TOWN OF CALEDON

Council Meeting Minutes
Tuesday, June 16, 2015
9:30 a.m.
Council Chamber, Town Hall

Acting Mayor G. McClure

Mayor A. Thompson (absent)
Councillor D. Beffort
Councillor N. deBoer
Councillor J. Downey
Councillor A. Groves
Councillor J. Innis
Councillor R. Mezzapelli
Councillor B. Shaughnessy

Chief Administrative Officer: D. Barnes
Deputy Fire Chief: D. Bailey
Director of Administration/Town Clerk: C. deGorter
Director of Development Approval and Planning Policy/Deputy CAO: M. Hall
Council/Committee Co-ordinator: J. Hyde
Director of Parks and Recreation: L. Johnston
Manager of Economic Development: N. Lingard
Director of Public Works: D. Loveridge
Director of Human Resources: J. Porter
Treasurer: P. Tollett
Director of Corporate Services/Chief Financial Officer: F. Wong

1. CALL TO ORDER

Acting Mayor McClure called the meeting to order in the Council Chamber at 9:32 a.m.

2. PRAYER AND O CANADA

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

3. SUMMARY OF ADDENDUM ITEMS – none.

4. APPROVAL OF AGENDA

Moved by Councillor J. Innis - Seconded by Councillor R. Mezzapelli 2015-208

That the agenda for the June 16, 2015 Council Meeting, be approved.

Carried.

5. DISCLOSURE OF PECUNIARY INTEREST – none.

6. CLOSED MEETING

Council adopted the required procedural motion and resumed in Closed Meeting in the Committee Room at 9:36 a.m.

Moved by Councillor J. Innis – Seconded by Councillor R. Mezzapelli 2015-209

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

- Confidential Report ADM-2015-046 re: A proposed disposition of land by the municipality – Presentation of the proposals to list the Rosehill Schoolhouse for sale on MLS.
- Confidential Report DP-2015-061 regarding personal matters about an identifiable individual – 2015 Heritage Caledon Award of Excellence.

Carried.

Acting Mayor McClure, Councillor Beffort, Councillor deBoer, Councillor Downey, Councillor Groves, Councillor Innis, Councillor Mezzapelli, Councillor Shaughnessy, Chief Administrative Officer: D. Barnes, Director of Administration/Town Clerk: C. deGorter and Project Manager, Real Estate: D. Osborn were present for this portion of the meeting.

Project Manager, Real Estate: D. Osborn left the meeting at 10:05 a.m.

Heritage Resource Officer, S. Drummond, joined the meeting at 10:05 a.m.

Council adopted the required procedural motion at 10:07 a.m. and resumed in Open Session at 10:12 a.m.

7. MATTERS ARISING FROM CLOSED MEETING

Confidential Report ADM-2015-046 re: A proposed disposition of land by the municipality – Presentation of the proposals to list the Rosehill Schoolhouse for sale on MLS.

Moved by Councillor B. Shaughnessy – Seconded by Councillor J. Innis 2015-210

That Confidential Report ADM-2015-046 regarding a proposed disposition of land by the municipality – presentation of proposals from Realtors to list and sell the Town owned property known as the Rosehill Schoolhouse, Kennedy Road, be received; and

That Council select Realtor number four (4) to list the property for sale and to report all offers of purchase to the Project Manager, Real Estate; and

That the Mayor and Clerk be authorized to execute an agreement between the Town and the approved Realtor for the listing for sale of the property; and

That Staff negotiate with the selected Realtor, as directed; and

That the Project Manager, Real Estate, be authorized to negotiate with prospective purchasers to obtain an offer that is within the range of the approved Realtor's appraisal; and

That the Project Manager, Real Estate, be authorized to accept the highest offer from a prospective purchaser that is within the range of the approved Realtor's appraisal; and

That the Project Manager, Real Estate, bring a report to Council for consideration of an offer below the range of the approved Realtor's appraisal if there are no other acceptable offers; and

That the Mayor and Clerk be authorized to execute any agreements and documents necessary to complete the purchase and sale transaction.

AMENDMENT # 1

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

That the following paragraph, be deleted:

"That the Project Manager, Real Estate, be authorized to negotiate with prospective purchasers to obtain an offer that is within the range of the approved Realtor's appraisal; and"

Carried.

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

Confidential Report DP-2015-061 re: Personal matters about an identifiable individual – 2015 Heritage Caledon Award of Excellence.

Moved by Councillor B. Shaughnessy – Seconded by Councillor J. Innis 2015-211

That Confidential Report DP-2015-061 regarding personal matters about an identifiable individual, including municipal employees – 2015 Heritage Caledon Award of Excellence, be received; and

That the recommended recipients of the 2015 Heritage Caledon Award of Excellence be approved as directed.

Carried.

8. WORKSHOP – none.

9. INTRODUCTION OF NEW STAFF – none.

10. DELEGATIONS/PRESENTATIONS

D1 – Travis Greeley and Steve Bunyan provided a presentation on behalf of MENtors regarding the Walk and Breakfast Event to be held on June 20, 2015 and requested support from Council for their annual event. Members of Council asked a number of questions and the presenters provided responses.

Acting Mayor McClure thanked Mr. Greeley and Mr. Bunyan for their presentation.

D2 – Michele Harris, Executive Director, Headwaters Tourism provided a PowerPoint presentation regarding Strategic Overview – 2015-2016. (See attached presentation) Members of Council asked a number of questions and Ms. Harris provided responses.

Acting Mayor McClure thanked Ms. Harris for her presentation.

D3 – Peggy Tollett, Treasurer provided a PowerPoint presentation regarding Staff Report CS-2015-033 – 2014 Audited Financial Statements. (See attached presentation) Members of Council asked a number of questions and Ms. Tollett provided responses.

Acting Mayor McClure thanked Ms. Tollett for her presentation.

11. REGULAR BUSINESS

CS-2015-033 re: 2014 Audited Financial Statements.

Moved by Councillor J. Innis – Seconded by Councillor D. Beffort 2015-212

That Report CS-2015-033 regarding 2014 Audited Financial Statements, be received; and

That the Corporation of the Town of Caledon Consolidated Financial Statements for the year ended December 31, 2014 be approved.

Carried.

CS-2015-030 re: Closed Capital Report for 2015.

Moved by Councillor J. Downey – Seconded by Councillor N. deBoer 2015-213

That Report CS-2015-030 regarding Closed Capital Report for 2015, be received; and

That the 48 capital projects listed in Appendix A to Report CS-2015-030 be closed and the unaudited net capital project surplus of $872,571.22 be transferred back to the original sources of funding; and

That the Treasurer be authorized to re-open any closed project for technical adjustments required, including the payment of subsequent invoices, deficient work or other payments related to a capital project, and to draw funds from original funding sources (reserves) up to the budget surplus amount.

AMENDMENT #1

Moved by Councillor B. Shaughnessy – Seconded by Councillor D. Beffort

That a new 2015 Capital Project be created in the amount $58,000 for Caledon Village Streetscaping to include lighting on Highway #10 funded by the Tax Funded Capital Contingency Reserve.

Amendment to Amendment #1

Moved by Councillor D. Beffort – Seconded by Councillor B. Shaughnessy

That the words “to the upset limit” be added before “$58,000.”

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 Amendment #1, moved by Councillor B. Shaughnessy and seconded by Councillor D. Beffort, AS AMENDED, Amendment #1, Carried.

Upon the question of the main Motion moved by Councillor J. Downey and seconded by Councillor N. deBoer AS AMENDED by Amendment #1, as amended, the Motion was Carried.

CS-2015-027 re: Municipal Performance Measurement Program Report for 2014.

Moved by Councillor D. Beffort – Seconded by Councillor R. Mezzapelli 2015-214

That Report CS-2015-027 regarding Municipal Performance Measurement Program (MPMP) Report for 2014 be received.

Carried.

CS-2015-024 re: 2014 Year End Actual to Budget Operating Variance.

Moved by Councillor A. Groves – Seconded by Councillor J. Innis 2015-215

That Report CS-2015-024 regarding 2014 Year End Actual to Budget Operating Variance be received; and

That $273,000 of the $463,496, Operating surplus for 2014 be transferred to the Winter Maintenance Reserve; and

That $690,000 be transferred from the operating budget to Development Charge (DC) Reserve funds to pay for discounts provided to developers as part of the 2014 Development Charges By-law's phase in of the residential DC rate; and

That the $690,000 transfer to the Development Charge Reserve funds be funded from

a) $190,496 balance of 2014 Operating surplus
b) $100,000 from the Development Charge Exemption and Discount reserve
c) $399,504 from the Operating Contingency Reserve.

Councillor N. deBoer left the Council Chamber at 11:40 a.m.

Carried.

Councillor N. deBoer returned to the Council Chamber at 11:44 a.m.

CS-2015-025 re: Treasurers Investment Report for 2014.

Moved by Councillor J. Innis – Seconded by Councillor J. Downey 2015-216

That Report CS-2015-025 regarding the Treasurers Investment Report for 2014, be received.

Carried.

CS-2015-028 re: Audited Reserves and Reserve Fund Balances for 2014.

Moved by Councillor J. Downey – Seconded by Councillor D. Beffort 2015-217

That Report CS-2015-028 regarding Audited Reserves and Reserve Fund Balances for 2014, be received.

Carried.

CS-2015-029 Development Charges Reserve Fund Balances for 2014.

Moved by Councillor A. Groves – Seconded by Councillor J. Innis 2015-218

That Report CS-2015-029 regarding Development Reserve Fund Balances for 2014, be received; and

That the Treasurer forward a copy of report CS-2015-029 to the Ministry of Municipal Affairs and Housing in accordance with the Development Charges Act, 1997.

Carried.

CS-2015-032 re: 2014 Lease Financing Agreement Summary Report.

Moved by Councillor N. deBoer – Seconded by Councillor R. Mezzapelli 2015-219

That Report CS-2015-032 regarding 2014 Lease Financing Agreement Summary Report, be received; and

That pursuant to the Leasing policy in the Purchasing By-law 2013-107, Council accepts and agrees with the opinion of the Treasurer that the total number of all financing leases of the following categories, already entered into in 2014, remaining active in 2015 or proposed to be entered into in 2015, have not and will not result in a material impact for the municipality:

a) leases for office equipment including photocopiers, multi-functional printers, which have been entered into in accordance with the Town's Purchasing Policy;

b) leases of real property where the lease is nominal, token consideration or consideration that does not exceed the materiality level of the audited financial statements.

Carried.

ADM-2015-044 re: Municipal Significance Designation for Special Occasion Liquor Permit – Chutney Fest Event.

Moved by Councillor J. Innis – Seconded by Councillor A. Groves 2015-220

That Report ADM-2015-044 regarding Municipal Significance Designation for Special Occasion Liquor Permit - Chutney Fest Event, be received; and

That the Chutney Fest to be held on July 11, 2015 at the Brampton Fairgrounds in Caledon, be designated as a municipally significant event for the purposes of obtaining a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario (AGCO).

Carried.

DP-2015-023 re: Street Naming Policy.

Moved by Councillor B. Shaughnessy – Seconded by Councillor J. Innis 2015-221

That Report DP-2015-023 regarding Street Naming Policy be received; and

That the Caledon Street Naming Policy attached as Schedule "A" to Report DP-2015-023 be approved.

Carried.

DP-2015-047 re: Heritage Designation By-Law Amendment for 19134 Hurontario Street.

Moved by Councillor J. Downey – Seconded by Councillor D. Beffort 2015-222

That Report DP-2015-047 regarding Heritage Designation By-Law Amendment for 19134 Hurontario Street, be received; and

That a by-law be enacted to amend heritage designation By-Law 2009-167 for 19134 Hurontario Street to reflect the property's new legal description, pursuant to section 30.1 of the Ontario Heritage Act and to satisfy a condition of approval of the Committee of Adjustment consent decision B024-14.

Carried.

DP-2015-048 re: Recommendations for Allocation of Designated Heritage Property Grant Funding for Spring 2015.

Moved by Councillor A. Groves – Seconded by Councillor D. Beffort 2015-223

That Report DP-2015-048 regarding Recommendations for Allocation of Designated Heritage Property Grant Funding for Spring 2015, be received; and

That the grants for thirteen designated heritage properties as outlined on Schedule A of Report DP-2015-048 be approved; and

That the grants be funded from the Designated Heritage Property Grant Program for $45,447, from the Development Approvals and Planning Policy 2015 operating budget.

AMENDMENT #1

Moved by Councillor A. Groves – Seconded by R. Mezzapelli

That Schedule A be amended to add $4553.00 to the Joseph Watson House project located at 45 Nancy Street, Bolton, for a total of $8,553.00.

Withdrawn.

With the consent of Council, Amendment #1 was Withdrawn.

AMENDMENT #2

Moved by Councillor A. Groves – Seconded by R. Mezzapelli

That Scheduled A be amended to add a second annual grant in the amount of $4000.00 for the Joseph Watson House Project located at 45 Nancy Street, Bolton, as per the program guidelines.

Carried.

Upon the question of the main Motion moved by Councillor A. Groves and seconded by Councillor D. Beffort AS AMENDED by Amendment #2, the Motion was Carried.

DP-2015-051 re: Request to Demolish or Remove and Relocate Structures on a Listed Non-Designated Heritage Property at 13450 Caledon King Town Line South.

Moved by Councillor R. Mezzapelli – Seconded by Councillor A. Groves 2015-224

That Report DP-2015-051 regarding Request to Demolish or Remove and Relocate Structures on a Listed Non-designated Heritage Property at 13450 Caledon King Town Line South, be received; and

That the proposed demolition and/or removal and relocation of the identified Bolton Camp structures at 13450 Caledon King Townline South, as submitted by the Toronto Region Conservation Authority be approved.

Carried.

Council recessed from 12:08 p.m. to 12:36 p.m.

PREC-2015-010 re: North Hill Park Picnic Pavilion Shelter Memorandum of Understanding.

Moved by Councillor R. Mezzapelli – Seconded by Councillor A. Groves 2015-225

That Report PREC-2015-010 regarding North Hill Park Picnic Shelter Memorandum of Understanding be received; and

That the Mayor and Clerk be authorized to execute a Memorandum of Understanding with the Rotary Club of Bolton, Ontario Canada for the Club's donation for the installation of a Picnic Shelter within the park known as North Hill Park in Bolton; and

That the funds from the Council approved capital project 15-111 Bolton Rotary/Kinsmen/Braves Picnic Shelter be utilized as the Town's $20,000 financial contribution towards the Rotary Club of Bolton's $65,000 Picnic Shelter project.

Carried.

PW-2015-041 re: Electric Vehicles – By-law and Regulatory Services.

Moved by Councillor N. deBoer – Seconded by Councillor J. Downey 2015-226

That Report PW-2015-041 regarding Electric Vehicle – By-law Enforcement, be received; and

That capital project 14-077 – Pick Up Truck Replacement be amended to purchase three 2016 General Motors (GM) Volt electric vehicles through a competitive bidding process for use by Bylaw and Regulatory Services, within the existing budget of $90,000; and

That the standardization of General Motors (GM) Volt electric vehicles be approved as the Town's fleet standard for the next 2 years (June 16, 2017).

Carried.

PW-2015-042 re: Additional Funding Request for Capital Project 15-094, Bridge Design and Environment Assessment.

Moved by Councillor A. Groves – Seconded by Councillor D. Beffort 2015-227

That Report PW-2015-042 regarding Additional Funding Request for Capital Project 15-094, Bridge Design and Environment Assessment, be received; and

That Capital Project 15-094, Bridge Design and Environment Assessment be increased from $119,364 to $622,664; and

That the budget shortfall in the amount of $503,300 be funded from savings from Project 15-132 Bridge Program as outlined in Table 3 of Report PW-2015-042.

Carried.

12. COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS

Announcements.

Members of Council made a number of announcements regarding events within their wards.

Urgent Business

Motion to introduce a Motion without Notice as Urgent Business.

Moved by Councillor A. Groves – Seconded by Councillor B. Shaughnessy 2015-228

That a motion without notice be introduced as urgent business regarding the ministerial zoning order is currently under appeal to the Ontario Municipal Board.

Carried.

Moved by Councillor A. Groves – Seconded by Councillor B. Shaughnessy 2015-229

Whereas the Ontario Building Code Act, 1992 S.O. 1992, Chapter 23 as amended regulates issuing of building permits which under Section 8, Clause (2) (a) The Chief Building Official shall issue a permit unless the proposed building, construction or demolition will contravene the Act, the building code or any other applicable law:

And Whereas Ontario Regulation 191/14 Amending O. Reg 332/12 sets out in Division A, Section 1.4.3, the current Definition of Applicable Law which includes the Planning Act with respect to Zoning;

And whereas the Chief Building Official may revoke a permit issued under the Building Code Act if were issued on mistaken, false or incorrect information;

And whereas the ministerial zoning order issued on July 18, 2013 provided approval for 73 hectares (180 acres) of "prime agricultural" land to be converted into a major industrial development to construct a Distribution Centre located on the west side of Coleraine Drive, between Healy Road and Holland Drive;

And whereas the ministerial zoning order that is currently referred to the Ontario Municipal Board;

Therefore be it resolved that Council directs the Chief Building Official to revoke the building permit issued on July 18, 2013 until such time as the court decides on the minster's order.

Councillor J. Innis raised a Point of Order with regard to the Motion indicating that she believed that item is not within the scope of Council's decision-making. Councillor J. Innis requested Legal Staff to provide advice regarding the matter. Solicitor P. De Sario stated that in her opinion, the Motion is not within Council's jurisdiction.

As a result, with the consent of Council, the Motion was Withdrawn.

Notices of Motion – printed with the Agenda

1. Bolton GO Rail.

Moved by Councillor R. Mezzapelli - Seconded by Councillor J. Innis 2015-230

Whereas highways and passenger rail services under Provincial jurisdiction are needed to implement the province's Growth Plan for the Greater Golden Horseshoe by 2031; and

Whereas a GO rail service between Bolton and Union Station is identified by Metrolinx' Regional Transportation Plan (The Big Move) as a required facility; and

Whereas a Metrolinx feasibility study in 2010 has concluded that a GO rail service to Bolton is feasible; and

Whereas a GO rail service between Bolton and Union Station can significantly reduce the rush hour traffic volume through Vaughan and Etobicoke and ease traffic congestion along the Highway 427 and Regional Road 50 corridors; and

Whereas the Town of Caledon has planned a substantial amount of growth in the vicinity of the GO rail station, as identified by the Metrolinx study, to build a transit-supportive community within the 2031 timeframe; and

Whereas both the Federal and Provincial governments have proposed increased and sustained long term funding for municipal infrastructure;

Therefore be it resolved that staff be directed to work with his Worship Mayor Thompson to compose a letter to the Chair of Metrolinx to petition a timely delivery of the GO rail service to Bolton; and

Further that the letter request Metrolinx to provide the details as to the timing of the project, financial commitment, as well as plans to acquire the lands needed; and

Further that a copy of this letter be sent to David Tilson MP, Sylvia Jones MPP, the Regional Chairs of Peel and York, as well as the Mayors of Toronto, Vaughan, Mississauga and Brampton for their information and to seek their support.

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 R. Mezzapelli and seconded by Councillor J. Innis, the Motion was Carried.

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Notices of Motion

1. Councillor J. Innis re: Property Standards Compliance.

Council Inquiries:

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

13. RECEIPT OF MINUTES

Moved by Councillor R. Mezzapelli - Seconded by Councillor D. Beffort 2015-231

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

- Council Meeting held May 26, 2015;
- Closed Council Meeting held May 26, 2015.

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

- Audit Committee Meeting held May 26, 2015;
- Caledon Public Library Board Meeting held April 20, 2015.

Carried.

14. PROCLAMATIONS

1. Spina Bifida and Hydrocephalus Awareness Month – June 2015.

Moved by Councillor A. Groves – Seconded by Councillor N. deBoer 2015-232

Whereas the Spina Bifida and Hydrocephalus Association of Ontario serves people with spina bifida and hydrocephalus and their families and the public; and

Whereas Health Canada has proclaimed June as Spina Bifida and Hydrocephalus Awareness Month; and

Whereas there are many people who are not aware of the Association or that it offers support, information and education programs and funds research to find ways to prevent and treat these conditions; and

Whereas the Association encourages all Ontarians to learn more about these conditions and to appreciate the challenges faced by individuals affected by them;

Therefore be it resolved that the Town of Caledon hereby proclaims the month of June, 2015 to be Spina Bifida and Hydrocephalus Awareness Month in the Town of Caledon and we urge all citizens to give full consideration and attention to the Spina Bifida and Hydrocephalus Association of Ontario for their work on behalf of those with spina bifida and hydrocephalus and their families.

Carried.

15. CORRESPONDENCE

Moved by Councillor R. Mezzapelli - Seconded by Councillor D. Beffort 2015-233

That the correspondence items as listed in the correspondence package for the June 16, 2015, Council meeting, be received.

Carried.

16. BY-LAWS

Moved by Councillor D. Beffort - Seconded by Councillor N. deBoer 2015-234

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

BL-2015-043	To amend the legal description of the William Faulkner Property as set out in Town of Caledon By-Law No. 2009-167.
BL-2015-044	To amend By-law 2015-012, 2015 Fees and charges for services provided by the Town of Caledon and planning applications and to repeal By-Law 2013-131, as amended.
BL-2015-045	To amend By-law 2007-128 being a by-law to appoint employees of the Town of Caledon to statutory positions.
BL-2015-046	To confirm the proceedings of the Council for The Corporation of the Town of Caledon at its Council Meeting held on the 16th day of June, 2015.

Carried.

17. ADJOURNMENT

On verbal motion moved by Councillor D. Beffort and seconded by Councillor R. Mezzapelli, Council adjourned at 1:08 p.m.

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Gord McClure, Acting Mayor

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Carey deGorter, Town Clerk