

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

January 24, 2008

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: Barrow, Black, Emmerson, Grossi, Jackson, Scarpitti, Young, Van Bynen

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

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

DECLARATION

- 1 Proposed Final Built Boundary for the Growth Plan for the Greater Golden Horseshoe, 2006: Fall 2007 Technical Paper**
(Clause 2 of Planning and Economic Development Committee Report No. 1)

Mayor Black declared an interest in Clause 2 of Planning and Economic Development Committee Report No. 1, regarding the Proposed Final Built Boundary for the Growth Plan for the Greater Golden Horseshoe, 2006: Fall 2007 Technical Paper, in that a client of her law firm may have an interest in the matter. Mayor Black did not participate in the consideration, discussion or vote on this matter.

PUBLIC MEETING

- 2 Retail Business Holidays Act**
(Report No. 1 of the Regional Solicitor)

Pursuant to Section 4 of the *Retail Business Holidays Act*, Regional Council held a public meeting at 9:34 a.m. to consider an application by Neamsby Investments Inc. and a proposed by-law to permit the Kennedy and Denison Shopping Centre (Denison Centre) to remain open on specified holidays.

COMMUNICATION

Council considered the following communication:

- 3** L. Paul Shenton, on behalf of Denison Centre, Markham, January 17, 2008, regarding the *Retail Business Holidays Act* application for exemption and requesting deputant status.

It was moved by Mayor Scarpitti, seconded by Regional Councillor Wong, that the communication be received and deputant status be granted.

Carried

DEPUTATION

Council heard the following deputation:

- 4** L. Paul Shenton regarding the *Retail Business Holidays Act* application for exemption.

No one else appeared either in favour of or opposition to the application.

It was moved by Mayor Scarpitti, seconded by Mayor Emmerson, that Report 1 of the Regional Solicitor and the application for exemption be considered at this time.

Carried

- 5** It was moved by Mayor Scarpitti, seconded by Mayor Barrow, that the deputation and the report of the Regional Solicitor be received and the application for exemption be denied.

A recorded vote on the motion was as follows:

FOR: Barrow, Emmerson, Ferri, Frustaglio, Grossi, Hogg, Jackson, Rosati, Scarpitti, Spatafora, Taylor, Van Bynen, Wheeler, Young, (14)

AGAINST: Black, Heath, Jones, Landon, Wong, (5)

Carried

REGULAR MEETING

- 6** **Introduction of New Commissioners**

Bruce Macgregor, Chief Administrative Officer, introduced Kathleen Llewellyn-Thomas, the Region's new Commissioner of Transportation Services and Erin Mahoney, the Region's new Commissioner of Environmental Services, to Council.

Regional Chair Fisch welcomed the two new Commissioners on behalf of Council.

PRESENTATION

7 2008 Business Plan and Budget

Lloyd Russell, Commissioner of Finance, presented an overview of the 2008 Proposed Operating Business Plans and Budget.

The presentation outlined the current proposed increases in the operating and water and wastewater rate budgets and a number of financial pressures on the Region, both in 2008 and in the longer term. It also proposed a series of timelines for consideration of the Business Plans and Budget.

It was moved by Regional Councillor Frustaglio, seconded by Mayor Scarpitti, that:

1. the presentation be received;
2. the 2008 Proposed Operating Business Plans and Budget be referred to the Standing Committees for consideration;
3. there be a Council Workshop open to the public on February 28, 2008, at which time members of the public can provide input regarding the proposed Operating Budget;
4. the recommendations pertaining to the Operating Budget be forwarded to the March 6, 2008 meeting of the Finance and Administration Committee; and
5. the overall 2008 Operating Budget be considered by Regional Council on March 27, 2008.

Carried

8 MINUTES

It was moved by Mayor Scarpitti, seconded by Regional Councillor Wheeler, that the Minutes of the Council meeting held on the 13th of December 2007 be confirmed in the form supplied to the Members.

Carried

COMMUNICATIONS

Council considered the following communications:

9 David Dunlap Observatory, Town of Richmond Hill

(Clause 13, Items 4 and 6, Planning and Economic Development Committee Report 1.)

Marianne Yake, President, Richmond Hill Naturalists, January 21, 2008, regarding the David Dunlap Observatory and requesting deputant status.

It was moved by Mayor Barrow, seconded by Regional Councillor Wheeler, that Council receive the communication and grant deputant status to Marianne Yake.

Carried

(See Minute No. 11.)

10 Durham/York Energy from Waste Facility
(Clause 1 of Solid Waste Management Committee Report No. 1)

1. Patti Barrie, Municipal Clerk, the Municipality of Clarington, January 21, 2008, forwarding a resolution adopted by the Council of the Municipality of Clarington at its meeting on January 14, 2008, regarding the Proposed Energy from Waste Facility in Clarington.
2. Sandra Kranc, City Clerk, City of Oshawa, January 22, 2008, forwarding a resolution adopted by Oshawa City Council at its meeting on January 21, 2008, regarding the Proposed Energy from Waste Facility in Clarington.

It was moved by Regional Councillor Landon, seconded by Regional Councillor Ferri that:

1. Council receive the communications and refer them to consideration of Clause 1 of Solid Waste Management Committee Report No. 1;
2. Council forward the communications to the Durham/York Joint Waste Management Group; and
3. it be noted that, contrary to point 2 on page 2 of the letter from Oshawa, East Gwillimbury has never indicated its opposition to an incinerator being located in Clarington.

Carried

(See Minute No. 12.)

DEPUTATION

Council heard the following deputation:

11 David Dunlap Observatory Site, Town of Richmond Hill
(Clause 13, Items 4 and 6, Planning and Economic Development Committee Report No. 1)

Marianne Yake, President, Richmond Hill Naturalists, regarding the David Dunlap Observatory site.

It was moved by Mayor Barrow, seconded by Regional Councillor Hogg, that Council receive the deputation and adopt the following motion:

WHEREAS the David Dunlap Observatory site is approximately 77.5 hectares of land in the centre of the Town of Richmond Hill;

AND WHEREAS the observatory building and adjacent structures have cultural and historic significance to the Town of Richmond Hill, York Region and the Province of Ontario and the Town of Richmond Hill has completed a comprehensive evaluation of the Cultural Heritage of the property;

AND WHEREAS up to 38.5 hectares of the property have been identified as significant woodlands in the York Region Significant Woodlands Study (2005), making this site an extremely important natural heritage resource for the Town of Richmond Hill;

AND WHEREAS York Region staff will assist in the interpretation and implementation of the Region's Forest Conservation By-law;

THEREFORE BE IT RESOLVED THAT:

1. York Region Council supports the Town of Richmond Hill's efforts to secure the culturally significant buildings and landscapes of the David Dunlap Observatory lands.
 2. The criteria to be used in evaluating the significant natural heritage features of the David Dunlap Observatory lands be those found in the York Region Significant Woodlands Study (2005).
 3. Any Master Plan completed for the site provide for the retention of significant Cultural and Natural Heritage features.
 4. The Regional Chair send a letter with this motion to the Premier of Ontario, Town of Richmond Hill, University of Toronto, the Federal Minister of Finance, the Federal Minister of Environment, the Minister of Municipal Affairs and Housing, the Minister of Natural Resources and the Ontario Heritage Foundation.
- Carried Unanimously

12 COMMITTEE REPORTS

Mayor Black presented the following reports for the consideration of Council:

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 Chief Administrative Officer and the Commissioner of Finance

It was moved by Mayor Black, seconded by Mayor Jackson, that the reports be received and that Council resolve itself into Committee of the Whole to consider them.

Carried

Regional Chair Fisch chaired the Committee of the Whole.

The Committee of the Whole rose after making the following recommendations:

Report No. 1 of the Finance and Administration Committee be adopted without amendment;

Report No. 1 of the Health and Emergency Medical Services Committee be adopted without amendment;

(Regarding Clause 2, Heart and Stroke Foundation Grant Initiative York Region EMS and Local Municipal Partnerships, the Commissioner of Community and Health Services was directed to look into the feasibility of an instructional video being developed and placed on the York Region and Heart and Stroke Foundation web sites to assist the public in the use of the defibrillators being placed in public buildings throughout the Region and local municipalities.)

Report No. 1 of the Planning and Economic Development Committee be adopted with the following amendment:

Clause 13, Item 4, relating to the communication from D. L. McLarty, Clerk, Town of Richmond Hill, dated November 28, 2007, regarding the David Dunlap Observatory lands matter, be amended by adding the words “and referred to staff” following the word “received”.

(Clause 6, Westhill (Aurora OPA) Ontario Municipal Board Appeals, was referred to private session for legal advice and subsequently adopted without amendment. See Minute Nos. 16 and 17.)

Report No. 1 of the Rapid Transit Public/Private Partnership Steering Committee be adopted without amendment;

Report No. 1 of the Solid Waste Management Committee be adopted without amendment;

Report No. 1 of the Transit Committee be adopted without amendment;

Report No. 1 of the Transportation and Works Committee be adopted with the following amendment:

Clause 4, relating to Consultant Selection for Detailed Design Contract Administration and Site Inspection regarding the Schomberg Lagoon Conversion, be amended by adding the following statement to the end of recommendation 1:

“Prior to the undertaking of the detailed design of the Schomberg Lagoon conversion, Regional staff finalize discussions with the Township of King with respect to the Township’s request to acquire the lands for recreational purposes.”

Report No. 1 of the Chief Administrative Officer and the Commissioner of Finance be adopted without amendment.

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

Carried

OTHER BUSINESS

13 MOTION

Climate Change Event “Earth Hour”, March 29, 2008

Regional Councillor Taylor received the approval of Council to introduce the following motion.

It was moved by Regional Councillor Taylor, seconded by Mayor Scarpitti, that:

WHEREAS climate change is the biggest environmental threat to our planet and the number one concern for Canadians;

WHEREAS at exactly 8:00 p.m. on March 29, 2008, major cities around the world will turn off their lights for one hour to raise awareness about climate change and to symbolize that, working together, the people of the world can make a difference in the fight against global warming;

WHEREAS the event, called “Earth Hour”, a World Wildlife Fund (WWF) initiative that was officially announced in December 2007 at the United Nations Conference on Climate Change, has grown from a single event in Sydney, Australia to a global phenomenon that will occur across six continents and in as many as 20 cities in 2008;

WHEREAS last year, almost 2.3 million Sydney residents participated in Earth Hour – including more than 2,100 businesses – resulting in a 10 per cent reduction on the electrical grid, saving 25,000 tonnes of carbon dioxide – the equivalent of taking about 50,000 cars off the road for one hour;

WHEREAS some of the major cities around the world committed to joining Sydney in 2008 include Manila, Copenhagen, Tel Aviv, and Toronto;

WHEREAS Markham, Mississauga, Brampton and Newmarket may soon be joining the worldwide effort;

WHEREAS participating in this historic event sends a powerful message to every citizen and business around the world that it’s possible to take action on climate change and that switching off our lights is just one simple action we can take to help make a difference;

WHEREAS the goal is to educate the community on the threat of climate change and what each individual and business can do to make a difference every day; and to get as many individuals, households, and businesses as possible to turn off their lights as a symbolic statement that now is the time to take action on climate change;

WHEREAS participating in this historic event sends a powerful message to every citizen and business that The Regional Municipality of York cares about our planet and is willing to take a leadership position against climate change and global warming;

THEREFORE BE IT RESOLVED by the Council of the Regional Municipality of York:

1. **THAT** at 8:00 p.m. on March 29, 2008, the Regional Municipality of York will join other cities around the world in literally “turning out the lights” by shutting off all non-essential lighting in all of its facilities, where feasible, and without jeopardizing safety, for one full hour;
2. **THAT**, to be formally recognized around the world as an Earth Hour participant, the appropriate staff register at [wwwf.ca/Earth Hour](http://wwwf.ca/EarthHour), the official website for this initiative;
3. **THAT** the Regional Municipality of York’s participation in Earth Hour be widely promoted and publicized in order to raise awareness about this important issue and in order to encourage every individual, household and business in York Region, and beyond, to join in by turning off their lights for one hour at 8:00 p.m. on March 29, 2008;
4. **THAT** a copy of this Resolution be forwarded to every municipality in the Regional Municipality of York, encouraging them to participate in Earth Hour; and,
5. **THAT** a copy of this Resolution also be forwarded to FCM (the Federation of Canadian Municipalities) with the request that a copy be made available to every municipality across Canada.

Carried

14 Appointment to York Central Hospital Board

Regional Chair Fisch advised Council that he recently appointed Regional Councillor Spatafora to the York Central Hospital Board to fill the position previously occupied by Regional Councillor Frustaglio.

15 Appointment to Canadian National Exhibition Association Board

Regional Councillor Taylor was appointed to the Canadian National Exhibition Board to fill the position previously occupied by Mayor Grossi.

16 PRIVATE SESSION

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

1. Private Report of the Transportation and Works Committee – York-Peel Feedermain Design-Build Settlement of Contract Dispute Project 77300 - Litigation Matter.
2. Personnel matter.
3. Clause 6, Planning and Economic Development Committee, Report 1 relating to Westhill (Aurora OPA) Ontario Municipal Board Appeals – Solicitor-Client Matter.

Carried

Council met in Private Session at 1:02 p.m. and reconvened in Council at 1:35 p.m.

It was moved by Mayor Emmerson, seconded by Regional Councillor Landon, that Council rise and report from Private Session.

Carried

17 **Westhill (Aurora OPA) Ontario Municipal Board Appeals** (Clause 6 of Planning and Economic Development Committee Report No. 1)

It was moved by Regional Councillor Wong, seconded by Regional Councillor Jones, that Council adopt the recommendations contained in Clause 6 of Planning and Economic Development Committee Report No. 1 as follows:

1. The Ontario Municipal Board (OMB) be advised that York Region supports the local Official Plan amendment, the draft plan of subdivision, and the draft plan of condominium by Westhill Redevelopment Company Limited in Aurora, subject to the resolution of any outstanding issues and any housekeeping modifications to the Official Plan Amendment as required.
2. Regional staff be authorized to prepare conditions of draft approval that ensure all municipal policies and standards are met in the related plan of subdivision and plan of condominium including the requirement for the applicant to execute a Responsibility Agreement with York Region. Regional staff will continue to work with local staff to resolve any outstanding issues.
3. Regional staff be authorized to appear at the OMB to submit conditions of draft approval for the plan of subdivision and condominium in support of the Regional position.

Carried

18 BY-LAWS

It was moved by Regional Councillor Hogg, seconded by Mayor Grossi, that certain Bills be introduced and approved in the form as noted on the Revised Agenda, and enacted as By-laws.

By-law No. 2008-1	To acquire certain lands for or in connection with the widening and reconstruction of Stouffville Road (YR 14), in the Town of Whitchurch-Stouffville
By-law No. 2008-2	To levy against the lower-tier municipalities on an interim basis the sums of monies required during the year 2008 for the purposes of The Regional Municipality of York
By-law No. 2008-3	To dedicate certain lands for the purposes of public highways
By-law No. 2008-4	To amend By-law No. A-0394-2007-092, being a by-law to establish fees for waste management services in The Regional Municipality of York
Bill 5 (<i>not passed</i>)	A by-law to amend By-law No. LI-8-95-76 to permit retail business establishments to be open on holidays
By-law No. 2008-5	A by-law to adopt Amendment No. 53 to the Official Plan for the Region of York
By-law No. 2008-6	A By-law to amend By-law No. R-1329-2002-131 being a by-law to prescribe maximum rates of speed on Bloomington Road (Y.R. 40)
By-law No. 2008-7	A By-law to amend By-law No. R-1343-2002-145 being a by-law to prescribe maximum rates of speed on Vivian Road/Mulock Drive (Y.R. 74)
By-law No. 2008-8	A By-law to amend By-law No. R-1316-2002-118 being a by-law to prescribe maximum rates of speed on Park Road (Y.R. 18)
By-law No. 2008-9	A By-law to amend By-law No. R-1314-2002-116 being a by-law to prescribe maximum rates of speed on Lloydtown/Aurora Road (Y.R. 16)
By-law No. 2008-10	A by-law to repeal certain administrative by-laws
By-law No. 2008-11	A by-law to confirm certain appointments in the Community and Health Services Department

By-law No. 2008-12	A by-law to delegate the approval authority for certain plans of subdivision the Town of East Gwillimbury and the Town of Georgina
By-law No. 2008-13	A by-law to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (“OIPC”) for funding from the Municipal Infrastructure Investment Initiative for a new eligible capital project of The Regional Municipality of York, and to approve the expenditure of funds on said eligible Capital Project
By-law No. 2008-14	A by-law to authorize the submission of an application to the Ontario Infrastructure Projects Corporation (“OIPC”) for funding from the Municipal Infrastructure Investment Initiative for a new eligible capital project of The Regional Municipality of York, and to approve the expenditure of funds on said eligible Capital Project

19 CONFIRMATORY BY-LAW

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

By-law No. 2008-15	To confirm the proceedings of Council at its meeting held on January 24, 2008.	Carried
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The Council meeting adjourned at 1:38 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on February 21, 2008.

Regional Chair