

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

June 22, 2006

Regional Council met at 9:34 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: Bell, Black, Cousens, Di Biase, Grossi, Jones, Sherban and Young

Regional Councillor: Barrow, Ferri, Frustaglio, Heath, Hogg, Jackson, Jones, O'Donnell, Scarpitti, Van Bynen, and Wheeler

Staff: Davidson, Garrett, Hulton, Kurji, Macgregor, Russell, Simmons, Tuckey

DISCLOSURES

- 84 Budget Adjustment – YDSS Interceptor Sewer – Project 76050**
(Report No. 1 of the Regional Commissioner of Transportation and Works and the Commissioner of Finance)

Mayor Black disclosed an interest in Report No. 1 of the Regional Commissioner of Transportation and Works and the Commissioner of Finance as it relates to the YDSS Interceptor Trunk Sewer as her spouse is an environmental engineer who works for a company that is a sub-contractor on this project. Mayor Black did not take part in the consideration or discussion of or vote on this item.

85 MINUTES

It was moved by Regional Councillor Van Bynen, seconded by Regional Councillor O'Donnell, that the Minutes of the Council meeting held on the 25th of May, 2006, be confirmed in the form supplied to the Members.

Carried

PRESENTATION

86 Canadian Institute of Planners Award of Excellence

Bryan Tuckey, Commissioner of Planning and Development Services, indicated that the Region recently won the Canadian Institute of Planners Award for Planning Excellence in the Environmental Planning category at the World Planners Conference in Vancouver. The award was presented to the Region for its excellent work in preparing the *2005 State of the Environment Report*.

Regional Chair Fisch conveyed Council's congratulations to Commissioner Tuckey and his staff team and to Associate Medical Officer of Health Dr. Kurji and his staff team.

It was moved by Regional Councilor Frustaglio, seconded by Mayor Young, that Council receive the presentation and convey its appreciation to staff and to the Canadian Institute of Planners for recognizing the Region's work.

Carried

COMMUNICATIONS

Council proceeded to consider the following communications:

87 Toronto-York Spadina Subway Extension

(Clause 27 of Finance and Administration Committee Report No. 6)

Mayor Michael Di Biase, City of Vaughan, June 14, 2006, forwarding a resolution adopted by the Council of the City of Vaughan at its meeting on June 12, 2006, requesting timely Federal funding support for the Toronto-York Spadina Subway Extension.

It was moved by Regional Councillor Frustaglio, seconded by Regional Councillor Ferri, that Council receive the communication from Mayor Di Biase and endorse the resolution of the City of Vaughan.

Carried

88 Big Brothers Big Sisters Month

Patricia Quinn-Dent, Development Coordinator, Big Brothers Big Sisters of York, June 19, 2006, requesting that Regional Council proclaim September 2006 as Big Brothers Big Sisters Month.

It was moved by Mayor Grossi, seconded by Regional Councillor Scarpitti, that Council receive the communication and recognize September 2006 as Big Brothers Big Sisters Month.

Carried

Recommended Residual Waste Technology

(Clause 1 of Solid Waste Management Committee Report No. 4)

- 89** Imma Trozzolo, Administrative Assistant on behalf of Councillor Elio Di Iorio, Town of Richmond Hill, June 21, 2006, requesting deputant status

It was moved by Regional Councillor Scarpitti, seconded by Mayor Black, that Council receive the communication and grant deputant status.

Carried

(See Minutes Nos. 92, 93 and 94.)

- 90** Sharyn Roboz, Executive Assistant, on behalf of Councillor Erin Shapero, Town of Markham, June 21, 2006, requesting deputant status.

It was moved by Mayor Bell, seconded by Regional Councillor Scarpitti, that Council receive the communication and grant deputant status.

Carried

(See Minutes Nos. 93 and 94.)

91 King City Sewer Project –Transfer of Ownership

(Clause 31 of Finance and Administration Committee Report No. 6 and Bill No. 68)

Chris Somerville, Township Clerk, Township of King, June 21, 2006, forwarding a resolution adopted by the Council of the Township of King at its meeting on June 21, 2006, regarding the King City Sanitary Sewer System, Amendments to the Settlement Agreement – Transfer of Ownership.

It was moved by Mayor Black, seconded by Mayor Jones, that Council receive the communication and refer it to consideration of Clause 31 of Finance and Administration Committee Report No. 6 and Bill No. 68.

Carried

(See Minute No. 93 and By-law No. S-0066-2006-066.)

DEPUTATION

Council then heard the following deputation:

92 Recommended Residual Waste Technology

(Clause 1 of Solid Waste Management Committee Report No. 4)

Councillor Elio Di Iorio, Town of Richmond Hill

It was moved by Regional Councillor Hogg, seconded by Regional Councillor Wheeler, that:

1. Council receive the presentation; and
2. Staff make a presentation at the next Solid Waste Management Committee on a zero-waste strategy and include the City of Vancouver's experience in the presentation.

Carried

(See Minute No. 93.)

93 COMMITTEE REPORTS

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

Report No. 2 of the Audit Committee
Report No. 5 of the Community Services and Housing Committee
Report No. 6 of the Finance and Administration Committee
Report No. 5 of the Health and Emergency Medical Services Committee
Report No. 6 of the Planning and Economic Development Committee
Report No. 4 of the Rapid Transit Public/Private Partnership Steering Committee
Report No. 4 of the Solid Waste Management Committee
Report No. 5 of the Transit Committee
Report No. 7 of the Transportation and Works Committee
Report No. 2 of the Commissioner of Finance
Report No. 3 of the Commissioner of Finance
Report No. 1 of the Commissioner of Corporate Services
Report No. 1 of the Chief Administrative Officer
Report No. 1 of the Commissioner of Transportation and Works and the Commissioner of Finance
Report No. 2 of the Commissioner of Transportation and Works and the Commissioner of Finance

It was moved by Mayor Grossi, seconded by Regional Councillor Hogg, 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. 2 of the Audit Committee be adopted, without amendment;

Report No. 5 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 31 relating to the King City Sewer Project –Transfer of Ownership be amended to include the following recommendation 3:

3. *Council amend the Regional By-law to transfer the local collection system or any phase of it to the Township of King in the event the Township makes application for Canada-Ontario Municipal Rural Infrastructure Fund (COMRIF) funding on substantially the same terms as contained in Regional By-law Number S-0063-2004-103, enacted December 16th, 2004.*

(See Minute No. 91 and By-law No.S-0066-2006-066.)

Report No. 5 of the Health and Emergency Medical Services Committee be adopted, with the following amendment:

Clause 10 relating to EMS Efficiencies Review be amended to include the following additional recommendations:

2. *The Region enter into a contract with Panasonic Inc. and its recommended representative, in respect of in-ambulance technology hardware and mounting supports for reasons of compatibility with the technical specifications required by the Ministry of Health and Long-Term Care for its Locator Software, not to exceed \$367,000 pursuant to the sole source provisions of the Purchasing By-law.*
3. *The Regional Chair and Regional Clerk be authorized to sign the necessary contract(s), subject to review by Legal Services.*

Report No. 6 of the Planning and Economic Development Committee be adopted, without amendment;

Report No. 4 of the Rapid Transit Public/Private Partnership Steering Committee be adopted, without amendment;

Report No. 4 of the Solid Waste Management Committee be adopted, without amendment;

In considering Clause 1 relating to Recommended Residual Waste Technology, Council had before it an e-mail (June 21, 2006) from Regional Councillor Heath and also heard a deputation from Councillor Erin Shapero, Town of Markham.

(See also Minutes Nos. 89, 90 and 92. See also Minute No. 94 for a recorded vote.)

Report No. 5 of the Transit Committee be adopted, without amendment;

Report No. 7 of the Transportation and Works Committee be adopted, with the following amendments:

Clause 3 relating to Municipal Road Assumptions/Reversion, Town of East Gwillimbury, be amended by amending recommendation 4 so that it reads as follows:

4. *Warden Avenue between Ravenshoe Road (Y.R. 32) and Baseline Road (Y.R. 8A), in the Town of Georgina, be assumed into the Regional road system now and be designated as Warden Avenue (Y.R.65).*

Clause 4 relating to Regional Sign By-law, Election Signs, be referred to the Committee's meeting of September 6, 2006.

Report No. 2 of the Commissioner of Finance be adopted, without amendment;

Report No. 3 of the Commissioner of Finance be adopted, without amendment;

Report No. 1 of the Commissioner of Corporate Services be adopted, without amendment;

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

Report No. 1 of the Commissioner of Transportation and Works and the Commissioner of Finance be adopted, without amendment; and

Report No. 2 of the Commissioner of Transportation and Works and the Commissioner of Finance be adopted, without amendment.

It was moved by Mayor Sherban seconded by Regional Councillor Barrow, that Council adopt the recommendations of the Committee of the Whole, with the exception of the recommendations in Clause 1 of Solid Waste Management Committee Report No. 4 which were held out for a recorded vote.

Carried

94 Recommended Residual Waste Technology
(Clause 1 of Solid Waste Management Committee Report No. 4)

A recorded vote on the adoption of the recommendations contained in Clause 1 of Solid Waste Management Committee Report No. 4 relating to Recommended Residual Waste Technology was as follows:

FOR: Barrow, Bell, Black, Cousens, Di Biase, Ferri, Frustaglio, Heath, Hogg, Jackson, J. Jones, T. Jones, O'Donnell, Scarpitti, Sherban, Van Bynen, Wheeler, Young (18)

AGAINST: Nil

Carried Unanimously

95 BY-LAWS

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

By-law No. R-1107(u)-2006-052	To amend By-law No. R-1107-96-126 being a By-law to set out all the roads in the Regional Road System (<i>as amended</i>)
By-law No. R-1107(v)-2006-053	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. 54 DEFERRED (See Minute No. 93.)	A by-law to amend By-law No. R-1232-2000-074 being a by-law regulating signs on regional roads
By-law No. R-0393(bd)-2006-054	To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads
By-law No. R-0393(be)-2006-055	To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads
By-law No. R-1342(a)-2006-056	A By-law to amend By-law No. R-1342-2002-144 being a by-law to prescribe maximum rates of speed on Langstaff Road (Y.R. 72)
By-law No. R-1338(a)-2006-057	A By-law to amend By-law No. R-1338-2002-140 being a by-law to prescribe maximum rates of speed on McCowan Road (Y.R. 67)
By-law No. R-1445-2006-058	Respecting temporary speed limits on Regional Roads
By-law No. R-1446-2006-059	To authorize the Commissioner of Transportation and Works to temporarily close part of Pine Valley Drive (Y.R. 57), in the City of Vaughan
By-law No. R-1102(bc)-2006-060	To amend By-law No. R-1102-96-100 to prohibit or regulate parking and stopping on Regional Roads
By-law No. R-1102(bd)-2006-061	To amend By-law No. R-1102-96-100 to prohibit or regulate parking and stopping on Regional Roads
By-law No. A-0381-2006-062	A by-law to establish retention periods for records of The Regional Municipality of York
By-law No. A-0353(a)-2006-063	To amend By-law No. A-0353-2004-089 governing the procurement of goods and services

By-law No. A-0382-2006-064	A by-law to delegate authority to the Regional Treasurer to establish “clawback” percentages for the 2006 taxation year for the commercial, industrial and multi-residential property classes
By-law No. AG-0037-2006--65	To authorize the execution of the GTA Fare System Operating Agreement
By-law No. S-0066-2006-066	A by-law to transfer the sewer system servicing the Community of King City to the Corporation of the Township of King
By-law No. L-0135-2006-067	To levy against the Town of East Gwillimbury for the purposes of the Tile Drainage Act

OTHER BUSINESS

96 Congratulations to Dick Illingworth

Regional Chair Fisch indicated that Dick Illingworth had recently celebrated his 90th birthday and congratulated him.

It was moved by Regional Councillor Scarpitti, seconded by Mayor Jones, that Council congratulate Dick Illingworth, member of the media and former Mayor of the Town of Aurora and Member of Regional Council, on the occasion of his recently-celebrated 90th birthday and thank him for his continuing service to the Region’s residents.

Carried

PRIVATE SESSION

97 It was moved by Regional Councillor Frustaglio, seconded by Regional Councillor Wheeler, that Council convene in Private Session for the purpose of considering certain legal and labour relations matters and matters relating to land acquisition and the security of municipal property.

Carried

Council met in Private Session at 11:22 a.m. and reconvened in Council at 12:26 p.m.

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

Carried

98 Business Arrangements with YC2002, YRRTC and Region Owner's Engineer, And Staffing Strategy Status

It was moved by Regional Councillor Jones, seconded by Regional Councillor Jackson, that Council adopt the recommendations contained in the confidential report from the Rapid Transit Public/Private Partnership Steering Committee as follows:

1. Council authorize the Regional Chair and Clerk to execute the Master Agreement and Go-Forward Business Arrangements Agreement with York Consortium 2002 (YC2002) at the conclusion of negotiations.
2. Council authorize staff to bring forward in the Fall, final recommendations for retention of an Owner's Engineer to work with the Region and York Region Rapid Transit Corporation (YRRTC).

Carried

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

99 Viva Phase 2-Segment Y1 Work and Langstaff Operations and Maintenance Program Award

It was moved by Regional Councillor Jones, seconded by Regional Councillor Jackson, that Council adopt the recommendations contained in the confidential report from the Rapid Transit Public/Private Partnership Steering Committee as follows:

1. Staff determine if York Consortium 2002's (YC2002) business proposal is cost competitive, as defined in the Go-Forward Arrangement Agreement.
2. Subject to staff determining that YC2002's proposal is cost competitive and within budget, that YC2002 be retained to undertake the balance of Viva Phase 2-Y1 planning, design and preliminary engineering work for the first segment of segregated runningway, necessary to support a call for construction bids and that Council authorize the Regional Chair and Clerk to execute a contract with YC2002 for such work in a form acceptable to staff and legal counsel.
3. That in the event that YC2002's business proposal to undertake the work identified by the Owner's Engineer not be deemed cost competitive that Council authorize staff to immediately put the work out to public tender or RFP.
4. Staff report back to Council on the progress of the work program on a regular basis.
5. The Regional Chair and Clerk be authorized to enter into the necessary provincial agreement to secure the funding for the Y1 segment of work.

Carried

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

100 ONA Collective Bargaining Results

It was moved by Regional Councillor Frustaglio, seconded by Mayor Sherban, that Council adopt the recommendation contained in the confidential report of the Commissioner of Corporate Services, as follows:

1. Regional Council endorse the recommended Collective Agreement with the Ontario Nurses' Association (ONA), as agreed to by the Employer's Bargaining Committee.

Carried

The balance of the report to remain confidential under the provisions of the *Municipal Act* as it contains information relating to labour relations.

**101 Oak Ridges Leased Office Space
Community Services And Housing Department
13175 Yonge Street, Town Of Richmond Hill**

It was moved by Mayor Bell, seconded by Regional Councillor Barrow, that Council adopt the recommendations contained in the confidential report from the Commissioner of Community Services, Housing and Health Services and the Commissioner of Corporate Services, as follows:

1. Regional Council authorize the establishment of an office for the Early Intervention Services (EIS) unit of the Community Services and Housing Department, in partnership with Markham Stouffville Hospital Preschool Speech and Language Program (PSLP) and Children's Treatment Network of Simcoe-York (CTN), to provide a specialized multi-service hub location for children with special needs across York Region.
2. Regional Council authorize a ten-year lease to commence on February 1, 2007, for an estimated 13,326 square feet facility, at a base rent of \$17.00 per square foot in lease years one to five and \$18.00 per square foot in lease years six to ten. Operating costs which include administration, realty taxes, maintenance costs and insurance (TMI) are estimated to be \$7.50 per square foot. This facility is to be located at 13175 Yonge Street, Oak Ridges, in the Town of Richmond Hill (Oak Ridges Facility).
3. Regional Council authorize two five-year renewal options at a rental rate that shall be based on the fair market net rental rate.
4. The Region enter into a ten-year occupancy agreement with PSLP for approximately 3,403 square feet at the Oak Ridges Facility to commence on February 1, 2007, or the date that the space becomes available for occupancy, whichever is the later.

5. The Region enter into a ten-year occupancy agreement with CTN for approximately 6,123 square feet at the Oak Ridges Facility to commence on February 1, 2007, or the date that the space becomes available for occupancy, whichever is the later.
6. The Regional Chair and the Regional Clerk be authorized to sign the necessary agreements with the landlord, the PSLP and the CTN for the leasing and licensing of space, subject to review by Legal Services and to any terms satisfactory to the Regional Chair.
7. Regional Council authorize the hiring of up to ten additional full-time employees (FTEs) in EIS funded 100% by the CTN using provincial funds.

Carried

The balance of the report to remain confidential under the provisions of the *Municipal Act* as it contains information relating to labour relations and land acquisition matters.

102 2005 Development Charge By-Law Amendment Settlement of Appeal

It was moved by Regional Councillor Wheeler, seconded by Mayor Bell, that Council adopt the recommendations contained in the confidential report from the Commissioner of Finance and the Regional Solicitor, as follows:

1. Regional Council approve the proposed settlement respecting appeals of the amendment to Regional Development Charge By-law No. DC-0005-2003-050 by developers of apartment buildings.
2. The Regional Chair and Clerk be authorized to execute any agreement necessary to effect the foregoing.
3. The Ontario Municipal Board be advised of Council's position.

Carried

The balance of the report to remain confidential under the provisions of the *Municipal Act* as it contains information relating to litigation or potential litigation, including matters before administrative tribunals, affecting the Region.

103 Federal-Provincial Fiscal Imbalance

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

WHEREAS the Government of Ontario is calling on the federal government to address the vertical fiscal imbalance that would see Ontario treated in an equal manner and therefore all provinces and territories receive federal transfers on a per capita basis and a fair share of funding for programs such as infrastructure, training and EI; and

WHEREAS the Government of Ontario is calling on the federal government to refrain from increasing equalization, recognizing the current \$11.5 billion equalization program (funded 43% by Ontario tax payers) is sufficient to fulfill its purpose of ensuring that people in all provinces and territories have access to comparable public services at comparable levels of taxation; and

WHEREAS the Government of Ontario is also calling for a thorough, principled review of fiscal arrangements through a National Public Commission that would include municipal governments; and

WHEREAS the Government of Ontario has recognized that municipal governments do not have access to revenues and resources equal to their responsibilities; and

WHEREAS addressing the federal/provincial fiscal imbalance will allow the Government of Ontario to continue to address the provincial/municipal fiscal imbalance which currently undermines the sustainability of Ontario's communities; and

WHEREAS addressing the federal/provincial fiscal imbalance will allow the Government of Ontario to meet its commitment to remove the municipal share of provincial social programs currently borne by property tax; and

WHEREAS equitable fiscal arrangements will help build strong communities, a stronger Ontario and a stronger Canada;

THEREFORE BE IT RESOLVED THAT the Regional Municipality of York supports the Government of Ontario's position and its efforts to address the federal/provincial fiscal imbalance fairly, equitably, without increasing the federal equalization program (and including the creation of a tri-lateral national public commission on fiscal arrangements); and

FURTHER BE IT RESOLVED THAT all local Members of Parliament, the Prime Minister of Canada, the Premier of Ontario, the Federal Minister of Finance, the Ontario Minister of Municipal Affairs and Housing, the Ontario Minister of Intergovernmental Affairs, and the Association of Municipalities of Ontario be advised that this Council supports Ontario's position on the fiscal imbalance.

Carried

104 CONFIRMATORY BY-LAW

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

By-law No. M-0730-2006-068

To confirm the proceedings of Council at its meeting held on June 22, 2006.

Carried

The Council meeting adjourned at 12:28 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on the 21st of September, 2006.

Regional Chair