



TOWN OF AURORA COUNCIL MEETING MINUTES

Council Chambers
Aurora Town Hall
Tuesday, December 8, 2015

ATTENDANCE

COUNCIL MEMBERS Mayor Dawe in the Chair; Councillors Abel, Humfryes, Kim, Mrakas, Pirri, Thom, and Thompson

MEMBERS ABSENT Councillor Gaertner

OTHER ATTENDEES Interim Chief Administrative Officer, Director of Building and By-law Services, Director of Corporate and Financial Services/Treasurer, Director of Infrastructure and Environmental Services, Director of Legal and Legislative Services/Town Solicitor, Director of Parks and Recreation Services, Director of Planning and Development Services, Town Clerk, and Council/Committee Secretary

Mayor Dawe called the meeting to order at 7:12 p.m. following Open Forum.

Mayor Dawe relinquished the Chair to Deputy Mayor Abel at 8:14 p.m. during consideration of Motion (c) and resumed the Chair at 8:21 p.m.

Council consented to recess at 9:44 p.m. to resolve into a Closed Session meeting and reconvened into open session at 10:40 p.m.

1. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There were no declarations of pecuniary interest under the *Municipal Conflict of Interest Act*.

2. APPROVAL OF THE AGENDA

Moved by Councillor Thompson
Seconded by Councillor Abel

THAT the agenda as circulated by Legal and Legislative Services, with the following additions, be approved:

- Closed Session Item 3 – Litigation or potential litigation including matters before administrative tribunals, affecting the Town or a Local Board (section 239(2)(e) of the *Municipal Act*, 2001); Re: Highland Gate Developments Inc. OMB Appeal (referred from Special Council meeting of December 8, 2015 – Closed Session Item 2)
- Item 8 – Litigation or potential litigation including matters before administrative tribunals, affecting the Town or a Local Board (section 239(2)(e) of the *Municipal Act*, 2001); Re: Closed Session Report No. LLS15-070 – Ontario Municipal Board Appeal – Highland Gate Developments Inc. (brought forward into open session from Closed Session Item 2)

CARRIED

3. ADOPTION OF THE MINUTES

Council Workshop Minutes of November 24, 2015
Council Meeting Minutes of November 24, 2015
Special Council – Public Planning Meeting Minutes of November 25, 2015
Special Council – Public Planning Meeting Minutes of November 30, 2015

Moved by Councillor Thom
Seconded by Councillor Pirri

THAT the Council Workshop minutes of November 24, 2015, the Council meeting minutes of November 24, 2015, the Special Council – Public Planning meeting minutes of November 25, 2015, and the Special Council – Public Planning meeting minutes of November 30, 2015, be adopted as printed and circulated.

CARRIED

4. PRESENTATIONS

- (a) **Chris Catania, Accessibility Advisor, and Patricia Dignard, Educational Assistant, York Catholic District School Board**
Re: AODA 10th Anniversary Champion Award

Mr. Catania noted that 2015 marks the 10th anniversary of the *Accessibility for Ontarians with Disabilities Act* (AODA), the purpose of which is to improve opportunities for persons with disabilities and to provide for their involvement in the identification, removal and prevention of barriers to full participation. He stated that, to celebrate the anniversary of the Act, the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO), with the support of the

Ontario government, created the AODA 10th Anniversary Champion Award, which recognizes outstanding individuals who demonstrate leadership, passion, and commitment in the promotion of accessibility awareness and inclusiveness in their community.

Ms. Dignard announced the Award recipient to be Matthew Abas, a student of St. Maximilian Kolbe Catholic High School, and presented an overview of Mr. Abas' accomplishments through his leadership skills, compassion, commitment, advocacy, and volunteerism. Mayor Dawe presented the Award to Mr. Abas.

Moved by Councillor Pirri
Seconded by Councillor Thom

THAT the presentation by Chris Catania and Patricia Dignard be received for information.

CARRIED

(b) Michael Stott, President, and Sarah Millar, Senior Planner, FOTENN
Re: Cultural Precinct Plan Final Report

Mr. Stott and Ms. Millar presented an overview of the final vision and draft concept plan for the Town of Aurora Cultural Precinct including the vision, timeline, guiding principles, consultation, concept plan to date, site specific development opportunities, street typologies, future development opportunities, and the next steps.

On a motion of Councillor Mrakas seconded by Councillor Thompson, Council consented on a two-thirds vote to waive the requirements of subsection 3.8(c) of the Procedural By-law to permit the presentation of Michael Stott and Sarah Millar additional time as required.

Moved by Councillor Thom
Seconded by Councillor Kim

THAT the presentation by Michael Stott and Sarah Millar be received for information.

CARRIED

5. PUBLIC SERVICE ANNOUNCEMENTS

Councillor Thompson extended a reminder regarding the Tree Lighting Ceremony being held on December 9, 2015, and invited the public to join the celebrations.

Mayor Dawe extended congratulations to the 2014-2018 Council for its one-year anniversary as of December 1, 2015.

Mayor Dawe announced that the Town's Winter Holiday Service Schedule is posted on the Town's website under *News and Notices*.

Mayor Dawe noted that the Tree Lighting Ceremony will start at 6:30 p.m. at Town Hall.

Mayor Dawe announced that Aurora's Borealis at Town Park will be on display from December 14, 2015, until February 15, 2016.

Mayor Dawe announced that the Aurora Cultural Centre is presenting *A Victorian Christmas* on Saturday, December 12, 2015, from 1 p.m. to 4 p.m., featuring *A Christmas Carol*, and tickets may be purchased by calling 905-713-1818.

Mayor Dawe announced that Aurora's Family First Night will be held on Thursday, December 31, 2015, from 6 p.m. to 9 p.m. at the Aurora Family Leisure Complex.

Mayor Dawe extended a reminder that more information on the Town's Special Events is available on the Town website at **www.aurora.ca**.

Mayor Dawe extended a reminder that Winter parking restrictions are in effect from November 15, 2015, through to April 15, 2016, from 2 a.m. to 6 a.m.

Mayor Dawe noted that there had been a great response to the Toys for Tickets Program, and the toys are being distributed to local families through the Aurora Lions Club and The Salvation Army.

Mayor Dawe announced that there will be a service disruption at the Aurora Family Leisure Complex on Sunday, December 20, 2015, from 8 a.m. to 9:30 a.m., affecting lane swim and the whirlpool, and more information is available on the Town website.

Mayor Dawe encouraged everyone to contribute to The Salvation Army and Neighbourhood Network annual Aurora Salvation Army Kettle Drive which runs until Thursday, December 24, 2015.

Mayor Dawe announced that the *Before You Buy Guide, A buyer's guide to home ownership in Aurora* is available on the Town's website and in a limited print quantity.

6. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION

Items 1, 2 (sub-item 2), 4, 5, 7, and 8 were identified as items for discussion.

7. **ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION**

Items 2 (with the exception of sub-item 2), 3, and 6 were identified as items not requiring separate discussion.

**Moved by Councillor Humfryes
Seconded by Councillor Kim**

THAT the following recommendations with respect to the matters listed as “Items Not Requiring Separate Discussion” be adopted as submitted to Council and staff be authorized to take all necessary action required to give effect to same:

2. **General Committee Meeting Report of December 1, 2015**

THAT the General Committee meeting report of December 1, 2015, be received and the following recommendations carried by the Committee be approved:

(1) BBS15-016 – Request for Sign Variance to Sign By-law No. 4898-07.P for the McDonald’s at 229-239 Earl Stewart Drive

THAT Report No. BBS15-016 be received; and

THAT a request for variance to Sign By-law No. 4898-07.P to allow a second wall sign on east elevation of McDonald’s at 229-239 Earl Stewart Drive, whereas Sign By-law No. 4898-07.P restricts the number of wall signs on this elevation to one wall sign, be approved; and

THAT a request for variance to Sign By-law No. 4898-07.P to allow three wall signs on the south elevation of McDonald’s at 229-239 Earl Stewart Drive, whereas Sign By-law No. 4898-07.P does not allow any wall signs on this elevation, be approved; and

THAT a request for variance to Sign By-law No. 4898-07.P to allow a wall sign on west elevation of McDonald’s at 229-239 Earl Stewart Drive, whereas Sign By-law No. 4898-07.P does not allow any wall signs on this elevation, be approved; and

THAT a request for variance to Sign By-law No. 4898-07.P to permit two pre-menu board signs for the McDonald’s drive thru facility located at 229-239 Earl Stewart Drive, whereas Sign By-law No. 4898-07.P only allow for one pre-menu board sign, be approved; and

THAT a request for variance to Sign By-law No. 4898-07.P to permit two menu board signs for the McDonald’s drive thru facility located at 229-239

Earl Stewart Drive, whereas Sign By-law No. 4898-07.P allows only for one menu board sign, be approved; and

THAT a request for variance to Sign By-law No. 4898-07.P to permit each menu board sign to have a sign area of 4.6 m² for the McDonald's drive thru facility located at 229-239 Earl Stewart Drive, whereas Sign By-law No. 4898-07.P allows a maximum sign area of 4.0 m² for menu board signs, be approved.

(3) CFS15-051 – Interim Operating Budget Forecast – as at September 30, 2015

THAT Report No. CFS15-051 be received for information.

(4) CFS15-052 – 2015 Operating Surplus/Deficit Control By-law

THAT Report No. CFS15-052 be received; and

THAT By-law Number 5783-15 be adopted to authorize the Treasurer and the Chief Administrative Officer to make any necessary year-end financial adjustments and to allocate any 2015 Operating Fund surplus in the following order of priority:

- i. That any unspent funds from various reserve funds allocated in the 2015 Budget for specific expenditures be returned to the respective original reserve fund sources from which they came; and
- ii. That any net Building Permit revenue surplus/deficit be allocated to/funded from the Building Permit Fees Reserve; and
- iii. That the remainder of any surplus be allocated to budget carry-forward items, being Council approved special projects or initiatives funded in the Operating Fund in the subject year, but not started by year end; and
- iv. That up to a maximum of \$370,000.00 of any then remaining surplus be allocated to the Tax Rate Stabilization Reserve Fund to assist with the stabilization of tax rates in future years which may be subject to fluctuations due to significant changes in service levels or municipal costs, or changes in expected revenues; and
- v. That the remainder of any surplus be allocated proportionately to the tax rate funded Repair & Replacement reserves; and

Or, alternatively, in the event of a year-end operating deficit, that adjustments i, and ii above are authorized, with the remaining net shortfall being funded from the Tax Rate Stabilization reserve; and

THAT the provisions made within By-law Number 5783-15 be adopted to authorize the Treasurer and the Chief Administrative Officer to allocate any 2015 surplus or alternatively fund any deficit in the Water, Wastewater, or Stormwater budgets to or from the appropriate related reserve accounts; and

THAT the adjustments authorized herein are to occur with an effective date of December 31, 2015, and which may be made prior to or after December 31, 2015; and

THAT the Treasurer and Chief Administrative Officer report to Council through General Committee after the year end surplus/deficit control adjustments and allocations have been performed.

(5) CFS15-053 – Creation of One Additional Reserve Fund Account

THAT Report No. CFS15-053 be received; and

THAT By-law Number 5784-15, a by-law to amend the Reserve Fund By-law Number 5553-13 to add the Community Benefit Contributions reserve fund schedule, be adopted.

(6) CFS15-054 – 2016 Interim Property Tax Levy

THAT Report No. CFS15-054 be received; and

THAT By-law Number 5786-15 be adopted to authorize the levying of 2016 interim property taxes on all rateable properties and to establish installment due dates.

(7) LLS15-065 – Publication of Council Voting Records

THAT Report No. LLS15-065 be received; and

THAT a record of recorded vote taken at Council meetings on or after January 1, 2015, be published on the Town's website in the same format as Attachment 1 to Report No. LLS15-065; and

THAT staff be authorized to amend the method of publishing the record of recorded votes upon implementation of any upgrades to the Council Chamber Audio-Video System, or upon implementation of an electronic

meeting management system, provided that either system is capable of providing a similar reporting function and information as referred into Report No. LLS15-065.

(8) PL15-093 – Applications for Exemption from Part Lot Control, TACC Developments (Aurora) Inc., Blocks 157 and 158, Plan 65M-4424, File No.: PLC-2015-10

THAT Report No. PL15-093 be received; and

THAT the Application for Exemption from Part Lot Control submitted by TACC Developments (Aurora) Inc. to divide Blocks 157 and 158 on Plan 65M-4424 in to fourteen (14) separate lots for townhouse units be approved; and

THAT the Part Lot Control Exemption By-laws be enacted at the next available Council meeting.

(10) PL15-096 – Community Improvement Plan Incentive Program Application PMK Capital Inc., 95 Wellington Street East File No. CIP-2014-02

THAT Report No. PL15-096 be received; and

THAT the application made by PMK Capital Inc. for the Tax-Based Redevelopment Grant be approved.

(11) PL15-097 – Planning Applications Status List

THAT Report No. PL15-097 be received for information

(12) PR15-040 – Purchase Order Increase for Cultural Precinct Consultant

THAT Report No. PR15-040 be received; and

THAT the Purchase Order for Fotenn Consultants Ltd. be increased by \$21,185.00, excluding taxes, to be funded from the Tax Rate Stabilization Reserve Fund.

(13) PR15-041 – Amendment to Lease Agreement: Vending and Concessions

THAT Report No. PR15-041 be received; and

THAT an Amendment to the Lease Agreement between the Town of Aurora and Global Brand Foods Inc. for the lease of space in Town facilities for the

operation of concession stands, as well as the lease of space in various Town facilities for the operation of snack food and beverage vending machines be approved; and

THAT the Mayor and Town Clerk be authorized to execute the Lease Agreement, including any and all documents and ancillary agreements required to give effect to same.

(14) PR15-043 – ActiveNet Agreement

THAT Report No. PR15-043 be received; and

THAT the Director of Parks and Recreation Services be authorized to enter into an agreement with Active Network for the use of the “ActiveNet” recreation program and facility rental registration system under the single source provisions of the Procurement By-law; and

THAT the Director of Parks and Recreation Services be authorized to enter into a Service agreement for \$33,000.00 + HST with Active Network for the upgrade from the existing “Class” system to the new “ActiveNet” system under the single source provisions of the Procurement By-law, including any and all documents and ancillary agreements required to give effect to same.

(15) Accessibility Advisory Committee Meeting Minutes of November 4, 2015

THAT the Accessibility Advisory Committee meeting minutes of November 4, 2015, be received for information.

(16) Environmental Advisory Committee Meeting Minutes of November 5, 2015

THAT the Environmental Advisory Committee meeting minutes of November 5, 2015, be received; and

THAT the Environmental Advisory Committee recommend to Council:

**1. Correspondence from Melville James, EAC Member
Re: Proposed Environmental Seminar/Forum**

THAT \$1,000 from the 2016 Environmental Initiatives budget be allocated to the 2016 Community Environmental Forum.

New Business Motion No. 1

THAT staff be directed to report back to the Environmental Advisory Committee on the feasibility of prohibiting the use of plastic water bottles in Town facilities.

(17) Economic Development Advisory Committee Meeting Minutes of November 12, 2015

THAT the Economic Development Advisory Committee meeting minutes of November 12, 2015, be received for information.

(18) Community Recognition Review Ad Hoc Committee Meeting Minutes of November 17, 2015

THAT the Community Recognition Review Ad Hoc Committee meeting minutes of November 17, 2015, be received; and

THAT the Community Recognition Review Ad Hoc Committee recommend to Council:

1. Round Table Discussion

THAT the following four (4) members of the Committee who are Citizen of the Year recipients comprise the Selection Committee for the 2015 Community Recognition Awards: Diane Buchanan, Steve Hinder, Brian North, and Jo-anne Spitzer.

New Business Motion No. 1

THAT the Community Recognition Review Ad Hoc Committee be restructured into an Advisory Committee to meet regularly, with the same membership, and a new Terms of Reference for the remainder of the 2014-2018 Term of Council.

(General Committee New Business Motion No. 1)

THAT staff be directed to report back to Council to address the traffic concerns raised by Delegation (a) at the General Committee meeting of December 1, 2015, respecting the area of John West Way, Civic Square Gate, and Hollandview Trail.

3. Special General Committee – 2016 Budget Review Meeting Minutes of November 2 (continued November 16 and 23), 2015

THAT the Special General Committee – 2016 Budget Review Meeting Minutes of November 2 (continued November 16 and 23), 2015, be received for information.

**6. Memorandum from Director of Planning & Development Services
Re: Additional Information, December 1, 2015 General Committee
Agenda Item No. 10, Report No. PR15-096, Community Improvement
Plan Incentive Program Application, PMK Capital Inc., 95 Wellington
Street East, File No. CIP-2014-02**

THAT the memorandum regarding Additional Information, December 1, 2015 General Committee Agenda Item No. 10, Report No. PR15-096, Community Improvement Plan Incentive Program Application, PMK Capital Inc., 95 Wellington Street East, File No. CIP-2014-02 be received for information.

CARRIED

8. DELEGATIONS

None

9. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION

**1. Memorandum from Director of Parks & Recreation Services
Re: Tree Protection By-law**

**Main motion
Moved by Councillor Mrakas
Seconded by Councillor Thom**

THAT the memorandum regarding Tree Protection By-law be received; and

THAT staff be directed to prepare and report back on a revised Draft Tree Protection By-law, substantially in the form as attached to Report No. PR14-004, with the following changes:

- 1) Rules pertaining to trees on golf courses be similar to section 4.2 of the City of Markham By-law No. 2008-96, "Tree Preservation By-law"; and
- 2) Permit owners of larger properties (0.25 ha or greater) to remove 2 (two) trees per 0.25 ha in a twelve (12) month period.

Amendment
Moved by Councillor Mrakas
Seconded by Councillor Humfryes

THAT the second clause of the main motion be amended by adding the words “, at the first General Committee meeting of February 2016,” after the words “report back”.

CARRIED

Main motion as amended
Moved by Councillor Mrakas
Seconded by Councillor Thom

THAT the memorandum regarding Tree Protection By-law be received; and

THAT staff be directed to prepare and report back, **at the first General Committee meeting of February 2016**, on a revised Draft Tree Protection By-law, substantially in the form as attached to Report No. PR14-004, with the following changes:

- 1) Rules pertaining to trees on golf courses be similar to section 4.2 of the City of Markham By-law No. 2008-96, “Tree Preservation By-law”; and
- 2) Permit owners of larger properties (0.25 ha or greater) to remove 2 (two) trees per 0.25 ha in a twelve (12) month period.

CARRIED AS AMENDED

2. General Committee Meeting Report of December 1, 2015
(2) BBS15-017 – Parking Permit Program

Moved by Councillor Abel
Seconded by Councillor Mrakas

THAT Report No. BBS15-017 be received; and

THAT fifteen (15) parking spaces at the Town Park be offered to residents living in close proximity as part of the Parking Permit Program; and

THAT staff bring forward to a future Council meeting amendments to the Parks By-Law Number 4283-01.P to restrict parking around Town Park to three (3) hours, Monday to Friday, between the hours of 6:00 a.m. and 6:00 p.m.; and

THAT staff be authorized to expand the Automated Issuance Management System (AIMS) program to a comprehensive Parking Permit Management Solution providing for just-in-time and special consideration parking permits.

CARRIED

4. CFS15-055 – 2016 Final Operating Budget

**Moved by Councillor Thompson
Seconded by Councillor Thom**

THAT Report No. CFS15-055 be received; and

THAT the 2016 Operating Budget summarized in Attachment #3 which reflects all revisions recommended for approval by the General Committee – Budget resulting in an estimated total tax levy of \$38,959,100 and a total expenditure plan of \$58,169,900 generating a 1.8% Town of Aurora share tax increase, which results in an estimated 1.9% residential tax bill increase when combined with the regional and education shares of the tax bill, be approved; and

THAT the Town's full-time staff complement remain unchanged at 2015 levels (excluding Library Board and Central York Fire Services staff); and

THAT a general wage increase of 1.0% effective April 1, 2016, be approved and applied to the Salary Schedule for Full-time Permanent Non-Bargaining Unit Positions, and to the Rate Schedule for Other-Than-Continuous-Full-time Non-Bargaining Unit Positions, both being Attachments to Policy #7; and

THAT the necessary bylaw establishing tax rates and due dates for 2016 property taxation be presented for adoption at a future Council meeting.

**On a recorded vote the motion
CARRIED**

| | |
|--------------|---|
| YEAS: 8 | NAYS: 0 |
| VOTING YEAS: | Councillors Abel, Humfryes, Kim, Mrakas, Pirri, Thom, Thompson, and Mayor Dawe |
| VOTING NAYS: | None |
| ABSENT: | Councillor Gaertner |

**5. Memorandum from Director of Corporate & Financial Services/Treasurer
Re: Special General Committee – Budget Recommendation for
Additional 2015 Funding to Aurora Cultural Centre**

Moved by Councillor Abel
Seconded by Councillor Thom

THAT the memorandum regarding Special General Committee – Budget Recommendation for Additional 2015 Funding to Aurora Cultural Centre be received; and

THAT one-time funding in the amount of \$10,000 be allocated to the Aurora Cultural Centre Board for purposes of operational expenses, to be funded from the 2015 Council Operating Contingency account.

CARRIED

7. **Memorandum from Councillor Pirri**
Re: Federation of Canadian Municipalities (FCM) Report to Council,
Meeting of the Board of Directors, Ottawa, ON, November 17-20, 2015
Moved by Councillor Pirri
Seconded by Councillor Mrakas

THAT the memorandum regarding Federation of Canadian Municipalities (FCM) Report to Council, Meeting of the Board of Directors, Ottawa, ON, November 17-20, 2015, be received for information.

CARRIED

8. **Litigation or potential litigation including matters before administrative tribunals, affecting the Town or a Local Board (section 239(2)(e) of the *Municipal Act, 2001*); Re: Closed Session Report No. LLS15-070 – Ontario Municipal Board Appeal – Highland Gate Developments Inc.**
(Added Item)

Item 8 was considered following consideration of Motion (c).

Moved by Councillor Mrakas
Seconded by Councillor Kim

THAT the December 4, 2015 offer for the Town to purchase the lands municipally known as 21 Golf Links Drive, Aurora, put forward by Highland Gate Developments Inc., be rejected; and

THAT Highland Gate Developments Inc. be requested to hold off on addressing any encroachments until such time as the OMB appeal matter is fully decided; and

THAT the Town Solicitor retain legal counsel and necessary experts to represent the Town at the OMB regarding the appeal by Highland Gate Developments Inc.; and

THAT Highland Gate Developments Inc. and the Highland Gate Ratepayers Association be encouraged to continue their dialogue to resolve this matter, with the facilitation of Town staff; and

THAT Town staff continue to update Council regarding the outcomes of any such future discussions between Highland Gate Developments Inc. and the Highland Gate Ratepayers Association; and

THAT Town staff respond to the lawyers for Highland Gate Developments Inc. informing them of Council's direction and position on this matter.

**On a recorded vote the first clause of the motion
CARRIED**

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|--------------|---|
| YEAS: 5 | NAYS: 3 |
| VOTING YEAS: | Councillors Abel, Humfryes, Mrakas, Thom, and Thompson |
| VOTING NAYS: | Councillors Kim, Pirri and Mayor Dawe |
| ABSENT: | Councillor Gaertner |

**On a recorded vote the second, fourth, fifth, and sixth clauses of the motion
CARRIED**

| | |
|--------------|---|
| YEAS: 8 | NAYS: 0 |
| VOTING YEAS: | Councillors Abel, Humfryes, Kim, Mrakas, Pirri, Thom, Thompson, and Mayor Dawe |
| VOTING NAYS: | None |
| ABSENT: | Councillor Gaertner |

**On a recorded vote the third clause of the motion
CARRIED**

| | |
|--------------|---|
| YEAS: 6 | NAYS: 2 |
| VOTING YEAS: | Councillors Abel, Humfryes, Mrakas, Thom, Thompson, and Mayor Dawe |
| VOTING NAYS: | Councillors Kim and Pirri |
| ABSENT: | Councillor Gaertner |

10. NOTICES OF MOTION/MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

(i) Notices of Motion

(a) Councillor Mrakas
Re: Ontario Municipal Board Jurisdiction

WHEREAS the Town of Aurora spends an incredible amount of resources and taxpayer money developing an Official Plan; and

WHEREAS the Town's Official Plan is ultimately approved by the Province; and

WHEREAS it is within the legislative purview of Municipal Council to approve Official Plan amendments or Zoning By-law changes that better the community or fit within the vision of the Town of Aurora Official Plan; and

WHEREAS it is also within the legislative purview of Municipal Council to deny Official Plan amendments or Zoning By-law changes that do not better the community or do not fit within the vision of the Town of Aurora Official Plan; and

WHEREAS planning decisions may be appealed to the Ontario Municipal Board ("OMB"), an unelected, appointed body that is not accountable to the residents of Aurora; and

WHEREAS appeals of OMB decisions are limited to questions of law, not the findings of facts in a case; and

WHEREAS all decisions—save planning decisions—made by Municipal Council are similarly only subject to appeal by judicial review and such appeals are limited to questions of law;

NOW THEREFORE BE IT HEREBY RESOLVED THAT Aurora Town Council requests the Government of Ontario to limit the jurisdiction of the OMB to questions of law or process; and

BE IT FURTHER RESOLVED THAT that the Government of Ontario be requested to require the OMB to uphold any planning decisions of Municipal Councils unless they are contrary to the processes and rules set out in legislation; and

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Honourable Kathleen Wynne, Premier of Ontario, the Honourable Ted McMeekin, Minister of Municipal Affairs and Housing, the Honourable Patrick Brown, Leader of the Progressive Conservative Party, the Honourable Andrea Horwath, Leader of the New Democratic Party, and all MPPs in the Province of Ontario; and

BE IT FURTHER RESOLVED THAT a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO) and all Ontario municipalities for their consideration.

(b) Councillor Thom
Re: Facility Sponsorship and Advertising

WHEREAS the Town of Aurora has considerable assets for facility sponsorship and advertising; and

WHEREAS it is important that the Town of Aurora both realize and use these assets as a source to generate non-tax revenue; and

WHEREAS generating increased non-tax revenue from facility sponsorship and advertising will offset facility operating costs and relieve tax pressures on the operating budget; and

NOW THEREFORE BE IT HEREBY RESOLVED THAT Council direct staff to bring forward a report on the following:

- The assessment and inventory of our current facility sponsorship and advertising assets;
- The assessment and inventory on any potential facility sponsorship and advertising opportunities;
- Best practices for facility sponsorship and advertising strategies from other Ontario municipalities (e.g., City of Oshawa, Town of Whitby, City of Ottawa); and
- Recommendations for an enhanced facility sponsorship and advertising strategy for the Town of Aurora; and

BE IT FURTHER RESOLVED THAT the report be brought forward to Council before the beginning of the 2017 budget deliberations.

(c) Mayor Dawe
Re: Provision of an Indoor Tennis Facility at Stewart Burnett Park

Notice of Motion (c) was moved forward and considered as Motion (c).

(d) Councillor Mrakas
Re: Blue Dot Campaign

WHEREAS the Town of Aurora understands that people are part of the environment, and that a healthy environment is inextricably linked to the well-being of our community; and

WHEREAS as the Town updates its Corporate Environmental Action Plan, it will consider and have regard for the environmental consideration of the Blue Dot Campaign; and

WHEREAS the Town, as an environmental steward, respects, protects, fulfills and promotes rights for the benefit of existing and future generations; and

WHEREAS the Town is committed to supporting the protection, enhancement and restoration of the environment by fostering education and outreach, collaborating through partnerships, supporting the development of connected communities and reporting progress towards reaching goals;

NOW THEREFORE BE IT HEREBY RESOLVED THAT the Town of Aurora finds and declares that:

1. All people have the right to live in a healthy environment, including:
 - a) The right to breathe clean air;
 - b) The right to drink clean water;
 - c) The right to consume safe food;
 - d) The right to access nature;
 - e) The right to know about pollutants and contaminants released into the local environment; and
 - f) The right to participate in decision-making that will affect the environment.
2. The Town of Aurora has the responsibility, within its jurisdiction, to respect, protect, fulfill and promote these rights.
3. The Town of Aurora shall specify objectives, targets and timelines and actions the Town will take, within its jurisdiction, to fulfill residents' right to a healthy environment, including priority actions to:
 - a) Ensure infrastructure and development projects protect the environment, including air quality;
 - b) Address climate change by reducing greenhouse gas emissions and implementing adaptation measures;
 - c) Responsibly increase density;
 - d) Prioritize walking, cycling and public transit as preferred modes of transportation;
 - e) Reduce solid waste and promote recycling and composting; and

- f) Establish and maintain accessible green spaces in all residential neighbourhoods; and

BE IT FURTHER RESOLVED THAT the Town of Aurora shall forward a copy of this declaration to the provincial government, federal government, the Association of Ontario Municipalities (AMO), and the Federation of Canadian Municipalities (FCM) to show support for recognizing the right of all people to live in a healthy environment.

(ii) Motions for Which Notice Has Been Given

- (a) Councillor Abel**
Re: Regional GO Transit Shuttle

Main motion
Moved by Councillor Abel
Seconded by Councillor Humfryes

WHEREAS the Aurora GO station has a commuter parking building and surface lot, and those facilities are full almost every business day; and

WHEREAS GO Transit commuters often park at the Town Park and on local residential streets; and

WHEREAS the Town wants to restrict GO Transit commuter parking at the Town Park; and

WHEREAS the number of cars in the very congested Wellington Corridor around the GO station will likely increase; and

WHEREAS commuters should be encouraged to use Transit to get to the GO station and refrain from driving their cars to eliminate traffic congestion and greenhouse gas emissions; and

WHEREAS the Province of Ontario has recently announced an increase in Provincial Gas Tax contributions to municipalities exclusively for transit initiatives, with the Region of York receiving an additional \$15 million; and

WHEREAS the Region of York is responsible for providing transit within the Town of Aurora;

NOW THEREFORE BE IT HEREBY RESOLVED THAT the Region of York ("the Region") be requested to use the increased provincial funding to develop and implement a pilot rapid, dedicated, intensified, innovative GO

Station Shuttle Service, to encourage residents to use Public Transit to travel to and from the GO Station; and

BE IT FURTHER RESOLVED THAT the Region be requested to consult with the Town of Aurora on the development of the pilot GO Station Shuttle Service; and

BE IT FURTHER RESOLVED THAT Metrolinx be requested to discourage commuters from driving to the Aurora Go Station by charging a nominal parking fee, and that revenue from the parking fees be used to fund the rapid, dedicated, intensified, innovative GO Station Shuttle Service; and

BE IT FURTHER RESOLVED THAT the Region be requested to support the Town's request that Metrolinx implement a nominal parking fee for the Aurora GO Station, and that the revenue from the parking fees be used to fund the rapid, dedicated, intensified, innovative GO Station Shuttle Service.

Amendment

Moved by Councillor Abel

Seconded by Councillor Humfryes

THAT the main motion be amended by replacing the third and fourth operative clauses with the following clauses:

BE IT FURTHER RESOLVED THAT Metrolinx be requested to investigate charging a nominal parking fee at the Aurora GO Station; and

BE IT FURTHER RESOLVED THAT the Region be requested to support the Town's request that Metrolinx investigate implementing a nominal parking fee for the Aurora GO Station.

CARRIED

Main motion as amended

Moved by Councillor Abel

Seconded by Councillor Humfryes

WHEREAS the Aurora GO station has a commuter parking building and surface lot, and those facilities are full almost every business day; and

WHEREAS GO Transit commuters often park at the Town Park and on local residential streets; and

WHEREAS the Town wants to restrict GO Transit commuter parking at the Town Park; and

WHEREAS the number of cars in the very congested Wellington Corridor around the GO station will likely increase; and

WHEREAS commuters should be encouraged to use Transit to get to the GO station and refrain from driving their cars to eliminate traffic congestion and greenhouse gas emissions; and

WHEREAS the Province of Ontario has recently announced an increase in Provincial Gas Tax contributions to municipalities exclusively for transit initiatives, with the Region of York receiving an additional \$15 million; and

WHEREAS the Region of York is responsible for providing transit within the Town of Aurora;

NOW THEREFORE BE IT HEREBY RESOLVED THAT the Region of York ("the Region") be requested to use the increased provincial funding to develop and implement a pilot rapid, dedicated, intensified, innovative GO Station Shuttle Service, to encourage residents to use Public Transit to travel to and from the GO Station; and

BE IT FURTHER RESOLVED THAT the Region be requested to consult with the Town of Aurora on the development of the pilot GO Station Shuttle Service; and

BE IT FURTHER RESOLVED THAT Metrolinx be requested to investigate charging a nominal parking fee at the Aurora GO Station; and

BE IT FURTHER RESOLVED THAT the Region be requested to support the Town's request that Metrolinx investigate implementing a nominal parking fee for the Aurora GO Station.

**On a recorded vote the first and second clauses
of the main motion as amended
CARRIED**

| | |
|--------------|---|
| YEAS: 8 | NAYS: 0 |
| VOTING YEAS: | Councillors Abel, Humfryes, Kim, Mrakas, Pirri, Thom, Thompson, and Mayor Dawe |
| VOTING NAYS: | None |
| ABSENT: | Councillor Gaertner |

**On a recorded vote the third and fourth clauses
of the main motion as amended
CARRIED**

| | |
|--------------|---|
| YEAS: 5 | NAYS: 3 |
| VOTING YEAS: | Councillors Abel, Mrakas, Thom, Thompson, and Mayor Dawe |
| VOTING NAYS: | Councillors Humfryes, Kim, and Pirri |
| ABSENT: | Councillor Gaertner |

(b) Councillor Abel
Re: Temperance Street Cultural Precinct

Main motion
Moved by Councillor Abel
Seconded by Councillor Mrakas

WHEREAS the Aurora Promenade Urban Design Strategy sets out eight overarching strategies highlighting key aspects that will shape the future of the Aurora Promenade; and

WHEREAS these strategies are important “big moves” that will help achieve long-term planning and urban design objectives; and

WHEREAS the establishment of a Cultural Precinct(s) is identified within the Aurora Promenade Concept Plan as a priority action and one of the key strategies for the revitalization of the downtown core; and

WHEREAS the Cultural Precinct Study approved by Council in September 2015 is a specific area bounded on the east side of Yonge Street, and

WHEREAS there is an area, bounded by Yonge Street to the east, Mill Street to the west, Wellington Street to the north, and Tyler Street to the south, with many significant Historic buildings and buildings of Heritage value which could be considered the Cultural Precinct West or the "Temperance Street Cultural Precinct" and could benefit from a study for the same reasons;

NOW THEREFORE BE IT HEREBY RESOLVED THAT staff be directed to conduct a Request for Proposal ("RFP") to engage a design firm to establish a Vision and Conceptual Plan for the Temperance Street Cultural Precinct area; and

BE IT FURTHER RESOLVED THAT the final report and conceptual plan for the Temperance Street Cultural Precinct area be presented to Council for consideration in the first quarter of 2016; and

BE IT FURTHER RESOLVED THAT upon completion of the RFP process, staff report back on the outcomes and any required budget consideration.

Amendment
Moved by Councillor Abel
Seconded by Councillor Mrakas

THAT the main motion be amended by removing the second operative clause.

CARRIED

Main motion as amended
Moved by Councillor Abel
Seconded by Councillor Mrakas

WHEREAS the Aurora Promenade Urban Design Strategy sets out eight overarching strategies highlighting key aspects that will shape the future of the Aurora Promenade; and

WHEREAS these strategies are important “big moves” that will help achieve long-term planning and urban design objectives; and

WHEREAS the establishment of a Cultural Precinct(s) is identified within the Aurora Promenade Concept Plan as a priority action and one of the key strategies for the revitalization of the downtown core; and

WHEREAS the Cultural Precinct Study approved by Council in September 2015 is a specific area bounded on the east side of Yonge Street, and

WHEREAS there is an area, bounded by Yonge Street to the east, Mill Street to the west, Wellington Street to the north, and Tyler Street to the south, with many significant Historic buildings and buildings of Heritage value which could be considered the Cultural Precinct West or the "Temperance Street Cultural Precinct" and could benefit from a study for the same reasons;

NOW THEREFORE BE IT HEREBY RESOLVED THAT staff be directed to conduct a Request for Proposal ("RFP") to engage a design firm to establish a Vision and Conceptual Plan for the Temperance Street Cultural Precinct area; and

BE IT FURTHER RESOLVED THAT upon completion of the RFP process, staff report back on the outcomes and any required budget consideration.

CARRIED AS AMENDED

(c) Mayor Dawe
Re: Provision of an Indoor Tennis Facility at Stewart Burnett Park

On a motion of Councillor Humfryes seconded by Councillor Mrakas, Council consented on a two-thirds vote to waive the requirements of subsection 3.13 (a) of the Procedural By-law to bring forward Notice of Motion (c) for consideration as Motion (c), which was considered following Item 7.

Moved by Mayor Dawe
Seconded by Councillor Mrakas

WHEREAS Council Members and staff have heard from various parties and residents regarding the upcoming closing of Timberlane Athletic Club, and the continued desire for a year-round, indoor tennis facility to serve the community; and

WHEREAS in December 2013, the Town issued a request for proposals (RFP) for the design, build, operation, and financing of an all-season, multi-purpose tennis facility at Stewart Burnett Park, adjacent to the Stronach Aurora Recreation Complex; and

WHEREAS the results of the RFP were reported to Council in April 2014 and Council referred the matter back to staff for a report on options regarding a non-air supported (i.e., rigid structure), all-season, multi-purpose tennis facility; and

WHEREAS the requested staff report presented to Council in September 2014 was received by Council for information; and

WHEREAS consideration of providing an indoor tennis facility to serve the community has remained in abeyance for more than a year, with an RFP process that began more than two years ago, and any further consideration of this matter requires that Council receive a more detailed report from staff;

NOW THEREFORE BE IT HEREBY RESOLVED THAT staff be directed to bring forward a report to the next General Committee meeting that provides further information on the provision of an indoor tennis facility to serve the community, including the history and previous directions from Council, together with advice on what Council needs to do to move this matter forward.

CARRIED

11. REGIONAL REPORT

York Regional Council Highlights – November 19, 2015

Moved by Councillor Thompson
Seconded by Councillor Mrakas

THAT the Regional Report of November 19, 2015, be received for information.

CARRIED

12. NEW BUSINESS/GENERAL INFORMATION

Councillor Humfries inquired about correspondence received by residents regarding information sessions respecting increased train service and its impact. Staff confirmed that Metrolinx is conducting public information sessions and carrying out environmental assessments to deal with its ten-year plan to increase train service throughout the GTA. Staff agreed to investigate and advise Council on the dates of the information sessions in Aurora.

Councillor Abel inquired about an update on the Kwik Kopy trail. Staff advised that a meeting was recently held with Lake Simcoe Region Conservation Authority (LSRCA) to discuss some of the new technologies and material to be used on the Kwik Kopy pathway. Staff further advised that they are in the process of providing additional environmental impact information to LSRCA toward obtaining its approval to continue the construction of the trail.

Councillor Thompson referred to recent correspondence received regarding a cell tower on Bloomington Road and requested that the Town provide a link on its website to the appropriate section of Industry Canada's website.

Councillor Kim inquired about an update regarding naming rights for pathways. Staff agreed to investigate and report back with an update.

Mayor Dawe referred to staff to address the direction from Council regarding the scheduling of a Public Planning meeting in January 2016 pertaining to Highland Gate Developments Inc. Staff suggested that this direction from Council be reconsidered.

Motion to reconsider
Moved by Councillor Thompson
Seconded by Councillor Kim

THAT the direction from Council to schedule a Special Council – Public Planning meeting in January 2016 regarding Highland Gate Developments Inc. be reconsidered.

CARRIED (two-thirds vote)

**New Business Motion No. 1
Moved by Councillor Kim
Seconded by Councillor Thom**

THAT the Special Council – Public Planning meeting scheduled for January 21, 2016, pertaining to Highland Gate Developments Inc., be cancelled.

CARRIED

13. READING OF BY-LAWS

**Moved by Councillor Thom
Seconded by Councillor Pirri**

THAT the following by-laws be given first, second, and third readings and enacted:

- 5783-15** BEING A BY-LAW to allocate any 2015 Operating Fund surplus and any 2015 Water and Wastewater Operating Fund surplus or deficit.
- 5784-15** BEING A BY-LAW to amend By-law Number 5553-13, as amended, to establish various Reserve Funds for the Town of Aurora.
- 5786-15** BEING A BY-LAW to levy Interim Property Taxes for the 2016 taxation year.
- 5788-15** BEING A BY-LAW to exempt Blocks 157 and 158 on Plan 65M-4424 from Part-Lot Control (SJ Homes Limited).
- 5792-15** BEING A BY-LAW to amend By-law Number 4752-05.P, for the use, regulation and government of Parks and Public Spaces in the Town of Aurora.
- 5795-15** BEING A BY-LAW to amend By-law Number 5416-12, as amended, to appoint employees of the Ontario Parking Control Bureau Corp. as Municipal By-law Enforcement Officers in the Town of Aurora.

CARRIED

The confirming by-law was enacted following consideration of Closed Session.

**Moved by Councillor Thom
Seconded by Councillor Humfries**

THAT the following confirming by-law be given first, second, and third readings and enacted:

5794-15 BEING A BY-LAW to Confirm Actions by Council Resulting from Council Meeting on December 8, 2015.

CARRIED

14. CLOSED SESSION

**Moved by Councillor Mrakas
Seconded by Councillor Abel**

THAT Council resolve into Closed Session to consider the following matters:

1. Litigation or potential litigation including matters before administrative tribunals, affecting the Town or a Local Board (section 239(2)(e) of the *Municipal Act, 2001*); Re: Closed Session Report No. LLS15-069 – Appeal to the Divisional Court re Pechen, OMB Case No.: PL141323, Committee of Adjustment Variance Applications – D13-(32A-F)-14, 251 Willis Drive, Lot 23, Plan 65M-3219
3. Litigation or potential litigation including matters before administrative tribunals, affecting the Town or a Local Board (section 239(2)(e) of the *Municipal Act, 2001*); Re: Highland Gate Developments Inc. OMB Appeal
(Added Item)

CARRIED

**Moved by Councillor Mrakas
Seconded by Councillor Abel**

THAT the Council meeting be reconvened into open session to rise and report from Closed Session.

CARRIED

1. **Litigation or potential litigation including matters before administrative tribunals, affecting the Town or a Local Board (section 239(2)(e) of the *Municipal Act, 2001*); Re: Closed Session Report No. LLS15-069 – Appeal to the Divisional Court re Pechen, OMB Case No.: PL141323, Committee of Adjustment Variance Applications – D13-(32A-F)-14, 251 Willis Drive, Lot 23, Plan 65M-3219**

**Moved by Councillor Abel
Seconded by Councillor Thom**

THAT Closed Session Report No. LLS15-069 be received; and

THAT legal counsel for the Town appear before the Divisional Court in support of the Ontario Municipal Board (OMB) decision to uphold the denial of Minor Variance Applications D13-(32A-F)-14; and

THAT, if an appeal is filed with the OMB pursuant to section 43 of the *Ontario Municipal Board Act* for a review of the decision, legal counsel for the Town appear before the OMB in support of the OMB decision to uphold the denial of Minor Variance Applications D13-(32A-F)-14; and

THAT WeirFoulds LLP continue to be retained to represent the Town at the Divisional Court hearing and at any OMB review hearing.

CARRIED

- 3. Litigation or potential litigation including matters before administrative tribunals, affecting the Town or a Local Board (section 239(2)(e) of the *Municipal Act, 2001*); Re: Highland Gate Developments Inc. OMB Appeal**
(Added Item)

Moved by Councillor Mrakas
Seconded by Councillor Thompson

THAT the confidential recommendation to refer this matter to staff be confirmed.

CARRIED

15. ADJOURNMENT

Moved by Councillor Kim
Seconded by Councillor Pirri

THAT the meeting be adjourned at 10:42 p.m.

CARRIED

GEOFFREY DAWES, MAYOR

STEPHEN M. A. HUYCKE, TOWN CLERK

THE MINUTES OF THE COUNCIL MEETING OF DECEMBER 8, 2015, RECEIVED FINAL APPROVAL BY COUNCIL ON JANUARY 26, 2016.