impact.
- We will partner with local government where possible to leverage existing infrastructure.

Our Clients Support Protocols

- Our clients generally support the adoption of a Wireless Telecommunications Protocol
- We don't think Industry Canada's one size fits all approach to protocols is appropriate for a modern dynamic municipality like Caledon
- They have been involved in the development of protocols with municipalities across the country since the early 90's; in fact they invented protocols as a way to ensure local input into siting decisions notwithstanding the Federal Government's exclusive jurisdiction
- Protocols were endorsed by the Federal Government's National Antenna Tower Policy Review Study in 2004
- We provided comment and background materials to support Caledon staff's draft of the 2001 Caledon protocol.

Wireless Telecommunications: Network

What is a Cellular Network?

Wireless Telecommunications: Existing Coverage Example

Wireless Telecommunications: Coverage with New Tower Example

Evolution of the Cellular Network

A continuous cellular service network

Each cell only serves a fixed number of calls

Increased users creates gaps in service

Number of calls in a cell is limited. When a cell reached its maximum capacity it reduces its footprint in order to provide service to the strongest (closest) signals.

Continues cellular network restored by filling gaps

New towers constructed to fill in the void areas, restoring continuous wireless service

What is a Cellular Network

Coverage and capacity

Limitations of Cellular Services

Radio signals are much like the light from a lamp

Siting Constraint Summary

- Expected usage patterns of wireless service including proximity to users;
- Local terrain and building types which can be a significant challenge as a result of shadowing;
- Interaction with existing radio base stations;
- Line of site requirements for high quality communications;
- Opportunities to use existing structures;
- The availability of a willing landlord; and
- The industry's commitment to high service standards and customer satisfaction.

Co-Location

Visual impact of single-carrier tower vs. co-location tower

Because co-location is visually intrusive compared to single carrier sites, Council may wish to consider a hybrid approach that would see a preference for co-located towers in locations away from residential areas and lower single carrier sites in locations close to residential areas.

Emerging Technology – LTE

- The wireless industry constantly needs to upgrade network coverage and capacity to maintain momentum with new and emerging technologies
- LTE (Long Term Evolution 4G) is the latest upgrade to the HSPA UMTS 3G technology wireless networks

- Massive demand for high-speed wireless mobile data services have created capacity issues for all carriers' networks.
- LTE (4G) brings about unparalleled data transmission speeds (download, upload, video-streaming) as well as new services (mobile gps, mapping, high-speed wireless internet etc...)
- Many homes, businesses and community services will take advantage of the option to become completely 'wireless' without sacrificing service quality

Emerging Technology – Infrastructure

- The Wireless Carriers will need to convert existing roof-top and tower locations to LTE as a preliminary step
- The networks will also require a good number of 'capacity' sites in order to handle the high volume of users on the network
- Capacity sites *typically* require less height than regular coverage sites and less antenna loading
- Capacity site placement needs to be close to its users.

Types of Installations

Antennas can be mounted on roof tops of buildings or on towers

Flush mounted antenna

Stealth designs and camouflaged sites

Micro sites on utility poles (limited capacity and coverage)

Carriers and the Federal Government

- The Federal Government has exclusive and comprehensive jurisdiction over radio communications and telecommunications.
- Industry Canada governs the way carriers consult with land use authorities with regard to antenna systems (Client Policy Circular CPC-2-0-03).
- This policy identifies a number of circumstances under which carriers are excluded from the requirement to consult with land use authorities including:
 - New antenna systems less than 15 m
 - Addition or modifications to existing systems
- The exclusions are designed to encourage the development of low-impact sites in exchange for an expedited approval process.

Spectrum Licenses

- The Wireless Carriers operate their networks based on spectrum licenses issued by the Federal government.
- Compliance with CPC-2-0-03, including the requirement for municipal concurrence and public consultation is a condition of those spectrum licenses.
- As a result Industry Canada does not make a decision with respect to specific sites unless there is a dispute between a carrier and a land use authority.
- In other words, a spectrum license provides preapproval for the construction of wireless facilities within a specific geographic area subject to conditions similar to the draft approval of a subdivision.
- Once the conditions have been satisfied, the carrier is free to construct wireless facilities in accordance with its license

Opportunities for Effective Consultation

- Given that CPC-2-0-03 and carrier's standard conditions of license require municipal concurrence, land use authorities such as Caledon are often able to effectively influence the siting and design of wireless facilities provided network radio requirements are met.
- CPC-2-0-03 provides specific opportunities for municipalities that adopt a protocol.

Opportunities for Effective Consultation: The use of existing infrastructure

- The CPC requires that existing infrastructure be used where possible. We note that Industry Canada gives land use authorities the opportunity to influence or opt out of this requirement in their Policy.
- As we read the CPC, the Wireless Carriers are required to co-locate and allow co-location if feasible, unless it is the municipality's preference that a new structure be constructed.
- As a result, in order to permit proposals which are less visibly obtrusive, and less controversial, we believe that the protocol ought to express a clear preference for

less obtrusive designs over co-location where feasible in and adjacent to residential areas where the density of use will often permit the use of smaller towers..

Opportunity for Effective Consultation: The identification of a representative for the purpose of consultation

- The CPC sets out the requirement that proponents must submit their plans directly to Council unless the protocol provides otherwise. We believe that a protocol ought to specifically identify a senior member of staff to be delegated to approve facilities that meet municipal requirements in order to expedite (reward) applications that are well designed and well sited.

Opportunities for Effective Consultation: Adjacent municipalities

- The CPC expects notification of adjacent municipalities but restricts that to municipalities located within a radius of 3 times the tower height measured from the tower base.
- The details associated with such a notice could be set out in the protocol. As well, the protocol should set out Caledon's process and policy interests when it is the adjacent municipality.

Opportunities for Effective Consultation: Limitations on public notice

- The CPC sets out Industry Canada's requirements for public consultation. The CPC restricts notice to a radius of 3 times the tower height, measured from the tower base in recognition of the fact that the notice radius should be proportional to the expected land-use impact.
- Protocols work best when policies are created that encourage carriers to move from their preferred locations by providing for expedited processes or process exemptions. Public notice requirements are an obvious place to use this strategy.
- That is to say by requiring public notice only when towers are located in close proximity to residential zones, our clients can be expected to attempt to locate their facilities away from those zones in order to reduce approval times and complexity thus creating, where technically feasible, a voluntary buffer between the tower and residential uses.

Opportunities for Effective Consultation: Exemptions

- The CPC sets out 5 exemptions to the usual requirement for consultation with land use authorities and the public. Protocol provisions may not require consultation where the CPC provides for an exemption. However, the exemptions may be expanded.
- Exemptions provide a powerful tool to encourage carriers to develop facilities in particular locations or in an identified built form.
- Exemptions may be devised that permit a carrier to bypass the need to consult with the municipality or the public.

Opportunities for Effective Consultation: Design and siting preferences

- The CPC expects that a protocol will provide direction to carriers on matters of design and siting provided they are reasonable.
- Carriers always look to determine whether they can meet a protocol's design and siting requirements early in their site search process.

Safety Code 6 and RF Exposure

Safety Code 6: Putting Public Safety First

- Canada has one of the most rigorous safety measurement tools in the world for devices that emit radio frequency energy.
- Safety Code 6 was developed and recently updated (2009) by Health Canada as the exposure standard for the regulation of mobile phones, base stations, Wi-Fi and other radio communications emitting infrastructure. It is consistent with World Health Organization requirements.
- The exposure limits are the result of thorough and ongoing scientific review and are comparable to similar exposure limits in other jurisdictions, including the United States and the International Commission on Non-Ionizing Radiation Protection, a standard adopted by most European countries.
- Safety Code 6 has been the subject of several recent independent reviews, including a study by the Royal Society of Canada in 1999 which was updated in 2003, and again in 2009.

- The Royal Society of Canada is an independent national body composed of scholars and scientists selected by their peers for outstanding contributions to the sciences.
- None of these 3 studies took issue with Safety Code 6's standards.
- The Medical Officers of Health for Peel, Halton, and York Regions, Peterborough, Hamilton and Vancouver also do not take issue with Safety Code 6.
- Industry Canada has made compliance, on an ongoing and cumulative basis, with Safety Code 6 a condition of licence for all Canadian wireless carriers.
- According to Industry Canada, the validity or adequacy of Safety Code 6 is not subject to public inquiry or consultation under Industry Canada's antenna siting process.

"Wireless Communications and Health" Handbook

"The Government of Canada has determined that there is no clear evidence that the use of wireless communications devices, including cellphones and their networks, is dangerous for human health provided its RF exposure guidelines are respected."

"The government has set exposure limits based on its knowledge of the effects of RF fields...The bottom line is that exposure to RF fields from antennas is very low: usually hundreds to thousands of times below the established limit."

"A number of independent expert groups have conducted detailed reviews of the potential health risks associated with RF field exposure. These groups include expert panels convened by the Royal Society of Canada (RSC), the World Health Organization, the American Cancer Society and the British Medical Association."

"All of the credible scientific reviews completed recently conclude that there is no clear evidence of adverse health effects associated with low-level RF fields, like those from cellphones or cell sites."

Peel Region Medical Officer of Health

In a report to the City of Brampton dated August 1, 2012, Dr Mowat said:

"Several recent extensive reviews of the scientific literature by national and international scientific and regulatory bodies have all concluded that there is no evidence of any negative health effects associated with radiofrequency energy from mobile phone base stations. Peel Public Health will continue to monitor this area of research and provide updates as necessary."

Region of Halton Medical Officer of Health

In a letter to the Town of Oakville dated February 17, 2012, Dr Nosal said:

"Considering the very low exposure levels and the research results collected to date, there is no convincing or consistent evidence that the weak RF signals from base stations cause adverse health effects"

York Region Medical Officer of Health

In a letter to the Commissioner of Planning for the Town of Richmond Hill dated January 9, 2009, Dr. Kurji, the Medical Officer of Health for York Region, reported that:

"the weight of evidence has not identified that Safety Code 6 is inappropriate, in protecting the public from exposure to RF fields".

City of Vancouver Medical Officer of Health

In a letter dated June 20, 2005, Dr. Blatherwick, Vancouver's Chief Medical Officer of Health, reported that:

"the installation of cellular antennas in the community do not pose an adverse health risk and Safety Code 6 provides an appropriate level of protection".

City of Hamilton Medical Officer of Health

In a report dated June 10, 2008 to the Mayor and Members of the Board of Health, Hamilton's Medical Officer of Health stated:

"there is no scientific basis to support a conclusion that individuals living in communities with more stringent exposure standards, than those in Safety Code 6, receive a greater level of protection"

World Health Organization

In its Fact Sheet published in May of 2006 titled "Electromagnetic Fields and Public Health – Base Stations and Wireless Technologies", the World Health Organization reports that:

"there is no convincing scientific evidence that the weak RF signals from base stations and wireless networks cause adverse health effects."

According to the American Cancer Society:

"There are some important points that would argue against cellular phone towers being able to cause cancer.

First, the energy level of radiofrequency (RF) waves is relatively low, especially when compared with the types of radiation that are known to increase cancer risk, such as gamma rays, x-rays, and ultraviolet (UV) light. The energy of RF waves given off by cell phone towers is not enough to break chemical bonds in DNA molecules, which is how these stronger forms of radiation, may lead to cancer.

A second issue has to do with wavelength. RF waves have long wavelengths, which can only be concentrated to about an inch or two in size. This makes it unlikely that the energy from RF waves could be concentrated enough to affect individual cells in the body.

Third, even if RF waves were somehow able to affect cells in the body at higher doses, the level of RF waves present at ground level is very low -- well below the recommended limits. Levels of energy from RF waves near cell phone towers are not significantly different than the background levels of RF radiation in urban areas from other sources, such as radio and television broadcast stations."

Ontario Agency for Health Promotion and Protection

In its September 16, 2010 report titled "Wireless Technology and Health Outcomes: Evidence and Review" the Ontario Agency for Health Promotion and Protection stated:

"...up-to-date reviews of literature which follow a weight of evidence approach are far more useful for informing debate and sound policymaking than reliance on individual studies.

The Royal Society of Canada performed a highly credible review in 1999. Updates to this review have been published; the most recent in 2009.... there is still no conclusive evidence of adverse effects on health at exposure levels below current Canadian guidelines."

Moved by R. Mezzapelli – Seconded by P. Foley

2013-258

That Council rise out of Council Workshop.

Carried.

11. DELEGATIONS/PRESENTATIONS

1. Bob Paterson, Graffiti Committee re: CAO-2013-005 Report of the Graffiti Committee.

Moved by P. Foley – Seconded by D. Beffort

2013-259

That the delegation of Bob Paterson, Graffiti Committee regarding CAO-2013-005 Report of the Graffiti Committee, be received.

Carried.

2. Bob Crease, Chair, Seniors Advisory Committee re: ADM-2013-011 Seniors' Advisory Committee - Annual Report for 2012.

Moved by D. Beffort – Seconded by R. Mezzapelli

2013-260

That the delegation of Bob Crease, Chair, Seniors' Advisory Committee regarding ADM-2013-011 Seniors' Advisory Committee - Annual Report for 2012, be received.

Carried.

3. Presentation by Ron Kaufman, President, MFOA of GFOA Canadian Award for Financial Reporting.

4. Brampton Caledon Community Living Month - Flag Raising.

4a. Leonard Smith re: Notice of Motion on Moratorium on Telecommunications Towers.

Moved by R. Mezzapelli – Seconded by G. McClure 2013-261

That the delegation of Leonard Smith regarding Notice of Motion on Moratorium on Telecommunications Towers, be received.

Carried.

5. Al Frost re: DP-2013-056 Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242.

Moved by A. Thompson – Seconded by G. McClure 2013-262

That the delegation of Al Frost regarding DP-2013-056 Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242, be received.

Carried.

6. Dave Rutherford re: DP-2013-056 Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242.

Moved by A. Thompson – Seconded by G. McClure 2013-263

That the delegation of Dave Rutherford regarding DP-2013-056 Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242, be received.

Carried.

7. Ron Webb on behalf of Brampton Brick re: DP-2013-056 Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242.

Moved by A. Thompson – Seconded by G. McClure 2013-264

That the delegation of Ron Webb on behalf of Brampton Brick regarding DP-2013-056 Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242, be received.

Carried.

12. COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS

12.1 Announcements - None.

12.2 Urgent Business - None.

12.3 Notices of Motion – printed with the agenda.

1. Mayor Morrison re: Moratorium on Telecommunications Towers – deferred.

NOTE: Council requested Dr. Mowat, Region of Peel make presentation to Council regarding Safety Code 6.

2. Mayor Morrison re: Ontario Municipal Board.

Moved by A. Thompson – Seconded by P. Foley 2013-265

Whereas municipalities are required to approve Official Plans containing the goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic and natural environment of the municipality or part of it; and

Whereas municipalities rely on these plans when determining the allocation of capital investment within the community to provide infrastructure to service future growth according to those plans; and

Whereas the introduction of intensification in areas not identified for such purposes in the Official Plan may require changes to long term infrastructure planning at additional costs to the municipality and subtract from, and limit a municipalities' ability to implement the policies of that plan; and

Whereas Bill 41, "Preserving Existing Communities Act, 2013" is currently before the Provincial Legislature and has been referred to the Standing Committee on Government Agencies; and

Whereas Bill 41 proposes to amend the Places to Grow Act, 2005 to provide that certain municipal decisions rejecting development proposals that would involve intensification in the plan are not subject to appeal to the Ontario Municipal Board;

Therefore be it resolved that the Province of Ontario be advised that the Town of Caledon support the principles of Bill 41; and

Further that the Province of Ontario be requested to ensure that where the municipality has an Official Plan, approved by the Province which conforms with the requirements of the Province's Places to Grow Act, that where a development application is submitted to the municipality requesting an Official Plan amendment to enable development, which Council deems not in conformity with its Official Plan, the development application shall have no right of appeal to the Ontario Municipal Board and the decision of Council shall be final; and

Further that, despite subsection 22(7) of the Planning Act, there be no appeal permitted in respect of the official plan policies of a municipality or a planning board, adopted to conform to the growth management population, intensification and employment targets and policies as set out in the Provincial Growth Plan for the Greater Golden Horseshoe area and related regulations and Provincial policies; and

Further that this resolution be forwarded to the Association of Municipalities of Ontario (AMO), Greater Toronto Countryside Mayors Alliance and the local Member of Provincial Parliament Sylvia Jones, for support.

Carried.

12.4 Notices of Motion – presented at meeting.

1. Councillor Mezzapelli re: Motion of Reconsideration of Resolution 2013-230.

12.5 Council Inquiries

1. Poker Events held at Town Facilities

Councillor Thompson inquired why the Town is no longer permitting the Lions/Optimist to hold gambling fun nights at Town facilities.

K. Scott, Director of Parks & Recreation advised that an information night will be held with the local users to address this matter.

13. **REGULAR BUSINESS**

1. ADM-2013-011 re: Seniors' Advisory Committee - Annual Report for 2012.

Moved by P. Foley - Seconded by D. Beffort

2013-266

That Report ADM-2013-011 regarding Seniors' Advisory Committee - Annual Report for 2012, be received; and

That Council thank the Committee for all of their dedication and hard work in 2012.

Carried.

2. ADM-2013-024 re: Caledon Council Community Golf Tournament Committee.

Moved by D. Beffort - Seconded by N. de Boer

2013-267

That Report ADM-2013-024 regarding Caledon Council Community Golf Tournament Committee, be received; and

That Council enact a by-law to supersede By-law 2009-080 and By-law 2012-036 to accurately reflect the proper name of the Committee.

Carried.

3. ADM-2013-026 re: Update to Staff Appointment By-law.

Moved by R. Paterak – Seconded by P. Foley

2013-268

That Report ADM-2013-026 regarding Update to Staff Appointment By-law, be received; and

That Council enact a by-law to amend By-law 2007-128 to:

- a) Appoint Carey deGorter as Clerk and Lottery Licensing Officer, Business Licensing Officer and Official;
- b) Appoint Karen Phillips as a Lottery Licensing Officer and Business Licensing Officer and Official;
- c) Appoint Christopher Johnston and Serena Taccogna as Municipal By-law Enforcement Officers and Peace Officers and Property Standards Officers;
- d) Appoint Charlene Pintwala as a Building Inspector;
- e) Remove Manpreet Kohli as a Building Inspector;
- f) Delete section 8A; and
- g) Delete section 16 of Schedule "A".

Carried.

4. ADM-2013-027 re: Amendment to the Animal Shelter Hours of Operation.

Moved by R. Paterak – Seconded by R. Mezzapelli

2013-269

That Report ADM-2013-027 regarding Amendment to the Animal Shelter Hours of Operation, be received; and

That Council support an amendment to the Animal Shelter Hours of Operation to implement adoption hours effective June 1, 2013.

Carried.

5. CAO-2013-005 re: Report of the Graffiti Committee.

Moved by P. Foley – Seconded by R. Mezzapelli

2013-270

That Report CAO-2013-005 regarding Report of the Graffiti Committee, be received; and

That Council approves the principles of Prevention, Management and Enforcement as outlined in Report CAO-2013-005 as the foundation for the Town of Caledon's Graffiti Eradication Strategy; and

That Council approves the four key activities, i.e. Scanning, Analysis Response and Assessment, as outlined in Report CAO-2013-005 as the basis for the development of the Town of Caledon's Graffiti Eradication Strategy; and

That Council approve the graffiti reporting process described in the public presentation of the Graffiti Advisory Committee on April 30, 2013; and

That a new capital project be established for a one-year graffiti eradication pilot project, in the amount of \$10,000, funded from the Caledon OPP budget; and

That Council approves the development of a community engagement and communications plan to be developed by the Town's Communications Team in cooperation with both District School Boards and the OPP.

Carried.

6. CS-2013-022 re: Community-Based Strategic Plan Update.

Moved by R. Paterak – Seconded by A. Thompson 2013-271

That Report CS-2013-022 regarding Community-Based Strategic Plan Update, be received.

Carried.

7. CS-2013-024 re: 2013 Final Tax Levy.

Moved by R. Paterak - Seconded by R. Whitehead 2013-272

That Report CS-2013-024 regarding 2013 Final Tax Levy, be received; and

That Council enact a by-law for the levy and collection of the 2013 Final Tax Levy.

Carried.

NOTE: Peggy Tollett, Deputy Treasurer noted a correction to Schedule A (Education Tax Rates – Farmland) of the Report.

8. CS-2013-034 re: Assessment Appeals on Gravel Pit Properties.

Moved by D. Beffort - Seconded by A. Thompson 2013-273

That Report CS-2013-034 regarding assessment appeals on gravel pit properties be received; and

That the Municipal Tax Equity (MTE) Paralegal Professional Corporation be engaged to represent the Town in defense of gravel pit appeals at the Assessment Review Board, at an estimated cost of \$200,000, funded from the Contingency Reserve Fund; and

That the Mayor be requested to approach the Association of Municipalities Ontario (AMO), the Top Aggregate Producing Municipalities of Ontario (TAPMO), and other associations to obtain their support and/or interest in participation; and

That Report CS-2013-034 be forwarded to the Region of Peel, Cities of Brampton and Mississauga, upper and lower tier municipalities within the Region of Halton and Region of Durham.

Carried.

NOTE: Peggy Tollett, Deputy Treasurer noted a correction to the first recommendation in the Report reads CS-2013-027.

9. DP-2013-046 re: Part of Block 182, Plan 43M-1860, Lifting of 0.3 Metre Reserve, Establishing Reserve as Part of a Public Highway and Naming Reserve Stowmarket Street.

Moved by A. Thompson – Seconded by N. de Boer 2013-274

That Report DP-2013-046 regarding part of Block 182, Plan 43M-1860 lifting of 0.3 metre reserve, establishing reserve as part of a public highway and naming it Stowmarket Street, be received; and

That Council enact a By-law lifting the 0.3 metre reserve that is shown as Block 182 on Plan 43M-1860 save and except for Part 6 on Reference Plan 43R-34865, establishing it as part of a public highway and naming it Stowmarket Street.

Carried.

10. DP-2013-053 re: Proposed Idling Control By-law.

Moved by R. Mezzapelli – Seconded by P. Foley 2013-275

That Report DP-2013-053 regarding Proposed Idling Control By-law, be received.

Carried.

11. DP-2013-056 re: Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242.

Moved by A. Thompson – Seconded by G. McClure

2013-276

That Report DP-2013-056 regarding Brampton Brick Limited, 14370 Mississauga Road, Part Lots 29 and 30, Concession 5, WHS (CHING), File Number: P/E/09-10/242, be received;

That a copy of Report DP-2013-056 be forwarded to Niagara Escarpment Commission (NEC), Region of Peel, Credit Valley Conservation Authority (CVC) and Brampton Brick Limited (BBL) for their information;

That Council direct staff to initiate consultations with the municipalities of Brampton and Mississauga and Peel Region to discuss potential strategies to manage fill across Peel Region; and

Should the NEC approve the application, the Town of Caledon recommends the following be included as conditions of approval:

1. The applicant submit a revised noise study prepared by a qualified professional based upon revised terms of reference, to the satisfaction of the Town. The noise study will be peer reviewed at the expense of the applicant;
2. The applicant is required to enter into an amended development agreement and/or a new development agreement with the Town to address the revised rehabilitation plan in the following ways, including but not limited to:
 - a. The Town retain an approved, qualified person, at the expense of the applicant to monitor the quality of the fill and ensure sound environmental practices in accordance with an approved fill protocol and monitoring plan;
 - b. The source of the fill be limited to the municipalities of the Region of Peel and limited to sub soil until finished by top soil;
 - c. A time limit be imposed to ensure the fill importation activity is completed in a timely fashion;
 - d. The applicant provide payment as compensation to the Town for any costs related to legal, consulting, infrastructure or other costs incurred as a result of the revised rehabilitation plan;
 - e. The applicant provide security to the Town for any costs incurred by the Town to remedy any breach of the development agreement;
 - f. The applicant maintain general liability insurance in the amount of \$5,000,000 that indemnifies and holds the Town harmless for any liability, costs, damages or losses caused directly or indirectly by entering into the revised and/or new development agreement; and
 - g. Future dedication of lands to a public agency, to the satisfaction of the Town and CVC; and
3. That the exercise of the NEC approval/permit be conditional on an agreement with the Town of Caledon on community impact; and
4. That Report DP-2013-056 be sent to the Manager of Regulatory & Inspection Services to be considered in his review of the fill by-law; and
5. That the NEC permit requirements use the Town of Caledon's fill by-law rules that are in place at the time of permit issuance and be complied with by Brampton Brick.

A recorded vote was requested and taken as follows:

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Beffort	X			
Councillor de Boer	X			
Councillor Foley	X			
Councillor McClure	X			
Mayor Morrison	X			

Councillor Paterak	X			
Councillor Mezzapelli	X			
Councillor Thompson	X			
Councillor Whitehead		X		
TOTAL	8	1		

Carried.

NOTE: Council requested that in the development agreement, the fill quality testing must reflect the industry best practices for testing quality of soil.

12. DP-2013-058 re: Initiation of an Official Plan Amendment & Zoning By-law Amendment for the Sandhill Industrial/Commercial Centre.

Moved by A. Thompson – Seconded by N. de Boer 2013-277

That Report DP-2013-058 regarding Initiation of an Official Plan Amendment & Zoning By-law Amendment for the Sandhill Industrial/Commercial Centre, be received; and

That Council direct Staff to use the Sandhill Land Use Study as the basis for a Town initiated Official Plan Amendment and Zoning By-law Amendment for the Sandhill Industrial/Commercial Centre; and

That Council authorize Staff to hold a Statutory Public Meeting, pursuant to the *Planning Act*, on May 29, 2013 to review with Council and the general public a draft Official Plan Amendment and draft Zoning By-law Amendment for the Sandhill Industrial/Commercial Centre; and

That Council direct Staff to report back to Council with a proposed Official Plan Amendment and Zoning By-law Amendment for Council's consideration on July 9, 2013; and

That a copy of Report DP-2013-058 be forwarded to the Region of Peel.

Carried.

13. FES-2013-004 re: VCOM User Gear Replacement Award.

Moved by P. Foley - Seconded by A. Thompson 2013-278

That Report FES-2013-004 regarding VCOM User Gear Replacement Award, be received; and

That the contract (Region of Peel document RFP 2012-454P) for the supply, delivery, installation, maintenance and support for user gear radio equipment and accessories be awarded to Motorola in the amount of \$861,420.47; and

That Motorola be awarded vendor of record status for the Town of Caledon Fire and Emergency Services until December 31, 2014 for all future VCOM related purchases; and

That Motorola equipment be standardized for the Town of Caledon Fire and Emergency Services until December 31, 2014.

Carried.

14. FES-2013-012 re: Vehicle Exhaust Extraction System.

Moved by P. Foley - Seconded by A. Thompson 2013-279

That Report FES-2013-012 regarding Vehicle Exhaust Extraction System, be received; and

That a new capital project be established for Vehicle Exhaust Removal Systems, in the amount of \$458,700, funded from the 2012 year-end operating surplus; and

That the contract for the installation of Vehicle Exhaust Removal Systems in Caledon Fire Stations be awarded to The Tin Knockers Industrial Ltd. for \$358,700.79 (inclusive of non-refundable HST) for 12 fire hall locations and 3 Public Works Yards; and

That the annual maintenance costs for the vehicle exhaust removal systems, in the amount of \$12,943.87 (inclusive of non-refundable HST) per year, be included in the 2014 base operating budget as an unavoidable budget increase.

Carried.

15. PW-2013-010 re: Farmer's Market Location, Mayfield West Community.

Moved by A. Thompson – Seconded by R. Whitehead

2013-280

That Report PW-2013-010 regarding Farmer's Market Location, Mayfield West Community, be received; and

That the preferred site for a temporary Farmer's Market in the Mayfield West Community is the parking lot of SouthFields Public School off Learmont Drive; and

That a future site for a Farmer's Market in the Mayfield West Community be located in the area identified in the Mayfield West Phase 1, Secondary Plan as the Village Blue; and

That Staff be directed to inform The SouthFields Village Farmers' Market of Councils support of the preferred site; and

That Staff be authorized to cover the "No Stopping" signs along the east side of Learmont Avenue from the north leg of McEchearn Crescent to the south leg of Wishing Well Crescent for the months of July and August, 2013. Staff be further directed to not enforce the stopping restriction during this period.

Carried.

14. RECEIPT OF MINUTES

Moved by R. Paterak - Seconded by D. Beffort

2013-281

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

- Council Meeting held April 16, 2013
- Closed Council Meeting held April 16, 2013

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

- Committee of Adjustment Meeting held March 6, 2013
- Accessibility Advisory Committee Meeting held March 21, 2013
- Public Information Meeting held April 3, 2013 (General Provisions of the Proposed Consolidated Licensing By-law)

Carried.

15. PROCLAMATIONS

1. Community Living Month - May 2013.

Moved by A. Thompson – Seconded by P. Foley

2013-282

Whereas Brampton Caledon Community Living envisions a community that respects the dignity and inherent value of each of its members and supports its members to participate, contribute, and share in all elements of living in the community; and

Whereas Brampton Caledon Community Living has provided services to individuals with a development disability and their families in the City of Brampton and Town of Caledon since 1958 and now provides services to over 1400 people; and

Whereas Community Living Month is a province-wide initiative created to celebrate the contributions to our communities of individuals with development disabilities and to promote public awareness; and

Therefore be it resolved that the Town of Caledon hereby proclaim the month of May, 2013 as Community Living Month in the Town of Caledon.

Carried.

2. Emergency Preparedness Week - May 5-11, 2013.

Moved by A. Thompson – Seconded by R. Mezzapelli

2013-283

Whereas (Caledon) does recognize the importance of Emergency Management in Ontario; and

Whereas the goal of Emergency Preparedness Week is to raise community awareness and the need to prepare for the possibility of an emergency; and

Whereas the safety of our community is the responsibility of each and every one of us we must prepare now and learn how to secure a strong and healthy tomorrow;

Therefore be it resolved that the Town of Caledon hereby proclaim the week of May 5 - 11, 2013, to be Emergency Preparedness Week in the Town of Caledon and encourage all citizens to participate in educational activities on emergency preparedness.

Carried.

3. National Denim Day - May 14, 2013.

Moved by P. Foley – Seconded by R. Mezzapelli

2013-284

Whereas breast cancer is the most frequently diagnosed cancer in Canadian women and can be completely cured if detected early; and

Whereas 23,400 Canadian women and 190 men were diagnosed with breast cancer in 2011; and

Whereas 5,155 Canadians died of this disease in 2011; and

Whereas more women below the age of 40 die of breast cancer than any other type of cancer; and

Whereas if breast cancer is detected early and treated, the survival rate is as high as 82 percent; and

Whereas by proclaiming Tuesday, May 14, 2013, National Denim Day, the Town of Caledon assists the CURE Foundation for breast cancer in raising awareness about the seriousness of this women's disease;

Therefore be it resolved that the Town of Caledon hereby proclaims May 14, 2013 as National Denim Day.

Carried.

4. First Responders Day – May 1, 2013.

Moved by A. Thompson – Seconded by P. Foley

2013-285

Whereas the Town of Caledon is one of the safest communities in North America due to the combined efforts of our police, paramedics and fire services; and

Whereas the Town of Caledon would like to acknowledge the value of all the men and women who serve as fire officials, law enforcement, and paramedics for putting their lives on the line every day for our community; and

Whereas First Responders keep our communities safe, our lives secure, our homes protected and improve the quality of life for all the people in our community; and

Whereas the Town of Caledon supports Private Members' Bill 123, designating May 1st of each year as 'First Responders Day in Ontario', which was recently presented by Newmarket-Aurora MPP Frank Klees and passed, receiving all-party support in the Legislature;

Therefore be it resolved that the Town of Caledon hereby proclaim May 1st, 2013 as First Responders Day in the Town of Caledon.

Carried.

5. Responsible Pet Ownership Month – May 2013.

Moved by R. Paterak – Seconded by R. Mezzapelli

2013-286

Whereas the Town of Caledon is participating in the Association of Animal Shelter Administrators of Ontario campaign to promote Responsible Pet Ownership; and

Whereas the staff of the Town of Caledon have agreed to devote their time, resources and energy to this united effort to bring attention to the importance of Responsible Pet Ownership; and

Whereas the Town of Caledon has joined animal care, control and welfare organizations from across Ontario to achieve its campaign goal; and

Whereas the Town of Caledon is working in cooperation with other animal care, control and welfare organizations from across Ontario in partnership with the Association of Animal Shelter Administrators of Ontario;

Therefore be it resolved that the Town of Caledon hereby proclaim the month of May, 2013 as the official Responsible Pet Ownership Month in the Town of Caledon.

Carried.

6. Cystic Fibrosis Awareness Month – May 2013.

Moved by R. Paterak – Seconded by P. Foley

2013-287

Whereas in recognition of the exceptional progress that has been made in Canada in cystic fibrosis research and care, and to help create a bright future for many Canadians who are still struggling to breathe, the Town of Caledon is pleased to designate the month of May as Cystic Fibrosis Awareness Month; and

Whereas cystic fibrosis is the most common fatal genetic disease affecting Canadian children and young adults. It is a multi-system disease that affects mainly the lungs and the digestive system. There are 4,000 Canadians living with cystic fibrosis. Each week in Canada, two children are diagnosed and one person dies from the disease. Currently, there is no cure; and

Whereas May is a time to shine the spotlight on Canadians with cystic fibrosis and highlight the hope for the future that members of the Peel & District Chapter of Cystic Fibrosis Canada share with people who have cystic fibrosis, their families and friends; and

Whereas progress in the fight against cystic fibrosis could not have been realized without the dedication and commitment of Cystic Fibrosis Canada's Peel & District Chapter whose fundraising projects in our community continue to support vital cystic fibrosis research and care programs across the country. It's with their help that researchers are closing in on the ultimate goal – a cure for cystic fibrosis. We encourage our citizens to join them in supporting this cause;

Therefore be it resolved that the Town of Caledon hereby proclaim the month of May, 2013 as Cystic Fibrosis Awareness Month in the Town of Caledon.

Carried

16. **CORRESPONDENCE PACKAGE**

1. Moved by R. Mezzapelli – Seconded by A. Thompson

2013-288

That the correspondence items as listed in the correspondence package for the April 30, 2013, Council meeting, be received.

Carried.

17. **PUBLIC QUESTION PERIOD**

Randy McLeod, resident, suggested that the Town take over the management of the Brampton Brick Limited property as it relates to the infilling to take place on site and charge a management fee.

18. **BY-LAWS**

Moved by R. Paterak – Seconded by A. Thompson

2013-289

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

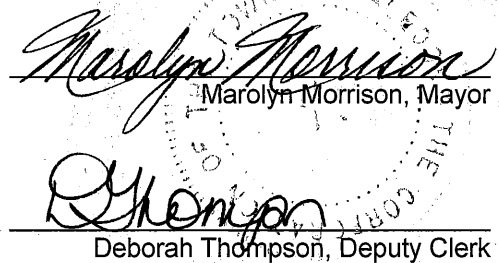
- BL-2013-049 To maintain the establishment the Caledon Council Community Golf Tournament Committee and supersede By-law 2009-080 and By-law 2012-036.
- BL-2013-050 To amend By-law 2007-128 with respect to the appointment of Clerk, Lottery Licensing Officer, Business Licensing Officer and Official and authority with respect to liquor licensing for events.
- BL-2013-051 To Provide for the Levy and Collection of Property Taxes for the 2013 Taxation Year.
- BL-2013-052 To establish, declare and name a 0.3 metre reserve on Plan 43M-1860.
- BL-2013-053 To exempt Blocks 65 to 70 on Plan 43M-1917 from the part lot control provisions of the Planning Act.
- BL-2013-054 To confirm the proceedings of the Council for The Corporation of the Town of Caledon at its Council Meeting held on the 30th day of April, 2013.

Carried.

NOTE: Peggy Tollett, Deputy Treasurer noted a correction to Schedule A (Education Tax Rates – Farmland) of By-law 2013-051.

19. **ADJOURNMENT**

On verbal motion moved by Councillor de Boer and seconded by Councillor Beffort, Council adjourned at 4:51 p.m.



Marilyn Morrison
Marilyn Morrison, Mayor

Deborah Thompson
Deborah Thompson, Deputy Clerk