



Council Meeting Minutes
Tuesday, October 20, 2015
9:30 a.m.
Council Chamber, Town Hall

Mayor A. Thompson
Councillor D. Beffort
Councillor N. deBoer
Councillor J. Downey
Councillor A. Groves
Councillor J. Innis
Councillor G. McClure (left at 5 :06 p.m.)
Councillor R. Mezzapelli
Councillor B. Shaughnessy (left at 5:12 p.m.)

Chief Administrative Officer: D. Barnes
Director of Administration/Town Clerk: C. deGorter
Fire Chief: D. Forfar
Director of Development Approval and Planning Policy/Deputy CAO: M. Hall
Director of Parks and Recreation: L. Johnston
Council/Committee Co-ordinator: B. Karrandjas
Manager of Corporate Communications: B. Lee
Manager, 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 Thompson called the meeting to order in the Council Chamber at 9:33 a.m.

2. **PRAYER AND O CANADA**

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

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

Announcements:

Mayor Thompson expressed his condolences concerning the recent loss of Terry Fast of the Policing Advisory Council of Caledon.

Mayor Thompson thanked Mr. Doug Barnes for his service at the Town of Caledon as the Chief Administrative Officer.

4. **SUMMARY OF ADDENDUM ITEMS**

Report Withdrawn

(RB12) DP-2015-090 Mayfield West Phase 2 Secondary Plan - Proposed Official Plan Amendment No. 222.

By-law Withdrawn

BL-2015-XXX-127 To adopt Amendment 222 to the Town of Caledon Official Plan. (See RB12) (to be provided under separate cover)

Added By-law

BL-2015-XXX-xxx To amend By-law 2007-128 being a by-law to appoint employees of the Town of Caledon to statutory positions. (See Resolution 2013-460)

5. **APPROVAL OF AGENDA**

Moved by Councillor J. Innis - Seconded by Councillor N. deBoer 2015-401

That the agenda for the October 20, 2015 Council Meeting, be approved as amended.

Carried.

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

7. **WORKSHOP** – none.

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

9. **CLOSED MEETING**

Council adopted the required procedural motion and resumed in Closed Meeting in the Committee Room at 9:39 a.m.

Moved by Councillor N. deBoer – Seconded by Councillor J. Innis

2015-402

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

- Confidential Verbal Report from Chris Barnett, Partner, DLA Piper re: Advice that is subject to solicitor-client privilege and litigation – Legal advice regarding Provincial Facilitation.

Carried.

Mayor A. Thompson, Councillor D. Beffort, Councillor N. de Boer, Councillor J. Innis, Councillor G. McClure, Councillor J. Downey, Councillor A. Groves, Councillor R. Mezzapelli, Councillor B. Shaughnessy, Chief Administrative Officer: D. Barnes, Director of Administration/Town Clerk: C. deGorter, Director of Development Approval & Planning Policy: M. Hall, Director of Corporate Services/Chief Financial Officer: F. Wong, Solicitor: P. De Sario and Chris Barnett, Partner, DLA Piper were present for this portion of the meeting.

Council adopted the required procedural motion at 10:41 a.m. and resumed in Open Session at 10:46 a.m.

10. **MATTERS ARISING FROM CLOSED MEETING**

Confidential Verbal Report from Chris Barnett, Partner, DLA Piper re: Advice that is subject to solicitor-client privilege and litigation – Legal advice regarding Provincial Facilitation.

Moved by Councillor N. deBoer – Seconded by Councillor J. Innis

2015-403

That the Confidential Verbal Report from Chris Barnett, Partner, DLA Piper re: Advice that is subject to solicitor-client privilege and litigation – Legal advice regarding Provincial Facilitation, be received; and

That staff proceed as directed; and

That the Council meeting scheduled for November 10, 2015 start at 1:00 p.m.

Carried.

11. **DELEGATIONS/PRESENTATIONS**

D1 – An opportunity was given to those who wish to address the Tax Collectors Roll Adjustments. No one was in attendance.

12. **REGULAR BUSINESS**

CS-2015-046 re: Tax Collector's Roll Adjustments made under Sections 354, 357 and 358 of the Municipal Act, 2001.

Moved by Councillor G. McClure – Seconded by Councillor R. Mezzapelli

2015-404

That Report CS-2015-046 regarding Tax Collector's Roll Adjustments made under Sections 354, 357 and 358 of the *Municipal Act, 2001*, be received; and

That the Treasurer be authorized to make such tax adjustments to the tax collector's roll under Sections 357 and 358 of the *Municipal Act, 2001*, as outlined in CS-2015-046 Appendix A; and

That the Treasurer be authorized to remove unpaid balances from the roll that have been deemed to be uncollectable in accordance with Section 354 of the *Municipal Act, 2001*, as outlined in CS-2015-046 Appendix C.

Carried.

ADM-2015-070 re: Council Code of Conduct.

Moved by Councillor R. Mezzapelli – Seconded by Councillor G. McClure 2015-405

That Report ADM-2015-070 regarding the Council Code of Conduct, be received; and

That the Town's Fees By-law be amended by deleting the fee for filing a complaint pursuant to the Council Code of Conduct; and

That By-law 2010-129 be amended to repeal Schedule "A" (Council Code of Conduct) and replace it with Schedule "A" as attached to ADM-2015-070; and

That Staff review the recommendations of the Integrity Commissioner concerning fund raising and a report be brought forward regarding policies as they relate to fund raising for consideration; and

That Staff prepare a policy concerning the Use of Corporate Resources during election campaign periods for Council consideration; and

That a single source award be granted to John Fleming Occasional Consulting Inc. and that the current appointment of John Fleming as Integrity Commissioner for the Town of Caledon be extended to December 31, 2018; and

That the Mayor and Clerk be authorized to execute an agreement for services with John Fleming Occasional Consulting Inc.

Carried.

13. DELEGATIONS/PRESENTATIONS (continued)

D2 – Judy Porter, Director of Human Resources and Peggy Tollett, Treasurer provided a presentation regarding Staff Report HR-2015-002 - Council Remuneration Review (see attached presentation). Members of Council asked a number of questions concerning the information provided and received a response from the presenters.

Mayor Thompson thanked Ms. Porter and Ms. Tollett for their presentation.

14. REGULAR BUSINESS (continued)

HR-2015-002 re: Council Remuneration Review.

Moved by Councillor J. Innis – Seconded by Councillor B. Shaughnessy 2015-406

That Report HR-2015-002 regarding Council Remuneration Review, be received; and

That the staff report be referred back to staff to consider the direction provided by Council.

Carried.

Council recessed from 12:01 p.m. to 1:06 p.m.

15. PUBLIC MEETING

Proposed Amendment to Development Charges By-law 2015-054.

Mayor Thompson advised the public that any concerns should be directed to the Legislative Services Department. He noted that any interested persons wishing further notification of the Development Charges By-law were advised to sign the appropriate notification form required by the Legislative Services Department. Mayor Thompson confirmed with Heather Haire, Manager of Finance that notification was conducted in accordance with the Development Charges Act.

Ms. Heather Haire advised that the purpose of the meeting is to obtain input from the public regarding the proposed amendments to Development Charges By-law 2015-054. (See attached presentation).

PUBLIC COMMENTS

Sherry Brioschi, 29 Fountainbridge Drive, Bolton, requested clarification as to when the report will be presented to Council and also requested that fiscal information be provided within the report. Ms. Brioschi received responses from Town staff.

Members of Council asked a number of questions and received a response from Town staff.

With the permission of Council, the order of the Agenda was altered to deal with all items related to Staff Report DP-2015-087 - Tottenham Pit: Minister's Approval of Aggregate Resources Act (ARA) Site Plan Amendment Application by Brock Aggregates Inc.

16. DELEGATIONS/PRESENTATIONS (continued)

D4 – Mike McGarrell, Protect Caledon Inc. and Cheryl Connors provided a delegation regarding Staff Report DP-2015-087 - Tottenham Pit: Minister's Approval of Aggregate Resources Act (ARA) Site Plan Amendment Application by Brock Aggregates Inc. He expressed concerns about the notification of the approval and requested that the Town initiate a judicial review regarding the matter. Members of Council asked a number of questions concerning the information provided and received response from the delegate and Town staff.

Mayor Thompson thanked Mr. McGarrell and Ms. Connors for their delegation.

D5 – Cheryl Connors, Canadian Network for Respiratory Care provided a delegation regarding Staff Report DP-2015-087 - Tottenham Pit: Minister's Approval of Aggregate Resources Act (ARA) Site Plan Amendment Application by Brock Aggregates Inc. She requested changes to the staff report and expressed concerns regard possible health effects related to dust and particulate matter resulting from the proposed pit operations. Ms. Connors explained that she did not see the value of a Public Liaison Committee.

Members of Council asked a number of questions concerning the information provided and received a response from the delegate.

Mayor Thompson thanked Ms. Connors for her delegation.

17. REGULAR BUSINESS (continued)

DP-2015-087 re: Tottenham Pit: Minister's Approval of Aggregate Resources Act (ARA) Site Plan Amendment Application by Brock Aggregates Inc.

Moved by Councillor N. deBoer – Seconded by Councillor J. Innis

2015-407

That Report DP-2015-087 regarding Tottenham Pit – Ministerial Approval of the Aggregate Resources Act (ARA) Site Plan Amendment Application by Brock Aggregates Inc., be received; and

That a copy of this report be forwarded to the Ministry of Natural Resources and Forestry (MNRF), clerks of the Region of Peel and County of Simcoe, the Town of New Tecumseth, and the Director of Planning of the Nottawasaga Valley Conservation Authority for their information; and

That the Town request the Ministry of Natural Resources and Forestry to expand future public notification for ARA Site Plan applications beyond the Environmental Bill of Rights (EBR) posting to include direct notification to area residents/public; and

That Brock Aggregate Inc. be requested to incorporate the terms of reference for the Public Liaison Committee as attached as Schedule C to Staff Report DP-2015-087 and forward the terms of reference to the Ministry of Natural Resources and Forestry (MNRF) for approval; and

That Councillor deBoer be appointed to the Public Liaison Committee representing the Town of Caledon as the Town Council representative; and

That the Director of Development Approval and Planning Policy or designate be appointed to the Public Liaison Committee as the Town staff representative.

Council adopted the required procedural motion and resumed in Closed Meeting in the Committee Room at 2:29 p.m.

Moved by Councillor J. Innis – Seconded by Councillor N. deBoer

2015-408

That Council resume into closed session for advice that is subject to solicitor-client privilege, including communication necessary for the purpose concerning Staff Report DP-2015-087.

Carried.

Mayor A. Thompson, Councillor D. Beffort, Councillor N. de Boer, Councillor J. Innis, Councillor G. McClure, Councillor J. Downey, Councillor A. Groves, Councillor R. Mezzapelli, Councillor B. Shaughnessy, Chief Administrative Officer: D. Barnes, Director of Administration/Town Clerk: C. deGorter, Director of Development Approval & Planning Policy: M. Hall, Director of Corporate Services/Chief Financial Officer: F. Wong, Director of Parks and Recreation: L. Johnston, Solicitor: P. De Sario, Solicitor, C. Williams, Aird Berlis LLP, Solicitor J. Bang, H. Xu: Manager of Policy and Sustainability and O. Izirein, Senior Policy Planner were present for this portion of the meeting.

Councillor Groves left at 3:21 p.m. and returned at 3:24 p.m.

Council adopted the required procedural motion at 3:42 p.m. and resumed in Open Session at 3:53 p.m.

Amendment #1

Moved by Councillor B. Shaughnessy – Seconded by Councillor G. McClure

That the Town of Caledon initiate a Judicial Review of the Brock Aggregates - Tottenham Pt - ARA 6677 - Major Site Plan Amendment Approval by the Ministry of Natural Resources.

A recorded vote was requested and taken as follows:

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Shaughnessy	X			
Councillor Mezzapelli		X		
Councillor Innis		X		
Councillor McClure	X			
Mayor Thompson		X		
Councillor Beffort		X		
Councillor Downey		X		
Councillor DeBoer		X		
Councillor Groves	X			
TOTAL	3	6		

Lost.

Amendment #2

Moved by Councillor N. deBoer – Seconded by Councillor J. Innis

That a delegation consisting of the Mayor, Regional Chair, representatives of Council and representatives of Protect Caledon Inc, be requested of the Minister of Natural Resources and Forestry to discuss issues concerning the Brock Aggregates Inc. major site plan amendment for the Tottenham Pit.

A recorded vote was requested and taken as follows:

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Shaughnessy				X
Councillor Mezzapelli	X			
Councillor Innis	X			
Councillor McClure	X			
Mayor Thompson	X			
Councillor Beffort	X			
Councillor Downey	X			
Councillor DeBoer	X			
Councillor Groves	X			
TOTAL	8			1

Carried

Upon the question of the main Motion moved by Councillor N. deBoer and seconded by Councillor J. Innis AS AMENDED by Amendment #2, a recorded vote was requested and taken as follows:

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Shaughnessy				X
Councillor Mezzapelli	X			
Councillor Innis	X			
Councillor McClure	X			
Mayor Thompson	X			
Councillor Beffort	X			
Councillor Downey	X			
Councillor DeBoer	X			
Councillor Groves		X		
TOTAL	7	1		1

Carried

CS-2015-041 re: Municipal Capital Facilities.

Moved by Councillor G. McClure – Seconded Councillor N. deBoer 2015-409

That Report CS-2015-041 regarding the declaration of Municipal Capital Facilities, be received; and

That the Terra Cotta Community Centre at 18 High St, Caledon be declared primarily for local community use, for Town purposes and for a public use in accordance with Ontario Regulation 603/06; and

That a by-law be enacted pursuant to Section 110 of the *Municipal Act, 2001* providing authority to:

- a) Enter into a municipal capital facility agreement with respect to the properties identified in Appendix A of Report CS-2015-041 (lands leased from the Toronto Regional Conservation Authority) and Appendix B of Report CS-2015-041 (Terra Cotta Community Centre); and
- b) Exempt these properties from taxation for municipal and education purposes;

That in accordance with subsection 252(1) of the *Municipal Act, 2001*; that the Mayor and Town Clerk be authorized to enter into agreements designating properties listed in Schedules A & B of CS 2015-041 as municipal capital facilities.

Carried.

CS-2015-050 re: 2015 Forecast Operating Variance.

Moved by Councillor N. deBoer – Seconded by Councillor R. Mezzapelli 2015-410

That Report CS-2015-050 regarding 2015 Forecast Operating Variance be received.

Carried.

CS-2015-053 re: Consolidation of the Municipal, Agricultural and Community Grants and the Community Event Fund.

Moved by Councillor J. Innis – Seconded by Councillor N. deBoer 2015-411

That Report CS-2015-053 regarding Consolidation of the Municipal, Agricultural and Community Grants with the Community Event Fund, be received; and

That the Community Event Fund be dissolved and consolidated under the Municipal, Agricultural and Community Grants program; and

That the Community Development Reserve Fund be closed and the remaining amount of \$5,630 be transferred as a one-time increase to fund the 2016 Municipal Agricultural and Community Grant Program.

Carried.

DP-2015-080 re: Proposed Heritage Designation of 988 Forks of the Credit Road.

Moved by Councillor B. Shaughnessy – Seconded by Councillor D. Beffort 2015-412

That Report DP-2015-080 regarding Proposed Heritage Designation of 988 Forks of the Credit Road (Ward 1), be received; and

That the Heritage Resource Officer be directed to proceed with the Notice of Intention to Designate for 988 Forks of the Credit Road; and

That should no objections be received during the mandatory 30-day public objection period following publication of this Notice of Intention to Designate, a by-law be enacted for the purpose of designating 988 Forks of the Credit Road, pursuant to the *Ontario Heritage Act*.

Carried.

DP-2015-083 re: Whitebelt Visioning Exercise and Single Source Award.

Moved by Councillor J. Innis – Seconded by Councillor G. McClure 2015-413

That Report DP-2015-083 regarding the Whitebelt Visioning Exercise and Single Source Award be received; and

That planning staff be directed to expand the work program for the GTA West Land Use Study to include a visioning exercise for the Whitebelt; and

That the work program for the Whitebelt Visioning Exercise, as attached to Staff Report CP-2015-083 as Schedule A be approved; and

That a new 2015 project be added for the Whitebelt Visioning Exercise in the amount of \$90,000 (inclusive of non-refundable HST) funded by the Development Charge Studies Reserve and the Tax Funded Capital Contingency Reserve; and

That a single source award be approved to Meridian Planning Consultants in the amount of \$90,000 (inclusive of non-refundable HST); and

That copies of staff report DP-2015-083 be forwarded to the Region of Peel and the Cities of Brampton and Mississauga for their information.

Carried.

FES-2015-008 re: False Fire Alarm Invoice #14244 – Montgomerie.

Moved by Councillor R. Mezzapelli – Seconded by Councillor G. McClure 2015-414

That Report FES-2015-008 regarding False Fire Alarm Invoice #14244 – Stephanie Montgomerie, be received; and

That the request by Ms. Stephanie Montgomerie to have the False Alarm invoice #14244 dismissed be denied.

A recorded vote was requested and taken as follows:

RECORDED VOTE	YES	NO	CONFLICT	ABSENT
Councillor Shaughnessy	X			
Councillor Mezzapelli	X			
Councillor Innis				X
Councillor McClure	X			
Mayor Thompson	X			
Councillor Beffort	X			
Councillor Downey	X			
Councillor deBoer	X			
Councillor Groves		X		
TOTAL	7	1		1

Carried.

DP-2015-086 re: Proposed Heritage Designation of 758 Bush Street, Belfountain.

Moved by Councillor B. Shaughnessy – Seconded by Councillor D. Beffort 2015-415

That Report DP-2015-086 regarding Proposed Heritage Designation of 758 Bush Street, Belfountain (Ward 1), be received; and

That the Heritage Resource Officer be directed to proceed with the Notice of Intention to Designate for 758 Bush Street, Belfountain; and

That should no objections be received during the mandatory 30-day public objection period following publication of this Notice of Intention to Designate, a by-law be enacted for the purpose of designating 758 Bush Street, Belfountain, pursuant to the *Ontario Heritage Act*.

Carried.

18. DELEGATIONS/PRESENTATIONS (continued)

D3 – Sara Peckford, Manager of Energy & Environment provided a presentation regarding Staff Report CAO-2015-021 - Council Work Plan (see attached presentation)

19. REGULAR BUSINESS (continued)

CAO-2015-021 re: Council Work Plan Status Update.

Moved by Councillor J. Innis – Seconded by Councillor D. Beffort 2015-416

That Report CAO-2015-021 regarding Council Work Plan (CWP) Status Update, be received; and

That the remaining CWP priorities discussed during the October 13, 2015 Special Council Meeting be endorsed; and

That all CWP priorities identified in Table 1 of Staff Report CAO-2015-021, and specifically those that were ranked as the highest priorities be evaluated for inclusion in the 2016 budget; and

That Schedule A to Staff Report CAO-2015-021 be endorsed as a mechanism for seeking staff and public feedback on the draft plan; and

That staff report back with a final Council Work Plan in February 2016.

Carried.

20. COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS (continued)

Urgent Business – none.

Notices of Motion – printed with the Agenda – none.

Notices of Motion – presented at the meeting - none.

Council Inquiries:

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

21. **PROCLAMATIONS**

1. National Teen Driver Safety Week – October 19-25, 2015.

Moved by Councillor R. Mezzapelli - Seconded by Councillor J. Innis 2015-417

Whereas driving is an important and exciting right of passage for youth. It is also one of the riskiest activities for young people to engage in; and

Whereas teen driver safety is a significant issue in Canada. Young drivers are over represented in all road-related injuries and fatalities; and

Whereas National Teen Driver Safety Week is a week dedicated to raising awareness and seeking solutions to preventable teen deaths on the road across Canada. Everyone has a role to play in creating change amongst their peers, in classrooms and in their communities;

Now therefore be it resolved that the Town of Caledon hereby proclaims the week of October 19-25, 2015 as "National Teen Drive Safety Week".

Carried.

2. English as a Second Language Week – November 8-14, 2015.

Moved by Councillor J. Innis - Seconded by Councillor R. Mezzapelli 2015-418

Whereas Ontario has been the destination of choice for many immigrants who have added to the diversity of the province by bringing their culture, customs and language, even as they endeavour to acquire the ability to communicate in English; and

Whereas the community of English as a Second Language learners are represented in all aspects of society. They are students in elementary and secondary schools, universities, colleges, public and private schools, adult education students pursuing literacy and basic skills, participants in workplace-training programs, researchers and subjects, volunteers and workers, employees and business owners, labourers and professionals, neighbours and friends; and

Whereas the professional organization Teachers of English as a Second Language (TESL) Ontario hosts a conference in Toronto each year consisting of workshops, research symposia and a technology fair to maintain and expand the skills and abilities of its members; and

Now therefore be it resolved that the Town of Caledon hereby proclaims the week of November 8-14, 2015 as "English as a Second Language Week".

Carried.

3. Lung Month – November 2015.

Moved by Councillor N. deBoer - Seconded by Councillor J. Innis 2015-419

Whereas, in the Town of Caledon and throughout Ontario, one in five residents lives with lung disease; and

Whereas, lung disease is one of the most prevalent, deadly and costly chronic diseases; and

Whereas, the Town of Caledon supports all measures designed to advance and protect the health of its citizens and of Ontarians; and

Whereas, to increase awareness of lung health issues and to inform Ontarians about the importance of their lung health, the Ontario Lung Association has designated the month of November Lung Month;

Now therefore be it resolved that the Town of Caledon hereby proclaims the month of November, 2015 as "Lung Month".

Carried.

22. CORRESPONDENCE

Moved by Councillor J. Innis - Seconded by Councillor R. Mezzapelli 2015-420

That the correspondence items as listed in the correspondence package for the October 20, 2015, Council meeting, be received.

Carried.

Councillor McClure left the meeting at 5:06 p.m.

23. PUBLIC QUESTION PERIOD

SHERRY BRIOSCHI, resident expressed concern regarding the handling of the false fire alarm issue and requested that the public be more informed of the proceedings during the Council meeting.

24. RECEIPT OF MINUTES

Moved by Councillor R. Mezzapelli - Seconded by Councillor J. Innis 2015-421

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

- Council Meeting held October 6, 2015; and
- Closed Council Meeting held October 6, 2015.

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

- Accessibility Advisory Meeting held October 8, 2015;
- Bolton Business Improvement Area (BIA) Board of Management Meeting held August 10, 2015.

Carried.

25. BY-LAWS

Moved by Councillor J. Innis - Seconded by Councillor R. Mezzapelli 2015-422

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

- | | |
|-------------|--|
| BL-2015-082 | To stop-up and close and dispose of the lands legally described as Part of the road allowance between Lots 25 & 26, Concession 5 WHS, designated as Parts 1, 2 & 3 on Plan 43R-35737, also known as Highpoint Sideroad, Caledon. |
| BL-2015-083 | To amend By-law Number 2007-128 to provide for certain further indemnification for members of council. |
| BL-2015-084 | To amend By-law 2007-128 being a by-law to appoint employees of the Town of Caledon to statutory positions. |
| BL-2015-085 | To confirm the proceedings of the Council for The Corporation of the Town of Caledon at its Council Meetings held on the 13th and 20th day of October, 2015. |

Carried.

Councillor Shaughnessy left the meeting at 5:12 p.m.

26. ADJOURNMENT

On verbal motion moved by Councillor D. Beffort and seconded by Councillor A. Groves, Council adjourned at 5:14 p.m.

Allan Thompson, Mayor

Carey deGorter, Clerk