

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

September 21, 2006

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

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

Staff: Davidson, Garrett, Hulton, Kurji, Macgregor, Russell, Simmons, Tuckey.

105 MINUTES

It was moved by Regional Councillor Jones, seconded by Regional Councillor Jackson, that the Minutes of the Council meeting held on the 22nd of June 2006, be confirmed in the form supplied to the Members.

Carried

PRESENTATIONS

106 Transit Awards

Regional Chair Fisch indicated that the Region has recently been presented with the following awards relating to its transit system:

1. Association of Municipalities of Ontario Peter J. Marshall Innovation Award in recognition of VIVA infrastructure accomplishments
2. Canadian Transportation Sustainability Association Award for VIVA
3. American Public Transit Association Award for having the most innovative public transit system in North America. This is the first time in about the last 25 years that a Canadian transit system has won this award.

Regional Chair Fisch congratulated Members of Council and all of the staff who were involved in these achievements.

COMMUNICATIONS

Council proceeded to consider the following communications:

107 Police Services Board – National and Provincial Crime Statistical Comparison

David Barrow, Chair, Regional Municipality of York Police Services Board, September 12, 2006, forwarding Recommendation (1) of the 2005 National and Provincial Crime Statistical Comparison, adopted by the Police Services Board at its meeting on August 30, 2006.

It was moved by Regional Councillor Barrow, seconded by Regional Councillor Frustaglio, that Council receive the communication.

Carried

108 International Day for the Eradication of Poverty

Tricia Richens, Poverty Action for Change Coalition, September 11, 2006, regarding October 17, 2006 as International Day for the Eradication of Poverty.

It was moved by Regional Councillor Frustaglio, seconded by Mayor Grossi, that Council receive the communication and recognize October 17, 2006 as International Day for the Eradication of Poverty.

Carried

109 Child Care Worker & Early Child Educator Appreciation Day

Sid Ryan, President, CUPE Ontario and Shellie Bird, President, OCBCC, August 29, 2006, regarding Wednesday, October 25, 2006 as Child Care Worker & Early Child Educator Appreciation Day.

It was moved by Regional Councillor O'Donnell, seconded by Regional Councillor Van Bynen, that Council receive the communication and recognize October 25, 2006 as Child Care Worker & Early Child Educator Appreciation Day.

Carried

110 Housing York Inc. – Green Light Loan Program

Mayor Tom Taylor, Chair, Housing York Inc., September 13, 2006, regarding the Green Light Loan Program, and forwarding the report entitled “Energy Management Strategy, The Green Light Loan Program”, which was adopted by the Housing York Inc. at its meeting on September 13, 2006.

It was moved by Regional Councillor Heath, seconded by Mayor Young, that Council approve the request for the loan guarantees outlined in the report adopted by Housing York Inc. on September 13, 2006.

Carried

Election Signs on Regional Roads

- 111** Frank Greco, Vaughan Resident, September 5, 2006.

It was moved by Regional Councillor Ferri, seconded by Regional Councillor Jackson, that Council receive the communication.

Carried

- 112** Paul De Buono, Vaughan Resident, September 10, 2006, and requesting deputant status.

It was moved by Regional Councillor Jones, seconded by Regional Councillor Jackson, that Council receive the communication and grant deputant status.

Carried

- 113** Deb Schulte, Vaughan Resident, September 6, 2006, and requesting deputant status.

It was moved by Regional Councillor Jackson, seconded by Regional Councillor Jones, that Council receive the communication and grant deputant status.

Carried

- 114** Bruce Macgregor, Commissioner of Transportation and Works, September 14, 2006, attaching an extract from Clause 4 of Transportation Committee Report No. 7 referred by Council at its meeting of June 22, 2006.

It was moved by Regional Councillor Jackson, seconded by Regional Councillor Jones, that Council receive the memorandum from the Commissioner of Transportation and Works and adopt the recommendations contained in it as follows (subject to any modifications that might be made after Private Session):

1. The Regional sign by-law (R-1232-2000-074) be amended to include the following provisions with respect to election signs:
 - a) No candidate shall place more than one sign per corner of each permitted intersection.
 - b) Election signs shall be permitted 24 hours per day, 7 days per week only during the period commencing 6 weeks prior to Election Day and shall be removed within 72 hours following the close of polls on Election Day.
 - c) The requirement to restrict candidates to 12 signs each shall be waived.
 - d) The requirement for a permit and fee shall be waived.
 - e) The requirement for liability insurance shall be waived.
2. The requirements of the amended by-law be communicated to registered candidates through the local municipal Clerk's offices.

3. The Regional Solicitor prepare the necessary amendment to the by-law.

Carried

(See Minute No. 123 and By-law No. R-1232(a)-2006-101)

DEPUTATIONS

Council proceeded to hear the following deputations:

115 Election Signs on Regional Roads

1. Deb Schulte, Vaughan Resident; and
2. Paul De Buono, Vaughan Resident.

It was moved by Regional Councillor Ferri, seconded by Mayor Sherban, that Council receive the deputations from Deb Schulte and Paul De Buono.

Carried

It was moved by Mayor Grossi, seconded by Regional Councillor Jones, that Council move into Private Session at this time to receive legal advice regarding this matter.

Lost

(See Minutes No. 114 and 123.)

116 COMMITTEE REPORTS

Regional Councillor Heath presented the following reports for the consideration of Council:

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. 7 of the Planning and Economic Development Committee
Report No. 5 of the Rapid Transit Public/Private Partnership Steering Committee
Report No. 5 of the Solid Waste Committee
Report No. 6 of the Transit Committee
Report No. 8 of the Transportation and Works Committee

It was moved by Regional Councillor Heath, seconded by Mayor Young, 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. 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;

In considering Clause 4, Council had before it a revised page 21.

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

Report No. 7 of the Planning and Economic Development Committee be adopted, without amendment;

In considering Clause 12 relating to Amendment No. 149, Town of Markham, Highway 404 North Secondary Plan, Council received a letter (September 21, 2006) from Aaron Platt, Stikeman Elliott

Report No. 5 of the Rapid Transit Public/Private Partnership Steering Committee be adopted, without amendment;

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

Clause 1 relating to Solid Waste Management User Fees was referred to Private Session (see Minute No. 128)

Clause 6 relating to the Inter-Municipal Waste Diversion Strategy be amended by deferring consideration of Recommendation 3 until the October 19, 2006 Council meeting.

Report No. 6 of the Transit Committee be adopted, without amendment;

See Minute No. 117 for recorded vote on the adoption of Clause 1 relating to the 2007 Fare Rate Change for York Region Transit

Report No. 8 of the Transportation and Works Committee be adopted, with the following amendment:

Clause 12 relating to Regional Policy, Funding of Collector Road crossings of 400-Series Highways, be amended by referring the issue of operating costs to a future meeting of the Committee

Clause 29, Item 5 regarding Nashville Road traffic concerns, be amended to provide that the letter (September 21, 2006) from Regional Councillor Jackson also be referred to staff for a report

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

Carried

117 2007 Fare Rate Change for York Region Transit
(Clause 1 of Transit Committee Report No. 6)

A recorded vote on the adoption of the recommendation in Clause 1 of Transit Committee Report No. 6 was as follows:

FOR: Barrow, Bell, Black, Cousens, Di Biase, Ferri, Frustaglio, Grossi, Hogg, J. Jones, T. Jones, O'Donnell, Scarpitti, Sherban, Van Bynen, Wheeler, Young (17)

AGAINST: Heath, Jackson (2)

Carried

118 BY-LAWS

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

By-law No. A-0383-2006-069	A by-law to appoint the Commissioner of Transportation and Works to designate parts of Regional roads as construction zones and to set speed limits
By-law No. R-1447-2006-070	Respecting temporary speed limits on Regional Roads
By-law No. R-1448-2006-071	To authorize the Commissioner of Transportation and Works to temporarily close part of Green Lane (Y.R. 19), in the Town of East Gwillimbury
By-law No. S-0066(a)-2006-072	A by-law to amend By-law No. S-0066-2006-066, being a by-law to transfer the sewer system servicing the Community of King City to the Corporation of the Township of King
By-law No. R-0393(bf)-2006-073	To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads
By-law No. R-0393(bg)-2006-074	To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads
By-law No. R-0393(bh)-2006-075	To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads
By-law No. R-1328(b)-2006-076	A By-law to amend By-law No. R-1328-2002-130 being a by-law to prescribe maximum rates of speed

	on Bathurst Street (Y.R. 38)
By-law No. R-1335(c)-2006-077	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-1333(a)-2006-078	A By-law to amend By-law No. R-1333-2002-135 being a by-law to prescribe maximum rates of speed on Dufferin Street (Y.R. 53)
By-law No. R-1351(c)-2006-079	A By-law to amend By-law No. R-1351-2002-153 being a by-law to prescribe maximum rates of speed on Rutherford Road/16 th Avenue (Y.R. 73)
By-law No. R-1331(c)-2006-080	A By-law to amend By-law No. R-1331-2002-133 being a by-law to prescribe maximum rates of speed on Elgin Mills Road/Nashville Road/Teston Road (Y.R. 49)
By-law No. R-1345(c)-2006-081	A By-law to amend By-law No. R-1345-2002-147 being a by-law to prescribe maximum rates of speed on Metro Road/Morton Avenue (Y.R. 78)
By-law No. R-1340(a)-2006-082	A By-law to amend By-law No. R-1340-2002-142 being a by-law to prescribe maximum rates of speed on Ninth Line (Y.R. 69)
By-law No. R-1102(be)-2006-083	To amend By-law No. R-1102-96-100 to prohibit or regulate parking and stopping on Regional Roads
By-law No. R-1102(bf)-2006-084	To amend By-law No. R-1102-96-100 to prohibit or regulate parking and stopping on Regional Roads
By-law No. R-1342(b)-2006-085	A By-law to amend By-law No. R-1342-2002-144 being a by-law to prescribe maximum rates of speed on Langstaff Road (Y.R. 72)
By-law No. R-1338(c)-2006-086	A By-law to amend By-law No. R-1338-2002-140 being a by-law to prescribe maximum rates of speed on McCowan Road (Y.R. 67)

By-law No. A-0384-2006-087	To authorize adjustments between The Regional Municipality of York and the lower-tier municipalities in respect of the capping of property tax increases for the 2006 taxation year
By-law No. R-1449-2006-088	To acquire certain lands for or in connection with the widening and reconstruction of Bathurst Street (YR 38) in the Township of King and Towns of Aurora and Newmarket
By-law No. RD-0526-2006-089	To dedicate certain lands for the purposes of public highways
By-law No. DC-0006-2006-090	A by-law for the imposition of development charges against land in the Nobleton Community of the Township of King
By-law No. DC-0005(b)-2006-091	A by-law to amend By-law No. DC-0005-2003-050
By-law No. R-1107(w)-2006-099	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. AG-0038-2006-100	A by-law to authorize the execution of a governance agreement for the joint procurement of transit buses
By-law No. D-0179-2006-092	To authorize the borrowing upon 30 year amortizing debentures in the principal amount of \$3,700,000.00 for a purpose of The Regional Municipality of York
By-law No. D-0180-2006-093	To authorize the borrowing upon 20 year amortizing debentures in the aggregate principal amount of \$30,450,000.00 for the purposes of The Corporation of the Town of Georgina and The Corporation of the Town of Newmarket
By-law No. D-0181-2006-094	To authorize the borrowing upon 5 year instalment debentures in the principal amount of \$2,500,000.00 for purposes of The Regional Municipality of York
By-law No. D-0182-2006-095	To authorize the borrowing upon 10 year sinking fund debentures in the principal amount of \$118,675,000.00 for the purposes of The Regional Municipality of York

By-law No. D-0183-2006-096	To authorize the borrowing upon 10 year sinking fund debentures in the principal amount of \$31,325,000.00 for the purposes of The Corporation of the City of Vaughan
By-law No. D-0184-2006-097	To authorize the borrowing of the aggregate of the principal amounts authorized by By-laws Nos. D-0182-2006-095 and D-0183-2006-096 in the aggregate principal amount of \$150,000,000.00 and the issuing of one series of sinking fund debentures therefore

Carried

MOTIONS

119 Biotech Week in York Region

It was moved by Regional Councillor Scarpitti, seconded by Mayor Di Biase, that:

WHEREAS The Regional Municipality of York recognizes the importance of biotechnology as a creator of wealth and employment and in contributing to a healthier tomorrow for the community;

AND WHEREAS The Regional Municipality of York is committed to encouraging the development and nurturing of the biotechnology sector together with our other three YORKbiotech founding partners, namely York University, the National Research Council/Industrial Research Assistance Program and the Town of Markham;

AND WHEREAS The Regional Municipality of York will, together with its YORKbiotech partners, celebrate National Biotech Week IMAGENENATION by working with students by providing tours of local biotech companies during this special week:

NOW, THEREFORE BE IT RESOLVED that the Council of the Regional Municipality of York recognize September 23 - 30, 2006 as Biotech Week in York Region as part of IMAGENENATION - National Biotech Week.

Carried

OTHER BUSINESS

120 Bill 124 – Proposed Fair Access to Regulated Professions Act, 2006

It was moved by Regional Councillor Frustaglio, seconded by Regional Councillor Scarpitti, that:

WHEREAS Bill 124 will benefit newcomers settling in York Region to engage in employment relevant to their training background;

AND WHEREAS Bill 124 will benefit the local economy by utilizing more effectively the human resources of newcomers;

AND WHEREAS the Human Services Planning Coalition supports the proposed Fair Access to Regulated Professions Act, 2006, (Bill 124);

NOW THEREFORE BE IT RESOLVED THAT Regional Council supports the Fair Access to Regulated Professions Act, 2006, (Bill 124); and that this be communicated to the Ontario Ministry of Citizenship and Immigration, all Provincial MPP's and the Association of Municipalities of Ontario.

Carried

PRIVATE SESSION

121 It was moved by Mayor Di Biase, seconded by Mayor Black, that Council convene in Private Session, for the purpose of considering certain land acquisition and legal matters and matters relating to the security of municipal property.

Carried

Council met in Private Session at 11:15 a.m. and reconvened in Council at 12:55 p.m.

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

Carried

122 Toronto – York Spadina Subway Extension

It was moved by Mayor Di Biase, seconded by Regional Councillor Frustaglio, that Council adopt the revised recommendations contained in the confidential report of the Chief Administrative Officer and the Commissioner of Finance, as follows:

1. Council approve a capital cost share arrangement of 60:40 (Toronto:York) between the Region and the City of Toronto with respect to the construction of the Spadina subway extension up to the Vaughan Corporate Centre.

2. Council approve the Spadina subway extension as the only project within York Region that meets the definition and timelines set out under the *Move Ontario Trust*.
3. Council support the following financial conditions to be in place prior to commencement of the project:
 - i. A commitment of one-third funding of this project by the federal government by April 1, 2007;
 - ii. A topping-up of the provincial contribution to at least one-third of the project;
 - iii. Capping of the municipal share at one third of the total project costs, including property costs;
 - iv. Province to enact tax increment financing legislation for funding toward the municipal share;
 - v. Province to amend the *Development Charges Act* to allow for the recovery of transit costs based on approved transit expansion plans, not historical data;
 - vi. Deferral of municipal share until final stages of the project to defer as long as possible the significant additional Regional debt;
 - vii. Development and approval of operating and plan implementation agreements with the City of Toronto and the Toronto Transit Commission, including revenue sharing formula;
 - viii. Province to provide advance approval, prior to the commencement of construction, for the Region to exceed the Provincially regulated annual repayment limit for debt related to the subway project; and
 - ix. The twelve-month construction clause contained within the terms of the *Trust* be extended until such time as all conditions detailed above are met.
4. That the Commissioner of Finance and York Region representative on the *Move Ontario Trust*, Lloyd Russell, be approved to take the above-noted recommendations forward to the *Trust* on or before the September 30, 2006 deadline.
5. Staff be directed to negotiate terms for payment of a one-time \$29.98 million contribution to the City of Toronto in recognition of other existing subway system assets that will benefit York.

Carried

The balance of the report to remain confidential under the provisions of the *Municipal Act* as it contains information relating to the security of municipal property.

123 Election Signs – Regional Roads

It was moved by Regional Councillor Jackson, seconded by Regional Councillor Jones, that the following by-law be enacted:

By-law No. R-1232(a)-2006-101	A by-law to amend By-law No. R-1232-2000-074 being a by-law regulating signs on Regional roads
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It was moved in amendment by Mayor Grossi, seconded by Regional Councillor Hogg, that the by-law regulating signs on Regional roads include a provision restricting the maximum area of any election sign on a Regional road to 16 square feet and the maximum vertical height of any election sign on a Regional road to no more than four feet.

The amendment carried.

The main motion carried, as amended.

(See Minute No. 114 and By-law No. R-1232(a)-2006-101.)

124 Greenlands Property Securement

Slokker Property Update

Township of King

(Report No. 9 of the Transportation and Works Committee)

It was moved by Mayor Black, seconded by Mayor Jones, that Council adopt Report No. 9 of the Transportation and Works Committee, including the following recommendations:

1. Regional Council authorize the contribution of \$250,000, in addition to the 2004 approved contribution of \$750,000 (total contribution \$1,000,000), towards the acquisition of the Slokker Property located in the northeast quadrant of the Community of Nobleton, Township of King, conditional upon the Region managing the tablelands (approximately 38 hectares/95 acres) as part of the York Regional Forest through an agreement with the Toronto and Region Conservation Authority.
2. Staff be directed to enter into a long term agreement (lease or equivalent) with the Toronto and Region Conservation Authority facilitating the Region's management and operation of the Slokker property tablelands as part of the York Regional Forest.
3. The Regional Clerk forward this report to the Chief Administrative Officer of the Toronto and Region Conservation Authority, Executive Director of the Oak Ridges Moraine Land Trust and the Clerk of the Township of King.

Carried

125 Phase 2 Right-of-Way Land Acquisition

Blue Stage

It was moved by Regional Councillor Barrow, seconded by Mayor Bell, that Council adopt the recommendations contained in the confidential report from the Rapid Transit Public/Private Partnership Steering Committee as follows:

1. Council authorize staff to retain the Langstaff Consultant Team, which was retained through a Request for Proposals authorized by Council on September 22, 2005, and if necessary,

additional supplemental consulting services to support all of the Regional land acquisition activities on the Phase 2-Blue Stage (Segments Y1, Y2 and H3), subject to the Purchasing By-law and review by Legal Services.

2. York Region Rapid Transit Corporation and Property Services staff report to Committee further on the progress of the land acquisition activities to seek final authority of Council to effect the acquisitions.
3. The expected expenditures in 2006 for the consultant team and land acquisitions be funded from the approved 2006 capital budget for consulting services (\$250,000) and land acquisition (\$7.06 million).

Carried

The balance of the report to remain confidential under the provisions of the *Municipal Act* as it contains information relating to the security of municipal property.

126 Results of the Stage 1 Request for Proposal Process for the Rental and supportive Component of the Canada-Ontario Affordable Housing Program

It was moved by Regional Councillor Heath, seconded by Mayor Sherban, that Council adopt recommendations 1 and 2 contained in the confidential report from the Community Services and Housing Committee as follows:

1. The Region invite the following recommended proponents to participate in a Stage 2 selection process to be released in the last quarter of 2006 to access funds under the Rental and Supportive Component of the Canada-Ontario Affordable Housing Program:
 - Hesperus Fellowship Community of Ontario/Hesperus Fellowship Village.
 - Kehilla Residential Programme/The Reena Foundation.
 - LOFT Community Services.
 - Markham Interchurch Committee for Affordable Housing/East Markham Non Profit Homes.
 - Mount Albert United Church/Mount Albert United Church Senior Citizen's Foundation.
2. The results of the second stage selection process be reported to Council in the first quarter of 2007.

Carried

The balance of the report to remain confidential under the provisions of the *Municipal Act* as it contains information relating to the security of municipal property.

**127 Development Charge By-Law Complaint Settlement
Cedarwoods Estates Inc.**

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

1. Regional Council approve the proposed settlement respecting a complaint pertaining to Regional Development Charge By-law No. DC-0005-2003-050 by Cedarwoods Estates Inc.
2. The Regional Chair and Clerk be authorized to execute any agreement necessary to effect the foregoing.

Carried

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

128 Fees for Waste Management Services

It was moved by Regional Councillor Barrow, seconded by Mayor Cousens, that the following by-law be enacted, subject to Council waiving the fees set out in Table 3 for Non-Residential Residual Waste at this time:

By-law No. A-0385-2006-098

A by-law to establish fees for waste management services
in The Regional Municipality of York

Carried

129 CONFIRMATORY BY-LAW

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

By-law No. M-0731-2006-102

To confirm the proceedings of Council at its meeting
held on September 21, 2006.

Carried

The Council meeting adjourned at 1:07 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on the 19th of October 2006.

Regional Chair