

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

June 21, 2007

Regional Council met at 9:37 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 and Van Bynen.

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

Staff: Davidson, Hulton, Korolnek, Kurji, Macgregor, Russell, Simmons, Tuckey.

DECLARATIONS

- 112 VIVA Phase 2 Preliminary Engineering and Land Acquisition Programme Report and Expropriation of Land, Yonge Street, City of Vaughan and Town of Markham**
(Clauses 6 and 7 of Rapid Transit Public/Private Partnership Steering Committee Report No. 5)

Regional Councillor Spatafora declared an interest in Clauses 6 and 7 of Rapid Transit Public/Private Partnership Steering Committee Report No. 5 as his father-in-law owns property in the area. Regional Councillor Spatafora did not take part in the consideration or discussion of or vote on these items.

- 113 Toronto Pearson International Airport**
(Clause 22, Item 1 of Planning and Economic Development Committee Report No. 6)

Regional Councillor Taylor declared an interest in Clause 22, Item 1 of Planning and Economic Development Committee Report No 6 regarding Toronto Pearson International Airport as he is an owner of a company that operates out of the Airport. Regional Councillor Taylor did not take part in the consideration or discussion of or vote on this item.

PRESENTATIONS

Council then heard the following presentations:

114 Canadian Open Golf Championship

Bill Paul, Tournament Director, Canadian Open, Royal Canadian Golf Association, advised Council of the various activities planned at Angus Glen Golf and Country Club in conjunction with the Canadian Open Golf Championship to be held July 23 – 29, 2007. Mr. Paul thanked Council and the Region for their support and indicated that tournament organizers are expecting a large television audience and 27,000 to 30,000 people to attend in person.

It was moved by Mayor Scarpitti, seconded by Regional Councillor Heath, that the presentation from Mr. Bill Paul, Tournament Director, Canadian Open, Royal Canadian Golf Association be received with thanks.

Carried

115 Steven Xu, Youth City Councillor, City of Vaughan

Mr. Steven Xu, Youth City Councillor, City of Vaughan provided Council with an overview of his activities as a Youth City Councillor and urged Members of Council to establish a Youth Councillor position in their municipalities. Mr. Xu submitted a copy of his report “State of the Youth Report, June 2007, City of Vaughan”.

It was moved by Regional Councillor Ferri, seconded by Regional Councillor Frustaglio, that the presentation by Steven Xu, Youth City Councillor, City of Vaughan be received with thanks and the Report entitled “State of the Youth Report, June 2007, City of Vaughan be received and referred to staff for a report to Finance and Administration Committee in the fall.

Carried

116 DEPUTATION REQUEST

Marion Matthias, resident of the Town of Markham, requested deputant status regarding parking at the Regional Administration Building.

The matter not being on the agenda or related to an Agenda item for this meeting of Regional Council, Ms Matthias was requested to discuss the matter with the Commissioner of Corporate Services in lieu of making a deputation.

MINUTES

117 It was moved by Regional Councillor Taylor, seconded by Mayor Barrow, that the Minutes of the Council meeting held on the 24th day of May, 2007 be confirmed in the form supplied to the Members.

Carried

COMMUNICATIONS

Council proceeded to consider the following communications:

118 Durham/York Energy from Waste Environmental Assessment Study
(Clause 1 of Solid Waste Management Committee Report No.7)

Anne Greentree, Deputy Clerk, The Municipality of Clarington, May 29, 2007, forwarding a resolution adopted by the Council of the Municipality of Clarington at its meeting held on May 28, 2007 regarding the Municipal Peer Review and other Studies of the Durham/York Energy from Waste Environmental Assessment Study.

It was moved by Mayor Van Bynen, seconded by Regional Councillor Spatafora, that the communication be received.

Carried

119 Pride Week

John O'Mara, Committee Co-Chair, Addictions Services for York Region and Barb Urman, Committee Co-Chair, York Region Lesbian, Gay, Bisexual, Trans Community Outreach Project, June 1, 2007, requesting that the Region recognize September 3 – September 9, 2007 as "Pride Week."

It was moved by Regional Councillor Heath, seconded by Mayor Barrow, that the communication be received and that Regional Council recognize September 3 – 9, 2007 as "Pride Week".

Carried

**120 Vaughan Highway 400 North Employment Area
Update and Status of ROPA 52 and OPA 637**
(Clause 4 of Planning and Economic Development Committee Report No. 6)

Rosemarie Humphries, President, Humphries Planning Group Inc., June 11, 2007, regarding Vaughan Highway 400 North Employment Area – Update and Status of ROPA 52 and OPA 637

It was moved by Mayor Jackson, seconded by Regional Councillor Rosati, that the communication be received and referred to consideration of Clause 4 of Planning and Economic Development Committee Report No. 6.

Carried

121 Forest Conservation By-law – Summit Golf and Country Club
(Clause 8 of Transportation and Works Committee Report No. 6)

Dave Martin, General Manager, The Summit Golf & Country Club, June 20, 2007, regarding the Forest Conservation By-law, Summit Golf & Country Club, Town of Richmond Hill.

It was moved by Mayor Barrow, seconded by Regional Councillor Spatafora, that the communication be received and referred to consideration of Clause 8 of Transportation and Works Committee Report No. 6.

Carried

122 Expropriation of Land, Yonge Street, City of Vaughan and Town of Markham
(Clauses 6 and 7 of Rapid Transit Public/Private Partnership Steering Committee Report 5)

Michael Melling, Davies Howe Partners, June 20, 2007, regarding Expropriation of Land, Yonge Street, City of Vaughan and Town of Markham.

It was moved by Mayor Jackson, seconded by Mayor Scarpitti, that the communication be received and referred to consideration of Clauses 6 and 7 of Rapid Transit Public/Private Partnership Steering Committee Report No. 5.

Carried

123 Resolution regarding Memorandum of Understanding – Durham Regional Council
(Clause 1 of Solid Waste Management Committee Report No. 7)

Pat Madill, Regional Clerk, Region of Durham forwarding recommendations adopted by Durham Regional Council at its meeting on June 20, 2007 regarding York Region's Solid Waste Management Committee recommendation dated June 6, 2007 pertaining to the Memorandum of Understanding.

It was moved by Regional Councillor Ferri, seconded by Regional Councillor Heath, that the communication be received and referred to consideration of Clause 1 of Solid Waste Management Committee Report No.7.

Carried

124 COMMITTEE REPORTS

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

Report No. 3 of the Audit Committee
Report No. 6 of the Community Services and Housing Committee
Report No. 6 of the Finance and Administration Committee
Report No. 4 of the Health and Emergency Medical Services Committee
Report No. 6 of the Planning and Economic Development Committee
Report No. 5 of the Rapid Transit Public/Private Partnership Steering Committee
Report No. 7 of the Solid Waste Management Committee
Report No. 5 of the Transit Committee
Report No. 6 of the Transportation and Works Committee
Report No. 3 of the Commissioner of Community Services, Housing and Health Services
Report No. 1 of the Chief Administrative Officer

It was moved by Mayor Morris, seconded by Regional Councillor Jones, 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. 3 of the Audit Committee be adopted without amendment;

Report No. 6 of the Community Services and Housing Committee be adopted without amendment;

Report No. 6 of the Finance and Administration Committee be adopted with the following amendment:

Clause No. 4, relating to Property Tax Relief Options for Seniors, Low-Income Disabled and other Low-Income Persons be amended to provide that:

- (a) the Commissioner of Finance confirm the information relating to the Vaughan Council decision dated April 2, 2007 as referred to in paragraph 3.2 on page 15; and*
- (b) the Commissioner of Finance submit a report in nine months' time to the Finance and Administration Committee on the status of this matter.*

Clause No. 5 relating to the 2007 Ten Year Capital Plan Supplemental Analysis, be amended to provide that the Commissioner of Finance report to the Finance and Administration Committee in September 2007 with any new information that has become available as a result of recent Provincial announcements.

Report No. 4 of the Health and Emergency Medical Services Committee be adopted without amendment;

Report No. 6 of the Planning and Economic Development Committee be adopted with the following amendment:

Clause 8, relating to Sustainable Development Through LEED™, be amended so that the recommendations read as follows:

- 1. The Region of York adopt a policy to provide a 20-35% increase in servicing allocation for development proposals meeting the following criteria:*
 - i. Significant water conservation is achieved,*
 - ii. Location is served by Viva rapid transit or other major YRT, GO and TTC operated or proposed transit routes,*
 - iii. Site is within a Regional Centre or Regional Corridor, or Local Centre,*

- iv. *Building meets Regional TOD guidelines including supporting an overall, long-term density target of 2.5 Floor Space Index,*
 - v. *Three stream waste reduction is incorporated into the building, and*
 - vi. *A minimum LEED™ Silver certification is achieved.*
- 2. *This report be circulated to the local municipalities.*
 - 3. *Planning and Economic Development staff be directed to proceed with an implementation strategy in consultation with the local municipalities.*

Report No. 5 of the Rapid Transit Public/Private Partnership Steering Committee be adopted with the following amendments:

Clause 6, relating to the VIVA Phase 2 Preliminary Engineering and Land Acquisition Program Report, be amended to read as follows:

- 1. *The Recommendations of the Rapid Transit Public/Private Partnership Steering Committee be received.*
- 2. *Staff be directed to commence an Environmental Assessment and preliminary engineering for the Yonge Street subway extension to Richmond Hill Centre.*
- 3. *Staff be directed to work with the City of Toronto and TTC to develop an integrated and coordinated approach for the timely extension of the Subway.*
- 4. *Staff be authorized to retain necessary resources to undertake this work.*
- 5. *An interim budget of \$3,000,000 through the end of 2007 be allocated from capital reserves to undertake this work.*
- 6. *Staff make every effort to recover these funds from province and federal partners.*
- 7. *Staff report back on progress on the work plan in the fall 2007, including work completed, future work initiatives and budget implications.*
- 8. *Staff continue the practice of taking land through the development review process at no cost in the Yonge Street corridor.*
- 9. *The Regional Chair and Clerk be authorized to execute the Provincial and Federal Funding Agreements to secure the Viva Phase 2 – Stage One monies.*
- 10. *Staff report back in the fall as to the timing and priority for all of the York Region rapid transit projects announced as part of the Move Ontario 2020 funding.*

Clause 7, relating to Expropriation of Land, Yonge Street, City of Vaughan and Town of Markham, be deferred to the September 20, 2007 meeting of the Rapid Transit Public/Private Partnership Steering Committee.

Report No. 7 of the Solid Waste Management Committee be adopted with the following amendment:

Clause 1, relating to the Durham/York Energy from Waste Memorandum of Understanding, be amended to reflect that the matter of the first right of refusal on any excess capacity be referred to the Chief Administrative Officer.

(See Minute No. 122.)

Report No. 5 of the Transit Committee be adopted with the following amendment:

Clause 6 be amended to provide for the Markham Fair to be charged the 2006 Charter Rate and that the Markham Fair be advised that they will be charged the going rate beginning in 2008.

Report No. 6 of the Transportation and Works Committee be adopted without amendment;

Report No. 3 of the Commissioner of Community Services, Housing and Health Services be adopted without amendment; and

Report No. 1 of the Chief Administrative Officer, be adopted without amendment.

(Council recessed at 11:55 a.m. for the purpose of attending to a health matter in the Council Chambers and reconvened at 12:01 p.m.)

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

Carried

125 BY-LAWS

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

By-law No. RD-0536-2007-052	To dedicate certain lands for the purposes of public highways
By-law No. R-1460-2007-053	To establish Box Grove By-pass (Y.R. 69) in the Town of Markham
By-law No. R-1461-2007-054	To establish Donald Cousens Parkway (Y.R. 48) in the Town of Markham
By-law No. R-1107(y)-2007-055	To amend By-law No. R-1107-96-126 being a by-law to set out all the roads in the Regional Road System
By-law No. R-1462-2007-056	To authorize the General Manager, Roads to temporarily close part of Ravenshoe Road (Y.R. 32), in the Town of Georgina

By-law No. R-1463-2007-057	To authorize the General Manager, Roads to temporarily close part of certain Regional roads
By-law No. R-1464-2007-058	To authorize the temporary closure of part of Kennedy Road (Y.R. 3) in the Town of Markham
By-law No. A-0390-2007-059	A by-law to delegate authority to the Regional Treasurer to establish “clawback” percentages for the 2007 taxation year for the commercial, industrial and multi-residential property classes
By-law No. R-1465-2007-060	To stop up and close a portion of Yonge Street (Y. R. 1) in the Town of Richmond Hill
By-law No. R-1466-2007-061	To stop up and close a portion of Donald Cousens Parkway (Y.R. 48) (formerly Markham By-Pass) in the Town of Markham
By-law No. R-1467-2007-062	To stop up and close a portion of Langstaff Road (Y.R. 72) in the City of Vaughan

126 PRIVATE SESSION

It was moved by Mayor Emmerson, seconded by Regional Councillor Wheeler, that Council convene in Private Session for the purpose of considering the following matters.

1. Private Report of the Finance and Administration Committee – Regional Payments - Security of Municipal Property
2. Private Attachment – Clause 2 of Audit Committee Report No. 3 – Audit Services Branch Report – Finance – ITS Branch Wireless Security Audit, April 2007- Security of Municipal Property
3. Private Report of the Transportation and Works Committee – Settlement of Expropriation Matter – Islington Ave. Road Widening – Acquisition of Property
4. Private Report of the Chief Administrative Officer and the Commissioner of Community Services, Housing and Health Services – Personal matter about an identifiable individual

5. Private Report of the Commissioner of Corporate Services – Non-Union/CUPE 905 Negotiations Mandate – Labour Relations
6. Private Report of the Transit Committee – York Region Transit – Bus Storage and Maintenance Facility Strategy – Update – Acquisition of Property
7. Viva Phase 2 Preliminary Engineering and Land Acquisition - Programme Report Clause 6, Report No. 5 of the Rapid Transit Public/Private Partnership Steering Committee - Acquisition of Property and Solicitor-Client
8. Expropriation of Land, Yonge Street, City of Vaughan and Town of Markham Clause 7, Report No. 5 of the Rapid Transit Public/Private Partnership Steering Committee. – Acquisition of Property and Solicitor-Client
9. Contract Award – Litigation Update - Litigation
10. Clause 1 of Solid Waste Management Committee Report No. 7, Durham-York Energy from Waste – Revisions to Memorandum of Understanding – Security of Municipal Property
11. Private Attachment – Clause 3 of Report No. 6 of the Community Services and Housing Committee - Proposed Initiatives for Door Funding – Security of Municipal Property

Carried

Council met in Private Session at 1:10 p.m. and reconvened in Council at 2:37 p.m.

It was moved by Mayor Scarpitti, seconded by Mayor Jackson, that Council rise and report from Private Session.

Carried

127 GTA Pooling –Withheld Payments

It was moved by Mayor Van Bynen, seconded by Regional Councillor Landon, that Council adopt the following recommendation contained in the confidential Report (May 28, 2007) from the Commissioner of Finance:

1. The Commissioner of Finance be authorized to pay the outstanding withheld 2005 and 2006 GTA pooling payments to the Province upon agreement with the Province of the payment amounts.

Carried

The balance of the report to remain confidential under the provisions of the *Municipal Act* as it contains information pertaining to the security of municipal property.

128 Appointment of Medical Officer of Health

It was moved by Regional Councillor Frustaglio, seconded by Regional Councillor Heath, that Council adopt the following recommendations contained in the confidential Report (May 29, 2007) of the Chief Administrative Officer and the Commissioner of Community Services, Housing and Health Services, as follows:

1. Regional Council appoint Dr. Karim Kurji as the Medical Officer of Health for The Regional Municipality of York effective July 1, 2007.
2. The Minister of Health and Long Term Care be asked to approve the appointment of Dr. Kurji as Medical Officer of Health for The Regional Municipality of York.

Carried

The balance of the report to remain confidential under the provisions of the *Municipal Act* as it contains personal information about an identifiable individual.

OTHER BUSINESS

129 Notice of Motion — Yonge Street Subway Environmental Assessment

(Referred from May 24, 2007 Regional Council Meeting)

Regional Councillor Jones and Mayor Emmerson withdrew their proposed motion regarding the Yonge Street Subway Environmental Assessment.

(See Minute No. 105 from the May 24, 2007 Council meeting and Minute No. 124 from this meeting for the amendments to Clauses 6 and 7 of Rapid Transit Public/Private Partnership Steering Committee Report No. 5.)

130 CONFIRMATORY BY-LAW

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

By-law No. M-0741-2007-063

To confirm the proceedings of Council at its meeting held on June 21, 2007.

Carried

The Council meeting adjourned at 2:50 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on the 27th of September, 2007.

Regional Chair