



## Town of Aurora Council Meeting Agenda (Revised)

**Date:** Tuesday, October 27, 2020  
**Time:** 7 p.m.  
**Location:** Video Conference

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**Pages**

**1. Procedural Notes**

This meeting will be held electronically as per Section 19. i) of the Town's Procedure By-law No. 6228-19, as amended, due to the COVID-19 situation.

Added items are marked with an asterisk (\*).

**2. Approval of the Agenda**

**3. Declarations of Pecuniary Interest and General Nature Thereof**

**4. Community Presentations**

**5. Delegations**

Note: Anyone wishing to provide comment on an agenda item is encouraged to visit [www.aurora.ca/participation](http://www.aurora.ca/participation) for guidelines on electronic delegation.

**6. Consent Agenda**

**6.1. Council Meeting Minutes of September 29, 2020**

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1. That the Council meeting minutes of September 29, 2020, be adopted as circulated.

**6.2. Council Closed Session Minutes of October 6, 2020 (confidential attachment)**

1. That the Council Closed Session minutes of October 6, 2020, be adopted as circulated.

**6.3. Council Closed Session Public Meeting Minutes of October 6, 2020**

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1. That the Council Closed Session Public meeting minutes of October 6, 2020, be adopted as circulated.

<b>6.4.</b>	<b>Special Meeting of Council Minutes of October 6, 2020</b>	<b>22</b>
1.	That the Special Meeting of Council minutes of October 6, 2020, be adopted as circulated.	
<b>6.5.</b>	<b>Council Public Planning Meeting Minutes of October 13, 2020</b>	<b>25</b>
1.	That the Council Public Planning meeting minutes of October 13, 2020, be adopted as circulated.	
<b>6.6.</b>	<b>Memorandum from Councillor Gaertner; Re: Lake Simcoe Region Conservation Authority Board Meeting Highlights of July 24, 2020</b>	<b>32</b>
1.	That the memorandum regarding Lake Simcoe Region Conservation Authority Board Meeting Highlights of July 24, 2020, be received for information.	
<b>7.</b>	<b>Standing Committee Reports</b>	
<b>7.1.</b>	<b>General Committee Meeting Report of October 6, 2020</b>	<b>37</b>
1.	That the General Committee meeting report of October 6, 2020, be received and the recommendations carried by the Committee approved.	
<b>*7.1.1.</b>	<b>Accessibility Advisory Committee Meeting Minutes of September 9, 2020</b>	
1.	That the Accessibility Advisory Committee meeting minutes of September 9, 2020, be received for information.	
<b>*7.1.2.</b>	<b>Heritage Advisory Committee meeting minutes of September 14, 2020</b>	
1.	That the Heritage Advisory Committee meeting minutes of September 14, 2020, be received for information.	
<b>*7.1.3.</b>	<b>Finance Advisory Committee Meeting Minutes of September 15, 2020</b>	
1.	That the Finance Advisory Committee meeting minutes of September 15, 2020, be received for information.	
<b>*7.1.4.</b>	<b>Community Advisory Committee Meeting Minutes of September 17, 2020</b>	
1.	That the Community Advisory Committee meeting	

minutes of September 17, 2020, be received for information.

**7.1.5. FIN20-015 - 2019 Year-end Budget Report - as at December 31, 2019**

1. That Report No. FIN20-015 be received for information.

**7.1.6. PDS20-044 - Town of Aurora Proposed Anti-Idling Policy**

1. That Report No. PDS20-044 be received; and
2. That Council approve the Town of Aurora Anti-Idling policy attached to this report; and
3. That staff be directed to report back after one year with a policy review.

**7.1.7. PDS20-050 - Implementation of Automated Speed Enforcement Program**

1. That Report No. PDS20-050 be received; and
2. That staff report back on the findings of the Region's Automated Speed Enforcement Program following completion of the two-year, limited use pilot program.

**7.1.8. PDS20-055 - Pedestrian Grade Separated Crossings and Future Priority Crossings within Barrie GO Rail Corridor**

1. That Report No. PDS20-055 be received; and
2. That Council identify as a priority the Cousins Drive pedestrian rail crossing identified in Attachment 2 and staff report back on the feasibility of funding the crossing as part of the 2022 Budget 10-year capital planning process.

**7.2. General Committee Meeting Report of October 20, 2020**

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1. That the General Committee meeting report of October 20, 2020, be received and the recommendations carried by the Committee approved.

**7.2.1. FIN20-024 - 2021 and 2022 Fees and Charges**

1. That Report No. FIN20-024 be received; and

2. That a by-law be enacted to set the 2021 and 2022 Fees and Charges for applications, permits, use of Town property, the sale of documents and for the prescribed service charges for administrative matters as itemized on the attached schedules.

**7.2.2. FIN20-026 - 2020 Interim Forecast Update Report - as of August 31, 2020**

1. That Report No. FIN20-026 be received for information.

**7.2.3. OPS20-016 - Tree Removal Permit Applications for 126 Temperance Street and 53 Metcalfe Street**

1. That Report No. OPS20-016 be received; and
2. That the Tree Removal Permit Application for 126 Temperance Street be approved; and
3. That the Tree Removal Permit Application for 53 Metcalfe Street be approved.

**7.2.4. PDS20-060 - Heritage Designation for 28 Wellington Street West ("Alfred Love House")**

1. That Report No. PDS20-60 be received; and
2. That the property at 28 Wellington Street, where the building known as "Alfred Love House" is located, be designated under Part IV of the *Ontario Heritage Act* as a property of Cultural Heritage Value or Interest; and
3. That the Town Clerk be authorized to publish and serve Council's Notice of Intention to Designate in accordance with the requirements of the *Ontario Heritage Act*; and
4. That the designation by-law be brought before Council for adoption if no objections are received within the thirty (30) day period as per the *Ontario Heritage Act*.

**7.2.5. PDS20-062 - Heritage Permit Application for 31 Catherine Avenue**

1. That Report No. PDS20-062 be received; and
2. That Heritage Permit Application HPA-2020-10 to permit the demolition of an existing detached garage and construction of a new addition at 31 Catherine

Avenue be approved, subject to the elimination of the one-storey extension at the rear of the proposed addition.

- 8. Consideration of Items Requiring Discussion (Regular Agenda)**
- 8.1. FIN20-027 - 2021 Budget Introduction** 49
- (Presentation to be provided by Rachel Wainwright-van Kessel, Director of Finance)
1. That Report No. FIN20-027 be received; and
  2. That the proposed 2021 to 2022 budget be referred to Budget Committee for review at its scheduled meetings starting on November 9, 2020.
- 9. Motions**
- 9.1. Councillor Kim; Re: Great Canadian Achievements Mural** 62
- 10. Regional Report**
- 10.1. York Regional Council Highlights - September 24, 2020** 63
- That the Regional Report of September 24, 2020, be received for information.
- 11. New Business**
- 12. By-laws**
- 12.1. By-law Number XXXX-20 - Being a By-law to regulate occupancy, fouling, construction and encroachments on highways.** 73
- (General Committee Report No. OPS20-009, September 8, 2020)
- 12.2. By-law Number XXXX-20 - Being a By-law to exempt Block 26 on Plan 65M-4467 from Part-Lot Control (Country Wide Homes at Aurora Inc.).** 93
- 13. Closed Session**
- There are no Closed Session items for this meeting.
- 14. Confirming By-law**
- 14.1. By-law Number XXXX-20 - Being a By-law to confirm actions by Council resulting from a Council meeting on October 27, 2020** 94

## 15. Adjournment



**Town of Aurora**  
**Council**  
**Meeting Minutes**

**Date:** Tuesday, September 29, 2020  
**Time:** 7:00 p.m.  
**Location:** Council Chambers, Aurora Town Hall

**Council Members:** Mayor Mrakas  
Councillor Kim  
Councillor Gaertner  
Councillor Humfryes  
Councillor Thompson  
Councillor Gilliland  
Councillor Gallo

**Other Attendees:** Doug Nadorozny, Chief Administrative Officer  
Allan Downey, Director of Operations  
David Waters, Director of Planning and Development Services  
Robin McDougall, Director of Community Services  
Rachel Wainwright-van Kessel, Director of Finance  
Michael de Rond, Town Clerk and Acting Director, Corporate Services  
Patricia De Sario, Town Solicitor  
Eliza Bennett, Acting Manager, Corporate Communications  
Samantha Yew, Deputy Town Clerk  
Ishita Soneji, Council/Committee Coordinator

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**1. Procedural Notes**

The Mayor called the meeting to order at 7 p.m.

Mayor Mrakas announced that General Committee and Council Public Planning meetings will be held virtually starting in October, with the exception of the Council Public Planning meeting of October 13, 2020 which will be held in-

person. He noted that Council meetings will be held in-person in the Council Chambers as scheduled.

Councillor Gallo noted an error in his vote to Motion 9.2 regarding Property Acquisition – Library Square and clarified that he intended to vote “yes”.

## 2. **Approval of the Agenda**

**Moved by** Councillor Humfryes

**Seconded by** Councillor Gilliland

That the agenda as circulated by Legislative Services, including the following additional items, be approved:

- Attachment for Community Presentation 4.1 – Deputy Fire Chief Volpe, CYFS; Re: Cost Recovery Program
- Item 8.1 – PDS20-065 – Explore Aurora Campaign Funding Request
- Presentation for Item 8.1 – PDS20-065 – Explore Aurora Campaign Funding Request
- Motion 9.6 – Councillor Humfryes; Re: Lake Simcoe Protection Plan
- Regional Report 10.1 – York Region Council Highlights – July 30, 2020

Yeas (6): Mayor Mrakas, Councillor Kim, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

Absent (1): Councillor Gaertner

**On a 2/3 majority vote the motion  
Carried (6 to 0)**

## 3. **Declarations of Pecuniary Interest and General Nature Thereof**

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*.

## 4. **Community Presentations**

### 4.1 **Deputy Fire Chief Rocco Volpe, Central York Fire Services; Re: Cost Recovery Program**

Deputy Chief Volpe presented an overview of the Central York Fire Services (CYFS) cost recovery program and highlighted the success of



the ongoing pilot program regarding recovering costs associated with responding to motor vehicle collisions on municipal roadways. He noted that the CYFS cost recovery program will be expanding to include more services and that the generated revenue will be utilized for future projects.

**Moved by** Councillor Kim

**Seconded by** Councillor Thompson

That the presentation be received for information.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfries, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

## **5. Delegations**

None

## **6. Consent Agenda**

**Moved by** Councillor Kim

**Seconded by** Councillor Humfries

That the Consent Agenda items, 6.1 to 6.6 inclusive, be approved.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfries, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

### **6.1 Council Meeting Minutes of July 14, 2020**

1. That the Council meeting minutes of July 14, 2020, be adopted as circulated.

**Carried**

### **6.2 Special Meeting of Council Minutes of August 25, 2020**

1. That the Special Meeting of Council minutes of August 25, 2020, be adopted as circulated.

**Carried**

### **6.3 Council Closed Session Minutes of September 8, 2020 (confidential attachment)**

1. That the Council Closed Session meeting minutes of September 8, 2020, be adopted as circulated.

**Carried**

#### **6.4 Council Closed Session Public Minutes of September 8, 2020**

1. That the Council Closed Session Public minutes of September 8, 2020, be adopted as circulated.

**Carried**

#### **6.5 Council Public Planning Meeting Minutes of September 15, 2020**

1. That the Council Public Planning Meeting Minutes of September 15, 2020, be adopted as circulated.

**Carried**

#### **6.6 Memorandum from Councillor Gaertner; Re: Lake Simcoe Region Conservation Authority Board Meeting Highlights of June 26, 2020**

1. That the memorandum regarding Lake Simcoe Region Conservation Authority Board Meeting Highlights of June 26, 2020, be received for information.

**Carried**

### **7. Standing Committee Reports**

**Moved by** Councillor Humfries

**Seconded by** Councillor Kim

1. That the General Committee reports of September 8, 2020 and September 22, 2020 be received and the recommendations carried by the Committees approved, with the exception of sub-items 7.1(7.1.2) and 7.2(7.2.3), which were discussed and voted on separately as recorded below.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfries, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

#### **7.1 General Committee Report of September 8, 2020**

##### **7.1.1 Mayor's Golf Classic Funds Committee Meeting Minutes of July 30, 2020**

1. That the Mayor's Golf Classic Funds Committee meeting minutes of July 30, 2020, be received for information.

**Carried**

### **7.1.2 OPS20-013 - Review of Urban Forest Study and Associate Forestry Policies**

**Moved by** Councillor Gilliland

**Seconded by** Councillor Humfryes

1. That Report No. OPS20-013 be received; and
2. That Planning & Development Services present a Town initiated amendment to the Comprehensive Zoning By-Law to confirm and define the requirement for a landscape strip for all zones as required for the purposes of tree planting and supporting soil volume; and
3. That the definition of a Landscape Strip be changed to require a minimum 3.0m un-obstructed width solely for the purpose of tree planting and supporting soil volume; and
4. That the Landscape Design Guidelines be amended to:
  - a. Clarify the soil depth required within Landscape Strips be a minimum 0.6m continuous topsoil depth; and
  - b. Increase the Boulevard topsoil depth from 300mm to 450mm continuous depth; and
5. That the Town of Aurora's Engineering standards be reviewed and revised to support an increase in topsoil depth within Town boulevards; and
6. That the Tree Removal/Pruning and Compensation Policy be amended as described in Report No. OPS20-013; and
7. That a by-law to amend the Tree Permit By-law (Number 5850-16) be enacted at a future Council meeting to:
  - a. Confirm the minimum tree size for compensation be 5cm trunk diameter or greater; and
  - b. Refer compensation requirements for minor variance, consent to severe, stable neighbourhoods, site plan and

subdivision applications to the Tree Removal/Pruning and Compensation Policy; and

- c. Forbid tree removal permits from being issued from April 1st to August 31st in respect of the Migratory Birds Convention Act; and

- 8. That the Tree Protection/Preservation Policy and the Tree Planting and Approved Plant List Policy be amended as described in Report OPS20-013.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

#### **7.1.3 CMS20-020 - Pandemic Recovery Planning – Update No. 2**

- 1. That Report No. CMS20-020 be received for information.

**Carried**

#### **7.1.4 OPS20-009 - By-law Regulating Occupancy, Works, Fouling and Encroachments on Highways**

- 1. That Report No. OPS20-009 be received; and
- 2. That the Highway Occupancy and Encroachment By-law, being a bylaw to regulate occupancy, fouling and encroachment onto municipal highways and the repeal of By-law Nos. 4734-05.P, 4744-05.P and 5733-15, be brought forward to a future Council meeting for enactment.

**Carried**

#### **7.1.5 FIN20-021 - Bill 197 – Update on Proposed Legislative Changes to Development Charges Act and Planning Act**

- 1. That Report No. FIN20-021 be received for information.

**Carried**

#### **7.1.6 FIN20-022 - 2020 Year End Surplus/Deficit Financial Control By-law**

- 1. That Report No. FIN20-022 be received; and

2. That a bylaw be enacted to authorize the Treasurer and the Chief Administrative Officer to make the following year-end financial adjustments:
  - a. to allocate any 2020 Operating Fund surplus or deficit as set out in Report No. FIN20-022; and
  - b. to allocate any 2020 surplus or alternatively fund any deficit in the Water, Wastewater, or Storm water budgets to or from the appropriate related reserve accounts; and
3. That the Treasurer and Chief Administrative Officer report to Council after the year end surplus/deficit control adjustments and allocations have been completed.

**Carried**

#### **7.1.7 FIN20-023 - Safe Restart Funding**

1. That Report No. FIN20-023 be received for information.

**Carried**

### **7.2 General Committee Report of September 22, 2020**

#### **7.2.1 CMS20-023 - Sports Plan Progress Report No. 2**

1. That Report No. CMS20-023 be received for information.

**Carried**

#### **7.2.2 CMS20-022 - Library Square - Project Monitoring Task Force**

1. That Report No. CMS20-022 be received; and
2. That the Terms of Reference for the Library Square Project Monitoring Task Force be approved; and
3. That two members of Council be appointed to the Library Square Project Monitoring Task Force.

**Carried**

#### **7.2.3 PDS20-024 - Downtown Parking Update - Library Square Precinct**

**Moved by** Councillor Gilliland  
**Seconded by** Councillor Thompson

1. That Report No. PDS20-024 be received; and
2. That shared parking agreements with organizations in the area be considered as short-term parking solution and staff be directed to continue exploring the medium and long-term parking solutions; and
3. That the following intersection improvements be approved by Council subject to its final review as part of the Town's budget process which will enhance both vehicular and pedestrian flow:
  - a. Installing a new traffic signal at the intersection of Yonge Street and Church Street (to be funded in the 10-year Capital Plan); and
  - b. Converting the 2-way 'Stop' to an 'All-way Stop' at the intersection of Victoria Street and Church Street (to be funded by the Town's Operations Department Operating Budget); and
4. That staff be directed to coordinate with Chandos to ensure the compliance of the parking and traffic management strategies recommended in the Parking Study; and
5. That the Downtown Parking Working Group continue to monitor and address parking related issues within the Library Square precinct during construction and report to Council as required.

Yeas (6): Mayor Mrakas, Councillor Kim, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

Nays (1): Councillor Gaertner

**Carried (6 to 1)**

#### **7.2.4 OPS20-015 - DWQMS - Financial Plan**

1. That Report No. OPS20-015 be received; and
2. That the ten (10) year Financial Plan for the Town of Aurora Water System be approved.

**Carried**

### **8. Consideration of Items Requiring Discussion (Regular Agenda)**

#### **8.1 PDS20-065 - Explore Aurora Campaign Funding Request**

Ms. Sandra Ferri, President & CEO of Aurora Chamber of Commerce presented an overview of the Aurora Economic Development Board's Explore Aurora marketing campaign and provided details of Phase 2 of the campaign. She noted that Phase 2 will focus on business and connect with customers and provided details of the long term goals, program requirements and financials, plan management, and requested that the funding be approved.

**Moved by** Councillor Humfryes

**Seconded by** Councillor Gilliland

1. That Report No. PDS20-065 be received; and
2. That Council approve funding in the amount \$12,000 from the Economic Development Reserve Fund to support Phase 2 of the Explore Aurora marketing campaign.

**Amendment:**

**Moved by** Councillor Gallo

**Seconded by** Councillor Thompson

That the main motion be amended by adding the following clause:

"That the Aurora Chamber of Commerce report back to Council regarding the success of the Explore Aurora marketing campaign"

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

**Motion as Amended:**

**Moved by** Councillor Humfryes

**Seconded by** Councillor Gilliland

1. That Report No. PDS20-065 be received; and
2. That Council approve funding in the amount \$12,000 from the Economic Development Reserve Fund to support Phase 2 of the Explore Aurora marketing campaign; **and**
3. **That the Aurora Chamber of Commerce report back to Council regarding the success of the Explore Aurora marketing campaign.**

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfries, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

## **9. Motions**

### **9.1 Councillor Kim; Re: Sidewalk Installation Policy**

Whereas in September 2009 Council has approved a “Sidewalk Installation Policy” (#67), for the installation of sidewalks on Town’s roads that ensures connectivity, safety and convenient pedestrian traffic in new development and existing areas, and the policy was subsequently revised in April 2015; and

Whereas the Transportation Master Plan Update endorsed by Council in February 2020, identified the existing traffic operational concerns and recommended “TDM, Transit, and Active Transportation Improvements” and “Operational Improvements” as viable alternative solutions to accommodate future growth;” and

Whereas “The Active and Safe Routes to School Program” implemented in Aurora has helped to encourage the physical activity of youth, enhance environmental sustainability by reducing greenhouse gas emissions and help alleviate traffic concerns in school areas; and

Whereas the Town based on the “Active and Safe Routes to School Program” has implemented “The School Travel Planning Policy (#69)” in December 2013 and set out a mechanism that would allow for student pedestrian priority; and

Whereas the Town has a duty to comply with the Accessibility for Ontarians with Disabilities Act (AODA) that took effect January 1, 2016 that requires municipalities to remove barriers to accessibility and to construct sidewalks and pathways where gaps exist; and

Whereas while the Town’s population grows, we have to look at sustainable growth measures by implementing active transportation principles and designing complete streets that will further reduce greenhouse gas (GHG) emissions;”

**Moved by** Councillor Kim

**Seconded by** Councillor Thompson



1. Now therefore be it hereby resolved that staff be directed to review the “Sidewalk Installation Policy” (#67), and report back to General Committee before the end of the first quarter of 2021 with proposed revisions for consideration including an approach that provides staff the delegated authority to install sidewalks for existing areas when the road is scheduled for reconstruction.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

## **9.2 Councillor Gallo; Re: Property Acquisition - Library Square**

Whereas on May 19, 2020 Aurora Council passed the following resolution “A proposed or pending acquisition or disposition of land by the municipality or local board (Section 239(2)(c) of the Municipal Act, 2001); Re: Closed Session Report No. PDS20-046 – Potential Property Acquisition – Library Square”; and

Whereas on July 30, 2020 the Town completed the purchase of 15157, 15165, 15171 Yonge Street for \$7,500,000 plus \$146,475.00 in land transfer fees; and

Whereas it is in the interest of all Taxpayers to understand the full details of the purchase and all information that lead to the purchase, which council relied on;

**Moved by** Councillor Gallo

**Seconded by** Councillor Gilliland

1. Now Therefore Be It Hereby Resolved that the Town of Aurora post all closed session reports pertaining to the purchase of 15157, 15165, 15171 Yonge Street publicly the Library Square page on the Town’s website; and
2. Be It Further Resolved That those reports include the consultant prepared attachments provided staff receive their consent to be posted publicly.

Yeas (1): Councillor Gaertner

Nays (6): Mayor Mrakas, Councillor Kim, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Defeated (1 to 6)**

Councillor Gallo noted an error in his vote to Motion 9.2 regarding Property Acquisition – Library Square and clarified that he intended to vote “yes”.

### **9.3 Councillor Thompson; Re: Audio Recordings of Closed Session Meetings**

Whereas the Town of Aurora acknowledges our responsibility to provide good government in an accountable and transparent manner; and

Whereas the closed session meetings and attendant proceedings of Council are subject to investigation at anytime should a member of the public feel it is warranted; and

Whereas the accuracy of the records and/or documentation kept in regards to the closed session meetings and proceedings of Council is therefore vital; and

Whereas currently only minutes are taken and there is no verbatim – written or audio-recorded record of the closed session proceedings of Council; and

Whereas the Ombudsman recommends that all municipalities make audio recordings or video recordings of all meetings – both open and closed – to ensure a thorough record; and

Whereas it provides a clear and accessible record for closed meeting investigators to review, and assists in ensuring that officials do not stray from the legal requirements during closed meetings; and

Whereas Council, in 2015, approved an Accountability and Transparency policy with the purpose of ensuring openness, accountability and transparency while protecting the best interests of the Town;

**Moved by** Councillor Thompson

**Seconded by** Councillor Kim

1. Now Therefore Be It Hereby Resolved That staff be directed to report back before the end of the year on the recommendation to have all future closed session meetings of Council audio-recorded; and
2. Be It Further Resolved That the report include recommended policies pertaining to security, limited access for investigation purposes only and what protocols should be put into place for the retention and destruction of these records.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfries, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

**9.4 Councillor Thompson; Re: Construction of a Gymnasium at the SARC**

Whereas in 2017 staff were directed to bring back a report on the feasibility of adding a gymnasium onto the Stronach Aurora Recreation Complex (SARC); and

Whereas in the report to the Parks, Recreation and Cultural Services Advisory Committee (PRCSAC) staff supported the concept of constructing a gym and noted it “would be very well received and utilized by the community”; and

Whereas in 2018 the PRCSAC committee recommended the construction of a multi-purpose space that maximizes the land available on the southeast corner of the SARC be approved; and

Whereas capital project 72410 SARC - Gymnasium was considered in the 2019 budget deliberations but postponed as a result of the overall expansion to the SARC discussion and potential land acquisition at Bloomington;

**Moved by** Councillor Thompson

**Seconded by** Councillor Kim

1. Now Therefore Be It Hereby Resolved That the construction of a multi purpose space/gymnasium be added to the 2021 Capital Budget discussions; and
2. Be It Further Resolved That an option for a single, 6,000 sq. ft. gym, as initially discussed, and a second option for multiple gyms be presented at budget time.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfries, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

## 9.5 Councillor Gilliland and Mayor Mrakas; Re: Environmental Advisory Committee

Whereas the Town of Aurora declared a Climate Emergency for the purposes of naming and deepening our commitment to protecting our eco systems by identifying key criteria to help reduce our carbon footprint and protect our community from the impacts of climate change; and

Whereas the Town of Aurora is prioritizing the process of creating a Climate Action Plan for the Town of Aurora, focused on reducing emissions and adaptation at the community level; and

Whereas staff have been directed by Council to look for opportunities for economic growth, stimulation in the low-carbon economy, and cost benefits for all who consume energy; and

Whereas local governments around the world have recognized the extreme emergency that climate change embodies and have expedited their own actions, and have called on provincial and national governments to strengthen action on climate change; and

Whereas the Town would benefit from a dedicated committee to address environmental and climate adaptation at a community level to discuss ongoing climate change, protections, energy conservation, education, environmental matters and contribute comments to the Climate Action Plan and Community Energy Plan; and

Whereas the Town of Aurora is committed to taking meaningful action to address the environment and climate change in Aurora;

**Moved by** Councillor Gilliland

**Seconded by** Councillor Humfryes

1. Now Therefore Be It Hereby Resolved That a dedicated “Environmental Advisory Committee” be re-established to address ongoing climate change, adaptation, and mitigation initiatives, energy conservation, environmental matters and contribute comments to the Climate Action Plan, and the Community Energy Plan; and
2. Be It Further Resolved That the “Environmental Advisory Committee” be comprised of one (1) member of Council and five (5) citizen members; and

3. Be It Further Resolved That staff be directed to advertise, in accordance with the provisions of the “Policy for Ad Hoc/Advisory Committees and Local Boards”, for applications from members of the public for appointment to the “Environmental Advisory Committee”; and
4. Be It Further Resolved That the Chief Administrative Officer be directed to appoint one appropriate staff liaison to support the work of the “Environmental Advisory Committee”; and
5. Be It Further Resolved That the terms of reference for the Community Advisory Committee be amended to remove the mandate for environmental initiatives.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

#### **9.6 Councillor Humfryes; Re: Lake Simcoe Protection Plan**

Whereas a healthy environment provides the foundation for healthy communities, healthy people, and a healthy economy; and

Whereas the passage of the Lake Simcoe Protection Act received unanimous, all party support in the Ontario Legislature in 2008;

**Moved by** Councillor Humfryes

**Seconded by** Councillor Kim

1. Now Therefore Be It Hereby Resolved That the Town of Aurora calls on the Ontario Government to demonstrate its commitment to clean water and protecting what matters most in the provincial statutory review of the Lake Simcoe Protection Plan, by ensuring that provisions in the Lake Simcoe Protection Plan that protect water quality are not weakened and that policies protecting natural heritage be strengthened, in order to meet the targets of the Lake Simcoe Protection Plan; and
2. Be It Further Resolved That the Ontario Government be requested to work collaboratively with affected Provincial Ministries and all levels of government, including First Nations and Métis, to achieve the goals and targets of the Lake Simcoe Protection Plan and to resource the

programs that improve Lake Simcoe's water quality during the provincial statutory review of the Lake Simcoe Protection Plan; and

3. Be It Further Resolved That copies of this resolution be provided to Ontario Premier Doug Ford, Official Opposition Leader Andrea Horvath, MPP John Fraser, MPP Mike Schreiner, MPP Caroline Mulroney, and MPP Jeff Yurek, Minister of the Environment, Conservation and Parks.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

## **10. Regional Report**

### **10.1 York Region Council Highlights - July 30, 2020**

**Moved by** Councillor Kim

**Seconded by** Councillor Humfryes

That the Regional Report of July 30, 2020 be received for information.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

## **11. New Business**

Councillor Gilliland announced that the Colours of Fall concert will be held on Thursday, October 8, 2020 from 6 p.m. to 7:30 p.m. in Town Park.

Councillor Gaertner referred to the presentation from Rescue Lake Simcoe Coalition at the September 22, 2020 General Committee meeting and spoke to the importance of preserving Lake Simcoe and the impact of recent cuts to clean water protection funding from the Province. She expressed her appreciation to Councillors Humfryes and Gilliland for bringing forward the motion regarding the Lake Simcoe Protection Plan and to all Members of Council for their unanimous support.

Mayor Mrakas congratulated Auroran Barclay Goodrow of the Tampa Bay Lightning on winning the 2020 Stanley Cup.

Mayor Mrakas noted that the Ontario Infrastructure Financing was unanimously approved at the Regional Council.

Mayor Mrakas announced that Councillor Thompson and Councillor Kim will be appointed to the Library Square Monitoring Task Force.

Mayor Mrakas extended a reminder to that the ground breaking ceremony for Library Square will be held on October 8, 2020 at 3:30 p.m. and requested Members of Council to notify of their attendance as attendance will be limited at the ceremony.

## 12. By-laws

**Moved by** Councillor Thompson

**Seconded by** Councillor Kim

That the following by-laws, 12.1 to 12.3 inclusive, be enacted.

Yeas (6): Mayor Mrakas, Councillor Kim, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

Absent (1): Councillor Gaertner

**Carried (6 to 0)**

**12.1 By-law Number 6280-20 Being a By-law to amend By-law Number 6000-17, as amended, respecting the lands municipally known as 162, 306, 370, 434 & 488 St. John's Sideroad West.**

**12.2 By-law Number 6281-20 Being a By-law to designate a property to be of cultural heritage value or interest (15074 Yonge Street "Poplar Villa").**

**12.3 By-law Number 6282-20 Being a By-law to allocate any 2020 Operating Fund surplus and any 2020 Water and Wastewater Operating Fund surplus or deficit.**

## 13. Closed Session

There were no Closed Session items for this meeting.

## 14. Confirming By-law

**14.1 6283-20 Being a By-law to confirm actions by Council resulting from a Council meeting on September 29, 2020**

**Moved by** Councillor Thompson

**Seconded by** Councillor Humfryes

That the confirming by-law be enacted.

Yeas (6): Mayor Mrakas, Councillor Kim, Councillor Humfryes, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

Absent (1): Councillor Gaertner

**Carried (6 to 0)**

**15. Adjournment**

**Moved by** Councillor Kim

**Seconded by** Councillor Thompson

That the meeting be adjourned at 9:19 p.m.

**Carried**

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Tom Mrakas, Mayor

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Michael de Rond, Town Clerk





**Town of Aurora**  
**Council Closed Session Public**  
**Meeting Minutes**

**Date:** Tuesday, October 6, 2020

**Time:** 5:45 p.m.

**Location:** Virtual Meeting

**Council Members:** Mayor Mrakas (Chair)  
Councillor Kim  
Councillor Gaertner  
Councillor Humfryes  
Councillor Thompson  
Councillor Gilliland  
Councillor Gallo

**Other Attendees:** Doug Nadorozny, Chief Administrative Officer  
David Waters, Director, Planning and Development Services  
John Firman, Manager, Business Support Services  
Patricia De Sario, Town Solicitor  
Michael de Rond, Town Clerk

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**1. Procedural Notes**

This meeting was held electronically as per Section 19. i) of the Town's Procedure By-law No. 6228-19, as amended, due to the COVID-19 situation.

The Chair called the meeting to order at 5:46 p.m.

Council consented to resolve into a Closed Session at 5:46 p.m.

Council reconvened into open session at 6:23 p.m.

**2. Approval of the Agenda**

**Moved by** Councillor Gaertner

**Seconded by** Councillor Kim

That the confidential Council Closed Session meeting agenda be approved.

**Carried**

### **3. Declarations of Pecuniary Interest and General Nature Thereof**

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*.

### **4. Consideration of Items Requiring Discussion**

**Moved by** Councillor Thompson

**Seconded by** Councillor Gaertner

That Council resolve into a Closed Session to consider the following matters:

1. Personal matters about an identifiable individual, including municipal or local board employee (Section 239(2)(b) of the Municipal Act, 2001); Re: Council Closed Session Report No. PDS20-064 – Appointments to the Aurora Economic Development Corporation's Board of Directors

**Carried**

#### **4.1 Council Closed Session Report No. PDS20-064 – Appointments to the Aurora Economic Development Corporation's Board of Directors**

Personal matters about an identifiable individual, including municipal or local board employee (Section 239(2)(b) of the Municipal Act, 2001)

**Moved by** Councillor Thompson

**Seconded by** Councillor Kim

1. That the Council Closed Session Report No. PDS20-064 be received.

Yeas (7): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfries, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

**Carried (7 to 0)**

### **5. Confirming By-law**

#### **5.1 By-law Number 6284-20 Being a By-law to confirm actions by Council resulting from a Council Closed Session on October 6, 2020**

**Moved by** Councillor Kim  
**Seconded by** Councillor Gaertner

That the confirming by-law be enacted.

**Carried**

**6. Adjournment**

**Moved by** Councillor Gaertner  
**Seconded by** Councillor Kim

That the meeting be adjourned at 6:27 p.m.

**Carried**

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Tom Mrakas, Mayor

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Michael de Rond, Town Clerk



**Town of Aurora**  
**Special Meeting of Council**  
**Minutes**

**Date:** Tuesday, October 6, 2020

**Time:** 6:15 p.m.

**Location:** Video Conference

**Council Members:** Mayor Mrakas  
Councillor Gaertner  
Councillor Gallo  
Councillor Gilliland  
Councillor Humfries  
Councillor Kim  
Councillor Thompson

**Other Attendees:** Doug Nadorozny, Chief Administrative Officer  
David Waters, Director of Planning and Development Services  
Nick Kazakoff, Economic Development Officer  
Patricia De Sario, Town Solicitor  
Michael de Rond, Town Clerk  
Samantha Yew, Deputy Town Clerk  
Linda Bottos, Council/Committee Coordinator

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**1. Procedural Notes**

This meeting was held electronically as per Section 19. i) of the Town's Procedure By-law No. 6228-19, as amended, due to the COVID-19 situation.

This meeting served as the Annual General Meeting of the Aurora Economic Development Corporation.

The Mayor called the meeting to order at 6:28 p.m.

**2. Approval of the Agenda**

**Moved by** Councillor Thompson

**Seconded by** Councillor Kim

That the agenda as circulated by Legislative Service be approved.

**Carried**

### **3. Declarations of Pecuniary Interest and General Nature Thereof**

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*.

### **4. Delegations**

None.

### **5. Consideration of Items Requiring Discussion**

#### **5.1 PDS20-063 - Aurora Economic Development Corporation Annual Report 2019**

Tim Hammill, Chair, Board of Directors, Aurora Economic Development Corporation (AEDC), presented background on the AEDC and its Board of Directors, including a timeline of activities, the development of an Economic Development Strategic Plan, the mission, and recent activities.

**Moved by** Councillor Humfries

**Seconded by** Councillor Gaertner

1. That Report No. PDS20-063 be received; and
2. That the Aurora Economic Development Corporation's Director's Report attached hereto as Attachment 1 be received; and
3. That the requirements regarding the appointment and duties of the auditor be exempted for the financial year; and
4. That Council appoint the following two (2) individuals to the Aurora Economic Development Corporation (AEDC) Board of Directors for a term of three years:
  - Michael Hardman
  - Thai Pham; and
5. That Council approve a special resolution passed by the AEDC Board of Directors to increase the number of local residents or business

owners to nine and to decrease the number of Council representatives to two.

**On a recorded vote the motion  
Carried**

Yeas: 6      Nays: 1

Voting Yeas: Councillors Gaertner, Gilliland, Humfryes, Kim,  
and Thompson, Mayor Mrakas

Voting Nays: Councillor Gallo

**6. Confirming By-law**

**6.1 By-law No. 6285-20 Being a By-law to confirm actions by Council  
resulting from a Special Meeting of Council on October 6, 2020**

**Moved by** Councillor Gaertner

**Seconded by** Councillor Humfryes

That the confirming by-law be enacted.

**Carried**

**7. Adjournment**

**Moved by** Councillor Kim

**Seconded by** Councillor Gaertner

That the meeting be adjourned at 6:49 p.m.

**Carried**

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Tom Mrakas, Mayor

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Michael de Rond, Town Clerk



**Town of Aurora**  
**Council Public Planning**  
**Meeting Minutes**

**Date:** Tuesday, October 13, 2020  
**Time:** 7:00 p.m.  
**Location:** Council Chambers, Aurora Town Hall

**Council Members:** Mayor Mrakas  
Councillor Kim  
Councillor Gaertner  
Councillor Humfryes  
Councillor Thompson  
Councillor Gilliland

**Members Absent:** Councillor Gallo

**Other Attendees:** David Waters, Director of Planning and Development Services  
Matthew Peverini, Planner  
Carlson Tsang, Planner  
Michael de Rond, Town Clerk  
Samantha Yew, Deputy Town Clerk  
Ishita Soneji, Council/Committee Coordinator

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**1. Procedural Notes**

The Chair called the meeting to order at 7:06 p.m.

Council consented to recess the meeting at 8:55 p.m. and reconvened the meeting at 9:06 p.m.

**2. Approval of the Agenda**

**Moved by** Councillor Gilliland  
**Seconded by** Councillor Kim

That the agenda as circulated by Legislative Services be approved.

Yeas (4): Mayor Mrakas, Councillor Kim, Councillor Humfryes, and Councillor Gilliland

Absent (3): Councillor Gaertner, Councillor Thompson, and Councillor Gallo

**Carried (4 to 0)**

### **3. Declarations of Pecuniary Interest and General Nature Thereof**

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*.

### **4. Planning Applications**

The Mayor outlined the procedures that would be followed in the conduct of the public meeting. The Town Clerk confirmed that the appropriate notice was given in accordance with the relevant provisions of the *Planning Act*.

#### **4.1 PDS20-057 - Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision, TFP Aurora Developments Ltd., 20 and 25 Mavrillac Boulevard**

Blocks 1 and 2, Plan 65M-3852, File Numbers: OPA-2017-01, ZBA-2017-03 and SUB-2017-02

#### **Applicant**

Mr. Don Given, Founding Partner, Malone Given Parsons Ltd, presented an overview of the proposed development including site context, history of proposed plans on the subject lands and the current revised plans, local context and comparison of densities to surrounding neighbourhood, and details of the design and layout of the proposed detached homes, townhouse units and the senior's apartment building.

#### **Planning Staff**

Mr. Matthew Peverini, Planner, provided an overview of the staff report and the proposed Official Plan and Zoning By-law amendments and Draft Plan of Subdivision noting that the applicant is proposing to re-designate the subject lands from "Business Park" to "Low-Medium Density Residential" and "Medium-High Density Residential" in its entirety, and



amend the Zoning By-law to the following site specific zones: two "R4(XX-YY) - Detached Fourth Density Residential", four "R8(AA-DD) - Townhouse Dwelling Residential", "RA2(XX) - Second Density Apartment Residential", and two "O2(XX-YY) - Private Open Space", in order to facilitate the development of a six storey seniors apartment building, 40 single detached dwellings and 209 townhouse units. He further presented a summary of any public comments received regarding the application and the next steps.

### **Public Comments**

Aurora residents Kathryn Billett, Dennis Qiao, Jonathan Garcia, Elias Paisley, Jocelyn Chi, expressed the following concerns and questions:

- Concerns regarding:
  - Opposition to the proposed Zoning By-law amendment
  - Higher density structures on subject lands leading to higher congestion
  - Increase in traffic congestion in the existing neighbourhood
  - Proposed additional road connecting to Kane Crescent from east side of the development
  - Location of proposed detached homes and townhouse units and the visual impact on existing neighbourhood; difficult transition from existing neighbourhood to proposed development
  - Focus on long-term perspective of living in suburban neighbourhood and retaining the business park designation instead of proposed designation
  - Location of sidewalks and possible reduction of walkability in the area
  - Size of proposed parkettes and lack of access to the existing residents of the area
- Questions regarding:
  - Wider lot size for the single detached residential units
  - Possibility of alternate route to reroute traffic from the east side of the proposed development
  - Possibility of designating proposed road along east side of the development as an "emergency access road" only
  - Creation of a functional recreation space as an alternate to the proposed parkettes

## **Applicant**

Mr. Givens addressed the concerns and questions regarding wider lot sizes, basis of the proposed zoning by-law amendments, proposed location of townhouse units and detached homes, traffic congestion, walkability, parkette size and possible alternatives, and the proposed additional road and possible alternative to rerouting traffic from the east side of the development.

**Moved by** Councillor Gilliland

**Seconded by** Councillor Kim

1. That Report No. PDS20-057 be received; and,
2. That the comments presented at the Public Meeting be addressed by Planning and Development Services in a report to a future General Committee meeting.

### **Amendment:**

**Moved by** Councillor Thompson

**Seconded by** Councillor Gilliland

The main motion be amended by adding the following to the beginning of the second clause:

"That should the Region of York approve the conversion of lands from employment to residential"

Yeas (6): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfryes, Councillor Thompson, and Councillor Gilliland

Absent (1): Councillor Gallo

**Carried (6 to 0)**

### **Motion as Amended:**

**Moved by** Councillor Gilliland

**Seconded by** Councillor Kim

1. That Report No. PDS20-057 be received; and,
2. **That should the Region of York approve the conversion of subject lands from employment to residential**, that the comments presented at the Public Meeting be addressed by Planning and Development Services in a report to a future General Committee meeting.

Yeas (5): Mayor Mrakas, Councillor Kim, Councillor Humfryes, Councillor Thompson, and Councillor Gilliland

Nays (1): Councillor Gaertner

Absent (1): Councillor Gallo

**Carried (5 to 1)**

**4.2 PDS20-058 - Applications for Official Plan and Zoning By-law Amendment, Weslie Creek Developments Inc., 1675 St. John's Sideroad**

Whitchurch Con 3 PT LOT 25 RP 65R36+629 PARTS 1 TO 3, File Numbers: OPA-2020-05 & ZBA-2020-05, Related File Numbers: SP-2020-04

**Applicant**

Mr. Hesham Mohammed, Humphries Planning Group Inc., representing the Applicant, presented an overview of the proposed development including site and area context, details of developing a comprehensive business park on the subject lands and basis of the Official Plan and Zoning By-law amendments, overview of the environmental analysis and consultation with Lake Simcoe Region Conservation Authority regarding site specific grading buffers, proposed vehicular access, and policy framework. He noted that this submission and any future submissions intends to maintain conveyance of the Environmental Protection Area as required by the Town.

**Planning Staff**

Mr. Carlson Tsang, Planner, provided an overview of the staff report and the proposed Official Plan and Zoning By-law amendments noting that the applicant is proposing to amend the Official Plan designation of "Business Park 1" and "Environmental Protection Area" to include new site-specific policy at the north west corner of the property to allow a gas station, and amend the Zoning By-law from "RU - Rural Zone" to "E-BP Business Park Zone" and "EP-Environmental Protection Zone" with site specific exceptions to facilitate the development of an industrial warehouse building, retail building, and office building in addition to the gas station. He further presented the details of the proposed building elevations, summary of any public comments, and the next steps.

### **Public Comments**

No members of public were registered to provide comments.

**Moved by** Councillor Kim

**Seconded by** Councillor Thompson

1. That Report No. PDS20-058 be received; and,
2. That comments presented at the Public Meeting be addressed by Planning and Development Services in a report to a future General Committee meeting.

Yeas (4): Mayor Mrakas, Councillor Kim, Councillor Humfryes, and Councillor Thompson

Nays (2): Councillor Gaertner, and Councillor Gilliland

Absent (1): Councillor Gallo

**Carried (4 to 2)**

### **5. Confirming By-law**

#### **5.1 6286-20 Being a By-law to Confirm Actions by Council Resulting from a Council Public Planning Meeting on October 13, 2020**

**Moved by** Councillor Kim

**Seconded by** Councillor Thompson

That the confirming by-law be enacted.

Yeas (6): Mayor Mrakas, Councillor Kim, Councillor Gaertner, Councillor Humfryes, Councillor Thompson, and Councillor Gilliland

Absent (1): Councillor Gallo

**Carried (6 to 0)**

### **6. Adjournment**

**Moved by** Councillor Thompson

**Seconded by** Councillor Kim

That the meeting be adjourned at 9:54 p.m.

**Carried**

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Tom Mrakas, Mayor

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Michael de Rond, Town Clerk



100 John West Way  
Aurora, Ontario  
L4G 6J1  
(905) 727-3123  
aurora.ca

Town of Aurora  
**Memorandum**  
Councillor's Office

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**Re:** Lake Simcoe Region Conservation Authority  
Board Meeting Highlights of July 24, 2020

**To:** Mayor and Members of Council

**From:** Councillor Wendy Gaertner

**Date:** October 27, 2020

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### **Recommendation**

- 1. That Council receive the correspondence for information.**



# Board Meeting Highlights

July 24, 2020

## **DEPUTATIONS**

### **Pefferlaw Dam**

The Board received a deputation by Ms. Karen Wolfe, a resident of Pefferlaw, who shared concerns regarding Staff Report No. 36-20-BOD regarding the Pefferlaw Dam, along with the associated engineer's report. The Board approved an amended resolution in Staff Report No. 36-20-BOD, whereby recommendations 1 through 6 were approved, and recommendation 7 was deferred until after public consultation has occurred and all options have been considered.

## **PRESENTATIONS:**

### **a) LSRCA Education Program 2020 Accomplishments**

Manager, Education, Nicole Hamley, provided an overview of LSRCA's Education Program 2020 accomplishments, noting that challenges began early in 2020 with the escalation of teacher job action, which saw the cancellation of nearly all Scanlon Creek field trips and planned teacher workshops. COVID-19 then resulted in the cancellation of all planned education programs and services, and within two weeks and tremendous support from Corporate Communications, programming was moved entirely online. Online learning webpages were launched that served three varied audiences, which brought over 3,300 external viewers in the second quarter. Resource packages were put together and a series of videos were created.

An LSRCA Facebook page dedicated to Outdoor Learning has allowed for two-way engagement and sharing of resources as members are able to ask questions. Some great feedback has been received and teachers have been pleased to be able to share our posts in their own online platforms. By the end of June, this Facebook group had 1,000 followers, with a total worldwide reach now at just under 18,000.

This online learning experience has served many purposes – it has assured our watershed residents and community partners that we are still here to support nature connection; it has broaden our reach to new audiences, strengthened our reputation as leaders in outdoor education, developed our skill sets and expertise as we adapt and innovate, provided opportunities for collaboration both internally and externally, and set us up for success for Q3/Q4 and beyond.

Next steps include Summer Programming, a new online course "Introduction to Outdoor Learning", and a new Do it Yourself Hike Series at Scanlon Creek. Plans for the 2020/21 school year include a one-year contract extension with Simcoe County District School Board, a new hybrid model of Grade 7 program delivery with York Region District School Board with a focus on climate change, and a modified Forest School.

To view this document, please click this link: [LSRCA Education Program 2020 Accomplishments](#)

## **b) LSRCA 2nd Quarter 2020 Financial Report and Forecast**

General Manager, Corporate and Financial Services, Mark Critch, provided the Board with LSRCA's 2nd Quarter 2020 Financial Report and Forecast, noting that LSRCA business operations have been significantly impacted by COVID-19; however, management took immediate and measured action to address the changes and minimize the financial impact. While there is a projected deficit being forecast for 2020, additional municipal funding is not anticipated. Uncertainty, however, does remain for Q3 & Q4, but there are also funding opportunities. Overall, the financial condition of LSRCA remains strong, and staff continue to keep a close eye on reserves and deferred revenue.

GM Critch shared some highlights for Q2, including that 2020 revenue has been delayed, deferred or lost in various programs, due to COVID 19 restrictions, some project work has been deferred into Q3 and Q4. The Scanlon Operation Centre redevelopment is substantially complete, and some operational savings have been identified due to staff working from work. An operational deficit of \$50,00 is expected for the end of Q2.

Looking forward at opportunities and risks, GM Critch noted that details on the impacts of Bill 108 are not all available at this time, and some fine tuning will be done once this information is available. New opportunities are available through Federal and Provincial infrastructure and stimulus programs. There continues to be uncertainty of timing with regards to full return to the offices and the related building/supplies cost. In summary, GM Critch noted that operations have been significantly impacted by COVID-19, but we are still doing all the work, have minimized the financial impact and made significant changes to process. It is anticipated there will be a deficit at year-end, but we continue to seek ways to eliminate or minimize it. Our financial condition remains strong, and staff continue to look for ways to minimize expenditures.

To view this presentation, please click this link: [2nd Quarter 2020 Financial Report and Forecast](#)

## **c) Climate Change Mitigation Strategy for the Lake Simcoe Watershed**

General Manager, Integrated Watershed Management, Ben Longstaff, provided the Board with a presentation on the Climate Change Mitigation Strategy for the Lake Simcoe Watershed, which is ready to be released. He provided a brief overview of the strategies and most importantly some of the goals and recommendations that provide direction to LSRCA to help mitigate the effects of climate change at a local level. This strategy is the third in a series to be completed, the first being the carbon reduction strategy that completed in 2019, followed by the adaptation strategy earlier in 2020, with the aim of this last strategic document to identify what role LSRCA can play at a watershed level to reduce Greenhouse Gas Emissions, while also respecting our mandate.

GM Longstaff explained how staff first quantified the situation by estimating emissions and carbon sequestration to develop an overall carbon budget that brings both the emissions and sequestration estimates together for the baseline year. He reviewed the five goals: i) to provide leadership in the field of climate change and carbon sequestration by continuing to support our municipal partners; ii) to effectively communicate the necessary information in order to educate and empower people within the Lake Simcoe watershed to take action to combat climate change within their communities; iii) to provide the tools and resources that will allow our LSRCA and our municipal partners to apply best practices to carbon reduction or sequestration efforts; iv) to use the tools and resources to expand and build upon our collective knowledge and understanding of climate change mitigation and carbon sequestration; and v) to support municipalities in incorporating carbon sequestration into community design and energy plans.



GM Longstaff reviewed the next steps, including releasing and promoting the strategy, preparing and an implementation plan, implementing the recommendations (which is underway), and tracking and reporting progress.

To view this presentation, please click this link: [Climate Change Mitigation Strategy for the Lake Simcoe Watershed](#)

#### **d) LSRCA 2021 Budget Assumptions**

General Manager, Corporate and Financial Services, Mark Critch, provided the Board with a presentation regarding LSRCA's 2021 Budget Assumptions, noting the purpose of the Budget Assumptions is to set clear organizational direction for budget targets, to enable staff to work with municipal funding partners to secure preliminary budget approval, to allow staff to build the 2021 budget, to provide the Board of Directors the opportunity to influence the general direction of the budget, and to strengthen the advocacy role of LSRCA Board members at municipal budget presentations.

GM Critch reviewed the standard budget assumptions and governing principles a provided the following summary of budget recommendations:

Inflation - Up to 2.00% (2020 Budget: 2.00%)

COLA for staff - Up to 1.00% (2020 Budget: 1.75%)

Infrastructure levy for Asset Management - 0.00% increase

No additional FTE's in 2021, unless they are fully funded from grants and/or fees

General and Special Operating Levy - Up to 1.00% (2020: 2.83%)

Special Capital Levy - Up to 1.00% (2020 Budget: 2.34%)

Investment in Strategic Priorities - 0.00% (2020: 0.00%)

He then reviewed the next steps for the 2021 Budget, which included using Board approved budget assumptions to develop 2021 Budget; sharing preliminary budgets with municipalities, ensuring coordination with municipal budget cycles; hosting on-line financial update for municipal funding partners in September; continuing to look for efficiencies and cost savings to support the 2021 Budget; using predictive information from 2020 Forecast to develop 2021 Budget; and presenting the 2021 Budget to funding partners in the fall and winter.

To view this presentation, please click this link: [2021 Budget Assumptions](#)

#### **CORRESPONDENCE AND STAFF REPORTS:**

##### Correspondence

The Board received the following pieces of Correspondence:

- a) October 30, 2019 letter from John Brassard, MP Barrie-Innisfil to Prime Minister Justin Trudeau requesting the re-establishment of the Lake Simcoe Clean-up Fund.
- b) November 21, 2019 letter from Scott Davidson, MP York-Simcoe to Minister of Environment and Climate Change Canada Johnathan Wilkinson requesting the re-establishment of the Lake Simcoe Clean-up Fund.
- c) April 27, 2020 letter from Scot Davidson, MP York-Simcoe to Minister of Environment and Climate Change Canada Johnathan Wilkinson regarding the Pefferlaw Dam.

- d) Conservation Ontario letters (2) to the Honourable Doug Ford and the Honourable John Yakabuski, both dated June 26, 2020, regarding Conservation Ontario's Client Service Streamlining Initiative, along with the referenced attachment - Conservation Ontario's bulletin regarding conservation authorities setting challenging targets and streamlining processes to improve client service and increase the speed of approvals.

LSRCA 2nd Quarter 2020 Financial Report and Forecast

The Board received Staff Report No. 33-20-BOD, prepared by Manager, Finance, Katherine Toffan, regarding LSRCA's Second Quarter Financial Report and Year-End Forecast for the period ending June 30, 2020. The Board approved the recommendations for staff to use deferred revenues from prior years to fund 2020 AOP items where needed and to use the Rate Stabilization reserve to fund COVID-19 related expenditures from March through December 31, 2020.

Climate Change Mitigation Strategy for the Lake Simcoe Watershed

The Board received Staff Report No. 34-20-BOD, prepared by Manager, Integrated Watershed Management, Bill Thompson, regarding the Climate Change Mitigation Strategy for the Lake Simcoe Watershed, and the Board approved the Climate Change Mitigation Strategy.

LSRCA 2021 Budget Assumptions

The Board received Staff Report No. 35-20-BOD, prepared by Manager, Budget and Business Analysis, regarding the Budget Assumptions for the 2021 fiscal year.

LSRCA's Monitoring Report – Planning and Development Applications for the Period January 1 through June 30, 2020

The Board received Staff Report No. 37-20-BOD, prepared by Director, Planning, Melinda Bessey and Director, Regulations, Ashlea Brown, regarding monitoring of planning and development applications for the period January 1 through June 30, 2020.

For more information or to see the full agenda package, please click the link below for LSRCA's Board of Directors' webpage: <https://www.lsrca.on.ca/Pages/Board-Meetings.aspx>



**Town of Aurora  
General Committee  
Meeting Report**

**Date:** Tuesday, October 6, 2020

**Time:** 7:00 pm

**Location:** Video Conference

Council Members: Mayor Mrakas  
Councillor Gaertner  
Councillor Gallo  
Councillor Gilliland  
Councillor Humfryes  
Councillor Kim  
Councillor Thompson

Other Attendees: Doug Nadorozny, Chief Administrative Officer  
Allan Downey, Director of Operations  
Techa van Leeuwen, Director of Corporate Services  
Robin McDougall, Director of Community Services  
Rachel Wainwright-van Kessel, Director of Finance  
David Waters, Director of Planning and Development Services  
Eliza Bennett, Acting Manager, Corporate Communications  
Patricia De Sario, Town Solicitor  
Michael de Rond, Town Clerk  
Samantha Yew, Deputy Town Clerk  
Linda Bottos, Council/Committee Coordinator

**1. Procedural Notes**

This meeting was held electronically as per Section 19. i) of the Town's Procedure By-law No. 6228-19, as amended, due to the COVID-19 situation.

Mayor Mrakas in the Chair.

The Mayor called the meeting to order at 7:01 p.m.

**2. Approval of the Agenda**

General Committee approved the agenda as circulated by Legislative Services.

**3. Declarations of Pecuniary Interest and General Nature Thereof**

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*.

**4. Community Presentations**

General Committee consented to permit an additional five minutes for Community Presentation 4.1.

**4.1 Mike Walters, CAO, Lake Simcoe Region Conservation Authority (LSRCA); Re: LSRCA 2020 Budget Companion**

Mr. Walters presented an overview of the LSRCA 2020 Budget Companion and annual operating priorities, including the service areas and programs provided within the region and lower-tier municipalities.

General Committee received the presentation for information.

**5. Delegations**

None.

**6. Consent Agenda**

None.

**7. Advisory Committee Meeting Minutes****General Committee recommends:**

That the Advisory Committee Meeting Minutes items, 7.1 to 7.4 inclusive, be received with the exception of items 7.2 and 7.3, which were discussed and voted on separately as recorded below:

**7.1 Accessibility Advisory Committee Meeting Minutes of September 9, 2020**

1. That the Accessibility Advisory Committee meeting minutes of September 9, 2020, be received for information.

**Carried**

**7.2 Heritage Advisory Committee meeting minutes of September 14, 2020**

**General Committee recommends:**

1. That the Heritage Advisory Committee meeting minutes of September 14, 2020, be received for information.

**Carried**

**7.3 Finance Advisory Committee Meeting Minutes of September 15, 2020**

**General Committee recommends:**

1. That the Finance Advisory Committee meeting minutes of September 15, 2020, be received for information.

**Carried**

**7.4 Community Advisory Committee Meeting Minutes of September 17, 2020**

1. That the Community Advisory Committee meeting minutes of September 17, 2020, be received for information.

**Carried**

**8. Consideration of Items Requiring Discussion (Regular Agenda)**

**8.1 FIN20-015 - 2019 Year-end Budget Report - as at December 31, 2019**

**General Committee recommends:**

1. That Report No. FIN20-015 be received for information.

**Carried**

**8.2 PDS20-044 - Town of Aurora Proposed Anti-Idling Policy**

**Main motion as amended**

**General Committee recommends:**

1. That Report No. PDS20-044 be received; and
2. That Council approve the Town of Aurora Anti-Idling policy attached to this report; **and**
3. **That staff be directed to report back after one year with a policy review.**

**Carried**

### 8.3 PDS20-050 - Implementation of Automated Speed Enforcement Program

#### General Committee recommends:

1. That Report No. PDS20-050 be received; and
2. That staff report back on the findings of the Region's Automated Speed Enforcement Program following completion of the two-year, limited use pilot program.

**Carried**

### 8.4 PDS20-055 - Pedestrian Grade Separated Crossings and Future Priority Crossings within Barrie GO Rail Corridor

General Committee consented to vote on the first and second clauses of the main motion as amended separately.

#### Main motion as amended

#### General Committee recommends:

1. That Report No. PDS20-055 be received.

**Carried**

#### General Committee recommends:

2. That Council **identify as a priority the Cousins Drive pedestrian rail crossing** identified in Attachment 2 and staff report back on the feasibility of funding the crossing as part of the 2022 Budget 10-year capital planning process.

**Carried**

## 9. Notices of Motion

None.

## 10. New Business

Councillor Gaertner expressed concerns regarding the maintenance of the Stewart Burnett Park and Lambert Willson Park (LC4) ball diamonds, and staff provided a response.

## 11. Public Service Announcements

Councillor Gaertner announced that Southlake Regional Health Centre would be holding a Virtual Community Town Hall on Wednesday, October 7, 2020, to discuss the future of the hospital.

Councillor Kim announced and congratulated the newly-appointed members of the Anti-Black Racism and Anti-Racism Task Force: Phiona Durrant, Noor El-Dassouki, Keenan Hull, Mae Khamissa, Mark Lewis, and Tricia Wright.

Councillor Humfryes announced that October is Small Business Month and encouraged everyone to support local small businesses.

Councillor Humfryes announced that the Aurora Prayer Breakfast would be held virtually at [www.prayforthem.ca](http://www.prayforthem.ca) on Thursday, October 22, 2020, and the keynote speaker is author and public speaker Maranatha Weeks. Councillor Gilliland noted that this free event would begin at 8 a.m.

Councillor Humfryes extended a reminder that the Aurora Farmers' Market and Artisan Fair continues to run each Saturday from 8 a.m. to 1 p.m. in Town Park until October 31, 2020.

Councillor Gallo extended congratulations to St. Andrew's College on its plans to open a new private girls' school, as well as congratulations to the first Head of St. Anne's School, Sabrina D'Angelo. Mayor Mrakas noted that St. Andrew's College held a press conference today regarding these plans.

Councillor Gilliland extended a reminder about the Colours of Fall concert being held on Thursday, October 8, 2020, from 6 p.m. to 7:30 p.m. at Town Park, noting that residents must pre-register for this concert.

Councillor Gilliland announced that Aurora's Haunted Greenhouse will be held from October 24 to October 30, 2020, noting that 'Halloween in a Bag' games and activities would also be available.

Councillor Gaertner extended appreciation to the staff of the Special Events team for their efforts.

Councillor Gaertner extended best wishes to Frank Condlin, husband of the late Jan Freedman (the "Jam Lady"), on his relocation to Stratford to be with family.

Mayor Mrakas announced that a ground-breaking ceremony for Library Square would be held on Thursday, October 8, 2020.

Mayor Mrakas advised that a ribbon-cutting ceremony would soon be held for the opening of a new hotel in Aurora.

Mayor Mrakas further stressed the importance of supporting local businesses and remaining vigilant against the spread of COVID-19 through physical distancing, wearing masks, and hand washing.

**12. Closed Session**

None.

**13. Adjournment**

The meeting was adjourned at 9:16 p.m.





**Town of Aurora  
General Committee  
Meeting Report**

**Date:** Tuesday, October 20, 2020  
**Time:** 7:00 p.m.  
**Location:** Video Conference

**Council Members:** Mayor Mrakas  
 Councillor Gaertner  
 Councillor Gallo  
 Councillor Gilliland  
 Councillor Humfryes  
 Councillor Kim  
 Councillor Thompson

**Other Attendees:** Doug Nadorozny, Chief Administrative Officer  
 Allan Downey, Director of Operations  
 Techa van Leeuwen, Director of Corporate Services  
 Robin McDougall, Director of Community Services  
 Rachel Wainwright-van Kessel, Director of Finance  
 David Waters, Director of Planning and Development Services  
 Eliza Bennett, Acting Manager, Corporate Communications  
 Patricia De Sario, Town Solicitor  
 Michael de Rond, Town Clerk  
 Samantha Yew, Deputy Town Clerk  
 Linda Bottos, Council/Committee Coordinator

**1. Procedural Notes**

This meeting was held electronically as per Section 19. i) of the Town's Procedure By-law No. 6228-19, as amended, due to the COVID-19 situation.

Mayor Mrakas in the Chair.

The Mayor called the meeting to order at 7 p.m.

The Mayor announced that Council meetings will be held electronically and not in person while the COVID-19 modified stage 2 restrictions are in place, which were enacted by the province on October 19, 2020.

General Committee consented to recess the meeting at 9:02 p.m. and reconvened the meeting at 9:13 p.m.

## **2. Approval of the Agenda**

General Committee approved the revised agenda as circulated by Legislative Services, including the following added item:

- Delegation 5.2 - Rebecca Beaton, Resident; Re: Road reconstruction on Holman, Johnson and Browning

## **3. Declarations of Pecuniary Interest and General Nature Thereof**

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50*.

## **4. Community Presentations**

None.

## **5. Delegations**

### **5.1 Nick Racanelli, Danielle and Jacob Stewart; Re: Item 8.5 - PDS20-062 - Heritage Permit Application for 31 Catherine Avenue**

Mr. Racanelli and Mr. Stewart presented an overview of the application, property and proposed construction of a new addition to the existing building.

General Committee received and referred the comments of the delegation to Item 8.5.

### **5.2 Rebecca Beaton, Resident; Re: Road reconstruction on Holman, Johnson and Browning**

Ms. Beaton expressed concerns regarding the impact of the road reconstruction on Holman Crescent, Johnson Road, Browning Court, and Baldwin Road, and inquired about several issues including: the possible waiving of street parking tickets issued on Glass Drive and Child Drive

respecting the reconstruction; availability of temporary overnight parking permits at Confederation Park; road grade changes in relation to resident driveways and remediation; projected reconstruction end date; Legal Services response to resident queries and claims; accountability for any property damage; liability for any tree damage; and Town contact information.

General Committee received the comments of the delegation for information.

## **6. Consent Agenda**

None.

## **7. Advisory Committee Meeting Minutes**

None.

## **8. Consideration of Items Requiring Discussion (Regular Agenda)**

General Committee consented to consider items in the following order: 8.5, 8.1, 8.2, 8.3, 8.4.

### **8.1 FIN20-024 - 2021 and 2022 Fees and Charges**

#### **General Committee recommends:**

1. That Report No. FIN20-024 be received; and
2. That a by-law be enacted to set the 2021 and 2022 Fees and Charges for applications, permits, use of Town property, the sale of documents and for the prescribed service charges for administrative matters as itemized on the attached schedules.

**Carried**

### **8.2 FIN20-026 - 2020 Interim Forecast Update Report - as of August 31, 2020**

#### **General Committee recommends:**

1. That Report No. FIN20-026 be received for information.

**Carried**

**8.3 OPS20-016 - Tree Removal Permit Applications for 126 Temperance Street and 53 Metcalfe Street**

**General Committee recommends:**

1. That Report No. OPS20-016 be received; and
2. That the Tree Removal Permit Application for 126 Temperance Street be approved; and
3. That the Tree Removal Permit Application for 53 Metcalfe Street be approved.

**Carried**

**8.4 PDS20-060 - Heritage Designation for 28 Wellington Street West ("Alfred Love House")**

**General Committee recommends:**

1. That Report No. PDS20-60 be received; and
2. That the property at 28 Wellington Street, where the building known as "Alfred Love House" is located, be designated under Part IV of the *Ontario Heritage Act* as a property of Cultural Heritage Value or Interest; and
3. That the Town Clerk be authorized to publish and serve Council's Notice of Intention to Designate in accordance with the requirements of the *Ontario Heritage Act*; and
4. That the designation by-law be brought before Council for adoption if no objections are received within the thirty (30) day period as per the *Ontario Heritage Act*.

**Carried**

**8.5 PDS20-062 - Heritage Permit Application for 31 Catherine Avenue**

**General Committee recommends:**

1. That Report No. PDS20-062 be received; and
2. That Heritage Permit Application HPA-2020-10 to permit the demolition of an existing detached garage and construction of a new addition at 31 Catherine Avenue be approved, subject to the elimination of the one-storey extension at the rear of the proposed addition.

**Carried**

## **9. Notices of Motion**

### **9.1 Councillor Kim; Re: Great Canadian Achievements Mural**

Whereas the Great Canadian Achievements mural was unveiled in November 23, 2001, and it highlights 30 great moments in Canadian history; and

Whereas the mural includes Armand Bombardier - inventor of the snowmobile; Rick Hansen - 40,000 Km Wheel in Motion Tour; The Canadarm - first robotic space tool; the Prairies and Niagara Falls representing our topography; and the Donut - the highest consumed food per capita in the world; and

Whereas there are many moments and Canadian persons deserving to be on the mural; and

Whereas there is a lack of diversity on the mural despite the fact that there were/are many Canadians of racialized background who made significant contributions to the building of Canada;

1. Now Therefore Be It Hereby Resolved That staff investigate locations in Aurora for a second wall to celebrate the diversity in “Great Canadian Achievements” and report back to Council.

## **10. New Business**

Council members inquired about the concerns and questions raised in the delegation of Rebecca Beaton regarding the road reconstruction on Holman Crescent, Johnson Road, Browning Court, and Baldwin Road. Staff provided responses and agreed to follow up on the issues.

Councillor Kim inquired about the Town's new three-bag waste limit and education campaign, and staff provided a response.

## **11. Public Service Announcements**

Councillor Gilliland extended a reminder about the Town's Halloween in a Bag activities available for purchase until October 21, 2020, at \$20 per bag, and the Haunted Greenhouse running from October 24 to October 30, 2020, which requires pre-registration.

Councillor Gilliland noted that Culture in a Box activities are available free to residents during the month-long celebration of Culture Days from September 25 to October 25, 2020.

Councillor Gilliland extended a reminder about Aurora's online Skylight Gallery art exhibit during the month of October featuring the artwork of Ramona Ricken, available at [aurora.ca/skylightgallery](http://aurora.ca/skylightgallery).

Councillor Humfryes extended a reminder about the Aurora Farmers' Market and Artisan Fair held each Saturday from 8 a.m. to 1 p.m. until October 31, 2020.

Councillor Gallo encouraged everyone to continue supporting local restaurants during the current COVID-19 modified stage 2 period.

Councillor Gaertner announced that an exhibit organized by the Aurora Cultural Centre is available at Town Hall and online at [auroraculturalcentre.ca/flight2](http://auroraculturalcentre.ca/flight2).

Councillor Gaertner encouraged support of the Town's Halloween activities, as well as the York Region Zombie Hunt in support of St. John Ambulance until October 31, 2020, at a cost of \$25 per family.

Mayor Mrakas extended a reminder about the 12th Annual Aurora Prayer Breakfast being held virtually, free of charge, at 8 a.m. on October 22, 2020, at [www.prayforthem.ca](http://www.prayforthem.ca).

Mayor Mrakas extended best wishes to Don Walker, CEO of Magna International, on his retirement at the end of this year, and expressed appreciation for his community support over the years.

Mayor Mrakas further encouraged continued support of local businesses during these times.

**12. Closed Session**

None.

**13. Adjournment**

The meeting was adjourned at 9:58 p.m.



100 John West Way  
Aurora, Ontario  
L4G 6J1  
(905) 727-3123  
aurora.ca

Town of Aurora  
**Council Report**  
No. FIN20-027

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**Subject:** 2021 Budget Introduction

**Prepared by:** Jason Gaertner, Manager, Financial Management

**Department:** Finance

**Date:** October 27, 2020

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## Recommendation

1. That Report No. FIN20-027 be received; and
2. That the proposed 2021 to 2022 budget be referred to Budget Committee for review at its scheduled meetings starting on November 9, 2020.

## Executive Summary

As part of the 2020 budget process, Council approved the Town's first three-year multi-year operating budget. The proposed budget includes both the 2021 to 2022 operating and capital budgets, in addition to the Town's 2021 10-Year Capital Plan. As per provincial legislation, Council must reaffirm all future year operating budgets which include both the Town's tax levy and water, wastewater and storm water funded budgets.

- The operating budget proposes tax increases of 2.9 percent for both 2021 and 2022
- The user rate funded operating budget proposes combined water and wastewater increases which are lower than those approved in the 2020 to 2022 Budget
- The operating budget focuses on the changes to the approved multi-year budget for tax and rate funded operations
- The capital budget includes a number of improvements to its framework
- Total capital budget authority of \$189.7M is being requested in 2021 with \$85.7M in planned spending for 2021
- The 10-year capital plan includes \$296.4M of capital investments

- The Town's most recently closed capital projects are presented for Council's information
- The capital plan improves reserve management
- Budget Committee will review the budget and be provided with presentations to support the process

## Background

On June 18, 2019, Council adopted the Town's updated budget principals and processes. One key change to these documents included the adoption of a multi-year budget framework for the Town of Aurora. The Town's multi-year budgeting framework aligns with each Council's term. Council approves the first year's budget of its term and receives an accompanying forecast of the next three budgets. In the second year of its term, Council will approve a three-year operating budget, including all related tax impacts. Year's three and four of this budget will be re-affirmed by Council prior to their commencement. A similar process is followed for its rate funded operations.

On December 10, 2019 Council approved its first three-year multi-year operating budget for 2020, 2021 and 2022. It has now reached the third year of its budget lifecycle being the reaffirmation of the previously approved 2021 and 2022 operating budgets as shown in Table 1.

**Table 1**  
**Multi-year Key Milestones**

<b>Year</b>	<b>Action</b>	<b>Status</b>
One	Approve 2019 Receive 2020 to 2021	Complete
Two	Approve 2020 to 2022	Complete
Three	Re-affirm 2021 to 2022	In Progress
Four	Re-affirm 2022	

On April 28, 2020 Council approved a series of changes to the Town's budget process and format to be phased in over next two year's budget processes.



October 27, 2020

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Report No. FIN20-027

## Analysis

### The operating budget proposes tax increases of 2.9 percent for both 2021 and 2022

This budget proposes tax increases of 2.9% in 2021 and 2022. This annual increase meets the direction set by Council to not exceed 3.0% per year including 1% for the Town's fiscal strategies of contributing to asset management reserves and reducing its reliance upon non-sustainable revenues such as supplementary taxes (in-year tax growth). Also the budget proposed for 2021 is 0.5% less than the 3.4% increase originally approved for 2021 in the 2020 to 2022 Budget and still includes the required 0.5% in 2021 to fund the repayment costs for the debt to be issued for the library square capital investment.

Total gross operating expenditures of \$102.6M and \$107.6M are proposed for 2021 and 2022, respectively. These planned expenditures are partially offset by non-tax revenues such as water, wastewater & storm rate revenue, investment income, user fees, grants, and fines & penalties. All rate funded service requirements are fully offset through rate revenues. The remaining requirement is raised through property taxes. Table 2 presents a summary of the Town's proposed net tax levy funded requirements for 2021 and 2022 versus previous years.

**Table 2**  
**Operating Budget Summary**

\$000's	Net Actual Results		2020	2020	Proposed Budget	
	2018	2019	Net Fcst*	Budget	2021	2022
Departmental:						
Expenditures	94,118.9	98,107.4	79,879.6	85,432.9	86,721.5	91,366.1
Non-Tax Revenues	(64,283.2)	(65,876.7)	(45,528.4)	(50,951.8)	(49,971.0)	(52,202.7)
<b>Net Departmental</b>	<b>29,835.7</b>	<b>32,230.8</b>	<b>34,351.1</b>	<b>34,481.1</b>	<b>36,750.5</b>	<b>39,163.4</b>
Central York Fire Services	10,496.4	11,188.1	11,755.3	11,755.3	11,961.6	12,257.5
Library	3,843.1	3,843.1	3,868.1	3,868.1	3,896.1	3,934.1
<b>Total Proposed Budget</b>	<b>44,175.2</b>	<b>47,262.0</b>	<b>49,974.5</b>	<b>50,104.5</b>	<b>52,608.2</b>	<b>55,355.0</b>
<b>Assessment Growth</b>					<b>1,000.8</b>	<b>1,165.1</b>
<b>Proposed Tax Increase</b>					<b>1,502.9</b>	<b>1,581.7</b>

\*Net forecast as of August 31, 2020

October 27, 2020

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Report No. FIN20-027

### The user rate funded operating budget proposes combined water and wastewater increases which are lower than those approved in the 2020 to 2022 Budget

Water, wastewater and stormwater operations are fully funded from user fees. The two key factors in the determination of these fees are the costs to deliver these services and the volumes to be billed.

Two of the most significant cost drivers for this budget are the Town's wholesale water and wastewater management fees, both of which are paid to York Region. The Region will confirm the rates they plan to charge for 2021 in the fall of 2020. This budget assumes that the increases for 2021 and 2022 will be in line with their original planned rate increase of 2.9% for 2021. This results in the metered rates proposed for 2021 and 2022 becoming less than what was included in the 2020 to 2022 Budget.

Also of note, in 2020 it was discovered that the calculation of the Town's stormwater rates assumed a higher number of billings than were actually being billed resulting in an understated rate. This budget proposes phasing in the adjustment to the rates to reflect the correct number of billings equally over the next two years, 2021 and 2022. This adjustment results in an increase of \$1.17 per month, or \$3.51 per quarterly bill for a residential customer in 2021. Table 3 presents a summary of each proposed rate versus its outlook which was approved in 2020.

**Table 3**  
**Water, Wastewater, Stormwater Rate Summary**

	2020		2021		2022	
	Current	Outlook	Proposed	Change	Outlook	Proposed Change
<b>Water and Wastewater (\$/m<sup>3</sup>):</b>						
Water Rate	\$ 2.18	\$ 2.45	\$ 2.34	(4.5%)	\$ 2.48	\$ 2.34 (5.6%)
Wastewater Rate	\$ 2.77	\$ 3.11	\$ 2.89	(7.1%)	\$ 3.15	\$ 2.90 (7.9%)
Combined Rate	\$ 4.95	\$ 5.56	\$ 5.23	(5.9%)	\$ 5.63	\$ 5.24 (6.9%)
<b>Stormwater Rate (\$/month):</b>						
Residential	\$ 7.09	\$ 8.01	\$ 9.18	14.6%	\$ 9.32	\$ 11.69 25.4%
Non-Residential	\$ 90.07	\$ 101.73	\$ 116.64	14.7%	\$ 118.31	\$ 148.51 25.5%

### **The operating budget focuses on the changes to the approved multi-year budget for tax and rate funded operations**

As the previously approved 2021 and 2022 budgets are being reaffirmed, this budget's focus is on any proposed changes to these original approved outlook budgets. The proposed budget changes include any items that were not foreseen when the 2020 to 2022 Budget was approved. These changes are presented in detail within the 2021 budget binder that has recently been distributed to Council members. A few of the key broader and corporate-wide change drivers in the budget are:

- COVID-19 has a significant impact continuing into 2021
- A refinement of compensation adjustments and benefits
- Savings in water and wastewater wholesale costs from York Region
- Fire Services savings arising from a slow down in the phase-in of Fire Hall 6-6
- The assessment growth revenue is less than forecasted in the previous budget

These changes are discussed further in Tab 3 – Operating Budget in the 2021 to 2022 Budget binder.

### **The capital budget includes a number of improvements to its framework**

The capital budget includes significant improvements to the format and content of the plan. These changes are intended to provide a clearer picture of the capital plan as a whole, the timing of capital investments, clarity on multi-year budget commitments and flexibility to manage repair and replacement projects more effectively.

These changes represent the first steps in developing fiscal policies to manage assets and capital investments in the long term. They focus on managing the capital plan and reserve management which are two of the key elements for achieving financial sustainability.

In the past the capital budget would focus solely on budget authority requests for new capital projects. This year the capital budget includes:

1. **New capital projects** which have traditionally been included in the capital plan.
2. **Active capital projects** showing the budget authority approved to date and any changes requested to this authority whether it be an increase or decrease.
3. **Conditionally approved capital projects** are reinserted into the plan and brought forward for reconsideration. These projects are clearly indicated in the project listings that can be found in Tabs 17, 18 and 19 of the budget binder.

4. A list of the Town's **recently closed capital projects** are included as a separate section (Tab 20) within the budget binder for the Budget Committee's information. Consequently, these closed projects no longer need to be included in the capital plan.

These four categories reflect all types of capital projects that the Town manages. This year's budget now provides a complete list of all capital projects including a detailed capital sheet for all capital projects which are seeking an increase to their previously approved budget authority, including any brand new budget authority requests. The format of these sheets has also been improved. The new format is less restrictive and enables more information to be included in the capital sheet.

**Total capital budget authority of \$189.7M is being requested in 2021 with \$85.7M in planned spending for 2021**

Capital budget authority is a new concept for the capital budget which represents the approved capital budget commitment for a project. It is made up of four components:

- Actuals spent to the end of the last fiscal year for the life of the project
- The current year's capital forecast
- The cash flow planned in the first budget year
- The cash flow, only as needed, for future budget years where contractual commitments are needed.

This means 2021 capital budget authority includes actuals to December 31, 2019 plus the 2020 forecast plus 2021 capital cash flow and capital from 2022 and beyond only as required. This budget proposes a total of \$189.7 million in capital budget authority which is made up of \$163.5 million in previously approved capital projects and \$26.2 million in net new budget authority requests. A summary of the proposed 2021 capital budget authority categorized by its traditional funding buckets of Rehabilitation & Replacement (R&R), Growth & New (G&N) and Studies & Other (S&O) is presented in Table 4.

To establish the capital budget authority this budget assumes the approved budgets for capital projects for active capital projects (approved through a previous budget or by an in-year report) becomes that project's capital budget authority. However projects that were conditionally approved are treated as new budget requests.

October 27, 2020

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Report No. FIN20-027

**Table 4**  
**Capital Project 2021 Budget Authority Summary**

(\$000s)	Previously Approved Budget	2021 Proposed Budget		Capital Budget Authority Cash Flow			
		Capital Budget Authority*	Budget Change	Actuals to Dec/19	2020 Forecast	2021	2022+
Repair & Replacement	59,814.8	72,701.8	12,887.0	22,347.8	20,521.5	25,440.6	4,391.9
Growth & New	100,295.6	113,057.5	12,761.9	15,654.8	16,072.5	58,872.6	22,457.7
Studies & Other	3,336.4	3,931.4	595.0	1,054.3	1,282.7	1,344.4	250.1
<b>Proposed Budget</b>	<b>163,446.7</b>	<b>189,690.6</b>	<b>26,243.9</b>	<b>39,056.8</b>	<b>37,876.7</b>	<b>85,657.5</b>	<b>27,099.6</b>

\* Includes all active project budgets, adjustments to project budgets and new budget commitments

More information on the new framework for the capital budget is included in Tab 4 – Capital Budget of the 2021 to 2022 Budget binder. Additionally, a presentation and report to Budget Committee is planned prior to starting the review of capital projects. This presentation will provide an overview of the changes to the capital budget framework.

### **The 10-year capital plan includes \$296.4M of capital investments**

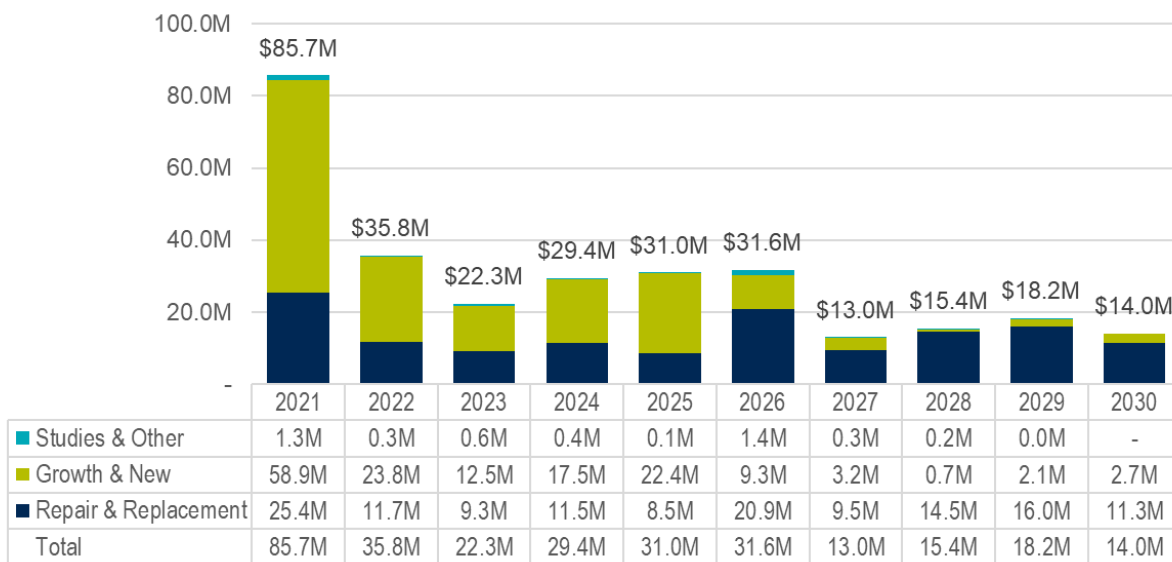
The capital budget proposes a 10-year plan totalling \$296.4 million. This 10-year capital plan continues to focus its investments in asset management with repair and replacement projects representing 46% of the capital plan, growth and new 52% which includes the construction of Library Square and studies and other at 2%.

The presented 10-year capital plan now better reflects the timing of the planned spending on capital projects. By planning the cash flow in the 10-year capital plan, the Town is able to better manage its cash, timing of investments and reserve needs on an annual basis. The previous practice of approving the full project as a lump sum without consideration of actual planned cash outflows has made the estimation of future reserve needs and cash availability very difficult, as well as, has limited the Town's ability to determine the appropriate length of time available for the Town's long-term investments.

The repair & replacement plan has been built upon the Town's approved asset management plan foundation which will be subject to a significant update in 2021 as the Town strives to maintain its compliance with the province's municipal asset management regulation.

A summary of the Town’s current 10-year capital plan is presented under Table 5. Details of this plan can be found under chapters 17 to 19 of the budget binder.

**Table 5  
Ten Year Capital Project Requirement Summary**



**The Town’s most recently closed capital projects are presented for Council’s information**

A list of the Town’s most recently closed capital projects as of December 31, 2020 is included in the budget binder under tab 20 for Council’s information. This list details a total of 42 projects that will be closed by the Town as of December 31, 2020. These project closures required a total of \$3.6M in fund returns and a total of \$0.2M in funding top-ups to/from original funding sources, representing a consolidated net funding increase to reserves of \$3.4M. Of this amount, \$1.7M will be consolidated under the Library Square Project as this original planned capital work will now be undertaken as part of the overall Library Square project scope of work. The Town’s current semi-annual report on project closures to Council will now be replaced with an update in this regard as part of the Town’s annual budget process.

**The capital plan improves reserve management**

The development of the Town’s presented 10-year capital plan focused on ensuring that the first five years of the plan are affordable. Ensuring that the capital plan is affordable

was not the only consideration; the plan also considered the staffing resources required to complete the projects.

There were two approaches taken to ensure that this plan is achievable and affordable. The first used for repair & replacement capital projects involved prioritizing the projects based on the reserve forecast and the asset management plan, whereas the second used for growth & new and studies & other capital projects was a more involved process.

Projects in the growth & new and studies & other share the same reserves for their tax levy funding. The Town's corporate management team whose members come from across the organization came together to evaluate the Town's proposed projects and prioritize the timing for the delivery of these projects while staying within the available reserve funding and staffing resources for each year. This process worked well in balancing the competing funding needs for these projects. The team focussed its efforts on ensuring that the first five years of the Town's 10-year plan were affordable as the Town awaits further guidance to be offered through a new strategic fiscal policy which will be brought forward to Council in 2021.

### **Budget Committee will review the budget and be provided with presentations to support the process**

The 2021 draft budget that has been tabled at this evening's meeting will be referred to the Town's Budget Committee for its review and recommendation to Council for approval. Four weekly Budget Committee meetings taking place on Monday evenings starting at 6pm and one Saturday meeting have been scheduled for this review. These meetings would run from Monday November 9<sup>th</sup> to Monday November 30<sup>th</sup>.

Over the course of these meetings, the Budget Committee will receive multiple presentations and be able to make any necessary inquiries in support of its review of the proposed 2021 budget. These presentations will include an overview of the changes to the multi-year operating budget, information on the new capital budget framework and presentations from the Fire Chief and our community partners (Aurora Cultural Centre, Aurora Historical Society, Aurora Sport Hall of Fame and the Aurora Public Library).

Upon conclusion of the Budget Committee's review, the 2021 budget will be considered for approval by Council on December 15<sup>th</sup>, 2020 as shown in Table 6 below.

October 27, 2020

10 of 13

Report No. FIN20-027

**Table 6**  
**Proposed budget meeting schedule**

<b>Meeting Description</b>	<b>Date</b>
2021 Budget Public Session	Tuesday June 2 <sup>nd</sup>
Council – Budget Kickoff	Tuesday October 27 <sup>th</sup>
Budget Committee Reviews	Monday November 9 <sup>th</sup> Monday November 16 <sup>th</sup> Saturday November 21 <sup>st</sup> Monday November 23 <sup>rd</sup> Monday November 30 <sup>th</sup>
Council Approval	Tuesday December 15 <sup>th</sup>

### **Advisory Committee Review**

Not applicable.

### **Legal Considerations**

Section 291 of the Municipal Act provides that a municipality may prepare and adopt multi-year budgets. For the second and each subsequent year, Town Council will have the opportunity to re-review the budget, make any necessary changes and re-adopt the budget for the year to which the budget applies.

On October 22, 2019 Council approved By-law Number 6212-19 which updated and defined the Town of Aurora's delegation policies and procedures that were approved by Council in 2007. This By-law also consolidated and identified specific delegations into a single By-law. Under Schedule "C" of this new By-law, the Treasurer has delegated authority to close any capital project deemed complete including the adjustment to project funding to return or draw from the originating funding sources on behalf of Council and to report to council on an annual basis.

### **Financial Implications**

Residential tax bills contain three different property taxes. Taxes collected for provincial education purposes represents approximately 20.3 percent of a residential tax bill, while



taxes for York Region are approximately 42.7 percent and the Town's share is the remaining 37.0 percent.

The Town's proposed annual tax increases of 2.9 percent for 2021 and 2022 would add approximately \$8.77 and \$9.02 per year to the Town's share of the tax bill for each \$100,000 of assessment. For the average home in Aurora assessed at \$800,000, the Town's share of the tax bill in 2020 is \$2,418. This proposed to increase by 2.9% in 2021 and 2022 which results in an increase of \$70 in 2021 and \$72 in 2022. This is less than the proposed increase in the 2020 budget for these years of \$83 in 2021 and \$73 in 2022.

The average quarterly residential water bill assumes the use of 54 cubic meters of water during the three month period. The rates for water and waste water are charged per cubic meter and then the stormwater charge is a monthly fee. So each residential bill will include three months. Despite the increase to the stormwater rates in 2021 and 2022, the average quarterly residential water bill is expected to be \$14.31 less in 2021 and \$13.95 in 2022 than what was included in the 2020 to 2022 Budget.

The proposed 2021 capital plan is affordable should Council reaffirm the proposed allocation of 0.9 percent of the total planned fiscal strategy 1 percent tax rate increase in support of the Town's capital infrastructure renewal. The affordability of the presented 10-year capital plan (2022 to 2030) will be determined as part of the Town's work in its development of a long-term fiscal policy in 2021.

## **Communications Considerations**

The Town of Aurora will use 'Inform' as the level of engagement for this project. There are five different levels of community engagement to consider, with each level providing the community more involvement in the decision making process. These levels are: Inform, Consult, Involve, Collaborate and Empower. Examples of each can be found in the Community Engagement Policy. These options are based on the International Association of Public Participation (IAP2) Spectrum and assist in establishing guidelines for clearly communicating with our public and managing community engagement. Staff will inform the public of the changes to the budget process by posting information to the Town website. The calendar of budget-related meetings will also be shared on the website and through social media.

## **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 at this time. The Committee may make recommendations for changes to the 2021 and/or 2022 draft budgets at any time during its review process

## **Conclusions**

Council approved tax rate increases of 3.4%, 3.4% and 2.9% for 2020, 2021 and 2022, respectively on December 10, 2019. As part of this year's budget reaffirmation, the Mayor requested that staff strive to reduce the 2021 required increase by 0.5%. Staff have responded with recommended tax levy funded operating budgets for 2021 and 2022 that require a tax increase of 2.9 percent in each of these years. The Town's recommended water, wastewater and storm water rates reflect all necessary changes at this time and strive to manage any upward pressure on water rates responsibly.

The presented 2021 capital budget is affordable with Council's approval of the proposed operating budget support of the Town's capital asset sustainability.

The 2021 Budget Binder containing all supporting material for this year's budget process will be provided to Council at the end of this evening's meeting for its review prior to the commencement of the scheduled Budget Committee meetings in early November.

## **Attachments**

None

## **Previous Reports**

FIN20-009, 2021 Budget Process and Timeline, April 14, 2020

## **Pre-submission Review**

Agenda Management Team review on October 1, 2020

## **Approvals**

**Approved by Rachel Wainwright-van Kessel, CPA, CMA, Director  
Finance/Treasurer**

**Approved by Doug Nadorozny, Chief Administrative Officer**



100 John West Way  
Aurora, Ontario  
L4G 6J1  
(905) 727-3123  
Aurora.ca

Town of Aurora

## Motion

Notice given October 20, 2020

**Re:** Great Canadian Achievements Mural

**To:** Mayor and Members of Council

**From:** Councillor Harold Kim

**Date:** October 27, 2020

Whereas the Great Canadian Achievements mural was unveiled in November 23, 2001, and it highlights 30 great moments in Canadian history; and

Whereas the mural includes Armand Bombardier - inventor of the snowmobile; Rick Hansen - 40,000 Km Wheel in Motion Tour; The Canadarm - first robotic space tool; the Prairies and Niagara Falls representing our topography; and the Donut - the highest consumed food per capita in the world; and

Whereas there are many moments and Canadian persons deserving to be on the mural; and

Whereas there is a lack of diversity on the mural despite the fact that there were/are many Canadians of racialized background who made significant contributions to the building of Canada;

1. Now Therefore Be It Hereby Resolved That staff investigate locations in Aurora for a second wall to celebrate the diversity in "Great Canadian Achievements" and report back to Council.



100 John West Way  
Aurora, Ontario  
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(905) 727-3123  
aurora.ca

Town of Aurora  
**Memorandum**  
Office of the Mayor

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**Subject:** York Regional Council Highlights of September 24, 2020

**To:** Members of Council

**From:** Mayor Mrakas

**Date:** October 27, 2020

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## **Recommendation**

- 1. That Council receive the Correspondence for information.**

# COUNCIL HIGHLIGHTS

FOR IMMEDIATE RELEASE



Tuesday, September 29, 2020

## York Regional Council – Thursday, September 24, 2020

Live streaming of the public session of Council and Committee of the Whole meetings is available on the day of the meeting from 9 a.m. until the close of the meeting. Past sessions are also available at [York.ca/councilandcommittee](http://York.ca/councilandcommittee)

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### York Region's continuing response to COVID-19

The Regional Municipality of York embraced the Ontario government's decision on September 19, 2020 to limit the size of [private social gatherings](#) to 25 people outdoors and 10 people indoors.

Based on the advice of York Region Medical Officer of Health Dr. Karim Kurji and increased local cases of COVID-19, York Regional Council remains committed to protecting the health and safety of all residents while continuing to take prudent measures to help stop the spread of this virus.

During the [September 10, 2020 meeting of Committee of the Whole](#) and the [September 24, 2020 meeting of Regional Council](#), Dr. Kurji reported despite the best efforts of residents to follow public health advice, York Region is seeing an increase of COVID-19 cases primarily related to private gatherings. Specifically, Dr. Kurji acknowledged York Region may be at the beginning of a second COVID-19 wave.

In response, York Region continues to engage in public education activities reminding residents the fight against COVID-19 is not over. Now, more than ever, all York Region residents need to remain vigilant to keep themselves, their families, friends and communities safe. COVID-19 remains a very dangerous virus. The situation can quickly change if residents do not do their part by staying at home when sick, maintaining physical distancing, washing hands frequently with soap and water and wearing a [two-layer non-medical mask in indoor locations](#) across the Region.

In further efforts to help stop the spread of COVID-19, York Region continues to work with school board partners, parents and the community on the safe re-opening of schools. Public health professionals, including public health nurses, will continue to support schools throughout the year as they implement plans, adjust and adapt to ensure a successful, healthy and safe school year.

To keep parents and the community advised of the most current COVID-19 cases in the school system, York Region Public Health added confirmed and under surveillance COVID-19 case information in schools on the interactive dashboard at [york.ca/covid19data](http://york.ca/covid19data)

Confirmed outbreaks are declared in a school setting when, within a 14-day period, there are two or more laboratory-confirmed COVID-19 cases in students, staff or other visitors with an epidemiological link (if cases are in the same class or cohort) or if at least one case could have been infected in the school.

Regional Council also received an [update](#) on York Region's Social Services response to COVID-19, including new trends and issues, key changes to federal and provincial supports and updates on

Regional actions. Regional staff continue to adapt and deliver programs and services to complement other government initiatives that address social service needs, including:

- Continued operation of a self-isolation shelter in the Town of East Gwillimbury
- Extended the contract for the temporary transitional shelter at Kingbridge Conference Centre and Hotel in the Township of King until at least the end of 2020
- Distributed 50,000 disposable masks to lower income households through the [COVID-19 Community Coordination table](#) and working on the further distribution of 300,000 reusable masks to vulnerable residents through community agencies and social services programs
- Concluded contracted services with six [emergency child care](#) providers who provided child care for essential front-line workers during the COVID-19 global pandemic

York Region is receiving \$14.2 million to support a safe and adequate supply of child care for families as the economy re-opens. This announcement is part of the \$19 billion Canada/Ontario [Safe Restart Agreement](#) and subsequent provincial funding commitments announced in July 2020 to assist local economies during the pandemic.

Additional provincial funding was announced on July 6, 2020 to provide long-term care homes with continued COVID-19 Prevention and Containment Funding. As of July 31, 2020, the Region's two homes have received a total of \$290,800. The province has not indicated the total amount of future funding the homes are expected to receive. Regional staff will continue to monitor community needs and their impact on Regional programs and will bring forward any funding pressures or opportunities as part of the 2021 budget process.

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### **Breaking ground on Markham Centre Campus**

On Tuesday, September 22, 2020, York Region joined the City of Markham and York University to officially break ground on York University's Markham Centre Campus.

Once complete, the new campus will bring 4,200 new student spaces to York Region, strengthen opportunities for students and showcase York Region as a destination of choice for higher learning.

In 2015, Regional Council confirmed their support of the Markham Centre Campus by authorizing York Region to enter into a funding agreement to provide up to \$25 million in capital funding towards the new campus. This commitment was reaffirmed in July 2020, with the Ontario government's official announcement to move forward with construction of the campus.

Bringing a university campus to the City of Markham has been a long-standing priority for Regional Council. Engaging in post-secondary attraction is a key goal in [York Region's Economic Development Action Plan](#), which aims to create new opportunities for research, innovation and business growth.

---

### **York Region increases Council with new member**

Regional Council enacted a [bylaw](#) to change the composition of York Regional Council to include an additional representative from the City of Vaughan.

The Province of Ontario, through the [Municipal Act](#), requires all municipal councils to review their council composition by no later than mid-way through each four-year council term. The deadline to complete this review is December 2020.

Regional Council first considered this on [February 27, 2020](#) and began the process of obtaining triple majority approval.

A triple majority is attained when the following three factors are met:

- A majority of Regional Council votes in favor of the bylaw
- A majority of the nine local municipal councils pass a resolution consenting to the bylaw
- The total numbers of voters in the local municipalities that have passed resolutions represents a majority of all electors in York Region

On [June 11, 2020](#), Council received a report containing resolutions from all nine local municipalities, meeting the requirements for the second two components of the triple majority process.

To complete the triple majority process, a public meeting on the composition of Regional Council was held on September 17, 2020.

Following this meeting, Regional Council enacted the bylaw to change its composition by adding a fifth member representing the City of Vaughan - a change that will be in effect for the 2022 Municipal Election.

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### **Improving traveller options on York Region Transit**

Regional Council received an [update](#) on new PRESTO features to further modernize the current system on York Region Transit (YRT) and move towards supporting an integrated Greater Toronto and Hamilton Area (GTHA) transit system.

[PRESTO](#), an electronic fare payment system introduced 10 years ago, is undergoing some enhancements. A device refresh is currently underway and will replace 250 payment devices across the Region. The devices have an updated design with larger screens and enhanced features. Future updates will also include quicker loading of customer payment, eliminating the 24-hour waiting period and a debit and electronic fare payment options.

Regional Council also approved changes to [York Region Transit's \(YRT\) fare categories](#), making the fare structure consistent with other GTHA transit agencies, an important step towards fare integration.

Subject to 2021 budget approval, starting June 27, 2021 changes to YRT's fare categories include free transit for all children up to the age of five and eliminating the high school student requirement for those between the ages of 13 to 19.

Metrolinx and the 11 transit agencies in the GTHA continue to work towards a regional fare and service integration strategy, which would include the development of full fare and service integration and initiatives. This includes eliminating two-fare payment between the 905 area, TTC and GO transit, and implementing cross-boundary service to create operational efficiencies and improve the traveller experience.

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### **Greater Toronto Area West Transportation Corridor preferred route identified**

Regional Council received an [update](#) on the Ministry of Transportation's preferred route for the Greater Toronto West Transportation Corridor.

The previous proposed alignment presented by the Ministry of Transportation identified the highway in the North Kleinburg-Nashville Secondary Plan area. The new [preferred route](#) now includes better alignment between Highway 50 and Highway 27 with less impact to existing and planned communities.

When complete, the GTA West highway and transitway will provide more east-west travel options. Proposed interchange locations in York Region include a partial interchange at Weston Road and a full interchange at Highway 27 in the City of Vaughan.

Also aligned with the GTA West Transportation Corridor Assessment Study Area, the Ministry of Energy, Northern Development and Mines has initiated the Northwest GTA Transmission Corridor



Study. York Region will continue to consult with the province and local municipal partners throughout the GTA West Transportation Corridor Environmental Assessment Study and the Northwest GTA Transmission Corridor Study to protect a corridor of land for future electricity infrastructure.

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### **York Region 2020 Credit Rating update**

York Region's [credit rating](#) has been re-affirmed by Moody's Investor Service and S&P Global Ratings based on the Region's financial management and fiscal strategy approved by Regional Council.

Moody's has issued its highest credit rating of Aaa with stable outlook for York Region for the 20<sup>th</sup> consecutive year. This is based on:

- A high level of cash investments
- Ability to generate strong operating outcomes
- Strong debt affordability supported by a low interest rate environment
- Ability to generate predictable revenues supported by a wealthy and diverse tax base

S&P Global Ratings re-affirmed its AA+ rating for York Region, despite the negative effects of the COVID-19 pandemic.

Both rating agencies find York Region's strong financial management, stable property tax base and budgetary flexibility in part attributable to prudent saving in operating reserves will help cushion the impact and help guide it through this difficult economic time.

These ratings contribute to York Region's ability to access the capital markets and borrow at low rates.

### **Provision of closed meeting investigation services and ombudsman services**

Regional Council approved the [Ontario Ombudsman](#) to begin providing services effective January 1, 2021.

In 2015, Regional Council [appointed ADR Chambers Inc. as the Ombudsman for The Regional Municipality of York](#). This five-year appointment provided opportunity for additional accountability and transparency in the municipal sector.

This contract concludes December 31, 2020,

The *Municipal Act, 2001* requires all municipalities to have an investigator to act on complaints about a meeting being improperly closed to the public. Since 2007, York Region has retained Local Authority Services Limited (LAS) to provide this service.

Switching to the Ontario Ombudsman for closed meeting investigation services represents a cost-savings for the Region.

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### **Funding received to support substance misuse programs**

York Region received \$193,600 through [Health Canada's Substance Use and Addictions Program Funding Grant](#). The project grant will be used for the [Training Youth Allies to Engage Youth and Young Adults to Talk about Cannabis](#). The project will build on York Region's on-going efforts to increase awareness on reducing and preventing harms with cannabis use and will run from October 2020 to December 2022.

York Region will oversee distribution of project funds, provide in kind supports and report back to Health Canada.

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### **Update on *Protecting Tenants and Strengthening Community Housing Act, 2020***

Regional Council supports the province's efforts under the [Community Housing Renewal Strategy](#) to ensure a more streamlined and sustainable community housing system that can grow and respond to residents' needs.

The Act will have significant [implications](#) for York Region as a community housing service manager. These changes, to be enacted through regulations in the coming years, include service level standards, wait lists and local eligibility rules, as well as new options for housing providers responsible for the funding, administration and planning of the community housing system.

Engaging service managers in developing the regulations on a government-to-government basis will ensure service managers are recognized as the primary funders of the system and are best positioned to determine local needs.

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### **Regional Council supports Major Transit Station Report**

Regional Council endorsed the [proposed Major Transit Station Area](#) (MTSA) boundaries, minimum density targets and policy directions as part of the Regional Official Plan update. In addition, Regional Council [amended this report](#) to include:

- A request to the provincial government to approve alternative density targets for the Highway 407 Subway Station and King City GO Station MTSA
- Direction for regional staff to delineate boundaries and set density targets for future MTSA satiations along Jane Street in the City of Vaughan
- Referral of the Rutherford Road GO Station MTSA to the City of Vaughan for additional consideration of boundaries and density
- Expansion of the boundary around the [Maple GO Station MTSA](#) to include the 2.8-hectare parcel of land at the north east corner of Major Mackenzie Drive and McNaughton Road in the City of Vaughan
- A minimum density target for the [Gormley GO Station MTSA](#) at 50 people and jobs per hectare

Regional Council supported the identification of [72 Major Transit Station Areas](#) in [March 2020](#), along with two additional Major Transit Station Areas in the Town of Whitchurch-Stouffville and along Jane Street in the City of Vaughan.

The [Ontario Growth Plan](#) requires York Region to outline and set minimum density targets for major transit station areas. These targets are taken into consideration based on different levels of transit service and the potential to develop lands within the major transit station area.

Feedback from local municipalities, stakeholder, external partner and public consultations informed the final proposed Major Transit Station Areas. Consultations suggested residents are generally supportive of the increased density, mixed-use and transit-oriented development, support for increased transportation options and walkable communities in urban areas.

Final Major Transit Station Area delineations, minimum density targets and a Major Transit Station Area policy framework will be incorporated into the Region's updated Official Plan scheduled for completion in mid-2021.

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### **York Region development activity increases in 2020 despite COVID-19 pandemic**

Regional Council received the [Mid-Year Development Activity Summary 2020 report](#) providing an overview of York Region's planning and development approvals in the first half of 2020.

Development Charge revenue in mid-year 2020 totals \$102,44,127, a 127% increase from 2019. This demonstrates York Region's growth and economic vitality, despite unforeseen challenges with the COVID-19 pandemic.

Additional 2020 mid-year highlights include:

- Application re-submissions increased by 43% totaling 369 compared to 258 in 2019
- Proposed residential units of subdivision applications increased to 4,801 in the first half of 2020 from 1,220 in the first half of 2019
- York Region received 235 new development applications for review in the first half of 2020

Planning and development activity continued undisturbed during the COVID-19 pandemic as York Region has been able to process applications through YorkTrax, York Region's online development approval system that offers an innovative online approach to review and approve applications.

York Region will continue to work closely with local municipal partners to achieve Regional and local policy objectives to ensure Regional priorities are identified early in the planning process.

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### **York Region approves Township of King Official Plan**

York Regional Council approved the updated [King Township Official Plan, 2019](#) with [modifications](#) and [deferrals](#).

The updated Official Plan is required to be consistent with the [Provincial Policy Statement](#) and conform with provincial plans which include the [Ontario Growth Plan for the Greater Golden Horseshoe](#), the [Greenbelt Plan](#), the [Oak Ridges Moraine Conservation Plan](#), the [Lake Simcoe Protection Plan](#) and the [York Region Official Plan](#).

In partnership with King Township, York Region worked to replace the previous *Township Official Plan, 1970* with the purpose of managing growth, land use ensuring environmental conservation and protection, protecting the agricultural land base, facilitating economic development, promoting cultural and heritage values and identifying future infrastructure requirements and investment.

Additional amendments will occur after York Region's [Municipal Comprehensive Review](#) and updated Regional Official Plan, scheduled for completion in mid-2021.

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### **Re-naming of York Regional Police training facility**

On Wednesday, September 9, 2020, a ceremony was held to re-name the York Regional Police Training and Education Bureau to the [Eric Jolliffe Training Centre for Leadership and Learning](#).

On April 30, 2020, members of Regional Council unanimously agreed to re-name this facility in honor of the legacy and leadership of former York Regional Police Chief Eric Jolliffe, who dedicated his more than 40-year career to the safety and well-being of the community and residents he served.

At over 89,000 square feet, the centre offers more than 70 practical, simulation and in-class training programs for York Regional Police and officers from across the country.

Naming the facility in honour of former Chief Jolliffe is a lasting recognition of his dedication to life-long learning and professional education.

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### **Change to Alternate Regional Fire Coordinator**

James Arnold, Deputy Fire Chief of King City Fire Services is one of [two alternates](#) supporting Regional Fire Coordinator Ian Laing, Chief of Central York Fire Services.

The position of Regional Fire Coordinator has been in place since 1971 to coordinate fire aid within York Region and the role is appointed by the Provincial Office of the Fire Marshal and Emergency Management.

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### **National Day of Service**

On the 19<sup>th</sup> anniversary of the September 11, 2001 terrorist attacks, Regional Council honoured the nearly 3,000 innocent lives lost and offered condolences to all who lost loved ones in this horrific act of violence.

In the initial moments, hours and days following the 9/11 attacks, firefighters, police officers, paramedics and military personnel risked everything so others may live. At the same time, Canadians demonstrated the true spirit of Canada by opening their homes, offering support and standing in solidarity with our American neighbours.

On the [National Day of Service](#) Regional Council paid tribute to these heroes and every first responder who continues to make sacrifices in service to their communities.

---

### **National Forest Week**

From September 20 to 26, 2020, York Regional Council celebrated the 100<sup>th</sup> anniversary of [National Forest Week](#).

Home to 2,300 hectares of protected land, the York Regional Forest plays a vital role in the lives of York Region residents.

Through *National Forest Week*, York Region celebrates our shared forest heritage and recognizes the importance of this valuable and renewable resource. Forests provide economic, environmental, recreational and cultural value to our communities and are fundamental to our traditions, history and our future. Together, it is our shared responsibility to protect this essential natural resource and do our part to keep it clean for future generations.

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### **Toronto and Region Conservation Authority recognized with visionary award**

The [Toronto and Region Conservation Authority](#) (TRCA) and its nine partner municipalities, including York Region, have been recognized with a 2020 Sustainable Communities Award from the Federation of Canadian Municipalities.

The Honourable Mention in the Visionary Award category celebrates TRCA's [Sustainable Neighbourhood Action Program](#), which aims to accelerate the creation of sustainable neighbourhoods in older urban areas through urban renewal and climate action.

Aligned with Regional Council's vision of [complete communities](#), the Sustainable Neighbourhood Action Program was designed to help municipalities improve efficiencies, draw strong community support and build implementation partnerships when developing sustainable and resilient neighbourhoods.

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### **York Region receives innovation award for YorkTrax**

York Region was recognized by the [Association of Municipalities Ontario](#) and received a Certificate of Merit from the [Peter J. Marshall Innovation Award Jury](#) for YorkTrax, presented at the [2020 AMO Conference](#). YorkTrax is an innovative online approach to review and approve development applications that modernizes the day-to-day work of York Region and improves the customer experience.

York Region processes a number of development applications every year, each one involving many documents, data, maps and comments from multiple departments. YorkTrax was developed to make this process more efficient and coordinated across the organization. YorkTrax standardized the development review process and created transparency across departments ensuring better coordination of comments and approvals.

The project demonstrated many of the P.J. Marshall Award's criteria of innovation, tangible benefits to the community, improved efficiency and the ability for other municipal governments to use the project's concept.

During the COVID-19 pandemic, the transition for development applications was seamless as staff were able to access the system remotely and were able to move forward with development review and approvals process.

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### **Show Your Local Love Day**

Regional Council has proclaimed September 25, 2020 as "[Show Your Local Love Day](#)" in York Region.

Show Your Local Love Day, an initiative of the [United Way Greater Toronto](#), aims to show support for individuals and families impacted by the COVID-19 global pandemic and demonstrate the essential need for a strong network of community support services.

York Region has a long-standing partnership with the United Way, working in collaboration to support the most vulnerable residents in the community. These include individuals and families faced with isolation, high-risk seniors, unsheltered individuals experiencing homelessness and people facing food insecurity.

As the charity of choice for York Region, staff have raised more than \$6 million for the United Way over the past 26 years.

Show Your Local Love Day is an opportunity for all York Region staff and residents to learn more about the work of the United Way and make a difference in the lives of many in the community.

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### **Remembering Aline Chrétien and John Turner**

Regional Council extended condolences following the passing of Aline Chrétien on September 13, 2020 and former Prime Minister, John Turner on September 19, 2020.

Married to former Prime Minister Jean Chrétien for more than 63 years, Aline was a trusted partner and advisor and a strong matriarch to her family and our great nation.

As the 17<sup>th</sup> Prime Minister of Canada, The Right Honourable John Turner led Canada from June to September 1984. Despite a short tenure as Prime Minister, Mr. Turner held a long and distinguished political career and was a fierce defender of democracy.

On behalf on York Region's 1.2 million resident, Council extended condolences and support to both the Chrétien and Turner families.

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### **Next regular meeting of York Regional Council**

York Regional Council will meet on Thursday, October 22, 2020 at 9 a.m. To maintain physical distancing and protect the health and well-being of residents, this is currently planned to be a virtual meeting and streamed on [york.ca/live](http://york.ca/live)

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The Regional Municipality of York consists of nine local cities and towns and provides a variety of programs and services to 1.2 million residents and 54,000 businesses with over 650,000 employees. More information about the Region's key service areas is available at [york.ca/regionalservices](http://york.ca/regionalservices)

-30-

**Media Contact:** Kylie-Anne Doerner, Corporate Communications, The Regional Municipality of York  
Phone: 1-877-464-9675, ext. 71232 Cell: 289-716-6035 [kylie-anne.doerner@york.ca](mailto:kylie-anne.doerner@york.ca)

## The Corporation of the Town of Aurora

### By-law Number XXXX-20

#### Being a By-law to regulate occupancy, fouling, construction and encroachments on highways.

**Whereas** Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, (the “Act”) as amended, provides that a municipality may pass by-laws respecting the health, safety and well-being of persons, services and things that the municipality is authorized to provide, protection of persons and property, public assets of the municipality, drainage and flood control, public utilities, parks, as well as highways and structures, including fences and signs;

**And whereas** Section 9 of the Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act;

**And whereas** Subsection 8(1) of the Act provides that powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

**And whereas** Sections 30 of the Act provides that the municipality has ownership over highways under its jurisdiction and Section 44 requires the municipality maintain its highways in a state of repair and to adhere to minimum maintenance standards outlined in regulations, including taking measures with respect to encroachments to protect users;

**And whereas** Subsection 391(1) of the Act provides that a municipality may pass by-laws imposing fees or charges on any persons for the use of its property including property under its control;

**And whereas** Section 446 of the Act provides that a municipality may proceed to do things at a person’s expense which that person is otherwise required to do under a by-law but has failed to do and to recover the costs of doing so by adding the costs to the tax roll and collecting them in the same manner as property taxes;

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

#### 1. Definitions

1.1. In this by-law, the following words have the following meanings:

- (a) “**Act**” shall mean the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
- (b) “**Applicant**” shall mean the Person submitting an Application to the Town;
- (c) “**Application**” shall mean an application for a ROP or an application for an Encroachment, or for the renewal or extension of the same;
- (d) “**Arterial Road**” shall mean an Arterial Road as designated in the Town’s Official Plan, as amended or successor thereof;



- (e) **“Boulevard”** shall mean all parts of the Highway, including the shoulder and sidewalk, but excluding the curb and the road portion travelled by or designed for vehicular traffic;
- (f) **“Clerk”** shall mean the Clerk of the Town appointed pursuant to the Act;
- (g) **“Collector Road”** shall mean any Major and Minor Collector Road as designated in the Town’s Official Plan, as amended or successor thereof;
- (h) **“Council”** shall mean the Council of the Town;
- (i) **“Director”** shall mean the department head of the Operations Department of the Town, or his/her designate or successor;
- (j) **“Easement”** shall mean an interest in land owned by another Person, consisting in the right to use or control the land, or an area above or below it, for a specific limited purpose, but does not include an interest created by a licence agreement;
- (k) **“Encroachment”** shall mean anything that is placed, installed, constructed or planted within a Highway, including anything that is wholly upon or extends onto a Highway, that was not placed, installed, constructed or planted by the Town and shall include any aerial, surface or subsurface encroachment, but shall not include anything permitted pursuant to a ROP;
- (l) **“Encroachment Agreement”** shall mean an agreement with the Town granting authorization to erect, place or maintain an Encroachment on the Highway;
- (m) **“Encroachment Agreement Fee”** shall mean the fee as set out in the Town’s Fees and Charges By-law, as amended;
- (n) **“Encroachment Application Fee”** shall mean the fee as set out in the Town’s Fees and Charges By-law, as amended;
- (o) **“Geometric Design Guide”** shall mean the most current version of the Geometric Design Guide for Canadian Roads of the Transportation Association of Canada, as amended or successor thereof;
- (p) **“Highway”** shall mean a highway within the meaning of the Act;
- (q) **“Irrigation System”** shall mean the components of a system that is used or designed for the purpose of irrigating or watering vegetation located outdoors;
- (r) **“Local Road”** shall mean a Local Road as designated in the Town’s Official Plan, as amended or successor thereof;
- (s) **“Minimum Maintenance Standards for Municipal Highways”** means O. Reg. 239/02: Minimum Maintenance Standards for Municipal Highways, as amended or successor thereof;
- (t) **“Officer”** shall mean a Municipal Law Enforcement Officer appointed by the Town;
- (u) **“Owner”** shall mean the registered owner of a parcel of property as such Person is described on the most current parcel register;



- (v) **"Paver"** shall mean any hard or paved surface, or stone, that is placed in the ground in such manner that the top of the surface or stone is flat and level with the surrounding ground level;
- (w) **"ROP" or "Road Occupancy Permit"** shall mean a written permit issued by the Town pursuant to this by-law authorizing regulated activities under Subsection 2.1, other than for the erecting, installing or maintaining an Encroachment;
- (x) **"Person"** shall include an individual, sole proprietorship, partnership, unincorporated association, firm or corporation, business entity or club, trust, body corporate or natural person;
- (y) **"Premises"** shall mean a parcel of real property and includes all buildings and structures thereon;
- (z) **"Refuse"** shall mean any object or material that has been discarded by any Person or that is no longer in use, or reasonably intended to be used, by the Person having ownership or control over such object or material;
- (aa) **"Sign"** shall mean any structure or device, intended for identification or advertisement, visible to the general public;
- (bb) **"Soft Landscaping"** shall mean any shrubs, hedges, grass, flowers, maintained natural gardens or other vegetation, but excludes trees, noxious weeds and local weeds designated under the provisions of the *Weed Control Act*, R.S.O. 1990, c. W.5;
- (cc) **"Solicitor"** shall mean the Town Solicitor or his/her designate;
- (dd) **"Town"** shall mean The Corporation of the Town of Aurora; and
- (ee) **"Unauthorized Encroachment"** shall mean any Encroachment not authorized by this by-law.

## 2. **General Prohibitions**

- 2.1. No Person shall do, or shall cause to be done, or shall permit to be done, or shall attempt to do, on any portion of any Highway, any of the following actions without previously obtaining a ROP or entering into an Encroachment Agreement pursuant to this by-law permitting such action or activity, except where otherwise specifically permitted or exempted pursuant to this by-law:
  - (a) excavate, dig-up, break, tear-up, connect to, alter or destroy any portion of the land within the Highway whether for the purpose of constructing a means of access, or for any other purpose;
  - (b) cross any raised curb, sidewalk or paved Boulevard with a vehicle or with the aid of mechanical equipment, over which he/she has control, to deliver or remove any materials from abutting land;
  - (c) place, deposit, spill, track or otherwise leave on a Highway, any construction material, debris, soil, dirt, mud, stone, gravel, aggregate, concrete or any other similar material;
  - (d) place, construct or maintain any Encroachment on any Highway;

- (e) obstruct or block any Highway, including any culvert or ditch on any Highway.
- 2.2. In addition to the above, no Person shall throw or deposit any Refuse, including any animal carcass, on any Highway.
- 2.3. The Owner of the Premises from which, or to which, any material or items are being removed or deposited, placed, spilled or tracked shall be presumed to have caused such items or materials to be placed, deposited, spilled, tracked or otherwise left deposited on the Highway, as the case may be, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 2.4. The Owner of the Premises from which, or to which, any vehicle crosses any curb, sidewalk or paved Boulevard to deliver or remove any items or material shall be presumed to have caused such vehicle to cross any curb, sidewalk or paved Boulevard, as the case may be, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 2.5. The Owner of the Premises immediately adjacent to the land on which an Encroachment is located, shall be presumed to have caused to be placed, constructed or maintained the Encroachment, as the case may be, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 2.6. Notwithstanding Subsections 2.1 and 2.2, the following classes of items and Encroachments, as well as activities related to such items and Encroachments, are exempted from the requirements and restrictions of this by-law to the extent of such other authority or agreement granting permission or authorization for such item or Encroachment:
- (a) Signs and advertising devices, as authorized or permitted by the Sign By-law, as amended or a successor by-law thereof, or Council;
  - (b) Refuse or waste that is left or placed in compliance with the Waste Collection By-law, as amended or a successor by-law thereof;
  - (c) activities and Encroachments arising as a result of construction or maintenance activity on behalf of and under contract with the Town;
  - (d) any Highway closure authorized by the Town;
  - (e) Encroachments arising as a result of a decision of the Town's Committee of Adjustment or the Local Planning Appeal Tribunal, or a successor body thereof, permitting the Owner of a residential Premises to widen a driveway, provided such Encroachments are limited to Pavers that are in compliance with Section 3.2 and comprising of the permitted driveway extension, and that any other requirements set out under any other Town by-law are met;
  - (f) Encroachments permitted as a result of a written and signed agreement with the Town, other than an Encroachment Agreement, including any agreements pursuant to the *Planning Act*, R.S.O. 1990, c. P.13 or Easements agreements;
  - (g) any Encroachment specifically permitted by the Council;
  - (h) any Encroachments placed, created or caused by the Town;

- (i) any Encroachments authorized by a court order, or by provincial or federal authority or law, or
  - (j) any Encroachment authorized under a valid Encroachment Agreement that was entered into prior to the date of this by-law coming into force.
- 2.7. Notwithstanding Subsections 2.1 and 2.2, in the case of any activity, works, construction or Encroachments governed by a duly executed municipal access agreement with a utility company for access onto Town's Highways, the terms of any such agreement shall supersede this by-law in case of any conflict or inconsistency.

### 3. Permitted Encroachments

- 3.1. Notwithstanding Subsection 2.1 paragraph (d), Owners of land adjoining the Highway are permitted, without a ROP, Encroachment Agreement or any other authorization of the Town, to maintain Encroachments on the Boulevard:

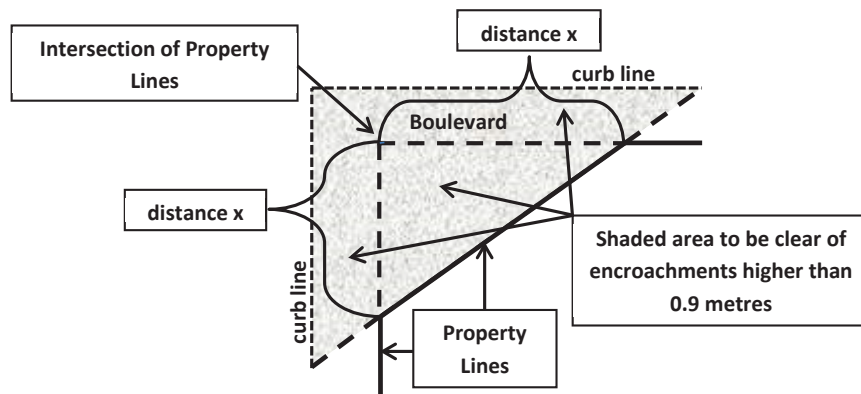
- (a) in the form of an Irrigation System;
- (b) in the form of Pavers; or
- (c) in the form of Soft Landscaping;

provided that the Encroachment conforms to all the requirements of this by-law, including Subsection 3.2. For clarity, this Subsection 3.1 does not authorize any Person to conduct any of the regulated activities under Subsection 2.1 without a ROP, other than maintaining one of the types of Encroachments described above to the extent that it does not consists of activities regulated under paragraphs (a), (b), (c) or (e) of Subsection 2.1.

- 3.2. Encroachments pursuant to Subsection 3.1 may only be permitted if the Encroachment conforms to the following:

- (a) if it is in the form of Soft Landscaping, it is maintained in a state of healthy and vigorous growth;
- (b) if it is in the form of Pavers, it is placed and maintained in compliance with any applicable laws and Town by-laws, including zoning by-laws and regulations;
- (c) if it is in the form of an Irrigation System:
  - (i) it is placed entirely under or in the ground and in such a way that no part of the system is located or protrudes above the level of the ground level, except for when the water discharge mechanism is in operation to actively irrigate as per the design of the system,
  - (ii) it is maintained in a manner that does not permit water to leak from it at any time other than when the system is in operation to actively irrigate as per the design of the system, and
  - (iii) the system is designed, constructed and functions in a manner that does not permit water to be sprayed or discharged onto the sidewalk or the travelled portion of the Highway;
- (d) it does not obstruct pedestrian or vehicle sight lines as per the Geometric Design Guide;

- (e) it does not interfere with traffic control devices or Signs permitted under the Sign By-law, as amended or a successor by-law thereof;
- (f) it does not interfere with ability of the Town to access and to conduct any maintenance, repair or operational activity on any Town property, infrastructure and municipal services;
- (g) it is not in a form of a fence or barrier, including barriers comprised of vegetation, that prevents access onto any part of the Highway or prevents Town staff or agents from being able to conduct any maintenance activity or to use any such area for storage of snow, unless it is located at the property line of the abutting private property and in compliance with any applicable zoning by-laws or regulations and the Fence By-law, all as amended or successor thereof;
- (h) it does not obstruct driveways, impede or pose a hazard or potential hazard to pedestrian or vehicle traffic;
- (i) on a corner lot, it is not erected or permitted to grow to a height greater than 0.9 metre above the traveled surface of the grade of the streets that abut the lot within the shaded triangular area as indicated below, with "distance x" being:
  - (i) in the case of an intersection between an Arterial Road with any other road, distance x, as illustrated below, shall be fifteen (15) metres in either direction;
  - (ii) in the case of an intersection between a Collector Road with another Collector Road, distance x, as illustrated below, shall be ten (10) metres in either direction;
  - (iii) in the case of an intersection between a Collector Road with a Local Road, distance x, as illustrated below, shall be seven (7) metres in either direction;
  - (iv) in the case of an intersection between a Local Road with another Local Road, distance x, as illustrated below, shall be five (5) metres in either direction;



- (j) it does not interfere with the Town's ability to maintain the Town's property, including Highways, in a state of good repair and maintenance, including keeping Town property free of litter, snow and ice;

- (k) it does not interfere with the existing and future locations of sidewalks, bicycle trails or utilities;
- (l) it does not extend into the Boulevard area fronting any property other than of the Owner that is responsible for such an Encroachment when the common lot line is projected perpendicular to the road, unless the Owner of such other property consents to it in writing;
- (m) no part of the Encroachment creates a condition or obstruction that results in any pedestrian path of travel not meeting any standard established pursuant to the *Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11* with respect to exterior paths of travel, regardless of when such path of travel was constructed or redeveloped;
- (n) no part of the Encroachment is located within 0.50 metre of the edge of either side of the sidewalk, unless it is in the form of a Paver;
- (o) if it is located on the Boulevard between the curb line and sidewalk, it does not measure more than 0.9 metre in height;
- (p) it is not within one (1) metre of the curb, on a road with curbs, unless it is in the form of a Paver;
- (q) it is not within three (3) metres of the vehicle traveled portion of any road without curbs, unless it is in the form of a Paver;
- (r) no part of the Encroachment is located within a one (1) metre radius around fire hydrants, fire hydrant valves or private water service shut off valves, unless it is in the form of a Paver;
- (s) no part of the Encroachment is located within a 1.5 metres of the side or rear of any hydro electric transformer, switch or equipment and no part is located in front of or at the opening side of such equipment at any distance, unless it is in the form of Paver;
- (t) it is in a state of repair pursuant to the Minimum Maintenance Standards for Municipal Highways; and
- (u) any other criteria considered appropriate by the Director.

#### 4. Road Occupancy Permits

- 4.1. Any Person requesting authorization to conduct any of the regulated activities under Subsection 2.1 on a Highway is required to submit an Application to the Town for a ROP, unless such activities are otherwise authorized pursuant to Section 3, 5 or 6 with respect to an Encroachment, but only to the extent of such authorization.
- 4.2. The form, content, terms, conditions and requirements of the Application for a ROP shall be as prescribed by the Director from time to time and the Director may, without limiting the Director's authority to prescribe the Application and its form, content, terms, conditions and requirements, require as part of an Application:
  - (a) any affidavits, drawings, plans, surveys, photographs and other documents the Director deems to be necessary in order to assess the proposed Application;

- (b) any information deemed necessary by the Director to be able to evaluate the Application with respect to the proposed activities and the associated timeframes;
  - (c) a reasonable estimate of the cost of performing the associated works and a security deposit for such works;
  - (d) the Applicant to agree to the terms and conditions of the ROP as prescribed by the Director; and
  - (e) the Applicant to provide proof of and maintain continual insurance coverage, naming the Town as an additional insured party, as required by the Director to provide coverage with respect to the work and activities to be conducted or maintained on the Highway.
- 4.3. Upon receipt of an Application for a ROP and receipt of the applicable fees, as established in the Town's Fees and Charges By-law, the Director shall make investigations as necessary to assess the Application and may, in accordance with the criteria and requirements set out in this by-law:
- (a) issue a ROP after receipt of a complete Application that meets all the requirements of this by-law and the receipt of any applicable securities;
  - (b) in the case of an approved Application for a ROP, impose such terms and conditions on the ROP deemed appropriate by the Director:
    - (i) for the protection of any Highway, public infrastructure and property abutting the area subject to the ROP,
    - (ii) for the protection of the health and safety of the public and the environment,
    - (iii) for the purposes of administration of ROPs and the operations of the Town,
    - (iv) for the purposes of maintaining proper standards and workmanship with respect to any work conducted on the Highway,
    - (v) for the purposes of protecting the Town interests with respect to any risks associated with the work or activities pursuant to the ROP, and
    - (vi) to satisfy any requirements of this by-law or any other applicable legislation.
  - (c) refuse to issue a ROP if:
    - (i) the Application is not completed, all the information as required under this by-law is not provided or the Application does not meet all the requirements of this by-law,
    - (ii) the required fees or securities are not provided, or
    - (iii) the Applicant has not addressed, to the Director's satisfaction, any non-compliance or default with respect to a previous ROP.
- 4.4. In addition to the above, the Director may, on his or her own initiative, acting reasonably:

- (a) alter or revoke the terms and conditions of a ROP after it has been issued;  
or
  - (b) impose new terms and conditions in a ROP.
- 4.5. A ROP holder shall immediately inform the Director of any change to:
- (a) the information contained in an Application for a ROP;
  - (b) the information contained in a ROP that has been issued;
  - (c) the characteristics of the activity or work for which the ROP has been issued; or
  - (d) the cancellation of any related activity or work.
- In the case of any such change, the Director may require revised or additional information, additional fees, or a new Application with respect to the change.
- 4.6. A ROP shall be time limited and shall expire pursuant to the terms and conditions as set out in the ROP, upon completion of the work or activity governed by the ROP or revocation of such ROP, whichever occurs first.
- 4.7. Prior to the expiry of an ROP, a ROP holder may apply for an extension to the ROP, and the Director may approve of such extension, having regard to:
- (a) the work to be completed during the extension;
  - (b) the progress of the work up until the date of the Application;
  - (c) the performance of the ROP holder up until the date of the Application;
  - (d) any potential conflict that may result from the extension with other planned or ongoing work; and
  - (e) the safety and convenience of the public.
- 4.8. A ROP issued under this by-law is the property of the Town and is not transferrable or assignable.
- 4.9. The Director may revoke a ROP if the ROP holder, or parties conducting the work or activities pursuant to the ROP on behalf of the ROP holder:
- (a) fail to comply with the terms and conditions of such a ROP or fail to comply with this by-law;
  - (b) fail to notify the Director immediately of any of the changes referred to in Subsection 4.5 of this by-law;
  - (c) fail, within thirty (30) days after the issuance of the ROP, to commence the work or activity, beyond a preliminary or nominal level, for which the ROP was obtained;
  - (d) substantially discontinue the work or activity for a period of more than thirty (30) days;
  - (e) provide false or inaccurate information in the Application for the ROP; or

- (f) any Person doing work on behalf of the ROP holder has failed to comply with any applicable law, statutes, regulations, orders, standards, codes, by-laws or rules.
- 4.10. In addition to the above, the Director may immediately suspend or revoke a ROP issued under this by-law, in writing, where the Director is satisfied that a suspension or revocation is necessary in an emergency situation of immediate threat or danger to a Highway, public infrastructure, any property abutting a Highway, or to any Person.
- 4.11. The Director may give notice of the suspension or revocation of a ROP by contacting a ROP holder in writing, by telephone or by email in accordance with the contact information provided on the ROP Application.
- 4.12. Notwithstanding anything in this by-law, if the Director or an Officer deems that an emergency exists, or may ensue, as a result of any activities pursuant to a ROP, as a result of expiry, revocation or suspension of a ROP, or as a result of activities requiring a ROP that were conducted without a valid ROP, being, or about to become, a source of danger to the health and safety of the public or to a Highway or public infrastructure, the Director or Officer may take such measures, without notice, as the Director or Officer may deem necessary to remove the danger or potential danger at the expense of the Person responsible for creating the danger, or potential danger.
- 4.13. Any decision of the Director pursuant to this Section shall be final without a right to appeal to the Council.

## 5. **Encroachment Application**

- 5.1. Any Person requesting authorization to erect, install or maintain an Encroachment on a Highway that is not permitted under Subsection 3.1 or otherwise permitted under this by-law, is required to submit an Application to the Director for permission for the Encroachment.
- 5.2. The form and content of the Application for an Encroachment shall be as prescribed by the Director from time to time and the Director may require as part of an Application:
- (a) any affidavits, drawings, plans, surveys, photographs and other documents the Director deems to be necessary in order to assess the proposed Application;
  - (b) any information deemed necessary by the Director to be able to evaluate the Application with respect to the proposed activities and the associated timeframes; and
  - (c) a reasonable estimate of the cost of performing the associated works.
- 5.3. Upon receipt of an Application for an Encroachment and receipt of the Encroachment Application Fee, the Director shall make investigations as necessary to assess the Application and may, in accordance with the criteria and requirements set out in this by-law:
- (a) approve an Application for the Encroachment after receipt of a complete Application that meets all the requirements of this by-law;



- (b) in the case of an approved Application for an Encroachment, impose such terms and conditions to any associated Encroachment Agreement deemed appropriate by the Director:
  - (i) for the protection of any Highway, public infrastructure and property abutting the area subject to the Encroachment,
  - (ii) for the protection of the health and safety of the public and the environment,
  - (iii) for the purposes of administration of Encroachments and the operations of the Town,
  - (iv) for the purposes of maintaining proper standards and workmanship with respect to any work conducted on the Highway, and
  - (v) for the purposes of protecting the Town interests with respect to any risks associated with the presence of the Encroachment or work or activities related to the Encroachments,
  - (vi) to satisfy any requirements of this by-law or any other applicable legislation.
- (c) refuse to approve an Encroachment if:
  - (i) the Application is not completed, all the information as required under this by-law is not provided or the Application does not meet all the requirements of this by-law,
  - (ii) the required fees are not provided, or
  - (iii) the Applicant has not addressed, to the Director's satisfaction, any non-compliance or default with respect to the Encroachment or a previous Encroachment Agreement related to the same Encroachment or property.

5.4. The Director may approve an Application for an Encroachment if the proposed Encroachment:

- (a) does not obstruct pedestrian or vehicle sight lines as per the Geometric Design Guide;
- (b) does not interfere with traffic control devices or Signs;
- (c) does not obstruct driveways, impede or pose a hazard or potential hazard to pedestrian or vehicle traffic;
- (d) does not interfere with the Town's ability to maintain the Town's property, including Highways, in a state of good repair and maintenance, including keeping Town property free of litter, snow and ice;
- (e) does not interfere with the existing sidewalks, bicycle trails and future locations of sidewalks, bicycle trails or utilities;
- (f) does not extend into the Boulevard area fronting any property other than of the Owner that is responsible for such an Encroachment when the common lot line is projected perpendicular to the road, unless the Owner of such other property consents to it in writing;

- (g) does not create a condition or obstruction that results in any pedestrian path of travel not meeting any standard established pursuant to the *Accessibility for Ontarians with Disabilities Act, 2005*, S.O. 2005, c. 11 with respect to exterior paths of travel, regardless of when such path of travel was constructed or redeveloped;
- (h) is on a parcel that is directly adjacent to the parcel owned by the Applicant;
- (i) is in a state of repair pursuant to the Minimum Maintenance Standards for Municipal Highways; and
- (j) satisfies any other criteria considered appropriate by the Director.

For clarity, the Director is not required to approve any Application for an Encroachment pursuant to this Subsection, even if it satisfies all of the criteria set out above, and may choose to only approve Applications in exceptional circumstances as determined by the Director or pursuant to any internal policies established by the Director.

- 5.5. If granted approval pursuant to Subsection 5.3 for a specific Encroachment, an Owner of land adjoining the Highway is permitted to maintain such an approved Encroachment provided that he/she enters into an Encroachment Agreement, pursuant to the terms of this by-law, with respect to such an Encroachment and complies with all the terms of this by-law, any terms or conditions imposed by the Director under Subsection 5.3 and the associated Encroachment Agreement.
- 5.6. Notwithstanding anything in this by-law, the Director has the authority to allow an Encroachment and the authority to waive the requirement for an Encroachment Application or an Encroachment Agreement in cases of Encroachments that are deemed by the Director to be of trivial or inconsequential nature, but only if such Encroachments do not appear to pose any hazard to the health and safety of the public and do not interfere with any Town operations. In any case where an Encroachment is permitted pursuant to this Subsection, the Director has the authority to rescind any such permission or waiver, at any time and for any reason, and require that an Application be submitted and/or an Encroachment Agreement be entered into with respect to an Encroachment, or otherwise that such an Encroachment be removed pursuant to this by-law.
- 5.7. Any decision of the Director pursuant to this Section shall be final without a right to appeal to the Council.

## 6. **Encroachment Agreement**

- 6.1. Where an Application for an Encroachment has been approved by the Director pursuant to Subsection 5.3, the Owner of land adjoining the Highway that intends to or has placed an Encroachment shall enter into an Encroachment Agreement with the Town and pay the Encroachment Agreement Fee, as set out in the Fees and Charges By-law in effect at the time of approval by the Director of the Application.
- 6.2. Where an Applicant fails to pay the Encroachment Agreement Fee within thirty (30) calendar days of receipt of notice of approval by the Director or where the Applicant fails to execute an Encroachment Agreement within the thirty (30) calendar days, or such longer period the Director deems appropriate at his/her discretion, from receipt of the Encroachment Agreement from the Town, the Applicant shall be deemed to have abandoned its Application and such

Encroachment, if already placed, shall be immediately removed from the Highway by the Applicant and at the Applicant's expense and any associated Application or approval for an Encroachment shall be deemed to be void and the Applicant shall not be entitled to any refund of fees remitted to the Town.

- 6.3. Any Encroachment Agreement entered into by the Town, in addition to any terms and conditions imposed by the Director pursuant to paragraph (b) of Subsection 5.3, shall to the satisfaction of the Solicitor:
- (a) require the Applicant to indemnify the Town for any claims, damages or causes of action that may arise as a result of the Encroachment;
  - (b) release the Town from and waive any claims the Applicant has or may have in the future with respect to the Encroachment and any actions or omissions of the Town in relation to the Encroachment, including damage, inspection, maintenance and removal;
  - (c) require the Applicant to provide the Town with comprehensive general liability insurance, satisfactory to the Solicitor, against any occurrence of injury, death or property damage resulting from the Encroachment; and
  - (d) be subject to any requirements of this by-law.
- 6.4. Any Encroachment Agreement entered into by the Town may, subject to the discretion of the Director, be time limited or expire pursuant to the terms of such an agreement. Upon request from an Owner who is party to an Encroachment Agreement, the Director may renew or extend an Encroachment Agreement on terms satisfactory to the Director and the Solicitor provided that:
- (a) the Owner requesting the renewal or extension pays to the Town the extension/renewal fee, as set out in the Fees and Charges By-law in effect at the time of submitting the renewal/extension request;
  - (b) the Owner that is party to the Encroachment Agreement and the Encroachment that is subject to the agreement comply with all the requirements of this by-law and the associated Encroachment Agreement; and
  - (c) the Owner requesting the renewal or extension executes any amendment or other documentation required by the Solicitor in association with the extension or renewal.
- 6.5. Where the Solicitor deems it appropriate, an Encroachment Agreement may be registered against title to the property of the Owner who is a party to the Encroachment Agreement and the Highway upon which the Encroachment exists and all expenses in doing so shall be paid for in advance by such Owner.
- 6.6. The entering into an Encroachment Agreement does not create any vested right in the Owner or occupant of the Premises to which the Encroachment is adjacent, or in any other Person, and the Encroachment Agreement may be terminated at any time in accordance with this by-law or the terms set out in the Encroachment Agreement.
- 6.7. Owners who are a party to an Encroachment Agreement shall notify future purchasers of any such Encroachment Agreement.

- 6.8. Any decision of the Director pursuant to this Section shall be final without a right to appeal to the Council.

**7. Discontinuance of Encroachments**

- 7.1. The Director may revoke an approval of an Encroachment and terminate any associated Encroachment Agreement if the Owner of Premises to which an Encroachment is adjacent provides notice to the Town that he/she wishes to permanently discontinue the Encroachment. If such notice is provided, such an Owner shall restore the Highway to the condition the lands were in prior to the placing of the Encroachment at his/her own expense and in compliance with this by-law.
- 7.2. If the Director is, at any time, of the opinion that a breach of the terms and conditions of an Encroachment Agreement has occurred and that the default has not been remedied, or where an Encroachment Agreement has expired, terminated or been invalidated, the Director may revoke the approval of an Encroachment and terminate any associated Encroachment Agreement. Following such revocation and/or termination, the Director shall cause a notice to be sent to the Owner of the Premises responsible for or associated to the Encroachment and upon the receipt of such a notice from the Town, such Owner shall have the Encroachment removed or filled in and closed up and the Highway be restored to the condition the lands were in prior to the placing of the Encroachment at the expense of the Owner.
- 7.3. Where the responsible Owner fails to have an Encroachment removed, filled in and/or closed up, as required by this Section within ten (10) business days of providing the notice pursuant to Subsection 7.1 or receiving the notice pursuant to Subsection 7.2, the Encroachment may be removed or filled in and closed up by the Town and the Highway restored to the condition the lands were in prior to the placing of the Encroachment at the expense of such Owner.

**8. Removal of Encroachments**

- 8.1. In addition to any other rights and remedies set out in this by-law, where the Town becomes aware of an Unauthorized Encroachment, including an Irrigation System, Soft Landscaping or Paver that does not comply with the requirements of this by-law, the Director or an Officer may:
- (a) give notice in writing to the Owner of the Premises to which an Unauthorized Encroachment is adjacent, to forthwith remove, fill in or close up the Unauthorized Encroachment and to restore the Highway to the condition the lands were in prior to the placing of the Encroachment at the expense of such Owner; or
  - (b) remove, fill in or close up any Encroachment without notice and require the Owner of the Premises to which an Unauthorized Encroachment is adjacent, to restore the Highway to the condition the lands were in prior to the placing of the Encroachment at the expense of such Owner.
- 8.2. Where the notice pursuant to paragraph (a) of Subsection 8.1 is not complied with within five (5) business days of the date of the notice, the Town may, on behalf of such non-compliant Owner, remove, fill in or close up the Unauthorized Encroachment and restore the Highway to the condition the lands were in prior to the placing of the Encroachment at the expense of such Owner.

- 8.3. Without limiting any rights and in addition to any remedies under this by-law, the Town may remove all parts of any item that creates, forms or contributes to an Unauthorized Encroachment, regardless of whether all such parts constitute an Unauthorized Encroachment or whether the removal of certain components of an Unauthorized Encroachment would render it compliant under this by-law. Without limiting the above, when an Encroachment grows or expands to a condition where it is not permitted under this by-law, the Town may remove the entire Encroachment from the Highway at the expense of the adjacent Owner.
- 8.4. Any materials or residue forming part of or attached to an Encroachment that are removed by or on behalf of the Town may, at the discretion of the Director or an Officer handling the matter, be deposited on the Premises of the Person responsible for such Encroachment, be deposited on the Premises that is adjacent to such Encroachment or be disposed of without notice to the Owner.
- 8.5. Notwithstanding anything in this by-law, if the Director or an Officer deems that an emergency exists, or may ensue, as a result of any Encroachment, regardless of whether or not it is authorized or permitted under this by-law, being, or about to become, a source of danger to the health and safety of the public or to a Highway or public infrastructure, or if the Director deems that an Encroachment, regardless of whether or not it is authorized or permitted under this by-law, is required to be removed, entirely or in part, for the purpose of conducting any construction or operations by the Town or any Town service, the Director or Officer may:
- (a) provide written notice to the Owner of the Premises to which the Encroachment is adjacent, or otherwise deemed by the Director or Officer to be responsible such Encroachment, requiring the repair, removal, filling in or closing up of the Encroachment and restoration of the Highway at the expense of such Owner, and/or
  - (b) take such measures, without notice, as the Director or Officer may deem necessary to remove the danger or potential danger created by the Encroachment at the expense of the Owner of the Premises to which the Encroachment is adjacent, or otherwise at the expense of such Person deemed by the Director or Officer to be responsible such Encroachment.
- 8.6. Where a notice pursuant to paragraph (a) of Subsection 8.5 is not complied with within five (5) calendar days, or such other time set by the Director or Officer, of the date of the notice, the Director or Officer may repair, remove, fill in or close up the Encroachment subject to the notice and restore the Highway to the condition the lands were in prior to the placing of the Encroachment at the expense of the Person subject to the notice.
- 8.7. In addition to Section 8.5 and notwithstanding anything in this by-law, any Person acting on behalf of, or under the authority of, the Town may, at any time and for any reason, remove or damage any Encroachment, or any part of an Encroachment, regardless of whether or not it is authorized or permitted under this by-law, that is not subject to an Encroachment Agreement.
9. **Liability**
- 9.1. The provisions of this by-law shall not be construed as relieving or limiting the responsibility or liability of any Person who undertakes or causes any activities, works or Encroachment on any Highway. Likewise the provisions of this by-law shall not be construed as imposing on the Town, its officers, employees or

agents, any responsibility or liability by reason of approval or inaction with respect to any Application, ROP or Encroachment.

- 9.2. Any item or Encroachment, regardless of whether or not it is authorized or permitted under this by-law, placed or left on any Highway is at the complete risk and responsibility of the Person leaving or placing, or causing it to be placed or left, on the Highway. The Town, its officers, employees or agents, are not responsible or liable for any repair or replacement of any items, ROP works or Encroachment removed or damaged as a result of any Town undertakings, activities, or activities by agents or contractors on behalf of the Town, including any construction, reconstruction, repair and maintenance activities and clearing or removing of litter, graffiti, posters, snow or ice, and any other actions taken by the Town, including any actions taken and the removal of any works or Encroachments under the authority of this by-law.
- 9.3. Neither, the granting of any ROP, permission for an Encroachment, approving any Application, entering into an Encroachment Agreement, nor any renewal or extension of the above, is intended to and shall not be construed as granting any property rights over any Highway or Town property, or permission or consent by the Town to contravene or fail to observe or comply with any laws of Canada or Ontario or any other by-law of the Town or the Regional Municipality of York.

#### 10. **Administration and Enforcement**

- 10.1. The Director shall be responsible for and is delegated the power to administer and enforce this by-law, including prescribing the content of any forms or other documents required under this by-law, setting conditions of ROPs and Encroachment Agreements, permitting Encroachments, issuing any ROPs and entering into any agreements all as pursuant to this by-law.
- 10.2. Without limiting anything in this by-law, the Director may process any Applications subject to any policies or procedures established by the Director, and may require additional or increased fees to process Applications on urgent or expedited basis or to conduct additional reviews.
- 10.3. The Director and Officers of the Town are hereby delegated the authority to enforce this by-law, including the authority to conduct inspections pursuant to this by-law, the Act, as amended, and any other applicable by-law or legislation.
- 10.4. The Director is authorized to delegate responsibilities for the administration and enforcement of this by-law to any Town staff or external third parties deemed to be qualified and appropriate by the Director for such purposes.

#### 11. **Power of Entry, Inspection, Prohibitions**

- 11.1. An Officer, or any other individual authorized to enforce this by-law on behalf of the Town, may at any reasonable time enter upon any land for the purpose of carrying out an inspection to determine whether the following are being complied with:
- (a) this by-law;
  - (b) any ROP or agreement issued pursuant to this by-law,
  - (c) any direction or order under this by-law; or
  - (d) an order issued under Section 431 of the Act.

- 11.2. Where an inspection is conducted pursuant to this Section, an Officer or any other individual authorized to enforce this by-law on behalf of the Town, may:
- (a) require the production for inspection of documents or things relevant to the inspection;
  - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
  - (c) require information from any Person concerning a matter related to the inspection; and
  - (d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.
- 11.3. No Person shall hinder or obstruct or attempt to hinder or obstruct the Town, its employees, officers or agents from carrying out any powers or duties under this by-law.
- 11.4. No Person shall fail to comply with, or contravene, any order or direction issued by the Town pursuant to this by-law or the Act.
- 11.5. Where an Officer, or an individual authorized to enforce this by-law, has reasonable grounds to believe that an offence has been committed by any Person, they may require the name, address and proof of identity of that Person, and the Person shall supply the required information.
- 11.6. No Person shall decline or neglect to give, produce or deliver any access, information, document or other thing that is requested by the Town pursuant to this by-law.
- 11.7. No Person shall knowingly make, participate in, assent to or acquiesce in the provision of false information in a statement, affidavit, application or other document prepared, submitted or filed under this by-law.
12. **Orders**
- 12.1. Where any Officer is satisfied that a contravention of this by-law has occurred, such Officer may make an order requiring the Person who caused or permitted such contravention, or the Owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity and/or to do work to correct the contravention.
- 12.2. An order pursuant to Subsection 12.1 shall set out the following:
- (a) reasonable particulars identifying the location of the land on which the contravention occurred;
  - (b) reasonable particulars of the contravention;
  - (c) what is required of the Person subject to the order (i.e., what activity is to be seized and/or actions or work to be done);
- the date by which there must be compliance with the order and/or, if any work is ordered, the date by which any such work must be done; and
- information regarding the Town's contact Person.



12.3. An order pursuant to Subsection 12.1 shall be deemed to have been received upon:

- (a) Personal service of the order to the Person being served; or
- (b) the fifth (5th) day after the order is sent by registered mail to the last known address of the Person who is subject to the order.

**13. Remedial Action and Cost Recovery**

13.1. Wherever this by-law or an order issued under this by-law directs or requires any matter or thing to be done by any Person within a specified time period, in default of it being done by the Person directed or required to do it, the action may be taken under the direction of the Director or an Officer at that Person's expense and the Town may recover the costs incurred through a legal action or by recovering the costs in the same manner as taxes.

13.2. For the purposes of taking remedial action under Subsection 13.1, the Town, its staff and/or its agents may enter, at any reasonable time, upon any lands on which a default to carry out a required thing or matter occurred.

13.3. Without limiting anything in this by-law, the Director may undertake, or cause to be done, any action deemed necessary by the Director to correct and/or remedy anything resulting from the operations or activities that were conducted with respect to a ROP or an Encroachment Agreement at the expense of the Person responsible for or holding the associated ROP or Encroachment Agreement.

13.4. Where a security has been provided to the Town with respect to a ROP or an Encroachment Agreement permit, the Town may:

- (a) draw upon or use such security to recover any costs incurred by the Town to remedy or address any contravention of this by-law, any non-compliance with an order issued pursuant to this by-law or any contravention of any term or condition of a ROP or Encroachment Agreement;
- (b) upon the failure by the Person subject to a ROP or Encroachment Agreement to complete all or part of the works in the time stipulated in any such ROP or Encroachment Agreement, draw upon the securities deposited and use the funds to arrange for the completion of the said works, or any part thereof;
- (c) upon the failure by the Person subject to a ROP or Encroachment Agreement to install, repair, maintain or decommission a specific part of the works as requested by the Town, draw upon the securities deposited and use the funds to arrange for the completion of the said works, or any part thereof;
- (d) in the case of emergency repairs or clean-up, undertake the necessary works at the expense of the Person subject to a ROP or Encroachment Agreement and draw upon the securities to pay for such works or reimburse itself for any resulting costs incurred by the Town;
- (e) upon the failure by the Person subject to a ROP or Encroachment Agreement to restore a Highway to a condition satisfactory to the Director where a ROP or Encroachment Agreement has expired, been cancelled or



revoked, draw upon or use such security to recover any costs incurred by the Town to restore the site to the Director's satisfaction.

#### 14. **Offences and Penalties**

- 14.1. Every Person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.
- 14.2. Every Person who contravenes any order issued pursuant to this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.
- 14.3. If a corporation has contravened a provision of this by-law, including an order issued under this by-law, every director and officer who knowingly concurred in such a contravention is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.
- 14.4. Pursuant to Subsection 429(2) of the Act, all contraventions of this by-law or orders issued under this by-law are designated as multiple offences and continuing offences. If a contravention of any provision of this by-law has not been corrected, or an order issued under this by-law has not been complied with, the contravention of such a provision or an order shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected or an order not complied with. A multiple offence is an offence in respect of two (2) or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this by-law.
- 14.5. In addition to fines under this Section, a Person convicted of an offence under this by-law may be liable to a special fine in the amount of the economic advantage or gain that such a Person obtained from the contravention of this by-law.
- 14.6. Where a Person is convicted of an offence under this by-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.

#### 15. **Administrative Penalties**

- 15.1. Instead of laying a charge under the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended, for a breach of any provision of this by-law, an individual authorized to enforce this by-law on behalf of the Town may issue an administrative penalty to the Person who has contravened this by-law.
- 15.2. Individuals authorized to enforce this by-law on behalf of the Town have the discretion to either proceed by way of an administrative penalty or a charge laid under the *Provincial Offences Act*, R.S.O. 1990, c. P.33. If an administrative penalty is issued to a Person for the breach, no charge shall be laid against that same Person for the same breach.
- 15.3. The amount of the administrative penalty for a breach of a provision of this by-law, shall be as established pursuant to applicable Town by-laws.

- 15.4. A Person who is issued an administrative penalty shall be subject to the procedures as provided for in the applicable Town by-laws relating to administrative penalties.
- 15.5. An administrative penalty imposed on a Person pursuant to this by-law that is not paid within fifteen (15) days after the day it becomes due and payable, constitutes a debt of the Person to the Town and may be added to a municipal tax roll and collected in the same manner as municipal taxes.
16. **Interpretation**
- 16.1. In this by-law, unless the context otherwise requires, words importing the singular number shall include the plural and words importing the masculine gender shall include the feminine.
17. **Severability**
- 17.1. If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid or to be of no force and effect, it is the intention of the Town in enacting this by-law that such provision or part of a provision shall be severable, and such a decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of this by-law.
18. **Repeal**
- 18.1. By-laws Number 4734-05.P, Number 4744-05.P and Number 5733-15, all as amended, are hereby repealed.
19. **Short Title**
- 19.1. This by-law shall be known and may be cited as the "Occupancy and Encroachment of Highways By-law".
20. **Effective Date**
- 20.1. This by-law comes into full force and effect on the date of final passage hereof.

Enacted by Town of Aurora Council this 27<sup>th</sup> day of October, 2020.

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Tom Mrakas, Mayor

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Michael de Rond, Town Clerk

**The Corporation of the Town of Aurora**

**By-law Number XXXX-20**

**Being a By-law to exempt Block 26 on Plan 65M-4467 from  
Part-Lot Control (Country Wide Homes at Aurora Inc.).**

**Whereas** subsection 50(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "Act"), provides that the council of a local municipality may by by-law provide that the part-lot control provisions in subsection 50(5) of the Act, does not apply to the land that is within a registered plan of subdivision as is designated in the by-law;

**And whereas** on May 8, 2018, the Council of The Corporation of the Town of Aurora (the "Town") enacted By-law Number 6075-18, being a by-law to exempt Block 26 on Plan 65M-4467 from part-lot control;

**And whereas** on May 8, 2020, By-law Number 6075-18 expired;

**And whereas** the Council of the Town deems it necessary and expedient to enact a by-law to exempt Block 26 on Plan 65M-4467 from those provisions of the Act dealing with part-lot control;

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

1. Subsection 50(5) of the Act shall not apply to the following lands, all situated in the Town of Aurora, Regional Municipality of York:  
  
Block 26 on Plan 65M-4467, designed at Parts 1 to 17 on Plan 65R-37605.
2. A copy of this by-law shall be registered in the appropriate Land Registry Office on title to the lands set out herein.
3. This by-law shall come into full force and effect upon final passage hereof, shall remain in force and effect for a period of two (2) years from the date of its passing, and shall expire on the 27<sup>th</sup> day of October, 2022.

**Enacted by Town of Aurora Council this 27<sup>th</sup> day of October, 2020.**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**

**The Corporation of The Town of Aurora**

**By-law Number XXXX-20**

**Being a By-law to confirm actions by Council  
resulting from a Council meeting  
on October 27, 2020.**

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

1. That the actions by Council at its Council meeting held on October 27, 2020, in respect of each motion, resolution and other action passed and taken by the Council at the said meeting is hereby adopted, ratified and confirmed.
2. That the Mayor and the proper officers of the Town are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the corporate seal to all such documents.

**Enacted by Town of Aurora Council this 27<sup>th</sup> day of October, 2020.**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**