



Council Meeting Agenda

**Tuesday, December 10, 2019
7 p.m.**

**Council Chambers
Aurora Town Hall**



Town of Aurora Council Meeting Agenda

Tuesday, December 10, 2019
7 p.m., Council Chambers

- 1. Approval of the Agenda**
- 2. Declarations of Pecuniary Interest and General Nature Thereof**
- 3. Community Presentations**
- 4. Delegations**
- 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 that one or more items be pulled for discussion and voted on separately.

Recommended:

That the following Consent Agenda items, C1 to C3 inclusive, be approved:

C1. Council Meeting Minutes of November 26, 2019

Recommended:

1. That the Council meeting minutes of November 26, 2019, be adopted as printed and circulated.

C2. Council Closed Session Minutes of November 19, 2019

(confidential attachment)

Recommended:

1. That the Council Closed Session minutes of November 19, 2019, be adopted as printed and circulated.

C3. Council Closed Session Public Minutes of November 19, 2019

Recommended:

1. That the Council Closed Session Public minutes of November 19, 2019, be adopted as printed and circulated.

6. Standing Committee Reports

S1. General Committee Meeting Report of December 3, 2019

Recommended:

1. That the General Committee Meeting Report of December 3, 2019, be received and the recommendations carried by the Committee approved.

S2. Budget Committee Meeting Report – 2020-22 Operating Budget Review of November 18, 2019

Recommended:

1. That the Budget Committee Meeting Report – 2020-22 Operating Budget Review of November 18, 2019, be received for information.

S3. Budget Committee Meeting Report – 2020-22 Operating Budget Review of November 25, 2019

Recommended:

1. That the Budget Committee Meeting Report – 2020-22 Operating Budget Review of November 25, 2019, be received for information.

7. Consideration of Items Requiring Discussion (Regular Agenda)

R1. OPS19-026 – Fire Services Headquarters Station 4-5

Recommended:

1. That Report No. OPS19-026 be received; and
2. That the revised design of Station 4-5 be approved; and
3. That the revised budget of \$13,567,727 be approved with funding as follows:
 - \$11,000,000 from original funding sources; and
 - \$1,650,000 from reserves, as a 15% variance for a Class "C" estimate; and
 - \$917,727 from operational savings including but not limited to delayed hirings through 2020 and 2021; and
4. That the Joint Council Committee (JCC) recommend to Council that the tender be awarded to REMO General Contracting Ltd. in the amount of \$10,836,817.

R2. FS19-041 – Final 2020-2022 Operating Budget Approval

Recommended:

1. That Report No. FS19-041 be received; and
2. That the 2020, 2021 and 2022 operating budgets as presented in Attachment 1, representing an estimated tax increase of 3.4, 3.4 and 2.9 percent, respectively be approved; and
3. That a total budget of \$11,755,300, \$12,200,100 and \$12,613,600 be approved for 2020, 2021 and 2022, respectively relating to the Town's share for Fire Services; and
4. That the Town's full-time staff complement be increased by a net of nine (9) to 240, net of eight(8) to 248 and a net of five(5) to 253 staff (excluding Library Board and Central York Fire Services) for 2020, 2021

and 2022, respectively as presented in Attachment #2 and funded in the appropriate year's operating budget; and

5. That the reconciliation of the 2020 to 2022 operating budgets to the full accrual basis of accounting, as required under Ontario Regulation 284/09, as summarized in Attachment 4 be endorsed; and
6. That the necessary by-law be enacted at a future Council Meeting to set the final billing 2020 tax rates and payment dates.

R3. FS19-032 – 2020 to 2022 Water, Wastewater, Stormwater Budgets and Rates

Recommended:

1. That Report No. FS19-032 be received; and
2. That the 2020, 2021 and 2022 combined Water, Wastewater and Stormwater budgets of \$28,805,381, \$30,474,578 and \$31,504,392 respectively be approved; and
3. That the 2020, 2021 and 2022 retail water rate of \$2.41, \$2.45 and \$2.48 per cubic metre and the retail wastewater rate of \$3.11, \$3.11 and \$3.15 per cubic metre respectively be approved; and
4. That the 2020, 2021 and 2022 flat stormwater charges of \$7.09, \$8.01 and \$9.32 per unit per month for residential and condominium properties and \$90.07, \$101.73 and \$118.31 per unit per month for metered non-residential commercial/industrial and multi residential properties respectively be approved; and
5. That the new approved retail water, retail wastewater and stormwater charge rate become effective for all billings issued by the Town on or after May 1 of the effective year, and be retroactive for all consumption newly billed on such billings; and
6. That the 2020, 2021 and 2022 bulk water rates of \$5.52, \$5.56 and \$5.63 per cubic metre, respectively, dispensed effective May 1 of the effective year be approved; and

7. That the necessary by-law be enacted to implement the 2020, 2021 and 2022 retail water rates, retail wastewater rates, stormwater charges and bulk water purchase rates.

R4. FS19-044 – Interim Forecast Update – as at October 31, 2019

Recommended:

1. That Report No. FS19-044 be received for information.

8. Motions

(a) Mayor Mrakas

Re: Street Name Addition – Kimberley Kerr

9. Regional Report

York Regional Council Highlights – November 21, 2019

Recommended:

That the Regional Report of November 21, 2019, be received for information.

10. New Business

11. Public Service Announcements

12. By-laws

Recommended:

That the following by-laws be enacted:

- (a) By-law Number XXXX-19** Being a By-law to regulate the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land in the Town of Aurora.

(General Committee Report No. PDS19-026, Nov. 19, 2019)

(b) By-law Number XXXX-19 Being a By-law to levy Interim Property Taxes for the 2020 Taxation year.

(c) By-law Number XXXX-19 Being a By-law to govern the proceedings of Council and Committee meetings of the Town of Aurora.
(General Committee Report No. CS19-037, Nov. 19, 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 December 10, 2019.

15. Adjournment



Town of Aurora Council Meeting Minutes

Council Chambers, Aurora Town Hall
Tuesday, November 26, 2019

Attendance

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

Members Absent Councillor Gaertner

Other Attendees Doug Nadorozny, Chief Administrative Officer, Robin McDougall, Director of Community Services, Techa van Leeuwen, Director of Corporate Services, Rachel Wainwright-van Kessel, Director of Finance, Allan Downey, Director of Operations, David Waters, Director of Planning and Development Services, Stephanie Mackenzie-Smith, Manager of Corporate Communications, Michael de Rond, Town Clerk, Linda Bottos, Council/Committee Coordinator

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

1. Approval of the Agenda

Moved by Councillor Thompson

Seconded by Councillor Gallo

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

- Delegation (a) Suzanne Lytle, Resident; Re: Motion (a) Councillor Kim; Re: Capital Project – Sidewalk Construction on Kitimat Crescent

Carried

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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

(a) Roy Cohen, representing Aurora FC Re: Presentation of Community Partner Award

Mr. Cohen, President of Aurora Youth Soccer Club and Aurora Football Club, recognized the Town's assistance in rebuilding the financial stability of the Clubs, and expressed gratitude to Council and Town staff, especially John Firman, Manager of Business Support. He presented the Town with an Award of Merit and Community Partner, which was accepted by the Mayor and Mr. Firman.

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

That the presentation be received for information.

Carried

4. Delegations

(a) Suzanne Lytle, Resident Re: Motion (a) Councillor Kim; Re: Capital Project – Sidewalk Construction on Kitimat Crescent

Ms. Lytle, resident and crossing guard positioned at Kitimat Crescent and Tecumseh Drive, expressed support for Councillor Kim's motion and emphasized the safety concerns in the area.

**Moved by Councillor Thompson
Seconded by Councillor Kim**

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

Carried

5. Consent Agenda

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

That the following Consent Agenda items, C1 to C5 inclusive, be approved:

C1. Council Meeting Minutes of November 12, 2019

1. That the Council meeting minutes of November 12, 2019, be adopted as printed and circulated.

C2. Council Closed Session Minutes of November 5, 2019

1. That the Council Closed Session minutes of November 5, 2019, be adopted as printed and circulated.

C3. Council Closed Session Public Minutes of November 5, 2019

1. That the Council Closed Session Public minutes of November 5, 2019, be adopted as printed and circulated.

C4. Council Closed Session Minutes of November 12, 2019

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

C5. Council Closed Session Public Minutes of November 12, 2019

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

Carried

6. Standing Committee Reports

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

S1. General Committee Meeting Report of November 19, 2019

1. That the General Committee meeting report of November 19, 2019, be received and the recommendations carried by the Committee approved,

with the exception of sub-item R2, which was discussed and voted on separately as recorded below:

(C1) FS19-034 – Q3 2019 Sole/Single Source Report

1. That Report No. FS19-034 be received for information.

Carried

(A1) Community Advisory Committee Meeting Minutes of October 10, 2019

1. That the Community Advisory Committee meeting minutes of October 10, 2019, be received for information.

Carried

(A2) Community Recognition Review Advisory Committee Meeting Minutes of November 4, 2019

1. That the Community Recognition Review Advisory Committee meeting minutes of November 4, 2019, be received for information.

Carried

(A3) Heritage Advisory Committee Meeting Minutes of November 4, 2019

1. That the Heritage Advisory Committee meeting minutes of November 4, 2019, be received for information.

Carried

(R1) CS19-035 – Technology Strategic Plan

1. That Report No. CS19-035 be received; and
2. That the Technology Strategic Plan be endorsed and included in the 2020 to 2022 three-year Operating Budget for final approval of funding; and
3. That this report satisfies Council's conditional budget approval for the following Capital Projects related to the Technology Strategic Plan:

- (a) Capital Project No. 14075 – Business Process Automation and Data Integration; and
- (b) Capital Project No. 13023 – Access Aurora Telephony Project; and
- (c) Capital Project No. 14076 – Digital Education Program; and
- (d) Capital Project No. 14073 – Information Technology Strategic Plan Implementation.

Carried

(R2) CS19-037 – Procedure By-law Review

Main motion

Moved by Councillor Kim

Seconded by Councillor Thompson

1. That Report No. CS19-037 be received; and
2. That the proposed addition of New Business section 36. a) iv) regarding a three-minute speaking restriction for Council members, unless the consent of Council is granted, be removed; and
3. That the proposed addition of Delegations at Public Planning Meetings sections 32. d) ii) regarding a maximum of two rounds of speaking per item, and iii) regarding staff's response to queries, be removed; and
4. That the proposed Procedure By-law (Attachment No. 1), as amended, be presented at the December 10, 2019 Council meeting for enactment effective as of January 1, 2020; and
5. That the 2020 Meeting Schedule (Attachment No. 2) be approved.

Amendment No. 1

Moved by Councillor Thompson

Seconded by Councillor Humfryes

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

That section 29 regarding Open Forum be removed.

Carried

Amendment No. 2

Moved by Councillor Gilliland

Seconded by Councillor Humfryes

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

That the Delegations at Meetings of Council and General Committee section 32. a) ii) be revised to reflect that the deadline for submitting a delegation request form to appear before General Committee shall be no later than 9 a.m. on the day of the scheduled meeting.

Carried

Main motion as amended

Moved by Councillor Kim

Seconded by Councillor Thompson

1. That Report No. CS19-037 be received; and
2. That the proposed addition of New Business section 36. a) iv) regarding a three-minute speaking restriction for Council members, unless the consent of Council is granted, be removed; and
3. That the proposed addition of Delegations at Public Planning Meetings sections 32. d) ii) regarding a maximum of two rounds of speaking per item, and iii) regarding staff's response to queries, be removed; and
4. **That section 29 regarding Open Forum be removed; and**
5. **That the Delegations at Meetings of Council and General Committee section 32. a) ii) be revised to indicate that the deadline for submitting a delegation request form to appear before General Committee shall be no later than 9 a.m. on the day of the scheduled meeting; and**
6. That the proposed Procedure By-law (Attachment No. 1), as amended, be presented at the December 10, 2019 Council meeting for enactment effective as of January 1, 2020; and
7. That the 2020 Meeting Schedule (Attachment No. 2) be approved.

Carried as amended

(R3) FS19-033 – Prudent Investor Option Analysis

1. That Report No. FS19-033 be received; and
2. That staff be directed to work with ONE Investment to bring information to the Financial Advisory Committee relating to the implementation of a Prudent Investor regime, including any Investment Policy Statement and agreement requirements associated with the establishment of a Joint Investment Board for its review and comment; and
3. That staff be directed to bring any resultant recommendations to Council for consideration.

Carried

(R4) CMS19-027 – Aurora Museum & Archives Museum Plan Status Report

1. That Report No. CMS19-027 be received for information.

Carried

(R5) FS19-038 – 2019 Year-End Surplus/Deficit Financial Control By-law

1. That Report No. FS19-038 be received; and
2. That a by-law be enacted to authorize the Treasurer and the Chief Administrative Officer to make the following year-end financial adjustments:
 - (a) To allocate any 2019 Operating Fund surplus or deficit as set out in Report No. FS19-038; and
 - (b) To allocate any 2019 surplus or alternatively fund any deficit in the Water, Wastewater, or Stormwater budgets to or from the appropriate related reserve accounts; and
3. That the Treasurer and Chief Administrative Officer report to Council after the year-end surplus/deficit control adjustments and allocations have been completed.

Carried

(R6) PDS19-026 – Proposed Site Alteration By-law

1. That Report No. PDS19-026 be received; and
2. That the Site Alteration By-law be enacted at a future Council meeting; and
3. That Schedule 'B' of the 2020 Fees and Charges By-law be amended to replace the Topsoil Preservation Permit fee with a Site Alteration Permit fee and a Site Alteration Permit Renewal fee at the first opportunity to do so upon approval of the Site Alteration By-law.

Carried

(R7) PDS19-099 – Mitigation Tactics to Prevent Illegal Demolition of Listed Heritage Buildings

1. That Report No. PDS19-099 be received; and
2. That an amendment to Fee By-law Number 6147-19 be presented to Council to allow the Building Division to collect a deposit in the amount of \$10,000 when an owner applies for a demolition permit for a listed heritage property; and
3. That the deposit only be returned to the owner after the requirements of the *Ontario Heritage Act* have been completed in respect of the proposed demolition.

Carried

(R8) CMS19-029 – Aurora's Community Recognition Awards

1. That Report No. CMS19-029 be received; and
2. That the addition of a Senior Volunteer Award be approved as part of Aurora's Community Recognition Awards program.

Carried

7. Consideration of Items Requiring Discussion (Regular Agenda)

None

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Tuesday, November 26, 2019

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8. Motions

(a) Councillor Kim

Re: Capital Project – Sidewalk Construction on Kitimat Crescent

Council consented to consider Motion (a) prior to consideration of Item S1(R2).

Moved by Councillor Kim

Seconded by Councillor Gilliland

Whereas the Town of Aurora's Policy supports sidewalk construction where gaps exist and Ontario Legislation requires municipalities to remove barriers to accessibility; and

Whereas sidewalks are essential infrastructure that offer a protected, dedicated space for all pedestrians, especially the most vulnerable, and when visibility is poor (e.g., weather-related events, darkness); and

Whereas the Town has implemented the "Active and Safe Routes to School Program" in 2013;

1. Now Therefore Be It Hereby Resolved That Capital Project No. XXXXX – Sidewalk Construction on Kitimat Crescent be approved; and
2. Be It Further Resolved That a total budget of \$100,000 from the 2020 Capital Budget be approved for Capital Project No. XXXXX to be funded from the Roads Repair and Replacement reserve; and
3. Be It Further Resolved That the sidewalk be completed in time for the 2020/2021 school year.

Carried

9. Regional Report

None

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10. New Business

Councillor Gallo referred to section 32. a) iv) of the Procedure By-law and inquired about the process related to delegates requesting specific financial assistance, and the Mayor and staff provided clarification.

11. Public Service Announcements

Councillor Gallo extended well-wishes to Councillor Gaertner and her family.

Councillor Gallo announced that Aurora's Menorah Lighting Ceremony, in partnership with Chabad Aurora, will be held at Town Hall on Sunday, December 22, 2019, from 4 p.m. to 6 p.m., and more information can be found at aurora.ca/menorahlighting.

Councillor Thompson extended a reminder that Aurora's Christmas Market will be held at Town Hall from Friday, November 29 to Sunday, December 1, 2019, along with the Christmas Tree Lighting on Friday evening at 6:30 p.m., and more details can be found at aurora.ca/christmasmarket.

Councillor Kim extended a reminder that registration is open for the Town's winter recreation programs and registration for the winter aquatics programs is open on December 2, 2019, noting that the program guide can be picked up at Town recreation facilities or viewed online at aurora.ca/recguide.

Councillor Kim announced that registration is open for Winterfest Camp on December 23, 27, and 30, 2019, and January 2-3, 2020, and more information is available at aurora.ca/campprograms.

Councillor Humfries announced that the Town's winter parking restrictions are now in effect with street parking prohibited between the hours of 2 a.m. and 6 a.m., and details on winter overnight parking, including real-time information on street snow plowing, is available at aurora.ca/snow.

Councillor Gilliland announced that Aurora's By-law Services has partnered with York Regional Police for Aurora's annual Toys for Tickets campaign, noting that anyone who has received a parking ticket in Aurora between November 12 and December 13, 2019, can pay their fine by donating a comparably-valued new, unwrapped child's toy and/or non-perishable food items, and more information is available at aurora.ca/toysfortickets.

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Mayor Mrakas announced that, at the Council Closed Session of November 12, 2019, Council appointed seven members to the newly established Mayor's Golf Classic Funds Committee to oversee distribution of a community initiatives fund generated from the annual Aurora Mayor's Charity Golf Classic. He noted that the Committee includes representatives from service clubs and community organizations who provide a variety of services to those in need within the Town, and congratulated the following Committee members: Barb Allan, Wendy Browne, Rosalyn Gonsalves, Nancy Harrison, Koula Koliviras, Heidi Schellhorn, and Beverley Wood.

Mayor Mrakas advised of his meeting and discussions with Premier Doug Ford in Toronto on November 21, 2019, and noted that the Premier and Deputy Premier Christine Elliott plan to visit Aurora in future and look forward to having a tour of Library Square and the Armoury.

12. By-laws

None

13. Closed Session

None

14. Confirming By-law

Moved by Councillor Kim

Seconded by Councillor Humfryes

That the following confirming by-law be enacted:

By-law Number 6223-19 Being a By-law to Confirm Actions by Council
Resulting from a Council Meeting on November 26, 2019.

Carried

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15. Adjournment

**Moved by Councillor Gallo
Seconded by Councillor Kim**

That the meeting be adjourned at 8:40 p.m.

Carried

Tom Mrakas, Mayor

Michael de Rond, Town Clerk



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

Leksand Room, Aurora Town Hall
Tuesday, November 19, 2019

Attendance

Council Members	Mayor Mrakas in the Chair; Councillors Gaertner, Gallo, Gilliland, Humfryes and Thompson
Members Absent	Councillor Kim
Other Attendees	Doug Nadorozny, Chief Administrative Officer, David Waters, Director of Planning and Development Services, Anthony Ierullo, Manager of Long Range and Strategic Planning and Michael de Rond, Town Clerk

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

Council consented to resolve into a Closed Session at 5:48 p.m.

Council reconvened into open session at 6:22 p.m.

1. Approval of the Agenda

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

That the confidential Council Closed Session meeting agenda 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.*

Council Closed Session Public Minutes
Tuesday, November 19, 2019

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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. 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. PDS19-105 - 22 – 26 Centre Street

Carried

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

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. PDS19-105 - 22 – 26 Centre Street**

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

1. That Closed Session Report No. PDS19-105 be received;

**On a recorded vote the motion
Carried**

Yeas: 5	Nays: 1
Voting Yeas:	Councillors Gaertner, Gallo, Gilliland, Humfryes, and Thompson
Voting Nays:	Mayor Mrakas
Absent:	Councillor Kim

Council Closed Session Public Minutes
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4. By-laws

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

That the following confirming by-law be enacted:

6222-19 Being a By-law to confirm actions by Council resulting from a Council Closed Session on November 19, 2019.

Carried

5. Adjournment

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

That the meeting be adjourned at 6:30 p.m.

Carried

Tom Mrakas, Mayor

Michael de Rond, Town Clerk



**Town of Aurora
General Committee Meeting Report**

Council Chambers, Aurora Town Hall
Tuesday, December 3, 2019

Attendance

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

Members Absent Councillor Gaertner

Other Attendees Doug Nadorozny, Chief Administrative Officer, Robin McDougall, Director of Community Services, Techa van Leeuwen, Director of Corporate Services, Rachel Wainwright-van Kessel, Director of Finance, Allan Downey, Director of Operations, David Waters, Director of Planning and Development Services, Stephanie Mackenzie-Smith, Manager of Corporate Communications, Patricia De Sario, Town Solicitor, Michael de Rond, Town Clerk, Ishita Soneji, Council/Committee Coordinator

The Chair called the meeting to order at 7.06 p.m.

General Committee consented to recess the meeting at 8:53 p.m. and reconvened the meeting at 9:03 p.m.

1. Approval of the Agenda

General Committee approved the agenda as circulated by Legislative Services including the following additional items:

- Delegation (a) Juliana Ciulla and Trina Willert, Residents, Re: Sidewalk on Kitimat Crescent
- Delegation (b) Aaron Gillard, MCIP, RPP, LarkinPlus Land Use Planners, representing owners of 180-182 Centre Street, Re: Item R4 – PDS19-069 –

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Regional Municipal Comprehensive Review (MCR) Update: Aurora
Employment Land Conversion Requests

- Item A2 – Governance Review Ad Hoc Committee Meeting Minutes of November 27, 2019
- Item R10 – CS19-042 – Governance Review Ad Hoc Committee Supplemental ESR Report

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) Juliana Ciulla, Resident

Re: Sidewalk on Kitimat Crescent

Ms. Ciulla, representing residents on Kitimat Crescent, expressed concerns regarding the installation of sidewalk on Kitimat Crescent noting that the sidewalk would not alleviate ongoing parking concerns surrounding Aurora Heights Public School, would not meet accessibility requirements of various residents, and requested that alternate solutions be explored.

General Committee received the comments of the delegation.

(b) Aaron Gillard, MCIP, RPP, LarkinPlus Land Use Planners, representing Owners of 180-182 Centre Street

Re: Item R4 – PDS19-069 – Regional Municipal Comprehensive Review (MCR) Update: Aurora Employment Land Conversion Requests

Mr. Gillard presented an overview of the land conversion request for 180-182 Centre Street noting that the designation conversion would permit the

General Committee Meeting Report
Tuesday, December 3, 2019

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possibility of greater variety of uses and development on the subject lands. He spoke in support of the staff recommendation and requested Members of Council to support the reconsideration of the land conversion request.

General Committee received and referred the comments of the delegation to Item R4.

5. Consent Agenda

C1. FS19-039 – Annual Cancellation, Reduction or Refund of Property Taxes under Sections 357 and 358 of the *Municipal Act*

General Committee recommends:

1. That Report No. FS19-039 be received; and
2. That total property taxes in the amount of \$ 11,478.77 due from the property owners be adjusted pursuant to Section 357 of the Act; and
3. That total property taxes in the amount of \$ 4,442.08 due to the property owners be adjusted pursuant to Section 358 of the Act; and
4. That any associated interest charged applicable to these adjustments be cancelled in proportion to the total property taxes adjusted; and
5. That the Director of Finance/Treasurer be directed to remove said property taxes from the collector's roll reflecting these property tax adjustments.

Carried

6. Advisory Committee Meeting Minutes

Recommended:

That the following Advisory Committee Meeting Minutes items, A1 and A2, be received:

A1. Accessibility Advisory Committee Meeting Minutes of November 13, 2019

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1. That the Accessibility Advisory Committee meeting minutes of November 13, 2019, be received for information.

A2. Governance Review Ad Hoc Committee Meeting Minutes of November 27, 2019

1. That the Governance Review Ad Hoc Committee meeting minutes of November 27, 2019, be received for information.

Carried

7. Consideration of Items Requiring Discussion (Regular Agenda)

General Committee consented to consider the items in the following order: R2, R1, R4, R3, R5, R6, R7, R8, R9, and R10.

R1. OPS19-024 – Fleet Management Strategy

General Committee consented to permit additional time as required for the presentation.

Ms. Sara Tienkamp, Manager, Parks and Fleet, introduced Mr. Roger Smith, President, Richmond Sustainability Initiatives (RSI).

Mr. Smith presented an overview of the fleet management study conducted by RSI highlighting the objectives of the study including review of the Town's fleet management practices, long-term capital budget plan, and means of improving fleet accommodation capacity and mechanical labour demand. He further provided details on the recommendations by RSI for the implementation of the strategy.

General Committee received the presentation for information.

General Committee recommends:

1. That Report No. OPS19-024 be received; and
2. That the recommendations from the Richmond Sustainability Initiatives (RSI), Fleet Management Strategy, be endorsed.

Carried

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R2. OPS19-019 – Hallmark Baseball Diamonds – Additional Funding

General Committee recommends:

1. That Report No. OPS19-019 be deferred to the General Committee meeting of January 14, 2020, to be brought forward with the Outdoor Field Strategy report.

**Motion to defer
Carried**

R3. PDS19-098 – Town of Aurora Official Plan Review

Ms. Andria Sallese, Senior Policy Planner, presented an overview of the Town's Official Plan review noting that the review is a legislative requirement of the *Planning Act*. She provided details on the forthcoming process for the review, which includes revisiting the vision and guiding principles of the Official Plan through public consultation, development of a work program, and forming technical and community steering committees as part of the public engagement strategy.

General Committee received the presentation for information.

General Committee recommends:

1. That Report No. PDS19-098 be received; and
2. That staff give public notice for a Special Meeting of Council regarding the initiation of the Official Plan Review in accordance with the requirements of Section 26 of the *Planning Act*; and
3. That staff report back following the Special Meeting of Council with a summary of the feedback received through the public consultation process to inform the development of a work program for Council's consideration; and
4. That the Town Clerk provide a copy of this report to York Region, the Lake Simcoe Conservation Authority, and Toronto Regional Conservation Authority for their information.

Carried

General Committee Meeting Report
Tuesday, December 3, 2019

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**R4. PDS19-069 – Regional Municipal Comprehensive Review (MCR)
Update: Aurora Employment Land Conversion Requests**

General Committee recommends:

1. That Report No. PDS19-069 be received for information.

Carried

R5. FS19-040 – Water Meter Replacement Program Contract

General Committee recommends:

1. That Report No. FS19-040 be received; and
2. That WAMCO be awarded the contract for the replacement of residential meters for five (5) years at a cost of \$502,500 annually excluding taxes under the single source provisions of the Procurement By-law; and
3. That Director of Finance be authorized to execute the agreement, including any and all documents and ancillary agreements required to give effect to the same.

Carried

R6. OPS19-023 – Roads Infrastructure Repairs

General Committee recommends:

1. That Report No. OPS19-023 be received; and
2. That Capital Project No. 34004 – Safety Railing – Yonge Street north of Orchard Heights and Capital Project No. 34005 – Traffic Protection Guide Rail – Kennedy Street West be approved; and
3. That a total budget of \$500,000 be approved for Capital Project No. 34004 – (\$400,000) and Capital Project No. 34005 (\$100,000) to be funded from the Repair and Replacement Reserve; and
4. That approval be given for staff to proceed with the tendering process for Capital Project No. 34004 and Capital Project No. 34005.

Carried

General Committee Meeting Report
Tuesday, December 3, 2019

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R7. PDS19-100 – Proposed Approach to Consider Backyard Swim School as a Permitted Home Occupation Use

General Committee recommends:

1. That Report No. PDS19-100 be received; and
2. That staff initiate an Official Plan Amendment to add backyard swim schools as a Home Occupation use in the Town's Official Plan.

Carried

R8. PDS19-103 – Capital Project No. 81021 – Additional Funding Request for Capital Project No. 81021 Engineering Design Criteria Manual

General Committee recommends:

1. That Report No. PDS19-103 be received; and
2. That the total approved budget for Capital Project No. 81021 be increased from \$50,000 to \$68,600, representing an increase of \$18,600 to be funded from the Studies and Other Reserve Fund.

Carried

R9. PDS19-104 – Draft Plan of Condominium Application, Gottardo 404 (Aurora) Inc., 95 Eric T Smith Way, Part of Lot 3, Plan 65M-4324, File: CDM-2019-03

General Committee recommends:

1. That Report No. PDS19-104 be received; and
2. That the Draft Plan of Condominium, File No. CDM-2019-03, for an office building with ten (10) units and a total gross floor area of 4,723 square meters (50,843 square feet), subject to Schedule "A" to this report, be approved.

Carried

R10. CS19-042 – Governance Review Ad Hoc Committee Supplemental ESR Report

General Committee recommends:

1. That Report No. CS19-042 be received; and
2. That the following motion from the Governance Review Ad Hoc Committee be endorsed:
 - (a) That the Committee research and report to Council on the pros and cons of the Town's potential transition to a ward-based electoral system; and
 - (b) That the research and report to Council be conducted and delivered concurrently with the Electoral System Review final report.

Carried

8. Notices of Motion

(a) Mayor Mrakas

Re: Street Name Addition – Kimberley Kerr

Whereas the Town's Street Naming Policy allows for persons who have made outstanding, significant and/or exemplary contributions to the Town of Aurora, to be added to the Bank of Approved Street Names; and

Whereas Kimberley Kerr was a long-time and well-known Aurora resident who was a dedicated volunteer;

1. Now Therefore Be It Hereby Resolved That staff add the name "Kimberley Kerr" to the Town's Bank of Approved Street Names.

9. New Business

None

General Committee Meeting Report
Tuesday, December 3, 2019

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10. Closed Session

None

11. Adjournment

The meeting was adjourned at 9:53 p.m.



**Town of Aurora
Budget Committee Meeting Report
2020-22 Operating Budget Review**

Council Chambers, Aurora Town Hall
Monday, November 18, 2019

Attendance

Council Members Mayor Mrakas in the Chair; Councillors Gaertner, Gallo, Gilliland, Humfryes (arrived at 7:14 p.m.), 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, Rachel Wainwright-van Kessel, Director of Finance, Allan Downey, Director of Operations, David Waters, Director of Planning and Development Services, Stephanie Mackenzie-Smith, Manager of Corporate Communications, Jason Gaertner, Manager of Financial Management Services, Michael de Rond, Town Clerk, Ishita Soneji, Council/Committee Coordinator

The meeting start time was changed to 6:30 p.m.

The Chair called the meeting to order at 6:33 p.m.

Budget Committee consented to recess the meeting at 8:09 p.m. and reconvened the meeting at 8:20 p.m.

1. Approval of the Agenda

Budget Committee approved the agenda as circulated by Legislative Services, including the following addition:

- Delegation (a) Mark Holmes, Resident; Re: Suggestions for 2020 Budget

Budget Committee Meeting Report – 2020-22 Operating Budget Review
Monday, November 18, 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. Delegations

(a) Mark Holmes, Resident Re: Suggestions for 2020 Budget

Mr. Holmes spoke to the potential installation of a right turn lane from Wellington Street West onto Yonge Street, sought clarification on the timeline of the proposed project, and suggested that the project be expedited.

Budget Committee received the comments of the delegation.

4. Consideration of Items

1. 2020-22 Operating Budget – Business Plans and Presentations

(a) Office of the CAO and Council Administration

Mr. Doug Nadorozny, Chief Administrative Officer, introduced the 2020-22 Operating Budget. He presented an overview of the 2020-22 Council Administration and Office of the CAO business plans, highlighting the departmental functions, 2019 successes and challenges, 2020-22 objectives, key pressures, and details of the departmental budget breakdown.

Budget Committee recommends:

1. That the presentation by Doug Nadorozny, Chief Administrative Officer be received; and
2. That the 2020-22 Operating Budget for the Office of the CAO and Council Administration as presented be tentatively approved.

Carried

(b) Community Services

Ms. Robin McDougall, Director of Community Services, presented an overview of the 2020-22 Community Services business plan, highlighting the departmental functions, 2019 successes, challenges, 2020-22 objectives, key pressures, changes and requests for the 2020-22 departmental budget.

Budget Committee recommends:

1. That the presentation by Robin McDougall, Director of Community Services, be received; and
2. That the 2020-22 Operating Budget for the Community Services department as presented be tentatively approved.

Carried

(c) Aurora Public Library Board 2020-22 Operating Grant

Mr. Adam Mobbs, Vice Chair of the Board of Directors, extended appreciation to Members of Council on behalf of the Aurora Public Library Board of Directors and introduced Mr. Bruce Gorman, Chief Executive Officer, Aurora Public Library.

Mr. Gorman presented an overview of the library's mission, values, key performance indicators including details on increase in library memberships, program participation, streamed and downloaded electronic materials, and circulation logistics. He provided details on the 2019 highlights, 2020-22 objectives, key pressures, and breakdown of the operating grant request.

Budget Committee recommends:

1. That the presentation and business plan from the Aurora Public Library Board be received; and
2. That the request for 2020-22 operating grant to the Aurora Public Library Board in the amounts of \$3,868,100, \$3,896,100 and \$3,934,100 for 2020, 2021 and 2022 respectively be tentatively approved.

Carried

(d) Corporate Services

Ms. Techa van Leeuwen, Director of Corporate Services, presented an overview of the 2020-22 Corporate Services business plan, highlighting the departmental functions, 2019 successes, challenges, 2020-22 objectives, key pressures, upcoming changes within the department, and provided details on the requests for the 2020-22 departmental budget.

Budget Committee recommends:

1. That the presentation by Techa van Leeuwen, Director of Corporate Services, be received; and
2. That the 2020-22 Operating Budget for the Corporate Services department as presented be tentatively approved.

Carried

(e) Finance Department

Ms. Rachel Wainwright-van Kessel, Director of Finance, presented an overview of the 2020-22 Finance Department business plan, highlighting the departmental functions, 2019 successes, challenges, 2020-22 objectives, key pressures, changes and requests for the 2020-22 departmental budget.

Budget Committee recommends:

1. That the presentation by Rachel Wainwright-van Kessel, Director of Finance, be received; and
2. That the 2020-22 Operating Budget for the Finance department as presented be tentatively approved.

Carried

Budget Committee recommends:

That the following 2020-22 Operating Budget business plans and presentations be deferred to the Budget Committee meeting of November 25, 2019:

- (f) Operational Services (Binder Tab 19)
- (g) Water & Sewer Budget (Binder Tab 19)

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Monday, November 18, 2019

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- (h) Planning and Development Services (Binder Tab 20)
- (i) Corporate Revenues and Expenses (Binder Tab 21)

**Motion to defer
Carried**

5. Adjournment

The meeting was adjourned at 9:01 p.m.



**Town of Aurora
Budget Committee Meeting Report
2020-22 Operating Budget Review**

Council Chambers, Aurora Town Hall
Monday, November 25, 2019

Attendance

Council Members Mayor Mrakas in the Chair; Councillors Gallo, Gilliland (departed at 7:44 p.m.), Humfries, Kim, and Thompson

Members Absent Councillor Gaertner

Other Attendees Doug Nadorozny, Chief Administrative Officer, Robin McDougall, Director of Community Services, Techa van Leeuwen, Director of Corporate Services, Rachel Wainwright-van Kessel, Director of Finance, Allan Downey, Director of Operations, David Waters, Director of Planning and Development Services, Stephanie Mackenzie-Smith, Manager of Corporate Communications, Jason Gaertner, Manager of Financial Management Services, Michael de Rond, Town Clerk, Ishita Soneji, Council/Committee Coordinator

The Chair called the meeting to order at 6:00 p.m.

Budget Committee consented to recess the meeting at 8:07 p.m. and reconvened the meeting at 8:18 p.m.

1. Approval of the Agenda

Budget Committee approved the agenda as circulated by Legislative Services, including the following addition:

- Item 3 – FS19-046 – 2020 Budget Committee Additional Information

Budget Committee Meeting Report – 2020-22 Operating Budget Review
Monday, November 25, 2019

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2. Declarations of Pecuniary Interest and General Nature Thereof

Prior to the discussion of Item 1(a) – Central York Fire Services 2020-22 Operating Grant, Councillor Humfryes declared a pecuniary interest under the *Municipal Conflict of Interest Act* as a family member is employed by Central York Fire Services.

3. Delegations

None

4. Consideration of Items

1. 2020-22 Operating Budget – Business Plans and Presentations

(a) Central York Fire Services 2020-22 Operating Grant

Fire Chief Ian Laing presented an overview of the 2020-22 operating grant request for the Central York Fire Services highlighting details of the 2020 wages and benefits, three-year budget forecast, 2020 capital budget breakdown, key pressures, and 2020-22 operating expenses.

Budget Committee recommends:

1. That the presentation by Central York Fire Services be received; and
2. That the request for 2020-22 operating grant to the Central York Fire Services in the amounts of \$11,755,300, \$12,200,100, and \$12,613,600, which includes an annual allocation of \$6,000 for snow clearance for 2020, 2021, and 2022 respectively be tentatively approved.

Carried

(b) Aurora Historical Society Board 2020-22 Operating Grant

Mr. John Green, President, Aurora Historical Society (AHS) introduced Ms. Patricia Wallace, AHS Board Secretary, and former mayor Mr. Geoff Dawe, AHS Board Director and extended appreciation to the Town for its

Budget Committee Meeting Report – 2020-22 Operating Budget Review
Monday, November 25, 2019

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continued support. Mr. Dawe provided a brief overview of the AHS strategic plan noting that the society is working towards redeveloping and improving the plan.

Ms. Wallace presented an overview of the vision, mission, and values of the Aurora Historical Society, including 2019 highlights, program successes, current funding sources, key performance metrics, 2020 partnership goals, and breakdown of the proposed 2020-22 grant request and allocation including projected revenues, expenses, and key pressures.

Budget Committee recommends:

1. That the presentation from the Aurora Historical Society Board be received; and
2. That the request for 2020-22 operating grant to the Aurora Historical Society Board amounts of \$81,300, \$82,800, and \$80,900 for 2020, 2021, and 2022 respectively be tentatively approved.

Carried

(c) Aurora Cultural Centre Board 2020-22 Operating Grant

Budget Committee consented to allow an extension to time for the presentation.

Mr. Eric Acker, President of Board of Directors, introduced Aurora Cultural Centre Board Members present at the meeting, extended appreciation to the Town, and introduced Ms. Suzanne Haines, Executive Director, Aurora Cultural Centre.

Ms. Haines presented an overview of the vision, mission, and values of the Aurora Cultural Centre, 2019 program successes including details on the Kaleidoscope in Schools program, summer outreach and education programs, community events, and the volunteer program. She provided a detailed breakdown of the 2020-22 operating grant request including projected revenues, expenses, grant allocation, and additional 2020-22 operating pressures.

Budget Committee recommends:

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Monday, November 25, 2019

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1. That the presentation and the business plan from the Aurora Cultural Centre Board be received; and
2. That the request for the 2020-22 operating grant to the Aurora Cultural Centre Board in the amounts of \$424,000, \$432,500, and \$441,100 for 2020, 2021, and 2022 respectively be tentatively approved.

Carried

(d) Aurora Sports Hall of Fame 2020-22 Operating Grant

Mr. David Thom, President, Aurora Sports Hall of Fame, presented an overview of the mission, vision, and values of the Aurora Sports Hall of Fame, 2019 Hall of Fame induction celebration, and provided a breakdown of the 2020-22 operating grant request and grant allocation.

Recommended:

1. That the presentation from the Aurora Sports Hall of Fame be received; and
2. That the request for the 2020-22 operating grant to the Aurora Sports Hall of Fame in the amounts of \$28,700, \$29,300, and \$29,900 for 2020, 2021, and 2022 respectively be tentatively approved.

Carried

(e) Operational Services

Mr. Al Downey, Director of Operational Services, presented an overview of the 2020-22 Operational Services business plan, highlighting the department functions, 2019 successes, challenges, 2020-22 objectives, key pressures, and changes and requests for the 2020-22 departmental budget.

Budget Committee recommends:

1. That the presentation by Al Downey, Director of Operational Services, be received; and
2. That the 2020-22 Operating Budget for the Operation Services department as presented be tentatively approved.

Carried

(f) Water and Sewer Budget

Mr. Al Downey, Director of Operational Services, presented an overview of the 2020-22 water, wastewater, and stormwater budget highlighting details on the guiding principles, expenses, regional costs, contributions made to reserves to support asset sustainability, and the proposed water, wastewater, and stormwater rates for 2020, 2021, and 2022.

Budget Committee recommends:

1. That the presentation by Al Downey, Director of Operational Services, be received; and
2. That the 2020-22 Operating Budget for the Water and Sewer as presented be tentatively approved.

Carried

(g) Planning and Development Services

Mr. David Waters, Director of Planning and Development Services, presented an overview of the 2020-22 Planning and Development Services business plan, highlighting the department functions, 2019 successes, challenges, 2020-22 objectives, key pressures, and changes and requests for the 2020-22 departmental budget.

Budget Committee recommends:

1. That the presentation by David Waters, Director of Planning and Development Services, be received; and
2. That the 2020-22 Operating Budget for the Planning and Development Services department as presented be tentatively approved.

Carried

(h) Corporate Revenues and Expenses

Ms. Rachel Wainwright-van Kessel, Director of Finance, presented an overview of the 2020-22 Corporate Revenues and Expenses budget highlighting the key pressures, changes in the budget from 2020 to 2022,

and provided details on the proposed Library Square debt funding strategy and additional operating pressures for the Aurora Cultural Centre.

Budget Committee recommends:

1. That the presentation by Rachel Wainwright-van Kessel, Director of Finance, be received; and
2. That the 2020-22 Operating Budget for the Corporate Revenues and Expenses as presented be tentatively approved.

Carried

2. FS19-045 – 2020-22 Operating Budget Decision Unit Items

Budget Committee recommends:

1. That Report No. FS19-045 be received; and
2. That the remaining incremental Aurora Cultural Centre 2020, 2021, and 2022 budget pressures be funded from existing budgeted Library Square funding; and
3. That a further 0.5 % tax levy increase for 2020 and 2021 in support of the Town's planned Library Square construction debenture, be approved; and
4. That the Library Square debenture annual carrying cost funding be contributed to the Tax Rate Stabilization reserve until such time that it is required for its intended purpose.

Carried

3. FS19-046 – 2020 Budget Committee Additional Information

Budget Committee recommends:

1. That Report No. FS19-046 be received for information.

Carried

5. Adjournment

The meeting was adjourned at 8:42 p.m.



**Town of Aurora
Council Report**

No. OPS19-026

Subject: Fire Services Headquarters Station 4-5
Prepared by: Allan D. Downey, Director of Operations
Department: Operational Services
Date: December 10, 2019

Recommendation

1. That Report No. OPS19-026 be received; and
2. That the revised design of Station 4-5 be approved; and
3. That the revised budget of \$13,567,727 be approved with funding as follows:
 - \$11,000,000 from original funding sources; and
 - \$1,650,000 from reserves, as a 15% variance for a Class "C" estimate; and
 - \$917,727 from operational savings including but not limited to delayed hiring's through 2020 and 2021.
4. That the Joint Council Committee (JCC) recommend to Council that the tender be awarded to REMO General Contracting Ltd. in the amount of \$10,836,817.

Executive Summary

The attached report to Joint Council Committee is intended to provide Aurora Town Council with the adopted recommendations for Fire Services Headquarters Station 4-5.

Background

The attached report was considered at the Joint Council Committee (JCC) meeting on November 26, 2019. The recommendations in the report were revised and subsequently adopted by JCC at that meeting and adopted by Newmarket Council at its December 2, 2019.

Analysis

See attached report.

December 10, 2019

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Report No. OPS19-026

Advisory Committee Review

None.

Legal Considerations

None.

Financial Implications

See attached report.

Communications Considerations

There is no external communication required.

Alternative(s) to the Recommendation

None.

Conclusions

See attached report.

Attachments

Attachment #1 - JCC report - Fire Services Headquarters Station 4-5

Previous Reports

None.

December 10, 2019

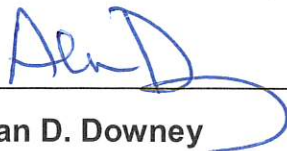
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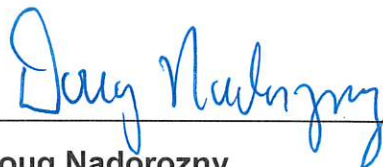
Pre-submission Review

Departmental Approval

Approved for Agenda



Allan D. Downey
Director
Operational Services



Doug Nadorozny
Chief Administrative Officer



Town of Aurora

Joint Council Committee Report No. OPS19-025

Attachment #1

Subject: Fire Services Headquarters Station 4-5
Prepared by: Allan D. Downey, Director of Operations
Department: Operational Services
Date: November 26, 2019

Recommendation

- 1. That Report No. OPS19-025 be received; and**
- 2. That the revised design of Station 4-5 be approved; and**
- 3. That the revised budget of \$13,567,727 be approved from the Asset Replacement Fund (ARF); and**
- 4. That the Joint Council Committee (JCC) recommend that the tender be awarded to REMO General Contracting Ltd. in the amount of \$10,836,817.**

Executive Summary

- The facility was redesigned to provide cost savings that would bring the facility closer to the approved budget
- As a result of the proposed revisions to the facility design, a reduction in the amount of \$1,147,000 has been achieved
- The increase to the budget can be funded through the Asset Replacement Fund (ARF)
- Staff recommend that the tender be awarded to REMO General Contracting Ltd. and the budget be increased to \$13,567,727

Background

The JCC recommended the approval of the design and development of a combined fire hall, training facility headquarters to serve the needs of the residents of Aurora and Newmarket in accordance with the Master Fire Plan.

On November 10, 2015, four (4) acres of land were purchased at the corner of Earl Stewart Drive and Isaacson Crescent in Aurora.

November 26, 2019

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Report No. OPS19-025
Joint Council Committee

On February 14, 2017, JCC approved a budget of \$11,000,000 for the design and construction of the facility.

On March 28, 2017, JCC approved the engagement of Thomas Brown Architects to design the new facility, under the guidance of a Steering Committee comprised of staff from Aurora, Newmarket and CYFS.

Several reports and updates were presented to JCC culminating in the approval of design on June 12, 2018.

Staff received approval to proceed to detailed design, preparation of specifications and tender documents and proceed to public tender based on information provided in staff report OPS18-011.

The project was released for public tender on April 12, 2019 and closed on May 22, 2019. Nine (9) bids were received as follows:

1. REMO General Contracting Ltd.	\$11,983,817
2. Garritano Bros Ltd	\$12,076,783
3. M.J. Dixon Construction Limited	\$12,283,000
4. Century Group Inc.	\$12,582,803
5. JR Certus Construction Co. Ltd.	\$13,307,800
6. Pre-Eng Contracting Ltd.	\$13,512,500
7. Jasper Construction Corp.	\$13,668,900
8. Percon Construction Inc.	\$14,093,475
9. Rea Investments Limited o/q REA Construction	\$15,730,000

Reference checks were performed by the Town of Aurora. Staff recommend that REMO General Contracting Ltd. be considered as the low qualified bidder.

Analysis

The facility was redesigned to provide cost savings that would bring the facility closer to the approved budget

Extensive consultation between the Architect, proposed low bidder and the Fire Chief have been ongoing since the closing of the tender to ensure that all aspects of the design are explored for modification and subsequent cost reduction.

The methodology for modifying the design was based on the following:

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Report No. OPS19-025
Joint Council Committee

1. Look for elements in the design that could be eliminated or changed in order to reduce the building area.
2. Look for elements in the design that could be changed or modified to reduce the building cost.
3. Do not change areas programmed for Suppression.
4. Do not make changes that would severely compromise Training or Administrative operations.

The modifications to the design encompassed the following:

Building Modifications:

- Deletion of one (1) bay in the Apparatus Bay
- Remaining bays shortened by 20' from 90' to 70'
- Reduction of second floor office area by the width of the deleted bay below
- Deletion of one (1) classroom on the second floor
- Adjustment of the northwest entrance and hose tower by moving both elements east to infill area of deleted classroom

The above-noted revisions achieved a reduction in gross floor area of 4,331 square feet from the original tender gross floor area of 28,099 square feet representing a 15.5% reduction.

Further Modifications that did not affect Building Area:

- Change of Apparatus Bay doors from four (4) fold style to standard overhead doors
- Elimination of large trapezoidal overhangs over the Apparatus Bays (east and west elevation)
- Simplification of northwest building entrance
- Reduction of curtain wall systems at northwest building entrance
- Reduction of architectural precast panels at east (front) elevation of building
- Change of specification for aluminum panel cladding systems
- Elimination of vehicle extraction system, trench drain and tube heaters resulting from deletion of one (1) Bay
- Elimination of electrical fixtures and wiring resulting from deletion of one (1) Bay and deletion of one (1) classroom

November 26, 2019

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Report No. OPS19-025
Joint Council Committee

The impact of the above-noted reductions required the following modifications:

- Reconfiguration of second floor administrative area, staff kitchen and classroom areas
- Reconfiguration of ground floor ancillary spaces to the Apparatus Bays, storage areas and SCBA fill and testing areas

Site Modifications:

- Relocation of the north drive aisle, parking and generator site lighting etc. to the south in order to eliminate the retaining wall at the north property line
- Reduction of the amount of asphalt paving along the north and west property lines resulting from the above-noted adjustment of the drive aisle
- Elimination of imported granular fill within the building area

Operational Impact resulting from Modifications

The above-noted modifications have changed the capacity of the facility. While the operations associated with fire suppression have been maintained, other aspects of the facility have been changed. A summary of these impacts is provided as follows:

- Reduction of Apparatus Bay number and depth has reduced future housing opportunities for apparatus
- Deletion of one (1) classroom has reduced the capacity of training operations by eliminating the possibility of having concurrent training sessions but training requirements will not be comprised and will continue to be fulfilled. The reduced second floor area and resulting reconfiguration of second floor administration area reduces the possibility of future expansion.

Determination of cost impact resulting from modifications

After undertaking a preliminary review of the design to determine a strategy for cost reduction, the Steering Committee attended a meeting with the lowest compliant bidder at the end of August 2019.

The work involved in modifying the tender design was significantly more complex than originally anticipated by the Architect as the impact of the reductions required significant reconfiguration to the remaining spaces to ensure that the facility would be operationally effective. To try to mitigate the issue, the Architect was granted permission to establish contact with the bidder and work with them to develop the scope of the revisions. This

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Report No. OPS19-025
Joint Council Committee

has proved to be beneficial as the bidder drew attention to items that were not originally under consideration.

Working with the bidder, the Architect and CYFS are confident that the modifications to the tender scope is fully explored and that further modifications are not advisable. From a cost perspective, the order of magnitude value of changes based on discipline is as follows (organized from greatest to least):

1. Architectural Changes
2. Civil Changes
3. Structural Changes
4. Mechanical and Electrical Changes

The cost impact of the changes places primary importance on Items 1 to 3. The cost impact under Item 4 will be minimal.

The scope of the modifications realized cost reduction in the following categories:

- Bonding
- Retaining walls
- Concrete forming
- Cast in place concrete
- Concrete finishing
- Concrete reinforcing
- Architectural precast
- Masonry
- Vehicle Exhaust Extraction Systems
- Excavation
- Structural Steel
- Steel Deck
- Waterproofing – Below Grade
- Aluminum Cladding Systems
- Roofing
- Apparatus Bay Doors
- Gypsum Board Systems
- Acoustical Partitions (folding)
- Flooring
- Mechanical Systems
- Electrical Systems

As a result of the proposed revisions to the facility design, a reduction in the amount of \$1,147,000

Cost savings in the amount of \$1,147,000 have been realized, culminating in an adjusted tender bid of \$10,836,817.

The Architect, proposed contractor and Fire Chief have modified the design to a point that continues to maintain the original intent and scope of this facility without jeopardizing the overall operation.

November 26, 2019

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Report No. OPS19-025
Joint Council Committee

The increase to the budget can be funded through the Asset Replacement Fund

The original budget for Fire Hall 4-5 was funded through a combination of the Development Charge reserve and the Asset Replacement Fund (ARF).

Since the original budget was approved JCC recommended the budget include an additional 15 percent, \$1,650,000, and it be funded from the ARF. To build the Fire Hall under its current design an additional \$2,567,727 is requested to be funded from the ARF.

At JCC's meeting on October 22, it was agreed that any year-end surplus experienced in excess of the budgeted reserve fund requirement (currently \$700,000 based upon the 2020 draft budget) will be transferred to the asset replacement funds.

It is projected that there will be sufficient funds in the ARF to cover the additional \$2,567,727 required without impacting the rest of the capital program. These funds are the result of realized and anticipated operational savings.

Staff recommend that the tender be awarded to REMO General Contracting Ltd. and the budget be increased to \$13,567,727

REMO General Contracting Ltd. has worked with both Towns to reduce the overall cost of Fire hall 4-5. To award the contract to REMO General Contracting Ltd. it is recommended the budget be increased to \$13,567,727. This budget will include the complete cost for the Fire Hall project as shown in Table 1 below.

Table 1
Fire Hall 4-5 Revised Project Budget

Non-Construction Costs:	
Architect	\$600,000
Furniture, Fixtures, Signage etc	506,500
Prefab shed for training	250,000
Allowance for props	100,000
	<hr/>
	1,456,500
Construction Costs:	
Tender Revised Bid	10,836,817
Non-Recoverable HST (1.76%)	190,728
Contingency (10%)	1,083,682
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	12,111,227
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Total Revised Project Budget	\$13,567,727

November 26, 2019

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Report No. OPS19-025
Joint Council Committee

In addition to this budget the Town of Aurora has included \$87,300 for project management fees and public art from its own reserves.

Conclusions

The project budget for Fire Hall 4-5 be increased to \$13,567,727 with the additional budget requested to be funded from the ARF and the tender be awarded to the lowest compliant bidder REMO General Contracting Ltd.

Attachments

Attachment #1 – Revised Design.

Previous Reports

PRCS17-008 Engagement of a Design Architect and Scheduling for the new Central York Fire Services Fire Hall, Headquarters and Training Centre, March 21, 2017

PRCS17-039 Central York Fire Services Headquarters Station 4-5, November 7, 2017

PRCS17-041 Central York Fire Services Headquarters Station 4-5, November 14, 2017

OPS18-011 Central York Fire Services Headquarters 4-5, June 12, 2018

Pre-submission Review

Departmental Approval



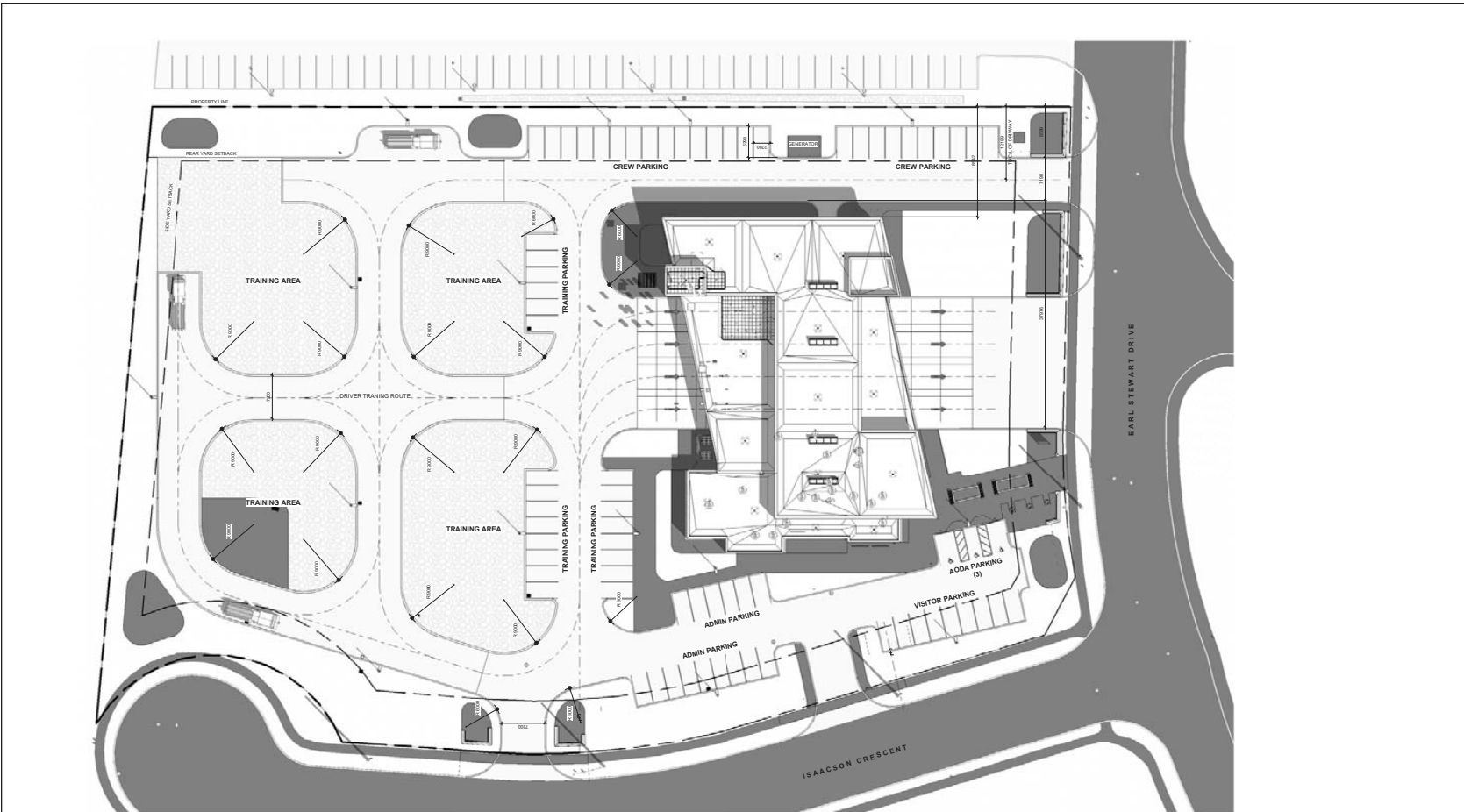
Allan D. Downey
Director
Operational Services

Approved for Agenda

Ian Laing
Fire Chief
Central York Fire Services

Jag Sharma
Chief Administrative Officer
Town of Newmarket

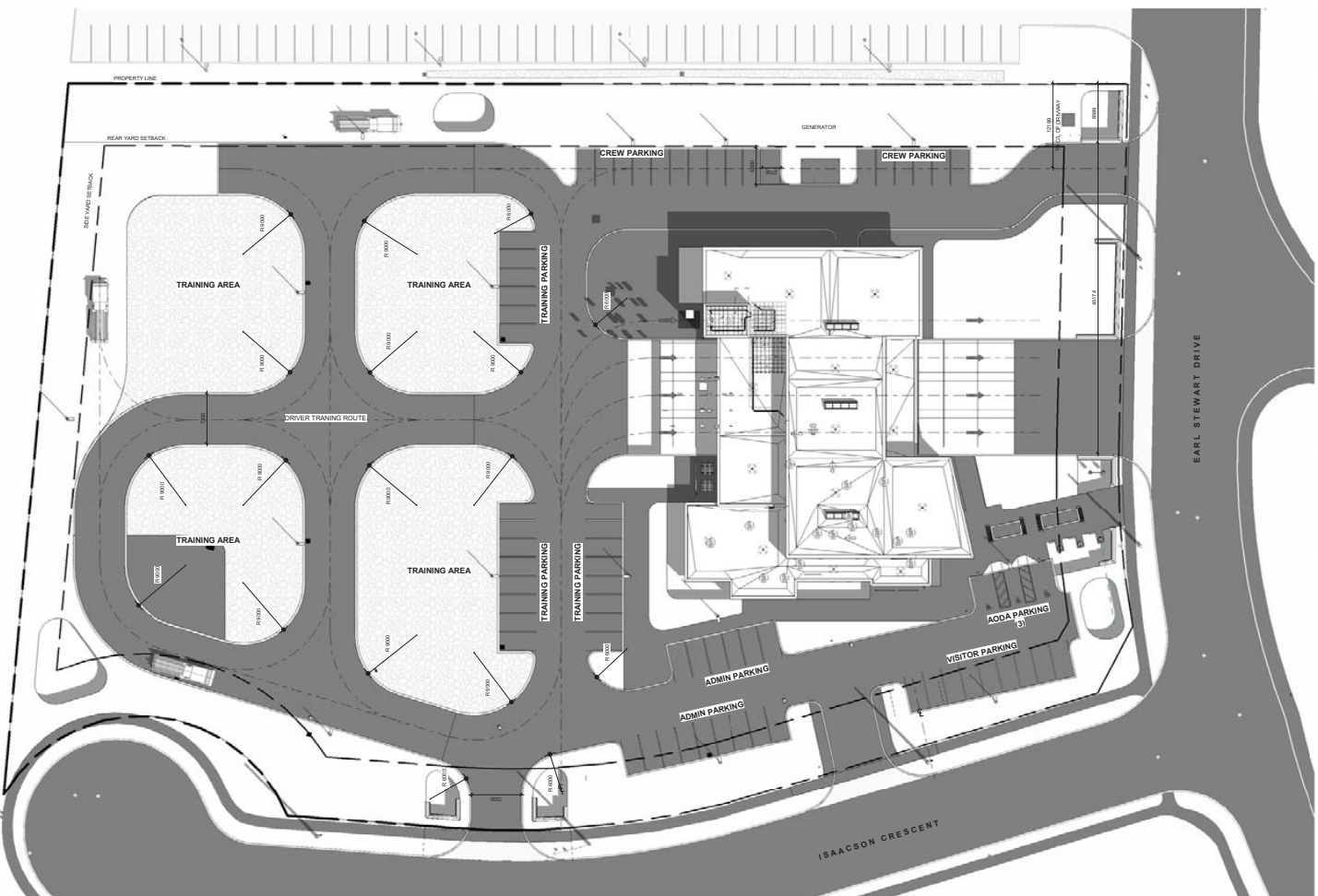
Doug Nadorozny
Chief Administrative Officer



SITE PLAN - Tender

CENTRAL YORK FIRE SERVICES HQ STATION 4-5
300 EARL STEWART DRIVE, AURORA, ONTARIO

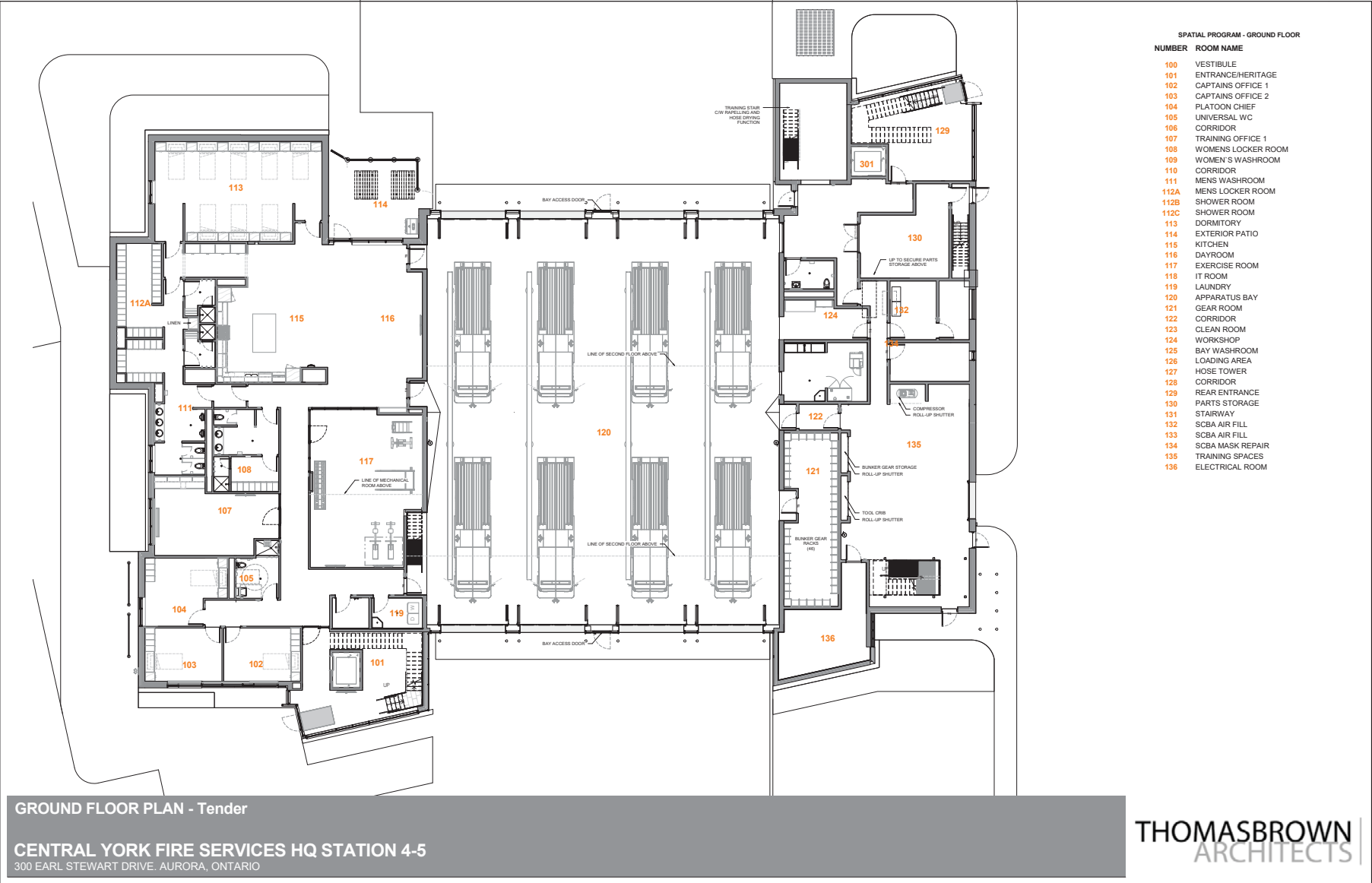
THOMASBROWN
ARCHITECTS



SITE PLAN - Reduced Scope

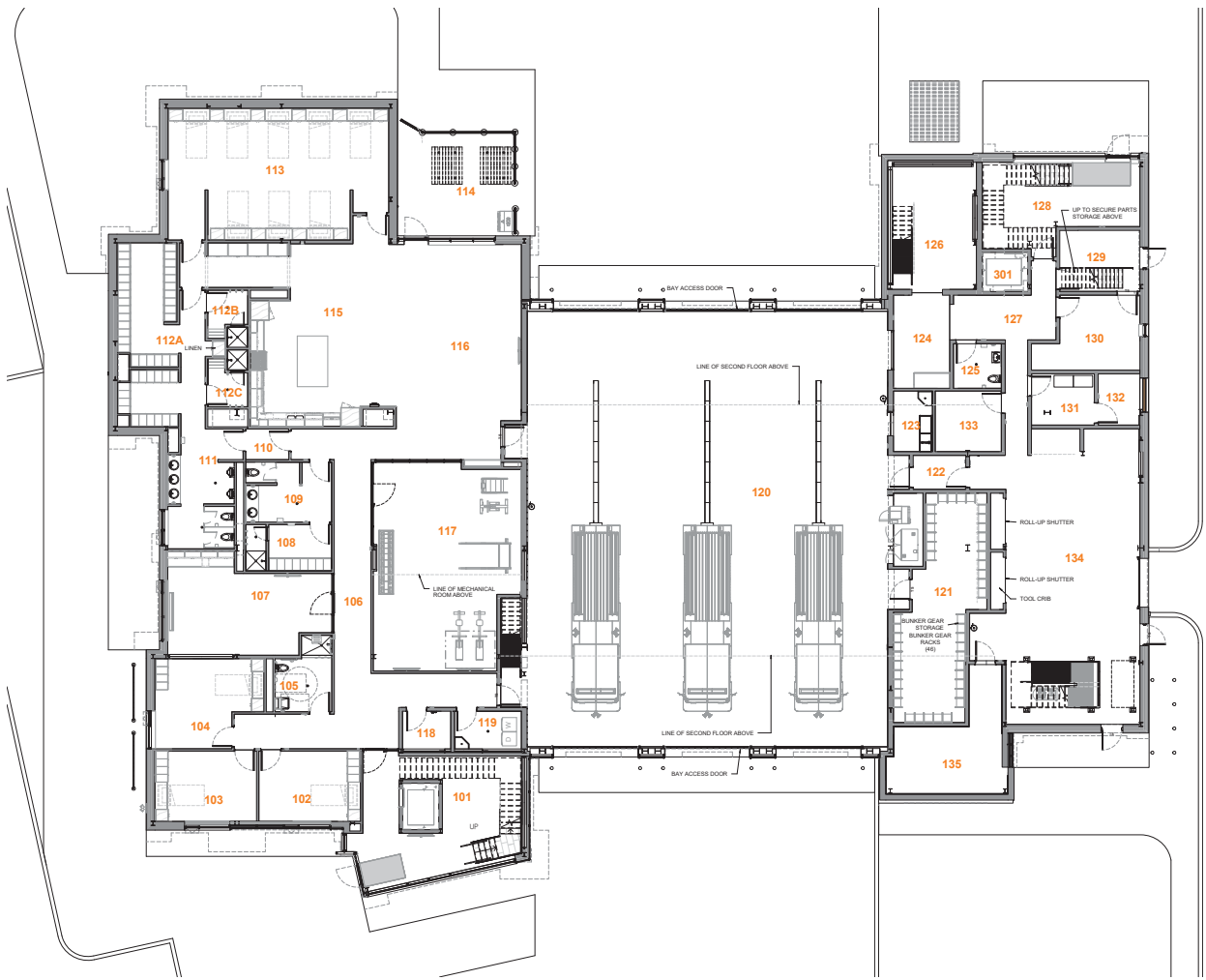
CENTRAL YORK FIRE SERVICES HQ STATION 4-5
300 EARL STEWART DRIVE, AURORA, ONTARIO

THOMASBROWN
ARCHITECTS



SPATIAL PROGRAM - GROUND FLOOR
NUMBER ROOM NAME

- 100 VESTIBULE
- 101 ENTRANCE/HERITAGE
- 102 CAPTAINS OFFICE 1
- 103 CAPTAINS OFFICE 2
- 104 PLATOON CHIEF
- 105 UNIVERSAL WC
- 106 CORRIDOR
- 107 TRAINING OFFICE 1
- 108 WOMENS LOCKER ROOM
- 109 WOMEN'S WASHROOM
- 110 CORRIDOR
- 111 MENS WASHROOM
- 112A MENS LOCKER ROOM
- 112B SHOWER ROOM
- 112C SHOWER ROOM
- 113 DORMITORY
- 114 EXTERIOR PATIO
- 115 KITCHEN
- 116 DAYROOM
- 117 EXERCISE ROOM
- 118 IT ROOM
- 119 LAUNDRY
- 120 APPARATUS BAY
- 121 GEAR ROOM
- 122 CORRIDOR
- 123 CLEAN ROOM
- 124 LOADING AREA
- 125 BAY WASHROOM
- 126 HOSE TOWER
- 127 CORRIDOR
- 128 REAR ENTRANCE
- 129 STAIRWAY
- 130 PARTS STORAGE
- 131 SCBA AIR FILL
- 132 SCBA AIR FILL
- 133 SCBA MASK REPAIR
- 134 TRAINING SPACE
- 135 ELECTRICAL ROOM



GROUND FLOOR PLAN - Reduced Scope

CENTRAL YORK FIRE SERVICES HQ STATION 4-5
 300 EARL STEWART DRIVE, AURORA, ONTARIO

THOMASBROWN
 ARCHITECTS



SPATIAL PROGRAM - SECOND FLOOR

NUMBER	ROOM NAME
200	ENTRANCE/HERITAGE
201	RECEPTION
202	RECEPTIONIST
203	CLOSET
204	COPYROOM
205	GENERAL WORK AREA
206	DEPUTY'S OFFICE 1
207	DEPUTY'S OFFICE 2
208	CHIEF'S OFFICE
209	ADMIN COORDINATOR
210	HR OFFICE
211	ASSISTANT DEPUTY (TRAINING)
212	CORRIDOR
213	BOARD ROOM
214	JANITOR
215	KITCHEN/ETTE/LUNCHROOM
216	TRAINING OFFICE 1
217	TRAINING OFFICE 2
218	TRAINING OFFICE 3
219	TRAINING OFFICE 4
220	CORRIDOR
221	UNIVERSAL W/C
222	CORRIDOR
223	FEMALE WASHROOM
224	MALE WASHROOM
225	SERVERY
226	CORRIDOR
227	HOSE TOWER
228	REAR ENTRANCE
229	STORAGE
230	CLASSROOMS
231	TRAINING STORAGE
232	MEN'S LOCKER ROOM
233	WASHROOM
234	B.A.S. ROOM
235	I.T. ROOM
236	WOMEN'S LOCKER ROOM
237	CORRIDOR
238	ELEC. CLOSET
300	ELEVATOR
301	ELEVATOR
EXT	

SECOND FLOOR PLAN - Tender

CENTRAL YORK FIRE SERVICES HQ STATION 4-5
300 EARL STEWART DRIVE, AURORA, ONTARIO

THOMASBROWN
ARCHITECTS

SPATIAL PROGRAM - SECOND FLOOR

NUMBER	ROOM NAME
200	ENTRANCE/HERITAGE
201	RECEPTION
202	RECEPTIONIST
203	CLOSET
204	COPYROOM
205	HR OFFICE
206	GENERAL WORK AREA
207	DEPUTY'S OFFICE 1
208	DEPUTY'S OFFICE 2
209	CHIEF'S OFFICE
210	ADMIN COORDINATOR
211	ASSISTANT DEPUTY (TRAINING)
212	TRAINING OFFICE 1
213	TRAINING OFFICE 2
214	TRAINING OFFICE 3
215	CORRIDOR
216	BOARDROOM
217	KITCHENETTE/LUNCHROOM
218	JANITOR
219	CORRIDOR
220	UNIVERSAL WC
221	CORRIDOR
222	FEMALE WASHROOM
223	MALE WASHROOM
224	REAR ENTRANCE
225	STORAGE
226	CLASSROOMS
227	MENS LOCKER ROOM
228	WASHROOM
229	B.A.S. ROOM
230	I.T. ROOM
231	WOMEN'S LOCKER ROOM
232	CORRIDOR
233	ELEC. CLOSET
300	ELEVATOR
301	ELEVATOR
EXT	



SECOND FLOOR PLAN - Reduced Scope

CENTRAL YORK FIRE SERVICES HQ STATION 4-5
 300 EARL STEWART DRIVE, AURORA, ONTARIO

THOMASBROWN
 ARCHITECTS



**Town of Aurora
Council Report**

No. FS19-041

Subject: Final 2020-2022 Operating Budget Approval

Prepared by: Jason Gaertner, Manager, Financial Management

Department: Finance

Date: December 10, 2019

Recommendation

1. That Report No. FS19-041 be received for information; and
2. That the 2020, 2021 and 2022 operating budgets as presented in Attachment 1, representing an estimated tax increase of 3.4, 3.4 and 2.9 percent, respectively be approved; and
3. That a total budget of \$11,755,300, \$12,200,100 and \$12,613,600 be approved for 2020, 2021 and 2022, respectively relating to the Town's share for Fire Services; and
4. That the Town's full-time staff complement be increased by a net of nine (9) to 240, net of eight(8) to 248 and a net of five(5) to 253 staff (excluding Library Board and Central York Fire Services) for 2020, 2021 and 2022, respectively as presented in Attachment #2 and funded in the appropriate year's operating budget; and
5. That the reconciliation of the 2020 to 2022 operating budgets to the full accrual basis of accounting, as required under Ontario Regulation 284/09, as summarized in Attachment 4 be endorsed; and
6. That the necessary by-law be enacted at a future Council Meeting to set the final billing 2020 tax rates and payment dates.

Executive Summary

This report seeks Council's approval of the 2020 to 2022 operating budget as presented in Attachment 1. Items of consideration include:

- The 2020 multi-year budget process was guided by Council's two foundational documents: Council Budget Principles, and Council Budget Process

- Council's approval of the 2020, 2021 and 2022 operating budgets is required
- Each year's recommended budget successfully addresses all identified base, capital operating cost, growth driven, enhanced and transformational services or strategic initiative funding pressures
- The Budget Committee recommended two changes to staff's presented draft operating budget
- The Town's budget re-affirmation process offers an opportunity for Council to adjust a future year budget should changes be required
- Council's endorsement of the reconciliation of the 2020 to 2022 operating budgets to the full accrual basis of accounting responds to Ontario Regulation 284/09

Background

The Town's new multi-year budgeting framework aligns with each Council's term. Council approves the first year's budget of its term and receives an accompanying forecast of the next three budgets. In the second year of its term, Council will approve a three-year operating budget, including all related tax impacts. Year's three and four of this budget will be re-affirmed by Council prior to their commencement.

As shown in Table 1, Council has already approved the first year's budget of its term being 2019, and received the budgets for 2020 to 2022. The Town has now reached the stage of its multi-year budget framework where Council's approval is sought for the Town's 2020 to 2022 budgets.

Table 1

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

The Budget Committee concluded its review and discussions of the Town's first multi-year budget for the 2020, 2021 and 2022 fiscal years on November 25, 2019. The Budget Committee's final recommended budgets for Council's approval are presented in Attachment 1.

Analysis

The 2020 multi-year budget process was guided by Council's two foundational documents: Council Budget Principles, and Council Budget Process

At its meeting of June 18, 2019, Council adopted the Town's updated budget principals and process documents. The 2020 multi-year budget process was guided by these foundational documents. Council adopted these documents to set out clearly the principles to be followed in preparing and reviewing its annual operating and capital budgets, which included the detailed process which would be followed in conducting those reviews. The budget process document outlines the additional role that the Finance Advisory Committee fulfils in performing detailed departmental reviews outside of the annual budget review and approval process.

Council's approval of the 2020, 2021 and 2022 operating budgets is required

The Budget Committee is recommending that Council approve total tax increases of 3.4, 3.4 and 2.9 percent for 2020, 2021 and 2022, respectively. Each of these recommended annual increases include 1.9 percent for inflationary pressures and 1 percent for fiscal strategies. The 2020 and 2021 increases include a further 0.5 percent as per of the Town's planned phase-in of the debt carrying costs relating to its new library square development.

The one percent tax increases in 2020, 2021 and 2022 for the Town's fiscal strategies will primarily support its on-going strategy of increasing its contributions to infrastructure reserves in support of infrastructure renewal and the reduction in the Town's reliance on supplementary tax revenues.

The Town's final recommended three year budget is presented under Attachment #1 by department. As per Council's approved multi-year budget framework, its approval is sought for the 2020, 2021 and 2022 operating budgets.

Each year's budget successfully addresses all identified base, capital operating cost, growth driven, enhanced & transformational services or strategic initiative funding pressures

The Town used two forms of incremental tax levy revenues to successfully address all identified funding pressures in each year. In addition to the above noted annual tax levy increases, the Town accessed all of its available incremental tax revenue arising from tax assessment growth that has taken place over the course of the prior fiscal year. The Town strived to use its available assessment growth tax revenues, as much as possible,

December 10, 2019

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Report No. FS19-041

to fund its growth driven tax pressures. This enables the Town to provide the same level of service to a growing community. The additional tax levy revenue from assessment growth does not impact the tax bill for any of the Town's existing tax payers.

Each year's recommended budget successfully addressed its identified funding pressures within the Town's budgeted incremental revenues. Some common pressures addressed in all years include:

1. Funding of the inflationary impact on various Town contracts
2. Cost of living adjustments (COLA) and step increases for existing staff
3. The Town's share of incremental core and growth Central York Fire Services requirements
4. New staffing requirements driven predominantly by the Town striving to provide the same level of service to a growing community. A summary of all new staffing included in these budgets can be found under Attachment #2
5. Increased contributions to infrastructure reserves in support of asset management
6. Continued reduction in Town reliance upon development driven revenues
7. All 2020, 2021 and 2022 rates, fees, and charges of the Town have been indexed where permissible by two percent in an effort to offset the estimated inflationary erosion of service delivery costs
8. All revenue estimates have been carefully considered in the context of anticipated service demand for each fiscal year

The year-over-year net budget changes are outlined in Attachment #3. These changes include all anticipated new revenues, the above noted budget pressures, as well as any other new incremental costs that are expected in each year.

The Budget Committee recommended two changes to staff's presented draft operating budget

After careful consideration and discussion, the Budget Committee made two modifications to staff's originally tabled draft operating budgets for 2020 to 2022. These noted modifications relate to the Town's planned Library Square development and the operations of its community partner, the Aurora Cultural Centre (ACC).

The total required investment for the Library Square project is presently estimated to be \$47.9 million. The Town's proposed investment strategy for this project includes the use of debt as a source of funding. The Town's debt tolerance for this project was defined as the debt principal cannot exceed a point where its annual carrying costs exceed an

equivalent value to a 1 percent tax rate increase being \$484,700 in 2020. The investment strategy for this project plans to use this maximum defined debt threshold. The debt is expected to be required in late 2021 or early 2022. This provides the Town time to phase in the annual carrying costs, principal and interest, of this debt. The Budget Committee agreed to phase in these planned requirements over 2020 and 2021 in two equal tax rate increases of 0.5%.

The ACC identified operating pressures in each of the next three fiscal years totaling \$67,000, \$19,000 and \$21,400 in 2020, 2021 and 2022, respectively. Upon the application of the Town's already budgeted incremental amounts in support of the ACC, its net remaining funding requirements were \$58,700, \$10,500 and \$12,800 for the next three years. The Budget Committee agreed to fund these net remaining pressures out of existing Library Square operating budget funding already included in the recommended operating budgets for the next three years thus avoiding the need for any further incremental tax rate increases.

The Town's budget re-affirmation process offers an opportunity for Council to adjust a future year budget should changes be required

As per the Municipal Act Council is required to re-affirm the budget for future years annually. In 2020 Council will be asked to re-affirm the budget for 2021 and 2022 and then asked in 2021 to re-affirm the budget for 2022. However, the focus of these budget reviews would be on the changes to the previously approved budget.

Should a significant change arise to one of these future year budgets Council will be able to make adjustments to the applicable future year approved budgets at the time of re-affirmation. These adjustments may include, but are not limited to;

- a) Legislation changes
- b) Unplanned service level changes
- c) Material changes to the projected inflation rate
- d) Material changes to labour agreements
- e) Changes to assessment growth projections

Council's endorsement of the reconciliation of the 2020 to 2022 operating budgets to the full accrual basis of accounting responds to Ontario Regulation 284/09

This report responds to the requirements of Ontario Regulation 284/09. The regulation requires municipalities to report on whether they are budgeting for amortization expenses, post-employment benefit expenses and solid waste landfill closure and post-

closure expenses. It also requires that this report be prepared prior to adopting the budget for that year.

Attachment 4 fulfills these requirements. This attachment includes a reconciliation of the recommended 2020, 2021 and 2022 budgets which are completed based upon a modified accrual method of accounting with the Public Sector Accounting Board (PSAB) Standards which are based upon the full accrual method.

Advisory Committee Review

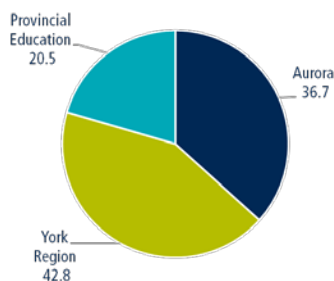
The Financial Advisory Committee does not review the annual draft operating budget, however they review the detailed budgets of each Town department on a rotating basis. This approach allows the Budget Committee to focus their review on the key changes and pressures arising in the annual budget, while relying upon the work of the Finance Advisory Committee in regards to the review of each department's ongoing core operating budget details.

Legal Considerations

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

Financial Implications

Residential tax bills contain three different property taxes. Taxes collected for provincial education purposes represents approximately 20.5 percent of a residential tax bill, while taxes for York Region are approximately 42.8 percent and the Town's share is the remaining 36.7 percent.



Total gross expenditures of \$71,774,400; \$74,953,300; and \$77,676,400 are planned for the next three years. These planned expenditures are partially offset by non-tax revenues such as investment income, user fees, grants, and fines & penalties. The remaining requirement is raised through property taxes. Table 2 outlines the recommended tax levy requirements for each of these years.

Table 2

Year	Proposed Gross Expenditures	Planned Non-Tax Revenues	Total Tax Levy Requirement
2020	71,774,400	(21,669,900)	50,104,500
2021	74,953,300	(21,883,800)	53,069,500
2022	77,676,400	(21,845,400)	55,831,000

Table 3 summarizes the estimated impact that the Town’s recommended annual tax increases of 3.4, 3.4 and 2.9 percent for 2020, 2021 and 2022 respectively, will have on a typical Aurora residential tax payer. When these recommended tax increases are combined with those of York Region and the Board of Education

Table 3

Year	Proposed Tax Increase	Increase per \$100k of Assessed Value	Increase for Average Aurora Home Assessed at \$800k
2020	3.4%	\$10	\$79
2021	3.4%	\$10	\$83
2022	2.9%	\$9	\$73

When combined with the Region of York’s proposed tax increases of 2.96% per year for 2020 to 2022, and the expected net 0% increase on the provincial education share of the tax bill, the combined effect on the overall tax bill in Aurora is expected to be approximately 2.5%, 2.6% and 2.4% on average for residential properties. This translates to an average incremental cost of \$158, \$164 and \$157 for an average home assessed at \$800,000.

All reports, presentations and materials presented to the Budget Committee will remain available to the public on the Town’s Budget and Financial Information website page.

Communications Considerations

A press release and information kit has been prepared related to the approval of the Town's 2020, 2021 and 2022 Operating Budgets. Updated budget information will be included on the reverse side of the Final Tax Bill Brochure included with all mailed tax billings to be issued in June. The full budget details have been updated to the Town's Budget and Financial Information page on our website, including the capital budget approval report and detailed capital sheets of all approved projects.

Link to Strategic Plan

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

Alternative(s) to the Recommendation

1. Council may make further adjustments to the budget than those recommended by Budget Committee.

Conclusions

The Budget Committee has concluded its review of the Town's first multi-year operating budget covering the 2020, 2021 and 2022 fiscal years. The result of these final recommended budgets is a 3.4, 3.4 and 2.9 percent tax increase for each of the next three years on the Aurora share of the tax bill. When combined with the increases for the Region of York and the provincial education portions, the estimated overall tax impact for Aurora residents is 2.5, 2.6 and 2.4 percent.

This operating budget includes the first phase-in amount relating to the funding of the estimated annual debt carrying costs for the planned Library Square debenture.

In the preparation of the 2020-22 operating budgets, in accordance with Ontario Regulation 284/09 section 2, the Town of Aurora has undertaken a reconciliation of these operating budgets to the full accrual basis of accounting.

Attachments

Attachment # 1 – 2020, 2021, 2022 Draft Operating Budget – By Department

December 10, 2019

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Report No. FS19-041

- Attachment # 2 – Three Year New proposed staffing summary (continuity schedule)
- Attachment # 3 – Summary of Key 2020, 2021, 2022 Operating Budget Pressures by Category
- Attachment # 4 – Reconciling the 2020, 2021 and 2022 Budgets with PSAB Standards

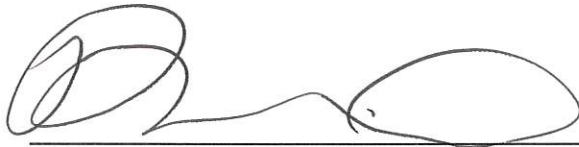
Previous Reports

- FS19-031: 2020-22 Operating Budget
- FS19-020: 2020-22 Budget Development Direction

Pre-submission Review

The Agenda Management Team's review of this report was facilitated by e-mail on Monday, December 2, 2019.

Departmental Approval



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

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**

Attachment #1

FINAL Program Tax Levy Summary

\$000's	Net Actual Results		2019 Budget			2020 Proposed		Net Change	
	2017	2018	Net Fcst*	Gross	Net	Gross	Net	\$	%
Mayor & Council	538.9	607.3	571.1	576.1	576.1	578.1	578.1	2.0	0.3%
Office of the CAO	1,065.6	1,166.0	1,276.6	1,332.4	1,332.1	1,378.8	1,378.5	46.4	3.5%
Corporate Services	6,706.7	7,111.0	7,420.6	8,269.9	7,472.9	9,330.6	8,364.7	891.8	11.9%
Finance	1,302.9	2,119.9	1,730.9	2,293.8	1,837.5	2,503.6	2,073.6	236.1	12.9%
Planning & Development Services	(959.6)	(161.8)	535.1	5,868.5	1,047.8	6,124.6	1,117.3	69.5	6.6%
Operational Services	9,991.5	10,009.7	9,919.0	11,063.9	9,996.1	11,724.0	10,578.3	582.3	5.8%
Community Services	7,553.1	7,901.0	8,728.9	14,654.1	9,429.7	15,381.5	9,628.3	198.6	2.1%
Corporate Revenues and Expenses	2,402.7	1,724.6	589.6	8,364.9	535.0	9,129.8	762.2	227.1	42.5%
Departmental Total	28,603.7	30,479.7	30,771.8	52,423.7	32,227.3	56,151.0	34,481.1	2,253.8	7.0%
Central York Fire Services	10,225.0	10,496.4	11,188.1	11,188.1	11,188.1	11,755.3	11,755.3	567.2	5.1%
Library	3,767.7	3,843.1	3,843.1	3,843.1	3,843.1	3,868.1	3,868.1	25.0	0.7%
Total	42,596.4	44,819.1	45,803.0	67,454.9	47,258.5	71,774.4	50,104.5	2,846.0	6.0%
Assessment Growth								1,209.4	2.6%
Proposed Tax Increase								1,636.6	3.4%

\$000's	2021 Proposed		Net Change		2022 Proposed		Net Change	
	Gross	Net	\$	%	Gross	Net	\$	%
Mayor & Council	587.6	587.6	9.5	1.6%	597.2	597.2	9.7	1.6%
Office of the CAO	1,403.1	1,402.8	24.4	1.8%	1,428.1	1,427.8	25.0	1.8%
Corporate Services	10,160.2	9,174.6	809.8	9.7%	10,559.4	9,555.2	380.6	4.1%
Finance	2,688.3	2,160.3	86.6	4.2%	2,849.7	2,334.7	174.5	8.1%
Planning & Development Services	6,466.8	1,116.1	(1.2)	(0.1%)	6,786.3	1,184.0	68.0	6.1%
Operational Services	12,230.0	11,106.4	528.1	5.0%	12,755.1	11,629.9	523.5	4.7%
Community Services	15,982.7	10,208.3	580.0	6.0%	16,263.4	10,535.0	326.8	3.2%
Corporate Revenues and Expenses	9,338.4	1,217.3	455.1	59.7%	9,889.5	2,019.4	802.1	65.9%
Total Departmental Budget	58,857.1	36,973.3	2,492.2	7.2%	61,128.7	39,283.3	2,310.0	6.2%
Central York Fire Services	12,200.1	12,200.1	444.8	3.8%	12,613.6	12,613.6	413.5	3.4%
Library	3,896.1	3,896.1	28.0	0.7%	3,934.1	3,934.1	38.0	1.0%
Total Proposed Budget	74,953.3	53,069.5	2,965.0	5.9%	77,676.4	55,831.0	2,761.5	5.2%
Assessment Growth			1,204.7	2.4%			1,178.6	2.2%
Proposed Tax Increase			1,760.3	3.4%			1,582.9	2.9%

*Net forecast as of August 31, 2019

Attachment #2

FINAL 2020 TO 2022 Operating Budget Impacts

Converted & New Positions, and Other Adjustments Included 2020, 2021 and 2022 Budgets

	2020			2021			2022		
	FTE	Gross	Net	FTE	Gross	Net	FTE	Gross	Net
Opening Full Time Equivalent (FTE)	231			240			248		
Corporate Services									
IT Strategic Plan Positions	2	252,000	252,000	1	111,800	111,800	1	111,800	111,800
Project Manager, PMO (Conversion)	1	136,200	-						
Parking/By-Law Officers (Conversion)	2	163,000	8,500						
Uplift of Part Time to Full Time Customer Service Rep				1	55,700	55,700			
Human Resources Consultant				1	108,800	108,800			
Legal Assisstant				1	74,300	74,300			
Legal Acticling Student							1	90,000	90,000
Finance									
Senior Financial Management Advisor	1	119,800	119,800						
Financial ERP Specialist				1	111,100	-			
Procurement Analyst							1	90,900	90,900
Planning & Development Services									
Administrative Assistant - Engineering Division							1	75,000	75,000
Operational Services									
Water Meter/Backflow Administrator	1	82,000	-						
Flex Service Person (Conversion)	1	81,300	15,900						
Flex Service Person				1	81,300	81,300			
Parks Operator							1	83,000	83,000
Community Services									
Community Programmer	1	83,900	83,900						
Facility Booking Administrator				1	68,200	68,200			
Sport & Community Development Specialist (Conversion)				1	100,900	-			
Closing Full Time Equivalent (FTE)	240	918,200	480,100	248	712,100	500,100	253	450,700	450,700

FINAL Financial Summary

\$000's	Net Actual Results		Fcst* 2019	Budget 2019	Proposed Budget		
	2017	2018			2020	2021	2022
Departmental:							
Expenditures	48,921.5	54,541.9	54,418.3	52,423.7	56,151.0	58,857.1	61,128.7
Non-Tax Revenues	(20,317.8)	(24,062.2)	(23,646.5)	(20,196.4)	(21,669.9)	(21,883.9)	(21,845.4)
Net Departmental	28,603.7	30,479.7	30,771.8	32,227.3	34,481.1	36,973.3	39,283.3
Fire Services	10,225.0	10,496.4	11,188.1	11,188.1	11,755.3	12,200.1	12,613.6
Library	3,767.7	3,843.1	3,843.1	3,843.1	3,868.1	3,896.1	3,934.1
Total Proposed Budget	42,596.4	44,819.1	45,803.0	47,258.5	50,104.5	53,069.5	55,831.0
Assessment Growth					1,209.4	1,204.7	1,178.6
Proposed Tax Increase					1,636.6	1,760.3	1,582.9

*Net forecast as of August 31, 2019

Net Budget Change Summary

	2020		2021		2022	
	FTE	\$000's	FTE	\$000's	FTE	\$000's
Base						
Salary & Wages including COLA, step increases and other approved staffing actions	-	947.3	-	642.0	-	523.2
Solid waste / recycling contract increases	-	318.3	-	184.1	-	219.1
Rate stabilization draws/contributions	-	291.6	-	(333.8)	-	208.9
Inflationary impacts on various Town contracts	-	192.5	-	130.1	-	191.5
Town Facility operating cost increases (utilities, heating, operating supplies)	-	86.6	-	88.7	-	98.3
Fleet and equipment operation	-	81.4	-	35.7	-	29.5
Insurance premium increases	-	55.2	-	60.8	-	66.8
Multi-year budget contingency	-	-	-	100.0	-	56.0
Penalty revenue increases	-	(495.3)	-	(61.7)	-	-
Overhead support recoveries from water & building operations	-	(235.0)	-	(129.7)	-	(92.2)
Other savings / revenues	-	(208.7)	-	(129.6)	-	(105.9)
One time provincial modernization grant	-	(160.4)	-	160.4	-	-
Lease revenues	-	(83.4)	-	(67.2)	-	103.9
Sponsorship / advertising revenues	-	(42.8)	-	(18.3)	-	(6.3)
	-	747.4	-	661.5	-	1,292.9
Capital Operating Costs						
Phase in of annual debt carrying costs for planned Library Square Debenture	-	253.0	-	257.0	-	-
Phase in of New Library Square Operating Budget	-	240.0	-	240.0	-	-
New HRIS Software Maintenance & Support	-	-	-	175.0	-	-
	-	493.0	-	672.0	-	-
Maintaining Service Levels for Growth						
Central York Fire Services	-	567.2	-	444.8	-	413.5
New positions - Various	5.0	357.5	6.0	500.1	5.0	450.7
Contract increases	-	189.0	-	158.8	-	65.8
Part time / contract increases	-	171.3	-	39.8	-	52.7
Solid waste / recycling contract increases	-	44.7	-	37.8	-	37.8
Community partner delivered services	-	37.3	-	38.6	-	45.3
New Positions - Various Conversions	4.0	8.5	1.0	-	-	-
Community program revenue increases	-	(328.7)	-	(38.1)	-	(57.8)
Development driven revenue increases	-	(181.7)	-	(115.9)	-	(129.2)
	9.0	865.2	7.0	1,066.0	5.0	878.8
Enhancements and Transformation						
IT Strategic Plan driven non staffing enhancements	-	229.1	-	30.0	-	-
New Positions - Financial & Systems Specialist	-	-	1.0	-	-	-
	-	229.1	1.0	30.0	-	-
Fiscal Strategy						
Cash to capital contribution to reserve	-	436.3	-	460.6	-	539.8
Reduce reliance on Supplementary Taxes	-	75.0	-	75.0	-	50.0
	-	511.3	-	535.6	-	589.8
Total Net Budget Change	9.0	2,846.0	8.0	2,965.0	5.0	2,761.5

Reconciling the 2020, 2021 and 2022 Budgets with PSAB Standards

(in \$oo0's)	2020				2021				2022			
	Modified Accrual		Reporting Change	Operating and Capital	Modified Accrual		Reporting Change	Operating and Capital	Modified Accrual		Reporting Change	Operating and Capital
	Operating	Capital			Operating	Capital*			Operating	Capital*		
Revenues												
Proposed budget	71,774	24,357	-	96,132	74,953	61,156	-	136,109	77,676	17,425	-	95,101
Transfers from reserves			(12,115)	(12,115)			(20,358)	(20,358)			(9,637)	(9,637)
Total Revenues	71,774	24,357	(12,115)	84,017	74,953	61,156	(20,358)	115,751	77,676	17,425	(9,637)	85,465
Expenses												
Proposed budget	71,774	24,357	-	96,132	74,953	61,156	-	136,109	77,676	17,425	-	95,101
Transfers to reserves			(10,397)	(10,397)			(10,420)	(10,420)			(11,066)	(11,066)
Acquisition of tangible capital assets			(23,267)	(23,267)			(60,856)	(60,856)			(17,393)	(17,393)
Debt principal repayments			(1,072)	(1,072)			(1,105)	(1,105)			(1,139)	(1,139)
Amortization			13,420	13,420			13,922	13,922			14,443	14,443
WSIB			59	59			53	53			49	49
Post employment benefits			313	313			324	324			336	336
Total Expenses	71,774	24,357	(20,944)	75,187	74,953	61,156	(58,082)	78,027	77,676	17,425	(14,770)	80,331
Surplus	-	-	8,830	8,830	-	-	37,724	37,724	-	-	5,134	5,134

*As per ten year capital plan.



**Town of Aurora
Council Report**

No. FS19-032

Subject: 2020 to 2022 Water, Wastewater, Stormwater Budgets and Rates
Prepared by: Laura Sheardown, Financial Management Advisor
Department: Finance
Date: December 10, 2019

Recommendation

- 1. That Report No. FS19-032 be received; and**
- 2. That the 2020, 2021 and 2022 combined Water, Wastewater and Stormwater budgets of \$28,805,381, \$30,474,578 and \$31,504,392 respectively be approved; and**
- 3. That the 2020, 2021 and 2022 retail water rate of \$2.41, \$2.45 and \$2.48 per cubic metre and the retail wastewater rate of \$3.11, \$3.11 and \$3.15 per cubic metre respectively be approved; and**
- 4. That the 2020, 2021 and 2022 flat stormwater charges of \$7.09, \$8.01 and \$9.32 per unit per month for residential and condominium properties and \$90.07, \$101.73 and \$118.31 per unit per month for metered non-residential commercial/industrial and multi residential properties respectively be approved; and**
- 5. That the new approved retail water, retail wastewater and stormwater charge rate become effective for all billings issued by the Town on or after May 1 of the effective year, and be retroactive for all consumption newly billed on such billings; and**
- 6. That the 2020, 2021 and 2022 bulk water rates of \$5.52, \$5.56 and \$5.63 per cubic metre, respectively, dispensed effective May 1 of the effective year be approved; and**
- 7. That the necessary by-law be enacted to implement the 2020, 2021 and 2022 retail water rates, retail wastewater rates, stormwater charges and bulk water purchase rates.**

Executive Summary

The purpose of the report is to present the budget for rate supported utility programs and to set the 2020, 2021 and 2022 rates for water, wastewater and stormwater services for billings issued on or after May 1 of the effective year.

- Budgets for water, wastewater and stormwater operations should be viewed as individual cost recovery budgets
- The corporate overhead charge has increased and continues to be spread across all three utility budgets
- The Region's on-going wholesale water and wastewater rate increases add pressure to the Town's underlying costs
- The water demand per household continues to decline
- Annual water consumption is impacted by the weather
- The investigation of water loss is ongoing
- A stormwater rate structure review is currently underway; results will be presented to Council once they are completed
- The water, wastewater and stormwater 2020, 2021 and 2022 budget summaries are attached
- Overall the recommended 2020, 2021 and 2022 water and wastewater rate increases are moderate
- The larger stormwater rate increases are a reflection the growing maintenance and repair needs for the Town's stormwater system
- Upward pressure on Town of Aurora utility rates is expected to continue into the future
- There will be an opportunity to make adjustments to future year water, wastewater or stormwater budgets as part of the Town's budget re-affirmation process

Background

In order to remain in sync with the Town's newly adopted multi-year operating budget framework, a draft three year budget for the Town's water, wastewater and stormwater operations have been developed on a balanced, cost-recovery basis. Each of these budgets were built upon the following foundational elements:

- Assurance of capital asset sustainability: Each budget will strive to ensure that sufficient funds are being contributed to reserves to ensure that the funds are

available when infrastructure repair and replacement requirements arise. In addition, each budget strives to ensure that the proper level of funding is planned in support of capital asset maintenance to ensure that system assets are achieving expected useful lives.

- Inclusion of overhead chargeback: Each budget will include a cost for its share of the Town's total overhead costs which are recovered from the tax levy funded operating budget.
- Inclusion of growth driven incremental operating costs: The incremental operating costs directly related to providing the same level of service to a growing community such as maintaining water quality and testing requirements and operations support costs.
- Estimate total water volume to be purchased from the Region of York; in an effort to calculate the Town's expected wholesale costs for water and wastewater treatment services.
- Take into consideration all other known information: Include any other known requirements in support of each utilities' operations in the budget.
- Determination of required retail rate: Based upon the Town's estimate of water consumption, the required rate is set in order to fully recover the identified gross operating budget for the period.

Similar to last year, this year's water budgets have been developed collaboratively with input from Operations, Billing Administration and Financial Management staff. All applicable ten year capital requirements were factored into the contribution to capital and reserve health analysis. In addition, all other operating costs have been reviewed in detail and adjusted where considered appropriate. During the development of the tax funded operating budget, the allocation of corporate overhead to the water budgets was adjusted to reflect actual costs and time allocations of staff directly and indirectly involved in the water operations.

The largest challenge in developing the water budget is in estimating the expected volumes to be purchased from the Region of York. It is the volume of water purchased together with rates that determine wholesale water and wastewater costs and the required retail water and wastewater revenues. To do this, staff worked with the Region to create an estimate and this expected water flow to Aurora was used for the basis of setting wholesale cost estimates, and the balancing of budgets by setting retail rates.

Analysis

Budgets for water, wastewater and stormwater operations should be viewed as individual cost recovery budgets

As provincial regulations require that each specific water budget be fully cost recovered, water, wastewater and stormwater utility budgets should also be viewed as distinct operating budgets, each balanced by a full cost recovery. Consequently, the Town has built its utility budgets accordingly and proposed rates that ensure these budgets are fully cost recovered each fiscal year.

Please note that the Town Operations and Maintenance budgets for all water budgets include one additional FTE starting in 2020. The request for this FTE has been included in the 2020-22 Operating Budget requests and business cases.

The corporate overhead charge has increased and continues to be spread across all three utility budgets

The methodology upon which the 2019 overhead charge calculation was based continues to be utilized for the overhead calculation for the 2020, 2021 and 2022 operating budgets. This methodology is consistent with the one being utilized for the corporate overhead recovery from Building Services. This has resulted in a slight increase in the corporate overhead charge.

In addition to the corporate overhead charge, each utility budget is charged for costs incurred by the Finance department for administration and billing functions that are performed on behalf of these utility operations.

These noted corporate overhead and administrative costs continue to be charged to all three of these utility operations.

The Region's on-going wholesale water and wastewater rate increases add pressure to the Town's underlying costs

Similar to the Town of Aurora, York Region is responsible for the maintenance of and repair & replacement of a growing base of water and wastewater asset infrastructure. In an effort to ensure that its assets were sustainable, the Region has been increasing its wholesale water and wastewater discharge rates by approximately nine percent per year since 2016. The nine percent increase is expected to conclude in 2020 and then drop to more of an inflationary increase of three percent per year for the next few years.

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These material increases have consequently placed considerable pressure on the Town's water and wastewater rates each year as the Town must purchase its water and have its wastewater treated by York Region.

The water demand per household continues to decline

The Town's water demand per household continues to decline, however its overall water demand has continued to increase due to household growth. There are three key contributors to individual households using less water each year on average:

- New construction and renovation has seen reductions in total family water use through the implementation of more and improved water efficient devices and fixtures in the home. In addition, businesses seek to reduce their water consumption in their operations as well.
- With water rates increasing and the resultant increases in the household water billings, families are becoming more sensitive and wise in how they use and improve conservation within their homes. Water demand is seemingly fairly elastic with price increases.
- The restriction on outdoor pesticide and herbicide use has resulted in significant infestation of dandelions and other common weeds. With the increasingly difficult fight against these invaders, together with price sensitivity to increasing rates, many families have simply stopped watering or significantly reduced watering their lawns, further reducing demand per household.

Annual water consumption is impacted by the weather

Weather may have an impact on the annual demand for water. The greatest volatility in water demand takes place during the summer months. The unpredictable weather during the summer months has an impact on forecasted water consumption. Looking back at consumption data for years with cooler and wet summer months, staff can see a direct correlation between the weather and our resident's consumption of water. As staff are unable to reliably predict the weather for this coming summer season, we have had to rely upon the information provided by the Farmer's Almanac which is predicting a wet and warmer summer than normal.

The investigation of water loss is ongoing

For 2018, the water loss within our system was 11.1%, which York region has indicated is within municipal standards and represents a well-managed system. Water loss can be attributed to a variety of factors such as hydrant flushing, fire suppression leaks, water main breaks, faulty meter readings, construction activity and theft.

Operations staff have implemented an audit process for water consumption as a result of ongoing maintenance and fire suppression as well as meter replacement. Staff are also considering additional programs such as flow monitoring to further address the water loss.

A stormwater rate structure review is currently underway; results will be presented to Council once they are completed

With an understanding that its stormwater system requirements would continue to grow materially over the next several years, the Town engaged a consultant to assist it in evaluating potential more equitable stormwater rate structures. In the summer of 2019, Staff brought a report to Council outlining the consultant's findings and recommendations. At that time Council approved a project allowing staff to explore further the implementation of the consultant's recommended alternative rate structure. When it is in a position to do so, staff will bring a report to Council for its consideration, which may impact proposed rates.

The water, wastewater and stormwater 2020, 2021 and 2022 budget summaries are attached

Attachments #1 through #4 at the end of this report outline the budget details for each individual Town utility operation along with a consolidated summary of all three utility operations. It should be noted that each individual utility operation's gross operating requirements will be fully cost recovered through their established user rates should Council approve staff's recommended rate increases for each year's budget.

Overall the recommended 2020, 2021 and 2022 water and wastewater rate increases are moderate

Table 1 below presents the rates that are required in order to fully recover the identified gross operating requirements for water and wastewater operations for each year. These required rates are heavily influenced by the estimated volumes of water flow for each fiscal year.

Table 1 – Proposed Water Rates for 2020-2022

	Retail Water Rate (per cu.m)	Retail Wastewater Rate (per cu.m)	Combined Water & Wastewater Rate (per cu.m)	Stormwater Flat Rate Residential (per month)	Stormwater Flat Rate Non-Residential (per month)
2019 Rate	\$2.18	\$2.65	\$4.83	\$5.44	\$69.08
2020 Proposed	\$2.41	\$3.11	\$5.52	\$7.09	\$90.07
Change (%)	10.6%	17.4%	14.3%	30.3%	30.4%
2021 Proposed	\$2.45	\$3.11	\$5.56	\$8.01	\$101.73
Change (%)	1.7%	0.0%	0.7%	13.0%	12.9%
2022 Proposed	\$2.48	\$3.15	\$5.63	\$9.32	\$118.31
Change (%)	1.2%	1.3%	1.3%	16.4%	16.3%

The average residential household uses approximately 54 cubic metres of water per quarter. The impact of these rate changes on their quarterly bill for 2020 are summarized in Table 2 below:

Table 2 – Average Quarterly Residential Bill Impact

	Current rates billing	Proposed rates billing*	Dollar Increase (Decrease)	% Increase (Decrease)
2020 Average Bill				
Water Services	\$117.72	\$130.14	\$12.42	10.6%
Wastewater	143.10	167.94	24.84	17.4%
Stormwater	16.32	21.27	4.95	30.3%
Total Billing	\$277.14	\$319.35	\$42.21	15.2%
2021 Average Bill				
Water Services	\$130.14	\$132.30	\$2.16	1.7%
Wastewater	167.94	167.94	0.00	0.0%
Stormwater	21.27	24.03	2.76	13.0%
Total Billing	\$319.35	\$324.27	\$4.92	1.5%
2022 Average Bill				
Water Services	\$132.30	\$133.92	\$1.62	1.2%

Wastewater	167.94	170.10	2.16	1.3%
Stormwater	24.03	27.96	3.93	16.4%
Total Billing	\$324.27	\$331.98	\$7.71	2.2%

* Effective for billings issued after May 1, including all newly billed consumption thereon

As can be seen in Table 2, the impact of the proposed rate increases for a residential property is approximately \$168.84 for 2020 (\$42.21 times four billings); \$19.68 for 2021; and \$30.84 for 2022.

The larger stormwater rate increases are a reflection the growing maintenance and repair needs for the Town's stormwater system

As can be seen from Table 1, the required increases to the Town's storm water rates over the next three years are more material in nature. These required increases are attributable to the Town's storm water infrastructure beginning to show its age as well as the impact of climate change on the volume of stormwater travelling through our system and therefore requiring more maintenance and repair & replacement. Consequently, the storm water reserve's financial health has begun to deteriorate in recent years. In an effort to improve the health of this reserve, the Town has had to adopt a more aggressive funding strategy which is impacting the required storm water rate as well. The other key driver placing additional pressure on the storm water rate is in general the cost to maintain or replace storm water infrastructure has proven to be more expensive.

Upward pressure on Town of Aurora utility rates is expected to continue into the future

It is anticipated that there will continue to be an upward pressure on the Town's utility rates. This upward pressure will be driven by multiple drivers such as increasing costs for the Town's purchase of clean water for resale and the treatment of its wastewater. As noted above, the York Region is forecasting a continued increase to its rates for water and wastewater. In addition, as the Town's underground infrastructure continues to age, the Town must continue its strategy of setting aside the significant funding now that will be required in the future to replace this aging infrastructure in the future. This strategy allows the Town to spread its recovery of these significant requirements from rate payers over a longer period of time, thus making it more financially feasible for all. The other significant driver on rates will be future growth and inflation impacts.

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There will be an opportunity to make adjustments to future year water, wastewater or stormwater budgets as part of the Town's budget re-affirmation process

Should an unplanned impact arise subsequent to the initial approval of a future year water, wastewater or stormwater budget, there is an opportunity for the Town to make any necessary budget adjustments to any of its utility operation budgets and consequently its required user rates through the Town's annual budget re-affirmation process.

Advisory Committee Review

Not applicable.

Legal Considerations

The budgets and rates for water, wastewater and stormwater utilities operations must be approved by Council. The proposed budgets provide sufficient resources for the Town staff to meet all statutory responsibilities of the Town as an owner and operator of systems for water distribution, wastewater collection and stormwater collection and management.

Financial Implications

The water, wastewater and stormwater budgets are all full cost recovery driven. In developing the budgets, water flow estimates are made, wholesale costs then determined, operating and administrative costs developed, internal charges confirmed, and contribution requirements for reserves established. Ultimately, the full costs of these services are then recovered by establishing rates required to do so for the forecast volumes.

This year's budget sees the internal charge for corporate overhead allocation increased as determined by the overhead allocation formulas.

Should Council approve the utility rates recommended by staff for each year, the underlying identified gross operating requirements for each utility operation are financially feasible and in compliance with all applicable legislation.

Communications Considerations

Finance and Corporate Communications staff will work together in preparing a press release regarding the adoption of the utilities budgets and the impacts to be expected.

Link to Strategic Plan

Strategic Plan Goal of Supporting an Exceptional Quality of Life for All Objective 2: Invest in Sustainable Infrastructure. Both legislation and fiscal management lead to creating sustainable water, wastewater and stormwater infrastructure. Providing the appropriate rates ensures that sufficient revenues are generated to create financial sustainability and maintain the assets accordingly.

Alternative(s) to the Recommendation

1. Council may choose to accept, amend or reject any or all of the recommendations of this report.

Conclusions

The water, wastewater and stormwater programs are all funded through a rate structure based on consumption and full cost recovery. Overall, the proposed rate changes result in an increase of \$168.84 annually for 2020 for the average residential household. On a combined basis, the rates outlined in the recommendations are in line with previous year's increases and represent a prudent approach to achieving full cost recovery for future years. All new rates are to become effective for all billings issued by the Town on or after May 1, 2020 2021 and 2022 respectively and be retroactive for all consumption newly billed on such billings. This approach is consistent with past years, and ensures all properties receive four quarterly bills at the old rates and four quarterly bills at the new rates each year.

Attachments

- Attachment #1: Summary Water Operations Budget
- Attachment #2: Summary Wastewater Operations Budget
- Attachment #3: Summary Stormwater Operations Budget

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Attachment #4: Summary Combined Utility Operations Budgets
Attachment #5: 2020 Water, Wastewater and Stormwater Rates
Attachment #6: 2021 Water, Wastewater and Stormwater Rates
Attachment #7: 2022 Water, Wastewater and Stormwater Rates

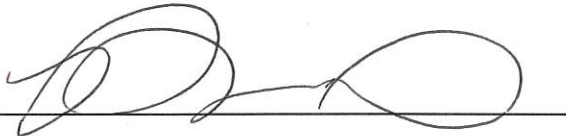
Previous Reports

None.

Pre-submission Review

Agenda Management Team review on October 16, 2019

Departmental Approval



Rachel Wainwright-van Kessel, CPA, CMA
Director, Finance
-Treasurer

Approved for Agenda



Doug Nadorozny
Chief Administrative Officer



Allan Downey
Director
Operational Services

Attachment #1

Water

	2019 Forecast to Year End	2019 Budget	2019 Budget/Actual variance fav(unfav)	2020 Budget	% Change Budget	2021 Budget	% Change Budget	2022 Budget	% Change Budget
Required rate revenues	(9,797,962)	(11,105,365)	(1,307,403)	(11,552,126)	4.0%	(12,101,617)	4.8%	(12,385,961)	2.3%
Less: Region Wholesale Charges	6,113,727	7,151,000	1,037,273	7,569,518	5.9%	7,913,504	4.5%	8,156,720	3.1%
Gross Contribution to Fixed Costs	(3,684,235)	(3,954,365)	(270,130)	(3,982,608)	0.7%	(4,188,113)	5.2%	(4,229,241)	1.0%
<u>Town Operational, Administrative and Fiscal Costs</u>									
Town Operations and Maintenance	1,108,661	1,029,581	(79,080)	922,994	-10.4%	927,221	0.5%	924,862	-0.3%
Administration and Billing	997,622	1,266,284	268,662	1,382,372	9.2%	1,417,922	2.6%	1,455,641	2.7%
Corporate Overhead Allocation	710,400	710,400	-	749,142	5.5%	784,870	4.8%	810,638	3.3%
Infrastructure Sustainability Reserve Contributions	1,700,000	1,700,000	-	1,700,000	0.0%	1,700,000	0.0%	1,700,000	0.0%
Less: Misc Revenue and direct cost recoveries	(735,462)	(751,900)	(16,438)	(771,900)	2.7%	(641,900)	-16.8%	(661,900)	3.1%
Total Fixed Town Costs	3,781,221	3,954,365	173,144	3,982,608	0.7%	4,188,113	5.2%	4,229,241	1.0%
Net Budget - (surplus)deficit	96,986	-	(96,986)	(0)		0		0	
Total Expenditures: Region Wholesale Charges plus Town Costs	9,894,948	11,105,365	1,210,417	11,552,126	4.0%	12,101,617	4.8%	12,385,961	2.3%

Attachment #2

Wastewater

	2019 Forecast to Year End	2019 Budget	2019 Budget/Actual variance fav(unfav)	2020 Budget	% Change Budget	2021 Budget	% Change Budget	2022 Budget	% Change Budget
Required rate revenues	(12,846,910)	(13,839,100)	(992,190)	(14,741,594)	6.5%	(15,413,999)	4.6%	(15,708,083)	1.9%
Less: Region Wholesale Charges	9,826,825	10,944,000	1,117,175	11,459,330	4.7%	11,845,616	3.4%	12,356,197	4.3%
Gross Contribution to Fixed Costs	(3,020,085)	(2,895,100)	124,985	(3,282,264)	13.4%	(3,568,383)	8.7%	(3,351,886)	-6.1%
<u>Town Operational, Administrative and Fiscal Costs</u>									
Town Operations and Maintenance	791,959	868,800	76,841	1,225,707	41.1%	1,233,879	0.7%	1,247,254	1.1%
Administration and Billing	261,400	261,400	-	261,400	0.0%	261,400	0.0%	261,400	0.0%
Corporate Overhead Allocation	554,900	554,900	-	585,157	5.5%	613,104	4.8%	633,232	3.3%
Infrastructure Sustainability Reserve Contributions	1,300,000	1,300,000	-	1,300,000	0.0%	1,550,000	19.2%	1,300,000	-16.1%
Less: Misc Revenue and direct cost recoveries	(60,356)	(90,000)	(29,644)	(90,000)	0.0%	(90,000)	0.0%	(90,000)	0.0%
Total Fixed Town Costs	2,847,903	2,895,100	47,197	3,282,264	13.4%	3,568,383	8.7%	3,351,886	-6.1%
Net Budget - (surplus)deficit	(172,182)	-	172,182	0		0		-	
-									
Total Expenditures: Region Wholesale Charges plus Town Costs	12,674,728	13,839,100	1,164,372	14,741,594	6.5%	15,413,999	4.6%	15,708,083	1.9%

Attachment #3

Stormwater

	2019 Forecast to Year End	2019 Budget	2019 Budget/Actual variance fav(unfav)	2020 Budget	% Change Budget	2021 Budget	% Change Budget	2022 Budget	% Change Budget
Required rate revenues	(1,973,944)	(2,069,100)	(95,156)	(2,511,661)	21.4%	(2,958,962)	17.8%	(3,410,348)	15.3%
Less: Region Wholesale Charges			-						
Gross Contribution to Fixed Costs	(1,973,944)	(2,069,100)	(95,156)	(2,511,661)	21.4%	(2,958,962)	17.8%	(3,410,348)	15.3%
<u>Town Operational, Administrative and Fiscal Costs</u>									
Town Operations and Maintenance	461,942	529,200	67,258	769,848	45.5%	1,015,360	31.9%	1,265,492	24.6%
Administration and Billing	105,400	105,400	-	105,400		105,400		105,400	
Corporate Overhead Allocation	34,500	34,500	-	36,413		38,202		39,456	
Infrastructure Sustainability Reserve Contributions	1,400,000	1,400,000	-	1,600,000	14.3%	1,800,000	12.5%	2,000,000	11.1%
Less: Misc Revenue and direct cost recoveries	-	-	-	-		-		-	
Total Fixed Town Costs	2,001,842	2,069,100	67,258	2,511,661	21.4%	2,958,962	17.8%	3,410,348	15.3%
Net Budget - (surplus)deficit	27,898	-	(27,898)	-		-		-	
-									
Total Expenditures: Region Wholesale Charges plus Town Costs	2,001,842	2,069,100	67,258	2,511,661	21.4%	2,958,962	17.8%	3,410,348	15.3%

Attachment #4

Total

	2019 Forecast to Year End	2019 Budget	2019 Budget/Actual variance fav(unfav)	2020 Budget	% Change Budget	2021 Budget	% Change Budget	2022 Budget	% Change Budget
Required rate revenues	(24,618,816)	(27,013,565)	(2,394,749)	(28,805,381)	6.6%	(30,474,578)	5.8%	(31,504,392)	3.4%
Less: Region Wholesale Charges	15,940,552	18,095,000	2,154,448	19,028,848	5.2%	19,759,120	3.8%	20,512,918	3.8%
Gross Contribution to Fixed Costs	(8,678,264)	(8,918,565)	(240,301)	(9,776,533)	9.6%	(10,715,458)	9.6%	(10,991,474)	2.6%
<u>Town Operational, Administrative and Fiscal Costs</u>									
Town Operations and Maintenance	2,362,562	2,427,581	65,019	2,918,549	20.2%	3,176,460	8.8%	3,437,608	8.2%
Administration and Billing	1,364,422	1,633,084	268,662	1,749,172	7.1%	1,784,722	2.0%	1,822,441	2.1%
Corporate Overhead Allocation	1,299,800	1,299,800	-	1,370,712	5.5%	1,436,176	4.8%	1,483,326	3.3%
Infrastructure Sustainability Reserve Contributions	4,400,000	4,400,000	-	4,600,000	4.5%	5,050,000	9.8%	5,000,000	-1.0%
Less: Misc Revenue and direct cost recoveries	(795,818)	(841,900)	(46,082)	(861,900)		(731,900)		(751,900)	
Total Fixed Town Costs	8,630,966	8,918,565	287,599	9,776,533	9.6%	10,715,458	9.6%	10,991,475	2.6%
Net Budget - (surplus)deficit	(47,298)	-	47,298	(0)		0		0	
	-	-	-	-		-		-	
Total Expenditures: Region Wholesale Charges plus Town Costs	24,571,518	27,013,565	2,442,047	28,805,381	6.6%	30,474,578	5.8%	31,504,392	3.4%

Attachment # 5

2020 Proposed Water, Wastewater, and Storm Sewer Rates

1.		Water	Wastewater	Combined
(a)	Metered Service	\$2.41 per m ³	\$3.11 per m ³ of water consumed	\$5.52 per m ³
(b)	Non-metered Service <i>(Refusal by homeowner to install meter)</i>	Flat Rate \$159.00 per unit per month	Flat Rate \$204.00 per unit per month	Flat Rate \$363.00 per unit per month
(c)	Non-metered Service <i>(Installation not physically possible)</i>	Flat Rate \$80.00 per unit per month	Flat Rate \$102.00 per unit per month	Flat Rate \$182.00 per unit per month

2. Storm Sewer Flat Rates

- (a) All Residential and Residential Condominium Properties - \$7.09 per unit, per month.
- (b) All Non-Residential, Commercial, Industrial and Multi-residential Apartment Properties - \$90.07 per meter per month.

3. Penalty for Late Payment

- 3. All billings are due and payable as stated thereon and shall, if not paid on or before the due date stated, be subject to a one time late payment penalty of five percent (5%) of the total billed, plus the monthly interest rate of one and one quarter percent (1.25%) (being fifteen percent (15%) per annum), calculated from the first day of the month after the account is overdue.

4. Bulk Purchase of Water

\$5.52 per m³

Attachment # 6

2021 Proposed Water, Wastewater, and Storm Sewer Rates

1.		Water	Wastewater	Combined
(a)	Metered Service	\$2.45 per m ³	\$3.11 per m ³ of water consumed	\$5.56 per m ³
(b)	Non-metered Service <i>(Refusal by homeowner to install meter)</i>	Flat Rate \$162.00 per unit per month	Flat Rate \$204.00 per unit per month	Flat Rate \$366.00 per unit per month
(c)	Non-metered Service <i>(Installation not physically possible)</i>	Flat Rate \$81.00 per unit per month	Flat Rate \$102.00 per unit per month	Flat Rate \$183.00 per unit per month

2. Storm Sewer Flat Rates

- (a) All Residential and Residential Condominium Properties - \$8.01 per unit, per month.
- (b) All Non-Residential, Commercial, Industrial and Multi-residential Apartment Properties - \$101.73 per meter per month.

3. Penalty for Late Payment

- 3. All billings are due and payable as stated thereon and shall, if not paid on or before the due date stated, be subject to a one time late payment penalty of five percent (5%) of the total billed, plus the monthly interest rate of one and one quarter percent (1.25%) (being fifteen percent (15%) per annum), calculated from the first day of the month after the account is overdue.

4. Bulk Purchase of Water

\$5.56 per m³

Attachment # 7

2022 Proposed Water, Wastewater, and Storm Sewer Rates

1.		Water	Wastewater	Combined
(a)	Metered Service	\$2.48 per m ³	\$3.15 per m ³ of water consumed	\$5.63 per m ³
(b)	Non-metered Service <i>(Refusal by homeowner to install meter)</i>	Flat Rate \$164.00 per unit per month	Flat Rate \$207.00 per unit per month	Flat Rate \$371.00 per unit per month
(c)	Non-metered Service <i>(Installation not physically possible)</i>	Flat Rate \$82.00 per unit per month	Flat Rate \$103.00 per unit per month	Flat Rate \$185.00 per unit per month

2. Storm Sewer Flat Rates

- (a) All Residential and Residential Condominium Properties - \$9.32 per unit, per month.
- (b) All Non-Residential, Commercial, Industrial and Multi-residential Apartment Properties - \$118.31 per meter per month.

3. Penalty for Late Payment

- 3. All billings are due and payable as stated thereon and shall, if not paid on or before the due date stated, be subject to a one time late payment penalty of five percent (5%) of the total billed, plus the monthly interest rate of one and one quarter percent (1.25%) (being fifteen percent (15%) per annum), calculated from the first day of the month after the account is overdue.

4. Bulk Purchase of Water

\$5.63 per m³



**Town of Aurora
Council Report**

No. FS19-044

Subject: 2019 Interim Forecast Update – as at October 31, 2019

Prepared by: Tracy Evans, Financial Management Advisor

Department: Finance

Date: December 10, 2019

Recommendation

- 1. That Report No. FS19-044 be received for information.**

Executive Summary

This report presents to Council the information to effectively monitor the financial performance of the Town's operating budget as of October 31, 2019. As of this date, the Town is forecasting to complete the year with favourable variances from its tax levy and utility rate funded operations.

- A surplus of \$1,695,500 from tax levy funded operations is forecasted
- An adjusted tax levy surplus of \$1,042,200 is expected after removing the impact of unexpected development revenue and the phase-in of library square operating funding
- A utility operations surplus of \$78,600 is anticipated

These forecasted variances may be subject to change over the remainder of the fiscal year. Should any operational budget excesses or short-falls remain at year end they will be contributed to or transferred from the appropriate reserves as defined in the Town's 2019 surplus control by-law.

Background

To assist Council in fulfilling its roles and responsibilities with respect to Town finances and accountability, the Finance Department has worked with all departments to review the corporation's operating budget financial performance to date. Each Director has reviewed their department's operating budget versus its results to date and remaining outstanding plans, and forecasted an expected year end position. Finance staff have reviewed each submission and performed the necessary consolidation.

Staff have similarly reviewed the results of the Town's utility operations to date and the year end forecasted positions for the water, wastewater, and storm water service lines estimated.

Items of note are presented by department in the Analysis section below. The forecasts and representations are those of each Director, and have not been revised by Finance staff. Each Director is responsible for delivering their approved portfolio of municipal services within their approved budget. They may manage issues encountered throughout the year by reallocating approved financial resources amongst their budget detailed line items to best deliver their overall service portfolio in the circumstances of an ever changing community, operating environment and economic conditions. In some instances a departmental pressure may be addressed at a corporate level at the direction of the Executive Leadership Team.

Analysis

A surplus of \$1,695,500 from tax levy funded operations is forecasted

The Town's tax levy funded operations is forecasted to finish the year with an anticipated surplus of \$1,695,500. This surplus includes \$480,700 in engineering and planning revenues which are expected to decline in future years and \$172,600 relating to the Library Square funding strategy. Excluding these items the surplus would be \$1,042,200.

A detailed break-down of the Town's current forecasted variance by department can be found in Attachment #1. This report has been simplified to show only the net budget amount, the forecasted ending position for each item, and the variance to budget. Overall, the Town's approved budget for 2019 includes \$67,454,900 in approved expenditures, funded by \$20,196,400 in revenues consisting of user fees, charges, and investment income, and a total tax levy of \$47,258,500.

The key drivers of this forecasted surplus are healthier than projected development driven revenues and salary savings. This forecast is based upon the best information and estimates available at this time. Accordingly, the forecast will continue to be subject to change over the remainder of the fiscal year, meaning there will continue to be influencing variables that are challenging for staff to estimate, such as development driven revenues and other user fee income, as well as the level of Town services that will be ultimately consumed by fiscal year end.

December 10, 2019

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Report No. FS19-044

For 2019, the Town has budgeted a salary gapping savings amount of \$150,000 in recognition that while salaries are based upon 100% usage, with no staff departures, in reality some staff turnover and periodic vacancies will arise naturally during the year. A share of this amount has been allocated to each operating department on a pro-rata basis. These allocations have resulted in unfavorable variances under the Corporate Services, Operational Services and Community Services' administrative divisions which are offset by salary surpluses arising from other divisions within each department.

CAO and Council

Council and the Office of the CAO are forecasting to conclude the fiscal year with a favourable variance of \$64,500 on a net operating budget of \$1,908,200. This variance relates to advertising and internal grant savings in Corporate Communications.

Corporate Services

Corporate Services is forecasting a surplus of \$161,100 on a total net operating budget of \$7,472,900. This variance is attributable to higher than anticipated parking violation revenues partially offset by unexpected salary costs.

Finance

Finance is forecasting a \$113,600 (6.2 percent) favourable variance on a net operating budget of \$1,837,500 driven almost wholly by salary savings resulting from vacant position gapping.

Fire Services

Overall, Central York Fire Services (CYFS) is forecasting a surplus of \$1,411,382 (7.29 percent) on a total budget of \$27,214,800 as of September 30, 2019. This surplus is mostly attributable to gapping for retirements, leave of absences, new hires, and other vacancies. Aurora's share of this budget and its surplus is \$11,182,125 and \$580,219, respectively. This CYFS surplus was offset by a contribution to the shared CYFS Reserve, thus leaving the Town's forecasted Fire Services requirements as budgeted.

Operational Services

Operational Services excluding water, wastewater & storm water services is forecasting an overall favourable variance of \$105,200 on a net operating budget of \$9,996,100. Key contributors to this variance are an unfavourable variance in snow management resulting from larger than anticipated contract and salary costs and an increase in the number of snow events at the beginning of 2019 offset by contract, salary and operating material cost savings in road network operations, as well as waste management. If required, the

snow management reserve may be accessed in order to balance any funding short-falls arising from snow management should the corporation overall be unable to absorb any short-falls of this nature within its existing approved funding levels.

Operational Services' salaries and wages are split between tax levy and rate (water, wastewater & storm water services) funded programs. In any given year, the extent of operational service staff support of tax levy or rate funded programs is difficult to predict; consequently some variability is not unusual.

Community Services

Community Services is forecasting a \$670,300 (7.1 percent) favourable variance on a net operating budget of \$9,429,700. The key contributors to this variance are salary savings, projected town facility contract and utility savings and increased revenue from ice rentals, new adult/senior programs as well as higher enrollment in summer programs and fitness memberships.

Library Square related unspent savings represent \$172,600 of their favorable variance. These savings come from the implementation of the Town's financial strategy to phase in the anticipated incremental operating costs to it becoming fully operational in 2022. Any surplus funds relating to Library Square will be contributed to the Town's rate stabilization reserve as per the 2019 surplus control bylaw. These funds can then be drawn upon as required in future years in order to manage any one-time implementation/start-up operating costs that may exceed the on-going operational funding estimates starting in 2020.

Planning & Development Services

Planning & Development Services is forecasting a surplus of \$825,700. The key contributing factor to this favourable variance was healthier than expected development driven revenue such as engineering fees for lot grading, subdivisions and site plans. It should be noted that the majority of these revenues arise at the 'front end' of a development and the Town has almost reached build out for its designated greenfield areas. As development moves more toward infill in future years, these revenues can be expected to decline while the complexity of the work performed by staff will continue to increase.

Not included in this variance is a projected Building Services' surplus of \$255,600 as it is a self-funded function as per provincial legislation. If it is unable to recognize sufficient revenues to offset its expenses in a given fiscal year, it will draw from its dedicated reserve

December 10, 2019

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Report No. FS19-044

in order to balance its operating budget. If it recognizes excess revenues, these revenues are used to replenish its reserve. This year's forecasted surplus results from salary savings. As the majority of Building Services' revenues arise more towards the 'back end' of a development, these associated revenues are expected to continue to be strong into the short term as development initiated earlier through Planning & Development Services runs its course towards conclusion.

Corporate Revenues & Expenses

Corporate Revenues and Expenses is forecasting an unfavourable variance of \$245,000 on a net operating budget of \$4,378,100. The primary drivers of this variance relate to larger than anticipated reductions to tax revenue arising from unfavourable tax assessment appeal decisions and other unplanned salary obligations. These are offset by penalties on unpaid property taxes, transferring more investment income to the Town's R&R reserves and payment in lieu of property tax revenue surpluses.

Aurora Public Library Contribution

The Aurora Public Library remains on track to spend its full planned requisition from the Town.

Total Tax Levy

Staff have confirmed that the Town will collect a total of \$47,258,500 in tax levy revenue in 2019, equal to what was budgeted.

Overall Operating Summary

Overall, the Town of Aurora general municipal operations is forecasting a surplus of \$1,695,500 with no noticeable adverse impacts to service levels. This forecasted surplus is subject to change by year end. Should any surplus remain at fiscal year-end, it will be transferred to the appropriate town reserve(s) as set out in the town's 2019 surplus control bylaw.

The Operating Budget Summary can be found in Attachment 1.

An adjusted tax levy surplus of \$1,042,200 is expected after removing the impact of unexpected development revenue and the phase-in of library square operating funding

At least 40 percent or \$653,300 of the total reported surplus of \$1,695,500 relates to two items. The first being higher than expected development driven revenues and the second relates to the Town's Library Square funding strategy with forecasted surpluses

of \$480,700 and \$172,600, respectively. Without these two items the tax levy funded surplus is anticipated at \$1,042,200.

Development driven revenues such as engineering or subdivision application fees are difficult to estimate. The savings from Library Square reflect the savings from the Town's financial strategy to phase in the incremental operating costs prior to it becoming fully operational in 2022.

A minor utility operations surplus is anticipated

Utility operations is currently projected to close the year with a minor favourable budget variance, primarily attributable to lower than anticipated wholesale water purchase and wastewater treatment costs from lower water and wastewater volumes and contract savings. These costs are partially offset by the write off of some of the Town's uncollectable water receivables owing. This forecasted variance will continue to be subject to change over the remainder of the fiscal year.

The utility operations service line budgets are comprised primarily of fixed operational costs, funded by the net proceeds from the sale of water, waste water and storm water services. These fixed operational costs include staff and service maintenance costs related to maintaining the infrastructure systems, water quality testing, and the billing and customer service functions. These costs are not directly impacted by the volume of water flowing through the system. The fixed costs relating to water and waste water are funded from the net revenues earned by these services which are variable in nature due to the fact that they are based upon metered water consumption volumes. Storm water revenues are not subject to the same volatility as the water and waste water service budgets.

Should any utility service surpluses remain at fiscal year-end, they will be moved to their respective stabilization reserve funds as set out in the town's 2019 surplus control bylaw.

The utility operations summary can be found in Attachment 2.

Advisory Committee Review

Not applicable.

Legal Considerations

Nil

Financial Implications

Any final resultant surplus or deficit at fiscal year end in the general operating budget and water / wastewater budgets will be allocated by Council to / from various reserves at fiscal year-end as per the Town's surplus control bylaw. There are no other immediate financial implications arising from this report. Council fulfills its role, in part, by receiving and reviewing this financial status report on the operations of the municipality relative to the approved budget.

Communications Considerations

This report will be posted to the Town's Budget and Financial Information web page for transparency and accountability.

Link to Strategic Plan

Outlining and understanding the Town's present financial status at strategic intervals throughout the year contributes to achieving the Strategic Plan guiding principle of "Leadership in Corporate Management" and improves transparency and accountability to the community.

Alternative(s) to the Recommendation

Not applicable.

Conclusions

Having completed ten months of operations, the management team is presently forecasting to end the year with a favourable budget variance from its tax levy funded operations of \$1,695,500. This forecast is based upon the best information and estimates available at this time. Accordingly, the forecast will continue to be subject to change over the remainder of the fiscal year, meaning there will continue to be influencing variables that are challenging for staff to estimate, such as development driven revenues and investment income, as well as the ultimate level of town services that will be consumed

December 10, 2019

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by fiscal year end. Staff remain vigilant to continue to realize budget savings whenever possible in an effort to continue to end the year in a surplus position.

Utility operations are currently projected to conclude the fiscal year with a favourable budget variance of \$78,600.

Any remaining surpluses at fiscal year-end will be contributed to the Town's reserve(s) as will be defined in the town's 2019 surplus control by-law.

Attachments

Attachment #1 – Tax Levy Net Operating Forecast Update

Attachment #2 – Utility Net Operating Forecast Update

Previous Reports

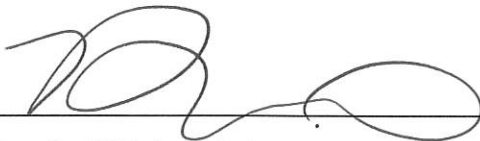
None

Pre-submission Review

Circulated via e-mail for ELT Review on November 28, 2019

Departmental Approval

Approved for Agenda



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



**Doug Nadorozny
Chief Administrative Officer**

Town of Aurora
Tax Levy Net Operating Forecast Update
as at October 31, 2019

Shown in \$,000's	NET ADJUSTED BUDGET	FORECAST	Variance Favourable / (Unfavourable)	
<u>COUNCIL</u>				
Council Administration	\$ 564.1	\$ 558.3	\$ 5.8	1.0 %
Council Programs/Grants	4.0	4.0	-	-
Advisory Committees	8.0	8.0	-	-
Council Office Total	\$ 576.1	\$ 570.3	\$ 5.8	1.0 %
<u>CHIEF ADMINISTRATIVE OFFICE</u>				
CAO Administration	\$ 545.6	\$ 544.0	\$ 1.6	0.3 %
Communications	786.5	729.4	57.1	7.3 %
Chief Administrative Office Total	\$ 1,332.1	\$ 1,273.4	\$ 58.7	4.4 %
Council and C.A.O. Combined	\$ 1,908.2	\$ 1,843.7	\$ 64.5	3.4 %
<u>CORPORATE SERVICES</u>				
Corporate Services Administration	\$ 407.7	\$ 454.1	(46.4)	(11.4 %)
Legal Services	1,487.0	1,413.5	73.5	4.9 %
Legislative & Administrative Services	709.8	648.0	61.8	8.7 %
Human Resources	836.4	818.9	17.5	2.1 %
Elections	92.5	108.3	(15.8)	(17.1 %)
Information Technology	2,043.7	2,157.9	(114.2)	(5.6 %)
Telecommunications	165.1	151.2	13.9	8.4 %
By-law Services	561.2	389.7	171.5	30.6 %
Animal Control	259.2	266.6	(7.4)	(2.9 %)
Customer Service	874.6	877.5	(2.9)	(0.3 %)
Emergency Preparedness	35.7	26.1	9.6	26.9 %
Corporate Services Total	\$ 7,472.9	\$ 7,311.8	\$ 161.1	2.2 %
<u>FINANCE</u>				
Policy & Planning Administration	\$ 342.2	\$ 251.2	\$ 91.0	26.6 %
Financial Reporting & Revenue	469.7	454.4	15.3	3.3 %
Financial Management	517.4	520.5	(3.1)	(0.6 %)
Procurement Services	508.2	497.8	10.4	2.0 %
Financial Services Total	\$ 1,837.5	\$ 1,723.9	\$ 113.6	6.2 %
<u>FIRE SERVICES</u>				
Central York Fire	11,188.1	11,188.1	-	-
Total Fire Services	11,188.1	11,188.1	-	-
<u>Operational Services</u>				
Operational Services Administration	\$ 258.4	\$ 306.1	\$ (47.7)	(18.5 %)
Fleet & Equipment	758.8	774.0	(15.2)	(2.0 %)
Snow Management	1,584.1	1,675.8	(91.7)	(5.8 %)
Road Network Operations	2,721.6	2,596.6	125.0	4.6 %

**Town of Aurora
Tax Levy Net Operating Forecast Update
as at October 31, 2019**

Shown in \$,000's	NET ADJUSTED BUDGET	FORECAST	Variance Favourable / (Unfavourable)	
Parks/Open Spaces	2,603.8	2,616.7	(12.9)	(0.5 %)
Waste Collection & Recycling	2,069.4	1,921.7	147.7	7.1 %
Operational Services Total	\$ 9,996.1	\$ 9,890.9	\$ 105.2	1.1 %
Community Services				
Community Services Administration	\$ 1,135.1	\$ 1,164.8	\$ (29.7)	(2.6 %)
Business Support	(426.0)	(556.6)	130.6	30.7 %
Recreational Programming/Community Dev.	1,939.3	1,479.5	459.8	23.7 %
Facilities	6,781.3	6,671.7	109.6	1.6 %
Community Services Total	\$ 9,429.7	\$ 8,759.4	\$ 670.3	7.1 %
PLANNING & DEVELOPMENT SERVICES				
Development Planning	\$ (321.5)	\$ (769.0)	\$ 447.5	139.2 %
Long Range & Strategic Planning	879.3	853.8	25.5	2.9 %
Engineering Service Operations	490.0	137.3	352.7	72.0 %
Net Building Department Operations	\$ 390.8	\$ 135.2	255.6	65.4 %
Contribution from Building Reserve	(390.8)	(135.2)	(255.6)	(65.4 %)
Total Building Services	-	-	-	-
Planning & Development Services Total	\$ 1,047.8	\$ 222.1	\$ 825.7	78.8 %
CORPORATE REVENUE & EXPENSE				
Supplementary Taxes & Payments-in-Lieu	\$ (1,050.3)	\$ (1,782.5)	\$ 732.2	69.7 %
Contribution of Excess SUPPs to reserves	400.0	1,091.3	(691.3)	(172.8 %)
Penalties on Unpaid Property Taxes	(900.0)	(1,300.0)	400.0	44.4 %
Overhead Cost Re-allocation to Water & Building	(1,815.3)	(1,815.3)	-	-
All Other Revenue	(5,879.6)	(7,173.7)	1,294.1	22.0 %
Cash to Capital	5,263.9	5,263.9	-	-
All Other Expense	8,359.4	10,339.4	(1,980.0)	(23.7 %)
	\$ 4,378.1	\$ 4,623.1	\$ (245.0)	(5.6 %)
TOTAL TAX LEVY FUNDED OPERATIONS	\$ 47,258.5	\$ 45,563.0	\$ 1,695.5	3.6 %
TOTAL TAX LEVY	\$ (47,258.5)	\$ (47,258.5)	\$ -	-
OPERATING (SURPLUS) DEFICIT	0.0	\$ (1,695.5)	\$ 1,695.5	2.5 %
		Surplus	Surplus	

Town of Aurora
Final Utility Net Operating Report
as at October 31, 2019

Shown in \$,000's	ADJUSTED BUDGET	FORECAST	Variance Favourable / (Unfavourable)	
Water Services				
Retail Revenues	(11,105.4)	(9,645.5)	\$ (1,459.9)	(13.1 %)
Penalties	(175.0)	(171.7)	(3.3)	(1.9 %)
Other	(210.1)	(249.6)	39.5	18.8 %
Total Revenues	(11,490.5)	(10,066.8)	\$ (1,423.7)	(12.4 %)
Wholesale water purchase	7,151.0	6,022.2	1,128.8	15.8 %
Operations and maintenance	1,029.6	1,021.7	7.9	0.8 %
Administration and billing	899.5	620.7	278.8	31.0 %
Corporate overhead allocation	710.4	710.4	-	-
Infrastructure sustainability reserve contributions	1,700.0	1,700.0	-	-
Total Expenditures	11,490.50	10,075.0	\$ 1,415.5	12.3 %
Net Operating Water Services	-	8.2	\$ (8.2)	n/a
Waste Water Services				
Retail Revenues	(13,839.1)	(12,500.1)	\$ (1,339.0)	(9.7 %)
Penalties	-	-	-	n/a
Other	(90.0)	(26.6)	(63.4)	(70.4 %)
Total Revenues	(13,929.1)	(12,526.7)	\$ (1,402.4)	(10.1 %)
Sewer discharge fees	10,944.0	9,940.3	\$ 1,003.7	9.2 %
Operations and maintenance	868.8	613.6	\$ 255.2	29.4 %
Administration and billing	261.4	261.4	\$ -	-
Corporate overhead allocation	554.9	554.9	-	-
Infrastructure sustainability reserve contributions	1,300.0	1,300.0	-	-
Total Expenditures	13,929.1	12,670.3	\$ 1,258.8	9.0 %
Net Operating Waste Water Services	-	143.5	\$ (143.5)	n/a
Total Water and Waste Water Services	-	151.7	\$ (151.7)	n/a
Storm Water Services				
Retail Revenues	(2,069.1)	(1,906.8)	\$ (162.3)	(7.8 %)
Penalties	-	-	-	n/a
Other	-	-	-	n/a
Total Revenues	(2,069.1)	(1,906.8)	\$ (162.3)	(7.8 %)
Operations and maintenance	529.2	136.6	392.6	74.2 %

Attachment 2

Shown in \$,000's	ADJUSTED BUDGET	FORECAST	Variance	
			Favourable / (Unfavourable)	
Administration and billing	105.4	105.4	-	-
Corporate overhead allocation	34.5	34.5	-	-
Infrastructure sustainability reserve contributions	1,400.0	1,400.0	-	-
Total Expenditures	2,069.1	1,676.5	\$ 392.6	19.0 %
Net Operating Storm Water Services	-	(230.3)	\$ 230.3	n/a
OPERATING (SURPLUS) DEFICIT	-	\$ (78.6)	\$ 78.6	0.3 %
		Surplus	Surplus	



**Motion for Which Notice Has
Been Given** (December 3, 2019)

Mayor Tom Mrakas

Date: December 10, 2019

To: Members of Council

From: Mayor Mrakas

Re: **Street Name Addition – Kimberley Kerr**

Whereas the Town's Street Naming Policy allows for persons who have made outstanding, significant and/or exemplary contributions to the Town of Aurora, to be added to the Bank of Approved Street Names; and

Whereas Kimberley Kerr was a long-time and well-known Aurora resident who was a dedicated volunteer;

1. Now Therefore Be It Hereby Resolved That staff add the name "Kimberley Kerr" to the Town's Bank of Approved Street Names.



100 John West Way
Box 1000
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**Town of Aurora
Office of the Mayor**

Memorandum

Date: December 10, 2019

To: Members of Council

From: Mayor Tom Mrakas

Re: York Regional Council Highlights of November 21, 2019

Recommendation

That Council:

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

COUNCIL HIGHLIGHTS

FOR IMMEDIATE RELEASE



Monday, November 25, 2019

York Regional Council – Thursday, November 21, 2019

2020 York Region budget tabled for review

York Region Finance Commissioner and Regional Treasurer Laura Mirabella tabled York Region's 2020 budget, which includes an outlook for 2021 and 2022. This is the second year of a four-year budget plan to coincide with the current term of Council.

For 2020, the proposed \$3.3 billion budget is comprised of \$2.5 billion in operating spending and an \$826-million capital component. The budget proposes a tax levy increase of 2.96% for 2020, equivalent to an additional \$75 on the average residential property tax bill. This is consistent with the four-year outlook approved in 2019.

The budget addresses fiscal challenges through savings and efficiencies while addressing growth-related asset management needs with stable debt levels and higher reserve balances.

The proposed 2020 budget will be reviewed at the Committee of the Whole meetings on December 5 and 12, each beginning at 9 a.m. It is scheduled to be presented to Council for approval on December 19.

Regional Government Review

Regional Council has received an [update](#) on the Province's [review of regional government](#), including the Ontario Government's renewed commitment to strengthening Ontario municipalities and the requirement to complete a review of regional representation in 2020.

York Region looks forward to working with the province and our local cities and towns to further explore ways to optimize service delivery and reduce costs while still providing high-quality programs and services to our residents, businesses and visitors.

York Region's strong credit ratings reaffirmed

Regional Council received an [update](#) on The Regional Municipality of York's credit ratings. Both Moody's Investor Service and S&P Global Ratings recently re-affirmed their credit ratings for the debt issued by the Region, commenting favourably on the Region's strong economy, high liquidity balances and prudent fiscal management.

On July 29, 2019, S&P Global Ratings re-affirmed its AA+ rating, revising the outlook to positive from stable. The positive outlook reflects the possibility that within the next two years, S&P Global Ratings could raise the rating to triple A.

Both rating agencies commented favourably on the Region's strong financial management. These ratings help contribute to the Region's ability to access capital markets.

York Region receives Government Finance Officers Association Budget Award

The Regional Municipality of York received the [Government Finance Officers Association Distinguished Budget Presentation Award](#) for its [2019 budget document](#).

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

This professional association serves more than 20,000 government finance professionals throughout North America, and the award is the highest recognition in governmental budgeting.

York Region is a competitive and economic powerhouse

Regional Council has approved the [Economic Development Action Plan 2020 to 2023](#), which continues to position York Region as a place to invest, live, grow and thrive.

Following the success of previous plans, the updated plan fosters an environment that attracts business, grows employment opportunities and draws talent to York Region's nine cities and towns through the [YorkLink.ca](#) marketing strategy.

Regional Council also endorsed the principles for allocating funding through the [Innovation Investment Fund](#), which supports major innovation infrastructure investments in York Region.

York Region-based Non-Resident Speculation Tax

Effective April 2017, the province introduced a 15% [Non-Resident Speculation Tax](#) on the purchase of residential properties by corporations and/or by individuals who are not citizens or permanent residents of Canada. The province's stated intent of this tax was to help make housing more available and affordable. The tax is in effect only within the Greater Golden Horseshoe Region.

Since implementation, \$394 million has been collected by the province, of which more than \$103 million was received from York Region-based transactions.

In September 2018, York Region requested a portion of this tax revenue to reinvest money into programs that support local affordable housing initiatives. Staff are following up with the Ministry regarding a response, and work continues to find other ways to support this important Council priority.

York Region receives \$17.4 million to support community housing

Regional Council welcomes approximately \$17.4 million over three years through the Federal/Provincial Housing Priorities Initiative, plus a one-time contribution of \$51,493 through the Community Housing Initiative.

[The funding](#) will help York Region and housing providers meet community needs by preserving and increasing the supply of community housing.

2020 to 2023 Child Care and Early Years Service System Plan

Regional Council received York Region's [Child Care and Early Years Service System Plan](#).

The plan sets a vision, priorities and key actions to better use community resources to strengthen and integrate child care and early years services over the next four years for children from birth to the age of 12 and their families.

York Region puts Community Safety and Well-Being first

Regional Council approved the development of a [Community Safety and Well-Being Plan](#) for York Region. The plan will identify and assess risks to community safety and well-being, including strategies to reduce prioritized risks.

Development and finalization of the plan will be submitted for Council adoption in late 2020.

York Region continues to look at ways to reduce greenhouse gas emissions

Regional Council received an update about the ongoing planning and implementation of technology aimed at [reducing greenhouse gas emissions in Regional vehicles](#), including transit.

The Region is reducing greenhouse gas emissions generated by Regional vehicles with a series of initiatives, including:

- Purchase of six electric buses and participation in the Pan-Canadian Electric Demonstration and Integration trail
- Implementing operating procedures to limit bus idling while out of service
- Consideration of purchasing hybrid or electric vehicles as the lifecycles of current vehicles come to an end
- Purchase of 17 hybrid vehicles over the last seven years

York Region continues to reduce its carbon footprint and move towards achieving the overall [goal of zero greenhouse gas emissions by 2051](#).

York Region paramedics recognized for bravery

Two York Region paramedics have been presented with the Ontario Award for Paramedic Bravery for going above and beyond their day-to-day duties.

In 2017, York Region paramedics Bret Foisy and Richard Morra responded to a distress call at the Holland River. After searching in the dark for 35 minutes they were able to locate the person in distress and quickly treat for hypothermia. As a result of their heroic actions, the person remained safe and has now recovered fully.

Five new parking restrictions on Regional roads

Regional Council has approved [parking and stopping restrictions](#) to address traffic concerns and to help move traffic more efficiently on sections of Warden Avenue, Bayview Avenue, Metro Road and Ninth Line.

Effective immediately, parking restrictions will be in the [following sections of road](#):

- Warden Avenue at 19th Avenue in the City of Markham, both east and west sides, 24 hours a day, seven days a week
 - Metro Road, at Shorecrest Road in the Town of Georgina, on the west side, 24 hours a day, seven days a week
 - Ninth Line, south of Bloomington Road in the Town of Whitchurch-Stouffville, both east and west sides, 24 hours a day, seven days a week
 - Bayview Avenue at High Tech Road in the City of Richmond Hill, on the east side during weekday evening rush hour from 3 p.m. to 8 p.m.
 - Bayview Avenue at High Tech Road in the City of Richmond Hill, directly south and north of High Tech Road, 24 hours a day, seven days a week
-

York Region continues to support vibrant communities that invite pedestrians and cyclists

Regional Council approved [updates](#) to the Municipal Streetscape Partnership and Pedestrian and Cycling Partnership Program policies.

Since the implementation of the [Municipal Streetscape Partnership Program](#) in 2006 and the [Pedestrian and Cycling Partnership Program](#) in 2007, York Region and local municipalities have invested over \$34 million to promote projects to enhance active and vibrant communities. Annually, Regional Council commits \$1.5 million to support these locally-initiated programs.

The Region will continue to collaborate with all nine cities and towns, and the conservation authorities in these cost-sharing programs that support community and promote active transportation.

Rutherford Road construction supports more frequent GO service and enhances road travel

Regional Council approved an [agreement with Metrolinx](#) for Rutherford Road to be widened from four to six lanes and will cross underneath the Barrie GO rail corridor.

The Rutherford Road construction between Westburn Drive/Barrhill Road and Confederation Parkway/Peter Rupert Avenue and improvements to the Rutherford GO station will support the GO expansion. This includes all-day frequent service on the Barrie and Stouffville GO rail corridors, improving travel options for residents and businesses. The construction will also minimize delays for road users by removing the increased train traffic from the roadway.

York Region will also make improvements to Rutherford Road/Carrville Road from Jane Street to Yonge Street to meet increasing travel demands, including widening the road and installing multi-use paths.

December 1 is World AIDS Day

York Regional Council has recognized December 1 as [World AIDS Day](#). Celebrated annually, World AIDS Day provides an opportunity for people worldwide to demonstrate support for those living with HIV/AIDS, commemorate those who have passed away and to eliminate stigma and discrimination by raising awareness.

As the only non-profit organization in York Region providing support to residents living with HIV/AIDS, the [AIDS Committee of York Region](#) provides programming, education and advocacy for those impacted by HIV/AIDS, including the annual World AIDS Day [Courageous Conversation event](#) taking place in the City of Richmond Hill on Friday, November 29.

York Regional Council kicks-off Salvation Army campaign

On Thursday, November 14, 2019, members of Regional Council joined local community partners and representatives from the Salvation Army to officially kick-off the 2019 Christmas Kettle campaign.

As one of Canada's largest and most recognizable annual charitable events, the [Salvation Army's Christmas Kettle Campaign](#) seeks donations from the public to help provide practical assistance to individuals and families across Canada. The campaign allows the Salvation Army to continue operating its life-changing programs, such as substance abuse recovery, housing supports, jobs and skills training and budgeting and education classes.

Every dollar donated to a Salvation Army Christmas Kettle remains in the community in which it was given to help local people in need.

Next regular meeting of York Regional Council

Regional Council will meet on Thursday, December 19 at 9 a.m. in the York Region Administrative Centre Council Chambers, located at 17250 Yonge Street in the Town of Newmarket.

The Regional Municipality of York consists of nine local cities and towns and provides a variety of programs and services to 1.2 million residents and 52,000 businesses with over 636,600 employees. More information about the Region's key service areas is available at york.ca/regional services

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Compiled by:

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The Corporation of the Town of Aurora

By-law Number XXXX-19

Being a By-law to regulate the removal of topsoil, the placing or dumping of fill and the alteration of the grade of land in the Town of Aurora.

Whereas Section 142 of the *Municipal Act, 2001*, S.O. c. 25, as amended, authorizes municipal councils to pass by-laws to regulate or prohibit the removal of topsoil, the placing or dumping of fill, and the alteration of the grade of land;

And whereas a municipality may require that a permit be obtained for the removal of topsoil, placing or dumping of fill and alteration of grade of land and prescribe the fees for the permit and the circumstances under which a permit may be issued and the conditions to such a permit;

And whereas a municipality may impose condition to a permit, including requiring the preparation of plans acceptable to the municipality relating to grading, filling or dumping, the removal of topsoil and rehabilitation;

And whereas the Council of The Corporation of the Town of Aurora deems it advisable to exercise this authority and to provide for the rehabilitation of lands and to protect water bodies and environmental protection zones where the removal of topsoil, or the placing and dumping of fill or the alteration of grade of the land is permissible;

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

Part I: Definitions and Interpretation

1. Definitions

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

- (a) **"adjacent"** means abutting or contiguous to;
- (b) **"adverse effect"** means one or more of:
 - (i) impairment of the quality of the natural environment for any use that can be made of it;
 - (ii) injury or damage to property or to plant or animal life;
 - (iii) harm or material discomfort to any person;
 - (iv) an adverse effect on the health of any person;
 - (v) impairment of the safety of any person;
 - (vi) rendering any property or plant or animal life unfit for human use;
 - (vii) loss of enjoyment of normal use of property; and

- (viii) interference with the normal conduct of business;
- (c) **“agricultural uses”** means:
 - (i) growing crops, including nursery and horticultural crops;
 - (ii) raising livestock and other animals, including poultry and fish, for food and fur;
 - (iii) aquaculture; and
 - (iv) agro-forestry and maple syrup production;
- (e) **“applicant”** means the person who applies for a permit under this by-law;
- (f) **“Areas of Natural or Scientific Interest”** means areas that have been identified by the Ministry of Natural Resources and Forestry as having earth/life science values related to protection, scientific study or education using evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time;
- (g) **“authorized agent”** means a person acting on behalf of the owner as designated on the application for the permit;
- (h) **“Clerk”** means the clerk of the Town as appointed pursuant to the Municipal Act;
- (i) **“contaminant”** means any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that causes or may cause an adverse effect;
- (j) **“Council”** means the Council of The Corporation of the Town of Aurora;
- (k) **“development”** means the construction of buildings or structures and above or underground services such as roads, parking lots, paved storage areas, watermains, storm and sanitary sewers, and similar facilities, as well as general grading works on any lands;
- (l) **“Director”** means the director responsible for the Engineering Division of the Town or his/her designate;
- (m) **“drainage”** means the movement of water to a place of disposal, whether by way of natural characteristics of the ground surface or by an artificial method;
- (n) **“dumping”** means the depositing of material in a location other than where the material was obtained and includes the movement and depositing of material from one location on a property to another location on the same property;
- (o) **“Environmental Protection Zone”** means any area identified as an Environmental Protection Zone in the Zoning By-law;

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- (p) **“erosion”** means the detachment and movement of soil, sediment or rock fragments by water, wind, ice or gravity;
- (q) **“existing grade”** means the elevation of the existing ground surface of the lands upon which site alteration is proposed, except that where site alteration has occurred in contravention of this by-law, existing grade shall mean the ground surface of the lands as it existed prior to site alteration;
- (r) **“fill”** means any type of imported or relocated material deposited or placed, or proposed to be deposited or placed, on the site and includes, but is not limited to, soil, stone, concrete, sod or turf either singly or in combination;
- (s) **“finished grade”** means the elevation of ground surface of lands upon which fill has been placed or grade of land has been altered;
- (t) **“land disturbance”** means any man-made change of the land surface including removing vegetative cover, and/or excavating and/or filling and/or grading;
- (u) **“Municipal Act”** means the *Municipal Act, 2001*, S.O. 2001, C.25, as it may be amended or replaced from time to time;
- (v) **“Municipal Law Enforcement Officer”** means a person appointed by Council as a Municipal Law Enforcement Officer;
- (w) **“Oak Ridges Moraine”** means the lands identified as the Oak Ridges Moraine Area under the *Oak Ridges Moraine Conservation Act, 2001*, S.O. 2001, c. 3;
- (x) **“owner”** means the legal registered owner of a site as shown by the records of the applicable land registry office, or any successor of such office;
- (y) **“permit”** means permission or authorization given in writing by the Director to perform work regulated by this by-law or part thereof;
- (z) **“permit holder”** means the person to whom a permit is issued and includes:
 - (i) the owner,
 - (ii) any person in possession or in charge, and
 - (iii) a lessee and a mortgagee in possession,of the property for which a permit has been issued;
- (aa) **“person”** includes a natural individual and their heirs, executors, administrators or other legally appointed representatives, a corporation, partnership or other form of business association;

- (bb) **"placing"** means the distribution of material on lands to establish a finished grade higher or lower than the existing grade and "place" in relation to fill shall have the same meaning;
- (cc) **"Planning Act"** means the *Planning Act*, R.S.O. 1990, c.13, as amended;
- (dd) **"ponding"** means the accumulation of surface water in the area not having drainage therefrom where the lack of drainage is caused by the placing or dumping of fill or altering of the grade of land;
- (ee) **"proposed grade"** means the proposed elevation of ground surface of land upon which fill is proposed to be placed or upon which altering the grade of land is proposed;
- (ff) **"Public Authority"** means any commission, committee, school board, department or agency of the Government of Canada, Province of Ontario, The Regional Municipality of York, Lake Simcoe Region Conservation Authority or the Toronto and Region Conservation Authority;
- (gg) **"qualified person"** means a person who holds a license, limited license or temporary license under the *Professional Engineers Act*, R.S.O. 1990, c. P.28, as it may be amended from time to time, and/or any consultant approved by the Director that possesses expert or special knowledge in regards to matters contained within this by-law;
- (hh) **"refuse"** means:
 - (i) any object or material that has been discarded by any person or that is no longer in use or reasonably intended to be used by any person having ownership or control over such object or material;
 - (ii) fill that contains:
 - 1) toxic or hazardous materials;
 - 2) glass;
 - 3) "sewage" within the meaning of Town of Aurora Sewer Use By-law as amended or successor legislation thereto; and
 - 4) contaminants that do not meet the standards set out in O.Reg. 153/04, as may be amended from time to time, with respect to all contaminants in the fill;
- (ii) **"removal"** means excavation or extraction of any fill which lowers the existing grade, and includes soil stripping;
- (jj) **"retaining wall"** means a concrete or concrete product wall or other material designed to contain and support fill which has a finished grade higher than that of adjacent lands;
- (kk) **"site"** means the area of land altered or proposed to be altered within a property, lot or parcel of land described in a deed or other document legally capable of conveying land or shown as a lot or block on a

registered plan of subdivision;

- (ll) **"site alteration"** means activities such as removal of topsoil from a site, the placement or dumping of fill on a site, the alteration of the grade of land within a site or excavation by any means including the removal of vegetative cover, the compaction of soil or the creation of impervious surfaces, or any combination of these activities that would change the landform and natural vegetative characteristics of a site;
- (mm) **"site alteration plan"** means a plan prepared by a qualified person on behalf of an owner in connection with a site alteration permit pursuant to this by-law;
- (nn) **"soil"** means any material commonly known as earth, topsoil, loam, subsoil, clay, sand or gravel or any combination thereof;
- (oo) **"soil stripping"** means removing of soil or topsoil;
- (pp) **"swale"** means a depression in the ground sloping to a place of disposal of surface water for the purpose of providing a method of drainage;
- (qq) **"topsoil"** means those horizons in a soil profile, commonly known as the "O" and the "A" horizons, containing organic material and includes deposits of partially decomposed organic matter such as peat;
- (rr) **"Town"** means The Corporation of The Town of Aurora and/or the area located within the geographical limits of the Town of Aurora, depending on the context of the provision in which the term appears;
- (ss) **"Town Standards"** means collectively the documents entitled the Town of Aurora Site Alteration Standards and the Town of Aurora Design Criteria Manual For Engineering Plans issued by the Director, as amended from time to time or any successor thereof;
- (tt) **"Treasurer"** means the treasurer of the Town as appointed pursuant to the Municipal Act;
- (uu) **"watercourse"** means a natural or man-made channel or swale in which water flows, either continuously or intermittently with some degree of regularity;
- (vv) **"wetland"** means land such as a swamp, marsh, bog or fen;
- (ww) **"Zoning By-law"** means the Zoning By-law of the Town of Aurora as amended or successor legislation thereto.

2. Interpretation

- 2.1 The part and section headings contained throughout this document are for reference purposes only and do not form a part of this by-law. This by-law is to be interpreted without reference to such headings.

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2.2 Where there is a conflict of the provisions between this by-law and any other by-laws of the Town with respect to site alteration, the provisions of this by-law shall prevail.

3. Administration of this by-law

3.1 The Director is responsible for administering this by-law and shall be delegated the authority to:

- (a) receive applications and fees established under this by-law;
- (b) enter into agreements on behalf of the Town pursuant to this by-law;
- (c) issue, cancel, revoke or decline to issue, permits;
- (d) establish, issue, revise and amend the Town Standards; and
- (e) impose conditions on permits in accordance with this by-law, including any or all of the conditions set out in Schedule "B".

3.2 The Director and Municipal Law Enforcement Officers of the Town are hereby delegated the authority to enforce this by-law, including the authority to conduct inspections pursuant to this by-law, the Municipal Act, as amended, and any other enacted applicable by-law or legislation.

3.3 The Director is authorized to delegate responsibilities for the administration and enforcement of this by-law to any Town staff or external third parties deemed to be qualified and appropriate by the Director for such purposes.

4. Application

4.1 The provisions of this by-law shall apply to all lands and premises within the Town of Aurora.

4.2 Any site which has had previous or on-going land disturbances or development prior to the passing of this by-law is subject to the conditions set forth in this by-law.

Part II: Prohibitions and Exemptions

5. Prohibitions

5.1 No person shall:

- (a) carry out or perform,
- (b) cause to be carried out or performed, or
- (c) permit to be carried out or performed,

any site alteration within the Town, except in compliance with this by-law.

5.2 Unless otherwise exempted under this by-law from the requirement to obtain a permit, no person shall:

- (a) carry out or perform,
- (b) cause to be carried out or performed, or
- (c) permit to be carried out or performed,

any site alteration within the Town unless a permit has been issued for the site being altered and the site alteration is in compliance with the terms and conditions of the permit.

5.3 Where an agreement is entered into pursuant to this by-law with the Town, no person shall:

- (a) carry out or perform,
- (b) cause to be carried out or performed, or
- (c) permit to be carried out or performed,

any site alteration except in compliance with any applicable terms and conditions of the agreement.

5.4 No person shall perform any site alteration on lands within the Town that is not permitted by any applicable law or regulation as may be approved or amended from time to time.

5.5 No person shall perform a site alteration on any land without the consent of the owner of the land on which the site alteration is occurring or is to occur, unless it is being done by or on behalf of the Town, a Public Authority, a Municipal Law Enforcement Officer or the Director in exercising powers or duties under this by-law or any other applicable legislation.

5.6 No person shall fail to comply with an order issued under this by-law.

5.7 No person shall perform any site alteration for the purpose of storing fill, where such storage is not permitted pursuant to this by-law or the Zoning By-law.

5.8 No person shall perform any site alteration that will result in:

- (a) soil erosion;
- (b) the contamination of soil or groundwater;
- (c) blockage of a storm drainage system;
- (d) blockage of a natural drainage system or watercourse;
- (e) siltation or pollution in a watercourse;
- (f) flooding or ponding caused by a watercourse overflowing its banks;
- (g) flooding or ponding on a neighbouring property or adverse effect on the amenities adjacent to the site;

- (h) a detrimental effect on any Environmental Protection Zone, Areas of Natural or Scientific Interest, wetland or wetland complex;
- (i) a contravention of O. Reg. 140/02, the Oak Ridges Moraine Conservation Plan, the Zoning By-law or any other applicable law or regulation; or
- (j) any adverse effect to archeological or historically significant attribute or property as defined and identified under the *Ontario Heritage Act*, R.S.O. 1990, c. O.18.

5.9 No person shall perform any site alteration in the following circumstances:

- (a) where the site alteration results in the change of any grade established by a grading and drainage plan approved by the Town in relation to any subdivision, rezoning, site plan or building permit approval, unless a permit has been issued with respect to such site alteration;
- (b) where the site alteration would not be in accordance with the Town's Private Tree Protection By-law, as amended or successor legislation thereto;
- (c) where the site alteration does not accord with the Town Standards and accepted engineering and environmental principles;
- (d) where the fill includes material from the demolition of any structure or includes refuse;
- (e) where the fill, placed or dumped, or to be placed or dumped, contains a contaminant, or would cumulatively with other fill placed or to be placed on any one site for which a permit or series of permits is issued or would be issued, contain a contaminant in an amount, concentration or level in excess of that prescribed by the regulations as may be enacted from time to time under the *Environmental Protection Act*, R.S.O. 1990, C. E.19, as amended;
- (f) where the fill placed or dumped, or to be placed or dumped, contains any of the following:
 - (i) refuse;
 - (ii) material from the demolition of any structure;
 - (iii) lumber, pressure treated or otherwise;
 - (iv) asphalt;
 - (v) scrap metal;
 - (vi) pulp and paper products;
 - (vii) ashes;
 - (viii) domestic or industrial waste; or

(ix) tires.

5.10 No person shall carry out any site alteration on any lands during any period in which a wind warning for the area has been issued by Environment Canada, except for mitigation measures designed to prevent adverse impacts on abutting lands and the environment.

5.11 No person shall perform any site alteration unless:

- (a) the drainage system for the lands is provided in accordance with this by-law and all other applicable by-laws of the Town and the Director is satisfied that provision has been made for drainage where such drainage is not provided by natural gradients or a swale;
- (b) the fill is placed or dumped or removed in such a manner, or the retaining wall containing such fill is erected in such a manner, that no ponding or alteration of existing flow is caused on abutting lands; and
- (c) erosion and sediment control requirements are met as required by this by-law.

6. Exemptions

6.1 The following activities, are exempted from the requirement to obtain a permit:

- (a) any site alteration less than two hectares (2.0 ha) in size, provided that:
 - (i) no more than three-hundred millimetres (300 mm) of fill in depth is placed on the lands;
 - (ii) the total amount of fill placed on the said lands does not exceed fifty cubic metres (50 m³);
 - (iii) the elevation of the land within six-hundred millimetres (600 mm) of any property line is not changed;
 - (iv) there is no change in the location, direction, elevation or flowrate of any natural or artificial watercourse, open channel, swale or ditch used to drain land;
 - (v) the site alteration activity will not in any way affect the land drainage of abutting properties;
 - (vi) there is control of any sediment runoff; and
 - (vii) the person carrying out, performing or causing the site alteration, or the owner of the property on which the site alteration is being carried out or performed, can demonstrate on a balance of probabilities that all the aforementioned requirements of this paragraph (a) are being complied with in the course of carrying out, performing or causing the site alteration;
- (b) any site alteration where fill is placed or dumped in an excavation to the elevation of existing and adjacent grade following the demolition or

removal of a building or structure.

- (c) removal of topsoil as an incidental part of agricultural use, including such removal as an incidental part of sod-farming, greenhouse operations and nurseries for horticultural products, however, this exception does not include the removal of topsoil for sale, exchange or other deposition;
- (d) any site alteration carried out by a Public Authority.

6.2 This by-law does not apply to:

- (a) the placing or dumping of fill, removal of topsoil or alteration of the grade of land imposed after December 31, 2002 as a condition to the approval of a site plan, a plan of subdivision or a consent under section 41, 51 or 53, respectively, of the *Planning Act* or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;
- (b) the placing or dumping of fill, removal of topsoil or alteration of the grade of land imposed after December 31, 2002 as a condition to a development permit authorized by regulation made under section 70.2 of the *Planning Act* or as a requirement of an agreement entered into under that regulation;
- (c) the placing or dumping of fill, removal of topsoil or alteration of the grade of land undertaken by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;
- (d) the placing or dumping of fill, removal of topsoil or alteration of the grade of land undertaken on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*;
- (e) the placing or dumping of fill, removal of topsoil or alteration of the grade of land undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land,
 - (i) that has not been designated under the *Aggregate Resources Act* or a predecessor of that Act, and
 - (ii) on which a pit or quarry is a permitted land use under a by-law passed under section 34 of the *Planning Act*;
- (f) the placing or dumping of fill, removal of topsoil or alteration of the grade of land undertaken as an incidental part of drain construction under the *Drainage Act* or the *Tile Drainage Act*;
- (g) where a regulation under section 28 of the *Conservation Authorities Act*, R.S.O. 1990, c. C.27, is in force respecting site alteration in a specified area within the Town; or
- (h) activities or matters undertaken by the Town or a local board of the Town.

Part III: Permits

7. Permit Requirements and Conditions

- 7.1 All permit applications must be completed in full, and all required supporting documentation provided, prior to the issuance of a permit.
- 7.2 A permit shall only be issued after approval of the application by the Director or a person appointed by the Director.
- 7.3 All permits shall be subject to the conditions as set out in Schedule "B" and any other conditions imposed by the Director pursuant to this by-law.
- 7.4 To obtain a permit pursuant to this by-law, an applicant shall provide the following:
 - (a) a completed application for a site alteration permit, duly signed by the applicant and, if different from applicant, the owner of the property subject to the application in a form as prescribed by the Director from time to time;
 - (b) the application permit fee as established in the Town's Fees and Charges By-law, as it may be amended from time to time;
 - (c) securities as per Schedule "A" to this by-law;
 - (d) proof of insurance in an amount satisfactory to the Director from an insurer licensed in the Province of Ontario;
 - (e) a site alteration plan, certified by a qualified person that:
 - (i) confirms the site alteration will prevent the impairment of water, groundwater and soil quality as well as the off-site effects of soil erosion and sedimentation;
 - (ii) confirms that the site alteration activities will be performed in accordance with the most stringent of the following, unless otherwise directed in writing by the Director:
 - 1) Erosion and Sediment Control Guideline for Urban Construction as prepared by the Greater Golden Horseshoe Area Conservation Authorities dated December 2006, as amended and updated from time to time or successor thereto,
 - 2) federal, provincial, Lake Simcoe Region Conservation Authority, Toronto Region Conservation Authority and The Regional Municipality of York Region standards;
 - 3) Town Standards, and
 - 4) any other applicable legislation that may apply,
 - (iii) will be prepared and submitted in accordance with the Town

Standards and to the Director's satisfaction;

- (f) confirmation that the applicant complies or will comply with the permit conditions imposed by the Director or Council, as the case may be, including any of the applicable conditions listed in Schedule "B";
 - (g) confirmation that the appropriate archaeological assessments on lands deemed to have moderate to high potentials for the discovery of archaeological resources have been completed to the satisfaction of the Ministry of Tourism Culture and Sport;
 - (h) if located on the Oak Ridges Moraine, confirmation that the site alteration is in compliance with Ontario Regulation 140/02, the Oak Ridges Moraine Conservation Plan, and the Town of Aurora Zoning By-law;
 - (i) any documentation requested by the Director, to be provided to the Director's satisfaction, demonstrating that all approvals applicable to the site and the site alteration required by the Town or any other government agency have been obtained;
 - (j) any additional information as required, in writing, by the Director;
- 7.5 The Director may, prior to the issuance of a permit, require the owner to enter into an agreement, which may be registered on title to the subject lands, containing such requirements as the Director considers necessary to ensure that the site alteration is done in accordance with this by-law, the Town Standards and proper engineering principles. Requirements contained in such agreement may include the owner posting with the Town the required security and where, in the opinion of the Director extensive activities are proposed, certifications by a qualified person, both prior to the issuance of a permit and upon completion of the work.
- 8. Expiry, Renewal, Transfer, Revocation and Refusal of Permits**
- 8.1 Permits issued pursuant to this by-law shall be valid for a period of one-hundred and eighty (180) days from the date of issuance. The Director may renew the permit one (1) or more times for an additional one-hundred and eighty (180) days each time with a permit renewal fee provided by the applicant each time as set out in the Town's Fees and Charges By-Law, as it may be amended from time to time. The Director may, at his/her discretion, impose additional and vary any conditions imposed on a permit being renewed and require additional control measures as a condition of the renewal.
- 8.2 A permit which is no longer valid or which has expired pursuant to this by-law, may be renewed, at the discretion of the Director, upon making a written application to the Director accompanied by payment of the permit renewal fee along with any information, documentation, confirmation deemed required by the Director at his/her discretion necessary to consider such an application. The Director may, at his/her discretion, impose additional and vary any conditions imposed on a permit being renewed in such a manner and require additional control measures as a condition of the renewal.
- 8.3 If the title of the lands for which a permit has been issued is transferred while the permit remains in effect, the permit shall be cancelled unless the new owner of

the lands, within thirty (30) days of the transfer, forthwith advises the Director of such transfer and either:

- (a) provides the Town with an undertaking to comply with all the conditions under which the existing permit was issued and also provides a letter of credit and/or a security deposit in accordance with the requirements of Schedule "A" to this By-law; or
- (b) applies for and obtains a new permit in accordance with the provisions of this by-law;

8.4 Where a permit is issued based on mistaken, false or misleading information, the Director may revoke the permit at any time, and the owner and the permit holder shall ensure that all work that was the subject of the revoked permit ceases.

8.5 A permit may be revoked by the Director under any of the following circumstances:

- (a) it was issued in error;
- (b) the owner or permit holder requests, in writing, that it be revoked;
- (c) the terms of an agreement under this by-law have not been complied with;
- (d) work authorized under the permit has not been commenced within ninety (90) days after the date of issuance of the permit;
- (e) the owner or permit holder fails to comply with the terms and conditions of the permit;
- (f) the owner fails to comply with the provisions of this by-law;

8.6 If a permit has expired, been cancelled or revoked after the work has commenced and prior to the completion of the site alteration, the owner shall forthwith restore the site to its original condition or to a condition satisfactory to the Director that will prevent adverse impacts on abutting properties and the environment.

8.7 Where the Director refuses to issue a permit, the applicant shall be informed in writing of the refusal.

8.8 The issuance of a permit by the Director does not relieve the applicant of the responsibilities of obtaining all other approvals which may be required from the Town or from any level of government and agencies thereof or from the compliance with any other by-law, legislation or regulation.

Part IV: Offences, Inspections and Powers of Entry

9. Power of Entry, Inspections, Prohibitions

9.1 A Municipal Law Enforcement Officer, or any other individual authorized to enforce this by-law on behalf of the Town, may at any reasonable time enter

upon any land for the purpose of carrying out an inspection to determine whether the following are being complied with:

- (a) this by-law;
- (b) any direction or order under this by-law;
- (c) any condition on a permit issued under this by-law; or
- (d) an order issued under section 431 of the Municipal Act.

9.2 Where an inspection is conducted pursuant to this section, a Municipal Law Enforcement Officer, or any other individual authorized to enforce this by-law on behalf of the Town, may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
- (c) require information from any person concerning a matter related to the inspection; and
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.

9.3 No person shall hinder or obstruct or attempt to hinder or obstruct the Town, its employees, officers or agents from carrying out any powers or duties under this by-law.

9.4 No person shall contravene any order or direction issued by the Town pursuant to this by-law or the Municipal Act.

9.5 Where a Municipal Law Enforcement Officer, or any other individual authorized to enforce this by-law on behalf of the Town, has reasonable grounds to believe that an offence has been committed by any person, the authorized officer may require the name, address and proof of identity of that person, and the person shall supply the required information.

9.6 No person shall decline or neglect to give, produce or deliver any access, information, document or other thing that is requested pursuant to this by-law by a person authorized to enforce this by-law.

9.7 No person shall knowingly make, participate in, assent to or acquiesce in the provision of false information in a statement, affidavit, application or other document prepared, submitted or filed under this by-law.

10. **Order**

10.1 Where the Director or any Municipal Law Enforcement Officer is satisfied that a contravention of this by-law or a permit has occurred, such Director or Municipal Law Enforcement Officer may make an order requiring that the person who

caused or permitted such contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity and/or to do work to correct the contravention.

10.2 An order pursuant to section 10.1 shall set out the following:

- (a) the municipal address and/or the legal description of the land or premises on which the contravention occurred;
- (b) reasonable particulars of the contravention;
- (c) what is required of the person subject to the order;
- (d) the date by which there must be compliance with the order and/or, if any work is ordered, the date by which any such work must be done;
- (e) if any work is required to be done, a statement that if such work is not done in compliance with the order and within a specified time period, the Town will have the work done at the expense of the person directed or required to do it; and
- (f) information regarding the Town's contact person.

10.3 An order pursuant to section 10.1 shall be deemed to have been received upon:

- (a) personal service of the order to the person being served;
- (b) the day after posting a copy of the order on the land on which the contravention took place; or
- (c) the fifth (5th) day after the order is sent by registered mail to the last known address of the owner of the land on which the contravention took place or the last known address of any other person in contravention of this by-law.

11. Remedial Action and Cost Recovery

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

11.2 For the purposes of taking remedial action under section 11.1, the Town, its staff and/or its agents may enter, at any reasonable time, upon any lands on which a default to carry out a required thing or matter occurred.

11.3 Where a person has carried out a site alteration contrary to this by-law, that person, the owner of the lands on which such site alteration took place and, if a permit has been issued, the permit holder shall each be jointly and severally responsible for the restoration of the land to the grade as it existed prior to such site alteration, or to the satisfaction of the Director.

- 11.4 Where a security has been provided to the Town with respect to a permit, the Town may:
- (a) draw upon or use such security to recover any costs incurred by the Town to remedy or address any contravention of this by-law, any non-compliance with an order issued pursuant to this by-law or any contravention of any term or condition of a permit issued or agreement entered into under this by-law;
 - (b) upon the failure by the permit holder to complete all or part of the works in the time stipulated in the site alteration plan, draw the appropriate amount from the securities deposited and use the funds to arrange for the completion of the said works, or any part thereof;
 - (c) upon failure by the permit holder to install, repair, maintain or decommission a specific part of the works as requested by the Town, draw upon the securities deposited and use the funds to arrange for the completion of the said works, or any part thereof;
 - (d) in the case of emergency repairs or clean-up, undertake the necessary works at the expense of the permit holder and draw upon the securities to pay for such works or reimburse itself for any resulting costs incurred by the Town;
 - (e) upon failure of the permit holder to restore a site to a condition satisfactory to the Director where the permit has expired, been cancelled or revoked after the work has commenced and prior to completion of the site alteration, draw upon or use such security to recover any costs incurred by the Town to restore the site to the Director's satisfaction.

12. Offence

- 12.1 Every Person who contravenes a provision of this by-law, including an order issued under this by-law, is guilty of an offence. If a corporation has contravened a provision of this by-law, including an order issued under this by-law, every director and officer who knowingly concurred in such a contravention is guilty of an offence.
- 12.2 Pursuant to subsection 429(2) of the Municipal Act, all contraventions of this by-law or orders issued under this by-law are designated as multiple offences and continuing offences. If a contravention of any provision of this by-law has not been corrected, or an order issued under this by-law has not been complied with, the contravention of such a provision or an order shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected or an order not complied with. A multiple offence is an offence in respect of two (2) or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this by-law.

13. Penalties

- 13.1 On conviction of an offence under this by-law, every person is liable to a fine in accordance with the following rules pursuant to the Municipal Act:

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- (a) to a fine of not less than \$500.00 and not more than \$100,000.00;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00; despite paragraph (a), the total of all the daily fines for an offence is not limited to \$100,000;
 - (c) in the case of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00, despite paragraph (a), the total of all fines for each included offence is not limited to \$100,000.
- 13.2 In addition to fines under this section, a person convicted of an offence under this by-law may be liable to a special fine in the amount of the economic advantage or gain that such a person obtained from the contravention of this by-law. Notwithstanding section 13.1, a special fine may exceed \$100,000.
14. **Presumption – Owner**
- 14.1 An owner shall be presumed to have carried out or caused or permitted to be carried out a site alteration that occurred on a site owned by such owner, or contravened or caused or permitted the contravention of the terms or conditions of a permit applicable to a site owned by such owner, as the case may be, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
15. **Indemnity**
- 15.1 Any person who conducts, causes or permits any site alteration, regardless of whether compliant with the provisions of this by-law, shall be deemed to undertake to, and shall, save harmless and indemnify the Town, its officers, employees, servants or agents from any claims associated with any injury, loss or damage to any person or property, as a result of any site alteration.

Part IX: General Provisions

16. If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid or to be of no force and effect, it is the intention of the Town in enacting this by-law that such provision or part of a provision shall be severable, and such a decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of this by-law.
17. The following Schedules attached to this by-law form and are part of this by-law;
- (a) Schedule “A” - Security;
 - (b) Schedule “B” - Permit Conditions;
17. This by-law shall be referred to as the “Site Alteration By-law”.
18. By-law Number 3399-92, as amended, and By-law Number 4751-05.P, as amended, be and are hereby repealed.

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19. For the purpose of transition to this by-law, any permits issued pursuant to By-law Number 3399-92 and By-law Number 4751-05.P prior to the effective date of this by-law shall remain effective and be subject to the provisions of this by-law, except that such a permit shall be subject to the terms and conditions imposed at the time of issuance until otherwise amended pursuant to this by-law.
20. This by-law shall come into full force and effect on the date of final passage hereof.

Enacted by Town of Aurora Council this 10th day of December, 2019.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

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Schedule "A"

Security

1. The Director may at his/her discretion request an irrevocable letter of credit/security deposit in favour of the Town to cover up to:
 - (a) one-hundred percent (100%) of the estimated cost of erosion and sediment control measures and any other site management control measures; and/or
 - (b) one-hundred percent (100%) of estimated cost to return the site to a condition satisfactory to the Director in a manner that will prevent adverse impacts on abutting properties and the environment.

In addition, the Director may, at his/her discretion, also request a security deposit up to an amount determined by the Director necessary to cover potential damages to roads and road maintenance measures due to site alteration works.

The letter of credit/security deposit shall be in a form acceptable to the Director that may include, but not be limited to, the following requirements:

- 1.1 letter of credit/security deposit to remain in effect for the full duration of the permit;
 - 1.2 letter of credit/security deposit and its subsequent renewal forms to contain a clause stating that thirty (30) days written notice must be given to the Town prior to its expiry or cancellation;
 - 1.3 in the event that the Town receives notice that a letter of credit/security deposit is expiring and will not be renewed, or, if further or additional securities are not provided within thirty (30) days, the Town to have a right to draw on the current letter of credit/security deposit at its discretion;
 - 1.4 any interest accruing on the realized security to belong to the Town and not the permit holder.
2. The Director may release the permit holder's security or the remaining amount of any reduced security when:
 - 2.1 the permit holder has provided adequate proof to the Director's satisfaction, which may require certification from a qualified person, that the site condition is in accordance with this by-law and the site alteration plan accompanying the permit; and
 - 2.2 the Director is satisfied upon final inspection by the Town that the site condition is in accordance with this by-law and the site alteration plan accompanying the permit.

Schedule "B"

Permit Conditions

1. Unless waived or otherwise amended by the Director or Council, all permit holders under this by-law shall:
 - 1.1 notify the Director within forty-eight (48) hours of commencing any land disturbing activity;
 - 1.2 notify the Director of the completion of any control measures, within forty-eight (48) hours after installation;
 - 1.3 obtain permission in writing from the Director prior to modifying the site alteration plan;
 - 1.4 install all site control measures, as identified in the approved site alteration plan, prior to soil stripping; these measures shall be maintained by the permit holder or subsequent landowner during the period of land disturbance in a manner satisfactory to the Director to ensure adequate compliance with the requirements of this by-law and to prevent damage as a result of erosion, sedimentation or flooding;
 - 1.5 repair any sedimentation or erosion damage to adjoining surfaces, drainageways and watercourses resulting from land disturbing activities;
 - 1.6 inspect the construction control measures at least once per week and after each rainfall, which may be severe enough to cause erosion and sediment drainage to adjoining properties, and complete repairs within forty-eight (48) hours to the satisfaction of the Director;
 - 1.7 allow employees of the Town, and/or any other person(s) working on behalf of the Town, to enter the site for the purpose of inspecting for compliance with the approved site alteration plan or for performing any work necessary to bring the site into compliance with the approved site alteration plan;
 - 1.8 maintain a copy of the permit and the approved site alteration plan on the site, as well as, a record of all inspections. Copies of all inspection reports must be made available to the Town upon request;
 - 1.9 be responsible for the activities of his/her agents, servants, employees, contractors and subcontractors who may create a situation of non-compliance of the permit;
 - 1.10 provide additional information and construct additional control measures, not identified in the site alteration plan, as deemed necessary by the Director to ensure no erosion and sediment damage to the adjoining properties from activities on the site;
 - 1.11 not remove trees or other vegetation that is in contravention of the Town's Private Tree Protection By-law or Zoning By-law as amended or successor legislation thereto or is in contravention of any other applicable law or regulation.

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2. In addition to the above, the Director may prescribe conditions, amongst others, with respect to the following:
 - 2.1 the maximum height of fill to be placed or dumped in any area or areas of any lands;
 - 2.2 the maximum volume of fill to be placed or dumped in any area or areas of any lands;
 - 2.3 notwithstanding any other provision of this by-law, further limiting and defining the quality or type or source of fill to be placed on any area or areas of any lands;
 - 2.4 limiting the days and time of day during which site alteration may take place on any lands;
 - 2.5 prescribing the maximum rise of slopes, expressed as a percentage or ratio, for fill placed or dumped on any lands and the maximum time in which those rises must be achieved;
 - 2.6 prescribing a date by which the site alteration must be completed; and
 - 2.7 site remediation measures, including topsoil, seeding, sodding and installation of berms and landscaping, as are necessary to minimize the visual impact of site alteration proposals.

The Corporation of the Town of Aurora

By-law Number XXXX-19

**Being a By-law to levy Interim Property Taxes
for the 2020 taxation year.**

Whereas subsection 317(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "Act"), provides that a local municipality, before the adoption of estimates for the year under section 290 of the Act, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes;

And whereas subsection 317(2) of the Act provides that a by-law under subsection 317(1) shall be passed in the year that the amounts are to be levied or may be passed in November or December of the previous year if it provides that it does not come into force until a specified day in the following year;

And whereas since The Corporation of the Town of Aurora (the "Town"), The Regional Municipality of York, and the Province of Ontario have not all adopted estimates and established tax rates for the year 2020, the Town wishes to pass a by-law levying amounts on the assessment of property in the Town in accordance with subsection 317(1) of the Act (the "Interim Property Tax");

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

1. The Town shall levy an Interim Property Tax in 2020.
2. The Interim Property Tax may be levied under this by-law on a property that is rateable for local municipality purposes for the current tax year, but which was not rateable for local municipality purposes for the prior tax year, including assessment of property that is added to the assessment roll after this by-law is passed.
3. The Interim Property Tax rate will be an amount equal to fifty percent (50%) of the total amount of taxes for municipal and school purposes levied on the rateable property for the previous year.
4. The Treasurer of the Town or his designate shall send to each person so taxed, a printed bill specifying the amounts and due dates of amounts payable by the taxpayer.
5. The Treasurer of the Town or his/her designate shall send the property tax bill to the taxpayer's residence or place of business unless the taxpayer directs the Treasurer, in writing, to send the bill to an alternate address, in which case it shall be sent to the requested alternate address, until revoked by the taxpayer in writing.
6. The Interim Property Tax levied by this by-law shall be due and payable to the Treasurer in installments on February 25, 2020 and April 21, 2020, and shall be paid at the Town of Aurora Municipal Office located at 100 John West Way, Aurora, Ontario or to a financial institution to the credit of the Treasurer, Town of Aurora. Properties registered for the Pre-authorized Tax Payment Plan program

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will have Interim Property Tax levied by this by-law due and payable in automatic installments on the last business day of each calendar month, commencing on January 31, 2020, and such Pre-authorized Tax Payment Plan installments shall be subject to adjustment as set out in paragraph 10 of this by-law.

7. If the Interim Property Tax levied on any class of property or any installments thereof which are due and payable in accordance with this by-law, remain unpaid on the due date, interest of one and one quarter percent (1.25%) (being fifteen percent (15%) per annum) of the unpaid Interim Property Tax shall be imposed on the first day of the default, or within five (5) business days of the default.
8. On the first day of the next calendar month following the due date and every month thereafter for so long as there is Interim Property Tax remaining unpaid, interest in the amount of one and one quarter percent (1.25%) (being fifteen percent (15%) per annum) shall be imposed on the Interim Property Tax remaining unpaid. Interest shall not be charged in respect of any installment which was due in the prior month, but for which interest has been imposed in the current month.
9. All payments, including partial payments, shall be applied to accounts on a consistent basis.
10. The Treasurer of the Town or his/her designate is hereby delegated the power and authority to adjust the amount of the Interim Property Tax levied on a property to the extent that the Treasurer considers appropriate, where the Treasurer is of the opinion that the Interim Property Tax levied on a property is too high or too low in relation to the estimate of the total taxes that will be levied on the property for the year 2019; and more particularly, the Treasurer may do so for all properties described in paragraph 2 above and those properties registered for the Pre-authorized Tax Payment Plan program.
11. This By-law shall come into full force and effect on January 1, 2020.

Enacted by Town of Aurora Council this 10th day of December, 2019.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

The Corporation of the Town of Aurora

By-law Number XXXX-19

**Being a By-law to govern the proceedings of
Council and Committee meetings of the Town of
Aurora.**

Whereas subsection 238 (2) of the *Municipal Act, 2001* requires every Council and local board to adopt a Procedure by-law for governing the calling, place and proceedings of Meetings;

And whereas subsection 11 (2) of the *Municipal Act, 2001* provides that upper and lower tier municipalities may pass by-laws respecting accountability and transparency of the municipality and its operations and of its local boards and their operations; and,

And whereas it is Council's desire to follow a process of municipal governance that reflects an open, transparent government;

And whereas Council, in the interest of good governance, recognizes a Procedure By-law as a hallmark of accountability and transparency; and,

And whereas Council considers it necessary to enact a by-law in this regard and to repeal Procedural By-law Number 6068-18, as amended;

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

1. Definitions

In this Procedure By-law:

- a) "CAO" means the Chief Administrative Officer of the Town or his/her designate;
- b) "Chair" means the presiding officer at a meeting of Council or a Committee;
- c) "Clerk" means the Clerk of the Town or his/her designate;
- d) "Closed Session" means a Meeting, or part of a Meeting of Council or a Committee, which is closed to the public as permitted by the *Municipal Act, 2001*;
- e) "Code of Ethics" means the "Code of Ethics", a declaration of the principles of good conduct and ethics.
- f) "Committee" means any Standing Committee of Council or an advisory or special Committee established by Council from time to time;
- g) "Confirming By-law" means a by-law passed for the purpose of giving effect to a previous decision or proceeding of Council;
- h) "Council" means the Members of Council of the Town of Aurora;

- i) "Delegation" means an address to Council or a Committee at the request of a person wishing to speak;
- j) "Deputy Mayor" means the Councillor who received the highest number of votes in the last regular election;
- k) "Director" means a Director of the Town or his/her designate or successor in title;
- l) "Emergency Weather Event" means an emergency weather event as defined by Town Policy No. HR-23 – Facility Closure – Inclement Weather/Power Failure – as may be amended from time to time;
- m) "Friendly Amendment" means an amendment to the Motion under debate with the consent of the mover and seconder only, and without the requirement for an amending Motion to be made;
- n) "Frivolous" means without merit or substance or is trivial;
- o) "Head" means the individual or body determined to be head under the *Municipal Freedom of Information and Protection of Privacy Act, 1990*
- p) "Inaugural Meeting" means the first Meeting of Council after a regular election;
- q) "Local Board" means a local board defined by the *Municipal Act, 2001*;
- r) "Mayor" means the Mayor of the Town;
- s) "Meeting" means any regular, special or other Meeting of Council or a Committee and includes a Workshop;
- t) "Member" means any individual elected to Council or a person appointed by Council to a Committee;
- u) "Motion" means a proposal moved by a Member, and seconded by another Member, to adopt, amend, or otherwise deal with a matter before Council or a Committee;
- v) "*Municipal Act, 2001*" means the *Municipal Act, 2001*, S.O. 2001, c.25, as amended;
- w) "Municipal Conflict of Interest Act" means the Municipal Conflict of Interest Act, R.S.O. 1990, c. M.50, as amended;
- x) "Municipality" means The Corporation of the Town of Aurora;
- y) "Notice" means written notice, except where legislation, by-law or policy of the Town provides for another form and manner of notice;
- z) "Offending Member" means a Member who has been found by the Chair or by Council or by a Committee to have disobeyed a rule in this Procedure By-law or a Chair's ruling;
- aa) "Point of Order" means a Motion raised by a Member drawing attention to an infraction of this Procedure By-law;

- bb) "Point of Personal Privilege" means a Motion raised by a Member which concerns the health, safety, rights, or integrity of the Member, the Council, a Committee, Staff or anyone present at a Meeting;
- cc) "Procedural Matter" means a matter or Motion of a procedural nature;
- dd) "Public Planning Meeting" means a Meeting held pursuant to the *Planning Act*, R.S.O. 1990, c. P.13, *as amended*, or other statute;
- ee) "Quorum" means the number of Members required for the legal conduct of the business of Council or a Committee.
- ff) "Resolution" means the decision of Council on any Motion;
- gg) "Robert's Rules of Order" means the most current edition of Robert's Rules of Order, Newly Revised;
- hh) "Rules of Procedure" means the rules and regulations contained in this Procedure By-law and that govern the proceedings of Council and its Committees;
- ii) "Staff" means an employee(s) of the Town;
- jj) "Standing Committee" means a Committee established by Council and consisting solely of all Members of Council;
- kk) "Town" means The Corporation of The Town of Aurora;
- ll) "Town Hall" means the municipal offices located at 100 John West Way, Aurora, Ontario;
- mm) "Vexatious" means without merit and pursued in a manner that is malicious or intended to embarrass or harass the recipient or others;
- nn) "Workshop" means a Meeting of Council or Committee for the purpose of discussing issues in an informal venue.

2. Purpose and Application

- a) This By-law shall be known as the Procedure By-law and establishes the rules of procedure for Council and Committee Meetings.

3. Principles of the Procedure By-law

- a) The principles of openness, transparency and accountability to the public guide the Town's decision-making process. In the context of Council and Committee proceedings, this is accomplished by:
 - i) Ensuring the decision-making process is understood by the public and other stakeholders;
 - ii) Providing access to information and opportunities for input by the public and other stakeholders consistent with the requirements of this Procedure By-law and other statutory requirements;
 - iii) Exercising and respecting individual and collective roles and responsibilities provided for in this Procedure By-law and other statutory requirements.

- b) The protection of basic rights by recognizing the right of the majority to decide, the minority to be heard and individuals to have the opportunity to participate.
- c) The principles of parliamentary law governing Council and Committee Meetings include:
 - i) Every Member has the right to one vote, unless prevented by law;
 - ii) Each Member has the right to be heard on a matter, unless prevented by law;
 - iii) Each Member has the right to information to help make decisions, unless prevented by law;
 - iv) Each Member has the right to an efficient meeting;
 - v) Each Member has the right to be treated with respect and courtesy;
 - vi) Each Member represents the public and will first and foremost consider the well-being and interests of the Municipality.

4. Interpreting the Procedure By-law

- a) In the event of conflict between this Procedure By-law and legislation, the provisions of the legislation prevail.
- b) If there is a conflict between two or more rules in this Procedure By-law, or if there is no specific rule on a matter, the Chair will rule. In making a ruling, the Chair may consult the Clerk, rely on previous rulings and practices, or refer to Robert's Rules of Order.

5. Suspension of Rules

- a) Rules of Procedure provided for in this Procedure By-law may be suspended by a two-thirds majority vote of Council or a Committee, with the exception of the following circumstances:
 - i) Where required by law;
 - ii) Contractual agreements binding the Town;
 - iii) Quorum requirements.
- b) A Motion to suspend the Rules of Procedure required by this Procedure By-law shall not be debatable or amendable.

6. Standing Committees

- a) General Committee
 - i) The General Committee shall be comprised of all Members of Council.
 - ii) The General Committee may consider delegations, Community presentations, correspondence, staff reports and matters which may require more elaboration and discussion than would be appropriate in a Council Meeting and such other matters as Council

may determine. Recommendations from General Committee will be considered by Council.

b) Audit Committee

- i) The Audit Committee shall be comprised of all Members of Council.
- ii) The Audit Committee shall:
 - (a) Review audited financial statements;
 - (b) Review significant management letter comments and related recommendations;
 - (c) Review the appointment of auditors; and
 - (d) Make recommendations regarding the above to Council.
- iii) The Committee's mandate shall include operational reviews.
- iv) Meetings will be held at the call of the Chair. Agendas will be distributed to Members of Council at least forty-eight (48) hours prior to the Meeting.

c) Budget Committee

- i) The Budget Committee will be comprised of all Members of Council.
- ii) The Budget Committee shall make recommendations to Council on approval of the Town's annual operating and capital budgets.
- iii) The Budget Committee has delegated authority to:
 - (a) Approve the Meeting minutes of the Budget Committee;
 - (b) Direct staff to bring forward information to the Budget Committee as needed, and defer matters to a future General Committee or Budget Committee meeting; and
 - (c) Direct staff to prepare and bring forward for Council's consideration a report summarizing Committee recommendations on the annual capital and operating budgets.
- iv) Budget Committee Meetings will be held as outlined in the Meeting Schedule, as approved by Council.

7. Committees

- a) When not provided for in the Committees' Terms of Reference or the Town Policy for Ad Hoc/Advisory Committees and Local Boards, the Rules of Procedure set out in this Procedure By-law shall govern all Meetings of all Committees, including any ad hoc, Advisory Committees, or Local Boards.

8. Chair of Meeting

- a) The Chair is the presiding officer at a Meeting of Council or a Committee.
- b) The Chair of a Meeting of Council, Audit Committee, Budget Committee, a Closed Session or a Workshop Meeting is the Mayor. In the absence of the Mayor, the Deputy Mayor is Chair.

- c) The Chair of a Meeting of General Committee shall be rotated among the Members of Council, excluding the Mayor, every two (2) consecutive meetings, in descending order of votes received by the Members in the last regular election.
- d) In the absence of the person appointed as Chair, the Members shall appoint one of their Members as Chair for the purpose of that Meeting.
- e) The Chair and any Vice Chairs of other Committees are appointed in accordance with the Town's Policy for Ad Hoc/Advisory Committees and Local Boards, or their Terms of Reference.

9. Duties of the Chair

- a) The Chair is responsible for, where applicable:
 - i) Carrying out the roles and responsibilities of his/her role as described in the *Municipal Act, 2001*;
 - ii) Chairing the Meeting in an objective manner in accordance with this Procedure By-law;
 - iii) Enforcing the Rules of Procedure in this Procedure By-law;
 - iv) Enforcing order and good behaviour of all Members at all times;
 - v) Announcing the business before Council or a Committee and the order in which it is to be considered;
 - vi) Receiving, stating and framing all Motions presented to clarify their intent as moved;
 - vii) Ruling on whether a Motion is in order;
 - viii) Protecting Council or a Committee from a Motion that is obviously Frivolous or tending to cause delay by refusing to acknowledge the Motion;
 - ix) Providing information to Members on any matter related to the business of Council or a Committee;
 - x) Deciding to acknowledge, and ruling on, whether a Point of Order or Point of Personal Privilege is in order subject to an appeal by any Member to the Council or a Committee on any question of order in respect to business before the Council or a Committee, and giving the facts, circumstances and reasons for the ruling;
 - xi) Calling a vote on the question of sustaining the ruling of the Chair, and announcing the results of the vote, if there is an appeal to the ruling of the Chair. In this regard, the Chair may provide further explanation of the ruling prior to calling the vote;
 - xii) Recessing a Meeting for a brief, specified time to consult the Clerk, the CAO or other staff person if necessary;
 - xiii) Recessing the Meeting for a specified time if there is a threat or imminent threat to the health or safety of any person, or if there is a possibility of public disorder;

- xiv) Ensuring that Members take a health break by announcing a minimum ten (10) minute recess after two (2) hours have passed since the last break;
- xv) Ensuring that all Members who wish to speak on a Motion have spoken;
- xvi) Ensuring clarity, where required, by reading, or requesting the Clerk, recording secretary or other appropriate person to read Motions before voting;
- xvii) Putting all Motions to a vote and announcing results;
- xviii) Voting on all matters unless the *Municipal Conflict of Interest Act* prohibits it;
- xix) Declining to put to a vote any Motion which contravenes this Procedure By-law;
- xx) Calling Members to order;
- xxi) Adjourning the Meeting when the business of the Meeting has concluded; and,
- xxii) Signing all by-laws, Resolutions, and minutes when required.

10. Members of Council and Committees

- a) Members are responsible for, where applicable:
 - i) Carry out the responsibilities of the role of Council as described in the *Municipal Act, 2001*, *Municipal Conflict of Interest Act* and any other legislation;
 - ii) Attending scheduled Meetings;
 - iii) Carefully considering and making decisions about Meeting business, including seeking information and advice from staff prior to and during a Meeting;
 - iv) Voting on Motions put to a vote, unless the *Municipal Conflict of Interest Act* prohibits it;
 - v) Respecting the Rules of Procedure in this Procedure By-law;
 - vi) Listening attentively, participating in a Meeting and not interrupting, unless to raise a Point of Order or Point of Personal Privilege;
 - vii) Remaining silent in their seats while Council or a Committee votes and until the Chair announces the result of the vote;
 - viii) Refraining from using indecent, offensive or insulting language or speak disrespectfully of any individual.
 - ix) Refraining from engaging in private conversation while in the Meeting or using communication devices in any manner that disrupts the Member speaking or interrupts the business of Council;
 - x) Respecting and following the decisions of Council or a Committee;

- xi) Not disclosing any of the content of a Meeting that was closed to the public or provide confidential documents or materials to unauthorized individuals;
- xii) Complying with the Chair's rulings and Council's decisions; and
- xiii) Complying with the Council Code of Ethics.

11. Breach of Rules

- a) If a Member disobeys a rule in this Procedure By-law or a Chair's ruling:
 - i) After the first occurrence, the Chair calls the Member to order.
 - ii) After the second occurrence, if the Member continues to disobey this Procedure By-law or the Chair's ruling, the Chair will immediately order the Member to leave his/her seat and observe the Meeting from the audience for the remainder of the Meeting.
 - iii) Any Member other than the Offending Member may appeal the Chair's ruling in ii), and Council or a Committee may overturn or uphold the Chair's ruling. Should the Chair's ruling be overturned, the Offending Member may return to his/her seat.
 - iv) At the next available opportunity in the Meeting, the Chair will offer the Offending Member the opportunity to apologize to Council or a Committee. The apology will not include additional comments or debate by the Offending Member or by Council or a Committee.
 - v) After an apology is made by the Offending Member, Council or a Committee may consent to allow the Offending Member to return to the Meeting.
 - vi) Should, at any point, the Offending Member create a disturbance while seated in the audience in accordance with subsection 10.b)ii), the Chair will order the Offending Member to leave the Council chamber or meeting room.
 - vii) Council cannot appeal the Chair's ruling in accordance with subsection 10.b) vi).
 - viii) If the Offending Member refuses to leave his/her seat or leave the Council chamber or meeting room as required in subsection 10.b)vi), the Chair may request the CAO to contact security or the police for assistance.

12. Right of Public Input and Notice

- a) The public has the right to have input and receive Notice on Council's decision-making process. The methods for doing so include: writing to Council through the Clerk; submitting a petition; speaking at an Open Forum; or speaking as a Delegation. The public will receive Notice in accordance with the requirements of legislation, this Procedure By-law and the Town's Notice By-law.
- b) Should an individual wish to be provided with further Notice related to a matter of business before Council or Committee, he/she is required to

indicate this wish to the Clerk on the prescribed form, which is available on the Town's website or at the Town Hall.

13. Members of the Public

- a) The Chair may expel or exclude any person who disrupts a Meeting, and may request security and/or police assistance in doing so.
- b) No persons, other than Members and Town staff, are permitted to approach the area where Members and staff are seated.
- c) Attendees will submit all materials for Council or Committee through the Clerk.
- d) Attendees are responsible for:
 - i) Maintaining order and not heckling, or engaging in conversations, displaying placards or props or any behavior that may be considered disruptive;
 - ii) Speaking respectfully at all times;
 - iii) Using recording, broadcasting or streaming devices respectfully, and should the Chair direct it, moving or ceasing to use recording, broadcasting or streaming devices.
- e) All communication devices shall be turned off or set to silent mode during any meeting, with the exception of assistive devices for people with disabilities.

14. Preparation of Agendas

- a) The CAO and his/her staff are charged with providing guidance and recommendations to Council or Committee related to municipal business, and implementing the decisions of Council.
- b) The CAO chairs a regularly scheduled internal meeting to review draft agenda items in order to support the business of Council.
- c) The Clerk provides an administrative process to support the approval, preparation, Notice, publication and distribution/public access to agendas and agenda items, following approval by the CAO and/or Director.

15. Availability of Agendas

- a) Council Meeting agendas are generally available to Members of Council and the public on each Thursday preceding a Meeting.
- b) General Committee Meeting agendas are generally available to Members on the Monday that is eight (8) days preceding a General Committee Meeting and are generally available to the public on the following Tuesday.
- c) Closed Session agendas will be provided to Council in accordance with the publishing timeframes set out in Section 15 a) where required.

- d) Council Public Planning Meeting agendas are generally available to Members of Council and the public seven (7) days prior to the Meeting date.
- e) Special General Committee and Council, Workshop and emergency Meeting agendas will be provided to Members in accordance with the publishing timeframes set out in the Notice of Meetings section of this Procedure By-law, where required.
- f) Agendas for Committees, including Audit Committee and Budget Committee and excluding General Committee, are generally available seven (7) days prior to the meeting date.

16. Additional Items and Corrections

- a) An additional item is any item that is to be added to a Council or Committee agenda following publication of the original agenda.
- b) Any corrections to the agendas of Council or Committee may be listed on the additional items to be distributed, for information only.
- c) Committees are required to consent to the introduction of additional items by approving the agenda, as amended.
- d) Requests for items to be added to the agenda as an additional item shall have met at least one of the following conditions:
 - i) Government/agency deadlines;
 - ii) Legal implications;
 - iii) Contractual implications;
 - iv) Financial implications;
 - v) Council or General Committee direction; or
 - vi) As directed by the CAO.
- e) Additional items to Council or General Committee Meeting agenda are available on each Monday preceding the Meeting, and further additional items may be provided up to and including the Meeting day.

17. Reports of Council and General Committee

- a) In accordance with established administrative protocols, reports prepared by staff are submitted in writing to the Clerk and distributed with the agenda for the applicable Meeting of Council or General Committee.
- b) Reports prepared by staff members contain information and recommendations prepared in the context of their professional, technical and administrative expertise independent of any particular political, constituent or stakeholder interest.

18. Information Reports

- a) An information report is prepared for the information of Council and generally relates to a matter considered at Council or General Committee, or is a matter of Town business.

- b) An information report does not contain recommendations.
- c) An Information Report may be requested by Council or General Committee in the form of a motion.
- d) Information reports are circulated directly to Council Members by email and made available to the public on the Town's website in accordance with the timelines set out in the Availability of Agendas section of this Procedure By-law. Information reports are not published on a General Committee or Council agenda unless a Council Member makes such a request to the Clerk.
- e) Information Reports will be placed on an upcoming General Committee agenda at the request of a Council Member. Where required due to urgency or timing, information reports may be considered directly at Council as an item.

19. Meetings

- a) Meetings Open to the Public
 - i) All Meetings shall be open to the public except as provided for in the Closed Session section of this Procedure By-law.
- b) Inaugural Meeting
 - i) The first Meeting of a newly elected Council after a regular municipal election shall be held on the first Tuesday in December at 7 p.m. or such other date and time as determined by the Clerk.
- c) Approval of the Meeting Schedule
 - i) Prior to January 1st of every year, Council approves a Meeting schedule of Council and Standing Committees for each calendar year, which may be amended. The Meeting Schedule is made available to the public on the Town's website.
 - ii) The Meeting schedule of Committees is determined by its Members, in accordance with each Committee's Terms of Reference and/or prescribed mandate.
- d) Location of Meetings
 - i) Meetings shall take place at Town Hall, or at another location within the municipality or adjacent to the municipality, as authorized by the Mayor or by Council, or as provided for in the *Municipal Act, 2001* when Notice is given.
- e) Schedule of Meetings
 - i) Meetings shall take place in accordance with the Meeting Schedule as prepared by the Clerk and approved by Council.
 - ii) All Council Meetings will generally be held on the fourth Tuesday of each month at 7 p.m. and General Committee Meetings will generally be held on the first and third Tuesday of each month at 7 p.m. Where a Council Meeting day is a public or civic holiday,

Council will meet at the same hour on the Wednesday immediately following the holiday.

- iii) Unless otherwise determined by the Clerk, Council Closed Session will be scheduled at 5:45 p.m. immediately prior to a Council or General Committee Meeting, and will recess or adjourn at least ten (10) minutes prior to the scheduled time of the meeting.

f) Public Planning Meetings

- i) Council will meet on the second Tuesday of each month at 7 p.m. for a Council Meeting to consider development-related applications and other matters that have been submitted under the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

g) Quorum

- i) A majority of Members shall constitute a Quorum.
- ii) As soon as there is a Quorum after the time appointed for commencement of a Meeting, the Mayor or Chair will call the Meeting to order. If a Quorum is not present 30 minutes after the time appointed for commencement of a Meeting, the Clerk shall indicate that no Quorum is present and the Meeting shall not commence.
- iii) If during the course of a Meeting, Quorum is lost, the Chair shall declare that the Meeting shall be adjourned until the date of the next scheduled Meeting. The agenda items are deemed to be deferred to the next scheduled Meeting.

h) Late Arrival

- i) If a Member arrives late at a Meeting, any prior discussion is not reviewed without the consent of the Members present.

20. Notice of Meetings

a) General Provisions

- i) The Clerk gives Notice of a Meeting by:
 - (a) Posting the annual approved schedule of Meetings; or
 - (b) Using the Town's social media accounts and website; or
 - (c) Publishing Notice on the Town's regular advertising page in the local newspaper; or
 - (d) Providing the agenda to Members and the public; or
 - (e) All of the above.
- ii) Every Notice of a Meeting shall indicate the date, time and place of the Meeting, and the contact information for the Clerk's office.
- iii) Nothing in this Procedure By-law shall prevent the Clerk from using more extensive methods of Notice.
- iv) Nothing in this Procedure By-law shall prevent the Clerk from using longer timeframes for providing Notice.

- b) Special Meetings of Council or General Committee**
 - i) A special Meeting of Council or General Committee may be called by the Mayor at any time. A special Meeting of Council or General Committee is limited to business matters included in the Notice of Meeting.
 - ii) Upon receipt of a written petition from a majority of the Members of Council, the Clerk will summon a special Meeting of Council or General Committee for the specific purpose and time identified in the petition.
 - iii) In addition to the general Notice provisions in this Procedure By-law, the Clerk shall give Notice of a special Meeting of Council or General Committee by providing an agenda at least twenty-four (24) hours prior to the Meeting or if the Meeting is to be scheduled in less than twenty-four (24) hours, then by providing an agenda at the first opportunity to do so.
- c) Workshop Meetings**
 - i) The Mayor and/or CAO may hold a Workshop Meeting for Members of Council to discuss issues in an informal venue. With the exception of Procedural Matters, no Motions are passed.
 - ii) A record describing, in general terms, the Meeting and the subject matter discussed is made at all Workshop Meetings and placed on a future Council agenda to be received only for the purposes of information.
 - iii) In addition to the general Notice provisions in this section of the Procedure By-law, the Clerk shall give Notice of a Workshop Meeting by providing an agenda at least twenty-four (24) hours prior to the Meeting.
 - iv) Delegations shall not be permitted at Workshop Meetings.
- d) Cancellation or Postponement of Meetings**
 - i) A Meeting may be cancelled or postponed where it is known in advance that Quorum will not be achieved, by Council Resolution, in the event of an emergency or Emergency Weather Event, or where the Meeting is no longer required, as deemed by the CAO.
 - ii) Where possible, the Clerk shall give Notice of cancellations or postponements of Meetings by:
 - (a) Providing Notice to each Member by email notification no less than forty-eight (48) hours prior to the time set for the Meeting; or
 - (b) Providing Notice to the public no less than 3 hours by:
 - Posting a Notice on the Town website;
 - Sending a Notice via the Town's social media accounts;
 - Posting a Notice on the Town's regular advertising page in the local newspaper, if time permits; and
 - Where (c) cannot be achieved, posting a Notice at the main entrance to Town Hall.

- (c) Notwithstanding subsection 19.d) ii), in the case of an emergency or an Emergency Weather Event, the Clerk shall provide Notice to each Member and the public as soon as practically possible.
- iii) Meetings of Committees may be cancelled or postponed by the Clerk, recording secretary, Chair or other assigned person where Quorum cannot be achieved, by Committee resolution, or in the event of an emergency or Emergency Weather Event.
- e) Invalidation of Notice of Meeting
 - i) If a Meeting Notice is substantially given, but varies from the form and manner provided in this Procedure By-law, the ability to hold the Meeting and the actions taken at the Meeting are not invalidated.

21. Closed Session

- a) Matters of Closed Session
 - i) Council or a Committee may, by Resolution, close a Meeting or part of a Meeting to the public in accordance with section 239 of the *Municipal Act, 2001*.
 - ii) Council or a Committee may also resolve into a Closed Session to the public for the following purposes:
 - (a) An ongoing investigation respecting the Municipality, a Local Board or a municipally-controlled corporation by the Ombudsman appointed under the *Ombudsman Act*, an Ombudsman referred to in subsection 223.13 (1) of the *Municipal Act, 2001*, or the investigator referred to in subsection 239.2 (1) of the *Municipal Act, 2001*.
- b) Notice of Closed Session
 - i) Where a matter may be considered by Council or General Committee for discussion in Closed Session, wherever possible, written Notice by way of a published agenda will include:
 - (a) The fact that the Meeting will be closed to the public as provided for in the *Municipal Act, 2001*; and
 - (b) The general nature of the matter to be considered at the Closed Session.
- c) A Motion to close a Meeting or part of a Meeting to the public shall state the:
 - i) Intention to close the Meeting to the public; and
 - ii) General nature of the matter to be considered at the Closed Session, and the grounds for closing the Meeting as set out in the *Municipal Act, 2001*.
- d) Voting during Closed Session

- i) Only votes relating to procedural matters or direction to staff may be taken during a Closed Session, unless otherwise authorized.
- e) Upon completion of the Closed Session:
 - i) The Members shall immediately reconvene in open session;
 - ii) The Mayor shall report any outcomes on the Closed Session as necessary; and,
 - iii) If applicable, the Members shall vote on any Resolution(s) originating from the Closed Session.
- f) Reporting Out and Confidentiality of Closed Session Discussions
 - i) Any required vote will occur following the Closed Session discussion of a Council or Committee Meeting.
 - ii) Public General Committee and Council Closed Session agendas, minutes or reports shall provide sufficient detail without detrimentally affecting the confidentiality of the matter(s) discussed in Closed Session and the position of the Municipality.
 - iii) Minutes of a Closed Session shall be presented for adoption at a scheduled Meeting of Council that does not occur on the same day.
 - iv) No Member shall disclose or discuss, through written, electronic or verbal communication or any other means, to any individual or corporate third party, any information that has been or will be discussed at a Closed Session of Council or a Committee until such time that Council or a Committee has determined or has been advised by staff that the matter, or any part of the matter, may be made public, subject to review by the head or designate under the *Municipal Freedom of Information and Protection of Privacy Act* or if directed to do so by a court.
- g) Openness and Transparency
 - i) The Clerk shall maintain an annual log of all reports and Resolutions considered in Closed Session, conduct an annual review with the CAO and staff to determine which items are no longer sensitive and/or confidential. The Clerk shall prepare an Annual Report of all Closed Session items approved for public release, and shall post the report on the Town website. Items identified for release shall qualify for 'routine disclosure' in accordance with the Town's freedom of information practices.
- h) Closed Meeting Investigation
 - i) A person may request that an investigation be undertaken to determine whether Council or Committee complied with the requirements of the *Municipal Act, 2001* and this Procedure By-law in respect of a Meeting or part of a Meeting closed to the public. A person may initiate such a request by submitting a written request to the Town Clerk.

22. Speaking Order and Limit

- a) The Chair shall maintain a list of Members who have requested to speak or ask questions. The Chair shall designate Members to speak or ask questions in the order in which they appear on the list. The Chair shall give priority to Members who have not spoken to the matter previously.
- b) At Committee Meetings, Members are permitted to speak two (2) times on a matter, the first time being for a maximum of ten (10) minutes, and the second time being for a maximum of five (5) minutes; and
- c) At Council Meetings, Members are permitted to speak two (2) times on a matter for a maximum of five (5) minutes each time

23. Rules of Debate

- a) Members' comments are relevant to the matter of business before Council or a Committee. Members should avoid comments intended to be statements or assertions.
- b) Any Member may require a Motion or question under discussion to be read at any time during the debate but not so as to interrupt the Member speaking.
- c) Members shall express themselves succinctly without repetition.
- d) Questions may be asked only of:
 - i) The Chair;
 - ii) Staff;
 - iii) A previous speaker; and,
 - iv) A delegation.

24. Order of Business – General Committee

- a) The order of business of General Committee is set out in the agenda, as follows, where provided for:
 - i) Approval of the Agenda
 - ii) Declarations of Pecuniary Interest and General Nature Thereof
 - iii) Community Presentations
 - iv) Delegations
 - v) Consent Agenda
 - vi) Advisory Committee Meeting Minutes
 - vii) Consideration of Items Requiring Discussion (Regular Agenda)
 - viii) Notices of Motion
 - ix) New Business
 - x) Closed Session

- xi) Adjournment

25. Order of Business – Council

- a) The order of business for the Council is set out in the agenda as follows, where provided for:
 - i) Approval of the Agenda
 - ii) Declarations of Pecuniary Interest and General Nature Thereof
 - iii) Community Presentations
 - iv) Delegations
 - v) Consent Agenda
 - vi) Standing Committee Reports
 - vii) Consideration of Items Requiring Discussion (Regular Agenda)
 - viii) Motions
 - ix) Regional Report
 - x) New Business
 - xi) Public Service Announcements
 - xii) By-laws
 - xiii) Closed Session
 - xiv) Confirming By-law
 - xv) Adjournment

26. Order of Business - Other

- a) The order of business for any other meeting type is at the discretion of the Clerk.

27. Record of Meetings

- a) The Clerk records the minutes of Meetings of General Committee and Council without note or comment. The minutes record:
 - i) The date, time and location of the Meeting;
 - ii) The name of the Chair and a record of the attendance at the Meeting;
 - iii) The name and nature of presenters and Delegations; and
 - iv) All Resolutions, decisions and other proceedings of the Meeting;
- b) Minutes of Committees, excluding standing Committees are submitted to General Committee for receipt.

- c) The receipt of Committee minutes, excluding standing Committee minutes, by Council does not constitute endorsement by the Town of any recommendations or actions contained in the minutes.
- d) A General Committee report is submitted to the next regular Council meeting for consideration of the recommendations to Council. The report from General Committee that is presented to Council shall not contain the mover or seconder on each item but rather shall only show recommendations endorsed by the General Committee.
- e) Minutes of each Meeting of Council are presented to the subsequent regular Meeting of Council for approval. The approved minutes form the official record of the Meeting.
- f) After the Council Meeting minutes have been approved by Council, they shall be signed by the Mayor and Clerk.
- g) Approved minutes of Council, including the report of the General Committee, will be posted on the Town's website as they become available.
- h) The Clerk shall ensure that the minutes of each Meeting are made available to Members within a reasonable amount of time after the holding of such Meeting.

28. Changes in Order of Agenda

- a) The business of General Committee and Council is dealt with in the order stated on the published agenda, unless Council consents to changing the order.

29. Declarations of Pecuniary Interest

- a) Members are required to make declarations of pecuniary interest in accordance with the requirements of the *Municipal Conflict of Interest Act* and/or other relevant legislation and shall refrain from speaking to and voting on the matter. At a Meeting at which a Member discloses a pecuniary interest, or as soon as possible afterwards, the Member shall file a written statement of the interest and its general nature with the Clerk or the secretary of the Committee or Local Board.
- b) A public registry of all declarations of pecuniary interest will be maintained by the Clerk in accordance with the *Municipal Conflict of Interest Act*.
- c) Where a Meeting is not open to the public, in addition to complying with the requirements set out in the Closed Session section of this Procedure By-law, the Member shall leave the Meeting or the part of the Meeting during which the matter is under consideration.
- d) Where the interest of a Member has not been disclosed by reason of the Member's absence from a particular Meeting, the Member shall disclose the Member's interest and otherwise comply at the first Meeting of Council or Committee, as the case may be, attended by the Member after the particular Meeting.

- e) The Clerk shall record the particulars of any disclosure of pecuniary interest and general nature thereof made by a Member, and this record shall appear in the minutes of that Meeting.

30. Staff and Community Presentations

- a) Staff Presentations
 - i) Staff presentations, if related to a report on the agenda shall occur at the time the report is discussed. Presentations by Staff at Meetings shall be a maximum of ten (10) minutes.
- b) Community Presentations
 - i) Community Presentations may be made by third-parties invited by staff to Council or General Committee on matters of interest to the Town. Such presentations are received or presented by the Chair.
 - ii) Requests to be added to the Community Presentations section of an agenda shall be submitted to the Clerk at least three (3) weeks prior to the Meeting date.
 - iii) Any accompanying materials must be submitted to the Clerk in an electronic format at least three (3) business days prior to the Meeting date.
 - iv) Community Presentations may be up to five (5) minutes. The consent of Council or General Committee is required to extend a presentation beyond five (5) minutes.
 - v) The Clerk may limit the frequency and/or number of times a group or individual may appear before General Committee or Council.

31. Delegations at Meetings of Council and General Committee

- a) General Provisions
 - i) Delegates shall be encouraged to appear at the appropriate Committee first rather than Council.
 - ii) Anyone wishing to appear before General Committee shall register as a delegate by submitting the prescribed form to the Clerk no later than 9 a.m. on the scheduled Meeting date.
 - iii) Anyone wishing to appear before Council shall register as a delegate by submitting the prescribed form to the Clerk no later than 9 a.m. one (1) business day prior to the scheduled Meeting date.
 - iv) Delegates shall advise the Clerk that the audio visual equipment will be required and shall submit supporting material to the Clerk for approval in an electronic format no later than 4:30 p.m. on the Friday prior to the Meeting date.
 - v) Delegates requesting specific financial assistance or services in-kind from General Committee or Council shall be directed to a Budget Committee meeting. Requests made outside the Budget Committee Meeting must include a detailed written request to the

Clerk prior to the Meeting, which will be forwarded to the appropriate department for review. A decision will not be made at the Meeting where the Delegation is heard.

- vi) The Clerk shall give due consideration to the length of the agenda and the number of Delegations and shall advise to the requester the earliest possible date when his/her Delegation may be accommodated. A limit of four (4) Delegations will be considered at a Meeting of General Committee, and two (2) Delegations will be considered at a Meeting of Council.
 - vii) The Clerk may limit the frequency and/or number of times a group or individual may appear before General Committee or Council.
 - viii) Delegation requests received after the deadline or limit has been reached will be acknowledged by the Clerk but not placed on an agenda.
 - ix) Delegations at General Committee and Council Meetings shall be on a subject that is within the jurisdiction or influence of local government. Delegations at a Meeting of Council shall be related to an item of business on the agenda.
 - x) Delegations regarding active planning applications will not be permitted at a Council Meeting
 - xi) Delegates shall refrain from making statements or comments that are, in the opinion of the Chair, frivolous or vexatious in nature.
 - xii) Delegates who share the same position on a matter or are from the same organization, are encouraged to speak in one delegation.
 - xiii) Delegates shall be restricted to a speaking limit of five (5) minutes, regardless of whether they are representing an organization, association or other group.
 - xiv) The consent of Council or General Committee is required to grant a delegate one (1) extension of up to five (5) minutes at a Council or General Committee Meeting, and to consider more than two (2) Delegations at a Council Meeting.
 - xv) Delegates who appear before General Committee are not permitted to make a Delegation in relation to the same item at the following Council Meeting, but may submit written material to Members of Council through the Clerk's Office.
- b) Conduct of Delegates**
- i) Delegates shall not make detrimental, offensive or insulting comments, or speak ill of, or malign the integrity of Staff, the public, Council or Committee or other external public agencies.
 - ii) Delegates who contravene this section will not be permitted to finish their delegation and will be asked by the Chair to take their seat in the audience.
- c) Delegations at Council Meetings**

- i) Anyone wishing to speak on an item that is not on the Council agenda shall be directed to appear at the Open Forum session that precedes the General Committee Meetings. Alternatively, the Delegation may be placed on a Committee agenda to address an issue that is not on the Council agenda.
- d) Delegations at Public Planning Meetings
 - i) Any person may speak on a matter on the agenda at a Public Planning Meeting. The delegate shall not speak for more than five (5) minutes, but may have an opportunity to speak more than once on the agenda item.

32. Consent Agenda

- a) Consent Agenda will include the following items that do not have presentations or Delegations:
 - i) Receipt of the Minutes (i.e. Special Council, Workshop, Closed Session) (Council Meeting agenda only);
 - ii) Procurement items that are within the approved budget;
 - iii) Communications addressed to Council;
 - iv) Information reports requested by Council through motions; and
 - v) Items as directed by the CAO or Clerk.
- b) Questions of clarification may be asked by Members about any consent item during the adoption of the Consent Agenda without requiring a separate vote.
- c) Members shall identify any items contained on the Consent Agenda which they wish to speak to and the matter shall be extracted from the Consent Agenda to be dealt with separately under Consideration of Items Requiring Discussion (Regular Agenda).
- d) In the event that a Member declares a pecuniary interest on an item that is included on the Consent Agenda, that item shall be considered under Consideration of Items Requiring Discussion (Regular Agenda).
- e) Items on the Consent Agenda or the balance of the items, as the case may be, shall be adopted in one Motion.

33. Notice of Motion

- a) A Member desiring to introduce a subject for discussion by Council will provide the proposed Notice of Motion to the Clerk in writing for inclusion in a regular agenda of General Committee by 12 p.m. on the Wednesday prior to the meeting.
- b) The Motions will be included on the next Council agenda for consideration and disposition. Motions that are not in order, as determined by the Clerk, will not be included.
- c) Closed Session Notices of Motion may be published as part of a General Committee or Council agenda to fulfil Notice provisions. The subsequent

Motion will be brought forward to the next scheduled Council Closed Session meeting, or to a meeting agreed to by the authoring Member and the Clerk.

- d) The CAO or Staff may be requested to comment on the Motion raised in this section, but no staff report will be prepared unless the Motion, once adopted by Council, is referred to staff for a further report.
- e) It is the duty of the Member to:
 - i) Prepare the proposed Motion in writing
 - ii) Submit the proposed Motion to the Clerk
 - iii) Ensure the content of the proposed Motion allows for it to be published on a public agenda.

34. Regional Report

- a) The representative of the Town on Regional Council will provide a report at regular Meetings of Council on matters of interest to the Town, when available.

35. New Business

- a) Any Member of Council or a Committee, at any Meeting, may present and introduce any matter of new business during the New Business portion of the Meeting, and shall have regard to the following guidelines:
 - i) Members are encouraged to raise operational matters prior to the Meeting through the CAO, Director or appropriate Staff;
 - ii) Members are discouraged from raising substantive policy matters, in particular consideration of corporate policies or by-laws; and,
 - iii) Members of Council are encouraged to raise announcements and community events under the Public Service Announcements portion of the Council agenda.

36. Public Service Announcements

- a) Members may speak for no more than three (3) minutes on public service announcements and community events, unless the consent of Council is granted.

37. By-laws

- a) By-laws are considered by Council and approved by Motion.
- b) Every by-law adopted by Council is done so under the seal of the Town and signed by the Clerk and the Mayor.
- c) All by-laws shall be given first, second and third readings in a single Motion, unless a Member wishes to discuss the contents of a by-law, at which time the subject by-law shall be removed from the Motion and dealt with separately.
- d) The following types of by-laws may be presented directly to Council without an accompanying staff report:

- i) Those directed to be presented directly to Council by General Committee or Council;
 - ii) The appointment of statutory positions, staff for by-law inspection, municipal law enforcement and provincial offences administration;
 - iii) Consolidation of by-laws or housekeeping amendments;
 - iv) General by-laws where the purpose and intent of the by-law has been clearly authorized by a previous resolution;
 - v) A by-law to levy interim property taxes;
 - vi) A by-law to set tax rates in accordance with the approved budget;
 - vii) Part-lot control by-laws;
 - viii) Assumption by-laws;
 - ix) A by-law to establish a public highway;
 - x) Minor amendments resulting from changes to provincial enabling legislation; and,
 - xi) Other administrative by-laws deemed appropriate by the CAO.
- e) Every Council Meeting shall be confirmed by by-law so that every decision of Council at that Council Meeting and every Resolution of the Meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
- f) All amendments to any by-law approved by Council shall be deemed to be incorporated into the by-law and if the by-law proposing the amendment is enacted by Council, the amendments shall be inserted by the Clerk.
- g) All by-laws, including the confirming by-law, shall be voted on prior to Adjournment.

38. Adjournment

- a) No item of business shall be considered at a Meeting of Council or General Committee after 10:30 p.m. unless a majority of the Members present enact a resolution to extend the hour. The Resolution must include a proposed time for adjournment of the Meeting.

39. Correspondence

- a) Where correspondence is not requested to be included in a Council or General Committee agenda, it is circulated by the Clerk to Members, the CAO, Directors and applicable Staff for their information, and forms a part of the Clerk's records.
- b) Where correspondence has been requested to be included on a Council or General Committee Meeting agenda or on the request of a Member to the Clerk, correspondence is placed on the General Committee meeting agenda for consideration. Where required due to urgency or timing, correspondence may be considered directly by Council as an Additional Item.

- c) The Council's receipt of correspondence does not constitute endorsement of the correspondence by the Town of any recommendations it may contain or actions it may advocate.

40. Petitions

- a) Petitions may be submitted to the Clerk and will include a minimum of two (2) persons and their respective addresses unless otherwise required by law, and a clear statement of the purpose for the petition.
- b) If the petition meets the requirements of the Petition Policy and/or any other related Town Policies, the request conveyed in the petition will be considered by General Committee for disposition. Where required due to urgency or timing, petitions may be considered directly by Council.
- c) Staff may prepare recommendations related to the matter for Council's consideration.
- d) The Town is not accountable for the accuracy or reliability of petitions that are submitted.

41. Motions from Other Municipalities

- a) All requests for endorsement of resolutions from other municipalities will be electronically circulated to Council and acknowledged by the Clerk, with the advice that the Town does not take action on resolutions received from other municipalities, but rather makes its position known through the appropriate municipal association, or alternatively, directly to the relevant Minister or government leader.
- b) A Member of Council may request that a resolution from another municipality be added to a General Committee agenda for consideration.
- c) The Council's receipt of resolutions from other municipalities does not constitute endorsement by the Town of any recommendations or actions they may contain.

42. Motions – Impact on Corporate Resources

- a) The CAO will advise on the appropriate means of disposition for matters that make an impact on administration.
- b) Council is not required to pass a Motion that makes an impact on corporate resources where a matter:
 - i) Has already been approved by Council;
 - ii) Is considered by the CAO to be minor in nature; and/or,
 - iii) Falls within existing service levels.

43. Procedures Concerning Motions

- a) General Rules
 - i) Every Motion in any Meeting of Council or Committee requires a mover and a seconder.

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- ii) When duly moved and seconded, every Motion, other than a Motion to adjourn, recess, table or suspend the rules of this Procedure By-law, is open for discussion.
- iii) No debate is permitted on any Motion or amending Motion until it has been properly seconded.
- iv) A Member may move a Motion in order to initiate discussion and debate, but vote in opposition to the Motion. A seconder of the Motion may vote against the Motion.
- v) A Motion or amending Motion may not be withdrawn without the consent of the mover and seconder.
- vi) The Chair of a Meeting of Council or a Committee will not move or second a Motion.

All Members of Council or a Committee will vote on all Motions except in the instance where the Member refrains from voting on an issue due to a declaration of a pecuniary interest in the matter by the Member. If any Member does not vote, he/she will be deemed as voting in the negative (except where prohibited from voting by statute).

b) Motion under Debate

- i) When a Motion is under debate, no other Motion may be considered except for the following Motions, to be considered in the listed order of priority:
 - (a) To adjourn;
 - (b) To recess;
 - (c) To table an item;
 - (d) To put the question to a vote or call the vote;
 - (e) To defer;
 - (f) To refer;
 - (g) To amend.

c) Motion to Adjourn

- i) A Motion to adjourn means a Motion to end a Meeting.
- ii) A Motion to adjourn is not debatable and shall always be in order except when:
 - (a) Another Member is in possession of the floor;
 - (b) A vote has been called; or
 - (c) Members are voting.
- iii) A Motion to adjourn is not amendable, except when moved to set future time for adjourning.
- iv) A Motion to adjourn shall take precedence over any other Motion and shall be put immediately without debate.

d) Motion to Recess

- i) A Motion to recess means to suspend a meeting for a specific length of time.
 - ii) A Motion to recess when other business is before the Meeting:
 - (a) Specifies the length of time of the recess;
 - (b) Is debatable as to the length or timing of the recess; and
 - (c) Can only be amended with respect to the length of the recess.
- e) Motion to Table**
- i) A Motion to table means to postpone a matter without setting a definite date for future discussion for a matter. A tabled Motion that has not been decided on by Council during the term of Council in which the Motion was introduced is deemed to have been withdrawn.
 - ii) A Motion to table:
 - (a) Is not to be amended or debated; and
 - (b) Applies to the Motion and any amendments thereto under debate at the time when the Motion to table was made.
 - iii) If the Motion to table carries, in the absence of any direction from Council, the matter may not be discussed until the CAO, or a Member through a Motion, brings it forward to a subsequent Meeting.
- f) Motion "To Put the Question to a Vote" or "To call the Vote"**
- i) A Motion "To Put the Question to a Vote" or "To call the Vote" means to stop debate and immediately proceed to vote on the Motion.
 - ii) Any Member may request the Chair "To Put the Question to a Vote" or "To call the Vote" by presenting a Motion that the question "now be put to a vote." A Motion to put the question to a vote must:
 - (a) Be seconded;
 - (b) Is not open to debate;
 - (c) Immediately put to a vote without debate;
 - (d) Requires a 2/3 majority vote to close debate.
- g) Motion to Refer**
- i) A Motion to refer means to direct a matter under discussion by Council or a Committee to Staff or another Committee for further examination or review.
 - ii) A Motion to refer a matter under consideration to a Committee or to Staff:
 - (a) Shall be debatable as to the rationale of referring, and cannot go into the merits of the Motion or subject being referred; and
 - (b) May be amended as to the Committee or group to whom it is being referred, as to the time the Committee or Staff reports

- back, and as to directions given to the Committee or Staff;
and
 - (c) Includes the terms on which the Motion is being referred and the time at which the matter is to be returned; and
 - (d) Includes the reasons for the referral.
- iii) This Motion may be delayed by the Chair in order to permit Members on the speaking list to speak.
- h) Motion to Defer**
- i) A Motion to defer means to postpone all discussion on a matter until a future date or time, one which is established as part of the Motion.
 - ii) A Motion to defer to a certain time or date:
 - (a) Is open to debate as to advisability of postponement and cannot go into the merits of the Motion or subject being postponed; and
 - (b) May be amended as to the time or date to which the matter is to be deferred.
 - iii) This Motion may be delayed by the Chair in order to permit Members on the speaking list to speak.
- i) Motion to Amend**
- i) The purpose of this Motion is to modify a Motion. It cannot be used to directly contradict or negate the effect of another Motion.
 - ii) A Motion to amend:
 - (a) Is open to debate; and,
 - (b) Is to be relevant to the main Motion; and
 - (c) Is applied to a Motion at one time, and that amendment may be amended [by a secondary amendment], which then cannot be amended.
 - iii) If a Motion to amend is not considered a Friendly Amendment, then the Motion to amend:
 - (a) If more than one Motion, will be put to a vote in the reverse order to that in which they were moved;
 - (b) Will be decided upon or withdrawn before the main Motion is put to the vote;
 - (c) Will not be amended more than once, provided that further amendments may be made to the main Motion; and,
 - (d) Will not be directly contrary to the main Motion.
- j) Motion Containing Two or More Matters**
- i) When the Motion under consideration concerns two (2) or more matters, the Chair, upon the request of any Member, will direct that the vote upon each matter be taken separately. Such request may also be made by the Chair.

ii) A vote on the main Motion or the Motion, as amended, may be split for the purpose of complying with the *Municipal Conflict of Interest Act*, or at the discretion of the Chair.

k) Withdrawal of Motion

i) A request to withdraw a Motion:

- (a) May only be made by the mover of the Motion;
- (b) Requires consent of the seconder of the Motion; and,
- (c) Is in order any time during the debate.

l) Adoption in a Single Motion

i) One or more items on an agenda may be adopted in a single Motion.

44. Voting

a) General Rules

- i) After a Motion is finally put to a vote by the Chair, no Member speaks to it nor will any other Motion be made until after the vote is taken and the result has been declared.
- ii) All Members of Council or a Committee will vote on all Motions. Failure by any Member to announce his/her vote openly and individually, including an "abstention," is deemed to be a vote in the negative.
- iii) Each Member present and voting announces or indicates his/her vote upon the Motion openly and individually, and no vote is taken by ballot, or any other method of secret voting.

b) Majority Vote

- i) A majority means more than half of the Members present, or:
 - (a) If 7 Members present: 4
 - (b) If 6 Members present: 4
 - (c) If 5 Members present: 3
- ii) Unless this Procedure By-law states otherwise, a matter passes when a majority of Members present vote in the affirmative.
- iii) Where required in this Procedure By-law, a two-thirds majority means $\frac{2}{3}$ of the Members present, or:
 - (a) $\frac{2}{3}$ of 7: 5
 - (b) $\frac{2}{3}$ of 6: 4
 - (c) $\frac{2}{3}$ of 5: 4
 - (d) $\frac{2}{3}$ of 4: 3

c) Tie Vote

i) Any Motion on which there is a tie vote is deemed to be defeated.

d) Recorded Vote

- i) A recorded vote is only permitted at Council Meetings and will be taken at the request of a Member prior to the commencement of the vote being taken or immediately thereafter.
- ii) A Member of Council's failure to participate in a recorded vote when he/she has not declared a pecuniary interest is deemed to be a negative vote.
- iii) A recorded vote at Council Meetings will be taken as set out in a) or b) below:
 - (a) Each Member announces his/her vote openly, and the Clerk records his/her vote in the minutes. Votes are called in random order as determined by the Clerk.
 - (b) Each Member first indicates his/her vote by using an electronic device. Each Member's vote is then electronically displayed on a screen, and the Clerk announces the outcome of the vote and records each Member's vote in the minutes.
- iv) Notwithstanding recorded votes, a record or notation of a Member's opposition to an issue is not recorded in any Meeting minutes.

45. Reconsideration of a Matter

- a) Council cannot reconsider a matter until six (6) months have passed from the date of the matter's original disposition by Council, except upon a vote in the affirmative of two-thirds majority of the Members present.
- b) Decisions which contractually bind the Town shall not be reconsidered.
- c) A Motion to reconsider shall be introduced by way of a Notice of Motion and considered either at the next Council Meeting or at a special Meeting called to reconsider the Motion unless the Council, without debate, dispenses with the requirement for a Notice of Motion on a two-thirds vote.
- d) A Motion to reconsider is debatable, which debate will be restricted to the rationale for reconsidering the matter, and no debate of the main Motion shall be allowed until the Motion for reconsideration is carried.
- e) Once the reconsideration Motion has carried, the matter is reopened in its entirety unless the reconsideration Motion specifies otherwise.
- f) If the matter is reopened, all previous decisions of the Council remain in force until the Council decides otherwise.
- g) No Motion to reconsider may, itself, be the subject of a Motion to reconsider.
- h) Notwithstanding the time period set out in s. 45 (a), if a Council matter was lost as a result of a tie vote due to an absent Member, the matter may be reconsidered at the next Council meeting via a Motion to reconsider carried by a majority of the Members present.

46. Point of Order

- a) A Member may interrupt the person who has the floor to raise a Point of Order when such Member feels that there has been:

- i) A deviation or departure from this Procedure By-law; or
- ii) A deviation from the matter under consideration and the current discussion is not within the scope of the proposed Motion.
- b) Upon hearing such Point of Order, the Chair decides and states his/her ruling on the matter.
- c) Upon hearing the Point of Order ruling, a Member only addresses the Chair for the purpose of appealing the Chair's decision to the Council or a Committee.
- d) If no Member appeals, the decision of the Chair is final.
- e) If a Member appeals the Chair's ruling to the Council or a Committee, the Member has the right to state his/her case, the Chair has the right to reply and the Council or Committee decides the question of whether the decision of the Chair be sustained without further debate. The decision of the majority of the Members who are present at the Meeting is final.

47. Point of Personal Privilege

- a) A Member may rise at any time on a Point of Personal Privilege where such Member feels that the health, safety, rights, or integrity of his/her own person, the Council, a Committee Member, Staff or anyone present at the Meeting has been called into question by another Member or by anyone present at the Meeting.
- b) Upon hearing such Point of Personal Privilege, the Chair decides and states his/her ruling on the matter.
- c) Where the Chair rules that a breach of privilege has taken place, he/she demands that the offending Member or individual apologize and, failing such apology, requires said Member or individual to vacate the Meeting room for the duration of the Meeting.
- d) With the exception of providing an apology, the Member addresses the Chair for the purpose of appealing the Chair's ruling of a breach of privilege to the Council or a Committee.
- e) If no Member appeals, the decision of the Chair is final.
- f) If a Member appeals the Chair's ruling to the Council or a Committee, the Member has the right to state his/her case, the Chair has the right to reply and the Council or Committee decides the question of whether the decision of the Chair be sustained without further debate. The decision of a majority of the Members who are present at the Meeting is final.

48. Public Record

- a) All communications that the Clerk receives about a matter on the agenda of a public or open Meeting will form part of the public record. Personal information and opinions in communications are part of the public record unless the author of the communication requests the removal of his/her personal information when submitting it, or where confirmed by the Clerk.

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49. Administrative Authority of Clerk

- a) The Clerk is authorized to amend by-laws, minutes and other Council and Committee documentation for technical, typographical or other administrative errors and omissions for the purpose of ensuring an accurate and complete record of proceedings.
- b) The Clerk is authorized to create and amend an annotated version of the Procedure By-law from time to time, to assist Members in complying with the rules as enforced and interpreted.

50. Recording, Broadcasting and/or Live Streaming Meetings

- a) All Meetings with a Quorum of Members shall be audio and/or visually recorded, broadcast and/or live streamed publically by the Town, with the exception of Meetings closed to the public provided for in the Closed Session section of this Procedure By-law.
- b) All Meetings of Committee of Adjustment, Property Standards Committee, and other quasi-judicial bodies or Committees of the Town shall be audio and/or visually recorded, broadcast and/or live streamed publically by the Town, with the exception of Meetings closed to the public provided for in the Closed Session section of this Procedure By-law.
- c) Attendees using their own recording, broadcasting and/or streaming devices are encouraged to inform the Clerk or recording secretary to ensure attendees at the Meeting are notified through the Chair.
- d) The approved minutes of a Meeting will form the official record of the Meeting. Any audio, video, or other record of the Meeting shall not be considered an official record.

51. Review of Procedure By-law

- a) Council shall review this By-law within the first six (6) months of the second year of each term of Council.
- b) The Clerk shall bring forward housekeeping amendments, as required or as directed by Council.

52. Severability

- a) Each and every one of the provisions of this Procedure By-law is severable and if any provisions of this Procedure By-law should, for any reason, be declared invalid by any Court, it is the intention and desire of Council that each and every one of the then remaining provisions of this Procedure By-law shall remain in full force and effect.

53. Enactment

- a) By-law Number 6068-18 be and is hereby repealed.
- b) This By-law shall come into full force and effect on January 1, 2020.

Enacted by Town of Aurora Council this 10th day of December, 2019.

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Tom Mrakas, Mayor

Michael de Rond, Town Clerk

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 December 10, 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 December 10, 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 10th day of December, 2019.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk