

**COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK**

September 23, 2010

Regional Council met at 9:31 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, Jackson, Morris, Scarpitti and Young

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

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

DISCLOSURE

119 Tender Awards

(Clause 26 of Finance and Administration Committee Report No. 7)

Mayor Emmerson declared an interest in Clause 26 of Finance and Administration Committee Report No. 7 – Tender Awards Report, April 1, 2010 – June 30, 2010 – as his brother is an employee of Emmerson Construction and Haulage, and did not participate in the consideration or discussion of or vote on this matter.

PRESENTATION

Council received the following presentation:

120 Canadian Public Works Association for the 2010 National Public Works Week Award

Linda Petelka, Member of the Board of Directors of the Canadian Public Works Association, indicated that York Region had recently won the 2010 National Public Works Week Award for centres with a population of more than 650,000 people.

The award recognizes the Region's outstanding promotion of the work of public works professionals. This included guided tours of Regional facilities for students, two student contests

with a public works theme, and a Family Fun Day open house that attracted more than 1,500 people and successfully fundraised more than \$8,000 for Blue Door Shelters.

Regional Chair Fisch recognized the following for their efforts:

Mayor Emmerson, Chair of the Transportation Services Committee

Regional Councillor Ferri, Chair of the Environmental Services Committee

Kees Schipper, former York Region Commissioner of Transportation and Works and the founder of celebrating National Public Works Week in York Region

Bruce Macgregor, Chief Administrative Officer

Kathleen Llewellyn-Thomas, Commissioner of Transportation Services

Erin Mahoney, Commissioner of Environmental Services, and

Bonnie Alexander, Projects Assistant for Transportation.

They all joined the Regional Chair in accepting the award on behalf of the Region.

121 MINUTES

It was moved by Mayor Barrow, seconded by Mayor Grossi that Council confirm the Minutes of the Council meeting held on June 24, 2010 in the form supplied to the Members.

Carried

COMMUNICATIONS

Council considered the following communications:

122 Human Services Planning Board of York Region – Interim Work Plan Progress Update

Adelina Urbanski, Commissioner, Community and Health Services, September 23, 2010, regarding the Human Services Planning Board of York Region – Interim Work Plan Progress Update

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

Carried

Proposed Regional Official Plan Amendments 1, 2 and 3

(Clause 4 of Planning and Economic Development Committee Report No. 6)

123 Brock Criger, Manager, Development Services, Region of Peel, regarding proposed Regional Official Plan Amendments 1, 2 and 3

It was moved by Regional Councillor Spatafora, seconded by Regional Councillor Rosati that Council receive the communication and refer it to consideration of Clause 4 of Planning and Economic Development Committee Report No. 6.

Carried

- 124** Fred Darvish, Liberty Development, September 14, 2010, on behalf of 1596630 Ontario Limited, regarding proposed Regional Official Plan Amendment 1

It was moved by Regional Councillor Landon, seconded by Mayor Black that Council receive the communication and refer it to consideration of Clause 4 of Planning and Economic Development Committee Report No. 6.

Carried

- 125** Diana Birchall, Director of Policy Planning, City of Vaughan, August 23, 2010, regarding proposed Regional Official Plan Amendment 2

It was moved by Mayor Young, seconded by Regional Councillor Frustaglio that Council receive this communication and refer it to consideration of Clause 4 of Planning and Economic Development Committee Report No. 6.

Carried

- 126** Sony Rai, Sustainable Vaughan, September 21, 2010, regarding proposed Regional Official Plan Amendment 2

It was moved by Mayor Grossi, seconded by Regional Councillor Jones that Council receive the communication and refer it to consideration of Clause 4 of Planning and Economic Development Committee Report No. 6.

Carried

- 127** Patricia Foran, Aird & Berlis, Barristers and Solicitors, September 22, 2010, on behalf of the North Markham Landowners Group, regarding proposed Regional Official Plan Amendment 3

It was moved by Regional Councillor Jones, seconded by Mayor Young that Council receive the communication and refer it to consideration of Clause 4 of Planning and Economic Development Committee Report No. 6.

Carried

128 Toastmasters Month

Mary Coates, Vice President Public Relations, TROY Toastmasters, September 14, 2010, requesting that the Region recognize October 2010 as “Toastmasters Month”

It was moved by Regional Councillor Wheeler, seconded by Mayor Grossi that Council receive the communication and recognize October 2010 as “Toastmasters Month”.

Carried

129 Character Community Week

Karen Addison, Executive Director, Character Community Foundation of York Region, September 13, 2010, requesting that the Region recognize October 23 – 29, 2010 as “Character Community Week”

It was moved by Mayor Barrow, seconded by Regional Councillor Ferri that Council receive the communication and recognize October 23 – 29, 2010 as “Character Community Week”.

Carried

130 United Way Week

Ian Proudfoot, Chair, Vice President and Regional Publisher, York Region Media Group and Chair, 2010 Community Campaign, United Way of York Region, June 23, 2010, regarding recognition of October 4 to October 8, 2010 as United Way Week

It was moved by Mayor Morris, seconded by Regional Councillor Landon that Council receive the communication and recognize October 4 – 8, 2010 as “United Way Week”.

Carried

131 National Childcare Strategy

(Clause 10, Item 16 of Community and Health Services Committee Report No. 6)

Adelina Urbanski, Commissioner of Community and Health Services, September 23, 2010, forwarding a motion regarding a request to the Federal Government to bring forward a National Childcare Strategy

It was moved by Regional Councillor Heath, seconded by Regional Councillor Frustaglio that Council receive the communication and that the Regional Chairman write to the Federal Minister of Human Resources and Skills Development, the Honourable Diane Finlay, suggesting that the Federal Government has a role in supporting the nation’s children and that a comprehensive national early learning and child care program be reconsidered.

Carried

132 COMMITTEE REPORTS

It was moved by Regional Councillor Rosati, seconded by Regional Councillor Wheeler that Council resolve itself into Committee of the Whole to consider the following reports:

Report No. 6 of the Community and Health Services Committee
Report No. 7 of the Environmental Services Committee
Report No. 7 of the Finance and Administration Committee
Report No. 6 of the Planning and Economic Development Committee
Report No. 7 of the Transportation Services Committee
Report No. 4 of the Commissioner of Corporate Services

Carried

Regional Chair Fisch chaired the Committee of the Whole.

The Committee of the Whole rose and recommended that Council adopt the recommendations in the following reports with amendments as noted:

Report No. 6 of the Community and Health Services Committee

See Minute No. 131 for motion relating to Item 10 of Clause 16 regarding a National Childcare Strategy.

Report No. 7 of the Environmental Services Committee

Clause No. 1, Upper Unionville Inc. – Inflow and Infiltration Reduction Pilot Project Agreement Principles – Town of Markham, be amended by adopting the recommendations subject to the revised principle of returning one unit of allocation to the City/Town for every two units of reduced inflow and infiltration, and adding Recommendation 3 as follows:

- 3. Staff be authorized to consider similar initiatives in all other local municipalities based on the same general principles set out in this report.*

Report No. 7 of the Finance and Administration Committee

Report No. 6 of the Planning and Economic Development Committee

Report No. 7 of the Transportation Services Committee

Report No. 4 of the Commissioner of Corporate Services

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

Carried

133 BY-LAWS

It was moved by Regional Councillor Jones, seconded by Regional Councillor Spatafora that Council introduce and approve certain Bills in the form as noted on the Revised Agenda and enact them as By-laws.

By-law No. 2010-54	A by-law to adopt Amendment No. 1 to the Official Plan for the Region of York
By-law No. 2010-55	A by-law to adopt Amendment No. 2 to the Official Plan for the Region of York
By-law No. 2010-56	A by-law to adopt Amendment No. 3 to the Official Plan for the Region of York
By-law No. 2010-57	A by-law to establish the Fuel Cost Stabilization Reserve Fund
By-law No. 2010-58	To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads
By-law No. 2010-59	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. 2010-60	A by-law to implement a Driver Certification Program
By-law No. 2010-61	A by-law to authorize the execution of a funding agreement for the Viva Phase 2, Stage 1 Bus Rapid Transit Project
By-law No. 2010-62	To dedicate certain lands for the purposes of a public highway
By-law No. 2010-63	A by-law to authorize entering into municipal housing project facilities agreements for the provision of affordable housing
By-law No. 2010-64	A by-law to rename the Social Housing Reserve Fund and clarify the purpose of the Reserve Fund
By-law No. 2010-65	A by-law to establish the Information Technology Development Reserve Fund
By-law No. 2010-66	A by-law to amend By-law No. 2010-39 being a by-law to acquire certain lands for or in connection with constructing the Southeast Collector Sewer, in the Town of Markham and City of Pickering

By-law No. 2010-67	A by-law to amend By-law No. R-1415-2005-028, being a by-law to regulate the use of public transit vehicles and facilities in The Regional Municipality of York
By-law No. 2010-68	To acquire certain lands for or in connection with constructing the Toronto York Spadina Subway Extension, in the City of Vaughan
By-law No. 2010-69	A by-law to establish a Debenture Committee
By-law No. 2010-70	A by-law to establish speed limits in school zones on Regional roads
By-law No. 2010-71	A by-law to establish the Hospital Financing Reserve Fund

Carried

MOTION

134 Approval of 2011 Calendar of Council and Committee Meetings

It was moved by Mayor Scarpitti, seconded by Regional Councillor Wheeler that Council approve the 2011 Calendar of Council and Committee Meetings, subject to an amendment to reschedule the Police Services Board meeting from May 25, 2011 to May 18, 2011.

Carried

OTHER BUSINESS

135 Municipal Finance Officers of Ontario Association Award – Lloyd Russell

It was moved by Mayor Scarpitti, seconded by Mayor Barrow that Council congratulate Lloyd Russell, Commissioner of Finance, on receiving an award from the Municipal Finance Officers of Ontario Association for his contributions.

Carried

136 PRIVATE SESSION

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

1. Private Report of the Commissioner of Corporate Services – UPS Land Exchange Update for the Toronto-York Spadina Subway Extension Project 90996, City of Vaughan – Land Acquisition

2. Private Report of the Regional Solicitor – Settlement of Site Plan Appeal – Litigation
3. Private Report of the Commissioner of Finance and the Regional Solicitor – Development Charge By-law Amendment Appeals – Litigation
4. Private Report of the Chief Administrative Officer – CUPE 905 (York Region Unit) Bargaining Status Update - Labour Relations

Carried

Council met in Private Session at 11:33 a.m. and reconvened in Council at 11:55 a.m.

It was moved by Mayor Emmerson, seconded by Mayor Young that Council rise and report from Private Session.

Carried

137 UPS Land Exchange Update for the Toronto-York Spadina Subway Extension Project 90996, City of Vaughan

It was moved by Regional Councillor Virgilio, seconded by Regional Councillor Jones that Council receive the private report.

Carried

138 Settlement of Site Plan Appeal

It was moved by Mayor Jackson, seconded by Regional Councillor Hogg that Council receive the private report from the Regional Solicitor and approve the confidential directions to staff.

Carried

139 Development Charge By-law Amendment Appeals

It was moved by Regional Councillor Rosati, seconded by Regional Councillor Spatafora that Council adopt the recommendations contained in the private report from the Commissioner of Finance and the Regional Solicitor, as follows:

1. Regional staff be authorized to attend at any hearing of any of the appeals related to Bylaw 2010-49 (amendment of By-law No. DC-0007-2007-040, the “2007 DC By-law”).
2. Authority be delegated to the Regional Chair and Chief Administrative Officer to approve and execute any negotiated settlements of 2010 DC By-law appeals that may be reached during the upcoming period until regularly scheduled Council meetings resume.

3. Brad Teichman of McCarthy Tétrault LLP and Cam Watson of Watson and Associates be retained if necessary to provide legal and consulting advisory services to assist in defence of the Region's interests in any of the appeals of the DC By-law amendment.
4. Regional staff and/or external counsel report back, as soon as is practicable, after the Ontario Municipal Board ("OMB") prehearing conference, regarding the status of the appeals and the options for the settlement or disposition of the appeals.

Carried

140 CUPE 905 (York Region Unit) Bargaining Status Update

It was moved by Mayor Scarpitti, seconded by Mayor Black that Council adopt the recommendations contained in the private report from the Chief Administrative Officer as follows:

1. Council ratify the Collective Agreement reached with CUPE 905 – York Region Unit (YRU) reflecting the Minutes of Settlement described in this report.
2. During the period that regular Council meetings are suspended, the Regional Chair and Chief Administrative Officer be authorized to approve, ratify and direct the implementation of the settlement, should an Agreement be reached with CUPE 905 Long Term Care Unit (LTC)

Carried

OTHER BUSINESS

141 Recognition

Regional Chair Fisch noted that Regional Councilor Virgilio and Mayor Young had both indicated their intention to not run in the upcoming municipal elections.

He thanked Regional Councillor Virgilio for his excellent service during the past year at the Region and during and prior to that with the Town of Markham and the York District Catholic School Board. The Regional Chair also expressed his appreciation to Mayor Young for the Mayor's ten years of excellent service on Regional Council and his previous years of service on local Council on behalf of the Town of East Gwillimbury.

142 CONFIRMATORY BY-LAW

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

By-law No. 2010-72 To confirm the proceedings of Council at its meeting held on
September 23, 2010.

Carried

The Council meeting adjourned at 11:59 a.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on November 25, 2010.

Regional Chair