

**MINUTES OF COUNCIL  
OF  
THE REGIONAL MUNICIPALITY OF YORK**

May 16, 2002

The Regional Council met at 9:35 a.m. in the Council Chambers, York Region Administrative Centre, 17250 Yonge Street, Newmarket, with Chair Fisch presiding.

The following were present at this Meeting:

Mayor:	Bell, Black, Di Biase, Emmerson, Holec, Jones, Taylor and Young.
Regional Councillor:	Barrow, Frustaglio, Hogg, Humeniuk, Landon, O'Donnell, Rosati, Scarpitti, Wheeler and Wong.
Staff:	Carlyle, Cartwright, Davidson, Jaczek, Schipper, Simmons, Tuckey and Wells.

**COMMUNICATIONS**

- 83** Regional Chair Fisch welcomed City of Vaughan Mayor Di Biase and Regional Councillor Rosati to their first meeting of Regional Council in their new capacities.

Council then considered the following communications:

**84** Members of Council - City of Vaughan

J. D. Leach, City Clerk, City of Vaughan, April 19, 2002, regarding the declaration of vacancy in the Office of the Mayor.

It was moved by Mayor Bell, seconded by Regional Councillor Wheeler, that this communication be received.

Carried.

**85** Members of Council – City of Vaughan

J. D. Leach, City Clerk, City of Vaughan, April 24, 2002, regarding appointments of Michael Di Biase as Mayor and Gino Rosati as Regional and Local Councillor to fill vacancies on Vaughan Council.

It was moved by Mayor Bell, seconded by Regional Councillor Wheeler, that this communication be received.

Carried.

## MOTIONS

### 86 Members of Council – City of Vaughan

It was moved by Mayor Jones, seconded by Mayor Taylor, that:

WHEREAS the *Regional Municipalities Act* provides that a Regional Council, upon receiving a declaration of a vacancy from an area municipality, shall forthwith declare the seat of that member on the Council to be vacant;

AND WHEREAS by letter dated April 19, 2002, the City of Vaughan has advised that it has declared a vacancy in the office of Mayor;

AND WHEREAS by letter dated April 24, 2002, the City of Vaughan has advised that it has appointed Michael Di Biase to the Office of Mayor, and has also declared a vacancy in the Office of Regional and Local Councillor and appointed Gino Rosati to this office;

AND WHEREAS both Michael Di Biase and Gino Rosati were sworn in to their new offices on Regional Council on April 25, 2002:

THEREFORE BE IT RESOLVED THAT Regional Council declare a vacancy in the office of Mayor, City of Vaughan, and recognize the appointment of Michael Di Biase to this office; and

BE IT FURTHER RESOLVED THAT Regional Council declare a vacancy in the office of Regional Councillor, City of Vaughan, and recognize the appointment of Gino Rosati to this office.

Carried.

### 87 Membership - Committees and External Agencies

It was moved by Mayor Jones, seconded by Mayor Taylor, that:

The membership of Regional Committees and appointments to External Agencies be amended to accommodate the following:

Mayor Di Biase be added to the Finance and Administration Committee, Yonge Subway Task Force and Rapid Transit Public/Private Partnership Steering Committee, and be deleted from the membership of Planning and Economic Development Committee, Solid Waste Management Committee, Humber Watershed Alliance and Rouge Park Alliance Executive Committee (as Alternate).

Regional Councillor Rosati be added to the Planning and Economic Development Committee, Community Services and Housing Committee, Solid Waste Management Committee, Humber Watershed Alliance and the Rouge Park Alliance Executive Committee (as Alternate).

Carried.

## **PRESENTATIONS**

### **88 Human Services Planning Coalition**

Regional Councillor Joyce Frustaglio and Bill Hogarth, Director of York Region District School Board, Co-Chairs of the Human Services Planning Coalition, and Susan Taylor, Director of Human Services Planning, presented an update and report on the future plans of the Human Services Planning Coalition.

Human Services providers in York Region include schools, hospitals, police, public health, social services and housing, municipal recreation departments, libraries and public transit. They account for annual expenditures of \$2.2 billion and employ about 40,000 people.

Over the next five years, 125,000 people are projected to move into York Region. They will need to use a variety of human services. For instance, about 42,000 of these will use a service funded by the United Way. About 31,000 will need affordable housing. 22,000 will attend a school run by one of the District School Boards in York Region.

The Human Services Planning Coalition is comprised of 38 people representing 15 different organizations. It is planning for current and future human service needs in areas such as human resources, health care funding and social services funding. It has received substantial Regional support in areas such as training, newsletters, web material, leveraging funding from other levels of Government, research, analysis, and collaborative projects with other organizations and agencies. Future plans include the development of fiscal models, community seminars, presentations at municipalities, hospitals and school boards, and additional media attention.

A copy of the presentation materials is on file with the Regional Clerk.

It was moved by Regional Councillor Frustaglio, seconded by Mayor Emmerson that the presentation be received.

Carried.

### **89 Exercise Timothy**

Russ Smye, Manager of Emergency Measures, made a presentation regarding Exercise Timothy.

Exercise Timothy is an emergency exercise that will occur on May 29, 2002, beginning at about 10:00 a.m. The scenario will involve a northbound GO Transit train on Timothy

Street in the Town of Newmarket. It will provide an opportunity to practice and assess the emergency responses of the Region, the Town of Newmarket, York Regional Police, Regional Emergency Medical Services staff, hospitals, GO Transit and the Canadian Forces. Emergency managers from a number of other municipalities and organizations will also be involved in this exercise.

A copy of the presentation materials is on file with the Regional Clerk.

It was moved by Mayor Jones, seconded by Regional Councillor Landon, that the presentation be received.

Carried.

**90 Make-A-Wish Foundation**

Kim Sokolowski, Manager of Communications and Development for the Make-a-Wish Foundation, made a presentation recognizing the charitable work of a number of Regional staff in making a wish come true for 16-year-old David. Funds from last year's Mountain Bike Poker Run enabled David to join country singer Paul Brandt and his wife on a country music cruise.

Regional Chair Fisch and Chief Administrative Officer Alan Wells joined a number of Regional staff in accepting a plaque from the Make-A-Wish Foundation in honour of their charitable work.

It was moved by Mayor Di Biase, seconded by Regional Councillor Hogg, that the presentation be received.

Carried.

**91 Corporate Awards for Outstanding Achievement to Regional Employees**

Alan Wells, Chief Administrative Officer and Jim Davidson, Commissioner of Human Resource Services presented the 2001 Corporate Awards for Outstanding Achievement to three Regional Employees.

Hatem Hussein, Database Administrator in the Finance Department, was recognized for his work in completing the Human Resources module (version 8) to PeopleSoft, thereby saving the Region at least \$70,000. Aracely Rodriguez, Enterprise Resource Planning Administrator in the Finance Department, similarly received the award for her work in installing the PeopleSoft Budget module, thereby saving the Region at least \$50,000. Rhonda St. John, Human Resource Information System Co-ordinator in the Human Resource Services Department, was recognized for her efforts in creating the Region's new electronic seniority system.

Regional Chair Fisch thanked these employees for their efforts on behalf of the Region.

It was moved by Mayor Di Biase, seconded by Regional Councillor Hogg, that Council receive this presentation.

Carried.

**92 MINUTES**

It was moved by Mayor Taylor, seconded by Regional Councillor Scarpitti, that the Minutes of the Council meeting held on April 18, 2002 be confirmed in the form supplied to the Members.

Carried.

**COMMUNICATIONS**

Council proceeded to consider the following communications:

**93 Greater Toronto Airports Authority – Biannual Report**

Greater Toronto Airports Authority forwarding its Biannual Report dated May 2002.

It was moved by Regional Councillor Scarpitti, seconded by Mayor Bell, that this communication be received.

Carried.

**94 PRIDE Week**

Ian McCallum and Cheryle Cooke Harrington, Co-Chairs, PRIDE York Region, April 25, 2002, requesting recognition of PRIDE Week - June 17 - 23, 2002.

It was moved by Mayor Holec, seconded by Regional Councillor Barrow, that this communication be received and the week of June 17 – 23, 2002 be recognized as PRIDE Week.

Carried.

**95 No Smoking By-Law (Bingo Halls)**

Harvey Meek, May 15, 2002, and April 17, 2002, regarding the No Smoking By-law (Bingo Halls), Bill No. 32, and requesting deputant status.

It was moved by Regional Councillor Scarpitti, seconded by Regional Councillor Wong, that this communication be received and deputant status be granted.

Carried.

**DEPUTATION**

Council heard the following deputation:

**96 No Smoking By-Law (Bingo Halls)**

Harvey Meek, representing thirty-eight charities affected by the proposed Bill No. 32.

It was moved by Regional Councillor Wong, seconded by Mayor Young, that the deputation be received.

Carried.

## 97 COMMITTEE REPORTS

It was moved by Regional Councillor Hogg, seconded by Regional Councillor O'Donnell that the following reports be received and that Council resolve itself into Committee of the Whole to consider them.

Report No. 5 of the Health and Emergency Medical Services Committee  
Report No. 5 of the Planning and Economic Development Committee  
Report No. 3 of the Solid Waste Management Committee  
Report No. 4 of the Transit Committee  
Report No. 5 of the Transit Committee  
Report No. 5 of the Transportation and Works Committee  
Report No. 2 of the Commissioner of Corporate and Legal Services  
Report No. 2 of the Commissioner of Finance  
Report No. 1 of the Commissioner of Health Services and the Commissioner of Finance.

Carried.

Chair Fisch chaired the Committee of the Whole.

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

Report No. 5 of the Health and Emergency Medical Services Committee, be adopted, without amendment;

Report No. 5 of the Planning and Economic Development Committee, be adopted, with the following amendment:

*Clause 9 be referred back for consideration at the June 12, 2002 Planning and Economic Development Committee meeting.*

Report No. 3 of the Solid Waste Management Committee, be adopted, without amendment;

Report No. 4 of the Transit Committee, be adopted, with the following amendment:

*Clause 1 be amended as follows:*

*The Committee recommendations in Clause 1 be deleted and replaced with the following:*

*“The Transit Committee recommends the adoption of the recommendations contained in the following report, March 26, 2002, from the Commissioner of Transportation and Works, subject to the following:*

*Recommendation 2 be deleted and replaced with the following:*

- 2. York Region buses be made available to other Regional departments, local municipalities, boards of education and non profit community groups at a 50% discount of the hourly set rate.*

*Recommendation 3 be added as follows:*

- 3. Staff to report back to Committee in six months regarding implementation of the charter rate policy.*

Report No. 5 of the Transit Committee, be adopted, with the following amendment:

*Item 3 of Clause 2 be received.*

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

Report No. 2 of the Commissioner of Corporate and Legal Services, be adopted, without amendment;

Report No. 2 of the Commissioner of Finance, be adopted, without amendment;

Report No. 1 of the Commissioner of Health Services and Commissioner of Finance, be adopted, with the following amendment:

*Clause 1 be amended to delete recommendation 1 and replace it with the following:*

- 1. Regional Council authorize the occupancy agreement at the King City Fire Hall located at 5926 King Road in King City on terms to be agreed upon and the installation of an ambulance at the fire hall be approved while terms are being negotiated.*

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

Carried.

## **98 BY-LAWS**

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

- By-law No. R-1279-2002-035 To authorize the Commissioner of Transportation and Works to temporarily close portions of Holland Landing Road (Y.R. 83) and Old Yonge Street (Y.R. 13) during construction
- By-law No. R-0549(ft)-2002-036 To amend By-law No. R-549-77-112 to prescribe maximum rates of speed on certain Regional Roads
- By-law No. R-1280-2002-037 To authorize the Commissioner of Transportation and Works to temporarily close a portion of McCowan Road (Y.R. 67) during railway crossing reconstruction
- By-law No. R-0549(fu)-2002-038 To amend By-law No. R-549-77-112 to prescribe maximum rates of speed on certain Regional Roads
- By-law No. R-0393(av)-2002-039 To amend By-law No. R-393-76-66 respecting turning movements on Regional Roads

Carried.

**99 No-Smoking By-law – Bingo Halls**

It was moved by Regional Councillor Scarpitti, seconded by Regional Councillor Landon, that the following Bill be introduced and approved in the form noted on the Agenda and enacted as a By-law:

- By-law No. A-0285(a)-2002-034 A By-law to Amend By-law No. A-0285-2000-105 Regulating the Smoking of Tobacco in Public Places and Workplaces within The Regional Municipality of York.

A recorded vote on the enactment of this By-law was as follows:

FOR: Barrow, Bell, Di Biase, Jones, Landon, O'Donnell, Rosati, Scarpitti, Wheeler, Wong(10)

AGAINST: Black, Emmerson, Frustaglio, Hogg, Holec, Humeniuk, Taylor, Young (8)

Carried.

## MOTIONS

### 100 Special Meetings

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

WHEREAS subsection 58(1) of the *Municipal Act* provides that, subject to Council's procedure by-law, the head of council may at any time summon a special meeting, and upon the receipt of the petition of the majority of the members of the council, the clerk shall summon a special meeting for the purpose and at the time and place mentioned in the petition;

AND WHEREAS subsection 5.6 of Council's Procedure By-law states that at Special Meetings of Council, the Council shall not decide upon any matter unless the matter has been specified in the Notice calling the meeting;

AND WHEREAS subsection 5.6 further provides that this provision may be waived only where all Members are present to vote upon a motion to waive it;

AND WHEREAS these provisions are unduly restrictive as they do not allow for urgent matters to be dealt with at Special Meetings unless all Members of Council are present:

AND WHEREAS Council's Procedure By-law also requires that notice be given of any proposed amendment or repeal to the Procedure By-law:

THEREFORE BE IT RESOLVED THAT Council's Procedure By-law be amended to permit Council, at a Special Meeting, to consider an item that is not referred to in the Notice of Special Meeting, with the consent of two-thirds of the Members present and voting.

Carried.

### 101 Bill 90, the Waste Diversion Act

It was moved by Regional Councillor Landon, seconded by Mayor Bell, that:

WHEREAS Bill 90, the *Waste Diversion Act*, is an Act to promote the reduction, reuse and recycling of waste in Ontario, and

WHEREAS Regional Council supported the Act in September 2001 with respect to a sustainable funding formula for the blue box and other waste diversion initiatives for York Region, and

WHEREAS the Act has been amended for 2<sup>nd</sup> Reading to include that “a waste diversion program developed under this Act for blue box waste must provide for payments to municipalities to be determined in a manner that results in the total amount paid to all municipalities under the program being equal to 50 per cent of the total net costs incurred by those municipalities as a result of the program”,

THEREFORE BE IT RESOLVED that Regional Council confirms its support of Bill 90, the *Waste Diversion Act*,

AND BE IT FURTHER RESOLVED that the Provincial Legislature be respectfully requested to approve Bill 90, the *Waste Diversion Act*, as soon as possible,

AND that copies of this resolution be sent to the Premier, the Minister of the Environment, Members of Provincial Parliament representing ridings in the Regional Municipality of York, the Waste Diversion Organization, the Association of Municipalities of Ontario and interested associations.

Carried.

## **PRIVATE SESSION**

- 102** It was moved by Mayor Taylor, seconded by Regional Councillor Frustaglio, that Council convene in Private Session, for the purpose of considering a legal matter.

Carried.

Council met in Private Session at 11:30 a.m. and reconvened in Council at 12:24 p.m.

It was moved by Regional Councillor O'Donnell, seconded by Regional Councillor Hogg, that Council rise and report from Private Session.

Carried.

## **103 Rapid Transit System**

It was moved by Regional Councillor Humeniuk, seconded by Mayor Black, that York Consortium 2002 be endorsed as the preferred partner with which to plan, design, finance, construct and potentially operate and maintain a York Region Rapid Transit System.

Carried.

**104 CONFIRMATORY BY-LAW**

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

By-law No. M-0680-2002-040      To confirm the proceedings of Council at its meeting held on May 16, 2002.

Carried.

The Council meeting adjourned at 12:28 p.m.

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Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on the 27th day of June, 2002.

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Regional Chair