TOWN OF CALEDON

General Committee Meeting Report
Tuesday, February 6, 2018
1:00 p.m.
Council Chamber, Town Hall

Chair: Councillor J. Innis
Vice-Chair: Councillor R. Mezzapelli
Mayor A. Thompson
Councillor D. Beffort
Councillor N. deBoer
Councillor J. Downey
Councillor A. Groves
Councillor G. McClure (absent)
Councillor B. Shaughnessy

Chief Administrative Officer: M. Galloway
General Manager, Corporate Services/Town Clerk: C. deGorter
Coordinator, Council Committee: D. Lobo
General Manager, Strategic Initiatives: D. Arbuckle
Treasurer: H. Haire
General Manager, Community Services: P. Tollett
Manager, Legal Services/Town Solicitor: K. Stavrakos

CALL TO ORDER

Chair J. Innis called the meeting to order in the Council Chambers at 1:04 p.m.

DISCLOSURE OF PECUNIARY INTEREST – none.

CONSENT AGENDA

The General Committee reports that the following matters were dealt with on the consent portion of the agenda and recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018:

STAFF REPORT 2018-8 REGARDING 2018 PROPERTY TAX RATIOS

That the 2018 Property Tax Ratios as outlined in Table One of Staff Report 2018-8 be approved; and

That a by-law be enacted to establish 2018 tax ratios for prescribed property classes as outlined in Table One of Staff Report 2018-8.

STAFF REPORT 2018-10 REGARDING A LICENSE AGREEMENT BETWEEN THE REGIONAL MUNICIPALITY OF PEEL AND THE CORPORATION OF THE TOWN OF CALEDON FOR THE PROPERTY LOCATED ON CHARLESTON SIDEROAD, WEST OF AIRPORT ROAD, IN THE TOWN OF CALEDON, WARD 1

That the Mayor and Clerk be authorized to execute a license agreement between The Regional Municipality of Peel and the Corporation of the Town of Caledon for space on the Communication Tower located on Charleston Sideroad west of Airport Road, Ward 1, in accordance with the terms in Staff Report 2018-10.

ACCESSIBILITY ADVISORY COMMITTEE REPORT DATED JANUARY 18, 2018.

That the Accessibility Advisory Committee Meeting Report dated January 18, 2018, be received.

NOTICE OF MOTION REGARDING NUISANCES CAUSED BY THE PRODUCTION OF CANNABIS

Whereas the impact of the legalization of cannabis will be felt at the local level;

Whereas the production of cannabis is known to create such nuisances related to, but not limited to odours, overgrown plants creating an unsightly condition, etc.; and

Whereas municipalities have the ability to establish standards to control potential nuisances caused by the production and use of cannabis;

Now therefore be it resolved that steps be taken to consider ways to eliminate potential nuisances caused by the personal and commercial production of cannabis and to report back to General Committee on June 26, 2018.

DELEGATIONS

Tim Forster, Resident, Town of Caledon provided a delegation with respect to Notice of Motion concerning Council Code of Conduct Review. Mr. Forster provided his opinion regarding guidelines related to the use of social media and attending public meetings. He suggested the Integrity Commissioner conduct the review of the Code of Conduct.

Chair J. Innis thanked Mr. Forster for his delegation.

Members of Council asked questions and received responses from Mr. Forster and staff.

STAFF REPORTS

The General Committee recommends adoption of the following recommendation:

STAFF REPORT 2018-12 REGARDING 2015 AND 2016 ENHANCED ROADS PROGRAM DEBENTURE

That the 2015 Enhanced Road Program estimated at a cost of $3,371,000 be funded by a debenture, to be issued by the Region of Peel on behalf of the Town of Caledon; and

That the 2016 Enhanced Road Program estimated at a cost of $3,413,151 be funded by a debenture, to be issued by the Region of Peel on behalf of the Town of Caledon; and

That the Region of Peel be requested to issue debt on behalf of the Town of Caledon as part of their debt issuance for the lower-tier municipalities in 2018; and

That a by-law be enacted authorizing the Clerk and Treasurer to execute all required documents to secure the Town's portion of funding for this project from a debenture to be issued by the Region of Peel for the upset limit amount of $7,000,000 and for a term not to exceed 11 years.

This matter was recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018.

The General Committee recommends adoption of the following recommendation:

ONTARIO REVITALIZING MAIN STREETS FUND

Whereas Minister of Agriculture, Food and Rural Affairs, the Honourable Jeff Leal, announced the new Ontario Revitalizing Main Streets Fund at the Rural Ontario Municipal Association Conference;

Whereas the objective of the fund is to support capital projects for the revitalization of downtown and main streets and does not require matching municipal funds;

Whereas Caledon's allocation under this new funding is $84,657.00; and

Whereas communities in Caledon would benefit from this funding;

Now therefore be it resolved that the CAO work with staff to examine and research the highest and best use for this funding; and

That a report be brought back to Council outlining recommendations and options following the release of full program requirements from the Ministry of Agriculture, Food and Rural Affairs.

This matter was recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018.

The General Committee recommends adoption of the following recommendation:

MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT PROCESS

Whereas a coalition of the Municipal Engineers Association (MEA) and the Residential and Civil Construction Alliance of Ontario have successfully applied to have a review of the Municipal Class Environmental Assessment process conducted under Part IV (Section 61) of the *Environmental Bill of Rights Act, 1993* (EBR Act);

Whereas impact studies and public meetings required by the MCEA process often take two years or more to complete before construction can commence;

Whereas the MCEA requirements to evaluate alternatives are often not well aligned with prior or municipal land use planning decisions;

Whereas analysis by the Residential and Civil Construction Alliance of Ontario (RCCAO) has demonstrated that the time to complete an EA rose from 19 months to 26.7 months and costs went from an average of $113,300 to $386,500;

Whereas the Auditor General of Ontario has tabled recommendations for modernizing the MCEA process;

Whereas in spite of written commitments made by the Ministry of the Environment between 2013-2015, no action has been taken; and

Whereas local projects that do not have the necessary approvals could lose out on the next intake of Build Canada funding;

Now therefore be it resolved that Town of Caledon requests that the Minister of the Environment and Climate Change take immediate steps to expedite the response process for Part II Orders or Bump-Up requests, as part of the s.61 review to improve MCEA process times and reduce study costs;

That the Minister of the Environment and Climate Change support changes to better integrate and harmonize the MCEA process with processes defined under the *Planning Act*;

That the Minister of the Environment and Climate Change amend the scope of MCEA reports and studies to reduce duplication with existing public processes and decisions made under municipal Official Plans and provincial legislation; and

That a copy of this resolution be forwarded to the Association of Municipalities of Ontario (AMO) for information.

This matter was recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018.

The General Committee recommends adoption of the following recommendation:

CURBING AND LANDSCAPING - JAMES STREET ROAD ALLOWANCE

Whereas the Tim Horton's at Highway 10 and Charleston Sideroad has completed the majority of the works outlined in the site plan agreement with the exception of the work on the James Street road allowance;

Whereas the owners of both the Tim Horton's and the residential property abutting the James Street road allowance acknowledge that the road allowance is being used to dump garbage;

Whereas the site plan outlines landscaping features for the James St. road allowance; and

Whereas the landscaping will not mitigate the garbage issue;

Now therefore be it resolved that the Town complete curbing and landscaping on the road allowance to prevent the negative impacts to the residential properties to an upset limit of $10,000;

That the Town maintain the grass-cutting on a continual basis; and

That the cost of the curbing and landscaping works be funded from the Operating Contingency Reserve fund in 2018 to an upset limit of $10,000, if required.

This matter was recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018.

The General Committee recommends adoption of the following recommendation:

MUNICIPAL NUMBERING

Whereas Council enacted a Municipal Numbering By-law in 2016 that provides guidelines regarding the installation, maintenance and changing of municipal numbers;

Whereas the current policy requires the property owner to pay for the cost of the sign, pole and installation by the Town;

Whereas numbering vacant rural properties is both a safety and a service concern; and

Whereas permitting property owners to install their own municipal number may encourage more participation in installing municipal numbers;

Now therefore be it resolved that the Town's Municipal Numbering By-law 2016-064 be amended to permit property owners to have the option to undertake the installation of the sign themselves or request the number be installed by the Town at the owner's cost.

This matter was recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018.

The General Committee recommends adoption of the following recommendation:

REGULATING THE KEEPING OF PIGEONS

Whereas the Council of The Corporation of the Town of Caledon adopted By-law 2013-130 to regulate the keeping of Animals in the Town of Caledon; and

Whereas Town of Caledon By-law 2013-130 does not currently address the care and control of pigeons; and

Whereas the objectives of the Canadian Pigeons Fanciers' Association (CPFA) are to foster greater interest in the breeding and improvement of pigeons and to demonstrate rewards of raising pigeons as an individual or family hobby; and

Whereas many municipalities regulate the keeping of pigeons within their Animal Control By-law;

Now therefore be it resolved that staff investigate options to regulate the keeping of pigeons in the Town of Caledon and report back; and

That a fulsome review of By-law 2013-130 take place in 2018.

This matter was recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018.

Councillor D. Beffort left the meeting from 2:10 p.m. to 2:13 p.m.

COUNCIL CODE OF CONDUCT REVIEW

That the matter be referred to staff to create a committee to review the Code of Conduct consisting of staff, citizen members and the Integrity Commissioner and report back to the next Term of Council.

CONFIDENTIAL SESSION

Moved by Mayor A. Thompson – Seconded by Councillor D. Beffort

That General Committee shall go into confidential session under Section 239 of the Municipal Act for the purpose of:

Confidential Memorandum to Council from Konstantine Stavrakos, Town Solicitor/Manager, Legal Services dated February 6, 2018 re: Proposed or pending acquisition of land by the Town – 13068 Humber Station Road; and advice that is subject to solicitor-client privilege, including communications for that purpose.

Carried.

The General Committee resumed in Confidential Session in the Council Chamber at 2:52 p.m.

Council recessed from 2:52 p.m. and resumed at 2:58 p.m. in Closed Session.

Mayor A. Thompson, Councillor D. Beffort, Councillor N. deBoer, Councillor J, Downey, Councillor A. Groves, Councillor J. Innis, Councillor B. Shaughnessy, Councillor R. Mezzapelli, Chief Administrative Officer: M. Galloway, General Manager of Corporate Services/Town Clerk: C. deGorter, and Town Solicitor/Manager, Legal Services: K. Stavrakos were present for this portion of the meeting.

Chair J. Innis left the meeting at 4:30 p.m. Councillor R. Mezzapelli assumed the role of Chair.

Councillor J. Innis returned at 4:32 p.m. and resumed the role of Chair.

Councillor J. Downey left the meeting from 4:35 p.m. to 4:38 p.m.

The Committee adopted the required procedural motion at 4:48 p.m. and resumed in Open Session at 4:49 p.m.

The General Committee recommends adoption of the following recommendation:

That the Town Solicitior be directed to continue to have discussions with Mr. Wilson's Solicitor regarding the donation of the Wilson farm lands.

This matter was recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018.

In accordance with the Procedural By-law, Council introduced a motion to reconsider the decision with respect to the proposed or pending acquisition of land by the municipality – 13068 Humber Station Road as adopted on October 10, 2017.

Moved by Councillor A. Groves – Seconded by Councillor B. Shaughnessy

That a motion to reconsider the decision with respect to the proposed or pending acquisition of land by the municipality – 13068 Humber Station Road as adopted on October 10, 2017 be permitted.

Lost.

The motion for reconsideration was lost, therefore the Notice of Motion regarding a Medical Facility at Humber Station Road and Healey Road was not introduced.

Councillor D. Beffort left the meeting from 4:53 p.m. to 4:56 p.m.

The General Committee recommends adoption of the following recommendation:

ENFORCEMENT AND REGULATION OF ILLEGAL CANNABIS AND CONTRABAND TOBACCO

Whereas Canada will soon legalize recreational cannabis;

Whereas the illegal sale of cannabis is expected to continue, with the same negative societal impacts as the sale of contraband tobacco;

Whereas the federal and provincial governments have invested a great deal of time and money over the last fifty years, in cooperation with stakeholders and industry, to regulate tobacco sales to promote public health and limit the exposure of teenagers and young people to tobacco products;

Whereas a campaign promoted by Ontario retailers and police-affiliated organizations has identified the growing threat posed by increased production and sale of contraband cigarettes operating outside of these rules, making it easier for young people to access cigarettes and tobacco products in this province. Illegal cannabis will operate outside of regulatory oversight as well;

Whereas local municipalities and authorities in Quebec believe they have succeeded in dramatically cutting contraband sales in that province through action taken under new provincial legislation adopted in 2009; and

Whereas there is no comparable local strategy, similar to that in Quebec, to enforce contraband tobacco laws here in Ontario;

Therefore be it resolved that Caledon OPP be requested to identify specific measures to enhance enforcement against the sale of illegal cannabis and contraband tobacco, to estimate the level of contraband activity in the municipality, and to report on their findings;
That staff be directed to investigate ways to regulate the personal production of cannabis plants in residential areas from a nuisance perspective and to report back to General Committee at a later date;

That this resolution be circulated to the Region of Peel, Peel Police Services Board, Caledon OPP, MP David Tilson and MPP Sylvia Jones to advise of the opportunity to address this issue through aggressive enforcement of local license by-laws regulating tobacco and cannabis sales, and to continue to work collaboratively with the Region and Peel Regional municipalities in developing a strategy to increase enforcement with a particular focus on schools and retail areas near schools; and

That through correspondence with the Ministry of Finance and other provincial authorities, Staff will:

(i) confirm that tobacco tax fines, if collected, flow back to the Municipality;
(ii) confirm that fines on illegal cannabis, if collected, flow back to the Municipality; and
(ii) confirm what discretion is available to local authorities to enforce Tobacco Act statutes and regulations, either independently or in cooperation with provincial officials.

This matter was recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018.
The General Committee recommends adoption of the following recommendation:

APPOINTMENT OF AN ALTERNATE MEMBER TO REGIONAL COUNCIL

Whereas the Municipal Act was amended to include the provision that a local municipality may appoint one of its members as an alternate member of Regional Council;

Whereas the Town of Caledon will benefit from appointing an alternate member to Regional Council in the event of an absence; and

Whereas Brampton City Council adopted a resolution to appoint an alternate member to Regional Council for the remainder of the 2014-2018 term of Council;

Now therefore be it resolved that Councillor Nick deBoer be appointed as the alternate member for the remainder of the 2014-2018 Term of Council; and

That a by-law to appoint an alternate member be enacted.

This matter was recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018.

The General Committee recommends adoption of the following recommendation:

ADVISORY COMMITTEE AND TASKFORCE PRESENTATIONS

Whereas in each term of Council Advisory Committees and Taskforces are appointed to fulfill certain mandates; and

Whereas it would be helpful for new members of Council to become acquainted with the Committee members and their accomplishments;

Now therefore be it resolved that the Staff Liaison's and members from the Advisory Committees and Taskforce's be invited to provide a presentation for educational purposes and summarize their accomplishments to Council early in the 2018-2022 Term of Council.

This matter was recommended to Town Council for consideration of adoption at its meeting to be held on February 20, 2018.

CORRESPONDENCE

Members of Council made comments concerning the correspondence item from Inspector Ryan Carothers, Caledon Detachment Commander, Ontario Provincial Police dated February 6, 2018 re: Door Security Leading Into the Atrium, Memorandum to Council from Erin Britnell, Senior Analyst, Corporate Initiatives, Strategic Initiatives dated February 6, 2018 re: Smart Cities Challenge, correspondence letter from Sylvia Jones, MPP, Dufferin-Caledon dated January 29, 2018 re: GTA West Corridor, and correspondence item from Marolyn Morrison, Former Mayor of Caledon dated February 5, 2018 re: Wilson Land Donation.

ADJOURNMENT

The Committee adjourned at 5:32 p.m.