COUNCIL

OF

THE REGIONAL MUNICIPALITY OF YORK

March 27, 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, Morris, Scarpitti, Young, Van Bynen
Regional Councillor:	Ferri, Frustaglio, Heath, Hogg, Jones, Landon, Rosati, Spatafora, Taylor, Wheeler and Wong
Staff:	Davidson, Kurji, Llewellyn-Thomas, Macgregor, Mahoney, Russell, Simmons, Tuckey and Wilson

PRESENTATIONS

40 Provincial Business Plan Challenge
(Clause 6 of Planning and Economic Development Committee Report No. 3)

Regional Chair Fisch congratulated David Wilkings, a resident of East Gwillimbury and a Grade 12 student of Pickering College in Newmarket, who won the 2007 Ontario Business Plan Challenge for his submission regarding a motorcycle race track and e-retail accessories business. Mr. Wilkings' submission previously came first out of 60 submissions to the Region's Small Business Enterprise Centre.

Regional Chair Fisch, Mayor Young and Mayor Van Bynen congratulated both David and Pickering College, presented him with a gift to acknowledge his first place finish in all three levels of the competition and wished him success in his future endeavours.

41 Options for Applying Additional Transit Funding
(Clause 1 of Finance and Administration Committee Report No. 3 and By-law No. 2008-23)

Lloyd Russell, Commissioner of Finance provided Council with a brief presentation relating to the Province's one-time payment for transit purposes as set out in the Minister of Transportation's letter dated February 29, 2008 and the more recent Provincial budget announcements. He provided Council with options for applying the additional transit funding. It was noted that the Regional Committees will have further opportunities to review budget priorities in their upcoming meetings in April, 2008.

42 MINUTES

It was moved by Mayor Black, seconded by Mayor Grossi, that the Minutes of the Council meeting held on February 21, 2008 be confirmed in the form supplied to the Members.

Carried

COMMUNICATIONS

Council considered the following communications:

43 City of Kingston Resolution regarding World Malaria Day, April 25, 2008

The City of Kingston, March 4, 2008, forwarding a resolution adopted by the City of Kingston regarding World Malaria Day, April 25, 2008.

It was moved by Mayor Grossi, seconded by Regional Councillor Spatafora, that the communication from the City of Kingston dated March 4, 2008, be received.

Carried

44 Administrative Professionals Week®, April 21 to 25, 2008

Ms. Lynne Spackman, President, International Association of Administrative Professionals®, York Region Chapter, March 17, 2008, regarding recognition of the week of April 21 to 25, 2008, as Administrative Professionals Week®.

It was moved by Regional Councillor Hogg, seconded by Mayor Van Bynen, that the communication from Lynne Spackman, President, International Association of Administrative Professionals®, York Region Chapter, dated March 17, 2008, be received and that the week of April 21 to 25, 2008 be recognized as Administrative Professionals Week®.

Carried

45 COMMITTEE REPORTS

Mayor Van Bynen presented the following reports for the consideration of Council:

Report No. 2 of the Community Services and Housing Committee
Report No. 3 of the Finance and Administration Committee
Report No. 3 of the Planning and Economic Development Committee
Report No. 3 of the Transportation and Works Committee

Report No. 1 of the Commissioner of Environmental Services
Report No. 1 of the Commissioner of Finance

It was moved by Mayor Van Bynen, 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 Community Services and Housing Committee be adopted without amendment;

Report No. 3 of the Finance and Administration Committee be adopted without amendment;

Report No. 3 of the Planning and Economic Development Committee be adopted with the following amendment:

> *Clause 1, relating to Sustainable Development Through LEED – Implementation Strategy, be amended by deferring any decision on the issue of transferring residual allocation credits pending a further report in two months to the Planning and Economic Development Committee, with the balance of the report being adopted.*

Report No. 3 of the Transportation and Works Committee be adopted with the following amendment:

> *Clause 6, relating to Markham Stouffville Hospital's request for a contribution to storm sewer costs for the Ninth Line Reconstruction and Widening, be amended by adding the following recommendation:*
>
> *4. Staff be directed to negotiate the recovery of the storm sewer costs from Markham Stouffville Hospital.*

Report No. 1 of the Commissioner of Environmental Services be adopted without amendment; and

Report No. 1 of the Commissioner of Finance be adopted without amendment.

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

Carried

46 BY-LAWS

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

By-law No. 2008-23	A by-law respecting dedicated funds for the expansion of public transportation
By-law No. 2008-24	To dedicate certain lands for the purposes of public highways

Carried

OTHER BUSINESS

47 York Region Transit - Sale of Tickets to the Public

Regional Councillor Spatafora requested that staff prepare a report for consideration by the Transit Committee recommending that York Region Transit tickets for script ride programs be available for sale at local municipalities and other locations within the Region besides 50 High Tech Road.

Carried

48 PRIVATE SESSION

It was moved by Regional Councillor Wheeler, seconded by Regional Councillor Spatafora, that Council convene in Private Session for the purpose of considering the following:

1. Private Report of the Planning and Economic Development Committee, Keswick Business Park, Minutes of Settlement – (*Litigation Matter)*.

2. Private Report of the Commissioner of Environmental Services, Durham York Residual Waste Environmental Assessment Memorandum of Understanding – *(Security of Municipal Property)*.

Carried

Council met in Private Session at 11:45 a.m. and reconvened in Council at 12:40 p.m.

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

Carried

49 Keswick Business Park, Minutes of Settlement
(Report No. 4 of the Planning and Economic Development Committee)

It was moved by Mayor Grossi, seconded by Regional Councillor Wheeler, that Council adopt the report (March 5, 2008) of the Planning and Economic Development Committee, including its recommendations as follows:

1. The Minutes of Settlement in respect to the appeal by the Ministry of Municipal Affairs and Housing to the approval of Amendment No. 97 to the Official Plan of the Town of Georgina (Keswick Business Park), set out in *Attachment No. 1* to the staff report be endorsed by Regional Council.

2. The Regional Solicitor be authorized to sign the Minutes of Settlement set out in *Attachment No. 1* to the staff report, on behalf of York Region.

3. The Minutes of Settlement form part of York Region's position at the Ontario Municipal Board Hearing concerning Amendment No. 51 to the Regional Official Plan and Amendment No. 97 to the Georgina Official Plan.

4. The Regional Clerk forward a copy of this report to the Town of Georgina and the Ministry of Municipal Affairs and Housing.

Carried

50 Durham York Residual Waste Environmental Assessment Memorandum of Understanding
(Report No. 2 of the Commissioner of Environmental Services)

It was moved by Regional Councillor Ferri, seconded by Regional Councillor Landon, that Council adopt the report (March 19, 2008) of the Commissioner of Environmental Services, including its recommendations as follows:

1. The Region enter into a revised Memorandum of Understanding with the Regional Municipality of Durham governing the process and costs to complete the Environmental Assessment for Residual Waste and establish an energy from waste facility on the following principles:
   (a) Based on a projected processing capacity of 140,000 tonnes, Durham shall commit a minimum of 100,000 tonnes per year, and York shall commit a minimum of 20,000 tonnes;
   (b) The additional 20,000 capacity in the facility shall be allocated equally between York and Durham;
   (c) York and Durham shall share the capital construction costs and shall have an equity interest in the facility based on their proportionate share of the total tonnage allocation. This represents a 21.4% interest for York and 78.6% for Durham;
   (d) Each Region may borrow excess capacity not required by the other party;
   (e) York and Durham shall pay their proportionate share of net operating costs based on the basic allocation of 20,000 tonnes and 100,000 tonnes respectively;

(f) York and Durham shall each pay for any use of excess capacity based on the operating rate per tonne as determined through the Request for Proposal;
(g) Excess capacity may be sold to a third party and any revenues in excess of operating costs shall be split equally between York and Durham;
(h) The cost of upgrades to the facility shall be allocated based on each Region's respective equity interest;
(i) The cost of any future expansion shall be borne by the Region requiring the additional capacity. Part of the expansion cost may be recovered from the other Region under certain conditions; and
(j) Either Region may terminate the MOU at the conclusion of the RFP process prior to entering into a contract with the preferred proponent.

2. The Regional Chair and Clerk be authorized to execute the Memorandum of Understanding, subject to review by Legal Services.

Carried

51 CONFIRMATORY BY-LAW

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

By-law No. 2008-25 To confirm the proceedings of Council at its meeting held on March 27, 2008.

Carried

The Council meeting adjourned at 12:41 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on the 24th of April, 2008.

Regional Chair