



Council Meeting Minutes
Tuesday, May 15, 2012
9:30 a.m.
Council Chambers, Town Hall

Mayor M. Morrison (Arrived at 10:05 a.m. - OMB)
D. Beffort
N. deBoer
P. Foley
G. McClure
R. Mezzapelli (Arrived at 10:00 a.m.)
R. Paterak
A. Thompson (Arrived at 9:39 a.m. – OMB, left at 5:31 p.m.)
R. Whitehead

Chief Administrative Officer: D. Barnes
Fire Chief: B. Bigrigg
Director of Development Approval & Planning Policy: M. Hall
Manager of Engineering: J. Hasselbacher
Council/Committee Co-ordinator: B. Karrandjas
Director/Chief Financial Officer/Deputy CAO: R. Kaufman
Director of Administration/Town Clerk: K. Landry
Manager of Economic Development: N. Lingard
Director of Human Resources: J. Porter
Director of Parks & Recreation: K. Scott
Treasurer: F. Wong

Other Staff Present Specific Items Only

Manager of Parks/Landscape Architect: B. Baird
Senior Development Planner: C. Blakely
Senior By-law Officer: G. Blakely
Project Manager - Capital Assets: S. Brake
Manager of Regulatory & Inspection Services: L. Butko
Manager of Recreation: B. Cooper
Manager, Information Technology: P. Cerson
Solicitor/Manager of Planning Law: P. de Sario
Accessibility, Election and Special Projects Manager: L. Hall
Senior Development Engineering Coordinator: G. Hebbert
Senior Development Engineering Coordinator: D. Hurst
Senior Policy Planner: O. Izirein
Senior Financial Analyst: K. Jackson
Senior Project Manager, IT Strategic Plan: E. Jajal
Manager of Development: S. Kirkwood
Senior Financial Analyst – Payroll: D. Law
Community Development Planner: B. Lauder
Senior Financial Analyst: P. Li
Planning Student: S. MacRae
Intermediate Development Planner: S. McVittie
Administrative Assistant: M. Olliffe
Economic Development Officer: B. Roberts
Acting Manager, Energy & Environment: J. Schembri
Project Manager: D. Slopek
Landscape Project Coordinator: J. Sperling
Manager of Revenue: P. Tollett
Senior Manager, Capital Projects & Property Management: R. Trudeau
Manager Purchasing & Risk Management: A. Valentino
Manager of Policy & Sustainability: H. Xu

1. **CALL TO ORDER**

Councillor Paterak called the meeting to order at 9:35 a.m.

2. **APPROVAL OF AGENDA**

Moved by N. deBoer - Seconded by D. Beffort

2012-238

That the agenda for the May 15, 2012 Regular Council Meeting as amended, be approved.

Carried.

3. **DISCLOSURE OF PECUNIARY INTEREST** – None stated.

4. **COUNCIL WORKSHOP**

Moved by P. Foley - Seconded by N. deBoer

2012-239

That Council convene into Council Workshop.

Carried.

1. MPAC

Heather Colquhoun, MPAC presented the following information:

- Roles, Responsibilities and Relationships
- Property Assessment in Ontario
- Valuation Process
- Updates to Assessment Values In Year
- Requests for Reconsideration and Appeals
- Property Assessment Notice
- AboutMyPropertyTM
- Outreach Initiatives
- Provincial and Local Statistics
- Contacting MPAC - Four Convenient Ways

Roles, Responsibilities and Relationships

About MPAC

- Municipal Property Assessment Corporation
- Not-for-profit, non-share capital corporation
- Governed by a Board of Directors
- Largest assessment jurisdiction in North America

MPAC's Role

- Assess and classify over 4.8 million properties
 - Based on property use
 - Seven major property classes
- Annual Assessment Roll
- Update Assessment Values in Year (i.e. growth, Supplementary/Omitted assessment)
- Respond to property taxpayer enquiries
- Other legislated activities:
 - Preliminary List of Electors
 - School Support Listings
 - Jury Duty Lists
 - Population Reports
- Respond to all Request for Reconsiderations and Appeals to the Assessment Review Board

Property Assessment in Ontario

The Assessment Act states:

- All real property in Ontario is liable to assessment and taxation, subject to the following exemption from taxation...
 - Exempt properties include schools, churches, and hospitals

The Assessment Act tells us:

- The assessment of land shall be based on its current value
"current value" means, in relation to land, the amount of money the fee simple, if unencumbered, would realize if sold at arm's length by a willing seller to a willing buyer
- Based on open market sales between a willing seller and a willing buyer
- Current Value Assessment is determined by analyzing actual sales of properties in a given area
- Excludes:
 - family sales;
 - powers of sale; and
 - foreclosures.
- Current Value versus Sale Price

Four-Year Assessment Cycle

- 4-year assessment cycle commenced for the 2009 taxation year (*based on a January 1, 2008 valuation date*)

Update Year	Taxation Year(s)	Valuation Date
2005	2006, 2007, 2008	January 1, 2005
2008	2009, 2010, 2011, 2012	January 1, 2008
2012	2013, 2014, 2015, 2016	January 1, 2012

Assessment Phase-in Example

Property Classification	Residential
Your Property Value as of January 1, 2008	\$360,000
Your Property Value as of January 1, 2005	\$300,000
Property's Value Change	\$ 60,000

Tax Year	Assessment
2009	\$315,000
2010	\$330,000
2012	\$360,000

Valuation Process

- Three recognized approaches to estimating value:
 - Direct Sales Comparison Approach
 - Income Approach
 - Cost Approach

Five Major Contributors to Value

- 85% of a residential property's value is generally attributed to these five characteristics:
 - Location
 - Lot size and dimensions
 - Living area
 - Age - Adjusted for additions and renovations
 - Quality of construction

Valuation Process

- Collect data
- Analyze data
- Develop models and application
- Fine tune and apply market value to properties
- Assessment roll delivered to municipalities/assessment notice delivery to property owners

Assessing a Home Based Business

- The assessed value of the portion of house or other residential structure that is used for business purposes would remain residentially valued
- Tax class for the business area would change from Residential (RT) to Commercial (CT)
- The amount of the assessed value that would change to the CT tax class would be based on a proportionate basis (% used for business)
- Other factors would be reviewed prior to changing any assessment to the CT tax class

Farm Properties with a Commercial Component

- Many of the commercial components on a farm are "value added" meaning the business is related to the farm operation
- Businesses that are related to the farm operation would not change the assessed value or tax class
- There are some commercial type operations that are found on farm properties that have specific legislation, which directs how they are to be classified; this includes equestrian and maple syrup operations.

Municipal Capital Facilities

- Legislation that governs MCF exemptions:
 - the *Municipal Act* 2001 Section 110, O.Reg 603/06
- Section 110(1) of the *Municipal Act, 2001* provides the authority to a municipality to enter into agreements for the provision of MCFs by any person, including another municipality.
- Documents required under the legislation:
 - a by-law authorizing the municipality to enter into a MCF Agreement (section 110(5), *Municipal Act, 2001*); and a MCF agreement
- Section 110(6) of the Act provides the authority to a municipality to exempt "all or part of the taxes levied for municipal and school purposes" on "land or a portion of it on which municipal capital facilities are or will be located."
- Section 110(6) conditions, MCF must be:
 - the subject of an agreement under section 110(1);
 - the land is owned or leased by a person who has entered an agreement to provide the MCF; and
 - entirely occupied and used or intended for use for a service or function that may be provided by a municipality.
- Municipal Community Centres section 2(1).14 and 2(1).15 of O. Reg. 603/06.
- Cultural, recreational, and tourist facilities; section 2(1).16 and 2(1).17 accordingly
- Municipal Housing Projects section 2(1).18 of O. Reg. 603/06.
- Effective Date of Exemption:
 - Section 110(16) of the *Municipal Act, 2001*:
 - "A by-law passed under subsection (6) or (7) or a resolution passed under subsection (12) or (13) shall specify an effective date which shall be the date of passing of the by-law or resolution or a later date."

Updates to Assessment Values in Year

- Under Section 33 and 34 of the *Assessment Act* if a change in the property occurs MPAC can revise the assessment for the current year and/or all or part of the two (2) preceding years
- Assessed as vacant land January 1st, 2012 at \$125,000
- New house built and occupied on February 3rd, 2012
- New Value is \$425,000

Property Assessment Notice

- Assessment Update Year – Province-wide delivery of Notices
 - Fall 2012 all property owners will receive an assessment notice
- Non-Assessment Update Year – Selected delivery of Notices

Requests for Reconsideration (RfR) and Appeals

- Mandatory first step for residential, farm and managed forest property classes.
- Optional for all other classes
- Filing deadline:
 - March 31st of taxation year
- Changes in value or classification from a RfR review are confirmed in Minutes of Settlement (MoS) mailed to the property owner or their representative
- Upon receipt, the property owner can either:
 - Sign the MoS and return to MPAC for the processing of the change(s); or
 - Exercise their right to file an assessment appeal with the Assessment Review Board within 90 days.

Appeals to Assessment Review Board (ARB)

Appeal Deadlines

- Residential, farm and managed forest properties:
 - 90 days after the result of the Requests for Reconsideration is mailed by MPAC
- All other property classes:
 - March 31, 2012

Golf Course Appeals

Assessing Golf Course Properties

History

Assessments for taxation years 1970 to 2000

- All golf courses in Ontario were valued using the cost approach.

Assessments for taxation years 2001 to 2002

- Cost approach for all clubs except Toronto (GTA), they were valued using an income approach (green fee multiplier).

Assessments for taxation years 2003 to 2012

- All clubs were valued on an income approach.
- Typically, golf course sales in Ontario are from one owner operator to another, therefore golf course sales reflect a going concern value.
- The going concern value includes three major components:
 - Real property – assessable
 - Furniture fixtures and equipment – not assessable
 - Intangibles or Business enterprise value – not assessable
- In the last ten years, the value of golf courses have been negatively affected in part by:
 - increased competition;
 - maintenance costs;
 - inability to increase rounds played; or
 - unable to increase fees to cover rising costs.

By the end of 2010:

- Glen Abbey was selected as a test case
- The Assessment Review Board (ARB) convened between September 2009 and February 2010
- Clublink, MPAC and the Town of Oakville were parties to the appeal
- A settlement was reached by all parties
- The settlement also applied to other Clublink courses
- The test case set the framework for a resolution between MPAC and the National Golf Course Owners Association (NGCOA)
- The agreement, signed in December 2010 by both groups, set the framework for resolving outstanding appeals and set out several valuation assumptions to be followed
- Please refer to the agreement for further details
- Framework agreement and sample pro forma was provided to all municipalities to help them better understand the:
 - results of the negotiations;
 - information MPAC will rely on to develop valuations; and
 - valuation parameters as MPAC and the NGCOA will be reviewing for next assessment base year in 2012.
- Daily fee and semi private courses will continue to be reviewed on stabilized actual results where that information is an accurate reflection of the market in the area for a public daily fee course
- Private and Not-for-Profit courses will be based on a number of typical rounds for a similar quality course in the same area
- If the highest and best use of the property is deemed to be other than a golf course MPAC will, following general appraisal practice, provide an opinion of value
- In determining revised values, market evidence and actual revenue and expense information was analyzed from many courses across Ontario to establish standardized expense ratios
- Golf revenue is determined by the number of rounds adjusted to account for:
 - early bird specials;
 - tournaments; and
 - twilight rates, etc.
- Actual revenues will be used to determine revenue for items such as:
 - cart rentals;
 - driving range;
 - pro shop; and
 - food & beverage.

- Net operating income is capitalized to arrive at a Current Value Assessment for the golf courses
- Additional value associated to non golf lands or structures are then added
- The 2008 CVA cap rates used for all properties are less (1%) from the 2005 base year cap rate that was used
- Tax years under appeal are identified on the MoS. The associated base year valuation is identified on the proforma valuation
- Settlement agreements are subject to municipal approval, unless the municipality has waived their right to sign the MoS
- If right is waived, MPAC will still provide a copy of the MoS for information and budgeting purposes only

MPAC is committed to working with golf course owners and municipal partners to resolve the outstanding appeals to ensure accuracy and stability for the 2012 reassessment

Outreach Initiatives

- AboutMyProperty™ partnerships
 - Over 600 Municipal Offices and Libraries offer AboutMyProperty™ in their community
 - Serving over three million properties in Ontario
 - Service Ontario
- Community outreach program:
 - Over 1,400 meetings and outreach initiatives with municipalities, government representatives, businesses and property taxpayer groups
- Introduced new brochures including:
 - About MPAC
 - Residential
 - Farmland
 - Small Commercial and Industrial
 - Recreational Waterfront
 - AboutMyProperty™

2. Emerald Ash Borer

Brian Baird, Manager of Parks/Landscape Architect provided the following information:

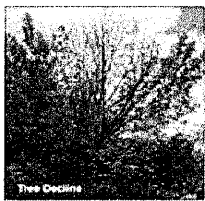
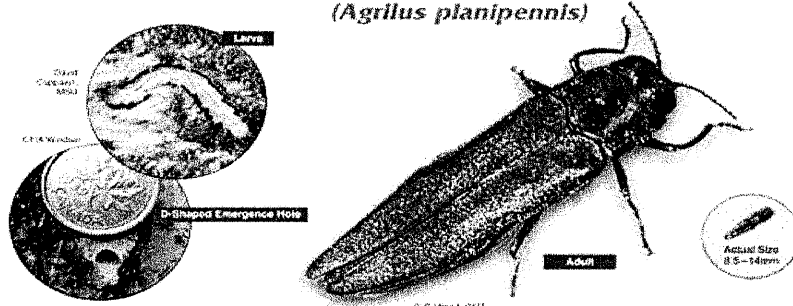
What is Emerald Ash Borer?

Emerald Ash Borer (EAB) is a shiny emerald green beetle that kills living ash trees. The beetle arrived in North America from Asia and was first noticed in 2002 in Detroit, Michigan and in Windsor, Ontario.

It has since spread to many other areas in Southern Ontario including City of Vaughan, City of Toronto, City of Mississauga and City of Brampton. It is likely the beetle will continue to spread by natural means and through movement of ash products such as firewood, nursery stock and logs.

Pest Alert Emerald Ash Borer

(*Agrilus planipennis*)



The Emerald Ash Borer (EAB) is a highly destructive insect pest of ash trees. Native to eastern Asia, this pest was first discovered in Canada and the U.S. in 2002. The EAB has killed millions of ash trees in Southwestern Ontario, Michigan and surrounding states, and poses a major economic and environmental threat to urban and forested areas in both countries. The EAB attacks and kills all species of ash (except Mountain ash which is not a true ash).

How does the EAB spread?
 While the EAB can fly up to several kilometres, another significant factor contributing to its spread is the movement of firewood, nursery stock, trees, logs, lumber, wood with bark attached and wood or bark chips.

Signs of Infestation

- Tree decline, including:
- thinning crown
 - diminished density of leaves
 - evidence of adult beetle feeding on leaves
 - long shoots growing from the trunk or branches
 - vertical cracks in the trunk
 - small D-shaped emergence holes
 - S-shaped tunnels under the bark filled with fine sawdust

Contact the CFIA

If you see suspected signs of infestation on your ash trees or if you plan on moving firewood (e.g., when camping, relocating or managing a woodlot), contact the Canadian Food Inspection Agency (CFIA) for more information.

Help Protect Canada's Trees and Forests.

Canada 1-866-463-6017

Monday to Friday, 8:00 a.m. to 4:00 p.m.

www.inspection.gc.ca/pests



EAB Reporting Process

- All suspected cases of EAB must be reported to the Canadian Food Inspection Agency (CFIA).
- If a case of EAB is confirmed, a Ministerial Order is issued. Ministerial Orders are placed at a Regional or County wide jurisdiction level.
- Ministerial Orders prevent the movement of Ash trees, brush, firewood, mulch, etc. outside the Regional/County boundary.
- Cases of EAB have been confirmed in Mississauga and Brampton and therefore there is a Ministerial Order in place for the Region of Peel.

To date there has not been a confirmed case of EAB in the Town of Caledon.

What is Caledon doing to prevent the spreads of EAB?

- Ash tree plantings have not been accepted in any development application Landscape Plans or Park Designs since 2006.
- Parks and Recreation staff have been actively involved in the Region of Peel/TRCA Urban Forestry Strategy adopted by Regional Council.
- Parks and Recreation staff are working with the Region of Peel and TRCA on Urban Forestry Strategy Recommendations that includes developing an EAB mitigation strategy.
- The Parks Operations Division is proactive at looking for signs of EAB in areas of known Ash populations.
- Random branch sampling has been conducted in the North Hill area of Bolton where a mature monoculture of Ash street trees exist.
- Brush resulting from Ash tree removals is separated and mulched to appropriate size to be used as landscape mulch within the Town.

Biological Control

- There is currently one biological treatment exempt from Ontario's Cosmetic Pesticides Ban Act to help prevent and treat EAB known as TreeAzin (www.bioforest.ca).
- Many surrounding municipalities are developing EAB mitigation strategies including a TreeAzin treatment program.

- Believed to be the most effective product to combat EAB. Although several clinical trials indicate high success rate, it is relatively new and therefore no reliable evidence of its effectiveness.
- Costly treatment option. In-House treatment would cost approximately \$250 per tree for 30 cm dbh tree. About \$400 per tree contracted out.
- TreeAzin is injected into the tree (5mL/cm dbh). Tree must be treated every 2 years for 10 years.
- Recent research suggests TreeAzin effectiveness rate may be about 1 in 4 trees treated.

Ash in Caledon

- According to a Town of Caledon Urban Forestry study from 2004, approximately 25% of Caledon's urban street tree population on Town property is comprised of Ash trees. This equates to 1,200 Town owned street trees throughout Caledon.
- This number has not significantly changed since 2004 as street trees are provided through the development process and the Town of Caledon has not accepted Ash trees in development applications since 2006.

Options

- Status Quo.
- Remove existing Ash Trees from Town of Caledon owned property.
- Initiate an alternative species tree planting program within high Ash population areas of Caledon.
- Initiate a TreeAzin treatment program within high Ash population areas of Caledon.
- Initiate a combination of programs within high Ash population areas of Caledon.

Next Steps

- Continue to work with the Region of Peel and TRCA on implementing recommendations included in the Peel Region Urban Forestry Strategy
- Liaise with City of Brampton staff who are developing a comprehensive EAB management strategy including assessment criteria, removal, TreeAzin treatment and planting initiatives.
- Keep abreast of latest research concerning EAB and other potential mitigation measures including the efficacy of TreeAzin
- Recommend an appropriate EAB mitigation strategy for Caledon to Council during 2013 budget discussions.

NOTE: Staff were requested to review all pit rehabilitation plans to ensure Ash Trees are not being used.

Moved by D. Beffort – Seconded by R. Paterak

2012-240

That Council rise out of Council Workshop.

Carried.

5. **CLOSED MEETING**

Council was in Closed Meeting from 12:45 p.m. to 2:10 p.m.

Moved by A. Thompson – Seconded by R. Paterak

2012-241

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

- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board;
 - Confidential Verbal Report from Chris Barnett/Laura Bisset – ROPA 24 and OPA 226
- Advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
 - Confidential Report ADM-2012-033 – Agreement regarding 1628 Spruce Drive
- Personal matters about an identifiable individual, including municipal or local board employees;
 - Confidential Report DP-2012-044 - Environmentalist of the Year Award

- Confidential Verbal Report from Director of Recreation - Department organization
Carried.

Moved by D. Beffort – Seconded by R. Paterak 2012-242

That Council move into open session.
Carried.

6. MATTERS ARISING FROM CLOSED MEETING

- 1 Confidential Verbal Report from Chris Barnett/Laura Bisset re: Advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – ROPA 24 and OPA 226..

Moved by A. Thompson – Seconded by R. Whitehead 2012-243

That Confidential Verbal Report from Chris Barnett/Laura Bisset regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – ROPA 24 and OPA 226, be received; and

That the Town of Caledon supports the settlement with Solmar with respect to their remaining issues in ROPA 24 and that the Town's external legal counsel Davis LLP be authorized to enter into Minutes of Settlement consistent with the principles contained in the Offer authorized by Regional council at it's meeting of May 10, 2012; and

That the Town supports the proposed amendment to ROPA 24 to settle the issues of the North West Brampton Landowners Group and that Davis LLP be authorized to enter into Minutes of Settlement to implement same.

Carried.

2. Confidential Report ADM-2012-033 re: Advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Agreement regarding 1628 Spruce Drive.

Moved by D. Beffort – Seconded by G. McClure 2012-244

That Confidential Report ADM-2012-033 regarding advice that is subject to solicitor-client privilege, including communications necessary for that purpose – Agreement regarding 1628 Spruce Drive, be deferred to May 29, 2012.

Carried.

3. Confidential Report DP-2012-044 re: Personal matters about an identifiable individual, including municipal or local board employees - Environmentalist of the Year Award.

Moved by R. Paterak – Seconded by P. Foley 2012-245

That Confidential Report DP-2012-044 regarding personal matters about an identifiable individual, including municipal or local board employees – Environmentalist of the Year Award for 2012; and

That staff proceed as directed.

Carried.

4. Confidential Verbal Report from Director of Recreation re: Personal matters about an identifiable individual, including municipal or local board employees – Department organization.

Moved by R. Mezzapelli – Seconded by G. McClure 2012-246

That Confidential Verbal Report from Director of Recreation regarding personal matters about an identifiable individual, including municipal or local board employees – Department organization, be received.

Carried.

7. **PRAYER AND O CANADA**

Councillor Thompson opened the meeting with a prayer.

8. **SUMMARY OF ADDENDUM ITEMS**

Added Closed Meeting Item

- 1.1 Confidential Verbal Report from Chris Barnett/Laura Bisset re: Advice that is subject to solicitor-client privilege, including communications necessary for that purpose and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board – ROPA 24 and OPA 226. (30 minutes)

Delegation Withdrawn

- 3 4:00 p.m. Scott Byers re: Site Plan Application SPA 12-0013 and Pending Minor Variance A032-12.

Added Notice of Motion

- (i) Councillor deBoer re: Canadian Tire - Withdrawn.

Added Correspondence

- CP1 E-mail received from Shelley Cormier dated May 14, 2012 regarding parking lot owned by Shelley Cormier and Lillian Barber.
- CP2 E-mail received from Jimmy Poutney dated May 14, 2012 regarding Report PW-2012-009 – May 15th Council Meeting.

9. **DISCLOSURE OF PECUNIARY INTEREST** – None stated.

10. **INTRODUCTIONS OF NEW STAFF** – None.

11. **DELEGATIONS/PRESENTATIONS**

1. Donna Ferron, EcoCaledon and Randi Shulman, TRCA re: "Paint a Picture for Water Conservation Program".

Moved by R. Paterak – Seconded by P. Foley 2012-247

That the delegation of Donna Ferron, EcoCaledon and Randi Shulman, TRCA regarding "Paint a Picture for Water Conservation Program", be received.

Carried.

2. Nick Ferri, Chair and Janet Horner, Executive Director re: Golden Horseshoe Food & Farming Action Plan.

Moved by A. Thompson – Seconded by R. Paterak 2012-248

That the delegation of Nick Ferri, Chair and Janet Horner, Executive Director regarding Golden Horseshoe Food & Farming Action Plan, be received; and

That Council for the Town of Caledon support the Golden Horseshoe Food & Farming Action Plan 2021.

Carried.

3. Scott Byers re: Site Plan Application SPA 12-0013 and Pending Minor Variance A032-12 - ***Withdrawn***.

4. Mike McGarrell and Cheryl Connors, Protect Caledon Inc. re: Tottenham Pit Update.

Moved by R. Whitehead – Seconded by G. McClure

2012-249

That the delegation of Mike McGarrell and Cheryl Connors, Protect Caledon Inc. regarding Tottenham Pit Update, be received; and

That the letter dated April 16, 2012 from Cheryl Connors regarding site plan amendment application for Licence #6677 Brock Aggregates Inc. be received as correspondence.

Carried.

12. COUNCIL COMMUNICATIONS/INQUIRIES AND ANNOUNCEMENTS

- 12.1 Announcements

- 12.2 Urgent Business - None.

- 12.3 Notices of Motion – printed with the agenda.

(i) Councillor deBoer re: Canadian Tire – **Withdrawn**.

- 12.4 Notices of Motion – presented at meeting – None.

- 12.5 Council Inquiries.

(i) Motorbike complaints

Councillor deBoer indicated he has received noise complaints regarding motorbikes and inquired if a “good neighbour by-law” might assist with addressing the issue.

(ii) Heritage Caledon

Councillor Paterak followed up on a previous request he made regarding storage of heritage items and clarified it is for small items only.

13. REGULAR BUSINESS

1. ADM-2012-026 re: Seniors' Month 2012.

Moved by P. Foley – Seconded by R. Whitehead

2012-250

That Report ADM-2012-026 regarding Seniors' Month, be received.

Carried.

2. ADM-2012-030 re: Update to Staff Appointment By-law.

Moved by A. Thompson – Seconded by G. McClure

2012-251

That Report ADM-2012-030 regarding Update to Staff Appointment By-law, be received; and

That Council enact a by-law to appoint Sherry Ibrahim as Building Inspector effective May 14, 2012.

Carried.

3. CS-2012-030 re: Council Tax Free Allowance.

Moved by R. Paterak – Seconded by P. Foley

2012-252

That Report CS-2012-030 regarding Council Tax Free Allowance, be received; and

That staff report back as to how many GTA municipalities currently allocate one third elected members' salary as expense incidental to the performance of their duties and the related financial impacts.

Carried.

4. CS-2012-031 re: Quarterly Update of Approved Unavoidable Budget Increases - Quarter 1, 2012.

Moved by A. Thompson – Seconded by R. Whitehead 2012-253

That Report CS-2012-031 regarding Quarterly Update of Approved Unavoidable Budget Increases - Quarter 1, 2012, be received.

Carried.

5. CS-2012-035 re: Single source award for expanded scope of work as a result of remedial requirements due to contamination of Town owned vacant lands, Ward 1, 1447 Queen Street, former Village of Alton, Caledon.

Moved by R. Paterak – Seconded by D. Beffort 2012-254

That Report CS-2012-035 regarding single source award for expanded scope of work as a result of remedial requirements due to contamination of Town owned vacant lands, Ward 1, 1447 Queen Street, Village of Alton, Caledon, be received; and

That Council enact a by-law to authorize the Mayor and Clerk to enter into an agreement with Franz Environmental Inc. for Consulting and Engineering Services to remediate the Town owned vacant land at 1447 Queen Street in the Village of Alton, Caledon; and

That the revised capital project 11-08 - Alton Village Square, in the amount of \$250,000 be approved; and

That the \$200,000 budget shortfall in capital project 11-08 - Alton Village Square be funded from capital project 12-68 – (2012) Strategic Facility Feasibility and Market Study for Alton, in the amount of \$50,000, and from the Tax Funded Capital Reserve Fund, in the amount of \$150,000.

Carried.

6. CS-2012-037 re: Award of photocopiers/printing devices lease for Town Hall and various Town Facilities.

Moved by R. Whitehead – Seconded by A. Thompson 2012-255

That Report CS-2012-037 regarding the Award of photocopiers/printing devices lease for Town Hall and various Town facilities, be received; and

That the Town's replacement copier/printer devices be leased from Ricoh Canada Inc. for a period of 36 months (with the option of two extensions of 12 months each) at an estimated cost of \$239,907 per year (inclusive of non-recoverable HST) and funded from the Town's operating budget; and

That Ricoh Canada Inc. is accepted as the Town's vendor of record for copier / printer multifunction devices for the same period enabling the Town to add devices in the event of new facilities or changes to department structures or the number of end users; and

That Council enact a by-law to authorize the Deputy CAO/CFO/Director of Corporate Services and the Manager of Purchasing & Risk Management to enter into a Purchase Agreement with Ricoh Canada Inc. for multi-function devices (copiers, printers, fax machines) as part of Provincial Vendor of Record (VOR) 1027.

Carried.

7. DP-2012-035 re: Informational History on the Planning of Trails within the Chateaux of Caledon/Brookfield Homes – Pathways Subdivision.

Moved by R. Whitehead – Seconded by N. deBoer 2012-256

That Report DP-2012-035 regarding Informational History on the Planning of Trails within the Chateaux of Caledon/Brookfield Homes – Pathways Subdivision, be received; and

That Development Approval and Planning Policy Department be directed to add a clause in any future Subdivision Agreement, which is registered on title, that all Purchase and Sale Agreements where applicable include a warning clause regarding the width of sidewalk to make new homeowners aware that a wider than standard sidewalk may be located in front of their property; and

That Development Approval and Planning Policy Department be directed to ensure that any future subdivision include a note on the developer/builder Sales Office Plan, that reminds purchasers to confirm with the Development Approval and Planning Policy Department final locations of sidewalks and infrastructure/utilities to be located within the road right of ways in front of their property.

Carried.

8. DP-2012-038 re: Designated Heritage Property Grant Program - Recommendations for Allocation of 2012 Funding.

Moved by R. Paterak – Seconded by G. McClure

2012-257

That Report DP-2012-038 regarding Designated Heritage Property Grant Program - Recommendations for Allocation of 2012 Funding, be received; and

That Council approve grants for the following designated heritage properties, funded from the Designated Heritage Property Grant Program account 180.80.802.002.2319 in the amount of \$30,000:

- \$4,000 to Alton Mechanic's Institute, 1456 Queen Street West
- \$4,000 to Blackburn/Cunnington Octagonal Barn, 5294 The Grange Sideroad
- \$4,000 to Cranston-Freeborn House, 9 Antrim Court
- \$2,000 to Fead-Fendley House, 42 Charles Street
- \$4,000 to Kirkwood Stone Wall, 16311 Mississauga Road
- \$4,000 to Lambert Bolton House, 65 James Street
- \$2,418 to Shields-Gillander House, 65 Sneath Road
- \$1,582 to St. Andrew's Stone Church, 17621 St. Andrew's Road
- \$4,000 to Tramble-Westfall Schoolhouse, 18388 Heart Lake Road

Carried.

9. DP-2012-039 re: 2012 Community Green Fund Recipient Recommendations.

Moved by P. Foley – Seconded by G. McClure

2012-258

That Report DP-2012-039 regarding 2012 Community Green Fund Recipient Recommendations, be received; and

That Council authorizes the release of \$15,000 Community Green Funds to the following recipients, funded from the Community Green Fund account within Energy and Environment 2012 Operating Budget:

- \$5000 to Ontario Streams: Caledon Headwaters Rehabilitation Initiative;
- \$5000 to Caledon Countryside Alliance (Eat Local Caledon): Take a Bite Out of Climate Change;
- \$5000 to Palgrave United Church (Palgrave Community Kitchen): Student Healthy Eating Salad Bar; and

That Council enact a by-law authorizing the Mayor and Clerk to execute Community Green Fund Agreements with Caledon Countryside Alliance, Ontario Streams, and Palgrave United Church.

Carried.

10. DP-2012-042 re: The Value of a Green Development Incentive as it Relates to Development Charges.

Moved by A. Thompson – Seconded by R. Paterak

2012-259

That Report DP-2012-042 regarding The Value of a Green Development Incentive as it Relates to Development Charges, be received; and

That Report DP-2012-042 be forwarded to Region of Peel Council for consideration at its May 24, 2012, Regional Council meeting.

Carried.

11. DP-2012-049 re: Land exchange between the Town and the Peel District School Board.

Moved by D. Beffort – Seconded by G. McClure

2012-260

That Report DP-2012-049 regarding Land exchange between the Town and the Peel District School Board be received; and

That Council enact a by-law declaring the lands legally described as Lots 12 to 15, Block 2, Plan 14, Caledon ("Town Lands") to be surplus to the needs to the Town; and

That Council enact a by-law to close the highway legally described as Charles Street, Plan CAL14 and Plan CAL19; and

That Council enact a by-law declaring part of Charles Street designated as Parts 2 and 3 on a draft reference plan prepared by Young & Young Surveying Inc. to be surplus to the needs of the Town; and

That Council enact a by-law authorizing the transfer of the Town Lands and part of Charles Street to the Peel District School Board ("PDSB") or to whom it directs, and authorizing the Mayor and Clerk to execute all necessary documents with respect to the transfer; and

That Council authorize the Town Treasurer to withdraw an upset limit of \$9,000 from the Surplus Land Sale reserve fund to pay for the Town's share of costs associated with the exchange of lands.

Carried.

12. DP-2012-050 re: Proposed Rezoning Application, Part Lot 26, Concession 5 (Albion), 17084 Duffys Lane, Palgrave, Ward 4, Applicant: Paul Sturino on behalf of Deerfields Stables Inc., File No.: RZ 10-017.

Moved by R. Whitehead – Seconded by N . deBoer 2012-261

That Report DP-2012-050 regarding Proposed Rezoning Application, Part Lot 26, Concession 5 (Albion), 17084 Duffys Lane, Palgrave, Ward 4, Applicant: Paul Sturino on behalf of Deerfields Stables Inc., File No.: RZ 10-017, be received; and

That Council enact a by-law to rezone a portion of the subject property from Rural (A2) to Rural – Exception (219) (A2-E(219)); and

That Council direct staff to advise the Minister of Municipal Affairs and Housing to modify the Oak Ridges Moraine Conservation Plan Conformity Zoning By-law 2008-50, enacted by Council on June 10, 2008 to reflect this proposed zoning by-law.

Carried.

13. PREC-2012-006 re: 2012 Caledon Day Progress Report.

Moved by G. McClure – Seconded by A. Thompson 2012-262

That Report PREC-2012-006 regarding the 2012 Caledon Day Progress Report be received; and

That Council enact a By-law to grant an exemption to Noise By-law 86-110, as amended for the purpose of the Caledon Day Event on Saturday June 16, 2012.

Carried.

14. PW-2012-005 re: Fence By-law Exemption, 345 Leonard Street, Bolton.

Moved by R. Mezzapelli – Seconded by P. Foley 2012-263

That Report PW-2012-005 regarding Fence By-law exemption, 345 Leonard Street, Bolton, be received; and

That a fence with a maximum height of 1.83 metres be permitted in the front yard of 345 Leonard Street, Plan 593, Lot 23, Bolton with the following conditions:

- (a) The fence does not project past the front façade of the dwelling;
- (b) The fence does not project further than 7.3 metres from the west side of the dwelling.

That Council enact a by-law granting the exemption regarding 345 Leonard Street, Bolton.

Carried.

15. PW-2012-009 re: Bolton Downtown Parking Study Update.

Moved by A. Thompson – Seconded by P. Foley

2012-264

That Report PW-2012-009 regarding the Bolton Downtown Parking Study Update be received; and

That Staff be directed to review the parking standards for the Bolton Core Area and options for parking on and around Chapel Street and Elm Street and report to Council on available options; and

That Council approve the following scaled discount rates for Cash in Lieu of parking; no charges for a shortage of one parking space, charges of \$1875 per space for a parking shortage between 2 and 5 spaces, charges of \$5625 per space for a parking shortage of between 6 to 10 spaces, charges of \$7500 per spaces for a parking shortage of more than 10 spaces, as further described in Option C of Report PW-2012-009; and

That a By-law to amend the Cash in-lieu of Parking By-law 2002-151 rates be enacted as described in the above recommendation and in Option C of Report PW-2012-009, and that these rates be reviewed every 4 years at which time the rate shall default to the original rate identified in By-law 2002-151, unless otherwise directed by Council.

Carried.

NOTE: Staff were requested to report back to Council on providing parking enforcement on private property and approaches to better manage parking on private property.

16. PW-2012-014 re: Award of Contract No. 2012-25 Resurfacing of Various Roads.

Moved by A. Thompson – Seconded by R. Paterak

2012-265

That Report PW-2012-014 regarding Award of Contract No. 2012-25 Resurfacing of Various Roads, be received; and

That, subject to the Association of Municipalities of Ontario's approval related to Gas Tax Grant funding, Contract No. 2012-25 be awarded to Graham Brothers Construction Limited (Graham Bros.) in the amount of \$2,284,784.37 (inclusive of non-refundable H.S.T.); and

That, Contract 2012-25 be funded in the amount of \$1,935,421 in budget funding from Capital Project PW 12-01, the amount of \$370,000 in budget funding from Capital Project PW 12-03, and the amount of \$70,000 in budget funding from Capital Project PW 11-01.

Carried.

NOTE: Staff to consider drainage system functionality on roads prior to paving, and paving an entire road instead of a section at a time, e.g. Ellwood.

17. PW-2012-015 re: Fill By-law Exemption - 634745 Ontario Limited (James Dick Construction Limited) Pt. Lot 11, 12, 13 Con. 6 WHS.

Moved by R. Paterak – Seconded by D. Beffort

2012-266

That Report PW-2012-015 regarding Fill By-law Exemption - 634745 Ontario Limited (James Dick Construction Limited) Pt. Lot 11, 12, 13 Con. 6 WHS, be referred back to staff as the application is going to be revised.

Carried.

18. PW-2012-018 re: Proposed Changes to Town of Caledon Consolidated Traffic By-law 2011-20, as amended.

Moved by R. Whitehead – Seconded by G. McClure

2012-267

That Report PW-2012-018 regarding proposed changes to Consolidated Traffic By-law 2011-20, be referred back to staff for additional information regarding some of the proposed designated no parking areas and related to the prohibition of the sale of goods from a highway.

Carried.

14. RECEIPT OF MINUTES

Moved by R. Whitehead - Seconded by G. McClure

2012-268

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

- Council Meetings held April 24, 2012 and May 1, 2012.
- Closed Council Meeting held May 1, 2012.

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

- Committee of Adjustment Meetings held March 7, 2012 and April 4, 2012.
- Accessibility Advisory Committee Meeting held April 19, 2012.
- Economic Development Advisory Committee Meeting held March 21, 2012.

Carried.

15. PROCLAMATIONS

1. Kids of Steel Triathlon Day - May 27, 2012.

Moved by D. Beffort – Seconded by R. Whitehead

2012-269

Whereas the Kids of Steel Triathlon and Family Fun Event is being held for the 12th consecutive year on Sunday, May 27, 2012; and

Whereas this event attracts hundreds of participants and spectators from various regions and municipalities to Caledon; and

Whereas the event encourages youngsters from 3 years and up to participate and become physically active;

Therefore be it resolved that Sunday, May 27, 2012 be proclaimed “Kids of Steel Triathlon Day” in the Town of Caledon.

Carried.

2. Ontario Human Rights Code Day - June 15, 2012.

Moved by P. Foley – Seconded by R. Whitehead

2012-270

Whereas Ontario has been a leader in protecting and advancing human rights for more than 50 years; and

Whereas the Ontario Human Rights Code was first proclaimed on June 15, 1962; and

Whereas each person has the right to be free from discrimination and harassment and to reach their full potential – no matter their race, ethnic origin, place of birth, religion, ability level, sex, gender identity, sexual orientation, or any other status; and

Whereas protecting human rights reduces tension and conflict and creates an atmosphere of mutual respect and belonging; and

Whereas municipalities play a critical role in nurturing human rights and creating equitable environments where everyone is included in work and services and able to enjoy the benefits of their community; and

Whereas each one of us has a role to play in making sure that human rights are respected;

Therefore be it resolved that June 15, 2012 be proclaimed “Ontario Human Rights Code Day” in the Town of Caledon.

Carried.

16. CORRESPONDENCE PACKAGE

1. Moved by P. Foley – Seconded by N. deBoer

2012-271

That the correspondence items as listed in the correspondence package for the May 15, 2012, Council meeting, be received; and

That the e-mail received from Shelley Cormier dated May 14, 2012 regarding parking lot owned by Shelley Cormier and Lillian Barber, be received; and

That the e-mail received from Jimmy Poutney dated May 14, 2012 regarding Report PW-2012-009 – May 15th Council Meeting, be received.

Carried.

17. **PUBLIC QUESTION PERIOD** – No one in attendance came forward.

18. **BY-LAWS**

Moved by R. Whitehead – Seconded by G. McClure

2012-272

That the following by-laws be taken as read three times and finally passed in open council:

- 2012-043 To authorize the Mayor and Clerk to execute an agreement between the Town of Caledon and Franz Environmental Inc.
- 2012-044 To delegate authority to the Director/Chief Financial Officer/Deputy Chief Administrative Officer and the Manager of Purchasing and Risk Management to execute a Purchasing Agreement with Ricoh Canada Inc.
- 2012-045 To authorize the execution of the 2012 Community Green Fund Agreements with Ontario Streams, Caledon Countryside Alliance and Palgrave United Church.
- 2012-046 To amend Comprehensive Zoning By-law 87-250, as amended with respect to Part of Lot 26, Concession 5 (Albion), designated as Part 2 on Plan 43R-13381, Town of Caledon, Regional Municipality of Peel, municipally known as 17084 Duffy's Lane.
- 2012-047 To exempt various noises from Town of Caledon Noise By-law No. 86-110, as amended, as a result of the celebrations arising from Caledon Day 2012.
- 2012-048 To provide for exemptions to the Fence By-law 2005-36.
- 2012-049 To amend By-law Number 2002-151 re: the cash-in-lieu of parking program.
- 2012-052 To authorize the execution of various agreements with Diamond Software Inc. and Resource Allocation Concepts Software Inc.
- 2012-053 To confirm the proceedings of the May 15, 2012 Council Meeting.


Carried.

NOTE: K. Landry advised that By-law 2012-047 was revised since the printing of the agenda to provide an exemption to the noise by-law while on the premises of where the Caledon Day event is taking place.

19. **ADJOURNMENT**

On verbal motion moved by Councillor Foley and seconded by Councillor Mezzapelli, Council adjourned at 5:41 p.m.


Marilyn Morrison, Mayor


Karen Landry, Clerk

