

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

November 17, 2005

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: Bell, Black, Di Biase, Grossi, Jones, Sherban, Taylor and Young.

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

Staff: Cartwright, Davidson, Garrett, Hulton, Jaczek, Macgregor, Simmons, Tuckey.

179 DISCLOSURES

Heritage Tax Rebate

(Clause 11 of Finance and Administration Committee Report No. 9)

Mayor Taylor declared an interest in Clause 11 of Finance and Administration Committee Report No. 9 as it relates to Non-Program Items – 2006 Business Plan and Budget, as his home is registered as a heritage building and receives a heritage tax rebate. Mayor Taylor did not take part in the consideration or discussion of or vote on this item.

(Please refer also to Minute No.183.)

180 MINUTES

It was moved by Mayor Grossi, seconded by Regional Councillor Hogg, that the Minutes of the Council meeting held on October 27, 2005 be adopted as amended to reflect Mayor Bell as the seconder of Minute Item No. 175 – VIVA Phase 2 Right-of-Way Property Acquisition Strategy.

Carried

COMMUNICATIONS

181 Police Services Board – Alarm Program

Connie Phillipson, Executive Director, The Regional Municipality of York Police Services Board, November 2, 2005, forwarding recommendations adopted by the Police Services Board at its meeting on October 26, 2005, regarding the “Alarm Program – By-law Amendment”.

It was moved by Regional Councillor Barrow, seconded by Regional Councillor Hogg that the communication be received and that Council approve Police Services Board By-law No. 10-05 regarding fees and charges for police services relating to alarms.

Carried

182 Get Ready for Snowmobiling Week

Craig Nicholson, Ontario Federation of Snowmobile Clubs, November 1, 2005, requesting that the Region of York proclaim November 21 to 27, 2005 as “Get Ready for Snowmobiling Week”.

It was moved by Mayor Grossi, seconded by Mayor Black, that the communication be received and that Council recognize November 21 to 27, 2005 as “Get Ready for Snowmobiling Week”.

Carried

183 COMMITTEE REPORTS

Regional Councillor O'Donnell presented the following reports for the consideration of Council:

Report No. 4 of the Audit Committee

Report No. 9 of the Community Services and Housing Committee

Report No. 9 of the Finance and Administration Committee

Report No. 8 of the Health and Emergency Medical Services Committee

Report No. 9 of the Planning and Economic Development Committee

Report No. 7 of the Solid Waste Management Committee

Report No. 4 of the Joint Transit Committee and Rapid Transit Public/Private Partnership

Steering Committee

Report No. 9 of the Transportation and Works Committee

Report No. 1 of the General Manager and Treasurer, Housing York Inc.

Report No. 10 of the Commissioner of Finance

It was moved by Regional Councillor O'Donnell, seconded by Regional Councillor Van Bynen, 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. 4 of the Audit Committee be adopted, without amendment;

Report No. 9 of the Community Services and Housing Committee be adopted, without amendment;

Report No. 9 of the Finance and Administration Committee be adopted, without amendment;
(See Minute No. 179 for disclosure of interest.)

Report No. 8 of the Health and Emergency Medical Services Committee be adopted, with the following amendment:

Clause 6, Item 1, relating to a labour relations matter, be brought back to the December 1, 2005 Committee meeting

Report No. 9 of the Planning and Economic Development Committee be adopted, without amendment;

Report No. 7 of the Solid Waste Management Committee be adopted, with the following amendment:

Clause 4, Item 2, relating to an independent study to review waste diversion in the Region, be amended to read “propose an overall strategy for the Region and the nine local municipalities” in the last line.

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

Report No. 9 of the Transportation and Works Committee be adopted, without amendment;

Report No. 1 of the General Manager and Treasurer Housing York Inc. be adopted, without amendment; and

Report No. 10 of the Commissioner of Finance be adopted, without amendment.

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

Carried

184 BY-LAWS

It was moved by Regional Councillor Wheeler, seconded by Mayor Bell, 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-1327(c)-2005-095	A By-law to amend By-law No. R-1327-2002-129 being a by-law to prescribe maximum rates of speed on Bayview Avenue/Prospect Street (Y.R. 34)
By-law No. R-1335(b)-2005-096	A By-law to amend By-law No. R-1335-2002-137 being a by-law to prescribe maximum rates of speed on Weston Road (Y.R. 56)
By-law No. R-0393(bc)-2005-097	To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads
By-law No. R-1102(bb)-2005-098	To amend By-law No. R-1102-96-100 to prohibit or regulate parking and stopping on Regional Roads
By-law No. A-0369-2005-099	To conduct the business of the shareholder of Housing York Inc. respecting the 2005 annual general meeting of shareholder
By-law No. A-0370-2005-100	A by-law to establish a Computer Software Acquisition Reserve Fund
By-law No. AG-0035-2005-101	A by-law to authorize the execution of a Municipal Funding Agreement for the Transfer of Federal Gas Tax Revenues

Carried

MOTION

185 2006 Calendar of Council and Committee Meetings

It was moved by Regional Councillor Jackson, seconded by Regional Councillor Heath, that the 2006 Calendar of Council and Committee meetings be adopted.

Carried

OTHER BUSINESS

186 Re-Scheduling of Council Meeting December 15, 2005

Regional Chair Fisch advised that the announcement of the awarding of the Commonwealth Games is scheduled for the morning of Thursday, December 15, 2005 which conflicts with Regional Council and that all Members of Council are invited to attend.

It was moved by Mayor Taylor, seconded by Regional Councillor Heath, that the December 15, 2006 meeting of Regional Council be re-scheduled to commence at 2:00 p.m.

Carried

187 Emissions, Energy Savings and Lighting at the Regional Administrative Centre

Following concerns expressed by Mayor Taylor, Council requested:

1. the Chief Administrative Officer to report to the Corporate Clean Air Task Force on any harmful emissions created by the Region and the activities being conducted in response; and
2. the Commissioner of Corporate Services to report early in 2006 on energy savings and the use of lights after hours at the Regional Administrative Centre.

188 Wells in Whitchurch-Stouffville – 16th Avenue Dewatering

Mayor Sherban brought Council's attention to a recent meeting of Whitchurch-Stouffville Council relating to the water level in 14 wells affected by 16th Avenue dewatering activity.

Council requested the Commissioner of Transportation and Works to contact staff at the Town of Whitchurch-Stouffville to address outstanding concerns of the private well owners.

189 Emergency Planning – Avian Flu

Following a question raised by Regional Councillor Van Bynen regarding the Region's contingency plans for a possible outbreak of the Avian Flu, the Chief Administrative Officer was requested to bring back a report to the Finance and Administration Committee on the status of the Region's emergency preparedness.

190 PRIVATE SESSION

It was moved by Regional Councillor Jones, seconded by Mayor Young, that Council convene in Private Session, for the purpose of considering certain labour relations and legal matters.

Carried

Council met in Private Session at 10:15 a.m. and reconvened in Council at 11:05 a.m.

It was moved by Regional Councillor Scarpitti, seconded by Mayor Di Biase, that Council rise and report from Private Session.

Carried

191 Disclosure of Interest

Mayor Taylor, having disclosed an interest in a labour relations matter discussed in Private Session and having absented himself from the portion of the Private Session proceedings relating

to this matter, disclosed an interest as his spouse is a member of an affected association, and did not take part in the consideration or discussion of or vote on this matter.

192 Additional Court Resources

It was moved by Mayor Black, seconded by Regional Councillor Barrow, that Council adopt the recommendations contained in the confidential report of the Finance and Administration Committee as follows:

1. Regional Council approve one additional courtroom at the Tannery dedicated to *Highway Traffic Act* offences in 2006, and include sufficient funds in the 2006 budget for the courtroom and 2 TFT's as outlined in this report.
2. Regional Council request the Attorney General of Ontario to appoint Justices of the Peace to fill existing and anticipated vacancies in the Central East Region and to provide sufficient judicial resources for the new courtroom.
3. Staff report back to Council regarding courtroom capacity and staffing requirements beyond 2006.

Carried

The balance of the report to remain confidential under the provisions of the *Municipal Act* as it contains information pertaining to solicitor-client privilege.

193 Community Development and Investment Funding Strategy Initiatives Update and Request for Approval of Recommended 2006 Projects

(Clause 1 of Community Services and Housing Report No. 10)

It was moved by Regional Councillor Heath, seconded by Regional Councillor Barrow, that Council adopt the recommendations in Community Services and Housing Committee Report No. 10, as follows:

1. Regional Council approve the community service projects in Attachment 1 to the report recommended for 2006 Purchase of Service contracts by the Community Development Investment Funding (CDIF) Evaluation Committee.
2. The Region enter into Purchase of Service contracts with successful proponents as recommended by the Evaluation Committee, after due diligence verifications are completed, and the Commissioner of Community Services and Housing be authorized to sign these contracts on the Region's behalf, subject to review by Legal Services.
3. The Commissioner of Community Services and Housing be authorized to allocate any new or related Community Development and Investment Funds that may become available during

the course of 2006 within the framework of provincial guidelines, the Community Funding Strategy, and Vision 2026.

Carried

**194 Proposed Settlement - Development Charge Appeals
of Lebovic Developments Respecting
Subdivisions In Whitchurch-Stouffville**

It was moved by Mayor Di Biase, seconded by Mayor Jones, that Council adopt the recommendations contained in the confidential report of the Regional Solicitor and the Commissioner of Finance, as follows:

1. Regional Council authorize settlement with Lebovic Enterprises Limited with respect to development charge appeals in the Town of Whitchurch-Stouffville.

Carried

The balance of the report to remain confidential under the provisions of the *Municipal Act* as it contains information pertaining to solicitor-client privilege.

195 CONFIRMATORY BY-LAW

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

By-law No. M-0723-2005-102

To confirm the proceedings of Council at its meeting held on November 17, 2005.

Carried

The Council meeting adjourned at 11:10 a.m.

Denis Kelly
Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on the 15th day of December, 2005.

Bill Fisch
Regional Chair