

Public Release  
April 13, 2018



**Town of Aurora  
Additional Items to  
General Committee Meeting Agenda**

Tuesday, April 17, 2018  
7 p.m., Council Chambers

- **Revised General Committee Meeting Agenda Index**
- **Item R9 – FS18-015 – Information Regarding Accessing Hydro Reserve Funds**
- **Notice of Motion (a) Councillor Abel**  
**Re: Business and Community Operations – Niagara College – Canadian Food and Wine Institute**



**Town of Aurora  
General Committee  
Meeting Agenda (Revised)**

Tuesday, April 17, 2018  
7 p.m., Council Chambers

Councillor Kim in the Chair

**1. Approval of the Agenda**

**Recommended:**

That the agenda as circulated by Legislative Services be approved.

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

**3. Presentations**

**4. Delegations**

**(a) Nathalie Karvonen, Toronto Wildlife Centre  
Re: Wildlife Services**

**5. Consent Agenda**

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

**Recommended:**

That the following Consent Agenda Items, C1 to C6 inclusive, be approved:

- C1. CS18-007 – Amendments to the *Municipal Elections Act, 1996***  
(Information Report dated April 3, 2018, included on agenda as per Member of Council request)

**Recommended:**

1. That Report No. CS18-007 be received for information.

- C2. FS18-014 – Capital Close Report as of December 31, 2017**

**Recommended:**

1. That Report No. FS18-014 be received; and,
2. That the capital project closures and capital funding adjustments outlined in Attachments #1 and #2 be approved.

- C3. PDS18-039 – Application for Removal of Holding (H) Provision  
Zoning By-law Amendment  
Coppervalley Estates Inc.  
1756 St. John's Sideroad East  
File Number: ZBA-2015-09 (H)  
Related File Number: SUB-2015-05**

**Recommended:**

1. That Report No. PDS18-039 be received; and
2. That the Application to remove the Holding (H) Provision (ZBA-2015-09(H)) from Lots 1 to 22 and 24 to 109 inclusive on the approved Draft Plan of Subdivision (SUB-2015-05) be approved; and
3. That the removal of the holding provision by-law, be presented at a future Council meeting.

**C4. PDS18-041 – Award of Tender 2018-41-PDS-ENG – For Restoration of Two (2) Culverts on Yonge Street where Tannery Creek Crosses**

**Recommended:**

1. That Report No. PDS18-041 be received; and
2. That Tender 2018-41-PDS-ENG for the restoration of two (2) culverts on Yonge Street where Tannery Creek crosses, be awarded to R&M Construction in the amount of \$136,405.00 excluding taxes; and
3. That the favourable budget variance of \$356,403.77 be returned to source; and
4. 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.

**C5. Accessibility Advisory Committee Meeting Minutes of March 7, 2018**

**Recommended:**

1. That the Accessibility Advisory Committee meeting minutes of March 7, 2018, be received for information.

**C6. Audit Committee Meeting Minutes of March 27, 2018**

**Recommended:**

1. That the Audit Committee meeting minutes of March 27, 2018, be received for information.

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

**R1. OPS18-008 – 100 Vandorf Sideroad – Hallmark Lands Community Park Design**

**Recommended:**

1. That Report No. OPS18-008 be received; and

2. That this report satisfy Council's conditional budget for Capital Project No. 73287 – Hallmark Lands – Baseball Diamonds in the amount of \$3,000,000; and
3. That staff be authorized to commence the detailed design and tendering process for 100 Vandorf Sideroad, and proceed with the Capital Project as presented.

**R2. CS18-008 – Fence By-law Review**

**Recommended:**

1. That Report No. CS18-008 be received; and
2. That a by-law to amend the Town's Fence By-law No. 4753-05.P be enacted at a future Council meeting.

**R3. PDS18-038 – Petch House – Potential Conversion to a Wedding Chapel Use**

**Recommended:**

1. That Report No. PDS18-038 be received; and
2. That the funding and improvements to the Petch House for either Option 1 or Option 2 as outlined in this report be approved; and
3. That Capital Project No. 81020 for the Petch House Conversion be approved; and
4. That the appropriate budget for Capital Project No. 81020, to be funded from the Heritage Reserve Fund be approved.

**R4. CMS18-006 – Special Events Corporate Resource Review**

**Recommended:**

1. That Report No. CMS18-006 be received; and

2. That the additional funding for a permanent part-time Special Events Assistant in the amount of \$21,000 for the remainder of 2018, to be funded from the Council Contingency Operating Account, be approved.

**R5. FS18-007 – Procurement By-law Threshold Changes**

**Recommended:**

1. That Report No. FS18-007 be received; and
2. That the procurement process changes outlined in Report No. FS18-007 be approved; and
3. That the necessary updated Procurement By-law be enacted at a future Council meeting.

**R6. FS18-009 – 2018 In-Year Capital Budget**

**Recommended:**

1. That Report No. FS18-009 be received; and
2. That the ten capital projects outlined in Attachment #1 be approved having a total budget of \$5,978,260, to be funded from the Reserve Funds as outlined in Attachment #1.

**R7. PDS18-043 – Award of Contract for Consulting Services – Design for the Reconstruction of Browning Court, Johnson Road, Holman Crescent, and Baldwin Road**

**Recommended:**

1. That Report No. PDS18-043 be received; and
2. That the total approved budget for Capital Project No. 31118 be increased to \$276,411, representing an increase of \$96,411, to be funded from the Storm Sewer Reserve; and
3. That the Request for Proposal No. 2018-43-PDS-ENG for the provision of consulting services for the design of the reconstruction of Browning Court, Johnson Road, Holman Crescent and Baldwin Road, be awarded

to Ainley & Associates Inc. in the amount of \$246,934.25, excluding taxes; and

4. 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.

**R8. PDS18-044 – Award of Tender 2018-09-PDS-ENG – For Road Reconstruction on Kennedy Street West, Temperance Street, Ransom Street and Ransom Court**

**Recommended:**

1. That Report No. PDS18-044 be received; and
2. That the total approved budget for Capital Project Numbers 31109 and 31114 be increased to \$2,988,257, representing an increase of \$860,991, to be funded from the Water and Road Reserves; and
3. That Tender 2018-09-PDS-ENG for road reconstruction on Kennedy Street West (from George Street to Yonge Street), Temperance Street (from Ransom Street to Kennedy Street West), Ransom Street and Ransom Court, be awarded to Direct Underground Inc. in the amount of \$2,656,837, excluding taxes; and
4. That the Mayor and Town Clerk be authorized to execute the necessary agreement, including any and all ancillary agreements required to give effect to same.

**R9. FS18-015 – Information Regarding Accessing Hydro Reserve Funds**  
(Added Item)

**Recommended:**

1. That Report No. FS18-015 be received; and
2. That Council provide direction regarding alternative by-law amendments presented in this report; and
3. That, as applicable, staff be directed to bring forward the necessary draft by-law for adoption to the Council meeting of April 25, 2018.

**7. Notices of Motion**

**(a) Councillor Abel**

**Re: Business and Community Operations – Niagara College – Canadian  
Food and Wine Institute**

(Added Item)

**8. New Business**

**9. Closed Session**

**10. Adjournment**





**Town of Aurora  
General Committee Report No. FS18-015**

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**Subject:** Information regarding accessing Hydro Reserve funds  
**Prepared by:** Dan Elliott, Director of Financial Services - Treasurer  
**Department:** Financial Services  
**Date:** April 17, 2018

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### **Recommendation**

- 1. That Report No. FS18-015 be received; and**
- 2. That Council provide direction regarding alternative by-law amendments presented in this report; and**
- 3. That, as applicable, staff be directed to bring forward the necessary draft bylaw for adoption to the Council meeting of April 25, 2018.**

### **Executive Summary**

Final design and cost estimate reports seeking funding are shortly expected for the Armoury project and the Library Square project. A report was recently presented outlining funding strategies for these projects, which indicated use of Aurora Hydro Sale Investment Reserve Funds. These funds have restrictive rules attached to them. Staff were asked to present a report for information regarding the funds, their conditions and rules, and copies of the bylaws.

- Proceeds of sale of Aurora Hydro placed into two reserve funds
- The smaller Council Discretionary Reserve Fund has fewer constraints
- The larger Hydro Sale Investment Reserve Fund has complex constraints
- The restrictive voting rule could result in project delays
- Restrictive rules of the bylaw can be changed at any time by simple majority
- Change options are provided

### **Background**

It has been noted in other reports that in the coming weeks, final pretender design and funding requirements are expected to be brought to Council for both the Armoury update, and the Library Square which will include a new community use building.

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Report No. FS18-011 was presented at April 3, 2018 General Committee outlining funding strategies for these projects.

At its meeting of April 3, 2018, Council asked staff to prepare an information report regarding the funds, their conditions and rules, and copies of the bylaws. For clarity, much of the text of this report has been lifted directly from the reserve fund bylaws.

### **Proceeds of sale of Aurora Hydro placed into two reserve funds**

The Town of Aurora sold its interest in Aurora Hydro Connections Limited to Powerstream Inc. in June 2005. Ultimately, 90% of the proceeds were placed into the Aurora Hydro Sale Investment Reserve Fund, with the remaining 10% placed into the Council Discretionary Reserve Fund. In July, 2012, Staff Report CFS12-022 was presented to Council which reviewed all history of the evolution, purposes and intents of these reserves, and any restrictions imposed by Council. At the time, there were mixed recollections of what had actually been approved by Council. Report CFS12-022 resulted in the formal adoption of two reserve fund bylaws which outlined the purposes, restrictions and rules governing the use of each of the two reserve funds. The passage of these bylaws put to an end the uncertainty of the past Councils actions in this regard, and actually rescinded all prior bylaws and resolutions of Council related to the conditions and purposes of the proceeds of the sale of the hydro. Both reserve funds earn and retain interest. Both reserve funds distinguish between the principal portion and the earned interest portions in their rules.

### **The smaller Council Discretionary Reserve Fund has fewer constraints**

The Council Discretionary Reserve Fund was formalized in 2012 by By-law 5440-12, included here as Attachment #1. It has a current balance of \$877,400.

#### **Use of Interest Portion:**

The earned interest portion of the balance may be allocated or expended for any purpose as determined, at the sole discretion of Council, to be in the best interest of the Town.

#### **Use of Principal Portion:**

The principal portion of the fund may be allocated or expended for any purpose as determined, at the sole discretion of Council, to be in the best interest of the Town, and should Council wish to allocate or expend any of the principal from the Fund for any

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purpose, public notice published in a local newspaper having general circulation throughout the community shall be provide at least thirty (30) days in advance before the allocation or expense is approved at an open Council meeting.

Other conditions:

Any donations, expenditures, or allocations from the Fund must recognize in program or project advertising that the contribution was made from the proceeds of the sale of Aurora Hydro Connections Limited.

**The larger Hydro Sale Investment Reserve Fund has complex constraints.**

The Hydro Sale Investment Reserve Fund was formalized in 2012 by By-law 5439-12, included here as Attachment #2. It has a current balance of \$36,013,800.

Use of Interest Portion:

The unspent interest (from prior years) portion of the balance may be allocated or expended at the sole discretion of Council for new initiatives identified in the prevailing Strategic Plan. Such approval is by simple majority vote of Council.

The interest portion from prior years may also be used for any other purpose determined by Council to be in the best interest of the Town, subject to adoption in accordance with the restrictive voting rule described below.

Use of Principal Portion:

The principal of the fund may be allocated or expended for any purpose as determined, at the sole discretion of Council, to be in the best interest of the Town, subject to adoption in accordance with the restrictive voting rule described below. Further, public notice must be published in a local newspaper having general circulation throughout the community shall be provided at least thirty (30) days in advance before the allocation or expense is approved at an open Council meeting.

Restrictive Voting Rule

Any allocation or expenditure of the principal portion, or ‘non-Strategic Plan’ uses of the interest portions shall be made by resolution of Council, as adopted by a vote of not less than two-thirds (2/3) of the entire Council, and further that,

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- a) "entire Council" shall mean all members of Council being present in Council Chambers at the time of the vote;
- b) Should the entire Council not be present in Council Chambers at the time of the vote, the vote shall be deferred until the entire Council is so present; and
- c) In the event the entire Council is not present for three (3) consecutive Council meetings, the requirement for all Council members to attend such meeting shall be reduced by one (1) member of Council.

There is no recognition condition regarding investments, donations or allocations from this reserve.

## **Analysis**

### **The restrictive voting rule could result in project delays**

The restrictive voting rule clearly requires that any vote requires a two-thirds (2/3) majority of Council. This would put 'veto power' in the hands of any four members of Council of the nine seat Council.

The intent of the voting rule appears to want all members of Council to be present for the vote. If any member simply excuses themselves or wanders from the table just prior to the vote, the vote cannot happen. This technically grants veto power to the proposed funding allocation to any one member in this manner. If this happens three meetings in a row, the 'veto through absence' power goes to any two members, which lasts indefinitely. This clearly is in conflict to the intent of the two-thirds majority part of the rule and has the potential to stall the initiative of Council where support exists from two-thirds or more of the members.

It would appear the intent of the rule was that all members of Council should be given the opportunity to attend the meeting at which the vote is expected to take place, and that two-thirds of the members of Council support the allocation proposal. Consideration should be given to changing the text of the rule as set out in the by-law.

### **Restrictive rules of the bylaw can be changed at any time by simple majority**

Changes to the current by-law and the subject restrictive rules may be made by a simple majority of Council at any time and adoption of the amending bylaw.

At least three options exist at this point for Council to consider:

Option 1: Make no changes to the restrictive voting rule.

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Option 2: Require affirmative votes from two thirds of the total membership of Council, without the requirement for all members be in attendance at the time of the vote. If time permitted, it is likely that Council would extend courtesy to a member, if they were unable to attend the meeting due to a personal emergency, by delaying the vote to the next meeting. It may be less likely such courtesy would be extended for several meetings.

Option 3: Require only a two-thirds vote of the members present, with the caveat that the vote must take place at a regularly scheduled Council meeting, or one which was specifically called, but scheduled at least some determined period in advance, such as 15 days. This approach keeps the two-thirds vote concept, yet prevents the vote to be scheduled on short notice, allowing all members a fair opportunity to attend, participate in the discussion and vote.

## **Legal Considerations**

The rules governing the use and access of the hydro reserve funds were established by Council through the adoption of the two Town of Aurora approved by-laws noted in this report. There are no other specific provincial or federal regulations or legislation which restrict the use or allocation of these funds. Council has full autonomy in this regard; the rules are entirely established by local Council, and can be changed or eliminated by Council. The current by-laws do not include any conditions or restrictions in making changes to them. Accordingly, they may be amended at any time in accordance with the Town's Procedure By-law.

## **Financial Implications**

There are no direct financial implications arising from this report. Allowing the current restrictive voting rule to remain in effect may expose the municipality to delays in moving desirable projects forward. Such project delays may have direct or indirect financial impacts to the Town.

## **Communications Considerations**

Members of the community who have registered for notifications regarding use of hydro funding have received notification of the availability of this report at the time of its public release through the agenda process. Information regarding funding allocations for both the Armoury and Library Square will be posted to the Town website.

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## **Link to Strategic Plan**

Outlining and understanding the Town's two hydro reserves and their rules and conditions contributes to achieving the Strategic Plan guiding principle of "Leadership in Corporate Management" and improves transparency and accountability to the community.

## **Alternative(s) to the Recommendation**

1. To effect Option 1, this report should be received only, with Recommendations #2 and #3 of this report deleted
2. To effect Option 2, Recommendation #2 of this report should be replaced with the following text:

That Section 7 of By-law No. 5439-12 be removed and replaced with the following:

That any expenditure or allocation of monies from the principal, or earned interest portions of the Fund as specified in paragraph 5 of this By-law, shall be made by resolution of Council, as adopted by a vote consisting of affirmative votes cast equal to two-thirds (2/3) or more of the membership of Council.

3. To effect Option 3, Recommendation #2 of this report should be replaced with the following text:

That Section 7. Of By-law No. 5439-12 be removed and replaced with the following:

That any expenditure or allocation of monies from the principal, or earned interest portions of the Fund as specified in paragraph 5 of this By-law, shall be made by resolution of Council, as adopted by a vote of two-thirds (2/3) or more majority of those in attendance at the time of the vote. Such vote may only take place at a regularly scheduled meeting, or one which was duly called with at least fifteen calendar days prior notice to all members of Council.

4. Council may propose any other amendments to the two hydro reserve fund by-laws as deemed appropriate. Changes only require a simple majority vote.

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## **Conclusions**

This report presents the information requested by Council regarding the rules and conditions of use of the two reserve funds holding the proceeds of the 2005 sale of Aurora Hydro Connections Limited. These rules and conditions are set out in two reserve fund by-laws. In outlining the rules and conditions, it has been highlighted that the restrictive voting rule contained within the larger Hydro Sale Investment Reserve Fund by-law could result in potentially lengthy delays of projects desired by a majority of Council. This report presents options for changes and provides an opportunity for Council to make amendments to the by-laws if desired.

## **Attachments**

Attachment #1 By-law 5440-12 Council Discretionary Reserve Fund

Attachment #2 By-law No. 5439-12 Aurora Hydro Sale Investment Reserve Fund

## **Previous Reports**

CFS12-022 Hydro Reserve Funds Conditions and Proposed Reserve Fund Bylaws,  
July 17, 2012

## **Pre-submission Review**

CAO, Solicitor and Clerk only due to time constraints, April 6, 2018

### **Departmental Approval**



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**Dan Elliott**  
**Director - Treasurer**  
**Financial Services**

### **Approved for Agenda**



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**Doug Nadorozny**  
**Chief Administrative Officer**

Attachment #1

**THE CORPORATION OF THE TOWN OF AURORA**

**By-law Number 5440-12**

**BEING A BY-LAW to  
establish the Council  
Discretionary Reserve  
Fund.**

**WHEREAS** section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "Act"), provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act or any other statute, and subsection 11(2) of the Act provides that lower-tier municipalities may pass by-laws respecting, among other items, the financial management of the municipality and its local boards;

**AND WHEREAS** The Corporation of the Town of Aurora (the "Town") sold all of its shares in Aurora Hydro Connections Limited to PowerStream Inc. in June 2005;

**AND WHEREAS** at its meeting of September 26, 2006, the Council of the Town adopted resolutions to establish the Council Discretionary Reserve Fund (the "Fund") to hold the amount of ten percent (10%) of the proceeds of the Aurora Hydro Sale Investment Fund;

**AND WHEREAS** no specific by-law has been adopted to create or set out the terms of the Fund;

**AND WHEREAS** the Council of the Town deems it necessary and desirable to use the proceeds of the Fund in specified manners and provide funding for specified special purposes;

**AND WHEREAS** the money in the Fund shall be allocated and expended subject to the provisions of this By-law;

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

1. THAT the Fund be established with a balance of \$3,522,155.00, which represents ten percent (10%) of the net proceeds of the concluded sale of the Town's interest in Aurora Hydro Connections Limited.
2. THAT all balances in the Fund earn investment income to the credit of the Fund, as calculated by the Town's Treasurer based on the annual performance of the Town's investment portfolio comprised of balances of all reserves and reserve funds, and surplus operating and unspent cash balances throughout the year.
3. THAT the principal of the Fund may be allocated or expended for any purpose as determined, at the sole discretion of Council, to be in the best interest of the Town, and should Council wish to allocate or expend any of the principal from the Fund for any purpose, public notice published in a local newspaper having general circulation throughout the community shall be provided at least thirty (30) days in advance before the allocation or expense is approved at an open Council meeting.
4. THAT the earned interest portions of the balance of the Fund may be allocated or expended for any purpose as determined, at the sole discretion of Council, to be in the best interest of the Town.
5. THAT any donations, expenditures, or allocations from the Fund must recognize in program or project advertising that the contribution was made from proceeds of the sale of Aurora Hydro Connections Limited.



By-law Number 5440-12

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6. THAT all past resolutions and by-laws of Council in connection with the creation of the Fund are hereby superseded and replaced by this By-law.
7. THAT this By-law is deemed to have come into force *nunc pro tunc* on December 31, 2006.

**READ A FIRST AND SECOND TIME THIS 18<sup>th</sup> DAY OF DECEMBER, 2012.**

**READ A THIRD TIME AND FINALLY PASSED THIS 18<sup>th</sup> DAY OF DECEMBER, 2012.**

  
\_\_\_\_\_  
GEOFFREY DAWE, MAYOR

  
\_\_\_\_\_  
JOHN D. LEACH, TOWN CLERK

Approved as to Form  
By Legal Services  
Signature: NAME MA  
Date: Dec. 14, 2012

Attachment #2

**THE CORPORATION OF THE TOWN OF AURORA**

**By-law Number 5439-12**

**BEING A BY-LAW to  
establish the Aurora Hydro  
Sale Investment Reserve  
Fund.**

**WHEREAS** section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "Act"), provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under the Act or any other statute, and subsection 11(2) of the Act provides that lower-tier municipalities may pass by-laws respecting, among other items, the financial management of the municipality and its local boards;

**AND WHEREAS** The Corporation of the Town of Aurora (the "Town") sold all of its shares in Aurora Hydro Connections Limited to Powerstream Inc. in June 2005;

**AND WHEREAS** at its meeting of June 28, 2005, the Council of the Town adopted resolutions to establish the Aurora Hydro Sale Investment Reserve Fund (the "Fund") to hold the proceeds obtained from the said sale of shares in Aurora Hydro Connections Limited;

**AND WHEREAS** the Council of the Town made modifications to the conditions related to the Fund by adopting resolutions on September 26, 2006, with adjustments to the balance in the Fund to be completed at December 31, 2006;

**AND WHEREAS** no specific by-law has been adopted to create or set out the terms of the Fund;

**AND WHEREAS** the Council of the Town deems it necessary and desirable to use the proceeds of the sale of Aurora Hydro Connections Limited in specified manners and provide funding for specified special purposes;

**AND WHEREAS** the money in the Fund shall be allocated and expended subject to the provisions of this By-law;

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

1. THAT the Fund be established with a balance of \$31,699,391.67, which represents ninety percent (90%) of the net proceeds of the concluded sale of the Town's interest in Aurora Hydro Connections Limited.
2. THAT all balances in the Fund earn investment income to the credit of the Fund, as calculated by the Town's Treasurer based on the annual performance of the Town's investment portfolio comprised of balances of all reserves and reserve funds, and surplus operating and unspent cash balances throughout the year.
3. THAT the earned interest portions of the balance of this Fund from a prior year may be allocated or expended at the sole discretion of Council for new initiatives identified in the Town's Strategic Plan, as may be amended from time to time.
4. THAT proposed Strategic Plan initiatives be budgeted as separate projects for separate consideration, and should all the funds available in the current year not be used, that those unallocated funds be carried forward and remain available in the next budget year.
5. THAT, other than Strategic Plan initiatives, the earned interest portions of the balance of this Fund from a prior year may be allocated or expended for any purpose as may be determined by Council to be in the best interest of the

By-law Number 5439-12

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Town, provided that such allocation or expenditure is approved in accordance with paragraph 7 of this By-law.

6. THAT the principal of the Fund may be allocated or expended for any purpose as determined, at the sole discretion of Council, to be in the best interest of the Town, and should Council wish to allocate or expend any of the principal from the Fund for any purpose, public notice published in a local newspaper having general circulation throughout the community shall be provided at least thirty (30) days in advance before the allocation or expense is approved at an open Council meeting.
7. THAT any expenditure or allocation of monies from the principal, or earned interest portions of the Fund as specified in paragraph 5 of this By-law, shall be made by resolution of Council, as adopted by a vote of not less than two-thirds (2/3) of the entire Council, and further that,
  - (a) "entire Council" shall mean all members of Council being present in Council Chambers at the time of the vote;
  - (b) should the entire Council not be present in Council Chambers at the time of the vote, the vote shall be deferred until the entire Council is so present; and
  - (c) in the event the entire Council is not present for three (3) consecutive Council meetings, the requirement for all Council members to attend such meeting shall be reduced by one (1) member of Council.
8. THAT all past resolutions and by-laws of Council in connection with the creation of the Fund are hereby superseded and replaced by this By-law.
9. THAT this By-law is deemed to have come into force *nunc pro tunc* on December 31, 2006.

**READ A FIRST AND SECOND TIME THIS 18<sup>th</sup> DAY OF DECEMBER, 2012.**

**READ A THIRD TIME AND FINALLY PASSED THIS 18<sup>th</sup> DAY OF DECEMBER, 2012.**

  
\_\_\_\_\_  
GEOFFREY DAWE, MAYOR

  
\_\_\_\_\_  
JOHN D. LEACH, TOWN CLERK

Approved as to Form  
By Legal Services  
Signature Walls Mr  
Date: Dec. 14, 2012



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<b>Notice of Motion</b>	Councillor John Abel
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**Date:** April 17, 2018

**To:** Mayor and Members of Council

**From:** Councillor Abel

**Re: Business and Community Opportunities – Niagara College Canadian Food and Wine Institute**

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Whereas Report No. PBS17-099 was received for information at the December 12, 2017 Council meeting; and

Whereas within the executive summary of the report, the purpose was to announce a recently approved partnership with Niagara College to deliver training programs in the soon-to-be renovated Aurora Armoury; and

Whereas the Town had been working with Niagara College on a potential business incubator, and post-secondary facility at the Aurora Armoury; and

Whereas this type of business incubator space is a strategic priority for the Town as outlined in the Strategic Plan and Economic Development Action Plan; and

Whereas this type of training offers significant opportunities for business and community development; and

Whereas the planned activities will also create a significant tourism driver for the Town and surrounding areas; and

Whereas staff believe that the proposal aligns well with the Town's revitalization activities in the Aurora Promenade as well as the feedback received to date through the Cultural Precinct Plan consultation; and

Whereas, in addition, staff believe that the establishment of the proposed training facility is a necessary first step towards the potential creation of a larger scale facility in Aurora; and

Notice of Motion

Re: Business and Community Opportunities – Niagara College Canadian  
Food and Wine Institute  
April 17, 2018

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Whereas the public identified a microbrewery, winery and community space as potential uses for the Aurora Armoury;

1. Now Therefore Be It Hereby Resolved That staff be directed to report back with the details on how the Canadian Food and Wine Institute (CFWI) training facility will provide an incubator, attract tourism, business/economic development, and investment in the Downtown revitalization; and
2. Be It Further Resolved That the report present the business plan for the CFWI, including the hours of operation, number of students, job placement, and the location(s) of the potential expansion of Niagara College; and
3. Be It Further Resolved That, with regard to the community area within the Armoury that the public will be able to access, the report present the size of the area that will be available, the hours of access, permitting, planned activities, and programs the Town will be offering; and
4. Be It Further Resolved That the financial implications of the four-year lease be calculated to demonstrate the return in revenues to the Town for their Capital investment; and
5. Be It Further Resolved That the report provide benchmarks from which we can measure the milestones and achievements as outlined in Report No. PBS17-099.