

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

September 22, 2005

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, Sherban, Taylor and Young.

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

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

DISCLOSURE

134 License of Occupation – Ladies Golf Club of Toronto
(Clause 8 of Finance and Administration Committee Report No. 7)

Mayor Cousens disclosed an interest in Clause 8 of Finance and Administration Committee Report No. 7 as his spouse is a member of The Ladies Golf Club of Toronto, and did not take part in the consideration or discussion of, or vote on this matter.

PRESENTATION

135 Emergency Management

Julian Fantino, Commissioner of Emergency Management, Ministry of Community Safety and Correctional Services, Province of Ontario, assisted by Steve Elliott, Community Officer presented Regional Chair Fisch with a plaque recognizing the Region's completion of the essential level of Emergency Management in accordance with Provincial standards.

It was moved by Regional Councillor Frustaglio, seconded by Mayor Sherban, that the presentation and Essential Level Achievement award be received.

Carried

136 Federation of Canadian Municipalities Update

Regional Councillor Hogg provided an update on the Federation of Canadian Municipalities initiatives involving intergovernmental relationships, funding transfers, gas tax agreements and Federal conditions for municipal projects, such as the need to establish Integrated Sustainable Community Plans (ICSPs).

It was moved by Mayor Grossi, seconded by Mayor Black that the verbal report from Regional Councillor Hogg be received.

Carried

137 Welcome to New Commissioner of Transportation and Works and Associate Medical Officer of Health

Regional Chair Fisch extended a welcome on behalf of Regional Council to Bruce Macgregor, Commissioner of Transportation and Works and Dr. K. Kurji, Associate Medical Officer of Health, both of whom have recently rejoined the Region.

138 MINUTES

It was moved by Regional Councillor Hogg, seconded by Mayor Grossi, that the Minutes of the Council meetings held on June 23, 2005 and August 31, 2005, be confirmed in the form supplied to the Members.

Carried

COMMUNICATIONS

Council proceeded to consider the following communications:

Disaster Relief – Hurricane Katrina

- 139** Julian Fantino, Commissioner of Emergency Management, Ministry of Community Safety and Correctional Services, Province of Ontario, September 9, 2005, regarding Provincial coordination efforts for Hurricane Katrina recovery.

It was moved by Mayor Taylor, seconded by Mayor Di Biase, that the communication be received.

Carried

- 140** Sheila Birrell, Town Clerk, Town of Markham, September 7, 2005, forwarding a motion adopted by the Council of the Town of Markham at its meeting held on September 1, 2005, regarding the provision of support to assist with the New Orleans disaster – Hurricane Katrina.

It was moved by Mayor Cousens, seconded by Regional Councillor Jones, that the communication be received.

Carried

(See also Minute No. 149.)

141 Child Care Worker & Early Childhood Educator Appreciation Day

Patrick (Sid) Ryan, President, CUPE Ontario and Shellie Bird, President, OCBCC, July 20, 2005, requesting York Region to proclaim Wednesday, October 26, 2005 as Child Care Worker & Early Childhood Educator Appreciation Day.

It was moved by Mayor Sherban, seconded by Regional Councillor Frustaglio, that the communication be received and that Council recognize Wednesday, October 26, 2005 as Child Care Worker & Early Childhood Educator Appreciation Day.

Carried

142 King High Drive Closure – City of Vaughan

(Clause No. 15 of Transportation and Works Committee Report No. 7)

Brian Brown, President, Beverley Glen Ratepayers' Association, September 20, 2005, forwarding a petition regarding the closure of King High Drive at Dufferin Street.

It was moved by Mayor Bell, seconded by Regional Councillor Wheeler, that the communication be received and referred to consideration of Clause No. 15, Report No. 7 of Transportation and Works Committee.

Carried

(See Minute No. 143.)

143 COMMITTEE REPORTS

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

Report No. 3 of the Audit Committee

Report No. 6 of the Community Services and Housing Committee

Report No. 1 of the Dewatering Complaint Review 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. 7 of the Rapid Transit Public/Private Partnership Steering Committee

Report No. 5 of the Solid Waste Management Committee

Report No. 7 of the Transportation and Works Committee

Report No. 1 of the Commissioner of Planning and Development Services

Report No. 5 of the Commissioner of Transportation and Works

Report No. 1 of the Regional Chair

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. 3 of the Audit Committee be adopted without amendment;

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

Report No. 1 of the Dewatering Complaint Review Committee be adopted without amendment;

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

In considering Clause 11 relating to Bill 206, Proposed OMERS Reforms, the Committee of the Whole had before it an Alert dated September 21, 2005 from the Association of Municipalities of Ontario.

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;

Report No. 7 of the Rapid Transit Public/Private Partnership Steering Committee be adopted without amendment;

Report No. 5 of the Solid Waste Management Committee be adopted without amendment;

Report No. 7 of the Transportation and Works Committee be adopted with the following amendment:

Clause 15 be amended by deleting the Committee recommendation and adopting the staff recommendations relating to the closure of King High Drive at Dufferin Street.

Report No. 1 of the Commissioner of Planning and Development Services be adopted without amendment;

In considering this matter, the Committee of the Whole had before it a letter dated September 21, 2005, from Robert D. Howe, Goodmans LLP, on behalf of the Stouffville Developers Group.

Report No. 5 of the Commissioner of Transportation and Works be adopted without amendment; and

Report No. 1 of the Regional Chair be adopted without amendment.

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

Carried

144 BY-LAWS

It was moved by Mayor Young, seconded by Regional Councillor Heath, 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-0292(g)-2005-067	A By-law to Amend By-law No. A-0292-2001-051 Providing for the Enforcement of By-law No. A-0285-2000-105
By-law No. R-1311(a)-2005-068	A By-law to amend By-law No. R-1311-2002-113 being a by-law to prescribe maximum rates of speed on Yonge Street/Bradford Street/Mount Albert Sideroad (Y.R. 13)
By-law No. R-1302(a)-2005-069	A By-law to amend By-law No. R-1302-2002-104 being a by-law to prescribe maximum rates of speed on Kennedy Road (Y.R. 3)
By-law No. R-1319(a)-2005-070	A By-law to amend By-law No. R-1319-2002-121 being a by-law to prescribe maximum rates of speed on Major Mackenzie Drive (Y.R. 25)
By-law No. R-1102(ax)-2005-071	To amend By-law No. R-1102-96-100 to prohibit or regulate parking and stopping on Regional Roads
By-law No. R-0393(bb)-2005-072	To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads
By-law No. S-0065-2005-073	A by-law to assume the Bogart/Pearson Sewage Pumping Station from the Town of Newmarket
By-law No. R-1107(s)-2005-074	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. D-0171-2005-075	To authorize the borrowing upon 20 year amortizing debentures in the principal amount of \$4,245,000 for a purpose of The Corporation of the Town of Aurora
By-law No. D-0172-2005-076	To authorize the borrowing upon instalment debentures in the aggregate principal amount of \$136,259,000 (10 year instalment debentures in the principal amount of \$133,797,000, 5 year instalment debentures in the principal amount of \$2,062,000 and 3 year instalment debentures in the principal amount of \$400,000) for purposes of The Regional Municipality of York

By-law No. D-0173-2005-077	To authorize the borrowing upon instalment debentures in the aggregate principal amount of \$13,741,000 for the purposes of The Corporation of the Town of Aurora, The Corporation of the Township of King and The Corporation of the City of Vaughan
By-law No. D-0174-2005-078	To authorize the borrowing upon instalment debentures in the aggregate of the principal amounts authorized by By-laws Nos. D-0172-2005-076 and D-0173-2005-077 in the aggregate principal amount of \$150,000,000 and the issuing of one series of instalment debentures therefore
By-law No. A-0366-2005-079	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 2005 taxation year
By-law No. A-0367-2005-080	A by-law to designate by-law enforcement officers

Carried

MOTION

145 Biotech Week

It was moved by Mayor Cousens, seconded by Regional Councillor Frustaglio, 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 and hosting a special event for businesses, academia and government, in the Markham Civic Centre during this special week:

NOW, THEREFORE BE IT RESOLVED that the Council of the Regional Municipality of York recognize September 26 - 30, 2005 as Biotech Week in York Region as part of IMAGENATION - National Biotech Week.

Carried

OTHER BUSINESS

146 Possible Council Workshop – 2006 Business Plan and Budget

Regional Chair Fisch indicated that there may need to be a Council Workshop relating to the 2006 Business Plan and Budget in the afternoon following the Council meeting of October 27, 2005. He requested that Members schedule this possible Council Workshop pending a determination of whether or not it is needed.

147 Greater Toronto Marketing Alliance

Regional Chair Fisch advised that he has appointed Regional Councillor Scarpitti as Regional Council's representative on the Greater Toronto Marketing Alliance.

148 GTA Agricultural Action Committee

Regional Chair Fisch advised that Mayor Sherban has agreed to sit on the GTA Agricultural Action Committee as his alternate. Mayor Young agreed to serve as Mayor Sherban's alternate.

149 Disaster Relief

It was moved by Regional Councillor Frustaglio, seconded by Mayor Sherban, that staff bring forward a report with a policy on how the Region would respond to international and national disasters.

Lost

150 PRIVATE SESSION

It was moved by Regional Councillor Wheeler, seconded by Regional Councillor Scarpitti, that Council convene in Private Session for the purpose of considering certain legal and property matters and matters relating to the security of municipal property.

Carried

Council met in Private Session at 10:55 a.m. and reconvened in Council at 11:54 a.m.

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

151 Disposal of Holy Trinity Non-Profit Residences York
(Report No. 7 of the Community Services and Housing Committee)

It was moved by Mayor Sherban, seconded by Regional Councillor Heath, that Council adopt Report No. 7 of the Community Services and Housing Committee, including the following recommendations:

1. The Region seek Ministerial consent to a transfer, under the *Social Housing Reform Act, 2000*, of the social housing project Holy Trinity Non-Profit Residences York, located at 37 Bates Way, in the Town of Markham, to Housing York Inc. (HYI), and a waiver of land transfer tax, if any, applicable to the transfer.
2. The Community Services and Housing Department increase its staff complement by two permanent full-time employees (FTE's) and one temporary part-time employee to assume the property management and administrative functions for this project with no additional tax levy impact.

Carried

152 Results of Source Separated Organics RFP P-05-33

It was moved by Mayor Sherban, seconded by Regional Councillor Heath, that Council adopt the following recommendations contained in the Confidential Report from the Solid Waste Management Committee as follows:

1. The Commissioner of Transportation and Works be authorized to negotiate contract terms and conditions with the following respondents to RFP P-05-33 as per the specifics outlined in Recommendation 2:
 - Conporec Inc. and Services Matrec Inc.
 - Orgaworld B.V. and Conestoga-Rovers and Associates
 - Miller Waste Systems
2. The Regional Solicitor be authorized to prepare contracts to provide the Region with source separated organics (SSO) and yard waste processing capacity as follows:
 - (a) Orgaworld B.V. and Conestoga-Rovers and Associates to process up to 30,000 tonnes per year of SSO at a new facility to be constructed in London, Ontario beginning September 1st, 2006 for a period of 10 years at an initial price not to exceed \$122.44/tonne plus an option to extend contracts for an additional five years at the Region's discretion.
 - (b) Orgaworld B.V. and Conestoga-Rovers and Associates to provide contingency capacity, as required, to process an additional amount of up to 30,000 tonnes per year of SSO at the proposed new facility in London, Ontario beginning September 1st, 2006 for a period of 10 years at an initial price not to exceed \$111.92/tonne plus an option to extend contracts for an additional five years at the Region's discretion.

- (c) Miller Waste Systems to:
 - i) Provide free public drop-off capability and processing for up to 25,000 tonnes per year of yard waste at their Richmond Hill facility beginning April 1st, 2006 for a period of 10 years at an initial price not to exceed \$59.92/tonne adjusted for CPI with the Region contributing \$30,000 for site improvements to accommodate the public drop-off plus an option to extend contracts for an additional five years at the Region's discretion.
 - ii) Provide contingency yard waste capacity to the Region this fall, as required, at a price of \$59.92/tonne within the limitations of their CofA.
 - iii) Sell compost to local municipalities and the Region at a rate of 85% of list price for bulk 0.5 inch screened material for special events such as compost giveaway days.
 - iv) Include the optional bid price of \$56.18 in the contract if and/or when the free public drop-off capability is not provided for by Miller Waste Systems.
 - (d) The processing and provisional fees not to exceed those outlined in the proponents' original proposals or as negotiated with staff as outlined in this report.
3. The Regional Chair and Clerk be authorized to execute the contracts, on behalf of the Region, with Orgaworld and Miller Waste Systems.
 4. Staff be directed to consult with the local municipalities regarding SSO implementation dates and report back to Committee on the prospect of a contract with Conporec Inc. and Services Matrec Inc. and that Conporec be requested to extend the validity of their bid accordingly.
 5. The existing contract with GSI Environmental Ltd. be extended to provide contingency capacity for all required SSO processing due to unanticipated delays in the award of contracts, delays in start up of new facilities and/or delays in the start up of municipal collection programs and that the existing contract be extended for a period of up to three years at the current price with no minimum tonnage requirement.
 6. Miller Waste Systems contract to operate the Region's Georgina Transfer Station:
 - a) Be extended by one year past the current termination date of December 31st, 2005 at a projected contract value of approximately \$454,000 in 2006 to consider opportunities to consolidate operating contracts for this facility with the proposed Regional Community Environmental Centres.
 - b) The Regional Solicitor, in consultation with the Commissioner of Transportation and Works, be authorized to prepare the amendment to the contract between the Region and Miller Waste Systems for the operation of the Georgina Transfer Station (Contract No. T-02-43).
 - c) The Regional Chair and Clerk be authorized to execute the amendment to the contract (Contract No. T-02-43) between the Region and Miller Waste Systems for the operation of the Georgina Transfer Station on behalf of the Region.
 7. The draft 2006 Operating Budget include an amount of \$ 4,670,000 (which represents a \$2,200,000 increase over 2005 funding) for these processing contracts.

Carried

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

153 Richmond Hill Centre Terminal – Financial Interest and Property Transfer between the Town of Richmond Hill and York Region

It was moved by Mayor Sherban seconded by Regional Councillor Heath, that Council adopt various recommendations in the confidential Report of the Regional Rapid Transit Public/Private Partnership Steering Committee as follows:

1. Committee and Council authorize the Regional Chair and Clerk to execute an amending agreement being prepared by the Town of Richmond Hill that releases the Town of Richmond Hill's interests in the Richmond Hill Centre Terminal property in accordance to the terms set out in the confidential report.
2. Committee and Council authorize staff to negotiate compensation with the Town of Richmond Hill for its interest in the property to an upset limit of \$358,150.
3. Committee and Council authorize an amendment to the Richmond Hill Centre Terminal site plan for the construction of an additional bus platform and that funds for the additional platform, estimated at \$450,000, be funded from the York Region Transit capital budget.
4. Committee and Council authorize staff to pursue funding eligibility for the new platform as part of the Viva Phase One funding agreements with the federal and provincial governments.
5. Committee and Council authorize staff to negotiate up to a 20 year lease arrangement for access to the transitway lands owned by Richmond Hill at nominal cost, and to negotiate the transfer of those lands to York Region at the earliest opportunity at nominal cost.
6. Committee and Council authorize staff to obtain, if necessary, an additional minor variance to the zoning of the Richmond Hill Centre Terminal site plan to accommodate the construction of the pedestrian bridge and covered walkway.

Carried

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

154 CONFIRMATORY BY-LAW

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

By-law No. M-0721-2005-081

To confirm the proceedings of Council at its meeting held on October 27, 2005.

Carried

The Council meeting adjourned at 11:57 a.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on October 27, 2005.

Regional Chair