



## **Minutes**

### **The Council of The Regional Municipality of York**

May 16, 2019

Council Chambers

17250 Yonge Street, Newmarket

Members: W. Emmerson, D. Barrow, M. Bevilacqua, J. DiPaola, M. Ferri,  
R. Grossi, V. Hackson, D. Hamilton, J. Heath, J. Jones, J. Li, I. Lovatt,  
T. Mrakas, S. Pellegrini, M. Quirk, G. Rosati, F. Scarpitti, J. Taylor,  
T. Vegh

Staff: D. Basso, K. Chislett, P. Freeman, J. Hulton, P. Jankowski, K. Kurji,  
B. Macgregor, E. Mahoney, L. Mirabella, C. Raynor, M.F. Turner

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#### **A. Call to Order**

Regional Chair Emmerson called the meeting to order at 9 a.m. and made the following remarks:

"I would like to begin today's meeting by acknowledging that York Region extends over lands originally used and occupied by Indigenous Peoples, and on behalf of York Region, I would like to thank First Nations and the Métis for sharing this land.

I would also like to acknowledge the Chippewas of Georgina Island First Nation as our closest First Nation community."

#### **B. Disclosures of Interest**

None

#### **C. Minutes of Council**

##### **C.1 Council Meeting held on April 18, 2019**

**Moved by** Mayor Mrakas

**Seconded by** Regional Councillor Ferri

That Council confirm the Minutes of the Council meeting held on April 18, 2019.

**Carried**

## **C.2 Council Meeting held on April 25, 2019**

**Moved by** Mayor Mrakas

**Seconded by** Regional Councillor Ferri

That Council confirm the Minutes of the Council meeting held on April 25, 2019.

**Carried**

## **D. Presentations**

### **D.1 Greater Toronto Airports Authority Update**

**Moved by** Regional Councillor Li

**Seconded by** Regional Councillor Vegh

That Council receive the presentation by Michelle Samson-Doel, Board Member, Greater Toronto Airports Authority and Lorrie McKee, Director, Public Affairs and Stakeholder Relations, Greater Toronto Airports Authority.

**Carried**

### **D.2 Mackenzie Hospital Update**

**Moved by** Mayor Bevilacqua

**Seconded by** Regional Councillor Ferri

That Council receive the presentation by Altaf Stationwala, President and CEO, Mackenzie Health.

**Carried**

## **E. Deputations**

### **E.1 LPGA CP Women's Open Golf Championship**

**Moved by** Mayor Mrakas

**Seconded by** Mayor Taylor

That Council receive the deputation by Laurence Applebaum, CEO of Golf Canada and Paige Ottaviano, Assistant Tournament Director, CP Women's Open, Golf Canada.

**Carried**

## **F. Communications**

### **F.1 York Region's Pride Week: June 7-16, 2019**

**Moved by** Regional Councillor Vegh

**Seconded by** Mayor Lovatt

That Council receive the communication from Jacob Gal, Development & Communications, York Pride Festival dated May 4, 2019 and recognize June 7-16, 2019 as Pride Week in York Region.

**Carried**

### **F.2 New Public Health Entity and Boundary**

**Moved by** Regional Councillor Rosati

**Seconded by** Regional Councillor DiPaola

That Council receive the memorandum from Katherine Chislett, Commissioner of Community and Health Services and Dr. Karim Kurji, Medical Officer of Health dated May 13, 2019.

**Carried**

### **F.3 Police-Hospital Handover Protocol**

**Moved by** Mayor Hackson

**Seconded by** Mayor Bevilacqua

That Council receive the communication from Mayor Virginia Hackson, Chair, The Regional Municipality of York Police Services Board dated May 14, 2019.

**Carried**

### **F.4 City of Richmond Hill Resolution re Regional Governance Review**

**Moved by** Mayor Barrow

**Seconded by** Regional Councillor DiPaola

That Council receive the communication from Stephen Huycke, City Clerk, City of Richmond Hill dated May 15, 2019.

**Carried**

**F.5 Town of Aurora Resolution re Bill 108 - More Homes, More Choice Act, 2019**

**Moved by** Mayor Scarpitti

**Seconded by** Mayor Barrow

That Council receive the communication from Michael de Rond, Town Clerk, Town of Aurora dated May 15, 2019.

**Carried**

See Item I.1.

**F.6 Provincial Discussion Paper on Reducing Litter and Waste in our Communities**

**Moved by** Regional Councillor Ferri

**Seconded by** Regional Councillor Grossi

That Council receive the communication from Erin Mahoney, Commissioner of Environmental Services dated May 15, 2019.

**Carried**

See Item G.2 (Committee of the Whole Item F.2.3).

**F.7 Draft Resolution regarding Formal Response to Province on Regional Government Review**

**Moved by** Mayor Barrow

**Seconded by** Mayor Taylor

That Council adopt the following resolution, as amended:

WHEREAS, the Government of Ontario has announced a review of Ontario's eight regional municipalities (Durham, Halton, Muskoka District, Niagara, Oxford County, Peel, Waterloo, York), the County of Simcoe and their lower-tier municipalities by appointed Special Advisors; and

WHEREAS, the provincially appointed Special Advisors are to provide advice and develop recommendations for the Minister of Municipal Affairs and Housing for the purpose of improving governance, decision-making and service delivery in the eight regions and Simcoe County and their lower-tier municipalities; and

WHEREAS, the province requested feedback on the regional review through an online survey or written submission by May 21, 2019 and asked respondents to focus on:

- improving representation and decision-making;
- improving the quality of municipal services and reducing costs;
- where you see municipal governments in 10 years; and

WHEREAS, in response to the regional review focus on **improving representation and decision-making:**

- i. York Regional Council consists of 21 members; an increase of just four members in 48 years *while the population served has grown 7 fold, from 170,000 to 1,200,000*
- ii. York Regional Council's representation has been considered several times, most recently in 2016 when Regional Council discussed current membership and the issue of weighted voting with the status quo remaining on both fronts
- iii. collaboration is enhanced by double-direct election where members serve on both Regional Council and Local Councils

WHEREAS, in response to the regional review focus on **improving the quality of municipal services and reducing costs:**

- i. the scope of regional services delivered has expanded greatly with York Region assuming responsibility for housing, paramedics and court services through provincial downloading and uploads relating to Regional transit, waste processing and disposal
- ii. York Regional Council tracks and reports on key performance measures, often with independent, 3rd party verification
- iii. York Regional Council continuously builds upon a long history of partnerships, collaborative efforts and shared procurement within regional and local municipalities and is constantly evolving to strengthen partnerships and achieve additional efficiencies

WHEREAS, responding to the regional review inquiry of **where you see municipal governments in 10 years**, the Regional Municipality of York and its constituent municipalities are well positioned as municipal leaders in many areas by employing best practices that serve residents well now and in the future, including:

- i. a long term Vision (to 2051) and Regional Official Plan complemented by infrastructure Master Plans
- ii. four-year strategic planning to align with Council's term

- iii. multi-year budgeting also focused on the term of Council
- iv. reporting to the public on key performance measures that are reviewed and verified by 3rd parties and accreditation agencies
- v. a robust 10-year capital infrastructure plan reflecting growth and state-of-good-repair needs
- vi. an annual public report highlighting successes, efficiencies and a record of financial statements and fiscal strategy

**THEREFORE be it resolved that:**

- 1. York Regional Council supports two-tier government as a means to deliver critical infrastructure and consistent service levels across all York Region communities.
- 2. York Regional Council believes in the democratic process that enables members of the public to engage directly with locally elected public representatives in their communities.
- 3. The Regional Municipality of York remains strongly and demonstrably committed to drive efficiencies through continuous improvement and a relentless commitment to incremental progress.
- 4. York Regional Council agrees that land use planning and the related delivery times for critical infrastructure is an area that has opportunity for further efficiencies.
- 5. This resolution be forwarded to the Premier of Ontario, the Minister of Municipal Affairs and Housing, the Special Advisors, local MPPs, local municipal Councils and made publicly available.

**Carried**

See Item G.3 (Committee of the Whole Item F.2.9).

**F.8 Provincial Funding Reduction Financial Implications**

**Moved by** Mayor Barrow

**Seconded by** Regional Councillor Grossi

That Council receive the memorandum from Laura Mirabella, Commissioner of Finance and Treasurer dated May 15, 2019.

**Carried**

## **G. Consideration and Adoption of Reports**

### **G.1 Debenture Committee Meeting - April 15, 2019**

**Moved by** Mayor Hackson

**Seconded by** Mayor Lovatt

That Council adopt the recommendations in the Minutes of the Debenture Committee meeting held on April 15, 2019.

**Carried**

### **G.2 Committee of the Whole Meeting - May 2, 2019**

**Moved by** Mayor Pellegrini

**Seconded by** Regional Councillor Ferri

That Council adopt the recommendations in the Minutes of the Committee of the Whole meeting held on May 2, 2019, except for Item F.2.3 as noted below.

**Carried**

**Moved by** Regional Councillor Ferri

**Seconded by** Regional Councillor Rosati

#### **F.2.3 Provincial Discussion Paper on Reducing Litter and Waste in our Communities**

That Council adopt the following revised recommendations provided in the memorandum dated May 15, 2019 from the Commissioner of Environmental Services, as amended:

1. Council endorse comments identified in Attachment 1 (York Region Response Letter) and Attachment 2 (York Region Detailed Comments), which were submitted to the Ministry of the Environment, Conservation and Parks in response to Environmental Registry of Ontario posting 013-4689: Reducing Litter and Waste in Our Communities Discussion Paper. Due to the timeframe provided, it was not possible to bring the response to Regional Council for endorsement prior to submission. Any additional comments or clarifications by Council will be sent to the Province to supplement staff comments. Key recommendations for endorsement include:
  - a) *Immediately transition the Blue Box to full producer responsibility to make producers both operationally and financially responsible for their waste and establish high targets that obligate the implementation of deposit return programs **that augment the Blue Box program***

- b) Include the 4<sup>th</sup> R (Recovery) in diversion calculations to recognize the benefits of recovering the value of resources
  - c) Develop Green Bin compostable standards that align with existing processing systems to provide clear rules
  - d) *Take immediate and strong action to eliminate litter and plastic waste going to landfills and waterways, including single use plastics and problematic materials, through a deadline driven action plan, **including a used beverage container deposit return program***
  - e) Ensure extended producer responsibility requirements include public spaces and Industrial, Commercial and Institutional sectors to help prevent and reduce litter in communities
2. The Regional Clerk circulate this report to local municipalities and the Ministry of the Environment, Conservation and Parks.

**Carried**

See Item F.6.

### **G.3 Committee of the Whole Meeting - May 9, 2019**

**Moved by** Regional Councillor Jones

**Seconded by** Mayor Barrow

That Council adopt the recommendations in the Minutes of the Committee of the Whole meeting held on May 9, 2019.

**Carried**

## **H. Introduction and Consideration of Bylaws**

**Moved by** Mayor Pellegrini

**Seconded by** Regional Councillor Hamilton

That Council approve and enact the following bylaws:

### **H.1 2019-31 – 2019 Property Tax Rates**

A bylaw to set and levy the rates of taxation for Regional general purposes for the year 2019.

### **H.2 2019-32 – 2019 Property Tax Ratios**

A bylaw to establish tax ratios and to specify the percentage by which tax rates are to be reduced for prescribed property subclasses for 2019.



### **H.3 2019-33 – 2019 Property Tax Capping**

A bylaw to delegate authority to the Regional Treasurer to establish "clawback" percentages for the 2019 taxation year for the commercial and industrial property classes.

### **H.4 2019-34 – Construction of an Air Management Facility**

A bylaw to acquire certain lands for or in connection with the construction of an Air Management Facility, City of Richmond Hill.

**Carried**

## **I. Motions**

### **I.1 Bill 108 - More Homes, More Choice Act, 2019**

Council considered the following updated motion from Mayor Mrakas:

WHEREAS the legislation that abolished the Ontario Municipal Board and replaced it with the Local Planning Appeal Tribunal received unanimous – all party support; and

WHEREAS all parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

WHEREAS Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow; and

WHEREAS the Region of York requests that the proposed changes to the Planning Act provide greater deference than that previously afforded to local, municipal decisions on development applications, by restoring the test under the Planning Act that appeals must be on the basis that the municipal decision is not consistent with the Provincial Policy Statement, fails to conform with a provincial plan, or fails to conform with the local and regional Official Plan(s); and

WHEREAS the Region of York requests that the tribunal framework restore the previous ability for participants in Local Planning Appeal Tribunal hearings to provide in person evidence in a hearing; and

WHEREAS the Region of York recognizes that proposed grouping together of a variety of community services, including parkland dedication, under community benefits charge framework, which is subject to a monetary cap, will limit a municipality's ability to continue to provide parks and a range of community services and facilities at a consistent and equitable level of service across the municipality, and requests that the previous Development Charge "soft services"

be maintained and separated from the community benefits charge under the proposed Bill 108; and

WHEREAS on August 21, 2018 Minister Clark once again signed the Memorandum of Understanding with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government."; and

WHEREAS this Memorandum of Understanding is "enshrined in law as part of the Municipal Act" and recognizes that as "...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest"; and

WHEREAS by signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact"; and

WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

THEREFORE be it resolved that:

1. The Regional Municipality of York oppose Bill 108 which in its current state will have negative consequences on community building and proper planning.
2. The Region of York supports the positive changes within Bill 108 such as: 1. removing the requirement for low risk projects to undertake environmental assessments; 2. appointing more Local Planning Appeal Tribunal adjudicators to deal with appeals; 3. streamlining the planning process provided that the planning processes are streamlined at both the provincial and local levels]; 4. the removal of the 10% discount for determining development charges for hard services.
3. The Regional Municipality of York call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved.

4. A copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario.
5. A copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

**Moved by** Mayor Taylor

**Seconded by** Mayor Barrow

That Council amend recommendation 1 to read as follows:

1. The Regional Municipality of York *express serious concerns with* Bill 108 which in its current state *may* have negative consequences on community building and proper planning.

A recorded vote on the adoption of the amendment was:

**For:** Barrow, Emmerson, Ferri, Grossi, Hackson, Heath, Jones, Li, Lovatt, Quirk, Rosati, Taylor, Vegh (13)

**Against:** Bevilacqua, DiPaola, Hamilton, Mrakas, Scarpitti (5)

**Absent:** Jackson, Pellegrini, Perrelli (3)

**Carried**

**Moved by** Mayor Mrakas

**Seconded by** Regional Councillor Hamilton

That Council adopt the following resolution, as amended:

WHEREAS the legislation that abolished the Ontario Municipal Board and replaced it with the Local Planning Appeal Tribunal received unanimous – all party support; and

WHEREAS all parties recognized that local governments should have the authority to uphold their provincially approved Official Plans; to uphold their community driven planning; and

WHEREAS Bill 108 will once again allow an unelected, unaccountable body make decisions on how our communities evolve and grow; and

WHEREAS the Region of York requests that the proposed changes to the Planning Act provide greater deference than that previously afforded to local,

municipal decisions on development applications, by restoring the test under the Planning Act that appeals must be on the basis that the municipal decision is not consistent with the Provincial Policy Statement, fails to conform with a provincial plan, or fails to conform with the local and regional Official Plan(s); and

WHEREAS the Region of York requests that the tribunal framework restore the previous ability for participants in Local Planning Appeal Tribunal hearings to provide in person evidence in a hearing; and

WHEREAS the Region of York recognizes that proposed grouping together of a variety of community services, including parkland dedication, under community benefits charge framework, which is subject to a monetary cap, will limit a municipality's ability to continue to provide parks and a range of community services and facilities at a consistent and equitable level of service across the municipality, and requests that the previous Development Charge "soft services" be maintained and separated from the community benefits charge under the proposed Bill 108; and

WHEREAS on August 21, 2018 Minister Clark once again signed the Memorandum of Understanding with the Association of Municipalities of Ontario and entered into "...a legally binding agreement recognizing Ontario Municipalities as a mature, accountable order of government."; and

WHEREAS this Memorandum of Understanding is "enshrined in law as part of the Municipal Act" and recognizes that as "...public policy issues are complex and thus require coordinated responses...the Province endorses the principle of regular consultation between Ontario and municipalities in relation to matters of mutual interest"; and

WHEREAS by signing this agreement, the Province made "...a commitment to cooperating with its municipal governments in considering new legislation or regulations that will have a municipal impact"; and

WHEREAS Bill 108 will impact 15 different Acts - Cannabis Control Act, 2017, Conservation Authorities Act, Development Charges Act, Education Act, Endangered Species Act, 2007, Environmental Assessment Act, Environmental Protection Act, Labour Relations Act, 1995, Local Planning Appeal Tribunal Act, 2017, Municipal Act, 2001, Occupational Health and Safety Act, Ontario Heritage Act, Ontario Water Resources Act, Planning Act, Workplace Safety and Insurance Act, 1997.

THEREFORE be it resolved that:

1. The Regional Municipality of York *express serious concerns with* Bill 108 which in its current state *may* have negative consequences on community building and proper planning.
2. The Region of York supports the positive changes within Bill 108 such as: 1. removing the requirement for low risk projects to undertake environmental assessments; 2. appointing more Local Planning Appeal Tribunal adjudicators to deal with appeals; 3. streamlining the planning process provided that the planning processes are streamlined at both the provincial and local levels]; 4. the removal of the 10% discount for determining development charges for hard services.
3. The Regional Municipality of York call upon the Government of Ontario to halt the legislative advancement of Bill 108 to enable fulsome consultation with Municipalities to ensure that its objectives for sound decision making for housing growth that meets local needs will be reasonably achieved.
4. A copy of this Motion be sent to the Honourable Doug Ford, Premier of Ontario, The Honourable Christine Elliott, Deputy Premier, the Honourable Steve Clark, Minister of Municipal Affairs, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario.
5. A copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

A recorded vote on the adoption of the resolution, as amended, was:

**For:** Barrow, Bevilacqua, Emmerson, Ferri, Grossi, Hackson, Hamilton, Heath, Jones, Li, Lovatt, Mrakas, Quirk, Rosati, Scarpitti, Taylor, Vegh (17)

**Against:** DiPaola (1)

**Absent:** Jackson, Pellegrini, Perrelli (3)

**Carried**

See Item F.5.

**J. Notices of Motion to Reconsider**

None

## **K. Other Business**

### **K.1 York Region Rapid Transit Board - June 6, 2019 Meeting Cancelled**

Regional Chair Emmerson announced that the York Region Rapid Transit Board meeting scheduled on June 6, 2019 is cancelled. The Corporation's 2018 Financial Statements will be circulated to Board members by memorandum from the President.

### **K.2 Audit Committee - June 6, 2019 Meeting to be Rescheduled**

Regional Chair Emmerson advised Council that the Audit Committee meeting scheduled on June 6, 2019 at 1 p.m. will be rescheduled pending confirmation of the auditor's availability.

### **K.3 June 2019 Council and Committee Meetings**

Regional Chair Emmerson reminded Council of the following upcoming meetings:

- June 13, 2019 - Combined Committee of the Whole Week 1 & 2
- June 20, 2019 - Council Meeting
- June 27, 2019 - Final Council meeting before summer recess

## **L. Private Session**

Council resolved into private session at 11:56 a.m. At 11:59 a.m. Council resumed in public session and reported the following:

### **L.1 Greening Strategy - Environmental Land Protection and Preservation, Land Acquisition, Walters Property, Town of Whitchurch-Stouffville - Land Acquisition**

**Moved by** Mayor Scarpitti

**Seconded by** Mayor Hackson

That Council adopt the recommendations in the private report dated April 5, 2019 from the Commissioner of Environmental Services and Commissioner of Corporate Services, including the following:

1. Council approve acquisition of 8.65 hectares, legally described as Part of Lot 34 Concession 6, Geographic Township of Whitchurch, being Parts 3 and 4 on Plan 65R-31554; Town of Whitchurch-Stouffville.

**Carried**

**L.2 Delegation of Authority - Cyber Breach Response - Solicitor-Client Privilege**

**Moved by** Mayor Scarpitti

**Seconded by** Mayor Hackson

That Council adopt the confidential recommendations in the private report dated April 26, 2019 from the Regional Solicitor.

**Carried**

**L.3 Write-Off of Uncollectable Provincial Offences Act Fines and Collection Strategy Update - Solicitor-Client Privilege**

**Moved by** Mayor Scarpitti

**Seconded by** Mayor Hackson

That Council adopt the following recommendation in the private report dated April 26, 2019 from the Regional Solicitor:

1. Council approve the write-off of unpaid/defaulted *Provincial Offences Act* fines that are uncollectible, in accordance with provincial guidelines and the Region's Collection Write-off Policy for POA fines, in the amount of \$1,274,329.31.

**Carried**

**L.4 Ontario Nurses' Association Negotiations Mandate - Labour Relations**

**Moved by** Mayor Scarpitti

**Seconded by** Mayor Hackson

That Council adopt the confidential recommendations in the private report dated May 15, 2019 from the Commissioner of Corporate Services.

**Carried**

**M. Confirmatory Bylaw**

**Moved by** Mayor Scarpitti

**Seconded by** Regional Councillor Jones

That Council enact Bylaw No. 2019-35 to confirm the proceedings of this meeting of Council held on May 16, 2019.

**Carried**

**N. Adjournment**

The Council meeting adjourned at 12 p.m.

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Regional Clerk

Minutes confirmed and adopted at the meeting of Council held on June 27, 2019.

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Regional Chair