

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

September 23, 2004

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

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

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

164 MINUTES

It was moved by Mayor Bell, seconded by Mayor Black, that the Minutes of the Council meeting held on the 24th day of June, 2004 be confirmed in the form supplied to the Members.

Carried.

165 TRIBUTE –MAYOR ANGUS MORTON

Regional Chair Fisch advised with sadness the passing of Angus Morton, the former Mayor of East Gwillimbury and member of Regional Council from 1977 to 1985. Mayor Young then paid tribute to Mr. Morton -- both as a person and as an elected official .

Regional Chair Fisch formally extended the sympathy of Regional Council to Mr. Morton's friends and family. He advised that the funeral will take place on September 24, 2004 at 1:00 p.m. at Queensville United Church in East Gwillimbury.

166 AWARDS -- COMMUNITIES IN BLOOM

Regional Chair Fisch extended congratulations to the City of Vaughan and the Township of King for their respective awards in the annual Communities in Bloom competition. The City of Vaughan placed first in the 100,000 – 400,000 population category while the Township of King won in its category for the second year in a row. Both municipalities are carrying on the tradition of York Region municipalities winning these prestigious awards.

COMMUNICATIONS

Council then proceeded to consider the following communications:

167 Appointment – Duffins Carruthers Watershed Resource Group

Denis Kelly, Regional Clerk, August 26, 2004, regarding Regional Chair Fisch's appointment of Regional Councillor Jack Heath to the Duffins Carruthers Watershed Resource Group.

It was moved by Mayor Cousens, seconded by Regional Councillor Frustaglio, that this communication be received.

Carried.

168 Character Community Day - October 20, 2004

Sue Smitko, Executive Director, Character Community Council, August 20, 2004, requesting recognition of Character Community Day in York Region on October 20, 2004.

It was moved by Mayor Cousens, seconded by Regional Councillor Frustaglio, that this communication be received and October 20, 2004 be recognized as Character Community Day in York Region.

Carried.

169 Waste Reduction Week

Recycling Council of Ontario, August 5, 2004, requesting York Region to recognize October 18 – 24, 2004 as Waste Reduction Week

It was moved by Regional Councillor Wheeler, seconded by Regional Councillor Ferri, that this communication be received and the week of October 18 – 24, 2004 be recognized as Waste Reduction Week.

Carried.

170 York Region Transit Mobility Plus Service Implementation Initiative

(Clause No. 1 of Transit Committee Report No. 7)

John Mazzella, resident of Woodbridge, regarding the York Region Transit Mobility Plus Service Implementation Initiative.

It was moved by Regional Councillor Frustaglio, seconded by Regional Councillor Hogg, that the communication be referred to consideration of Clause 1 of Report 7 of the Transit Committee.

Carried.

(See Minute Number 172)

171 Report No. 3 – Status Update on OMB Hearing for 19T-03001, Town of East Gwillimbury
(*Clause No. 4 of Planning and Economic Development Committee Report No. 8*)

Bryan Tuckey, Commissioner of Planning and Development Services and Kees Schipper, Commissioner of Transportation and Works, September 17, 2004, regarding Clause 4 of Report No. 8 of the Planning and Economic Development Committee – Status on OMB Hearing for 19T-03001, Town of East Gwillimbury.

It was moved by Mayor Young, seconded by Regional Councillor Heath, that the communication be referred to consideration of Clause 4 of Report 8 of the Planning and Economic Development Committee.

Carried.

(*See Minute Number 172*)

172 COMMITTEE REPORTS

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

Report No. 7 of the Community Services and Housing Committee
Report No. 9 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. 8 of the Planning and Economic Development Committee
Report No. 7 of the Rapid Transit Public/Private Partnership Steering Committee
Report No. 7 of the Solid Waste Management Committee
Report No. 7 of the Transit Committee
Report No. 8 of the Transportation and Works Committee
Report No. 3 of the Commissioner of Finance
Report No. 4 of the Commissioner of Corporate Services
Report No. 4 of the Commissioner of Transportation and Works

It was moved by Mayor Cousens, seconded by Regional Councillor Ferri, that the reports be received and that Council resolve itself into Committee of the Whole to consider them.

Carried.

Chair Fisch chaired the Committee of the Whole.

The Committee of the Whole rose after making the following recommendations:

Report No. 7 of the Community Services and Housing Committee be adopted without amendment;

Report No. 9 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. 7 of the Planning and Economic Development Committee be adopted without amendment;

Report No. 8 of the Planning and Economic Development Committee be adopted with the following amendments:

Clause 4 be amended to:

Delete recommendation 1(i) and replace it with the following:

It is recommended that the Ontario Municipal Board be advised of the following:

1. *If the Ontario Municipal Board decides to approve plan of subdivision 19T-03001, the Board only issue its Order once all of the following have been met:*
 - i. *The extension of Highway 404 being confirmed by the execution of a Memorandum of Understanding between the Ministry of Transportation and York Region, **in consultation with the Town of East Gwillimbury**, that includes the following:*
 - *a commitment by the Province to extend Highway 404 to Queensville Sideroad or a point further north;*
 - *a schedule of events for the implementation of the Highway 404 extension that includes, but is not limited to, approval of all required Environmental Assessments, timing of the acquisition of all land requirements, target date for tendering **of the road works to provide at least two lanes of road capacity in the Highway 404 right-of way**, and anticipated completion date(s);*
 - *a commitment to include the Highway extension in the Province's 10 year capital plan;*
 - ***funding arrangements and** timing of funding for the extension.*

Delete conditions 6 and 7 of the Conditions of Draft Approval and replace them with the following:

6. *Prior to final approval, the following shall have taken place:*

Execution of a Memorandum of Understanding between the Ministry of Transportation and York Region that establishes:

- *a commitment to extend Highway 404 to Queensville Sideroad or a point further north;*
- *a schedule of milestone events for the Highway extension that includes, but is not limited to, approval of all required Environmental Assessments, acquisition of all*

*land, tendering date **of the road works to provide at least two lanes of road capacity in the Highway 404 right-of-way**, and anticipated completion date(s);*

- *a commitment to include the Highway's extension in the Province's 10 year capital plan*
- *funding **arrangements** and the timing of funding*

7. *Subject to the approval of the Memorandum of Understanding noted in Condition 6, the timing of development may proceed in phases that are directly linked to the schedule of milestone events for the extension of Highway 404. Development phasing shall be to the satisfaction of York Region and the Town of East Gwillimbury. **The phasing plan may include restriction of retail sales of lots and/or blocks subject to the tendering of the road works to provide two lanes of road capacity in the Highway 404 right-of-way.***

(See Minute No.173 for recorded vote on the adoption of Clause 5.)

Clause 11 be amended to request Staff to provide a report to the October 6, 2004 Planning and Economic Development Committee meeting regarding the expansion of the Rouge Park in south east York Region, north of Steeles Avenue in the Town of Markham.

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

Report No. 7 of the Solid Waste Management Committee be adopted without amendment;

Report No. 7 of the Transit Committee be adopted with the following amendment:

Clause 1 be amended to delete Recommendation 4 and replace it with the following and to add Recommendation 5:

4. *Staff be requested to proceed with the implementation of cross-boundary Mobility Plus Service for all York Region students traveling to and from the main north campus of Humber College, York University and the Newnham Campus of Seneca College effective October 4, 2004.*
5. *The Accessibility Advisory Committee be provided with a copy of this report for information.*

(See Report No. 4 of the Commissioner of Transportation and Works.)

Report No. 8 of the Transportation and Works Committee be adopted without amendment;

Report No. 3 of the Commissioner of Finance be received and the following be adopted:

WHEREAS the conditions for the acquisition of the Jessamyn Holdings property, German Mills Settlers Park in the Town of Markham have been met:

NOW THEREFORE BE IT RESOLVED THAT the Region of York forward its \$100,000 financial contribution to the Town of Markham.

Report No. 4 of the Commissioner of Corporate Services be adopted without amendment; and

Report No. 4 of the Commissioner of Transportation and Works be received.

(See amendment to Clause 1 of Transit Committee Report No. 7.)

173 Residential Intensification Study

(Clause 5 of Planning and Economic Development Committee Report No. 8)

A recorded vote on a motion moved by Regional Councillor Heath to refer Clause 5 of Planning and Economic Development Committee Report No. 8, relating to the York Region Residential Intensification Study, back to staff, was as follows:

For: Heath (1)

Against: Barrow, Bell, Black, Cousens, Di Biase, Ferri, Frustaglio, Grossi, Hogg, Jackson, J. Jones, O'Donnell, Scarpitti, Sherban, Taylor, Van Bynen, Wheeler (17)

Lost.

It was moved by Regional Councillor Jones, seconded by Regional Councillor O'Donnell, that Council adopt the proceedings of the Committee of the Whole

Carried.

174 BY-LAWS

It was moved by Regional Councillor Van Bynen, seconded by Regional Councillor O'Donnell, 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(e)-2004-067	A By-law to amend By-law No. A-0292-2001-051 Providing for the Enforcement of By-law No. A-0285-2000-105
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By-law No. R-1398-2004-068	To acquire certain lands for or in connection with the construction of the King City Sanitary Sewer, Township of King
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By-law No. R-1399-2004-069	To acquire certain lands for or in connection with the construction of the Markham By-pass, Town of Markham
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By-law No. R-1400-2004-070	To acquire certain lands for or in connection with upgrading an existing well site located in the Town of East Gwillimbury
By-law No. RD-0514-2004-071	To dedicate certain lands for the purposes of public highways
By-law No. R-1401-2004-072	To provide for restricted loads on certain Regional Roads
By-law No. R-0393(az)-2004-073	To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads
By-law No. R-1402-2004-074	To authorize the temporary closure of Bathurst Street (Y.R. 38) from 50 metres north of the southerly limit of Lot 106 to 150 metres south of the north limit of Lot 107, in Concession 1, W.Y.S., Town of East Gwillimbury, on the boundary with the Township of King
By-law No. A-0348-2004-075	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 2004 taxation year
By-law No. A-0328(a)-2004-076	To amend By-Law No. A-0328-2003-047 being a by-law to provide a tax rebate for not-for-profit childcare centres
By-law No. A-0303(a)-2004-077	To amend By-Law No. A-0303-2002-020 being a by-law to provide a tax rebate for certain eligible organizations
By-law No. A-0349-2004-078	A By-law to establish a Solid Waste Management Capital Replacement Fund

Carried.

OTHER BUSINESS

175 Association of Municipalities of Ontario

Council held a brief discussion on its continuing membership in the Association of Municipalities of Ontario.

176 PRIVATE SESSION

It was moved by Regional Councillor Wheeler, seconded by Mayor Taylor, that Council convene in Private Session for the purpose of considering certain personnel and legal matters.

Carried.

Council met in Private Session at 11:35 a.m. and reconvened in Council at 2:40 p.m.

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

Carried.

177 Greenlands Property Securement –Slokker Property, Township of King (Report No. 9 of the Transportation and Works Committee)

It was moved by Regional Councillor Barrow, seconded by Mayor Di Biase, that Council adopt Report No. 9 of the Transportation and Works Committee, including the following recommendations:

1. Regional Council authorize the contribution of the lesser of \$750,000, or 25% of the appraised value towards the acquisition of the Slokker Property located in the northeast quadrant of the Community of Nobleton, Township of King, as outlined in Option 4, Section 4 of this report; conditional upon:
 - The Region taking ownership of and managing the tablelands (approximately 95 acres); and,
 - The Province committing 50% of the funds (\$1,500,000) to the project in a timely fashion; and,
 - Successful fundraising by the Toronto and Region Conservation Authority (TRCA) and the Oak Ridges Moraine Land Trust (ORMLT) for the balance of the purchase amount (\$750,000).
2. The Regional Clerk forward a copy of 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.

178 Legal Matter

It was moved by Regional Councillor Wheeler, seconded by Mayor Bell, that Council defer its consideration of a matter considered in private session until the 16th Avenue permit(s) has/have been received.

A recorded vote on the adoption of the deferral motion was as follows:

FOR: Barrow, Bell, Grossi, Heath, Hogg, Scarpitti, Sherban, Van Bynen, Wheeler (9)

AGAINST: Cousens, Di Biase, Ferri, Frustaglio, Jackson, J. Jones (6)

Carried.

179 CONFIRMATORY BY-LAW

It was moved by Regional Councilor Barrow, seconded by Mayor Di Biase, that the following by-law be enacted to confirm the proceedings of this meeting of Council.

By-law No. M-0710-2004-079

To confirm the proceedings of Council at its meeting held on September 23, 2004.

Carried.

The Council meeting adjourned at 2:45 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on October 21, 2004.

Regional Chair