



Regular Council Meeting Minutes
Tuesday, February 19, 2008
1:00 p.m.
Council Chambers, Town Hall

Mayor M. Morrison

D. Beffort
N. deBoer
A. Groves
(absent on personal business) G. McClure
R. Paterak
J. Payne
A. Thompson
R. Whitehead

Chief Administrative Officer: D. Barnes
Town Clerk: C. Cowan
Acting Legislative Co-ordinator: D. Publow
Town Treasurer/Director of Corporate Services: S. Jones
Fire Chief: B. Bigrigg
Director of Public Works & Engineering: C. Campbell
Director of Legal Services: N. Koltun
Director of Planning and Development: M. Hall
Chief Building Official/Director of Building and Enforcement: M. Sraga
Director of Recreation and Property Services: E. Eglite
Manager Economic Development and Communications: N. Lingard
Manager Planning Policy: T. Salter

1. **CALL TO ORDER**

The Mayor called the meeting to order at 1:05 p.m. Councillor Groves opened the meeting with a prayer.

2. **APPROVAL OF AGENDA**

VERBAL MOTION

Moved by D. Beffort – Seconded by N. deBoer

BE IT RESOLVED THAT the agenda for the February 19, 2008 Regular Council Meeting be approved, as written and distributed and amended by the following:

Amendments

In Camera Item 2 will be brought forward and be dealt with as Regular Business Item 10

Added Business

Added Delegation – John Barbaro, Barbaro Investments Inc. re: 17061 and 17063 Regional Road 50 – Decision of Ontario Municipal Board

Added In Camera Item of Solicitor/Client Privilege re: King Boundary Road

Carried.

3. **DISCLOSURE OF PECUNIARY INTEREST**

Jason Payne declared a conflict of interest with respect to Regular Business Item 4 as he resides in the subdivision that is subject of the item.

4. **ADOPTION OF MINUTES**

Moved by Doug Beffort – Seconded by Nick deBoer

W-068-2008

BE IT RESOLVED THAT the minutes of the following meetings be approved as written and distributed:

1. Regular Council Meeting, Tuesday, February 5, 2008
2. Budget Council Meeting, Tuesday, February 12, 2008

Carried.

5. DELEGATIONS

1. Bill Chohan and Cam Peterangelo, Agents for the Owner of 13941 Airport Road re: Heritage Designation

Moved by A. Thompson – Seconded by D. Beffort

W-069-2008

BE IT RESOLVED that the Council of The Corporation of the Town of Caledon receive the delegation of Bill Chohan and Cam Peterangelo, Agents for the Owner of 13941 Airport Road re: Heritage Designation

Carried.

2. Lisa Scale, Bolton Merchants' Association re: Use of 2007 Municipal Grant Funds

Moved by A. Groves – Seconded by J. Payne

W-070-2008

BE IT RESOLVED that the Council of The Corporation of the Town of Caledon receive the delegation of Lisa Scale, Bolton Merchants' Association re: Use of 2007 Municipal Grant Funds.

Carried.

3. Nancy Stewart re: Barbaro Investments, 17061 and 17063 Regional Road 50, Palgrave

Moved by Nick deBoer - Seconded by R. Whitehead

W-071-2008

BE IT RESOLVED that the Council of The Corporation of the Town of Caledon receive the delegation of Nancy Stewart re: Barbaro Investments, 17061 and 17063 Regional Road 50, Palgrave

Carried.

4. John Milligan re: Barbaro Investments, 17061 and 17063 Regional Road 50, Palgrave

Moved by R. Whitehead - Seconded by Nick deBoer

W-072-2008

BE IT RESOLVED that the Council of The Corporation of the Town of Caledon receive the delegation of John Milligan re: Barbaro Investments, 17061 and 17063 Regional Road 50, Palgrave

Carried.

At this time the added delegation of John Barbaro, Barbaro Investments Inc., 17061 and 17063 Regional Road 50 – Review of Ontario Municipal Board decision was brought forward – see Delegation 7

5. John Abbott re: CEAC Report 2008-01 re: Mayfield West

Moved by N. deBoer - Seconded by R. Paterak

W-073-2008

BE IT RESOLVED that the Council of The Corporation of the Town of Caledon receive the delegation of John Abbott re: CEAC Report 2008-01 re: Mayfield West

Carried.

6. Neil Morris re: CEAC Report 2008-02 re: Watershed Model Policy

Moved by R. Paterak - Seconded by N. deBoer

W-074-2008

BE IT RESOLVED that the Council of The Corporation of the Town of Caledon receive the delegation of Neil Morris re: CEAC Report 2008-02 re: Watershed Model Policy

Carried.

7. *John Barbaro, Barbaro Investments Inc. re: 17061 and 17063 Regional Road 50, Palgrave – review of OMB decision*

Mr. Barbaro did not provide a written submission to the Clerk in respect of his delegation.

Moved by A. Groves - Seconded by N. deBoer

W-075-2008

BE IT RESOLVED that the Council of The Corporation of the Town of Caledon receive the added delegation of John Barbaro, Barbaro Investments Inc., 17061 and 17063 Regional Road 50, Palgrave re: Review of OMB decision.

Carried.

6. REGULAR BUSINESS

1. Planning and Development Department/Policy Section Report 2008-12 re: Comments on the Proposed Final Built Boundary for the Growth Plan for the Great Golden Horseshoe

Moved by R. Paterak – Seconded by A. Groves

W-076-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon receive the amended Planning and Development Department Report 2008-12 re: Comments on the Proposed Final Built Boundary for the Growth Plan for the Greater Golden Horseshoe;

AND THAT the Minister of Public Infrastructure Renewal (MPIR) be advised that the Town of Caledon request that Caledon Village and the Palgrave Estate Residential Community be identified as an undelineated built-up area;

AND THAT a copy of the report be forwarded to the Region of Peel and the Cities of Brampton and Mississauga, for their information;

AND FURTHER THAT a copy of the amended report be forwarded to the MPIR with specific note that Caledon East not be included for future intensification.

Carried.

2. Planning and Development Department/Policy Section Report 2008-14 re: Request for Alteration to Designated Heritage Property at 13941 Airport Road

The following motion was tabled.

Moved by R. Whitehead, Seconded by A. Groves

BE IT RESOLVED that Council of The Corporation of the Town of Caledon receive Planning and Development Department, Policy Section Report 2008-14 re: Request for Alteration to Designated Heritage Property at 13941 Airport Road;

AND THAT Council refuse the application for alterations to the designated heritage property at 13941 Airport Road, as recommended by the Town's municipal heritage committee (Heritage Caledon);

AND FURTHER THAT Council authorize staff to notify the property landowner, the Ontario Heritage Trust and the Town's Building and By-law Enforcement Department of Council's decision.

VERBAL MOTION

Moved by A. Thompson, Seconded by R. Whitehead

BE IT RESOLVED THAT the Council of The Corporation of the Town of Caledon refer Planning and Development/Policy Section Report 2008-14 back to staff;

AND THAT Heritage Caledon, staff and the landowner meet to discuss the issues regarding this matter and negotiate a resolution.

Carried.

3. Planning and Development Department/Development Section Report 2008-15 re: Bell Mobility Telecommunications Tower, Pt. Lot 7, Concession 6 EHS (Caledon), 16764 Airport Road, South of Patterson Sideroad, West Side of Airport Road, Ward 1, File Number SPA 07-47T

Moved by R. Paterak – Seconded by D. Beffort

W-077-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon receive Planning and Development Department, Development Section Report 2008-15 re: Bell Mobility Telecommunication Tower, Bell Mobility (Applicant), Jim and Stephanie Bonnell (Owner), Part Lot 7, Concession 6 EHS (Caledon), 16764 Airport Road, South of Patterson Sideroad, West side of Airport Road, Ward 1, File Number SPA 07-47T;

AND THAT Council forward Planning and Development Department Report 2008-15: Bell Mobility Telecommunication Tower to Industry Canada indicating that the proponent of the telecommunication facility has completed required consultation with the local land use authority;

AND FURTHER THAT Council direct staff to prepare and execute a Site Works Agreement between the Town of Caledon and the telecommunication proponent and/or owner of the subject lands.

Carried.

4. Public Works and Engineering/Engineering Report 2008-03 re: Assumption of Municipal Services, Clint Developments Inc., Plans of Subdivision 43M-1372, 43M-1382 and Reference Plan 43R-25895

At this time, Councillor Payne left the chambers in respect of his declared conflict of interest.

Moved by A. Thompson – Seconded by A. Groves

W-078-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon adopt Public Works and Engineering/Engineering Report 2008-03 re: Assumption of Municipal Services, Clint Developments Inc., Plans of Subdivision 43M-1372 and 43M-1382, and 43R-25895;

AND THAT Council enact By-law 2008-18 assuming the roads in Plan 43M-1372 and 43R-25895;

AND THAT Council enact By-law 2008-19 assuming the road in Plan 43M-1382;

AND FURTHER THAT Council directs staff to retain the current value of the development securities held in connection with Plans 43M-1372, 43M-1382 and 43R-25895 to guarantee a satisfactory resolution with respect to concerns related to the Storm Water Management Facility.

Carried.

5. Public Works and Engineering/Engineering Report 2008-06 re: Boundary Roads with King Township

Moved by N. deBoer – Seconded by R. Whitehead

W-079-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon adopt Public Works and Engineering/Engineering Report 2008-06 re: Boundary Roads with King Township;

AND THAT staff be directed to provide a report on the legal risk assessment regarding the boundary roads with King Township.

Carried.

6. Public Works and Engineering Report 2008-07 re: Go Transit Letter

Moved by A. Groves – Seconded by D. Beffort

W-080-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon adopt Public Works and Engineering/Public Works Report 2008-07 re: GO Transit Letter;

AND THAT Council directs the Director of Public Works and Engineering to write a letter of support for bike racks on GO Transit buses that travel through Caledon.

Carried.

7. Corporate Services/Treasurer/Director of Corporate Services Report 2008-03 re: Delegation of Tax Ratio Setting Authority Under Section 310 of the Municipal Act

Moved by R. Paterak – Seconded by J. Payne

W-081-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon receive Treasurer/Director of Corporate Services Report 2008-03 re: Delegation of Tax Ratio – Setting Authority under Section 310 of the *Municipal Act*, 2001;

AND THAT Council consent to the enactment of a Regional by-law delegating tax ratio setting from the Region of Peel to the Cities of Mississauga and Brampton and the Town of Caledon, in accordance with section 310 of the *Municipal Act*, 2001, for the 2008 property tax year;

AND FURTHER THAT Council consent to a continuation of an apportionment methodology in place in the 2008 property tax year;

AND FURTHER THAT Council for the Regional Municipality of Peel be so advised.

Carried.

8. Corporate Services/Tax Section Report 2008-06 re: 2008 Annual Debt Repayment Limit

Moved by J. Payne – Seconded by D. Beffort

W-082-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon receive Treasurer/Director of Corporate Services Report 2008-06 re: 2008 Annual Debt Repayment Limit.

Carried.

9. Building and By-law Enforcement/By-law Enforcement Report 2008-04 re: Vibration Complaints – Permacon Manufacturing Facility, 3 Betomat Court

Moved by R. Whitehead – Seconded by Nick deBoer

W-083-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon receive Building and By-law Enforcement Report 2008-04 re: Vibration complaints – Permacon manufacturing facility, 3 Betomat Court.

Carried.

10. Legal Services Department/Town Counsel Report 2008-07 and Planning and Development/Planning Law Report 2008-19 re: Barbaro Investments Inc., 17061 and 17063 Regional Road 50, Palgrave, Review of Ontario Municipal Board Decision

The following motion was tabled.

Moved by N. deBoer, Seconded by R. Whitehead

BE IT RESOLVED that Council of The Corporation of the Town of Caledon receive Legal Services Department Report 2008-07 and Planning & Development Department Report 2008-19;

AND THAT Council instruct the Town staff to write the chair of the Ontario Municipal Board requesting a review of the decision of the Ontario Municipal Board in the appeal by Barbaro Investments Inc. regarding the premises at 17061 and 17063 Regional Road 50, Palgrave;

AND THAT Council instruct the Town staff in the event that the Chair agrees that a motion may be argued for a review of the decision, to request an order staying the decision of the Ontario Municipal Board until the motion is heard and the review, if allowed, is completed;

AND THAT Council permit the Town staff to include in the materials to be sent to the Chair of the Ontario Municipal Board the in camera reports considered by the Council with respect to the Barbaro appeal;

AND FURTHER THAT if the Chair agrees that a motion may be argued for a review of the Ontario Municipal Board's decision, authorize the Town staff to retain outside legal counsel and an outside planner for the purposes of the motion and, if it is allowed, the review hearing.

Councillor Whitehead requested a recorded vote.

Councillor Paterak requested that the motion be split. The first part of the motion was as follows:

Moved by N. deBoer – Seconded by R. Whitehead

W-084-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon receive Legal Services Department Report 2008-07 and Planning & Development Department Report 2008-19;

AND THAT Council instruct the Town staff to write the chair of the Ontario Municipal Board requesting a review of the decision of the Ontario

Municipal Board in the appeal by Barbaro Investments Inc. regarding the premises at 17061 and 17063 Regional Road 50, Palgrave;

AND THAT Council instruct the Town staff in the event that the Chair agrees that a motion may be argued for a review of the decision, to request an order staying the decision of the Ontario Municipal Board until the motion is heard and the review, if allowed, is completed;

AND THAT Council permit the Town staff to include in the materials to be sent to the Chair of the Ontario Municipal Board the in camera reports considered by the Council with respect to the Barbaro appeal;

D. Beffort	No	R. Paterak	Yes
N. deBoer	Yes	J. Payne	No
A. Groves	No	A. Thompson	No
G. McClure	absent	R. Whitehead	Yes
M. Morrison	Yes		

4 YEAS

4 NAYS

Lost.

Since the first part of the motion was lost, the second part of the motion was not voted on.

11. Notice of Motion re: development and maintenance of trails on Alton Grange Property

Moved by R. Paterak – Seconded by D. Beffort

W-085-2008

WHEREAS the Town of Caledon in its Trails Master Plan and in its ongoing activities actively pursues the development of a system of interconnected trails throughout the Town of Caledon;

AND WHEREAS The Alton Grange Property is managed by the Alton Grange Association (AGA) by agreement with the Province of Ontario;

AND WHEREAS AGA actively develops and maintains trails on the Alton Grange Property, a tract of 360 acres to the east of Alton that hosts a variety of habitat and features the confluence of the Credit River and Shaws Creek;

AND WHEREAS prominent on the Alton Grange Property is the Bruce Trail Side Trail, a substantial portion of which was constructed with AGA funds, connecting the Bruce Trail and the Grand River Trail;

AND WHEREAS the future Credit Valley Trail will be an integral part of the Alton Grange Trail System;

AND WHEREAS all of these trails are valued parts of the Caledon system of trails;

AND WHEREAS AGA actively fundraises to support the development of other trails on the Alton Grange Property and the protection of the environmentally sensitive portions of the Alton Grange Property;

NOW THEREFORE BE IT RESOLVED that the Town of Caledon work in co-operation with the AGA, albeit with no direct financial support from the Town but rather with staff input and support from time to time;

AND THAT the development and maintenance of trails on the Alton Grange Property be considered an integral part of the Caledon Trails Master Plan;

AND THAT the Town of Caledon establish a reserve fund account to receive donations to further the work on the Alton Grange Property and that invoices submitted by the Alton Grange Association be paid from this account;

AND FURTHER THAT that a copy of this resolution be forwarded to the Alton Grange Association.

7. ADDED BUSINESS

1. Added Delegation – John Barbaro, Barbaro Investement Inc. – see Delegation 7
2. Added In Camera Item of Solicitor/Client Privilege re: King Boundary Road – see In Camera 2

8. ANNOUNCEMENTS

1. A Council Information Workshop will be held on Wednesday, March 5, 2008 at 7:00 p.m. in the Mayfield/Palgrave Room regarding Zoning Infractions/Unauthorized Businesses.

9. PUBLIC QUESTION PERIOD - None

10. CORRESPONDENCE

Moved by D. Beffort – Seconded by J. Payne

W-086-2008

BE IT RESOLVED THAT the following items of correspondence be received:

1. AMO Alert No. 08/004 re: Report to Members on January 2008 Board Meeting
2. Region of Peel re: Terms of Reference for the Arterial Roads Review Ad hoc Steering Committee (ARRASC), as Revised by the Region and Area Municipal Staff Working Group
3. Region of Peel re: Comments on the Proposed Final Built Boundary for the Growth Plan for the Greater Golden Horseshoe
4. Region of Peel re: Southern Ontario Highways Program 2007 to 2011
5. City of Brampton re: Solmar Development Corporation's Proposed Regional Official Plan Amendment to Update Population, Household and Employment Forecasts (File G70RE)
6. City of Waterloo Resolution re: Canadian Broadcasting Corporation
7. Township of Galway-Cavendish & Harvey Resolution re: Use of Handguns
8. Township of Greater Madawaska Motion re: Logging on Crown Lands
9. Town of Erin re: CVC Management Strategy Update
10. Thank you to Caledon Fire & Emergency Services from Dufferin County Ambulance Services

Carried.

11. CORRESPONDENCE FROM COMMITTEES OF COUNCIL

Moved by D. Beffort – Seconded by J. Payne

W-087-2008

BE IT RESOLVED THAT Council for The Corporation of the Town of Caledon receive the following:

1. Policing Advisory Council of Caledon Minutes - November 13, 2007
2. CEAC Report 2008-01 re Mayfield West – Lessons Learned
3. CEAC Report 2008-02 re Watershed Plans and Municipal Policy
4. Joint Peel-Caledon Accessibility Advisory Committee (AAC) Minutes – January 29, 2008

Carried.

Moved by A. Groves – Seconded by N. deBoer

W-088-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon refer CEAC Report 2008-01 to a Council Workshop for discussion on the Mayfield West planning process and the ramifications for future urban planning initiatives.

Carried.

12. PROCLAMATIONS

1. Social Work Week – March 3-9, 2008

Moved by A. Groves – Seconded by D. Beffort

W-089-2008

WHEREAS social workers in Caledon and across Canada will be celebrating the role and contribution of the profession by hosting a wide variety of events during National Social Work Week, March 3 – 9, 2008;

AND WHEREAS this year's Social Work Week slogan, ***Social Workers: Advocating For Human Rights in a Diverse Community***", was selected to showcase the important work social workers do on a daily basis to advance the human rights of children, women, families and communities; to advocate for equality and equity for marginalized and minority groups and to support ongoing struggles for civil rights and basic freedoms, economic well-being and access to services;

THEREFORE BE IT RESOLVED that Council for The Corporation of the Town of Caledon proclaim the week of ***March 3 – March 9, 2008 as "Social Work Week"***.

Carried.

2. Nutrition Month – March 2008-02-19

Moved by A. Groves – Seconded by J. Payne

W-090-2008

WHEREAS the goal of National Nutrition month is to encourage all Canadians to eat well;

AND WHEREAS Region of Peel – Public Health is a trusted source of credible nutrition information and is launching a campaign focusing on helping consumers make healthy food choices in our community, schools, workplaces and in a variety of other settings;

AND WHEREAS Canadians are interested in healthy eating and want information to help them achieve this goal – Region of Peel Public Health offers nutrition information and resources on www.peelregion.ca and by calling 905-799-7700;

THEREFORE BE IT RESOLVED that Council for The Corporation of the Town of Caledon proclaim the ***Month of March, 2008 as "National Nutrition Month"***.

Carried.

13. NOTICES OF MOTION

Councillor Paterak brought forward a Notice of Motion regarding development and maintenance of trails on the Alton Grange Property.

VERBAL MOTION

Moved by A. Thompson, Seconded by R. Paterak

BE IT RESOLVED THAT Council for The Corporation of the Town of Caledon waive the requirements set under section 3.1.19 dealing with "Notice of Motion" in procedure By-law No. 2003-210.

Carried.

See Regular Business Item 11.

14. COUNCIL ENQUIRIES

1. Fire Services Book

Councillor Paterak inquired as to the status of the fire services book *Answering the Call* that the Town was involved in producing. He asked for a report on the status of the book; how many we have sold, how many in stock, the status of the funds that have been received to date.

2. Defibrillators

Councillor Payne inquired as to the status of the Request for Proposal for the Defibrillators. Eriks Eglite, Director of Recreation and Property Services advised that a report will be coming forward to the next Council meeting.

3. Level of Service

Councillor Whitehead inquired as to whether there were any changes in the level of service with respect to roads for the last storm on Sunday, February 17, 2008. Craig Campbell, Director of Public Works and Engineering advised that there was no change to the level of service; the routes had not been changed. Availability of manpower presented a challenge.

15. CLOSED MEETING

1. A Matter of Litigation re: Sorrento Litigation

Moved by A. Groves – Seconded by J. Payne

W-091-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon adopt in camera Legal Services Department Report 2008-06 re: Sorrento Development Limited, Status of Litigation, Various Lands;

AND THAT Council instruct Town Counsel to offer to settle the litigation involving Sorrento Developments Limited as described in Legal Services Department Report 2008-06;

AND FURTHER THAT Council instruct the Town Treasurer to make available funds necessary for the contingency litigation costs funds as described in Legal Services Department Report 2008-06.

Carried.

2. *Added In Camera Item of Solicitor/Client Privilege re: King Boundary Road*

Moved by J. Payne – Seconded by R. Whitehead

W-092-2008

BE IT RESOLVED that Council of The Corporation of the Town of Caledon adopt added In Camera Legal Services/Town Counsel Report 2008-08 re: Boundary Roads with King Township, Recovery of Costs;

AND THAT Council instruct staff to prepare a report outlining the legal means by which Caledon may recover its costs for the repair and maintenance of the boundary roads with King Township in the event that King Township refuses to reimburse Caledon for such costs when requested to do so.

Carried.

16. BY-LAWS

Moved by A. Groves – Seconded by J. Payne

W-093-2008

BE IT RESOLVED THAT the following by-laws be taken as read three times and finally passed in open council:

2008-18 A by-law to name and assume the roads, road widenings and reserves in Plan 43M-1372

2008-19 A by-law to assume the road in Plan 43M-1382

Carried.

Moved by D. Beffort – Seconded by J. Payne

W-094-2008

BE IT RESOLVED THAT the following by-law be taken as read three times and finally passed in open council:

2008-20 Being a by-law to confirm the proceedings of the February 19, 2008 Regular Council Meeting


Carried.

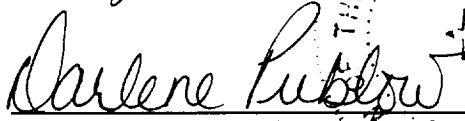
17. **ADJOURNMENT**

On verbal motion moved by Councillor deBoer and seconded by Councillor Paterak , Council adjourned at 1:30 p.m.

The next Budget Council meeting will be held on Tuesday, February 12, 2008 at 10:00 a.m. in the Council Chambers, Town Hall.

The next Regular Council meeting will be held on Tuesday, February 19, 2008 at 1:00 p.m. in the Council Chambers, Town Hall.


Marilyn Morrison, Mayor


Darlene Publow, Acting Clerk

