

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

September 18, 2008

Regional Council met at 9:35 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 and Van Bynen

Regional Councillor: Frustaglio, Heath, Hogg, Jones, Landon, Rosati, Spatafora, Taylor, Wheeler and Wong

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

118 MINUTES

It was moved by Mayor Barrow, seconded by Mayor Emmerson that the Minutes of the Council meeting held on June 19, 2008 be confirmed in the form supplied to the Members.

Carried

PRESENTATIONS

119 Recognition — Senior Staff Retirements

Regional Chair Fisch recognized and thanked the following senior staff who have retired or will retire between July and September, 2008, and wished them well in their retirement:

Shawn Turner, former General Manager of the Long Term Care and Seniors Branch, who has provided service to York Region and our residents for the past 24 years. Shawn oversaw the building of the Maple Health Centre and the redevelopment of the Newmarket Health Centre, coordinated the Region's response for Long Term Care during the 2003 SARS crisis, co-chaired the Long Term Care Panel of the Ontario Municipal Benchmarking Initiative and brought the highest level of quality service to the Region's Long Term Care program.

Tom Appleby, who has served as Director of Supplies and Services for the past 13 years, and had over 20 years as a procurement expert with Durham, Georgina and Markham before coming

to York Region. Tom has chaired the GTA Purchasing Council and the Clean Air Council, serves as the President of GIPPER (Governments Incorporating Purchasing Practices which are Environmentally Responsible), and oversaw the procurement in all areas of the Region's operations including its Viva fleet of buses and its expanding Water and Wastewater System. Tom's knowledge and professionalism has helped to ensure the integrity and transparency of the Region's business dealings.

Elizabeth Wagle, former Director of the Family and Children's Services Branch, who has served the Region and its communities for 10 years. Through her efforts, the Region assisted 12,000 children in 1998 and now assists 27,000 children per year. Elizabeth spearheaded the model for Standards of Care for Domiciliary Hostel operators, recently implemented the Swim to Survive program, and her efforts have helped to ensure that York Region families received the assistance and opportunities they deserve.

Joann Simmons, Commissioner of Community and Health Services, and Lloyd Russell, Commissioner of Finance provided further comments on the achievements of the three retiring staff, thanked them for their dedication and their contributions to the citizens of the Region, and wished them well in their future endeavors.

COMMUNICATIONS

Council considered the following communications:

120 Character Community Week – October 27 – 31, 2008

Janet Rurak, Executive Director, Character Community Foundation of York Region, July 11, 2008, requesting that the Region recognize October 27 – 31, 2008 as "Character Community Week".

It was moved by Regional Councillor Frustaglio, seconded by Mayor Emmerson that the communication be received and that Regional Council recognize the week of October 27 – 31, 2008 as "Character Community Week".

Carried

121 Toastmasters Month – October 2008

Christine Samuel, Vice President Public Relations, TROY Toastmasters, August 1, 2008, requesting that the Region recognize October 2008 as "Toastmasters Month".

It was moved by Regional Councillor Spatafora, seconded by Regional Councillor Landon that the communication be received and that Regional Council recognize the month of October 2008 as "Toastmasters Month".

Carried

122 Bill 56 – Unlawful Firearms in Vehicles

Sybil Fernandes, Deputy City Clerk, City of Vaughan, May 16, 2008, forwarding a resolution adopted by the City of Vaughan at its Council meeting on May 12, 2008, regarding Bill 56 – Unlawful Firearms in Vehicles.

It was moved by Regional Councillor Frustaglio, seconded by Regional Councillor Taylor that the communication be received and the resolution from the City of Vaughan be supported.

Carried

123 Co-ordinated Transit Street Furniture Program
(Private Report of the Transit Committee)

Monique Lovet on behalf of David Gray, President of Creative Outdoor Advertising, September 17, 2008, regarding the Co-ordinated Transit Street Furniture Program and requesting deputant status.

It was moved by Mayor Emmerson, seconded by Mayor Morris that the communication be received and that deputant status be granted.

Carried

DEPUTATION

Council then heard the following deputation:

124 Co-ordinated Transit Street Furniture Program
(Private Report of the Transit Committee)

David Gray, President, Creative Outdoor Advertising, addressed Council regarding the Co-ordinated Transit Street Furniture Program.

It was moved by Mayor Morris, seconded by Regional Councillor Frustaglio that the deputation be received and referred to Council's Private Session for consideration.

Carried

(See Minute No.137.)

125 COMMITTEE REPORTS

Mayor Young presented the following reports for the consideration of Council:

Report No. 2 of the Audit Committee

Report No. 6 of the Community Services and Housing Committee

Report No. 7 of the Finance and Administration Committee
Report No. 6 of the Health and Emergency Medical Services Committee
Report No. 8 of the Planning and Economic Development Committee
Report No. 7 of the Rapid Transit Public/Private Partnership Steering Committee
Report No. 5 of the Solid Waste Management Committee
Report No. 6 of the Transit Committee
Report No. 7 of the Transportation and Works Committee
Report No. 4 of the Commissioner of Finance

It was moved by Mayor Young, seconded by Regional Councillor Heath 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 Audit Committee be adopted with the following amendment:

Clause 2, regarding Inclusion of Citizen Membership on Audit Committee, was referred back to the Audit Committee for further consideration.

Report No. 6 of the Community Services and Housing Committee be adopted without amendment;

Report No. 7 of the Finance and Administration Committee be adopted without amendment;

Report No. 6 of the Health and Emergency Medical Services Committee be adopted without amendment;

Report No. 8 of the Planning and Economic Development Committee be adopted without amendment;

Report No. 7 of the Rapid Transit Public/Private Partnership Steering Committee be adopted with the following amendment:

Clause 3, regarding the Yonge Subway Extension Recommended Transit Project, be adopted subject to Recommendation 2 being amended to read as follows:

2. *Council support the continued investigation of the Yonge Street alignments and the siting of the station locations into the Richmond Hill Centre and the options for the siting of the Steeles Avenue bus terminal with key stakeholders during the environmental assessment.*

In considering this clause, Council had before it a letter dated September 18, 2008 from Mayor Frank Scarpitti, Town of Markham.

Report No. 5 of the Solid Waste Management Committee be adopted with the following amendment:

Clause 1, regarding Alternative Blue Box Container Study Results in King and Richmond Hill, be adopted subject to adding the following recommendation:

2. *Additional studies and analysis be postponed until staff is in place to undertake such studies.*

Report No. 6 of the Transit Committee be adopted with the following amendment:

Clause 2, regarding York Region Transit, Lost and Found Policy Update, be adopted subject to adding the following recommendation:

2. *Staff report back to the Transit Committee in two months on the estimated value of lost and found items based on past experience, and investigate further options for disposal of these items, including the possibility of a public auction.*

Report No. 7 of the Transportation and Works Committee be adopted without amendment; and

Report No. 4 of the Commissioner of Finance be adopted without amendment.

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

Carried

126 BY-LAWS

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

By-law No. 2008-56	A by-law to confirm the “clawback” percentages established by the Regional Treasurer for the 2008 taxation year for the commercial, industrial and multi-residential property classes
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By-law No. 2008-57	To amend By-law No. R-1102-96-100 to prohibit or regulate parking and stopping on Regional Roads
By-law No. 2008-58	To amend By-law No. A-0380-2006-049, being a by-law to impose fees and charges for services and activities provided by the Transportation Services Department of The Regional Municipality of York
By-law No. 2008-59	To acquire certain lands for or in connection with the widening and reconstruction of Bloomington Road (YR 40) from Bayview Avenue (YR 34) to Highway 404, Towns of Aurora and Richmond Hill
By-law No. 2008-60	To acquire certain lands for or in connection with the widening and reconstruction of Warden Avenue (YR 65) from 16 th Avenue (YR 73) to Major Mackenzie Drive East (YR 25) Town of Markham
By-law No. 2008-61	To dedicate certain lands for the purposes of public highways
By-law No. 2008-62	To stop up and close a portion of Bayview Avenue (YR 34) in the Town of Richmond Hill

Carried

MOTION

127 2009 Calendar of Council and Committee Meetings

It was moved by Mayor Morris, seconded by Mayor Young that Council adopt the 2009 calendar of Council and Committee meetings as presented.

Carried

OTHER BUSINESS

128 Federation of Canadian Municipalities

Regional Councillor Hogg informed Regional Council that during the federal election campaign the Federation of Canadian Municipalities (FCM) will continue to advocate for social housing

programs to be restored. FCM will also continue to advocate for municipal infrastructure dollars and for municipalities to receive their fair share of the federal tax dollars.

129 Prince of Wales Award

Mayor Morris informed Regional Council that Aurora is the 2008 recipient of the Prince of Wales Award from the Heritage Canada Foundation. This award recognizes municipal governments for their exemplary commitment to protecting their built heritage. Previous recipients include Victoria, Quebec City, Charlottetown and Markham.

Mayor Morris will be attending the awards ceremony in Quebec City. Regional Council expressed its congratulations to Mayor Morris, Aurora Council and the citizens of the Town of Aurora on winning this prestigious award.

130 Taste of the Hill, Town of Richmond Hill

Regional Councillor Spatafora invited all Regional Council members to attend the 2008 Taste of the Hill in Richmond Hill on October 5, 2008. This is a multi-cultural food festival that celebrates the cultural diversity within the community and promotes local businesses. Proceeds this year will support two charities: York Central Hospital and Autism Ontario York Region Chapter.

131 Memoranda of Understanding for Future Land Use Purchases

Council requested staff, through the Chief Administrative Officer, to develop a process and forward a report on Memoranda of Understanding for future land purchases where the end owner is not the Regional Municipality of York.

132 Association of Municipalities of Ontario

Regional Chair Fisch expressed his appreciation to Regional Council for their support of his successful re-election to the AMO Board of Directors Regional and Single Tier Caucus.

133 PRIVATE SESSION

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

1. Audit Committee – Attachment – Audit Services Branch Report - (*Security of Property / Solicitor-Client Privilege*)

2. Transportation and Works Committee – Jane Street and Highway 7, Emergency Repair Cost-Sharing, City of Vaughan – *(Solicitor-Client)*
3. Transportation and Works Committee – Lloydtown/Aurora Road at Weston Road Intersection, Contract 03-100, Proposed Negotiated Resolution – *(Potential Litigation Matter)*
4. Planning and Economic Development Committee – Greenvilla OMB Hearing – Town of Georgina – Settlement – *(Litigation Matter)*
5. Community Services and Housing Committee – Attachment - Provincial Housing Repair Funds – Expenditure Plan – *(Security of Municipal Property)*
6. Transit Committee – York Region Transit, Co-ordinated Transit Street Furniture Program Update – *(Security of Municipal Property)*

Carried

Council recessed to meet in Private Session at 12:10 p.m. and reconvened in Council at 1:20 p.m.

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

Carried

**134 Jane Street and Highway 7
Emergency Repair Cost-Sharing, City of Vaughan**

It was moved by Regional Councillor Frustaglio, seconded by Mayor Emmerson that Council adopt the recommendations contained in the private report of the Transportation and Works Committee, dated August 22, 2008 as follows:

1. Regional Council authorize the Region to pay 31% of the cost of the 2006 emergency repairs to the infrastructure at the intersection of Jane Street and Highway 7 in the amount of \$3,362,526.
2. The funds be allocated as follows:
 - a. \$600,000 from the 2008 Roads Capital Program, and
 - b. \$2,389,052 from the Tax Stabilization Reserve, and
 - c. \$373,474 previously paid from the 2006 Roads Capital Program.
3. Payment by the Region be conditional upon the City of Vaughan acknowledging that the payment does not constitute an admission of liability on the part of the Region and

agreeing to indemnify the Region against any third party claims associated with the repairs.

4. The Regional Clerk forward the report, on a confidential basis, to the Clerk of the City of Vaughan.

Carried

The balance of the report to remain private under the provisions of the *Municipal Act* as it pertains to Solicitor-Client privilege.

**135 Lloydtown/Aurora Road at Weston Road Intersection
Contract 03-100, Proposed Negotiated Resolution**

It was moved by Regional Councillor Landon, seconded by Regional Councillor Spatafora that Council adopt the recommendations contained in the private report of the Transportation and Works Committee, dated August 22, 2008 as follows:

1. Regional Council authorize the value of Contract 03-100 with Miller Paving Ltd. for the construction of intersection improvements of Lloydtown/Aurora Road at Weston Road be increased from \$2,682,000 to \$3,700,000.

Carried

The balance of the report to remain private under the provisions of the *Municipal Act* as it pertains to a potential litigation matter.

**136 Greenvilla OMB Hearing
Town of Georgina**

It was moved by Mayor Grossi, seconded by Mayor Scarpitti that Council adopt the recommendations contained in the private report of the Planning and Economic Development Committee, dated August 25, 2008 as follows:

1. Regional Council authorize the Regional Solicitor to settle the Greenvilla appeals on the terms set out in this report;
2. Regional Council authorize the Regional Solicitor to execute Minutes of Settlement, substantially in accordance with those attached to the report; and
3. Regional Council authorize Regional staff to appear before the Ontario Municipal Board, as necessary, to defend the Region's interests in this matter.

Carried

The balance of the report to remain private under the provisions of the *Municipal Act* as it pertains to a litigation matter.

**137 York Region Transit
Co-ordinated Transit Street Furniture Program Update**

It was moved by Regional Councillor Landon, seconded by Regional Councillor Spatafora that Council refer the private report of the Transit Committee, dated August 25, 2008, back to the Transit Committee and request that staff prepare a further report concerning the visioning and design principles and the matter of a future Request for Proposal for the co-ordinated transit street furniture program for the November or December 2008 meeting of the Transit Committee.

Carried

The report to remain private under the provisions of the *Municipal Act* as it pertains to the security of municipal property.

138 CONFIRMATORY BY-LAW

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

By-law No. 2008-63	To confirm the proceedings of Council at its meeting held on September 18, 2008.
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Carried

The Council meeting adjourned at 1:25 p.m.

Denis Kelly
Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on October 23, 2008.

Bill Fisch
Regional Chair