

MINUTES OF COUNCIL
OF
THE REGIONAL MUNICIPALITY OF YORK

June 26, 2003

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, Emmerson, Jones, Taylor and Young

Regional Councillor: Barrow, Frustaglio, Hogg, Humeniuk, O'Donnell, Rosati, Scarpitti, Wheeler and Wong

Staff: Cartwright, Davidson, Garrett, Jaczek, Schipper, Simmons, Tuckey and Wilson

109 MINUTES

It was moved by Regional Councillor O'Donnell, seconded by Regional Councillor Scarpitti, that the Minutes of the Council meeting held on the 12th day of June, 2003, be adopted, subject to the inclusion of the following request made by Mayor Taylor under Other Business:

The Commissioner of Transportation and Works review concerns regarding traffic congestion at the Yonge Street-Davis Drive intersection and on Yonge Street north of Davis Drive, work with Town of Newmarket staff on traffic issues in the area and provide a report to the September 3, 2003 meeting of the Transportation and Works Committee.

Carried.

COMMUNICATIONS

Council considered the following communications:

110 SARS Recovery Proposal

Iain Newbigin, Director of Marketing, McMichael Canadian Art Collection, June 24, 2003, regarding a request for \$5,000.00 to support a McMichael-Kleinburg SARS Recovery Proposal, and requesting deputant status.

It was moved by Mayor Di Biase, seconded by Mayor Emmerson, that this communication be received and deputant status be granted.

Carried.

(See Minute No. 114.)

111 No. 2 District Headquarters Capital Budget and Contract Award

Connie Mahaffy, Executive Director, the Regional Municipality of York Police Services Board, June 26, 2003, forwarding recommendations outlined in the report “No. 2 District Headquarters Capital Budget and Contract Award”.

It was moved by Regional Councillor Barrow, seconded by Mayor Emmerson, that Council receive this additional communication and consider it under Other Business.

Carried.

(See Minute No.119.)

112 Kitchen Organics Collection Program and Appointment to Solid Waste Management Committee

Sheila Birrell, Town Clerk, Town of Markham, June 25, 2003, forwarding a resolution adopted by the Town of Markham at its meeting on June 24, 2003, regarding Kitchen Organics Collection Program.

It was moved by Mayor Cousens, seconded by Regional Councillor O'Donnell, that Council receive this additional communication and consider it under Other Business.

Carried.

(See Minute No. 120.)

113 Appointments to Transportation and Works Committee and 911 Committee

Sheila Birrell, Town Clerk, Town of Markham, June 25, 2003, forwarding a resolution adopted by the Town of Markham at its meeting on June 24, 2003, regarding appointments to the Regional Transportation and Works Committee and the Regional 911 Committee.

It was moved by Regional Councillor Scarpitti, seconded by Regional Councillor Wong, that Council receive this additional communication and consider it under Other Business.

Carried.

(See Minute No. 121.)

DEPUTATION

Council then heard the following deputation:

114 McMichael-Kleinburg SARS Recovery Proposal

Iain Newbigin, Director of Marketing, McMichael Canadian Art Collection, requesting \$5,000 to support the McMichael-Kleinburg SARS Recovery Proposal.

(A copy of the McMichael-Kleinburg SARS Recovery Proposal entitled "One Day Get-Away", provided by Mr. Newbigin, is on file in the Office of the Regional Clerk.)

It was moved by Mayor Di Biase, seconded by Regional Councillor Frustaglio, that Council receive the deputation, approve the request to grant \$5,000 in support of the McMichael-Kleinburg SARS Recovery Proposal, and refer this to the Commissioner of Planning and Development Services for implementation as part of the Region's SARS recovery plan.

Carried.

115 COMMITTEE REPORTS

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

Report No. 2 of the Audit Committee

Report No. 6 of the Planning and Economic Development Committee

Report No. 6 of the Rapid Transit Public/Private Partnership Steering Committee

Report No. 5 of the Transit Committee

Report No. 6 of the Transportation and Works Committee

Report No. 1 of the Commissioner of Corporate Services

Report No. 4 of the Commissioner of Finance

Report No. 5 of the Commissioner of Finance

Report No. 6 of the Commissioner of Finance

Report No. 7 of the Commissioner of Finance

Report No. 1 of the Commissioner of Health Services

Report No. 1 of the Commissioner of Corporate Services and the Commissioner of Finance

Report No. 6 of the Commissioner of Transportation and Works

Report No. 4 of the Chief Administrative Officer

Report No. 1 of the Commissioner of Community Services and Housing and the Commissioner of Corporate Services

Report No. 1 of the Commissioner of Corporate Services and the Commissioner of Transportation and Works

It was moved by Regional Councillor Frustaglio, seconded by Regional Councillor Wong, 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, without amendment;

Report No. 6 of the Planning and Economic Development Committee be adopted, without amendment;

Report No. 6 of the Rapid Transit Public/Private Partnership Steering Committee be adopted with the following amendment:

Clause 9, headed "Update", be amended by adding the following item:

3. *That staff arrange a meeting with the Regional Municipality of Peel to discuss co-ordination of rapid transit services between the two regions.*

Report No. 5 of the Transit Committee be adopted, without amendment;

Report No. 6 of the Transportation and Works Committee be adopted with the following amendments:

Clause 9, regarding the Existing Household Hazardous Waste Depot and Small Vehicle Transfer Station in Vaughan report be amended by adding the following recommendation:

4. *That staff be authorized to review the possible locations for the household hazardous waste depot and small vehicle transfer station, including the site at the works yard at Jane Street and Rutherford Road, and, if appropriate, apply to the Ministry of the Environment for a certificate of approval.*

Clause 10, regarding the Woodbine Avenue Bypass of Victoria Square, was amended by inserting the "and the new residential portion of the Cathedral Secondary Plan" following the words "Victoria Square" in recommendation 1, so that it now reads as follows:

1. *The preferred solution to widen Woodbine Avenue (Y.R. 8) from Major Mackenzie Drive (Y.R. 25) to 19th Avenue (Y.R. 29) to a four-lane cross section, and detailed bypass alignment (Attachment 3) around the Hamlet of Victoria Square and the new residential portion of the Cathedral Secondary*

Plan, as determined through the Transportation and Class Environmental Assessment study and outlined in this report, be endorsed."

Clause 16, regarding the Regional Sign By-law carried, but the implementing by-law was not enacted. Please see Minute No. 116.

Report No. 1 of the Commissioner of Corporate Services be adopted, without amendment;

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

Report No. 5 of the Commissioner of Finance be adopted, without amendment;

Report No. 6 of the Commissioner of Finance be adopted, without amendment;

Report No. 7 of the Commissioner of Finance:

be deferred to the September 18, 2003 Council meeting to allow staff and Members of Council the opportunity to meet with the Building Hope Campaign and to discuss the request further.

Report No. 1 of the Commissioner of Health Services be adopted.

Arising out of the discussion Report No. 1, the Commissioner of Health Services was requested to provide an addendum to the Members of Council expanding on the Financial Implications in the Report.

Report No. 1 of the Commissioner of Corporate Services and the Commissioner of Finance be adopted, without amendment.

Report No. 6 of the Commissioner of Transportation and Works be adopted, without amendment;

Report No. 4 of the Chief Administrative Officer be adopted, with the following amendment:

Clause 1, Recommendation 2 of the report be amended by inserting the words "or Chair of the respective Standing Committee" following the words "Regional Chair" in recommendations 2(a) and 2(b), so that they now read as follows:

"2(a) the Regional Chair or Chair of the respective Standing Committee and the Chief Administrative Officer being satisfied that the authorization to approve the contract or acquire the property, as the case may be, is required to prevent interruption of service delivery or to avoid incurring unnecessary costs;

2(b) *a memorandum outlining the necessity of such requests be submitted to the Regional Chair or Chair of the respective Standing Committee and the Chief Administrative Officer by the respective Commissioner;"*

Report No. 1 of the Commissioner of Community Services and Housing and the Commissioner of Corporate Services be adopted, without amendment;

Report No. 1 of the Commissioner of Corporate Services and the Commissioner of Transportation and Works be adopted, without amendment.

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

Carried.

116 BY-LAWS

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

By-law No. R-1372-2003-055	A by-law to designate parts of Regional Roads as Community Safety Zones
By-law No. RD-0505-2003-056	To dedicate certain lands for the purposes of public highways
By-law No. R-1373-2003-057	To stop up and close a portion of Islington Avenue (Y.R. 17) in the City of Vaughan
By-law No. R-1102(ao)-2003-058	To amend By-law No. R-1102-96-100 to prohibit or regulate parking and stopping on Regional Roads
By-law No. R-1374-2003-059	To remove part of Bayview Avenue (Y.R. 34) from the regional road system
By-law No. A-0331-2003-060	A by-law to delegate authority to the Regional Treasurer to establish "clawback" percentages for the 2003 taxation year for the commercial, industrial, and multi-residential property classes
By-law No. TR-0001(1)-2003-061	A by-law to authorize a minor exception to By-law No. TR-1-91-154

- By-law No. A-0332-2003-062 A by-law to authorize certain capital works of The Regional Municipality of York (the "Regional Corporation") to authorize submitting an application to the Ontario Municipal Economic Infrastructure Financing Authority ("OMEIFA") for financing such capital works; to authorize temporary borrowing to meet expenditures in connection with such works; and to authorize long term borrowing for such works through the issue of debentures
- By-law No. A-0297(a)-2003-063 A By-law to amend By-law No. A-0297-2001-095 imposing fees and charges for services and activities and use of property provided by the Planning and Development Services Department
- By-law No. A-0184(a)-2003-064 A by-law to amend By-law No. A-184-95-139 in respect of the authority to write off uncollectible accounts
- By-law No. A-0333-2003-065 A by-law to provide for the appointment of a plumbing licence inspector
- By-law No. R-1375-2003-066 To authorize the temporary closure of part of Kennedy Road *(Y. R. 3) in the Town of Markham

Carried.

Council conducted a separate vote on the enactment of Bill No. 61, a draft by-law to amend By-law No. R-1232-2000-074, regulating the placement of signs on Regional roads. The vote lost and the by-law was not enacted.

OTHER BUSINESS

Council approved the introduction of the following items:

117 Temporary Closure of Kennedy Road

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

1. Regional Council approve the temporary closure of Kennedy Road (Y.R.3) between Clayton Drive and Steeles Avenue during the hours of 6:00 a.m. and 8:00 p.m. on July 20, 2003, for the purpose of the Asian Festival; and

2. this approval be subject to the standard conditions of approval by the Commissioner of Transportation and Works.

Carried.

The following bill was introduced to implement this decision and was enacted as a by-law:

Bill No. 68

To authorize the temporary closure of part of Kennedy Road (Y.R. 3) in the Town of Markham

Carried.

118 16th Avenue Trunk Sewer Dewatering

It was moved by Mayor Cousens, seconded by Regional Councillor O'Donnell, that in addition to the quantity of replacement water related to the 16th Avenue trunk sewer dewatering project, staff consider the quality of replacement water and seek to maintain as high a quality of water as prior to the dewatering.

Carried.

119 No. 2 District Police Headquarters Capital Budget and Contract Award

In considering this matter, Council had before it a communication from Connie Mahaffy, Executive Director, the Regional Municipality of York Police Services Board, June 26, 2003, forwarding recommendations outlined in the Chief of Police's report "No. 2 District Headquarters Capital Budget and Contract Award".

It was moved by Regional Councillor Barrow, seconded by Regional Councillor Wheeler, that this communication be received and the recommendations contained in the Chief of Police's report "No. 2 District Headquarters Capital Budget and Contract Award" be adopted as follows:

1. Council approve the Police Services Board's request for an increase in the 2003 Capital Budget for Police Services in the amount of \$1,629,855 and that the increased funding be provided through the issuance of debentures;
2. The Regional Treasurer be authorized to issue additional debentures up to \$1,629,855 and that the debt retirement costs be recovered from future annual tax levies;
3. Pre-Eng Construction Limited be approved to construct a new 2 District Headquarters and EMS Emergency Response Station building in Richmond Hill based on contract No. T-03-19, for the amount of \$8,494,000 (GST not included);
4. The Legal Services Branch be authorized to prepare all necessary contract documents, and take further action which is required to carry out the intent of these recommendations; and

5. The Regional Chair and Regional Clerk be authorized to execute all necessary contract documents.

Carried.

(Council also requested that the Commissioner of Finance report to the September 4, 2003 meeting of the Finance and Administration Committee with respect to the current status of debentures and related interest costs.)

120 Kitchen Organics Collection Program and Appointment to Solid Waste Management Committee

In considering this matter, Council had before it a communications from Sheila Birrell, Town Clerk, Town of Markham, June 25, 2003, forwarding a resolution adopted by the Town of Markham at its meeting on June 24, 2003, regarding Kitchen Organics Collection Program.

It was moved by Mayor Cousens, seconded by Mayor Bell, that this communication be received and that Regional Councillor Scarpitti be appointed to the Regional Solid Waste Management Committee in the absence of Regional Councillor Landon.

Carried.

121 Appointments to the Transportation and Works Committee and 911 Committee

In considering this matter, Council had before it a communication from Sheila Birrell, Town Clerk, Town of Markham, June 25, 2003, forwarding a resolution adopted by the Town of Markham at its meeting on June 24, 2003, regarding appointments to the Regional Transportation and Works Committee and the Regional 911 Committee.

It was moved by Regional Councillor Wheeler, seconded by Mayor Cousens, that Council receive this communication and that:

1. Regional Councillor Wong be appointed as an alternate to Regional Councillor Landon on the Transportation and Works Committee; and
2. Regional Councillor O'Donnell be appointed as an alternate to Regional Councillor Landon on the 911 Committee.

Carried.

122 PRIVATE SESSION

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

Carried.

Council met in Private Session at 11:38 a.m. and reconvened in Council at 12:25 p.m.

It was moved by Mayor Di Biase, seconded by Regional Councillor Wheeler, that Council rise and report from Private Session. Council then proceeded to consider the following items:

123 Acquisition of Land, Rutherford Road, Project 9608

(Clause 1 of Transportation and Works Committee Report No. 7)

It was moved by Mayor Di Biase, seconded by Regional Councillor Wheeler, that Council adopt Clause 1 of Report No. 7 of the Transportation and Works Committee, June 18, 2003, including the following recommendations:

1. the agreement to purchase land from the Canadian Pacific Railway Company for the widening and reconstruction of Rutherford Road be accepted;
2. the Commissioner of Corporate Services be authorized to complete this transaction in accordance with the terms of the agreement; and
3. the appropriate Regional officials be authorized to execute the agreement.

Carried.

124 ONA Collective Bargaining Results

(Report No. 2 of the Commissioner of Corporate Services)

It was moved by Regional Councillor Wong, seconded by Mayor Young, that Council adopt Report No. 2 of the Commissioner of Corporate Services recommending as follows:

1. Regional Council endorse the recommended Collective Agreement with the Ontario Nurses' Association (ONA), as agreed to by the Employer's Bargaining Committee.

Carried.

125 Benefits for York Region's Elected Officials

(Report No. 3 of the Commissioner of Corporate Services)

It was moved by Regional Councillor Scarpitti, seconded by Mayor Di Biase, that Council adopt Report No. 3 of the Commissioner of Corporate Services, with the inclusion of a further recommendation 3 as follows:

1. Life, Accidental Death & Dismemberment (AD&D) and Long Term Disability (LTD) benefits be provided for Members of Regional Council through the benefit plans of the area municipalities and administered by each municipality.

2. The additional premiums for these benefits be charged to The Regional Municipality of York on a cost recovery basis.
3. This report be forwarded to the area municipalities for implementation.

Carried.

126 Bales Drive – Waste Management Facilities Contract
(Report No.7 of the Commissioner of Transportation and Works)

It was moved by Mayor Young, seconded by Mayor Jones, that Council adopt Report No. 7 of the Commissioner of Transportation and Works, as amended, so that the recommendations read as follows:

1. The Regional Chair and Clerk be authorized to execute an agreement with Miller Paving Limited on behalf of the Region for the design and construction of a northern transfer station, material recovery facility, weigh scales and associated works at the Bales Drive property in East Gwillimbury as outlined in this report for a total of \$26,238,297, plus GST.

Carried.

127 York Region Transit – Assumption of GO Transit Yonge "C" and Bayview Services

It was moved by Mayor Bell, seconded by Regional Councillor Humeniuk, that Council adopt the following:

1. The Statement of Principles negotiated with GO Transit, dated June 9, 2003, relating to the roles and responsibilities of York Region and GO Transit in the delivery of public transit services in the Region, be endorsed.
2. York Region Transit staff be authorized to proceed with the purchase of 36 forty-foot urban transit buses from GO Transit at a cost not to exceed \$7,100,000, exclusive of applicable taxes, in order to provide conventional urban transit service on Yonge Street and Bayview Avenue.
3. The Ministry of Transportation be requested to provide one-third funding (\$2.4 million) for the purchase of the buses in accordance with the Ontario Transit Renewal Program or the Golden Horseshoe Transit Investment Partnership.
4. The Regional Treasurer be authorized to temporarily fund one-third of the acquisition of the buses from the Transit Reserve.
5. The Regional Treasurer be authorized to issue debt in an amount up to \$4.7 million for a term not to exceed ten years for the remaining two-thirds financing of the purchase of the buses.

6. York Region Transit staff be authorized to negotiate arrangements with Miller Transit Limited and/or Tokmakjian Inc. (Can-ar Coach) for the operation and maintenance of the public transit services on Yonge Street and Bayview Avenue currently operated by GO Transit (known as the Yonge 'C' and Bayview services), and that the services be operated in accordance with the provisions of the existing contracts with Miller Transit Limited and/or Tokmakjian Inc., beginning August, 2003, and further that these arrangements be subject to the approval of the Regional Chair and the Chief Administrative Officer.
7. Authorization be granted to retain two additional full-time Transit Inspectors at an annualized cost not to exceed \$110,000, including benefits, and that \$50,000 be authorized for other transitional expenditures.
8. The Regional Chair and Clerk be authorized to execute any necessary agreements on behalf of the Region.
9. The Ministry of Transportation and GO Transit be so advised by the Regional Clerk.
Carried.

128 CONFIRMATORY BY-LAW

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

By-law No. M-0695-2003-067 To confirm the proceedings of Council at its meeting held on June 26, 2003.

Carried.

The Council meeting adjourned at 12:35 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on the 18th day of September, 2003

Regional Chair