

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

May 20, 2010

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: Black, Emmerson, Grossi, Morris, Van Bynen and Young

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

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

65 DISCLOSURES

Bill No. 36 – King Road (Y.R. 11), Township of King

Mayor Black declared an interest in Bill No. 36 – To stop up and close a portion of King Road (Y.R. 11) in the Township of King – as an individual in her office is acting on behalf of the vendor on the matter, and did not participate in the discussion or vote on this matter.

(See Minute No. 72.)

PUBLIC MEETING

66 RETAIL BUSINESS HOLIDAYS ACT APPLICATION FOR EXEMPTION

Pursuant to Section 4 of the *Retail Business Holidays Act*, Regional Council held a public meeting regarding the proposed by-law to permit the Galleria Supermarket, 7171 Yonge Street, Markham, to remain open on all “holidays”, from 7:30 a.m. to 12:00 midnight.

Council heard the following deputation:

1. Bob Bak and Sam Park, Galleria Supermarket

It was moved by Regional Councillor Heath, seconded by Regional Councillor Ferri that Council grant an exemption under the *Retail Business Holidays Act* to the Galleria Supermarket, 7171 Yonge Street allowing it to open between 9:00 a.m. and 6:00 p.m. on New Year's Day, Family Day, Victoria Day, Canada Day, Labour Day and Thanksgiving Day.

It was then moved by Mayor Grossi, seconded by Regional Councillor Taylor, that Council:

1. receive the deputation
2. receive report No. 3 of the Regional Solicitor and Bill No. 32, and
3. defer further consideration of this application pending a report from staff by the end of 2010 with a full review of the issues and options for considering applications and exemptions under the *Retail Business Holidays Act*.

The deferral motion carried.

REGULAR MEETING

PRESENTATION

Council received the following presentations:

67 Accessing York: York Region's 2010 Accessibility Plan
(*Clause 1 of Community and Health Services Committee Report No. 4*)

Kirsten Hill, a member of the York Region Accessibility Advisory Committee, presented Council with highlights of *Accessing York: York Region's 2010 Accessibility Plan*. These include adopting the policies, practices and procedures that govern the service provided to people with disabilities, along with accessible customer service training for all employees, students, volunteers and agents/contractors serving the public on York Region's behalf. As of January 2010 nearly 3,300 Regional employees have received accessible customer service training.

Ms. Hill advised that York Region's past Accessibility Plans have identified and addressed almost 600 barriers to accessibility. This year's Plan contains 71 initiatives from the Region's departments and York Regional Police that are designed to overcome barriers to accessibility. These include planned improvements to the York Region website, housing facilities, Regional buildings and emergency management planning.

It was moved by Mayor Emmerson, seconded by Regional Councillor Wheeler that Council receive the presentation.

Carried

68 MINUTES

It was moved by Regional Councillor Hogg, seconded by Mayor Emmerson that Council confirm the Minutes of the Council meeting held on April 22, 2010 in the form supplied to the Members.

Carried

COMMUNICATIONS

Council considered the following communications:

69 Development Charge By-law

(Clause No. 1 of Finance and Administration Committee Report No.5)

1. Paul Bailey, Bazil Developments Inc., April 30, 2010
2. Dennis H. Wood, Wood Bull, Barristers & Solicitors, on behalf of SmartCentres Inc. and Calloway REIT, May 4, 2010, and
3. Frank Filippo, Vice President, Development and Planning, Intracorp Projects Ltd., May 6, 2010

(See Minute Nos. 71, 79 and 82.)

York Region Official Plan

(Clause No. 3 of Planning and Economic Development Committee Report No.4)

4. Ben Quan, QX4 Investments Limited, May 5, 2010, on behalf of Living Water FaithFellowship
5. Bernie Zeesman, Facilities Coordinator, Scholastic Canada Ltd., May 6, 2010
6. S. Milton Snow, Manager, 583753 Ontario Limited, May 18, 2010
7. Susan Rosenthal, Davies Howe Partners, on behalf of 775377 Ontario Limited (Belmont), Clearpoint Development Ltd. and Upper City Corporation, May 5, 2010
8. Claudio Brutto, Brutto Consulting, on behalf of the Aurora Leslie Landowners Group, May 12, 2010
9. Steven A. Zakem, Aird & Berlis, Barristers and Solicitors, on behalf of 11160 Woodbine Avenue Limited, May 19, 2010, and

10. Mark R. Flowers, Davies Howe Partners, on behalf of Yonge Bayview Holdings Inc., May 19, 2010

W.J. Smith Gardens Limited, East Gwillimbury

(Clause No. 8, Item 1 of Planning and Economic Development Committee Report No.4)

11. Fernando Lamanna, Deputy Clerk, Town of East Gwillimbury, May 10, 2010

Proposed York Region Official Plan (1994) Amendment No. 68 – Memorial Gardens Canada Limited

(Clause No. 1 of Planning and Economic Development Committee Report No. 4.)

12. Ryan Guetter, Associate, Weston Consulting Group Inc., May 18, 2010 on behalf of 1098470 Ontario Ltd.

It was moved by Mayor Grossi, seconded by Mayor Van Bynen that Council receive the communications listed above and refer them to consideration of the respective clauses as outlined.

Carried

(See Minute No. 71.)

DEPUTATION

Council heard the following deputation:

70 Annual Persechini Run/Walkathon.

Joe Persechini and Mike Smith, Executive Committee Chairperson, Easter Seals Ontario addressed Council regarding the annual Persechini Run/Walkathon for Easter Seals. This charity event has raised almost \$3.5 million for needy children over the past 34 years. This year's Run/Walkathon is scheduled for Sunday May 30, 2010. It will benefit over 400 children in York Region and will raise proceeds for two state-of-the-art full accessibility camps.

Mr. Persechini and Mr. Smith thanked the Members of Regional Council for their ongoing support and encouraged them, Regional staff and residents to participate in this year's Run/Walkathon.

It was moved by Mayor Van Bynen, seconded by Regional Councillor Hogg that Council receive the deputation.

Carried

71 COMMITTEE REPORTS

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

Report No. 4 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. 4 of the Planning and Economic Development Committee
Report No. 2 of the Spadina Subway Advisory Task Force
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 with amendments as noted:

Report No. 4 of the Community and Health Services Committee, with the following amendment:

Clause No. 10, Communication No. 4, regarding the Poverty Reduction and Dignity for All Campaign resolution, be amended to provide for:

- 1. the adoption of the motion attached to the memorandum (May 12, 2010) from the Commissioner of Community and Health Services and shown as Attachment 3, and*
- 2. circulation of Council's decision to all York Region Members of Parliament.*

Report No. 5 of the Environmental Services Committee

Report No. 5 of the Finance and Administration Committee

Clause No. 1 regarding 2010 DC By-law Amendment – Draft Background Study was referred to private session.

Report No. 4 of the Planning and Economic Development Committee

Report No. 2 of the Spadina Subway Advisory Task Force

Report No. 5 of the Transportation Services Committee

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

Carried

72 BY-LAWS

It was moved by Regional Councillor Virgilio, seconded by Regional Councillor Wheeler that Council introduce and approve certain Bills in the form as noted on the Revised Agenda and enact them as By-laws.

By-law No. 2010-32	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. 2010-33	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. 2010-34	To provide for restricted loads on certain Regional Roads	
By-law No. 2010-36	A by-law to establish retention periods for records of The Regional Municipality of York	
By-law No. 2010-37	A by-law to authorize the execution of a funding agreement for the Duffin Creek Water Pollution Control Plant	Carried

Council then conducted a separate vote on the enactment of the following by-law and Mayor Black, having declared an interest earlier in the Council meeting, did not vote on this item.

By-law No. 2010-35	To stop up and close a portion of King Road (Y.R. 11) in the Township of King	Carried
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OTHER BUSINESS

73 2010-2012 AMO Board of Directors Regional and Single-Tier Caucus

It was moved by Mayor Morris, seconded by Mayor Black that Council consent to Regional Chair Fisch running for the 2010-2012 AMO Board of Directors Regional and Single-Tier Caucus.

Carried

74 Public Works Week

Regional Chair Fisch congratulated staff and the teams involved in Public Works Week and advised that this year's winner was the City of Vaughan.

75 Mayor's Challenge

Regional Chair Fisch thanked Mayor Barrow for his hospitality at the Mayor's Challenge which is an annual driving course competition and congratulated Mayor Grossi for being this year's winner.

76 Metrolinx Revised Funding Schedule

Regional Chair Fisch advised that Metrolinx recently announced a revised schedule that provides for several York Region vivaNext projects moving forward. Regional Chair Fisch indicated that he was very pleased with the result and thanked Mary-Frances Turner and her staff for their incredible work in assisting him in working with Metrolinx to have York Region's issues addressed.

Under the revised schedule, York Region will receive \$790 million for construction of the following rapidway segments that will commence between 2010 and 2015:

- Yonge Street – from Highway 7 to Major Mackenzie Drive (Richmond Hill)
- Yonge Street – from Mulock Drive to Davis Drive (Newmarket)
- Davis Drive – from Yonge Street to Roxborough Road (Newmarket)
- Highway 7 – from Yonge Street to Warden Avenue (Markham)
- Highway 7 – from Highway 400 to Creditstone Road (Vaughan)

Funding of \$965 million is deferred for the following segments which are now scheduled to be constructed between 2016 and 2020:

- Yonge Street – from Major Mackenzie Drive to 19th Avenue (Richmond Hill)
- Highway 7 – from Creditstone Road to Yonge Street (Vaughan)
- Highway 7 – from Helen Street to Edgeley Boulevard (Vaughan)
- Enterprise – from Birchmount Road to Kennedy Road (Markham)

77 Canadian Hearing Society Award

Regional Councillor Spatafora, Chair of the Region's Accessibility Advisory Committee, advised that York Region recently received an award from the Canadian Hearing Society for the Region's initiatives in making programs and services more accessible for people who are deaf, deafened and hard of hearing. Ontario's Lieutenant Governor, The Honourable David Onley presented the award to Regional Councillor Spatafora.

78 Council Workshop – Thursday, May 27, 2010 – 9:30 a.m.

Regional Chair Fisch reminded Council that there will be a Council Workshop meeting on Thursday, May 27, 2010 at 9:30 a.m. on Cycling Safety.

79 PRIVATE SESSION

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

1. Private Report of the Finance and Administration Committee – Acquisition of Land, Viva Operations & Maintenance Facility, Town of Richmond Hill – Land Acquisition
2. Private Report of the Transportation Services Committee – Transit Operations – Markham, Richmond Hill, Stouffville – Potential Land Acquisition, and
3. Private Update on Clause 1 of Finance and Administration Committee Report No. 5 pertaining to the 2010 DC By-Law Amendment – Draft Background Study – Potential Litigation

Council met in Private Session at 11:44 a.m. and reconvened in Council at 1:08 p.m.

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

Carried

80 Acquisition of Land, Viva Operations & Maintenance Facility, Town of Richmond Hill

It was moved by Regional Councillor Spatafora, seconded by Regional Councillor Landon that Council adopt the recommendations contained in the confidential report of the Finance and Administration Committee dated May 6, 2010 as follows, with the balance of the report to remain confidential:

1. Council authorize the entering into an agreement for the acquisition of certain lands in the Richmond Hill/Headford Industrial Park, located between 16th Avenue and Major Mackenzie Drive, east of Leslie Street, for the Viva rapid transit operations and maintenance facility, to be funded from the MoveOntario 2020 Quick Wins, on the terms set out in this report.
2. The Commissioner of Corporate Services be authorized to execute the agreement and complete the transaction in accordance with its terms and Regional policies for the acquisition of property, subject to review by Legal Services.

Carried

81 Transit Operations – Markham, Richmond Hill, Stouffville

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

Carried

82 2010 DC By-Law Amendment –Draft Background Study

It was moved by Regional Councillor Ferri, seconded by Regional Councillor Jones that Council adopt:the recommendations in Clause 1 of Report No. 5 of Finance and Administration Committee and the confidential directions to staff.

Carried

83 CONFIRMATORY BY-LAW

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

By-law No. 2010-38	To confirm the proceedings of Council at its meeting held on May 20, 2010.
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Carried

The Council meeting adjourned at 1:10 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on June 24, 2010.

Regional Chair