

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

May 19, 2011

Regional Council met at 9:30 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, Bevilacqua, Dawe, Emmerson, Grossi, Hackson, Pellegrini, Scarpitti and Van Bynen
Regional Councillor:	Di Biase, Heath, Hogg, Jones, Landon, Li, Rosati, Schulte, Spatafora, Taylor, and Wheeler
Staff:	Davidson, Hulton, Kurji, Llewellyn-Thomas, Macgregor, Mahoney, Russell, Tuckey and Urbanski

97 DISCLOSURES

ROPA 2 – City of Vaughan

(Clause 8 of Planning and Economic Development Committee Report No. 5)

Regional Councillor Di Biase declared an interest in Clause 8 of Planning and Economic Development Report No. 5, as his children have a part interest in a parcel of land within Block 27 which was purchased by his maternal grandfather in the 1960's. Councillor Di Biase did not take part in the consideration, discussion or vote on this clause.

Regional Contracts for Computer Equipment

(Clause 7 of Finance and Administration Committee Report No. 5)

Mayor Scarpitti declared an interest in Clause 7 of the Finance and Administration Report No. 5, as his brother works for Compugen Inc. Mayor Scarpitti did not take part in the consideration, discussion or vote on this clause.

(See Minute No. 104)

PUBLIC MEETING

RETAIL BUSINESS HOLIDAYS ACT APPLICATION FOR EXEMPTION

(Report No. 1 of the Regional Solicitor)

Pursuant to Section 4 of the *Retail Business Holidays Act*, Regional Council held a public meeting regarding the proposed by-law to permit Oak Ridges Food Market, 13144 Yonge Street, in the Town of Richmond Hill to remain open from 8:30 a.m. to 6:00 p.m. on Good Friday, Victoria Day, Canada Day and Labour Day.

No one appeared in favour of or in opposition to the request for an exemption.

It was moved by Mayor Barrow, seconded by Regional Councillor Spatafora that Council receive Report No. 1 of the Regional Solicitor and grant an exemption under the *Retail Business Holidays Act* to the Oak Ridges Food Market, 13144 Yonge Street, in the Town of Richmond Hill allowing it to open between 8:30 a.m. and 6:00 p.m. on Good Friday, Victoria Day, Canada Day and Labour Day.

A recorded vote on this motion was as follows:

For: Barrow, Bevilacqua, Dawe, Di Biase, Emmerson, Grossi, Hackson, Heath, Hogg, Jones, Landon, Pellegrini, Schulte, Spatafora, Wheeler (15)

Against: Li, Taylor, Van Bynen, (3)

Carried

It was moved by Mayor Barrow, seconded by Regional Councillor Spatafora that Bill 20 be introduced and enacted as Bylaw No. 2011-20.

Carried

REGULAR MEETING

98 MINUTES

It was moved by Mayor Barrow, seconded by Regional Councillor Di Biase that Council confirm the Minutes of the Council meeting held on April 21, 2011 in the form supplied to the Members.

Carried

PRESENTATIONS

Council then received the following presentations:

99 Greater Toronto Airports Authority (GTAA)

Toby Lennox, Vice-President of Corporate Affairs and Scott Cole, Board Member, provided an update on the Greater Toronto Airports Authority (GTAA). The update focused on recent changes, activity levels and Toronto Pearson Airport's key economic role in the GTA and York Region.

It was moved by Mayor Emmerson, seconded by Mayor Bevilacqua that Council receive the presentation.

Carried

100 Human Services Planning Board of York Region *(Clause 3 of Community and Health Services Committee Report No. 5)*

Susan LaRosa, Director of Education, York Catholic School Board and Co-Chair of the Human Services Planning Board of York Region, provided a presentation regarding the Human Services Planning Board of York Region's "Making Ends Meet" initiative.

It was moved by Regional Councillor Taylor, seconded by Mayor Bevilacqua that Council receive the presentation.

Carried

COMMUNICATIONS

Council considered the following communications:

101 Invitation – East Gwillimbury Accessibility Advisory Committee

Sarah Clayton, Town of East Gwillimbury, Accessibility Advisory Committee, Staff Admin Liaison, May 12, 2011, forwarding an invitation to "A Morning with David Lepofsky: Accessibility in the Past, Present and Future", June 11, 2011.

It was moved by Mayor Hackson, seconded by Mayor Emmerson that Council receive the communication.

Carried

102 Richmond Hill Official Plan 2010

(Clause 4 of Planning and Economic Development Committee Report No. 5)

Marianne Yake, President, Richmond Hill Naturalists, May 18, 2011 and April 20, 2011, regarding the Richmond Hill Official Plan 2010 and requesting deputant status.

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

Carried

DEPUTATION

103 Richmond Hill Official Plan 2010

(Clause 4 of Planning and Economic Development Committee Report No. 5)

Marianne Yake, President, Richmond Hill Naturalists addressed Council concerning Richmond Hill Official Plan 2010.

It was moved by Regional Councillor Spatafora, seconded by Regional Councillor Hogg that Council receive the deputation.

Carried

104 COMMITTEE REPORTS

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

Report No. 5 of the Community and Health Services Committee
Report No. 5 of the Environmental Services Committee
Report No. 5 of the Finance and Administration Committee
Report No. 5 of the Planning and Economic Development Committee
Report No. 5 of the Transportation Services Committee

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, without amendment:

Report No. 5 of the Community and Health Services Committee
Report No. 5 of the Environmental Services Committee
Report No. 5 of the Finance and Administration Committee
Report No. 5 of the Planning and Economic Development Committee

(See Minute Nos. 102 and 103 in relation to Clause 4.)

Report No. 5 of the Transportation Services Committee

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

Carried

105 BYLAWS

It was moved by Regional Councillor Taylor, seconded by Mayor Bevilacqua that Council introduce and approve certain Bills in the form as noted on the Revised Agenda and enact them as Bylaws.

Bylaw No. 2011-21	To authorize the execution of governance agreements for the joint procurement of transit buses
Bylaw No. 2011-22	To amend Bylaw No. R-1334-2002-136 being a by-law to prescribe maximum rates of speed on Jane Street (Y.R. 55)
Bylaw No. 2011-23	To amend Bylaw No. R-1309-2002-111 being a by-law to prescribe maximum rates of speed on King Road (Y.R. 11)
Bylaw No. 2011-24	To amend Bylaw No. R-1314-2002-116 being a by-law to prescribe maximum rates of speed on Lloydtown/Aurora Road (Y.R. 16)
Bylaw No. 2011-25	To amend Bylaw No. R-1340-2002-142 being a by-law to prescribe maximum rates of speed on Ninth Line (Y.R. 69)
Bylaw No. 2011-26	To acquire certain lands for or in connection with the widening and reconstruction of Ninth Line (YR 69), in the Towns of Markham and Whitchurch-Stouffville
Bylaw No. 2011-27	To acquire certain lands for or in connection with road and intersection improvements along Davis Drive, Town of Newmarket
Bylaw No. 2011-28	To acquire certain lands for or in connection with road and intersection improvements along Highway 7, City of Vaughan

Carried

OTHER BUSINESS

106 *Retail Business Holidays Act*

Regional Councillor Heath requested that staff report back in the fall of 2011 on a process to update the *Retail Business Holidays Act*, with the report to include a position and recommendations to the Province on changing the legislative framework and options on how York Region can process applications if the legislation remains the same.

107 35th Annual Easter Seals Run/Walkathon

Mayor Van Bynen invited all members of Council to participate in the 35th Annual Easter Seals Run/Walkathon on Sunday, May 29, 2011 beginning at 8:00 a.m. at Upper Canada Mall.

Mayor Van Bynen also thanked Regional staff and York Regional Police for their continuing support and thanked the founder, Joe Persechini, who will be stepping down after 35 years of organizing this event, and all the volunteers for their tireless efforts in raising millions of dollars for children in need.

108 Southlake Regional Health Centre

Regional Councillor Taylor announced that Dave Williams has been appointed as the new Chief Administrative Officer of Southlake Regional Health Centre.

109 Retirement of Lloyd Russell, Commissioner of Finance

Regional Chair Fisch, on behalf of Council, thanked retiring Commissioner of Finance and Regional Treasurer Lloyd Russell for his 37 years of public service, including five years with the Region.

Regional Chair Fisch recognized Lloyd's strong contributions to the Council and citizens of York Region. He credited Lloyd's strong business acumen with helping to guide York Region during a critical growth period characterized by major investments in water, wastewater and transit infrastructure. The Regional Chair also recognized Lloyd's accomplishments in recommending the addition of substantial reserves to the Region's treasury, his valuable work on issues such as GTA Pooling and uploading and the numerous awards that the Finance Department has won.

Mr. Russell responded that it has been a pleasure to serve this Council and indicated that his accomplishments were as a result of Council taking action. Mr. Russell specifically acknowledged the strong support of Council, Regional Chair Fisch, Lina Bigioni in the Regional Chair's office, the Senior Management Team and his staff.

110 PRIVATE SESSION

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

1. Private Report of the Transportation Services Committee – Greening Strategy – Land Securement, Case Woodlot, Town of Aurora – Land Acquisition
2. Private Report of the Community and Health Services Committee – Women’s Shelter Development Update – Land Acquisition
3. Private Report of the Environmental Services Committee – Cost Recovery of Damages to York-Peel Feedermain – Potential Litigation
4. Proposed Regulation – Solicitor–Client Privilege
5. Source Separated Organics – Georgina – Land Acquisition

Carried

Council met in Private Session at 12:00 p.m. and reconvened in public at 12:43 p.m.

(Regional Councillor Landon declared an interest in Private Session Item No. 3 as he owns stocks in the subject company, left the room prior to consideration of this matter and did not take part in the consideration, discussion or vote on this matter.)

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

Carried

111 Greening Strategy – Land Securement, Case Woodlot, Town of Aurora

It was moved by Mayor Dawe, seconded by Mayor Pellegrini that Council adopt the recommendations contained in the private report of the Transportation Services Committee dated May 4, 2011, as follows:

1. Regional Council authorize the contribution of \$100,000 from the Land Securement Reserve, to the Town of Aurora towards the purchase of the ten hectare (25 acre) Case Woodlot Property, legally described as part of Lots 74 and 75, Concession 1, Town of Aurora, conditional on the Town of Aurora raising the remaining funds.
2. The Regional Clerk forward a copy of this report to the Clerk of the Town of Aurora.

Carried

112 Women's Shelter Development Update

It was moved by Mayor Van Bynen, seconded by Regional Councillor Taylor that Council adopt the recommendations contained in the private report of the Community and Health Services Committee dated May 11, 2011, as follows:

1. Council approve in principle an increase of up to \$1 million to the approved capital budget for the proposed women's emergency shelter project in the Town of Newmarket to accommodate land parcel assembly issues.
2. Council allocate up to \$1 million from the Region's *Investing in Ontario Act, 2008* funds to offset this budget increase.
3. Staff be directed to investigate opportunities for additional development on the proposed site and report back to Council for further direction.

Carried

113 Cost Recovery of Damages to York-Peel Feedermain

(Regional Councillor Landon declared an interest in this matter as he owns stocks in the subject company and did not take part in the consideration, discussion or vote on this matter.)

It was moved by Regional Councillor Spatafora, seconded by Regional Councillor Jones that Council adopt the confidential directions to staff.

Carried

114 Proposed Regulation

It was moved by Mayor Barrow, seconded by Mayor Van Bynen that Council consider a resolution to request an amendment to Ontario Regulation 403/02.

Carried by 2/3 majority

(See Minute No. 115)

115 Proposed Amendment to Ontario Regulation 403/02

It was moved by Mayor Barrow, seconded by Mayor Van Bynen that Council adopt the following resolution:

WHEREAS Ontario Regulation 403/02 (the “Regulation”) made under the *Municipal Act, 2001*, prescribes the amount to which the debts, financial obligations and liabilities of a municipality shall be limited (the “Annual Repayment Limit”);

AND WHEREAS Section 3 of the Regulation prescribes the method of calculating the Annual Repayment Limit;

AND WHEREAS subsection 3.3 of the Regulation permits taking into account certain payments made to the municipality, but such payments do not include payments made to a municipality under the *Development Charges Act*;

NOW THEREFORE BE IT RESOLVED THAT:

1. Regional Council request the Province of Ontario to amend subsection 3.3 of O. Reg. 403/02 by adding the following:
 - vi. in the case of The Regional Municipality of York, the lesser of:
 - (a) the amount of payments received under the *Development Charges Act* actually applied to the repayment of long-term debt obligations; and
 - (b) 80% of the rolling three-year average of payments received under the *Development Charges Act*.
2. This amendment be effective on July 1, 2011.

Carried

116 Source Separated Organics – Georgina

It was moved by Mayor Grossi, seconded by Regional Councillor Wheeler that Council consider this matter.

Carried by 2/3 majority.

It was moved by Mayor Grossi, seconded by Regional Councillor Wheeler that Council adopt the confidential direction to staff.

Carried

117 CONFIRMATORY BY-LAW

It was moved by Mayor Dawe, seconded by Mayor Pellegrini that Council enact the following bylaw to confirm the proceedings of this meeting of Council.

Bylaw No. 2011-29

To confirm the proceedings of Council at its meeting held on May 19, 2011.

Carried

The Council meeting adjourned at 12:55 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on June 23, 2011.

Regional Chair