

About the Legal Services Department

The Legal Services Department provides a full and broad range of legal services to the Town of Aurora, its elected Council and appointed Committees, as well as the Chief Administrative Officer, the Executive Leadership Team and staff. The role of the Legal Services Department changes constantly to meet the diverse and complex needs of the Town as it continues to evolve. The primary function of the Department is to provide legal advice and opinions, interpretation of legislation, review of agreements, and litigation representation and management. The Department also acts in an advisory capacity with respect to various matters, while providing this broad array of services to its client departments in an economical and efficient manner.

The Legal Services Department also serves to protect and defend the Town's interests in litigation and administrative law matters by attending hearings, dispute resolution sessions and other proceedings before the courts and tribunals, including the Ontario Municipal Board. The Department also conducts legal research and prepares legal opinions pertaining to the Town's rights, duties, powers, and obligations pursuant to provincial and federal legislation, its own by-laws and policies, as well as pertinent case law.

The legal field is extremely broad and diverse and, as such, the Legal Services Department provides a very broad array of services in different areas of the law. The areas of law primarily practiced in the Department are planning and development, real estate, administrative, civil litigation, municipal, contract, computer and information technology, mediation, arbitration, dispute resolution, and procurement.

Services That We Provide

The most frequent services the Legal Services Department provides to the Town are:

- Legal, strategic, risk management and policy advice to Council, the Chief Administrative Officer, Executive Leadership Team, client departments, and Town committees;
- Legal representation, advice and direction pertaining to the Town's services and operations;
- Preparation, review and interpretation of agreements for the provision or acquisition of goods and services by and for the Town;
- Preparation, review and interpretation of Town by-laws;

- Real estate services including title searches, the preparation of documents, and the negotiation and completion of real property matters, including, but not limited to: purchases, sales, leases, easements, encroachments, and expropriations;
- Planning and development-related legal services including advice, preparation, registration and final review of all development agreements, including, but not limited to: plans of subdivision, condominiums, site plans, minor site plans, tree preservation agreements, and Oak Ridges Moraine simplified agreements;
- Institute and implement processes, procedures, methods and actions required for valuations to determine the cash-in-lieu of parkland payable for development applications;
- Protecting and defending the Town's interests in litigation and administrative tribunal matters by attending hearings, dispute resolution sessions and other proceedings, including those before the courts and the Ontario Municipal Board, amongst others;
- Review, advise, and report on recently enacted and pending legislation and its impacts on the Town;
- Review, advise, and prepare administrative policy and procedure documents;
- Develop and standardize agreements, contracts, and licenses for use by the Town; and
- Conduct legal research and prepare legal opinions pertaining to the Town's rights, duties, powers, and obligations pursuant to provincial and federal legislation, its own by-laws and policies, as well as pertinent case law.

Initiatives that Advance the Strategic Plan in 2013

Community Goal: Supporting an Exceptional Quality of Life for All

- In conjunction with proposed amendments to the Town's Business Licensing By-law and other regulatory by-laws, create a "Licensing Committee" and/or "By-law Appeals Committee", composed of lay members, to deal with certain appeal matters arising under applicable Town by-laws.
- Create and implement a new Administrative Policy and Protocol with respect to marijuana grow operation response and cost recovery, in consultation with the Building & By-law Services Department.
- Monitor litigation and administrative tribunal proceedings, taking an active role in same where appropriate.

- Identify, update, and create document precedents for client departments to improve corporate efficiency and aid corporate standardization while adhering to risk management strategies for the Town.
- Review, address, and modify existing Corporate Administration Procedures in consultation with the Human Resources Division.

Economy Goal: Enabling a Diverse, Creative and Resilient Economy

- Review and update Administration Procedure No. 55: Real Estate Sales, Purchases and Leases, and the Town's Land Sale By-law, which will incorporate the sale of land through the tax sale process. This tax sale process will be managed by Corporate & Financial Services, with Legal Services in an advisory role.
- Clarifying legal ownership of parking lot adjacent to Temperance Street in order to facilitate the objectives of the Promenade Study.

Natural Environment Goal: Supporting Environmental Stewardship and Sustainability

- Amend the Cash-in-Lieu of Parkland By-law, taking into account high density development and streamlining the evaluation process, in consultation with the Planning & Development Services Department.

Key Performance Measures

Key Performance Measure	2012 Target	2012 Result	2013 Target
Review of standard, non-complex by-laws for form and legislative compliance	Five (5) business days	Met	Five (5) business days
Review of standard/routine procurement documents prior to release of advertisement for bidding	Five (5) business days	Met	Five (5) business days
Appropriate tracking of external legal expenses and monitoring of external advocacy budget (including OMB advocacy)	Stay within 2012 external advocacy budget (including OMB advocacy)	Under Budget	Stay within 2013 external advocacy budget (including OMB advocacy)

Full-Time Approved Complement

	Starting Approved	2013 Request
<ul style="list-style-type: none"> • Legal Services 	5FT 5FT	- -

Legal Services Department Staff Complement

5 Full-Time

Director of Legal Services/Town Solicitor
Associate Solicitor
Law Clerk (Real Property)
Law Clerk (Litigation/General Municipal)
Administrative Assistant (Legal)

Expenditures

The Legal Services Department's total expenditure budget has increased 1.6% from the 2012 budget, which is attributed to a Salary and Benefits increase of 2.8%. However, the Salary and Benefits increase is offset by a reduction of 1.0% for other costs and expenditures throughout the \$844,100 expenditure budget for 2013.

When combined with the increased total revenue levels for 2013 noted below, the total net budget for the Department for 2013 is an increase of 1.4% from the 2012 budget.

Revenues

The Legal Services Department has increased its total revenue levels by \$2,000, from \$17,000 to \$19,000, related to Administration Fees, which is attributable to a 2% increase in the Department's charges contained in the Town's Fees & Services By-law.

2013 Budget Highlights

Base Budget

Legal Services	2010 Actual	2011 Actual	2012 Budget (adjusted)	2012 Actual (estimated)	2013 Base Budget	2014 Outlook	2015 Outlook	2016 Outlook
Personnel Costs	484.2	547.1	562.3	521.0	578.2	-	-	-
Other Expenditures	727.8	983.5	268.6	119.0	265.9	-	-	-
Total Expenditures	1,212.0	1,530.6	830.9	640.0	844.1	-	-	-
Change from 2012 Budget					1.6%			
Revenues	(16.6)	(20.0)	(17.0)	(20.2)	(19.0)	-	-	-
Reserve Transfer	(323.0)	(250.0)	-	-	-	-	-	-
Total Revenue	(339.6)	(270.0)	(17.0)	(20.2)	(19.0)	-	-	-
Change from 2012 Budget					11.8%			
Net	872.4	1,260.6	813.9	619.8	825.1	-	-	-
Change from 2012 Budget					1.4%			

Available January 12, 2013

New Items

- None

2013 Draft Budget

Legal Services	2010 Actual	2011 Actual	2012 Budget (adjusted)	2012 Actual (estimated)	2013 Draft Budget	2013 Budget vs 2012 Budget Fav / (UnFav)	
						\$	%
Personnel Costs	484.2	547.1	562.3	521.0	578.2	(15.9)	(2.8%)
Other Costs:							
External Legal Costs ¹	647.1	1,076.0	200.0	65.6	200.0	-	-
Cost Recovery on above (from Region)	(18.6)	(97.5)	-	-	-	-	-
Personnel Administration ²	87.6	-	-	-	-	-	-
Searches & Registrations	13.7	12.9	20.0	13.7	17.0	3.0	15.0%
Subscriptions/Publications	16.9	17.1	16.0	14.8	17.0	(1.0)	(6.3%)
Cost Reallocations ³	(50.0)	(50.0)	-	-	-	-	-
All Other Expenditures	31.1	25.0	32.6	24.9	31.9	0.7	2.1%
Total Other Costs	727.8	983.5	268.6	119.0	265.9	2.7	1.0%
Total Expenditures	1,212.0	1,530.6	830.9	640.0	844.1	(13.2)	(1.6%)
Revenues:							
Administration Fees	(10.1)	(16.7)	(12.0)	(20.0)	(16.0)	4.0	33.3%
Legal Fees	(6.5)	(3.3)	(5.0)	(0.2)	(3.0)	(2.0)	(40.0%)
Transfer from Legal Reserve ¹	(323.0)	(250.0)	-	-	-	-	-
Total Revenues	(339.6)	(270.0)	(17.0)	(20.2)	(19.0)	2.0	11.8%
Net	872.4	1,260.6	813.9	619.8	825.1	(11.2)	(1.4%)