



Council Meeting Minutes
Tuesday, November 10, 2015
1:00 p.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
Councillor R. Mezzapelli
Councillor B. Shaughnessy

Interim Chief Administrative Officer: L. Johnston
Deputy Fire Chief: D. Bailey
Acting Director of Parks and Recreation: B. Baird
Director of Administration/Town Clerk: C. deGorter
Fire Chief: D. Forfar
Director of Development Approval and Planning Policy/Deputy CAO: M. Hall
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 1:01 p.m.

2. PRAYER AND O CANADA

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

3. SUMMARY OF ADDENDUM ITEMS

Added Closed Meeting

3. Confidential Verbal Report from Chris Barnett, Partner, DLA Piper re: Advice that is subject to solicitor-client privilege and litigation – Legal advice regarding Court Action to Quash the Peel Region decision to enter into Facilitation.

Added Correspondence

CP1 Orangeville Railway Development Corp. dated November 5, 2015 re: Mayfield West Phase 2 Secondary Plan. (See RB3)

CP2 Loopstra, Nixon dated November 9, 2015 re: Proposed Adoption of OPA 222 - The Mayfield West Phase 2 Secondary Plan. (See RB3)

4. APPROVAL OF AGENDA

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

2015-426

That the agenda for the November 10, 2015 Council Meeting, be approved as amended.

Carried.

5. DISCLOSURE OF PECUNIARY INTEREST

Councillor G. McClure disclosed a potential pecuniary interest with respect to Regular Business #3 DP-2015-090 – Proposed Official Plan Amendment 222. – The Mayfield West Phase 2 Secondary Plan (Ward 2) and By-law BL-2015-087 - To adopt Amendment 222 to the Town of Caledon Official Plan as he owns land adjacent to the subject lands.

6. WORKSHOP – none.

7. INTRODUCTION OF NEW STAFF – none.

8. **CLOSED MEETING**

Council adopted the required procedural motion and resumed in Closed Meeting in the Committee Room at 1:07 p.m.

Moved by Councillor R. Mezzapelli – Seconded by Councillor J. Innis

2015-427

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

- Confidential Report HR-2015-003 re: Personal matters about identifiable individual, including municipal or local board employees - 2015 Town of Caledon Award of Excellence;
- 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; and
- Confidential Verbal Report from Chris Barnett, Partner, DLA Piper re: Advice that is subject to solicitor-client privilege and litigation – Legal advice regarding Court Action to Quash the Peel Region decision to enter into 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, Interim Chief Administrative Officer: L. Johnston, Director of Administration/Town Clerk: C. deGorter and Director of Human Resources: J. Porter were present for this portion of the meeting.

Director of Human Resources: J. Porter left the meeting at 1:14 p.m.

Director of Development Approval & Planning Policy: M. Hall, Director of Corporate Services/Chief Financial Officer: F. Wong, Solicitor: P. De Sario, Mark Towhey, Communications Consultant, Laura Bissett, Lawyer, DLA Piper and Chris Barnett, Partner, DLA Piper joined the meeting at 1:14 p.m.

Councillor Beffort left the meeting at 2:26 p.m. and rejoined the meeting at 2:26 p.m.

Councillor Groves left the meeting at 2:28 p.m. and rejoined the meeting at 2:35 p.m.

Councillor Shaughnessy left the meeting at 3:14 p.m. and rejoined the meeting at 3:17 p.m.

Council adopted the required procedural motion at 3:22 p.m. and resumed in Open Session at 3:33 p.m.

9. **MATTERS ARISING FROM CLOSED MEETING**

Confidential Report HR-2015-003 re: Personal matters about identifiable individual, including municipal or local board employees - 2015 Town of Caledon Award of Excellence.

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

2015-428

That Confidential Report HR-2015-003 regarding Personal matters about identifiable individuals, including municipal employees - 2015 Town of Caledon Award of Excellence be received; and

That staff proceed as directed.

Carried.

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 G. McClure – Seconded by Councillor B. Shaughnessy

2015-429

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.

Carried.

Confidential Verbal Report from Chris Barnett, Partner, DLA Piper re: Advice that is subject to solicitor-client privilege and litigation – Legal advice regarding Court Action to Quash the Peel Region decision to enter into Facilitation.

Moved by Councillor G. McClure – Seconded by Councillor R. Mezzapelli 2015-430

That the Confidential Verbal Report from Chris Barnett, Partner, DLA Piper regarding Advice that is subject to solicitor-client privilege and litigation – Legal advice regarding Court Action to Quash the Peel Region decision to enter into Facilitation be received; and

That staff proceed as directed.

Carried.

10. DELEGATIONS/PRESENTATIONS

D1 – Vandi Hill and Gabrielle Fischer Horvath provided a presentation regarding the 2015 BizBaz Arts Festival (see attached presentation). Ms. Fischer Horvath presented Mayor Thompson with a bust created to commemorate the 2015 BizBaz event.

Mayor Thompson thanked Ms. Hill and Ms. Fischer Horvath for their presentation.

D2 – Ronald K. Webb, Davis Webb LLP. on behalf of Neola Investments Limited provided a delegation regarding Staff Report DP-2015-096 - Request for Draft Approval Extension Neola Investments Ltd. Plan of Subdivision Part Lot 3, Concession 2 WHS (Caledon) (Ward 1). Mr. Webb requested that an extension be granted for an additional three years for his client.

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

Mayor Thompson thanked Mr. Webb for his delegation.

11. REGULAR BUSINESS

DP-2015-096 re: Request for Draft Approval Extension, Neola Investments Ltd. Plan of Subdivision, Part Lot 3, Concession 2 WHS (Caledon) (Ward 1).

Moved by Councillor B. Shaughnessy – Seconded by Councillor R. Mezzapelli 2015-431

That Report DP-2015-096 regarding a Request for Draft Approval Extension, Neola Investments Ltd. Plan of Subdivision, Part Lot 3, Concession 2 WHS (Caledon), Ward 1 be received.

Carried.

12. DELEGATIONS/PRESENTATIONS (continued)

Moved by Councillor J. Innis – Seconded by Councillor J. Downey 2015-432

That Council waive Section 8(2) of the procedural by-law to permit a delegation to be heard by Glen Schnarr, Glen Schnarr & Associates regarding the Proposed Official Plan Amendment 222 - The Mayfield West Phase 2 Secondary Plan - Ward 2.

Carried.

Councillor McClure left the Council table and did not participate in any discussion regarding this matter as a result of declaring a potential pecuniary interest earlier in the meeting.

D3 – Glen Schnarr, Glen Schnarr & Associates provided a delegation regarding Staff Report DP-2015-090 - Proposed Official Plan Amendment 222. – The Mayfield West Phase 2 Secondary Plan (Ward 2). Mr. Schnarr thanked Town staff and the landowners for working collaboratively on the secondary plan and development agreement.

Mayor Thompson thanked Mr. Schnarr for his delegation.

13. REGULAR BUSINESS (continued)

DP-2015-090 re: Proposed Official Plan Amendment 222. – The Mayfield West Phase 2 Secondary Plan (Ward 2).

Moved by Councillor J. Downey – Seconded by Councillor J. Innis 2015-433

That Report DP-2015-090 regarding Proposed Official Plan Amendment 222 - The Mayfield West Phase 2 Secondary Plan - Ward 2 be received; and

That the required By-law be enacted for Official Plan Amendment Number 222 approval; and

That the Mayor and Clerk be authorized to execute the Financial and Development Charge Credit Agreement between the Town and the Mayfield West Phase 2 Landowners; and

That Report DP-2015-090 be forwarded to the Ontario Ministry of Municipal Affairs and Housing, Region of Peel, City of Brampton, Toronto and Region Conservation Authority, Credit Valley Conservation, Peel District School Board, Dufferin-Peel Catholic District School Board, and Orangeville Railway Development Corporation.

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.

Councillor McClure returned to his seat at 4:25 p.m.

CS-2015-051 re: Amendment to Town of Caledon Development Charges By-law 2014-054.

Moved by Councillor N. deBoer – Seconded by Councillor D. Beffort 2015-434

That Report CS-2015-051 regarding Amendments to Town of Caledon Development Charge By-law 2014-054 be received; and

That the changes to the development charge background study and proposed by-law amendments subsequent to the statutory public meeting on October 20, 2015 are not considered a sufficient impact to create the need for a second public meeting to be held under sub-section 12(1) of the *Development Charges Act, 1997*; and

That the Town of Caledon’s scoped development charge background study entitled Amendments to Development Charges By-Law 2014-054, (attached as Appendix A to report CS-2015-051), be approved; and

That the Town of Caledon’s Development Charge By-law No. 2014-054 be amended as attached as Appendix B to report CS-2015-051.

Carried.

With the permission of Council, the order of the Agenda was altered to deal with Staff Report DP-2015-071 - Proposed Official Plan and Zoning By-law Amendment Applications King Station Facility Inc. 232-240 King Street West, Part of Lot 8, Concession 6 (Albion), Southeast Corner of King Street West and Station Road, Bolton (Ward 5).

DP-2015-071 re: Proposed Official Plan and Zoning By-law Amendment Applications King Station Facility Inc. 232-240 King Street West, Part of Lot 8, Concession 6 (Albion), Southeast Corner of King Street West and Station Road, Bolton (Ward 5).

Moved by Councillor A. Groves – Seconded Councillor R. Mezzapelli 2015-435

That Report DP-2015-071 regarding proposed Official Plan and Zoning By-law Amendment Applications, King Station Facility Inc., 232-240 King Street West, Part of Lot 8, Concession 6 (Albion), Ward 5, Southeast Corner of King Street West and Station Road, Bolton be received; and

That the Mayor and Clerk be authorized to execute Minutes of Settlement in regard to the proposed Official Plan Amendment being Official Plan Amendment Number 246 attached as Schedule “D” and proposed Zoning By-law Amendment attached as Schedule “E” as outlined in report DP-2015-071 or as modified to the satisfaction of the Director of Development Approval and Planning Policy in consultation with the Town’s Solicitor; and

That Town staff be authorized to continue to act on behalf of the Town going forward for the proposed Official Plan Amendment and Zoning By-law Amendment before the Ontario Municipal Board, as outlined in report DP-2015-071, in accordance with the usual course of an Ontario Municipal Board matter.

Carried.

ADM-2015-071 re: Provincial Review of the Municipal Act and Municipal Conflict of Interest Act.

Moved by Councillor D. Beffort – Seconded by Councillor J. Innis 2015-436

That Report ADM-2015-071 regarding the Provincial Review of the Municipal Act, 2001 and the Municipal Conflict of Interest Act be received; and

That the Town of Caledon endorse the Association of Municipalities of Ontario submission to the Minister of Municipal Affairs and Housing entitled “2015 Municipal Act Five-Year Review and Conflict of Interest Review” as set out in “Schedule A” to Report ADM-2015-071; and

That staff forward a copy of Report ADM-2015-071 to the Ministry of Municipal Affairs and Housing as the Town’s response to the Province of Ontario’s request for consultation regarding the review of the Municipal Act, 2001 and the Municipal Conflict of Interest Act.

Carried.

PREC-2015-020 re: 2015 Caledon Day Summary Report.

Moved by Councillor J. Innis – Seconded by Councillor G. McClure 2015-437

That Report PREC-2015-020 regarding Caledon Day 2015 Summary Report be received; and

That the next Caledon Day be held on Saturday June 18, 2016.

Carried.

PW-2015-083 re: Proposed All-Way Stop - Silvervalley at Evans Ridge. (Ward 5)

Moved by Councillor R. Mezzapelli – Seconded by Councillor A. Groves 2015-438

That Report PW-2015-083 regarding Proposed All-way Stop - Silvervalley at Evans Ridge be received; and

That Traffic By-law 2015-058 be amended to repeal and replace Schedule "D" to include an All-Way Stop at the intersection of Silvervalley Drive at Evans Ridge.

Carried.

PW-2015-084 re: Proposed No-Parking Anytime - Creditview Road North and South of Olde Base Line Road. (Wards 1 and 2)

Moved by Councillor B. Shaughnessy – Seconded by Councillor D. Beffort 2015-439

That Report PW-2015-084 regarding Proposed No-Parking Anytime - Creditview Road north and south of Olde Base Line Road be received; and

That Traffic By-law 2015-058, be amended to repeal and replace Schedule "A" to include a No-Parking Anytime Prohibition on both sides of Creditview Road, to a point 500 metres north and south of Olde Base Line Road.

Council recessed from 4:54 p.m. to 5:03 p.m.

Amendment #1

Moved by Councillor J. Downey – Seconded by Councillor D. Beffort

That the following paragraph be added:

“That the Director of Public Works be directed to construct up to six parking spaces south of Olde Base Line Road, off of the Creditview Road right of way.”

Carried.

Upon the question of the main Motion moved by Councillor B. Shaughnessy and seconded by Councillor D. Beffort AS AMENDED by Amendment #1, the Motion was Carried.

PW-2015-089 re: Delegated Authority for Fence By-law Exemptions.

Moved by Councillor A. Groves – Seconded by Councillor G. McClure 2015-440

That Report PW-2015-089 regarding Delegated Authority for Fence By-law Exemptions be received; and

That Fence By-law No. 2005-36 be amended to provide delegated authority to the Director of Public Works to grant exemptions to the By-law; and

That a formal administrative procedure be developed in order to process exemption requests; and

That the Director of Public Works provide an update of all exemptions granted on an annual basis to Council.

Carried.

14. RECEIPT OF MINUTES

Moved by Councillor G. McClure - Seconded by Councillor J. Innis 2015-441

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

- Council Meeting held October 13, 2015;
- Council Meeting held October 20, 2015;
- Closed Council Meeting held October 20, 2015;
- Special Council Meeting held October 21, 2015 (PIM);
- Special Council Meeting held October 26, 2015; and
- Closed Council meeting held October 26, 2015.

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

- Committee of Adjustment held October 14, 2015;
- Heritage Caledon meeting held October 19, 2015;
- Caledon Public Library Board Meeting held September 21, 2015; and
- Bolton Business Improvement Area (BIA) Board of Management Meeting held August 31, 2015.

Carried.

15. PROCLAMATIONS

1. Woman Abuse Prevention Month – November 2015.

Moved by Councillor J. Innis - Seconded by Councillor R. Mezzapelli 2015-442

Whereas, it is every woman's fundamental right to live in safety and security in their homes and communities — free from the threat of violence; and

Whereas, this month provides the opportunity to raise awareness about violence against women and its prevention, and has been recognized in Ontario since 1986; and

Whereas, for every 100,000 married, common-law and separated women in Ontario, there are 29 women in shelters seeking an escape from domestic violence and 1 in 3 Canadian women will experience sexual assault in their adult life; and

Whereas, together with Family Transition Place, we believe that violence has no place in our homes, schools and community; and

Whereas we urge all citizens to recognize the ongoing commitment of individuals and organizations in our community whose tireless efforts help prevent abuse;

Therefore be it resolved that Council hereby proclaims the month of November 2015 as "Woman Abuse Prevention Month" in the Town of Caledon.

Carried.

16. CORRESPONDENCE

Moved by Councillor D. Beffort - Seconded by Councillor G. McClure 2015-443

That the correspondence items as listed in the correspondence package for the November 10, 2015, Council meeting be received; and

That the correspondence from the Orangeville Railway Development Corp. dated November 5, 2015 regarding the Mayfield West Phase 2 Secondary Plan be received; and

That the correspondence from Loopstra, Nixon dated November 9, 2015 regarding the Proposed Adoption of OPA 222 - The Mayfield West Phase 2 Secondary Plan be received.

Carried.

17. COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS

Announcements – none.

Urgent Business:

1. Councillor B. Shaughnessy re: Lafarge Canada Inc./Limebeer Pit.

Moved by Councillor B. Shaughnessy - Seconded by Councillor D. Beffort 2015-444

That a motion without notice be introduced regarding Lafarge Canada Inc.'s Official Plan and Zoning By-law amendment applications for Limebeer Pit to increase the notification area for future public meetings.

Carried.

Moved by Councillor B. Shaughnessy - Seconded by Councillor D. Beffort 2015-445

Whereas Lafarge Canada Inc. has submitted Official Plan and Zoning By-law amendment applications to facilitate a proposed gravel pit known as the Limebeer Pit for the property described as Part of Lots 13, 14 and 15, Concession 2 WHS (Caledon); and

Whereas the effects of this proposed gravel pit may be felt beyond the notification area mandated by the Planning Act, being 120 metres from the subject lands; and

Whereas the Town of Caledon Official Plan mineral resource policies define areas of influence from licenced pit and quarry operations being distances of 300 metres and 500 metres, respectively;

Therefore be it resolved that Planning staff be directed to notify all residents within 500 metres of the subject lands of the dates and times of any future meetings required by the Planning Act.

Carried.

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.

18. PUBLIC QUESTION PERIOD

1. **AL TUPPER and JOHN KROHNERT** representing Christian Schools, landowners at the northeast corner of Phase 2, who own 60 acres and have owned the lands since 1976 requested that general institution zoning be applied to their lands.

Council recessed from 5:30 p.m. to 6:11 p.m.

19. DELEGATIONS/PRESENTATIONS (continued)

Moved by Councillor J. Innis – Seconded by Councillor D. Beffort 2015-446

That Council waive Section 8(2) of the procedural by-law to permit a delegation to be heard by Patrick Harrington on behalf of Option 3 Bolton Landowners regarding the Provincial Facilitation Proposed Settlement on ROPA 28.

Carried.

D3 – Patrick Harrington, Aird & Berlis LLP on behalf of Option 3 Bolton Landowners provided a delegation regarding Staff Report DP-2015-097 - Provincial Facilitation, Proposed Settlement on ROPA 28 and Planning Process for Bolton Residential Expansion Area. He noted that his clients do not support the third paragraph outlined in the staff recommendation.

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

Mayor Thompson thanked Mr. Harrington for his delegation.

20. REGULAR BUSINESS (continued)

DP-2015-097 re: Provincial Facilitation, Proposed Settlement on ROPA 28 and Planning Process for Bolton Residential Expansion Area.

Moved by Councillor J. Downey – Seconded by Councillor N. deBoer 2015-447

That Report DP-2015-097 regarding Provincial Facilitation Proposed Settlement on ROPA 28 be received; and

That the Mayor and Clerk be authorized to execute the Minutes of Settlement regarding Regional Official Plan Amendment 28; and

That the planning process to complete the implementation of 2031A Growth Plan targets in Bolton be supported; and

That Report DP-2015-097 be forwarded to the Region of Peel and the Provincial Development Facilitator at the Ministry of Municipal Affairs and Housing.

Amendment #1

Moved by Councillor J. Innis – Seconded by Councillor B. Shaughnessy

That paragraph 3 be replaced with the following:

“That the planning process to complete the implementation of 2031A Growth Plan targets in Bolton be referred to the next Council meeting to allow for further consideration.”

Moved by Councillor N. deBoer – Seconded by Councillor G. McClure

That the entire matter including the proposed amendment be deferred until the next Council meeting for consideration.

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 | 9 | | | |

Carried.

21. BY-LAWS

Councillor McClure left the Council table and did not participate in any discussion regarding this matter as a result of declaring a potential pecuniary interest earlier in the meeting.

Moved by Councillor J. Innis - Seconded by Councillor J. Downey 2015-448

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

BL-2015-087 To adopt Amendment 222 to the Town of Caledon Official Plan.

Carried.

Councillor McClure rejoined the meeting at 7:35 p.m.

Moved by Councillor J. Innis - Seconded by Councillor B. Shaughnessy

2015-449

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

- BL-2015-086 To amend By-law 2014-054, the 2014 Town Wide Development Charges By-law.
- BL-2015-088 To amend By-law BL-2015-058, being a By-law to regulate the use of highways and parking on highways and to repeal certain by-laws.
- BL-2015-089 To amend Fill By-law 2007-59 being a By-law to regulate the placing or dumping of fill and the alteration of the grade on lands within the Town of Caledon.
- BL-2015-090 To amend By-law 2010-129 being a by-law to adopt a Council Code of Conduct and to establish the Office of the Integrity Commissioner.
- BL-2015-091 To amend By-law 2015-012, 2015 Fees and Charges for services provided by the Town of Caledon and planning applications.
- BL-2015-092 To confirm the proceedings of the Council for The Corporation of the Town of Caledon at its Council Meetings held on the 26th day of October and the 10th day of November, 2015.

Carried.

22. ADJOURNMENT

On verbal motion moved by Councillor A. Groves and seconded by Councillor D. Beffort, Council adjourned at 7:37 p.m.

Allan Thompson, Mayor

Carey deGorter, Clerk