

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

January 22, 2009

Regional Council met at 9:32 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: Black, Emmerson, Grossi, Jackson, Morris, Scarpitti, Van Bynen and Young

Regional Councillor: Ferri, Frustaglio, Heath, Hogg, Jones, Landon, Spatafora, Taylor and Wheeler

Staff: Davidson, Hulton, Kelly, Kurji, Llewellyn-Thomas, Macgregor, Mahoney, Russell, Simmons and Tuckey

1 MINUTES

It was moved by Regional Councillor Taylor, seconded by Regional Councillor Frustaglio that Council confirm the Minutes of the Council meeting held on December 18, 2008 in the form supplied to the Members.

Carried

2 PRESENTATION

The scheduled presentation by Steven Mahoney, Chair, Workplace Safety and Insurance Board was postponed to a future meeting of Regional Council.

3 COMMITTEE REPORTS

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

Report No. 1 of the Community Services and Housing Committee

Report No. 1 of the Finance and Administration Committee

Report No. 1 of the Health and Emergency Medical Services Committee

Report No. 1 of the Planning and Economic Development Committee

Report No. 1 of the Rapid Transit Public/Private Partnership Steering Committee

Report No. 1 of the Solid Waste Management Committee
Report No. 1 of the Transit Committee
Report No. 1 of the Transportation and Works Committee
Report No. 1 of the Commissioner of Finance

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 as submitted, with any amendments as noted:

Report No. 1 of the Community Services and Housing Committee
Report No. 1 of the Finance and Administration Committee, with the following amendments:

Clause 1 regarding the 2009 Operating Budget:

Amend Recommendation 6 to read as follows:

6. *Consideration be given to reducing the Capital Replacement Reserve (page 272) by **\$4.7 million** and that \$12 million be allocated to hospital funding out of the Non-Program Items budget, with this recommendation to be forwarded to a special meeting or workshop of Council to be held on January 29, 2009.*

Clause 6 regarding the proposed Wind Turbine at the Sutton Water Pollution Plant:

Amend to include a new recommendation 2 as follows:

2. *The Regional Clerk forward a copy of this report to the local municipalities.*

Clause 7 regarding Communications Installations on Regional Property Policy Update

1. *Adopt the staff report dated December 10, 2008; and*
2. *Staff provide a further report to the Committee on the implications of requiring proponents to examine the possibility of locating their equipment on Regional property, or possibly other publicly-owned property, prior to applying for approval to install their equipment on private property.*

Report No. 1 of the Health and Emergency Medical Services Committee
Report No. 1 of the Planning and Economic Development Committee, with the following amendment:

Clause 2 regarding the Water and Wastewater Master Plan Update and Public Consultation Centres:

Amend recommendation 1 in the report (December 11, 2008) of the Commissioner of Planning and Development Services to read as follows:

1. *The Regional Clerk forward copies of this report to the Clerks of the local municipalities in York Region **and to the appropriate Provincial Ministries.***

Report No. 1 of the Rapid Transit Public/Private Partnership Steering Committee

Report No. 1 of the Solid Waste Management Committee

Report No. 1 of the Transit Committee

Report No. 1 of the Transportation and Works Committee, and

Report No. 1 of the Commissioner of Finance

It was moved by Mayor Scarpitti, seconded by Mayor Jackson that Council adopt the recommendations of the Committee of the Whole.

Carried

4 BY-LAWS

It was moved by Regional Councillor Ferri, seconded by Regional Councillor Jones that Council introduce and approve certain Bills in the form as noted on the Revised Agenda and enact them as By-laws.

By-law No. 2009-1	A by-law to adopt Amendment No. 63 to the Official Plan for the Region of York
By-law No. 2009-2	To dedicate certain lands for the purposes of public highways
By-law No. 2009-3	To levy against the lower-tier municipalities on an interim basis the sums of monies required during the year 2009 for the purposes of The Regional Municipality of York
By-law No. 2009-4	A by-law to adopt an Emergency Management Program
By-law No. 2009-5	A by-law to amend By-law No. 2008-70, being a by-law to rename a portion of Highway 9 (Y.R. 31) in the Town of Newmarket
By-law No. 2009-6	To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads

Carried

5 OTHER BUSINESS

Banning of Smoking in Vehicles with Children Present

Regional Councillor Frustaglio noted that the Provincial legislation has recently taken effect and joined Regional Chair Fisch in congratulating Regional Council on its past non-smoking initiatives.

Emergency Medical Services Response Times

Regional Council agreed to Regional Councillor Spatafora's request that the Commissioner of Community and Health Services provide an update report regarding EMS response times.

Federation of Canadian Municipalities Funding for Greening Projects

Regional Councillor Hogg announced that the City of Vaughan recently received \$1 million dollars from the Federation of Canadian Municipalities to assist with its Greening Vaughan initiative.

Bridges to Better Business Conference

Regional Chair Fisch advised that over 200 participants attended the recent Bridges to Better Business Conference hosted by the York Small Business Enterprise Centre. The conference emphasized that businesses can help their bottom line by going green.

Regional Chair Fisch congratulated Bryan Tuckey, Commissioner of Planning and Development Services, and his staff for organizing the conference and for producing the new Guide to Greening Your Business that was introduced at the conference.

6 PRIVATE SESSION

It was moved by Mayor Emmerson, seconded by Mayor Young that Council convene in Private Session to consider the following:

1. Private Attachment to Clause 7, Report 1 of the Finance and Administration Committee - Communications Installations on Regional Property Policy Update – Security of Municipal Property
2. Private Report of the Commissioner of Finance – Development Charge By-law Appeals – Actual or Potential Litigation, including matters before Administrative Tribunals

3. Private revised Report of the Rapid Transit Public/Private Partnership Steering Committee – Expropriation of Land, Highway 7, VIVA Project 90773, Town of Markham and Town of Richmond Hill – Property Acquisition
4. Private revised Report of the Rapid Transit Public/Private Partnership Steering Committee – Expropriation of Land, Davis Drive, VIVA Project 90760, Town of Newmarket – Property Acquisition

Carried

Council met in Private Session at 10:52 a.m. and reconvened in Council at 11:36 a.m.

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

Carried

Council then proceeded to consider the following:

7 Development Charge By-law Appeals – Proposed BILD Settlement

It was moved by Regional Councillor Landon, seconded by Regional Councillor Spatafora that Council adopt the recommendations contained in the private report of the Commissioner of Finance (January 14, 2009) as follows:

1. Regional Council approve the proposed settlement with BILD pertaining to its appeal of Regional Development Charge By-law DC-0007-2007-040 as outlined in the report.
2. Regional Council authorize the Chair and the Regional Solicitor to execute the minutes of settlement.
3. Area Municipalities be notified of this settlement and be requested to provide the necessary building permit information required to administer refunds by the Region.

Carried

The balance of the report to remain private under the provisions of the *Municipal Act* as it pertains to Actual or Potential Litigation, including matters before Administrative Tribunals.

8 PRESENTATION

Council then received a presentation from Jim Davidson, Commissioner of Corporate Services, regarding the reports requesting approval to apply for authority to expropriate various properties on Highway 7 and Davis Drive as outlined below.

9 Expropriation of Land, Highway 7, VIVA Project 90773, Town of Markham and Town of Richmond Hill

It was moved by Regional Councillor Wheeler, seconded by Regional Councillor Spatafora that Council adopt Report No. 2 of the Rapid Transit Public/Private Partnership Steering Committee

(revised) and all of its recommendations pertaining to applying for authority to expropriate 87 properties.

Carried

10 Expropriation of Land, Davis Drive, VIVA Project 90760, Town of Newmarket

It was moved by Mayor Van Bynen, seconded by Regional Councillor Taylor that Council adopt Report No. 3 of the Rapid Transit Public/Private Partnership Steering Committee (revised), and all of its recommendations pertaining to applying for authority to expropriate 133 properties.

Carried

11 CONFIRMATORY BY-LAW

It was moved by Mayor Morris, seconded by Mayor Emmerson that Council enact the following by-law to confirm the proceedings of this meeting of Council.

By-law No. 2009-7 To confirm the proceedings of Council at its meeting held on
January 22, 2009.

Carried

The Council meeting adjourned at 11:42 a.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on February 19, 2009.

Regional Chair