



Council Meeting Minutes
Tuesday, August 12, 2014
9:30 a.m.
Council Chamber, Town Hall

Mayor M. Morrison
D. Beffort
N. de Boer
P. Foley
G. McClure (Arrived at 10:50 a.m.)
R. Mezzapelli
R. Paterak
A. Thompson
R. Whitehead (Arrived at 9:41 a.m.)

Chief Administrative Officer: D. Barnes
Director of Administration/Town Clerk: C. deGorter
Fire Chief: D. Forfar
Director of Development Approval & Planning Policy/Deputy CAO: M. Hall
Council/Committee Co-ordinator: B. Karrandjas
Manager of Corporate Communications: B. Lee
Manager of Economic Development: N. Lingard
Director of Public Works: D. Loveridge
Director of Human Resources: J. Porter
Treasurer: P. Tollett
Director of Corporate Services/Chief Financial Officer: F. Wong

1. **CALL TO ORDER**

Mayor Morrison called the meeting to order in the Committee Room at 9:34 a.m.

2. **APPROVAL OF AGENDA**

Moved by D. Beffort - Seconded by R. Mezzapelli

2014-297

That the agenda for the August 12, 2014 Council Meeting, be approved as amended.

Carried.

3. **CLOSED MEETING**

Council adopted the required procedural motion and resumed in Closed Meeting in the Council Chamber at 9:35 a.m.

Moved by R. Paterak – Seconded by D. Beffort

2014-298

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

- Confidential Verbal Report from the Mayor re: Personal matters about an identifiable individual, including municipal employee – Chief Administrative Officer Performance Review.

Carried.

Mayor Morrison, Councillor Beffort, Councillor deBoer, Councillor Foley, Councillor Paterak, Councillor Mezzapelli, Councillor Thompson, Director of Administration/Town Clerk: C. deGorter and Director of Human Resources: J. Porter were present for this portion of the meeting.

Councillor Whitehead joined the meeting at 9:41 a.m.

Council adopted the required procedural motion at 10:16 a.m. and resumed in Open Session at 10:23 a.m.

4. **PRAYER AND O CANADA**

Councillor Beffort opened the meeting with a prayer, those in attendance joined in singing O Canada.

5. **SUMMARY OF ADDENDUM ITEMS**

Added Delegation material

1. Karen Hutchinson, Caledon Countryside Alliance re: Caledon School Garden and Food Network.

2. Maureen Tymkow and Cathy Perennec-McLean, Caledon Community Services re: Annual Update to Council regarding the Caledon Small Business Enterprise Centre. (See RB1 and RB2)

Added Delegation

5. Leah Emms, Ontario Federation of Agriculture, Member Services Representative for Peel, Simcoe and York re: DP-2014-082 - Medical Marihuana Production Facilities Proposed Town-wide Zoning By-law Amendment, All Lands within the Town of Caledon. (See RB3)

Amended By-law

BL-2014-XXX-108 To delegate authority to the Chief Administrative Officer. (See RB5)

Added By-law

BL-2014-XXX-110 To amend By-law 2011-020, being a by-law to regulate the use of highways, parking and traffic on highways. (see Resolution 2014-276)

6. **DISCLOSURE OF PECUNIARY INTEREST** - none

7. **WORKSHOP** – none.

8. **INTRODUCTION OF NEW STAFF** – none.

9. **DELEGATIONS/PRESENTATIONS**

D1 – Karen Hutchinson, Caledon Countryside Alliance provided a presentation regarding Caledon School Garden and Food Network. (see attached presentation). Members of Council asked a number of questions concerning the information provided and received responses from the presenter.

Mayor Morrison thanked Ms. Hutchinson for her presentation.

Councillor McClure joined the meeting at 10:50 a.m.

D2 – Maureen Tymkow and Cathy Perennec-McLean, Caledon Community Services provided a presentation regarding the Caledon Small Business Enterprise Centre. (see attached presentation). Members of Council asked a number of questions concerning the information provided and received responses from the presenters.

Mayor Morrison thanked Ms. Tymkow and Ms. McLean for their presentation.

10. **REGULAR BUSINESS:**

CAO-2014-008 re: Single Source Award to Caledon Community Services (CCS) to Continue to Operate the Caledon Small Business Enterprise Centre.

Moved by D. Beffort – Seconded by R. Mezzapelli

2014-299

That Report CAO-2014-008 regarding Single Source Award to Caledon Community Services (CCS) to Continue to Operate the Caledon Small Business Enterprise Centre, (Caledon SBEC) be received; and

That a single source contract be awarded to Caledon Community Services (CCS) to continue to operate the Caledon SBEC; and

That the Mayor and Clerk be authorized to sign an agreement with Caledon Community Services (CCS) to continue to operate the Caledon SBEC for two (2) years at a cost of \$49,000 per year, with an option to extend for an additional two (2) years upon mutual consent; and

That the Economic Development's operating budget for the Caledon SBEC, be increased by \$4,238.00 (from \$44,762 to \$49,000) in the 2015 operating budget as an unavoidable budget increase.

Carried.

PW-2014-054 re: Caledon Community Services Support Agreement.

Moved by R. Paterak – Seconded by R. Mezzapelli

2014-300

That Report PW-2014-054 regarding Caledon Community Services Support Agreement, be received; and

That the Director of Public Works be authorized to negotiate an agreement with Caledon Community Services for ongoing financial and operating support services; and

That the Mayor and the Town Clerk be authorized to execute all necessary documents with Caledon Community Services for ongoing financial and operating support services.

Carried.

11. DELEGATIONS/PRESENTATIONS (continued)

Councillor McClure disclosed a pecuniary interest with respect to Delegation 3, 4, 5 and Regular Business item 3, all concerning Report DP-2014-082 Medical Marihuana Production Facilities Proposed Town-wide Zoning By-law Amendment, All Lands within the Town of Caledon as his son has submitted an application for a proposed medical marihuana facility. He left the Council table at 11:13 a.m. and did not partake in any discussion or voting on this matter.

D3 – Brandon Ward, Senior Development Planner provided a presentation regarding staff report DP-2014-082 - Medical Marihuana Production Facilities Proposed Town-wide Zoning By-law Amendment, All Lands within the Town of Caledon. (see attached presentation). Members of Council asked a number of questions concerning the information provided and received responses from the presenter.

Mayor Morrison thanked Mr. Ward for his presentation.

D4 – Ronald Webb, Davis Webb LLP provided a delegation on behalf of Cannibis Canada, applicant for 20383 Hurontario Street concerning staff report DP-2014-082 - Medical Marihuana Production Facilities Proposed Town-wide Zoning By-law Amendment, All Lands within the Town of Caledon. He commented that he did not support the staff recommendation. He requested that Council consider permitting these facilities in agricultural zones. Members of Council asked a number of questions and received responses from the presenter.

Mayor Morrison thanked Mr. Webb for his presentation.

D5 – Leah Emms provided a delegation on behalf of the Ontario Federation of Agriculture, Member Services Representative for Peel, Simcoe and York concerning staff report DP-2014-082 - Medical Marihuana Production Facilities Proposed Town-wide Zoning By-law Amendment, All Lands within the Town of Caledon. She noted that she does not support the staff recommendation and requested that they be permitted in agricultural zones. Members of Council asked a number of questions concerning the information provided and received responses from the presenter.

Mayor Morrison thanked Ms. Emms for her presentation.

Council recessed from 12:20 p.m. to 1:05 p.m.

12. REGULAR BUSINESS (continued)

DP-2014-082 re: Medical Marihuana Production Facilities Proposed Town-wide Zoning By-law Amendment, All Lands within the Town of Caledon.

Moved by D. Beffort – Seconded by R. Paterak

2014-301

That Council waive the procedural by-law to allow members of Council the opportunity to speak more than twice to an item – DP-2014-082 re: Medical Marihuana Production Facilities Proposed Town-wide Zoning By-law Amendment, All Lands within the Town of Caledon.

Carried.

Moved by R. Whitehead – Seconded by R. Mezzapelli

2014-302

That Report DP-2014-082 [Follow-up to Report DP-2014-034] regarding a proposed Town-wide Zoning By-law Amendment for all lands within the Town of Caledon regarding Medical Marihuana Production Facilities, be received; and

That the previous report DP-2014-034 regarding a proposed Town-wide Zoning By-law Amendment for all lands within the Town of Caledon regarding Medical Marihuana Production Facilities, be received; and

That By-laws to amend Comprehensive Zoning By-law No's 2006-50 and 87-250, as amended, for all lands within the Town of Caledon, be submitted to Council for approval at a later date to permit and regulate medical marihuana production facilities in Prestige Industrial (MP) and Serviced Industrial (MS) zone categories; and

That any medical marihuana production facility proposed in another zone category, such as Agricultural (A1) or Rural (A2) zones, be considered through a site-specific Zoning By-law Amendment application and/or any other planning application(s), as necessary; and

That a copy of Report DP-2014-082 be forwarded to Health Canada and the Regions of Peel and York, the Counties of Wellington, Dufferin and Simcoe, the Cities of Brampton and Mississauga, along with all other abutting municipalities for their information.

Amendment #1

Moved by R. Whitehead – Seconded by A. Thompson

That paragraph 5 be added as follows:

“That any medical marihuana production facility be excluded from the following:

- a) The Palgrave Estate Area
- b) All villages and hamlets within the Town of Caledon
- c) All rural estate subdivisions within the Town of Caledon

And that a 150 metre setback be imposed for the above exclusions.”

Carried.

Council recessed from 2:01 p.m. to 2:13 p.m.

Amendment #2

Moved by R. Paterak – Seconded by A. Thompson

That paragraph 3 be amended to add the following wording to the end of the paragraph:

“as well as the Rural (A2) zone, subject to specific standards”.

That the following paragraph be added:

That the site plan control by-law be amended to require site plan approval for medical marihuana production facilities and the approval of the application shall remain with Council.

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	4	4	1	

Lost.

Upon the question of the main Motion moved by Councillor Whitehead and seconded by Councillor Mezzapelli AS AMENDED by Amendment #1, 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 as amended.

Councillor McClure rejoined the meeting at 2:16 p.m. and resumed his seat at the Council table.

DP-2014-078 re: Sign Variance, 17843 The Gore Road, Concession 4 Pt Lot 30, Town of Caledon, Ward 4.

Moved by N. deBoer – Seconded by R. Whitehead 2014-303

That Report DP-2014-078 regarding Sign Variance for 17843 The Gore Road, Concession 4 Pt Lot 30, Town of Caledon, be received; and

That a variance to Sign By-Law 94-14, as amended, be granted to 17843 The Gore Road to permit a decrease in setback from the property line to 0.18m from the permitted 1.52 m.

Carried.

DP-2014-079 re: Proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment Applications, MMM Group Limited on behalf of Bolton Gateway Developments Inc., 12246 to 12378 Albion Vaughan Road, Part of Lot 2, Concession 7 (Albion), West Side of Albion Vaughan Road, North of Mayfield Road, Bolton, Ward 5.

Moved by R. Mezzapelli – Seconded by P. Foley 2014-304

That Report DP-2014-079 regarding Proposed Official Plan Amendment and Draft Plan of Subdivision Applications, MMM Group Limited on behalf of Bolton Gateway Developments Inc., 12246 to 12378 Albion Vaughan Road, West Side of Albion Vaughan Road, North of Mayfield Road, Bolton, Ward 5, File No.: POPA 12-06 & 21T-12006C, Related File No.: RZ 12-18, be received; and

That Council enact a By-law to adopt Official Plan Amendment Number 240 to create site-specific policies within Section 5.10.4.5.12 to allow the subject lands to develop as medium-density housing through a plan of subdivision; and

That Council acknowledge that the proposed plan of subdivision does not appear to meet the Town's Development Standards, Policies and Guidelines with respect to a sediment drying area, third pipe system, intersection deflection angles, on-street parking ratio and noise attenuation heights, and that Council delegate approval of these matters to the Director of the Public Works Department.

Carried.

PW-2014-059 re: Proposed Agreement with Lafarge Canada Inc., regarding the mining of the Town road allowance between the Flaherty Pits on 2nd Line (McLaren) Road.

Moved by D. Beffort – Seconded by R. Paterak

2014-305

That Report PW-2014-059 regarding permission to enter into and to negotiate an agreement with Lafarge Canada Inc., regarding the mining of the Town road allowance between the Flaherty Pits on the 2nd Line West Road allowance, be received; and

That the Director of Public Works complete the required applications and acquire the permits required to extract the aggregates from the closed town road allowance for use on Town road construction projects; and

That Council authorize a single source contract award to Lafarge Canada Inc.; and

That the Director of Public Works be authorized to negotiate an agreement between Lafarge Canada Inc. and the Town of Caledon; and

That the Mayor and Clerk be authorized to execute an agreement between Lafarge Canada Inc. and the Town of Caledon; and

That the revised cost estimate for capital project 11-054 – Gravel Extraction, in the amount of \$651,860 (increase from \$325,000) be approved; and

That the budget shortfall, in the amount of \$371,119 be funded from the Tax Funded Capital Contingency reserve; and

That the future proceeds from the sale of the extracted aggregate to Town contractors working on Town roads projects, in the projected amount of \$1,036,800, be directed back to the Tax Funded Capital Contingency Reserve Fund.

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	9			

Carried.

13. MATTERS ARISING FROM CLOSED MEETING

Confidential Verbal Report from the Mayor re: Personal matters about an identifiable individual, including municipal employee – Chief Administrative Officer Performance Review.

Moved by N. deBoer – Seconded by A. Thompson

2014-306

That Confidential Verbal Report from the Mayor regarding personal matters about an identifiable individual, including municipal employee – Chief Administrative Officer Performance Review, be received; and

That staff proceed as directed.

Carried.

14. REGULAR BUSINESS (continued)

ADM-2014-032 re: Appointment to the Economic Development Advisory Committee.

Moved by N. deBoer – Seconded by D. Beffort

2014-307

That Report ADM-2014-032 regarding Appointment to the Economic Development Advisory Committee, be received; and

That Warren Darnley be appointed as the Caledon Chamber of Commerce representative to the Economic Development Advisory Committee effective June 24, 2014 until November 30, 2014, or until a successor has been appointed.

Carried.

ADM-2014-038 re: Restricted Acts During "Lame Duck" Council Period - 2014 Municipal Election.

Moved by R. Mezzapelli – Seconded by N. deBoer 2014-308

That Report ADM-2014-038 regarding Restricted Acts During "Lame Duck" Council Period - 2014 Municipal Election, be received; and

That a by-law be enacted to delegate authority to the Chief Administrative Officer in the event that a "Lame Duck Council" occurs to:

- a) dispose of any real or personal property of the municipality which has a value exceeding \$50,000 at the time of disposal where the disposition has not been the subject of an agreement previously approved by Council;
- b) award contracts to acquire goods and services valued in excess of \$2,000,000 as Town staff already have authority to award such contracts valued at less than this amount;
- c) incur liabilities in excess of \$50,000 where the liability is not already contained in the approved 2014 budget.

That the Chief Administrative Officer provides a memorandum to Town Council in the first quarter of 2015 regarding any exercise of this delegated authority.

Carried.

CAO-2014-009 re: 2014 Second Quarter Report.

Moved by N. deBoer – Seconded by R. Mezzapelli 2014-309

That Report CAO-2014-009 regarding 2014 Second Quarter Report, be received.

Carried.

CS-2014-068 re: Ontario Municipal Partnership Fund Update.

Moved by A. Thompson – Seconded by P. Foley 2014-310

That Report CS-2014-068 regarding Ontario Municipal Partnership Funding Update, be received; and

That the Town's projected proportionate share of the Province-wide reduction of the 2015 OMPF grant funding in the amount of \$168,075 be included in the 2015 operating budget as an unavoidable budget increase.

Carried.

CS-2014-069 re: Purchasing Reporting – January 2014 to June 2014.

Moved by N. deBoer – Seconded by A. Thompson 2014-311

That Report CS-2014-069 regarding Purchasing Reporting – January 2014 to June 2014, be received.

Carried.

CS-2014-071 re: Back-up Generators at Recreational Facilities.

Moved by P. Foley – Seconded by R. Mezzapelli 2014-312

That Report CS-2014-071 regarding Back-up Generators at Recreational Facilities, be received; and

That a new 2014 Public Works capital project in the amount of \$200,000 be established for engineering and design for back-up generators and retrofits at the Caledon Centre for Recreation and Wellness (CCRW) and the Mayfield Recreation Complex; and

That the new engineering and design for back-up generators project be funded by the tax funded capital contingency reserve fund.

Carried.

DP-2014-084 re: Proposed Telecommunications Facility, Rogers Communications Inc. (Drago and Bosiljka Egredzija), Part of Lot 22, Concession 5 WHS (Caledon), 19728 Mississauga Road, Ward: 1.

Moved by R. Paterak – Seconded by D. Beffort

2014-313

That Report DP-2014-084 regarding Proposed Telecommunication Facility, Rogers Communications Inc. (Drago and Bosiljka Egredzija), Part of Lot 22, Concession 5 WHS (Caledon), 19728 Mississauga Road, be received; and

That the proposed Telecommunication Facility, Rogers Communications Inc. (Drago and Bosiljka Egredzija), Part of Lot 22, Concession 5 WHS (Caledon), 19728 Mississauga Road, be endorsed; and

That the subject report be forwarded to the Applicant, Owner, Region of Peel and Industry Canada.

Carried.

DP-2014-085 re: Village Blue Amenity Area Washroom Facility, Southfields Community, Southside of Dougall Road, West of Old Kennedy Road, Ward 2.

Moved by A. Thompson – Seconded by R. Whitehead

2014-314

That Report DP-2014-085 regarding Village Blue Amenity Area Washroom Facility, be received; and

That the 2014 capital project 14-097 be increased in the amount of \$94,000 from \$666,000 to \$760,000 for the construction of the Village Blue Park; and

That the increase in the amount of \$94,000 be funded from the Tax Funded Capital Contingency Reserve Fund.

Carried.

FES-2014-006 re: Fire Department Establishing and Regulating by-law.

Moved by R. Mezzapelli – Seconded by R. Paterak

2014-315

That Report FES-2014-006 regarding Fire Department Establishing and Regulating By-law, be received; and

That Council enact a by-law to establish the Fire Department; and

That By-law 75-45 to establish a Fire Department, be repealed.

Carried.

FES-2014-008 re: Emergency Management By-law.

Moved by R. Paterak – Seconded by R. Mezzapelli

2014-316

That Report FES-2014-008 regarding Emergency Management By-law, be received; and

That Council enact a by-law to establish the Emergency Management Program and Emergency Plan in accordance with the Province of Ontario *Emergency Management and Civil Protection Act*; and

That By-law 2002-046, to establish an Emergency Measures Plan Program, and to appoint a Municipal Emergency Services Co-ordinator, be repealed.

Carried.

PW-2014-055 re: Additional Funding Request for Capital Project 11-04, Structure Program – 2011 Environmental Assessments and Engineering.

Moved by R. Paterak – Seconded by A. Thompson

2014-317

That Report PW-2014-055 regarding Additional Funding Request for Capital Project 2011-004, Structure Program - 2011 Environmental Assessments and Engineering, be received; and

That the budget shortfall in the amount of \$107,220 be funded from capital budget savings from Project 12-002 Bridge Replacement and Rehabilitation as outlined in Table 3 of Report PW-2014-055; and

That Project 12-002 Bridge Replacement and Rehabilitation be closed after completion and the surplus funds of \$15,276 be returned to the Tax Funded Capital Contingency Reserve Fund.

Carried.

15. COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS

Urgent Business – none.

Announcements – none.

Notices of Motion – printed with the Agenda – none.

Notices of Motion – presented at the meeting:

1. Councillor Whitehead re: Bolton Resource Management Tract Management Plan.

Council Inquiries

Members of Council addressed a number of inquiries and received responses from Town Staff.

16. RECEIPT OF MINUTES

Moved by R. Mezzapelli - Seconded by R. Whitehead

2014-318

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

- Council Meeting held July 8, 2014
- Closed Council Meeting held July 8, 2014

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

- Seniors' Advisory Committee Meetings held March 10, 2014 and April 28, 2014
- Heritage Caledon Meeting held April 14, 2014
- Accessibility Advisory Committee Meeting held June 19, 2014
- Caledon Council Community Golf Tournament Committee Meeting held June 17, 2014
- BIA meeting held June 2, 2014
- Public Information Meetings held June 4, 2014, June 18, 2014 and July 9, 2014

Carried.

17. PROCLAMATIONS

Andrew Yorke Day – September 17, 2014.

Moved by N. deBoer – Seconded by D. Beffort

2014-319

Whereas Caledon Resident Andrew Yorke has trained and completed in triathlon since a young age and continued to develop and successfully compete in many local and international races; and

Whereas Andrew Yorke finished fourth at the Commonwealth Games held in Strathclyde Country Park in Glasgow, Scotland on July 24, 2014; and

Whereas Council wishes to recognize his dedication and accomplishments in triathlon;

Therefore be it resolved by the Council of The Corporation of the Town of Caledon proclaim September 17, 2014 as "Andrew Yorke Day" in the Town of Caledon.

Carried.

18. **CORRESPONDENCE**

Moved by A. Thompson – Seconded by R. Whitehead

2014-320

That the correspondence items as listed in the correspondence package for the August 12, 2014, Council meeting, be received.

Carried.

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

20. **BY-LAWS**

Moved by A. Thompson - Seconded by R. Paterak

2014-321

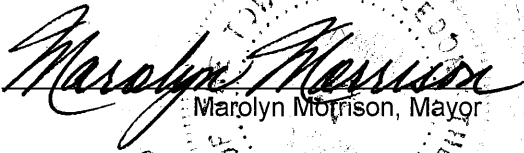
That the following by-laws be read a first, second and third time and finally passed:

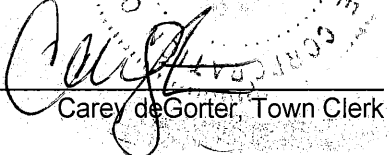
- BL-2014-073 To delegate authority to the Chief Administrative Officer.
- BL-2014-074 To adopt Amendment No. 240 to the Official Plan of the Town of Caledon.
- BL-2014-075 To establish and regulate a Fire Department and to repeal By-law No. 75-45.
- BL-2014-076 To repeal By-law 2002-046 and to adopt an Emergency Management Program and Emergency Plan, pursuant to the Emergency Management and Civil Protection Act, R.S.O 1990, c. E. 9 as amended, and Regulations made thereunder.
- BL-2014-077 To exempt Block 131, on Plan 43M-1921 from the part lot control provisions of the Planning Act.
- BL-2014-078 To control and limit the unnecessary idling of motor vehicles.
- BL-2014-079 To repeal By-law BL-2014-058, being a by-law to enter into an agreement with the Association of Municipalities of Ontario (AMO).
- BL-2014-080 To amend By-law 2011-020, being a by-law to regulate the use of highways, parking and traffic on highways.
- BL-2014-081 To confirm the proceedings of the Council for The Corporation of the Town of Caledon at its Council Meeting held on the 12th day of August, 2014.

Carried.

21. **ADJOURNMENT**

On verbal motion moved by Councillor Mezzapelli and seconded by Councillor McClure, Council adjourned at 3:20 p.m.


Marilyn Morrison, Mayor


Carey deGorter, Town Clerk

