

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

December 16, 2009

Regional Council met at 9:30 a.m. in the Council Chambers, York Region Administrative Centre, 17250 Yonge Street, Newmarket, with Regional Chair Fisch presiding.

The following were present at this meeting:

Mayor:	Barrow, Black, Emmerson, Grossi, Jackson, Morris, Scarpitti, Van Bynen and Young
Regional Councillor:	Ferri, Frustaglio, Heath, Hogg, Jones, Landon, Rosati, Taylor, Virgilio and Wheeler
Staff:	Davidson, Hulton, Kurji, Llewellyn-Thomas, Macgregor, Mahoney, Norton, Russell and Tuckey

PUBLIC MEETING

***RETAIL BUSINESS HOLIDAYS ACT EXEMPTIONS*
VAUGHAN MILLS SHOPPING CENTRE**

Pursuant to Section 4 of the *Retail Business Holidays Act*, Regional Council held a public meeting at 9:30 a.m. regarding the proposed by-law to permit the Vaughan Mills Shopping Centre to add Family Day and all other “holidays” except Christmas Day, Good Friday and Easter Sunday to its existing list of exemptions.

176 COMMUNICATIONS

Council considered the following communications:

1. Fred J. Santini, Senior Legal Counsel, Legal Affairs, Ivanhoe Cambridge, November 3, 2009, and requesting deputant status regarding an application to add Family Day and other “holidays” except Christmas Day, Good Friday and Easter Sunday to the *Retail Business Holidays Act* exemptions for the Vaughan Mills Shopping Centre.
2. Carrie Liddy, Resident, December 4, 2009, regarding the proposed Family Day exemption for Vaughan Mills Shopping Centre.

It was moved by Regional Councillor Wheeler, seconded by Mayor Jackson that Council receive the communications and grant deputant status to Fred J. Santini.

Carried

177 DEPUTATION

Council heard the following deputation:

1. Fred J. Santini, Senior Legal Counsel, Legal Affairs, Ivanhoe Cambridge

It was moved by Mayor Jackson, seconded by Regional Councillor Heath that Council receive the deputation.

Carried

178 REPORT

Council considered the following report:

Retail Business Holidays Act Application for Exemption *(Report No. 3 of the Regional Solicitor)*

It was moved by Mayor Jackson, seconded by Regional Councilor Heath that Council receive the report of the Regional Solicitor and that:

1. The applicant, Vaughan Mills Shopping Centre, be granted an exemption from the *Retail Business Holidays Act* to remain open on Family Day and all holidays except Christmas Day, Good Friday and Easter Sunday.

A recorded vote on this motion was as follows:

For: Black, Emmerson, Ferri, Frustaglio, Heath, Jackson, Jones, Landon, Rosati, Scarpitti, Virgilio and Wheeler (12)

Against: Barrow, Grossi, Hogg, Morris, Taylor, Van Bynen and Young (7)

Carried

179 BY-LAW

It was moved by Mayor Jackson, seconded by Regional Councillor Heath that Council enact the following By-law.

By-law No. 2009-57 A by-law to amend By-law No. LI-8-95-76 to permit retail business establishments to be open on holidays

Carried

PRESENTATIONS

Council then received the following presentations:

180 Service Recognition of Members of Council and Regional Chair

Regional Chair Fisch indicated that Mayor Margaret Black and Regional Councillor Joyce Frustaglio have each served 15 years on Regional Council and presented them each with a plaque in recognition of their service.

Bruce Macgregor, Chief Administrative Officer, announced that Regional Chair Fisch has also completed 15 years on Regional Council and presented him with a plaque in recognition of his service.

181 Recycling Council of Ontario – 2009 Waste Minimization Awards

Regional Chair Fisch introduced Sarah Mills, Manager of Special Projects of the Recycling Council of Ontario. She informed Council that York Region won three gold awards for the following Environmental Services initiatives:

1. Regional Municipal Promotion – Communications, awarded for York Region's communication of the 2009 Recycle More. Recycle Better Campaign
2. 2008 Participation in Waste Reduction Week, awarded for York Region's launch and execution of the 2008 Reuse Event Participation, and
3. the Unique Municipal Program, awarded for York Region's launch of the McCleary Court Community Environmental Centre in the City of Vaughan.

Regional Chair Fisch thanked Ms. Mills and also acknowledged the residents of York Region for doing most of the work and embracing the Region's waste management programs over the past years.

Ms. Mills then presented Regional Chair Fisch, Regional Councillor Ferri – Chair of the Environmental Services Committee, Regional Councillor Wheeler – Vice-Chair of the Environmental Services Committee, Regional Councillor Heath and Erin Mahoney – Commissioner of Environmental Services, with the 2009 Waste Minimization Awards.

182 2010 Budget

(Report No. 8 of the Commissioner of Finance and Clause 1 of Finance and Administration Committee Report No. 9)

Lloyd Russell, Commissioner of Finance presented an overview of the proposed 2010 Budget, including the results of the Finance and Administration Committee recommendations from December 3, 2009 and a summary of the Operating Budget, Water and Wastewater Budget and Capital Budget.

Mr. Russell thanked the Members of Council, the Regional staff who were involved and the Finance Department staff for all their hard work in putting the 2010 Budget together. Regional Chair Fisch in turn thanked Mr. Russell and the Finance Department staff for all of their efforts in bringing forward this budget.

It was moved by Mayor Van Bynen, seconded by Mayor Emmerson that Council receive the presentation and refer it to consideration of Report No. 8 of the Commissioner of Finance and Clause 1 of Finance and Administration Committee Report No. 9.

Carried

(See Minutes No.186 and 187.)

183 MINUTES

It was moved by Mayor Black, seconded by Regional Councillor Jones that Council confirm the Minutes of the Council meeting held on November 19, 2009 in the form supplied to the Members.

Carried

COMMUNICATIONS

Council considered the following communications:

184 GTMA Board Vacancy

Lou Milrad, Chair and CEO, Greater Toronto Marketing Alliance, November 12, 2009, regarding the GTMA Board Vacancy and requesting that Regional Chair Fisch fill the vacancy created by the death of Regional Councillor Wong for the remainder of this term. Regional Chair Fisch indicated that it was his intention to agree to the request.

It was moved by Mayor Grossi, seconded by Mayor Scarpitti that Council receive the communication.

Carried

185 York Region Official Plan

(Clause 1 of Planning and Economic Development Committee Report No. 9)

1. Paul Young, Resident, Town of Markham, December 3, 2009
2. William Parish, Resident, Town of Markham, December 4, 2009
3. Scott Arbuckle, Associate, IBI Group, December 15, 2009, on behalf of Dorzil Developments (Bayview) Ltd.

4. Marina Ferranti, Sales Representative, Laceby Real Estate Limited, December 15, 2009, on behalf of landowners in the Hamlet of Snowbell
5. Don Given, President, Malone Given Parsons Ltd., December 15, 2009, on behalf of Neamsby Investments and Fulton Homes (Rodeo Fine Homes)
6. Lynda Townsend, Townsend and Associates, December 15, 2009, on behalf of Aryeh Construction Limited
7. Michael S. Goldberg, Goldberg Group, December 15, 2009, on behalf of Orlando Corporation (Orlando)
8. Ryan Guetter, Associate, Weston Consulting Group Inc., December 15, 2009, on behalf of 1625489 Ontario Inc.
9. Peter F. Smith, Bousfields Inc., on behalf of Woodbine International Centre Corporation and Woodbine International Hotel Corporation
10. John La Chapelle, Manager, Municipal Relations, Bell Canada, December 15, 2009
11. President of Unionville Villages' Association, December 15, 2009
12. Fred Webber, German Mills Residents' Association, December 15, 2009, and
13. Mark Flowers, Davies Howe Partners, December 15, 2009 on behalf of SmartCentres and Calloway REIT.
14. Memorandum from Bryan Tuckey, Commissioner of Planning and Development Services, December 16, 2009, with additional communications received from:
 - (a) R. Buczolits, Senior Vice President, The Rice Commercial Group of Companies, December 1, 2009 and December 14, 2009 on behalf of the Rice Commercial Group of Companies (RCG)
 - (b) R.L. Humphries, President, Humphries Planning Group Inc., December 2 and December 3, 2009, on behalf of 1539253 Ontario Limited
 - (c) Gord Mahoney, Planning Consultant, Michael Smith Planning Consultants, December 2, 2009, on behalf of Karma Tekchen Zabsal Ling (KTZL), Aurora
 - (d) Maurice Luchich, Planning Manager, Tim Hortons, November 27, 2009, on behalf of TDL Group Corp.

- (e) Chris Barnett, Davis LLP, December 11, 2009, on behalf of Aurora 2C Landowners Group
- (f) Gary Templeton, Templeton Planning Ltd., December 11, 2009, on behalf of landowners in the Block 40/47 area, Vaughan
- (g) Velta Mussellam, December 15, 2009, on behalf of the Board of Directors of Thornhill Golf and Country Club, and
- (h) Margaretha Vandervelden, North East Sutton Ratepayers Association Inc. and Peter Sibbald Brown, Lakewatch Society (Canada), December 9, 2009.

It was moved by Mayor Young, seconded by Mayor Emmerson that Council receive the communications.

Carried

(See Minutes No. 189 and 192.)

186 2010 Budget

(Report No. 8 of the Commissioner of Finance and Clause 1 of Finance and Administration Committee Report No. 9.)

Council then considered the following communications:

1. Jane Wedlock, Executive Director, Community Strategist, Alliance to End Homelessness, December 15, 2009, and requesting deputant status
2. Tom Pearson, Chairman, Poverty Action for Change Coalition, Vice-Chair, Operation Sparrow, and requesting deputant status
3. Joan Stonehocker, Executive Director, York Region Food Network, December 15, 2009, and
4. Yvonne Kelly, Interim Chair, York Region Do the Math Working Group, December 15, 2009,

It was moved by Regional Councillor Jones, seconded by Regional Councillor Taylor that Council receive the communications and grant deputant status to Jane Wedlock and Tom Pearson.

Carried

187 Council then heard the following deputations:

1. Jane Wedlock, Executive Director, Community Strategist, Alliance to End Homelessness.

It was moved by Regional Councillor Frustaglio, seconded by Mayor Morris that Council receive the deputation.

Carried

2. Tom Pearson, Chairman Poverty Action for Change Coalition, Vice-Chair , Operation Sparrow.

It was moved by Regional Councillor Hogg, seconded by Mayor Van Bynen that Council receive the deputation.

Carried

188 It was moved by Mayor Van Bynen, seconded by Mayor Barrow that Council consider Report No. 8 of the Commissioner of Finance and Clause 1 of Finance and Administration Committee Report No. 9 at this time.

Carried

It was moved by Regional Councillor Taylor, seconded by Mayor Morris, that Council support in principle the allocation of some or all of the dollars applied to the Tax Rate Stabilization Reserve from additional assessment growth this year for investment in social services as directed by the future Human Services Multi-Year Plan.

Carried

It was moved by Mayor Grossi, seconded by Mayor Emmerson that Council dedicate 1% of the net taxes to debt reduction and include that in the bottom line of the budget to provide for an overall 1% net tax levy.

Lost

It was moved by Mayor Van Bynen, seconded by Mayor Barrow that Council adopt the recommendations contained in Report No. 8 of the Commissioner of Finance and Clause 1 of Finance and Administration Committee Report No. 9, as amended.

A recorded vote on the motion was as follows:

For: Barrow, Black, Emmerson, Ferri, Frustaglio, Heath, Hogg, Jackson, Jones, Landon, Morris, Rosati, Scarpitti, Taylor, Van Bynen Virgilio, Wheeler and Young (18)

Against: Grossi (1)

Carried

189 COMMITTEE REPORTS

It was moved by Regional Councillor Hogg, seconded by Regional Councillor Frustaglio that Council resolve itself into Committee of the Whole to consider the following reports:

Report No. 4 of the Community and Health Services Committee
Report No. 4 of the Environmental Services Committee
Report No. 9 of the Finance and Administration Committee (Clauses 2 – 8)
Report No. 9 of the Planning and Economic Development Committee
Report No. 4 of the Transportation Services Committee

Carried

Regional Chair Fisch chaired the Committee of the Whole.

The Committee of the Whole rose and recommended that Council adopt the recommendations in the following reports with amendments as noted:

Report No. 4 of the Community and Health Services Committee

Report No. 4 of the Environmental Services Committee, subject to the following amendment:

Clause 1, relating to Joint Waste Diversion Strategy Update, Council Attachment 1, Table 1, York Region Population Forecast, to be revised by staff to reflect the most recent available population numbers.

Report No. 9 of the Finance and Administration Committee
(See Minute No. 188 for adoption of Clause 1.)

Report No. 9 of the Planning and Economic Development Committee.

Clause 1, relating to the York Region Official Plan was tabled for further consideration following Council's Private Session.

(See Minute No. 192 for recorded vote and Council decision.)

Report No. 4 of the Transportation Services Committee, subject to the following amendments:

Clause 1, relating to Greening Securement Partnership Agreements, that staff report back on the ownership interests regarding the purchases that were made.

Clause 3, relating to Class Environmental Assessment Update, Bathurst Street, Green Lane West to Yonge Street, Town of East Gwillimbury, that staff continue to work with the affected land owners.

190 PRIVATE SESSION

It was moved by Mayor Emmerson, seconded by Mayor Young that Council convene in Private Session for the purpose of considering the following:

1. Private Report of the Commissioner of Environmental Services – Status Update – Community Environmental Centre (CEC) in the Town of Richmond Hill – Project 76335 – Solicitor-client.

Carried

Council met in Private Session at 12:50 p.m. and reconvened in Council at 1:23 p.m.

It was moved by Regional Councillor Jones, seconded by Regional Councillor Ferri that Council rise and report from Private Session.

Carried

191 Status Update – Community Environmental Centre (CEC) in the Town of Richmond Hill – Project 76335

(Private Report of the Commissioner of Environmental Services)

It was moved by Mayor Barrow, seconded by Regional Councillor Hogg that Council adopt the recommendations contained in the private report of the Commissioner of Environmental Services dated December 15, 2009, including recommendation 3 as follows:

3. Regional staff be instructed to take all necessary steps to initiate the site plan application process for the construction of the Richmond Hill Community Environmental Centre.

Carried

The balance of the report and recommendations to remain private under the provisions of the *Municipal Act* as it pertains to solicitor-client privilege.

192 Regional Official Plan

(Clause 1 of Planning and Economic Development Committee Report No.9)

It was moved by Mayor Scarpitti, seconded by Regional Councillor Jones that Council adopt Clause 1 of Report No. 9 of the Planning and Economic Development Committee, with the amendment that there be a further Recommendation 6 as follows:

6. The potential urban expansions located in the Town of Markham and conceptually identified as stars on Map 1 – Regional Structure, be removed.

It was moved by Regional Councillor Heath, seconded by Regional Councillor Virgilio that the reference to the population increases in the Town of Markham by the year 2031 be reduced from 150,000 to 127,000.

Regional Chair Fisch ruled that the motion moved by Regional Councillor Heath is a reconsideration of a decision made by Regional Council in June 2009 on population forecasts in the draft Regional Official Plan and that it would therefore require a two-thirds majority vote to be considered.

Regional Councillor Heath challenged the ruling of the Regional Chair.

The Regional Chair's ruling was sustained.

Regional Councillor Heath's request that his motion be considered by Council then lost as it did not receive the required two-thirds majority vote.

A recorded vote on the motion moved by Mayor Scarpitti, seconded by Regional Councillor Jones was as follows:

For: Barrow, Emmerson, Ferri, Frustaglio, Grossi, Hogg, Jackson, Jones, Landon, Morris, Scarpitti, Taylor, Van Bynen, Wheeler and Young (15)

Against: Heath and Virgilio (2)

Carried

(See Minutes No. 185 and 189.)

193 BY-LAWS

It was moved by Mayor Morris, seconded by Regional Councillor Virgilio that Council introduce and approve certain Bills in the form as noted on the Revised Agenda, with Bill 58 as amended to reflect the decision in Minute No. 192, and enact them as By-laws.

By-law No. 2009-58 A by-law to adopt a new Official Plan for the Regional Municipality of York

By-law No. 2009-59 A by-law to amend By-law No. A-218-97-23 to provide for the appointment of a Regional and Deputy Regional Fire Co-ordinator.

By-law No. 2009-60 To dedicate certain lands for the purposes of public highways.

By-law No. 2009-61 A by-law to authorize the temporary borrowing of monies to meet the current expenditures of The Regional Municipality of York for the year 2010.

By-law No. 2009-62 A by-law to authorize the temporary borrowing of monies to meet expenditures made in connection with a work to be financed in whole or in part by the issue of debentures.

By-law No. 2009-63 A by-law to establish tax ratios and to specify the percentage by which tax rates are to be reduced for prescribed property subclasses for 2010.

Carried

OTHER BUSINESS

194 General Manager, York Region Transit

Regional Chair Fisch welcomed Richard Leary, the new General Manager of York Region Transit. Mr. Leary comes to the Region with 25 years of experience in transit with the Massachusetts Transit Authority.

195 Retirement of Karin Price, Committee Coordinator

Regional Chair Fisch indicated that this would be the last Council meeting for Karin Price, Committee Coordinator, who has served the Region for 20 years. He wished her all the best in her retirement on behalf of Council.

196 CONFIRMATORY BY-LAW

It was moved by Mayor Van Bynen, seconded by Regional Councillor Landon that Council enact the following by-law to confirm the proceedings of this meeting of Council.

By-law No. 2009-64 To confirm the proceedings of Council at its meeting held on December 16, 2009.

Carried

The Council meeting adjourned at 2:05 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on January 21, 2010.

Regional Chair