

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

April 17, 2003

The 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, Holec, Jones, Taylor and Young.

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

Staff: Cartwright, Davidson, Garrett, Kassam, Schipper, Simmons, Sinclair, Tuckey.

PUBLIC MEETING

DEVELOPMENT CHARGES

50 Presentation

Ms. Sandra Cartwright, Commissioner of Finance, made a presentation on the 2003 Development Charge By-law Review. She was assisted by Tom Webster, Director of Business Planning and Budgets and Warren Marshall, Manager of Capital and Development Financing.

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

51 Communication

In considering this matter, Council had before it the following communication:

1. Fred Darvish, Liberty Development Corporation, April 16, 2003.

It was moved by Mayor Emmerson, seconded by Regional Councillor Frustaglio, that Council receive this communication and refer it to Finance Department staff

Carried.

52 Deputations

The following made deputations to Council on the proposed Development Charges By-law:

1. Paula Tenuta, Municipal Government Advisor, Greater Toronto Home Builders' Association
2. Art Welter, Trinity Developments Group
3. Al Steedman, on behalf of the Urban Development Institute, York Region Chapter and Schaeffer & Associates
4. John MacNeil, President, FirstPro Shopping Centres, and
5. Sam Speranza, the Zzen Group of Companies

It was moved by Regional Councillor Wheeler, seconded by Mayor Di Biase, that Council receive these deputations.

Carried.

It was moved by Mayor Taylor, seconded by Mayor Emmerson, that Council pass a by-law to confirm the proceedings of this public meeting.

Carried.

(See By-law No. M-0690-2003-032 and Clause 1 of Finance and Administration Committee Report No. 4 as adopted in Minute No. 69.)

REGULAR MEETING

53 DECLARATION OF INTEREST

16th Avenue Trunk Sewer

(Clause 5 of Transportation and Works Committee No. 3, Minute No. 43, March 27, 2003 and Private Session)

Mayor Black declared an interest in a legal matter arising out of the March 27, 2003 Council Meeting and to be considered in Private Session. She did this due to the fact that her spouse is an environmental engineer who gave advice to the Town of Markham on groundwater in 2001. She did not take part in the consideration or discussion of, or vote on this matter.

54 King City Litigation

(Private Session and Minute No.72)

Mayor Black also indicated that she would not be participating in Council's consideration or discussion of any matters pertaining to litigation with King City. She did this due to the fact that she has a fiduciary duty to both the Township of King and York Region Councils and not due to any pecuniary interest. She did not take part in the consideration or discussion of, or vote on this matter.

PRESENTATIONS

55 SARS Update

Regional Chair Fisch introduced Acting Medical Officer of Health Dr. Hanif Kassam and thanked him, all Health Services and Regional staff and the Red Cross for the great job they have done on the Severe Acute Respiratory Syndrome (SARS) outbreak.

Dr. Hanif Kassam then made a presentation to Council on the SARS outbreak. Dr. Kassam provided an update on the number of SARS cases reported globally, across Canada, Ontario and in York Region. He also provided a chronological outline of the various measures he and York Region staff have taken to contain the outbreak. He indicated that York Region has and will continue to take whatever steps are necessary to protect the health of its citizens.

Dr. Kassam thanked the Members of Council-- and in particular Regional Chair Fisch and Regional Councillor Frustaglio, as well as Chief Administrative Officer Michael Garrett, the Commissioners, staff of the Health Services Department and Regional staff for all of their support on this issue.

Michael Garrett, Chief Administrative Officer, then provided Council with an outline of the staffing challenges associated with the Region's response to SARS and the costs associated with this response.

It was moved by Mayor Emmerson, seconded by Regional Councillor Wong, that Council receive the presentation regarding Severe Acute Respiratory Syndrome (SARS).

Carried.

- 56** It was moved by Regional Councillor Scarpitti, seconded by Regional Councillor Frustaglio, that Regional Council express its appreciation to Dr. Hanif Kassam, staff in the Health Services Department, Emergency Services personnel, Regional staff, and the hospitals serving York Region for their assistance during the SARS emergency.

Carried.

- 57** It was moved by Regional Councillor Wong, seconded by Mayor Bell, that this matter be referred to staff to review and study the economic impacts to businesses as a result of the SARS outbreak and report back on any economic relief the Region can provide.

Carried.

58 Award - York Region Transit

Mr. Martin Van Zon, President, Interkom Creative Marketing made a presentation indicating that York Region Transit was the recipient of a silver "ACE" award for its Corporate Identity Program. "ACE" is a non-profit organization dedicated to encouraging and promoting the work of communication professionals in the Greater Toronto Area, Hamilton, Burlington and Niagara Region .

Mr. Van Zon made a presentation of a framed poster to Kees Schipper, Commissioner of Transportation and Works, who accepted on the Region's behalf.

59 2002 Water Supply Operations Compliance Reports

(Clause 3 of Transportation and Works Committee Report No. 4)

Debbie Korolnek, Director, Water and Wastewater, made a presentation indicating that Compliance Reports for each of York Region's 12 Water Supply Systems were being presented to Council today as required by the Provincial Ministry of the Environment.

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

It was moved by Mayor Taylor, seconded by Regional Councillor Rosati, that the presentation be received.

Carried.

(See Minute No. 69)

60 MINUTES

It was moved by Mayor Holec, seconded by Mayor Black, that the Minutes of the Council meeting held on the 27th day of March, 2003, be confirmed in the form supplied to the Members.

Carried.

COMMUNICATIONS

Council proceeded to consider the following communications:

61 Salvation Army Red Shield Month

Glennanne Phillips, Newmarket Red Shield Coordinator, The Salvation Army, April 8, 2003, asking the Region of York to proclaim the month of May 2003 “Salvation Army Red Shield Month”.

It was moved by Mayor Taylor, seconded by Regional Councillor Humeniuk, that Council recognize the month of May as “Salvation Army Red Shield Month”.

Carried.

62 Community Living Month

Barbara Bartlett, President, Board of Directors, Community Living Newmarket/Aurora District, Ann Broeders, President, Board of Directors, Georgina Association for Community Living, and Tony Carella, President, Board of Directors, York South Association for Community Living, March 28, 2003, requesting the Region of York proclaim the month of May 2003 "Community Living Month".

It was moved by Mayor Taylor, seconded by Regional Councillor Humeniuk, that Council recognize the month of May 2003 as “Community Living Month”.

Carried.

63 West Nile Virus Funding

(Clause 5 of Health and Emergency Medical Services Report No. 3 and Report No. 1 of the Acting Commissioner of Health Services)

Geoff Kettel, Senior Manager, Corporate Liaison and Resource Service, Public Health Branch, Ministry of Health and Long-Term Care, April 8, 2003, regarding West Nile Virus funding.

It was moved by Regional Councillor Wheeler, seconded by Regional Councillor Scarpitti, that this communication be received and referred to the discussion of the Committee and staff reports.

Carried.

64 Greater Toronto Area Transportation Demand Management Proposal
(Clause 5 of Transportation and Works Committee Report No. 4)

Janet Lo, Executive Director, Black Creek Regional Transportation Management Association, March 24, 2003, addressed to the Honourable Frank Klees, Minister of Transportation, requesting the Ministry's support for a joint application to Transport Canada's *Urban Transportation Showcase Program ("UTSP")*.

It was moved by Regional Councillor Barrow, seconded by Regional Councillor Humeniuk, that this communication be received and referred to the discussion of Clause 5 of Transportation and Works Committee Report No. 4.

Carried.

65 Property Taxation of Child Care Centres
(Clause 2 of Finance and Administration Report No. 4)

Susan Frame, Executive Director, Centered on Children Child Care Centre, April 17, 2003, regarding the Property Taxation of Child Care Centres and requesting deputant status.

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

Carried.

66 Application for Tree By-law Minor Exception—Sleepy Hollow Country Club
(Clause 1 of Transportation and Works Committee Report No. 4)

R.V. Heaslip, Robert Heaslip & Associates Limited, April 16, 2003 regarding an Application for a Tree By-law Minor Exception and requesting deputant status.

It was moved by Mayor Emmerson, seconded by Mayor Bell that this communication be received and that Robert Heaslip be granted deputant status.

Carried.

DEPUTATIONS

Council then heard the following deputations:

67 Property Taxation of Child Care Centres
(Clause 2 of Finance and Administration Report No. 4)

Susan Frame, Executive Director, Centered on Children Child Care Centre, regarding the Property Taxation of Child Care Centres.

It was moved by Mayor Taylor, seconded by Mayor Jones, that the deputation by Susan Frame regarding the Property Taxation of Child Care Centres be received and referred to the discussion of Clause 2 of Finance and Administration Committee Report No. 4.
Carried.

68 Application for Tree By-law Minor Exception—Sleepy Hollow Country Club
(Clause 1 of Transportation and Works Committee Report No. 4)

R.V. Heaslip, Robert Heaslip & Associates Limited, on behalf of Sleepy Hollow Country Club Inc.

(Mr. Heaslip later continued his deputation and indicated that he was withdrawing the application for a minor exception to the Regional Tree By-law on behalf of Sleepy Hollow Country Club Inc.)

It was moved by Mayor Emmerson, seconded by Regional Councillor Frustaglio, that Council receive this deputation.

(See also Minute No.69.)

Carried.

69 COMMITTEE REPORTS

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

Report No. 4 of the Community Services and Housing Committee
Report No. 4 of the Finance and Administration Committee
Report No. 3 of the Health and Emergency Medical Services Committee
Report No. 4 of the Planning and Economic Development Committee
Report No. 4 of the Rapid Transit Public/Private Partnership Steering Committee
Report No. 4 of the Transportation and Works Committee
Report No. 2 of the Chief Administrative Officer
Report No. 1 of the Acting Commissioner of Health Services
Report No. 3 of the Chief Administrative Officer

It was moved by Regional Councillor Rosati, seconded by Regional Councillor Barrow, 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. 4 of the Community Services and Housing Committee, be adopted, without amendment;

Report No. 4 of the Finance and Administration Committee, be adopted, with the following amendment:

Clause 2 relating to Property Taxation of Childcare Centres be amended to provide that non-profit childcare operators paying commercial taxes be provided with a 40% rebate equal to the level currently received by registered charities.

Report No. 3 of the Health and Emergency Medical Services Committee, be adopted, without amendment;

Report No. 4 of the Planning and Economic Development Committee, be adopted, without amendment;

Report No. 4 of the Rapid Transit Public/Private Partnership Committee, be adopted, without amendment;

Report No. 4 of the Transportation and Works Committee, be adopted, with the following amendment:

Clause 1 relating to the Application for a Minor Exception to the Regional Tree By-law by Sleepy Hollow Country Club Inc. be amended to provide that Council accepts the withdrawal of the application for minor exception. (See also Minute No.68.)

Clause 3 be amended to provide that a copy of the Compliance Reports be forwarded to the Provincial Ministry of the Environment for its information.

Clause 6 be amended to provide for Recommendation 5 to read as follows:

- a) *That the 407 ETR Consortium be advised that the Region of York strongly endorses the provision of access to and from the south at the interchange of Highway 407 ETR and the Markham By-pass;*

- b) *That the 407 ETR Consortium and the Province of Ontario be requested to provide the access ramps to and from the south at that location; and*
- c) *That the Region of York continue to work with the Province of Ontario and the 407 ETR Consortium to advance the timing of the construction of those ramps."*

Report No. 2 of the Chief Administrative Officer, be adopted, without amendment;

Report No. 1 of the Acting Commissioner of Health Services, be adopted, without amendment, and

Report No. 3 of the Chief Administrative Officer, be adopted, without amendment.

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

Carried.

70 BY-LAWS

It was moved by Regional Councillor Humeniuk, seconded by Regional Councillor Barrow, that certain Bills be introduced and approved in the form as noted on the Agenda and enacted as By-laws.

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| By-law No. R-1364-2003-033 | To acquire certain lands for or in connection with the widening and reconstruction of Rutherford Road (YR 73), from Weston Road (YR 56) to Highway 50 (YR 24), in the City of Vaughan |
| By-law No. R-1365-2003-034 | To authorize the advancement of the reconstruction of the intersection at Lloydtown-Aurora Road (Y.R. 16) and Weston Road (Y.R. 56) in the Township of King |
| By-law No. R-1366-2003-035 | Respecting parking on Keele Street (Y.R. 6) in the City of Vaughan |
| By-law No. R-0629(az)-2003-036 | To amend By-law No. R-629-79-109 to authorize through highways |
| By-law No. R-1338(a)-2003-037 | A By-law to amend By-law No. R-1338-2002-140 being a by-law to prescribe maximum rates of speed on McCowan Road (Y.R. 67) |
| By-law No. A-0325-2003-038 | To appoint a Municipal Weed Inspector |

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| By-law No. R-1367-2003-039 | To authorize the construction of certain capital projects and the acquisition of necessary lands | |
| By-law No. R-1368-2003-040 | To authorize the Commissioner of Transportation and Works to temporarily close Regional roads | |
| By-law No. A-0326-2003-041 | To appoint Ian Buchanan as a by-law enforcement officer | Carried. |

71 PRIVATE SESSION

It was moved by Regional Councillor O'Donnell, seconded by Mayor Jones, that Council convene in Private Session, for the purpose of considering legal matters.

Carried.

Council met in Private Session at 1:20 p.m. and reconvened in Council at 2:05 p.m.

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

Carried.

72 King City Litigation

It was moved by Mayor Bell, seconded by Regional Councillor Wheeler, that Regional Council waive the Purchasing By-law and authorize the expenditure of up to \$245,000 to continue to retain the law firm Stikeman, Elliott, including necessary expert witnesses, to conduct the Region's defence in this litigation and finalize the concurrent settlement discussions with the Township of King.

Carried.

73 CONFIRMATORY BY-LAW

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

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| By-law No. M-0691-2003-042 | To confirm the proceedings of Council at its meeting held on April 17, 2003. | Carried. |
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The Council meeting adjourned at 2:07 p.m.

Regional Clerk

Minutes confirmed and adopted at the meeting of Regional Council held on the 22nd day of May, 2003.

Regional Chair