



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Report Withdrawn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By-law Withdrawn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:

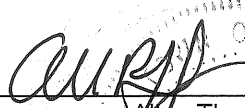
- | | |
|-------------|--|
| BL-2015-082 | To stop-up and close and dispose of the lands legally described as Part of the road allowance between Lots 25 & 26, Concession 5 WHS, designated as Parts 1, 2 & 3 on Plan 43R-35737, also known as Highpoint Sideroad, Caledon. |
| BL-2015-083 | To amend By-law 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.

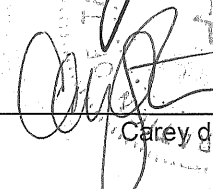
Councillor Shaughnessy left the meeting at 5:12 p.m.

26. ADJOURNMENT

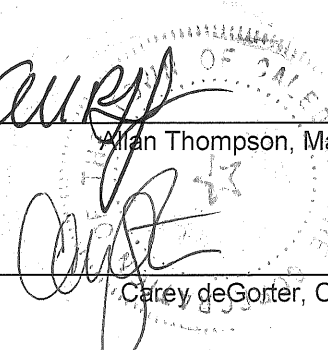
On verbal motion moved by Councillor D. Beffort and seconded by Councillor A. Groves, Council adjourned at 5:14 p.m.



Allan Thompson, Mayor



Carey deGorter, Clerk



Council Remuneration Review

October 20, 2015

Council Remuneration Review

Objective:

- Review salaries, benefits, and expense policies for Council

Guiding Principles:

- Competitive policies and processes
- Aligned to overall corporate objectives
- Fiscally responsible
- Administratively efficient
- Framework for future

Methodology

Planning

- Guiding Principles
- Working group – business community representatives & Staff

Data Gathering

- Benchmarking
- Council on-line survey & discussion

Analysis

- Expenses & mileage options analysis
- Compensation analyses/ comparability

Recommendations

- Aligned to guiding principles
- Consideration of proposed changes and reallocation of expenses

1/3 Tax Free Allowance

Below is a chart to show the tax treatment with area municipalities:

2015 Survey of Tax Treatment of Remuneration for Elected Officials in the Greater Toronto Area	
Municipality	Tax Treatment
Town of Ajax	1/3 Non-Taxable
Town of Halton Hills	1/3 Non-Taxable
Town of New Tecumseth	1/3 Non-Taxable
City of Guelph	1/3 Non-Taxable
Town of Milton	1/3 Non-Taxable
Town of Newmarket	1/3 Non-Taxable
Town of Orangeville	1/3 Non-Taxable
City of Kitchener	1/3 Non-Taxable
City of Brampton*	100% Taxable
City of Mississauga	100% Taxable

Recommendation: Keep 1/3 Tax Free Allowance as per 283 (5) of the *Municipal Act 2001*, for current term of council 2014-2018

Expense Policy

Mayor \$16,600

Councillor \$5,200

Consolidate budget for the 3 main areas into one budget:

Expense	Budget
Cell Phones	\$4,500
Training / Development/ Seminars (4) AMO, (4) OGRA/ ROM, 1 FCM	\$12,000
Newsletters / Printing (\$3,000 Mayor / \$500 per Councillor)	\$7,000
Total	\$23,500

Expense Policy

- Dissolving current expense budget per member of council = \$58,200
- Consolidate budget for core expenses = \$23,500
- Re-allocate part of expense budget to Mayor \$5,000 and Councillor \$2,500 each x 8
base increase salary = \$25,000

Overall budget savings = \$9,700
(\$58,200 - \$23,500 - \$25,000)

Mileage Expense Policy

Mayor \$11,000

Councillors \$29,500

(Approximately \$3,600 per member)

Re-allocate all mileage to Mayor and Councillors to base salary.

Benefits:

- Reduce administration costs for Town staff in reviewing and processing mileage claims
- Members of Council no longer need to track or submit mileage

Salaries & Benefits

- Compensation models in municipalities vary significantly
- Councillor positions in lower tier municipalities are viewed as “part-time”
- Most municipalities offer some type of group benefit coverage – with various level of benefits and cost-sharing models
- Of 13 municipalities benchmarked, only 4 contribute to OMERS

Considerations

- ✓ Scope of position
- ✓ Base number of hours required for Council meetings, PIMS, Committee meetings
- ✓ Review of comparable municipalities
- ✓ Reallocation of expenses to salary – impact of 1/3 tax-free allowance
- ✓ Town-paid group benefits & eligibility to OMERS
- ✓ Technology/ways of conducting business
- ✓ Eligibility to annual economic adjustment

Salary Recommendation

No change to annual base salary except as noted below with re-allocation of expenses and mileage

	Mayor	Councillor
Current Salary	\$66,700	\$29,507
Re-allocation of expenses	\$5,000	\$2,500
Re-allocation of mileage	\$11,000	\$3,600
Total Revised Salary	\$82,700	\$35,607

Summary of changes

(Effective January 1, 2016)

	Current Pay		Revised Salary	
	1/3 Tax exempt		1/3 Tax exempt	
	Mayor	Councillor	Mayor	Councillor
Annual Remuneration	\$ 66,700	\$ 29,507	\$ 66,700	\$ 29,507
Re-allocate Expenses			5,000	2,500
Re-allocate Mileage			11,000	3,600
Total Renumeration	\$ 66,700	\$ 29,507	\$ 82,700	\$ 35,607
Taxable Earnings	\$ 44,403	\$ 19,643	\$ 55,409	\$ 23,857
Non Taxable Earnings	22,298	9,864	27,291	11,750
Income Taxes	(5,877)	(1,019)	(8,776)	(1,956)
CPP	(2,051)	(811)	(2,479)	(1,022)
OMERS	(4,044)	(1,789)	(5,184)	(2,147)
Net Pay	\$ 54,728	\$ 25,888	\$ 66,261	\$ 30,482
Increase in Net Pay			\$ 11,533	\$ 4,594
Decrease in Expenses			\$ 27,600	\$ 8,800
Net Budget Impact			\$ (16,067)	\$ (4,206)

Summary of changes – Net Impact

Net Change

Salary Costs

CPP

OMERS

EHT

Benefits - Group Life Insurance and AD&D

Total Net Change

Mayor	Councillors (8)
\$ 16,000	\$ 48,797
428	1,688
1,140	2,862
215	657
126	376
\$ 17,908	\$ 54,381

Total Additional costs to Town

\$72,289

Budget Re-allocated to Gross Pay and savings to
Expense Budget

\$75,200

Overall Savings

-\$2,911

Budget Re-allocated to Gross Pay the mileage expense budget for the Mayor and Councillors, the expense budget savings, and reallocation of the expense budget = \$75,200. = (\$29,500 + \$11,000 + \$9,700 + \$25,000)

Proposed Amendment to DC By-law 2014-054

Statutory Public Information Meeting pursuant to
Section 12 of the *Development Charges Act 1997*

October 20, 2015

Have your Say!

Secondary dwellings on agricultural properties for farm help

- Proposed exemption on the Town's portion of DC's for bona fide farmers who construct/install a mobile or modular home, as a secondary dwelling on an agricultural property, for full-time all-year round farm help.



Secondary dwellings on agricultural properties for farm help

Proposed Conditions:

- A DC deferral agreement would be required where the Town's portion of development charges is payable should the secondary dwelling no longer be used for full-time all-year round farm help.
- The DC deferral agreement will be registered on title of the property.
- The DC deferral agreement must be signed by a bona fide farmer, who is also the registered owner of the property.
- The second dwelling on the agricultural property will not be entitled to a demolition/redevelopment credit upon removal.
- Exemption will only apply to new farm trailers that have not paid development charges or received a building permit as of the date of the DC by-law amendment.
(No retroactive DC credits or refunds)

Seniors housing

- Proposed DC discount for Life Lease Housing, where a not-for-profit organization or charity would be charged the small apartment rate (versus potentially the single-dwelling rate) for the Town's portion of development charges if a retirement community offered Life Lease interests to seniors age 65 or older.



DC Discount for Life Lease Senior's Housing

Proposed Conditions:

- Right to Occupy agreement will need to be provided to the Town, so the Town can verify the age restriction
- DC deferral agreement required, which may be registered on title
- DC deferral agreement would be in place for 5 years to ensure the community continues as a retirement community.
- Affidavit to be signed at the end of the 5 years that confirms the life lease operator is enforcing the age restriction otherwise full development charges will be due

Live/Work units

- No change recommended to the DC rates for the Live/Work
- No change recommended to the DC rates for the Live/Live



Example of Live-Work Units		
Residential on top floor - Other DC Rate (Mixed Use)	\$ 19,393.44	Top Unit
Commercial on bottom - based on 111.48 Square Meters *\$37.89/sq.m. DC Rate	\$ 4,263.00	Bottom Unit
Total DC Cost (Town Only)	\$ 23,656.44	
(1200 Square feet converted to 111.48 Square Meters)		
Example of Live-Live Units		
Residential on top floor	\$ 23,187.28	Top Unit
Residential on bottom floor	\$ 23,187.28	Bottom Unit
Total DC Cost (Town Only)	\$ 46,374.56	



Proposed Removal of DC discounts and Exemptions

- Proposed removal of the two green measures under the Green DC discounts due to new legislation from the Ministry of Environment that will come into effect in 2016 regarding low impact development
- Proposed removal of the DC discounts related to hotel developments



Other Proposed Changes

- To provide clarity and additional information to the Redevelopment DC credit section of the Town's DC By-law, by revising section 8 and 8 (a) of the current bylaw
- If a property is eligible for a Community Improvement Plan (CIP) grant in the future, the amount of any DC discount or exemption provided to the property will be subtracted from the eligible grant amount

THE CORPORATION OF THE TOWN OF CALEDON

DRAFT BY-LAW NO. BL-2015-XXX-122

A by-law to impose and provide for certain exemptions and discounts in regards to the payment of development charges.

WHEREAS the *Development Charges Act, 1997* provides that the council of a municipality may by by-law impose development charges and may provide exemptions in respect of the payment of these development charges;

AND WHEREAS the Council of The Corporation of the Town of Caledon considers it in the public interest to provide exemptions in respect of the payment of development charges on lands used for certain purposes;

AND WHEREAS at the direction of the Council for The Corporation of the Town of Caledon, Town Staff have prepared a development charge background study entitled *Re Proposed Amendments to Development Charges By-law 2014-054*;

AND WHEREAS notice of a public meeting was given on (date), as required by the *Development Charges Act, 1997*, and in accordance with Ontario Regulation 82/98;

AND WHEREAS the Council of The Corporation of the Town of Caledon made the background study entitled *Re Proposed Amendments to Development Charges By-law 2014-054*, including a proposed by-law available to the public as of October 1st, 2015, as required by the *Development Charges Act, 1997*;

AND WHEREAS the Council of The Corporation of the Town of Caledon held a public information meeting on October 20, 2015, at which all persons in attendance were provided with an opportunity to make representations relating to the proposed by-law as required by the *Development Charges Act, 1997*;

AND WHEREAS by a resolution adopted on (date) , the Council of The Corporation of the Town of Caledon

NOW THEREFORE the Council of The Corporation of the Town of Caledon enacts that Development Charges By-Law BL-2014-054, be amended as follows:

1. That section 1 be amended by adding the following definitions:

“farm help” means full-time, all-year round employee(s) of a bona fide farmer on an agricultural property;

“Life Lease” means a property that is a form of housing tenure in which individuals purchase the right to occupy a residential unit for a specified period of time (i.e., for their lifetime, or, a defined term);

“Life Lease Housing” means housing owned and operated by a not-for-profit organization or charity, contained within a retirement community, that offers Life Lease interests to persons aged 65 or older;

“Retirement community” means a housing project consisting of ground-related dwelling units in single family, semi-detached, or multiple dwelling and other amenities, all of which are designed, marketed, developed and constructed to provide accommodation for and to meet the needs of persons aged 65 and older;

“secondary dwelling on an agricultural property” means a temporary and portable residential structure, containing a single dwelling unit with kitchen and bathroom facilities, designed for year-round occupancy by farm help;

2. That section 1 be amended by repealing the definition of “hotel”;
3. That section 1 be amended by repealing the definition of “motel”;
4. That section 1 be amended by repealing the definition of “lodge”;

5. That section 1 be amended by repealing subsection (c) and (d) of the definition of “green commercial or industrial building”;
6. That section 11 (1) be amended by repealing and replacing section 11(1) with the following:
 11. (1) Notwithstanding any other provision of this by-law, development charges shall not apply to:
 - (a) a country inn,
 - (b) a building or structure used for the purpose of agricultural tourism,
 - (c) a farm based home industry,
 - (d) a farm cidery,
 - (e) a farm winery,
 - (f) a garden suite,
 - (g) a non-residential agricultural building or structure,
 - (h) an outbuilding, and
 - (i) an on-farm diversified use building or structure.
 - (j) a secondary dwelling on an agricultural property, used as housing for farm help, in accordance with subsection 11 (4),

provided that the property owner enters into a written agreement with the Town which is registered on land title, at the owner’s sole cost, that for a period of five years following the occupancy permit date, a development charge, calculated in accordance with this by-law, shall be immediately payable if the building or structure being the subject of the exemption, is converted to a use that is not exempt under this by-law; in the case of a secondary dwelling on an agricultural property, if at any time following the occupancy permit date, a development charge, calculated in accordance with this by-law, shall be immediately payable if it is converted to a use that is not exempt under this by-law.

7. That subsection 11 (4) be amended by repealing and replacing section 11(4) with the following:
 - 11 (4) The exemption as set out in subsection 11 (1) (j) will only apply to new secondary dwellings that have not paid development charges, or obtained a building permit as of the date that this by-law comes into force and effect, and upon removal, will not be entitled to a demolition/redevelopment credit under section 8.
8. That section 11 be amended by adding subsection 11(5) as follows:
 - 11 (5) A building or structure as set out in subsection 11 (1) or subsection 2 (2), that is eligible for an exemption / partial exemption from the payment of development charges pursuant to this by-law, shall not be eligible for any grants under the Town Community Improvement Plan in respect of the same development.
9. That section 8 be amended by repealing and replacing section 8 with the following:
 8. Subject to section 7 of this by-law, where in conjunction with the redevelopment of land, a building or structure on such land was demolished in whole or in part on or after November 6, 1991, or is to be demolished in whole or in part, or converted from a residential use to a non-residential use or vice versa, the development charge to be imposed with respect to such redevelopment shall be reduced by the following amounts:
 - (a) in the case of a residential building or the residential portion of a mixed use building or structure, an amount calculated by multiplying the development charge that would have been applicable under section 5 by the number of dwelling units that have completed culinary and sanitary facilities, according to

the type thereof that have been or are to be demolished or converted to another use;

- (b) In the case of a non-residential building, or the non-residential portion of a mixed use building or structure, an amount calculated by multiplying the applicable development charge under section 5 by the total floor area, according to the type thereof, that has been or is to be demolished or converted to another use

provided that evidence satisfactory to the Town is provided by the property owner as to the total floor area or type and number of dwelling units that have been demolished, that such amounts shall not exceed in total the amount of the development charges to otherwise be imposed with respect to the redevelopment.

- 10. That the following section's be renumbered by the changes set out in the following chart:

Headings	section number	New section number
Indexing	12	13
Payment of Development Charges	13	14
Unpaid Development Charges	14	15
Phasing-In	15	16
Effective Date	16	17
Repeal	17	18
Expiry Date	18	19
Registration	19	20
Severability	20	21
Headings	21	22
Schedules	22	23
Short Title	23	24

- 11. That section 12 be amended to read as follows:

12 (1) The development charges prescribed in Schedule A to this by-law, for apartments 70 s.m. or smaller, shall be imposed on all dwelling units in single detached dwellings, semi-detached dwellings and multiple-dwellings, constructed in a retirement community that offers Life Lease Housing. Notwithstanding any other provision of this by-law, the small apartment rate will apply to retirement communities offering Life Lease Housing provided that the property owner enters into a written agreement with the Town, which is registered on title, at the owner's sole costs, that for a period of five years following the occupancy permit date, development charges calculated in accordance with this by-law shall be immediately payable if the Life Lease interests are not occupied by persons aged 65 or older.

- 12. That Schedule B entitled *By-law 2014-054, Development Charge Discount Applicable to Qualifying Commercial and industrial Buildings* attached to By-law 2014-054 and forming part of that By-law be amended by repealing and replacing Schedule B ("it") with Schedule B entitled *By-law 2015-xxx Development Charge Discount Applicable to Qualifying Commercial and industrial Buildings* as attached to this by-law.
- 13. This by-law may be referred to as the "2015 Amending Development Charges By-law".

**READ THREE TIMES AND FINALLY
PASSED IN OPEN COUNCIL
THIS __ DAY OF _____, 2__.**

Allan Thompson, Mayor

Carey deGorter, Clerk

Schedule B
BY-LAW 2015-XXX
DEVELOPMENT CHARGE DISCOUNT APPLICABLE TO
QUALIFYING COMMERCIAL AND INDUSTRIAL BUILDINGS

GREEN MEASURE	INCLUSIONS	DISCOUNT AS A PERCENTAGE OF NON-RESIDENTIAL DEVELOPMENT CHARGE (Subject to annual dollar maximum in the by-law)
Green Technologies	Solar hot water system that provides for a minimum of 25% of the building's energy needs	5.0% for any inclusion or any combination of inclusions
	Transpired solar collectors that provides for a minimum of 10% of the building's energy needs	
	Solar photovoltaic system that provides for a minimum of 5% of the building's energy needs	
LEED Certified	Certified and registered with the Green Building Council of Canada as meeting the current and applicable LEED Canada Rating Systems such as new construction, commercial interiors, core and shell	20.0%
LEED Silver		22.5%
LEED Gold		25.0%
LEED Platinum		27.5%

To: Mayor and Members of Council

From: Corporate Services Department

Meeting: 2015-09-15

Subject: Staff recommendations regarding amendments to the Development Charges By-Law 2014-054

RECOMMENDATIONS

That Report CS-2015-035 regarding proposed amendments to the Development Charges By-Law 2014-054, be received; and

That a statutory public meeting be scheduled during the council meeting on October 20, 2015 in accordance with the *Development Charges Act, 1997*; and

That the proposed Development Charge By-law amendments included in report CS-2015-035 be included in the Draft Development Charge By-law to made available to the public on October 1, 2015.

EXECUTIVE SUMMARY

The following are proposed amendments to the Town of Caledon's Development Charges (DC) By-Law 2014-054. As per Council Resolution 2015-029 staff were directed to review the Town of Caledon's DC By-Law 2014-054 and make recommendations in regards to amendments to the Town of Caledon's DC By-Law 2014-054 subject to findings of a scoped DC Background Study on incentives for:

- Secondary dwellings on agricultural properties for farm help
- Seniors housing;
- Live/Work units, and
- Redevelopment development charge credits.

The following are preliminary recommendations based on research to date. Following Council discussion and receipt of this report, staff will complete the DC Background study for the statutory public meeting on October 20, 2015. In accordance with the *Development Charges Act, 1997*, scoped DC study and draft By-Law will be available prior to the statutory public meeting. Following any feedback from the Public Information Meeting a report to Council finalizing the Town's findings and recommendations will be brought forward for the Council Meeting on November 10, 2015.

Proposed DC by-law changes are as follows:

- DC exemptions for mobile trailers and modular homes to be used as secondary dwellings on an agricultural property for permanent full-time farm help;
- To encourage seniors housing, a DC discount is recommended for Life Lease developments, where a not-for-profit or charitable organization owns the property and seniors, aged 65 or older, purchase a right to occupy the property;
- Changes to the Redevelopment credit section in By-Law 2014-054 to add further clarity for residents and developers who plan to redevelop residential buildings in the Town of Caledon.

In order to offset the potential additional costs of the new discretionary DC exemptions and discounts, it is proposed that the current hotel DC discount be removed from the DC By-law.

Further, staff propose the removal of the two green development measures from the Town's Green Development DC Discount program. Specifically, the Innovative Stormwater Management Practices and Stormwater Cistern measures are recommended to be removed based on information from the Public Work department that the Ministry of the Environment will be implementing low impact development standards and the Public Works department will also be updating the Town's engineering development standards related to low impact development in 2016.

There are no changes proposed to the calculation of Live/Work unit's development charges since the total development charges payable for such a development is approximately the same as the DC applicable to one single-detached residential dwelling.

DISCUSSION

Purpose (background)

The Town prepared its DC Background Study and passed the DC By-law 2014-054 on July 24, 2014. Council resolution 2015-029 provided at the January 27, 2015 Council meeting, directed staff to review the DC By-Law 2014-054 and make recommendations to amend the By-law for the following:

1. Secondary dwellings on agricultural properties for farm help
2. Seniors housing
3. Live/Work units
4. Redevelopment development charge credits

1. Secondary dwellings on agricultural properties for farm help

Staff reviewed with ten other municipalities if DC exemptions for trailers for farm help on an active farm was provided. No specific exemptions were provided by these municipalities however the Town of Milton and the Town of Halton Hills had provided

special rates for Mobile Homes which amounted to 75% and 70% respectively of the single dwelling unit DC's.

Recommendation

The Town of Caledon staff propose providing an exemption on the Town's portion of the development charges for bona fide farmers who construct/install a mobile or modular home, as a secondary dwelling on an agricultural property, for full-time all-year round farm help. For seasonal farm help the current DC by-law allows for temporary trailers to be used for a continuous period no longer than 8 months without having DC's payable. This exemption would be for mobile or modular homes that have water and sewer which would require a building permit.

Proposed Conditions:

1. A DC deferral agreement would be required where the Town's portion of development charges would be payable should the secondary dwelling no longer be used for full-time all-year round farm help.
2. The DC deferral agreement will be registered on title of the property.
3. The DC deferral agreement must be signed by a bona fide farmer as defined in the DC By-Law, who is also the registered owner of the property.
4. The second dwelling on the agricultural property will not be entitled to a demolition/redevelopment credit upon removal.
5. This exemption will only apply to new farm trailers that have not paid development charges or received a building permit as of the date of the DC by-law amendment.

If the conditions are not followed the development charges will be due and may be added onto taxes if not paid. Before a building permit can be pulled for the second dwelling the applicant must obtain a minor variance from the Committee of Adjustment.

Town staff have consulted with the Peel Federation of Agriculture (PFA) and the PFA's input has been incorporated into the recommendations. The permits and agreements will be at the farmers sole cost.

2. Seniors housing

Council requested that staff review options to provide incentives, through DC's, for affordable seniors housing. Staff reviewed other municipalities' DC by-laws to determine if an exemption is provided for seniors housing. Four out of ten of the municipalities that staff reviewed do offer a special discounted rate for special care facilities which include retirement homes and nursing homes that provide special care (see chart below). In terms of other housing that is meant for seniors, such as retirement communities, only the City of Brampton provides discounts.

Municipalities	Special Rate for Senior Homes?
Mississauga	X
Brampton	✓
King Township	✓
Milton	✓
Halton Hills	✓
Markham	X
Newmarket	X
Orangeville	X
Guelph	X
Region of Peel	X ¹

¹ Although the Region of Peel does not have a specific discount for seniors housing, under the category of “affordable housing”, the Region does provide a (property tax funded) grant of \$90,000 to Habitat for Humanity developments

The City of Brampton has a discount for "Planned Seniors Retirement Community", a housing project consisting of ground-related dwelling units in single family, semi-detached, or multiple dwellings and other amenities, all of which are designed, marketed, developed, and constructed to provide living accommodation for and to meet the needs of senior citizens or older or retired persons on land designated by a resolution of Council as a planned seniors retirement community. Ground-related units pay large apartment DC rates for all sizes and type of residential units.

Staff considered providing a similar discount as the City of Brampton by offering the small apartment rate for a “Planned Seniors Retirement Community”. However, under such a plan, it would be difficult to ensure that the development continues to cater to seniors after receiving the DC discount at building permit stage – e.g. after DC discounts are provided at the building permit stage the Retirement Community may convert to a normal residential community that does not cater to seniors. Any discretionary DC discount, like a DC discount to provide incentives for seniors housing, would have to be funded by all taxpayers to make up the shortfall in DC reserves. Therefore, Town staff researched how the Town could achieve the goal of more seniors housing over the long term while minimizing the risk of short-term exploitation of this discretionary discount at the expense of all taxpayers. One of the seniors housing options staff focused on was Life Lease Housing.

Under Life Lease Housing, residents purchase the right to occupy, at market value, a unit, similar to purchasing a home or condominium. The resident enters into an agreement with the charity or not-for-profit organization. The resident then has exclusive use of the unit and shared use of all common areas and facilities. This Life Lease interest can also pass to the resident's family upon death and, therefore, can be held in perpetuity.

Life Lease Housing is unique because there can be an age restriction on who can live in the units. The Life Lease interest can be bought and sold to anyone however owners who do not meet the age criteria cannot reside in the unit. Life Lease Housing developments are often run by a charitable or a not-for-profit organization. These organizations will sometimes partner with a private developer to assist with the building and initial funding of the Life Lease Housing. Once the units are sold and occupied the organization often looks after the management of the Life Lease Housing community. There is currently no government legislation in place in regards to Life Lease Housing so purchasers must do their due diligence before purchasing an interest and the enforcement of the age limits is up to each organization. Also, Life Lease Housing organizations that enforce the age requirement may be subject to human rights complaints.

The option of Life Lease Housing should ideally offer a less expensive type of housing for seniors since a Life Lease interest requires less equity than purchasing a house but is still an investment. Town staff believe that if tax payer money is used to top-up DC reserves for DC discounts provided to incent the development of seniors housing, there should be some assurances in place to keep the housing available for seniors over the long-term. Accordingly, to meet Council's wish to provide incentives for affordable seniors housing, staff recommend providing a DC discount for Life Lease Housing.

Recommendation:

Town of Caledon staff propose providing a DC discount for Life Lease Housing, where a not-for-profit organization or charity would be charged the small apartment rate (versus potentially the single-dwelling rate) for the Town's portion of development charges if a retirement community offered Life Lease interests to seniors age 65 or older. The Town's current small apartment rate is \$9,376 which is approximately 40% of the Town's DC rate for a single detached dwelling, \$22,919. Accordingly, for every single detached unit in a Life Lease Housing development, the Town would provide a DC discount of approximately \$13,543 (= \$22,919 - \$9,376) which would be paid by all taxpayers within the Town on behalf of the developer/Life Lease Housing not-for-profit organization or charity.

The person or organization requesting the DC credit would have to provide the Town with a signed copy of the Right to Occupy agreement, which may be required to be

registered on title, so that the Town can verify that the age restriction is 65 or older. Age restrictions lower than 65 have resulted in human rights issues in the past.

To encourage the long-term availability of affordable housing for seniors and to mitigate the risk to all taxpayers, the Town would enter into a DC deferral agreement, which will be registered on title, with the person applying for the building permit. The agreement would contain a clause that if the community no longer fully caters to seniors, regular development charges will apply and the DC discounts are to be repaid.

This agreement would be in place for 5 years to ensure the community continues as a retirement community. The Town would require a letter of credit in the amount of the discount from the operator of the Life Lease Housing which would either be released or applied against the development charges that would be charged if they defaulted on the required terms. The Town would require an affidavit to also be signed at the end of the 5 years that confirms the life lease operator is enforcing the requirements of the age restriction otherwise full development charges would be due (e.g. the Town would draw upon the letter of credit being held for the development). In particular the affidavit would ensure the Life Lease Housing residents meet the age requirement of 65 or older with exceptions being:

- spouse of the right holder that are under the age of 65;
- spouse (under the age of 65) of a deceased right holder where the right to occupy was passed to the spouse upon the right holder's death; and
- dependent(s) of the right holder that are disabled.

3. Live/Work units

Council asked staff to investigate concerns from developers that development charges on proposed Live/Work units were too high. A Live/Work unit is a building with a commercial unit on the lower floor and a residential unit on the upper floor. Currently the DC By-law 2014-054 has the DC rates for these units as mixed use. The other residential rate, as outlined in the By-law, will apply to the residential dwelling unit in regards to the Town's DC's and the non-residential DC rate (based on floor area) will apply to the commercial component. Each unit would be treated separately for the purposes of calculating DC's payable.

Discussions with a local developer revealed that they are not concerned with the amount of DC's for Live/Work units. The developer also stated that due to the low-density area of Caledon there is little demand for Live/Work units.

The developer was however concerned with the amount of DC's required for Live/Live units. The Live/Live units are considered duplex dwellings meaning a dwelling unit in a building divided horizontally into two dwelling units each of which has a separate entrance. Accordingly, DC's are calculated on each dwelling unit (e.g. each Live/Live development pays two residential development charges). To minimize their DC costs,

developers have been building one dwelling unit that can be easily converted to a Live/Live unit and then leaving it up to the homeowner to make a conversion to Live/Live units after the fact.

The Town is trying to promote Live/Work units to encourage more non-residential development. In researching for this report, staff reviewed the DC by-laws of neighboring municipalities and found that none provide a discount or exemption for Live/Work units. Further, the Town's DC's for a Live/Work unit is almost equivalent to the development charges that would be payable for one single detached dwelling. Therefore, the DC cost of a Live/Work unit is not the incentive for developers to build residential dwellings instead.

Recommendations:

Staff recommends no change to the development charge rates since the Live/Work DC charges are comparable to the single dwelling residential DC rate. Live/Live DC rates will also stay the same as developers have provided potential homeowners with an alternative. Below is a comparison of DC's payable for Live/Work units to Live/Live units (note: the rate for one single detached dwelling is \$23,187.28):

Example of Live-Work Units		
Residential on top floor*Other DC Rate (Mixed Use)	19,393.44	Top Unit
Commercial on bottom - based on 111.48 Square Meters*37.89 DC Rate	4,263.00	Bottom Unit
Total DC Cost (Town Only)	23,656.44	
(1200 Square feet convert to 111.48 Square Meters)		
Example of Live-Live Units		
Residential on top floor	23,187.28	Top Unit
Residential on bottom floor	23,187.28	Bottom Unit
Total DC Cost (Town Only)	46,374.56	

Other Considerations:

Affordable Housing

In reviewing what other municipalities have been doing for farms and seniors it came to Staff's attention that grants are offered by the Region of Peel and the City of Brampton for affordable housing. The Region of Peel offers a grant to Habitat for Humanity for \$90,000 to either apply against certain construction costs or development charges. The Town's portion of development charges is considered an eligible expense for the Region's grant. The City of Brampton waives the city's portion of development charges for houses built by Habitat for Humanity as well as any other permit and planning fees.

Recommendation:

Council has previously expressed the need for affordable housing. The Town can facilitate a program similar to that at the Region of Peel where a (tax funded) grant for the Town's portion of development charges is provided to Habitat for Humanity.

Should Council wish to proceed with this type of grant, Council should direct staff to consider this grant as part of 2016 budget discussions.

Redevelopment Development Charge Credits

To provide clarity and additional information to the Redevelopment DC credit section of the Town's DC By-law, staff recommend replacing section 8 and 8 (a) of the current by-law with the following:

Redevelopment

8. Subject to section 7 of this by law where in conjunction with the redevelopment of land a building or structure on such land was demolished in whole or in part on or after November 6, 1991 or is to be demolished in whole or in part or converted from a residential use to a non-residential use or vice versa the development charge to be imposed with respect to such redevelopment shall be reduced by the following amounts

8 a) in the case of a residential building or the residential portion of a mixed use building or structure, an amount calculated by multiplying the development charge that would have been applicable under section 5 of this by law by the number of dwelling units that have completed culinary and sanitary facilities, according to the type thereof that have been or are to be demolished or converted to another use;

The proposed changes are highlighted with underline. The first change is to clarify that the demolition must have taken place on or after November 6, 1991, when the Town first implemented a DC by-law. The second proposed change is to further clarify that a residential dwelling eligible for the redevelopment credit must have/have had a completed culinary facility (e.g. kitchen) and sanitary facility (e.g. washroom).

Financial Implications

Non-statutory or discretionary DC exemptions and DC discounts are used by municipalities to promote or encourage a certain type of development. However, discretionary DC exemptions and discounts provided by the Town result in shortfalls in the Town's development charge reserve funds which are used to pay for growth-related infrastructure. A shortfall in DC reserve funds may result in projects (e.g. new park or recreational/library facility) starting later than projected (e.g. when sufficient DC funds are collected) or a reduction in scope for some growth-related capital infrastructure projects.

In order to make up for shortfalls in the Development Charge reserve funds (which are used to fund growth-related capital infrastructure projects), the Town has supplemented DC exemptions/discounts provided to developers by replenishing the reserves with property tax dollars equivalent to the foregone DC's. For example, in 2014, the Town of Caledon used a total of \$690,000 of property tax dollars to replenish the DC reserve funds for discounts provided to developers when Council voted to phase-in the new residential DC rates proposed in the 2014 DC By-law. Further, in 2012, the Town used property tax dollars to fund \$422,700 in discretionary DC discounts and exemptions:

- Approximately \$170,200 related to the Town's Green Development DC discount program*; and
- Approximately \$252,500 related to the Town's discretionary Hotel DC exemption program.

* - An additional \$250,000 in DC discounts has been committed to another developer for a development that is awaiting Leadership in Energy and Environmental Design (LEED) certification.

The Town now has an annual budget to fund potential discretionary DC discounts. The Town's annual budget for non-statutory/discretionary DC discounts/exemptions is only \$100,000. Due to the nature of the additional discretionary DC discounts and exemptions recommended in this report, it is difficult to determine the demand and to quantify the will be for tax dollars required to top-up the DC reserve funds for the new DC discounts and exemptions. However, in consideration of the new discretionary DC discounts and exemptions recommended in this report, staff recommend that the Town discontinue the discretionary DC discounts related to hotel developments.

Further, due to new legislation from the Ministry of Environment and new development standards being proposed by the Town's Public Works department that will come into effect in 2016 regarding low impact development (e.g. stormwater management), every commercial and industrial development in 2016 and beyond may be eligible for the Town's green DC discount. Therefore staff recommend the Town's DC by-law be amended to remove the two stormwater management measures (i.e. "Innovative Stormwater Management Practices" and "Stormwater Cistern") from the green measures eligible for a DC discount on Schedule B of the current DC By-law. Schedule B will be replaced with the following chart, which will represent the green development measures that will still be available for a DC discount:

**DEVELOPMENT CHARGE DISCOUNT APPLICABLE TO
QUALIFYING COMMERCIAL AND INDUSTRIAL BUILDINGS**

GREEN MEASURE	INCLUSIONS	DISCOUNT AS A PERCENTAGE OF NON- RESIDENTIAL DEVELOPMENT CHARGE (Subject to annual dollar maximum in the by-law)
Green Technologies	Solar hot water system that provides for a minimum of 25% of the building's energy needs	5.0% for any inclusion or any combination of inclusions
	Transpired solar collectors that provides for a minimum of 10% of the building's energy needs	
	Solar photovoltaic system that provides for a minimum of 5% of the building's energy needs	
LEED Certified	Certified and registered with the Green Building Council of Canada as meeting the current and applicable LEED Canada Rating Systems such as new construction, commercial interiors, core and shell	20.0%
LEED Silver		22.5%
LEED Gold		25.0%
LEED Platinum		27.5%

Applicable Legislation and Requirements

Development Charges Act, 1997

COMMUNITY BASED STRATEGIC PLAN

Strategic Objective Goal 6: Provide Strong Governance and Community Engagement.

Strategic Objective 6B- Provide Open, Responsible Leadership.

NEXT STEPS

The next steps are as follows:

Advertise the Public Information Meeting and availability of the scoped DC Background Study and proposed amendments to the Town's DC By-law	September 24, 2015
Proposed amendments to DC By-Law and scoped DC Background Study are made available to the public (Clerks Office and from the Town of Caledon's website)	October 1, 2015
Public Information Meeting	October 20, 2015
Council's consideration of the scoped DC background study and passage of DC By-law amendments	November 10, 2015
Advertise the passage of the amendments to the By-law	November 20, 2015

Stakeholders may appeal the amendments to the Town's DC by-law within 40 days after passage of the amendments.

ATTACHMENTS

N/A

Prepared by: Heather Haire

Approver (L1): Heather Haire

Approver (L2): Peggy Tollett

Approver (L3): Fuwing Wong

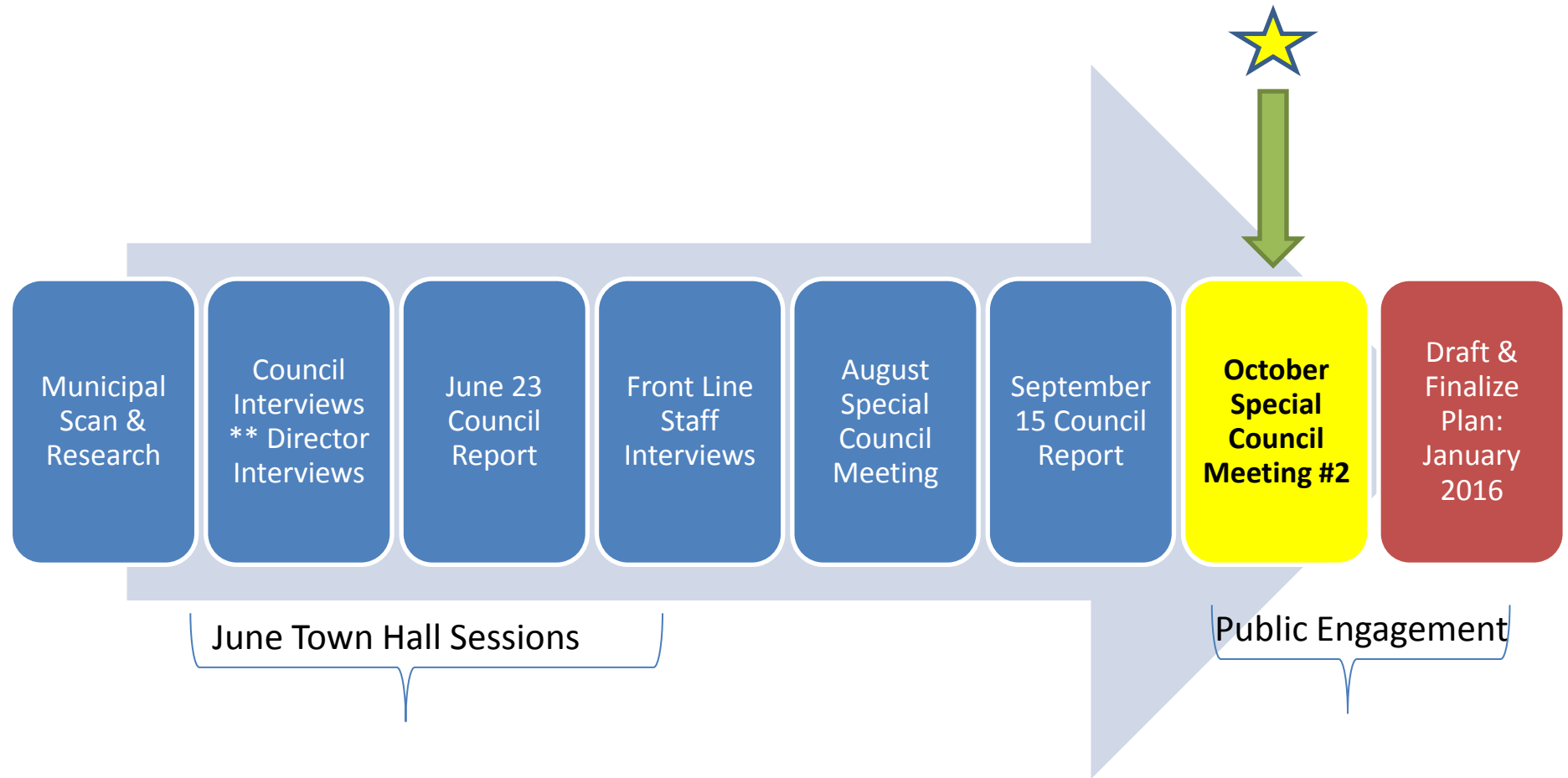
Approver (L4): Carey deGorter

Approver (L5): Doug Barnes

Council Work Plan Status Update



Where are we now?



Special Council Meeting Purpose & Expected Outcomes

Meeting Purpose:

- To develop and prioritize short, mid and long term tangible actions for each priority area
- To finalize and prioritize Council Work Plan priority areas



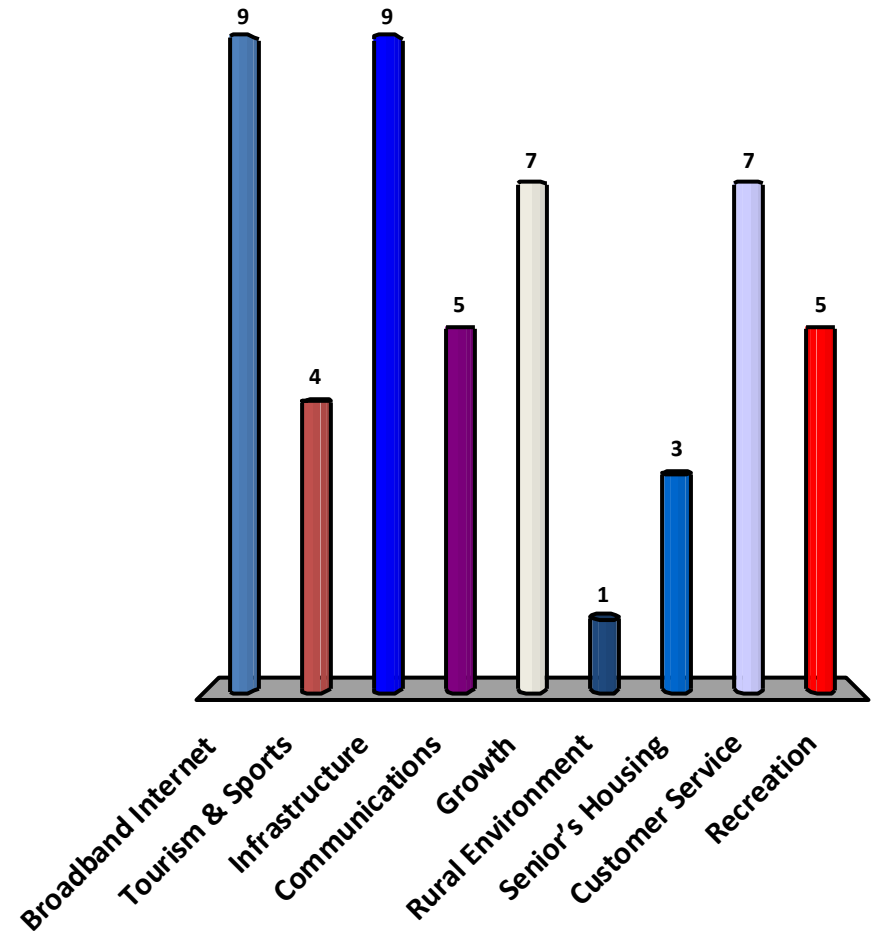
Meeting Outcomes:

- Participants to have a clear understanding of final list of priority areas and 2016 priority areas
- To have 2016 actions for the budget, and to have 2017-2018 projected actions for priority areas

A) Priority Area Prioritization:

What are your top 3 areas for 2016?

- A. Broadband Internet
- B. Tourism & Sports
- C. Infrastructure
- D. Communications
- E. Growth
- F. Rural Environment
- G. Senior's Housing
- H. Customer Service
- I. Recreation



B) Action Brainstorming

Schedule A: 1 page draft Council Work Plan

- Includes common actions that were identified by more than one group

Schedule B: 1 page per priority area

- Includes all actions suggested at October Special Council Meeting

Council Work Plan

Priority Areas - 2016 - 2018

[illegible]

Proposed Engagement



Community

- Council use Schedule A to engage with their constituents over next 4-6 weeks
- Communications will promote and solicit feedback using traditional tactics
- Feedback deadline of December 1, 2015

Staff

- 2 Staff Lunch and Learns
- Intranet Promotion



Next Steps

- Use Priority Areas (as evaluation lens) for 2016 budget: *infrastructure, broadband internet, growth and customer service*
- Engagement:
 - Council to obtain feedback on draft Work Plan
 - Staff to promote draft Council Work Plan using traditional tactics
- Revise and Finalize Plan and Present to Council for approval