



General Committee Meeting Agenda

**Tuesday, February 12, 2019
7 p.m.**

**Council Chambers
Aurora Town Hall**



**Town of Aurora
General Committee
Meeting Agenda**

Tuesday, February 12, 2019
7 p.m., Council Chambers

Councillor Gaertner in the Chair

1. Approval of the Agenda

Recommended:

That the agenda as circulated by Legislative Services be approved.

2. Declarations of Pecuniary Interest and General Nature Thereof

3. Community Presentations

4. Delegations

5. Consent Agenda

Items listed under the Consent Agenda are considered routine or no longer require further discussion, and are enacted in one motion. The exception to this rule is that a Member may request for one or more items to be removed from the Consent Agenda for separate discussion and action.

Recommended:

That the following Consent Agenda Items, C1 and C2, be approved:

C1. OPS19-001 – Winter Maintenance Report No. 1 Revised Provincial Minimum Maintenance Standards (MMS) and Windrow Clearing Program

Recommended:

1. That Report No. OPS19-001 be received; and
2. That the recommendations and service levels contained in Table 1 associated with the Revised Provincial Municipal Maintenance Standards (MMS) be approved; and
3. That staff report back with options to meet standards for winter pre-treatment of roads with the intent of finalizing any additional requirements for the 2020 Capital and Operating Budgets; and
4. That the Director of Operations, or their designate, be appointed as the designated Official for the purposes of declaring a “Significant Weather Event”; and
5. That the Town of Aurora not proceed with a Windrow Clearing Program.

C2. Memorandum from Mayor Mrakas

Re: Lake Simcoe Region Conservation Authority Board Meeting Highlights of November 30 and December 14, 2018

Recommended:

1. That the memorandum regarding Lake Simcoe Region Conservation Authority Board Meeting Highlights of November 30 and December 14, 2018, be received for information.

6. Advisory Committee Meeting Minutes

7. Consideration of Items Requiring Discussion (Regular Agenda)

R1. CMS19-005 – Library Square Project – Update

Presentation to be provided by: Robin McDougall, Director of Community Services; David Leinster, Partner, The Planning Partnership; and Thomas Nemeskeri, Architect, OAA, RAW Design Inc.

Recommended:

1. That Report No. CMS19-005 be received for information.

R2. CS19-013 – Council Code of Conduct and Local Boards Code of Conduct

Presentation to be provided by: Michael de Rond, Town Clerk.

Recommended:

1. That Report No. CS19-013 be received; and
2. That the Council Code of Conduct be approved; and
3. That the Local Boards Code of Conduct be approved; and
4. That the necessary by-law to implement the Council Code of Conduct and the Local Boards Code of Conduct be enacted at the February 26, 2019 Council meeting.

R3. CMS19-004 – Sport Plan – Update

Recommended:

1. That Report No. CMS19-004 be received; and
2. That the budgeted amount of \$103,400 that has been allocated in the draft 2019 Operating Budget be preserved until such time a final delivery option is agreed upon.

R4. CS19-011 – Fence By-law Exemption Request – 203 St. John’s Sideroad West

Recommended:

1. That Report No. CS19-011 be received; and
2. That an exemption to the Town's Fence By-law No. 4753-05.P to permit a recently constructed non-compliant fence in the front and side yard, which includes a wrought iron entry gate at 203 St. John's Sideroad West, be denied.

**R5. PDS19-013 – Proposal for Interim Control By-law Exemption
29 Church Street**

Recommended:

1. That Report No. PDS19-013 be received; and
2. That Council provide direction regarding the requested exemption from the Interim Control By-law.

R6. FS19-004 – Major Capital Investments Funding Strategy

Recommended:

1. That Report No. FS19-004 be received for information.

R7. PDS19-008 – Amendment to the Site Plan Control By-law

Recommended:

1. That Report No. PDS19-008 be received; and
2. That a by-law be enacted to amend By-law No. 6108-18, to include delegated approval authority for select site plan applications within the Business Park zone.

**R8. PDS19-012 – Proposed Amendment 1 to the Growth Plan for the
Greater Golden Horseshoe**

Recommended:

1. That Report No. PDS19-012 be received; and

2. That this Report be forwarded to the Ontario Growth Secretariat and the Minister of Municipal Affairs and Housing; and
3. That a letter be sent to the Minister of Municipal Affairs and Housing to request an extension of the commenting deadline for “Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe” from 45 days (February 28, 2019) to 90 days (April 14, 2019) to allow Council the opportunity to consider a subsequent report with further comments on the proposed amendments.

R9. FS19-002 – 2019 Operating Budget

Presentation to be provided by: Jason Gaertner, Acting Director of Financial Services–Treasurer.

Recommended:

1. That Report No. FS19-002 be received; and
2. That the 2019 draft Operating Budget be referred to Budget Committee for review at its scheduled meetings commencing February 21, 2019.

8. Notices of Motion

(a) Mayor Mrakas

Re: Backyard Swimming Instruction on Private Property

(b) Mayor Mrakas

Re: Cannabis Public Use By-law

(c) Councillor Gaertner

Re: Information Regarding 672 and 684 Henderson Drive

9. New Business

10. Closed Session

11. Adjournment



**Town of Aurora
General Committee Report**

No. OPS19-001

Subject: Winter Maintenance Report No.1 Revised Provincial Minimum Maintenance Standards (MMS) and Windrow Clearing Program

Prepared by: Jim Tree, Manager of Roads & Water (Acting)

Department: Operational Services

Date: February 12, 2019

Recommendation

- 1. That Report No. OPS19-001 be received; and**
- 2. That the recommendations and service levels contained in Table 1 associated with the Revised Provincial Municipal Maintenance Standards (MMS) be approved; and**
- 3. That staff report back with options to meet standards for winter pre-treatment of roads with the intent of finalizing any additional requirements for the 2020 Capital and Operating Budgets; and**
- 4. That the Director of Operations , or their designate, be appointed as the designated Official for the purposes of declaring a “Significant Weather Event”; and**
- 5. That the Town of Aurora not proceed with a Windrow Clearing Program.**

Executive Summary

This report will be the first of three separate reports that deal with winter roads maintenance.

Report #1 will discuss the revised Provincial Minimum Maintenance Standards for Roads (MMS) and potential service level increase to provide Snow Plow Windrow clearing.

Report #2 will follow and will be dedicated to future winter roads maintenance operations and all aspects of contract service providers' verses in-house services.

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Report #3 will be the final report dedicated to a single issue associated with rear yard private laneways in the Hollidge Boulevard and Ochalski Road area and the Baywell Crescent and Hollandview Trail area. This report will deal with matters regarding the Town's current role in maintaining these private laneways.

Staff believe the complexities associated with these individual issues warrants considerable time and attention. As such, presenting the issues in a single report would be far too lengthy and potentially time consuming. In an effort to streamline the process, breaking the issues down in this fashion, should result in a more focused and efficient discussion on each issue.

- **Province amends Municipal Act Regulations for Roads and Sidewalks Minimum Maintenance Standards (MMS).**
- **MMS Standards now specify that roads within the municipality are to be pre-treated to prevent the formation of ice.**
- **MMS Standards now include a provision to permit Municipality to declare a Significant Weather Event.**
- **MMS Standards now requires Winter Sidewalk Patrol and Weather Monitoring including application of salt to prevent formation of ice.**
- **Exploring the cost of Windrow Clearing programs and the issues that need to be considered.**
- **The approximately 18,900 private driveways in Aurora would likely exceed \$800,000 annually not including Capital Costs for contracted equipment.**
- **Spring 2018 Ice Storm generated fewer than 175 individual windrow removal complaints to Access Aurora.**
- **Conflict with the placement of garbage and recycling may impact both Contracted Service Providers for Garbage, Recycling and Windrow Clearing.**
- **Surveying the public may be a potential next step in determining the desirability of a Windrow Clearing Program.**
- **Limited scope Windrow Clearing Program for seniors or medically challenged requires a substantial validation process to qualify.**

Background

The topic of winter roads maintenance has been an area of significant focus by staff, Council and the community over the past two (2) years and, as such, much information has been conveyed to Council in this regard via two (2) reports (IES2017-37 and

OPS18-012). In addition the former Director of Public Works had presented four (4) reports in 2008/2009 on the subject being:

- PW08-26 Investigation of a Snow Windrow Clearing Program for Seniors and Physically Challenged residents, June 17, 2008
- PW08-41 Implementation of a Snow Windrow Clearing Programs for Seniors and Physically Challenged Residents, October 21, 2008
- PW08-47 Implementation of a Snow Windrow Clearing Programs for Seniors and Physically Challenged Residents, November 18, 2008
- PW09-023 Update on Windrow Clearing Program, May 5, 2009

The above reports were all centred on a “Pilot” Windrow Clearing Program for seniors and medically challenged residents. The final report, PW09-023, recommended that the program be cancelled. Staff suggest that it may be useful for Council to review these reports as it will help to serve as additional background context for some of the information contained in this report.

Analysis

Province amends Municipal Act Regulations for Roads and Sidewalks Minimum Maintenance Standards (MMS).

Since the submission of the above-noted reports, there have been several new developments that will have an impact on the Town’s winter roads maintenance operation. Most notably, the Province of Ontario amended the Municipal Act Regulations that deal with Minimum Maintenance Standards for Municipal Highways (MMS) as follows:

On May 3, 2018, Ont Reg 366/18 came into force, amending O.Reg 239/02 under the *Municipal Act, 2001*, SO 2001, c.25.

While there are a significant number of changes in the Regulation, many of the changes will have little impact on the Town’s winter roads operations and there are no changes anticipated to the Town’s current winter roads maintenance levels of service; however, there are several new standards that Council should be aware of.

It is also important to note that virtually all these new standards are prefaced in the Regulation with the words “where, or as soon as, practicable”. This leaves the impression that there is some flexibility in the actual need to conduct a recommended procedure or not to conduct the procedure.

For greater clarity, the following brief overview will focus on the areas of non-compliance as outlined in Table 1 below:

Table 1 MMS Amendments and Recommendations:

MMS AMENDMENT	CURRENT STATUS OF COMPLIANCE	RECOMMENDATION	IMPACTS
Pre-treatment of road surface to prevent ice formation	Not Compliant with regards to pre-treatment	To increase service level to become completely compliant commencing in the winter of 2021/2022	Purchase pre-treatment equipment in early 2020 at an estimated cost of \$500,000 and an annual ongoing operational cost of approximately \$35,000
Monitor weather forecast 3 times per day from October 1-April 30	Compliant	Continue to monitor weather forecast in accordance with amended standards	No appreciable impact as this function has been an ongoing routine practice
Declaration of a Significant Weather Event	Not Compliant	Appoint a Municipal Official with authority to declare a significant weather event	Positive impact with this standard provides the Town with greater flexibility in dealing with a major weather event no financial implications
Surface treatment of bicycle lanes on roadways	Compliant	Continue to maintain cycling routes as part of the traveled road surface	No appreciable impact as this amendment applies to on road cycling lanes
Remove snow on sidewalks to a depth of less than 8 centimeters within 48 hours following a snowfall	Generally Compliant	Continue to remove snow from sidewalks as per current standards	No appreciable impact as the Town currently meets this standard with the exception of extenuating circumstances
Pre-treatment of sidewalks to prevent ice formation	Not Completely Compliant	Monitor weather and sidewalk surface conditions and apply anti-icing materials as required	Additional cost for contracted services to be allocated in future operational budgets
Establish a representative sidewalk route and schedule regular inspection patrols	Compliant	N/A	N/A

MMS Standards now specify that roads within the municipality are to be pre-treated to prevent the formation of ice.

Ice Formation on Roadways, Section 5 (1) 3 revised:

- If the municipality determines, as a result of its activities under paragraph 1 or 2, that there is a substantial probability of ice forming on a roadway, treat the roadway, if practicable, to prevent ice formation within the time set out in Table below, starting from the time that the municipality determines is the appropriate time to deploy resources for that purpose.

Class of Highways	Time
1	6 hours
2	8 hours
3	16 hours
4	24 hours
5	24 hours

This particular amendment in the MMS is perhaps the most significant service level increase which will have a measurable impact on all municipalities and their ability to implement this major new undertaking. The practice of pre-treating roads has been implemented by several municipalities including the Regional Municipality of York, Richmond Hill and in East Gwillimbury.

The industry standard for pre-treatment is to apply a liquid brine to the bare pavement in advance of a winter weather event to prevent the formation of ice. The solution is allowed to dry on the road and remain in place until it becomes activated at the very beginning of a precipitation event. Depending on the ambient temperature, there is a rapid formation of a salt brine solution and the inability for ice to form very early in the event. This provides a more rapid de-icing effect and greater road safety. It also provides a window of time to enable the fleet of salt trucks to be dispatched for traditional salting and sanding operations.

In discussion with our N6 neighbours, the majority are not yet in a position to immediately comply with this Regulation due to the high costs and the need to obtain the specialized equipment; however, it is likely that most of the N6 will, at some point, be phasing in this new level of service over the coming years in an effort to remain compliant with the MMS.

Taking into consideration the fact that these heavy commercial vehicles and equipment takes up to 12 months from the time of order to delivery, staff recommend that the pre-treatment of roads level of service be considered in the 2020 Capital and Operating Budgets. Assuming that the pre-treatment equipment is approved in the 2020 Capital Budget prior to the end of 2019, the Road Pre-Treatment Equipment procurement process would be initiated in January 2020. In view of this timing, the actual road pre-

treatment program would be initiated in January of 2021. During the interim period, staff will continue to monitor road conditions and although not optimum, staff will make best efforts to comply with the MMS using our existing road salting equipment and are confident that this course of action demonstrates due diligence by the Corporation in meeting the MMS where practical, based on our best efforts to comply.

While staff strongly recommend that the aforementioned method of pretreating roads is most appropriate in complying with the MMS, there are several other alternatives that could be considered as follows:

ALTERNATIVES TO RECOMMENDED ROAD PRETREATMENT

ALTERNATIVE	COMMENTS
Do not Pre-treat Roads	Pre-treatment of Roads is entirely an elective level of service. The Corporation can either choose to implement the service or not. As previously indicated the Municipal Act prefaces these new maintenance regulations with “ <i>where, or as soon as, practicable</i> ” Should Council determine that the pre-treatment of roads is not practicable for any reason staff would continue to conduct road maintenance as it is currently done.
Pre-treat Roads with Rock Salt	Pre-treating roads with rock salt is, as suggested in this report, an interim solution which demonstrates due diligence to comply with the MMS; however, pre-treating roads by the industry standard definition is known as Direct Liquid Application (DLA) and the preferred method of treatment. Routine application of rock salt to bare, dry pavement has much less effectiveness as a significant amount of material simply bounces to the curb or shoulder due to the vehicle ground speed. The effectiveness is further reduced by the crushing and grinding action of the traffic which has a pulverizing effect on the salt which in turn causes the salt to become airborne in the form of dust, leaving minimal residue on the pavement for the intended purpose. This has obvious operational and environmental impacts and as stated is not the preferred method over the longer term.
Sharing of Pre-treatment Equipment	Staff could investigate sharing of road pre-treatment equipment with another local municipality; however, based on the timing of application of DLA as prescribed in the MMS Regulations it is very likely that there would be conflicts in the availability of the equipment where both municipalities would need to pretreat roads at exactly the same time.

Fig.1 anti-icing equipment



MMS Standards now include a provision to permit Municipality to declare a Significant Weather Event.

This amendment to the MMS is considered to be a significant benefit to municipalities as it allows for a wider window of opportunity and additional period of time for a municipal road authority to return road conditions to the standard level of service during and following a significant weather event.

For example, in the event of an approaching or during a severe weather event, if it is determined by the municipality there is a need to declare a “Significant Weather Event” that is likely to over tax our resources and our ability to maintain service levels within the set MMS timeframes, the Designated Municipal Official can, through the proper channels, declares a significant weather event and, by doing so, extends the road maintenance period. Once declared, the Regulation deems the roads to be in a state of repair until such time as determined by the Municipality that the significant weather event has ended.

Following this period, the Municipality shall declare an end to the significant weather event and complete any required road and sidewalk maintenance within the time frames set out in the MMS.

Notification for declaring and ending a significant weather event must be communicated in one or more of the following ways:

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- Website posting
- Social Media platform
- Press or news release to media outlets
- Notification through the police service
- Any other public notification process as defined by applicable municipal by-law

Municipalities should appoint a Designated Official for the purposes of declaring the commencement and ending of a significant weather event.

Staff recommend that the Director of Operational Services be appointed in this capacity given the close connection to the operational functions and limitations of the Department when faced with a major weather event.

It is important to note that declaring a significant weather event should not be viewed as a normal business practice or a method for municipalities to reduce or extend service level response times for an event where there is even moderate pressure on the resources. This should only be considered for the more major and exceptional weather events. Two previous events come to mind when the Town would have been well advised to declare such an event, the first being the ice storm in late December of 2013 and the second being April 13th through 15th in 2018.

MMS Standards now requires Winter Sidewalk Patrol and Weather Monitoring including application of salt to prevent formation of ice.

Currently the Town's winter sidewalk maintenance service level is among one of the highest in the GTA in that we maintain all sidewalks within the municipality. The amended MMS now requires that Municipalities conduct winter patrols and inspections on a representative sidewalk route. In addition the MMS now requires that based on weather monitoring , if there is a high probability of ice forming on a side walk that the sidewalk be treated to prevent the formation of ice within 48 hours from the time the Municipality determines that there is a high probability of said ice formation.

Staff have already established the representative sidewalk route and implemented the sidewalk patrol and we continue dispatch the sidewalk maintenance equipment well within the 48 hour window; however, there may be occasions where it becomes necessary to apply deicing materials in advance of an approaching winter weather event and this may have a yet to be determined financial impact. Staff will monitor this situation over the winter and depending on the frequency of this requirement, any additional costs will be identified and included in future roads operations budgets.

Exploring the cost of Windrow Clearing programs and the issues that need to be considered.

Fig.2



Driveway windrow clearing has been a topic of much discussion and a very difficult issue for many years in all urban municipalities. Our roads maintenance staff have a front window view of this issue and take little satisfaction from depositing large amounts of snow at the end of a residents drive way.

At this time there is nothing, in terms of equipment or process, which is either cost effective or efficient in eliminating this problem.

Some municipalities have implemented limited scope windrow removal programs for seniors or citizens or for persons with medical related limitations however the only municipality that has a full service windrow program in the GTA is the City of Vaughan where the City provides this service for approximately 80,000 driveways.

There has been much discussion among the N6 municipal roads officials on this topic and the common sentiment that continues to be widely shared, is to avoid a windrow clearing program if at all possible.

This position is primarily based on the number of issues and problems associated with the program and the negative experiences that other municipalities have encountered not the least of which is the additional costs of a windrow clearing program.

The approximately 18,900 private driveways in Aurora would likely exceed \$800,000 annually not including Capital costs for contracted equipment.

Without actually going out to the market it is difficult to provide an accurate estimated cost of a full windrow clearing service for all private driveways.

Costs do not include the capital costs that would be incurred in purchasing the specialized equipment required to facilitate the program (see fig.2). In addition, it would be necessary to contract the service out as it is done in several other municipalities due to the limited staff and equipment resources currently available. As such, it is a very reasonable assumption that the annual costs of a full windrow removal program could exceed \$1,500,000.

This figure would include the capital costs for the windrow equipment that would form part of the contract price. In considering both a full or partial windrow clearing program we need to touch on all aspects of the program, both the beneficial impacts as well as the negative impacts. The following Table 2 provides a brief overview of these issues:

Table 2: Windrow Clearing Impacts

Ranking:

A = Highly beneficial to Residents

B = Somewhat beneficial to Residents

C = Variably beneficial to Residents

D = Generally little or no benefit to Residents

Aspects of windrow clearing	Beneficial impact	Ranking	Negative impact	Ranking
Town-wide windrow clearing program tax based funding	Very high service level to residents	A	High cost and a significant tax increase	D
	Some satisfied residents	B	Residents may not buy into service level increase and tax increase	D
	Brings resolution to long standing issue	A	Potential to create further issues over new financial burden	D
Town-wide windrow clearing user pay for participants	No impact to municipality	A	Costly to residents to provide this service and difficult to predict participation and resources required	D
	Residents who do not wish to participate not impacted financially	B	Potentially significant administration process and complaint mitigation	D
Windrow removal timing	Timing for windrow removal can vary depending on the individual residence	B	Typical windrow removal time frame from start to finish is up to 16 hours depending on the snow event ,far to long for	D

Aspects of windrow clearing	Beneficial impact	Ranking	Negative impact	Ranking
			some residents which will result in complaints	
Quality of windrow removal work	Quality of windrow clearing work will vary depending on the amount of snow	C	Windrow typically cleared to allow the passage of a single driveway width leaving the remaining snow to be removed by resident, significant impact to residents with double or triple wide driveways.	D
	Potentially mixed benefits in snow events less than 8 centimeters, satisfactory results should be achieved	C	Depending on snow fall spillage may occur on each driveway resulting in poor quality work and complaints	D
Clearing windrows with obstacles present	Little adverse impact on non-garbage collection days	B	Major conflict with garbage and recycling placed along the bottom of driveway entrance will impact the ability to remove windrow	D
Parked Cars or other obstructions along curb	None		Parked cars along the curb anywhere in proximity to the driveway will not permit windrow clearing. Where a previously parked car resulted in a snowplow windrow in the street the windrow cannot be completely removed	D
Risk of damage to driveways and landscaping	None		Potential risk of damaging driveways particularly driveways surfaced with paving stones , patterned concrete and other landscape upgrades resulting in complaints and costly repairs	D
Snow storage encroaching travelled road width	None		A result of continued storage of snow on one side of the driveway the stored snow will incrementally encroach further out to the traveled portion of the road depending on the severity of the winter. In some cases it may become necessary to remove snow on streets where narrowing begins to impact traffic	D

Aspects of windrow clearing	Beneficial impact	Ranking	Negative impact	Ranking
			Additional significant costs would be incurred to remove accumulated snow from travelled road	D
Windrow clearing program for seniors and physically challenged	Satisfies residents needs and resolves their ongoing concerns and difficulties coping with this issue	A	Depending on the individual timing of windrow removal. The service may not meet expectations as well as quality of windrow removal previously noted	D
	May be a potential cost to individual residents	C	Potential significant cost of the service to be incurred by the rate payers Including an ongoing administration process required to validate applications	D
Eligibility for windrow clearing	Qualifies residents for service following presentation of validation documents	C	Complex validation process in meeting criteria .potentially unqualified residents apply for and are granted the provision of service	D

As shown in Table 2, the number of negative impacts significantly exceeds the benefits of both a full and partial windrow removal program. Notwithstanding these impacts, the notion of a windrow clearing program may appear on the surface to be a very popular program that would be well received in the community, perhaps even with the additional costs; however, staff suggest that a cautious approach be taken in this matter as many of these negative impacts have been experienced in municipalities who have elected to introduce either a full or partial windrow clearing service.

Spring 2018 Ice Storm generated fewer than 175 individual windrow removal complaints to Access Aurora.

The winter weather event that happened April 13-15, 2018 was one of the most significant ever recorded in that the combination of well below normal temperatures and the heavy accumulation of ice pellets over a very prolonged 48-hour period made for some very unique and unprecedented road conditions. As a result, it became necessary to plow the roads multiple times over a three-day period to remove an accumulation of up to 10 centimeters of frozen ice pellets throughout the municipality. Unfortunately this led to significant frozen ice being deposited at the entrance to virtually every private driveway in town and rendering many driveways impassable.

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In response to this issue, Access Aurora received approximately 172 complaints from residents conveying their displeasure and or inability to deal with the situation in clearing their windrow. In cases where there was a pressing medical urgency, Operations staff was able to assist; however, these request were minimal and had no significant impact on our resources or primary responsibilities.

Similar to Members of Council, our frontline Operations staff are well positioned to understand many of the issues or problems facing our residents as staff are directly involved in the day to day operations many of which have an impact on people's lives. Staff also placed a significant amount of value in the feedback we received (both good and bad) and, that very often, no feedback from residents usually indicates that residents are satisfied with the service they received. The best way to analyze this is to consider the number of residents that were impacted by the April 13-15, 2018 winter weather event verses the number of complaints received.as follows:

There are 18,900 residential homes and approximately 800 commercial properties in the municipality, excluding apartment buildings and business blocks. The 172 complaints received represents less than 0.91% of all property owners and only .03% of Aurora's estimated 62,000 population.

It is not assumed that the balance of homeowners and residents were satisfied with the Town's service level in this event or that this single statistic is sufficient evidence to guide a decision on whether or not to implement a windrow clearing program; however, staff believe this finding should be considered in the larger picture surrounding this issue.

Conflict with the placement of garbage and recycling may impact both Contracted Service Providers for Garbage, Recycling and Windrow Clearing.

Table 2 notes there is potential for conflict between the garbage and recycling contractor and the windrow clearing contractor depending on the day of the weather event. Staff had preliminary discussions with the municipal waste and recycling service provider who indicated that a windrow removal program will conflict with residential waste and recycling pick-ups such that it may be difficult or impossible to clear a windrow or pick up waste and recycling depending on where the resident places the waste and recycling containers. For instance, if containers are placed on the driveway entrance, windrow clearing may not be possible. Alternatively, if containers are placed too far up the driveway, considerable additional time will be required to retrieve and

return the containers. Our service garbage and recycling Provider indicated that this will result in a potential contract dispute and perhaps additional costs to the municipality.

Surveying the public may be a potential next step in determining the desirability of a windrow clearing program.

The City of Vaughan provides a city-wide Windrow Removal Program utilizing a contract service provider, the program came about as a result of a Municipal plebiscite where the residents voted in favor of a windrow removal program and a corresponding mill rate increase. Staff were advised that the Windrow Removal Program virtually doubled the roads snow plowing budget and a tax rate increase by as much as 2%. Notwithstanding this, the program continues.

The Town of Richmond Hill, in considering a town-wide Windrow Clearing Program, completed a public survey which was conducted by an outside agency in 2015 (via live telephone interview of 100 residents in each of the municipalities 6 wards). In total, 600 interviews were completed. The survey results were 42% in favour of the program, 52% opposing the program and 6% were unsure. It was reported that adding this service throughout the municipality would cost \$2.65 million in 2016 and lead to a property tax increase of 2.8% or an annual cost of \$43.75 for a home assessed at \$600,000.

(Information cited: Richmond Hill Liberal News Feb 15, 2016 by Kim Zarzour).

Limited scope Windrow Clearing Program for seniors or medically challenged requires a substantial validation process to qualify.

In considering a limited scope Windrow Program for qualified residents, it will be necessary to follow a similar process that other municipalities have utilised in order to determine ones eligibility for the program.

This process can be complicated and perhaps intrusive as very often a medical certificate must be obtained from the applicant's physician stating that the individual is not able to exert themselves. While this may appear to satisfy the application process it should not be considered to be effective in all cases and very often depending on the situation a physician's note is not unreasonably withheld. Based on other municipalities' experiences in this regard, a sworn statement may also be required, stating that there are no other able bodied occupants residing in the subject property.

In addition a medical condition may only be a temporary concern where a resident will, after a period of time, regain their full capacity. In stating these issues, we are not inferring that there is a tendency toward level of dishonesty or circumvention of the

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eligibility process, this is simply to illustrate that, if we are to have confidence that only those residents who actually require assistance are to get it, then there is a need for a robust application process with a sound eligibility criteria for one to qualify followed by ongoing monitoring.

In the event Council wishes to pursue a Windrow Clearing Program, staff would suggest that a similar public survey be undertaken well ahead of plans to implement a program of any magnitude. Richmond Hill retained an experienced polling firm and the survey was tailored to the Municipality's requirements. Staff recommend that a cautious approach be taken in this regard, as with any survey, the results may vary depending on the time of year, the questions posed and the target audience participation in the survey.

As was the case with public feedback we received from our residents following the April 2018 winter weather event, information obtained through a public survey may be one more useful tool in assisting us in coming to a suitable conclusion on this matter.

Advisory Committee Review

Not applicable.

Legal Considerations

The revised MMS standards are discussed throughout this report. Most of these new standards are prefaced in the Regulation with the words "where, or as soon as, practicable". This leaves the impression that there is some flexibility in the actual need to conduct a recommended procedure or not to conduct the procedure. By approving the recommendations set out in this report, Council will be compliant, where, or as soon as, practicable.

Financial Implications

In view of the number of suggested considerations for improvement that have been listed in Table 2, and for the purposes of clarity in the providing the financial implications associated with each area of change, staff provides the following Table 3 Financial Impacts:

TABLE 3 FINANCIAL IMPACTS

ITEM OR SERVICE LEVEL	PROPOSED YEAR OF IMPLEMENTATION	ESTIMATED CAPITAL COST	ESTIMATED ONGOING ANNUAL OPERATIONAL COST
Purchase of Road Pre-treatment brine application vehicle and bulk brine storage equipment	2020	\$500,000	\$35,000
Pre-treatment of sidewalks	2019/2020	\$0	To be determined
Windrow clearing public survey	2019/2020	\$14,000	\$0
Full town-wide windrow clearing program	If considered, to be determined following public survey results	Included in multi-year contract service providers contract price	\$1,500,000
Limited windrow removal program	If considered, to be determined following public survey results	To be determined based on public demand	To be determined based on number of participants

As outlined in the above Table, it is currently difficult to provide accurate costing information for a Windrow Clearing Program, of any scale, due to the lack of information and the fact that the work is subject to market conditions.

In terms of the New Equipment required for pre-treating our roads for the prevention of ice formation Staff have obtained budget estimates from the various equipment sales representatives.

Communications Considerations

In the event Council wishes to pursue the matter of windrow clearing further through a public survey, the Operational Services Department will involve our communications staff to assist in guiding the process.

Any significant changes to service levels will be posted to the Town of Aurora website and shared with the community through the Notice Board, social media and News and Notices.

If a Significant Weather Event (SWE) is called, the Director of Operations will contact the Manager of Corporate Communications, or designate, to advise that a SWE has been commenced. A notice will then be posted to the Town of Aurora website and postings to social media will be completed as soon as possible. At the end of a SWE, notification will be provided to the Manager of Corporate Communications, or designate, and will be communicated in the same manner as the commencement announcement. Mandatory wording regarding the beginning and end of an SWE has been provided by the provincial government.

Link to Strategic Plan

This project supports the Strategic Plan Goal of Supporting an Exceptional Quality of Life for All by improving transportation, mobility and connectivity. This project establishes a program that enhances the accessibility and safety of vehicular and pedestrian traffic during the winter season.

Alternative(s) to the Recommendation

1. Council could select any items in Table 1 that staff have identified as not being completely compliant or not compliant and provide further direction to staff on any aspect of the recommendations.
2. Council could direct staff to advance the purchase of the specialized road pre-treatment equipment sooner than 2020 or postpone the purchase of this equipment and or Tender the provision of this service at a date of Council's choosing.
3. Council could select an alternative Municipal official to be charged with the responsibility of both declaring and ending a significant weather event.

Conclusions

Staff recommend that the Town of Aurora not proceed with a Windrow Clearing Program based on many negative impacts that have been identified within this report. Also, in light of the most recent amendment to *Ontario Municipal Act Regulation No. Reg 366/18, Minimum Maintenance Standards for Municipal Highways (MMS)*, the

February 12, 2019

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Report No. OPS19-001

recommendations outlined in Table 1 are appropriate and in the best interest of the Corporation to implement.

Attachments

None.

Previous Reports

PW08-26 Investigation of a Snow Windrow Clearing Program for Seniors and Physically Challenged residents, June 17, 2008

PW08-41 Implementation of a Snow Windrow Clearing Programs for Seniors and Physically Challenged Residents, October 21, 2008

PW08-47 Implementation of a Snow Windrow Clearing Programs for Seniors and Physically Challenged Residents, November 18, 2008

PW09-023 Update on Windrow Clearing Program, May 5, 2009

IES2017-37 Winter Maintenance 2017/18 Report, September 5, 2017

OPS18-012 Winter Maintenance 2017/2018 Report, June 5, 2018

Pre-submission Review

Agenda Management Team review on January 7, 2019

Departmental Approval



Allan D. Downey
Director of Operations
Operational Services Department

Approved for Agenda



Doug Nadorozny
Chief Administrative Officer



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**Town of Aurora
Office of the Mayor**

Memorandum

Date: February 12, 2019
To: Members of Council
From: Mayor Tom Mrakas
Re: **Lake Simcoe Region Conservation Authority
Board Meeting Highlights of November 30 and December 14, 2018**

Recommendation

That Council:

- Receive the correspondence for information
- Endorse the recommendations
- Provide direction



Board Meeting Highlights

November 30, 2018

Announcements:

a) Ontario Fill Symposium

CAO Mike Walters noted that General Manager, Planning & Development, Rob Baldwin, attended the Ontario Fill Symposium recently and was on a panel discussing new ways to deal with illegal fill. GM Baldwin noted that the symposium was well attended by about 400 people, and discussions acknowledged that the issue of illegal is not going away, and accordingly new methods to deal with it must be found; such as finding new legal fill sites. CAO Walters noted that TRCA has been successful with the purchase of their fill site, noting it is profitable and ensures fill goes to the right place. Councillor Ferdinands and Mr. Dolan both mentioned legal sites in the watershed that would be worth looking at. CAO Walters will follow up with both members to learn more.

b) LSRCA's Corporate Carbon Reduction Strategy

Harry French and Jen Atkinson from Windfall Centre were in attendance as the Board approved LSRCA's Corporate Carbon Reduction Strategy. General Manager, Integrated Watershed Management, Ben Longstaff, thanked them for all their assistance and acknowledged LSRCA's Stormwater Technician, Anna Copeland, for all her hard work in getting the carbon reduction strategy pulled together.



From left to right: Jen Atkinson, Windfall Centre; Anna Copeland, LSRCA Climate Change Mitigation Assistant; Harry French, Windfall Centre; Mayor Geoffrey Dawe, LSRCA Chair; Mike Walters, LSRCA CAO; and Ben Longstaff, LSRCA General Manager, Integrated Watershed Management

Presentations:

a) Sustainable Technology Evaluation Program

General Manager, Integrated Watershed Management, Ben Longstaff, provided a presentation on the Sustainable Technology Evaluation Program (STEP), a multi-agency initiative developed to support broader implementation of sustainable technologies and practices within a Canadian context. Founded by Toronto and Region Conservation Authority (TRCA) in 2004, its initial focus was on evaluating sustainable technology in the water and energy sectors. With strong working relationships between the provincial and federal governments, academia and conservation authorities across Ontario, it has become a multi-agency initiative whose purpose is to share, optimize and maximize the effectiveness of existing financial, technical and staffing resources; to avoid confusion in marketplace caused by multiple CAs working in same sector; to strengthen conservation authority position; and to coordinate research, tool development, activities and facilitate knowledge transfer.

The objectives of the program include creating livable, sustainable communities by providing the data, scientific evidence, analytical tools, and expertise needed to support broader implementation of sustainable water technologies and practices within an Ontario and Canadian context. To view this presentation, please click this link: [STEP Partnership](#)

For more information, please contact Ben Longstaff @ 905-895-1281 ext 305, b.longstaff@lsrca.on.ca, or visit the program's website at <https://sustainabletechnologies.ca/about-step/>

Correspondence and Staff Reports:

Correspondence

The Board received the following pieces of correspondence:

- a) Ministry of Environment, Conservation and Parks memo of November 20, 2018 regarding ministry re-organization.

LSRCA Corporate Carbon Reduction Strategy

The Board approved Staff Report No. 45-18-BOD, prepared by General Manager, Integrated Watershed Management, Ben Longstaff, regarding LSRCA's Corporate Carbon Reduction Strategy. The Board had previously received a presentation on the draft strategy.

Durham Regional Forest Standing Timber Sale

The Board approved Staff Report No. 46-18-BOD, prepared by Manager, Forestry and Greenspace Services, Philip Davies, which sought the Board's approval to award Tender DRF-2018-001 to Gees Lumber and Logging Ltd.

Standardization of Administration Fees for Compensation/Offsetting Programs

The Board approved Staff Report No. 47-18-BOD, prepared jointly by General Manager, Watershed Restoration Services, Carolyn Ali; General Manager, Planning & Development, Rob Baldwin; and General Manager, Corporate and Financial Services, Mark Critch, which recommended a standard administration fee of 15% for the WHPA-Q2 Recharge Compensation Program, Ecological Offsetting Plan, and the Phosphorus Offsetting Policy effective January 1, 2019.

LSRCA Reserve Management Update

The Board approved Staff Report No. 48-18-BOD, prepared by General Manager, Corporate and Financial Services, Mark Critch, which recommended that changes in reserve management, including updated minimum targets, be endorsed for future financial reporting updates, effective January 2019. The Board also approved the delegation of authorization of reserve transfer (reserve to reserve) to the Chief Administrative Officer.

For more information or to see the full agenda package, please click the link below for LSRCA's Board of Directors' webpage: [LSRCA Board of Directors' Meetings](#)



Board Meeting Highlights

December 14, 2018

Announcements:

- a) CAO Mike Walters referenced the latest edition of Lake Simcoe Living magazine, which was handed out to Board members, noting that staff prepared a great article on the impacts of plastic. He also noted that many staff, through the SWITCH Committee, had recently taken a plastics pledge in an effort to reduce the use of single-use plastic.
- b) CAO Walters referenced Bill 66, the proposed Restoring Ontario's Competitiveness Act, 2018, noting it is a very complex matter and that he would not be providing comments at this time; rather, LSRCA will be responding to the EBR posting, and a staff report will be prepared for the Board in February 2019.

Correspondence and Staff Reports:

Correspondence

The Board received the following pieces of correspondence:

- a) LSRCA's letter to MECP regarding Ontario Drinking Water Source Protection Program.

Pangman Springs Conservation Area Restoration Project - Agreement for Completion of the Construction Phase

The Board approved Staff Report No. 49-18-BOD, prepared by Restoration Program Coordinator, Christa Sharp, regarding the Pangman Springs Conservation Area Restoration Project, which sought the Board's approval to award Tender No. RFT #RS-2018-PSCA-001 to R&M Construction.

Single Source Professional Services Agreement Award – Emmons & Olivier Resources Canada, Inc.

The Board approved Staff Report No. 50-18-BOD, prepared by Restoration Program Coordinator, Christa Sharp, which sought the Board's approval to award a Single Source Professional Services Agreement to Emmons & Olivier Resources Canada, Inc. for design and construction administration for a restoration project to address agricultural surface runoff from Goodyear Farms in the Township of Brock at a cost of \$68,598 excluding taxes.

Water Balance Offsetting Policy

The Board approved Staff Report No. 51-18-BOD, prepared by General Manager, Planning & Development, Rob Baldwin, which sought the Board's approval to expand the Water Balance Offsetting Policy and collection of compensation to areas outside the York Region Recharge Management Area (WHPA-Q2).

Scanlon Creek Conservation Area – Operations Centre Renovation Project Update

The Board approved Staff Report No. 52-18-BOD, prepared by General Manager, Conservation Lands, Brian Kemp, regarding an update on the Scanlon Creek Operations Centre Renovation Project, tender results, and a recommendation to continue discussions on this project and report back to the Board.

For more information or to see the full agenda package, please click the link below for LSRCA's Board of Directors' webpage: [LSRCA Board of Directors' Meetings](#)



**Town of Aurora
General Committee Report No. CMS19-005**

Subject: Library Square Project - Update
Prepared by: Robin McDougall, Director of Community Services
Department: Community Services
Date: February 12, 2019

Recommendation

- 1. That Report No. CMS19-005 be received for information.**

Executive Summary

This report will provide an update on the Library Square project highlighting some of the changes since it was last before Council in June 2018.

Considerations include:

- Further consultation on the project has taken place to refine the design, cost estimate and project timeline
- Based on inputs from consultants and cultural partners, revisions have been made to the design of the Church Street School expansion
- Enhancements to the Outdoor Square include features for year-round attraction
- Heritage and Accessibility considerations are important in the development of the design
- Parking study, parking lot, laneway and accessible parking considerations have been incorporated in the latest design
- Applications for grants that may offset the capital costs will be submitted
- Project Management Model will be used for the Library Square project implementation

Following the presentation at tonight's Council meeting by The Planning Partnership (TPP), staff will incorporate any comments/inputs from Council and return in March for further direction.

Background

In June 2018 Council was presented the latest design concepts for the Library Square project and passed the following recommendations:

- That the current design of the Library Square is approved; and
- That the Option 1 schematic design for the expansion to the Church Street School which includes the three (3) floors and theatre be approved; and
- That the allocation of existing project funding for the tendering of the parking lot, the laneway and the components of the square which would provide connections to the square/library be approved, and that Council commit to funding for the square and building, which will come back in new year for final funding approval;
- That the above budget includes 1% contribution to the Town's Public Art Reserve Fund in accordance with the Official Plan requirements; and
- That on the eastern side of the property, at minimum, three (3) accessible parking spaces be installed.

Staff have continued to work with The Planning Partnership and other project consultants along with engagements with various cultural partners in refining the project details.

Analysis

Further consultation on the project has taken place to refine the design, cost estimate and project timeline

The concept design in June focused on space utilization to determine room size, building footprint, alignment with the original schoolhouse, parking considerations, etc. resulting in a Class D cost estimate at that time. With Council's direction in June 2018, staff continued to meet regularly with the project consultants discussing and revising the design of the 3-story addition and the outdoor square. With the inputs from cultural partners and specialized consultants (i.e. theatre specialist, acoustic consultants), further enhancements were made to the design while maintaining the objective of being a versatile and multi-purpose community cultural facility. The goal was also further refinement of the cost estimate.

The engagements with the cultural partners also provided significant information for the development of the Canada Cultural Spaces Fund (grant) application.

Based on inputs from consultants and cultural partners, revisions have been made to the design of the Church Street School expansion

Since June 2018, staff and consultants have continued to refine the features in each of the spaces of the 3-story model that includes the theatre space. Based on the inputs from the specialized consultants and cultural partners, certain aspects of the spaces became apparent and were identified as important to be included in the final design, and yet are known as typical features for cultural spaces (i.e. acoustic treatments, performance floor space, divisible rooms, museum exposure, connectedness to original building, etc.).

It was also important through the discussions that the 3rd floor theatre space be a multi-purpose space as it will serve much more than just theatre style uses. The word “theatre” brings to mind certain functions; however, the space is being designed to be very multi-functional. The space will be able to service functions such as musicals, theatre, dance recitals, concerts, movies, lectures, and ceremonies with the retractable seats extended, while the space will also service banquet or conference style with the seats retracted to provide an open hall for table and chair setting. Therefore, the theatre will be referenced as the ‘Performance Hall’ throughout the remainder of this report.

Special meetings were held with the theatre specialist, acoustic consultant and cultural partners to further refine opportunities. As a result of those discussions, a site visit was hosted at the Country Day School in King City which has a very similar performance space being proposed in this design. It provided firsthand information, suggestions and a visual interpretation of what the proposed space might look like. They also shared lessons learned and identified features that were important to the space. The acoustic treatments can be very different depending on the uses. For example, the installation of retractable curtains provides the ability to either absorb sound or when retracted, provide flat walls that enable sound to bounce. It was also identified that the tall ceiling height and long and narrow shaped spaces are very important and in fact, a longer space was preferred. Considerations for the acoustic treatments for the ceiling, walls, floor, and on other surfaces within the space have been captured in the revised design.

Through discussions with the cultural partners and the theatre specialist, it became evident that with the seats fully extended in the Performance Hall (approximately 250 seats), the size of the stage floor was less than desirable and functional (only 10’). A number of the partners stated that the limited floor space would restrict how often it would be used in that configuration. Therefore, the theatre specialist recommended a

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Report No. CMS19-005

couple of options in order to ensure the floor space offered a minimum performance space of 16'. One option was to extend the seating by two (2) less rows resulting in approximately 210 seats, another option was to 'bump out' the facility length by an additional 1.9m enabling the desired floor space while keeping the desired seating capacity of 250 seats and yet additionally benefiting the acoustic interests with the longer facility. With the latter option serving more of the interests, staff included the 'bump out' in the latest designs.

Another option that needs to be further explored over the next few weeks is the option to add Gallery seating on both sides of the Performance Hall. This would require the north side of the building cantilever to be extended one (1) meter and yet would add approximately 28 additional gallery seating capacity. This could be done in combination with the bump out at the eastern side of the building or could take its place. If it is in combination, it would add 28 seats for a total of 278 (250 retractable plus 28 gallery), or it could take the place of the bump out. This would mean that the retractable seating would be extended two (2) less rows in order to maintain the 16' floor space, while the gallery seating would add in the extra seating for a total of 238 (210 retractable plus 28 gallery). The gallery area would require additional acoustic treatments but may provide additional seating and/or a unique viewpoint for the hall. The bump out and/or the gallery option needs to be further explored and confirmed in the next report in March.

Further enhancements to the 'back of house' for the Performance Hall were done to meet the needs of change rooms, storage and technical sound/lighting booth. Consideration of the need for 'catwalks' versus 'grid' system was discussed and based on improved technology, the design has been amended to use a 'grid' to support the sound and lighting equipment. This model not only provides improved lighting and sound opportunities, it increases the ceiling height, which benefits the overall acoustics and removes the need to add acoustic treatments to the catwalks. A catwalk would also add additional height to the exterior of the building which would further obscure the existing school house. This is not in keeping with best practices when working with heritage buildings.

Moving to the second floor of the design, consideration was given to enable the visual arts room and performing arts studio room to be divisible. This would provide options for smaller training, classes, rehearsals, etc. With the spaces divisible, a separate entrance was included to access both sides of the rooms. The visual arts room included a sink and counter but with it divisible, an additional sink and counter was added to the space so that both sides would have access to clean up capabilities. The performing arts studio space was originally equipped with sprung floor and mirrors;

through consultation with cultural partners, a basic speaker system was also added to the design for groups to hook up music to enable rehearsal space. In addition, a simple curtain system was included to cover mirrors as certain uses may prefer the mirrors out of view.

The 1st floor program room was also made divisible to provide options for community groups to either rent as one (1) large room or two (2) smaller rooms. Some cultural partners suggested this space may be suitable for dedicated space.

The museum and archives will be housed in the temperature/humidity controlled room on the 1st floor. In order to celebrate all of the amazing artifacts collected over the years, a special glass wall and shelving will be installed to enable patrons to view the artifacts as they enter the facility. Staff would regularly change out the artifacts as different elements are to be featured. In addition, in a few different locations near areas where patrons may gather (i.e. outside Performance Hall), special glassed cases will have artifacts on display.

The central atrium will be an excellent gathering space while celebrating the original building and the new addition. This space will be a multi-floor feature providing excellent visibility from Victoria Street entrance to the outdoor square. Access between the two buildings will be open concept through two connecting bridges. A central customer service kiosk will welcome patrons as it will be first point of contact whether they come from Victoria Street or the square. The 1st floor access off of the outdoor square provides a feature entrance into a simple refreshment counter that could be utilized during special events. Guests could mingle in the facility or head outside through the large retractable glass doors onto the patio and square.

Enhancements to the Outdoor Square include features for year-round attraction

Through consultation with cultural partners and event staff, elements of functionality were revised to the design that was last presented to Council in June 2018.

Originally Council approved the design without an ice rink, however, through discussions it became evident that to activate the square year-round (aside from the attraction of special events), an ice rink was needed to draw the public to the space during the winter months. This feature requires a refrigeration system, a mechanical building and a small ice resurfer. The ice rink would be located in the area where the summer water feature would take place. Approval of the addition of the ice rink would be required to proceed.

The outdoor square will serve as a place to gather to enjoy the peaceful environment or to take part in special events such as festivals, markets, fairs, movie nights, etc. Other features in the outdoor square include consideration for lighting, hydro, water sources, shade features and a pathway connecting the library and the new addition.

Heritage and Accessibility considerations are important in the development of the design

As noted in the June 2018 report, both Heritage and Accessibility Advisory Committees were consulted on the proposed project. As there have been revisions since they last provided comments, the latest versions will return to each committee for comment before it goes to tender.

In addition, staff have received comments from the Town's Accessibility Advisor and have shared those comments with TPP for consideration in the designs.

For additional heritage considerations, the project has received comments from both ERA Architects (specialists in Heritage architecture) and Ontario Heritage Trust (OHT). In both cases, they provided preliminary comments stating that they do not anticipate any concerns with the design. We are awaiting their final report, which is due in February.

Parking study, parking lot, laneway and accessible parking considerations have been incorporated in the latest design

In June 2018, Council approved construction of the parking lot and laneway and the inclusion of three (3) additional accessible parking spots on the eastern side of the building. The three (3) additional accessible parking spots have been included in the revised design, however, it has been determined that it would be best to coordinate the laneway construction with the outdoor square. The parking lot tender package specifications are drafted; staff will work with procurement to help prepare the document for issuance.

The Town completed a preliminary parking study for Library Square that examined the parking supply and demand for the proposed development and surrounding area. Additional analysis is required to ensure that the location of the available parking supply aligns with the requirements of the various onsite parking demand generators, most notably the Library. This analysis is expected to be completed in the coming weeks and presented to Council in March 2019.

Applications for grants that may offset the capital costs will be submitted

Since June 2018, staff worked diligently to prepare the comprehensive grant application for Canada Cultural Spaces Fund including consultation with the cultural partners and the development of the business plan. It was anticipated that the application would be submitted by December 2018, but in preparation of the submission we were recommended by the program officer to hold off unless we anticipated spending significant capital costs before the end of March 2019 (Federal governments fiscal year end). As this was not anticipated, staff will ensure the application is submitted in order to be considered for the Federal governments next fiscal year cycle that commences April 1, 2019.

In addition, staff have learned of another grant opportunity suitable for capital funding that would support the construction of the outdoor square. Staff will investigate this opportunity (Building Communities Through Arts and Heritage - Legacy Fund) and seek further direction from Council in March 2019.

Project Management Model will be used for the Library Square project implementation

The Town is developing a corporate project management model for all capital projects and the Library Square construction will be one of the first major projects that will follow this new model.

For most capital projects, internal staff with the necessary project management skills will oversee those projects. However, for projects the size and complexity of the Library Square, it is typical to hire a dedicated project manager (or project management firm) to lead the project through to completion. The funding for this role has been captured in the capital project cost estimate. Therefore, at the time of Council's approval to proceed with the construction, staff will issue an RFP for a project management firm. In this scenario, senior staff will lead the project, but the project management firm will manage and coordinate all aspects including preparation of tender packages, contractors, change orders, work schedules, payments, etc.

Advisory Committee Review

The Heritage Advisory Committee and Accessibility Advisory Committee were consulted earlier in 2018 on this design, however, the most recent designs will return to each committee for additional input.

Legal Considerations

Not applicable

Financial Implications

A Class D cost estimate for the Library Square project was provided to Council through the PDS18-076 – Library Square staff report on June 19, 2018. Since this date, staff have further refined its estimated cost for this project resulting in a Draft Class C cost estimate which has been included in the 2019 Draft Capital budget as a placeholder. In partnership with its consultant, staff plan to provide a Final Class C cost estimate to Council in March, 2019.

In addition, Financial Services will present to Council funding options for the Library Square project for its consideration in March 2019.

Communications Considerations

This report will be posted to the website to keep residents informed of plans and any future direction from Council will be shared via Council Highlights, Town website and social media.

Link to Strategic Plan

The development of Library Square supports the following Strategic Plan goals and key objectives:

Supporting an exceptional quality of life for all in its accomplishment in satisfying requirements in the following key objectives within these goal statements:

- **Invest in sustainable infrastructure**
- **Celebrating and promoting our culture**
- **Encourage an active and healthy lifestyle**

- **Strengthening the fabric of our community**

Enabling a diverse, creative and resilient economy in its accomplishment in satisfying requirements in the following key objectives within these goal statements:

- **Promoting economic opportunities that facilitate the growth of Aurora as a desirable place to do business**

Alternative(s) to the Recommendation

1. Council may provide further direction.

Conclusions

This report and The Planning Partnership's presentation was intended to provide Council with an update on the Library Square Project, therefore, no direction is required at this time. Subsequent report will be presented in March seeking Council's approval to proceed with the project.

Attachments

None

Previous Reports

PBS17-066 – Award of Contract for Library Square Site Plan, September 5, 2017;

PBS17-096 – Preferred Design for Library Square, December 5, 2017;

PBS17-100 – Preferred Design for Library Square – Additional Information December 12, 2017;

PDS18-014 – Updated Design for Library Square, January 30, 2018; and

PDS18-076 – Library Square – June 19, 2018

February 12, 2019

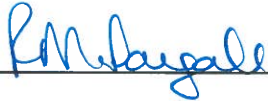
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Report No. CMS19-005

Pre-submission Review

Agenda Management Team review on January 24, 2019

Departmental Approval



**Robin McDougall
Director
Community Services**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**



**Town of Aurora
General Committee Report No. CS19-013**

Subject: Council Code of Conduct and Local Boards Code of Conduct
Prepared by: Michael de Rond, Town Clerk
Department: Corporate Services
Date: February 12, 2019

Recommendation

- 1. That Report No. CS19-013 be received; and**
- 2. That the Council Code of Conduct be approved; and**
- 3. That the Local Boards Code of Conduct be approved; and**
- 4. That the necessary by-law to implement the Council Code of Conduct and the Local Boards Code of Conduct be enacted at the February 26, 2019 Council Meeting.**

Executive Summary

This report seeks approval of a Council Code of Conduct and Local Boards Code of Conduct. The report discusses the following;

- Through Ontario Regulation 55/18, the Province has established what a Council Code of Conduct must contain
- Principles Integrity, the Town's Integrity Commissioner, has drafted the Council Code of Conduct and the Local Boards Code of Conduct attached to this report
- The Council Code of Conduct contains detailed procedures for filing a complaint and complaint resolution
- Members of Council are encouraged to contact the Integrity Commissioner if they encounter a situation where an action may be a violation of the Code of Conduct

Background

The Modernizing Ontario's Municipal Legislation Act, 2017, amended the Municipal Act, 2001 to mandate that all municipalities in Ontario must have a Council Code of Conduct and a Local Boards Code of Conduct. Further, the Town must provide access to an

February 12, 2019

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Report No. CS19-013

Integrity Commissioner to review alleged violations of the Codes. These provisions must be in place by March 1, 2019.

At the December 18, 2018 regular meeting of Council, By-law No. 6140-18 was passed appointing Principles Integrity as the Integrity Commissioner for the Town of Aurora.

By-law No. 5532-13 established a Council Code of Ethics that is still currently in place. The Code of Ethics speaks to how a Member of Council should conduct themselves, but does not contain any mechanisms to deal with alleged complaints of violations to that code. The Code of Ethics does not suffice as a Council Code of Conduct under the new legislation.

Analysis

Through Ontario Regulation 55/18, the Province has established what a Council Code of Conduct must contain

O. Reg. 55/18 provided that a Council code of Conduct must contain provisions dealing with the following subject matters:

- Gifts, Benefits and Hospitality;
- Respectful conduct, including conduct toward officers and employees of the municipality or the local board, as the case may be;
- Confidential information; and
- Use of property of the municipality or of the local boards, as the case may be.

Principles Integrity, the Town's Integrity Commissioner, has drafted the Council Code of Conduct and the Local Boards Code of Conduct attached to this report

The Council Code of Conduct has been prepared using best practices from around the Province. The Code contains the rules of conduct for Members of Council and also some commentary which provides a further level of understanding for both Council and the public about what the various rules are trying to achieve. The Town of East Gwillimbury and York Region have also retained Principles Integrity as their Integrity Commissioner and their Councils will be presented similar Codes of Conduct.

The attached Local Boards Code of Conduct will apply to all members of the Town's advisory committees and local boards with the exception of the Library Board which is governed by provisions in the *Public Libraries Act, 1990*. The Local Boards Code of

February 12, 2019

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Report No. CS19-013

Conduct is much shorter than the Council Code of Conduct and has been designed to better reflect the limited range of misconduct situations that board and committee members could find themselves in.

The Council Code of Conduct contains detailed procedures for filing a complaint and complaint resolution

To initiate a complaint, residents should go to the Town's website and specifically the page dealing with the Code of Conduct and Integrity Commissioner. From there, they will be able to fill out and submit the form directly to the Integrity Commissioner. Depending on the type of complaint received, the Integrity Commissioner will initiate either the informal complaint procedure or the formal complaint procedure. The informal procedure will likely lead to a quick resolution, while the formal procedure may involve an investigation and take days or weeks to conclude. A formal investigation may result in a report to Council with recommendations from the Integrity Commissioner regarding potential remedies.

The Code also contains a provision whereby the Integrity Commissioner, under their sole discretion, may declare a complaint to be frivolous and vexatious and therefore not to be investigated.

Members of Council are encouraged to contact the Integrity Commissioner if they encounter a situation where an action may be a violation of the Code of Conduct

Difficult situations may arise for Members of Council where an action may lead to a violation of the Code. When a Member is unsure of whether an action is a violation, they are encouraged to reach out to the Integrity Commissioner for their opinion. The opinion will be provided in writing and as long as all the facts were conveyed to the Integrity Commissioner, following their advice will not result in a violation of the Code. Further to this, questions regarding the *Municipal Conflict of Interest Act, 1990* may also be referred to the Integrity Commissioner.

Members of Local Boards and Advisory Committees may also contact the Integrity Commissioner should they have questions about a potential conflict or violation.

Advisory Committee Review

None

Legal Considerations

Section 223.2 of the *Municipal Act, 2001* states that municipalities must have a Code of Conduct for its Members of Council and Local Boards by March 1, 2019.

Financial Implications

Staff have included \$20,000 relating to the activities of the Integrity Commissioner in the 2019 Operating Budget for Council's consideration.

Communications Considerations

A page on the Town's website will be dedicated to information about the Council Code of Conduct, the Integrity Commissioner and the associated complaint process.

Link to Strategic Plan

Enacting both Council and Local Boards Codes of Conduct promote **progressive corporate excellence and continuous improvement** by implementing policy and processes that reflect sound and accountable governance.

Alternative(s) to the Recommendation

1. Council may refer the report and Codes of Conduct back to staff for more information. This would leave the municipality in contravention of the *Municipal Act, 2001* on March 1, 2019.

Conclusions

Mandating the enactment of a Council Code of Conduct and a Local Board Code of Conduct continues the Provincial trend of regulating more accountability and transparency at the local government level. Approving the Codes attached to this report ensure the Town of Aurora is compliant with Provincial legislation while also remaining accountable to the residents of Aurora.

Attachments

Attachment 1 – Draft by-law

Attachment 2 – Schedule 'A' to Draft By-law - Council Code of Conduct

Attachment 3 – Schedule 'B' to Draft By-law - Local Boards Code of Conduct

Previous Reports

None

Pre-submission Review

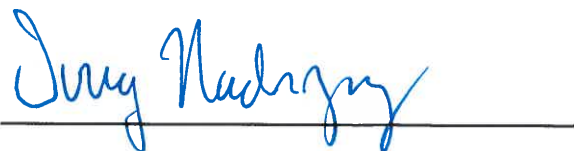
Agenda Management Team review on January 24, 2019

Departmental Approval



**Techa van Leeuwen
Director
Corporate Services**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**

The Corporation of the Town of Aurora

By-law Number XXXX-19

**Being a By-law to establish a Council Code of Conduct and a Local
Boards Code of Conduct**

Whereas Section 223.2 of the *Municipal Act, 2001* mandates that municipalities must have a Code of Conduct for its Members of Council and Local Boards by March 1, 2019;

Now therefore the Council of The Corporation of the Town of Aurora hereby enacts as follows:

1. Council Code of Conduct, attached hereto as Schedule 'A' and forming part of this By-law, be and is hereby adopted.
2. Local Boards Code of Conduct, attached hereto as Schedule 'B' and forming part of this By-law, be and is hereby adopted.

Enacted by Town of Aurora Council this 26th day of February, 2019.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

Schedule 'A' to Draft By-law

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Town of Aurora Code of Conduct for Members of Council

January 2019

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Town of Aurora
Code of Conduct for Council Members

General Introduction

Members of Aurora Council recognize their obligation to serve their constituents and the public in a conscientious and diligent manner understanding that as leaders of the community, they are held to a higher standard of behaviour and conduct.

Members recognize that ethics and integrity are at the core of public confidence in government and in the political process; that elected officials are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence, avoids the improper use of influence of their office and conflicts of interests, both apparent and real. They recognize the need to uphold both the letter and the spirit of the law including policies adopted by Council.

This *Code of Conduct* ensures that Members of Council share a common basis and understanding for acceptable conduct of Members of Council, in concert with and beyond the minimum standards of behaviour set out in the existing legislative framework.

This *Code of Conduct* is consistent with the principles of transparent and accountable government, and reflective of the Town's core values.

Framework and Interpretation

- a. This *Code of Conduct* applies to all Members of Council ("Members"). It is to be given broad, liberal interpretation in accordance with applicable legislation and the definitions set out herein. As a living document the *Code of Conduct* will be brought forward for review at the end of each term of Council, when relevant legislation is amended, and at other times when appropriate to ensure that it remains current and continues to be a useful guide to Members of Council.
- b. Commentary and examples used in this *Code of Conduct* are illustrative and not exhaustive. From time to time additional commentary and examples may be added to this document by the Integrity Commissioner and supplementary materials may also be produced as deemed appropriate.
- c. Where an elected official discloses all known facts to the Integrity Commissioner and as long as those facts remain unchanged, the Member may rely on written advice provided by the Integrity Commissioner. The Integrity Commissioner will be bound by the advice given, as long as the facts remain unchanged, in the event that he or she is asked to investigate a complaint.
- d. Elected Officials seeking clarification of any part of this *Code* should consult with the Integrity Commissioner.
- e. The *Municipal Act, 2001* is the primary piece of legislation governing municipalities however there are other statutes that govern the conduct of elected municipal officials. It is intended that the *Code of Conduct* operate together with

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and as a supplement to the following legislation:

- *Municipal Act, 2001*;
- *Municipal Conflict of Interest Act (MCIA)*;
- *Municipal Elections Act, 1996*;
- *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*;
- *Criminal Code of Canada*.

Definitions

a. "Family" includes "child", "parent" and "spouse" as those terms are defined in the *Municipal Conflict of Interest Act* (set out below for ease of reference), and also includes

- Step-child and grand-child;
- Siblings and step-siblings;
- Aunt/uncle, niece/nephew, first cousins
- In-laws, including mother/father, sister/brother, daughter/son
- Any person who lives with the Member on a permanent basis.

"Child" means a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;

"Parent" means a parent who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;

"Spouse" means a person to whom the person is married or with whom the person is living in a conjugal relationship outside of marriage;

b. "Member" means a member of the Council of the Town of Aurora, including the Mayor.

c. "Social Media" means publicly available, third party hosted, interactive web technologies used to produce, post and interact through text, images, video and audio to inform, share, promote, collaborate or network.

d. "Staff" includes the Chief Administrative Officer, Directors, Managers, Supervisors and all non-union and union staff whether full-time, part-time, contract, seasonal or volunteers.

e. "Nomination Day" means the last day for filing or withdrawing a nomination as provided for by the *Municipal Elections Act, 1996*.

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Guiding Principles

1. Members of Council shall serve the public and their constituents in a conscientious and diligent manner.
2. Members of Council should be committed to performing their functions with integrity impartiality and transparency.
3. Members of Council shall preform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.
4. There is a benefit to municipalities when members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations, and otherwise.

Specific Rules

Rule No. 1: Avoidance of Conflicts of Interest

In this Rule:

- a. “disqualifying interest” means an interest in a matter that, by virtue of the relationship between the Member of Council and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Member of Council could not participate impartially in the decision-making processes related to the matter.
 - b. non-disqualifying interest” means an interest in a matter that, by virtue of the relationship between the Member of Council and other persons or bodies associated with the matter, is of such a nature that reasonable persons fully informed of the facts would believe that the Member of Council could participate impartially in the decision-making processes related to the matter so long as:
 - The Member of Council fully discloses the interest so as to provide transparency about the relationship; and
 - The Member of Council states why the interest does not prevent the Member from making an impartial decision on the matter.
1. Members of Council shall not participate in the decision-making processes associated with their office when prohibited to do so by the Municipal Conflict of Interest Act.
 2. Members of Council shall not participate in the decision-making processes associated with their office when they have a disqualifying interest in a matter.

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3. For greater certainty:

- a. Members of Council shall not participate in the decision-making processes associated with their office when they have a direct, indirect or deemed pecuniary interest in a matter, except in compliance with the Municipal Conflict of Interest Act.
- b. Members of Council shall not participate in the decision-making processes associated with their office when they have an interest that though in compliance with the Municipal Conflict of Interest Act, is nevertheless a disqualifying interest by virtue of the nature of the relationship between the Member and other persons or bodies to be affected by the decision.

4. Treatment of Non-Disqualifying Interests:

- a. Members of Council may participate in the decision-making processes associated with their office when they have a non-disqualifying interest provided they file at their earliest opportunity a Transparency Disclosure in a form and manner established by the Town Clerk acting in consultation with the Integrity Commissioner.
- b. Transparency Disclosures are public documents and shall be available for public viewing on the Town web site.
- c. The determination of whether an actual disqualifying interest or an actual non-disqualifying interest exists, when challenged, is subject to the determination by the Integrity Commissioner of whether a reasonable person fully informed of the facts would believe that the Member of Council could not participate impartially in the decision-making processes related to the matter.

Members of Council should be committed to performing their functions with integrity and to avoiding the improper use of the influence of their office, and private conflicts of interest, both apparent and real. Members of Council shall also not extend in the discharge of their official duties, preferential treatment to Family Members, organizations or groups in which they or their Family Members have a direct or indirect pecuniary interest.

Members of Council have a common understanding that in carrying out their duties as a Member of Council, they will not participate in activities that grant, or appear to grant, any special consideration, treatment or advantage to a Family Member or an individual which is not available to every other individual.

Members of Council are governed by the Municipal Conflict of Interest Act (MCIA). The Integrity Commissioner is empowered to investigate and rule on all conflicts of interest, whether pecuniary or non-pecuniary, however, until March 1, 2019, in the event an application under the MCIA is filed with the Court, the provisions of that statute may limit any authority given to the Integrity Commissioner to receive or investigate complaints

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regarding alleged contraventions under the Municipal Conflict of Interest Act.

Members of Council may seek conflict of interest or other advice, in writing, from the Integrity Commissioner. Where members choose to seek external legal advice on conflict of interest or other Code of Conduct issues, these fees will not be reimbursed by the Town of Aurora and cannot be charged to any office account.

Members may not participate in activities that grant, or appear to grant, any special consideration, treatment or advantage to a Family Member or an individual which is not available to every other individual.

When a member, despite the existence of an interest, believes that he or she may still participate in a matter with an open mind, the public interest is best served when the Member is able to articulate the interest, and why the interest does not amount to a disqualifying conflict of interest.

Members must remain at arm's length when Town staff or Council is asked to consider a matter involving a Family Member or a person or organization with whom the Member has a real or apparent conflict of interest.

5. Members who seek advice from the Integrity Commissioner with respect to the application of this Rule may rely on the provisions of Part B. "Framework and Interpretation" (paragraph 3) and the Rule 17, "Acting on Advice of Integrity Commissioner."
6. Members of Council shall avoid any interest in any contract made by him/her in an official capacity and shall not contract with the Town or any agency thereof for the sale and purchase of supplies, material or equipment or for the rental thereof.
7. Members of Council, while holding public office, shall not engage in an occupation or the management of a business that conflicts with their ability to diligently carry out their role as a Member of Council, and shall not in any case profit directly or indirectly from such business that does or has contracted with the Town of Aurora.

Members of Council may for example teach, or run a business that does not conflict or interfere with their duties.

8. Despite paragraph 7., a Member of Council may hold office or a directorship in an agency, board, commission or corporation where the Member has been appointed by Town Council or by the Council of the Regional Municipality of York, or by the Federal or Provincial Government.

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9. Despite paragraph 7. a Member of Council may hold office or directorship in a charitable, service or other not-for-profit corporation subject to the Member disclosing all material facts to the Integrity Commissioner and obtaining a written opinion from the Integrity Commissioner approving the activity, as carried out in the specified manner, which concludes that the Member does not have a conflict between his/her private interest and public duty. In circumstances where the Integrity Commissioner has given the Member a qualified opinion, the Member of Council may remedy the situation in the manner specified by the Integrity Commissioner.

Examples of exceptions include hospital boards, charitable boards, police services boards, community foundations, the Association of Municipalities of Ontario, the Federation of Canadian Municipalities, service clubs such as the Rotary Club, Lions Club and other not-for-profit organizations. Members should exercise caution if accepting such positions if the organization could be seeking a benefit or preferential treatment from the Town at any time.

The legislative obligation is set out in the Municipal Conflict of Interest (MCI). If the Member of Council, or a family member of the Member of Council, sits on a body which has a pecuniary interest in a matter before Council (such as an application for grant, support or other contribution), that Member has a deemed pecuniary interest. The Member of Council should disclose the interest and should not participate in or vote on such matter, in compliance with the obligations of s.5, MCI.

The Code of Conduct captures the broader common law responsibility and requires members to avoid any possible appearance of favoring organizations or groups on which the Member's family members serve.

Family members of Members of Council are not precluded, or even discouraged, from serving on not-for-profit organizations or other bodies. However, where family members of Members of Council serve in such a capacity, the Member should declare a conflict of interest whenever there is a matter for Council consideration in which the not-for-profit organization or body has a pecuniary interest.

For this reason, the following questions may assist Members in assessing whether they should be a member of the body, or if their family member is a member of the body, when a matter may give rise to a conflict:

Is this a corporation created to carry on municipal business on behalf of the Town, or to which I am appointed because I am a Council appointee? In these cases the Municipal Conflict of Interest Act, s.4(h) exempts Members from MCI disclosure/recusal obligations.

If no, is this a body (a board, commission, or corporation) which seeks Town resources such as space, support, funds?

If yes, the Member of Council should not serve on the board of directors.

If a family member (spouse, sibling, child) of the Council Member is a member of the

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body, then the Member of Council should declare a conflict of interest any time Council is considering a matter in which the body has a pecuniary interest. In this way, there is no perception that the Council Member is giving preferential consideration to the body on which the Member's family member serves.

Rule No. 2: Gifts, Benefits and Hospitality

In this Rule:

- a. "Gift" means money, fee, advance, payment, gift, gift certificate, promise to pay, property, travel, accommodation, entertainment, hospitality or any other personal benefit connected directly or indirectly with the performance of a Member's duties of office, but excludes:
 - i. Compensation authorized by law;
 - ii. Political contributions otherwise reported by law, in the case of Members running for office;
 - iii. Services provided by persons volunteering their time;
 - iv. Contributions of value that are specifically addressed in other provisions of this Code
 - v. Gifts provided to the Town of Aurora and which are logged, archived and/or publicly displayed as such.
- b. A Gift provided with the Member's knowledge to a Family Member or to a Member's staff that is connected directly or indirectly to the performance of the Member's duties, is deemed to be a Gift to that Member.
- c. "Token of Appreciation" means such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, or which are a suitable memento of a function honouring the Member.
- d. "Official Hospitality" means food, lodging, transportation and entertainment provided by Provincial, Regional and local governments or political subdivisions of them, by the Federal government or by a foreign government within a foreign country or at a conference, seminar or event where the Member is either speaking or attending in an official capacity at an official event (such as at meetings of AMO, FCM, or conducted by providers of continuing education).
- e. "Business Hospitality" means food and beverages consumed at banquets, receptions or similar events, if:
 - i. attendance serves a legitimate business purpose;
 - ii. the person extending the invitation or a representative of the organization is in attendance; and

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- iii. the value is reasonable and the invitations infrequent;
 - f. "Publications" means communication to the offices of a Member, including subscriptions to newspapers, and periodicals.
1. No Member shall accept any Gift unless expressly permitted by this Rule.
 2. No Member shall accept any Gift involving the use of property or facilities, such as a vehicle, office, club membership or vacation property at less than reasonable market value or at no cost. Notwithstanding this prohibition, with specific approval provided by Council, a Member may be sponsored to attend educational site visits connected with an identified project.
 3. Gifts identified in Column B of Table '1' may be accepted by a Member provided the Gift is disclosed in accordance with the conditions set out in Column 'C'.
 4. Gift Disclosure, where required, is to be accomplished by filing within 30 days of receipt of the gift or reaching the annual limit, a Councillor Information Statement in a form prescribed by the Integrity Commissioner and providing same to the Town Clerk for posting on the Town's web site.
 5. Gifts identified in Column B shall not be accepted, without the Integrity Commissioner's specific approval, when the conditions set out in Column 'D' are applicable.
 6. In providing advice to a Member about their obligations respecting Gifts, or in considering any inquiry with respect to a Councillor Information Statement or an assertion that this Rule has been breached, or in providing consent, where required, that a Gift may be accepted, the Integrity Commissioner shall determine whether the receipt of the Gift or might, in the opinion of the Integrity Commissioner, create a conflict between a private interest and the public duty of the Member. In the event that the Integrity Commissioner makes that preliminary determination, he/she shall call upon the Member to justify receipt of the gift or benefit.
 7. Should the Integrity Commissioner determine the receipt of a Gift was inappropriate, the Integrity Commissioner may direct the Member to return the gift, reimburse the donor for the value of any gift or benefit already consumed, or the Integrity Commissioner may order the Member to forfeit the gift or remit the value of any gift or benefit already consumed to the Town, or a Town agency, board or commission. Any such direction ordered by the Integrity Commissioner shall be a matter of public record.

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Table '1'
Gift Treatment and Disclosure

A	B	C	D
<u>Type of Gift</u>	<u>Examples</u>	<u>Gift Disclosure</u>	<u>Gift No Longer Allowable</u>
Token of Appreciation	Plaques, Pens, Mugs, Vase, Event Photos, and similar	No need to record - Deemed Zero Value	Actual Value of a single gift is over \$500 (allowable with IC approval)
	Perishable (includes flowers, food)	No need to record - Deemed Zero Value	Excludes Alcohol with actual value over \$100
	Gift to Town	Not a 'Gift'. No need to record. Town staff (identify) to record and take possession unless otherwise on public display. Deemed Zero Value	N/A
Course of Business	Publications	No need to record - Deemed Zero Value	N/A
	Art	\$100	\$500
	Business Meals	\$100	\$500
	Business Hospitality	\$100	\$750 More than two Event Tickets (Golf, Gala, Sporting, Entertainment) per event More than one event per year from the same person or organization (allowable with IC approval)
	Official Hospitality	\$500	No limit

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Gifts and benefits are often received by elected officials in the course of their duties and attendance at public functions is expected and is considered part of their role. Business-related entertainment and gift-giving can be a token of respect and admiration for the elected official, but can also be seen as an instrument of influence and manipulation. The object of this rule is to provide transparency around the receipt of incidental gifts and benefits and to establish a threshold where the total value could be perceived as potentially influencing a decision.

The practical problems that nominal gifts and benefits create require a Code of Conduct that provides clarity and transparency. Personal integrity and sound business practices require that relationships with developers, vendors, contractors or others doing business with the Town be such that no Member of Council is perceived as showing favouritism or bias toward the giver. There will never be a perfect solution.

*Members who are members of both Aurora Council and Regional Council will be subject to both this Rule and the rules in place for the Regional Municipality of York governing the receipt of gifts, benefits and hospitality. Where a gift, benefit or hospitality offering is made within the **exclusive** scope of the Member's duties as a Member of **either** Regional Council or Aurora Council, it will be clear which provision will govern. However, since business or personal interactions with Members of Council are not always specific to a discrete matter easily identified as **either** a Regional or local matter, in many, if not most circumstances, the Member may be subject to both the provisions adopted by both municipalities. In such cases the more stringent provision would govern.*

Each Member of Council is individually accountable to the public and is encouraged to keep a list of all gifts and benefits received from individuals, firms or associations, with estimated values, in their offices for review by the Integrity Commissioner in the event of a complaint.

Use of real estate or significant assets or facilities (i.e. a vehicle, office, vacation property or club membership) at a reduced rate or at no cost is not an acceptable gift or benefit. The purpose of the Code is not to prohibit Members from accepting all invitations to socialize at a vacation property with personal friends at their vacation property, provided the Gift is disclosed in accordance with this Rule.

Proper caution and diligence must however be exercised when a social function occurs within close proximity to the individual having an issue before Town Council or staff for approval. It is always prudent to consult with the Integrity Commissioner before accepting or attending at any such engagements. Any doubts about the propriety of a gift should be resolved in favour of not accepting it or not keeping it. It may be helpful to consult with the Integrity Commissioner when a Member chooses to decline a gift as well as when a recipient may opt to keep a gift.

An invitation to attend a function with a developer or supplier could be seen as allowing the giver an opportunity to influence the elected official. Such invitations should only be accepted if the invitation is within the scope of permissible gifts and benefits, meaning that Members should not consistently accept invitations from the same individual or

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corporation and should avoid any appearance of favouritism.

For clarification, an invitation to an event celebrating the successful completion of a development or project or the opening of a new business within the Member's ward on the other hand could serve a legitimate business purpose and be seen as part of the responsibilities of office provided the person extending the invitation or that person's representative is in attendance.

An invitation to attend a charity golf tournament or fund-raising gala, provided the Member of Council is not consistently attending such events as a guest of the same individual or corporation, is also part of the responsibilities of holding public office. Likewise, accepting invitations to professional sports events, concerts or dinners may serve a legitimate business purpose. Where a Member is uncertain in regards to whether an invitation is or is not appropriate, it may be prudent to consult with the Integrity Commissioner before attending any such event.

Regular invitations to lunch or dinner with persons who are considered friends of Members of Council is acceptable in situations where the Member pays their portion of the meal expense and treats it as a personal expense, meaning a claim is not made under the Corporate, Travel & Auto Expenses policy. Proper caution and diligence not to discuss matters before the Town for a decision must be exercised at all times. When in doubt it is prudent to consult with the Integrity Commissioner.

Rule No. 3: Member's Expenses

There are a range of expenses that support a Member's role in community development and engagement activities. For federal and provincial elected officials, these expenses are often paid for by Riding Association funds. Municipal elected officials do not have this benefit. Members should refer to either the Corporate, Travel & Auto Expenses policy or the Compensation and Support for Members of Council policy for guidance of expenses eligible for reimbursement.

1. As community leaders, Members may lend their support to and encourage community donations to registered charitable, not-for-profit and other community-based groups. Monies raised through fundraising efforts shall go directly to the groups or volunteers or chapters acting as local organizers of the group and Members of Council should not handle any funds on behalf of such organizations.

Members of Council routinely perform important work in supporting charitable causes and in so doing, there is a need for transparency respecting the Member's involvement. The following guidelines shall apply:

- a. Members of Council should not directly or indirectly manage or control any monies received relating to community or charitable organizations fundraising;
- b. Members of Council or persons acting on behalf of a Member shall not solicit or accept support in any form from an individual, group or corporation, with

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any pending significant planning, conversion or demolition variance application or procurement proposal before Town Council, which the Member knew or ought to have known about.

- c. With reference to member-organized community events, Members of Council must report to the Integrity Commissioner, the names of all donors and the value of their donation that supplement the event.
 - d. Where a Member of Council sponsors and/or lends support to a community or charitable event, this *Code* recognizes that all donations are subject to the Compensation and Support for Members of Council policy.
 - e. No donation cheques should be made payable to a Member of Council or to the Town of Aurora. Members of Council may only accept donation cheques made payable to a Business Improvement Association, charity or community group and only for the purpose of passing the cheques on to such group.
 - f. Members of Council should not handle any cash on behalf of any charitable organization, not-for-profit or community group, and should always remain at arm's length from the financial aspects of these community and external events. If a Member of Council agrees to fundraise on behalf of a charity or community group, the Member should ensure that payment is received by a means that does not involve cash, including bank draft, money order, credit card or cheque made payable to the applicable group or organization.
2. Nothing included herein affects the entitlement of a Member of Council to:
- a. urge constituents, businesses or other groups to support community events and advance the needs of a charitable organization put on by others in the Town;
 - b. play an advisory ex officio or honorary role in any charitable or non-profit organization that holds community events in the Town; and
 - c. collaborate with the Town of Aurora and its agencies, boards or commissions to hold community events.

By virtue of the office, Members of Council will be called upon to assist various charities, service clubs and other non-profits as well as community associations, by accepting an honorary role in the organization, lending their name or support to it or assisting in fundraising. Transparency and accountability are best achieved in today's era by encouraging contributors to make donations to such organizations on-line through a website or where that is not possible through a cheque made payable directly to the organization. Cash should never be accepted.

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Rule No. 4: Confidential Information

1. No Member shall disclose the content of any such matter, or the substance of deliberations, of the *in-camera* meeting until the Council or Committee discusses the information at a meeting that is open to the public or releases the information to the public.
2. No Member shall disclose or release by any means to any member of the public, any confidential information acquired by virtue of their office, in either oral or written form, except where required by law or authorized by Council to do so.
3. No Member shall use confidential information for personal or private gain, or for the gain of relatives or any person or corporation.
4. No Member should directly or indirectly benefit, or aid others to benefit, from knowledge respecting bidding on the sale of Town property or assets.
5. Members of Council should not access or attempt to gain access to confidential information in the custody of the Town unless it is necessary for the performance of their duties and is not prohibited by Council policy.

Confidential Information includes information in the possession of, or received in confidence by, the Town of Aurora that the Town is either prohibited from disclosing, or is required to refuse to disclose, under the Municipal Freedom of Information and Protection of Privacy Act (“MFIPPA”), or any other legislation.

MFIPPA restricts or prohibits disclosure of information received in confidence from third parties of a corporate, commercial, scientific or technical nature, information that is personal, and information that is subject to solicitor-client privilege.

The Municipal Act, 2001 allows information that concerns personnel, labour relations, litigation, property acquisitions and security of the property of the Town or a local board, and matters authorized in other legislation including MFIPPA, to remain confidential. For the purposes of the Code of Conduct, “confidential information” includes this type of information.

As elected officials, Members of Council will receive highly sensitive and confidential information concerning residents who need their assistance. This is consistent with the nature of the Members’ duties. In accordance with the Records and Information Management Policy, Councillor constituency records are at all times under the control of the Member and are not subject to any municipal disclosure requirements.

Under the Council Procedure By-law, a matter that has been discussed at an in-camera (closed) meeting remains confidential, until such time as a condition renders the matter public. The following are examples of the types of information that a Member of Council must keep confidential:

items under litigation, negotiation, or personnel matters;

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*information that infringes on the rights of others (e.g. sources of complaints where the identity of a complainant is given in confidence);
price schedules in contract tender or request for proposal submissions if so specified;
information deemed to be “personal information” under the Municipal Conflict of Interest Act; and
statistical data required by law not to be released (e.g. certain census or assessment data)*

Where it is clear that a communication was not made in a confidential manner (i.e. copied to others, or made in the presence of others) or the manner of communication undermines the validity of labelling it “Confidential”, such communication will not be given any higher level of confidentiality than any other communication. The words “Privileged”, “Confidential” or “Private” will not be understood to preclude the appropriate sharing of the communication for the limited purpose of reviewing, responding or looking into the subject-matter of the communication.

Rule No. 5: Use of Town Resources

1. No Member shall use for personal purposes any Town staff services, property, equipment, services, supplies, websites, webboards, or other Town-owned materials, other than for purposes connected with the discharge of Town duties.
2. No Member shall obtain personal financial gain from the use or sale of Town developed intellectual property (for example, inventions, creative writings and drawings), computer programs, technical innovations or any other item capable of being patented. Members acknowledge and do not dispute that all such property remains exclusively that of the Town of Aurora.
3. No Member shall use information gained in the execution of his or her duties that is not available to the general public, for any purposes other than his or her official duties.

Members, by virtue of their position, have access to a wide variety of property, equipment, services and supplies to assist them in the conduct of their Town duties as public officials.

While most of this property is provided within the confines of their office, much of it is transportable or may be provided for home use, given the nature of the demands placed on Members in carrying out their duties and in recognition of the fact that the Town does not provide constituency offices to Members of Council. Members are held to a higher standard of behaviour and conduct and therefore should not use such property for any purpose other than for carrying out their official duties. For clarity, this Rule is intended to prohibit the use of Town resources for purposes such as running a home business. It is not intended to prohibit occasional personal use, but it should be subject to practical limitations.

Careful attention should be given to the provisions of the Town’s Compensation and

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Support for Members of Council policy and the Corporate, Travel & Auto Expenses policy which identifies approvable allowable expenses. During election campaigns, the provisions of Rules 6 and 7 will apply.

4. No Member shall use the services of Town staff, or make requests for document or information from Town staff, unless such information is required for the purpose of carrying out their duties as public officials.
5. No Member shall include in his or her website, newsletters, E-mails or other printed material, advertising of businesses in the Town, including the distribution of gift certificates, free tickets and compiling a list of businesses located in a ward. Attending and reporting the opening of a new business or a business event in the Town is permissible and a Member may thank verbally or in a newsletter, a business by name or an employee of that business, which contributes to a Town or ward event provided that no such recognition shall constitute an endorsement of such business

Rule No. 6: Election Campaigns

1. Members are required to follow the provisions of the *Municipal Elections Act, 1996* and Members are accountable under the provisions of that statute.
2. No Member shall use the facilities, equipment, supplies, services, staff or other resources of the Town (including Councillor newsletters, individual websites linked through the Town 's website and social media accounts used for ward communication) for any election campaign or campaign-related activities and all such sites shall not use the Town of Aurora logo.
3. If a member of Council uses any social media account for campaign purposes, such account must not be created or supported by Town resources or use the Town logo. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers.
4. To avoid confusion with any website or social media accounts used for Council Member work, Council members who choose to create or use social media accounts for campaign communications must include, for the duration of the campaign, a clear statement on each campaign website or social media account's home page indicating that the account is being used for election campaign purposes.
5. Despite the foregoing, Members are allowed to place campaign phone numbers, websites and E-mail addresses on the election pages on the Town 's website, which is available and authorized for use by all candidates for municipal and school board office.

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6. In a municipal election year, commencing Nomination Day until the date of the election, Members may not publish Councillor newsletters or distribute them in municipal facilities. All newsletters distributed through the mail must be post-marked by no later than Nomination Day in an election year. Members of Council may, during such period, use Town facilities to communicate important notifications to the residents of their ward by E-mail in normal Outlook format or by letter on the Councillor's stationery.
7. In a municipal election year, commencing on Nomination Day until the date of the election, no candidate including Members, may directly or indirectly, book any municipal facility for any purpose that might be perceived as an election campaign purpose.
8. Members shall be respectful of the role of the Town Clerk in managing the municipal election process and meeting all statutory requirements in respect thereof. The Town Clerk must ensure all candidates are treated equally and no candidate for elected office should interfere with how the Clerk carries out these duties.

Staff should not interpret or provide advice to Members regarding the requirements placed on candidates for municipal office.

The restriction on booking facilities ensures that election-related functions, or those that could appear to be election-related, will not occur at any time there is an advance or regular poll at the facility. The need to set up in advance means that election night parties cannot be held in the same facilities that polling stations are located in.

Members should not authorize any event that could be perceived as the Town providing them with an advantage over other candidates. It is the personal responsibility of Members to ensure that any use of facilities or the services of municipal staff are carried out in accordance with applicable legislation. Staff are not responsible for monitoring and advising Members or any other candidates, in this regard.

The Municipal Elections Act, 1996 clearly states that it is the responsibility of the Town Clerk to conduct the election and take all necessary actions to ensure municipal elections meet all statutory requirements.

9. No Members shall use the services of persons for campaign related Activities during hours in which those persons receive any compensation from the Town .
10. The Integrity Commissioner may at any time be consulted with regard to complying with any part of Rule 6 and in particular may rule on whether any activity by staff in a Councillor's office during an election year is prohibited election work or permitted activity sufficiently unrelated to the election.

Rule No. 7: Improper Use of Influence:

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1. No member shall use the influence of his or her office for any purpose other than for the exercise of his/her official duties.
2. Members shall not contact members of any tribunal regarding any matter before it, such as the Committee of Adjustment, which is charged with making independent decisions and whose members have been appointed by Council. Members may with prior written notice to the Committee of Adjustment Secretary/Treasurer, infrequently attend meetings to provide the Committee of Adjustment with history and context of an application before the committee. Members may send a letter or E-mail addressed to the Secretary of such tribunal expressing the views of the member on behalf of the community.

If Council has taken a position in an Ontario Municipal Board/Local Planning Appeal Tribunal (“OMB/LPAT”) matter and instructed the Town Solicitor to appear at a hearing in support of such position, no member of Council who disagrees with such position, shall give evidence at such hearing or otherwise work against the will of Council in such matter. With the consent of the lawyer assigned to represent the Town at an OMB/LPAT hearing, a member of Council who is in support of the Council instructions to such lawyer, may give evidence at an OMB/LPAT hearing. Notwithstanding the above, if the OMB/LPAT has decided to mediate a dispute between parties in a matter, any member of Council may offer his or her services to assist with such mediation regardless of his or her position in the matter and participate, if approved by the OMB/LPAT mediator.

Examples of prohibited conduct are the use of one’s status as a Member of Council to improperly influence the decision of another person to the private advantage of oneself, or one’s Family Member, or friends. This would include attempts to secure preferential treatment beyond activities in which Members normally engage on behalf of their constituents as part of their official duties. Also prohibited is the holding out of the prospect or promise of a future advantage through a Member’s supposed influence within Council in return for present actions or inaction.

Contact with members of tribunals appointed by Council on any case might be viewed as attempts to intimidate the tribunal member. Generally, members of Council should not take part in the proceedings of any other tribunal where the Town is a party unless such participation is approved by the Integrity Commissioner

3. Pursuant to corporate policy, the Chief Administrative Officer directs Town Directors who in turn direct Town staff. Town Council and not individual Members of Council appropriately give direction to the Town administration.

Rule No. 8: Business Relations

1. No Member shall allow the prospect of his/her future employment by a person or entity to affect the performance of his/her duties to the Town, detrimentally or otherwise.

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2. No Member shall borrow money from any person who regularly does business with the Town unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money, such as a credit union.
3. No Member shall act as a paid agent before Council or a committee of Council or any agency, board or committee of the Town.
4. No Member shall refer a third party to a person, partnership or corporation in exchange for payment or other personal benefit.

Rule No. 9: Member Conduct

Conduct at Council and Committee Meetings:

1. Members shall conduct themselves at Council and committee meetings with decorum in accordance with the provisions of the *Council Procedure By-law*.
2. Members shall endeavour to conduct and convey Council business and all their duties in an open and transparent manner (other than for those decisions which by virtue of legislation are authorized to be dealt with in a confidential manner in closed session), and in so doing, allow the public to view the process and rationale which was used to reach decisions and the reasons for taking certain actions.

Members recognize the importance of cooperation and strive to create an atmosphere during Council and committee meetings that is conducive to solving the issues before Council, listening to various points of view and using respectful language and behaviour in relation to all of those in attendance.

Various statutes, the Council Procedure By-law and decisions by courts and quasi-judicial tribunals and the Information and Privacy Commission, establish when Town Council can discuss issues in closed session. Transparency requires that Council apply these rules narrowly so as to best ensure that decisions are held in public session as often as possible.

Unless prohibited by law, Members should clearly identify to the public how a decision was reached and the rationale for so doing.

3. Members shall make every effort to participate diligently in the activities of the committees, agencies, boards, commissions and advisory committees to which they are appointed by the Town or by virtue of being an elected official.

Individual Members are appointed to committees, agencies, boards and commissions based on their various backgrounds and their ability to contribute to matters before them, bringing their expertise and experience. Members shall not be absent from Council or committee meetings, or from those of agencies, boards and commissions to which they are appointed without reasonable justification (for example, illness of the

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Member, family circumstance, Regional business) for more than three consecutive scheduled meetings or on a regular basis.

4. Members shall conduct themselves with appropriate decorum at all times.

As leaders in the community, Members are held to a higher standard of behaviour and conduct, and accordingly their behaviour should be exemplary.

Rule No. 10: Media Communications

1. Members of Council will accurately communicate the decisions of Aurora Council, even if they disagree with the majority decision of Council, and by so doing affirm the respect for and integrity in the decision-making processes of Council.
2. Members of Council will keep confidential information confidential, until such time as the matter can properly be made public.
3. In all media communications, including social media, members will treat each other, staff and members of the public with decorum, dignity and respect, and shall avoid messaging that amounts to abuse, bullying or intimidation.

A Member may state that he/she did not support a decision, or voted against the decision. A Member should refrain from making disparaging comments about other Members of Council or about Council's processes and decisions.

When communicating with the media, a Member should at all times refrain from speculating or reflecting upon the motives of other Members in respect of their actions as a Member of Council.

While openness in government is critical, governments also must respect confidentiality when a matter must remain, at least for a period of time, confidential. Breaches of confidentiality by Members erodes public confidence.

While Members are encouraged to actively participate in vigorous debate, Members should understand that they are part of a democratically-elected representative body and should not engage in social media as if they are outsiders. In this regard, caution should be exercised when blogging, posting, tweeting, re-posting and linking to posts using social media, whether the member is using a personal account or a Town account.

Members who post blogs should recognize that the Canadian Association of Journalists has identified the ethical conflict faced by journalists holding elected public office. It is recognized that there is an irreconcilable conflict in holding both roles.

While social media can be an excellent tool for communicating quickly with constituents and sharing ideas and obtaining input, social media can breed incivility that generally is avoided in face-to-face interactions. In a world where a transitory comment can become part of the permanent record, Members should exercise restraint in reacting too quickly, or promoting the social media posts of others whose views may be disparaging of

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Council's decisions or another Member's perspectives.

Rule No. 11: Respect for Town By-laws and Policies:

1. Members shall encourage public respect for the Town and its by-laws.
2. Members shall adhere to such by-laws, policies and procedures adopted by Council that are applicable to them.

A Councillor must not encourage disobedience of a Town by-law in responding to a member of the public, as this undermines confidence in the Town and in the Rule of Law.

Members of Council are required to observe the policies and procedures established by Town Council at all times, and are directed to pay special attention to, and comply strictly with, the Council Procedure By-law and both the Corporate, Travel & Auto Expenses policy and the Compensation and Support for Members of Council. In exceptional circumstances, a Member may request Council grant an exemption from any policy.

Rule No. 12: Respectful Workplace:

1. Members are governed by the Town's Violence and Harassment Free Workplace policies. All Members have a duty to treat members of the public, one another and staff appropriately and without abuse, bullying or intimidation and to ensure that their work environment is free from discrimination and harassment.
2. All complaints received involving members of Council under the Violence and Harassment Free Workplace policies shall be referred to the Integrity Commissioner for processing in accordance with both the said policy and the *Council Code of Conduct Complaints Protocol*.
3. The *Ontario Human Rights Code* applies in addition to the Violence and Harassment Free Workplace policies.

It is the policy of the Town of Aurora that all persons be treated fairly in the workplace in an environment free of discrimination or personal and sexual harassment.

The Town of Aurora's Violence and Harassment Free Workplace policies ensures a safe and respectful workplace environment and provides for the appropriate management of any occurrences of harassment and discrimination as those terms are defined in the policy.

The Town of Aurora's Violence and Harassment Free Workplace policies applies equally to members of staff and Members of Council. It will provide guidance to the Integrity Commissioner when a complaint is received involving a Member.

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Rule No. 13: Conduct Respecting Staff

1. No Member shall compel staff to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities.
2. No Member shall use, or attempt to use, their authority for the purpose of intimidating, threatening, coercing, commanding or influencing any staff member with the intent of interfering in staff's duties, including the duty to disclose improper activity.
3. Members shall be respectful of the role of staff to advise based on political neutrality and objectivity and without undue influence from any individual Member or faction of the Council.
4. No Member shall maliciously or falsely impugn or injure the professional or ethical reputation or the prospects or practice of staff, and all Members shall show respect for the professional capacities of the staff of the Town.

Under the direction of the Chief Administrative Officer, staff serve the Council as a whole, and the combined interests of all Members as evidenced through the decisions of Council. Only Council as a whole has the authority to approve budget, policy, committee processes and other matters.

Accordingly, Members shall direct requests outside of Council-approved budget, process or policy, to the Budget Committee or directly to Council.

In practical terms, there are distinct and specialized roles carried out by Council as a whole and by Councillors when performing their other roles. The key requirements of these roles include dealing with constituents and the general public, participating as standing committee members and as chairs of standing committees, and participating as Council representatives on agencies, boards, commissions and other bodies. Similarly, there are distinct and specialized roles expected of Town staff in both the carrying out of their responsibilities and in dealing with the Council. Staff are expected to provide information to Members that they are entitled to.

Town staff are accountable to the Chief Administrative Officer who is accountable to Town Council. Sometimes the line between staff duties and activities that are political in nature is not clear. Members of Council must respect the difference between the two in making requests of staff.

Members of Council should expect a high quality of advice from staff based on political neutrality and objectivity irrespective of party politics, the loyalty of persons in power, or their personal opinions.

The Town's Violence and Harassment Free Workplace polices applies to Members of Council. Staff and Members of Council are all entitled to be treated with respect and dignity in the workplace.

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It is inappropriate for a Member to attempt to influence staff to circumvent normal processes in a matter, or overlook deficiencies in a file or application. It is also inappropriate for Members to involve themselves in matters of administration or departmental management which fall within the jurisdiction of the Chief Administrative Officer. Any such attempts should be reported to the Integrity Commissioner.

Rule No. 14: Employment of Council Relatives/Family Members

1. No Member shall attempt to influence the outcome, or to influence any Town employee to hire or promote a Family Member.
2. No Members shall make any decision or participate in the process to hire, transfer, promote, demote, discipline or terminate any Family Member.
3. No Member shall supervise a Family Member, or be placed in a position of influence over a Family Member.
4. No Member shall attempt to use a family relationship for his or her personal benefit or gain.
5. Every Member shall adhere to the Town's Staff Recruitment and Selection policy

If a Family Member of a Councillor is an applicant for employment with the Town or is a candidate for promotion or transfer, the Family Member will proceed through the usual selection process pursuant to the Town's hiring policies, with no special consideration.

Rule No. 15: Not Undermine, Work Against Council's Decisions

1. Members of Council shall not actively undermine the implementation of Council's decisions.

The role of elected officials, once a council decision is made, is to support the implementation of that decision, not to work against its implementation, publicly or behind the scenes. Council decisions are arrived at following discussion and debate, reflecting the democratic process. Members are expected to engage in debate with their fellow council members through the democratic process of government. However, once Council has made its decision, Members must recognize that decision as the duly-considered decision of the body of Council. As members of that body of Council, individual members – those who did not agree with the decision - are not to engage in activities that seek to challenge or undermine that decision.

Members can express disagreement with Council's decisions, but it is contrary to the ethical behaviour of members of Council to actively seek to undermine, challenge or work against Council's decisions.

2. Members of Council shall not engage in litigation or other legal challenges against the municipality or Council's decisions.

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3. Despite this provision, Members may pursue a complaint or request for investigation under any of the oversight, transparency and accountability mechanisms provided under Part V.1 and under section 239 of the Municipal Act.

When members are allowed to participate in activities to challenge Council's properly considered decisions, such as legal challenges or other forms of litigation, this is contrary to the interests of the municipality as determined by the decision of the democratically elected governing body, Council. It can create challenges to staff as to when and how much information can be provided to Council (legal advice for example) because of the presence of a legal challenge, which may benefit by 'insider knowledge'.

4. Despite this Rule, Members of Council may seek to have a Council decision reconsidered in accordance with Council's Procedure By-law.

Rule No. 16: Reprisals and Obstruction

1. It is a violation of the *Code of Conduct* to obstruct the Integrity Commissioner in the carrying out of his/her responsibilities.
2. No Member shall threaten or undertake any active reprisal against a person initiating an inquiry or complaint under the *Code of Conduct*, or against a person who provides information to the Integrity Commissioner in any investigation.
3. It is a violation of the *Code of Conduct* to destroy documents or erase electronic communications or refuse to respond to the Integrity Commissioner where a formal complaint has been lodged under the *Code of Conduct*.

Rule No. 17: Acting on Advice of Integrity Commissioner

1. Any written advice given by the Integrity Commissioner to a Member binds the Integrity Commissioner in any subsequent consideration of the conduct of the Member in the same matter, as long as all the relevant facts were disclosed to the Integrity Commissioner, and the Member adhered to the advice given.

Rule No. 18: Implementation

1. Members are expected to formally and informally review their adherence to the Code on a regular basis or when so requested by Council.
2. At the beginning of each term, Members will be expected to meet with the Integrity Commissioner.

Members are expected to understand the obligations on elected officials set out in this Code of Conduct, and are encouraged to contact the Integrity Commissioner for any clarification required. A Code of Conduct component will be included as part of the orientation for each new term of Council. April 2018

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Council Code of Conduct Complaint Protocol

Part A: Informal Complaint Procedure

Any person or representative of an organization who has identified or witnessed behaviour or an activity by a member of Council that they believe is in contravention of the Council Code of Conduct (the "Code") may wish to address the prohibited behaviour or activity themselves as follows:

1. advise the member that the behaviour or activity contravenes the Code;
2. encourage the member to stop the prohibited behaviour or activity;
3. keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
4. if applicable, confirm to the member your satisfaction with the response of the member; or, if applicable, advise the member of your dissatisfaction with the response; and
5. consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

All persons and organizations are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behaviour or activity that is prohibited by the Code. With the consent of the complaining individual or organization and the member, the Integrity Commissioner may be part of any informal process. However, it is not a precondition or a prerequisite that those complaining must pursue the informal complaint procedure before pursuing the Formal Complaint Procedure in Part B.

Part B: Formal Complaint Procedure

Initial Complaint

- 1.1. A request for an investigation of a complaint that a member has contravened the Code of Conduct (the "complaint") shall be sent directly to the Integrity Commissioner by E-mail substantially in the form attached to this Protocol as Schedule "A".
- 1.2. All complaints shall be submitted by an identifiable individual (which includes the authorized signing officer of an organization).
- 1.3. A complaint shall set out reasonable and probable grounds for the allegation that

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the member has contravened the Code. The complaint should include the name of the member, the provision of the Code allegedly contravened, facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during normal business hours.

1.4. Election Blackout Period:

No investigation shall be commenced or continued, nor shall the Integrity Commissioner report to Council respecting an investigation, within the election period described within s.223.4 and 223.4.1 of the Municipal Act, except as described in those sections.

1.5. Transitional Provision:

For the purposes of the October 2018 regular municipal election, this provision of the Protocol shall be interpreted as if the provisions of s.223.4 and 223.4.1 as amended were already in force.

Classification by Integrity Commissioner

- 2.1. Upon receipt of the request, the Integrity Commissioner shall make an initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code and not covered by other legislation, a complaint with respect to the *Municipal Conflict of Interest Act* or other relevant Council policies.
- 2.2. If the complaint, on its face, is not a complaint with respect to non-compliance with the Code or another Council policy governing ethical behaviour or the *Municipal Conflict of Interest Act*, or if the complaint is covered by other legislation, the Integrity Commissioner shall advise the complainant in writing as follows:
 - a) if the complaint on its face is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;
 - b) if the complaint on its face is with respect to non-compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter will be referred for review to the Town Clerk; and
 - c) the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, with any additional reasons and referrals as the Integrity Commissioner considers appropriate. The Integrity Commissioner may proceed with that part of the complaint that is within jurisdiction.

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- 2.3. The Integrity Commissioner may assist the complainant in restating, narrowing or clarifying the complaint so that the public interest will be best served were the complaint to be pursued.
- 2.4. The Integrity Commissioner may report to Council that a specific complaint is not within the jurisdiction of the Integrity Commissioner.
- 2.5. The Integrity Commissioner shall report annually to Council on complaints not within the jurisdiction of the Integrity Commissioner, but, where possible, shall not disclose information that could identify a person concerned.

Investigation

- 3.1. The Integrity Commissioner is responsible for performing the duties set out in this Protocol independently and shall report directly to Council in respect of all such matters. In applying this Protocol, the Integrity Commissioner shall retain the discretion to conduct investigations applying the principles of procedural fairness, and any deviation from the provisions of this Protocol for that purpose shall not invalidate the investigation or result in the Integrity Commissioner losing jurisdiction.
- 3.2. If the Integrity Commissioner is of the opinion that a complaint is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, or that the pursuit of the investigation would not, in the opinion of the Integrity Commissioner be in the public interest, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.
- 3.3. The Integrity Commissioner shall file an annual report to Town Council respecting the advice, education and investigations carried out in the previous year, and developments or recommendations of significance related to the role of the Integrity Commissioner. Other than in exceptional circumstances, the Integrity Commissioner will not report to Council on any complaint described in subsection (2) except as part of an annual or other periodic report.
- 3.4. Where the Integrity Commissioner rejects or terminates an investigation pursuant to this section, reasons shall be provided.
- 4.1. If a complaint has been classified as being within the Integrity Commissioner's jurisdiction and not rejected under section 3, the Commissioner shall investigate and may attempt to settle the complaint.
- 4.2. The Integrity Commissioner may in exceptional circumstances elect to exercise the powers of a Commission under Parts I and II of the Public Inquiries Act, as contemplated by Subsection 223.4(2) of the Act.
- 4.3. If the Integrity Commissioner elects to conduct an inquiry under the Public Inquiries

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Act, he/she shall report to Council before proceeding, setting out the reasons for the investigation, and providing an estimate of the expected cost and time that the investigation will require, and providing an opportunity for Council to respond to the reasonableness of the expenditure of public funds for the purpose of such Commission.

- 4.4. When the Public Inquiries Act applies to an investigation of a complaint, the Integrity Commissioner shall comply with the procedures specified in that Act and this Complaint Protocol, but, if there is a conflict between a provision of the Complaint Protocol and a provision of the Public Inquiries Act, the provision of the Public Inquiries Act prevails.
- 5.1. The Integrity Commissioner will proceed as follows, except where otherwise required by the Public Inquiries Act and/or in the context of a particular situation, the principles of procedural fairness:
 - a. provide the complaint and supporting material to the member whose conduct is in question and provide the member with a reasonable opportunity to respond.
- 5.2. Except where the Integrity Commissioner determines that it is not in the public interest to do so, the name of the complainant shall be provided as part of the complaint documents.
- 5.3. If necessary, after reviewing the written materials, the Integrity Commissioner may speak to anyone relevant to the complaint, access and examine any of the information described in subsections 223.4(3) and (4) of the *Municipal Act*, and may enter any Town work location relevant to the complaint for the purposes of investigation and settlement.
- 5.4. The Integrity Commissioner shall not issue a report finding a violation of the Code of Conduct on the part of any member unless the member has had reasonable notice of the basis for and an opportunity to comment on the proposed findings.
- 5.5. The Integrity Commissioner may make interim reports to Council where necessary and as required to address any instances of interference, obstruction or retaliation encountered during the investigation.
- 6.1. The Integrity Commissioner shall report to the complainant and the member generally no later than 90 days after the making of the complaint.
- 6.2. Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also report to Council outlining the findings, the terms of any settlement, or recommended corrective action.
- 6.3. Where the complaint is dismissed, other than in exceptional circumstances, the

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Integrity Commissioner shall not report to Council except as part of an annual or other periodic report.

- 6.4. Any recommended corrective action must be permitted in law and shall be designed to ensure that the inappropriate behaviour or activity does not continue.
7. If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.
8. The Town Clerk shall process the report for the next meeting of Council.

Council Review

- 9.1. (1) Council shall consider and respond to the report within 90 days after the day the report is laid before it.
- 9.2. In responding to the report, Council may vary a recommendation that imposes a penalty, subject to Section 223.4, subsection (5) of the *Municipal Act*, but shall not refer the recommendation other than back to the Integrity Commissioner.
- 9.3. Council can terminate the Integrity Commissioner only by a two-thirds vote of all members.
- 9.4. Upon receipt of recommendations from the Integrity Commissioner, Council may, in circumstances where the Integrity Commissioner has determined there has been a violation of the Code of Conduct, impose either of two penalties:
 - (a) a reprimand; or
 - (b) suspension of the remuneration paid to the Member in respect of his/her services as a Member of Council or a local board, as the case may be, for a period of up to 90 days, and may also take the following actions:
 - (c) removal from membership of a committee;
 - (d) removal as chair of a committee;
 - (e) repayment or reimbursement of monies received;
 - (f) return of property or reimbursement of its value;

Confidentiality

- 10.1. A complaint will be processed in compliance with the confidentiality requirements in sections 223.5 and 223.6 of the *Municipal Act*, which are summarized in the following subsections.

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- 10.2. The Integrity Commissioner and every person acting under her or his instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law in a criminal proceeding.
- 10.3. All reports from the Integrity Commissioner to Council will be made available to the public.
- 10.4. Any references by the Integrity Commissioner in an annual or other periodic report to a complaint or an investigation shall not disclose confidential information that could identify a person concerned.
- 10.5. The Integrity Commissioner in a report to Council on whether a member has violated the Code of Conduct shall only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.

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Town of Aurora
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**Attachment "A"
Complaint Form**

I _____ hereby request the Integrity Commissioner for the the Town of Aurora to conduct an inquiry about whether or not the following member(s) of the Town Council has contravened the Council Code of Conduct or the *Municipal Conflict of Interest Act*.

I have reasonable and probable grounds to believe that the above member(s) has contravened the Council Code of Conduct and/or the *Municipal Conflict of Interest Act* by reason of the following (please include date, time and location of conduct, the Rules contravened, and particulars, including names of all persons involved, and of all witnesses, and information as to how they can be reached, (attach additional pages as needed):

I hereby request the Integrity Commissioner to conduct an inquiry with respect to the above conduct. Attached are copies of documents and records relevant to the requested inquiry.

Date: _____ Signature: _____

Name:
Address:

Email:
Phone:

Email completed Complaint to Principles *Integrity* at:
postoffice@principlesintegrity.org

Schedule 'B' to Draft By-law

Code of Conduct for Local Boards - Non-Adjudicative & Adjudicative

January 2019

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Town of Aurora
Code of Conduct for Local Boards – Non-Adjudicative & Adjudicative

Part 1

General Introduction, Framework and Interpretation

This document is a Code of Conduct for members of Local Boards, both adjudicative and non-adjudicative. Local Boards, sometimes referred to as committees or tribunals, are as defined in s.223.1 of the Municipal Act and as identified by the municipality.

Some additional restrictions apply to adjudicative boards and these are specified. The Code of Conduct for Local Boards follows the same organizational structure as the Council Code of Conduct. Definitions and commentary contained in the Council Code of Conduct may apply, where relevant, with necessary modifications and may be referred to for clarification and interpretive assistance in understanding this Code. Provisions of the Council Code of Conduct which are not relevant to members of Local Boards have been eliminated from this document.

Guiding Principles

Members shall act with honesty and integrity, serving in a diligent manner, and performing their duties in a manner which promotes public confidence.

Rule 1: Avoidance of Conflicts of Interest

Members shall avoid situations of real or apparent conflict of interest or bias.

Members shall avoid participating in or influencing a proceeding when the member, or another person with whom the member has a close personal or professional relationship, has a financial or other private interest that may be affected by the proceeding or its outcome.

Members shall not appear before the Local Board or committee on their own behalf or as a representative on behalf of any party.

Members of BIAs will frequently have an 'interest in common' as business owners. Care should be taken to recognize an interest, when the Member stands to gain or otherwise benefit, in a manner that can be differentiated from others in the BIA. Where a Member contributes to an event 'at cost', no 'interest' is deemed to arise by reason only that the Member's business is a sponsor of the event.

Rule 2: Gifts, Benefits and Hospitality

No Member shall accept any Gift, except for Gifts that are deemed to have zero value in the Council Code of Conduct.

Attachment 3

Town of Aurora
Code of Conduct for Local Boards – Non-Adjudicative & Adjudicative

Rule 3: [Intentionally left blank]

Rule 4: Confidential information

Members shall not disclose to any member of the public any confidential information acquired by virtue of their position.

Confidential information includes any discussion that takes place between members of the Local Board or Committee when it is in a closed meeting.

Rule 5: Use of Town Resources, Election Campaigns

No member should use municipal equipment or staff, or other municipal services or resources for their own private purposes, or for election campaign purposes.

Rule 6: Election Campaigns

No member, while identifying themselves as a member of a Local Board, shall undertake any election campaign or election-related activities or work on, fund-raise, endorse or otherwise contribute to the election campaign of any person running in the municipal election for the municipality where the member serves on the Local Board.

Rule 7: Improper Use of Influence, Business Prospects

No member shall use the influence of his or her position for any purpose other than the duties as a member of the Local Board.

Rule 8: Business Relations

No member shall allow the prospect of future employment by a person or entity to affect the performance of his/her duties as a member of the Local Board.

Rule 9: Member Conduct

Members shall conduct themselves with decorum at all times.

Members shall maintain proper control over meetings demonstrating respect for everyone who is involved in the meeting.

Members are expected to attend all meetings of the Local Board or Committee. If a member misses more than three (3) meetings during their term, the Chair, after hearing and considering any explanation provided by the member, may ask the member to resign, or request that Council remove the member.

Attachment 3

Town of Aurora
Code of Conduct for Local Boards – Non-Adjudicative & Adjudicative

Rule 10: Media Communications

Members shall accurately communicate recommendations and proceedings of their Local Board.

If a member is contacted directly by the media, the member should refer the media to the Chair, or in the absence of the Chair, to the Vice-Chair.

Rule 11: Respect for the Town By-laws and Policies

Members shall adhere to and encourage public respect for the Local Board, the municipality and its by-laws, policies and procedures.

Rule 12: Respectful Workplace

Members are governed by the relevant workplace harassment policies in place for staff.

Rule 13: Conduct Respecting Staff

Members shall be respectful of the role of staff to advise based on political neutrality.

Members shall respect the professionalism of staff, and not exert undue influence on staff.

Rule 14: [Intentionally left blank]

Rule 15: Reprisals and Obstructing

It is a violation of this Code of Conduct to obstruct the Integrity Commissioner in the carrying out of his/her responsibilities.

It is a violation of this Code of Conduct to engage in any activity in retaliation against any person because he/she has made a complaint to or otherwise communicated with the Integrity Commissioner.

Rule 16: Acting on Advice of Integrity Commissioner

Advice given by the Integrity Commissioner is binding on the Integrity Commissioner in the event of a complaint.

Attachment 3

Town of Aurora
Code of Conduct for Local Boards – Non-Adjudicative & Adjudicative

Part 2: Adjudicative Boards Only

Rule 17: Additional Requirements Applicable to Members of Adjudicative Local Boards

In addition to the provisions applicable to Members of Non-adjudicative Local Boards, the following additional requirements are applicable with respect to the referenced rule:

Rule 2: Gifts, Benefits and Hospitality

Members should recuse themselves from any hearing, to avoid any perception of bias or conflict of interest which may arise as a result of a gift, benefit or hospitality provided by any of the parties or participants potentially affected by the decision of the Local Board.

Rule 6: Election Campaigns

Members of Adjudicative Local Boards are prohibited from fundraising for, endorsing, or otherwise contributing to the election campaign of any person running for a seat on Council.

Rule 10: Media Communications

Members of adjudicative boards should generally not comment to the media in relation to any decision made by the board or the rationale behind such decision. On the rare occasion when a comment may be appropriate, only the Chair shall serve as a media contact and all enquiries shall be referred to him/her.

Rule 18: Communications with Parties

Written communication to an adjudicative board shall take place only through the Secretary of the board or the appropriate municipal staff assigned to such board, and shall be copied to all parties or their representatives as appropriate. Oral communications with the adjudicative board about current proceedings shall take place only in the presence of or with the consent of all parties.

Where a party is represented by a representative, all communication between the adjudicative board and the party shall be through the representative, with the exception of notices of hearing, which shall be served upon all parties and their representatives known to the adjudicative board as appropriate.

Attachment 3

Town of Aurora
Code of Conduct for Local Boards – Non-Adjudicative & Adjudicative

Rule 19: Independent Nature of Adjudicative Boards

The Chairs of adjudicative boards should ensure that the actions of any member, as well as Council members and staff attending adjudicative board meetings, are consistent with the arm's-length, quasi-judicial nature of the adjudicative board. Any actions compromising this position should be immediately dealt with by the Chair or panel chair.

Members of adjudicative boards operating at arm's-length from Council should refrain from seeking advice on their roles and responsibilities from Council members. In clarifying their roles and responsibilities, members should seek advice from appropriate staff.

An adjudicative board is required by the applicable laws to operate at arm's-length from and independently of Council. Members should therefore not request members of Council to intervene on applications considered by the adjudicative board. Under the Council Code of Conduct, members of Council are only permitted to communicate to the adjudicative board regarding a matter before the board by a letter addressed to the Secretary of the board which is available to all parties.

Part 3

Complaint Protocol

The Complaint Protocol contained in to the Council Code of Conduct applies with necessary modifications to complaints regarding members of Local Boards.

Consequences of Failure to Adhere to Code of Conduct

Members who are found by the Integrity Commissioner to have failed to comply with the Code of Conduct for Local Boards may be subject to the following sanctions:

- a) a reprimand; or
- b) suspension of remuneration paid to the member in respect of his or her services as a member of the Local Board (if any).

Members may also be subject to such other remedial actions recommended by the Integrity Commissioner that directly flow from the action or behaviour of the member of the Local Board.

Members are subject to removal from the Local Board, or removal as Chair of the Local Board, by Council.



**Town of Aurora
General Committee Report No. CMS19-004**

Subject: Sport Plan – Update
Prepared by: Lisa Warth, Manager, Recreation
Department: Community Services
Date: February 12, 2019

Recommendation

- 1. That Report No. CMS19-004 be received; and**
- 2. That the budgeted amount of \$103,400 that has been allocated in the draft 2019 operating budget be preserved until such time a final delivery option is agreed upon.**

Executive Summary

This report outlines the need for a fulsome review on the status of the Sport Plan, prior to making any recommendations on how to move forward with implementation. The Sport Plan was completed and approved by Council in late 2015 and contains 22 recommendations to be implemented over a five-year period.

Considerations include:

- Overview of the services provided by Sport Aurora and progress to date
- A need to review the recommendations outlined in the Sport Plan to ensure relevancy
- A need to review alternate delivery models for the Sport Plan to best meet the needs of the community
- The role of the sport community in the implementation and sustainability of the Sport Plan
- An opportunity to do a broad review of sport/community development opportunities

Background

Council approved the Sport Plan in 2015 in conjunction with the Parks and Recreation Master plan. The plan includes 22 recommendations to be implemented over five years.

It was clear at that time that new resources were going to be required to effectively implement the plan. Sport Aurora has been on contract from 2016-2018 to implement the Years 1 – 3 deliverables as outlined in the Sport Plan.

At its' meeting of December 18, 2018, Council directed staff to report back on alternative delivery models for Sport Plan initiatives. This report outlines the need for a comprehensive review in order to provide Council with the best possible information.

Analysis

Overview of the services provided by Sport Aurora and progress to date

Sport Aurora has made progress with carrying out the Sport Plan in the past three years as the contractor for implementing the Sport Plan. They have developed several tactics addressing the recommendations under the categories of Sport Leadership, Sport Sustainability, Sport Participant and others. The status and further actions on these tactics needs to be evaluated.

A need to review the recommendations outlined in the Sport Plan to ensure relevancy

The Sport Plan was developed and approved over three years ago. There is an opportunity at this time to review the plan and its recommendations to ensure they are still relevant and that outcomes will be effective.

A need to review alternate delivery models for the Sport Plan to best meet the needs of the community

There are several ways the Sport Plan could be implemented and delivered. Each delivery model requires research and evaluation to ensure that ultimately, the Sport Plan is being delivered in an efficient manner, is impactful and achieving its' purpose in the community.

The role of the sport community in the implementation and sustainability of the Sport Plan

The role of the sport community needs to be examined in the context of both implementing the Sport Plan and sustaining the initiatives in the long term. The role, structure, needs and degree of involvement of the sport community needs to be reviewed. Several existing municipal models will be investigated and researched.

February 12, 2019

Page 3 of 4

Report No. CMS19-004

An opportunity to do a broad review of sport/community development opportunities

There is an opportunity at this time to conduct a broader review of the needs of the community and maximize the possibilities for both sport and community development with the potential resources available. There is a desire by both community groups and staff to create capacity in the community by having the Town providing leadership, advocacy, assistance and strategy to a variety of community groups, while ensuring sport remains the priority and the goals and recommendations of the Sport Plan are met.

Advisory Committee Review

Not applicable

Legal Considerations

Not applicable

Financial Implications

Total funding of \$103,400 has been previously approved in the core operating budget in support of the Sport Plan's implementation and delivery in 2018. Staff recommend that this amount be preserved until such time a final program delivery option is agreed upon.

Communications Considerations

Not applicable

Link to Strategic Plan

A review of alternate delivery models for the Sport Plan supports the Strategic Plan goal of ***Supporting an exceptional quality of life for all*** in its accomplishment in satisfying requirements in the following key objectives within these goal statements:

Encourage an active and healthy lifestyle

Alternative(s) to the Recommendation

1. Council can provide further direction

Conclusions

It is proactive at this time to review the status and further implementation of the Sport Plan to ensure that the future delivery model will result in the Sport Plan effectively and efficiently achieving its purpose of increasing participation in sport in the community. Staff anticipate bringing a more detailed report back to Council in Spring, 2019.

To allow for the continued implementation of the Sport Plan upon determination of its delivery model, staff recommend the \$103,400 in the 2019 operating budget be preserved.

Attachments

None

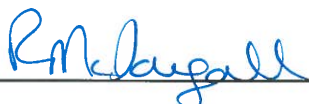
Previous Reports

CMS18-027 – Sport Aurora Funding Agreement Extension, December 11, 2018.

Pre-submission Review

Agenda Management Team review on January 24, 2019

Departmental Approval



Robin McDougall
Director
Community Services

Approved for Agenda



Doug Nadorozny
Chief Administrative Officer



**Town of Aurora
General Committee Report No. CS19-011**

Subject: Fence By-law Exemption Request – 203 St. John’s Sideroad West
Prepared by: Alexander Wray, Manager of Bylaw Services
Department: Corporate Services
Date: February 12, 2019

Recommendation

1. That Report No. CS19-011 be received; and
2. That an exemption to the Town’s Fence By-law No. 4753-05.P to permit a recently constructed non-compliant fence in the front and side yard which includes a wrought iron entry gate at 203 St. John’s Sideroad West, be denied.

Executive Summary

The purpose of this report is to consider a request from the owner of 203 St. John’s Sideroad West to permit a front and side yard fence with a wrought iron gate to remain as constructed. The fence and gate in their current condition do not comply with the provisions in the Town’s Fence By-Law No: 4753.05.P in that they exceed the permitted height and the front yard fence is constructed of wooden board on board construction, which is prohibited.

- If an exemption to the Town’s existing Fence By-law is granted, it is likely to set a community precedent
- Historical data indicates that the Town has only received one formal request for a fence exemption in the past.
- Fence exemption requests are handled differently throughout the GTA municipalities.

Background

The subject property is a Single Family Residential dwelling situated in the Yonge Street and St. John’s Sideroad neighborhood. The property owner is seeking relief from the by-law regulations to maintain an existing front and side yard fence and wrought iron gate. The fence and gate exceed the permitted height of 2.0 meters for a fence on a

Rural Residential Property. Additionally, the fence is constructed of wood, which is a prohibited material for a front yard fence.

As a result of a complaint from a member of the community, Bylaw Services attended the property and conducted an inspection of the recently constructed fence and gate on or about August 13, 2018. During the inspection, Bylaw Services Officers identified the fence and gate did not comply with the provisions set out in Fence Bylaw No. 4753-05.P. It should also be noted that the Town does not have any record of the contractor contacting the Town to determine the standards of compliance for fencing.

Analysis

If an exemption to the Town's existing Fence By-law is granted, it is likely to set a community precedent

Fencing is a common solution to address privacy, security, and aesthetics. An exemption to the current Fence By-law would set a precedent within the community and may permit other properties to go through the same process. By permitting the exemption both current and future decisions may be viewed as subjective and would strongly diminish the integrity of the Town's Fence By-law 4753.05.P.

Historical data indicates that the Town has only received one formal request for a fence exemption in the past.

Available historical data indicates that the Town has only received one formal fence exemption request in the past. Report No. BA04-016 was brought before council on December 14, 2004 to address noise and dust concerns because of development at the State Farm lands. The exemption allowed the property owner at 15516 Leslie Street to erect a wooden fence in the front yard, which complied with height requirements found in the bylaw. Council granted this request as a site-specific fence exemption by passing by-law No. 4623-04.P.

Fence exemption requests are handled differently throughout most GTA municipalities.

Town staff have contacted multiple GTA municipalities to determine if fence exemptions are a common practice. Based on the research conducted, it has been identified that Newmarket, Stouffville, and Georgina refer the exemption request to the Appeals Committee or Buildings Department for decision. Larger municipalities such as

February 12, 2019

Page 3 of 4

Report No. CS19-011

Vaughan, Markham, Toronto, and Pickering do have varying requirements for fence exemptions, which include Senior Management review and/or a report to council.

Advisory Committee Review

N/A

Legal Considerations

The Town's Fence By-law 4753.05.P sets out the requirements for fence height and material of construction. If Council elects not to grant an exemption to the By-law requirements, the property owner that caused the fence to be erected would be in breach of the By-law. A person found to be in breach of the Fence By-law is subject to prosecution and a fine under the *Provincial Offences Act*.

The Fence By-law does not have an exemption process and in order to grant an exemption from the aforementioned Fence By-law requirements Council would be required to pass a site-specific by-law amendment. Such a by-law amendment could waive the application of the provisions relating to height and materials for 203 St. John's Sideroad West and establish site-specific requirements to be applicable in this case, as directed by Council.

Financial Implications

The applicant may face financial implications if they are required to modify and/or reconstruct the height of the gate and fence. A specific cost to bring the property into compliance has not been provided to staff.

Communications Considerations

N/A

Link to Strategic Plan

N/A

Alternative(s) to the Recommendation

February 12, 2019

Page 4 of 4

Report No. CS19-011

1. Council directs staff to bring forward a by-law to amend the requirements relating to height and material of the fence at 203 St. John Sideroad that would bring the existing front and side yard fence and gate in compliance with the Town's Fence By-law.

Conclusions

For reasons outlined in this report staff are recommending a fence exemption be refused and the fence and gate brought into compliance.

Attachments

Attachment # 1 – Photos
Attachment # 2 – Contract

Previous Reports

None

Pre-submission Review

Agenda Management Team review on January 24, 2019

Departmental Approval



**Techa van Leeuwen
Director
Corporate Services**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**

Attachment 1

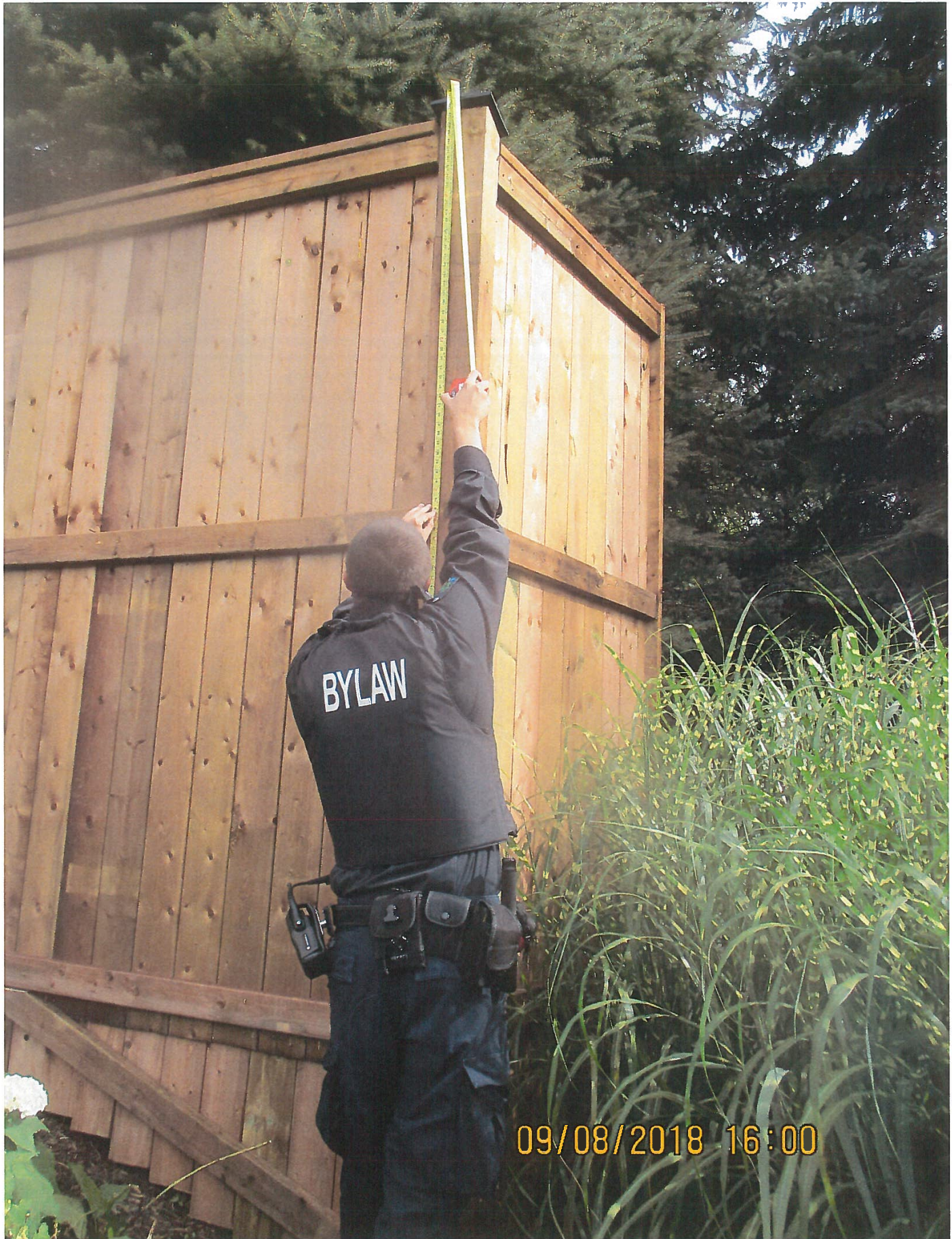


Attachment #1















Attachment # 2

[REDACTED]

To: Town of Aurora,

Dear Mr. Dawe,

From: Owner 203 St. John's Sideroad West, Aurora.

1. Situation

In August 2018 I signed a contract with [REDACTED] to build a fence on my front yard with address: 203 St. John's Sideroad West, Aurora. (Att 1 Contract).

The company took responsibility to ensure all necessary regulations for this construction and whether we would need to acquire an authorization from the Town of Aurora (See Section 5 of Contract).

Before the construction began, the director of the company told me that he contacted the Town of Aurora regarding the building of a wooden fence on the front yard of my property and he was told that there wouldn't be a problem. But everything turned out to far from it.

In order to build a wooden fence on the front yard of my property (Estate Residential Zone), I would need special authorization from the Town of Aurora. Although both on the sides of my property and on the rear, a wooden fence would be allowed without any further authorizations.

However, I only found out about this after the construction of the fence had already been finished and when Michelle Wacker (Bylaw Enforcement Officer) gave me a call.

I made a mistake by trusting the constructor and not double checking everything myself. I regret this very much and I am deeply sorry. In my mind there must have occurred a sort of confusion: I saw numerous wooden fences across Aurora and I must have automatically thought that I would be able to build a wooden fence on the front of my property too.

2. The necessity for a wooden fence on the front of my property:

In the last few years, traffic on the St. John's Sideroad has increased several fold. It begins at 5 am and ends around 10 pm. This street has practically become a Highway. Due to that, traffic noise has also increased and will continue to increase with time.

Our house is very close to the road, and this loud traffic noise is constantly heard inside the house.

Another important problem arising from this is that during the dark hours, bright lights are constantly illuminating the house from both directions on the road.

All of this creates a very uncomfortable living environment and negatively impacts my health. I am 70 years old, and due to these circumstances I experience difficulties with my sleep and problems with my eyesight.

A wooden fence on the front yard of my property allows me to completely shield my house from the incoming car lights and reduce traffic noise.

3. Request:

I appealed to the Town of Aurora with a request to allow me to get a special authorization for the wooden fence(2 meters high) in the front yard of my property: 203. St John's Sideroad West, Aurora.

In the Town of Aurora, there is a precedent with a positive outcome on such an issue with similar circumstances or property with address: 15516 Leslie Street. (Att 2 - By-law 4753-05.P)

I acknowledge my mistake and I repent this very much.

Kind Regards,




Resident of Town of Aurora.

Attachment 1

[REDACTED]

CONTRACT

BETWEEN

AND [REDACTED] (Property Owner)
ADDRESS: 203 St. John's Sdrd West, Aurora, ON, L4G 0N1
[REDACTED]

It is agreed as follows:

1. [REDACTED] will furnish all labor, materials and equipment to complete the following specifically described work at 203 St. John's Sdrd West, Aurora, ON, L4G 0N1:

- Installation of wooden fence

Description: full privacy "Sienna" brown pressure treated fence, 8' high, 6"*6" posts, 1" by 6" fence boards, 2" by 6" top board, 2" by 4" horizontal boards (as per agreed design).

2. Contract Price.

The Property Owner will pay to [REDACTED] the fixed sum of [REDACTED]

The work performed under this agreement, subject to such other sums that may become payable as a result of any variations determined in accordance with this agreement.

3. Time for Completion.

The work to be performed under this agreement will commence on the August 22, 2018

The work will be completed by the August 28, 2018 (Whether condition providing)

[REDACTED] will be responsible for the timely completion of the work consistent with the time limits set out, subject to any variations made as set out in this agreement, where the date for completion may be varied accordingly. [REDACTED]

4. It is agreed that the following payments will be made:

Phase 1 - [REDACTED] approximately 50% of entire project cost-Upon acceptance as deposit for materials;

Phase 2 – Final Payment – another 50%- payable on 100% of work is completed. Final payment will be adjusted accordingly to the actual liner footage of built fence.

Everyday that the payment is overdue, 0.5% of total amount is charged daily. Work will not be continued after three days of non-payment of any Payment Schedule Phase and will not be resumed until payment is received in full including above interest.

5. Company Obligations.

[REDACTED] will carry out the works with reasonable skills, care and diligence pursuant to all applicable standards, industry practice and in compliance to all relevant building regulations and statutory requirements.

[REDACTED] will contact all necessary authorities on behalf of the home owner [REDACTED]

[REDACTED] will be responsible for proper and safe completion of the project.

5 years warranty on labor. No warranties on lumber.

6. Owners Obligations.

Property Owner must pay such sums of money that become due to [REDACTED] for the work performed. Property Owner will be responsible to cooperate in good faith with [REDACTED] and must not interfere with [REDACTED] progress of work. It is understood that timely communication and cooperation are necessary for completion of the work.

7. Completion.

The work specified is considered completed upon approval by Property Owner, provided that Property Owner's approval is not unreasonably withheld.

8. Additional Agreements.

Property Owner and [REDACTED] additionally agree [REDACTED]

.....
.....
.....
.....

All agreements between the Property Owner and the [REDACTED] related to the specified work are included in this contract.

I agree to the acceptance of this contract and agree to keep to its terms.
Fence design attached to the contract.

Property Owner:
Name: [REDACTED]

Name: [REDACTED]



**Town of Aurora
General Committee Report No. PDS19-013**

Subject: Proposal for Interim Control By-law Exemption
29 Church Street

Prepared by: Adam Robb, Planner

Department: Planning and Development Services

Date: February 12, 2019

Recommendation

- 1. That Report No. PDS19-013 be received; and**
- 2. That Council provide direction regarding the requested exemption from the Interim Control By-law.**

Executive Summary

This report outlines the Owner's request to exempt the property on 29 Church Street from the Interim Control By-law. The Owner's description of their proposal and accompanying plans are attached for Council information and consideration.

- Church Street is a gateway to the Aurora Cultural Precinct and is directly across from the Heritage Designated Aurora Cultural Centre;
- The subject property was delisted by Council in July of 2018;
- The Owner proposes to demolish the existing residential dwelling and reconstruct a 2 storey single detached dwelling with a total GFA of 223m² (2400ft²);
- The proposed redevelopment will require variances to the existing R3 zoning provisions, thus an exemption from the Interim Control By-law is requested;
- If exempted, the redevelopment proposal would be subject to comprehensive review through the Committee of Adjustment and Site Plan Review processes.

Background

On January 30, 2018, Council enacted By-law Number 6048-18 to impose interim controls on the use of land, buildings, or structures within certain areas of the Town for one year, until January 30, 2019.

On January 15, 2019, the Owners of 29 Church Street made a delegation before Council to exempt the subject property from the provisions of the Interim Control By-law.

At that meeting, the General Committee received the comments of the delegation and requested that the issues be brought forward to the February 2019 meeting cycle.

On January 22, 2019, the Interim Control By-law 6148-19 was extended by Council to remain in full force and effect until January 29, 2020.

Location

Church Street is a gateway to the Aurora Cultural Precinct, and is directly across from the Heritage Designated Aurora Cultural Centre.

The subject property is located on Church Street, which is an important streetscape within the Town Park area. The subject property is within close vicinity to valuable heritage resources such as the Aurora Cultural Centre (22 Church Street) and the Trinity Anglican Church (79 Victoria Street).

Heritage Status

The subject property was delisted by Council in July of 2018.

The subject property was 'Delisted' by Council in July of 2018 (Report No. HAC-18-011), a condition was placed to ensure that all future building elevations be subject to review by the Design Review Panel and approval of Planning Staff.

Policy Context

Town of Aurora Official Plan

The subject lands are designated as "Stable Neighbourhood" by the Official Plan.

Zoning By-law 6000-17, as amended

The proposed redevelopment will require variances to the existing zoning by-law requirements, thus an exemption from the Interim Control By-law is requested.

The subject lands are currently zoned "Detached Third Density Residential R3" by By-law 6000-17. A minor variance application is required to permit the proposed development. Given that the existing rear yard setback is 0.4m, the Owner proposes a rear yard setback of 2.4m, whereas the Zoning By-law requires 7.5m. The existing lot coverage is 32.8%. The Owner proposes a lot coverage of 40%, whereas the Zoning By-law limits lot coverages to 35%. The existing 5.38m legal non-conforming Front Yard setback would remain the same.

Proposed Development

The Owner proposes to demolish the existing residential dwelling and reconstruct a 2-storey single detached dwelling with a total GFA of 223m²/2400ft².

The Owner's description of their proposal and justification with accompanying plans are attached for Council information and consideration.

Analysis

If exempted, the redevelopment proposal would be subject to comprehensive review through the Committee of Adjustment and Site Plan Review processes.

If an Interim Control By-law exemption for 29 Church Street were granted, the Owner is subject to the following processes:

- Obtain approval from the Committee of Adjustment for the proposed variances;
- Undergo Stable Neighbourhood Site Plan Review for the proposal;
- Following a condition from the Heritage Committee (Report: HAC-18-011), have the proposal be subject to review by the Design Review Panel and approval of Planning Staff, which can occur as part of the Site Plan Review process.

Advisory Committee Review

N/A

Legal Considerations

There are no legal considerations associated with this report.

Financial Implications

There is no financial impact associated with this report.

Communications Considerations

No Communication Required.

February 12, 2019

Page 4 of 4

Report No. PDS19-013

Link to Strategic Plan

Limiting development within the Interim Control By-law Area and ensuring any redevelopment is sympathetic to the mature residential character of the Stable Neighbourhoods Area supports an exceptional quality of life for residents by strengthening the fabric of our community (Strategic Plan Objective No. 5).

Alternative to the Recommendation

1. Receive the report for information only.

Conclusions

As directed by the General Committee, this report outlines the Owner's request to be exempted from the Interim Control By-law on 29 Church Street.

Attachments

- 1) Delegation Supporting Documentation from John and Miju Stinson
Presented at January 15, 2019 General Committee Meeting

Previous Reports

N/A

Pre-submission Review

Reviewed by the Chief Administrative Officer and Acting Director of Planning and Development Services.

Departmental Approval



**Lawrence Kuk, MCIP, RPP
Acting Director
Planning and Development Services**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**

ATTACHMENT #1 - REPORT PDS19-013

DELEGATION SUPPORTING DOCUMENTATION

SUBJECT: Delegation to the General Committee Meeting

DATE: Jan 15, 2019

ISSUE: To seek Council's approval for an exemption to the **Interim Control Bylaw** to allow for a minor variance for property located at 29 Church Street to build a small home of 2400 sq foot.

Subject Property Address:

29 Church St.
Aurora

Property Owners:

John and Miju Stinson
75 Kennedy St West
Aurora

DELEGATION SUMMARY

We are requesting an amendment to the **Interim Control By Law** so that **29 Church St.** is exempt.

- 1) The planned home is to be 2400 sq feet and is not a 'monster home'.
- 2) The property is very small, only 60' x 60', and zoned R3. It is designated 'legal non-conforming'. Due to the property's size, any new structure will require a variance and authorization from the Committee Of Adjustment as well as continued 'legal non-conforming' designation.

CONTENTS

- 1) Email to Council Members sent Friday Jan 11, 2019
- 2) Email letter to Director of Planning, Marco Ramunno dated Oct 9, 2018
- 3) Survey outline of subject property.

EMAIL TO COUNCIL MEMBERS SENT FRIDAY Jan 11, 2019

We are the Stinson family, who have lived in Aurora since 1988, and have raised our 3 daughters here. We have lived in the same house for that time and we are ready to downsize.

In 2018 we bought a very small lot on Church St (29 Church St)
Our plan is to take down the old structure and build a small home(2400 sq ft) for our retirement years.

The existing lot and structure is zoned R3 and is designated 'legal non-conforming'. As such, it has several aspects that do not comply with the current R3 Zoning. Because it is a 'legal non conforming' structure any new structure would have to comply with the current zoning. Our issue is that the lot size makes that impossible and we need to maintain that designation and access to the Committee of Adjustments.

From the beginning, we have been well aware that we would have to go to the Committee of Adjustments to maintain existing 'variances' that we would need to build the new small home structure and have the lot continue to be designated as legal non-comforming.

What we did not know, and caught us by surprise, was the Interim Control ByLaw, put in place to control 'monster homes' and which does not allow any variance requests to go to the committee of Adjustments.

We are not planning a monster home but a modest small home for my wife and myself and our daughter who requires a wheelchair accessible structure.

We are asking for council to give us an exemption to the Interim Control By Law and allow our plan to go to the Committee of Adjustment because

- i) the planned home is not a monster home (2400 sq feet)
- ii) any new structure on this very small lot will always require continued 'legal nonconforming' status

The accompanying diagram shows the existing lot and structure outlined with a proposed new structure outline.

Also attached is a copy of our original letter(email) to the Director of Planning, Marco Ramunno sent Oct 9, 2018 and dated Oct 3,2018

We will be delegating to General Committee meeting on Tuesday Jan 15, 2019.
Please consider this application and If you have any questions on this matter please contact me or my wife at this email or contact information below.

Thank you
John and Miju Stinson
75 Kennedy St West, Aurora

land line 905-841-7232
John Cell 905-751-6103
Miju Cell 905-434-0331

(LETTER TO MARCO RAMUNNO DATED OCT 3, 2018 and SENT OCT 9)

Marco Ramunno
Director of Planning and Development Services
Town of Aurora
100 John West Way, Box 1000
Aurora, Ontario
L4G 6J1

October 3, 2018

RE: Formal Application for Exemption to Interim Control Bylaw.

Dear Mr Ramunno,

Please accept this letter as our formal application to seek Council approval for an exemption to the Interim Control Bylaw to allow for a minor variance for our property located at 29 Church Street to build a small modest home of total size, 2400 sq foot.

The reasons for our application are:

- 1) Not a Monster Home. The Town of Aurora has indicated that the Interim Control Bylaw was put in place for this area to prohibit/restrict construction of 'Monster Homes'. Our requested minor variance has nothing to do with this concern. Our proposed home is not a monster home. It is only 2,400 sq ft home (on 1400 sq ft foundation). Our intent is to build a modest new house, ensuring it resembles in style and decor with the existing neighbouring houses.
- 2) Improved Conformity to Zoning. We intend to improve the existing, legal non-conforming zoning aspects of the property. Our property's current building setbacks are unique. As per the attached diagram, you will see that the existing building (yellow lines) is directly adjacent to the rear lot line (i.e. zero setback). Our intent with the new building (pink lines) would be to increase this from 0m to 2.4m from the rear lot line. (red lines are the lot lines)
- 3) Non-conforming aspect same as existing. Our proposed new house does not deviate from current zoning side yard setbacks on both sides of the lot, nor does it deviate from current building height zoning requirements. With respect to front yard setbacks, our proposed new house allows for the same front yard setback as the existing house. See chart below.
- 4) Wheelchair Accessibility. We purchased the property in 2018 to downsize and build a modest new home that can accommodate our daughter who is confined to a wheelchair. In order to ensure wheelchair accessibility, careful consideration must be given to the size of rooms, doors, hallways etc. As mentioned above, 29 Church Street is an unusually small lot size of 325.5m². The current zoning standards allow a maximum of 35% lot coverage or approximately a 116.4m² footprint. Unfortunately, this cannot meet our accessibility needs. Our plan is for a modest, wheelchair accessible, 1½ story house which will require a slightly higher lot coverage to 40%.
- 5) In order to apply to the Committee of Adjustment for the above minor variances, we require an exemption to the Interim Control Bylaw for our property.
- 6) Building Age. The current building is very old and run down. There are no redeeming qualities to the existing structure and it was removed from the *Aurora Register of*

Properties of Cultural Heritage Value or Interest by Council in July of 2018. The current house needs to be replaced.

- 7) 29 Church Street is currently a legal non-conforming property and an unusually small lot size of 18.6m x 17.7m or 325.5m². This is less than the minimum lot size for an R3 zone (460m²). Which allows a *lot coverage* of 161m² (35%). The proposed new structure is only 28.8% lot coverage of the R3 required lot size. **
- 8) It is our understanding that at least one exemption to the current Interim Control Bylaw has already been granted by Council in 2018.

Summary Chart:

Zoning Bylaw Provisions (R3)		Existing	Proposed	Status
Lot Area	460m ²	325.5m ²	325.5m ²	Non Compliant
Side Yards	1.5m	2.4m	1.5m & 1.88m	Compliant
Front Yard	6m	5.38m	5.38m	Non Compliant Same as Existing
Rear Yard	7.5m	0.4m	2.4m	Improved
Height	10m	7.2m	9.5m	Compliant
Lot Coverage	35% (161 m ² of R3 req)**	32.8% of existing lot (107m ²)	40% of existing lot (132.6m ²)***	Non compliant

** 35% of minimum lot size for R3 is 161m². This lot coverage is bigger than our proposed build

***Proposed build of 132.6m² is 29% lot coverage of the required minimum lot size of 460m² for R3

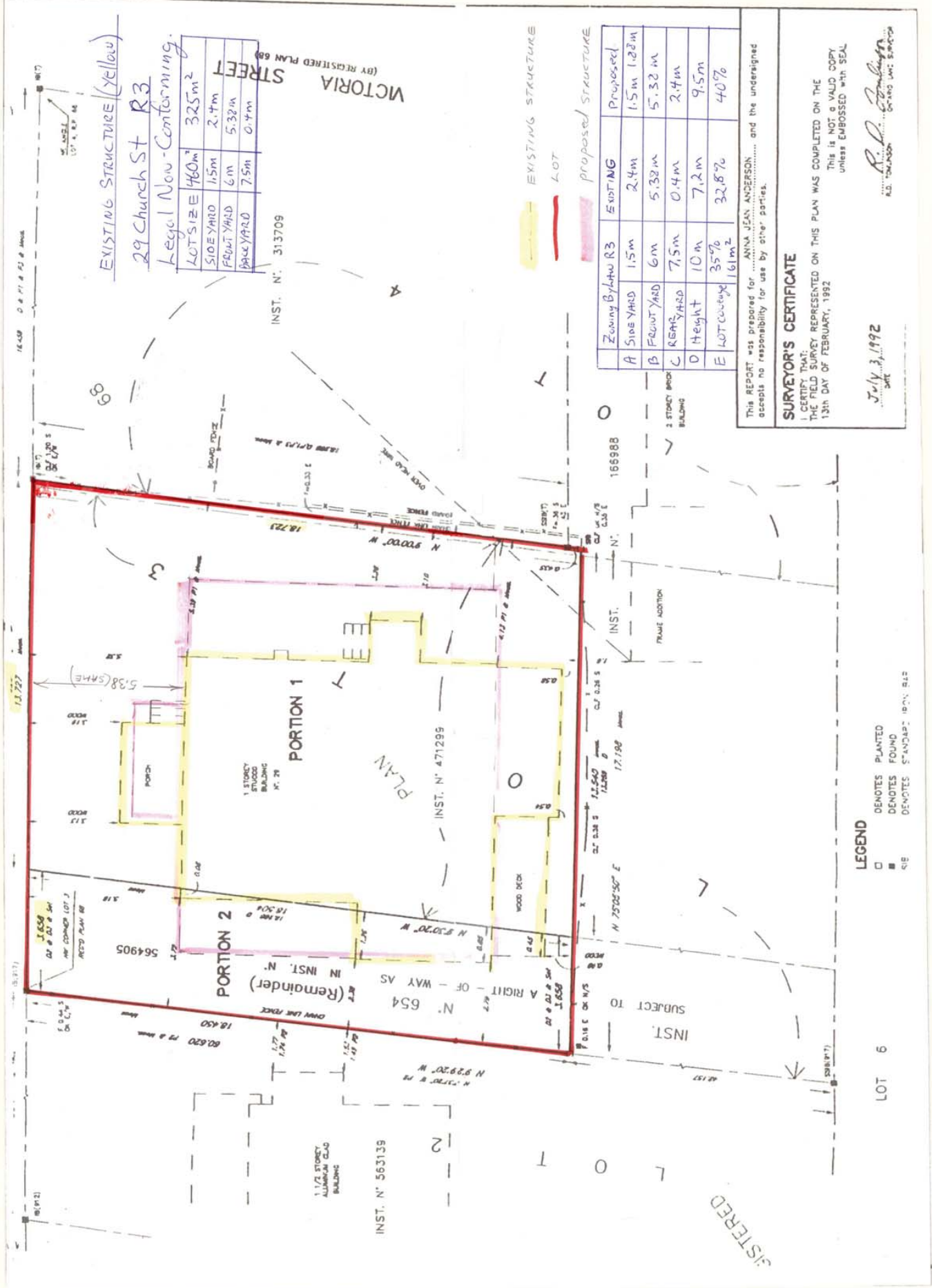
We request that this application be brought before the new term of Council at the earliest possible meeting. It is our hope that the Aurora Town Council grants our request for an exemption to the Interim Control Bylaw.

We remain available to answer any questions you may have.

Thank you for your time.

Respectfully,

John and Miju Stinson
75 Kennedy St West
Aurora, ON





**Town of Aurora
General Committee Report No. FS19-004**

Subject: Major Capital Investments Funding Strategy
Prepared by: Jason Gaertner, Acting Director Financial Services - Treasurer
Department: Financial Services
Date: February 12, 2019

Recommendation

- 1. That Report No. FS19-004 be received for information.**

Executive Summary

The Town has or is about to embark on multiple major capital investments such as the Library Square development and the Stronach Aurora Recreation Complex (SARC) addition. In order to ensure that each of these investments are financially feasible, both a capital and operating funding strategy is essential. This report will explore:

- The requirement for both a capital investment and operating funding strategy
- The primary categories of capital investments that the Town undertakes
- The various funding sources that may be integrated into new capital investment funding strategies

Background

Past experience in the delivery of large capital investments has reinforced the importance of having a sound capital and operating funding strategy in place for projects of this nature. As the Town is about to commence multiple major investments, staff recognize that to ensure the financial success of these major investments, that they need to ensure a sound capital and operating funding strategy is devised for all of its investments. Consequently, drawing upon its past successes, as well as other industry best practices, staff have undertaken an exploration in this regard.

Analysis

Requirement for both a capital investment and operating funding strategy

In order to ensure the financial health of the Town, a sound funding strategy for its numerous capital investments is critical. In many instances, capital investments may result in funding requirements that extend beyond this initial cost; such as the ongoing operating and maintenance costs that are necessary to ensure that the expected useful life is obtained from an investment. Consequently, a funding strategy for these ongoing operating costs is also critical as the burden on the tax payer from costs of this nature can be material.

Primary categories of capital investments that the Town undertakes

The primary categories of capital investments that the Town undertakes relate to the:

1. repair and replacement of its existing capital assets
2. undertaking of studies in support of Town operations (Studies & Other)
3. creation of new capital assets (Growth & New)

1. Repair and replacement of existing capital assets

Through its asset management plan, the Town is able to estimate what its existing capital assets repair and replacement (R&R) costs are going to be over the duration of their useful lives. This ability allows the Town to plan their required cash flows ahead of the time for which they are required to ensure that sufficient funding is available for upcoming asset repair or replacement.

Expenditures of this nature are funded almost exclusively through specific repair and replacement reserves which through its cash to capital planning framework, the Town strives to ensure that their balances are sufficient to fund repair and replacement requirements as they are expected to arise. The other primary funding source utilized by the Town in its repair and replacement investment funding strategies are federal and provincial grant monies such as the Federal Gas Tax Fund or the Ontario Community Infrastructure Fund (OCIF). At present, the Town has adopted a funding strategy of applying 100 percent of these two grants exclusively to its Roads R&R. It would be highly unusual for the Town to utilize external debt as a component of its R&R investment funding strategies.

2. Undertaking of studies in support of Town operations

The Town will undertake multiple studies in support of different aspects of Town operations. The current funding strategy deployed in this regard is one that all

capital expenditures of this nature are funded through a single studies & other reserve which is replenished through the Town's cash to capital planning framework. As studies can be pre-planned over a desire time period, the Town is able to ensure that their studies & other reserve funding source is sufficiently funded ahead of the planned expenditure need.

3. Creation of new capital assets

As the Town continues to grow, so does the demand for Town services. In an effort to maintain or enhance an existing level of service to its citizens, the Town must invest in new capital assets such as a new fire hall or recreation facility. As growth and new capital investment requirements are more difficult to plan for and can frequently come with a significant investment requirement, the need for a sound funding strategy is even greater. Also, in many instances, new capital investment will take place ahead of growth in an effort to ensure that the increased service capacity is available when the anticipated growth arrives causing its associated growth driven revenues to lag behind expenditure requirements further complicating the project's funding strategy. As a consequence, a much larger breadth of funding sources may need to be considered when developing a funding strategy for a capital investment of this nature.

In addition, because these investments typically result in the creation of new assets, they typically produce new incremental operating costs as well. These incremental operating requirements can become quite significant, depending upon the nature of the new investment. For example, the construction of a new fire hall or recreation center which upon becoming operational would generate significant new operating costs for Town such as heat, hydro, maintenance, cleaning and staffing costs. All of these noted costs would need to be borne by the tax levy, meaning a potentially significant impact to tax bills. Therefore a funding strategy such as a plan for the controlled phase in of these costs onto the tax levy over a defined period of time thus allowing the Town to smooth the impact to its tax payers would be prudent.

Various funding sources that may be integrated into new capital investment funding strategies

A variety of funding sources and options are available for inclusion into a new capital asset investment funding strategy. This section will outline background information regarding each source and their stated purposes, as well as any applicable restrictions.

Development Charges

Development Charges (DC's) are to be used for funding the creation of new amenities to extend service capacities in order to meet the demands of growth. Development charges are collected as separate components which can only be used for their specific components. For example Parks DC can be used for outdoor park amenities, but not for indoor facilities. Parking lot component DC can be used to construct net new parking capacity, while Library DC's can be used to expand library services capacity within the Town. No DC's can be used to fund the construction of purpose built cultural facilities such as museum, gallery or performing arts center. At present, the Town's DCs are in a negative position as it strives to ensure that all of the necessary infrastructure is in place ahead of projected growth. However, staff are projecting that its DC balance will return to a balanced position within the next ten years.

Community Benefit Fees

Community Benefit fees have been collected from developers in addition to statutory DC's. These surcharges for development, intended to help fund growth related assets, may be applicable to the subject projects. The Town has no specific identified purposes established for these funds. The current value of available funds as of December 31, 2018 is estimated to be \$ 2.0m.

Cash-in-lieu of Parking Fees

Cash in lieu of parking fees have been collected over the years from developers who seek to provide less than the required amount of parking capacity on their development sites. These funds have been collected under the authority of the Planning Act, which does not restrict the use of these funds, however they must be held in a reserve fund. The Town's reserve fund bylaw provides that these funds may be used to purchase, maintain or provide parking capacity through municipal parking spaces, including improving signage, or for any other purpose approved by Council. The current value of available funds as of December 31, 2018 is estimated to be \$ 78.9K.

Cash in lieu of Parkland

Cash in lieu of parkland contributions have been collected under the Planning Act from land developers who do not convey the statutory required amount of parkland to the Town as part of their development. These funds are to be used to purchase or develop additional parkland and outdoor spaces for the Town, or to acquire equipment related to

the maintenance of parkland. The current value of available funds as of December 31, 2018 is estimated to be \$ 8.3m.

Sponsorship and naming rights

The Town could seek flagship sponsorship in the form of a capital contribution with recognition in naming rights for a specific period of time, such as ten years. Additional details would need to be developed before soliciting corporate or private benefactors.

Hydro Sale Investment Reserve Fund

The Town sold Aurora Hydro in 2005, and 90% of the proceeds established in a reserve fund. Interest has accumulated since that time, however, has also been spent from time to time. No specific purpose has ever been formally approved for these funds. The current value of available funds as of December 31, 2018 is estimated to be \$ 29.8m.

Because of its significant balance and the Town's ability to invest these funds over a longer term, these funds have become an important contributor to the Town's annual investment income which is utilized to subsidize the Town's operating budget as well as a further top up of all reserve balances. Consequently, any draw on this reserve is likely to have a material impact on the Town's annual investment income.

Proceeds from Sale of Municipal Lands

The Town consolidates all net proceeds from the sale of owned lands, such as its Leslie street lands, under a single reserve. The Town has no specific identified purposes established for these funds. The current value of available funds as of December 31, 2018 is estimated to be \$ 7.1m.

Debt financing

Debt financing, either internal or external, could be used to finance the capital investment costs of a project, to allow time for the intended source of financing to be realized such as revenues from development charges. Any such financing would incur interest costs, which would be covered by the intended funding source.

Tax funds

Use of annual tax levy funding to finance major capital investments through the adoption of a specific tax increase or surcharge to generate proceeds that are utilized to finance the costs associated with the acquisition of temporary financing. This temporary

funding can take the form of external debt (typically a debenture), or the formalization of internal debt from other cash reserves on hand. These borrowed funds would be repaid utilizing the proceeds generated through the tax levy. Once the internal or external debt is repaid, the specific tax increase or surcharge would be removed from the annual tax levy budget. This approach was recently adopted by the Town of Newmarket in relation to the purchase of a large tract of land.

Grant funding

Federal and/or provincial infrastructure grant programs become available from time to time. Staff continuously monitor grant programs and opportunities for the Town for all ongoing and anticipated projects.

Advisory Committee Review

None

Legal Considerations

Some applicable funding sources have limitations regarding their use towards projects.

Financial Implications

This report has identified a number of funding sources that can be considered as part of a funding strategy for an investment into a new capital asset.

This report does not commit funding to any capital investment, rather it highlights the funding options available in the development of funding strategies for the investment in new capital assets.

Communications Considerations

This report will be available on the Town's web site for the public's consumption. In addition, as new capital investments are brought to Council for its consideration and approval their respective funding strategies will be presented as well.

Link to Strategic Plan

Reporting to Council and the public on the alternative funding sources available for

February 12, 2019

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Report No. FS19-004

integration into capital investment funding strategies supports the Strategic Plan principles of transparency and accountability.

Alternative(s) to the Recommendation

None

Conclusions

This report discusses the various funding source alternatives that may be available in the development of capital investment funding strategies. Staff will draw upon these noted funding sources in their development of recommended funding strategies that will accompany every capital investment decision that is brought to Council for its review and approval.

Attachments

None


Previous Reports

None

Pre-submission Review

Agenda Management Team review on January 24, 2019

Departmental Approval



Jason Gaertner, CPA, CMA
A/Director of Financial Services
- Treasurer

Approved for Agenda



Doug Nadorozny
Chief Administrative Officer



**Town of Aurora
General Committee Report No. PDS19-008**

Subject: Amendment to the Site Plan Control By-law
Prepared by: Anthony Ierullo, Manager of Policy Planning and Economic Development
Department: Planning and Development Services
Date: February 12, 2019

Recommendations

- 1. That Report No. PDS19-008 be received; and**
- 2. That a by-law be enacted to amend By-law No. 6108-18, to include delegated approval authority for select site plan applications within the Business Park zone.**

Executive Summary

The purpose of this report is to provide Council with an overview of the proposed updates to By-law 6108-18, as amended.

- Staff propose that Council delegate approval authority to the Director of Planning and Development Services for select site plan applications within the Business Park zone;
- Similar delegated authority exists in other municipalities such as Vaughan.
- Council to enact a by-law to amend the Town's Site Plan Control By-law with criteria.

Background

On July 17, 2018, Council approved the following recommendation related to the Town's Site Plan Control Bylaw. At that meeting Council passed the following motion:

- "1. That Report No. PDS18-089 be received; and

2. That a by-law to include Site Plan approval for new development, redevelopment and large additions within the Stable Neighbourhood Study Area as identified in Figure 1 be enacted at a future Council meeting; and,
3. That the Aurora Heights neighbourhood be included in the Site Plan Control By-law; and,
4. That a by-law to amend By-law No. 6031-17 to include a “basic” site plan application fee of \$1,000 be enacted at a future Council meeting.”

As part of this process, Council delegated authority to approve minor site plans to the Director of Planning and Development Services. These approvals were consistent with the previous approvals in the Site Plan Control By-law that delegate authority to approve site plan applications that are minor in nature and amendments to approved Site Plan applications to the Director of Planning and Development Services.

Analysis

Staff propose that Council delegate approval authority to the Director of Planning and Development Services for select site plan applications in the Business Park zone

As previously mentioned, staff have historically been delegated authority to approve minor site plan applications that have little or no impact on site development issues. This approval was included as part of the most recent Report No. PDS18-089 outlining changes to the Site Plan Control Bylaw in July 2018. The existing delegated authority has historically applied to the alteration and/or expansion of uses within an existing site plan. However, staff are requesting delegated authority to approve new site plan applications under a similar process.

As part of the Town’s Business Concierge Program, staff are requesting to expand this authority to process select site plan applications within the Business Park zone in an effort to expedite approvals and better service business clients. This is particularly relevant, since significant lands within the 2C Secondary Plan are anticipated to develop in the coming years. This new process will reduce the time required to process a new site plan application by an average of 4-6 weeks.

Similar delegated authority exists in other municipalities such as Vaughan.

This delegated authority exists in other GTA municipalities including the City of Vaughan where Council has delegated authority for staff to approve commercial office buildings within the City. This authority will position the Town to better expedite non-residential development approvals and attract business to the Town's developing employment lands.

Council to enact a by-law to amend the Town's Site Plan Control By-law with criteria.

The criteria for delegated authority is meant to include properties that do not typically generate major on site issues or community interest. The proposed criteria targets properties that are zoned for employment and within a Council approved Plan of Subdivision. These applications are generally technical in nature and focused on ensuring compliance with Council approved planning policy. These applications will still be subject to all regulations including conservation authority review as well as departmental and urban design compliance. The proposed criteria is summarized as follows:

- Properties within the Business Park zone; and,
- Properties that do not abut an arterial road; and
- Properties that do not abut Highway 404.

The determination of delegated authority would be based on the location of the property as described above, rather than the size or configuration of the proposed development. For example, all of the lots on Eric T Smith Way, with the exception of lots facing Highway 404, would be subject to delegated authority. Staff will provide Council with a summary of the site plan applications approved through delegated approval on a quarterly basis.

Advisory Committee Review

N/A

Legal Considerations

In order to clearly delegate the authority to approve site plan applications that fit the proposed criteria, Council needs to enact a by-law to amend the existing Site Plan Control By-law.

Financial Implications

None. Staff will continue to collect the required fees for a full site plan application.

Communications Considerations

None.

Link to Strategic Plan

The amendments to the Site Plan Control By-law supports the Strategic Plan by:

- Strengthening the fabric of our community; and,
- Collaborate with the development community to ensure future growth.

Alternative to the Recommendation

1. That Council refuse to assign delegated approval authority to the Director of Planning and Development Services for site plan applications meeting the proposed criteria.

Conclusions

Council recently approved amendments to the Towns Site Plan Control Bylaw that included authorizing delegated authority to the Director of Planning and Development Services to approve certain site plan applications. These approvals were consistent with the previous approvals in the Site Plan Control By-law that delegate authority to approve site plan applications that are minor in nature and amendments to approved Site Plan applications to the Director of Planning and Development Services. It is recommended that Council amend the by-law to more explicitly include authority to approve select site plan applications within the Business Park zone.

February 12, 2019

Page 5 of 5

Report No. PDS19-008

Attachments

None.

Previous Reports

None.

Pre-submission Review

Agenda Management Team review on January 24, 2019

Departmental Approval



**Lawrence Kuk, MCIP, RPP
Acting Director of
Planning and Development Services**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**



**Town of Aurora
General Committee Report No. PDS19-012**

Subject: Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe

Prepared by: Andria Sallese, Senior Policy Planner
Michael Logue, Program Manager, Economic Planning

Department: Planning and Development Services

Date: February 12, 2019

Recommendations

- 1. That Report No. PDS19-012 be received; and**
- 2. That this Report be forwarded to the Ontario Growth Secretariat and the Minister of Municipal Affairs and Housing; and**
- 3. That a letter be sent to the Minister of Municipal Affairs and Housing to request an extension of the commenting deadline for “Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe” from 45 days (February 28, 2019) to 90 days (April 14, 2019) to allow Council the opportunity to consider a subsequent report with further comments on the proposed amendments.**

Executive Summary

This report seeks Council's approval to forward this report and relevant comments to the Ontario Growth Secretariat and Minister of Municipal Affairs and Housing (the “Minister”) Ontario, and to request that the Minister extend the Province's deadline for comment to allow Staff additional time for Council to consider a subsequent report with further comments on proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017 (the “Growth Plan”).

This report also provides a summary of some of the more substantive policy changes to the Growth Plan, including:

- Conversions to *Employment Areas* may now be considered outside of the Municipal Comprehensive Review (MCR) process.
- Settlement and Area Boundary Expansions are permitted outside of an MCR.

- Sixty percent (60%) of growth at Regional level directed to Built Up Area as of next MCR.
- Greenfield Density Targets have been simplified to 60 residents and jobs per hectare.
- Settlement and Area Boundary Expansions are permitted outside of an MCR.
- Municipalities are directed to identify Strategic Growth Areas as preferred locations for intensification.
- Municipalities allowed to set alternative density targets for Major Transit Station Areas.
- Province proposes changes to Natural Heritage System (NHS) mapping implementation process.
- Shift in focus away from comprehensive strategies and certain terminology.

Background

On January 15, 2019, the Province released proposed changes to the Growth Plan. The Growth Plan provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe (GGH) Area to 2041.

Although the current Growth Plan came into effect in 2017, in the fall of 2018 the Province held technical working group meetings with stakeholders, including municipalities and the development industry, to discuss potential policy amendments.

Staff prepared a report on June 20, 2017 (Report No. PBS17-055) outlining the substantive changes to various provincial planning instruments, including the Growth Plan, being proposed at that time. This report provides an update on the most recent proposed changes to the Growth Plan.

Policy Context

The Growth Plan builds upon the policy foundation provided by the Provincial Policy Statement (“PPS”) and provides more specific land use planning policies to address issues facing the GGH region, including:

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality

built form and an attractive and vibrant public realm established through site design and urban design standards;

- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Analysis

Some of the more substantive proposed changes to the Growth Plan are to Employment Areas, Settlement Area Boundaries, intensification and density targets, Major Transit Station Areas policies, and to the NHS mapping process, are described in more detail below:

Conversion of *Employment Areas* may now be considered outside of MCR process

Conversions of employment land to non-employment uses may be considered outside of the Municipal Comprehensive Review (“MCR”) process, subject to lesser criteria than the current MCR process, such as maintaining a significant number of jobs. The Province has identified 29 ‘Significant Employment Zones’ and removed the Prime Employment Area designation. These 29 employment zones cannot be converted outside of a municipal comprehensive review (“MCR”) process. There are no Significant Employment Zones being proposed in the Town of Aurora. However, a municipality may make a request that the Province review and update provincially significant Employment

Zones. The Ontario Growth Secretariat is currently seeking feedback from municipalities on potential additional provincially Significant Employment Zones.

In order to ensure the long-term protection of employment lands in Aurora, staff strongly support the designation of a Significant Employment Zone along the Highway-404 corridor (Figure 1).

Settlement and Area Boundary Expansions are permitted outside of an MCR

Municipalities may adjust a settlement area boundary outside of a MCR if there is no net increase in land within a settlement area and if an expansion is no larger than 40 hectares, subject to certain criteria. Municipalities may also add lands within settlements areas as areas for employment uses, such as manufacturing, warehousing and logistics, if they are adjacent to or near “major goods movement facilities and corridors,” including major highway interchanges.

This would not be permitted in the Oak Ridges Moraine and does not affect the Town of Aurora.

Intensification: 60% of growth at Regional level directed to Built Up Area as of next MCR

The 2017 Growth Plan introduced an interim intensification target of 50%, and an ultimate intensification target of 60% of growth to be directed to the Built Up Area. This transitional intensification phase is to be eliminated, and the previous ultimate phase intensification target for York Region (60%) is proposed to take effect as of their next MCR.

This new policy is more intuitive and should not have much additional impact on Aurora compared with previous policy framework once York Region determines revised intensification targets for their nine local municipalities.

Greenfield Density Targets simplified to 60 residents and jobs per hectare

The 2017 Growth Plan introduced a significant increase to the minimum designated greenfield area density target, up to 80 residents and jobs per hectare – which would have had the effect of requiring new urban expansion areas to be planned for higher densities in order to compensate for the lower densities of the predominant lower densities already planned for in existing greenfield areas. The Province then revised the policy for municipalities of the GGH (including York Region) - leaving the target at 80

residents and jobs per hectare, but having it apply only to new urban expansion areas – much easier to measure and more achievable in the York Region context.

The proposed new policy is a lower numerical target, but reverts back to being measured across the entire greenfield area - 60 residents and jobs per hectare. However, new urban expansion areas are still the only lands where future densities can be planned to achieve the greenfield target on average. Due to the differing calculations, the proposed 60 residents and jobs per hectare over the entire greenfield area will likely not result in densities much different than the current 80 residents and jobs per hectare in new urban expansion areas.

Table 1: History of the Growth Plan's Designated Greenfield Density Target				
Growth Plan document	2006 (Original)	2017 (Proposed)	2017 (Revised)	2019 (Proposed)
Residents and Jobs per hectare	50	80	80	60
Applicable Geography	Entire DGA	Entire DGA	New urban expansion areas only	Entire DGA
*DGA = Designated Greenfield Area				

The intensification and greenfield density targets would not take effect until a municipality undertakes a MCR. A municipality may also request an alternative intensification or designated greenfield area density target, subject to certain criteria.

Further analysis and discussion with the Region regarding this policy change will be required.

Municipalities are directed to identify Strategic Growth Areas as preferred locations for intensification

Municipalities are directed to identify the appropriate type and scale of development in Strategic Growth Areas (SGA) (i.e. urban growth centres, major transit station areas, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields, as well as lands along major roads or areas with existing or planned frequent transit service or higher order transit corridors) and transition of built form from these SGAs to adjacent areas.

Within Aurora’s policy context, the Aurora Promenade meets the criteria to potentially be identified as an SGA.

Municipalities allowed to set alternative density targets for Major Transit Station Areas (“MTSAs”)

Amendment 1 to the Growth Plan proposes revised policies that would allow a municipality to request alternative density targets for MTSAs and a new policy allowing municipalities to delineate and set density targets for MTSAs in advance of a MCR, subject to certain criteria. MTSAs can be up to an 800 metre (from 500 metre) radius of a transit station.

Aurora’s lone MTSA is the Aurora GO Rail Station at Wellington Street and Industrial Parkway.

Province proposes changes to Natural Heritage System (NHS) mapping implementation process.

The previous Growth Plan (2017) NHS policies directed municipalities to incorporate provincial NHS mapping as an overlay to their official plans. Refinements to provincial mapping was permitted at the time of a MCR, “in a manner that is consistent with” the Growth Plan. The Province’s NHS mapping is now complete.

The proposed policy changes allow upper- and lower-tier municipalities to refine provincial mapping separately based on local information. Until such time as an upper- or single-tier municipality implements its provincial NHS mapping into their official plans, the policies protecting a NHS and its features will continue to apply to municipal mapping. Once regional and municipal official plans have updated their NHS mapping, any future amendment may only occur through a MCR.

The Town will undertake a review and implementation exercise of our Natural Heritage System during the next Municipal Comprehensive Review.

Shift in focus away from comprehensive strategies and certain terminology

There is a noticeable shift away from comprehensive strategies. Policies requiring an Employment Strategy, Housing Strategy, and Municipal Infrastructure Strategy are proposed to be deleted.

There is also a shift in focus in certain terminology. “Low-density urban sprawl” is now, “unmanaged growth”; “low-carbon” or “net-zero” communities are now, “environmentally sustainable” communities; “a clean and healthy environment” is now, “a cleaner

environment”; and, “social equity” has been replaced with, “an approach that puts people first”.

The focus has also shifted away from collaboration with stakeholders, to empowering municipalities with the ability to make decisions regarding their communities and the need for housing supply that, “reflects market demand.”

There is also generally a softening of language throughout many policies, making them less rigorous and more open to interpretation.

Next Steps

Some of the more substantive proposed changes to the Growth Plan are to Employment Areas, Settlement Area Boundaries, intensification and density targets, Major Transit Station Areas policies, and to the NHS mapping process.

The deadline for providing feedback to the Province on the current changes, as proposed, is February 28, 2019. A typical window to provide comments to the Province on substantive plan changes is 90 days.

Staff have requested an extension to the commenting window from 45 days to 90 days to allow Staff additional time to report back to a future Council meeting with further analysis and comment on the proposed changes to the Growth Plan. Further discussion and analysis of these changes with the Region and nearby municipalities will be required.

Staff are recommending that this report and relevant comments be forwarded to the Ontario Growth Secretariat and Minister of Municipal Affairs of Housing. In the event the Province extends the deadline, staff will report back to a future Council meeting with additional comments and recommendations.

Advisory Committee Review

Not applicable.

Legal Considerations

The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All

decisions of Council that affect a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Financial Implications

Conformity to the policies of the amended Growth Plan and other Provincial policy instruments, including Bill 66, will occur through the Town's comprehensive Official Plan review process. There will be costs associated with this process, which have been approved in the Town's capital budget.

Communications Considerations

Not applicable.

Link to Strategic Plan

Providing input on the proposed changes to the Growth Plan by the Province supports the Town's Strategic Plan vision for an inclusive, growing, family-oriented community that integrates green spaces, environmental sustainability, economic vitality and communal gathering spaces. Providing feedback to the Province on the proposed amendments supports the Strategic Plan's guiding principles to broaden outreach and leverage partnerships, while validating its goals and objectives to improve mobility and connectivity; invest in sustainable infrastructure; strengthen the fabric of the community; encouraging the stewardship and sustainability of Aurora's natural resources; and enabling a diverse, creative and resilient economy.

Alternative to the Recommendation

1. That the report be received for information only.

Conclusions

Some of the more substantive proposed changes to the Growth Plan are to Employment Areas, Settlement Area Boundaries, intensification and density targets, Major Transit Station Areas policies, and to the NHS mapping process. Further discussion and analysis of these changes with the Region and nearby municipalities will be required.

Staff are requesting an extension to the Province's commenting deadline from 45 days to 90 days to allow Staff additional time to report back to a future Council meeting with further analysis and comment on the proposed changes to the Growth Plan.

In the event the Province extends the deadline, staff will report back to a future Council meeting with additional comments and recommendations.

Attachments

Figure 1: Highway 404 Employment Areas.

Previous Reports

General Committee Report No. PBS17-055, dated June 20, 2017.

Pre-submission Review

Agenda Management Team Meeting review on January 24, 2019.

Departmental Approval

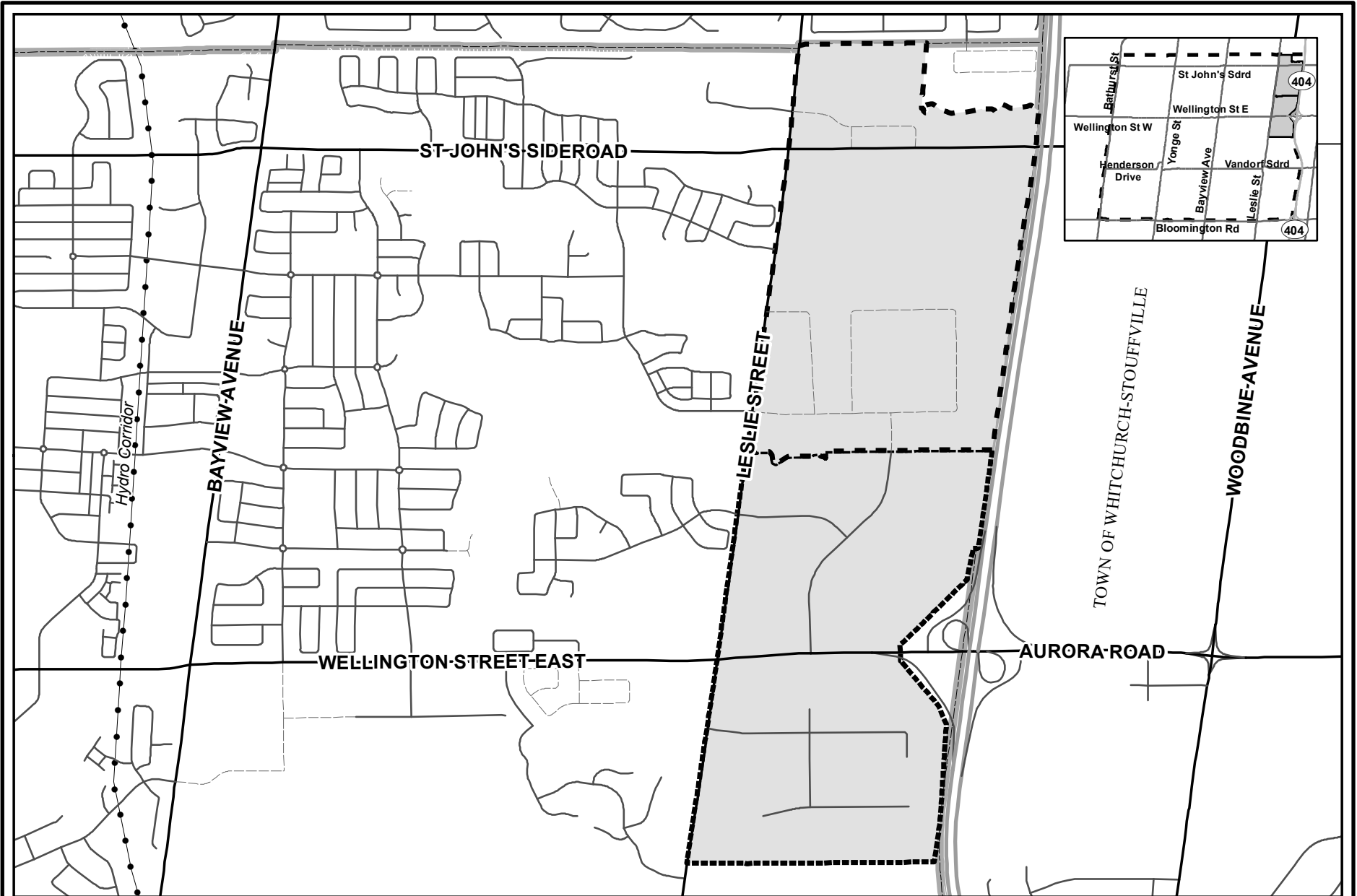


**Lawrence Kuk, MCIP, RPP
Acting Director
Planning and Development Services**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**



HIGHWAY 404 EMPLOYMENT AREAS

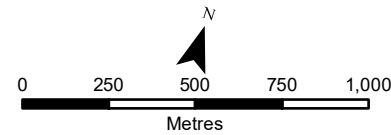
FIGURE 1



WELLINGTON / 404 AREA



ST JOHN'S / 404 AREA





**Town of Aurora
General Committee Report**

No. FS19-002

Subject: 2019 Operating Budget

Prepared by: Jason Gaertner, A/Director, Financial Services - Treasurer

Department: Financial Services

Date: February 12, 2019

Recommendation

- 1. That Report No. FS19-002 be received; and**
- 2. That the 2019 draft Operating Budget be referred to Budget Committee for review at its scheduled meetings commencing February 21, 2019.**

Executive Summary

Proposed budget less than March 20th Council mandate to staff

On March 20, 2018, Council directed staff to prepare the 2019 Operating Budget, with a target tax rate increase equal to inflation. Inflation was subsequently confirmed to be 2.5%. The budget was also to include a further 1% increase for fiscal strategies and infrastructure. This report presents the 2019 draft Operating Budget for review by the Budget Committee.

The 2019 draft operating budget recommended by staff results in a total tax levy pressure of 3.3% which is 0.2% lower than the maximum ceiling allotted by Council resulting in a total of \$94,100 being available for additional Council funding decisions within the original target. This recommended draft budget:

- respects Council's defined tax pressure ceiling, allowing funding room for subsequent Council decisions
- addresses current budget underfunding in multiple identified areas;
- continues with the town's phase-in budget strategy for the planned Fire Services expansion;
- supports Council's fiscal strategy objectives of reducing the town's reliance upon Supplementary tax revenues; as well as continuing to grow the Town's contributions in support of its infrastructure renewal.

Background

At its meeting of March 20, 2018, Council adopted the following resolutions arising from staff Report No. FS18-004:

THAT the increase for the Aurora portion of the residential tax bill for the 2019 Base Operating budget be limited to the reported 12 months to June 2018 Consumer Price Index (CPI) for the Toronto Area; and

THAT all fees, rates and charges be indexed by the same CPI reported value unless precluded by legislation, and new revenue sources identified where possible; and

THAT new tax revenue from new buildings be incorporated into the base budget and be used to extend existing service levels to these new properties, residents and businesses; and

THAT for strategic priorities separately identified by Council, a further increase be levied for such new funding; and

THAT a “current plus three year forecast” operating budget be prepared, and include a staffing needs analysis and forecast for the same period.

THAT the phase-In budget strategy currently approved for Fire Services expansion be funded from within the inflationary and growth components of the Base Operating Budget, as applicable, with any excess planned increase being a separate component of the overall tax increase; and

THAT in addition to the base budget increase for inflation, up to 1% dedicated Fiscal Strategy tax levy increase be imposed to fund additional contributions to Infrastructure Reserves in accordance with the long range fiscal strategies adopted in the recent 10 Year Capital and Asset Management Plan, and any other fiscal strategy items.

Analysis

The draft budget respects Council’s defined tax pressure ceiling, allowing funding room for subsequent Council decisions

Staff are pleased to present the draft 2019 Operating Budget which reflects Council's direction, resulting in an average town share tax increase of 2.3% plus 1% for fiscal strategies for residential properties, representing an amount that is 0.2%, or \$94,100, below Council's defined tax pressure target of 3.5%. Budget Committee will be able to allocate the \$94,100 towards budget options and service changes and still maintain the established budget target of 3.5%.

The 12 month June to June CPI for the Toronto area was reported by Statistics Canada at 2.5% (data table 18-10-0004-01; formally 326-0020, filtered to Toronto only). This is the reference index approved by Council for use in the annual budget process.

The draft budget addresses current budget underfunding in multiple identified areas

Through its proposed draft operating budget, staff have successfully addressed multiple current budget pressures faced by the Town. Some of the key budget pressures that have been addressed within this proposed budget include:

1. Funding of increased Town facility utility and heating costs.
2. Funding of increased contract and operating material costs arising in snow management.
3. Continued reduction in Town reliance upon development driven revenues.
4. The funding of new staffing requirements.
5. The phase in of the remaining 2018 budget right sizing items relating to the Town's new waste management contract and the financial impacts arising from the new provincial labour legislation.
6. Continued phase-in of expected cost increases for the expanding Central York Fire Services.
7. Increased contributions to infrastructure reserves equal to 0.5% of tax levy.
8. All rates, fees, and charges of the Town have been indexed where permissible by 2.5% representing inflation as reported for the 12 month period July, 2017 to June, 2018.
9. All revenue estimates have been carefully considered in the context of the inflated rates and fees, as well as expected activity volumes and reflected in the budget.

Attachment #5 outlines the anticipated new revenues, and the immediate commitment of those revenues to the above noted budget pressures as well as others, being new and incremental costs expected for 2019. Staff's original draft 2019 operating budget initially exceeded the anticipated new revenues; in response to this staff undertook a

February 12, 2019

Page 4 of 9

Report No. FS19-002

more in depth review of their operating budgets. Through this review staff were successful in reducing their 2019 operating budget requirements and/or offsetting a portion their incremental funding need through identified budget savings.

The draft budget continues with the Town's phase-in budget strategy for the planned Fire Services expansion

The Town continued the implementation of its phase-in strategy of the expected cost increases relating to the planned expansion of Central York Fire Services of increasing its fire services budget by a further 1.3% of the tax levy each year for six years to conclude in 2020. The Town's actual 2019 required budget increase has exceeded the planned 1.3% by 0.3%. This excess amount has been offset by a draw from the rate stabilization reserve in recognition that the scheduled 2020 1.3% tax increase will be sufficient to cover off this short-fall in addition to any further 2020 funding requirements.

Despite the above noted constraints, staff have achieved a base budget reflecting a 2.3% tax levy increase by utilizing new growth revenues arising from the recent growth of the 2C area, together with the above noted revenue changes, as well as constraining wherever possible the costs of operations of the Town. A further 1% increase has been included as directed by Council to fund fiscal strategies such as increased contributions to infrastructure reserves. A further 0.2% in funding room within the original target of 3.5% remains available for subsequent Budget Committee decisions. By having a clear direction from Council, staff were able to focus their attention to developing a budget which would meet Council's goal.

Attachment #1 outlines the operating expenses of each department, net of their respective non-tax revenues. The total Net Operating budget area of the schedule shows the distribution of the total proposed 2019 tax revenue of \$47,343,400.

Attachment #2 outlines all revenues by type, showing the total combined revenues of \$67,536,300. Attachment #3 shows this information in tabular format in addition to staff's projected operating budget requirements for three outlook years (2020 to 2022). While Attachment #3 also shows the Town's draft budget requirements for 2020-2022, these figures have been included for illustrative purposes only. However, it is staff's intent to introduce to Council in time for the 2020 operating budget a new multi-year budgeting framework which will request Council's approval of the Town's tax increases for 2020, 2021 and 2022. A multi-year budget framework will allow the Town to glean multiple benefits such as the more strategic phasing in of operational requirements, also allowing for more effective multi-year staffing planning, as well as a reduction in the degree of effort required by all relating to the 2021 and 2022 budget approval process.

Attachment #4 outlines graphically the key budget pressures and influences encountered in compiling the 2019 budget, ending with a 3.5% tax increase which includes the available 0.2% in additional funding available for subsequent Council decisions. The nine previously noted budget highlights are included in these graphics. A more detailed summary of the Town's key 2019 operating budget pressures are presented under Attachment #5.

The 2019 operating budget binder will be distributed today, and its contents will be made available on the Town's website shortly thereafter. Tab #15 of the Budget Binder includes a 2018 departmental objectives scorecard which will be distributed to the committee prior to its first review meeting scheduled on February 21st.

Binder Tab #3 captures a summary of the 2019 Budget Option Decision Units that have not been included in the Town's currently proposed draft operating budget, with the exception of Sport Aurora and the Sports Hall of Fame where a placeholder for payments to these two groups has been included in the draft operating budget. Also included under this tab is a detailed business case for each of the items listed. Binder Tabs #4 to #14 contain the business plans and information regarding each operating department of the Town.

Upon the completion of the Budget Committee reviews, the Treasurer will bring forward a final budget approval report reflecting all adjustments recommended by the Committee.

Advisory Committee Review

The Financial Advisory Committee is not charged with reviewing the annual operating budget, however they are charged with reviewing the detailed budgets of each Town department on a rotating basis. This approach allows the Budget Committee to focus their review on the key changes and pressures arising in the annual budget, while relying upon the work of the Finance Advisory Committee in regards to the review of each department's ongoing core operating budget details.

The Finance Advisory Committee was apprised of the budget pressures outlined in Attachment #5.

Financial Implications

Residential tax bill impacts align close to inflation

Residential tax bills contain three different property taxes. Taxes collected for provincial education purposes represents approximately 20.7% of a residential tax bill, while taxes for York Region are approximately 42.7%, with the remaining 36.6% being retained by the Town for Town purposes.

The Town's 3.5% tax increase budget adds \$10.54 per year to the town share of the tax bill for each \$100,000 of assessment, or less than \$53 for a home assessed at \$500,000. For the average Aurora home assessed at \$770,000, this budget will add \$81 per year for the Town share of the tax bill. For reference, Attachment #6 sets out a history of Aurora's tax rate increases in recent years.

Total operating budget expenditures surpass \$64 million

The proposed budget sets out planned expenditures totalling \$67,536,300 including \$94,100 in expenditures yet to be allocated by Council, funded with non-tax revenues of \$20,192,900, such as investment income, user fees, Federal Gas Tax grants, and fines & penalties. The remaining \$47,343,400 requirement is to be raised through property taxes, requiring a 3.5% average tax increase.

Staff are presenting service increase options for consideration at extra cost

A suite of 2019 budget options totaling \$128,660 which relate to town service enhancements are presented for the budget committee's consideration over and above staff's recommended core 2.3% tax pressure. The \$94,100 or 0.2%, being the currently unallocated amount within Council's defined tax threshold pressure of 3.5% can be used to fund some of these. Any funding allocated towards these options beyond the \$94,100 will result in tax rate increases above the 3.5% level should Budget Committee so choose.

Of the list of budget options, most have not been included in the current proposed operating budget. However, two of the operating budget requests (Aurora Sports Hall of Fame and Sport Aurora) that were received at the Town's January 14, 2019 Community Budget Consultation meeting have been included the current proposed operating budget as placeholders. Therefore, should Council approve these two budget decision unit items their funding would not need to come out of the above noted \$94,100 unallocated balance. Should Council not approve these specific budget decision unit items, savings from the current proposed operating budget would be generated which would increase the available unallocated budget balance. The details for all of these budget decision units can be found in Tab #3 of the 2019 budget binder package.

Communications Considerations

This report will be posted to the Town's Budget and Financial Information web page for transparency and accountability as part of the overall annual budget communications and engagement plan. Each budget meeting will be separately communicated through various channels to the community, including a synopsis of the topics planned. A final press release with budget highlights will be issued upon approval by Council.

Budget Committee meetings for review of the 2019 Operating Budget have been set as follows:

1. Thursday February 21, 2019, 5:45 p.m.
2. Monday February 25, 2019, 7:00 p.m. (cultural partners presentations)
3. Monday March 4, 2019, 7:00 p.m.

Budget meetings may be cancelled or added, or starting times changed by the Chair. All meeting updates will be reflected on the Town's website as soon as changes are approved.

Link to Strategic Plan

Developing the annual budget supports all aspects of the Strategic Plan. Specifically, this report supports the Plan principles of Leadership in Corporate Management, Leveraging Partnerships, and Progressive Corporate Excellence and Continuous Improvement.

Alternative(s) to the Recommendation

1. None: General Committee will consider the presented draft budget in detail, reviewing materials from each operating department, as well as materials presented by the Library Board, the Aurora Cultural Board, and the Aurora Historical Society. Shortly, the approved 2019 detailed budget for Central York Fire Services, as reviewed and recommended by the Joint Council Committee will be presented to Committee for comment.

The Committee may make recommendations for changes to the 2019 draft budget at any time during its review process.

Conclusions

Council established a budget target for the 2019 operating budget of inflation plus 1% in support of fiscal strategies, representing a maximum 3.50% tax increase. Staff have responded in developing a comprehensive budget producing a lower total required core tax increase of 3.3%; making available 0.2%, or \$94,100 within Council's defined maximum allotted spending increase ceiling in order to fund subsequent Council funding decisions. Of this recommended tax levy increase, 2.3% relates to the town's core operations; the remainder of 1.0% is fiscal strategy driven. As directed, all revenue rates, fees and charges have been indexed for inflation wherever possible. All operating lines continue to be examined for opportunities for constraint, while maintaining services to our growing community. All revenue targets were examined for expected volumes of activities. Through careful review, the 3.3% tax increase budget meets all of Council's criteria and goals set out in their directives to staff.

During the past year, staff have heard of a number of new service level initiatives suggested by members of Council as well as from its public consultation which was held on January 14, 2019. Where these are indeed new service levels or enhancements, staff have identified costs and details, however have not included these in the 3.3% draft budget with the exception of two businesses which have had budget placeholders inserted into currently proposed draft operating budget. Each identified budget option decision unit can be selected for funding by Council individually. Funding requirements for any chosen budget option decision units by Council can firstly be funded with the remaining 0.2% in tax rate increase room within Council's defined maximum allotted tax rate increase of 3.5%, with any remaining excess requirements representing a required tax increase over and above 3.5%.

Attachments

- Attachment # 1 – Net Tax Funding by Service
- Attachment # 2 – Total Revenues by Source
- Attachment # 3 – 2019 Draft Operating Budget plus Outlook Years – By Department
- Attachment # 4 – Key Budget Drivers (graphical)
- Attachment # 5 – Summary of Key Town 2019 Operating Budget Pressures
- Attachment # 6 – History of Aurora Tax Rate Increases

Previous Reports

FS18-004: 2019 Budget Development Direction

February 12, 2019

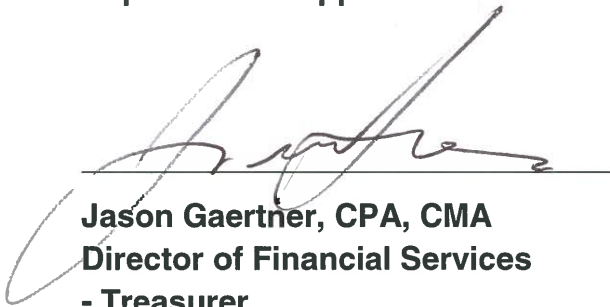
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Report No. FS19-002

Pre-submission Review

Agenda Management Meeting review on January 24, 2019

Departmental Approval



**Jason Gaertner, CPA, CMA
Director of Financial Services
- Treasurer**

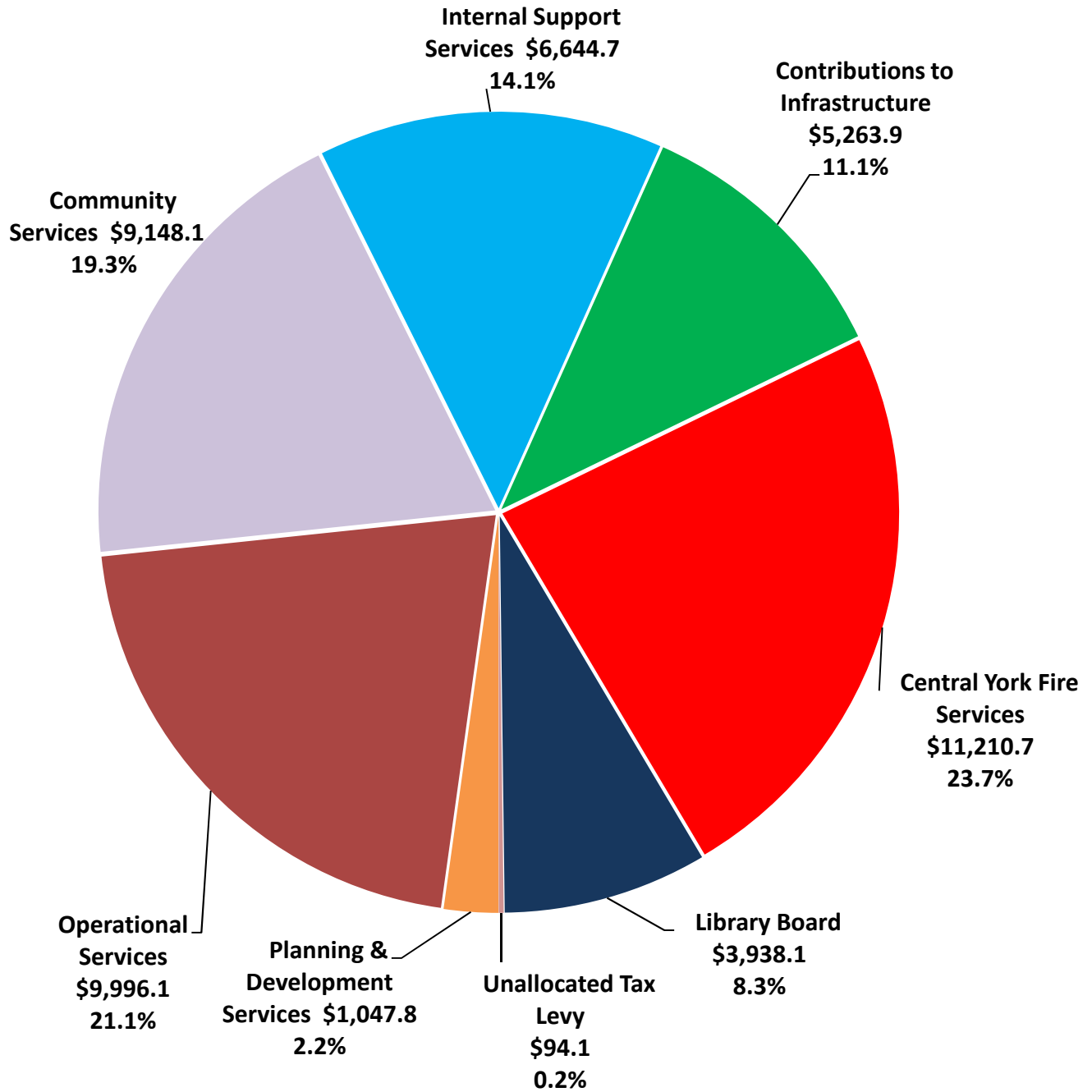
Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**

Town of Aurora 2019 DRAFT Operating Budget NET TAX FUNDING BY SERVICE

Shown in \$000's

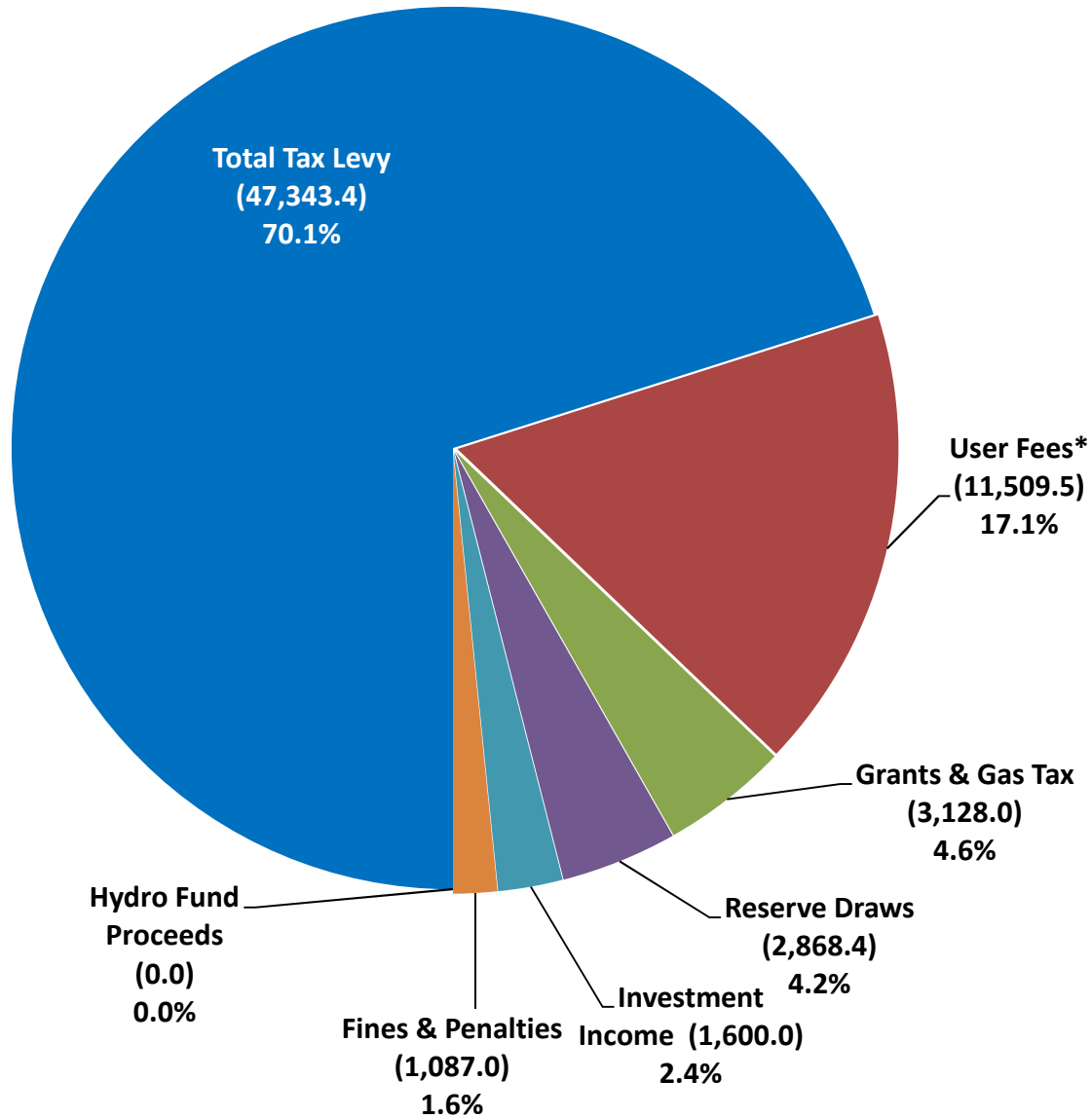


Total: \$ 47,343.5

Attachment 2

Town of Aurora 2019 DRAFT Operating Budget TOTAL REVENUES BY SOURCE

Shown in \$000's



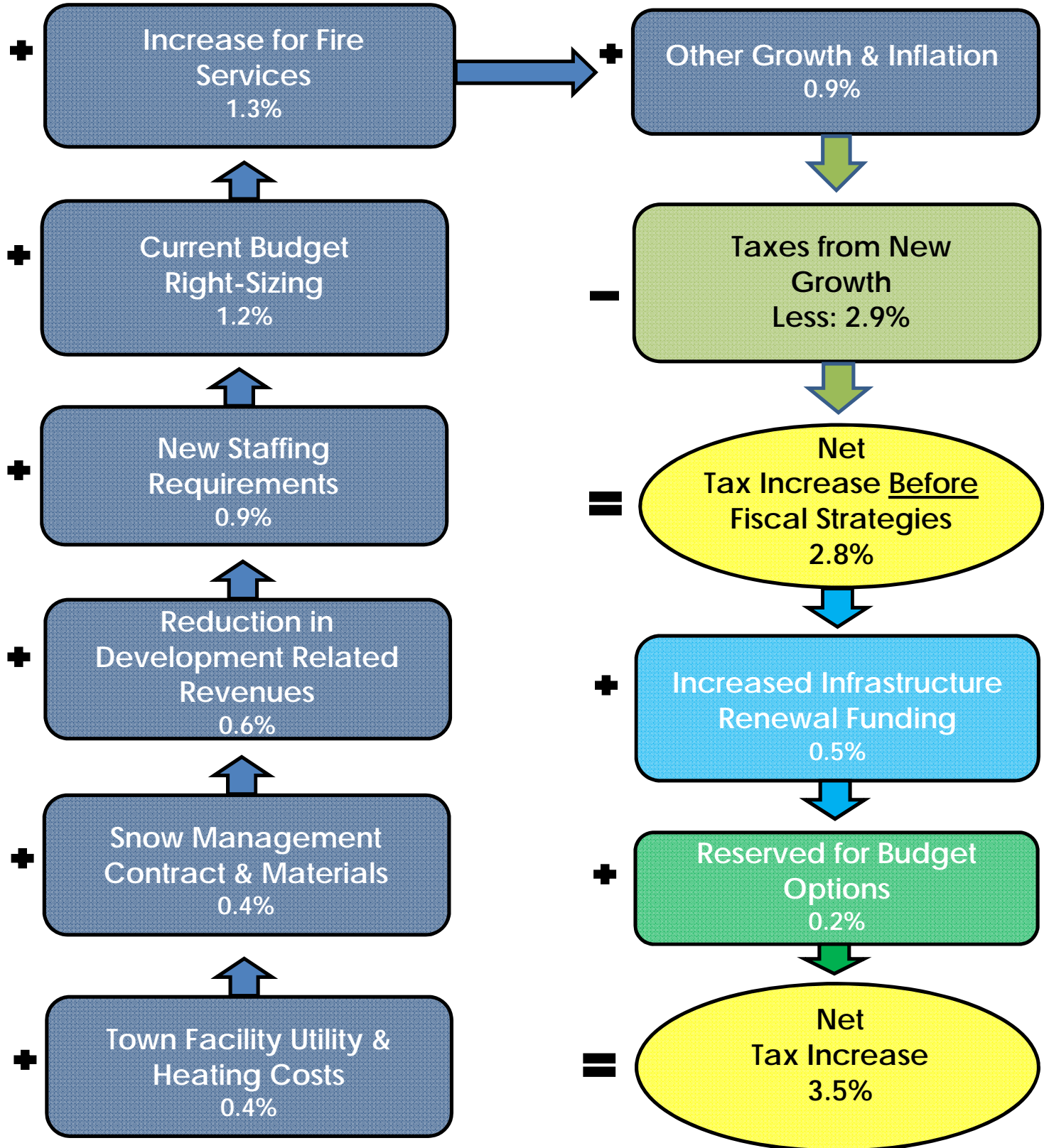
Total: \$ 67,536.3

* User Fees include revenue received in relation to the utilization of the town's various service offerings such as its parks and facilities, building permit issuances and development application fees.

**Town of Aurora
2019 Draft Operating Budget plus Outlook Years
SUMMARY BY DEPARTMENT**

Shown in \$000's	2018	2019		2020		2021		2022	
	Approved Budget (adjusted)	Recommend Budget	Dollar Change	Recommend Budget	Dollar Change	Recommend Budget	Dollar Change	Recommend Budget	Dollar Change
Gross Expenses									
Council	\$ 627.8	\$ 583.7	\$ 44.1	\$ 593.7	\$ (10.0)	\$ 604.4	\$ (10.7)	\$ 615.1	\$ (10.7)
CAO's Office	\$ 1,228.3	\$ 1,284.8	\$ (56.5)	\$ 1,329.1	\$ (44.3)	\$ 1,355.4	\$ (26.3)	\$ 1,380.9	\$ (25.5)
Corporate Services	\$ 8,037.1	\$ 8,373.1	\$ (336.0)	\$ 8,852.7	\$ (479.6)	\$ 8,963.5	\$ (110.8)	\$ 9,178.6	\$ (215.1)
Financial Services	\$ 2,061.3	\$ 2,345.4	\$ (284.1)	\$ 2,525.4	\$ (180.0)	\$ 2,598.0	\$ (72.6)	\$ 2,651.3	\$ (53.3)
Planning and Development Services	\$ 6,161.1	\$ 5,868.5	\$ 292.6	\$ 6,110.6	\$ (242.1)	\$ 6,484.7	\$ (374.1)	\$ 6,702.0	\$ (217.3)
Operational Services	\$ 10,506.8	\$ 11,063.9	\$ (557.1)	\$ 11,520.7	\$ (456.8)	\$ 11,633.7	\$ (113.0)	\$ 11,744.4	\$ (110.7)
Community Services	\$ 13,888.1	\$ 14,369.0	\$ (480.9)	\$ 15,010.5	\$ (641.5)	\$ 15,514.3	\$ (503.8)	\$ 16,027.3	\$ (513.0)
Corporate Expenses	\$ 7,370.8	\$ 8,405.0	\$ (1,034.2)	\$ 8,864.4	\$ (459.4)	\$ 9,184.5	\$ (320.1)	\$ 9,686.0	\$ (501.5)
Fire Services	\$ 10,484.2	\$ 11,210.7	\$ (726.5)	\$ 11,831.2	\$ (620.5)	\$ 12,069.8	\$ (238.6)	\$ 12,311.2	\$ (241.4)
Funding Provided for Library Operations	\$ 3,843.1	\$ 3,938.1	\$ (95.0)	\$ 3,938.1	\$ -	\$ 3,938.1	\$ -	\$ 3,938.1	\$ -
Reserved for Council Funding Decisions	\$ -	\$ 94.1	\$ (94.1)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Gross Expenditures	\$ 64,208.6	\$ 67,536.3	\$ 440.0	\$ 70,576.4	\$ (3,040.1)	\$ 72,346.4	\$ (1,770.0)	\$ 74,234.9	\$ (1,888.5)
Gross Revenues									
Council	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
CAO's Office	\$ (0.3)	\$ (0.3)	\$ -	\$ (0.3)	\$ -	\$ (0.3)	\$ -	\$ (0.3)	\$ -
Corporate Services	\$ (737.3)	\$ (797.0)	59.7	\$ (770.1)	\$ (26.9)	\$ (402.5)	\$ (367.6)	\$ (420.8)	\$ 18.3
Financial Services	\$ (202.7)	\$ (456.3)	253.6	\$ (462.0)	\$ 5.7	\$ (461.0)	\$ (1.0)	\$ (462.0)	\$ 1.0
Planning and Development Services	\$ (5,594.4)	\$ (4,820.7)	(773.7)	\$ (4,675.8)	\$ (144.9)	\$ (4,619.5)	\$ (56.3)	\$ (4,675.6)	\$ 56.1
Operational Services	\$ (850.9)	\$ (1,067.8)	216.9	\$ (1,067.8)	\$ -	\$ (1,036.7)	\$ (31.1)	\$ (1,036.7)	\$ -
Community Services	\$ (5,227.1)	\$ (5,220.9)	(6.2)	\$ (5,422.7)	\$ 201.8	\$ (5,541.2)	\$ 118.5	\$ (5,484.8)	\$ (56.4)
Corporate Revenues	\$ (7,142.6)	\$ (7,829.9)	687.3	\$ (8,390.4)	\$ 560.5	\$ (7,927.9)	\$ (462.5)	\$ (7,094.7)	\$ (833.2)
	\$ (19,755.3)	\$ (20,192.9)	\$ 437.5	\$ (20,789.1)	\$ 596.2	\$ (19,989.1)	\$ (800.0)	\$ (19,174.9)	\$ (814.2)
Taxation Base	(44,453.3)	(44,453.3)		(47,343.4)		(49,787.3)		(52,357.3)	
Taxation - Growth from New Assessmen	-	(1,289.1)	1,289.1	(946.9)	946.9	(995.7)	995.7	(1,047.1)	1,047.1
Gross Revenues	\$ (64,208.60)	\$ (65,935.3)	\$ 1,726.7	\$ (69,079.4)	\$ 1,543.1	\$ (70,772.1)	\$ 195.7	\$ (72,579.4)	\$ 233.0
Net Expenditures/(Revenues)									
Council	\$ 627.8	\$ 583.7	\$ 44.1	\$ 593.7	\$ (10.0)	\$ 604.4	\$ (10.7)	\$ 615.1	\$ (10.7)
CAO's Office	1,228.0	1,284.5	(56.5)	1,328.8	(44.3)	1,355.1	(26.3)	1,380.6	(25.5)
Corporate Services	7,299.8	7,576.1	(276.3)	8,082.6	(506.5)	8,561.0	(478.4)	8,757.8	(196.8)
Financial Services	1,858.6	1,889.1	(30.5)	2,063.4	(174.3)	2,137.0	(73.6)	2,189.3	(52.3)
Planning and Development Services	566.7	1,047.8	(481.1)	1,434.8	(387.0)	1,865.2	(430.4)	2,026.4	(161.2)
Operational Services	9,655.9	9,996.1	(340.2)	10,452.9	(456.8)	10,597.0	(144.1)	10,707.7	(110.7)
Community Services	8,661.0	9,148.1	(487.1)	9,587.8	(439.7)	9,973.1	(385.3)	10,542.5	(569.4)
Corporate Revenues & Expenses	228.2	575.1	(346.9)	474.0	101.1	1,256.6	(782.6)	2,591.3	(1,334.7)
Fire Services	10,484.2	11,210.7	(726.5)	11,831.2	(620.5)	12,069.8	(238.6)	12,311.2	(241.4)
Library Operations	3,843.1	3,938.1	(95.0)	3,938.1	\$ -	3,938.1	\$ -	3,938.1	\$ -
Reserved for Council Funding Decisions	-	94.1	(94.1)	-	94.1	-	-	-	-
	\$ 44,453.3	\$ 47,343.4	\$ (2,890.1)	\$ 49,787.3	\$ (2,443.9)	\$ 52,357.3	\$ (2,570.0)	\$ 55,060.0	\$ (2,702.7)
Taxation	\$ (44,453.3)	(45,742.4)	\$ 1,289.1	(48,290.3)	\$ 946.9	(50,783.1)	\$ 995.7	(53,404.5)	\$ 1,047.1
Proposed Tax Increase	-	(1,601.0)	1,601.0	(1,497.0)	\$ 1,497.0	(1,574.3)	\$ 1,574.3	(1,655.5)	\$ 1,655.5
NET	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Tax Pressure Change									
Core Operations			2.5%		2.1%		2.1%		2.1%
Fiscal Strategy			1.0%		1.0%		1.0%		1.0%
Total Anticipated Tax Levy Increase			3.5%		3.1%		3.1%		3.1%
* Assumed Tax Revenue Growth:									
			2.9%		2.0%		2.0%		2.0%

Town of Aurora
2019 Draft Operating Budget
KEY BUDGET DRIVERS



Summary of Key Town 2019 Operating Budget Pressures

New Revenue for 2019 (As per Council's Direction)

Growth Revenue (2.9% assessment growth forecast)	\$	1,289,100	
Tax Levy Increase (based on CPI of 2.5% plus 1% -- Total 3.5%)		1,601,000	
non-tax revenue CPI		26,700	
Estimated New Revenue			\$ 2,916,800

Allocation to Known Incremental Financial Requirements

Fiscal Strategies

Corp. Expenses	Cash to capital increase - fiscal strategy		(210,500)
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Past Council Commitments

Fire Services	Fire increase in funding (planned 1.3% plus 0.3% of tax levy)		(726,500)
Corp. Revenues	Reduced Rate Stabilization Draw: Final Phase-in of 2018 labour legislation and waste		(569,900)
Various	COLA and steps all union & FT non-union staff		(535,900)
Various	2018 approved position annualization		(51,000)
Various	Net savings from new provincial labour legislation impact - Bill 148		224,000
Council	Council size adjustment savings		35,300

New Pressures on Budget

Various	New staffing - Full Time		(291,800)
CMS	Town facility utilities & heating cost increases		(178,300)
OPS	Snow management contract and operating materials cost increases		(171,800)
PDS	Reduced engineering fee revenues		(145,000)
Various	New Staffing - Other		(133,700)
PDS	Reduction in reliance upon development charge revenues		(130,000)
CMS / Library	Earmarked funds for Library, ACC and AHS		(107,300)
OPS	Fleet net increased fuel and repair costs		(93,000)
CMS	Net armoury operating cost increase		(34,800)
Corp. Expenses	Council contingency top up back to original amount		(30,000)
FS	Increased administrative fee revenues		248,500
Various	Net all other budget pressures from departments		(87,700)

Rate Stabilization

Fire Services	Phase in of required amount over and above planned 1.3% increase	131,900	
Corp. Revenues	Offset of temporary armoury operational short-fall	34,800	166,700

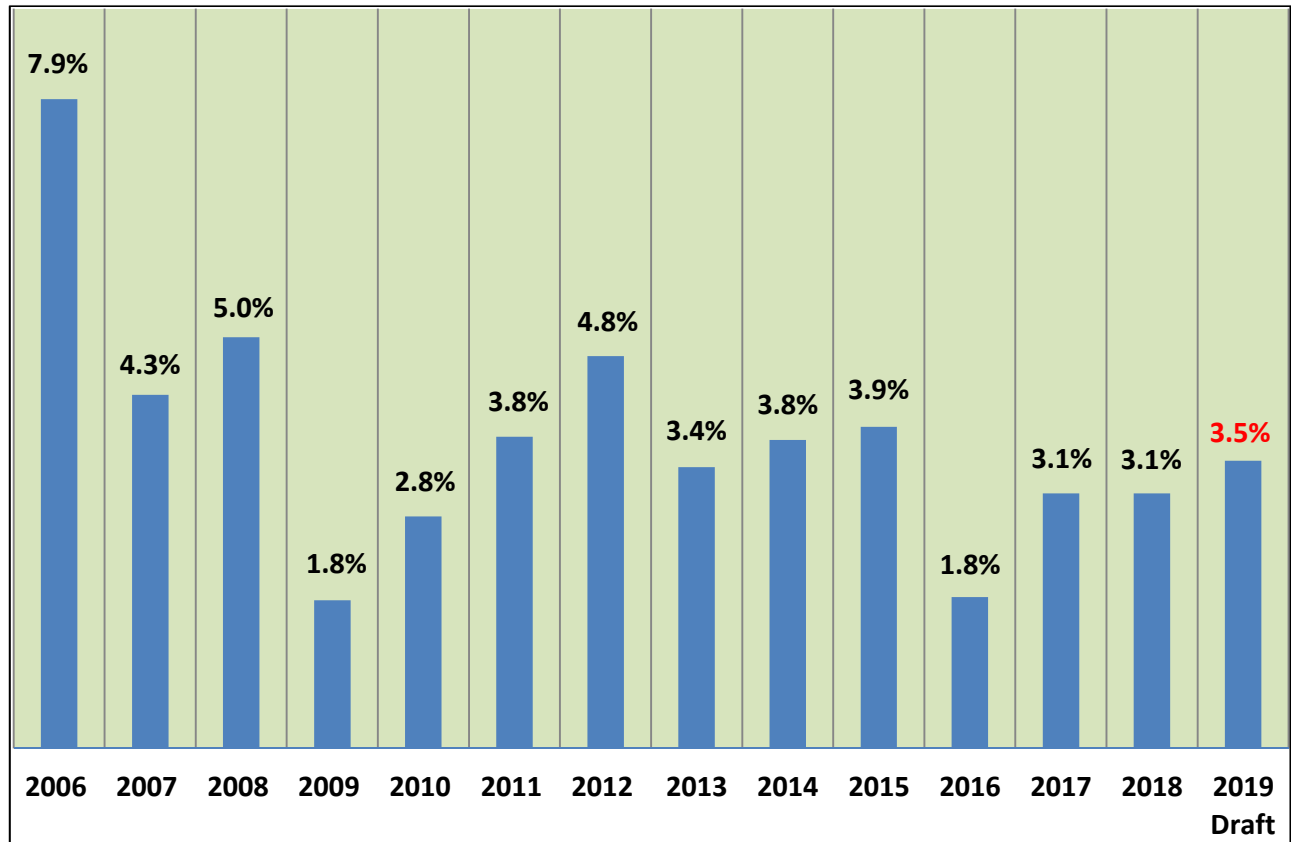
Unallocated Council Contingency

Corp. Expenses	Reserved for Council funding decisions		(94,100)
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Unresolved Budget Tax Pressure versus Council's Direction

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**Town of Aurora
2019 Draft Operating Budget
HISTORY OF AURORA TAX RATE INCREASES**





Notice of Motion	Mayor Tom Mrakas
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Date: February 12, 2019

To: Members of Council

From: Mayor Mrakas

Re: **Backyard Swimming Instruction on Private Property**

Whereas swimming is a life skill that all people should acquire and residents who have backyard swimming pools offer lessons and instruction in their private pools providing a community service within their neighbourhood; and

Whereas often these instructors are young adults and students seeking summer employment; and

Whereas the Town's Zoning By-law permits home occupation for similar types of activities such as dance or music instruction provided that all home occupation activities be conducted entirely within the dwelling or permitted accessory buildings;

1. Now Therefore Be It Hereby Resolved That staff be directed to take forward a Zoning By-law amendment to a future Public Planning meeting to amend the Home Occupation provisions to allow for backyard swimming instruction on private property.



Notice of Motion	Mayor Tom Mrakas
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Date: February 12, 2019

To: Members of Council

From: Mayor Mrakas

Re: Cannabis Public Use By-law

Whereas, as of October 17, 2018, the sale and recreational use of cannabis is now legal in Canada; and

Whereas the Provincial government has enacted legislation that "...aligns the laws surrounding the consumption of cannabis with the *Smoke-Free Ontario Act*"; and

Whereas, as cannabis use will fall under the same regulations as the *Smoke-Free Ontario Act, 2017*, it will therefore be prohibited to consume cannabis within 20 metres of a children's playground, publicly-owned sport field or sport surface, such as a basketball court, baseball field, soccer pitch, ice rink, splash pad or beach volleyball court; and it is illegal to smoke or hold lighted tobacco or cannabis on public or private school property as well as in any common areas of condos, apartment buildings, or college and university residences; and

Whereas, as per recent amendments to the *Municipal Act, 2001*, municipalities can pass by-laws respecting the smoking and vaping of cannabis that are more restrictive than the rules under the *Smoke-Free Ontario Act, 2017*; and

Whereas residents are concerned about the use of cannabis in public spaces; and

Whereas there is a lack of understanding as to what is or is not permitted regarding the use of cannabis in public spaces; and

Whereas consistency and clarity of regulation of use of cannabis in public spaces across municipalities in York Region is in the public interest;

Notice of Motion

Re: Cannabis Public Use By-law

February 12, 2019

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1. Now Therefore Be It Hereby Resolved That the Town of Aurora request York Region to work with Regional municipalities to create a Regional public cannabis usage by-law that addresses and reflects community concerns regarding use of cannabis in public spaces; and
2. Be It Further Resolved That, upon approval of said by-law, staff be directed to create a cannabis education/resource guide and awareness campaign, to ensure residents and businesses are aware of the regulations as they speak to the use of cannabis in public spaces.



Notice of Motion	Councillor Wendy Gaertner
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Date: February 12, 2019

To: Mayor and Members of Council

From: Councillor Gaertner

Re: **Information Regarding 672 and 684 Henderson Drive**

Whereas there is a significant public interest in the proposed development of the properties located at 672 and 684 Henderson Drive; and

Whereas the community is requesting more information with respect to the history of the property and any contact between the owners and the Town; and

Whereas it is important to recognize the public expectation of open and accessible information;

1. Now Therefore Be It Hereby Resolved That any and all Town information regarding the properties located at 672 and 684 Henderson Drive, including but not limited to prior correspondence and Closed Session Reports and Minutes, excluding anything currently being considered by Council in Closed Session, be released to the general public and the Committee of Adjustment before a Meeting is held regarding these properties.