



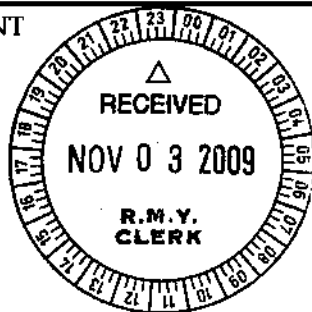
CORPORATE SERVICES DEPARTMENT

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REGION OF YORK
CLERK'S OFFICE

FILE No. - Env. Serv.
Cttee.

October 23, 2009

David Estrin

Gowlings, Barristers & Solicitors

Suite 1600, 1 First Canadian Place

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Toronto, ON M5X 1G5

→ Chair
CAO

Comm. of Env. Serv.

Reg. Solicitor

Subject: CORR. 103-09
Southeast Collector Trunk Sewer Environmental Assessment (EA)
And the Memorandum of Understanding (NOU) between the
City of Pickering and the Regional Municipality of York
File: A 2600-001-09

The Council of the Corporation of the City of Pickering considered the above matter at a meeting held on October 19, 2009 and endorsed the following;

1. That CORR. 103-09 from David Estrin, Certified Environmental Law Specialist, Gowlings, with respect to the Southeast Collector Trunk Sewer Environmental Assessment (EA) and the Memorandum of Understanding (MOU) between the City of Pickering and the Regional Municipality of York be received for information.
2. That Council direct the City Solicitor to inform the York Region Solicitor, Chair and Members of York Regional Council that the City of Pickering:
 - a) Considers York Region to be in breach of its obligations under the MOU in respect of the Environmental Assessment process for the SEC Trunk Sewer including, without limitation, the unfair manner in which York Region has carried out the Environmental Assessment for the SEC Trunk Sewer;

- b) That in the event York Region has not by October 30, 2009 clearly communicated to the City of Pickering that York Region is willing to address the City's concerns as expressed in resolutions passed on September 22, 2009 including suspend the processing of its Environmental Assessment now before the Minister of Environment in order to rectify issues of concern to the City of Pickering, that the City of Pickering commence a Court application for a declaration that York Region is in breach of its obligations, duties and responsibilities under the MOU and for such ancillary relief, including injunctive relief, as may be appropriate;
3. That staff be directed to retain outside counsel, Rodney V. Northey, to refer to opinions provided by Solicitor David Estrin, prepare and submit correspondence to the Minister of Environment and Ministry of Environment detailing City of Pickering's concerns and requests with regards to the SEC Trunk Sewer Project by November 20, 2009.

Should you require further information, please do not hesitate to contact the undersigned at 905.420.4660 extension 2153.

Yours truly



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