



Council Meeting Agenda

**Tuesday, November 8, 2016
7 p.m.**

**Council Chambers
Aurora Town Hall**



Town of Aurora Council Meeting Agenda

Tuesday, November 8, 2016
7 p.m.
Council Chambers

- 1. Declaration of Pecuniary Interest and General Nature Thereof**
- 2. Approval of the Agenda**

Recommended:

That the agenda as circulated by Legislative Services be approved.

- 3. Adoption of the Minutes**

Special Council Meeting Minutes of October 6, 2016

Council Meeting Minutes of October 25, 2016

Special Council Meeting Minutes of October 26, 2016

Special Council – Public Planning Meeting Minutes of October 26, 2016

Recommended:

That the minutes of the Council meeting of October 25, 2016, the Special Council meetings of October 6 and October 26, 2016 and the Special Council – Public Planning meeting of October 26, 2016, be adopted as printed and circulated.

- 4. Presentations**

(a) Dan Elliott, Director of Financial Services

Re: Item 6 – FS16-036 – 2017 Operating Budget

(b) Ron Weese, Activate Aurora

Re: Request to eliminate all sugary drinks from vending machines

5. Public Service Announcements

6. Determination of Items Requiring Separate Discussion

7. Adoption of Items Not Requiring Separate Discussion

8. Delegations

(a) Derek Murray, Resident

Re: Item 4 – CS16-011 – Parking Restrictions in Heritage Area Motion – Legal Implications

(b) Michael Khalil, Resident

Re: Item 4 – CS16-011 – Parking Restrictions in Heritage Area Motion – Legal Implications

(c) Greg Smith, representing Music Aurora/Aurora Winter Blues Festival

Re: Item 1(2) – PRCS16-047 – Youth Music Festival: Application for Third Party Event in an Outdoor Town Facility

9. Consideration of Items Requiring Separate Discussion

10. Notices of Motion/Motions for Which Notice Has Been Given

(i) Notices of Motion

(ii) Motions For Which Notice Has Been Given

11. Regional Report

York Regional Council Highlights – October 20, 2016

Recommended:

That the Regional Report of October 20, 2016, be received for information.

12. New Business/General Information

13. Reading of By-laws

Recommended:

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

- 5910-16** Being a By-law to define the procurement policies and procedures for The Corporation of the Town of Aurora.
(Report No. FS16-031 – GC Item 6 – Oct. 18/16)
- 5914-16** Being a By-law to establish lands on Plan 65M-4075 and Plan 65M-4082 as highways (St. John's Road Development Corp. – Phases 2 and 3).
- 5918-16** Being a By-law to designate a property to be of cultural heritage value or interest (The Edward Coltham Farm House – 15 William Graham Drive).
(Report No. HAC13-016 – HAC Item 2 – Jun. 10/13)
- 5919-16** Being a By-law to exempt Block 27 on Plan 65M-4467 from Part-Lot Control (Brookfield Homes (Ontario) Limited).
(Report No. PBS16-087 – GC Item 5 – Nov. 1/16)

Recommended:

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

- 5921-16** Being a By-law to Confirm Actions by Council Resulting from a Council Meeting on November 8, 2016.

14. Closed Session

Recommended:

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

- 1. Personal matters about an identifiable individual, including a Town or Local Board employee (section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS16-009, Re: Canada 150 Community Leaders**
(Deferred from General Committee Closed Session of November 1, 2016)

15. Adjournment

Agenda Items

1. General Committee Meeting Report of November 1, 2016

Recommended:

1. That the General Committee meeting report of November 1, 2016, be received and the recommendations carried by the Committee approved.

2. Public Report of General Committee Closed Session Meeting of November 1, 2016

Recommended:

1. That the Public Report of General Committee Closed Session meeting of November 1, 2016, be received and the recommendations carried by the Committee approved.

3. Special General Committee – 2017 Capital Budget Review Meeting Minutes of October 15, 2016

Recommended:

1. That the Special General Committee – 2017 Capital Budget Review meeting minutes of October 15, 2016, be received for information.

4. CS16-011 – Parking Restrictions in Heritage Area Motion – Legal Implications

Recommended:

1. That Report No. CS16-011 be received for information.

5. FS16-035 – 2017 Final Capital Budget Report

Recommended:

1. That Report No. FS16-035 be received; and

2. That the updated 2016 Asset Management Plan be received; and
3. That the updated 2016 Ten Year Capital Investment Plan be received; and
4. That the 2017 Capital Budget for Repair and Replacement Capital Projects of existing infrastructure totaling \$11,568,472 as listed in Attachment 3, be approved; and
5. That the 2017 Capital Budget for Growth and New Capital Projects totaling \$6,505,990 as listed in Attachment 4, be approved; and
6. That the 2017 Capital Budget for Studies and Other Capital Projects totaling \$125,000 as listed in Attachment 5, be approved; and
7. That the funding sources for each capital project included in this report be approved as those reviewed and recommended by General Committee on October 15, 2016.

6. FS16-036 – 2017 Operating Budget

Recommended:

1. That Report No. FS16-036 be received; and
2. That the 2017 draft Operating Budget be referred to General Committee – Budget for review at its scheduled meetings commencing November 14, 2016; and
3. That, following the completion of the General Committee review, the Treasurer bring forward a final budget approval report reflecting all adjustments recommended by the Committee.

**7. Memorandum from Mayor Dawe
Re: Strategic Plan Steering Committee**

Recommended:

1. That the memorandum regarding Strategic Plan Steering Committee be received; and

2. That Councillors Sandra Humfryes and Michael Thompson be appointed to the Strategic Plan Steering Committee; and
 3. That the Strategic Plan Steering Committee be supported by staff in the Legislative Services Division and the Long Range and Strategic Planning Division.
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8. **PBS16-098 – Additional Information: Comprehensive Zoning By-law Review, File Number: ZBA-2012-ZBR**
(Report to be provided when available)



**Town of Aurora
Special Council Meeting Minutes**

Council Chambers, Aurora Town Hall
Thursday, October 6, 2016

Attendance

Council Members Mayor Dawe in the Chair; Councillors Abel, Gaertner, Kim, Mrakas, Pirri, Thom, and Thompson

Members Absent Councillor Humfryes

Other Attendees Doug Nadorozny, Chief Administrative Officer, Techa van Leeuwen, Director of Corporate Services, Al Downey, Director of Parks, Recreation and Cultural Services, Marco Ramunno, Director of Planning and Building Services, Patricia De Sario, Town Solicitor, Lisa Lyons, Town Clerk, Linda Bottos, Council/Committee Secretary, Samantha Yew, Council/Committee Secretary

Mayor Dawe called the meeting to order at 6:06 p.m.

Council consented to recess at 7:28 p.m. and reconvened at 7:33 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 Gaertner
Seconded by Councillor Pirri**

That the agenda as circulated by Legislative Services be approved.

Carried

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3. Delegations

None

4. Consideration of Items Requiring Separate Discussion

1. Procedural By-law Review Council Workshop

Ms. Lisa Lyons, Town Clerk, presented an overview of the background and status of the Procedural By-law review, including a summary of the decisions of Council during the workshops held on November 24 and December 15, 2015. She presented suggestions based on current and best practices that could be incorporated into a new draft Procedure By-law that would be presented to Council at a future meeting and Council provided feedback.

Moved by Councillor Pirri

Seconded by Councillor Kim

1. That the presentation regarding Procedural By-law Review Council Workshop be received; and
2. That the comments provided by Council be considered by staff in the development of a new Procedure By-law.

Carried

2. Cultural Master Plan (2014-2019) Update

Mr. Doug Nadorozny, Chief Administrative Officer, noted that this update is an opportunity to refresh Council on Aurora's current Cultural Master Plan and noted that a community workshop will be arranged to engage the whole community in embracing the goals of the Plan.

Mr. Al Downey, Director of Parks, Recreation and Cultural Services, presented an update to the Cultural Master Plan, which was approved by Council in May 2014. He reviewed the action steps taken to date and discussed the need to define key performance indicators related to the implementation of the Cultural Master Plan. Mr. Downey also provided an overview of the Cultural partners

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website portal and features, noting that the site would be populated by all partners in the community and administered by the Town.

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

1. That the Cultural Master Plan (2014-2019) Update be received for information.

Carried

5. By-laws

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

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

- 5906-16** Being a By-law to Confirm Actions by Council Resulting from a Special Council Meeting on October 6, 2016.

Carried

6. Adjournment

**Moved by Councillor Kim
Seconded by Councillor Pirri**

That the meeting be adjourned at 8:10 p.m.

Carried

Geoffrey Dawe, Mayor

Lisa Lyons, Town Clerk

The minutes of the Special Council meeting of October 6, 2016, are subject to final approval by Council on November 8, 2016.



Town of Aurora Council Meeting Minutes

Council Chambers
Aurora Town Hall
Tuesday, October 25, 2016

Attendance

Council Members Mayor Dawe in the Chair; Councillors Abel, Gaertner, Humfryes, Kim, Mrakas, Pirri, Thom, and Thompson

Members Absent None

Other Attendees Doug Nadorozny, Chief Administrative Officer, Techa van Leeuwen, Director of Corporate Services, Ilmar Simanovskis, Director of Infrastructure and Environmental Services, Dan Elliott, Director of Financial Services, Al Downey, Director of Parks, Recreation and Cultural Services, Marco Ramunno, Director of Planning and Building Services, Stephanie Mackenzie-Smith, Manager of Corporate Communications, Patricia De Sario, Town Solicitor, Lisa Lyons, Town Clerk, and Samantha Yew, Council/Committee Secretary

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

Council consented to recess the meeting at 8:26 p.m. and reconvened the meeting at 8:31 p.m.

1. Declaration of Pecuniary Interest and General Nature Thereof

As required under subsection 5(3) of the *Municipal Conflict of Interest Act*, Councillor Humfryes declared a pecuniary interest regarding Item 4, Report No. PBS16-090 – Additional Information, Proposed Bell Radiocommunication Antenna System, Gaetano DiBlasi, 1360 Bloomington Road East, Part of Lot 11, Concession 2, File Number: SP(T)-2014-02, as she is an employee.

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2. Approval of the Agenda

**Moved by Councillor Thom
Seconded by Councillor Humfryes**

That the agenda as circulated by Legislative Services, with the following changes, be approved:

- Delegation (a) Sandra Manherz, Resident
Re: Motion (a) Councillor Abel; Re: Construction of Planned Secondary School in Official Plan
- Delegation (b) Kelly Steedman, Resident
Re: Motion (a) Councillor Abel; Re: Construction of Planned Secondary School in Official Plan
- Delegation (c) Lia Zaharopoulos, Resident
Re: Motion (a) Councillor Abel; Re: Construction of Planned Secondary School in Official Plan; and

That Delegation (a), Delegation (b), Delegation (c), and Motion (a), be considered prior to Adoption of the Minutes.

Carried

3. Adoption of the Minutes

**Council Meeting Minutes of October 11, 2016
Special Council Meeting Minutes of October 11, 2016
Special Council Meeting Minutes of October 18, 2016
Council Closed Session Meeting Minutes of September 27, 2016**

**Special Council Closed Session Meeting Minutes of October 11, 2016
Special Council Closed Session Meeting Minutes of October 18, 2016
General Committee Closed Session Meeting Minutes of October 18, 2016**

**Moved by Councillor Thompson
Seconded by Councillor Pirri**

That the minutes of the Council meeting of October 11, 2016, the Special Council meetings of October 11 and October 18, 2016, the Council Closed Session meeting of September 27, 2016, the Special Council Closed Session meetings of

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Tuesday, October 25, 2016

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October 11 and October 18, 2016, and the General Committee Closed Session meeting of October 18, 2016, be adopted as printed and circulated.

Carried

4. Presentations

- (a) Shelley Ware, Supervisor, Special Events**
Re: Remembrance Day: Past Present and Future, Sesquicentennial Legacy Project Update

Ms. Ware introduced Joe Costa from 2 Thumbs Up Productions, who announced that the Town of Aurora's Sesquicentennial Legacy Project's Remembrance Day video has won a 2016 Bronze Telly Award.

Moved by Councillor Mrakas
Seconded by Councillor Thompson

That the comments of the presentation be received for information.

- (b) Stephen Kimmerer and Ron Weese, Sport Aurora**
Re: Sport Aurora 2016 Update

Mr. Kimmerer and Mr. Weese provided an overview of Sport Aurora's achievements in 2016 and plans for 2017.

Moved by Councillor Humfryes
Seconded by Councillor Kim

That the comments of the presentation be received for information.

5. Public Service Announcements

Councillor Mrakas noted that he met with MPP Percy Hatfield to discuss OMB Reform, and mentioned that he will be meeting with MPP Patrick Brown to discuss this topic.

Councillor Gaertner mentioned that Aurora's Haunted Forest will be held on Saturday, October 29 from 6 p.m. to 9 p.m. at Sheppard's Bush, and that \$5 wristbands must be purchased in advance for the event.

Councillor Abel noted that the Remembrance Day street banners have been installed on Yonge Street near Wellington Street E, and commended Ken White from the Aurora Legion on a great job.

Councillor Abel mentioned that the Salvation Army Kettle Drive will begin on Monday, November 28, 2016.

Councillor Abel noted that the Aurora Sports Hall of Fame will be holding their induction ceremony on Monday, November 14, 2016, at St. Andrew's College.

Councillor Humfries advised that the Aurora Farmers' Market and Artisan Fair will be held on Saturday, October 29, 2016 from 1 to 8 p.m. at the Aurora Armoury.

Councillor Thom mentioned that the Queen's York Rangers 2799 Army Cadet Corps will be holding a spaghetti night on Saturday, November 26, 2016, from 4:30 to 8 p.m. at the Aurora Legion to raise funds for the 2017 Vimy Bound excursion.

Councillor Kim extended thanks to St. Maximillian Kolbe Catholic High School for hosting the 2016 Aurora Prayer Breakfast on Tuesday, October 18, 2016, and noted that guest speaker Marina Nemet was inspirational.

Mayor Dawe advised that the Town's budget survey will be on the Town website until October 31, 2016, and that the next Budget meeting will be held on Monday, November 14, 2016.

Mayor Dawe noted that the Town will be pruning municipal trees on several streets in Aurora from November 2016 to January 2017, and that more information can be found at aurora.ca.

Mayor Dawe mentioned that applications are now being accepted for floats and marching bands to participate in Aurora's Santa Under the Stars Parade.

Mayor Dawe advised that he attended the St. John's Black and White Gala, and noted that the guest speaker gave an exceptional speech on Vimy Ridge.

6. Determination of Items Requiring Separate Discussion

Items 1(3), 1(10), 3, and 4 were identified for discussion.

7. Adoption of Items Not Requiring Separate Discussion

Items 1 (with the exception of sub-items 3 and 10) and 2 were identified as items not requiring separate discussion.

Moved by Councillor Mrakas

Seconded by Councillor Thompson

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:

1. General Committee Meeting Report of October 18, 2016

That the General Committee meeting report of October 18, 2016, be received and the following recommendations carried by the Committee be approved:

(1) PBS16-082 – Application for Site Plan Approval, FGKW Retirement Living Inc., 145 Murray Drive, Part Lot 77, Concession 1, WYS, File Number: SP-2016-04

1. That Report No. PBS16-082 and PBS16-066 (attachment) be received; and
2. That the Site Plan application File No. SP-2016-04 (FGKW Retirement Living Inc.) to permit the development of a four (4) storey, 78 unit addition on the subject lands be approved; and
3. That the Mayor and Town Clerk be authorized to execute the Site Plan Agreement, including any and all documents and ancillary agreements required to give effect to same.

(2) FS16-033 – Interim Operating Budget Forecast – As at August 31, 2016

1. That Report No. FS16-033 be received for information.

(6) FS16-031 – Procurement By-law Update for eProcurement

1. That Report No. FS16-031 be received; and

2. That Procurement By-law No. 5500-13 be repealed and replaced with an updated bylaw to provide for eProcurement services and other minor changes.

(7) FS16-032 – Ontario Community Infrastructure Fund Renewed Grant Agreement

1. That Report No. FS16-032 be received; and
2. That the Mayor and Town Clerk be authorized to execute the standardized grant agreements, subject to the satisfaction of the Town Solicitor, for the Ontario Community Infrastructure Fund – Formula Component; and
3. That the Treasurer be authorized to execute on behalf of the Town any progress reports or other submissions required in compliance with the terms of the funding agreements during the course of the funding and approved projects.

(8) IES16-078 – Award of Tender No. IES 2016-81

1. That Report No. IES16-078 be received; and
2. That Tender No. IES 2016-81 – Redirection of the Existing Sanitary Services for Houses on Mosley Street and Decommissioning of the Existing Sanitary Sewer, Capital Project No. 41007, be awarded to Capital Sewer Services Inc. in the amount of \$219,811.18, excluding taxes; and
3. That the Mayor and Town Clerk be authorized to execute the necessary Agreement, including any and all documents and ancillary agreements required to give effect to same.

(9) IES16-079 – Award of Contract for Consulting Services for the Restoration of 9 Scanlon Court

1. That Report No. IES16-079 be received; and

2. That the Contract for the provision of consulting services to complete site remediation works, environmental site investigations and reporting for the Town's property located at 9 Scanlon Court be awarded to Amec Foster Wheeler Environment & Infrastructure a Division of Amec Foster Wheeler Americas Limited for \$164,498.16, excluding taxes; and
3. That the Mayor and Town Clerk be authorized to execute the necessary Agreement, including any and all documents and ancillary agreements required to give effect to same.

(11) PBS16-081 – Application for Site Plan Approval, Green Storage Inc., 27 Allaura Boulevard, Block B and Part of Block A and Part of Lot 13, Registered Plan M-51, File Number: SP-2015-07, Related File Number: MV-2016-35A-C

1. That Report No. PBS16-081 be received; and
2. That Site Plan Application File SP-2015-07 (Green Storage Inc.) to permit the development of the subject lands for a self-storage facility be approved; and
3. That the Mayor and Town Clerk be authorized to execute the site plan agreement, including any and all documents and ancillary agreements required to give effect to same.

(12) PBS16-085 – Town of Aurora Strategic Plan Update – What We Heard

1. That Report No. PBS16-085 be received; and
2. That staff be directed to prepare the draft Strategic Plan update based on the feedback received to date and that the draft Plan form the basis for the remaining planned public consultation activities.

(13) Joint Council Committee Meeting Minutes of September 6, 2016

1. That the Joint Council Committee meeting minutes of September 6, 2016 be received.

(14) Correspondence and Report from York Region

Re: Review of Regional Council Governance

1. That the Correspondence and Report from York Region regarding Review of Regional Council Governance be received; and
2. That the following comments from Council be submitted to York Region for consideration:
 - a. That Council does not support the current Regional Council Governance structure; and
 - b. That Council supports increasing the size of Regional Council by providing an additional member from the Town of Aurora; and
 - c. That Council supports the direct election of the Regional Chair.

(15) Accessibility Advisory Committee Meeting Minutes of October 5, 2016

1. That the Accessibility Advisory Committee Meeting Minutes of October 5, 2016, be received for information.

2. Public Report of the General Committee Closed Session Meeting of October 18, 2016

1. That the Public Report of the General Committee Closed Session meeting of October 18, 2016, be received and the recommendations carried by the Committee approved.

Carried

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8. Delegations

(a) Sandra Manherz, Resident

**Re: Motion (a) Councillor Abel; Re: Construction of Planned
Secondary School in Official Plan**

Ms. Manherz spoke in support of the proposed secondary school.

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

That the comments of the presentation be received and referred to Motion (a).

(b) Kelly Steedman, Resident

**Re: Motion (a) Councillor Abel; Re: Construction of Planned Secondary
School in Official Plan**

Ms. Steedman spoke in support of the proposed secondary school.

**Moved by Councillor Thom
Seconded by Councillor Humfryes**

That the comments of the presentation be received and referred to Motion (a).

(c) Lia Zaharopoulos, Resident

**Re: Motion (a) Councillor Abel; Re: Construction of Planned Secondary
School in Official Plan; and**

Ms. Zaharopoulos spoke in support of the proposed secondary school.

**Moved by Councillor Kim
Seconded by Councillor Thom**

That the comments of the presentation be received and referred to Motion (a).

9. Consideration of Items Requiring Separate Discussion

1. **General Committee Meeting Report of October 18, 2016**
- (3) **IES16-080 – Suspension of Winter Overnight Parking Restrictions –
Introduction to the Program**

Main motion

Moved by Councillor Pirri

Seconded by Councillor Thompson

1. That Report No. IES16-080 be received for information.

Motion to reconsider

Moved by Councillor Pirri

Seconded by Councillor Mrakas

That the requirements of section 8.1 of the Procedural By-law be waived to permit reconsideration of Council's adoption of Report No. IES16-050 – Suspension of Winter Overnight Parking Restriction.

**On a recorded vote the motion to reconsider was
Defeated**

Yeas: 2

Nays: 7

Voting Yeas:

Councillor Pirri and Mayor Dawe

Voting Nays:

Councillors Abel, Gaertner, Humfryes,
Kim, Mrakas, Thom, and Thompson

**The main motion
Carried**

1. **General Committee Meeting Report of October 18, 2016**
- (10) **PRCS16-046 – Emerald Ash Borer Control Program Update**

Moved by Councillor Thompson

Seconded by Councillor Abel

1. That Report No. PRCS16-046 be received; and
2. That the Emerald Ash Borer Treatment Program continue in 2017; and

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3. That the Emerald Ash Borer Treatment Program continue in future years pending treatment success rates and Council's continued approval of the Emerald Ash Borer Treatment Program.

Carried

3. CS16-006 – Award of Request for Proposal CS-IT 2016-85 Upgrades to the Audio Video System in the Council Chamber and the Holland Room

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

1. That Report No. CS16-006 be received; and
2. That early approval of the 2017 Capital Project No. 72238 Council Chambers A/V System Upgrades in the amount of \$251,922 be provided from the Facilities Repair & Replacement Reserve; and
3. That Request for Proposal CS-IT 2016-85 Upgrades to the Audio Video System in the Council Chambers and the Holland Room be awarded to Advanced Presentation Products Inc. in the amount of \$539,919, excluding taxes; and
4. That the Mayor and Town Clerk be authorized to execute the Standard Form of Agreement, including any and all documents and ancillary agreements required to give effect to same.

Carried

On a motion of Councillor Thompson seconded by Councillor Mrakas, Council consented to consider Item 4 prior to consideration of Item 1(3).

**4. PBS16-090 – Additional Information, Proposed Bell
Radiocommunication Antenna System, Gaetano DiBlasi
1360 Bloomington Road East, Part of Lot 11, Concession
2, File Number: SP(T)-2014-02**

**Moved by Councillor Pirri
Seconded by Councillor Abel**

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1. That Report Nos. PBS16-090 and PBS16-080 (attachment) be received; and
2. That Industry Canada and the applicant be advised that the Town's Radiocommunication & Broadcasting Antenna Systems Protocol has been complied with in respect to the proposed 40 metre high telecommunication tower; and

That Council provide concurrence regarding the proposed 40 metre high telecommunication tower at 1360 Bloomington Road East; and

3. That Industry Canada be advised of Council's resolution on the subject application.

Carried

10. Notices of Motion/Motions for Which Notice Has Been Given

(i) Notices of Motion

None

On Approval of the Agenda, Council consented to allow Notice of Motion (a) to be considered prior to Adoption of the Minutes.

(ii) Motions for Which Notice Has Been Given

(a) Councillor Abel

Re: Construction of Planned Secondary School in Official Plan

Main motion

Moved by Councillor Abel

Seconded by Councillor Gaertner

Whereas The Town of Aurora has an Official Plan, approved by York Region and in conformity with the Province of Ontario; and

Whereas the Official Plan for the Town of Aurora complies with sound planning principles, to guide development of major new neighbourhoods, known in Aurora as the Bayview - Wellington Centre Planning Area, and the 2B and 2C Planning Area; and

Whereas these neighbourhoods on either side of Bayview Avenue are complete and home to 13,000 residents; and

Whereas the 2C community is nearing completion and will be home to another 9,000 residents for a total of 22,000 residents; and

Whereas there is a York Region District School Board (YRDSB) Secondary School indicated in the Town's Official Plan, on Bayview Avenue at Borealis Avenue, to serve these residents, and the land is still undeveloped and vacant for the past 15 years; and

Whereas the residents of this catchment area have been told that they will have their Secondary School enrollment needs met at Dr. G. W. Williams Secondary School; and

Whereas this does not meet the needs of the residents, nor does it comply with our Official Plan, nor does this type of commute conform with the orderly function of the Town, that the students must commute an average of 6 km to school, through the already congested GO Transit Station area; and

Whereas the residents of this catchment area are approaching 60% of the student body at Dr. G. W. Williams Secondary School, and it will only increase as this area grows and ages; and

Whereas there are further enrollment issues that reduce specialized programs, extracurricular activities, and the number of specialized teachers and staff; and

Whereas 20% of a resident's annual Property Tax, which is collected and then paid by the Municipality to the treasury of the YRDSB; and

Whereas, if the YRDSB property was sold to development, this would further add to the catchment area population and increase the YRDSB Treasury with little to show for the residents' needs; and

Whereas the residents could simply walk to the Secondary School as planned; and

Whereas, if the YRDSB has funding challenges, they could collaborate with the Municipality, York Region, the Ministry of Education, and the Province, to engage with expediency to arrive at a solution;

1. Now Therefore Let It Be Hereby Resolved That Council supports the Official Plan and the construction of the planned YRDSB Secondary School, on the property purchased by the YRDSB, to serve the needs of the catchment area; and
2. Be It Further Resolved That a copy of the Council resolution be forwarded to the Ministry of Education, MPP Chris Ballard, and York Region; and
3. Be It Further Resolved That dialogue/collaboration take place beginning in the last quarter of 2016, between the Town of Aurora and the YRDSB, and that invitations be extended to MPP Chris Ballard, York Region, and other interested partners to arrive at a solution.

Amendment

Moved by Councillor Mrakas

Seconded by Councillor Thompson

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

That a representative or the Aurora-King Trustee from the York Region District School Board be invited to attend a future Council meeting and present further information regarding the proposed secondary school.

Carried

Main motion as amended

Moved by Councillor Abel

Seconded by Councillor Gaertner

1. Now Therefore Let It Be Hereby Resolved That Council supports the Official Plan and the construction of the planned YRDSB Secondary School, on the property purchased by the YRDSB, to serve the needs of the catchment area; and

2. Be It Further Resolved That a copy of the Council resolution be forwarded to the Ministry of Education, MPP Chris Ballard, and York Region; and
3. Be It Further Resolved That dialogue/collaboration take place beginning in the last quarter of 2016, between the Town of Aurora and the YRDSB, and that invitations be extended to MPP Chris Ballard, York Region, and other interested partners to arrive at a solution; and
4. **That a representative or the Aurora-King Trustee from the York Region District School Board be invited to attend a future Council meeting and present further information regarding the proposed secondary school.**

Motion to Defer

Moved by Councillor Thompson

Seconded by Councillor Pirri

That the first and second operative clauses of the main motion as amended be deferred to a future Council meeting within 30 days, pending the presentation of further information from the York Region District School Board.

On a recorded vote the motion to defer the first and second operative clauses of the main motion as amended
Carried

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| Yeas: 8 | Nays: 1 |
| Voting Yeas: | Councillors Gaertner, Humfryes, Kim, Mrakas, Pirri, Thom, and Thompson and Mayor Dawe |
| Voting Nays: | Councillor Abel |

On a recorded vote, the third and fourth operative clauses of the main motion as amended
Carried

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| Yeas: 8 | Nays: 1 |
| Voting Yeas: | Councillors Abel, Gaertner, Humfryes, Kim, Mrakas, Thom, and Thompson and Mayor Dawe |
| Voting Nays: | Councillor Pirri |

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11. Regional Report

None

12. New Business/General Information

Councillor Mrakas congratulated Bill Kwapis on being elected as Ward 5 Councillor in Newmarket.

Councillor Humfries inquired about the status of the forthcoming Traffic Advisory Committee. Staff indicated that a report will be provided to Council in December.

Councillor Pirri mentioned that staff will be sending the nomination criteria for the Federation of Canadian Municipalities' Canada 150 Cultural Leaders program to Council for future consideration, and encouraged Council to submit potential candidates to staff.

Councillor Pirri inquired about the Cultural Master Plan action items and whether they could be considered by Council at a future meeting. Staff indicated that they will provide further information.

Councillor Abel noted that residents who attended the Council meeting would like to be notified in advance of the potential presentation by the York Region District School Board.

13. Reading of By-laws

Moved by Councillor Thompson

Seconded by Councillor Thom

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

5911-16 Being a By-law to exempt Lots 195, 196, 197, 198, 199, 200, 201, 202 and 212 and Block 215 on Plan 65M-4462 from Part-Lot Control (Paradise Homes Leslie Inc.)

5912-16 Being a By-law to exempt Blocks 222, 224 and 225 on Plan 65M-4462 from Part-Lot Control (TACC Developments (Aurora) Inc.).

Carried

Moved by Councillor Thom

Seconded by Councillor Pirri

Council Meeting Minutes
Tuesday, October 25, 2016

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

5915-16 Being a By-law to Confirm Actions by Council Resulting from a Council Meeting on October 25, 2016.

Carried

14. Closed Session

None

15. Adjournment

Moved by Councillor Pirri

Seconded by Councillor Mrakas

That the meeting be adjourned at 10:07 p.m.

Carried

Geoffrey Dawe, Mayor

Lisa Lyons, Town Clerk

The minutes of the Council meeting of October 25, 2016, are subject to final approval by Council on November 8, 2016.



**Town of Aurora
Special Council Meeting Minutes**

Tannery Room
Aurora Town Hall
Wednesday, October 26, 2016

Attendance

Council Members Mayor Dawe in the Chair; Councillors Abel, Gaertner, Humfryes, Kim, Mrakas, Pirri, Thom, and Thompson

Members Absent None

Other Attendees Doug Nadorozny, Chief Administrative Officer, Marco Ramunno, Director of Planning and Building Services, Stephanie Mackenzie-Smith, Manager of Corporate Communications, Patricia De Sario, Town Solicitor, Kim Mullin, Partner, and Denise Baker, Partner, WeirFoulds LLP, Lisa Lyons, Town Clerk, and Linda Bottos, Council/Committee Secretary

The Chair called the meeting to order at 6 p.m.

Council consented to recess at 6 p.m. to resolve into a Closed Session meeting, and recessed Closed Session at 6:56 p.m.

Council consented to reconvene Closed Session at 7:51 p.m. and reconvened into open session at 8:50 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*.

Special Council Meeting Minutes
Wednesday, October 26, 2016

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2. Approval of the Agenda

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

That the agenda as circulated by Legislative Services be approved.

Carried

3. Delegations

None

4. Consideration of Business for Which Notice Was Given

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

That Council resolve into Closed Session to consider the following matter:

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: Highland Gate Developments Inc. – Ontario Municipal Board Appeal – Mediation Update

Carried

**Moved by Councillor Pirri
Seconded by Councillor Mrakas**

That the Special 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: Highland Gate Developments Inc. – Ontario Municipal Board Appeal – Mediation Update**

Special Council Meeting Minutes
Wednesday, October 26, 2016

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**Moved by Councillor Pirri
Seconded by Councillor Kim**

That Council endorse the settlement subject to the execution of Minutes of Settlement by all other parties; and

That the Mayor and Clerk be authorized to sign the Minutes of Settlement once signed by all other parties.

**On a recorded vote the motion
Carried**

| | |
|--------------|---|
| Yeas: 6 | Nays: 3 |
| Voting Yeas: | Councillors Abel, Humfryes, Kim, Pirri, Thompson, and Mayor Dawe |
| Voting Nays: | Councillors Gaertner, Mrakas, and Thom |

**Moved by Councillor Humfryes
Seconded by Councillor Thompson**

That the confidential direction (a) provided to staff in respect to Highland Gate Developments Inc. – Ontario Municipal Board Appeal – Mediation Update be confirmed.

Carried

**Moved by Councillor Thompson
Seconded by Councillor Abel**

That the confidential direction (b) provided to staff in respect to Highland Gate Developments Inc. – Ontario Municipal Board Appeal – Mediation Update be confirmed.

Carried

5. By-laws

**Moved by Councillor Thompson
Seconded by Councillor Abel**

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

Special Council Meeting Minutes
Wednesday, October 26, 2016

Page 4 of 4

5917-16 Being a By-law to Confirm Actions by Council Resulting from a Special Council Meeting on October 26, 2016.

Carried

6. Adjournment

**Moved by Councillor Kim
Seconded by Councillor Pirri**

That the meeting be adjourned at 9:09 p.m.

Carried

Geoffrey Dawe, Mayor

Lisa Lyons, Town Clerk

The minutes of the Special Council meeting of October 26, 2016, are subject to final approval by Council on November 8, 2016.



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

Council Chambers
Aurora Town Hall
Wednesday, October 26, 2016

Attendance

Council Members Mayor Dawe in the Chair; Councillors Abel, Gaertner, Humfries, Kim, Mrakas, Pirri, Thom, and Thompson

Members Absent None

Other Attendees Marco Ramunno, Director of Planning and Building Services, Drew MacMartin, Planner, Patty Thoma, Deputy Clerk, and Linda Bottos, Council/Committee Secretary

The Chair called the meeting to order at 7:03 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 Mrakas
Seconded by Councillor Pirri**

That the agenda as circulated by Legislative Services, with the following addition, be approved:

Special Council – Public Planning Meeting Minutes
Wednesday, October 26, 2016

Page 2 of 4

- Replacement Report for Item 1 – PBS16-079, Application for Draft Plan of Subdivision and Zoning By-law Amendment, Ballymore Building (South Aurora) Corporation, 14452 Yonge Street, Part Lot 75, Concession 1, File Numbers: SUB-2016-02 and ZBA-2016-09; and

That Item 2, Report No. PBS16-083, Guidelines for the Implementation of Height and Density Bonusing (Section 37 of the *Planning Act*) be deferred to the Special Council – Public Planning meeting of November 30, 2016.

Carried

3. Planning Applications

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

- 1. PBS16-079 – Application for Draft Plan of Subdivision and Zoning By-law Amendment, Ballymore Building (South Aurora) Corporation, 14452 Yonge Street, Part Lot 75, Concession 1, File Numbers: SUB-2016-02 and ZBA-2016-09**

Planning Staff

The Planner, Mr. Drew MacMartin, presented an overview of the application and staff report respecting the Draft Plan of Subdivision application proposing 40 single detached condominium dwelling units developed as a Plan of Condominium, and the proposed Zoning By-law Amendment to rezone the subject lands from “Rural (RU-ORM) Oak Ridges Moraine Zone” to “Detached Dwelling Second Density Residential (R2-XX) Exception Zone”, “Major Open Space (O-22) Exception Zone” and “Oak Ridges Moraine Environmental Protection (EP-ORM) Zone”. He noted that the subject lands are located within the Yonge Street South Secondary Plan (OPA 34) Land Use Designation.

Special Council – Public Planning Meeting Minutes
Wednesday, October 26, 2016

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Consultant

Mr. Thomas Kilpatrick, Urban Designer/Planner of Malone Given Parsons Ltd., representing the applicant, provided site and planning policy context and an overview of the proposed Draft Plan of Subdivision, including a private road access through the BG property to Yonge Street, privately-serviced sanitary, water and storm water systems, berm and noise fence, and proposed trails.

Public Comments

Mr. Klaus Wehrenberg expressed concern regarding trail connections and inquired about how the proposed development would be connected to the schools west of the railroad tracks, south of Henderson Avenue toward Bathurst Street. He further inquired about the status of negotiations with Metrolinx regarding the construction of underpasses.

Planning Staff

Mr. Marco Ramunno, Director of Planning and Building Services, addressed the concerns regarding the trails and underpasses shown in the Trails Master Plan in relation to the application. He noted that Metrolinx is aware of the Town's position regarding the need for construction of pedestrian underpasses by Metrolinx, and discussions are ongoing. Mr. Ramunno advised that the Barrie Rail Corridor Expansion Project is a ten-year plan and Metrolinx is currently in the process of conducting an environmental assessment.

Consultant

Mr. Kilpatrick addressed concerns regarding possible future development of the lands to be retained and density.

Planning Staff

Mr. Marco Ramunno, Director of Planning and Building Services, addressed concerns regarding the existing heritage house on the lands to be retained.

Moved by Councillor Pirri

Seconded by Councillor Kim

1. That Report No. PBS16-079 be received; and

Special Council – Public Planning Meeting Minutes
Wednesday, October 26, 2016

Page 4 of 4

2. That comments presented at the Public Planning meeting be addressed by Planning and Building Services in a comprehensive report outlining recommendations and options at a future General Committee meeting.

Carried

4. Reading of By-law

Moved by Councillor Pirri

Seconded by Councillor Thompson

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

5916-16 Being a By-law to Confirm Actions by Council Resulting from a Special Council – Public Planning Meeting on October 26, 2016.

Carried

5. Adjournment

Moved by Councillor Pirri

Seconded by Councillor Thom

That the meeting be adjourned at 7:48 p.m.

Carried

Geoffrey Dawe, Mayor

Patty Thoma, Deputy Clerk

The minutes of the Special Council – Public Planning meeting of October 26, 2016, are subject to final approval by Council on November 8, 2016.



Legal and Legislative Services
905-727-3123
CSecretariat@aurora.ca
Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

PRESENTATION REQUEST

This Presentation form and any written submissions or background information for consideration by either Council or Committees of Council must be submitted to the Clerk's office by the following deadline:

4:30 P.M. ON THE BUSINESS DAY PRIOR TO THE REQUESTED MEETING DATE

COUNCIL/COMMITTEE/ADVISORY COMMITTEE DATE: Tuesday, November 8th, 2016

SUBJECT: Activate Aurora's Request to eliminate all sugary drinks out of the vending machines

NAME OF SPOKESPERSON: Ron Weese

NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable): Activate Aurora

BRIEF SUMMARY OF ISSUE OR PURPOSE OF PRESENTATION: Activate Aurora's Request to eliminate all sugary drinks out of the vending machines and the solutions to refill healthy alternatives for children accessing these machines

PLEASE COMPLETE THE FOLLOWING:

Have you been in contact with a Town staff or Council member regarding your matter of interest?

Yes **No** **IF YES, WITH WHOM? Mayor, Downey, Thom, Mrakas, Humfries**

DATE November 2nd, 2016

I acknowledge that the Procedural By-law permits ten (10) minutes for Presentations.



COUNCIL PRESENTATION NOVEMBER 8, 2016





Water Does Wonders!



Thursday, November 3 in Aurora, Healthy Kids Community Challenge (HKCC) presented a workshop with over 100 participants; Teachers Parents and Children who participated with the objective of encouraging the healthy consumption of water. Activate Aurora was there as part of our collaboration with HKCC.



Activate Aurora's Advocacy Role

ACTIVATE AURORA'S SEPT 18TH LAUNCH ASKED:

- Is it possible for our Town to restrict or even remove tobacco sales in Aurora?
- What about regulation of the food industry?
 - **Can't we regulate food and beverage ads targeting children?**
 - Can't we have a tax on drinks that contain high sugar content? Can't that revenue fund preventive strategies?
- **Locally-can't our Community rid itself of vending machines in public places that contain high-sugar content drinks? (thanks to the schools for doing this already)**
- Can't we remove financial barriers so every kid can participate?
- Can't we as a Community become healthy and active?





A Request of the Town

PROMOTE/ENCOURAGE

Use of clean, fresh, safe and inexpensive water filling stations and fountains in each of our facilities and fields as a source of healthy hydration.

Messaging that our Community values healthy hydration and provides clean, fresh, safe and inexpensive water as a source of healthy hydration.

Use of refillable containers to help preserve and protect the environment.



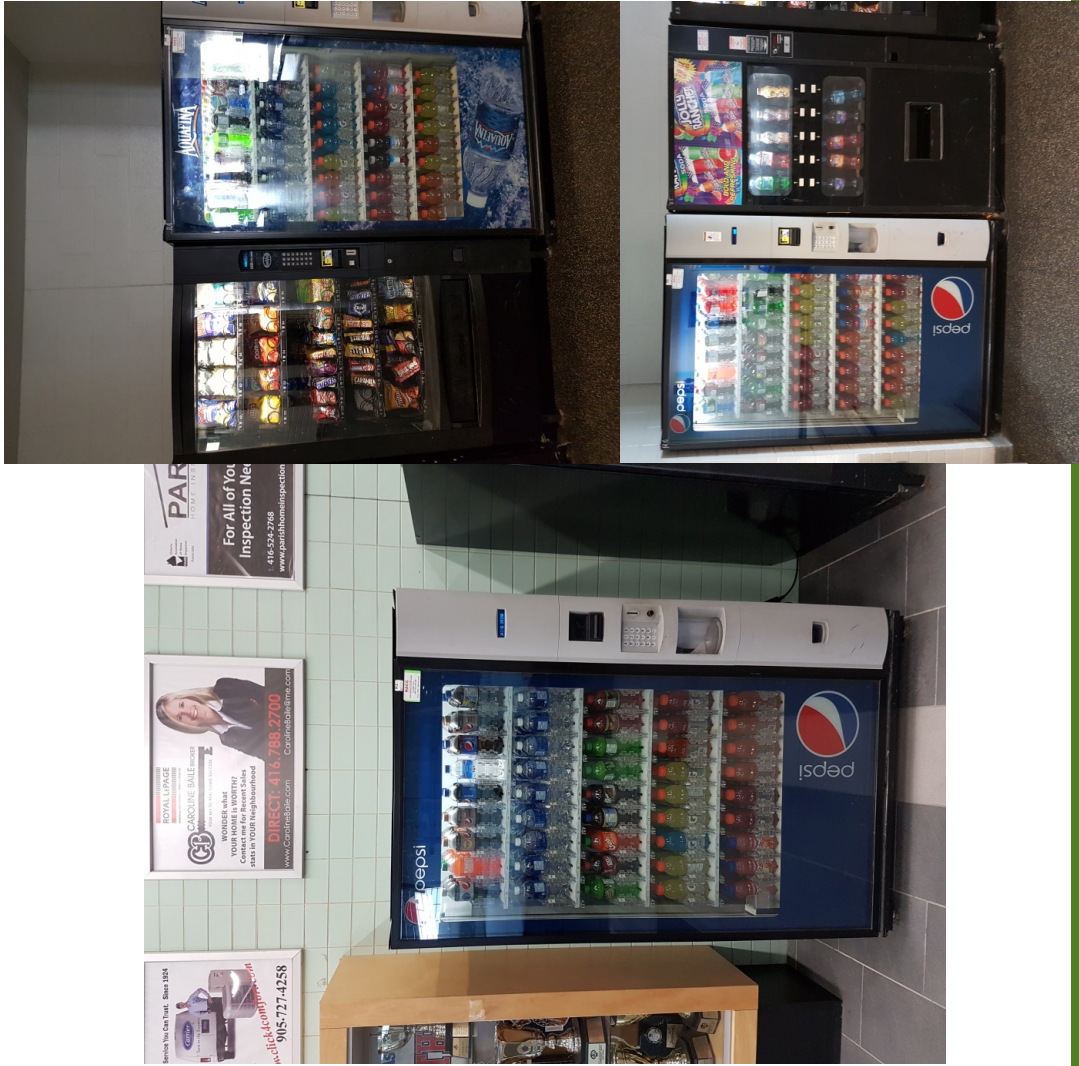


A Request of the Town Remove/Discourage

Remove vending machines that promote unhealthy choices.

Remove vending machines that provide environmentally unfriendly food and beverage containers.

Create policy that discourages unhealthy choices in all municipally owned facilities.





Solutions?

- 1. REVIEW THE EXISTING CONTRACTS WITH VENDORS AND CANCEL THOSE THAT WILL RESULT IN THE IMMEDIATE REMOVAL OF VENDING MACHINES THAT PROVIDE HIGH-SUGAR PRODUCTS AND CONTAINERS THAT HARM THE ENVIRONMENT.**
- 2. ALLOW VENDOR CONTRACTS THAT HAVE A CONTRACTED TERM TO COMPLETE THOSE TERMS AND THEN NOT RENEW THE CONTRACTS.**
- 3. CREATE POLICY THAT SUSPENDS FURTHER AGREEMENTS WITH VENDORS THAT PROVIDE HIGH-SUGAR PRODUCTS AND CONTAINERS THAT HARM THE ENVIRONMENT.**
- 4. CREATE POLICY ON THE PROVISION OF FOOD AND BEVERAGE IN ALL MUNICIPAL FACILITIES THAT PROMOTES HEALTHY CONSUMPTION.**



Legal and Legislative Services
905-727-3123
councilsecretariatstaff@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

DELEGATION REQUEST

This Delegation Request form and any written submissions or background information for consideration by either Council or Committees of Council must be submitted to the Clerk's office by the following deadline:

4:30 P.M. ON THE BUSINESS DAY PRIOR TO THE REQUESTED MEETING DATE

COUNCIL/COMMITTEE/ADVISORY COMMITTEE DATE: *NOVEMBER 8/2016*

SUBJECT: *PARKING AT 15017 YONGE ST SUITE 204
AURORA ON AURORA COMPOUNDING PHARMACY*

NAME OF SPOKESPERSON: *DEREK MURRAY*

NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable):
AURORA COMPOUNDING PHARMACY

BRIEF SUMMARY OF ISSUE OR PURPOSE OF DELEGATION:
*TO ISSUE FOR PARKING SPACE IN
PARKING LOT - SIGNS FOR 3 HOUR PARKING ON
KENNEDY REGARDING INCONVENIENCE & COST
FOR OWNER & EMPLOYEES.*

PLEASE COMPLETE THE FOLLOWING:

Have you been in contact with a Town staff or Council member regarding your matter of interest? YES NO

IF YES, WITH WHOM? DATE:

I acknowledge that the Procedural By-law permits five (5) minutes for Delegations.





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councilsecretariatstaff@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

DELEGATION REQUEST

This Delegation Request form and any written submissions or background information for consideration by either Council or Committees of Council must be submitted to the Clerk's office by the following deadline:

4:30 P.M. ON THE BUSINESS DAY PRIOR TO THE REQUESTED MEETING DATE

COUNCIL/COMMITTEE/ADVISORY COMMITTEE DATE:

SUBJECT: KENNEDY / BIRNBEET MEDICAL CENTRE PARKING

NAME OF SPOKESPERSON: MICHAEL KRAVIC

NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable):

TENANTS AT THE AURORA MEDICAL CENTRE

BRIEF SUMMARY OF ISSUE OR PURPOSE OF DELEGATION:

TO ELIMINATE THE 3RD STREET PARKING TO
FREE UP EASILY ACCESSIBLE SPACES FOR
THE ELDERLY

PLEASE COMPLETE THE FOLLOWING:

Have you been in contact with a Town staff or Council member regarding your matter of interest?

YES NO

IF YES, WITH WHOM? Councilor Phel

DATE: OCT 26, 2016

I acknowledge that the Procedural By-law permits five (5) minutes for Delegations.





Legal and Legislative Services
905-727-3123
councilsecretariatstaff@aurora.ca

Town of Aurora
100 John West Way, Box 1000
Aurora, ON L4G 6J1

DELEGATION REQUEST

This Delegation form and any written submissions or background information for consideration by either Council or Committees of Council must be submitted to the Clerk's office by the following deadline:

4:30 P.M. ON THE BUSINESS DAY PRIOR TO THE REQUESTED MEETING DATE

COUNCIL/COMMITTEE/ADVISORY COMMITTEE DATE: Nov 8/16

SUBJECT: PRCS16-047

NAME OF SPOKESPERSON: Greg Smith

NAME OF GROUP OR PERSON(S) BEING REPRESENTED (if applicable):

Music Aurora/Aurora Winter Blues Festival

BRIEF SUMMARY OF ISSUE OR PURPOSE OF DELEGATION:

present our plans for Aurora Youth Music Festival

PLEASE COMPLETE THE FOLLOWING:

Have you been in contact with a Town staff or Council member regarding your matter of interest?

Yes No **IF YES, WITH WHOM?** **DATE** Nov 2/16

John Firman

I acknowledge that the Procedural By-law permits five (5) minutes for Delegations.





Town of Aurora General Committee Meeting Report

Council Chambers
Aurora Town Hall
Tuesday, November 1, 2016

Attendance

Council Members Councillor Humfryes in the Chair; Councillors Abel, Gaertner, Mrakas, Pirri, Thompson, and Mayor Dawe

Members Absent Councillors Kim and Thom

Other Attendees Doug Nadorozny, Chief Administrative Officer, Techa van Leeuwen, Director of Corporate Services, Ilmar Simanovskis, Director of Infrastructure and Environmental Services, Paul Dillman, Acting Director of Financial Services, Al Downey, Director of Parks, Recreation and Cultural Services, Marco Ramunno, Director of Planning and Building Services, Stephanie Mackenzie-Smith, Manager of Corporate Communications, Slawomir Szlapczynski, Associate Solicitor, Lisa Lyons, Town Clerk, and Linda Bottos, Council/Committee Secretary

The Chair called the meeting to order at 7:03 p.m.

General Committee consented to resolve into a Closed Session meeting at 9:27 p.m., and reconvened into open session at 10:19 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

General Committee approved the agenda as circulated by Legislative Services, with the following additions:

General Committee Meeting Report
Tuesday, November 1, 2016

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- Delegation (a) Bob Ernst, representing Christ Evangelical Lutheran Church
Re: Item 3 – PBS16-067 – Comprehensive Zoning By-law Review, File
Number: ZBA-2012-ZBR
- Delegation (b) Paul Cooke, Resident; Re: Item 3 – PBS16-067 –
Comprehensive Zoning By-law Review, File Number: ZBA-2012-ZBR
- Delegation (c) Sarah Millar, Michael Wright, and Brian North, representing
Aurora United Church, Southbound Developments; Re: Item 3 – PBS16-067 –
Comprehensive Zoning By-law Review, File Number: ZBA-2012-ZBR
- Item 10 – Presentation by Stephanie Mackenzie-Smith, Manager of Corporate
Communications; Re: Item 1 – CAO16-005 – Corporate Communications
Review 2017
- Item 11 – Economic Development Advisory Committee Meeting Minutes of
October 13, 2016
- Item 12 – Heritage Advisory Committee Meeting Minutes of October 17, 2016
- Item 13 – Presentation by Jeff Healey, Planner; Re: Item 3 – PBS16-067 –
Comprehensive Zoning By-law Review, File Number: ZBA-2012-ZBR
- Closed Session Item 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. CS16-
007, Re: 251 Willis Drive, Aurora
- Closed Session Item 2 – 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. CS16-
008, Re: Schoch v. Town of Aurora
- Closed Session Item 3 – Personal matters about an identifiable individual,
including a Town or Local Board employee (section 239(2)(b) of the *Municipal
Act, 2001*); Re: Closed Session Report No. CS16-009, Re: Canada 150
Community Leaders

General Committee Meeting Report
Tuesday, November 1, 2016

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3. Determination of Items Requiring Separate Discussion

Items 1, 2, 3, 6, 10, and 13 were identified for discussion.

4. Adoption of Items Not Requiring Separate Discussion

Items 4, 5, 7, 8, 9, 11, and 12 were identified as items not requiring separate discussion.

General Committee recommends:

That the following recommendations respecting the matters listed as “Items Not Requiring Separate Discussion” be adopted as submitted to the General Committee:

4. FS16-029 – Annual Cancellation, Reduction or Refund of Property Taxes under Sections 357 and 358 of the *Municipal Act*

1. That Report No. FS16-029 be received; and
2. That a meeting be held in accordance with Sections 357 and 358 of the *Municipal Act, 2001*, S.O 2001, c.25 as amended (the “Act”) in respect of the applications filed with the Treasurer by owners of property listed in this report at which applicants may make representation; and
3. That property taxes in the amount of \$124,394.92 be adjusted pursuant to Section 357 of the Act; and
4. That property taxes in the amount of (\$4,328.16) be adjusted pursuant to Section 358 of the Act; and
5. That any associated interest charged applicable to these adjustments be cancelled in proportion to the property taxes adjusted; and
6. That the Director of Financial Services, Treasurer be directed to remove said property taxes from the Collector’s Roll reflecting these property tax adjustments.

5. PBS16-087 – Application for Exemption from Part Lot Control, Brookfield Homes (Ontario) Limited, 330-396 William Graham Drive, Block 27, Plan 65M-4467, File Number: PLC-2016-12

1. That Report No. PBS16-087 be received; and
2. That the Application for Exemption from Part Lot Control submitted by Brookfield Homes (Ontario) Ltd. to divide Block 27 on Plan 65M-4467 into ten (10) townhouse lots be approved; and
3. That the implementing Part Lot Control Exemption By-law be presented at a future Council meeting; and
4. That the Town Solicitor be authorized to execute the Transfer and any other documents for the gratuitous conveyance of Part of Block 27, Plan 65M-4467, being Part 23 on Plan 65R-36654 to the Town.

7. PBS16-093 – 2017 Planning Applications Fees

1. That Report No. PBS16-093 be received; and
2. That the Planning Application Fees By-law including Schedule A, which increases the fees for processing of Planning Applications generally by 2.1% (rounded) to reflect the Consumer Price Index, be approved; and
3. That the amending Planning Application Fees By-law be brought forward to a future Council meeting for enactment; and
4. That staff be directed to amend the Planning Fee Schedule A on an annual basis, based on the Consumer Price Index, as an administrative matter.

8. 2017 Draft Studies & Other Capital Project 74014 – Facility Advertising and Sponsorship Programs

1. That 2017 Draft Studies & Other Capital Project 74014 – Facility Advertising and Sponsorship Programs be received; and
2. That 2017 Draft Studies & Other Capital Project 74014 – Facility Advertising and Sponsorship Programs be approved as presented.

9. Joint Council Committee Meeting Draft Minutes of October 4, 2016

1. That the Joint Council Committee Meeting Draft Minutes of October 4, 2016, be received; and

- 1. Joint Central York Fire Services and Corporate Services Report – Finance 2016-41 dated September 22, 2016 regarding the Draft 2017 Operating and Capital Budgets – Update**

1. That Joint Central York Fires Services and Corporate Services Report – Finance 2016-41 dated September 22, 2016 regarding the Draft 2017 Operating and Capital Budgets – Update be received and the following recommendations be adopted:
 - (a) That the Joint Council Committee (JCC) recommend approval of the draft budgets; and
 - (b) That, in accordance with the consolidated Fire Services Agreement, Council provide comment on the draft budget prior to consideration and approval by Newmarket Council.

- 3. Burning By-laws Discussion**

1. That the Central York Fire Services – Joint Council Committee recommend that the Councils of Aurora and Newmarket direct staff (specifically, By-law and Fire Services) to review the current burning by-laws.

- 11. Economic Development Advisory Committee Meeting Minutes of October 13, 2016**

1. That the Economic Development Advisory Committee meeting minutes of October 13, 2016, be received for information.

- 12. Heritage Advisory Committee Meeting Minutes of October 17, 2016**

1. That the Heritage Advisory Committee meeting minutes of October 17, 2016, be received; and

1. HAC16-011 – Cultural Heritage Landscapes in the Town of Aurora

- (a) That a preliminary study to identify potential Cultural Heritage Landscapes in the Town of Aurora be approved; and
- (b) That an external heritage consultant to assist with the implementation of the preliminary study be approved; and
- (c) That a working group be established to identify potential Cultural Heritage Landscapes in the Town of Aurora.

2. HAC16-013 – Heritage Permit Application, 82 Centre Street, File Number: NE-HCD-HPA-16-08

- (a) That the following components of Heritage Permit Application NE-HCD-HPA-16-08 be approved:
 - i. The modified roofline on the rear elevation;
 - ii. Removal of the chimney; and
 - iii. Installation of two new Patio Doors on the rear elevation; and
- (b) That the following components of Heritage Permit Application NE-HCD-HPA-16-08 be denied:
 - i. Alteration of the front veranda, including enclosed porch with stucco finish and columns;
 - ii. Installation of new Front door;
 - iii. Installation of new Patio Door on the front elevation;
 - iv. Installation of new sliding vinyl windows on the west elevation; and
 - v. Covered window openings on the east elevation; and
- (c) That Legal Services explore the possibility of laying a charge against the owner and/or the previous owner for the removal of the original enclosed front wall, removal of windows on the west and east elevations, removal of window openings on the east elevation, removal of the first floor window on the front elevation, removal of the front door, alterations to the front veranda,

installation of new front door, installation of new patio door on the front elevation and installation of new windows on the west elevation which were altered in contravention of Section 42(1) of the *Ontario Heritage Act*.

3. HAC16-014 – Request to Demolish a Property on the Aurora Register of Properties of Cultural Heritage Value or Interest, 14574 Leslie Street

- (a) That the property located at 14574 Leslie Street be considered for a Notice of Intent to Designate under Part IV of the *Ontario Heritage Act*; and
- (b) That the Owner of 14574 Leslie Street be required to submit a Heritage Impact Assessment for the property, prepared by a qualified Heritage Consultant, to the satisfaction of Planning and Building Services; and
- (c) That upon submission of a Heritage Impact Assessment, the property be evaluated by the Heritage Evaluation Working Group; and
- (d) That the property returns to a future Heritage Advisory Committee meeting for review.

New Business Motion No. 1

- (a) That the Final Cultural Precinct Plan incorporate and reflect the heritage characteristics of the neighbourhood, including but not limited to the following:
 - Density, scale, setback, massing, height, angular plane, complementary heritage urban design of the current neighbourhood, materials and finishes; and
- (b) That notwithstanding the potential repurposing of the Armoury, Town Park remain unchanged; and

General Committee Meeting Report
Tuesday, November 1, 2016

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- (c) That the Armoury, Victoria Hall, and the Petch House be protected and preserved.

Carried

5. Delegations

- (a) Bob Ernst, representing Christ Evangelical Lutheran Church**
Re: Item 3 – PBS16-067 – Comprehensive Zoning By-law Review
File Number: ZBA-2012-ZBR

General Committee consented to waive the requirements of subsection 3.8(c) of the Procedural By-law to allow the delegation additional time.

Mr. Ernst provided background and requested an exemption from the proposed amendments to as-of-right height permission in Institutional zones for the property of Christ Evangelical Lutheran Church at 7 Lacey Court.

General Committee received and referred the comments of the delegation to Item 3.

- (b) Paul Cooke, Resident**
Re: Item 3 – PBS16-067 – Comprehensive Zoning By-law Review
File Number: ZBA-2012-ZBR

Mr. Cooke expressed concerns regarding the proposed change in zoning, from M2 Residential-Industrial to Residential, for the three properties on Metcalfe Street between Edward and Berczy Streets.

General Committee received and referred the comments of the delegation to Item 3.

- (c) Sarah Millar, Michael Wright, and Brian North, representing Aurora United Church, Southbound Developments**
Re: Item 3 – PBS16-067 – Comprehensive Zoning By-law Review
File Number: ZBA-2012-ZBR

Ms. Millar requested that a height exception be added to the “Promenade Downtown 1” zone to protect the existing height limit of 28 metres for the properties located at 15186 Yonge Street, 12 and 16 Tyler Street, and 55 and

57 Temperance Street. She further requested confirmation, considering the recent passing of Bill 73, that they will have the ability to submit a future Zoning By-law Amendment or Minor Variance Application once the proposed Zoning By-law comes into effect. Mr. North, Chair of the Building Committee for the Aurora United Church, provided background to the reconstruction of the Church and requested Council's consideration of Ms. Millar's request.

General Committee received and referred the comments of the delegation to Item 3.

6. Presentations by the Advisory Committee Chair

None

7. Consideration of Items Requiring Separate Discussion

General Committee consented to consider the items in the following order: 13, 3, 10, 1, 2, and 6.

1. CAO16-005 – Corporate Communications Review 2017

General Committee recommends:

1. That Report No. CAO16-005 be received for information.

Carried

2. PRCS16-047 – Youth Music Festival: Application for Third Party Event in an Outdoor Town Facility

General Committee recommends:

1. That Report No. PRCS16-047 be received; and
2. That the application received from Music Aurora/Aurora Winter Blues Festival for a Youth Music Festival be approved, in accordance with the Third Party Events in Outdoor Town Facilities Policy; and
3. That the Youth Music Festival be declared as an "event of Town significance", in accordance with the Municipal Alcohol Policy.

Carried

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**3. PBS16-067 – Comprehensive Zoning By-law Review; File Number:
ZBA-2012-ZBR**

General Committee recommends:

1. That the sections of the Zoning By-law relating to Institutional height provisions and the proposed zoning change for the properties on Metcalfe Street (103-111) and Edward Street (101-115) be referred to staff to report back to Council with solutions to the residents' concerns.

Carried

General Committee recommends:

1. That Report No. PBS16-067 be received; and
2. That staff's Review of the Comprehensive Zoning By-law be approved, with the exception of the matters relating to the Institutional height provisions and the proposed zoning change for the properties on Metcalfe Street (103-111) and Edward Street (101-115); and
3. That the implementing Comprehensive Zoning By-law be presented at a future Council meeting for enactment.

Carried as amended

**6. PBS16-089 – Request for Street Name Approval, Brookfield Homes
(Ontario) Limited, 155 Vandorf Sideroad (Former
Timberlane Athletic Club property), Related File Numbers:
OPA-2014-01, ZBA-2014-03, File Number: CDM-2016-01**

General Committee recommends:

1. That Report No. PBS16-089 be received; and
2. That the following street names be approved for the proposed roads within the approved Plan of Condominium, File SP-2015-08:

| | |
|------------|-----------------------|
| Street "A" | Timberlane Boulevard |
| Street "B" | Ken Sinclair Crescent |
| Street "C" | Match Point Court |

Carried

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**10. Presentation by Stephanie Mackenzie-Smith, Manager of Corporate Communications
Re: Item 1 – CAO16-005 – Corporate Communications Review 2017**

General Committee recommends:

1. That the presentation regarding Item 1 – CAO16-005 – Corporate Communications Review 2017 be received for information.

Carried

**13. Presentation by Jeff Healey, Planner
Re: Item 3 – PBS16-067 – Comprehensive Zoning By-law Review, File Number: ZBA-2012-ZBR**

Mr. Jeff Healey presented a brief overview of the Comprehensive Zoning By-law Review and the proposed amendments.

General Committee recommends:

1. That the presentation regarding Item 3 – PBS16-067 – Comprehensive Zoning By-law Review, File Number: ZBA-2012-ZBR be received for information.

Carried

8. Notices of Motion

None

9. New Business/General Information

Councillor Pirri noted that federal budget was released today, which included the institution of an infrastructure bank, a new program that will allow municipalities and some private organizations to obtain a loan for infrastructure purposes. He mentioned that this is one of the major issues for which the Federation of Canadian Municipalities (FCM) had campaigned.

Mayor Dawe advised that notice had been received from MPP Chris Ballard regarding changes proposed to the legislation for secondary suites in terms of

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Tuesday, November 1, 2016

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extending the reach for affordable housing. He indicated that this information will be forwarded to Council.

Mayor Dawe extended condolences to the family of Georgina Regional Councillor Danny Wheeler who died today. He stated that Mr. Wheeler was a very dedicated public servant who also served on the Lake Simcoe Region Conservation Authority board and will be missed.

Councillor Abel extended a reminder about the Remembrance Day Parade on Friday, November 11, 2016.

Councillor Abel announced that "I will Remember" lawn or window signs are available from the Aurora Legion for a donation of \$20. He noted that the funds raised will be put toward the Legion's "Raise a New Roof" campaign. He advised that Good Company would be performing a concert at the Legion on November 12, 2016, as part of the fundraising campaign.

Councillor Thompson announced that the official unveiling of the new Sports Hall of Fame at the Stronach Aurora Recreation Complex will be held this weekend.

Councillor Gaertner extended condolences to the family of Danny Wheeler.

Councillor Gaertner suggested that Council purchase a number of the "I will Remember" signs to be displayed at the various Town facilities.

Councillor Mrakas inquired about the status of the Howard Johnson Hotel, which he noted had been recently boarded up on the bottom floor. Staff provided an update.

10. Closed Session

General Committee consented to resolve into a 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. CS16-007, Re: 251 Willis Drive, Aurora**

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- 2. 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. CS16-008, Re: Schoch v. Town of Aurora**

- 3. Personal matters about an identifiable individual, including a Town or Local Board employee (section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS16-009, Re: Canada 150 Community Leaders**

11. Adjournment

The meeting was adjourned at 10:19 p.m.

Sandra Humfryes, Councillor

Lisa Lyons, Town Clerk

The report of the General Committee meeting of November 1, 2016, is subject to final approval by Council on November 8, 2016.



**Town of Aurora
Public Report of the General Committee
Closed Session Meeting**

Council Chambers
Aurora Town Hall
Tuesday, November 1, 2016

Attendance

Council Members Mayor Dawe in the Chair; Councillors Abel, Gaertner, Humfryes, Mrakas, Pirri, and Thompson

Members Absent Councillors Kim and Thom

Other Attendees Doug Nadorozny, Chief Administrative Officer, Techa van Leeuwen, Director of Corporate Services, Marco Ramunno, Director of Planning and Building Services (departed 9:42), Slav Szlapczynski, Associate Solicitor (departed 10:02 p.m.), and Lisa Lyons, Town Clerk

The Chair called the meeting to order at 9:31 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

General Committee Closed Session approved the agenda as circulated by Legislative Services.

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Tuesday, November 1, 2016

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3. Item for Discussion

- 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. CS16-007, Re: 251 Willis Drive, Aurora**

General Committee Closed Session recommends:

1. That the confidential direction to staff regarding Closed Session Report No. CS16-007, Re: 251 Willis Drive, Aurora be adopted.

Carried

- 2. 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. CS16-008, Re: Schoch v. Town of Aurora**

General Committee Closed Session recommends:

1. That the confidential direction to staff regarding Closed Session Report No. CS16-008, Re: Schoch v. Town of Aurora, Aurora be adopted.

Carried

- 3. Personal matters about an identifiable individual, including a Town or Local Board employee (section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS16-009, Re: Canada 150 Community Leaders**

General Committee Closed Session recommends:

1. That Closed Session Report No. CS16-009 be deferred to the Council Closed Session meeting of November 8, 2016.

Carried

Public Report of the General Committee Closed Session Meeting
Tuesday, November 1, 2016

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4. Adjournment

The meeting was adjourned at 10:19 p.m.

Geoffrey Dawe, Mayor

Lisa Lyons, Town Clerk

The Public Report of the General Committee Closed Session meeting of November 1, 2016, is subject to final approval by Council on November 8, 2016.



**Town of Aurora
Special General Committee
2017 Capital Budget
Meeting Minutes**

Council Chambers, Aurora Town Hall
Saturday, October 15, 2016

Attendance

Council Members Mayor Dawe in the Chair; Councillors Abel (arrived 9:19 a.m.), Gaertner (arrived 9:16 a.m.), Humfryes (departed 11:59 a.m.), Kim, Mrakas, Pirri (arrived 9:14 a.m.), Thom, and Thompson

Members Absent None

Other Attendees Doug Nadorozny, Chief Administrative Officer, Techa van Leeuwen, Director of Corporate Services, Ilmar Simanovskis, Director of Infrastructure and Environmental Services, Dan Elliott, Director of Financial Services, Al Downey, Director of Parks, Recreation and Cultural Services, Marco Ramunno, Director of Planning and Building Services, Stephanie Mackenzie-Smith, Manager of Corporate Communications, Jason Gaertner, Manager of Financial Planning, Lisa Lyons, Town Clerk, and Linda Bottos, Council/Committee Secretary

The Chair called the meeting to order at 9:08 a.m.

General Committee consented to recess the meeting at 10:48 a.m. and reconvened the meeting at 11:05 a.m.

General Committee consented to recess the meeting at 12:22 p.m. and reconvened the meeting at 12:58 p.m.

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Saturday, October 15, 2016

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General Committee consented to recess the meeting at 2:47 p.m. and reconvened the meeting at 3 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

General Committee approved the agenda, as circulated by Legislative Services, with the following additions:

- Delegation (a) Dan Elliott, Director of Financial Services/Treasurer; Re: 2017 Capital Budget Kick-off Presentation
- Replacement Project Summary – 2017 Draft 1 Repair & Replacement Capital Projects (Budget binder tab 11)
 - Capital Project 72238, Town Hall – Council Chambers A/V System Upgrades
- Replacement Project Summary – 2017 Draft 1 Growth & New Capital Projects (Budget binder tab 12)
 - Capital Project 74013, Museum Collection Infrastructure
- Replacement Project Summary – 2017 Draft 1 Studies & Other Capital Projects (Budget binder tab 13)
 - Capital Project 74012, Canada 150 Celebrations
 - Capital Project 74014, Facility Advertising and Sponsorship Programs

3. Public Consultation – Open Session – Opportunity for Members of the Public to Provide Input Regarding the 2017 Budget

No members of the public came forward.

4. Delegations

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**(a) Dan Elliott, Director of Financial Services/Treasurer
Re: 2017 Capital Budget Kick-off Presentation**

Mr. Elliott presented a refresher overview of the presentation originally given at the September 27, 2016 Council meeting regarding the 2016 Asset Management Plan, 2016 Ten Year Capital Investment Plan, and the 2017 Capital Budget.

General Committee recommends:

1. That the comments of the delegation be received for information.

Carried

5. Consideration of Items

1. Review of 2016 Asset Management Plan (AMP)

General Committee recommends:

1. That the 2016 Asset Management Plan (AMP) be received for information.

Carried

2. Review of 2016 Ten Year Capital Investment Plan

General Committee recommends:

1. That the 2016 Ten Year Capital Investment Plan be received; and
2. That funds in the amount of \$5,000,000 be allocated to the Cultural Precinct Plan; and
3. That the Cultural Precinct Plan be included in the Ten Year Capital Investment Plan; and
4. That a placeholder for funds in the amount of \$60,000 be allocated in 2017 for development of the Cultural Master Plan; and
5. That \$100,000 be allocated per year starting in 2018 up to a total of \$1,000,000.

Carried

3. Review of 2017 Draft Repair & Replacement Capital Projects

General Committee recommends:

1. That the 2017 Draft Repair & Replacement Capital Projects be received;
and
2. That the **following** 2017 Draft Repair & Replacement Capital Projects be approved as presented:

Corporate Services

14047 Computer & Related Infrastructure

Facilities

72209 AFLC – Pool Tile and Drains

72210 AFLC – Repair & Replace Duct Work

72225 AFLC – LED Lighting for Arena, Pool and Squash Courts

72258 Library – Accessible Door Installation – Yonge St Entrance

72269 AED Replacement – Various Locations

72275 Library – Improvements – Canada 150 Intake II

72277 ACC – Improvements – Canada 150 Intake II

72280 ACC – Rubber Flooring Repairs

Fleet

34197 Ford F-150 (#2)

34198 Ford F-150 (#14)

34230 Chevrolet Express (#20)

34231 Chevrolet Express (#21)

Parks, Recreation & Cultural Services

73160 Emerald Ash Borer Management Program

73227 Tennis Court Resurface – Norm Weller Park

Rates

41009 3 Phase Electrical Power

41011 Sanitary Sewer CCTV Inspection

43038 Water Meter Replacement Program

43044 Bulk Water Meter Installation

43058 Bulk Water Station

42062 Flood Study for Tannery Creek

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- 42064 Storm Sewer Outlet Cleanup
- 42065 Oversized Storm Pipe Assessment and Cleanup
- 42066 Damaged Storm Pipe off Henderson Drive; and

3. That the following 2017 Draft Repair & Replacement Capital Projects, which were pulled for discussion, be approved as presented:

Corporate Services

- 12002 Accessibility Committee
- 14068 Wireless Upgrades and Enhancements
- 72238 Town Hall – Council Chambers A/V System Upgrades

Facilities

- 72132 ACC – Replace Rooftop HVAC
- 72139 AFLC - Signs
- 72155 ACC - Auditorium
- 72182 3 Stream Recycling Containers
- 72195 JOC – Fuel Management System
- 72201 Workstation Refresh, Carpet, Paint
- 72263 SARC – Cooling Evaporator Tower
- 72267 22 Church St – Exterior Painting
- 72270 SARC – Retrofit Shower Fixtures
- 72271 SARC – Replace Inverter Systems for Fire Panel
- 72276 SARC – Improvements – Canada 150 Intake II
- 72279 Firehall 4-3 – Air Conditioning Unit

Fleet

- 71093 Kubota/60” Zero Turn (#261)
- 71094 Kubota/60” Zero Turn (#262)
- 71095 Kubota/60” Zero Turn (#263)
- 71096 Kubota/60” Zero Turn (#265)
- 71101 Kubota/60” Zero Turn (#260)
- 71102 Kubota/60” Zero Turn (#264)
- 71105 JD Zero Turn Mower (#257)

Roads

- 31107 Recon – Brookland – Yonge St to Banbury Crt
- 31108 Recon – Algonquin Cres and Haida Dr
- 31153 Maximo Upgrade to 7.6

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- 34611 S/W Repair – Henderson Ave – Tamarac to Poplar
- 34613 S/W Repair – St. John’s Gateway to Industrial Pkwy N

Parks, Recreation & Cultural Services

- 73134 Parks/Trails Signage Strategy Study & Implementation
- 73154 Playground Surface Restoration
- 73209 Playground Replacement – Lundy Park
- 73289 Convert Pathway Lighting to LED
- 73291 Traffic Circle Improvements in 2B
- 74007 AFLC Fitness Equipment Replacement

Rates

- 43054 Structural Watermain Relining Program – 2017-2023; and

4. **That the following 2017 Draft Repair & Replacement Capital Projects be given conditional budget approval pending a further detailed report to Council prior to bid solicitation or spending, or following detailed design:**

Facilities

- 72272 SARC – Refresh Program Room
- 72274 AFLC – Squash Courts Floor Replacement – Canada 150 Intake II

Fleet

- 24006 By-law Toyota Tacoma Pick-up (#403)
- 34407 Back-up Cameras for Existing Vehicles

Parks, Recreation & Cultural Services

- 73190 Bandshell/Washroom Roof & Paint
- 73223 Replace Artificial Turf – Sheppard’s Bush; and

5. **That the following 2017 Draft Repair & Replacement Capital Project be given conditional budget approval pending a further detailed report to Council prior to bid solicitation or spending, or following detailed design, and be referred to the Accessibility Advisory Committee for comment:**

Facilities

- 72259 Victoria Hall – Accessibility Ramp Installation; and

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6. **That the following 2017 Draft Repair & Replacement Capital Project be approved on condition of funding received from the Canada 150 grant:**

Parks, Recreation & Cultural Services

73277 Willow Farm Trail Improvements – Canada 150 Intake II

Carried

4. Review of 2017 Draft Growth & New Capital Projects

General Committee recommends:

1. That the 2017 Draft Growth & New Capital Projects be received; and
2. That the **following** 2017 Draft Growth & New Capital Projects be approved as presented:

Corporate Services

24015 Radios for By-law Officers

Fleet

34408 Forklift

Facilities

72273 Mobile Two-way Handheld Radios

Roads

34620 S/W, Multi-use Trail and Illumination – Leslie St (Wellington St E to State Farm Way)

34629 S/W, Mary St (Industrial Pkwy S to Wellington St E)

34635 S/W, Multi-use Trail and Illumination – St. John's Sdrd (Bayview Ave to Leslie St)

Parks, Recreation & Cultural Services

73085 Arboretum Development

73286 Stewart Burnett Park Playground and Parking Facility

74013 Museum Collection Infrastructure

Planning & Building Services

24013 Building Division Website Portal; and

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3. **That the following 2017 Draft Growth & New Capital Projects, which were pulled for discussion, be approved as presented:**

Corporate Services

14037 Joint Ops LAN Room & DR Site

Roads

34527 Yonge St/Wellington St Intersection Improvement

34610 S/W, Multi-use Trail and Illumination – Leslie St (Wellington St E to Don Hillock Dr)

43408 St. John's Sdrd – Leslie St to 2C

Parks, Recreation & Cultural Services

73119 Street Tree Planting Contract

73243 Grade Separated Crossing – Wellington St E (East of John West Way)

73292 Picnic Tables/Garbage Receptacles; and

4. **That the following 2017 Draft Growth & New Capital Project be given conditional budget approval pending a further detailed report to Council prior to bid solicitation or spending, or following detailed design:**

Parks, Recreation & Cultural Services

73169 Wildlife Park – Phase 1/2/3; and

5. **That the following 2017 Draft Growth & New Capital Projects be referred back to staff to provide more information:**

Facilities

72266 Sheppard's Bush – AYSC Club Building

Roads

34525 Yonge St Parking Plan

Parks, Recreation & Cultural Services

73256 Artificial Turf

Carried

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5. Review of 2017 Draft Studies & Other Capital Projects

General Committee recommends:

1. That the 2017 Draft Studies & Other Capital Projects be received; and
2. That the **following** 2017 Draft Studies & Other Capital Project be approved as presented:

Corporate Services

13011 Emergency Response Plan Update & Continuation of
Operations Plan; and

3. **That the following 2017 Draft Studies & Other Capital Project be deferred pending the results of the Canada 150 grant application:**

Parks, Recreation & Cultural Services

74012 Canada 150 Celebrations; and

4. **That the following 2017 Draft Studies & Other Capital Project be deferred to the General Committee meeting of November 1, 2016:**

Parks, Recreation & Cultural Services

74014 Facility Advertising and Sponsorship Programs

Carried

6. Adjournment

The meeting was adjourned at 4:03 p.m.

Geoffrey Dawe, Mayor

Lisa Lyons, Town Clerk

The minutes of the Special General Committee – 2017 Budget Review meeting of October 15, 2016, are subject to being received by Council on November 8, 2016.



**Town of Aurora
Council Report**

No. CS16-011

Subject: Parking Restrictions in Heritage Area Motion – Legal Implications

Prepared by: Patricia De Sario, Town Solicitor

Department: Corporate Services

Date: November 8, 2016

Recommendation

1. That Report No. CS16-011 be received for information.

Executive Summary

The purpose of this report is provide Council with the legal implications of the Parking Restrictions in Heritage Area motion considered by Council on October 11, 2016

- The intent of section 106 of the *Municipal Act, 2001* is to prevent municipalities from giving unfair assistance to businesses to the detriment of competing businesses.
- In granting the staff parking permits at no cost, Council would not be violating the bonusing provision set out in Section 106 of the *Municipal Act, 2001*, but it would be setting a precedent to provide permits at no cost to other residents and local businesses.

Background

At the General Committee meeting of May 17, 2016 staff brought forward Report No. BBS16-007 – Town Park Parking Update. The report recommendations were as follows;

THAT Report No. BBS16-007 be received; and

THAT fifteen (15) parking spaces at Town Park be allocated for GO commuters as part of the Parking Permit Program; and

THAT staff bring forward to a future Council meeting for enactment, amendments to Parking By-Law No. 4574-04.T to expand the two (2) hour daytime on-street parking restriction to Harrison Avenue, Connaught Avenue and Edward Street; and

November 8, 2016

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Report No. CS16-011

THAT staff investigate the ability to allow for temporary overflow GO parking at the north entrance to Sheppard's Bush off of Mary Street.

At the Council meeting of May 24, 2016, the following recommendation carried:

THAT Report No. BBS16-007 be received; and

THAT staff bring forward to a future Council meeting for enactment, amendments to Parking By-Law No. 4574-04.T that includes a three (3) hour daytime on-street parking restriction Monday to Friday, affecting all streets within the boundary of Yonge Street to the west, Edward Street to the east, Dunning Avenue to the south, and Centre Street to the north; and

THAT staff investigate the ability to allow for temporary overflow GO parking at the north entrance to Sheppard's Bush off of Mary Street; and

THAT a copy of this resolution be sent to York Region Transit and Metrolinx.

On July 12, 2016 the three hour daytime restriction was expanded all streets north of Wellington Ave., east of Yonge St. up to and including Mark St.

The three-hour maximum daytime parking restriction in the Heritage area of the Town was intended to discourage commuters using the GO Transit system from parking on streets all day. This restriction has impacted other area residents and local business, including Kennedy Medical Centre. As such, on October 11, 2016, Council was asked to consider a motion in regard to Parking Restrictions in Heritage Area. The motion resolved to direct staff to make allowances for parking permits to be issued to Kennedy Medical Centre staff and technicians, at no cost.

Prior to making its decision on the motion, Council asked staff to investigate any bonusing provisions and legal implications and report back to Council.

The purpose of this report is to advise Council on the legal implications of the motion.

Analysis

The intent of section 106 of the *Municipal Act, 2001* is to prevent municipalities from giving unfair assistance to businesses to the detriment of competing businesses

Subsection 106(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "Act") states that a municipality shall not assist directly or indirectly any manufacturing

November 8, 2016

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Report No. CS16-011

business or other industrial or commercial enterprise through the granting of bonuses for that purpose. Subsection 106(2)(d) further states that the municipality shall not grant assistance by giving a total or partial exemption from any levy, charge or fee.

While what constitutes a bonus is not defined in the Act, case law has interpreted it to be “conferring an obvious financial advantage”. The prohibition in the Act is found under the “Economic Development Services” section. As such, the intent of section 106 is to prevent municipalities from giving unfair assistance to businesses to the detriment of competing businesses (i.e. an unfair advantage in the commercial marketplace).

In the matter at hand, by making allowances for parking permits to be issued at no cost, the Town is likely not violating the bonusing provisions

First, a free parking permit is to individual staff members and technicians and not the commercial enterprise and secondly, it would likely not give Kennedy Medical Centre an unfair advantage over competing businesses.

In giving an allowance for parking permits to be issued at no cost, Council would be setting a precedent

The maximum parking restriction affects many residents and local businesses and not just the staff at the Kennedy Medical Centre. While the Town has given some allowance to the library, cultural centre and church when there are special events, most people, including those who park around Town park, have been required to purchase parking permits from the Town. Many other residents and businesses may request the same type of relief from Council of not having to pay for parking permits or requesting refunds from parking permits already paid for.

Advisory Committee Review

Not applicable.

Financial Implications

The cost of a parking permit is \$400 per year.

Communications Considerations

None.

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Report No. CS16-011

Link to Strategic Plan

Not applicable.

Alternative(s) to the Recommendation

None.

Conclusions

By directing staff to grant parking permits at no cost to the staff and technicians at Kennedy Medical Centre, Council would not be violating the bonusing provision set out in Section 106 of the *Municipal Act, 2001*, but it would be setting a precedent to provide permits at no cost to other residents and local businesses.

Attachments

None.

Previous Reports

None.

Pre-submission Review

Agenda Management Meeting review on October 26, 2016

Departmental Approval



**Techa van Leeuwen
Director
Corporate Services**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**



No. FS16-035

Subject: 2017 Final Capital Budget Report

Prepared by: Karen Oreto, Financial Analyst

Department: Financial Services

Date: November 8, 2016

Recommendations

- 1. That Report No. FS16-035 be received; and**
- 2. That the updated 2016 Asset Management Plan be received; and**
- 3. That the updated 2016 Ten Year Capital Investment Plan be received; and**
- 4. That the 2017 Capital Budget for Repair and Replacement of existing infrastructure totaling \$11,568,472 as listed in Attachment 3, be approved; and**
- 5. That the 2017 Capital Budget for Growth and New Capital totaling \$6,505,990 as listed in Attachment 4, be approved; and**
- 6. That the 2017 Capital Budget for Studies and Other Projects totaling \$125,000 as listed in Attachment 5, be approved; and**
- 7. That the funding sources for each capital project included in this report be approved as those reviewed and recommended by General Committee – Budget on October 15, 2016.**

Executive Summary

To present to Council for its formal adoption the 2016 Asset Management Plan, the 2016 Ten Year Capital Investment Plan and the 2017 Capital Budget as recommended by the Budget Committee on October 15, 2016.

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Report No. FS16-035

Background

Each year staff presents the town's Asset Management Plan, Ten Year Capital Investment Plan as well as its Capital Budget Plan for the following fiscal year for its review and/or approval. Upon receipt and/or approval by council these documents provide staff with the direction to proceed with the identified capital projects for the following year.

Analysis

Asset Management Plan (AMP)

The Asset Management Plan forms the foundation upon which the town bases its existing asset repair, replacement and rehabilitation decisions upon. It is a strategic document stating the characteristics and condition of infrastructure assets, levels of service expected from them, planned actions to ensure the assets are providing the expected level of service, specifically including how evaluation and replacement decisions are made, and financing strategies to implement the planned actions. The overall intent of the AMP is to help the Town to ensure that its investments in its existing assets are made at the right time, future repair and rehabilitation costs are minimized, and municipal assets are being appropriately maintained for the optimal service life at the lowest cost. In the updated 2016 Asset Management Plan, the core foundational methodologies for asset repair, replacement & rehabilitation remain unchanged from those approved by Council in 2015. The only changes made to the updated 2016 AMP relate to its financial tables which have been updated to ensure continued alignment with the town's most recent ten year capital investment strategy. In particular, these changes reflect recent Budget Committee direction to include \$1,000,000 for the Cultural Master Plan and \$5,000,000 for the Cultural Precinct to be funded from the Hydro Reserve. A website link to the complete AMP has been provided in the Attachments section under Attachment #1.

Ten Year Capital Investment Plan

Complementing the Town's AMP is its annual Ten Year Capital Investment Plan which represents a consolidation of the anticipated needs of the Town's departments. All repair, replacement & rehabilitation capital items contained within this plan are guided by the foundational philosophies outlined in the town's AMP. This plan is intended to assist the managers responsible for each asset category to carefully plan the long term sustainability of each asset, and ensure appropriate and timely budgeting for the replacement of assets at the optimal time, balancing available funding, with the need and condition of the asset and its service.

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Report No. FS16-035

On October 15, 2016, the 2016 Ten Year Capital Investment Plan was presented to Budget Committee. At that time, staff was asked to insert into the Plan a placeholder for the Cultural Master Plan in the amount of \$1,000,000 and the Cultural Precinct in the amount of \$5,000,000 to be funded from the Hydro Reserve. These changes have been reflected in the updated 2016 Ten Year Capital Investment Plan. A website link to the complete ten year capital investment plan has been provided in the Attachments section under Attachment #2.

The Ten Year Capital Investment Plan presented contains the detailed plans for assets showing the approved 2016 capital budget plus ten forecast years from 2017 to 2026. These plans have been reviewed and updated by each asset manager.

The ten year plan shows a planned investment requirement of \$214 million in total over the next ten years; \$104 million for Repair and Replacement, \$106.5 million for growth and new assets, and approximately \$3.6 million for studies and other.

Draft 2017 Capital Budget

On October 15, 2016, an overview of the draft of the Town's Capital Budget was presented to the Budget Committee.

As in the past budgets, the capital budget has been presented in three parts:

- Repair and Replacement Infrastructure Capital
- Growth and New Infrastructure Capital
- Studies and Other Non-Infrastructure Projects

As a result of the concept of a "Cash to Capital" reserve allocation from tax levy and the internal funding of capital coming from resultant infrastructure and other reserves, there is no longer a direct impact on the tax rate by the capital budget. As such, the Committee recommended capital budget is driven by asset need rather than impact on taxes. A number of projects have been noted in the schedules as "approved pending a detailed report back to council." These projects have been approved in principle, but Committee has asked staff to provide additional information prior to any contractual commitments being entered into for the project.

Repair and Replacement Infrastructure Projects

The proposed Repair and Replacement (R&R) Capital Budget for 2017 represents a gross cost of \$11,568,472 funded mainly from capital reserves including specific R & R reserves. The 2017 R&R program includes repair work to facilities, roads, sidewalks, playgrounds, parks and the replacement of vehicles and equipment. Management has

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Report No. FS16-035

confirmed that they have the resource capacity to deliver the proposed capital program. Attachment #3 provides a summary of the recommended Repair and Replacement Capital program by project, by decision for 2017. Detailed Capital project pages can be viewed through the website link provided in the Attachments section under Attachment #3.

Growth and New Infrastructure Projects

The proposed Growth and New Capital Budget represents a gross cost of \$6,505,990. This capital program includes funding for the construction of new sidewalks, a new forklift, street plantings for 2C and a playground and parking facility at Stewart Burnett Park. Attachment #4 provides a summary of the recommended Growth and New Capital program by project, by decision for 2017. Detailed Capital project pages can be viewed through the website link provided in the Attachments section under Attachment #4.

Studies and Other Projects

The proposed major Studies and Other Projects Capital Budget presents a gross cost of \$125,000. This includes an Emergency Response Plan Update & Continuation of Operations Plan. Attachment #5 provides a summary of the recommended Studies and Other program by project, by decision for 2017. Detailed Capital project pages can be viewed through the website link provided in the Attachments section under Attachment #5.

Advisory Committee Review

Not applicable

Financial Implications

All funding is sourced from existing reserve funds of the Town, and not directly from the tax rate budget or utility rate budgets. The operating budget is a draft at this time for 2017, but it does include a sustainable contribution of funding into a variety of reserve funds in support of the town's ten year capital investment requirements, and is not tied to any specific capital project. Accordingly, the capital budget as recommended may be approved independently of the operating budget.

The draft capital budget materials included proposed funding sources for each capital project. To simplify this report, the recommendations refer to approval of all funding as recommended by Budget Committee for the projects. Where funding was amended by

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Budget Committee, the Town's website detailed materials will be updated to reflect such immediately following approval of this report.

Communications Considerations

This report along with all attachments will be posted to the Town's website on the Budget and Financial Information page.

Link to Strategic Plan

Developing, reviewing and presenting the annual capital investment plan supports several aspects of the Strategic Plan. 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. May provide alternative directions with respect to the recommendations arising from Special General Committee – Budget Committee.

Conclusions

The 2016 Asset Management Plan provides the framework upon which the town's repair and replacement budget is built by documenting the rationale and processes upon which all R&R capital project decisions are prepared by staff. The Budget Committee recommends that Council formally receive the updated 2016 Asset Management Plan.

The Budget Committee also recommends that council formally receive the Town's updated 2016 Ten Year Capital Investment Plan.

Staff presented to the Budget Committee a capital budget that balanced the repair and replacement of existing assets with new asset request, all of which are required to maintain the Town's existing levels of service that taxpayers have come to expect. Budget Committee has reviewed each proposal in detail, and recommends the approval by Council of the final capital budget as presented herein.

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Attachments

Attachment #1 – 2016 Asset Management Plan (see
<http://www.aurora.ca/TownHall/Pages/Budget.aspx>)

Attachment #2 – 2016 Ten Year Capital Investment Plan (see
<http://www.aurora.ca/TownHall/Pages/Budget.aspx>)

Attachment #3 – 2017 Repair & Replacement Capital Program Summary
<http://www.aurora.ca/TownHall/Pages/Budget.aspx>

Attachment #4 – 2017 Growth and New Infrastructure Capital Program Summary
<http://www.aurora.ca/TownHall/Pages/Budget.aspx>

Attachment #5 – 2017 Studies and Other Capital Program Summary
<http://www.aurora.ca/TownHall/Pages/Budget.aspx>

Previous Reports

FS16-027, 2017 Capital Investment Program and Ten Year Asset Management Plan
Overview, September 27, 2016


Pre-submission Review

Budget Committee - October 15, 2016

Departmental Approval


for Dan Elliott, CPA, CA
Director of Financial Services
- Treasurer

Approved for Agenda


Doug Nadorozny
Chief Administrative Officer

Attachment 3

2017 Repair and Replacement Capital Projects

Summarized by Results of Council Discussions

| Project ID | Project | New 2017 Requests |
|------------|---------|-------------------|
|------------|---------|-------------------|

BUDGET COMMITTEE APPROVED

Corporate Services

| | | |
|-------------------------------------|--|-------------------|
| 12002 | Accessibility Committee | 125,000 |
| 14047 | Computer & Related Infrastructure | 151,900 |
| 14068 | Wireless Upgrades and Enhancements | 18,000 |
| 72238 | Town Hall - Council Chambers A/V System Upgrades | 251,922 |
| Corporate Services Sub Total | | \$ 546,822 |

Facilities

| | | |
|-----------------------------|--|---------------------|
| 72132 | ACC - Replace Rooftop HVAC | 250,000 |
| 72139 | AFLC - Signs | 50,000 |
| 72155 | ACC - Auditorium | 70,000 |
| 72182 | 3 Stream - Recycling Containers | 40,000 |
| 72195 | JOC - Fuel Management System* | 100,000 |
| 72201 | Workstation Refresh, Carpet, Paint | 90,000 |
| 72209 | AFLC - Pool Tile and Drains* | 350,000 |
| 72210 | AFLC - Re & Re Duct Work* | 75,000 |
| 72225 | AFLC - LED Lighting for Arena, Pool and Squash Courts* | 150,000 |
| 72258 | Library - Accessible Door Installation - Yonge St Entrance | 20,000 |
| 72263 | SARC - Cooling Evaporator Tower | 75,000 |
| 72267 | 22 Church St - Exterior Painting | 25,000 |
| 72269 | AED Replacement - Various Locations | 35,000 |
| 72270 | SARC - Retrofit Shower Fixtures | 35,000 |
| 72271 | SARC - Replace Inverter Systems for Fire Panel | 15,000 |
| 72275 | Library - Improvements - Canada 150 Intake II* | 300,000 |
| 72276 | SARC - Improvements - Canada 150 Intake II* | 375,000 |
| 72277 | ACC - Improvements - Canada 150 Intake II* | 400,000 |
| 72279 | Firehall 4-3 - Air Conditioning Unit | 10,000 |
| 72280 | ACC - Rubber Flooring Repairs | 12,000 |
| Facilities Sub Total | | \$ 2,477,000 |

Fleet

| | | |
|------------------------|-----------------------------|-------------------|
| 34197 | Ford F 150 (#2) | 45,000 |
| 34198 | Ford F 150 (#14) | 45,000 |
| 34230 | Chev Express (#20) | 60,000 |
| 34231 | Chev Express (#21) | 60,000 |
| 71093 | Kubota/60" Zero Turn (#261) | 15,000 |
| 71094 | Kubota/60" Zero Turn (#262) | 15,000 |
| 71095 | Kubota/60" Zero Turn (#263) | 15,000 |
| 71096 | Kubota/60" Zero Turn (#265) | 15,000 |
| 71101 | Kubota/60" Zero Turn (#260) | 15,000 |
| 71102 | Kubota/60" Zero Turn (#264) | 15,000 |
| 71105 | JD Zero Turn Mower (#257) | 15,000 |
| Fleet Sub Total | | \$ 315,000 |

Roads

| | | |
|------------------------|---|---------------------|
| 31107 | Recon - Brookland - Yonge St to Banbury Crt | 1,816,600 |
| 31108 | Recon - Algonquin Cres and Haida Dr | 1,671,600 |
| 31153 | Maximo Upgrade to 7.6 | 75,000 |
| 34611 | S/W Repair - Henderson - Tamarac to Poplar | 410,000 |
| 34613 | S/W Repair - St John's Gateway to Industrial Pkwy N | 25,000 |
| Roads Sub Total | | \$ 3,998,200 |

Parks, Recreation & Cultural Services

| | | |
|---|---|-------------------|
| 73134 | Parks/ Trails Signage Strategy Study & Implementation | 96,350 |
| 73154 | Playground Surface Restoration | 10,600 |
| 73160 | Emerald Ash Borer Management Program | 235,000 |
| 73209 | Playground Replacement - Lundy Park | 75,000 |
| 73227 | Tennis Court Resurface - N Weller Park | 20,000 |
| 73289 | Convert Pathway Lighting to LED | 30,000 |
| 73291 | Traffic Circle Improvements in 2B | 25,000 |
| 74007 | AFLC Fitness Equipment Replacement | 53,000 |
| Parks & Recreation Sub Total | | \$ 544,950 |

Rates

| | | |
|-----------------------|---|---------------------|
| 41009 | 3 Phase Electrical Power | 60,000 |
| 41011 | Sanitary Sewer CCTV Inspection | 150,000 |
| 43038 | Water Meter Replacement Program | 300,000 |
| 43044 | Bulk Water Meter Installation | 200,000 |
| 43054 | Structural Watermain Relining Program - 2017-2023 | 1,000,000 |
| 43058 | Bulk Water Station | 60,000 |
| 42062 | Flood Study for Tannery Creek | 75,000 |
| 42064 | Storm Sewer Outlet Cleanup | 50,000 |
| 42065 | Oversized Storm Pipe Assessment and Clean Up | 500,000 |
| 42066 | Damaged Storm Pipe off Henderson Dr | 150,000 |
| Rate Sub Total | | \$ 2,545,000 |

TOTAL PROJECT FUNDING APPROVED AS PRESENTED \$ 10,426,972

APPROVED PENDING FURTHER REPORT

Facilities

| | | |
|-----------------------------|---|-------------------|
| 72259 | Victoria Hall - Accessibility Ramp Installation | 20,000 |
| 72272 | SARC - Refresh Program Room | 20,000 |
| 72274 | AFLC - Squash Courts Floor Replacement* | 100,000 |
| Facilities Sub Total | | \$ 140,000 |

Fleet

| | | |
|------------------------|---------------------------------------|------------------|
| 24006 | By-law Toyota Tacoma Pick Up (#403) | 40,000 |
| 34407 | Back up Cameras for Existing Vehicles | 50,000 |
| Fleet Sub Total | | \$ 90,000 |

Parks, Recreation & Cultural Services

| | | |
|--|---|-------------------|
| 73190 | Bandshell/Washroom Roof & Paint | 30,000 |
| 73223 | Replace Artificial Turf - Sheppard's Bush | 700,000 |
| Parks, Recreation & Cultural Services Sub Total | | \$ 730,000 |

APPROVED PENDING A DETAILED REPORT BACK TO COUNCIL \$ 960,000

OTHER DIRECTION - Approved on condition of Canada 150 infrastructure grant receipt

Parks, Recreation & Cultural Services

| | | |
|--|---------------------------------|-------------------|
| 73277 | Willow Farm Trail Improvements* | 181,500 |
| Parks, Recreation & Cultural Services Sub Total | | \$ 181,500 |

OTHER DIRECTION \$ 181,500

TOTAL 2017 REPAIR & REPLACEMENT CAPITAL BUDGET \$ 11,568,472

*Canada 150 Infrastructure Intake II grant application submitted

Attachment 4

2017 Growth and New Capital Projects

Summarized by Results of Council Discussions

| Project ID | Project | New 2017 Requests |
|------------|---------|-------------------|
|------------|---------|-------------------|

BUDGET COMMITTEE APPROVED

Corporate Services

| | | |
|-------------------------------------|------------------------------|-------------------|
| 14037 | Joint Ops LAN Room & DR site | 75,000 |
| 24015 | Radios for By-Law Officers | 25,000 |
| Corporate Services Sub Total | | \$ 100,000 |

Facilities

| | | |
|-----------------------------|--------------------------------|------------------|
| 72273 | Mobile Two Way Handheld Radios | 40,000 |
| Facilities Sub Total | | \$ 40,000 |

Fleet

| | | |
|-----------------------------|----------|------------------|
| 34408 | Forklift | 20,000 |
| Facilities Sub Total | | \$ 20,000 |

Infrastructure and Environmental Services

| | | |
|---|--|---------------------|
| 34527 | Yonge/Wellington Intersection Improvement | 75,000 |
| 34610 | S/W, Multi-use Trail and Illumination - Leslie St Wellington to Don Hillock | 182,810 |
| 34620 | S/W, Multi-use Trail and Illumination - Leslie St Wellington to State Farm | 361,580 |
| 34629 | S/W - Mary St - Industrial Pkwy S to Wellington | 586,000 |
| 34635 | S/W. Multi-use Trail and Illumination - St John's Bayview to Leslie | 1,411,300 |
| 43048 | St John's Sdrd - Leslie to 2C | 1,444,300 |
| Infrastructure and Environmental Sub Total | | \$ 4,060,990 |

Parks, Recreation & Cultural Services

| | | |
|--|--|---------------------|
| 73085 | Arboretum Development | 85,000 |
| 73119 | Street Tree Planting Contract | 575,000 |
| 73243 | Grade Separated Crossing Wellington East of John West Way | 60,000 |
| 73286 | Stewart Burnett Park Playground and Parking Facility | 400,000 |
| 73292 | Picnic Tables/Garbage Receptacles | 15,000 |
| 74013 | Museum Collection Infrastructure | 15,000 |
| Parks, Recreation & Cultural Services Sub Total | | \$ 1,150,000 |

Planning and Building Services

| | | |
|---|----------------------------------|------------------|
| 24013 | Building Division Website Portal | 75,000 |
| Planning and Building Services Sub Total | | \$ 75,000 |

TOTAL PROJECT FUNDING APPROVED AS PRESENTED \$ 5,445,990

APPROVED PENDING FURTHER REPORT

Parks, Recreation & Cultural Services

| | | |
|--|-------------------------------|---------------------|
| 73169 | Wildlife Park - Phase 1/2/3 | 1,000,000 |
| 74015 | Cultural Services Master Plan | 60,000 |
| Parks, Recreation & Cultural Services Sub Total | | \$ 1,060,000 |

APPROVED PENDING A DETAILED REPORT BACK TO COUNCIL \$ 1,060,000

TOTAL 2017 GROWTH & NEW CAPITAL BUDGET \$ 6,505,990

OTHER DIRECTION - NOT APPROVED; Projects to be referred back to staff for more information

Facilities

| | | |
|-----------------------------|--------------------------------------|---------------------|
| 72266 | Sheppard's Bush - AYSC Club Building | 1,120,000 |
| Facilities Sub Total | | \$ 1,120,000 |

Infrastructure and Environmental Services

| | | |
|--|-----------------------|-------------------|
| 34525 | Yonge St Parking Plan | 200,000 |
| Parks, Recreation & Cultural Services Sub Total | | \$ 200,000 |

Parks, Recreation & Cultural Services

| | | |
|--|-----------------|---------------------|
| 73256 | Artificial Turf | 1,000,000 |
| Parks, Recreation & Cultural Services Sub Total | | \$ 1,000,000 |

OTHER DIRECTION \$ 2,320,000

Attachment 5

2017 Studies and Other Capital Projects

Summarized by Results of Council Discussions

| Project ID | Project | New 2017 Requests |
|------------|---------|-------------------|
|------------|---------|-------------------|

BUDGET COMMITTEE APPROVED

Corporate Services

| | | |
|-------------------------------------|--|---------------|
| 13011 | Emergency Response Plan Update & Continuation of Operations Plan | 35,000 |
| Corporate Services Sub Total | | 35,000 |

Parks, Recreation & Cultural Services

| | | |
|--|---|---------------|
| 74014 | Facility Advertising and Sponsorship Programs | 90,000 |
| Parks, Recreation & Cultural Services Sub Total | | 90,000 |

TOTAL 2017 STUDIES & OTHER CAPITAL BUDGET \$ 125,000

OTHER DIRECTION - NOT APPROVED

Parks Recreation & Cultural Services

Approval Deferred, pending the result of Canada 150 celebration grant application

| | | |
|-------|-------------------------|--------|
| 74012 | Canada 150 Celebrations | 94,000 |
|-------|-------------------------|--------|

OTHER DIRECTION \$ 94,000



**Town of Aurora
Council Report**

No. FS16-036

Subject: 2017 Operating Budget

Prepared by: Dan Elliott, Director, Financial Services - Treasurer

Department: Financial Services

Date: November 8, 2016

Recommendation

- 1. That Report No. FS16-036 be received; and**
- 2. That the 2017 draft Operating Budget be referred to General Committee – Budget for review at its scheduled meetings commencing November 14, 2016; and**
- 3. That, following the completion of the General Committee review, the Treasurer bring forward a final budget approval report reflecting all adjustments recommended by the Committee.**

Executive Summary

Council's targets achieved with room to spare

On July 12, 2016, Council directed staff to prepare the 2017 Operating Budget, with a target tax rate increase equal to inflation. Inflation was subsequently reported as 2.1%. The budget was also to include a further 1% increase for fiscal strategies and infrastructure. This report presents the 2017 draft Operating Budget for review by General Committee – Budget and approval by Council. The 2017 draft operating budget recommended by staff results in a total tax levy pressure of 1.9% which is 0.2% lower than the maximum ceiling allotted by council. The additional 1% brings the total increase of the draft budget to 2.9%. This recommended budget:

- respects council's maximum defined tax pressure ceiling;
- addresses current budget underfunding in identified areas as reviewed with the Finance Advisory Committee;
- provides the Library Board, the Cultural Centre Board, and the Historical Society with their designated budget funding amount;
- continues with the town's phase-In budget strategy for the Fire Services expansion;

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- supports council's fiscal strategy objectives of reducing the town's reliance upon Supplementary tax and hydro fund proceed revenues; as well as, continuing to grow the Town's contributions in support of its infrastructure renewal.

Background

At its meeting of July 12, 2016, Council adopted the following resolutions arising from staff Report No. CFS16-022:

THAT the overall Aurora net tax increase for the Base Operating budget be limited to the reported July to June 2016 Consumer Price Index (CPI) for the Toronto Area; and

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

THAT within the Base Operating Budget, staff will develop a strategy to address current budget underfunding in identified areas such as utilities, and certain program revenue line items as reviewed with Finance Advisory Committee; and

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

THAT after accommodation of the budget underfunding, the Library Board, the Cultural Centre Board, and the Historical Society will each receive a designated budget funding amount for their respective budget development work; and

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

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

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

Analysis

Draft budget prepared by staff is below the target set by Council and meets all directives.

Staff are pleased to present the draft 2017 Operating Budget which reflects Council's direction, resulting in an average town share tax increase of 1.9% plus 1% for fiscal strategies for residential properties, representing an amount that is 0.2% below council's maximum defined tax pressure threshold of 3.10%.

The following items of key interest to Council have been reflected in the draft budget:

1. A funding strategy that addresses current budget underfunding in identified areas such as utilities, part time and full time salaries, and certain program revenue line items as reviewed with Finance Advisory Committee.
2. Increased contributions to infrastructure reserves equal to 0.6% of tax levy.
3. Reduced reliance on interest from hydro reserved, reducing last year's reliance of \$200,000 to only \$100,000 for 2017.
4. Reduced planned reliance on supplementary tax revenues in accordance with our financial strategy by \$75,000 to only \$425,000 for 2017.
5. Continued phase-in of expected cost increases for Central York Fire, which, as anticipated, slightly exceeds the budget draft approved by the Joint Council Committee for CYFS. The excess results in a contribution to tax stabilization reserve for future use in this phase-in plan. The Town had previously adopted a phase-in strategy of increasing fire services budget by 1.3% of Aurora's tax levy each year for six years.
6. All rates, fees, and charges of the Town have been indexed where permissible by 2.1% representing inflation as reported for the 12 month period July to June, 2016.
7. All revenue estimates have been carefully considered in the context of the inflated rates and fees, as well as expected activity volumes and reflected in the budget.

Staff have been able to achieve a base budget reflecting a 1.9% tax levy increase by utilizing new growth revenues arising from the recent growth of the 2C area, together with the above noted revenue changes, as well as constraining wherever possible the costs of operations of the Town. A further 1% increase has been included as directed by Council fiscal strategies such as increased contributions to infrastructure reserves and further reduction in the town's reliance upon hydro fund investment proceeds and supplementary tax revenues. By having a clear direction of Council, staff were able to focus their attention to developing a budget which would meet Council's goal.

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Attachment #1 outlines the operating expenses of each department, net of their respective non-tax revenues. The total Net Operating budget, so represented, shows the distribution of the actual total tax revenue of \$41,748,000. Attachment #2 outlines all revenues by type, showing the total combined revenues of \$60,689,100. Attachment #3 shows this information in tabular format in addition to staff's projected operating budget requirements for three outlook years (2018 to 2020). Attachment #4 outlines graphically the key budget pressures and influences in compiling the 2017 budget, ending with a 2.9% tax increase. The seven previously noted budget highlights are included in these graphics.

The Budget Binder is to be distributed today, and will be available on the Town's website shortly. Tab #3 of the Budget Binder includes a summary of all corporate Key Performance Indicators. As 2016 is not yet complete, the 2016 targets are shown, together with the 2017 targets. Past results are included. 2016 estimates have been included where possible.

Binder Tab #4 includes a summation of all departmental business objectives for the year which will advance various strategic initiatives of the Town's Strategic Plan.

Some of the highlights include:

- The development of an expanded economic development mandate and the creation of an Office of Economic Development;
- Cultural precinct advancement including the creation of a marketing plan to promote plans for the precinct;
- Implementation of recommendations coming out of the Cultural Master Plan;
- Implementation of three year plan for the Aurora Museum & Archives;
- Continue to monitor, evaluate and refine parking program working collaboratively with IES and the community;
- Develop a property standards strategy to address vacant buildings and absent property owners;
- Review of town facility advertising and sponsorship policy;
- Clarify the legal ownership of parking lot adjacent to Temperance Street in order to facilitate the objectives of the Promenade Study;
- Continue to work to attract a new hotel to the Town of Aurora;
- Develop a comprehensive communications and community engagement strategy;
- Detailed design and construction of Mavrinac Park;
- Detailed design and tender preparation for Wildlife Park;
- Promote the benefits of recreation and healthy lifestyles through support of Town Programs and Activate Aurora;
- Establish an event concierge program;
- Implementation of e-billing for water utilities;
- Initiate the implementation of a Town wide stream erosion management plan;

- Initiate climate change adaptation and GHG reduction strategy;
- Continued advancement of recommendations from Parks and Recreation Master Plan and Sports Plan;
- Preparation of a new comprehensive zoning bylaw;
- Introduce multi-year budgeting and other budget process changes to improve accountability, and streamline budget preparation and review cycles;
- To obtain Silver (Level 2) Certification from Excellence Canada
- Technology advancements – on line services, mobile devices, customer relations management system;

Tab #5 captures a summary of the 2017 Budget Option Decision Units as well as a detailed business case for each item listed. Binder Tab #6 contains the business plans and information regarding each operating department of the Town.

Advisory Committee Review

The Financial Advisory Committee is not charged with reviewing the annual operating budget.

Financial Implications

Residential tax bill impacts align close to inflation

Residential tax bills contain three different property taxes. Taxes collected for provincial education purposes represents approximately 20.4% of a residential tax bill, while taxes for York Region are approximately 43.2%, with the remaining 36.4% being retained by the Town for Town purposes.

The Town's 2.9% tax increase budget adds \$9.85 per year to the tax bill for each \$100,000 of assessment, or less than \$50 for a home assessed at \$500,000. For the average Aurora home assessed at \$770,000, this budget will add \$76 per year for the Town share of the tax bill.

When combined with the York Region's expected 2.69% tax rate and the revenue neutral education rate to be set by the Province (not until April 2017), the expected combined tax impact to a residential property is 2.23%. For reference, Attachment #5 sets out a history of Aurora's tax rate increases in recent years.

Total operating budget expenditures surpass \$60 million

The proposed budget sets out planned expenditures totalling \$60,689,100, funded with non-tax revenues of \$18,941,100, such as investment income, user fees, Federal Gas

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Tax grants, and fines & penalties. The remaining \$41,748,000 requirement is to be raised through property taxes, requiring a 2.9% average tax increase. Attachment #5 outlines Aurora's history of increases to its property tax levies.

A key budget pressure that is being addressed in this budget relates to the right sizing of multiple current budget underfunded items that have been identified through various means including Financial Advisory Committee detailed budget reviews, in areas which include utilities, full and part time salaries, contracts and reduced revenues. This total right-size pressure is being phased in over a two year period, with 60% of its value being recognized in 2017 and the remainder of 40% in 2018.

Staff are presenting service increase options for consideration at extra cost

A suite of 2017 budget pressures totaling \$188,500 which relate to town service enhancements are presented for the budget committee's consideration over and above staff's recommended 2.9% tax pressure. A summary of these 2017 budget option decision units is presented under Attachment #6. Details of these items can be found in Tab #5 of the 2017 budget binder package.

Communications Considerations

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

Link to Strategic Plan

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

Alternative(s) to the Recommendation

1. None: General Committee will consider the presented draft budget in detail, reviewing materials from each operating department, as well as materials presented by the Library Board, the Aurora Cultural Board, and the Aurora Historical Society. Shortly, the approved 2017 detailed budget for Central York

November 8, 2016

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Report No. FS16-036

Fire Services, as reviewed and recommended by the Joint Council Committee will be presented to Committee for comment.

The Committee may make recommendations for changes to the 2017 draft budget at any time during its review process.

Conclusions

Council established a budget target for the 2017 operating budget of inflation plus 1% in support of fiscal strategies, representing a maximum 3.10% tax increase. Staff have responded and have developed a comprehensive budget producing a lower total required tax increase of 2.9%. Of this recommended tax levy increase, 1.9% relates to the town's core operations; the remainder of 1.0% is fiscal strategy driven. As directed, all revenue rates, fees and charges have been indexed for inflation wherever possible. All operating lines continue to be examined for opportunities for constraint, while maintaining services. All revenue targets were examined for expected volumes of activities. Through careful review, the 2.9% tax increase budget meets all of Council's criteria and goals set out in their directives to staff.

During the past year, staff have heard of a number of new service level initiatives suggested by members of Council. Where these are indeed new service levels or enhancements, staff have identified costs and details, however have not included these in the 2.9% draft budget. These items are separately described as Budget Option Decision Units, as these can be selected for funding by Council individually. Funding requirements for any chosen by Council will increase the tax increase beyond the drafted 2.9%

Attachments

- Attachment # 1 – Net Operating Budget by Department
- Attachment # 2 – Total Revenues by Source
- Attachment # 3 – 2017 Draft Operating Budget – Summary by Department
- Attachment # 4 – Key Budget Drivers Summary (graphical)
- Attachment # 5 – Tax Rate History
- Attachment # 6 – Summary of 2017 Budget Option Decision Units

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Previous Reports

CFS16-022, 2017 Budget Preparation Directions – to Council on July 12, 2016.

Pre-submission Review

Agenda Management Meeting review on October 27, 2016

Departmental Approval

Approved for Agenda

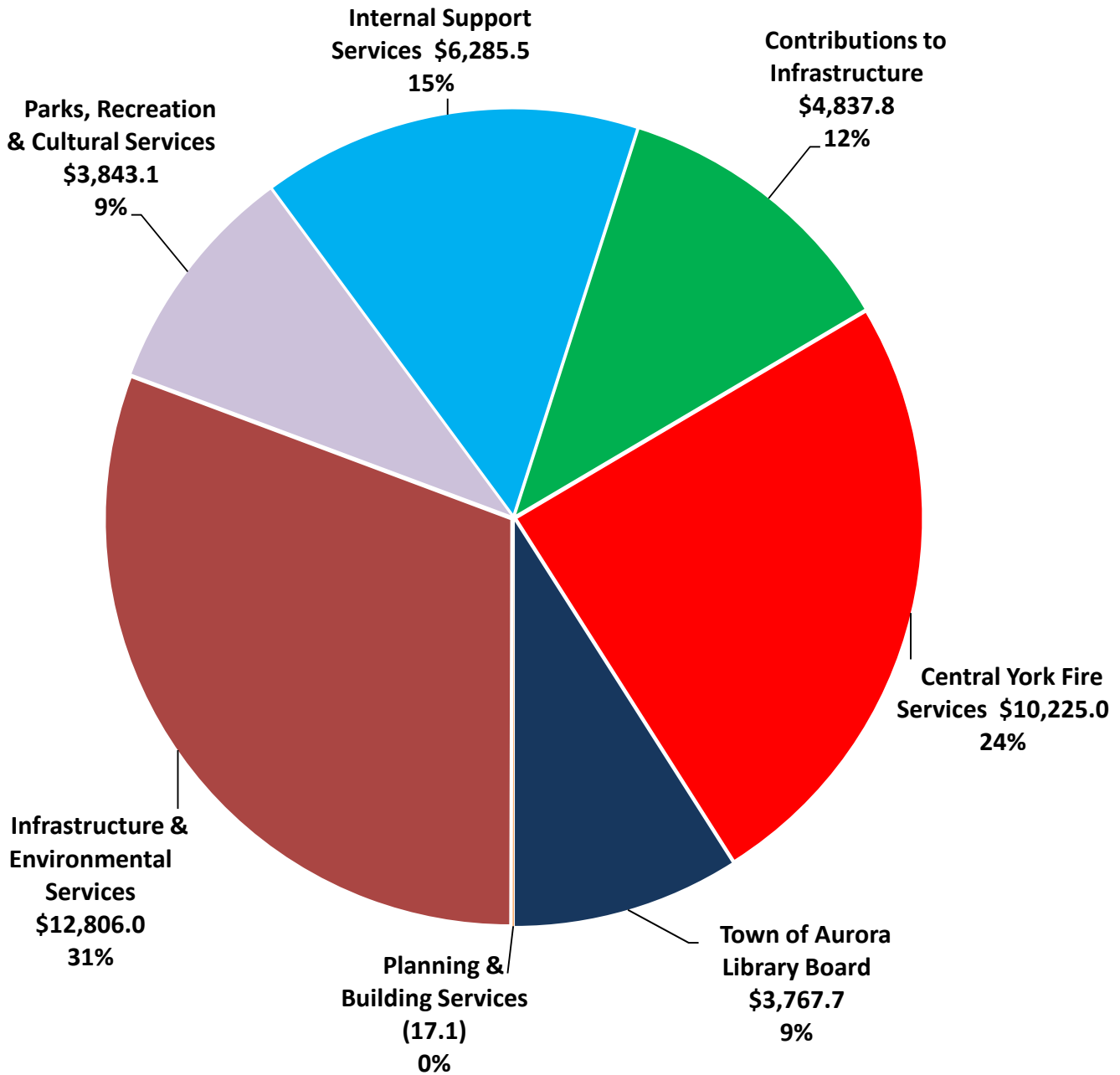

for Dan Elliott
Director
Financial Services


Doug Nadorozny
Chief Administrative Officer

Attachment 1

Town of Aurora 2017 DRAFT Operating Budget Net Operating Budget by Service

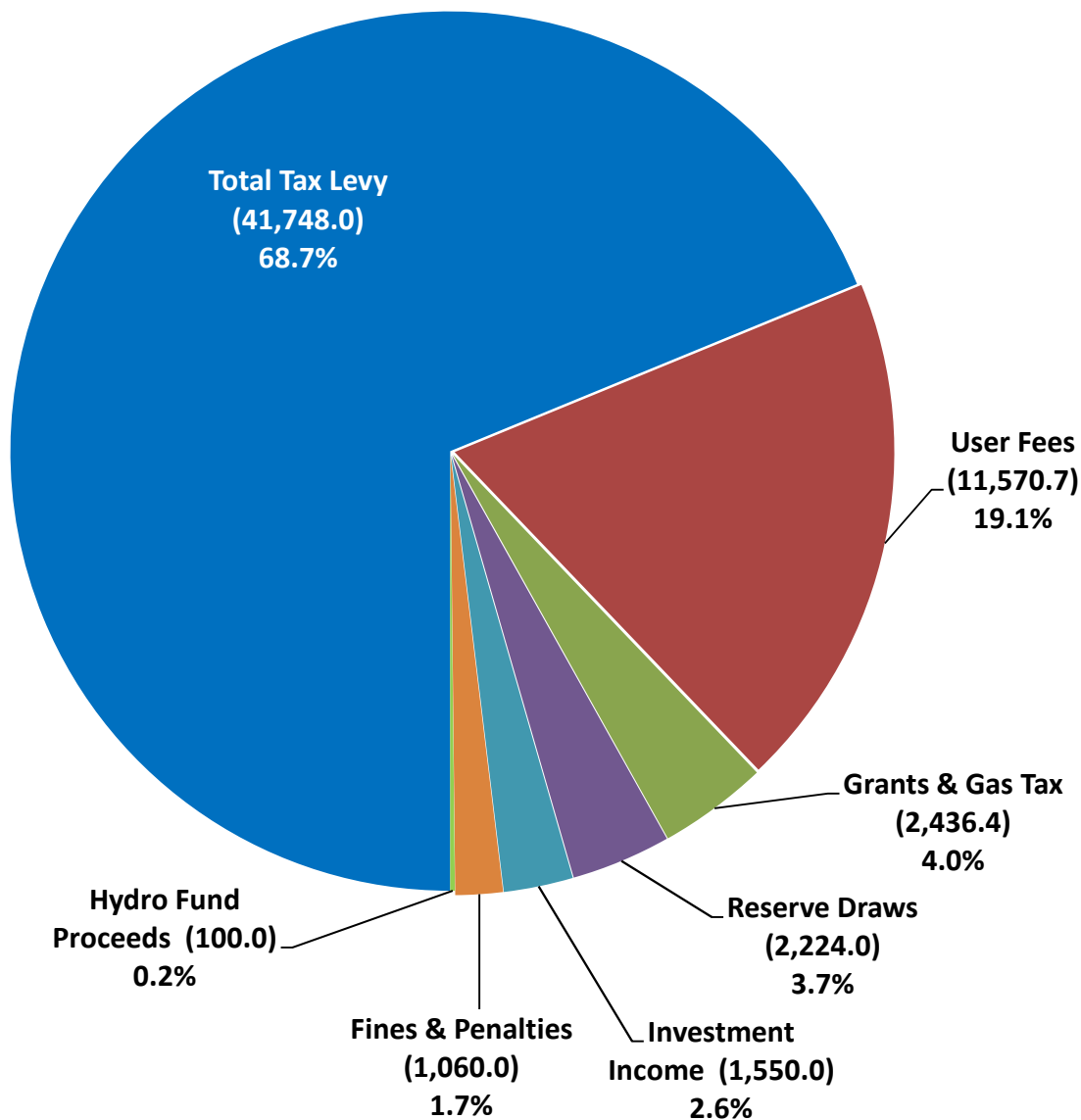
Shown in \$000's



Attachment 2

**Town of Aurora
2017 DRAFT Operating Budget
Total Revenues by Source**

Shown in \$000's

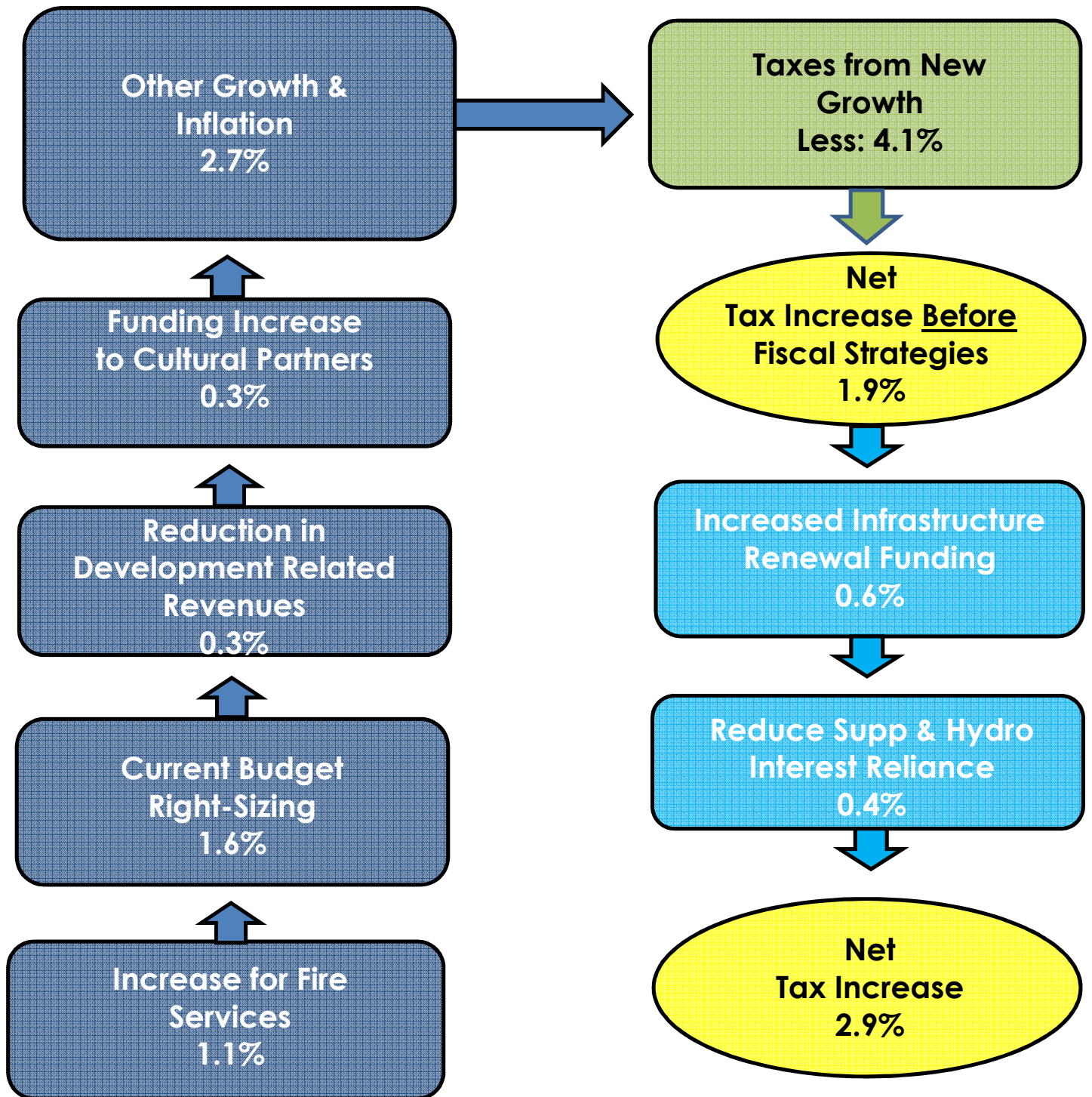


* User Fees include revenue received in relation to the utilization of the town's various service offerings such as its parks and facilities, building permit issuances and development application fees.

**Town of Aurora
Four Year Operating Budget Recommended Funding Levels (2017 - 2020)
SUMMARY BY DEPARTMENT**

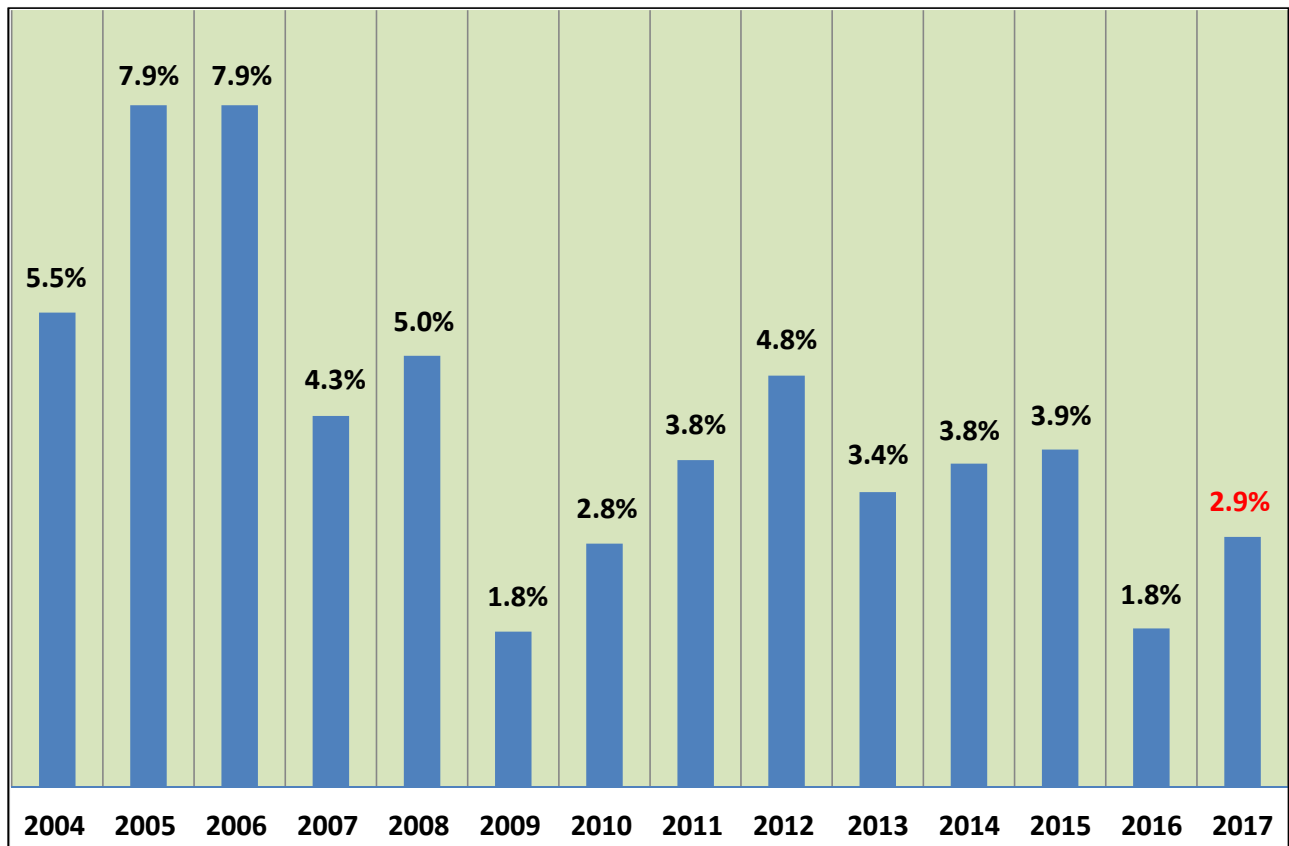
| <u>Shown in \$000's</u> | 2016 | 2017 | | 2018 | | 2019 | | 2020 | |
|---|----------------------------|----------------------|---------------------|----------------------|---------------------|----------------------|---------------------|----------------------|---------------------|
| | Approved Budget (adjusted) | Recommend Budget | Dollar Change | Recommend Budget | Dollar Change | Recommend Budget | Dollar Change | Recommend Budget | Dollar Change |
| Gross Expenses | | | | | | | | | |
| Council | \$ 532.8 | \$ 539.0 | \$ (6.2) | \$ 546.9 | \$ (7.9) | \$ 556.1 | \$ (9.2) | \$ 565.8 | \$ (9.7) |
| CAO's Office | \$ 1,077.7 | \$ 1,247.8 | (170.0) | \$ 1,281.0 | \$ (33.3) | \$ 1,318.0 | \$ (37.0) | \$ 1,355.0 | \$ (37.0) |
| Corporate Services | \$ 6,994.4 | \$ 7,340.5 | (346.1) | \$ 7,714.5 | \$ (374.0) | \$ 7,903.4 | \$ (188.9) | \$ 8,150.2 | \$ (246.8) |
| Election 2018 | \$ 82.5 | \$ 82.5 | - | \$ 82.5 | \$ - | \$ 82.5 | \$ - | \$ 82.5 | \$ - |
| Financial Services | \$ 1,500.1 | \$ 1,573.9 | (73.8) | \$ 1,619.8 | \$ (45.8) | \$ 1,671.9 | \$ (52.1) | \$ 1,715.9 | \$ (44.0) |
| Planning and Building Services | \$ 4,555.1 | \$ 4,602.0 | (46.9) | \$ 4,647.0 | \$ (45.0) | \$ 4,490.1 | \$ 157.0 | \$ 4,533.5 | \$ (43.4) |
| Infrastructure & Environmental Services | \$ 13,620.6 | \$ 14,605.2 | (984.6) | \$ 14,958.5 | \$ (353.2) | \$ 15,149.9 | \$ (191.5) | \$ 15,327.9 | \$ (177.9) |
| Parks, Recreation & Cultural Services | \$ 8,824.2 | \$ 9,222.9 | (398.7) | \$ 9,614.0 | \$ (391.1) | \$ 9,830.0 | \$ (216.0) | \$ 10,050.0 | \$ (220.0) |
| Corporate Expenses | \$ 7,548.7 | \$ 7,482.5 | 66.2 | \$ 7,841.5 | \$ (359.0) | \$ 8,475.2 | \$ (633.7) | \$ 8,706.6 | \$ (231.4) |
| Fire Services | \$ 9,774.8 | \$ 10,225.0 | (450.2) | \$ 10,730.4 | \$ (505.4) | \$ 11,261.1 | \$ (530.7) | \$ 11,818.3 | \$ (557.2) |
| Library Operations | \$ 3,659.0 | \$ 3,767.7 | (108.7) | \$ 3,843.1 | \$ (75.4) | \$ 3,919.9 | \$ (76.9) | \$ 3,998.3 | \$ (78.4) |
| Gross Expenditures | \$ 58,169.9 | \$ 60,689.1 | \$ (2,519.2) | \$ 62,879.2 | \$ (2,190.1) | \$ 64,658.1 | \$ (1,778.9) | \$ 66,303.9 | \$ (1,645.7) |
| Gross Revenues | | | | | | | | | |
| Council | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| CAO's Office | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Corporate Services | \$ (518.7) | \$ (372.3) | (146.5) | \$ (298.9) | \$ (73.3) | \$ (302.1) | \$ 3.2 | \$ (307.3) | \$ 5.2 |
| Election 2018 | \$ - | \$ - | - | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Financial Services | \$ (177.6) | \$ (181.4) | 3.8 | \$ (162.6) | \$ (18.8) | \$ (164.2) | \$ 1.6 | \$ (167.1) | \$ 2.9 |
| Planning and Building Services | \$ (4,688.3) | \$ (4,619.1) | (69.2) | \$ (4,018.3) | \$ (600.8) | \$ (3,484.6) | \$ (533.7) | \$ (3,394.8) | \$ (89.8) |
| Infrastructure & Environmental Services | \$ (1,607.7) | \$ (1,799.3) | 191.6 | \$ (1,582.0) | \$ (217.3) | \$ (1,313.2) | \$ (268.8) | \$ (1,185.0) | \$ (128.2) |
| Parks, Recreation & Cultural Services | \$ (5,410.5) | \$ (5,379.8) | (30.7) | \$ (5,341.0) | \$ (38.8) | \$ (5,268.7) | \$ (72.3) | \$ (5,340.6) | \$ 71.9 |
| Corporate Revenues | \$ (6,808.1) | \$ (6,589.3) | (218.8) | \$ (6,163.3) | \$ (426.0) | \$ (6,501.7) | \$ 338.4 | \$ (6,426.7) | \$ (75.0) |
| | \$ (19,210.9) | \$ (18,941.2) | \$ (269.7) | \$ (17,566.1) | \$ (1,375.1) | \$ (17,034.5) | \$ (531.6) | \$ (16,821.4) | \$ (213.0) |
| Taxation Base | (38,959.0) | \$ (38,959.0) | | \$ (41,748.0) | | \$ (45,313.2) | | \$ (47,623.7) | |
| Taxation - Growth from New Assessmen | - | \$ (1,597.3) | 1,597.3 | \$ (1,252.4) | 1,252.4 | \$ (951.6) | 951.6 | \$ (952.5) | 952.5 |
| Gross Revenues | \$ (58,169.90) | \$ (59,497.5) | \$ 1,327.6 | \$ (60,566.5) | \$ (122.7) | \$ (63,299.2) | \$ 420.0 | \$ (65,397.6) | \$ 739.5 |
| Net Expenditures/(Revenues) | | | | | | | | | |
| Council | \$ 532.8 | \$ 539.0 | \$ (6.2) | \$ 546.9 | \$ (7.9) | \$ 556.1 | \$ (9.2) | \$ 565.8 | \$ (9.7) |
| CAO's Office | 1,077.7 | 1,247.8 | (170.0) | 1,281.0 | \$ (33.3) | 1,318.0 | \$ (37.0) | 1,355.0 | (37.0) |
| Corporate Services | 6,475.7 | 6,968.3 | (492.6) | 7,415.6 | \$ (447.3) | 7,601.3 | \$ (185.7) | 7,842.9 | (241.6) |
| Election 2018 | 82.5 | 82.5 | - | 82.5 | \$ - | 82.5 | \$ - | 82.5 | - |
| Financial Services | 1,322.5 | 1,392.5 | (70.0) | 1,457.2 | \$ (64.7) | 1,507.7 | \$ (50.5) | 1,548.8 | (41.1) |
| Planning and Building Services | (133.2) | (17.1) | (116.1) | 628.7 | \$ (645.9) | 1,005.5 | \$ (376.7) | 1,138.7 | (133.2) |
| Infrastructure & Environmental Services | 12,012.9 | 12,806.0 | (793.1) | 13,376.5 | \$ (570.5) | 13,836.8 | \$ (460.2) | 14,142.9 | (306.1) |
| Parks, Recreation & Cultural Services | 3,413.7 | 3,843.1 | (429.4) | 4,273.0 | \$ (429.9) | 4,561.3 | \$ (288.3) | 4,709.4 | (148.1) |
| Corporate Revenues | 740.6 | 893.2 | (152.6) | 1,678.2 | \$ (785.0) | 1,973.5 | \$ (295.3) | 2,279.9 | (306.4) |
| Fire Services | 9,774.8 | 10,225.0 | (450.2) | 10,730.4 | \$ (505.4) | 11,261.1 | \$ (530.7) | 11,818.3 | (557.2) |
| Library Operations | 3,659.0 | 3,767.7 | (108.7) | 3,843.1 | \$ (75.4) | 3,919.9 | \$ (76.9) | 3,998.3 | (78.4) |
| | \$ 38,959.0 | \$ 41,748.0 | \$ (2,789.0) | \$ 45,313.2 | \$ (3,565.2) | \$ 47,623.7 | \$ (2,310.5) | \$ 49,482.4 | \$ (1,858.8) |
| Taxation | \$ (38,959.0) | (40,556.3) | \$ 1,597.3 | (43,000.4) | \$ 1,252.4 | (46,264.7) | \$ 951.6 | (48,576.2) | \$ 952.5 |
| NET | \$ - | \$ 1,191.6 | \$ (1,191.6) | \$ 2,312.8 | \$ (2,312.8) | \$ 1,358.9 | \$ (1,358.9) | \$ 906.3 | \$ (906.3) |
| Tax Pressure Change | | | | | | | | | |
| Core Operations | | | 1.9% | | 4.4% | | 1.9% | | 0.9% |
| Fiscal Strategy | | | 1.0% | | 1.0% | | 1.0% | | 1.0% |

Town of Aurora
2017 Draft Operating Budget
KEY BUDGET DRIVERS



Attachment 5

**Town of Aurora
2017 Draft Operating Budget
HISTORY OF AURORA TAX RATE INCREASES**





100 John West Way
Box 1000
Aurora, Ontario
L4G 6J1
Phone: 905-727-3123 ext. 4746
Email: mayor@aurora.ca
www.aurora.ca

**Town of Aurora
Office of the Mayor**

Memorandum

Date: November 8, 2016
To: Members of Council
From: Mayor Geoffrey Dawe
Re: **Strategic Plan Steering Committee**

On Tuesday, September 15, 2015, Council considered report CAO15-011 and approved the following motion:

THAT Report No. CAO15-011 be received; and

THAT an update to the Town of Aurora Strategic Plan, based on the work plan outlined in this report, be authorized; and

THAT a Strategic Plan Steering Committee, to guide the 2015 Strategic Plan Update process as outlined in this report, be established.

Recommendation

- 1. That Councillors Sandra Humfries and Michael Thompson be appointed to the Strategic Plan Steering Committee; and**
- 2. That the Strategic Plan Steering Committee be supported by staff in the Legislative Services Division and Long Range & Strategic Planning Division.**



**Town of Aurora
Office of the Mayor**

Memorandum

Date: November 8, 2016
To: Members of Council
From: Mayor Geoffrey Dawe
Re: York Regional Council Highlights ~ October 20, 2016 ~

Recommendation

That Council:

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

Council highlights from The Regional Municipality of York

[View this email in your browser](#)

Council Highlights
For Immediate Release

The Regional Municipality of York | york.ca



Friday, October 21, 2016

York Regional Council Highlights - Thursday, October 20, 2016

Commissioner of Community and Health Services to retire in February 2017

York Region Chairman and CEO Wayne Emmerson announced the retirement of Adelina Urbanski, York Region's Commissioner of Community and Health Services. Commissioner Urbanski joined York Region in 2010 and will retire in February 2017 following many years of municipal and provincial service.

Ms Urbanski is responsible for York Region's largest department as well as operations of Housing York Inc. She oversees the staff support to various other advisory bodies including the Human Services Planning Board, the Accessibility Advisory Committee and, most recently, the Seniors Strategy Advisory Task Force.

Fall edition of York Region Matters celebrates York Region's 45th anniversary

York Regional Council received advance copies of [York Region Matters](#), the Region's corporate newsletter delivered to more than 370,000 homes and businesses. Mailing of the newsletter will begin tomorrow, October 21.

In addition to providing highlights of many programs and services provided by York Region, this edition travels back in time to visit the first 45 years of The Regional Municipality of York. A [more comprehensive](#) anniversary review is available online.

Residents are encouraged to provide feedback on this edition of *York Region Matters* by completing the survey at york.ca/yorkregionmatters

Character Community Week in York Region

York Regional Council will recognize Character Community Week on October 24 to 29. [Character Community Foundation of York Region](#) uses the week to raise awareness of the Character Community initiative and the benefits of living with positive character.

The core values of the Character Community Foundation are Collaboration, Inclusiveness, Integrity and Responsibility.

A Character Community attracts people and businesses of character and acts as a driver for economic growth and prosperity. Among the activities planned for the week:

- Character Community Awards
- Music Alive Festival
- Character 4 Organizations workshops

285 Syrian refugees resettle in York Region

York Regional Council received an update on the success of The Region's response to the federal government's Syrian Refugee Resettlement initiative, with [285 Syrian newcomers welcomed to York Region this year](#).

Making use of strong community partnerships, York Region developed a Refugee Planning Table to assess refugee service needs and the expected long-term impact on existing programs and services. In response to this increased demand for services, York Regional Council allocated up to \$200,000 to community agencies to help newcomer refugees.

York Region to submit list of projects for funding under the federal Clean Water and Wastewater Fund

York Regional Council approved a list of 10 projects for submission under the federal government's Clean Water and Wastewater Fund (CWWF). The CWWF is designed to achieve immediate improvements to water distribution and treatment infrastructure and will help to improve reliability of drinking water, wastewater and stormwater systems.

Only specific projects meeting program guidelines can be considered for funding. If approved, York Region is eligible to receive a maximum federal allocation of \$23.2 million and a maximum provincial allocation of \$11.6 million.

Submissions are due by October 31, 2016 and successful projects will be identified in January 2017.

Joint report from York Region and the United Way highlights importance of affordable housing

The Regional Municipality of York and the United Way Toronto & York Region released [Understanding the Numbers](#), a joint report providing data-based research on homelessness in the community.

Based on data collected from the *Homeless Individuals and Families Information System* and the January 2016 *Point in Time* count, the report found 1,326 individuals (less than one per cent of York Region's population) found themselves homeless and staying in emergency housing facilities and seasonal shelters.

Understanding the Numbers provides a better understanding of homelessness in York Region, and helps Regional Council work with other levels of government to provide further community supports and increase the range of affordable housing choices in York Region.

Commenting on the future of transportation in Ontario

The Regional Municipality of York is providing [comments on the Discussion Paper](#) to Metrolinx for the next Regional Transportation Plan. Metrolinx is updating the plan to ensure York Region's long-term plans are in line with the Regional Transportation Plan and other provincial planning documents.

Strong infrastructure supports York Region services

The Regional Municipality of York 2015 Corporate State of Infrastructure Report shows Regional assets are in good condition as a result of ongoing investment, maintenance and monitoring efforts.

York Region owns and maintains approximately \$11 billion in infrastructure assets, including administrative facilities, housing, information technology, paramedic services, policing, health care, transportation, transit, water supply, wastewater treatment, waste management and forestry.

These assets were evaluated against the criteria of condition, reliability and capacity, with most asset categories rating very good or good as of December 31, 2015.

The Corporate State of Infrastructure Report is completed every two years. For more

information, please consult the full [2015 Corporate State of Infrastructure Report](#).

York Region awards Annex construction contract to EllisDon Corporation

York Region has [awarded a contract](#) to EllisDon Corporation in the amount of \$172,084,354 for construction of the York Region Administrative Centre Annex at the corner of Yonge Street and Eagle Street in the Town of Newmarket.

Construction will begin on the eight-storey, 422,000-square-foot facility in 2017 with completion expected in 2020.

Located next to York Region's existing administrative headquarters at 17250 Yonge Street, the Annex will consolidate community, health and courts services into one central, fully-accessible, modern facility. In accordance with York Regional Council's direction, the Annex is designed to achieve a LEED (Leadership in Energy Efficient Design) Silver designation.

An overall project budget of \$212 million has been approved for the Annex project.

Building better roads: 114 construction projects underway this year

There are 114 construction projects underway in the [10-Year Roads and Capital Construction Program](#), making 2016 the most active project year in history to improve and enhance the travel options for people in The Regional Municipality of York.

The 10-year program has an overall budget of \$1.5 billion and is divided into two programs. The Growth Plan, valued at approximately \$1.2 billion, is used for road widening and building new roads. The State of Good Repair Program is valued at \$315 million and includes pavement repair and intersection improvements.

Smart Commute Workplace Program continues to reduce vehicle travel demand

York Regional Council continues to provide support and funding to the [Smart Commute Workplace Program](#), which encourages those living and working in the area to choose more efficient transportation options.

Annual Regional funding of \$222,000 will be provided to Smart Commute Markham Richmond Hill, Smart Commute Central and Smart Commute North Toronto Vaughan.

The success of the Smart Commute Program in York Region has eliminated 2.6

million kilograms of greenhouse gas emissions, avoided more than 12.85 million vehicle kilometres travelled and has saved commuters \$4.7 million in commuting costs.

Coming soon: York University's Markham Centre

York Regional Council received updates on the new [Markham Centre Campus](#) from York University and the York University Development Corporation.

The University plans to open a Community Engagement Centre for the new campus in early 2017. Located at [169 Enterprise Boulevard](#), the centre will host collaborative research projects for University faculties and serve as the University's "front door" to Markham while the new campus is being built.

York Region leads the way in waste reduction

York Regional Council received the [2015 Waste Diversion Report](#) detailing waste reduction efforts and successes for last year. By achieving an 87 per cent diversion rate, including energy-from-waste initiatives, York Region is on track to realize its 2016 Strategic Plan goal of diverting 90 per cent of its waste from landfill and creating a healthier environment.

2015 successes include:

- 1,305 tonnes of household hazardous waste collected, an increase of 102 tonnes over 2014
 - 85,335 tonnes of blue box material collected, a decrease of 2,310 tonnes over 2014 due to less paper and more lightweight plastics being included in the blue box system
 - 96,593 tonnes of green bin material collected, an increase of 1,893 tonnes over 2014
-

Working to slow the spread of invasive species across York Region

York Regional Council received an update on the status of [invasive species and plants](#) in York Region. Since 2008, York Region staff have collaborated with partners to raise awareness of invasive species and remain informed of new and emerging threats to the environment. Updates include:

- [Emerald ash borer](#) (EAB) – Emerald Ash Borer is present in all nine municipalities across York Region; select large healthy ash trees with high landscape value are being protected with TreeAzin, dead and dying ash trees are being removed and replacement trees planted in their place

- [Hemlock woolly adelgid](#) – Invasive insect has been found in two Ontario locations; it is expected to spread to hemlock trees throughout Ontario
- Invasive plants – Plants such as [giant hogweed](#) and [dog-strangling vine](#) impact natural areas throughout the Region; public information is shared through a variety of sources including [york.ca](#), information sessions and printed publications

Making York Region an even more vibrant place to live, work, visit and invest

The [Annual Tourism Update](#) to York Regional Council highlights continued success across a range of initiatives in partnership with the [York Region Arts Council](#) to promote tourism, the arts and culture across York Region. York Region tourism, arts and culture highlights in 2015/16 include:

- More than \$1 million in revenue generated by the [Artrepreneur Business Accelerator Program](#) pilot
- A 22 per cent increase in visits to [yorkscene.com](#), the online resource for all things tourism, arts and culture in the Region

The Annual Tourism Summit, which has helped to drive industry engagement through collaboration, with a total of 600 participants since it began in 2013

Sewer Use Bylaw fee update

York Regional Council received an update on the Sewer Use Bylaw enforcement program and approved [a new fee schedule](#) to help support program initiatives. The enforcement program protects infrastructure, works, the public and the environment from harmful effects of industrial waste being put into the sewage system.

Program officers work with Regional businesses to help educate them on the importance of adhering to the bylaw to protect underground pipes and where required, ensure necessary equipment is in place or changes are made to facility processes to keep polluted water from entering the sewage system.

Next regular meeting of York Regional Council

York Regional Council will meet on Thursday, November 17 at 9 a.m. in the York Region Administrative Centre Council Chambers, located at 17250 Yonge Street in the Town of Newmarket.

The Regional Municipality of York consists of nine cities and towns, and provides a variety of programs and services to almost 1.2 million residents, 50,000 businesses and 580,000 employees. More information about the Region's key service areas is

available at york.ca/regionalservices

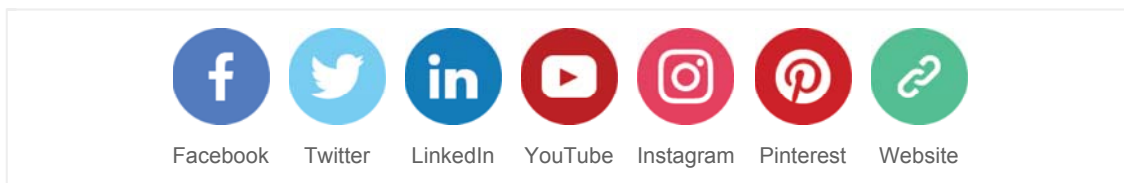
- 30 -

Compiled by:

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THE CORPORATION OF THE TOWN OF AURORA

By-law Number 5910-16

**BEING A BY-LAW to define the
procurement policies and procedures for
The Corporation of the Town of Aurora.**

WHEREAS paragraph 3 of subsection 270(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides that a municipality shall adopt and maintain policies with respect to its procurement of goods and services;

AND WHEREAS on May 28, 2013 The Corporation of the Town of Aurora (the "Town") passed a by-law regarding its procurement of goods and services, being By-law Number 5500-13;

AND WHEREAS it is deemed necessary to adopt a policy by by-law with respect to the Town's procurement of goods and services to replace By-law Number 5500-13;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AURORA HEREBY ENACTS AS FOLLOWS:

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**PART 1: PRINCIPLES, DEFINITIONS, APPLICATION, AND
AUTHORITY**

1. PURPOSES, GOALS, AND OBJECTIVES OF THIS BY-LAW

The purposes, goals, and objectives of this by-law, and of each of the methods of Procurement authorized herein, are:

- (a) to encourage competition among Bidders, Proponents, and Contractors;
- (b) to ensure that Bidders, Proponents, and Contractors are accountable to the Town and the public;
- (c) to provide the highest level of government service at the least possible cost;
- (d) to ensure fairness and objectivity toward and amongst Bidders during the procurement process;
- (e) to ensure openness, accountability and transparency while protecting the financial best interests of the Town;
- (f) to obtain the best value for the Town when procuring Goods, Services, and Construction;
- (g) to avoid conflicts between the interests of the Town and those of the Town's employees and elected officials;
- (h) to ensure compliance with international/interprovincial trade treaties or agreements, as amended;
- (i) to reduce waste, harmful emissions, and substances, and to increase the development and awareness of environmentally responsible procurement and/or other best green procurement practices available when developing the Bid Document for Goods, Services, and Construction; and
- (j) to incorporate, where applicable, the requirements of the *Accessibility for Ontarians with Disabilities Act, 2005*, as amended ("AODA") in Procurement activities of the Town as well as any requirements contained in other legislation (either provincial or federal) which may impact the Procurement activities of the Town.

2. PROCUREMENT PRINCIPLES AND PRACTICES

Procurement affects and is affected by the public sector organization as a whole, and the community it serves, whether at the local, provincial, or national level. Therefore, the Town has adopted the Public Procurement Principles and Practices, as follows:

Accountability:

Taking ownership and being responsible to stakeholders for our actions. This value is essential to preserve the public trust and protect the public interest.

Ethics:

Acting in a manner true to the values listed herein. Acting ethically is essential to preserve the public's trust.

Impartiality:

Unbiased decision-making and action. This value is essential to ensure fairness for the public good.

Professionalism:

Upholding high standards of job performance and ethical behavior. This value is essential to balance diverse public interests.

Service:

Obligation to assist stakeholders. This value is essential to support the public good.

Transparency:

Easily accessible and understandable policies and processes. This value is essential to demonstrate responsible use of public funds.

3. DEFINITIONS OF THIS BY-LAW

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

- (a) **“Authority”** or **“Authorized”** means the legal right to conduct the tasks outlined in this by-law as may be directed by Council and/or delegated to the CAO or a Department Head pursuant to this by-law or by resolution of Council. Authorized Purchases are those that have prior approval of Council either through resolution or through the Department budget;
- (b) **“Award”, “Awarded”,** or **“Acceptance”** means authorization to proceed with the Purchase for Goods, Services, or Construction from a selected Bidder;
- (c) **“Bid”** means a Tender, Proposal, or Quotation submitted in response to a Solicitation from the Town;
- (d) **“Bidding System”** means the Town’s online web-based solution for issuing solicitations and/or receiving online bid submissions and posting bid results;
- (e) **“Bid Bond”** means a monetary or financial Bond by which a third party (the surety) accepts liability and guarantees that: (i) the Bidder will not withdraw the Bid, (ii) the Bidder will furnish other Bonds as required, and (iii) if the contract is awarded to the bonded (insured) Bidder, the Bidder will accept the Contract as Bid, or else the surety will pay a specific amount;
- (f) **“Bid Deposit”** means a sum of money, a negotiable instrument, a cheque, another acceptable cash alternative (such as an irrevocable Letter of Credit), or a guarantee that the Bidder will enter into a Contract with the Town if the Bid is accepted. The form and type of Bid Deposit will be specified in the Bid Document;
- (g) **“Bid Document”** means the Town’s Solicitation document which may be in the form of a Quick Bid Request for Quotation (QB-RFQ), Quick Bid Request for Proposal (QB-RFP), Request for Quotation (RFQ), Request for Tender (RFT), Request for Proposal (RFP), Request for Pre-Qualification (RFPQ), or Sale;
- (h) **“Bidder”** means the individual or legal entity submitting a Bid. For clarity, in this by-law only, the word “Bidder” shall also include “Proponent”, “Respondent” and “Offeror”. The definition shall also include any principal, director, or officer of that Bidder, bidding directly for Town Contracts or indirectly through another legal entity;
- (i) **“Bid Review Committee”** or **“BRC”** means a committee constituted to review Irregularities and other issues pertaining to Bids as required;
- (j) **“Bond”** means a form of financial protection against damages; a binding agreement executed by a Contractor/Bidder and a third party

(surety) to guarantee the performance of certain obligations or duties to the Town;

- (k) “**CAO**” means the Chief Administrative Officer of the Town, or his/her designate;
- (l) “**Compliant Bidder**” means a Bidder whose Bid does not vary from the specifications and terms set out in the Bid Document.
- (m) “**Conflict of Interest**” means a situation where a personal or business interest of a Council member, officer, or employee of the Town may be in conflict with the best interests of the Town, and includes a situation where:
 - (i) a Council member, officer, or employee of the Town (or a family member thereof) may receive a direct or indirect pecuniary personal gain, benefit, advantage or privilege, from any individual or business (or any person related to such business) that wishes to provide or provides Goods, Services, or Construction to the Town; or
 - (ii) a Council member, officer, or employee of the Town (or a family member thereof) that has a direct or indirect pecuniary interest in any business that wishes to provide or provides Goods, Services or Construction to the Town,

and such Conflict of Interest shall be declared prior to Bid submission, to be addressed prior to Award, in accordance with subsection 7.5 of this by-law;

- (n) “**Construction**” means the process of utilizing labour to build, alter, repair, improve or demolish any structure, building or public improvement and includes any associated preparation, investigation, and supply of materials and equipment, but generally does not apply to routine maintenance, repair or operations of existing Real Property;
- (o) “**Contract**” means the agreement in writing governing the performance of the work which has been executed by the Town and the selected Bidder following Acceptance by the Town of the selected Bidder’s Bid. Generally, the term “Contract” shall also mean an obligation, such as an accepted offer, between competent parties upon a legal consideration to do or abstain from doing some act. Generally, the essential elements of a Contract are: (i) an offer and an acceptance of that offer; (ii) the capacity of the parties to contract; (iii) consideration to support the contract; (iv) a mutual identity of consent; (v) legality of purpose; and (vi) sufficient certainty of terms. A Contract is also an agreement between parties with binding legal and moral force, usually exchanging Goods, Services, Sale of Real or Personal Property, or Construction for money or other consideration;
- (p) “**Contractor**” means the selected Bidder to whom the Contract is awarded and whom is undertaking the execution of the work under the terms of the Contract. Also, an individual or business having an agreement with the Town to furnish Goods, Services, or Construction for an agreed upon price. For clarity, in this by-law only, “Contractor” shall also include “Vendor”;
- (q) “**Co-operative Purchasing**” means: (i) the action taken when two or more entities combine their requirements to obtain advantages of volume purchases including administrative savings and other benefits; and (ii) a variety of arrangements whereby two or more public procurement entities purchase from the same Vendor(s) or Contractor(s) using a single Solicitation;

- (r) **“Council”** means the Council of The Corporation of the Town of Aurora;
- (s) **“Department”** means a department of the Town;
- (t) **“Department Head”** means a Director, or his/her designate, of the Town who is responsible for a Department, and shall include the CAO with respect to his/her direct responsibilities for a Department;
- (u) **“Election Period”** means the period of time in the year of a regular municipal election starting from nomination day and ending on the day that is fixed for the beginning of the next term of Council, as such days may be defined in the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, as amended;
- (v) **“Electronic Bidding”** means a method of issuing Solicitations and/or receiving written Bids on the Bidding System where the process of issuing and/or receiving Bids by email, or online is considered appropriate and valid;
- (w) **“Emergency Purchase”** means an event or circumstance where the immediate purchase for Goods or Services, or the entering into of a Construction Contract, is essential or necessary in accordance with subsection 13.4 of this by-law. An Emergency Purchase shall also include any other expenditure that is necessary to respond to any emergency of the Town or as required under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended;
- (x) **“Evaluation Committee”** means a component of the Request for Proposal process, whereby a committee is established to conduct proposal evaluations, interviews, and negotiations during Proposal evaluation for Goods, Services, or Construction;
- (y) **“Financing Lease”** means a lease which allows for the provision of Goods, Services, or Construction if the lease may or will require payment by the Town of financing, interest, bonuses, premiums, or other charges or costs for the Goods, Services or Construction in compliance with: (i) O. Reg. 653/05, as amended, made under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, or any successor to such regulation; and (ii) Town Administration Procedure No. 60, or any successor thereto;
- (z) **“Formal”** means a form of response to a Solicitation or submission of a Bid that requires the response or Bid to be submitted inside of a sealed envelope or package, and may be done through Electronic Bidding;
- (aa) **“Goods”** means moveable property including: (i) the costs of installing, operating, maintaining, or manufacturing such moveable property; and (ii) raw materials, products, supplies, equipment, and other physical objects of every kind and description whether in solid, liquid, gaseous or electronic form, unless they are procured as part of a Construction Contract;
- (bb) **“In-House Bid”** means a bid made by a Department, submitted in response to a Solicitation, where the provision of the Goods, Services or Construction will be provided entirely by the employees of the Town;
- (cc) **“Informal”** means a form of response to a Solicitation or submission of a Bid that does not require the response or Bid submission to be submitted inside of a sealed envelope or package, and may be done through Electronic Bidding;

- (dd) **“Irregularity”** means a defect in a Bid or Proposal, or a deviation between the requirements of a Solicitation and the information provided in a Bid or Proposal. Schedule “B” - Bid Irregularities of this by-law establishes the action that will be taken if a Bid Irregularity exists in relation to a Bid submitted in response to an Quick Bid Request for Quotation (QB-RFQ), Request for Quotation (RFQ), Request for Tender (RFT), Request for Pre-Qualification (RFPQ), or Sale. For the purposes of this definition, an Irregularity in a Proposal submitted in response to a Request for Proposal (RFP) or Quick Bid Request for Proposal (QB-RFP) are specifically addressed separately under Schedule “C”- Proposal Irregularities of this by-law, which establishes the action that will be taken if a Proposal Irregularity exists;
- (ee) **“Letter of Credit”** means a document issued by a Canadian Schedule I or II bank authorizing the bearer to draw a specified amount from that bank or its agent; a letter or similar statement extending credit up to a given amount at a Canadian Schedule I or II bank for a person who has paid or guaranteed that amount to the issuing bank;
- (ff) **“Labour and Material Bond”** means a bond that assures payments, as required to all persons supplying labour or material for the completion of work under the Contract. The Labour and Material payment bond in the form of CCDC 222 (as may be amended) or the most recent applicable Canadian Construction Documents Committee Form may be acceptable to the Town depending on the requirements of the Bid Document;
- (gg) **“Litigation”** means any formal dispute between the Town and any other party, adverse in interest, including third party and cross claims, where a legal proceeding has been commenced for an injunction, a mandatory order, a declaration, the recovery of money, or an arbitration proceeding;
- (hh) **“Local Board”** means a municipal service board, transportation commission, public library board, board of health, police services board, planning board, or any other board, commission, committee, body or local authority established or exercising any power under any statute with respect to the affairs or purposes of one or more municipalities, excluding a school board and a conservation authority;
- (ii) **“Low Value Purchase”** or **“LVP”** means a purchase of Goods, Services, or Construction which is not included as part of an existing Contract and is not available out of the Town’s inventory. LVPs shall not exceed the amount stated in Schedule “D” - Bid Thresholds of this by-law;
- (jj) **“Multi-Step Solicitation”** means a method of source selection involving at least two competitive Procurement steps;
- (kk) **“Offeror”** means an individual or legal entity that makes an offer in response to a sale of Personal Property;
- (ll) **“Performance Security”** means monetary or financial security by which a third party accepts liability and guarantees that a Bidder selected for Award of a Contract will complete the work required under the Contract; this security can take the form of a Bond, certified cheque, cash, or Letter of Credit as directed by the Bid Document. The Performance Security protects the Town from loss due to the Bidder’s inability to complete the Contract as agreed by financially securing the fulfillment of Contract requirements;

- (mm) **“Personal Property”** means tangible or intangible property, other than Real Property, and includes moveable property subject to ownership, with exchange value;
- (nn) **“Piggyback”** means a form of intergovernmental Co-operative Purchasing in which the Town can extend the pricing and terms of a Contract established by another governmental entity to enter into a similar Contract with the provider of the Goods, Service, or Construction. The Town may participate with other government agencies or public authorities in co-operative purchasing where it is in the best interests of the Town to do so;
- (oo) **“Procurement”** means: (i) purchasing, renting, leasing or otherwise acquiring any Goods, Services, or Construction, and includes all functions that pertain to such acquisition, including the description of requirements, preparation, Solicitation, selection, and Award of Contract and all phases of Contract administration; and (ii) the combined functions of purchasing, inventory control, traffic and transportation, receiving, inspection, storekeeping, salvage and disposal operations with respect to Goods, Services, and Construction;
- (pp) **“Proponent”** means the individual or legal entity who submits a response to a Request for Proposal (RFP) or Quick Bid Request for Proposal (QB-RFP);
- (qq) **“Proposal”** means a document submitted by a Proponent in response to a Request for Proposal (RFP) or Quick Bid Request for Proposal (QB-RFP) to be used as the basis for negotiation or for entering into a Contract;
- (rr) **“Purchase”** means the act and function of responsibility for the Procurement for Goods, Services, or Construction;
- (ss) **“Purchase Order”** means the Town’s written order to a Contractor/Vendor formally stating all terms and conditions for the purchase of Goods, Services, or Construction or a written acceptance of an offer received in accordance with this by-law;
- (tt) **“Purchasing Card”** or **“P-Card”** means a payment method whereby employees of the Town are Authorized by the CAO and/or Department Head to deal directly with Contractors for LVPs or as otherwise specified by the Procurement Manager, using a Town credit card issued by a chartered bank or major credit card provider. The Purchasing Card is to be used in accordance with the Town’s Purchasing Card Program Policies and Procedures, as amended;
- (uu) **“Procurement Services Division”** means the division or section of a Town Department that is responsible for the Procurement of Goods, Services, and Construction for the Town;
- (vv) **“Procurement Manager”** means the Manager of Procurement for the Town, or his/her designate;
- (ww) **“Quotation”** means a document submitted by a Bidder in response to a Request for Quotation (RFQ) or Information Request for Quotation (IRFQ), to be used as the basis for entering into a Contract;
- (xx) **“Real Property”** means land and its permanently affixed buildings or structures, and includes any property which is not Personal Property;
- (yy) **“Request for Expressions of Interest”** or **“RFEI”** means a non-binding Procurement method whereby the Town makes a request to the marketplace for the purposes of compiling a list of individuals or legal

entities who may be interested in providing Goods, Services, or Construction to the Town;

- (zz) **“Request for Information”** or **“RFI”** means a non-binding Procurement method whereby the Town states its need for input from interested parties for a possible upcoming Solicitation. A Procurement practice used to obtain comments, feedback or reactions from potential Contractors prior to the issuing of a Solicitation;
- (aaa) **“Request for Pre-Qualification”** or **“RFPQ”** means a request for the submission of pre-qualification Bid documents relating to, among other information that may be requested by the Town, experience, financial strength, and personnel who may, from time to time, qualify to supply Goods, Services, or Construction to the Town, but which generally does not create any contractual obligation between the Respondent submitting the pre-qualification submission and the Town, but which may be a pre-condition to further Procurement Contracts with the Town;
- (bbb) **“Request for Proposal”** or **“RFP”** and the associated **“Quick Bid Request for Proposal”** or **“QB-RFP”** means the document used to solicit Proposals from Proponents for Goods, Services, or Construction or as may be required in accordance with the thresholds stated in Schedule “D” - Bid Thresholds of this by-law. For further clarification, price is usually not the primary evaluation factor in these Proposals. An RFP or QB-RFP may provide for negotiation of all terms, including price, prior to Contract Award. An RFP or QB-RFP may include the provision for the negotiation of best and final offers and may be a single step or multi-step process;
- (ccc) **“Request for Quotation”** or **“RFQ”** and the associated **“Quick Bid Request for Quotation”** or **“QB-RFQ”** means a request by the Town for prices for the provisions for Goods, Services, or Construction up to the threshold amount stated in Schedule “D” - Bid Thresholds of this by-law;
- (ddd) **“Request for Tender”** or **“RFT”** means a request for Tenders for the provision of Goods, Services or Construction to the Town or as may be required in accordance with the thresholds stated in Schedule “D” - Bid Thresholds of this by-law;
- (eee) **“Respondent”** means the individual or legal entity submitting a response to a Request for Pre-Qualification, Request for Expressions of Interest, or Request for Information;
- (fff) **“Responsible Bidder”** means a Bidder whose reputation, past performance, and business and financial capabilities are such that the Bidder would be judged by the Town to be capable of satisfying the Town’s needs for a specific Contract. A Bidder, as the context requires, that is fully capable to meet all the requirements of the Solicitation or other process and subsequent Contract. Such Bidder shall possess the full capability, including financial and technical, satisfactory past performance, including a satisfactory Town’s Contractor performance evaluation (where applicable) to perform as contractually required and shall be able to fully document the ability to provide good faith performance;
- (ggg) **“Sale”** means the act of selling Town Personal Property or Real Property that is no longer needed by the Town and is designated for disposal;
- (hhh) **“Service”** or **“Services”** means: (i) the furnishing of labour, time or effort by a Contractor, which may involve the delivery or supply of products; (ii) a Contract for labour to perform a service to meet a

specific requirement; or (iii) any professional or general service work performed which does not result in the delivery of Goods or materials;

- (iii) **“Single Source”** means a method of Procurement used after soliciting and negotiating with only one Contractor where there is more than one potential source available for the Procurement of the Goods, Services, or Construction;
- (jjj) **“Sole Source”** means a method of Procurement used where there is only one source or Contractor able to meet the requirements of the Procurement;
- (kkk) **“Solicitation”** means an invitation for Bids or Proposals;
- (lll) **“Tender”** means a document submitted by a Bidder in response to a Request for Tender (RFT), to be used as the basis for entering into a Contract;
- (mmm) **“Treasurer”** means the Treasurer of the Town as appointed by the Council or his/her designate;
- (nnn) **“Town”** means The Corporation of the Town of Aurora;
- (ooo) **“Town Solicitor”** means the solicitor of the Town or his/her designate;
- (ppp) **“Undertaking to Provide a Bond or Letter of Credit”** means a pledge or guarantee by an insurance company, bank, corporation, entity, or individual on behalf of the Bidder through which the surety protects against default or failure of the principal to satisfy the obligations of a Contract;
- (qqq) **“Unsolicited Bid/Proposal”** means a Bid or Proposal submitted by a Bidder in the absence of a Solicitation from the Town, which may be submitted in response to a perceived need but not in response to a Solicitation;
- (rrr) **“Vendor”** means a supplier/seller of Goods or Services; and
- (sss) **“Working Day”** means Monday to Friday inclusive, and excludes: (i) Saturday and Sunday; (ii) any statutory holiday recognized by the Town; and (iii) any day that the Town’s main office (Town Hall) is closed.

3.2 To establish the definition of any other Procurement terms not herein included, reference may be made to the latest edition of the Institute for Public Procurement (NIGP) Public Procurement Dictionary of Terms and the Purchasing Management Association of Canada (PMAC) Dictionary of Purchasing Terms.

4. APPLICATION

- 4.1 This by-law shall apply to all Departments of the Town. For clarity, this by-law does not apply to purchases of Central York Fire Services, the Aurora Public Library Board or any municipal services corporation established by the Town.
- 4.2 No purchase of Goods, Services, or Construction or Sale of Personal Property shall be authorized unless it is in compliance with this by-law.
- 4.3 This by-law does not apply to the lease, use, purchase, disposal, or Sale of Real Property or to any matter to which Town Administration Procedure No. 55 applies, or any successor thereto.

5. RESPONSIBILITIES

5.1 Department Heads shall be responsible for:

- (a) all Procurement activity in their Department within the prescribed limits of this by-law, including recommendation of Award and preparing the necessary report to Council if required;
- (b) delegating spending authority limits to Department staff in compliance with this by-law and all applicable Town policies;
- (c) ensuring that that all of provisions of section 1 of this by-law are complied with;
- (d) ensuring that all Procurement activities and decisions are Authorized by this by-law and are carried out within the financial and other limits set out in Schedule "D" - Bid Thresholds;
- (e) ensuring that no Procurement activity or decision in their Department is contrary to this by-law and informing Council, in consultation with the Procurement Manager and Town Solicitor, when serious and material non-compliance has occurred;
- (f) monitoring of all contract expenditures and ensuring that financial limitations have been complied with;
- (g) ensuring that all required documentation (e.g., WSIB clearance, insurance certificate, executed agreement) has been received prior to commencement of any work;
- (h) ensuring that all accounts are paid within the times set out in a Contract (provided a Contractor has met all conditions of the applicable Contract);
- (i) ensuring that all Goods, Services, or Construction contracted for have been received as per the terms of Contract;
- (j) ensuring that all Awards are subject to the identification and availability of sufficient approved funding in appropriate accounts, and that the required funding for future years of a Contract can reasonably be expected to be made available in the current or future yearly budgets based on historical spending on similar Contracts; and
- (k) ensuring that Contracts are monitored and documented in compliance with the Contractor performance procedures contained in this by-law to ensure that performance is in accordance with the requirements of the Contract, and notifying the Procurement Manager if action is to be taken to correct the performance of a Contractor where it falls below the standard required by the applicable Contract, including the completion of a Contractor performance report.

5.2 The Procurement Manager shall be responsible for:

- (a) providing Procurement advice and services to each Department, the CAO, Council, and Local Boards for the purposes of fulfilling the Procurement needs of the Town;
- (b) ensuring that all required documentation (e.g., WSIB clearance, insurance certificate, executed Contract) has been received prior to commencement of any work;
- (c) all aspects of the Solicitation process and ensuring compliance to the terms and conditions of Bid Documents;
- (d) ensuring compliance by Town staff with this by-law and reporting non-

compliance to the appropriate Department Head, and to the Town Solicitor and CAO as necessary;

- (e) developing appropriate processes or procedures to ensure that the provisions of this by-law are met and to ensure the proper functioning of Procurement for the Town;
- (f) the standardization of Goods and Services where appropriate and possible, in collaboration with the user Department(s);
- (g) the disposal of Personal Property which has been declared surplus by a Department Head;
- (h) participating in Co-operative Purchasing with other levels of government, municipalities, boards, agencies, commissions, or private sector entities where it is in the best interests of the Town; and
- (i) compliance with section 1 of this by-law.

6. AUTHORITY

6.1 In the event that a Bid has been approved by Council and Awarded to the selected Bidder and the selected Bidder fails to enter into a Contract, the Procurement Manager shall be granted the Authority to proceed to the next lowest Compliant and Responsible Bidder or the next highest evaluated Compliant and Responsible Proponent for the Award of a Contract, without going back to Council for approval to Award, providing the requirements remain unchanged and the new Contract is within budget. Prior to such new Award, the Procurement Manager shall obtain approval from both the responsible Department Head and the CAO. The Department Head shall prepare a report to Council for information purposes.

6.2 The CAO has the Authority to:

- (a) instruct Department Heads not to Award Contracts, notwithstanding their Authority to do so under this by-law, and instead to submit recommendations for Contract Award to Council for approval; in addition, the CAO may provide additional restrictions concerning Procurement where such action is considered necessary and in the best interest of the Town;
- (b) Award Contracts during the time that regular Council meetings are suspended, during a period of Council recess in excess of thirty (30) days, or during the Election Period, as a result of a Solicitation that normally requires Council approval, provided that a report is submitted to Council (as soon as reasonably possible) setting out the details of any Contract Awarded pursuant to this Authority;
- (c) Award Contracts for an Emergency Purchase, in accordance with section 13.4 of this by-law; and
- (d) delegate spending authority limits to staff in compliance with this by-law and all applicable Town policies.

7. RESTRICTIONS AND EXCEPTIONS

7.1 The acquisition methods described in this by-law are not required for the Purchase of those items listed in Schedule "A" – Exceptions, or as otherwise listed in this by-law.

7.2 No Contract or Purchase Order for Goods, Services, or Construction may be divided into two or more parts to avoid the application of the provisions of this by-law.

- 7.3 No Town employee, Council member, or Local Board member or employee shall personally obtain any Real or Personal Property of the Town that has been declared surplus unless it is obtained through a public process.
- 7.4 No Town employee or Council member shall Purchase on behalf of the Town any Goods, Services or Construction, except in accordance with this by-law.
- 7.5 All Council members and employees of the Town shall declare any Conflict of Interest to the Procurement Manager and the CAO (and to their Department Head if they are an employee of the Town), and such persons shall not participate in the Procurement process to which the Conflict of Interest relates.
- 7.6 All Procurement undertaken by the Town shall be undertaken in accordance with this by-law, the Corporate Policies and Procedures of the Town, and in accordance with the *Municipal Conflict of Interest Act*, R.S.O. 1990, c. M.50, as amended.
- 7.7 The Town may only enter into a Financing Lease in accordance with the Town's policies related thereto.
- 7.8 The Town may use any privilege clause contained in the Town's Bid Documents for consideration of the acceptance or rejection of any Bid received by the Town pursuant to this by-law.
- 7.9 During the consideration of Award of Contracts, or during consideration to determine whether a Bidder is a Responsible Bidder, the Town may consider, among other items: previously completed Contractor evaluations, past performance, and performance evaluation reports. In addition, where the Procurement Manager, in consultation with the relevant Department Head and the Town Solicitor, is of the opinion that an Award to a Bidder would undermine the business reputation of the Town or undermine the public's confidence in the integrity of the Town's Procurement process as a result of the Town having knowledge or information of such Bidder's criminal activity, bid-rigging, anti-competitive practices, or other activities that are meant to undermine the Procurement process (whether at the Town or elsewhere), the Procurement Manager may then determine that such Bidder is not a Responsible Bidder and disqualify such Bidder. At his/her sole discretion, the Procurement Manager has the right to disqualify a Bidder based on any unresolved performance or financial disputes.

PART 2: PROCUREMENT APPROVAL AND METHODS

8. PRESCRIBED COUNCIL APPROVAL

- 8.1 Save and except for the circumstances in Section 6 of this by-law, setting out additional and alternative Authority, the following Awards are subject to Council approval:
 - (a) where there is no provision in the Town's annual budget for the item subject to the Contract or Purchase Order;
 - (b) any Contract requiring approval from the Ontario Municipal Board;
 - (c) any Contract required by statute to be made by Council;
 - (d) any Contract prescribed by a court order;
 - (e) any Award where Council has requested final approval to Award;
 - (f) any Award having a total cost (excluding taxes) that would be higher than the Council-approved capital estimates or capital budget for such Award, and the necessary adjustments cannot be made;

- (g) where Authority to approve has not been expressly delegated by Council or by Schedule "D" – Bid Thresholds of this by-law;
- (h) any Award having a total cost (excluding taxes) that falls within a threshold category that requires Council approval as set out in Schedule "D" - Bid Thresholds;
- (i) where an Award is being recommended pursuant to a RFQ or RFT and the recommended Bidder is not the lowest Compliant Bidder, because the lowest Compliant Bidder has been determined not to be a Responsible Bidder; or
- (j) as otherwise requested to obtain approval by the CAO.

9. BID REVIEW COMMITTEE (BRC) AND BID IRREGULARITIES

9.1 There shall be a Bid Review Committee, hereinafter referred to as the "BRC", composed of, at a minimum, the following members of Town staff:

- the Procurement Manager or designate; and
- a lawyer from the Legal Services Division, or designate.

Furthermore, if deemed to be required by the above members of the BRC, a representative from the Town Department requesting the Procurement and/or any other party deemed appropriate by the BRC, may be added to the BRC.

9.2 In the event that a Bid contains an Irregularity that cannot be resolved by the Procurement Services Division, or where there is a challenge to the Procurement process, the Bid at issue shall be referred to the BRC. The BRC shall review any such Bid or challenge and take the action prescribed in Schedule "B" - Bid Irregularities or Schedule "C" - Proposal Irregularities, as appropriate. The decision of the BRC shall be final.

10. PROCUREMENT PROCESS

10.1 Where applicable, each of the Procurement methods set out in this by-law shall be undertaken in compliance with the following:

- (a) the scope of the Goods, Services or Construction shall be clearly and extensively defined by the Bid Document;
- (b) the Bid document shall be, to the extent possible, standardized using common forms and processes;
- (c) the Solicitation shall be advertised, if applicable, to ensure the most comprehensive and competitive response reasonably possible to the Solicitation, at the discretion of the Procurement Manager;
- (d) all Bids received by the Town shall be kept together in a secure place until the closing date and time.;
- (e) all Bids shall be evaluated using an open, fair, and transparent process as may be possible under the circumstances of a particular Solicitation;
- (f) for Proposals, the evaluation criteria, and evaluation rating shall be identified in the Request for Proposal document and shall be evaluated by the Evaluation Committee based on that criteria and rating, unless superseded by an Addendum, using a standardized form of evaluation record;
- (g) all Bid Documents shall clearly set out the requirements for the price element of the Bid, specifying whether the Bid price is submitted on a unit price or subtotal or total price basis and whether it is net of any taxes; in addition, a Bid Document may include provisions for early payment discounts, premiums, financing charges, administrative costs,

cost of living or other escalations, contingencies or other deductions or additions and how any contract extras shall be dealt with;

- (h) Bid records shall be filed and maintained in accordance with any applicable record retention by-law and/or policy of the Town;
- (i) Bids shall be Awarded based on the terms and conditions specified in the Town's Bid Documents and in accordance with this by-law;
- (j) all Bidders shall, where required by this by-law, be required to comply with the Contract preparation and execution requirements of section 14 of this by-law if they are Awarded the Contract;
- (k) Contracts shall be monitored and documented by the Department Head in accordance with section 15 of this by-law, to ensure that performance is in accordance with the requirements of the Contract and steps shall be taken to correct the performance of a Contractor where it falls below the standard required by the Contract; and
- (l) all Contracts, once Awarded and executed by the Town, are public documents, save and except for detailed pricing submissions (but excluding the totals as set out in the pricing document of the Bid Documents) and personal information protected under the *Municipal Freedom of Information and Protection of Privacy Act*. No Bidder may insert conditions to exempt their Contract from such public disclosure or accessibility.
- (m) For Bids only (excluding Proposals) and in consultation with the relevant Department Head, prior to Award the Procurement Manager may release some or all of the Bidders who have been determined not to be the lowest Compliant Bidder, together with their securities held by the Town (including Bid Deposits, Labour and Material Bonds, and Performance Security).

11. PRE-QUALIFICATION

11.1 REQUEST FOR PRE-QUALIFICATION (RFPQ)

- (a) The Procurement Manager may conduct a RFPQ for the purpose of selecting qualified Bidders to respond to a subsequent Solicitation.
- (b) When a RFPQ is issued, a pre-qualification Bid Document shall be provided to potential bidders setting out the criteria for pre-qualification.
- (c) The Town may use any information provided by a Bidder in response to a RFPQ in the evaluation of a subsequent related Bid and/or select a limited number of Bidders to be qualified to Bid on the subsequent related Solicitation.
- (d) Advertisement of the RFPQ shall be based on the estimated Contract value, in accordance with Schedule "D" - Bid Thresholds of this by-law.
- (e) The selection of Bidders following a RFPQ shall not create any contractual obligation between the Town and a pre-qualified Bidder and does not oblige the Town to issue any subsequent Solicitation.
- (f) Pre-qualification under a RFPQ may be made a specific pre-condition to any other Procurement method utilized by the Town, in which case the Town may restrict participation in a subsequent related Solicitation to only those RFPQ responding parties who meet the requirements established in the RFPQ or the selected limited number of Bidders that are deemed to be most qualified to Bid on the subsequent related Solicitation, and choose to advertise a subsequent Solicitation to only those parties.

12. STANDARD PROCUREMENT METHODS

Unless any other section or exception of this by-law applies, the method of Procurement for Goods, Services, or Construction shall be in accordance with the methods described in this section as determined by the Procurement Manager. All Procurement methods noted in this section shall comply with the reporting and approval requirements set out in Schedule "D" - Bid Thresholds.

12.1 REQUEST FOR EXPRESSIONS OF INTEREST (RFEI) / REQUEST FOR INFORMATION (RFI)

- (a) The Procurement Manager may conduct a RFEI or a RFI for the purpose of determining the availability of any Goods, Services or Construction, or for the purpose of developing a subsequent Solicitation.
- (b) The Solicitation for a RFEI or RFI shall be advertised in accordance with Schedule "D" – Bid Thresholds.
- (c) The receipt of a submission by a Respondent in response to a RFEI or a RFI does not create any contractual obligation on the part of the Town.

12.2 LOW VALUE PURCHASE (LVP)

- (a) LVPs can be used for the Procurement of Goods, Services, or Construction not covered by a term Contract or co-operative Contract, having an estimated total cost within the applicable threshold set out in Schedule "D" - Bid Thresholds.
- (b) The Department Head may appoint individuals and assign a limit of spending authority to make LVPs. Such purchases are at the discretion of the Department Head, who shall ensure that they are made at fair value.
- (c) Competition or advertisement are not required to make a LVP, but can be made and handled by any Department or the Procurement Manager.
- (d) LVPs may be made utilizing a Purchase Order or a Purchasing Card.
- (e) A Contractor subject to a LVP shall be required to comply with the contractor performance requirements set out in section 15 of this by-law.

12.3 INFORMAL QUICK BID REQUEST FOR QUOTATION (QB-RFQ) / INFORMAL QUICK BID REQUEST FOR PROPOSAL (QB-RFP)

- (a) QB-RFQs or QB-RFPs can be used for the Procurement of Goods, Services, or Construction not covered by a term Contract or co-operative Contract, having an estimated total cost within or below the applicable threshold set out in Schedule "D" - Bid Thresholds.
- (b) A Solicitation for a QB-RFQ or a QB-RFP may be released by a Department Head (or a designate) or the Procurement Manager, on an invitational basis and/or advertised as set out in Schedule "D" - Bid Thresholds.
- (c) Any Irregularities in a Bid submitted in response for a Solicitation of a QB-RFQ or a QB-RFP shall be dealt with in accordance with Schedule "B" - Bid Irregularities or Schedule "C" - Proposal Irregularities and in compliance with the procedures of this by-law.

12.4 FORMAL REQUEST FOR QUOTATION (RFQ)

- (a) RFQs can be used for the Procurement of Goods, Services, or Construction having an estimated total cost within or below the applicable threshold set out in Schedule "D" - Bid Thresholds.
- (b) The Solicitation for a RFQ shall be advertised in accordance with Schedule "D" – Bid Thresholds. In the case of a pre-qualified RFQ, only the selected pre-qualified Bidders shall be notified about the Solicitation.
- (c) Any Irregularities in a Bid responding to a RFQ shall be dealt with in accordance with Schedule "B" - Bid Irregularities and in compliance with the procedures stated in this by-law.

12.5 REQUEST FOR TENDER (RFT)

- (a) RFTs can be used for any dollar value for the Procurement of Goods, Services, or Construction, but a RFT shall be used for the Procurement of Goods, Services, or Construction having an estimated total cost within the applicable threshold set out in Schedule "D" - Bid Thresholds.
- (b) A RFT may be used where all of the following criteria apply:
 - (i) two or more sources are considered capable of supplying the Goods, Services or Construction;
 - (ii) the Goods, Services, or Construction is adequately defined to permit the evaluation of Bids against clearly stated criteria and/or specifications; and
 - (iii) the market conditions are such that Bids can be submitted on a competitive pricing basis.
- (c) The Solicitation for a RFT shall be advertised in accordance with Schedule "D" – Bid Thresholds. In the case of a pre-qualified RFT, only the selected pre-qualified Bidders shall be notified about the Solicitation and be eligible to submit a Bid.
- (d) Any Irregularities in a Bid responding to an RFT shall be dealt with in accordance with Schedule "B" - Bid Irregularities and in compliance with the procedures stated in this by-law.

12.6 REQUEST FOR PROPOSAL (RFP)

- (a) RFPs can be used for any dollar value for the Procurement of Goods, Services, or Construction, but a RFP shall be used for the Procurement of Goods, Services, or Construction having an estimated total cost within the applicable threshold set out in Schedule "D" - Bid Thresholds.
- (b) The goal of a RFP is to implement an effective, objective, fair, open, transparent, accountable and efficient process for obtaining unique Proposals designed to meet broad outcomes to a complex problem or need for which there is no clear or single solution, and to select a Proposal that best meets the requirements specified in the competition, based on qualitative, technical and pricing considerations.
- (c) A RFP may provide for negotiation of all terms, including price, prior to Award. The scope of negotiability may be restricted in a RFP. A RFP may include the provision for the negotiation of best and final offers, and may be a single or multi-step process.
- (d) A RFP may be used where any of the following criteria apply:
 - (i) the selection of the Proponent depends more upon the effectiveness of the proposed solution than the price alone;

- (ii) it is expected that negotiation with one or more Proponents may be required with respect to any aspect of the Contract; or
- (iii) the precise Goods, Services, or Construction, or the specifications are not known or are not definable and it is expected that the Proponent will further define them, or for which a variety of solutions to the requirement are likely to exist.
- (e) The Solicitation for a RFP shall be advertised in accordance with Schedule "D" – Bid Thresholds. In the case of a pre-qualified RFP, only the selected pre-qualified Proponents shall be notified about the Solicitation.
- (f) Any Irregularities in a Bid responding to a RFP shall be dealt with in accordance with Schedule "C" - Proposal Irregularities and in compliance with the procedures stated in this by-law.

13. ALTERNATIVE PROCUREMENT METHODS

13.1 MULTI-STEP BID CALL

- (a) A Multi-Step Bid Call is a Solicitation consisting of at least two stages. The specific process being implemented will be set out in the Bid Documents and established by the Procurement Manager. Generally, it will consist of the following two steps:
 - (i) Step 1: a request for a technical Bid is made followed by evaluations and discussion, without considering any prices, and the selection of Compliant Bidders and Responsible Bidders whose technical requirements are considered most acceptable; and
 - (ii) Step 2: the review of sealed Bid prices from only those Bidders whose technical requirements have been rated acceptable in Step 1.
- (b) A Multi-Step Bid Call shall be advertised in accordance with Schedule "D" – Bid Thresholds. In the case of a pre-qualified Multi-Step Bid Call, only the selected pre-qualified Respondents shall be notified about the Solicitation.

13.2 UNSOLICITED BID/PROPOSAL

- (a) An Unsolicited Bid/Proposal received by the Town may be reviewed by the relevant Department Head and the Procurement Manager.
- (b) Any Procurement activity resulting from the receipt of an Unsolicited Bid/Proposal shall comply with any pertinent provisions of this by-law. The provisions relating to LVPs, Single Source, Sole Source, or Emergency Purchases, as appropriate, shall apply to a non-competitive Contract resulting from an Unsolicited Bid/Proposal.

13.3 NEGOTIATION

- (a) Negotiation may be used in conjunction with any other Procurement methods set out in this by-law for the procurement of Goods, Services, or Construction, or for the Sale of Personal Property, or for the development of any Contract, when any of the following criteria apply:
 - (i) the Goods, Services, or Construction are deemed necessary by the CAO or Department Head as a result of an Emergency Purchase which would not reasonably permit the use of any other prescribed Procurement method;

- (ii) due to abnormal market conditions, the Goods, Services, or Construction required are in short supply;
 - (iii) where there is a Single Source or Sole Source of the Goods, Services, or Construction which would be acceptable, permitted under this by-law, and is cost effective;
 - (iv) where only one Proposal/Bid is received and it exceeds the amount budgeted for the procurement, negotiations may be conducted, if appropriate under the circumstances;
 - (v) after the Request for Proposal process closed, if appropriate under the circumstances, to clarify any terms of the Proposal and any resulting Contract;
 - (vi) with the highest evaluated Compliant and Responsible Bidder to a Request for Proposal; however, if a negotiated agreement cannot be reached, the Town may proceed to negotiate with the next highest evaluated Compliant and Responsible Bidder;
 - (vii) where the extension or reinstatement of an existing Contract, with Council approval, would be more cost effective or beneficial to the Town;
 - (viii) where, for security or confidentiality reasons, it is in the best interest of the Town;
 - (ix) with the highest Offeror in response to a Sale of Personal Property; or
 - (x) where authorized by Council to do so.
- (b) The award of any negotiated Contract shall comply with the Contract execution provisions contained in section 14 and the contractor performance provisions contained in section 15 of this by-law.

13.4 EMERGENCY PURCHASES

- (a) In the case of an emergency declared pursuant to the Town's Municipal Emergency Management Program and Emergency Response Plan, purchases shall be authorized as set out in such Program and Plan, and the Treasurer shall prepare the required accountability and financial reports for Council for information following the declaration of the termination of the emergency. During such emergency, this by-law shall serve only as a reference for those officials in authority during such emergency, and otherwise is suspended for all Purchases directly or indirectly related to addressing and managing such emergency. The overriding Procurement guideline in such an emergency shall be to address the emergency as quickly and safely as possible so as to protect human life, while minimizing costs to the Town.
- (b) In the event of an emergency that does not fall into paragraph (a) of this section, an Emergency Purchase may be made when an event occurs that is determined by the Mayor and the CAO to be a threat to any of the following:
- (i) public health;
 - (ii) the maintenance of essential Town services or to prevent disruption of essential Town services;
 - (iii) the safety or welfare of persons or of public property; or
 - (iv) the security of the Town's interests and the occurrence requires the immediate delivery for Goods, Services, or Construction;

and time does not permit for competitive Bids.

- (c) The following process shall be conducted for any Emergency Purchases pursuant to paragraph (b) of this subsection:

- (i) Where it is estimated that the expenditure is within the Authority of the Department Head as stated in Schedule "D" - Bid Thresholds of this by-law, the Procurement Manager, upon the recommendation of the Department Head, shall secure any Goods, Services, or Construction required in an efficient, expeditious manner that is in the best interest of the Town.

A Purchase Order shall be issued or a Purchasing Card shall be used. In case of an after-hour emergency, if a Purchasing Card is not available, a Purchase Order shall be issued the next Working Day.

- (ii) Where it is estimated that the expenditure exceeds the Authority of the Department Head as stated in Schedule "D" - Bid Thresholds of this by-law, the approval of the CAO shall be required. The Procurement Manager, upon the recommendation of the CAO, shall secure any Goods, Services, or Construction required in an efficient, expeditious manner that is in the best interest of the Town.

An information report shall be submitted by the CAO to Council, as soon as reasonably possible, explaining the actions taken and the reasons therefore.

A Purchase Order shall be issued or a Purchasing Card shall be used. In case of an after-hour emergency, if a Purchasing Card is not available, a Purchase Order shall be issued the next Working Day.

13.5 SOLE SOURCE PURCHASES

- (a) A Sole Source Purchase may be utilized for the Procurement of Goods, Services, or Construction without the competitive Procurement process when there is only one source that is able to meet the requirements of the Procurement, which may be due to their unique ability or skill, possession of proprietary technology, copyright, patent or other intellectual property.
- (b) The Procurement Manager shall require satisfactory justification from the requesting Department Head explaining the reasons for the Sole Source Purchase.
- (c) Sole Source Purchases shall be arranged by the Procurement Manager and shall be in compliance with Schedule "D" - Bid Thresholds of this by-law.
- (d) Sole Source Purchases shall comply with the reporting and approval requirements set out in Schedule "D" - Bid Thresholds of this by-law.
- (e) Sole Source Purchases shall be required to comply with the Contract execution requirements of section 14 and the Contractor performance requirements of section 15 of this by-law.
- (f) A semi-annual report of all Sole Source Purchases not requiring Council approval shall be prepared by the Procurement Manager and reported to the CAO.

13.6 SINGLE SOURCE PURCHASES

- (a) Single Source purchasing may be conducted for the Procurement of Goods, Services, or Construction without the competitive Procurement process, when any of the following circumstances apply:
 - (i) for reasons of standardization, warranty, function or service, such as technical qualifications;
 - (ii) where compatibility with an existing product, equipment, facility or services is a paramount consideration;
 - (iii) where a Good is purchased for testing or trial use, or for resale;
 - (iv) where the Town has a rental contract and an offer to buy-out the equipment or extend the rental contract may be beneficial to the Town;
 - (v) for matters involving security, police matters, or confidential or privileged issues where the disclosure of such matters through an open Solicitation process could reasonably be expected to compromise confidential or privileged information, interfere with the Town's ability to maintain security or order or to protect human, animal or plant life or health, cause economic disruption, or otherwise be contrary to the public interest;
 - (vi) a Contract is to be awarded under a Co-operative Purchase or a Piggyback arrangement;
 - (vii) in the absence of any Bids in response to a Solicitation for Bids made in accordance with this by-law;
 - (viii) in an Emergency Purchase situation pursuant to section 13.4 of this by-law;
 - (ix) notwithstanding anything in this by-law, where a purchase is determined by Council to be fair and reasonable and is made from a non-profit corporation for the purpose of achieving charitable Town objectives; or
 - (x) for the extension or renewal of an existing Contract where the amount of the extended or renewed Contract is within the budgeted amount for the provision of such Goods, Services, or Construction, or is otherwise approved by Council.
- (b) The Procurement Manager shall require satisfactory justification from the requesting Department Head explaining the reasons for the Single Source Purchase.
- (c) Single Source Purchases shall be arranged by the Procurement Manager and shall be in compliance with Schedule "D" - Bid Thresholds of this by-law.
- (d) Single Source Purchases shall comply with the reporting and approval requirements set out in Schedule "D" - Bid Thresholds.
- (e) Single Source Purchases shall be required to comply with the Contract execution requirements of section 14 and the Contractor performance requirements of section 15 of this by-law.
- (f) A semi-annual report of all Single Source purchases not requiring Council approval shall be prepared by the Procurement Manager and reported to the CAO.

13.7 CO-OPERATIVE PURCHASING AND PIGGYBACK

- (a) The Town may participate with other government agencies or public authorities in Co-operative Purchasing where it is in the best interests of the Town to do so. The Town is not required to adhere to the advertising requirements under this by-law and does not need to conduct its own competition when engaged in Co-operative Purchasing. The policies and procedures regarding the Solicitation and Procurement process of the government agencies or public authorities calling the Co-operative Purchasing Bid on behalf of the participants are to be accepted policies and procedures for that particular Bid.
- (b) The Town may Piggyback by accepting the results of a competitive Procurement process of another government agency or public authority where the provisions of the original Solicitation allow for such Piggyback. The Town is not required to adhere to the advertising requirements under this by-law and does not need to conduct its own competition when engaged in a Piggyback purchase.
- (c) Co-operative Purchasing and Piggyback Purchases shall comply with the reporting and approval requirements set out in Schedule "D" - Bid Thresholds.

13.8 IN-HOUSE BIDS

In-House Bids shall only be utilized where external sources have also been requested to submit Bids and where Council has approved such Bids.

13.9 "NO COST" PROCUREMENT

- (a) "No Cost" Procurement occurs where the Town does not bear any cost (expense or capital expenditure). This type of Procurement activity includes revenue generating opportunities and cost pass-through to a third party for a particular project.
- (b) Revenue generating opportunities shall be acquired by the Town using the same Procurement methods and approval requirements according to the dollar amount thresholds in Schedule "D" – Bid Thresholds for Procurement that has a cost to the Town, which shall be determined based on an actual value (if available) or reasonable estimate of the value/expected revenue of the "No Cost" Procurement.
- (c) Cost pass-through to a third party where the third party is covering less than one hundred percent (100%) of the total costs for a particular project shall be acquired by the Town using the same Procurement methods and approval requirements according to the dollar amount thresholds in Schedule "D" – Bid Thresholds for Procurement that has a cost to the Town, which shall be determined based on an actual value (if available) or reasonable estimate of the value/expected revenue of the "No Cost" Procurement. Full cost coverage by a third party is dealt with in Schedule "A" – Exceptions to this by-law.

PART 3: POST-AWARD REQUIREMENTS AND PERFORMANCE

14. CONTRACT EXECUTION

- 14.1 Prior to the commencement of the provision of Goods, Services, or Construction, the selected Bidder shall be required to: (a) execute a Contract; (b) acquire a Purchase Order; or (c) obtain a written requisition from the Town, depending on the type and dollar amount threshold of the Procurement as set out in Schedule "D" – Bid Thresholds of this by-law. Where applicable for

LVPs, Town staff may utilize P-Cards for the acquisition of Goods and Services.

- 14.2 Where applicable, a selected Bidder shall be required to submit any and all such documents, certificates, and securities as a condition precedent to, and for the performance of, a Contract, at the discretion of the Procurement Manager. Such items may include, without limiting the generality of the foregoing: a Bond, other security for damages in the form of a negotiable instrument, insurance certificates, a certificate of clearance from the Workplace Safety and Insurance Board (WSIB), the contractor's Health & Safety policy, confirmation of compliance with the AODA, and a project schedule.

15. CONTRACTOR PERFORMANCE

- 15.1 The Department Head shall be responsible for monitoring the performance of Contractors. The Department Head shall document evidence related to same and advise the Procurement Manager in writing where the performance of a Contractor has been unsatisfactory in terms of failure to meet Contract specifications, performance, invoicing conditions, health and safety requirements, environmental protections, or any other Town requirements set by the Procurement Manager from time to time.

- 15.2 Upon completion of a Contract or the supply of Goods, Services, or Construction for the Town by a Contractor, a written performance evaluation of the Contractor shall be completed by the relevant Department Head and the Procurement Manager and the evaluation shall be placed in the Town file corresponding to the Contractor. A copy of the evaluation and supporting documentation may be made available to persons requesting Town references for a future Contract and also may be reviewed and may form part of the criteria when considering the Town's future Award of Contracts.

- 15.3 In a case where an interim performance evaluation is done prior to the completion of a Contract or the supply of Goods, Services, or Construction, and where the interim evaluation has determined the Contractor performance to be unsatisfactory for any reason, a Department Head or the Procurement Manager may request an interim evaluation meeting with a Contractor to discuss any deficiencies and to establish a time for their rectification.

- 15.4 A Contractor deemed, in the sole opinions of the relevant Town staff and the Procurement Manager, to have poor or unsatisfactory performance of a Contract may:

- (a) be refused the Award of a future Contract;
- (b) have Town staff recommend that Council not Award a future Contract to the Contractor; or
- (c) be placed on a probationary period.

A probationary period may specify additional requirements as determined by the Procurement Manager, including the requirement of additional Contract performance security or interim performance evaluations to ensure that the terms of a future Contract are strictly adhered to.

16. CONTRACT TERMINATION

- 16.1 Where a Contract is required pursuant to Schedule "D" – Bid Thresholds, and the authority to execute the Contract is delegated therein to a Department Head, then the CAO, upon the recommendation of the Procurement Manager, has the Authority to terminate such a Contract at any time under the following circumstances:

- (a) where a Contractor is in default of terms and/or obligations under an applicable Contract;
 - (b) where a Contractor commits an act of bankruptcy, a receiver is appointed on account of insolvency of a Contractor or in respect of any of its property, or if the Contractor makes a general assignment for the benefit of its creditors; or
 - (c) where it is discovered that the award of a Contract was induced through illegal or fraudulent means or that the Contractor has acted in violation of any federal or provincial laws during the performance of the Contract.
- 16.2 Where a Contract is required pursuant to Schedule "D" – Bid Thresholds, and the authority to execute the Contract requires Council approval, then only Council shall have the Authority to terminate such Contract, on the advice of the relevant Department Head and the Procurement Manager.

PART 4: SPECIFIC BID AND PROCUREMENT ISSUES

17. CONTINGENCIES

- 17.1 Where any Purchase of Goods, Services, or Construction has been Authorized under this by-law, the relevant Department Head may Authorize the disbursement of additional funds for unknown/unexpected conditions or circumstances affecting the Contract work, provided that such additional funds shall not exceed ten percent (10%) of the original Contract amount, and provided that the additional funds are required to complete work set out in the original Contract.

18. CANCELLATION OF SOLICITATION

- 18.1 The Procurement Manager may cancel any Solicitation where:

- (a) no Bids were received in response to the Solicitation or none of the received Bids were from a Compliant and Responsible Bidder;
- (b) the prices contained in all the submitted Bids in response to the Solicitation exceed the approved budget amount for the project or Purchase, and there is a cancellation request from the Department Head who initiated the Solicitation; or
- (c) in the opinion of the Department Head responsible for the Solicitation:
 - (i) a material change in the scope of work or specifications is required and a new Solicitation should be issued according to the Procurement Manager;
 - (ii) none of the Bids received adequately address the purpose or intent of the Solicitation or the goal or need of the Town that was to be addressed through the Solicitation;
 - (iii) the Goods, Services, or Construction to be provided by the Solicitation are no longer required by the Town; or
 - (iv) in the opinion of the Procurement Manager, the integrity of the Solicitation has been compromised or the Procurement process was materially flawed.

19. ACCESS TO INFORMATION

- 19.1 The disclosure of information received pursuant to any Procurement process, Solicitation, or the Award of a Contract shall be made in accordance with the

provisions of the *Municipal Freedom of Information and Protection of Privacy Act* and the *Personal Health Information Protection Act*, as amended.

- 19.2 Evaluation score sheets of individual Town staff evaluators for each Bidder or Proponent shall remain confidential. Members of Council may not be part of any Bid evaluation process.

PART 5: PERSONAL AND REAL PROPERTY

20. DISPOSAL OF PERSONAL PROPERTY

20.1 Personal Property of the Town, such as furniture, vehicles, equipment, stocks of all supplies, and other Goods and materials, which are no longer used by the Town or which have become obsolete, worn out, or incapable of being used, shall be identified as surplus by the applicable Department Head. Any disposal or Sale of such surplus items shall be in accordance with the provisions of this by-law where applicable. The terms of such disposal or Sale shall be documented.

20.2 Personal Property shall be disposed of using the following process:

- (a) The Town's Procurement Services Division (in consultation with the relevant Department Head) shall first offer surplus Personal Property to other Departments or Local Boards.
- (b) Should any Personal Property remain available after the provisions of paragraph (a) have been carried out, the Procurement Manager shall dispose of such items by one of following methods, which method is determined by the Procurement Manager according to the potential for the highest monetary return for the Personal Property and the resources available to engage such a process:
 - (i) Sale: A Sale Solicitation shall be issued and advertised on an Electronic Bidding system, daily newspaper, or through the York Purchasing Cooperative. Offers shall be received by facsimile, electronically, or by sealed Bid, as determined by the Procurement Manager;
 - (ii) Public auction: The Procurement Manager shall arrange for the Personal Property to be sold at a public auction. A minimum bid may or may not be set and shall be determined by the Procurement Manager with input from other Town staff as appropriate; or
 - (iii) Sale or return/trade-in to a Vendor: Sale or trade-in of the Personal Property directly to a Vendor or Contractor in the applicable line of business.
- (c) Any Personal Property still available after the provisions of paragraphs (a) and (b) have been carried out shall be disposed of by one of the following methods:
 - (i) The Procurement Manager shall notify community and/or non-profit agencies, as applicable, of the Town's intent of disposal and negotiate such disposal with any groups or individuals that indicate interest in a manner that is in the best interest of the Town.
 - (ii) Any other reasonable manner, including disposal as waste, at the discretion of the Procurement Manager.

- (d) Where an item or a group of similar items has been declared surplus and has a value of less than One Hundred Dollars (\$100.00), all as determined by the Procurement Manager, the Department Head responsible for such item(s) may dispose of such item(s) in a manner alternative to, and not in accordance with, the methods set out under paragraphs (a), (b), and (c), at the discretion of the applicable Department Head.

20.3 No Town staff member, Council member, or Local Board member shall personally obtain any Personal Property that has been declared surplus unless it has been obtained in accordance with any applicable provisions of this by-law.

21. REAL PROPERTY

21.1 This by-law shall not apply to the acquisition or Sale of Real Property. Real Property interests of the Town shall be acquired or disposed of in accordance with the Town's Administration Procedure No. 55 – Real Estate Sales, Purchases, and Leases, as may be amended or successor thereof, together with any other applicable process or by-laws dealing with the acquisition, disposal, or Sale of Real Property, which are separate from this by-law.

PART 6: MISCELLANEOUS CONSIDERATIONS AND GENERAL ITEMS

22. TIE BIDS RECEIVED

22.1 In the case of tie between two Compliant and Responsible Bidders and where multiple awards are not possible, the Town shall determine the winning Bid from the two tied Bids by a coin toss conducted by the Procurement Manager.

22.2 In the case of a tie between three or more Compliant and Responsible Bidders and where multiple awards are not possible, the Town shall determine the winning Bid from the group of tied Bids by a random lottery draw conducted by the Procurement Manager.

23. NO LOCAL PREFERENCE

23.1 The Town will endeavour to achieve the best value in its transactions. The Town will not be bound to Purchase Goods or Services based upon Canadian content, nor shall the Town practice local preference in awarding Contracts, unless specifically required to do so by an upper-tier government body. All Procurement processes are to be conducted so as not to unduly exclude local vendors while at the same time maintaining the duty to conduct a fair competition and adhere to the generally accepted legal principles applicable to Procurement.

24. ENVIRONMENTAL CONSIDERATIONS

24.1 For the purposes of this section:

“Environmentally Preferred” means Goods and Services that have a lesser impact on human health and the environment when compared with competing products or services. This comparison may consider raw material acquisition, production, recycled content, manufacturing, waste management, packaging, distribution, re-use, operation, maintenance or disposal. An environmentally preferred Good or Service will meet the criteria of a recognized third party certification program, where such a specification exists for that product class.

“Third Party Environmental Certification” means an independent organization that licenses and certifies products that meet environmental standards developed by that organization. The certification programs most

frequently used to certify environmentally preferred products are provided in the Town's Green Procurement Policy.

- 24.2 To encourage the procurement of Environmentally Preferred Goods and Services with due regard to the preservation and enhancement of the natural environment, Bid Documents may require methods resulting in the least damage to the environment, such as those products which have a recognized Third Party Environmental Certification, where practicable and in accordance with the Town's Green Procurement Policy.

25. ACCESSIBILITY CONSIDERATIONS

- 25.1 The Town is committed to giving people with disabilities the same opportunity to access Town Goods and Services and allowing them to benefit from the same Services, in the same place and in a similar way as other customers. Pursuant to the provisions of the AODA and s. 5(1) of O. Reg. 191/11, as amended, the Town shall incorporate accessibility design, criteria, and features when procuring or acquiring Goods, Services, or facilities, except where it is not practicable to do so. Programs, Goods, Services, facilities, etc. should be accessible to persons with disabilities (visible and invisible), including (without limitation): hearing loss, vision loss, physical or mobility related impairments, temporary disabilities, learning, speech, language, cognitive, psychological, psychiatric, intellectual and developmental disabilities, allergies, and multiple chemical sensitivities.

- 25.2 If it is determined not to be practicable to incorporate accessibility design, criteria, and features when Purchasing Goods, Services, or facilities, the Department Head responsible for any such Procurement shall, upon request, provide an explanation.

26. BLACK-OUT PERIOD

- 26.1 Any communication between Bidders and Council members, Town staff, or Town consultants relating to any solicitation, pending Award or submitted Bids, other than to Town staff in the Procurement Services Division, is prohibited during the period of time from the release of the solicitation up to and including the date that the Contract with the selected Bidder is duly executed and a Purchase Order has been approved by the Procurement Manager. Any such communication in violation of this subsection will entitle the Procurement Manager to disqualify the offending Bidder from consideration for Award.

27. LOBBYING

- 27.1 From the time the Bid Documents are released in a Solicitation until after the Award by the Town, no solicitations or lobbying may be made to any Town staff member, Council member, Town consultant, or to the news media by any director, officer, principal, employee, agent, family relation, or other representative of a Bidder (including any other parties that may be involved in a business relationship with the Bidder) with respect to the merits or value of the Bidder's Bid. Any such communication in violation of this section will entitle the Procurement Manager to disqualify the offending Bidder from consideration for Award. This subsection does not apply to presentations or delegations expressly requested by Town staff or by Council, whether in the Bid Documents or otherwise.

28. BY-LAW REVIEW

- 28.1 This by-law shall be monitored and evaluated for effectiveness continuously by the Procurement Manager and shall be comprehensively reviewed upon specific request by the CAO or by Council.

29. REPEAL, PRECEDENCE, AND TRANSITION

- 29.1 By-law Number 5500-13, as amended, and all schedules thereto, is hereby repealed on the day of this by-law coming into force and effect.
- 29.2 This by-law shall take precedence in the case of any conflict with any other Town policies or procedures relating to Procurement.
- 29.3 Notwithstanding section 29.1, for the purposes of transition to this by-law, all Procurement that commenced (being the date that Bid Documents were released to the public in a Solicitation) prior to the effective date of this by-law are subject to the provisions of By-law Number 5500-13 up to and including the Award of the Contract or Purchase Order.

30. SHORT TITLE

- 30.1 This by-law may be referred to as the "Procurement By-law".

31. IN FORCE

- 31.1 This by-law shall come into full force and effect on the date of final passage hereof.

READ A FIRST AND SECOND TIME THIS 8th DAY OF NOVEMBER, 2016.

READ A THIRD TIME AND FINALLY PASSED THIS 8th DAY OF NOVEMBER, 2016.

*Approved as to Form
By Legal Services*
Signature: JOL
Date: Nov 4/16

GEOFFREY DAWE, MAYOR

LISA LYONS, TOWN CLERK

SCHEDULE "A"

EXCEPTIONS

The acquisition methods described in this by-law are not required for the Procurement of the following items:

1. Training and Education

- (a) conferences, conventions, courses, and seminars
- (b) magazines, books, and periodicals (including subscriptions thereto)
- (c) membership dues/fees, continuing education, or certification processes
- (d) facilitators and program hosts
- (e) staff development, training, and workshops (including all related equipment, resources, and supplies)

2. Refundable Employee Expenses

- (a) as per the approved Town Corporate Policy for employee reimbursement and allowances

3. Town General Expenses

- (a) payroll, benefit premiums, and employee remittances
- (b) medical evaluations, consultations, or expenses required by the Town
- (c) licences and certificates (e.g., vehicle, elevators, software, etc.)
- (d) debenture payments and sinking fund payments
- (e) purchase or disposition of financial investments
- (f) insurance premiums and expenses
- (g) claim and litigation settlements
- (h) adjuster service expenses
- (i) grants to agencies (in accordance with any applicable Town policies)
- (j) newspaper, social media, or other media advertising/notices
- (k) Town promotional material
- (l) ancillary banking or financial services
- (m) bank charges and brokerage fees
- (n) payments regarding Real Property (e.g., lease payments, etc.)
- (o) remittances of all forms of taxes
- (p) charges to and from other governmental bodies (e.g., school boards, federal and provincial ministries/bodies/agencies, Teranet, LSRCA, etc.)
- (q) payments for employment and temporary help
- (r) petty cash replacement

4. Professional and Special Services

- (a) committee fees
- (b) honorariums
- (c) legal fees, expert witness/consultant fees, and other court fees/costs
- (d) appraiser
- (e) special forensic auditor
- (f) land surveyor
- (g) real estate agent
- (h) arbitrator, mediator, and other similar professionals
- (i) postage and courier services
- (j) utility charges – including: water, sewer, electricity, natural gas, telecommunication services, internet, cable television, maintenance charges, utility relocations, utility construction, and utility acquisition
- (k) events or programs supporting non-profit organizations
- (l) Town-sponsored employee purchase plans
- (m) suppliers and entertainers for special events and programs
- (n) Goods, Services, or Construction where one hundred percent (100%) of the total cost is being paid by or reimbursed by a third party

SCHEDULE “B”

BID IRREGULARITIES – SEALED ENVELOPE

For the purposes of this by-law, the following actions shall be taken regarding Bid Irregularities (as defined in this by-law).

| ITEM | DESCRIPTION | ACTION |
|------|--|--|
| 1. | Late Bid. | Automatic rejection. |
| 2. | Bid not submitted at location specified in the Solicitation. | |
| 3. | Bid submitted in other format than specified in the Solicitation. | |
| 4. | Bid not submitted using required forms. | |
| 5. | Bid envelope not sealed. | |
| 6. | Bid not legible. | |
| 7. | Bid Document not signed in ink with an original signature (if required by Solicitation) or not signed by all Bidders (if Bid is on behalf of a joint-venture). | |
| 8. | Signature page not provided in the Bid (if specified and required in the Solicitation). | |
| 9. | Pages requiring completion of information or specification not submitted with the Bid (if specified and required in the Solicitation). | |
| 10. | Failure to submit a list of subcontractors (if required in the Bid Document). | |
| 11. | Unit price in the “price schedule” which has been changed but not initialed and the unit price extension/total price <u>is not</u> consistent with the unit price as amended. | |
| 12. | Pricing page(s) not submitted with the Bid (if specified and required in the Solicitation). | |
| 13. | Bid Deposit (if requested) not submitted with the Bid. | |
| 14. | Bid submitted from a Bidder that has not been pre-qualified, where pre-qualification was required in the Solicitation. | |
| 15. | Bidder did not attending a mandatory site meeting (if required in the Solicitation). | |
| 16. | Undertaking to Provide a Bond or Letter of Credit, or actual Bond not submitted with the Bid or not original signed copy (if requested). | |
| 17. | Undertaking to Provide a Bond or Letter of Credit, or actual Bond, submitted on a form or in a format not permitted in accordance with the Bid Document. | |
| 18. | Bond, Bid Bond, Undertaking to Bond, or Agreement to Bond missing: a corporate seal, proof of authority to bind bonding company, signature of Bidder, or seal and signature of surety (as applicable). | |
| 19. | Incomplete Bid. | |
| 20. | Proposal does not address all components identified in the Bid Document. | Missing component will be scored zero. If the component has been identified in the Bid Document as requiring a response for that component but no response is given, then automatic rejection. |
| 21. | All Addenda not acknowledged as specified in the Bid Document or each addendum (if issued). | Automatic rejection, unless the relevant addendum issued is solely for the purpose of revising a closing date and/or time and the Bid is received in accordance with revised date and/or time. |

| ITEM | DESCRIPTION | ACTION |
|------|---|---|
| 22. | Bid submitted by a Bidder (or by an affiliate, related entity, principal, officer, or director of such Bidder), who is in unresolved Litigation with the Town or is the subject of third party claims involving the Town. | Possible rejection. Referred to Bid Review Committee for review, consideration, and determination. Factors to be considered will include, but are not limited to: (a) the severity, materiality, and nexus between the Litigation and the work for which the Bid is submitted; (b) where the Town has been named as plaintiff or defendant pursuant to a subrogated interest, an appropriate arrangement has been made to indemnify the Town; and (c) the Bidder's performance under previous Contracts with the Town, the Town's claims history with the Bidder, and an assessment of the overall risk and total cost in entering into a Contract with the Bidder. |
| 23. | Alterations, additions, deletions or qualifying statements (referred to as a "variation") made to the Bid Documents or provided with the Bid. | Automatic rejection, unless in the opinion of the Bid Review Committee, such variation is considered to be immaterial to the Town. |
| 24. | Alternate and/or substitute items bid in whole or in part that were not requested in the Solicitation. | Rejection of any alternative and/or substitute items not requested by the Solicitation. |
| 25. | Bids containing minor clerical errors | If in the opinion of the Procurement Manager the errors are of a minor nature and are not material to the Bid, they can be waived at the option of the Procurement Manager. Otherwise, the Bid shall be rejected. May be referred to the Bid Review Committee for final determination. |
| 26. | Strikeouts, erasures, whiteouts, or overwrites made to the Bid form, not initialed by an authorized person. | Automatic rejection, unless in the opinion of the Procurement Manager, the failure to initial is minor in nature and is not material to the determination of the Bid. Otherwise, the Bid shall be rejected. May be referred to the Bid Review Committee for final determination. |
| 27. | Mathematical errors for total price which are not consistent with the unit price or mathematical errors such as tax calculation errors. | Bidders shall accept corrections to total bid price or tax calculation that is made by the Procurement Manager. Unit prices shall always govern. |
| 28. | Unit price in the "price schedule" which has been changed but not initialed and the unit price extension/total price <u>is</u> consistent with the unit price as amended. | Bid will be accepted unless, in the opinion of the Procurement Manager, the changes to the unit prices create ambiguity and uncertainty – in such case, the Bid shall be rejected. May be referred to the Bid Review Committee for final determination. |
| 29. | Bid Deposit (if requested) contains insufficient funds as called for in the Bid Document. | Automatic rejection unless insufficient amount is <i>de minimis</i> (\$2.00 or less). |
| 30. | Other Bid Irregularities | Referred to the Bid Review Committee for review, consideration, and determination. |

SCHEDULE "C"

BID IRREGULARITIES – ELECTRONIC BIDDING

For the purpose of this by-law, the following actions shall be taken regarding Bid Irregularities (as defined in this by-law).

| ITEM | DESCRIPTION | ACTION |
|------|---|---|
| 1. | Bid not submitted as specified in the Solicitation. | Automatic rejection. |
| 2. | Bid submitted in other format than specified in the Solicitation. | |
| 3. | Bid not submitted using required forms. | |
| 4. | | |
| 5. | | |
| 6. | Bid not signed with a signature (if required by the Solicitation) or not signed by all parties (if Bid is on behalf of a joint-venture). | |
| 7. | Signature page not provided in the Bid (if specified and required in the Solicitation). | |
| 8. | Pages requiring completion of information or specification not submitted with the Bid (if specified and required in the Solicitation). | |
| 9. | Failure to submit a list of subcontractors (if required in Bid Document). | |
| 10. | Unit price extension/total price <u>is not</u> consistent with the unit price as amended. | |
| 11. | Bid Deposit (if requested) not submitted with the Bid. | |
| 12. | Bid submitted from a Bidder that has not been pre-qualified, where pre-qualification was required in the Solicitation. | |
| 13. | Bidder did not attend the mandatory site meeting (if required in the Solicitation). | |
| 14. | | |
| 15. | Undertaking to Provide a Bond or Letter of Credit, or actual Bond, submitted on a form or in a format not permitted in accordance with the Bid Document. | |
| 16. | | |
| 17. | Proposal does not address all components identified in the Bid Document. | Missing component will be scored zero. If the component has been identified in the Bid Document as requiring a response for that component but no response is given, then automatic rejection. |
| 18. | | |
| 19. | Bid submitted by a Proponent (or by an affiliate, related entity, principal, officer, or director of such Proponent), who is in unresolved Litigation with the Town or is the subject of third party claims involving the Town. | Possible rejection. Referred to Bid Review Committee for review, consideration, and determination. Factors to be considered will include, but are not limited to: (a) the severity, materiality, and nexus between the Litigation and the work for which the Bid is submitted; (b) where the Town has been named as plaintiff or defendant pursuant to a subrogated interest, an appropriate arrangement has been made to indemnify the Town; and (c) the Bidder's performance under previous Contracts with the Town, the Town's claims history with the Bidder, and an assessment of the overall risk and total cost in entering into a Contract with the Bidder. |
| 20. | Alterations, additions, deletions or qualifying statements (referred to as a "variation") made to the Bid Documents or provided with the Bid. | Automatic rejection, unless in the opinion of the Bid Review Committee, such variation is considered to be immaterial to the Town. |
| 21. | Alternate and/or substitute items bid in whole or in part that were not requested in the Solicitation. | Rejection of any alternative and/or substitute items not requested by the Solicitation. |

| ITEM | DESCRIPTION | ACTION |
|-------------|---|--|
| 22. | Bids containing minor clerical errors. | If in the opinion of the Procurement Manager the errors are of a minor nature and are not material to the Bid, they can be waived at the option of the Procurement Manager. Otherwise, the Bid shall be rejected. May be referred to the Bid Review Committee for final determination. |
| 23. | Bid Deposit (if requested) contains insufficient funds as called for in the Bid Document. | Automatic rejection unless insufficient amount is <i>de minimis</i> (\$2.00 or less). |
| 24. | Other Bid Irregularities. | Referred to the Bid Review Committee for review, consideration, and determination. |

SCHEDULE "D"

BID THRESHOLDS

For the purpose of this by-law, the following are the required Procurement methods, approval Authority, reporting requirements, and Contract requirements for the specified amount thresholds.

| DOLLAR THRESHOLDS (EXCLUDING TAXES) | METHOD OF PROCUREMENT | SOURCE OF BIDS (ADVERTISING) | REPORT TO | APPROVAL/ AWARD | CONTRACT TYPE |
|--|---|--|---|---|---|
| 1. BIDS AND PROPOSALS | | | | | |
| Up to \$5,000.00 | Low Value Purchase (LVP) | Purchases made from the competitive marketplace where possible and practicable. Obtaining a minimum of three (3) written quotes where possible. Advertising is not required. | Not applicable | Town staff as delegated by the applicable Department Head | P-Card or Purchase Order |
| \$5,000.01 to \$30,000.00 | Informal Quick Bid Request for Quotation (QB-RFQ) - or - Informal Quick Bid Request for Proposal (QB-RFP) | (a) Advertising is required in such manner as directed by Procurement Manager (b) Solicitation to list of pre-qualified Bidders; (c) | Not applicable | Department Head | Purchase Order |
| \$30,000.01 to \$100,000.00 | Formal Request for Quotation (RFQ) - or - Formal Request for Proposal (RFP) | Advertising is required in such manner as directed by the Procurement Manager | Not applicable | Department Head | Purchase Order and Contract (executed by the applicable Department Head) |
| Over \$100,000.00 | Formal Request for Tender (RFT) - or - Formal Request for Proposal (RFP) | Advertising is required in such manner as directed by the Procurement Manager | Council (from the applicable Department Head or designate) | Council | Purchase Order and Contract (executed by the Mayor and Town Clerk as per Council direction) |
| 2. EMERGENCY PURCHASES | | | | | |
| Up to \$50,000.00 | Not applicable | Advertising not required | Not applicable | Department Head | P-Card or Emergency Purchase Order |
| \$50,000.01 to \$100,000.00 | Not applicable | Advertising not required | Not applicable | CAO | Emergency Purchase Order |
| Over \$100,000.00 | Not applicable | Advertising not required | Council as soon as reasonably possible by the CAO explaining actions taken and reasons therefore (may be after the emergency is over and after Purchase is Awarded) | CAO | Emergency Purchase Order and Contract (if emergency situation permits; executed by the CAO) |
| 3. SOLE SOURCE, SINGLE SOURCE, CO-OPERATIVE PURCHASING, & PIGGYBACK | | | | | |

| DOLLAR THRESHOLDS (EXCLUDING TAXES) | METHOD OF PROCUREMENT | SOURCE OF BIDS (ADVERTISING) | REPORT TO | APPROVAL/ AWARD | CONTRACT TYPE |
|--|--|---|--|--|---|
| Up to \$5,000.00 | Sole Source, Single Source, Co-operative Purchasing, or Piggyback | Advertising not required | Not applicable | Department Head | P-Card or Purchase Order |
| \$5,000.01 to \$50,000.00 | Sole Source, Single Source, Co-operative Purchasing, or Piggyback | Advertising not required | Not applicable | Department Head | Purchase Order |
| \$50,000.01 to \$100,000.00 | Sole Source, Single Source, Co-operative Purchasing, or Piggyback | Advertising not required | CAO (from the applicable Department Head or designate) | CAO | Purchase Order and Contract (executed by the CAO) |
| Over \$100,000.00 | Sole Source, Single Source, Co-operative Purchasing, or Piggyback | Advertising not required | Council (from the applicable Department Head or designate) | Council | Purchase Order and Contract (executed by the Mayor and Town Clerk as per Council direction) |
| 4. DETERMINATION OF AVAILABILITY OF GOODS AND SERVICES | | | | | |
| Not applicable | Request for Expressions of Interest (RFI) - or - Request for Information (RFI) | Advertising is required in such manner as directed by the Procurement Manager. May be followed by another Procurement method. | Not applicable | Not applicable | Not applicable |
| 5. PRE-QUALIFICATION AND MULTI-STEP BIDS | | | | | |
| May be used in conjunction with another Procurement method listed in Schedule "D" – Bid Thresholds | Request for Pre-Qualification - or - Multi-Step Bid Call | Advertising is required in such manner as directed by the Procurement Manager | As specified in related Procurement method | As specified in related Procurement method | As specified in related Procurement method |

Methods of Procurement listed in this Schedule are minimum methods only in accordance with sections 11, 12, and 13 of this by-law. Formal Requests for Tender (RFT) and Formal Requests for Proposal (RFP) may be used for any dollar thresholds at the discretion of the applicable Department Head. Similarly, Council approval to Award may also be sought at the discretion of the applicable Department Head or the CAO.

All Contracts that are to be executed and required by this Schedule "D" – Bid Thresholds shall be reviewed and approved as to form by Legal Services prior to execution.

THE CORPORATION OF THE TOWN OF AURORA

By-law Number 5914-16

**BEING A BY-LAW to establish lands on
Plan 65M-4075 and Plan 65M-4082 as
highways (St. John's Road Development
Corp. – Phases 2 and 3).**

WHEREAS subsection 31(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires a municipality to enact a by-law in order to establish land as a highway unless: a) it is a highway transferred to a municipality under the *Public Transportation and Highway Improvement Act*; b) it is a road allowance made by a Crown surveyor located in a municipality; or c) it is a road allowance, highway, street, or lane shown on a registered plan of subdivision;

AND WHEREAS The Corporation of the Town of Aurora (the "Town") entered into a subdivision agreement with St. John's Road Development Corp., dated April 22, 2008, with respect to the development of a residential plan of subdivision, being Plans 65M-4075, 65M-4079 and 65M-4082 (the "Development");

AND WHEREAS the Town acquired certain lands in the Development for reserve purposes adjoining certain highway(s) that are assumed (or to be assumed) and maintained for public use by the Town (the "Reserves");

AND WHEREAS the Town deems it necessary and expedient to establish such Reserves as forming part of those highway(s);

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF AURORA ENACTS AS FOLLOWS:

1. THAT the following lands in the Town of Aurora, Regional Municipality of York, be and are hereby established as a highway by the Town:
 - a) Block 136, Plan 65M-4075, forming part of Cosford Street;
 - b) Block 137, Plan 65M-4075, forming part of Hartwell Way;
 - c) Block 138, Plan 65M-4075, forming part of Hartwell Way; and
 - d) Block 146, Plan 65M-4082, forming part of Pointon Street.
2. THAT a copy of this By-law be registered in the appropriate Land Registry office on title to lands and highways set out herein.
3. THAT this By-law shall come into full force and effect upon final passage hereof.

READ A FIRST AND SECOND TIME THIS 8th DAY OF NOVEMBER, 2016.

READ A THIRD TIME AND FINALLY PASSED THIS 8th DAY OF NOVEMBER, 2016.

*Approved as to Form
By Legal Services*
Signature: FD
Date: Nov 3/16

GEOFFREY DAWE, MAYOR

LISA LYONS, TOWN CLERK

By-law Number 5918-16

Page 2 of 3

Schedule "A"

Description of Property

All and singular those certain parcels or tracts of land and premises situate, lying and being in the Town of Aurora, in the Regional Municipality of York, municipally known as 15 William Graham Drive, and being composed of Part of Block 164, Plan 65M-4424, designated as Part 1 on Plan 65R-36588, including the Edward Coltham Farm House and all other buildings and structures thereon.

By-law Number 5918-16

Page 3 of 3

Schedule "B"

Statement of Cultural Heritage Value or Interest

The cultural heritage value of the property derives from its architectural, historical and contextual values. The Edward Coltham Farm House has cultural heritage value as it is representative of the region's historical farming community.

Physical Design Value

Built circa 1915, the Edward Coltham Farm House is a two (2) storey structure with a truncated hipped roof and a red brick veneer. The farm house is considered to be designed as a vernacular interpretation of Edwardian Classicism architecture.

Historical /Associative Value:

The Edward Coltham Farm House is historically associated with the Coltham family, who farmed the property from 1890 to 1963 in this part of the former Whitchurch Township. In 1966, the property was incorporated into the Emmanuel Convalescent Foundation, later named the Southdown Institute, which provided professional and integrated services to persons in church ministries from across Canada. The farm house was retained within the development, serving as a residential component within the institution until 2013.

Contextual Value:

The Edward Coltham Farm House has contextual value as the farm house is historically, physically and visually linked to its setting on the south side of St. John's Sideroad where it serves as a reminder of the agricultural origins of the area.

Description of Heritage Attributes

Reasons for designation include the following heritage attributes and apply to all elevations and the roof; including all facades, entrances, window openings, chimneys, and trim, together with construction materials of wood and brick and their related building techniques.

- Overall two (2) storey dwelling;
- The scale, form and massing of the square plan with its inset one storey veranda on the west elevation;
- The poured concrete foundation scored to resemble cut stone blocks;
- The red brick cladding, with concrete lug window sills and radiating brick voussoirs over the segmental arches over all openings;
- The hip roof, including the truncation of the hip, together with the dormer window, the brick chimney stack on the east elevation and the projecting eaves with their wood soffits and fascias;
- The symmetrical organization of all facades except the east elevation;
- All window openings, window frames and sashes, including the one over one glazing in all windows except the basement and the window above the entrance; and,
- The entrance on the west elevation, including frame, door, side light and transom.

THE CORPORATION OF THE TOWN OF AURORA

By-law Number 5919-16

**BEING A BY-LAW to exempt Block 27 on
Plan 65M-4467 from Part-Lot Control
(Brookfield Homes (Ontario) Limited).**

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 the Council of The Corporation of the Town of Aurora deems it necessary and expedient to enact a by-law to exempt Block 27 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 ENACTS AS FOLLOWS:

1. THAT 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 27 on Plan 65M-4467.
2. THAT a copy of this By-law shall be registered in the appropriate Land Registry Office on title to the lands set out herein.
3. THAT 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 8th day of November, 2018.

READ A FIRST AND SECOND TIME THIS 8th DAY OF NOVEMBER, 2016.

READ A THIRD TIME AND FINALLY PASSED THIS 8th DAY OF NOVEMBER, 2016.

*Approved as to Form
By Legal Services*
Signature: PDS
Date: Nov 3/16

GEOFFREY DAWE, MAYOR

LISA LYONS, TOWN CLERK

The Corporation of The Town of Aurora

By-law Number 5921-16

**Being a By-law to Confirm Actions by Council
Resulting from a Council Meeting
on November 8, 2016.**

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 November 8, 2016, in respect of each motion, resolution and other action passed and taken by the Council at the said meeting is, except where prior approval of the Ontario Municipal Board is required, 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.

Read a first and second time this 8th day of November, 2016.

Read a third time and finally passed this 8th day of November, 2016.

Geoffrey Dawe, Mayor

Lisa Lyons, Town Clerk