



# **Council Meeting Agenda**

**Tuesday, February 26, 2019  
7 p.m.**

**Council Chambers  
Aurora Town Hall**



## **Town of Aurora Council Meeting Agenda**

Tuesday, February 26, 2019  
7 p.m., Council Chambers

### **1. Approval of the Agenda**

**Recommended:**

That the agenda as circulated by Legislative Services be approved.

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

### **3. Community Presentations**

- (a) **Brian North, Chair, Run for Southlake Committee, Southlake Regional Health Centre Foundation**  
Re: 2019 Run for Southlake

### **4. Delegations**

- (a) **Sandra Manherz, Sport Aurora**  
Re: **General Committee Report No. CMS19-004 – Sport Plan – Update**

### **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 C11 inclusive, be approved:

**C1. Council Meeting Minutes of January 22, 2019**

**Recommended:**

1. That the Council Meeting minutes of January 22, 2019, be adopted as printed and circulated.

**C2. Council Closed Session Minutes of February 12, 2019**

(confidential attachment)

**Recommended:**

1. That the Council Closed Session minutes of February 12, 2019, be adopted as printed and circulated.

**C3. Council Closed Session Public Minutes of February 12, 2019**

**Recommended:**

1. That the Council Closed Session Public minutes of February 12, 2019, be adopted as printed and circulated.

**C4. Council Closed Session Minutes of January 22, 2019**

(confidential attachment)

**Recommended:**

1. That the Council Closed Session minutes of January 22, 2019, be adopted as printed and circulated.

**C5. Council Closed Session Public Minutes of January 22, 2019**

**Recommended:**

1. That the Council Closed Session Public minutes of January 22, 2019, be adopted as printed and circulated.

**C6. Special Meeting of Council Minutes of January 21, 2019**

**Recommended:**

1. That the Special Meeting of Council minutes of January 21, 2019, be adopted as printed and circulated.

**C7. Council Closed Session Minutes of January 15, 2019**

(confidential attachment)

**Recommended:**

1. That the Council Closed Session minutes of January 15, 2019, be adopted as printed and circulated.

**C8. Council Closed Session Public Minutes of January 15, 2019**

**Recommended:**

1. That the Council Closed Session Public minutes of January 15, 2019, be adopted as printed and circulated.

**C9. Council Public Planning Meeting Minutes of January 30, 2019**

**Recommended:**

1. That the Council Public Planning Meeting minutes of January 30, 2019, be adopted as printed and circulated.

**C10. Council Closed Session Minutes of January 11 and 12, 2019**

(confidential attachment)

**Recommended:**

1. That the Council Closed Session minutes of January 11 and 12, 2019, be adopted as printed and circulated.

**C11. Council Orientation, Education and Training Session Minutes of January 11 and 12, 2019**

**Recommended:**

1. That the Council Orientation, Education and Training Session minutes of January 11 and 12, 2019, be adopted as printed and circulated.

**6. Standing Committee Reports**

**Recommended:**

That the following Standing Committee Report, S1, be approved and the recommendations carried by the Committee approved:

**S1. General Committee Meeting Report of February 12, 2019**

**Recommended:**

1. That the General Committee meeting report of February 12, 2019, be received and the recommendations carried by the Committee approved.

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

**R1. PDS19-017 – Comments on Proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe**

**Recommended:**

1. That Report No. PDS19-017 be received; and
2. That this Report and the relevant comments contained therein be forwarded to the Director, Ontario Growth Secretariat and Minister of Municipal Affairs Ontario.

**8. Motions**

**(a) Mayor Mrakas**

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

**(b) Mayor Mrakas**

**Re: Cannabis Public Use By-law**

**(c) Councillor Gaertner**

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

**9. Regional Report**

**York Regional Council Highlights – January 31, 2019**

**Recommended:**

That the Regional Report of January 31, 2019, be received for information.

**10. New Business**

**11. Public Service Announcements**

**12. By-laws**

**Recommended:**

That the following by-law be enacted:

**(a) By-law Number XXXX-19** Being a By-law to establish a Council Code of Conduct and a Local Boards Code of Conduct.

(General Committee Report No. CS19-013, Feb. 12, 2019)

**13. Closed Session**

**14. Confirming By-law**

**Recommended:**

That the following confirming by-law be enacted:

**By-law Number XXXX-19** Being a By-law to Confirm Actions by Council Resulting from a Council Meeting on February 26, 2019.

**15. Adjournment**



FOR SOUTHLAKE. FOR OUR COMMUNITIES. FOR YOU.

# WE'RE READY TO RUN.

[runforsouthlake.ca](http://runforsouthlake.ca)

**JOIN US ON APRIL 28<sup>TH</sup>!**

Nature's **EMPORIUM**

**RUN FOR SOUTHLAKE**



# Southlake Update

**NEW** Southlake Regional Health Centre President and CEO Arden Krystal and Foundation President and CEO Susan Mullin

## **NEW** Strategic Plan

- Developed with an unprecedented level of engagement
- Many factors influenced the development
  - Our communities are growing
  - The health care system is changing
  - Demand on the system





## **Southlake by the Numbers**

- 113,366 Emergency Department Visits  
(A new patient arrives every 4.5 minutes.)
- 24,833 In-patient Admissions  
(68 new patients per day need a bed.)
- 40,052 Surgeries  
(84% out-patient)
- 536,671 Out-patient Visits

Nature's EMPORIUM  
RUN FOR SOUTHLAKE

## **Want to make an impact?**

- Run for Southlake is the BIGGEST annual fundraiser
  - 1,800 participants
  - Over \$1.5M raised
- Funds raised support the most urgent needs across the hospital.
- We rely on our communities to fund 100% of most new and replacement tools, equipment and technology.

Nature's EMPORIUM  
RUN FOR SOUTHLAKE

# Mayors Challenge

Friendly fundraising competition to see which team can raise the most in support of OUR hospital!



Nature's EMPORIUM  
RUN FOR SOUTHLAKE

**WE'RE READY TO RUN.  
ARE YOU?**

REGISTER | PLEDGE | DONATE

**[runforsouthlake.ca](http://runforsouthlake.ca)**

**SUNDAY, APRIL 28, 2019**



Legislative Services  
905-727-3123  
[Clerks@aurora.ca](mailto:Clerks@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:

**9 a.m. One (1) Business Day Prior to the Requested Meeting Date**

<b>Council/Committee Meeting and Date:</b> Tuesday February 26, 2019	
<b>Subject:</b> Aurora Sport Plan	
<b>Name of Spokesperson:</b> Sandra Manherz	
<b>Name of Group or Person(s) being Represented (if applicable):</b> Sport Aurora	
<b>Brief Summary of Issue or Purpose of Delegation:</b> Sport Aurora will respond to comments made at General Committee of February 12th regarding the leadership of the Sport Plan.	
<b>Please complete the following:</b>	
Have you been in contact with a Town staff or Council member regarding your matter of interest?      Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
If yes, with whom? Mayor + Councillor Gallo	Date: February 13th/19
<input checked="" type="checkbox"/> I acknowledge that the Procedure By-law permits five (5) minutes for Delegations.	



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

Council Chambers, Aurora Town Hall  
Tuesday, January 22, 2019

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### **Attendance**

**Council Members** Mayor Mrakas in the Chair; Councillors Gaertner, Gallo, Gilliland, Humfryes, Kim, and Thompson

**Members Absent** None

**Other Attendees** Doug Nadorozny, Chief Administrative Officer, Lisa Warth, Manager, Recreation Services, Techa van Leeuwen, Director of Corporate Services, Jason Gaertner, Acting Director of Financial Services, Allan Downey, Director of Operational Services, Lawrence Kuk, Manager, Development Planning, Patricia De Sario, Town Solicitor, Michael de Rond, Town Clerk, and Ishita Soneji, Council/Committee Coordinator

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The Chair called the meeting to order at 7:00 p.m.

### **1. Approval of the Agenda**

**Moved by Councillor Kim**

**Seconded by Councillor Humfryes**

That the agenda as circulated by Legislative Services, be approved.

**Carried**

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

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

### **3. Community Presentations**

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None

#### **4. Delegations**

None

#### **5. Consent Agenda**

**Moved by Councillor Gilliland  
Seconded by Councillor Gallo**

That the following Consent Agenda Items, C1 to C4 inclusive, be approved:

##### **C1. Council Meeting Minutes of December 18, 2018**

1. That the Council Meeting minutes of December 18, 2018, be adopted as printed and circulated.

##### **C2. Council Closed Session Minutes of December 18, 2018**

1. That the Council Closed Session minutes of December 18, 2018, be adopted as printed and circulated.

##### **C3. Council Closed Session Public Minutes of December 18, 2018**

1. That the Council Closed Session Public Meeting minutes of December 18, 2018, be adopted as printed and circulated.

##### **C4. CS19-012 – Appointments to the Finance Advisory Committee**

1. That Report No. CS19-012 be received; and
2. That the following Council members be appointed to the Finance Advisory Committee:
  - Mayor Tom Mrakas
  - Councillor John Gallo
  - Councillor Michael Thompson

**Carried**

## **6. Standing Committee Reports**

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

That the following Standing Committee Reports, Items S1 and S2, be received and the recommendations carried by the Committees approved, with the exception of sub-item S1(R2), which was discussed and voted on separately as recorded below:

### **S1. General Committee Meeting Report of January 15, 2019**

**(C1) Memorandum from Mayor Mrakas  
Re: Aurora Cultural Centre Board of Directors**

1. That the memorandum regarding Aurora Cultural Centre Board of Directors be received; and
2. That Councillors Wendy Gaertner and John Gallo be appointed to the Aurora Cultural Centre Board of Directors for the 2018-2022 Term of Council.

**Carried**

**(C2) Memorandum from Councillor Gaertner  
Re: Ontario Drinking Water Source Protection Program**

1. That the memorandum regarding Ontario Drinking Water Source Protection Program be received; and
2. That Council endorse the Lake Simcoe Region Conservation Authority's (LSRCA) position regarding the Ontario Drinking Water Source Protection Program; and
3. That a letter of Council support be sent to The Hon. Rod Phillips, Minister, Ministry of Environment, Conservation and Parks.

**Carried**

**(A1) Heritage Advisory Committee Meeting Minutes of September 5,  
2018**



1. That the Heritage Advisory Committee meeting minutes of September 5, 2018, be received; and
  1. **HAC18-013 – Request to Designate Under Part IV of the Ontario Heritage Act 50-100 Bloomington Road West “De La Salle College” including associated heritage feature “Pine Ridge Trail (Monk’s Walk)”**
    - (a) That the building formerly known as “De La Salle College” located at 50-100 Bloomington Road West, which includes the front garden/ courtyard and associated heritage feature “Pine Ridge Trail (Monk’s Walk)”, be Designated under Part IV of the *Ontario Heritage Act* as a property of Cultural Heritage Value or Interest; and
    - (b) That the Town Clerk be authorized to publish and serve Council’s Notice of Intention to Designate as per requirements of the Act; and
    - (c) That the designation by-law be brought before Council for passing if no objections were received within the thirty (30) day objection period as per requirements of the Act.

**Carried**

**(R1) PDS19-006 – Extension of the Interim Control By-law for the Stable Neighbourhood Study Area**

1. That Report No. PDS19-006 be received; and
2. That pursuant to Section 38(2) of the *Planning Act*, a by-law be enacted to extend the period during which Interim Control By-law No. 6048-18 will be in effect by one additional year, from January 30, 2019 to January 30, 2020; and
3. That the implementing Interim Control By-law be presented at the Council meeting of January 22, 2019.

**Carried**

**(R2) OPS19-001 – Winter Maintenance Report No. 1 Revised Provincial  
Minimum Maintenance Standards (MMS) and  
Windrow Clearing Program**

**Moved by Councillor Humfryes  
Seconded by Councillor Gilliland**

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

**Motion to refer  
Moved by Councillor Gallo  
Seconded by Councillor Kim**

That Report No. OPS19-001 be referred back to staff.

**Motion to refer  
Carried**

**(R3) CAO19-001 – Requests for Sponsorship Policy**

1. That Report No. CAO19-001 be received; and
2. That the Requests for Sponsorship Policy be approved.

**Carried**

**(R4) CS19-003 – Building Appraisals – Request for Pre-Budget Approval**

1. That Report No. CS19-003 be received; and
2. That Capital Project No. 13020 – Appraisal of Town Buildings, be pre-approved; and
3. That a total budget of \$55,000 be approved for Capital Project No. 13020, to be funded from the Studies and Other Reserve Fund.

**Carried**

**(R5) CMS19-001 – Sole Source Award for Cimco Refrigeration**

1. That Report No. CMS19-001 be received; and
2. That request for the sole source award for the supply of refrigeration equipment service on a contract basis and repair and maintenance on an as-needed basis be awarded to Cimco Refrigeration at the unit prices specified for a five (5) year contract, commencing January 1, 2019 up to and including December 31, 2023; and
3. That a purchase order in the amount of \$376,534 excluding taxes be approved in favour of Cimco Refrigeration; and
4. That the Director of Community Services be authorized to approve additional expenditures within the scope of the contract to an amount up to the approved annual operating budget for these services over the term of the contract; and
5. 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 the same.

**Carried**

**(R6) CMS19-002 – Sole Source Award – Johnsons Controls Canada**

1. That Report No. CMS19-002 be received; and
2. That request for the sole source award for the supply of Building Automation System (BAS) service on a contract basis and repair

and maintenance on an as-needed basis be awarded to Johnson Controls Canada at the unit prices specified for a three (3) year contract, commencing January 1, 2019 up to and including December 31, 2021; and

3. That a purchase order in the amount of \$126,500 excluding taxes, be approved in favour of Johnson Control Canada; and
4. That the Director of Community Services be authorized to approve additional expenditures within the scope of the contract to an amount up to the approved annual operating budget for these services over the term of the contract; and
5. 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 the same.

**Carried**

**(R7) PDS19-003 – Appointments to the Aurora Business Improvement Area (BIA) Board of Management**

1. That Report No. PDS19-003 be received; and
2. That Council appoint Anthony Ierullo as the Council Representative director to the Aurora BIA Board of Management; and
3. That Council appoint the following eight (8) director nominees as elected by the Aurora BIA membership on December 3, 2018:
  - Mauro Bucci
  - George Condoyannis
  - Sandra Ferri
  - Mary Georgopoulos
  - Jack Laurion
  - Lenard Lind
  - Joanne Russo
  - Kasie Savage; and
4. That the Town Clerk be removed from the Board of Management.

**Carried**

**(R8) PDS19-007 – Early Approval of Capital Project No. 42808 –  
Corporate Energy Management Plan Update**

1. That Report No. PDS19-007 be received; and
2. That Capital Project No. 42808 – Corporate Energy Management Plan Update be pre-approved; and
3. That a total budget of \$50,000 be approved for Capital Project No. 42808, to be funded from the Studies and Other Reserve Fund.

**Carried**

**(R9) PDS19-011 – Application for Site Plan Approval, Gottardo  
Construction – Flex Office Site, 95 Eric T Smith Way,  
Lot 3 and Part of Block 11, Registered Plan 65M-  
4324, File Number: SP-2018-06, Related File Number:  
D14-05-04 and D12-05-1A**

1. That Report No. PDS19-011 be received; and
2. That site plan application number SP-2018-06 (Gottardo Construction Limited) to permit the development of the subject lands for a one storey, flex office building 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.

**Carried**

**S2. Budget Committee Meeting Report of January 14, 2019**

1. That the Budget Committee meeting report of January 14, 2019, be received and the recommendations carried by the Committee approved.

**Carried**

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

**R1. FS19-001 – 2019 Capital Investment Program, Strategic Asset  
Management Policy and Ten Year Asset Management Plan  
Overview**

Mr. Jason Gaertner, Acting Director of Financial Services, presented a review of the new Strategic Asset Management Policy, updated Asset Management Plan, updated Ten Year Capital Investment Plan, and introduced the 2019 Capital Budget. He noted that the 2019 Capital Budget binders were being distributed to Council this evening.

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

1. That Report No. FS19-001 be received; and
2. That the draft Strategic Asset Management Policy, Asset Management Plan, 2018 Ten Year Capital Investment Plan and 2019 Capital Budgets be received and referred to the Budget Committee meeting of February 2, 2019.

**Carried**

## **8. Motions**

None

## **9. Regional Report**

**York Regional Council Highlights – December 13, 2018**

**Moved by Councillor Gaertner  
Seconded by Councillor Gilliland**

That the Regional Report of December 13, 2018, be received for information.

**Carried**

## **10. New Business**

Councillor Thompson inquired about the status of developing a funding framework for third party organizations, and staff provided a response noting that an information report outlining the current process would be provided at a future meeting.

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Councillor Gallo inquired about next steps regarding Council's decision to opt-in and permit cannabis retail stores within the Town, and staff provided a response noting that a media release advising of Council's decision has been published.

Councillor Humfryes referred to a resident's request for a grant to help alleviate rental fees for a fundraising event to be held at the Aurora Community Centre on February 18, 2019, for a family member with severe spinal cord injury. Members of Council and staff discussed the possible funding options and the potential to use funds, if needed, from the Council Contingency fund.

#### **New Business Motion No. 1**

**Moved by Councillor Humfryes**

**Seconded by Councillor Thompson**

That staff be directed to investigate the possibility of supporting a local fundraiser to be held on February 18, 2019 at the Aurora Community Centre;  
and

That staff be authorized to use \$2,500 from the Council Contingency fund, if required.

**Carried**

Councillor Humfryes inquired about the access to information about cannabis retail sales and use within the Town, and staff provided a response noting that all information regarding Provincial and Town regulations is available at **[aurora.ca/cannabis](http://aurora.ca/cannabis)**. It was mentioned that the information would be updated as needed.

## **11. Public Service Announcements**

Mayor Mrakas noted that the Skylight Gallery artist for January is Oksana Baczynsky with her exhibit "Exploring Nature", and the exhibit is open Monday to Friday from 8:30 a.m. to 4:30 p.m.

Mayor Mrakas extended a reminder that winter overnight parking restrictions continue to be in effect between 2 a.m. and 6 a.m. between November 15 and April 15.

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Mayor Mrakas noted that the Annual Arctic Adventure event will be held at Town Park on Monday, February 18, 2019 from 10 a.m. to 4 p.m.

Mayor Mrakas extended a reminder that the Annual Mayor's Luncheon presented by the Aurora Chamber of Commerce will be on Wednesday, February 20, 2019 at the Royal Venetian Mansion.

Mayor Mrakas extended a reminder that a series of public meetings will be held in February and March to review the 2019 Budget, and the schedule is available at **aurora.ca**.

Mayor Mrakas noted that the Spring & Summer 2019 recreation program guide will be delivered on February 21, 2019 in The Banner, and will also be available at **aurora.ca/recguide**.

Mayor Mrakas announced that the Town is now accepting applications for the John West Memorial "Leaders for Tomorrow" Scholarship Award. He noted that the deadline to apply is May 1, 2019, and further information is available at **aurora.ca/leadersoftomorrow**.

Mayor Mrakas extended his wishes to Heather Green, By-law Enforcement and Licensing Officer, who retired after 29 years of service.

## **12. By-laws**

**Moved by Councillor Humfryes  
Seconded by Councillor Gallo**

That the following by-laws be enacted:

- (b) **By-law Number 6148-19** Being a By-law to amend By-law Number 6048-18, to impose interim controls on the use of land, buildings, or structures within certain areas of the Town of Aurora.
- (c) **By-law Number 6149-19** Being a By-law to establish a Committee of Adjustment and appoint members to the Committee of Adjustment.

**Carried**



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**Motion to refer**

**Moved by Councillor Gaertner**

**Seconded by Councillor Humfryes**

That the Tree Permit Fees in Schedule "E" of By-law (a) be referred to staff.

**Motion to refer**

**Withdrawn**

**Moved by Councillor Kim**

**Seconded by Councillor Thompson**

That the following by-laws be enacted:

- (a) **By-law Number 6147-19** Being a By-law to establish a schedule of fees and charges for municipal services, activities and the use of property within the Town of Aurora (Fees and Charges By-law).
- (d) **By-law Number 6150-19** Being a By-law to appoint employees of Municipal Law Enforcement Corp., as Municipal By-law Enforcement Officers.
- (e) **By-law Number 6151-19** Being a By-law to appoint employees of Perefrine Inc., as Municipal By-law Enforcement Officers.

**Carried**

**13. Closed Session**

None

**14. Confirming By-law**

**Moved by Councillor Gaertner**

**Seconded by Councillor Gilliland**

That the following confirming by-law be enacted:

**By-law Number 6146-19** Being a By-law to Confirm Actions by Council Resulting from a Council Meeting on January 22, 2019.

**Carried**

Council Meeting Minutes  
Tuesday, January 22, 2019

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**15. Adjournment**

**Moved by Councillor Gilliland  
Seconded by Councillor Gallo**

That the meeting be adjourned at 8:13 p.m.

**Carried**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**



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

Holland Room, Aurora Town Hall  
Tuesday, February 12, 2019

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**Attendance**

<b>Council Members</b>	Mayor Mrakas in the Chair; Councillors Gaertner, Gallo, Gilliland, Humfries (arrived at 6:01 p.m.) Kim and Thompson
<b>Members Absent</b>	None
<b>Other Attendees</b>	Doug Nadorozny, Chief Administrative Officer, Patricia De Sario, Town Solicitor, Lawrence Kuk, Acting Director of Planning and Development Services and Michael de Rond, Town Clerk

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The Chair called the meeting to order at 5:48 p.m.

Council consented to resolve into a Closed Session at 5:49 p.m.

Council reconvened into open session at 6:30 p.m.

**1. Approval of the Agenda**

**Moved by Councillor Kim**

**Seconded by Councillor Gaertner**

That the confidential Council Closed Session meeting agenda as circulated by Legislative Services be approved.

**Carried**

Council Closed Session Public Minutes  
Tuesday, February 12, 2019

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## **2. Declaration of Pecuniary Interest and General Nature Thereof**

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

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

**Moved by Councillor Gaertner  
Seconded by Councillor Gilliland**

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

1. Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board (Section 239(2)(e) of the *Municipal Act, 2001*); Re: Closed Session Report No. PDS19-014 – Applications for Zoning By-law Amendment and Draft Plan of Subdivision, Shimvest Investments Ltd., Prato Estates Inc. and Preserve Homes Corp., 323 River Ridge Boulevard, Block 156, Plan 65M-4485, Block 231, Plan 65M-3971 an Block 164, Plan 65M-3946, File Numbers: ZBA-2017-09 and SUB-2017-04

**Carried**

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

That the Council Closed Session 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 municipality or local board (Section 239(2)(e) of the *Municipal Act, 2001*); Re: Closed Session Report No. PDS19-014 – Applications for Zoning By-law Amendment and Draft Plan of Subdivision, Shimvest Investments Ltd., Prato Estates Inc. and Preserve Homes Corp., 323 River Ridge Boulevard, Block 156, Plan 65M-4485, Block 231, Plan 65M-3971 an Block 164, Plan 65M-3946, File Numbers: ZBA-2017-09 and SUB-2017-04**

Council Closed Session Public Minutes  
Tuesday, February 12, 2019

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**Moved by Councillor Gallo  
Seconded by Councillor Humfryes**

1. That Council Closed Session Report No. PDS19-014 be received; and
2. That staff be directed to appear at the Local Planning Appeal Tribunal and communicate Council's request to postpone the pre-hearing conference and the case management conference to allow a final report to proceed through a full Council meeting cycle; and
3. That Council commit to making a final decision on or before Tuesday, April 9, 2019.

**On a recorded vote the motion  
Carried**

Yeas: 7            Nays: 0  
Voting Yeas: Councillors Gallo, Gaertner, Gilliland,  
Humfryes, Kim, Thompson, and Mayor  
Mrakas  
Voting Nays: None

**4. By-laws**

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

That the following confirming by-law be enacted:

**6154-19**      Being a By-law to Confirm Actions by Council Resulting from a  
Council Closed Session on February 12, 2019.

**Carried**

**5. Adjournment**

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

That the meeting be adjourned at 6:45 p.m.

**Carried**

Council Closed Session Public Minutes  
Tuesday, February 12, 2019

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**



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

Holland Room, Aurora Town Hall  
Tuesday, January 22, 2019

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**Attendance**

<b>Council Members</b>	Mayor Mrakas in the Chair; Councillors Gaertner, Gallo, Gilliland, Humfryes, Kim, and Thompson
<b>Members Absent</b>	None
<b>Other Attendees</b>	Doug Nadorozny, Chief Administrative Officer, and Michael de Rond, Town Clerk

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The Chair called the meeting to order at 5:50 p.m.

Council consented to resolve into a Closed Session at 5:51 p.m.

Council reconvened into open session at 6:50 p.m.

**1. Approval of the Agenda**

**Moved by Councillor Humfryes  
Seconded by Councillor Gilliland**

That the confidential Council Closed Session meeting agenda as circulated by Legislative Services, be approved.

**Carried**

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

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

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

**Moved by Councillor Humfryes  
Seconded by Councillor Gallo**

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

1. Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS19-007 – Appointments to the Community Advisory Committee
2. Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS19-008 – Appointments to the Community Recognition Review Advisory Committee
3. Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS19-009 – Appointments to the Governance Review Ad Hoc Committee
4. Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS19-010 – Appointments to the Heritage Advisory Committee

**Carried**

**Moved by Councillor Thompson  
Seconded by Councillor Gaertner**

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

**Carried**



Council Closed Session Public Minutes  
Tuesday, January 22, 2019

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- 1. Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS19-007 – Appointments to the Community Advisory Committee**

**Moved by Councillor Humfryes**

**Seconded by Councillor Gilliland**

1. That Closed Session Report No. CS19-007 be received; and
2. That the confidential direction to staff be confirmed.

**On a recorded vote the motion  
Carried**

Yeas: 7	Nays: 0
Voting Yeas:	Councillors Gaertner, Gallo, Gilliland, Humfryes, Kim, Thompson, and Mayor Mrakas
Voting Nays:	None
Absent:	None

- 2. Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS19-008 – Appointments to the Community Recognition Review Advisory Committee**

**Moved by Councillor Thompson**

**Seconded by Councillor Gilliland**

1. That Closed Session Report No. CS18-034 be received; and
2. That the confidential direction to staff be confirmed.

**On a recorded vote the motion  
Carried**

Yeas: 7	Nays: 0
Voting Yeas:	Councillors Gaertner, Gallo, Gilliland, Humfryes, Kim, Thompson, and Mayor Mrakas

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Voting Nays: None

Absent: None

- 3. Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS19-009 – Appointments to the Governance Review Ad Hoc Committee**

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

1. That Closed Session Report No. CS19-009 be received; and
2. That the confidential direction to staff be confirmed.

**On a recorded vote the motion  
Carried**

Yeas: 6

Nays: 1

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

Voting Nays: Councillor Gallo

Absent: None

- 4. Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(b) of the *Municipal Act, 2001*); Re: Closed Session Report No. CS19-010 – Appointments to the Heritage Advisory Committee**

**Moved by Councillor Humfryes  
Seconded by Councillor Gaertner**

1. That Closed Session Report No. CS19-010 be received; and
2. That the confidential direction to staff be confirmed.

**On a recorded vote the motion  
Carried**

Council Closed Session Public Minutes  
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Yeas: 7            Nays: 0  
Voting Yeas:    Councillors Gaertner, Gallo, Gilliland,  
                         Humfryes, Kim, Thompson, and Mayor  
                         Mrakas  
Voting Nays:    None  
Absent:           None

#### **4. By-laws**

**Moved by Councillor Thompson  
Seconded by Councillor Gallo**

That the following confirming by-law be enacted:

**6146-19**        Being a By-law to Confirm Actions by Council Resulting from a  
                         Council Closed Session on January 22, 2019.

**Carried**

#### **5. Adjournment**

**Moved by Councillor Humfryes  
Seconded by Councillor Gaertner**

That the meeting be adjourned at 6:55 p.m.

**Carried**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**



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

Council Chambers, Aurora Town Hall  
Monday, January 21, 2019

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**Attendance**

**Council Members** Mayor Mrakas in the Chair; Councillors Gaertner (arrived 7:01 p.m.), Gallo, Gilliland, Humfryes, Kim (arrived 7:01 p.m.), and Thompson

**Members Absent** None

**Other Attendees** Doug Nadorozny, Chief Administrative Officer, Techa van Leeuwen, Director of Corporate Services, Jason Gaertner, Acting Director of Financial Services, Patricia De Sario, Town Solicitor, Michael de Rond, Town Clerk, and Linda Bottos, Council/Committee Coordinator

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

Council consented to recess the meeting at 8:39 p.m. and reconvened at 8:49 p.m.

Council consented to recess the meeting at 9:17 p.m. and reconvened at 9:20 p.m.

**1. Approval of the Agenda**

**Moved by Councillor Gilliland  
Seconded by Councillor Humfryes**

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

Special Meeting of Council Minutes  
Monday, January 21, 2019

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- Item 2 – CS19-004 – Proposed Private Cannabis Retail Stores in Aurora – Additional Information

**Carried**

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

Councillor Thompson declared a pecuniary interest under the *Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50* respecting Items 1 and 2, as he is employed in the retail pharmacy industry. Councillor Thompson did not participate in the discussion or voting of these items.

## **3. Public Consultation**

Aurora residents, including Alana Edgington, Emil Simon, Richard Helbig, Greg Simon, Sandra Ferri (on behalf of Aurora Chamber of Commerce), David Heard, and Laura Schaffer, spoke in support of the opt-in option to permit cannabis retail stores within the Town of Aurora.

Aurora residents, including Edmund Yeung, Shanteng Zhao, David Huang, Sean Zhang, Stephen Xu, Alvin Leung, Nancy Lai, Ling Wang, Jie Yin, Paul Chau, Lea Seymour, Corrie Clark, Ricky Cheong, Erclan Ma, John Xue, Rong Zhang, Roger Dong, Frances Guan, and Linda Gao, spoke in support of the opt-out option to prohibit cannabis retail stores within the Town of Aurora.

Aurora resident Da Hai commented on both options and the decision-making responsibility of Council.

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

- 1. CS19-001 – Proposed Private Cannabis Retail Stores in Aurora**
- 2. CS19-004 – Proposed Private Cannabis Retail Stores in Aurora – Additional Information**

**Moved by Councillor Humfries  
Seconded by Councillor Gilliland**

Special Meeting of Council Minutes  
Monday, January 21, 2019

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1. That Report No. CS19-001 and Report No. CS19-004 be received; and
2. That Council of The Corporation of the Town of Aurora opts-in and permits cannabis retail stores within the Town of Aurora; and
3. That staff be authorized to review the Alcohol and Gaming Commission of Ontario's ("AGCO") proposed retail store authorization applications for cannabis stores located in Aurora and provide submissions within 15 days of notice of the application; and
4. That Council request the AGCO to consider the following restrictions as a matter of public interest when reviewing retail store authorization applications for proposed stores within the Town of Aurora:
  - (a) That private cannabis retail stores not be permitted within 150 metres from daycares, nurseries, parks, group homes or addiction and counselling facilities, the Aurora Community Centre, the Aurora Family Leisure Complex, the Stronach Aurora Recreation Complex, the Aurora Public Library and Town Hall and any other similar public gathering uses;
  - (b) That private cannabis retail stores not be permitted within 150 metres of each other; and
5. That the Town Clerk provide written notice and a copy of this resolution to the Registrar of the AGCO, in accordance with section 41(5) of the *Cannabis Licence Act, 2018*; and
6. That the Chief Administrative Officer and the Treasurer, or their designates, be authorized to enter into any agreements in regard to intergovernmental funding relating to the implementation of cannabis; and
7. That a copy of this resolution be forwarded to The Regional Municipality of York and all lower-tier municipalities within York Region for their information.

**Carried**

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Monday, January 21, 2019

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**5. Confirming By-law**

**Moved by Councillor Gallo  
Seconded by Councillor Gaertner**

That the following confirming by-law be enacted:

**6145-19** Being a By-law to Confirm Actions by Council Resulting from a  
Special Meeting of Council on January 21, 2019.

**Carried**

**6. Adjournment**

**Moved by Councillor Gilliland  
Seconded by Councillor Gaertner**

That the meeting be adjourned at 9:29 p.m.

**Carried**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**



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

Holland Room, Aurora Town Hall  
Tuesday, January 15, 2019

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**Attendance**

<b>Council Members</b>	Mayor Mrakas in the Chair; Councillors Gaertner, Gallo, Gilliland, Kim and Thompson
<b>Members Absent</b>	Councillor Humfryes
<b>Other Attendees</b>	Doug Nadorozny, Chief Administrative Officer, Robin McDougall, Director of Community Services (left at 6:10 p.m.), Patricia De Sario, Town Solicitor, Anthony Ierullo, Manager of Long Range and Strategic Planning (arrived at 6:10 p.m.), and Michael de Rond, Town Clerk

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The Chair called the meeting to order at 5:45 p.m.

Council consented to resolve into a Closed Session at 5:47 p.m.

Council reconvened into open session at 6:37 p.m.

**1. Approval of the Agenda**

**Moved by Councillor Gaertner  
Seconded by Councillor Gilliland**

That the confidential Council Closed Session meeting agenda as circulated by Legislative Services be approved.

**Carried**



Council Closed Session Public Minutes  
Tuesday, January 15, 2019

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## **2. Declaration of Pecuniary Interest and General Nature Thereof**

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

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

**Moved by Councillor Gallo**

**Seconded by Councillor Gilliland**

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

1. A proposed or pending acquisition or disposition of land by the municipality or local board (Section 239(2)(c) of the *Municipal Act, 2001*); Re: Closed Session Report No. CMS19-003 – Land Acquisition
2. A proposed or pending acquisition or disposition of land by the municipality or local board (Section 239(2)(c) of the *Municipal Act, 2001*); Re: Closed Session Report No. PDS19-009 – Potential Property Acquisition – Aurora Promenade Area

**Carried**

**Moved by Councillor Kim**

**Seconded by Councillor Gilliland**

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

**Carried**

- 1. A proposed or pending acquisition or disposition of land by the municipality or local board (Section 239(2)(c) of the *Municipal Act, 2001*); Re: Closed Session Report No. CMS19-003 – Land Acquisition**

**Moved by Councillor Thompson**

**Seconded by Councillor Kim**

1. That Closed Session Report No. CMS19-003 be received; and

Council Closed Session Public Minutes  
Tuesday, January 15, 2019

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2. That the confidential direction to staff be confirmed.

**On a recorded vote the motion  
Carried**

Yeas: 6            Nays: 0  
Voting Yeas:    Councillors Gaertner, Gallo, Gilliland,  
                         Kim, Thompson, and Mayor Mrakas  
Voting Nays:    None  
Absent:           Councillor Humfries

2. **A proposed or pending acquisition or disposition of land by the municipality or local board (Section 239(2)(c) of the *Municipal Act, 2001*);  
Re: Closed Session Report No. PDS19-009 – Potential Property Acquisition – Aurora Promenade Area**

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

1. That Closed Session Report No. PDS19-009 be received; and
2. That the confidential direction to staff be confirmed.

**On a recorded vote the motion  
Carried**

Yeas: 6            Nays: 0  
Voting Yeas:    Councillors Gaertner, Gallo, Gilliland,  
                         Kim, Thompson, and Mayor Mrakas  
Voting Nays:    None  
Absent:           Councillor Humfries

#### **4. By-laws**

**Moved by Councillor Gallo  
Seconded by Councillor Thompson**

That the following confirming by-law be enacted:

Council Closed Session Public Minutes  
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**6144-19** Being a By-law to Confirm Actions by Council Resulting from a  
Council Closed Session on January 15, 2019.

**Carried**

## **5. Adjournment**

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

That the meeting be adjourned at 6:45 p.m.

**Carried**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**



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

Council Chambers, Aurora Town Hall  
Wednesday, January 30, 2019

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**Attendance**

**Council Members** Mayor Mrakas in the Chair; Councillors Gaertner (arrived 7:01 p.m.), Gallo, Gilliland, Humfryes, Kim (arrived 7:01 p.m.), and Thompson

**Members Absent** None

**Other Attendees** Doug Nadorozny, Chief Administrative Officer, Lawrence Kuk, Acting Director of Planning and Development Services, Michael de Rond, Town Clerk, and Linda Bottos, Council/Committee Coordinator

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

Council consented to recess the meeting at 9:42 p.m. and reconvened the meeting at 9:52 p.m.

On a motion by Councillor Thompson seconded by Councillor Gaertner, Council consented to extend the hour past 10:30 p.m.

**1. Approval of the Agenda**

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

That the agenda as circulated by Legislative Services be approved.

**Carried**

Council Public Planning Meeting Minutes  
Wednesday, January 30, 2019

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

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

## **3. Planning Applications**

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

### **1. PDS19-010 – Stable Neighbourhoods Study**

#### **Planning Staff**

Mr. Lawrence Kuk, Acting Director of Planning and Development Services, introduced Mr. Ron Palmer, Principal, The Planning Partnership, who provided an overview of the work for which he was retained, including: site visit findings within the study area; review of public comments and ratepayer association comments; review of other municipal tools and approaches; assessment of the staff report and recommendations; expert interviews on the impacts of downzoning; and conclusions and recommendations.

#### **Public Comments**

Aurora residents, including Neil Asselin, Rebecca Beaton, Ron Cocking, Frank D'Amico, Peter DeMille, Allison Halls, Sharon Hanak, Matthew Kinsella, Doug MacPherson, Jim McCart, Trish Meehan, Michael Palmieri, Sandra Sangster, Jorma Takki, and Sean Zelden, provided the following comments:

- Support for:
  - Overall direction of report recommendations
  - Less restrictive zoning
  - Proposed zoning amendments
  - Maximum height of nine meters measured to peak of roof; separate lower limit for homes with flat roof design
  - Recommendation #1; change by-laws to be compliant with Official Plan

Council Public Planning Meeting Minutes  
Wednesday, January 30, 2019

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- Recommendations #2 and #3; move to further refine protections that are non-restrictive; controlling scale is most impactful feature
- Recommendations #2 and #3; implement concurrently, identifying key character features of each distinct neighbourhood
- Alignment of by-laws with the Official Plan and stated protections for Stable Neighbourhoods
- Consultant's advice and more detailed studies to define clear process going forward that doesn't put properties at peril
- Opposition to:
  - Proposed by-law changes and downzoning
  - Area-specific restrictions; should apply to whole Town
  - Controls and restrictions that would artificially reduce property values
  - Downzoning as solution for whole Town Park area; potential negative impact on home values
- Questions regarding:
  - Three neighbourhoods identified on the map versus five areas
  - Consultant's communication with ratepayer associations
  - Available protections for smaller, older homes with unique architecture
  - Definition of "Stable Neighbourhood"
  - Definition of "monster" homes
- Concerns regarding:
  - Balance between neighbourhood renewal and preservation of neighbourhood character
  - Different opinions regarding definition of "monster" homes
  - Most new housing incompatible in size, style, and built form to existing stock
  - Shadowing caused by larger new homes
  - Potential decrease in home and property values
  - Negative impact of downzoning on market and property values
  - Restrictive development that would stagnate values and encourage rental properties and multiple unit development resulting in increased infrastructure costs (garbage, street parking, safety)
  - Suggestion that rental properties would decrease property values
  - Comments from ratepayer associations not representative of all residents in area; important to hear all sides

Council Public Planning Meeting Minutes  
Wednesday, January 30, 2019

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- Older homes need much renovation to meet building code (no insulation, outdated electrical, rotten drainage pipes)
- Difficult renovation process would lead to owners renting out their properties
- Too much red tape
- Height and material restrictions
- Suggestions:
  - Provide specific examples showing how lot coverage limits would compare to maximum floor area measure
  - Increase community input through new advisory committee with representation from the three ratepayer associations
  - Encourage owners to preserve and improve existing stock
  - Manage development in progressive and respectful manner
  - Consider that many homes require renovations to meet family needs of today
  - Seek more clarity and research on impact of downzoning, benchmarks of other municipalities, and appeal process
  - Small pocket of Golf Glen area included in Regency Acres area needs to be considered separately (different lot sizes and home age)

### **Planning Staff**

Mr. Kuk addressed the questions and concerns regarding: the interconnection between the consultant's recommendations #2 and #3; the designation process to protect homes with unique attributes; Stable Neighbourhoods as defined in Section 8 of the Town's Official Plan; and the boundaries of the Interim Control By-law.

The Mayor addressed the question regarding how the motion to retain a consultant was brought forward.

The Town Clerk addressed the question regarding the formation process for ratepayer/community associations.

Mr. Palmer addressed the questions and concerns regarding comments from the ratepayer associations and other public comments.

Council Public Planning Meeting Minutes  
Wednesday, January 30, 2019

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**Main motion**

**Moved by Councillor Kim**

**Seconded by Councillor Gallo**

1. That Report No. PDS19-010 be received; and
2. That staff be directed to come back with a report on a Zoning By-law Amendment that addresses Recommendations #1 and #2 of the consultant's report, being a maximum floor area, 9-metre height, placement of garage doors, and a Council-approved Design Guidelines, at the March Public Planning meeting.

**Amendment No. 1**

**Moved by Councillor Gilliland**

**Seconded by Councillor Thompson**

That the report back also include driveway width and setbacks in the Town Park neighbourhood.

**Defeated**

**Amendment No. 2**

**Moved by Councillor Thompson**

**Seconded by Councillor Humfries**

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

That staff be directed to undertake a substantive public outreach program to ensure that all affected landowners have a chance to understand and respond to the proposed changes.

**Carried**

**Main motion as amended**

**Moved by Councillor Kim**

**Seconded by Councillor Gallo**

1. That Report No. PDS19-010 be received; and
2. That staff be directed to come back with a report on a Zoning By-law Amendment that addresses Recommendations #1 and #2 of the consultant's report, being a maximum floor area, 9-metre height,



Council Public Planning Meeting Minutes  
Wednesday, January 30, 2019

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placement of garage doors, and a Council-approved Design Guidelines, at the March Public Planning meeting; **and**

3. **That staff be directed to undertake a substantive public outreach program to ensure that all affected landowners have a chance to understand and respond to the proposed changes.**

**Main motion as amended  
Carried**

#### **4. Confirming By-law**

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

That the following confirming by-law be enacted:

**6153-19** Being a By-law to Confirm Actions by Council Resulting from a Council Public Planning Meeting on January 30, 2019.

**Carried**

#### **5. Adjournment**

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

That the meeting be adjourned at 10:54 p.m.

**Carried**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**



**Town of Aurora**  
**Council Orientation**  
**Education and Training Session Minutes**

Kingbridge Conference Centre  
12750 Jane Street, King City  
Friday, January 11 and Saturday, January 12, 2019

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**Attendance**

**Council Members** Mayor Mrakas in the Chair; Councillors Gaertner, Gallo, Gilliland, Humfryes, Kim, and Thompson

**Members Absent** None

**Other Attendees** Doug Nadorozny, Chief Administrative Officer, Robin McDougall, Director of Community Services, Techa van Leeuwen, Director of Corporate Services, Jason Gaertner, Acting Director of Financial Services, Allan Downey, Director of Operational Services, Lawrence Kuk, Acting Director of Planning and Development Services, Anca Mihail, Acting Director of Planning and Development Services, Patricia De Sario, Town Solicitor, Stephanie Mackenzie-Smith, Manager of Corporate Communications and Michael de Rond, Town Clerk,

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The Chair called the meeting to order at 1:15 p.m.

Council recessed from 8:40 p.m. on Friday, January 11 to 8:40 a.m. on Saturday, January 12.

**1. Approval of the Agenda**

**Moved by Councillor Humfryes**  
**Seconded by Councillor Gilliland**

That the agenda as circulated by Legislative Services be approved.

**Carried**

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

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

## **3. Council Education/Training Session Agenda**

### **a) Presentation from the CAO**

Town of Aurora CAO Doug Nadorozny welcomed Council and provided a brief overview of the orientation session agenda. His presentation consisted of various projects that the Town is currently working on as well as the new project management framework the Town is using. The CAO finished his presentation by noting the corporate plan reviews currently underway as well as speaking to the financial health of the municipality.

### **b) One-On-One Discussions**

Council Members rotated between senior staff members for ten minutes discussions about the various roles of the staff members.

### **c) York Regional Police Chief – Closed Session**

**Moved by Councillor Thompson  
Seconded by Councillor Gallo**

That Council move into Closed Session pursuant to subsection 239 (3.1) of the *Municipal Act, 2001* for the educating or training of members of Council.

**Carried**

**Moved by Councillor Gaertner  
Seconded by Councillor Gilliland**

That Council rise from Closed Session with no information to report.

**Carried**

### **d) Crash Course in Communication**

Karen Gordon from Gordon Strategy was present to provide an overview in effective communication to Council. She spoke to the importance of preparation

and knowing your audience while using various forms of communication. She further detailed tips for the use of social media and its importance in today's world. Ms. Gordon ended her presentation speaking to effective communication strategies in difficult situations.

**e) Development Charges Update**

Gary Scanlon from Watson and Associates was present to provide Council with information regarding the upcoming Development Charge review the Town will be undertaking. He spoke to the review process as well as recent Provincial Government legislation. Mr. Scanlon further noted the methodology of the study and a proposed timeline.

**f) Integrity Commissioner and Council Code of Conduct**

**Moved by Councillor Humfryes  
Seconded by Councillor Gallo**

That Council move into Closed Session pursuant to subsection 239 (3.1) of the *Municipal Act, 2001* for the educating or training of members of Council.

**Carried**

**Moved by Councillor Thompson  
Seconded by Councillor Gaertner**

That Council rise from Closed Session with no information to report.

**Carried**

**g) Council/Staff Relations**

Mike Galloway, CAO of the Town of Caledon, was present to provide Council with information regarding Council and Staff relations. He spoke to the importance of relationships between Council and Staff, as well as the role of Council as found in the *Municipal Act, 2001*. Mr. Galloway concluded by provided strategies for both Council and staff to avoid conflicts and work well together.

Council Orientation Education and Training Session Minutes  
Friday, January 11 and Saturday, January 12, 2019

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#### **4. Adjournment**

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

That the meeting be adjourned at 3:35 p.m.

**Carried**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**



**Town of Aurora  
General Committee Meeting Report**

Council Chambers, Aurora Town Hall  
Tuesday, February 12, 2019

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**Attendance**

**Council Members** Councillor Gaertner in the Chair; Councillors Gallo, Gilliland, Humfryes, Kim, Thompson, and Mayor Mrakas

**Members Absent** None

**Other Attendees** Doug Nadorozny, Chief Administrative Officer, Robin McDougall, Director of Community Services, Techa van Leeuwen, Director of Corporate Services, Jason Gaertner, Acting Director of Financial Services, Allan Downey, Director of Operational Services, Lawrence Kuk, Manager of Development Planning, Stephanie Mackenzie-Smith, Manager of Corporate Communications, Patricia De Sario, Town Solicitor, Michael de Rond, Town Clerk, and Linda Bottos, Council/Committee Coordinator

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The Chair called the meeting to order at 7:04 p.m.

General Committee consented to recess the meeting at 8:58 p.m. and reconvened the meeting at 9:08 p.m.

**1. Approval of the Agenda**

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

- Delegation (a) Miju Stinson, Resident; Re: Item R5 – PDS19-013 – Proposal for Interim Control By-law Exemption, 29 Church Street

General Committee Meeting Report  
Tuesday, February 12, 2019

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

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

## **3. Community Presentations**

None

## **4. Delegations**

### **(a) Miju Stinson, Resident**

**Re: Item R5 – PDS19-013 – Proposal for Interim Control By-law  
Exemption, 29 Church Street**

Mr. John Stinson, on behalf of Miju Stinson, owners of 29 Church Street, spoke in support of the request to exempt their property from the Interim Control By-law.

General Committee received and referred the comments of the delegation to Item R5.

## **5. Consent Agenda**

### **General Committee recommends:**

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

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

1. That Report No. OPS19-001 be received; and
2. That the recommendations and service levels contained in Table 1 associated with the Revised Provincial Municipal Maintenance Standards (MMS) be approved; and

General Committee Meeting Report  
Tuesday, February 12, 2019

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3. That staff report back with options to meet standards for winter pre-treatment of roads with the intent of finalizing any additional requirements for the 2020 Capital and Operating Budgets; and
4. That the Director of Operations, or their designate, be appointed as the designated Official for the purposes of declaring a “Significant Weather Event”; and
5. That the Town of Aurora not proceed with a Windrow Clearing Program.

**Carried**

**C2. Memorandum from Mayor Mrakas**

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

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

**Carried**

**6. Advisory Committee Meeting Minutes**

None

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

General Committee consented to consider items in the following order: R1, R5, R2, R3, R4, R6, R7, R8, and R9.

**R1. CMS19-005 – Library Square Project – Update**

General Committee consented to waive the provisions of the Procedure By-law to permit more than the allotted time of ten minutes for the presentation.

Robin McDougall, Director of Community Services, introduced David Leinster, Partner, The Planning Partnership, and Thomas Nemeskeri, Architect, OAA, RAW Design Inc., who provided a project update including: project team participants; documentation for the schematic design process of the buildings; outdoor rooms



General Committee Meeting Report  
Tuesday, February 12, 2019

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and programming; section elevations; lighting; site finishings; traffic and pedestrian flow; and parking.

**General Committee recommends:**

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

**Carried**

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

Michael de Rond, Town Clerk, presented an overview including: framework of the Council Code of Conduct; formation and guiding principles; Local Boards Code of Conduct; relationship with the Integrity Commissioner; and complaint resolution process.

**General Committee recommends:**

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

**Carried**

**R3. CMS19-004 – Sport Plan – Update**

**General Committee recommends:**

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

**Carried**

General Committee Meeting Report  
Tuesday, February 12, 2019

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

**General Committee recommends:**

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

**Carried**

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

**General Committee recommends:**

1. That Report No. PDS19-013 be received; and
2. That a by-law be enacted to amend the Interim Control By-law to remove the lands municipally known as 29 Church Street from the provisions of the By-law.

**Carried**

**R6. FS19-004 – Major Capital Investments Funding Strategy**

**General Committee recommends:**

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

**Carried**

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

**General Committee recommends:**

1. That Report No. PDS19-008 be received; and

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

**Carried**

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

**General Committee recommends:**

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

**Carried**

**R9. FS19-002 – 2019 Operating Budget**

Jason Gaertner, Acting Director of Financial Services–Treasurer, presented an overview to kick off the Operating Budget review process including: tax increases for inflation and fiscal strategies; directives and levy increase; impact on taxpayers; schedule of budget meetings; key contributing tax pressures; new or enhanced services; options; and water/wastewater/stormwater core assumptions and rates.

**General Committee recommends:**

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

**Carried**

## **8. Notices of Motion**

### **(a) Mayor Mrakas**

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

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

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

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

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

### **(b) Mayor Mrakas**

#### **Re: Cannabis Public Use By-law**

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

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

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

areas of condos, apartment buildings, or college and university residences;  
and

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

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

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

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

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

**(c) Councillor Gaertner**

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

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

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

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

1. Now Therefore Be It Hereby Resolved That any and all Town information regarding the properties located at 672 and 684 Henderson Drive,

including but not limited to prior correspondence and Closed Session Reports and Minutes, excluding anything currently being considered by Council in Closed Session, be released to the general public and the Committee of Adjustment before a Meeting is held regarding these properties.

## **9. New Business**

Councillor Gilliland inquired about the timing of an upcoming report regarding Animal Services, and staff advised that the report and a draft by-law is expected to be submitted to Council in the March 2019 meeting cycle.

## **10. Closed Session**

None

## **11. Adjournment**

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



**Town of Aurora  
Council Report**

**No. PDS19-017**

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

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

**Department:** Planning and Development Services

**Date:** February 26, 2019

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## **Recommendations**

- 1. That Report No. PDS19-017 be received; and**
- 2. That this Report and the relevant comments contained therein be forwarded to the Director, Ontario Growth Secretariat and Minister of Municipal Affairs Ontario.**

## **Executive Summary**

This follow-up report seeks Council's approval to forward this report and relevant comments on proposed Amendment 1 to the Growth Plan for the Greater Golden Horseshoe, 2017 (the "Growth Plan") to the Director, Ontario Growth Secretariat and Minister of Municipal Affairs (the "Minister") Ontario.

- Staff are supportive of revised intensification and density targets for York Region.
- Conversions to employment areas should not be permitted outside of the Municipal Comprehensive Review (MCR) process.
- In conjunction with Newmarket and York Region, request that a Provincially Significant Employment Zone (PSEZ) be established for Central York that includes all employment lands along Highway 404 corridor in Aurora.
- Settlement area boundary expansions should not be permitted outside an MCR.
- Shift in policy language underlines importance of identifying priority locations for intensification within the context of the Growth Plan.
- Aurora's Major Transit Station Area boundary to follow Promenade boundary within approximately 500-to-800 metres of GO Train Station.
- The balance of the Aurora Promenade outside the Major Transit Station Area should be identified as a Strategic Growth Area, a preferred location for intensification.

- Policies that emphasize and prioritize urban design standards, high quality built form and a vibrant public realm should not be deleted from the Growth Plan.
- That clearly definable and measurable terminology, that assist municipalities in meeting their climate change commitments and to reduce greenhouse gas emissions, be retained in the Growth Plan.

## **Background**

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

A previous report to General Committee on February 12, 2019 was more informational in nature, highlighting substantive changes, and requested that the Minister extend the Province's deadline for comment to allow staff additional time for Council to consider a subsequent report with further comments. Provincial staff have relayed that the deadline is not to be extended, therefore this abbreviated follow-up report has been expedited to meet the short timelines.

The previous report provided a summary of some of the more substantive policy changes to the Growth Plan, including:

- Conversions to employment areas may now be considered outside of the Municipal Comprehensive Review (MCR) process.
- Settlement area boundary expansions are permitted outside of an MCR.
- Sixty percent (60%) of growth at Regional level directed to Built-Up Area as of next MCR.
- Greenfield density targets have been simplified to 60 residents and jobs per hectare.
- Municipalities are directed to identify Strategic Growth Areas as preferred locations for intensification.
- Municipalities allowed to set alternative density targets for Major Transit Station Areas.
- Province proposes changes to Natural Heritage System (NHS) mapping implementation process.
- Shift in focus away from comprehensive strategies and certain terminology.



## **Policy Context**

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

- Establishing minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

## **Analysis**

Some of staff’s more substantive comments on proposed changes to the Growth Plan are regarding intensification and greenfield density targets, employment land conversions, Provincially Significant Employment Zones, settlement area boundary expansions, Major Transit Station Areas, Strategic Growth Areas, shifts in policy language and focus around intensification and urban design, and the elimination of clearly definable terminology, as described in more detail below:

### **Revised intensification & density targets for York Region are reasonable**

The new proposed intensification target for York Region of 60% is to take effect as of their next MCR. This means that 60% of growth annually across the Region will need to occur within the existing Built-Up Area. This proposed policy is more intuitive than the current Growth Plan policy, and should not have much additional impact on Aurora compared with previous policy framework, to be confirmed once York Region determines revised intensification targets for their nine local municipalities.

The greenfield density target for York Region is to be simplified to 60 residents and jobs per hectare. This is measured across all urban lands outside of the Built-Up Area, and needs to be achieved on average across the entire Region. However, new urban expansion areas are still the only lands where future densities can be planned to achieve the greenfield target on average. So while this new policy is reasonable, it should not have much direct impact on Aurora either.

### **Conversion of employment areas should not be permitted outside MCR process**

As established in the original Growth Plan (2006), the in-effect Growth Plan (2017) only permits the conversion of employment lands to non-employment uses through an MCR, which occurs on a five-year cycle. The currently proposed Amendment 1 introduces conversions of employment land to non-employment uses outside of the MCR process, subject to lesser criteria than the current MCR process, such as maintaining a significant number of jobs.

From an economic development perspective, land use certainty is important for businesses, notably when they are considering expansions to existing operations. Land owners, especially industries that intend to stay for the long term or considering expansions, want to locate adjacent to compatible land uses. The Province has relayed that the intent of these policies was a one-window opportunity to reconcile employment lands in advance of the next MCR. Nonetheless, it is staff's position that conversions of employment land should continue to only be considered at the time of an MCR. This position is in order to continue to promote comprehensive planning and consultation to ensure proper consideration in the assessment of conversions, such as employment land supply, economic trends, and job forecasts for the Region and local municipality. If the proposed policy permitting conversions outside an MCR process is adopted, then it is recommended that this be clearly limited to only a one-time municipally-led conversion prior to the first MCR following the adoption of the proposed amendment.

### **Aurora lands along Hwy-404 proposed to be recognized within the new Central York Provincially Significant Employment Zone**

The Province has introduced Provincially Significant Employment Zones (PSEZ's), which cannot be converted outside an MCR process, and initially identified 29 of them.

Criteria includes: existing designated employment areas; may be vulnerable to conversion pressures or facing encroachment by sensitive land uses, and; are needed in the region to attract new investment and retain existing industries. Also, may be located near highways, railways, intermodal facilities, transit and other major transportation infrastructure to support the movement of people and goods; high concentration of employment and/or economic output, and play an economically strategic role in the region; support industrial uses which are sensitive to encroachment, or contiguous zones and contain large developable constraint-free lands.

York Region has identified a Central York PSEZ for consideration for inclusion by the province. Town staff are supportive of the Region's position and are recommending that Council formally request that the Minister include these lands. These lands are adjacent the Provincial Highway 404, supporting the movement of people and goods. They have previously been identified by York Region as strategically important future employment lands in the Regional Official Plan (2010), as well as identified as a significant cluster of employment lands in York's most recent Vacant Employment Land Inventory (2017), along with Aurora's municipal neighbours to the north.

The majority of the 29 zones already identified by the Province are large clusters that span more than one municipality, such as in the 404/407 area of Markham and Richmond Hill, and a Pearson airport cluster encompassing Peel and west Vaughan. For this reason, Aurora and Newmarket's 404-adjacent employment lands together represent a viable critical mass worthy of Provincial recognition.

Aurora's two employment areas along the Highway-404 corridor represent 740 gross hectares of employment land. There are over 130 hectares of net vacant employment land in Aurora in the proposed PSEZ area, predominantly in the 2C Secondary Plan Area, with contiguous developable constraint-free parcels capable of accommodating large-scale industrial or office park opportunities as they arise.

Conservatively estimated at an average employment land density, the vacant employment lands in Aurora should be capable of accommodating approximately 6,000 jobs. Existing employment in the Wellington-404 employment area is 4,000, which in

February 26, 2019

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combination with the estimate for vacant land represents an opportunity to accommodate approximately 10,000 jobs in Aurora.

While all of Aurora's current employment lands are important to protect in the local and Regional context, the Wellington/404 and St. John's Sideroad/404 Employment Areas are the best fit for the Provincial criteria. Staff believe that consistency with the Regional approach as well as focusing on lands that best align with the provincial criteria may be more effective in convincing the Province to agree to a PSEZ in Aurora.

### **Settlement area boundary expansions should not be permitted outside an MCR**

Staff are opposed to the introduction of settlement area boundary expansions outside of an MCR process. Barring any changes to the Oak Ridges Moraine (ORM) or Greenbelt, this policy does not have any direct impact on Aurora, as the balance of the Town's lands outside the ORM are already within the urban settlement area (the final lands to be added were the 2C Secondary Plan Area). However, allowing urban boundary expansions outside of an MCR process makes regional-level planning for orderly growth and infrastructure challenging, and could indirectly negatively impact long range planning in Aurora. As with recommendations for employment land conversions outside the MCR process – if settlement area boundary expansion outside an MCR process are to remain part of the adopted Amendment 1, then only municipally-led urban boundary expansions ought to be permitted.

### **Shift in policy language underlines importance of identifying priority locations for intensification within the context of the Growth Plan**

There is a proposed shift in the language around intensification, in fact reverting from that of the 2017 Growth Plan, which directed intensification be managed strategically within an urban structure framework, back to language of the 2006 Growth Plan, which generally encouraged intensification throughout the Built-Up Area. The proposed language of generally encouraging intensification throughout is less favourable from the perspective of protecting stable neighbourhoods. Staff therefore recommend deleting this change and reverting back to the 2017 language, which encourages intensification to achieve a desired urban structure. Regardless, a higher importance should be placed on properly identifying and elevating in policy preferred locations to direct intensification – such as, within the context of the Growth Plan, Major Transit Station Areas (MTSA's) and Strategic Growth Areas (SGA's).

**Aurora's Major Transit Station Area boundary to follow Promenade boundary within approximately 500-to-800 metres of GO Train Station**

Aurora's lone required MTSA is the Aurora GO Rail Station at Wellington Street and Industrial Parkway, which would be subject to a minimum density target of 150 residents and jobs per hectare.

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

The additional flexibility proposed in Amendment 1 has not altered York Region's approach to MTSA's, and therefore should not have much impact on the ongoing process of delineating Aurora's MTSA. As part of the York Region's ongoing Municipal Comprehensive Review, staff have been working with Regional staff to delineate MTSA's and SGA's. As part of this process, stable residential neighbourhoods were intended to be excluded and staff have been relying on Council approved policy (i.e. the Aurora Promenade Plan) as the basis for the establishment of the boundaries. However, it is important that the Province align with the Town's and Region's approach to MTSA's to ensure the protection of the Town's stable neighborhoods and finite employment lands.

A cursory review of build-out capacity in the proximity of the GO Train Station, based on existing Official Plan and zoning permissions, suggests that the area can support the minimum density target for MTSA's on priority transit corridors (rail) of 150 residents and jobs per hectare. Population and job targets derived from density targets being applied to MTSA's or SGA's are long term targets that do not need to be achieved over the horizon of the Plan (2041).

**Potential Strategic Growth Area for Aurora: Balance of Promenade outside the MTSA boundary around GO Station**

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

Within Aurora's policy context, the Aurora Promenade meets the criteria to be identified as an SGA. With the above-mentioned change in language to more generally encourage intensification, this should motivate municipalities to strengthen the policy context of where intensification should locate, as the flip side to protecting stable neighbourhoods (i.e., where intensification shouldn't happen). The Aurora Promenade is already that planning area identified for intensification at the local level, and designating it as an SGA would reflect having it recognized at the Regional level.

The balance of the Promenade outside of the MTSA boundary would predominantly be the Yonge Street Regional corridor. The SGA portion of the Promenade would still be subject to a density target, to be determined in consultation with the Region, but as with the MTSA, may be achieved beyond the 2041 planning horizon.

**Shift in focus away from requiring high quality built form, vibrant public realm and definable terminology**

Urban design standards and policies help municipalities plan and promote well-designed buildings, encourage a sense of place and provide for public spaces that are high quality, safe, accessible, attractive and vibrant. The proposed deletion of policy 2.2.1.4.e undermines other policy language within the Growth Plan, as well as Regional and Municipal policy documents and urban design standards, that encourage compact, complete communities with well-designed buildings and a vibrant public realm. Well-designed buildings and places contribute to a healthy and beautiful Town. It is recommended that the urban design policies remain and not be deleted.

The Province has proposed to delete the term 'net zero emissions' from the Growth Plan and replace it more generally with 'environmental sustainability'. 'Net zero' is a defined term and a measurable objective. Measurable objectives allow municipalities to meet climate change and greenhouse gas emission reduction (GGER) targets to 2030 and beyond, and measure their success. Canada has made a commitment through the Paris Accord Agreement to lower greenhouse gas emissions and foster climate resilience. While the Province's changes to the Growth Plan do not preclude municipalities from using similar, definable terminology in their policy documents, Staff encourage the Province to continue to use and rely on clearly defined, measurable terminology to help us meet our Paris Accord commitments.

## **Next Steps**

Although a typical window to provide comments to the Province on substantive plan changes is 90 days, the deadline for providing feedback to the Province on the currently proposed changes remains February 28, 2019.

Staff are recommending that this report and relevant comments be forwarded to the Director of the Ontario Growth Secretariat and Minister of Municipal Affairs Ontario.

Staff will continue to work with York Region on the delineation and implementation of an MTSA and SGA in Aurora, and with York Region and Newmarket on the establishment of a Provincially Significant Employment Zone for Central York.

## **Advisory Committee Review**

Not applicable.

## **Legal Considerations**

The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions of Council that affect a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

## **Financial Implications**

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

## **Communications Considerations**

Not applicable.

## **Link to Strategic Plan**

Providing input on the proposed changes to the Growth Plan by the Province supports

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

### **Alternative to the Recommendation**

1. That the report be received for information only.
2. That staff be directed to report back with further comments on the proposed amendments.

### **Conclusions**

The requested extension to the Province's commenting deadline from 45 days to 90 days was not granted.

Town staff are supportive of revised intensification and density targets for York Region (60% intensification & 60 people and jobs per hectare), which should have minimal impact on Aurora.

Neither conversions of employment land nor settlement area boundary expansions should be permitted outside of an MCR process, or at least should only be considered if municipally-initiated.

Aurora and Newmarket's employment lands along Highway-404 represent significant economic output and future opportunity, which should be protected as part of a new Central York Provincially Significant Employment Zone.

To help direct intensification away from stable neighbourhoods, the Aurora Promenade should be acknowledged as a preferred location in the Regional context reflecting latest Growth Plan policy. In addition to the required Major Transit Station Area surrounding the GO Station, the balance of the Promenade should be considered for designation as a Strategic Growth Area.

Staff also recommend that policies that emphasize and prioritize urban design standards, high quality built form and a vibrant public realm not be deleted from the Growth Plan. Similarly, that clearly definable and measurable terminology, that assist



February 26, 2019

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Report No. PDS19-017

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municipalities in meeting their climate change commitments and reduce greenhouse gas emissions, be retained.

### **Attachments**

None.

### **Previous Reports**

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

General Committee Report No. PDS19-012, dated February 12, 2019.

### **Pre-submission Review**

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

#### **Departmental Approval**



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

#### **Approved for Agenda**



**Doug Nadorozny  
Chief Administrative Officer**



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**Motion for Which Notice  
Has Been Given** (Feb. 12, 2019)

**Mayor Tom Mrakas**

---

**Date:** February 26, 2019

**To:** Members of Council

**From:** Mayor Mrakas

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

---

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

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

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

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



---

**Motion for Which Notice  
Has Been Given** (Feb. 12, 2019)

Mayor Tom Mrakas

---

**Date:** February 26, 2019  
**To:** Members of Council  
**From:** Mayor Mrakas  
**Re:** **Cannabis Public Use By-law**

---

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

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

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

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

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

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

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

Motion for Which Notice Has Been Given  
Re: Cannabis Public Use By-law  
February 26, 2019

Page 2 of 2

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



---

**Motion for Which Notice  
Has Been Given** (Feb. 12, 2019)

**Councillor Wendy Gaertner**

---

**Date:** February 26, 2019

**To:** Mayor and Members of Council

**From:** Councillor Gaertner

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

---

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

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

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

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



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

**Town of Aurora  
Office of the Mayor**

## **Memorandum**

**Date:** February 26, 2019  
**To:** Members of Council  
**From:** Mayor Tom Mrakas  
**Re:** York Regional Council Highlights of January 31, 2019

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### **Recommendation**

That Council:

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



Monday, February 4, 2019

## **York Regional Council Highlights - January 31, 2019**

[Live streaming](#) of the public session of Council and Committee of Whole meetings is available on the day of the meeting from 9 a.m. until the close of the meeting.

Past sessions are also available at [york.ca/councilandcommittee](http://york.ca/councilandcommittee)



### **Proposed 2019 to 2022 York Region Budget**

The proposed [2019-2022 Budget](#) was tabled at Regional Council and included an overview of the \$3.2 billion 2019 budget, comprised of \$2.3 billion for operating costs and \$867 million for capital investments — which is part of a 10-year, \$6.6 billion

capital plan. The proposed budget includes a tax levy increase of 3.37 per cent or approximately \$81 per household, for 2019.

Proposed tax levy increase is 2.96 per cent for 2020, 2021 and 2022.

Council was also presented for its consideration, a one per cent Infrastructure Acceleration Option to expedite roads projects already identified in the 10-year capital plan. The additional one per cent would bring the tax levy total to 4.37 per cent, or approximately \$105 per household, for 2019. The option could help advance road widenings in congested areas.

Members of Council will review the proposed budget at two Committee of the Whole meetings in February. The budget is expected to be presented for approval at the February 28 meeting of Regional Council.

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### **New Strategic Plan sets a vision for the next four years**

York Regional Council received the draft [2019 to 2023 Strategic Plan](#) that outlines York Region's mission to work together to serve our thriving communities.

The 2019 to 2023 Strategic Plan is the road map for this term of Council to ensure meaningful progress towards Vision 2051, the long-range vision for the Region. Council's vision of strong, caring, safe communities is guided by the eight goal areas in Vision 2051. Performance measures and key activities will be tracked and reported to Council annually.

The 2019 to 2023 Strategic Plan will be considered by Regional Council in February 2019 to coincide with the 2019 to 2022 budget. The Strategic Plan extends, purposefully, six months into the next term of Council.

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### **York Region Transit driving to a greener future**

York Regional Council has given the green light to continue to move forward with the initiative to research and test electric buses and [purchase six 40-foot battery electric buses](#).

The purchase will provide an opportunity for York Region to gain practical hands-on experience with electric buses and allow the Region to continue participating in the Pan-Canadian Electric Bus Demonstration and Integration Trial lead by the Canadian Urban Transit Research and Innovation Consortium.

Additional partners include utility agencies, the Town of Newmarket and Newmarket-



Tay Power Distribution Ltd., bus manufacturers New Flyer Industries and Nova Bus, and Siemens providing support for electrical charging equipment. The Federal Government is funding a portion of the charging infrastructure that will need to be installed.

Of the six buses, four will be from New Flyer and two from Nova Bus at a cost of \$1.2 million per bus.

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**York Region continues to deliver on priority water and wastewater projects  
totalling \$2.5 billion**

York Regional Council received an update on the key infrastructure projects outlined in the [10-year Water and Wastewater Capital Plan](#). The Region continues to deliver on 140 water and wastewater infrastructure projects needed to serve our growing communities and will invest \$2.5 billion through the Capital Plan.

Priority projects include:

- Continued investments in the [Duffin Creek Plant](#) which has one of the highest quality effluent of all the large wastewater plants discharging to the open waters of Lake Ontario. The plant treats wastewater from 80 per cent of the residents and businesses in York Region and from residents and businesses in the Town of Ajax and City of Pickering in Durham Region. Unlike most other comparable plants, the Duffin Creek Plant provides full treatment of all wastewater flows even during extreme high-flow rainfall events.
- Once approved, the [Upper York Sewage Solutions](#) project will provide additional service allowance of over 80,000 people to support growth in the Towns of Aurora, Newmarket and East Gwillimbury. The proposed sewage solution includes a new Water Reclamation Centre in the Town of East Gwillimbury, modifications to the existing York Durham Sewage System in the Town of Newmarket and a project-specific total phosphorus offsetting program.

In March 2018, the province issued a Declaration Order to exempt modifications to the York Durham Sewage System component of the Upper York Sewage Solutions project from the requirements of the *Environment Assessment Act*. With this Order, the Region will proceed with the modifications to the York Durham Sewage System in the Town of Newmarket, which includes twinning of the forcemains and alterations to the Newmarket and Bogart Creek Sewage Pumping stations. The project is critical to serve the Towns of Newmarket, Aurora and East Gwillimbury and accommodate their future growth.

Other key infrastructure [projects](#) include:

- West Vaughan Sewage Servicing
- Northeast Vaughan servicing
- Richmond Hill/Langstaff Gateway Regional Centre
- Sutton Water Resource Recovery Facility

The Region continues to optimize water and wastewater networks through water conservation, inflow and infiltration reduction and other programs to maximize the potential of existing Regional systems while continuing to look for other funding sources.

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### **York Region receives Government Finance Officers Association budget award**

The Regional Municipality of York received the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for its 2018 budget document. This marks the 14<sup>th</sup> consecutive year York Region has received this award.

The GFOA is a professional association serving 19,000 government finance professionals throughout North America. The Distinguished Budget Presentation Award is the highest recognition in governmental budgeting.

To receive this award, a government agency must publish a budget document that meets program criteria as a policy document, a financial plan and an operations guide.

York Region is committed to equity, fairness and transparency across every line of business, including how the annual budget is communicated to our residents. Late last year, York Region received an “A” in the C.D. Howe Institute report, [Show Us the Numbers: Grading the Financial Reports of Canada’s Municipalities](#), measuring the clarity and completeness of financial information presented to the public. This grade was the highest achieved by any municipality in Ontario.

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### **York Regional Council receives departmental introductions**

During the January [meetings of Committee of the Whole](#), members of Regional Council received introductory presentations from [senior management](#) in Transportation Services, Environmental Services, Community and Health Services, Planning and Economic Development, Finance, Corporate Services and Legal and Court Services, in addition to YorkNet, York Region Rapid Transit Corporation and Housing York Inc. Each presentation outlined the role of the department, the work

they do and key accomplishments. In addition, presentations outlined key priority areas that align with York Region's [vision of strong, caring and safe communities](#).

**Priorities for the 2018 to 2022 term of Regional Council include:**

- **Increasing economic prosperity** by advocating for the extension of the Yonge North Subway Line into the Town of Richmond Hill, approving the [York Region Economic Development Action Plan](#) and updating [the Municipal Comprehensive Review](#) and subsequent updates to the [Regional Official Plan](#)
- **Supporting community health, safety and well-being** through the modernization of the housing waitlist, improved access to health and social support services and removing barriers to [affordable housing](#) in York Region
- **Building sustainable communities and protecting the environment** by implementing a [Climate Change Action Plan](#), developing the Upper York Sewage System and to encourage growth in the Region's centres, corridors and built-up urban areas
- **Delivering trusted and efficient services** through continued implementation of the Regional Fiscal Strategy, approval of the 2019 to 2022 multi-year budget and determining property tax rates and tax ratio that are fair to businesses and residents

**Recent accomplishments include:**

- Ensuring the [safe and efficient travel](#) of approximately 600,000 commuters on more than 4,200 lane-kilometres of Regional roads daily
- Achieving some of the highest scores in Ontario for [drinking water quality](#)
- No. 1 ranked municipality in Ontario for [waste diversion](#) and the first municipality in Canada to be awarded [Living Building Certification](#) and the [Golden Tap Award](#) for being a world leading utility
- Opening [Belinda's Place](#), York Region's first emergency shelter for women, and the [Richmond Hill Hub](#) to help at-risk youth access supports and find and keep housing
- Strengthening the Region's economy by [attracting industry and talent](#), opening the first subway in York Region and developing the Centres and Corridors initiative to guide planning and development
- Maintaining high [credit ratings](#), updating [development charges](#) bylaw to support the Region's growth related infrastructure needs to 2031 plus modernizing business process and technology

- Continuing to be recognized as an employer of choice, receiving both the [Best Diversity Employer](#) and [Top Employer for Young People](#) awards in 2017 and 2018
- Recovering over \$200,000 in civil claims collections, prosecuted 103,000 matters and administered 160,515 Provincial Offences Act charges
- Building three new paramedic response stations, two road operations yards and the north transit operations centre

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**Update on *Planning Act* Changes proposed through Bill 66**

Regional Council received an update on the province's [decision regarding Bill 66](#) which indicates the Government of Ontario does not intend to move forward with changes to the *Planning Act* proposed through the Bill.

Schedule 10 of Bill 66 proposed amendments to the *Planning Act* to allow local municipalities to pass an open-for-business planning bylaw, allowing them to respond to an emerging employment opportunity.

York Region will continue to monitor and review information related to Bill 66, including formal confirmation from the province that proposed changes to the *Planning Act* are no longer being considered.

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**York Region advises Toronto Region Board of Trade on priority projects**

Toronto Region Board of Trade is seeking input on the prioritization of 10 proposed infrastructure options to improve travel in the Toronto-Waterloo corridor.

York Regional Council is advising the Toronto Region Board of Trade it supports the Highway 400-404 connecting Link and GTA West Corridor projects. However, Council strongly opposes any proposed diversion of CP freight trains which would significantly increase the volume of freight rail traffic, including hazardous goods shipments, through York Region communities.

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**York Region confirms with Metrolinx its transit priorities**

York Regional Council is confirming with Metrolinx the following rapid transit projects are priorities:

- Yonge Subway Extension to Richmond Hill/Langstaff Gateway Urban Growth Centre at Highway 7
- York Region's Viva Bus Rapid Transit Network as shown in the [Regional Transportation Plan 2041](#)

Regional Council also requests the province continue to commit to the following GO rail improvements:

- Two-way all day service on the Barrie GO and Stouffville GO rail corridors
- Improved service on the Richmond Hill GO rail corridor

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### **York Region meets 2018 Emergency Management Program Requirements**

The Regional Municipality of York has completed the requirements of the [Emergency Management and Civil Protection Act](#) and [Ontario Regulation 380/04](#) for compliance of its [Emergency Management Program](#).

York Region has consistently met the legislative requirements mandated by the Act while also providing training and tools to improve resiliency to all nine local cities and towns.

The Emergency Management Program includes an emergency plan, training and emergency exercises, public education and emergency program reviews.

In 2018, over 8,000 copies of the [Emergency Preparedness Guide](#) were distributed throughout the Region by local municipal partners.

For more information on what to do before, during and after an emergency, visit [York.ca/emergencypreparedness](http://York.ca/emergencypreparedness)

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### **York Region supports Crime Stoppers awareness month**

York Region recognized Crime Stoppers Awareness Month. [Crime Stoppers of York Region](#) is a not for profit organization that provides York Regional Police with information (TIPS) to help solve crimes. As a leader among North American programs, Crime Stoppers of York Region is committed to fostering public trust while facilitating the gathering of anonymous information to help police solve crimes.

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

York Regional Council will meet on Thursday, February 28 at 9 a.m. in the York Region Administrative Centre Council Chambers, located at 17250 Yonge Street in the Town of Newmarket.

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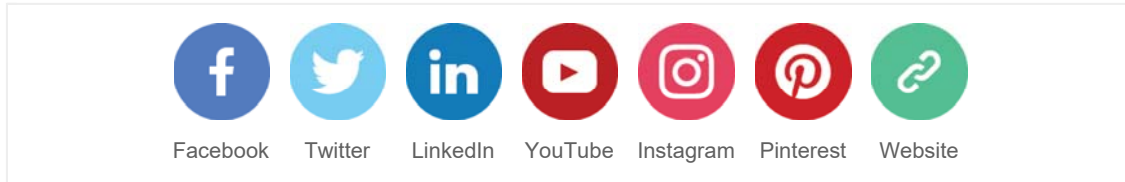
The Regional Municipality of York consists of nine local cities and towns, and provides a variety of programs and services to 1.2 million residents and 51,000 businesses with 620,000 employees. More information about the Region's key service areas is available at [york.ca/regionalservices](http://york.ca/regionalservices).

**Compiled by:**

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**The Corporation of the Town of Aurora**

**By-law Number XXXX-19**

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

**Whereas** Section 223.2 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, mandates that municipalities must have a Code of Conduct for its Members of Council and Local Boards by March 1, 2019;

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

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

**Enacted by Town of Aurora Council this 26<sup>th</sup> day of February, 2019.**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**

Schedule "A" to By-law Number XXXX-19

**Town of Aurora Code of Conduct for Members of Council**

January 2019

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Town of Aurora Code of Conduct for Members of Council

## **General Introduction**

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

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

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

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

## **Framework and Interpretation**

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

Town of Aurora Code of Conduct for Members of Council

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

Definitions

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

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

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

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

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

- b. "Member" means a member of the Council of the Town of Aurora, including the Mayor.
- c. "Social Media" means publicly available, third party hosted, interactive web technologies used to produce, post and interact through text, images, video and audio to inform, share, promote, collaborate or network.
- d. "Staff" includes the Chief Administrative Officer, Directors, Managers, Supervisors and all non-union and union staff whether full-time, part-time, contract, seasonal or volunteers.
- e. "Nomination Day" means the last day for filing or withdrawing a nomination as provided for by the *Municipal Elections Act, 1996*.

**Guiding Principles**

1. Members of Council shall serve the public and their constituents in a conscientious and diligent manner.

Town of Aurora Code of Conduct for Members of Council

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

## **Specific Rules**

### **Rule No. 1: Avoidance of Conflicts of Interest**

In this Rule:

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

Town of Aurora Code of Conduct for Members of Council

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

4. Treatment of Non-Disqualifying Interests:

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

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

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

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

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

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

Town of Aurora Code of Conduct for Members of Council

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

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

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

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

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

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

Town of Aurora Code of Conduct for Members of Council

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

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

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

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

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

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

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

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

**Rule No. 2: Gifts, Benefits and Hospitality**

In this Rule:

- a. "Gift" means money, fee, advance, payment, gift, gift certificate, promise to pay, property, travel, accommodation, entertainment, hospitality or any other personal benefit connected directly or indirectly with the performance of a Member's duties of office, but excludes:
  - i. Compensation authorized by law;
  - ii. Political contributions otherwise reported by law, in the case of Members running for office;
  - iii. Services provided by persons volunteering their time;

Town of Aurora Code of Conduct for Members of Council

- iv. Contributions of value that are specifically addressed in other provisions of this Code
  - v. Gifts provided to the Town of Aurora and which are logged, archived and/or publicly displayed as such.
- b. A Gift provided with the Member's knowledge to a Family Member or to a Member's staff that is connected directly or indirectly to the performance of the Member's duties, is deemed to be a Gift to that Member.
- c. "Token of Appreciation" means such gifts or benefits that normally accompany the responsibilities of office and are received as an incident of protocol or social obligation, or which are a suitable memento of a function honouring the Member.
- d. "Official Hospitality" means food, lodging, transportation and entertainment provided by Provincial, Regional and local governments or political subdivisions of them, by the Federal government or by a foreign government within a foreign country or at a conference, seminar or event where the Member is either speaking or attending in an official capacity at an official event (such as at meetings of AMO, FCM, or conducted by providers of continuing education).
- e. "Business Hospitality" means food and beverages consumed at banquets, receptions or similar events, if:
- i. attendance serves a legitimate business purpose;
  - ii. the person extending the invitation or a representative of the organization is in attendance; and
  - iii. the value is reasonable and the invitations infrequent;
- f. "Publications" means communication to the offices of a Member, including subscriptions to newspapers, and periodicals.
1. No Member shall accept any Gift unless expressly permitted by this Rule.
  2. No Member shall accept any Gift involving the use of property or facilities, such as a vehicle, office, club membership or vacation property at less than reasonable market value or at no cost. Notwithstanding this prohibition, with specific approval provided by Council, a Member may be sponsored to attend educational site visits connected with an identified project.
  3. Gifts identified in Column B of Table '1' may be accepted by a Member provided the Gift is disclosed in accordance with the conditions set out in Column 'C'.
  4. Gift Disclosure, where required, is to be accomplished by filing within 30 days of receipt of the gift or reaching the annual limit, a Councillor Information Statement in a form prescribed by the Integrity Commissioner and providing same to the Town Clerk for posting on the Town's web site.

Town of Aurora Code of Conduct for Members of Council

5. Gifts identified in Column B shall not be accepted, without the Integrity Commissioner's specific approval, when the conditions set out in Column 'D' are applicable.
6. In providing advice to a Member about their obligations respecting Gifts, or in considering any inquiry with respect to a Councillor Information Statement or an assertion that this Rule has been breached, or in providing consent, where required, that a Gift may be accepted, the Integrity Commissioner shall determine whether the receipt of the Gift or might, in the opinion of the Integrity Commissioner, create a conflict between a private interest and the public duty of the Member. In the event that the Integrity Commissioner makes that preliminary determination, he/she shall call upon the Member to justify receipt of the gift or benefit.
7. Should the Integrity Commissioner determine the receipt of a Gift was inappropriate, the Integrity Commissioner may direct the Member to return the gift, reimburse the donor for the value of any gift or benefit already consumed, or the Integrity Commissioner may order the Member to forfeit the gift or remit the value of any gift or benefit already consumed to the Town, or a Town agency, board or commission. Any such direction ordered by the Integrity Commissioner shall be a matter of public record.



Town of Aurora Code of Conduct for Members of Council

Table '1'  
Gift Treatment and Disclosure

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

Town of Aurora Code of Conduct for Members of Council

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

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

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

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

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

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

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

Town of Aurora Code of Conduct for Members of Council

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

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

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

**Rule No. 3: Member's Expenses**

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

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

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

- a. Members of Council should not directly or indirectly manage or control any monies received relating to community or charitable organizations fundraising;
- b. Members of Council or persons acting on behalf of a Member shall not solicit or accept support in any form from an individual, group or corporation, with any pending significant planning, conversion or demolition variance application or procurement proposal before Town Council, which the Member knew or ought to have known about.

Town of Aurora Code of Conduct for Members of Council

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

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

Town of Aurora Code of Conduct for Members of Council

**Rule No. 4: Confidential Information**

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

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

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

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

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

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

- *items under litigation, negotiation, or personnel matters;*
- *information that infringes on the rights of others (e.g. sources of complaints where the identity of a complainant is given in confidence);*

Town of Aurora Code of Conduct for Members of Council

- *price schedules in contract tender or request for proposal submissions if so specified;*
- *information deemed to be “personal information” under the Municipal Conflict of Interest Act; and*
- *statistical data required by law not to be released (e.g. certain census or assessment data)*

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

**Rule No. 5: Use of Town Resources**

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

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

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

*Careful attention should be given to the provisions of the Town’s Compensation and Support for Members of Council policy and the Corporate, Travel & Auto Expenses policy which identifies approvable allowable expenses. During election campaigns, the provisions of Rules 6 and 7 will apply.*

Town of Aurora Code of Conduct for Members of Council

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

**Rule No. 6: Election Campaigns**

1. Members are required to follow the provisions of the *Municipal Elections Act, 1996* and Members are accountable under the provisions of that statute.
2. No Member shall use the facilities, equipment, supplies, services, staff or other resources of the Town (including Councillor newsletters, individual websites linked through the Town 's website and social media accounts used for ward communication) for any election campaign or campaign-related activities and all such sites shall not use the Town of Aurora logo.
3. If a member of Council uses any social media account for campaign purposes, such account must not be created or supported by Town resources or use the Town logo. Social media accounts used for campaign purposes must utilize personal cell phones, tablets and/or computers.
4. To avoid confusion with any website or social media accounts used for Council Member work, Council members who choose to create or use social media accounts for campaign communications must include, for the duration of the campaign, a clear statement on each campaign website or social media account's home page indicating that the account is being used for election campaign purposes.
5. Despite the foregoing, Members are allowed to place campaign phone numbers, websites and E-mail addresses on the election pages on the Town's website, which is available and authorized for use by all candidates for municipal and school board office.
6. In a municipal election year, commencing Nomination Day until the date of the election, Members may not publish Councillor newsletters or distribute them in municipal facilities. All newsletters distributed through the mail must be post-marked by no later than Nomination Day in an election year. Members of Council may, during such period, use Town facilities to communicate important notifications to the residents of their ward by E-mail in normal Outlook format or by letter on the Councillor's stationery.

Town of Aurora Code of Conduct for Members of Council

7. In a municipal election year, commencing on Nomination Day until the date of the election, no candidate including Members, may directly or indirectly, book any municipal facility for any purpose that might be perceived as an election campaign purpose.
8. Members shall be respectful of the role of the Town Clerk in managing the municipal election process and meeting all statutory requirements in respect thereof. The Town Clerk must ensure all candidates are treated equally and no candidate for elected office should interfere with how the Clerk carries out these duties.

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

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

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

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

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

**Rule No. 7: Improper Use of Influence:**

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



Town of Aurora Code of Conduct for Members of Council

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

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

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

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

**Rule No. 8: Business Relations**

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

**Rule No. 9: Member Conduct**

Conduct at Council and Committee Meetings:

Town of Aurora Code of Conduct for Members of Council

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

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

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

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

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

*Individual Members are appointed to committees, agencies, boards and commissions based on their various backgrounds and their ability to contribute to matters before them, bringing their expertise and experience. Members shall not be absent from Council or committee meetings, or from those of agencies, boards and commissions to which they are appointed without reasonable justification (for example, illness of the Member, family circumstance, Regional business) for more than three consecutive scheduled meetings or on a regular basis.*

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

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

**Rule No. 10: Media Communications**

1. Members of Council will accurately communicate the decisions of Aurora Council, even if they disagree with the majority decision of Council, and by so doing affirm the respect for and integrity in the decision-making processes of Council.
2. Members of Council will keep confidential information confidential, until such time as the matter can properly be made public.

Town of Aurora Code of Conduct for Members of Council

3. In all media communications, including social media, members will treat each other, staff and members of the public with decorum, dignity and respect, and shall avoid messaging that amounts to abuse, bullying or intimidation.

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

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

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

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

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

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

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

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

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

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

Town of Aurora Code of Conduct for Members of Council

**Rule No. 12: Respectful Workplace:**

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

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

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

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

**Rule No. 13: Conduct Respecting Staff**

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

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

Town of Aurora Code of Conduct for Members of Council

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

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

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

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

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

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

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

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

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

Town of Aurora Code of Conduct for Members of Council

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

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

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

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

2. Members of Council shall not engage in litigation or other legal challenges against the municipality or Council's decisions.
3. Despite this provision, Members may pursue a complaint or request for investigation under any of the oversight, transparency and accountability mechanisms provided under Part V.1 and under section 239 of the Municipal Act.

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

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

**Rule No. 16: Reprisals and Obstruction**

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

Town of Aurora Code of Conduct for Members of Council

**Rule No. 17: Acting on Advice of Integrity Commissioner**

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

**Rule No. 18: Implementation**

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

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

**Council Code of Conduct Complaint Protocol**

**Part A: Informal Complaint Procedure**

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

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

All persons and organizations are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behaviour or activity that is prohibited by the Code. With the consent of the complaining individual or organization and the member, the Integrity Commissioner may be part of any informal process.

Town of Aurora Code of Conduct for Members of Council

However, it is not a precondition or a prerequisite that those complaining must pursue the informal complaint procedure before pursuing the Formal Complaint Procedure in Part B.

## **Part B: Formal Complaint Procedure**

### **Initial Complaint**

- 1.1. A request for an investigation of a complaint that a member has contravened the Code of Conduct (the “complaint”) shall be sent directly to the Integrity Commissioner by E-mail substantially in the form attached to this Protocol as Schedule “A”.
- 1.2. All complaints shall be submitted by an identifiable individual (which includes the authorized signing officer of an organization).
- 1.3. A complaint shall set out reasonable and probable grounds for the allegation that the member has contravened the Code. The complaint should include the name of the member, the provision of the Code allegedly contravened, facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during normal business hours.

#### 1.4. Election Blackout Period:

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

#### 1.5. Transitional Provision:

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

### **Classification by Integrity Commissioner**

- 2.1. Upon receipt of the request, the Integrity Commissioner shall make an initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code and not covered by other legislation, a complaint with respect to the *Municipal Conflict of Interest Act* or other relevant Council policies.
- 2.2. If the complaint, on its face, is not a complaint with respect to non-compliance with the Code or another Council policy governing ethical behaviour or the *Municipal Conflict of Interest Act*, or if the complaint is covered by other legislation, the Integrity Commissioner shall advise the complainant in writing as follows:
  - a) if the complaint on its face is an allegation of a criminal nature consistent



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with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;

- b) if the complaint on its face is with respect to non-compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter will be referred for review to the Town Clerk; and
  - c) the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, with any additional reasons and referrals as the Integrity Commissioner considers appropriate. The Integrity Commissioner may proceed with that part of the complaint that is within jurisdiction.
- 2.3. The Integrity Commissioner may assist the complainant in restating, narrowing or clarifying the complaint so that the public interest will be best served were the complaint to be pursued.
- 2.4. The Integrity Commissioner may report to Council that a specific complaint is not within the jurisdiction of the Integrity Commissioner.
- 2.5. The Integrity Commissioner shall report annually to Council on complaints not within the jurisdiction of the Integrity Commissioner, but, where possible, shall not disclose information that could identify a person concerned.

**Investigation**

- 3.1. The Integrity Commissioner is responsible for performing the duties set out in this Protocol independently and shall report directly to Council in respect of all such matters. In applying this Protocol, the Integrity Commissioner shall retain the discretion to conduct investigations applying the principles of procedural fairness, and any deviation from the provisions of this Protocol for that purpose shall not invalidate the investigation or result in the Integrity Commissioner losing jurisdiction.
- 3.2. If the Integrity Commissioner is of the opinion that a complaint is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, or that the pursuit of the investigation would not, in the opinion of the Integrity Commissioner be in the public interest, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.
- 3.3. The Integrity Commissioner shall file an annual report to Town Council respecting the advice, education and investigations carried out in the previous year, and developments or recommendations of significance related to the role of the Integrity Commissioner. Other than in exceptional circumstances, the Integrity Commissioner will not report to Council on any complaint described in subsection (2) except as part of an annual or other periodic report.

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- 3.4. Where the Integrity Commissioner rejects or terminates an investigation pursuant to this section, reasons shall be provided.
- 4.1. If a complaint has been classified as being within the Integrity Commissioner's jurisdiction and not rejected under section 3, the Commissioner shall investigate and may attempt to settle the complaint.
- 4.2. The Integrity Commissioner may in exceptional circumstances elect to exercise the powers of a Commission under Parts I and II of the *Public Inquiries Act*, as contemplated by Subsection 223.4(2) of the Act.
- 4.3. If the Integrity Commissioner elects to conduct an inquiry under the Public Inquiries Act, he/she shall report to Council before proceeding, setting out the reasons for the investigation, and providing an estimate of the expected cost and time that the investigation will require, and providing an opportunity for Council to respond to the reasonableness of the expenditure of public funds for the purpose of such Commission.
- 4.4. When the Public Inquiries Act applies to an investigation of a complaint, the Integrity Commissioner shall comply with the procedures specified in that Act and this Complaint Protocol, but, if there is a conflict between a provision of the Complaint Protocol and a provision of the Public Inquiries Act, the provision of the Public Inquiries Act prevails.
- 5.1. The Integrity Commissioner will proceed as follows, except where otherwise required by the Public Inquiries Act and/or in the context of a particular situation, the principles of procedural fairness:
  - a. provide the complaint and supporting material to the member whose conduct is in question and provide the member with a reasonable opportunity to respond.
- 5.2. Except where the Integrity Commissioner determines that it is not in the public interest to do so, the name of the complainant shall be provided as part of the complaint documents.
- 5.3. If necessary, after reviewing the written materials, the Integrity Commissioner may speak to anyone relevant to the complaint, access and examine any of the information described in subsections 223.4(3) and (4) of the *Municipal Act*, and may enter any Town work location relevant to the complaint for the purposes of investigation and settlement.
- 5.4. The Integrity Commissioner shall not issue a report finding a violation of the Code of Conduct on the part of any member unless the member has had reasonable notice of the basis for and an opportunity to comment on the proposed findings.
- 5.5. The Integrity Commissioner may make interim reports to Council where

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necessary and as required to address any instances of interference, obstruction or retaliation encountered during the investigation.

- 6.1. The Integrity Commissioner shall report to the complainant and the member generally no later than 90 days after the making of the complaint.
- 6.2. Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also report to Council outlining the findings, the terms of any settlement, or recommended corrective action.
- 6.3. Where the complaint is dismissed, other than in exceptional circumstances, the Integrity Commissioner shall not report to Council except as part of an annual or other periodic report.
- 6.4. Any recommended corrective action must be permitted in law and shall be designed to ensure that the inappropriate behaviour or activity does not continue.
7. If the Integrity Commissioner determines that there has been no contravention of the Code of Conduct or that a contravention occurred although the member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgement made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.
8. The Town Clerk shall process the report for the next meeting of Council.

**Council Review**

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

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- (d) removal as chair of a committee;
- (e) repayment or reimbursement of monies received;
- (f) return of property or reimbursement of its value;

**Confidentiality**

- 10.1. A complaint will be processed in compliance with the confidentiality requirements in sections 223.5 and 223.6 of the *Municipal Act*, which are summarized in the following subsections.
- 10.2. The Integrity Commissioner and every person acting under her or his instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law in a criminal proceeding.
- 10.3. All reports from the Integrity Commissioner to Council will be made available to the public.
- 10.4. Any references by the Integrity Commissioner in an annual or other periodic report to a complaint or an investigation shall not disclose confidential information that could identify a person concerned.
- 10.5. The Integrity Commissioner in a report to Council on whether a member has violated the Code of Conduct shall only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.

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**Attachment "A"**

**Complaint Form**

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

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

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

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

Name:  
Address:

Email:  
Phone:

Email completed Complaint to Principles *Integrity* at:  
[postoffice@principlesintegrity.org](mailto:postoffice@principlesintegrity.org)

**Schedule “B” to By-law Number XXXX-19**

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

January 2019

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

## **Part 1**

### **General Introduction, Framework and Interpretation**

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

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

### **Guiding Principles**

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

#### **Rule 1: Avoidance of Conflicts of Interest**

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

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

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

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

#### **Rule 2: Gifts, Benefits and Hospitality**

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

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

**Rule 3: [Intentionally left blank]**

**Rule 4: Confidential information**

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

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

**Rule 5: Use of Town Resources, Election Campaigns**

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

**Rule 6: Election Campaigns**

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

**Rule 7: Improper Use of Influence, Business Prospects**

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

**Rule 8: Business Relations**

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

**Rule 9: Member Conduct**

Members shall conduct themselves with decorum at all times.

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

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



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**Rule 10: Media Communications**

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

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

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

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

**Rule 12: Respectful Workplace**

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

**Rule 13: Conduct Respecting Staff**

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

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

**Rule 14: [Intentionally left blank]**

**Rule 15: Reprisals and Obstructing**

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

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

**Rule 16: Acting on Advice of Integrity Commissioner**

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

**Part 2: Adjudicative Boards Only**

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

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

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

Rule 2: Gifts, Benefits and Hospitality

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

Rule 6: Election Campaigns

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

Rule 10: Media Communications

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

**Rule 18: Communications with Parties**

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

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

**Rule 19: Independent Nature of Adjudicative Boards**

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

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

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

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

### **Part 3**

#### **Complaint Protocol**

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

#### **Consequences of Failure to Adhere to Code of Conduct**

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

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

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

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

**The Corporation of The Town of Aurora**

**By-law Number XXXX-19**

**Being a By-law to Confirm Actions by Council  
Resulting from a Council Meeting  
on February 26, 2019.**

**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 February 26, 2019, in respect of each motion, resolution and other action passed and taken by the Council at the said meeting is hereby adopted, ratified and confirmed.
2. That the Mayor and the proper officers of the Town are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the corporate seal to all such documents.

**Enacted by Town of Aurora Council this 26<sup>th</sup> day of February, 2019.**

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**Tom Mrakas, Mayor**

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**Michael de Rond, Town Clerk**