



Town of Aurora General Committee Meeting Agenda

Date: Tuesday, June 7, 2022
Time: 7 p.m.
Location: Council Chambers, Aurora Town Hall

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	Pages
1. Call to Order	
Councillor Gaertner in the Chair.	
2. Land Acknowledgement	
3. Approval of the Agenda	
4. Declarations of Pecuniary Interest and General Nature Thereof	
5. Community Presentations	
5.1. Javed S. Khan, President & Chair, and Wendy Brown, Chair, Induction Committee, Aurora Sports Hall of Fame; Re: Aurora Sports Hall of Fame 2022 Class of Inductees	
6. Delegations	
7. Consent Agenda	
8. Advisory Committee Meeting Minutes	
8.1. Environmental Advisory Committee Meeting Minutes of May 4, 2022	1
1. That the Environmental Advisory Committee meeting minutes of May 4, 2022, be received for information.	
8.2. Finance Advisory Committee Meeting Minutes of May 9, 2022	5
1. That the Finance Advisory Committee meeting minutes of May 9, 2022, be received for information.	

8.3.	Accessibility Advisory Committee Meeting Minutes of May 11, 2022	9
1.	That the Accessibility Advisory Committee meeting minutes of May 11, 2022, be received for information.	
8.4.	Anti-Black Racism and Anti-Racism Task Force Meeting Minutes of May 18, 2022	14
1.	That the Anti-Black Racism and Anti-Racism Task Force meeting minutes of May 18, 2022, be received for information.	
9.	Consideration of Items Requiring Discussion (Regular Agenda)	
9.1.	CS22-037 - Administrative Monetary Penalty System (AMPS)	18
1.	That Report No. CS22-037 be received; and	
2.	That staff be authorized to implement the necessary processes and procedures for the Administrative Monetary Penalty System (AMPS); and	
3.	That staff bring forward the Administrative Penalty By-law at a future Council meeting for enactment; and	
4.	That staff bring forward the Screening and Hearing Officer By-law at a future Council meeting for enactment; and	
5.	That staff bring forward amendments to the Parking Control By-law #4574-04.T, as amended, at a future Council meeting for enactment.	
9.2.	OPS22-011 - Fleet Division Purchases	54
1.	That Report No. OPS22-011 be received; and	
2.	That the Capital Budget authority for Project No.34436 – Six-ton Diesel Dump Plow/Sander Truck be increased by \$52,900 to a total of \$352,900, to be funded from the Fleet Repair and Replacement Reserve; and	
3.	That the planned 2023 capital budget authority of \$352,900 for Project No. 34564 – New Six-ton Diesel Dump Plow/Sander Truck, be advanced to 2022 and approved, to be funded from by \$317,800 from Roads & Related Development Charges and \$35,100 from the Growth and New Reserve; and	
4.	That staff be directed to implement an additional in-house winter maintenance route in 2024.	

9.3.	FIN22-018 - 2023 Budget Timeline and Process	67
	<ul style="list-style-type: none"> 1. That Report No. FIN22-018 be received; and 2. That the proposed budget timeline as detailed in Table 3 be approved. 	
9.4.	FIN22-019 - Procurement Modernization Update - Annual Software Costs	75
	<ul style="list-style-type: none"> 1. That Report No. FIN22-019 be received; and 2. That the recommended changes, as summarized in Table 1, to the procurement policy and bylaw in this report be approved; and 3. That staff be directed to bring forward the amending bylaw to the June 28 Council meeting for approval; and 4. That a non-standard procurement for \$611,100 over a five-year term be awarded to WAMCO for the annual licencing and maintenance costs to support the automated water meter reading technology capital project number 40355. 	
9.5.	PDS22-089 - Community Improvement Plan Review - Public Meeting	117
	<ul style="list-style-type: none"> 1. That Report No. PDS22-089 be received for information. 	
10.	Notices of Motion	
10.1.	Councillor Gilliland; Re: Natural Capital Asset Management Planning for Municipal Infrastructure	142
11.	Regional Report	
11.1.	York Region Council Highlights of May 26, 2022	143
	<ul style="list-style-type: none"> 1. That the York Regional Council Highlights of May 26, 2022, be received for information. 	
12.	New Business	
13.	Public Service Announcements	
14.	Closed Session	
	There are no Closed Session items for this meeting.	
15.	Adjournment	



Town of Aurora Environmental Advisory Committee Meeting Minutes

Date: Wednesday, May 4, 2022
Time: 7 p.m.
Location: Video Conference

Committee Members: Councillor Rachel Gilliland (Chair)
 Councillor Wendy Gaertner (Vice Chair)
 Barry Bridgeford
 Colin Brown
 Sam Cunningham
 Ashley Gatto Cassagrande
 Ryan Hamid (arrived 7:48 p.m.)
 Sandy Hudson

Members Absent: Crystal Robertson

Other Attendees: Lisa Hausz, Manager, Economic Development and Policy
 Nick Kazakoff, Economic Development Officer
 Natalie Kehle, Energy and Climate Change Analyst
 Sebastian Contarin, Energy and Climate Change Analyst
 Linda Bottos, Council/Committee Coordinator

1. Call to Order

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

Natalie Kehle introduced Sebastian Contarin, the Town's new Energy and Climate Change Analyst, who will also serve as Staff Liaison to the Committee, replacing Natalie during her leave of absence starting in May 2022.

2. Land Acknowledgement

The Committee acknowledged that the meeting took place on the traditional territory of the Anishinaabe, the Haudenosaunee, and the Wendat peoples whose presence here continues to this day. It was noted that Aurora is part of the treaty lands of the Mississaugas of the Credit and the Williams Treaties First Nations, and we thank them for sharing the land.

3. Approval of the Agenda

Moved by Councillor Gaertner

Seconded by Ashley Gatto Cassagrande

That the agenda as circulated by Legislative Services be approved.

Carried

4. 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*.

5. Receipt of the Minutes

5.1 Environmental Advisory Committee Meeting Minutes of February 23, 2022

Moved by Councillor Gaertner

Seconded by Ashley Gatto Cassagrande

That the Environmental Advisory Committee meeting minutes of February 23, 2022, be received for information.

Carried

6. Delegations

None.

7. Matters for Consideration

7.1 Memorandum from Energy and Climate Change Analyst; Re: Climate Change Adaptation Plan

Lisa MacTavish, Advisor, Climate Change Risk and Resilience, WSP, presented an overview of the Climate Change Adaption Plan, including project scope, climate change overview, risk assessment process, top risks, recommendations, and conclusions. Christina Schwantes, Specialist, Climate Change, Resilience and Sustainability, WSP, was also present to answer any questions.

The Committee provided feedback and inquired about various aspects related to the plan including risk and cost assessments, downstream flooding impacts, protection of natural heritage assets, public education on flood mitigation and protection for homeowners, flood control and preservation of park assets, budgeting for green infrastructure, potential loss of power, emergency preparedness, design standards and budgeting for climate adaptation, and collaboration with other municipalities and partners. The consultants and staff provided further clarification.

Moved by Sandy Hudson

Seconded by Sam Cunningham

1. That the memorandum regarding Climate Change Adaptation Plan be received; and
2. That the Environmental Advisory Committee comments regarding Climate Change Adaptation Plan be received and referred to staff for consideration and further action as appropriate.

Carried

7.2 Memorandum from Economic Development Officer; Re: Community Improvement Plan Review Consultation

Staff presented an overview of the memorandum including background on the Promenade Area Community Improvement Plan (CIP), a best practice review of the seven programs in the initial Plan in comparison with neighbouring municipalities, and next steps. Staff sought Committee input on the proposed four priority areas of the updated CIP with a focus on the environment and sustainability. The Committee provided feedback and inquired about various aspects including historical uptake of the CIP programs, suggestions to make the application process easier and more

4

accessible, funding, and criteria for sustainability-related incentives. Staff provided clarification and noted that the CIP update will align with the Town's Official Plan and the new Green Development Standards.

Moved by Ryan Hamid

Seconded by Ashley Gatto Cassagrande

1. That the memorandum regarding Community Improvement Plan Review Consultation be received; and
2. That the Environmental Advisory Committee comments regarding Community Improvement Plan Review Consultation be received and referred to staff for consideration and further action as appropriate.

Carried

8. Informational Items

8.1 Environmental Advisory Committee Update List

Moved by Colin Brown

Seconded by Sam Cunningham

1. That the Environmental Advisory Committee Update List be received for information.

Carried

9. Adjournment

Moved by Sam Cunningham

Seconded by Ashley Gatto Cassagrande

That the meeting be adjourned at 8:30 p.m.

Carried



Town of Aurora
Finance Advisory Committee
Meeting Minutes

Date: Monday, May 9, 2022

Time: 5:45 p.m.

Location: Video Conference

Committee Members: Mayor Tom Mrakas (Chair)
 Councillor Harold Kim
 Councillor Michael Thompson

Other Attendees: Rachel Wainwright-van Kessel, Director of Finance
 Jason Gaertner, Manager, Financial Management
 Ishita Soneji, Council/Committee Coordinator

1. Call to Order

The Chair called the meeting to order at 5:51 p.m.

2. Land Acknowledgement

The Committee acknowledged that the meeting took place on the traditional territory of the Anishinaabe, the Haudenosaunee, and the Wendat peoples whose presence here continues to this day. It was noted that Aurora is part of the treaty lands of the Mississaugas of the Credit and the Williams Treaties First Nations, and we thank them for sharing the land.

3. Approval of the Agenda

Moved by Councillor Thompson

Seconded by Councillor Kim

That the agenda as circulated by Legislative Services be approved.

Carried

4. 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*.

5. Receipt of the Minutes

5.1 Finance Advisory Committee Meeting Minutes of February 8, 2022

Moved by Councillor Kim

Seconded by Councillor Thompson

That the Finance Advisory Committee meeting minutes of February 8, 2022, be received for information.

Carried

6. Delegations

None.

7. Matters for Consideration

7.1 Memorandum from Financial Management Advisor; Re: 2022 Prudent Investor Regime Review

Staff provided a brief overview of the memorandum. The Committee and staff discussed about various aspects of the Prudent Investor Regime including the appropriateness and timing of pursuing investing under this regime based on the current condition of the investment market. The Committee further sought clarification regarding the ONE JIB Investment compensation process including costs and expenses and the liquidity regulations and flexibility, and staff provided clarifications.

The Committee expressed overall support for the initiative and suggested that information regarding historical performance record of Town investments be provided in the upcoming report to General Committee.

Moved by Councillor Kim

Seconded by Councillor Thompson

1. That the memorandum regarding 2022 Prudent Investor Regime Review be received; and
2. That the Finance Advisory Committee comments regarding 2022 Prudent Investor Regime Review be received and referred to staff for consideration and further action as appropriate.

Carried

7.2 Memorandum from Manager, Financial Management; Re: Town of Aurora Debt Management Update

Staff provided an overview of the memorandum and summary of various short-term and long-term debt financing initiatives. The Committee expressed overall support for the initiatives. There was discussion regarding the importance of debt financing in relation with the various investment initiatives of the Town. The Committee sought clarification regarding the factors affecting the status of debt obligation, and staff noted that a Debt Management Policy is being developed which will include further details regarding debt obligation and will be brought for the Committee's input to the next Finance Advisory Committee meeting.

Moved by Councillor Thompson

Seconded by Councillor Kim

1. That the memorandum regarding Town of Aurora Debt Management Update be received; and
2. That the Finance Advisory Committee comments regarding the Town of Aurora Debt Management Update be received and referred to staff for consideration and further action as appropriate.

Carried

7.3 Memorandum from Project Management Office; Re: Town's Major Capital Projects Update

Staff provided an overview of the memorandum highlighting aspects of the ongoing major capital projects. The Committee referred to the Aurora Town Square Project and inquired about the consultant fees variance and if the variance is intended to change, and staff agreed to follow up. The Committee further inquired about the new targeted turn-over date for the Aurora Public Library, and staff provided a response.

4

The Committee referred to the Join Operations Centre additional work and inquired about the impact on the budget status due to the upcoming storage buildings sub-project, and staff agreed to follow up.

Moved by Councillor Kim

Seconded by Councillor Thompson

1. That the memorandum regarding Town's Major Capital Projects Update be received for information.

Carried

8. New Business

None.

9. Adjournment

Moved by Councillor Kim

Seconded by Councillor Thompson

That the meeting be adjourned at 6:47 p.m.

Carried



Town of Aurora Accessibility Advisory Committee Meeting Minutes

Date: Wednesday, May 11, 2022
Time: 7 p.m.
Location: Video Conference

Committee Members: Rachelle Stinson (Chair)
 Matthew Abas (Vice Chair)
 Councillor John Gallo
 Max Le Moine
 Hailey Reiss
 Jo-anne Spitzer

Members Absent: John Lenchak

Other Attendees: Martin Stefanczyk, Manager, Project Management Office, and
 Business Transformation
 Jacek Baldyga, Senior Building Inspector
 Ivy Henriksen, Accessibility Advisor (Acting), Manager, Access
 Aurora and Customer Service
 Linda Bottos, Council/Committee Coordinator

1. Call to Order

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

2. Land Acknowledgement

The Committee acknowledged that the meeting took place on the traditional territory of the Anishinaabe, the Haudenosaunee, and the Wendat peoples whose presence here continues to this day. It was noted that Aurora is part of the treaty lands of the Mississaugas of the Credit and the Williams Treaties First Nations, and we thank them for sharing the land.

3. Approval of the Agenda

Moved by Matthew Abas

Seconded by Jo-anne Spitzer

That the agenda as circulated by Legislative Services be approved.

Carried

4. 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*.

5. Receipt of the Minutes

5.1 Accessibility Advisory Committee Meeting Minutes of April 13, 2022

Moved by Max Le Moine

Seconded by Matthew Abas

That the Accessibility Advisory Committee meeting minutes of April 13, 2022, be received for information.

Carried

6. Delegations

None.

7. Matters for Consideration

7.1 Memorandum from Accessibility Advisor; Re: Site Plan Application OPA-2017-06, ZBA-2017-08 (Submission #4), 46 St. John's Sideroad

Staff provided an overview of the comments submitted to the Planner on behalf of the Committee and agreed to follow up on whether any formal response has been received from the applicant regarding the Committee's comments. The Committee had no further input.

Moved by Matthew Abas

Seconded by Hailey Reiss

1. That the memorandum regarding Site Plan Application OPA-2017-06, ZBA-2017-08 (Submission #4), 46 St. John's Sideroad, be received;
2. That the Accessibility Advisory Committee comments regarding Site Plan Application OPA-2017-06, ZBA-2017-08 (Submission #4) be received and referred to staff for consideration and further action as appropriate.

Carried

7.2 Memorandum from Accessibility Advisor; Re: Site Plan Application ZBA-2019-03 (Submission #3), 15385 and 15395 Bayview Avenue

Staff provided an overview of the comments submitted to the Planner on behalf of the Committee. The Committee and staff reviewed and discussed various aspects of the site plan and further suggestions were made regarding consideration for: drawings with more detail; clarification on whether a curb depression or bike rack is proposed at southwest corner of Block 2; if bike rack, relocate away from access area next to Type A accessible parking space; and clarification on whether an access aisle is provided next to the Type A accessible parking space.

Moved by Matthew Abas

Seconded by Max Le Moine

1. That the memorandum regarding Site Plan Application ZBA-2019-03 (Submission #3), 15385 and 15395 Bayview Avenue, be received;
2. That the Accessibility Advisory Committee comments regarding Site Plan Application ZBA-2019-03 (Submission #3) be received and referred to staff for consideration and further action as appropriate.

Carried

7.3 Memorandum from Accessibility Advisor; Re: Site Plan Application OPA-2020-05, ZBA-2020-05, SP-2020-05 (Submission #3), 1675 St. John's Sideroad

Staff provided an overview of the comments submitted to the Planner on behalf of the Committee. The Committee and staff reviewed and discussed various aspects of the site plan. The Committee had no further input.

Moved by Hailey Reiss

Seconded by Jo-anne Spitzer

1. That the memorandum regarding Site Plan Application OPA-2020-05, ZBA-2020-05, SP-2020-05 (Submission #3), 1675 St. John's Sideroad, be received;
2. That the Accessibility Advisory Committee comments regarding Site Plan Application OPA-2020-05, ZBA-2020-05, SP-2020-05 (Submission #3) be received and referred to staff for consideration and further action as appropriate.

Carried

7.4 Memorandum from Accessibility Advisor; Re: Site Plan Application ZBA-2021-06, SUB-2021-02 (Submission #2), 5 to 70 Archerhill Court

Staff provided an overview of the comments submitted to the Planner on behalf of the Committee. The Committee and staff reviewed and discussed various aspects of the site plan and further suggestions were made regarding consideration for: drawings with greater detail of the outdoor play space area; addition of benches for the outdoor play space area for respite purposes; and the addition of bicycle racks.

Moved by Jo-anne Spitzer

Seconded by Hailey Reiss

1. That the memorandum regarding Site Plan Application ZBA-2021-06, SUB-2021-02 (Submission #2), 5 to 70 Archerhill Court, be received;
2. That the Accessibility Advisory Committee comments regarding Site Plan Application ZBA-2021-06, SUB-2021-02 (Submission #2) be received and referred to staff for consideration and further action as appropriate.

Carried

7.5 Round Table Discussion; Re: Town of Aurora Multi-Year Accessibility Plan 2022 to 2026

[\(Link to Multi-Year Accessibility Plan\)](#)

Staff provided an update on the sensory path project and the aquatic wheelchair replacement at the Aurora Family Leisure Complex.

Staff extended a reminder about the upcoming National AccessAbility Week (formerly National Access Awareness Week) from May 29 to June 4, 2022. Staff further noted that Committee members would be receiving an invitation to York Region's National AccessAbility Week Forum: Making York Region AccessAble, a virtual event on Wednesday, June 1, 2022, from 4 p.m. to 6:30 p.m.

Staff extended congratulations to the Committee on its well-done video "What Does Accessibility Mean to You?", available on the Town's website.

Moved by Matthew Abas

Seconded by Jo-anne Spitzer

1. That the Accessibility Advisory Committee comments regarding the Town of Aurora Multi-Year Accessibility Plan 2022 to 2026 be received and referred to staff for consideration and action as appropriate.

Carried

8. Informational Items

None.

9. Adjournment

Moved by Matthew Abas

Seconded by Hailey Reiss

That the meeting be adjourned at 7:52 p.m.

Carried



Town of Aurora
Anti-Black Racism and Anti-Racism Task Force
Meeting Minutes

Date: Wednesday, May 18, 2022
Time: 7:00 p.m.
Location: Video Conference

Committee Members: Noor El-Dassouki (Chair)
 Jennie Dekkema (Vice Chair)
 Edlene Antonio
 Shivangi Bagga
 Councillor Harold Kim

Members Absent: Mark Lewis
 Keenan Hull
 Mae Khamissa

Other Attendees: Techa Van Leeuwen, Director of Corporate Services
 Phillip Rose, Manager, Aurora Town Square
 Ishita Soneji, Council/Committee Coordinator

1. Call to Order

The Chair called the meeting to order at 7:14 p.m.

2. Land Acknowledgement

The Committee acknowledged that the meeting took place on the traditional and treaty territory of the Anishinaabe and many other Nations whose presence here continues to this day, and that Aurora has shared responsibility for the stewardship of this land. It was noted that Aurora is part of the treaty lands of the Mississaugas of the Credit, recognized through Treaty #13 and the Williams Treaties of 1923.

3. Approval of the Agenda

Moved by Edlene Antonio

Seconded by Jennie Dekkema

That the agenda as circulated by Legislative Services be approved.

Carried

4. 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*.

5. Receipt of the Minutes

5.1 Anti-Black Racism and Anti-Racism Task Force Meeting Minutes of April 20, 2022

Moved by Shivangi Bagga

Seconded by Jennie Dekkema

That the Anti-Black Racism and Anti-Racism Task Force meeting minutes of April 20, 2022, be received for information.

Carried

6. Delegations

None.

7. Matters for Consideration

7.1 Memorandum from Manager, Aurora Town Square; Re: Diversity and Inclusion Mural – Design Update

Staff provided an overview of the memorandum and sought the Committee's input regarding the Diversity and Inclusion Mural design. The Committee discussed various aspects of the proposed mural design and expressed appreciation towards inclusion of diverse community and cultural groups. The Committee and staff discussed about the research process conducted by staff and the artists for the quilt patch designs and

suggested improvements to various patch designs. The Committee suggested that input from specific community or cultural groups would be beneficial for any further improvements to the quilt patch designs. It was further suggested that an informative description regarding the background and detail of each patch design should be displayed beside the mural. The Committee expressed support on the design approach and initiative and discussed the next steps regarding the approval of the design.

Moved by Edlene Antonio

Seconded by Jennie Dekkema

1. That the memorandum regarding the Diversity and Inclusion Mural - Design Update be received; and
2. That the Anti-Black Racism and Anti-Racism Task Force comments regarding the Diversity and Inclusion Mural - Design Update be received and referred to staff for consideration and further action as appropriate.

Carried

8. Informational Items

8.1 Memorandum from Recreation Supervisor, Special Events Re: Special Event Opportunities

Staff provided a brief overview of the memorandum and details of the upcoming community engagement opportunities and events. The Committee members expressed interest in participating and attending the events.

Moved by Shivangi Bagga

Seconded by Councillor Kim

1. That the memorandum regarding Special Event Opportunities be received for information.

Carried

4

9. **Adjournment**

Moved by Edlene Antonio

Seconded by Jennie Dekkema

That the meeting be adjourned at 7:59 p.m.

Carried



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora

General Committee Report

No. CS22-037

Subject: Administrative Monetary Penalty System (AMPS)

Prepared by: Alexander Wray, Manager of Bylaw Services

Department: Corporate Services

Date: June 7, 2022

Recommendation

1. That Report No. CS22-037 be received; and
2. That staff be authorized to implement the necessary processes and procedures for the Administrative Monetary Penalty System (AMPS); and
3. That staff bring forward the Administrative Penalty By-law at a future Council meeting for enactment; and
4. That staff bring forward the Screening and Hearing Officer By-law at a future Council meeting for enactment; and
5. That staff bring forward amendments to the Parking Control By-law #4574-04.T, as amended, at a future Council meeting for enactment.

Executive Summary

The purpose of this report is to seek Council's approval to implement the Administrative Monetary Penalty System (AMPS) By-law. The proposed AMPS By-law will provide a customer focused dispute resolution processes and allow for new prosecutions matters to be heard by the Town and in an expediated timeline in comparison to the existing Provincial Offences Act (POA) process.

- The implementation of an AMPS By-law will make some alterations to the Town's current processes.
- The Administrative Monetary Penalty System will provide significant benefits to the Town and our residents.

- Implementation of Screening and Hearing Officers are a required part of an AMPS program.
- The proposed AMPS program will implement minor fees which have been benchmarked with municipalities across the GTA.
- An AMPS implementation working group has been established with neighbouring municipalities.
- An amendment to the Town's Parking and Traffic By-law No. 4574-04.P is required to allow for the issuance of penalty notices.
- Staff are recommending a phased implementation approach for non-parking related by-laws.

Background

Parking tickets issued in the Town of Aurora are currently issued, processed and adjudicated pursuant to the *Provincial Offences Act* (POA), and are heard in the Ontario Court of Justice (Provincial Offences Court). The POA prescribes the process, and as a result, under this regime there is limited opportunity for a municipality to provide a revised process that may be more flexible and suit the nature of the municipality. Further, the Region prosecutes parking tickets on the Town's behalf.

In 2007, changes were made to the *Municipal Act, 2001* to allow municipalities to develop an Administrative Monetary Penalty System (AMPS) to process and adjudicate parking violations. Subsequent amendments to the *Municipal Act, 2001* extended the authority to establish an AMPS program to include accessible parking by-laws (which were previously excluded), as well as other types of municipal by-laws. O. Reg. 333/07 (the Regulation) sets out specific requirements that must be met in order to establish an AMPS program for parking. Staff plan to transition other Town by-laws to AMPS in 2023 through a gradual approach. By doing so it will provide a consistent, customer focused process for residents throughout applicable Town By-laws.

In essence, an AMPS program replaces the prescribed process in the POA, and can be designed to meet the needs of the municipality, provided the parameters of the Regulation are met. In accordance with the Regulation, the proposed AMPS process would provide for resolution of a dispute at a screening review. If the screening decision is contested, the individual can then request a hearing. Unlike the current POA system, which provides for appeals and re-openings following a conviction, the decision at a hearing in the AMPS program is final and subject to limited review.

An AMPS program will provide for the same open, transparent, and objective process as is currently in place with the POA system while maintaining the fundamental principles of open court and due process.

Several municipalities across Ontario (i.e. Vaughan, Newmarket, Oshawa, Burlington, Markham, Hamilton, Brampton, Mississauga, Oakville, Kitchener and Waterloo) have implemented AMPS programs and all feedback received indicates that their processes are running with increased efficiency and in a cost effective manner.

Aurora has partnered with the Town of Georgina and King Township to develop this AMPS initiative, which is also proposed for both municipalities. Research and development resources have been shared to date and the plan moving forward is to share resources whenever possible. The development phase of the program began, in earnest, in late 2021. Beyond Bylaw Services staff from the 3 municipalities, the project has also involved staff input from Clerks, IT, Finance, Legal and Communications from the respective municipalities.

Although AMPS can involve a variety of municipal by-law violations, staff are proposing to commence the AMPS program with parking violations, which represents the single largest volume of Court activity for Aurora. This is consistent with the approach of many other municipalities. It is anticipated that other Aurora by-laws will transition into the AMPS program in Q3 2023.

Analysis

The implementation of an AMPS By-law will make some alterations to the Town's current processes.

The following is an overview of how the proposed AMPS By-law will function:

1. The current process of physically issuing of parking ticket, now to be known as a penalty notice, remains essentially the same.

In most situations, Bylaw Officers will still issue the penalty notice by personally serving it to the driver of the vehicle or affixing it to the vehicle in violation. In some situations, where Officer safety may be of concern, the AMPS system will provide Officers with the opportunity of sending the penalty notice in the mail.

2. Residents will be able to initiate their dispute resolution process in a faster manner than the existing POA process while potentially reducing the need to take time off and travel to the Regional courthouse.

When a resident wishes to dispute a penalty notice they've received, the resident will be able to attend an Access Aurora counter, where they can schedule a date and time to arrange a screening meeting. Screening meetings will occur at pre-determined dates and times with a Screening Officer. To reduce the need for residents to take time off work and travel to Town facilities, residents will be provided the option of conducting a virtual screening whenever possible. In situations where a resident is unable to conduct a virtual hearing, ex. Accessibility requirements, lack of internet access, etc. Town staff will arrange for an in-person hearing date.

3. The Town's Licensing and Court Administrator will be appointed as a Screening Officer and will have the authority to conduct screening meetings.

Bylaw Services will utilize existing staff to administer the screening process of the AMPS By-law. This can be achieved by shifting staff time away from the POA and court system and reallocating the workload internally to the AMPS process. The AMPS process will provide staff with increased discretion to resolve penalty notices. As an example, this may include the potential to reduce the fine or provide for a payment program, if appropriate. In comparison to the current POA process, residents' only options to resolve a parking ticket are to pay the fine amount or request a trial and attempt to resolve the matter in Court.

4. Residents will have the opportunity to appeal decisions beyond their meeting with the Town's Screening Officer.

In situations where a resident is not satisfied with the outcome of a screening meeting, they will have the opportunity to request a hearing. A hearing is similar to the process of requesting a trial in a Provincial Offences Court, however it is contemplated that the new hearings process will be less formal, less intimidating, and more timely.

5. Hearings Officer(s) will be appointed by the by way of Delegated Authority and will adjudicate matters at a hearing.

Hearings Officers will be independent of Town staff and Council and are often retired Justice of the Peace, Lawyers, Paralegals, etc. They will ensure that judicial best practices are adhered to and residents are provided a fair and expedited hearing process.

6. Officers would not be required to attend Hearings meetings unless required by the Hearings Officer.

When a Hearings Officer is conducting a hearing meeting, the investigating Officer is not required to attend the meeting unless the Hearings Officer has requested his/her attendance. As a result, this will free up staff resources so that Officers can remain in the community to address resident concerns and complaints.

7. The process for collecting unpaid parking penalty notices will remain the same.

As in the current POA process, a penalty notice that remains unpaid, whether it goes through the full adjudication process or not, will be sent to MTO and be applied to the license plate of the subject vehicle at plate renewal.

Implementation of Screening and Hearing Officers are a required part of an AMPS program.

Provincial regulations requires that any AMPS system must include a formalized two (2) step resolution process for anyone wishing to dispute and resolve a parking violation. These two (2) steps are known as a “screening” and a “hearing”. A By-law to establish the position of screening officer and hearing officer, and to provide for appointment of individuals as screening/hearing officers, is required.

Screening Process

The screening process will involve the penalty notice recipient attending a virtual hearing or an in person meeting, during regular business hours, to request to speak to a screening officer, regarding the ticket. The existing administrative staff within Bylaw Services, along with the Officers and Managers, will be appointed as screenings officers. The screening officer will discuss the circumstances regarding the ticket with the person and provide his/her decision on how to resolve the ticket. As mentioned earlier, there will be more options available to staff to facilitate resolution of the ticket. If the recipient holder is satisfied with the decision, the matter is considered resolved once he/she has paid any penalty amount that forms part of the resolution. Conversely, if the ticket holder is not satisfied with the decision, he/she can request a hearing.

Hearing Process

Once a request for a hearing is received, staff will process the request, assign a hearing date and inform the requestor. The hearings will take place virtually or in person at a Town facility. At this time, staff anticipate there to be one (1) hearing date set each month, with the option of sharing resources with participating N6 municipalities. While

a Town of Aurora ticket holder is likely to be given a hearing date in Aurora as the first option, he/she may be provided a date in Georgina or King Township, if it makes sense to do so. Equally, Georgina or King Township ticket holders may attend a hearing in Aurora if it makes sense to do so.

A hearing is presided over by a hearings officer. This person will be appointed by the municipality and must not be a person who is currently employed by the municipality. The Town will be represented in the hearing by a staff person who has knowledge of the ticket being disputed. After hearing comments by both sides, the hearing officer will render a decision that, once rendered, will be final and binding. If there is a monetary penalty owed by the ticket holder, the matter is not considered resolved until such time as the penalty amount is paid in full.

As required by the Regulation, staff have developed a draft Screening and Hearing Officer By-law for Council's consideration (Attachment 4 – Proposed Screening and Hearing Officer By-law). The By-law provides for the appointment of Screening and Hearing Officers and sets out restrictions on who can qualify for these positions, in order to ensure the integrity of the process.

It is recommended that the appointment of screening officers be delegated to staff similarly to the current process for Bylaw Officers and the appointment of Hearing Officer(s) be delegated to the Clerks Office

The Administrative Monetary Penalty System will provide significant benefits to the Town and our residents.

The implementation of an AMPS program will provide significant benefits to residents, businesses, and the Town. The following points provide a brief explanation of these benefits:

1. The program will enhance customer service and will be less intimidating than the existing Provincial Offences Court process.

By implementing the AMPS process, staff will be able to conduct screenings and hearings internally. This will allow residents to dispute their concerns at a local level and remove the lengthy delays experienced in the Court system.

2. Staff will have increased flexibility and discretion to attempt to resolve parking disputes over issued parking penalty notices.

The proposed screening process, which will be available to residents remotely and in person, will allow staff to attempt to resolve parking disputes in the early stages of the process. By doing so, the need for residents to incur added costs and/or time will be reduced as they will no longer need to attend court on multiple dates.

3. Removing parking tickets from the Court process will allow the Regional Court Administration to reallocate Court time and resources, to address other pressures.

Due to the backlog created during the COVID-19 pandemic, coupled with existing pre-pandemic delays, the Provincial Court system is exploring opportunities to modernize the delivery of court services in Ontario. This includes encouraging municipalities to implement AMPS processes for minor offences such as parking violations.

4. AMPS will provide for less formal hearings at a local level while upholding existing requirements under the *Statutory Powers Procedure Act* and the Policies to be established in accordance with the Regulation.

AMPS implementation will allow for a friendlier, less intimidating, and more effective hearing process while also ensuring legislative requirements under the *Statutory Powers Procedure Act* are adhered to. Staff will also be implementing additional policies to ensure compliance with the Act and to maintain the integrity of the AMPS processes.

5. Hearings under the AMPS system will be within the Town's control and will not be dependant on pre-determined court schedules at the Region.

With the volume of POA charges before the court system, the wait time for an initial Court date can be as much as 8 to 9 months. Under the AMPS program, staff anticipate a significantly reduced wait time of approximately 2-3 months. It is anticipated that the efficiencies found will also reduce current administrative impacts as tickets will be resolved sooner.

6. The AMPS system will provide an opportunity to mitigate certain enforcement safety concerns.

The AMPS system provides frontline Officers options to mitigate safety concerns relating to enforcement issues. This includes parking enforcement in school zones and fire route offences. The current Provincial Offences Act requires that a parking ticket be placed on the vehicle or served on the person at the time of the offence. There are times when this requirement can result in safety concerns, particularly when the driver

of the vehicle leaves the area quickly. The AMPS program provides the opportunity for a ticket to be mailed to the driver after the fact.

The proposed AMPS program will implement minor fees which have been benchmarked with municipalities across the GTA.

The Provincial Offences Act currently provides for fail to respond fees and plate denial fees. Under this system, as prescribed by provincial legislation, these fees are shared between the municipality, the Region and the Ministry of Transportation. Under the AMPS program, the Town would establish the fees to be imposed on late/defaulted penalties, and all such fees will remain with the municipality. As such, an increase in revenues is anticipated. Fees proposed are described in Attachment 2 – Proposed AMPS Fee Schedule

Attachment 2 – Proposed AMPS Fee Schedule indicates that the fees proposed by staff are in line with those in place in other municipalities. The following is a brief explanation of each fee:

- **MTO search fee** – the Town currently pays a fee of \$8.25 to the Ministry of Transportation for every request for license plate ownership that is sent to them. The ownership request is only submitted when a person has failed to respond to their ticket within a prescribed time. The purpose of the request is to mail out reminder notices. Under the current system, the Town does not have a way to recover costs associated with this fee as final adjudication is handled by the Regional Municipality of York. Under AMPS, this fee will be added to the face value of the outstanding ticket for each request, along with a nominal administrative fee;
- **Late Fee Parking** – this fee would be added to the face value of the penalty notice for parking contraventions when a person fails to respond or to pay within the required time, after having been given time to do so and after having received a mailed reminder notice of the outstanding ticket. It should be noted that the initial timeframe provided for a person to respond to the penalty notice under AMPS will be increased from the current 15 days to 30 days. This provides added opportunity for the offender to make payment or choose a screening, without incurring any fees.

The current late fee of \$16 is imposed when a person fails to respond to a parking ticket. This amount is prescribed by legislation under the POA and has been in place for over 20 years. The \$16 fee is currently shared with the Region. This fee does not reflect the increase in administration costs related to tracking and processing defaulted tickets, over the years. Municipalities do not have any discretion to adjust fees under the POA system. Staff are proposing a fee of \$25, which is in line with other municipalities, to account for increased costs administrative costs. Further, this fee must act as a deterrent for failing to respond to a penalty notice and/or an incentive to respond within the prescribed time;

- **Late Fee Other By-laws** – this fee would be added to the face value of the penalty notice for non-parking by-laws when a person fails to respond or to pay within the required time, after having been given time to do so and after receiving a mailed reminder notice of the outstanding penalty notice. It should be noted that the initial timeframe provided for a person to respond to the penalty notice under AMPS will be increased from the current 15 days to 30 days. This provides added opportunity for the offender to make payment or choose a screening, without incurring any fees;
- **Screening Non-Appearance Fee** – This fee would be added to the face value of the penalty in situations where an individual has requested a screening review hearing and fails to show up. This fee is considered cost recovery for the staff time and resources required to schedule and prepare for the screening review;
- **Hearing Non-Appearance Fee** – This fee would be added to the face value of the penalty in situations where an individual has requested a hearing and fails to appear. The Town will be required to cover all costs related to hearings. Therefore, if someone fails to show up for their appointed time, the Town will incur costs related to this process and the individual would be assessed a non-appearance fee. This fee can be considered a carryover from the current system within the POA, as it is an already prescribed non-appearance fee;

- **Plate Denial Fee** – This fee will be applied in situations when a person has failed to resolve their ticket appropriately, after all options and dispute resolution mechanisms have been made available. The plate denial process has been in place for many years and currently a portion of this fee has been provided to the municipality, under the POA legislation. As such, this reflects a fee under the current system.

It is important to understand the rationale for these fees being in place. When a person fails to respond to a parking ticket issued within the appropriate time frame, there are administrative costs associated with the municipality having to receive license plate information, send out reminder notices, etc. These administrative costs can increase the longer a ticket remains unresolved, up to and including sending the license plate and related information to the Ministry for the plate denial process to be applied. These costs should not be absorbed by the tax base revenue for situations where someone has failed to respond to their obligations, after receiving a penalty notice.

It is also important to note that the AMPS processes being proposed by staff will provide for more time to respond to the notice before late fees are applied, than is currently allowed under the prescribed system.

An AMPS implementation working group (AIWG) has been established with neighbouring municipalities.

The AMPS Implementation Working Group (AIWG) was formed in late 2021, with the objective of investigating AMPS. The (AIWG) are collectively recommending moving away from processing municipal by-law infractions through the Provincial Offences Act, to the Administrative Monetary Penalty System.

Staff members from the Towns of Aurora, King, and Georgina, engaged a consultant from Municipal Compliance Solutions with an objective of researching and developing an AMPS framework. This collaborative approach between participating N6 municipalities is expected to minimize impacts on the courts, streamline and enhance customer service, and identify future opportunities for resource sharing in the participating municipalities. To ensure local consistency and adherence to best practices, the AIWG has sought support and advice from both the Town of Newmarket, and City of Vaughan on best practices and procedures.

An amendment to the Town's Parking and Traffic By-law No. 4574-04.P is required to allow for the issuance of penalty notices.

In order for Bylaw Services to issue penalty notices under the proposed AMPS By-law, an amendment is required in the existing Parking and Traffic By-law No. 4574.04.P. As a result, the parking provisions contained therein will no longer be subject to the *Provincial Offences Act*, but will be governed by the AMPS process.

The amendments to this by-law, will come into effect on the commencement of the AMPS program. All tickets issued prior to that time will continue to be adjudicated under the existing POA system until their completion.

Attached, for Council's consideration, is a draft by-law amendment (Attachment 3 – Draft Parking By-law Amendment) to amend the Parking and Traffic By-law No. 4574-04.P. All other elements of the by-law remain the same and enforcement practices will remain unchanged.

Staff are recommending a phased implementation approach for non-parking related by-laws

Bylaw Services in conjunction with the Town's AMPS consultant are recommending a phased implementation for non-parking by-laws. Staff believe that a phased implementation approach will allow for a clear public communication campaign, an opportunity to address any issues that arise, and refinement of best practices. Beginning in early Q2 2023, staff will begin transitioning the Town's remaining applicable by-laws to the AMPS system.

Advisory Committee Review

N/A

Legal Considerations

The Regulation requires a municipality establishing an AMPS program for parking to pass an AMPS By-law, which designates the parking by-laws and provisions to which AMPS will apply, and establishes the adjudication process. The POA will no longer apply to the designated parking by-laws/provisions for new offences once the AMPS program is implemented. In its place will be an adjudication process that is designed to be more flexible, efficient, and expedient for residents.

In addition, to implement the proposed AMPS program, Council will be required to enact a Screening and Hearing Officers Bylaw to establish and appoint these officers and amend the Town's Parking Control By-law to designate certain provisions to be governed by the AMPS process as opposed to under the Provincial Offences Act.

Lastly, a policy is also required to implement the program, which will be approved by the CAO in accordance with the Town's delegated authority by-law.

Financial Implications

All AMPS Program implementation costs, such as project management, software upgrades and the redesign of forms and tickets will be funded through capital project no. 24029's existing approved capital budget authority of \$150,000 which is mostly funded through provincial grants.

It is the Town's objective to deliver the new AMPS program, if approved, with its existing approved positions. The AMPS will require an estimated maximum ongoing incremental operating cost of approximately \$6,000 for Hearings Officers (third party contractors) who will adjudicate parking hearings. It is anticipated that the Hearing Officers would be shared between Aurora, King and Georgina, and that hearings would take place approximately once per month with each municipality bearing their respective cost of hearings.

The implementation of an AMPS program will not significantly alter our current process for how parking tickets (now penalty notices) are issued, nor will it have any impact on the number of parking tickets issued. However, staff anticipate an increase in parking fine revenue as it relates to the collection of newly proposed late fees and charges that the Town would implement as part of its AMPS program. Unlike the existing POA system, the Town will be able to keep 100 percent of its penalty notice revenues rather than having to share it with York Region and the Province. All of the AMPS program proposed fees and charges can be found under Attachment 2 – Proposed AMPS Fee Schedule . Staff are confident that these revenues will adequately cover any arising incremental operating costs from this program for the remainder of this year. Upon implementation, staff will monitor and evaluate late fee revenues and incorporate any revenue adjustments into an upcoming budget process.

Under the current POA system, municipalities are required to obtain approval from the Ministry of the Attorney General to implement new or revise existing parking fines. Under the AMPS program, this requirement is eliminated, Council has the authority to approve any new, or revise any existing, penalty (fine), as a Schedule to the AMPS By-law. At this time staff are not recommending any adjustments to the existing schedule of fines, all applicable fines and charges will remain unchanged under the new AMPS By-Law as they are currently presented under the existing Parking By-Law.

Communications Considerations

A communications plan will be developed to inform, provide information and generate awareness to the public.

Climate Change Considerations

The recommendations in this report may reduce greenhouse gas emissions because of a reduction in travel due to the proposed virtual hearing and screening process(s).

Link to Strategic Plan

The Administrative Monetary Penalty System (AMPS) By-law supports the Strategic Plan Goals of Supporting an Exceptional Quality of Life for all and investing in sustainable infrastructure.

Alternative(s) to the Recommendation

1. Council provide direction to staff

Conclusions

It is staff's opinion that implementing an AMPS process, as outlined in this report, to transition the parking ticket adjudication process away from the formalized process prescribed by the POA, will be a significant improvement in customer service. In essence, the current "legal" process will be eliminated, in favour of an enhanced dispute resolution mechanism.

Attachments

Attachment 1- AMPS Procedural By-law Draft

Attachment 2 – Proposed AMPS Fee Schedule

Attachment 3 – Draft Parking By-law Amendment

Attachment 4 – Proposed Screening and Hearing Officer By-law

Previous Reports

N/A

Pre-submission Review

Agenda Management Team review on May 19, 2022

Approvals

Approved by Techa van Leeuwen, Director, Corporate Services

Approved by Doug Nadorozny, Chief Administrative Officer

The Corporation of the Town of Aurora

By-law Number ____-22

Being a By-law to _____in the Town of Aurora.

WHEREAS Section 102.1 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "*Municipal Act, 2001*") and O. Reg. 333/07, as amended, authorize The Corporation of the Town of Aurora to establish an administrative penalty system requiring a person to pay an administrative penalty for a contravention of any By-law respecting the parking, standing or stopping of vehicles;

AND WHEREAS the purpose of the system of administrative penalties established by the municipality shall be to assist the municipality in regulating the flow of traffic and use of land, including highways, by promoting compliance with its by-laws respecting the parking, standing or stopping of motor vehicles

AND WHEREAS the Council of The Corporation of the Town of Aurora considers it desirable to provide for a system of administrative penalties and administrative fees for the designated Town by-laws, or portions of the designated Town by-laws set out herein;

NOW THEREFORE the Council of The Corporation of the Town of Aurora enacts as follows:

1.0 TITLE

- 1.1 This By-law shall be known and cited as the "Parking Administrative Penalty By-law".

2.0 DEFINITIONS

- 2.1 Where words and phrases used in this By-law are not defined herein but are defined in the *Highway Traffic Act*, R.S.O. 1990, c. H. 8, as amended from time to time or any successor thereof (the *HTA*), the definitions in the *HTA* shall apply.
- 2.2 In this By-law:

"Administrative Fee" – means any fee(s) specified in Schedule "B" of this By-law, as may be amended from time to time;

"Administrative Penalty" – means an administrative penalty as set out in Schedule "A" of this By-law, for a contravention of a Designated By-law;

"Clerk" – means the Town Clerk, or anyone designated by the Town Clerk to perform his or her duties pursuant to this By-law;

"Designated By-law" – means a Town by-law, or a part or provision of a Town by-law, to which this Parking Administrative Penalty By-law applies, as designated under this By-law and listed in the attached Schedule "A";

"Director" – means the department head responsible for the Bylaw Services division of the Town, or his/her designate or successor.

"Effective Date of Service" – means the date on which service of a Penalty Notice is deemed to be effective in accordance with this By-law;

"Fees & Charges By-law" – means the Fees & Charges By-law of the Town, as may be amended from time to time, or any successor thereof;

"Hearing Decision" – means the decision of a Hearing Officer, as set out in Section 6.14;

"Hearing Non-Appearence Fee" – means an Administrative Fee established by the Town from time to time in respect of a Person's failure to appear at the time and place scheduled for a hearing before a Hearing Officer, as listed in Schedule "B";

"Hearing Officer" – means any person appointed by the Town from time to time pursuant to the Screening and Hearing Officer By-law, to perform the functions of a hearing officer in accordance with this By-law;

"Holiday" – means a Saturday, Sunday and any statutory holiday in the Province of Ontario or any day on which the offices of the Town are officially closed for business;

"Late Payment Fee" – means an Administrative Fee established by the Town from time to time in respect of a Person's failure to pay an Administrative Penalty within the time prescribed in this By-law, as listed in Schedule "B";

"MTO Search Fee" – means an Administrative Fee established by the Town from time to time for any search of the records of, or any inquiry to, the Ontario Ministry of Transportation, or related authority, for the purposes of this By-law, as listed in Schedule "B";

"NSF Fee" – means a fee established by the Town, as set out in the Fees & Charges By-law, in respect of any payment to the Town from a Person, for which there are insufficient funds available or the transaction is declined;

"Officer" – means a person appointed by the Town as a Municipal Law Enforcement Officer and any police officer;

"Owner" – means the Person whose name appears on the permit for the vehicle as provided by the Ontario Ministry of Transportation, and if the vehicle permit consists of a vehicle portion and a plate portion and different Persons are named on each portion, the Person whose names appears on the plate portion;

"Penalty Notice" – means a notice as described in Section 4.0 of this By-law;

"Penalty Notice Date" – means the date of the contravention;

"Penalty Notice Number" – means the reference number specified on the Penalty Notice that is unique to that Penalty Notice, pursuant to Subsection 4.3(b) of this By-law;

"Person" – includes an individual, sole proprietorship, partnership, limited partnership, trust or corporation, or an individual in his or her capacity as a trustee, executor, administrator or other legal representative;

"Plate Denial Fee" – means an Administrative Fee established by the Town from time to time, in relation to plate denial in accordance with Section 9.6?? of this By-law, as listed in Schedule "B";

"Provincial Offences Act" – means the *Provincial Offences Act*, R.S.O., 1990, c. P. 33, as amended from time to time, or any successor thereof;

"Regulation" – means O. Reg. 333/07, made under the *Municipal Act, 2001*, as amended from time to time, or any successor thereof;

"Screening and Hearing Officer By-law" – means By-law No. _____ of the Town, as amended from time to time, or any successor thereof;

"Screening Decision" – means the decision of a Screening Officer, as set out in Section 5.8 of this By-law;

"Screening Officer" – means any person appointed by the Town from time to time pursuant to the Screening and Hearing Officer By-law, to perform the functions of a screening officer pursuant to this By-law;

"Statutory Powers Procedure Act" – means the Statutory Powers Procedure Act, R.S.O. 1990, c. S. 22, as amended from time to time, or any successor thereof; and

"Town" – means The Corporation of the Town of Aurora and/or the geographical limits of the Town of Aurora, depending on the context of the provision in which the term appears;

3.0 APPLICATION OF THIS BY-LAW

- 3.1 The Town's By-laws, or portions of Town By-laws, listed in the attached Schedule "A" of this By-law shall be Designated By-laws for the purposes of Section 102.1 of the *Municipal Act, 2001* and paragraph 3(1)(b) of the Regulation.
- 3.2 The attached Schedule "A" of this By-law sets out the Administrative Penalty, and includes short form wording to be used on Penalty Notices, for the contraventions of Designated By-laws.
- 3.3 The attached Schedule "B" of this By-law sets out the Administrative Fees imposed for purposes of this By-law.
- 3.4 Despite any other provision of a Town By-law, the *Provincial Offences Act* does not apply to a contravention of a Designated By-law.

4.0 PENALTY NOTICE

- 4.1 If a vehicle has been left parked, standing or stopped in contravention of a Designated By-law the Owner of the vehicle shall, upon issuance of a Penalty Notice in accordance with this By-law, be liable to pay to the Town an Administrative Penalty in the amount specified in Schedule "A", and shall be liable to pay to the Town any Administrative Fees in accordance with this By-law.
- 4.2 An Officer who has reason to believe that a Person has contravened a Designated By-law may issue a Penalty Notice in accordance with this By-law.
- 4.3 The Penalty Notice shall include the following information:

- a) The Penalty Notice Date;
- b) The Penalty Notice Number;
- c) The short form wording for the contravention;
- d) The amount of the Administrative Penalty;
- e) Time for payment of the Administrative Penalty, which shall be 15 calendar days from the Effective Date of Service;
- f) Information respecting the process by which the Person may pay the Administrative Penalty or request a review of the Administrative Penalty;
- g) A statement advising that an Administrative Penalty will constitute a debt of the Owner to the Town; and
- h) The name and identification number of the Officer issuing the Penalty Notice

5.0 REVIEW BY SCREENING OFFICER

- 5.1 A Person who is served a Penalty Notice may, within 30 calendar days after the Effective Date of Service, request, in accordance with Section 5.3 of this By-law, that the Administrative Penalty be reviewed by a Screening Officer.
- 5.2 A Person who is served a Penalty Notice may, in accordance with Section 5.3 of this By-law, request that the Screening Officer extend the time to request a review to 60 calendar days after the Effective Date of Service, failing which the Administrative Penalty shall be deemed to be affirmed in accordance with Section 5.6 of this By-law.
- 5.3 A request for a review, or for an extension of time to request a review, shall be in the form and manner as determined by the Director from time to time, and shall include the Penalty Notice Number and the Person's contact information. Where a request is made by a Person who is not the Owner, the Person shall submit with the request an authorized agent/representative form, in the form as determined by the Director from time to time. Incomplete forms or forms not submitted in the form and manner as determined by the Director may not be accepted or processed, at the discretion of the Director.
- 5.4 The Screening Officer may only extend the time to request a review of the Administrative Penalty when the Person requesting the extension demonstrates, on a balance of probabilities, extenuating circumstances that warrant the extension of time. The Screening Officer will consider the request for extension before reviewing the Administrative Penalty.
- 5.5 Where an extension of time to request a review is not granted by the Screening Officer, the Administrative Penalty and any applicable Administrative Fees shall be deemed to be affirmed, and shall not be subject to review.
- 5.6 Where neither a review nor an extension of time for review are requested in accordance with this By-law, or where the Person fails to request a review within any extended period of time granted by the Screening Officer:

- a) The Person shall be deemed to have waived the right to a screening and a hearing;
 - b) The Administrative Penalty, and any applicable Administrative Fees, shall be deemed to be affirmed; and
 - c) The Administrative Penalty, and any applicable Administrative Fees, shall not be subject to review.
- 5.7 On a review of an Administrative Penalty, the Screening Officer may affirm the Administrative Penalty, including any applicable Administrative Fees, or the Screening Officer may cancel, reduce or extend the time for payment of the Administrative Penalty, including any applicable Administrative Fees, on the following grounds:
 - a) Where the Screening Officer is satisfied, on a balance of probabilities, that the vehicle was not parked, standing or stopped in contravention of the Designated By-law as set out in the Penalty Notice; or
 - b) Where the Screening Officer is satisfied, on a balance of probabilities, that the cancellation, reduction or extension of the time for payment of the Administrative Penalty, including any applicable Administrative Fees, is necessary to reduce any undue hardship.
- 5.8 Every Person who has a review by the Screening Officer shall be served with a copy of the Screening Decision within 15 calendar days of the screening review, in accordance with Section 7.2 of this by-law.
- 6.0 REVIEW BY HEARING OFFICER**
- 6.1 Any Person to whom a Screening Decision is issued may request a review of the Screening Decision by a Hearing Officer, in accordance with Section 6.3, within 30 calendar days after the date on which the Screening Decision was issued.
- 6.2 A Person to whom a Screening Decision is issued may, in accordance with Section 6.3, request that the Hearing Officer extend the time to request a review of the Screening Decision to 60 calendar days after the date on which the Screening Decision was issued, failing which, the Screening Decision shall be deemed to be affirmed in accordance with Section 6.6 of this By-law.
- 6.3 A request for a review by the Hearing Officer, or for an extension of time to request a review before the Hearing Officer, shall be in the form and manner as determined by the Director from time to time, and shall include the Penalty Notice Number and the Person's contact information. Where a request is made by a Person who is not the Owner, the Person shall submit with the request an authorized agent/representative form, in the form as determined by the Director from time to time. Incomplete forms or forms not submitted in accordance with the form and manner as determined by the Director may not be accepted or processed, at the discretion of the Director.
- 6.4 The Hearing Officer may only extend the time to request a review of the Screening Decision where the Person requesting the extension demonstrates, on a balance of probabilities, extenuating circumstances that warrant the extension

of time. The Hearing Officer will consider the request for extension before reviewing the Screening Decision.

- 6.5 Where an extension of time for a hearing review is not granted by the Hearing Officer, the Screening Decision shall be deemed to be affirmed, and shall not be subject to review.
- 6.6 Where neither a hearing review nor an extension of time for a hearing review are requested in accordance with this By-law, or where the Person fails to request a hearing review within any extended period of time granted by the Hearing Officer:
 - a) The Person shall be deemed to have waived the right to a hearing review;
 - b) The Screening Decision shall be deemed to be affirmed; and
 - c) The Screening Decision shall not be subject to review.
- 6.7 A Person requesting a review by the Hearing Officer in accordance with this By-law shall be given at least 30 calendar days' notice of the date, time and place for the review by the Hearing Officer.
- 6.8 On a review of the Screening Decision, the Hearing Officer may affirm the Screening Decision, or the Hearing Officer may cancel, reduce or extend the time for payment of the Administrative Penalty, including any applicable Administrative Fees, on the following grounds:
 - a) Where the Hearing Officer is satisfied, on a balance of probabilities, that the vehicle was not parked, standing or stopped in contravention of the Designated By-law set out in the Penalty Notice; or
 - b) Where the Hearing Officer is satisfied, on a balance of probabilities, that the cancellation, reduction or extension of the time for payment of the Administrative Penalty, including any Administrative Fees, is necessary to reduce any undue hardship.
- 6.9 A Hearing Officer shall not make any decision respecting a review of the Screening Decision unless the Hearing Officer has given the Person, and the Town an opportunity to be heard.
- 6.10 The hearing shall be subject to the *Statutory Powers Procedure Act*.
- 6.11 The Hearing Officer may consider and rely on a certified statement of an Officer, including but not limited to, certified photographs taken by an Officer. For this purpose, the Penalty Notice, signed by the Officer, shall constitute a certified statement of the Officer.
- 6.12 In addition to anything else that is admissible as evidence in accordance with the *Statutory Powers Procedure Act*, the materials referred to in Section 6.11 are admissible as evidence as proof of the facts contained therein, in the absence of evidence to the contrary.
- 6.13 If evidence referred to in Section 6.11 is being admitted at a hearing, the Hearing Officer shall not adjourn the hearing for the purpose of having the Officer attend to give evidence unless the Hearing Officer is satisfied that the oral evidence of the Officer is necessary to ensure a fair hearing.

- 6.14 The Person who requested the hearing shall be served with a copy of the Hearing Decision within 15 calendar days of the hearing review.
- 6.15 The decision of a Hearing Officer is final.
- 6.16 Where notice has been given in accordance with this By-law, and the Person fails to appear at the time and place scheduled for a review by the Hearing Officer:
- a) The Person shall be deemed to have abandoned the hearing;
 - b) The Screening Decision shall be deemed to be affirmed; and
 - c) The Person shall pay to the Town a Hearing Non-Appearance Fee, in addition to any other fees payable pursuant to this By-law

7.0 SERVICE OF DOCUMENTS

- 7.1 Service of a Penalty Notice in any of the following ways is deemed effective:
- a) Affixing it to the vehicle in a conspicuous place at the time of the contravention;
 - b) Delivering it personally to the operator of the vehicle or the person having care and control of the vehicle at the time of the contravention;
 - c) Mailing it by regular mail to the Owner at the address as set out on the ownership as soon as reasonably practicable after the contravention; or
 - d) Delivering it personally to an occupant at the address of the Owner as set out on the ownership, who appears to be at least 16 years of age, as soon as reasonably practicable after the contravention.
- 7.2 Service of any document other than a Penalty Notice may be made by:
- a) delivering it personally to the Person who requested the screening or hearing review, in the case of a Screening Decision or Hearing Decision; or
 - b) for any document, including a Screening Decision or Hearing Decision:
 - i) delivering it by hand to an occupant at the last known address of the Owner, who appears to be at least 16 years of age; or
 - ii) delivering it by regular mail to the Owner at the last known address of the Owner.
- 7.3 For purposes of this By-law, the last known address of the Owner shall be the address as set out on the vehicle ownership or, where an updated address has been provided in writing by the Owner to the Bylaw Services Department of the Town at the time of service, such updated address.
- 7.4 Any Penalty Notice or document sent in writing to the Owner by regular mail, as set out in this By-law, is deemed to have been served on the fifth (5th) calendar day after the date of mailing.

- 7.5 Any Penalty Notice affixed to the vehicle to which it applies, or any Penalty Notice or document delivered personally in accordance with this By-law, is deemed to have been served on the date and time of such delivery.
- 7.6 Service on a Person who is not the Owner, in accordance with this By-law, including service of a Screening Decision or Hearing Decision by handing it to the Person, shall be deemed to be service on the Owner.

8.0 ADMINISTRATION

- 8.1 The Director may:
- a) Designate areas within the Town, and times, for conducting reviews and hearings under this By-law;
 - b) Prescribe all forms, notices, including the Penalty Notice, guidelines, processes and procedures, necessary to implement the By-law and the administrative penalty system, and to amend such forms, notices, guidelines, procedures and processes from time to time as the Director deems necessary; and
 - c) Amend the Administrative Fees, as may be necessary to reflect changes in fees imposed by the Province of Ontario in relation to the administration of the administrative penalty system.

9.0 GENERAL PROVISIONS

- 9.1 A Penalty Notice that is paid prior to a screening review shall be deemed as final and will not be subject to screening, unless there is an error on the face of the Penalty Notice as determined by the Director.
- 9.2 Unless otherwise stated in this By-law, an Administrative Penalty is due and payable within 15 calendar days following the Effective Date of Service.
- 9.3 Where an Administrative Penalty, including any Administrative Fees, is affirmed or reduced by a Screening Officer or a Hearing Officer, the Administrative Penalty and any Administrative Fees shall be due and payable on the date specified in the Screening Decision or Hearing Decision, as the case may be.
- 9.3 Where an Administrative Penalty is not paid within 15 calendar days after it becomes due and payable, the Owner of the vehicle in respect of which the Penalty Notice was issued shall pay to the Town an MTO Search Fee.
- 9.4 Where an Administrative Penalty is not paid within 45 calendar days after it becomes due and payable, the Owner of the vehicle in respect of which the Penalty Notice was issued shall pay to the Town, in addition to any other fees, a Late Fee.
- 9.5 Notwithstanding Sections 9.3 and 9.4 of this By-law, where an Administrative Penalty is not paid within 15 calendar days after it becomes due and payable in accordance with a Hearing Decision, the Owner of the vehicle in respect of which the Penalty Notice was issued shall pay to the Town, in addition to any other fees, an MTO Search Fee and a Late Fee.
- 9.6 Where an Administrative Penalty and any Administrative Fees are not paid within 60 calendar days after they become due and payable, the Town may:

- a) notify the Registrar of Motor Vehicles of the default and the Registrar shall not validate the permit of a person name in the default notice nor issue a new permit to that person, in respect of the vehicle to which the Administrative Penalty and Administrative Fees apply, until the penalty is paid, and the Owner of the vehicle in respect of which the Penalty Notice was issued shall, in addition to any other fees, pay to the Town a Plate Denial Fee; and
 - b) pursue any other collection mechanisms available to the Town pursuant to the Regulation or at law.
- 9.7 Where a person provides a method of payment to the Town for payment of any Administrative Penalty or Administrative Fee, which has insufficient funds available in the account on which the instrument was drawn, the Owner shall, in addition to any other fees, be liable to pay to the Town an NSF Fee.
- 9.8 All amounts due and payable to the Town pursuant to this By-law constitute a debt to the Town owed by the Owner of the vehicle in respect of which the Penalty Notice was issued.
- 9.9 Where a person makes a request for an extension of time for payment, and the request is granted, the date on which the Administrative Penalty is due and payable shall be the date established in accordance with the extension of time, and:
 - a) the Penalty Notice will not be subject to the Late Payment Fee or the MTO Search Fee, until the time for payment has expired, and then in accordance with the provisions herein; and
 - b) the enforcement mechanisms available to the Town shall be suspended until the extension of time has expired, and then shall apply in accordance with the provisions herein.
- 9.10 Where an Administrative Penalty is cancelled by a Screening Officer or a Hearing Officer, any Administrative Fee is also cancelled.
- 9.11 Where a Person has paid an Administrative Penalty or an Administrative Fee that is cancelled or reduced by a Screening Officer or Hearing Officer, the Town shall refund the amount cancelled or reduced.
- 9.12 Where the Person served with a Penalty Notice or issued a Screening Decision is not the Owner, the Owner may exercise any right that such Person may exercise under this By-law.
- 9.13 No Officer may accept payment in respect of an Administrative Penalty or Administrative Fee.
- 9.14 Payments of an Administrative Penalty or Administrative Fee must be received by the date on which they are due and payable (or any extended due date in accordance with this By-law), and will not be credited until received by the Town.
- 9.15 Any time limit that would otherwise expire on a Holiday is extended to the next day that is not a Holiday.
- 9.16 Any schedule attached to this By-law forms part of this By-law.

10.0 SEVERABILITY

- 10.1 Should any provision, or any part of a provision, of this By-law, be declared invalid, or to be of no force and effect, by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, be severed from this By-law and every other provision of this By-law shall be applied and enforced in accordance with its terms to the extent possible according to law.

11.0 OFFENCES

- 11.1 No Person shall:

a) make a false, misleading or fraudulent statement in relation to a Penalty Notice, or on any form submitted to the Town in relation to a Penalty Notice; or

b) obstruct an Officer exercising any authority under this By-law.

- 11.2 No Person shall attempt, directly or indirectly, to communicate with a Screening Officer or Hearing Officer for the purpose of influencing or interfering, financially, politically or otherwise with, the Screening Officer or Hearing Officer respecting a Penalty Notice and/or respecting a power of decision in a proceeding that is or will be pending before a Screening Officer or Hearing Officer, except:

1. A Person who is entitled to be heard in the proceeding or the Person's lawyer, licensed paralegal or authorized representative; and
2. Only by that Person or the Person's lawyer, licensed paralegal or authorized representative during the hearing of the proceeding in which the issues arises.

Nothing in this Section prevents a Screening Officer or a Hearing Officer from seeking or receiving legal advice.

- 11.3 Any Person who contravenes Sections 11.1 and 11.2 is guilty of an offence and, upon conviction, is liable to a fine as provided for in the *Provincial Offences Act*.

12.0 EFFECTIVE DATE

- 12.1 This By-law shall come into force and effect on ____2022.

Enacted by Town of Aurora Council this ____ day of May, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

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SCHEDULE “A”

DESIGNATED BY-LAW

1. Parking and Traffic Control By-law No. 4574-04.T.
1. **SHORT FORM WORDINGS AND ADMINISTRATIVE PENALTIES**

The provisions of the Parking and Traffic Control By-law No. 4574-04.T., as amended, listed in Column 2 of the following table are designated provisions.
2. Column 3 in the following table sets out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 2.
3. Column 4 in the following table sets out the early Administrative Penalty amount that is payable for a contravention of the designated provision listed in Column 2 for the matter(s) identified in Column 3.
4. Column 5 in the following table sets out the set Administrative Penalty amount that is payable for a contravention of the designated provision listed in Column 2 for the matter(s) identified in Column 3

PARKING AND TRAFFIC CONTROL BY-LAW NO. 4574-04.T, AS AMENDED				
COLUMN 1 ITEM	COLUMN 2 DESIGNATED PROVISION	COLUMN 3 SHORT FORM WORDING	COLUMN 4 EARLY PENALTY AMOUNT	COLUMN 5 SET PENALTY AMOUNT
1	3.1.1 (a) (i)	Improper parallel parking – raised curb	\$20.00	\$30.00
2	3.1.1 (a) (ii)	Improper parallel parking – rolled curb/no curb	\$20.00	\$30.00
3	3.2 (a) (i)	Park obstruct private roadway	\$35.00	\$50.00
4	3.2 (a) (ii)	Park within 60cm of driveway	\$40.00	\$60.00
5	3.2 (a) (iii)	Park within 3m of fire hydrant	\$65.00	\$100.00
6	3.2 (a) (iv)	Park within 15m of an intersecting roadway	\$35.00	\$50.00
7	3.2 (a) (v)	Park within 15m of a railway	\$35.00	\$50.00
8	3.2 (a) (vi)	Park displaying vehicle for sale	\$40.00	\$60.00

9	3.2 (a) (vii)	Park washing/greasing/repairing vehicle	\$35.00	\$50.00
10	3.2 (a) (viii)	Park alongside tracks of a railway	\$35.00	\$50.00
11	3.2 (a) (ix)	Park preventing removal of another vehicle	\$35.00	\$50.00
12	3.2 (a) (x)	Park obstruct a crosswalk or crossover	\$50.00	\$75.00
13	3.2 (a) (xi)	Park interfere with traffic	\$50.00	\$75.00
14	3.2 (a) (xii)	Park within 152m of a fire fighting apparatus	\$85.00	\$125.00
15	3.2 (a) (xiii)	Park on a bridge	\$35.00	\$50.00
16	3.2 (a) (xiv)	Park on a boulevard	\$35.00	\$50.00
17	3.2 (a) (xv)	Park interfere with snow clearing	\$50.00	\$75.00
18	3.2 (b)	Park commercial vehicle on any highway	\$50.00	\$70.00
19	3.3 (a) (i)	Park within 30m of intersection/signs	\$35.00	\$50.00
20	3.3 (a) (ii)	Park within 8m/30m of fire hall	\$35.00	\$50.00
21	3.3 (a) (iii)	Park within turning basin	\$20.00	\$30.00
22	3.3 (a) (iv)	Park on divided portion of highway	\$20.00	\$30.00
23	3.4 (a) (i)	Stop on sidewalk	\$35.00	\$50.00
24	3.4 (a) (ii)	Stop within an intersection, crosswalk or crossover	\$35.00	\$50.00
25	3.4 (a) (iii)	Stop within 9m of pedestrian crossover – opposing direction	\$20.00	\$30.00
26	3.4 (a) (iv)	Stop within 9m of pedestrian crossover – same direction	\$20.00	\$30.00
27	3.4 (a) (v)	Stop impede traffic	\$20.00	\$30.00
28	3.4 (a) (vi)	Double parked	\$20.00	\$30.00
29	3.4 (a) (vii)	Stop on bridge or within underpass	\$20.00	\$30.00
30	4.1 (a)	Park contrary to sign	\$35.00	\$50.00
31	4.1 (b)	Park during prohibited times	\$35.00	\$50.00
32	4.1 (c)	Park during restricted times	\$35.00	\$50.00
33	4.1 (d) (i)	Park within 12m in front of Bus Stop	\$35.00	\$50.00
34	4.1 (d) (ii)	Park within 24m behind Bus Stop	\$35.00	\$50.00
35	4.2 (a)	Stop contrary to sign	\$35.00	\$50.00
36	5.1 (b)	Stop in school bus loading zone		
37	5.2 (a)	Park anytime between 2 a.m. and 6 a.m. from Nov. 15 to April 15	\$35.00	\$50.00
38	5.2 (a) (i)	Park on private property without consent	\$30.00	\$45.00
39	5.3 (a) (ii)	Park on municipal property without consent	\$30.00	\$45.00

40	5.4	Park exceeding 24 hours – abandoned vehicle	\$38.00	\$50.00
41	5.5 (d)	Park in disabled persons parking space	\$300.00	\$425.00
42	5.6	Park in a fire route	\$100.00	\$175.00
43	5.7 (d)	Park in emergency no parking zone	\$75.00	\$100.00
44	5.8	Park vehicle in an electric vehicle charging station	\$125.00	\$150.00

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SCHEDULE “B”
ADMINISTRATIVE FEES

ITEM	FEE
Hearing Non-Appearance Fee	\$100
Screening Non-Appearance Fee	\$50
Late Payment Fee	\$25
MTO Search Fee	\$10
Plate Denial Fee	\$25

NOTE: the fees and charges as listed in this Schedule “B” will be subject to applicable taxes, including Harmonized Sales Tax (H.S.T.) where applicable.

Attachment 2 – Proposed AMPS Fee Schedule

	MTO Search Fee	Late Fee	Hearing Non-Appearence Fee	Plate Denial Fee
Aurora (Proposed)	\$10	\$25	\$50	\$25
Oshawa	\$10	\$15	\$100	\$22
Toronto	\$10	\$25	\$75	\$25
Markham	\$10	\$25	\$100	unknown
City of Niagara Falls	\$15	\$20	\$50	unknown
Burlington	\$16	\$26	\$52	\$26
Richmond Hill	\$10	\$25	\$100	Unknown
Brampton	\$10	\$15	\$100	\$22
Mississauga	\$10	\$25	\$100	\$20
Vaughan	\$10	\$50	\$100	unknown
Hamilton	\$10	\$25	\$50	\$22
Kitchener	\$10	\$25	\$50	\$25
Waterloo	\$10	\$25	\$50	\$25

The Corporation of the Town of Aurora

By-law Number ____-22

Being a By-law to Amend By-law 4574-04.T

WHEREAS the Town has approved By-law Number ____, which establishes an administrative monetary penalty system for parking, in accordance with Section 102.1 of the Municipal Act, 2001 and O. Reg. 333/07;

AND WHEREAS the Town wishes to amend By-law 4574-04.T to designate certain provisions for the purposes of section 3 of O. Reg. 333/07 as provisions to which administrative monetary penalties shall apply;

NOW THEREFORE the Council of The Corporation of the Town of Aurora enacts as follows:

1. Section 1 of By-law 4574-04.T, is hereby amended by adding the following:

“designated provision” means any section of this By-law designated in accordance with section 17.

“O. Reg. 333/07” means Ontario Regulation 333/07, made under the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time or any successor thereof;

“Parking Administrative Penalty By-law” means By-law ____ of the Township, as amended from time to time, or any successor thereof;

2. By-law 4574-04.T is hereby amended by deleting section 17 and replacing it with the following new section 17.

Penalty Provision

17. (a) Any person who contravenes any of the provisions of this By-law, except a designated provision, is guilty of an offence and upon conviction, is liable to a penalty as provided for in the *Provincial Offences Act*, R.S.O. 1990, c.P. 33, as amended from time to time, or any successor thereof.

(b) Sections 3, 4, and 5, of this By-law are hereby designated for the purposes of section 3 of O. Reg. 333/07 as parts of this By-law to which the Parking Administrative Penalty By-law applies.

(c) If a vehicle has been left parked standing or stopped in contravention of a designated provision, the owner of the vehicle shall, upon issuance of a penalty notice in accordance with the Parking Administrative Penalty By-law, be liable to pay an administrative penalty and any administrative fees, in accordance with the Parking Administrative Penalty By-law.

(d) The *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended from time to time, or any successor thereof, does not apply to a contravention of designated provision of this By-law.

(e) Except as set out in sections 17(a) and (d), all other provisions of this By-law and of any other applicable legislation shall continue to apply to the designated provisions, in addition to the Parking Administrative Penalty By-law.

3. This By-law shall come into force and effect on February 1, 2023

Enacted by Town of Aurora Council this ____ day of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

THE CORPORATION OF THE TOWN OF AURORA

BY-LAW NUMBER ____-22

A BY-LAW TO APPOINT SCREENING AND HEARING OFFICERS FOR THE PURPOSES OF ADMINISTRATION OF AN ADMINISTRATIVE MONETARY PENALTY SYSTEM WITHIN THE TOWN OF AURORA

WHEREAS Section 102.1(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended ("*Municipal Act, 2001*") provides that a municipality may require a person to pay an administrative penalty if the municipality is satisfied that the person failed to comply with any by-laws respecting the parking, standing or stopping of vehicles;

AND WHEREAS the Province of Ontario has adopted O. Reg. 333/07, pursuant to the *Municipal Act, 2001*, which applies to administrative penalties in respect of the Town by-laws relating to issues of public safety, such as parking, property standards, lot maintenance and animal control;

AND WHEREAS in accordance with the *Municipal Act, 2001*, the Town has passed a Parking Administrative Penalty By-law;

AND WHEREAS in accordance with the aforesaid by-law and the Regulation, a person who receives a Penalty Notice shall have the right to request a screening review of the administrative penalty by a Screening Officers appointed by the Town;

AND WHEREAS in accordance with the aforesaid by-law and the Regulation, a person who receives a Screening Decision shall have the right to request a review of the decision by a Hearing Officer appointed by the Town;

AND WHEREAS the Town considers it desirable and necessary to establish the positions of Screening Officer and Hearing Officer, which are required for the operation of the Town's Parking Administrative Penalty By-law;

NOW THEREFORE The Corporation of the Town of Aurora enacts as follows:

Title

1. This by-law shall be known and cited as the "Screening and Hearing Officer By-law".

Definitions

2. For the purposes of this by-law:

Administrative Penalty – means an administrative penalty imposed for a contravention of a Designated By-law, as set out in the Parking Administrative Penalty By-law;

Town Solicitor – means the Town Solicitor, or his/her designate or successor;

Clerk – means the Clerk of the Town as appointed pursuant to the *Municipal Act, 2001*, S.O. 2001, c. 25, or his/her designate;

Council – means the Council of the Town;

Designated By-law – means any provision of a Town by-law to which the Parking Administrative Penalty By-law applies, as designated therein;

Hearing Officer – means any person appointed from time to time pursuant to this by-law, to perform the functions of a hearing officer in accordance with this by-law and

the Parking Administrative Penalty By-law;

Joint Panel – means a panel comprised of representatives of the Town, The Corporation of the Township of King and The Corporation of the Town of Georgina, as set out in the Policy for Appointment of Screening and Hearing Officers;

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

Parking Administrative Penalty By-law – means **By-law No. ____ of the Town**, as amended from time to time, or any successor thereof;

Person – includes an individual or a corporation;

Policy for Appointment of Screening and Hearing Officers – means a policy for the appointment of screening and hearing officers, and amended from time to time, or any successor thereof;

Power of Decision – means a power or right, conferred by or under this by-law and the Parking Administrative Penalty By-law, to make a decision deciding or prescribing the legal rights, powers, privileges, immunities, duties or liabilities of any person:

- a) In the case of a Screening Officer, in respect of a request to review an Administrative Penalty; and
- b) In the case of a Hearing Officer, in respect of a review of a Screening Decision

Regulation – means O. Reg. 333/07, made under the *Municipal Act, 2001*, as amended from time to time, or any successor thereof;

Relative – includes any of the following persons:

- a) spouse, common-law partner, or any person with whom the person is living as a spouse outside of marriage;
- b) Parent or legal guardian;
- c) child, including a step child and grandchild;
- d) siblings and children of siblings;
- e) aunt, uncle, niece and nephew;
- f) in-laws, including mother, father, sister, brother, daughter and son; or
- g) any person who lives with the person on a permanent basis

Screening Decision – means a notice which contains the decision of a Screening Officer, as set out in the Parking Administrative Penalty By-law;

Screening Officer – means any person appointed from time to time pursuant to this by-law, to perform the functions of a screening officer in accordance with this by-law and the Parking Administrative Penalty By-law; and

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

Town – means The Corporation of the Town of Aurora;

Screening Officer

3. The position of Screening Officer is established for the purpose of exercising the Power of Decision in the screening review of an Administrative Penalty, as set out

in the ~~Parking~~ Administrative Procedural By-law.

4. The Screening Officer shall have all the powers of a screening officer as set out in the Parking Administrative Penalty By-law and the Regulation.
5. Screening Officer(s) shall be appointed by the Clerk, in consultation with the Town Solicitor, in accordance with the Town's Policy for Appointment of Screening and Hearing Officers.

Hearing Officer

6. The position of Hearing Officer is established for the purpose of exercising the Power of Decision in a review of a Screening Decision, as set out in the Parking Administrative Penalty By-law.
 - 1) The Hearing officer shall have all the powers of a hearing officer as set out in the Parking Administrative Penalty By-law and the Regulation.
 - 2) Hearing Officer(s) shall be appointed by the Clerk on the recommendation of the Joint Panel, in accordance with the Policy for Appointment of Screening and Hearing Officers. The recommendation shall give preference to an eligible candidate:
 - a) With good knowledge of, and experience in, administrative law; and
 - b) Of good character
7. Hearing Officers shall be appointed for the term of Council, and thereafter until the Hearing Officer is reappointed or a successor is appointed pursuant to this by-law or is no longer required by the Town.
8. Notwithstanding Section 7 of this by-law, the Clerk may revoke the appointment of a Hearing Officer at any time, on the recommendation of the Joint Panel, if the Hearing Officer:
 - 1) is found to have contravened any applicable Town policy relating to the administration of the Administrative Penalty system;
 - 2) is found to have contravened any other requirement of the appointment; or
 - 3) at any time during the appointment becomes ineligible for appointment
9. A Hearing Officer shall be remunerated at a rate as established by the Clerk from time to time.
10. A Hearing Officer is deemed not to be an employee of the Town, but a person who holds an administrative position in accordance with Section 258 of the *Municipal Act, 2001*.

Eligibility

11. The following persons are not eligible for appointment as a Screening Officer or a Hearing Officer:
 - 1) A member of Council;
 - 2) A Relative of a member of Council;
 - 3) A person indebted to the Town, other than:
 - a) In respect of current property taxes; or
 - b) Pursuant to an agreement with the Town, where the person is in compliance with the terms thereof

In addition to the above, Town employees are not eligible for appointment as a Hearing Officer.

General

12. A Screening Officer or a Hearing Officer shall have no authority to further delegate his/her powers or duties.
13. Neither a Screening Officer nor a Hearing Officer has jurisdiction to consider questions relating to the validity of a statute, regulation or By-law or the constitutional applicability or operability of any statute, regulation or By-law.
14. For the purposes of subsection 23.2(4) of the *Municipal Act, 2001*, Council has determined that the powers delegated to the Screening Officer and the Hearing Officer are minor in nature.

Severability

15. Should any provision, or any part of a provision, of this by-law, be declared invalid, or to be of no force and effect, by a court of competent jurisdiction, it is the intent of Council that such a provision, or part of a provision, be severed from this by-law and every other provision of this by-law shall be applied and enforced in accordance with its terms to the extent possible according to law.
16. This by-law shall come into effect on February 1, 2023.

READ a FIRST and SECOND time this _____, day of May 2022

READ a THIRD time AND FINALLY PASSED this _____, day of May 2022.

Tom Mrakas
Mayor

Michael de Rond
Town Clerk



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora

General Committee Report

No. OPS22-011

Subject: Fleet Division Purchases

Prepared by: Sara Tienkamp, Manager of Parks and Fleet

Department: Operational Services

Date: June 7, 2022

Recommendation

1. That Report No. OPS22-011 be received; and
2. That the Capital Budget authority for Project No.34436 – six-ton Diesel Dump Plow/Sander Truck be increased by \$52,900 to a total of \$352,900, to be funded from the Fleet R & R reserve; and
3. That the planned 2023 capital budget authority of \$352,900 for Project No. 34564 – New Six-ton Diesel Dump Plow/Sander Truck, be advanced to 2022 and approved, to be funded from by \$317,800 from Roads & Related Development Charges and \$35,100 from the Growth & New Reserve; and
4. That staff be directed to implement an additional in-house winter maintenance route in 2024.

Executive Summary

This report provides Council with information on a proposed Capital Budget authority increase relating to the award of a six-ton Roads Division truck, as part of the 2022 Repair and Replacement Capital program and the advancement of a new six-ton truck purchase from 2023 to manage significant ordering lead times:

- Market value indicates Fleet vehicles are averaging 15 percent over 2021 costs.
- Lead times for manufacturing to completion are more than double due to supply chain delays and computer chip availability.

- Backlog of vehicle availability for heavy trucks not expected to clear for a few years as there are limited manufacturers and outfitters to meet demand, anticipate affect on Operational budget and potential for service delivery impacts.
- Capital budget authority is now required to secure new plow truck for an additional winter maintenance route being added for 2024/2025 season.

Background

Capital Project No. 34436 - Six-ton Diesel Dump Plow/Sander Truck Replacement was included in the 10-Year Capital Plan forecast. Capital Project No. 34436 was formally approved as part of the 2022 Capital Budget in the amount of \$300,000 to assist Operational staff in the continued delivery of winter road maintenance levels of service.

The Operational Services Department presented Report No. OPS21-007 on Winter Maintenance to General Committee on February 16, 2021. Part of the report identified the need for an additional winter road maintenance route and recommended:

That when one (1) additional winter roads maintenance route is implemented, that it be conducted in-house by the Operational Services Department.

The preceding clause was referred to staff to provide Council with a report on the details of an additional in-house winter maintenance route and timing of implementation.

Capital Project No. 35464 – New Six-ton Diesel Dump/Sander Truck was included in the 2023 ten-year capital plan with proposed Capital Budget authority of \$352,900 in preparation for the Town’s commencement of the proposed new route for the 2024/2025 winter season in support of established levels of service.

Analysis

Market value indicates Fleet vehicles are averaging 15 percent over 2021 costs.

Inflation has been rampant over the last year and impacts can be felt in almost every sector of our economy, touching all Canadians daily lives.

In 2022, the Fleet industry has been experiencing similar trends with vehicle/equipment purchases averaging 15 percent increases over 2021 market value tender pricing. This is a result of the increases in steel, plastics, electrical, fuel and foreign exchange rates, as all contribute to the overall manufacturing and shipping costs.

Lead times for manufacturing to completion are more than double due to supply chain delays and computer chip availability.

The typical lead time pre-COVID-19 for manufacturing of the six-ton truck was 12-18 months from production line chassis build to outfitting and final delivery.

Supply chain impacts and computer chip availability are causing significant delays in manufacturing of all vehicles, passenger and commercial. The manufacturer has indicated in the bid document that anticipated build to delivery is approximately 52 weeks to get the vehicle in queue in the production line. The chassis would then be shipped from the USA manufacturer to the outfitter in Canada to be completed with hydraulics, harnessing assembly, electrical, dump box, plow, etc. adding an additional 8-12 months until delivery. As a result, complete build time from order date to delivery date is approximately two (2) years, therefore Fleet would be receiving a 2024 model truck sometime in fall of 2024.

Backlog of vehicle availability for heavy trucks not expected to clear for a few years as there are limited manufactures and outfitters to meet demand; anticipate affect on Operational budget and potential for service delivery impacts.

Heavy truck backlog is anticipated to perpetuate for three (3) to four (4) years before it returns to normal, pre-COVID-19 lead times. While supply chain delays and parts play a role, a large contributing factor is the limited suppliers of truck chassis, body manufacturers and outfitters. They have been dramatically impacted to date and with increased demand post COVID-19, it will take time for the manufacturers to be able to meet the needs of the commercial consumers.

This will most certainly influence the replacement of six-ton trucks in the Town fleet. Over 2023-2026 there are four (4) capital projects, one (1) per year for the replacement of six-ton plow trucks in the 10-Year Capital plan. In addition, a six-ton is forecast in the 2023 Growth and New Capital Budget as a new plow route is to be implemented as per the Report OPS21-007 Winter Maintenance Standards to support growth in Town and to ensure service levels are maintained. The truck was to be ordered in 2023 with service for the 2024/2025 winter season to meet the needs of the community and service levels; however, this will not be feasible with manufacturing industry lead times.

The delays in manufacturing will have a significant impact not just on the purchasing of vehicles over the next few years, but also on the operational budget as vehicle repair costs are expected to increase. Staff will be required to extend the life expectancy of fleet vehicles to ensure they are functional to meet the minimum service levels, while waiting for replacement vehicles to be delivered. This will affect all fleet vehicle

purchases not only the heavy trucks. Increased down times of these vehicles also have the potential to impact service levels, as well.

Capital budget authority is needed to secure new plow truck for an additional winter maintenance route being added for 2024/2025 season.

In consideration of the extensive manufacturing lead times for heavy trucks of this nature, staff are recommending that its presently proposed 2023 project No. 34564 - New Six-ton Plow Truck be advanced to 2022 and approved with total capital budget authority of \$352,900. This will ensure the delivery of this truck in time for the 2024/25 winter season when the new route is anticipated to commence.

Another option would be to contract out the winter maintenance for the new proposed route. Based on winter maintenance contract costs for 2024/25, the base costs for a new route would be \$70,000, this cost is variable depending on frequency of active snow events in a season. If alternatively contracted out, this new route would result in a total incremental cost of \$350,000 to the Town from 2024-2028.

All other planned replacement Six-ton Plow Trucks between 2023-2026 will remain unchanged in the 10-year Capital Plan and follow the regular approval process. Fleet Division staff will bring forward vehicles nearing the end of their useful lifecycle, based on condition assessments.

Advisory Committee Review

None.

Legal Considerations

The procurement process with respect to this project yielded bids that were all above the approved budget. Consequently, Council approval is required to increase the project budget for staff to be able to award the project to a compliant bidder.

If Council does not increase the Capital Budget amount, the tender will be cancelled, and the contract will not be awarded to any of the bidders. It is in Council's discretion to not award the contract where there are insufficient funds available.

June 7, 2022

5 of 8

Report No. OPS22-011

Financial Implications

It is recommended that total capital budget authority of \$352,900 be approved for Capital Project No. 34436 – Six-ton Diesel Dump Plow/Sander Truck, representing an increase of \$52,900 to be funded from the Fleet R & R Reserve.

The below table presents a summary of the total revised requirements to purchase this replacement six-ton dump truck:

Six-ton Dump Truck (Project No. 34436)

Approved Budget	
Capital Project 34436	\$300,000
Total Approved Budget	\$300,000
Less previous commitments	\$0
Funding available for subject Contract	\$300,000
Contract Award excluding HST	\$346,800
Non-refundable taxes (1.76%)	\$6,100
Total Funding Required	\$352,900
Variance	\$52,900

Because of the noted required longer ordering lead times, this report also recommends the advancement of the proposed new six-ton truck (Project No. 34564) in the 2023 draft Capital Budget and the inclusion of this truck with its current 2022 order. This will ensure this truck's delivery by the 2024/25 winter season as required.

The total required capital budget authority for project No. 34564 is \$352,900 is to be funded by \$317,800 in Roads & Related Development Charges and \$35,100 from the Growth & New Reserve. The early approval of this project's capital budget authority should not impact the Town's planned cash flows as the truck's delivery is not expected until 2024 upon such time payment will be required.

Communications Considerations

Not applicable.

Climate Change Considerations

The key opportunity in developing the Green Fleet Plan in 2021 was to achieve long-term GHG emissions targets, in conjunction with fundamental goals developed and the associated action items.

The following action from GFP all play a role in climate change mitigation:

- Replace vehicles with best in-class fuel efficient vehicles. New models are more fuel efficient, produce lower emissions and are good options while the manufacturers develop viable hybrid/electric vehicles required to provide service. Overall, GHG reduction, by upgrading alone, through capital renewal can produce 4-5 percent decrease.
- Utilize telematic information provided through GPS system to identify quick acceleration of staff and ongoing coaching.
- Awareness of reducing idling toward goal of GHG reduction.
- Driver behaviour, including idling accounts for 5-33 percent of fuel use, smart drivers can help reduce fuel use.
- Replace vehicles with best-in-class fuel efficient vehicles. New models are more fuel efficient, produce lower emissions and are good options while the manufactures develop viable hybrid/electric vehicles required to provide service. Overall GHG reduction, by upgrading alone, through capital renewal can produce 4-5 per cent decrease.
- Utilize telematic information provided through GPS system to identify quick acceleration, hard braking, idle time to assist in education of staff and ongoing coaching.
- Awareness of reducing idling toward goal of GHG reduction
- Driver behavior, including idling accounts for 5-33 percent of fuel use, smart drivers can help reduce fuel use.

Link to Strategic Plan

This project supports the Strategic Plan Goal of Supporting an Exceptional Quality of Life for all by improving transportation, mobility, and connectivity. This project maintains a well-managed and fiscally responsible Municipality.

Alternative(s) to the Recommendation

1. Council may choose to not award additional funding to this project. The Tender evaluation process meets all requirements of the Procurement By-law and awarding this contract is the next step in fulfilling the requirements of the Tendering process. If Council chooses to not award this contract, service levels will not be met and public road safety would be compromised, without the plow truck acquisition.
2. Council may choose to not approve funding for the purchase of the new six-ton truck with plow and sander ahead of the 2023 Capital Budget review for the Growth and New Project #34564.
3. Council may choose to recommend the new route be contracted out and not undertaken in-house, therefore a new additional six-ton truck would not be required. However, this would require approval to increase the operational budget for snow winter maintenance by \$70,000/per year for a total \$350,000, over the remainder of the contract till expired in 2028.
4. Council to provide further direction.

Conclusions

Staff recommend that Project No. 34436 capital budget authority be increased to \$352,900 and the replacement six-ton truck with plow and sander order proceed. The proposed additional capital budget authority is to be funded from the Fleet R & R Reserve.

In addition, staff recommend that the proposed 2023 Capital Project No. 34564 for the purchase of a new six-ton truck with plow and sander with a total capital budget authority of \$352,900 be advanced to 2022. This proposed new budget authority is to be funded from the Roads & Related Development Charges and Growth & New Reserve.

Delivery of both vehicles are not expected until 2024 when payment will be due.

Attachments

Attachment #1 – Capital Project No. 34436 – Six-ton Diesel Dump Truck

Attachment #2 – Capital Project No. 34564 – New Six-ton Diesel Dump Plow/Sander Truck

Previous Reports

Report No. OPS21-007 Winter Roads Maintenance, February 16, 2021

Pre-submission Review

Agenda Management Team review on May 19, 2022.

Approvals

Approved by Allan D. Downey, Director, Operational Services

Approved by Doug Nadorozny, Chief Administrative Officer

Capital Projects

Project	34436 Roads - 6 Ton Diesel Dump with Sander (#28-21)		
Department	Operational Services		
Version	Final Approved Budget	Year	2022

Financial Information								
	Budget		10-Year Plan					
	Previously Approved Budget	Capital Budget Authority	Budget Change	Actuals to Dec 31/2020	2021 Forecast	2022	2023	2024-2031
Expenditures								
Estimated Expenditures								
EQUIPMENT - OTHER		300,000	300,000			300,000		
		300,000	300,000			300,000		
Expenditures Total		300,000	300,000			300,000		
Funding								
Infrastructure Sustainability Reserves								
FLEET R&R RESERVE CONT'N						300,000		
						300,000		
Funding Total						300,000		

TARGET START DATE AND END DATE: Use format Q4 2017 - Q1 2018

Q1 2022 - Q3 2023

Provide a brief overview of the project and include the key goals, objectives and performance measures.

This is the replacement of the Roads Division 6 ton Dump truck and sander. This dump truck has been in service since 2012. It is used for plowing/sanding/salting the roads in winter and material hauling during the other three seasons of the year. Due to the adverse conditions it performs in through the winter it is susceptible to above average corrosion on the frame and under carriage components.

Provide the reasons the project should be approved and what will be the impact of the project to service levels.

As per the Fleet Management Plan, this truck has surpassed its lifecycle and will require an increase in maintenance costs and down time if we continue to age in the fleet. Downtime and unreliability are not desirable in times of need through the winter months when quick response to snow clearing on our roads is required. This vehicle is in the 10 year capital plan and repairs required are approx. \$45,000, which exceeds its value of \$30,000. There are significant engine oil leaks of turbocharger into the engine intake and it needs repair in order to maintain the environmental emission guidelines. The air tanks and valves need to be replaced. The utility box, cross members, cross conveyor, PTO and hydraulic lines are all corroded very badly.

Explain the benefits of the project which could include Citizen/Client, compliance, financial, internal, learning & growth or utility benefits.

Increased staff productivity, less maintenance and downtime and lower operating costs.
Un-interrupted service delivery to residents.

Please provide an explanation of what the outcomes would be if the project was not approved.

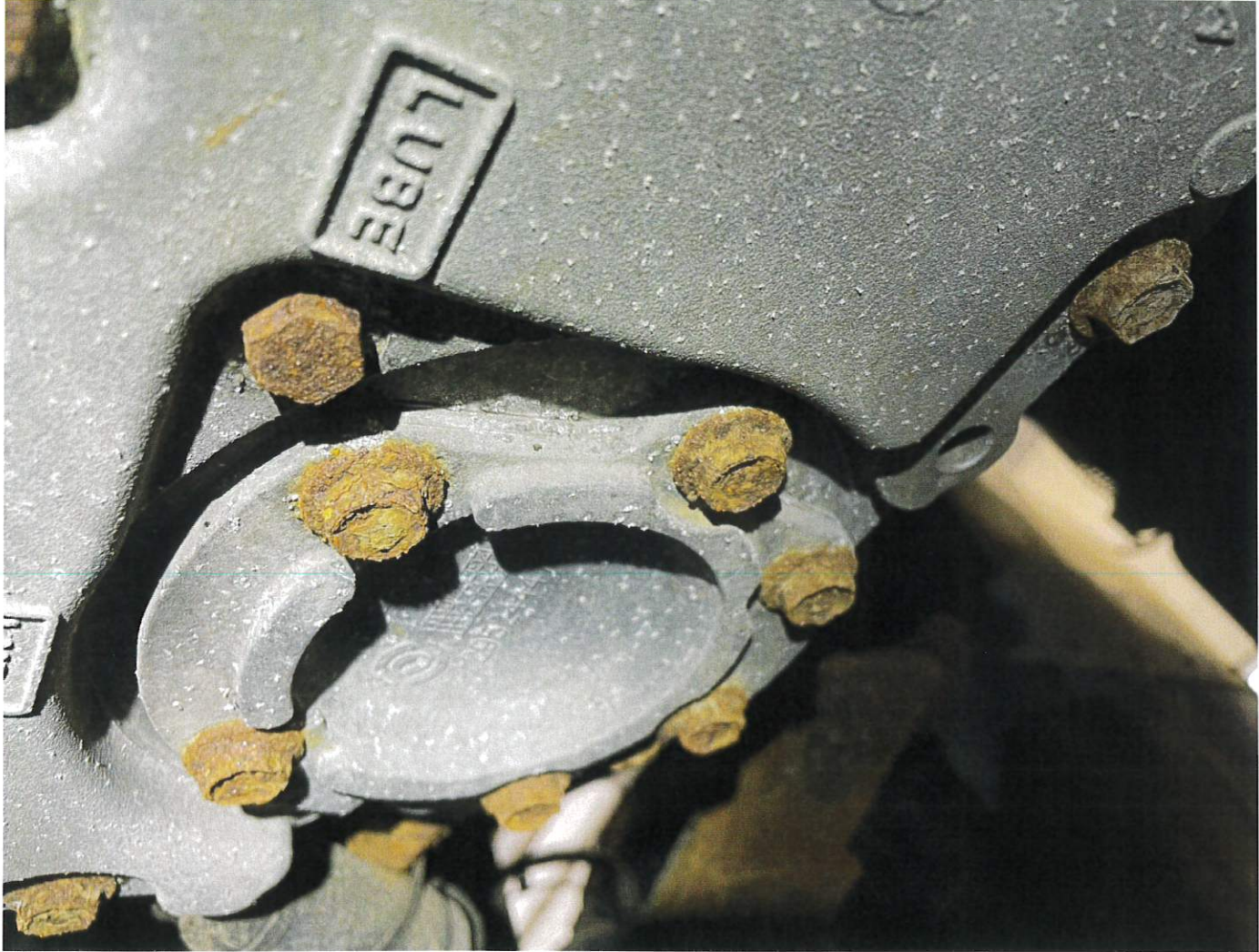
Without replacement, this aging truck will require more repair investment, will consume more fuel than a comparable current model, and be susceptible to increased downtime due to unforeseen mechanical failures. Service levels could be impacted significantly due to operational issues.

Capital Projects

Project	34436 Roads - 6 Ton Diesel Dump with Sander (#28-21)		
Department	Operational Services		
Version	Final Approved Budget	Year	2022

Gallery

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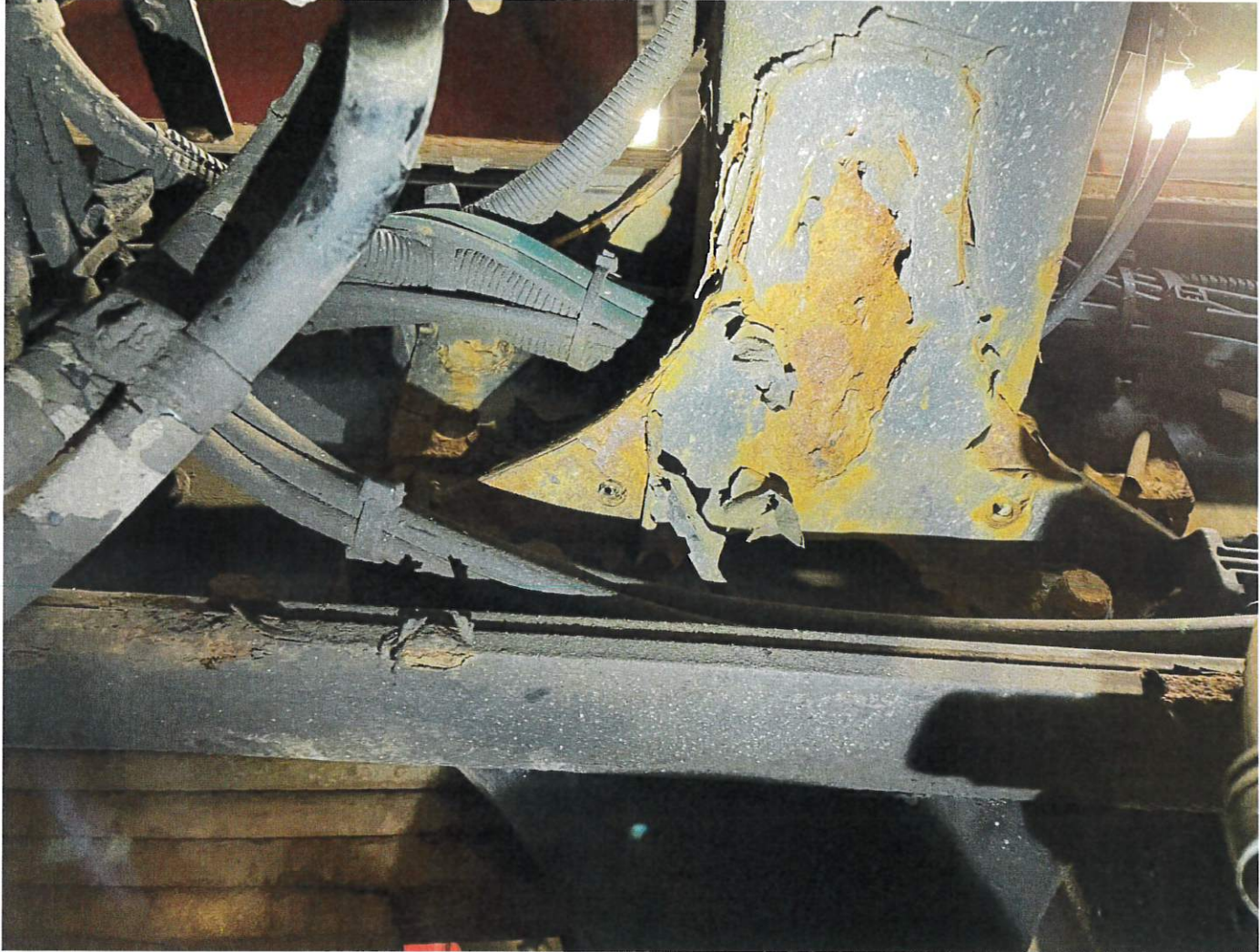


Capital Projects

Project	34436 Roads - 6 Ton Diesel Dump with Sander (#28-21)		
Department	Operational Services		
Version	Final Approved Budget	Year	2022

Gallery

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Capital Projects

Project	34564 NEW - 6-ton Diesel Dump w/Plow/Sander		
Department	Operational Services		
Version	Draft 1	Year	2023

Financial Information								
	Budget		10-Year Plan					
	Previously Approved Budget	Capital Budget Authority	Budget Change	Actuals to Dec 31/2021	2022 Forecast	2023	2024	2025-2032
Expenditures								
Estimated Expenditures								
CONTRACTS		352,900	352,900					352,900
		352,900	352,900					352,900
Expenditures Total		352,900	352,900					352,900
Funding								
Development Charges Reserve Funds								
ROADS & RELATED DC CONT'N								317,800
								317,800
Other Funding Sources								
GROWTH & NEW RES CONT'N								35,100
								35,100
Funding Total								352,900

TARGET START DATE AND END DATE: Use format Q4 2017 - Q1 2018

Q1 2023 - Q3 2024

Provide a brief overview of the project and include the key goals, objectives and performance measures.

The Operational Services Department presented Report No. OPS21-007 on Winter Maintenance to General Committee on February 16, 2021. Part of the report identified the need for an additional winter road maintenance route and recommended:

That when one (1) additional winter roads maintenance route is implemented, that it be conducted in-house by the Operational Services Department.

Capital Project No. 35464 - New Six-ton Diesel Dump/Sander Truck was included in the 2023 ten-year capital plan with proposed Capital Budget authority of \$352,900 in preparation for the Town's commencement of the proposed new route for the 2024/2025 winter season in support of established levels of service.

Provide the reasons the project should be approved and what will be the impact of the project to service levels.

This new truck with plow and sander is necessary to implement a new winter maintenance route for the 2024/25 season. Development growth and the assumption of roads in the next couple years will warrant an additional in-house route for winter operation, ensuring that the new residential/industrial areas are provided with winter maintenance, meeting the Minimum Maintenance Standards (MMS) set out for winter road maintenance. Examples of locations include: Highland Gate Development, Addison Hall, Shining Hill, 404 Industrial Park and development at Leslie St/St.Johns.

Capital Projects

Project	34564 NEW - 6-ton Diesel Dump w/Plow/Sander		
Department	Operational Services		
Version	Draft 1	Year	2023

Explain the benefits of the project which could include Citizen/Client, compliance, financial, internal, learning & growth or utility benefits.

MMS for winter maintenance are met
Improved risk management and potential reduction in road condition liability

Please provide an explanation of what the outcomes would be if the project was not approved.

Service level impact
Liability increased
New route would need to be contracted out

Explain the climate impacts of this project.

New vehicles are more fuel efficient, produce lower emissions and are good options while the manufacturers develop viable hybrid/electric vehicles required to provide service. Overall, GHG reduction, new vehicles vs older models, can produce 4-5 percent decrease.



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora

General Committee Report

No. FIN22-018

Subject: 2023 Budget Timeline and Process

Prepared by: Jason Gaertner, Manager Financial Management

Department: Finance

Date: June 7, 2022

Recommendation

1. That Report No. FIN22-018 be received; and
2. That the proposed budget timeline as detailed in Table 3 be approved.

Executive Summary

This report outlines the budget process for the 2023 Budget:

- Staff will ensure that all new members of Council are well prepared for the 2023 budget process
- Inflation represents a key pressure that will impact the 2023 budget
- The Town's capital asset management funding gap will need to be addressed in the next term of Council
- Proposed time sensitive capital projects will be advanced as far as possible prior to project approval
- A January budget approval may be possible if Budget Committee completes their review early

Background

A new multi-year budget cycle starts with the new Council Term

The Town adopted a multi-year budgeting framework to manage how budget decisions made in one year may impact future budget years and to ensure open and public

awareness. Under this framework, 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 approves a three-year operating budget, including all related tax and user rate impacts. Using multi-year budgets and forecasts improves fiscal health and service delivery through:

- better coordination of budgeting and strategic priorities
- greater certainty for departments in managing expenditures and service levels
- improved fiscal discipline of the organization
- streamlined budget reviews that focus on key changes in assumptions and the reasons driving the change
- allowing staff to develop budgets with fixed targets in place, allowing for an early response to manage circumstances and budget constraints
- reducing uncertainty about future year tax levy or user rate increases
- providing longer term outlook to outside organizations that rely upon the Town for a share of their funding, which enables them to plan and deliver their programs more effectively.

As per the Municipal Act a municipality's multi-year operating budget must be reaffirmed by Council on an annual basis. The Town's reaffirmation process will only focus on any changes to the previously approved multi-year budget.

Overall, the Town's budget process is guided by Council's Budget Principles and Process documents which are revisited by Council once per term.

Analysis

Staff will ensure that all new members of Council are well prepared for the 2023 budget process

Council orientation will include information on the Town's budget management framework, including Council's Budget Principles and process documents. The operating and capital budget processes will include further information on what Council is being asked to approve as part of the Budget Committee's review of the 2023 proposed budget.

Further, Finance staff will make themselves available to answer budget questions that a Councillor may have, including scheduling meetings for further orientation of any new members of Council.

Inflation represents a key pressure that will impact the 2023 budget

Over the past year and half the Town's goods and service prices have been subject to significant inflationary pressure as a result of the pandemic and war in Ukraine. Overall inflation for all goods and services has averaged around 5-6 per cent. More specifically, the Town's typical basket of goods and services have been subject to higher inflationary pressures. Table 1 presents a summary of the average price increases experienced for the following baskets of goods and services as per Statistics Canada up until the end of March 2022.

Table 1
Average Inflation experienced to Pre-COVID Costs
Stats Canada – Table 18-10-0266-01

Basket of Goods & Services	Average Price Increase (%)
Parks	31
Roads & Related	29
Facilities	17
Water, Wastewater & Storm	14
Fleet & Equipment	6
IT	4

Recently the Town has experienced price increases higher than these amounts for some individual contract awards. In many instances capital project contract awards are coming in higher than available project capital budget authority. This could lead to requests from staff in 2022 seeking additional capital budget authority to award contracts for active capital projects.

These recently experienced inflationary price increases will not go away; rather, the Town's average cost for these items will have increased for the long term and be subject to further future inflationary pressures. The recent provincial and federal budgets, project that inflation will return to a more normal pace by 2024, aligning with the Bank of Canada's overall annual inflationary target of 2 percent.

The proposed 2023 budget to be presented to Council in December will reflect this increased cost of doing business.

The Town's capital asset management funding gap will need to be addressed in the next term of Council

Another key pressure faced by the Town relates to the funding of asset management. In the fall of 2021, as part of the continued modernization of its asset management plan and framework, the Town undertook some early analysis of the infrastructure renewal funding gap. This analysis identified a total estimated replacement cost for all existing assets at \$1.5 billion. Based upon the Town's existing levels of service, an annual funding gap of \$36 million was identified. This gap will be subject to change as the Town proceeds with phase 2 of the asset management framework modernization. Table 2 presents a summary of the estimated tax and rate increases that would be necessary year-over-year for the next 10-to-20-years to address this funding gap.

Table 2
Asset Replacement Funding Gap Requirements

Capital Asset Funding Source	Tax or User Rate Increase Required Each Year (%)	Number of years
Tax-Funded	2.9	20
Water Rate Funded	2.2	10
Wastewater Rate Funded	0.4	10
Stormwater Rate Funded	11.0	15

The proposed 2023 budget will begin to consider strategies to close the identified asset management funding gap, while also considering that there is further asset management framework modernization work to be done.

Proposed time sensitive capital projects will be advanced as far as possible prior to project approval

The delivery of some planned capital work may be time sensitive in nature. For example, through the tendering of work early, better prices may be obtained; or, due to a short construction season work needs to get underway as soon as possible.

Recognizing that the 2023 budget is expected to be approved later than usual due to the election, staff will mitigate timing risks through proceeding with the tender of applicable projects prior to their approval. However, projects will not be awarded until capital budget authority is approved. Procurements for projects that do not receive Council approval will be cancelled.

A January budget approval may be possible if Budget Committee completes their review early

Staff completed a 2023 budget public session this evening. This session provided residents, businesses, and community groups an opportunity to share their ideas with Council. The Town will continue to accept budget feedback from the public through other channels as well.

Staff propose tabling the 2023 Budget at Council on December 13, 2022. Then reviewing the budget through a combination of weekly Budget Committee meetings taking place on Monday evenings starting at 6 p.m. as well as one full-day Saturday meeting starting at 9 a.m. Should the Budget Committee complete their review of the budget by Monday, January 23, a final budget approval at the January 31, 2023 Council meeting is possible as shown in Table 3. Otherwise, meetings will continue into February with an approval of the budget taking place at February's Council meeting.

Table 3
Proposed budget meeting schedule

Meeting Description	Date
2023 Budget Public Session	Tuesday June 7, 2022
Council – Budget Kickoff	Tuesday December 13, 2022
Budget Committee Reviews	Monday January 9, 2023 Saturday January 14, 2023 Monday January 16, 2023 Monday January 23, 2023
Council Approval (if Budget Committee reviews are complete)	Tuesday January 31, 2023
Budget Committee Reviews (if required)	Monday January 30, 2023 Monday February 6, 2023 Monday February 13, 2023
Council Approval (If required)	Tuesday February 28, 2023

The budget committee review meetings will include a review of the following content:

- 2023 operating budget including identification of key pressures by department
- Community Partner Presentations including:
 - Aurora Cultural Centre
 - Aurora Historical Society
 - Aurora Public Library
 - Aurora Sport Hall of Fame
 - Aurora Business Improvement Area
 - Central York Fire Services
- 2023 Capital Budget and 10-Year Capital Plan
 - Asset management capital projects
 - Growth and new capital projects
 - Studies and other capital projects

Achieving a budget approval in January will enable a sooner award of the time sensitive capital projects. If necessary, the 2023 budget approval may also take place during the February Council meeting. The operating and capital budget will need to be approved together as funding for some capital is through contributions to capital included in the operating budget.

Finance will work with the Clerk's Office to coordinate the scheduling of these meetings.

Advisory Committee Review

Nil

Legal Considerations

As per s. 290(1) of the Municipal Act, 2001, Council may approve a given year's budget either in the immediately preceding year or within the year for which the budget is applicable. The only exception to this rule relates to a budget year immediately following a regular election year. In instances where this is the case, the outgoing Council is unable to approve an upcoming year's budget prior to that year commencing.

If Council approves the staff recommendation in this report, then it is merely approving the timelines for budget approval and that is permissible by this Council.

Financial Implications

There are no financial implications at this time.

Communications Considerations

Staff will inform the public about the budget process by posting information to the Town website. The calendar of budget-related meetings will also be shared on the website, advertisements and through social media. A communications plan will be developed to support engagement throughout the budget process.

Climate Change Considerations

The recommendations from this report do not directly impact greenhouse gas emissions or impact climate change adaptation. Climate change will be considered in the budget development and documents presented to Council in December.

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 provide direction

Conclusions

The proposed budget timelines and process remain consistent with Council's approved budget principals and process documents. The 2023 budget represents the first year of a new four-year budget cycle. The proposed 2023 budget to be presented to Council in December will strive to address multiple material pressures faced by Town at this time which will include inflation and capital asset management pressures, amongst others.

Attachments

None

Previous Reports

None

June 7, 2022

8 of 8

Report No. FIN22-018

Pre-submission Review

Agenda Management Team review on May 19, 2022

Approvals

Approved by Rachel Wainwright-van Kessel, CPA, CMA, Director, Finance

Approved by Doug Nadorozny, Chief Administrative Officer



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora

General Committee Report

No. FIN22-019

Subject: Procurement modernization update – annual software costs

Prepared by: Rachel Wainwright-van Kessel, CPA, CMA

Department: Finance

Date: June 7, 2022

Recommendation

1. That Report No. FIN22-019 be received; and
2. That the recommended changes, as summarized in Table 1, to the procurement policy and bylaw in this report be approved; and
3. That staff be directed to bring forward the amending bylaw to the June 28 Council meeting for approval; and
4. That a non-standard procurement for \$611,100 over a five-year term be awarded to WAMCO for the annual licencing and maintenance costs to support the automated water meter reading technology capital project number 40355.

Executive Summary

This report provides an overview of the amendments proposed for the procurement bylaw. These amendments are recommended based on the experience with using the bylaw over the last few months and provide an example of the impact of the change from the old bylaw to the new one with respect to annual software costs.

- The procurement of annual software related costs is treated very differently under the new bylaw
- The WAMCO operating contract is an example of the impact of the change in the bylaw
- Staff propose that the award of all annual software procurements with a term of up to five years be approved by the Procurement Governance Committee

Background

The new procurement bylaw was approved by Council in February this year

In January of this year Council reviewed and approved a new procurement policy which was formalized with the approval of the bylaw in February at Council.

The bylaw represented a complete change compared to the previous one. It modernized the bylaw in alignment with the latest procurement best practices and trade treaties.

Council approved proceeding with the automated water meter read technology project in April 2021

Last year Council approved the capital budget for the automated water meter reading technology project. This project includes setting up the infrastructure with the approval of a single source contract to WAMCO. Under the old bylaw the annual software licence and maintenance costs for this initiative were exempt from the procurement bylaw.

Analysis

The procurement of annual software related costs is treated very differently under the new bylaw

Under the old procurement bylaw, the purchase of software licencing and maintenance costs were exempt from the bylaw. This enabled staff to renew contracts for existing software including Microsoft Office, server applications, financial system, ActiveNet, etc. However, these contracts were managed outside of the procurement process and no purchase order was issued.

Under the new bylaw, software licences and maintenance costs are considered as non-standard procurements as per Schedule B – Exclusions under the following criteria of part 1 Excluded Acquisitions and Expenditures:

- (e) This policy does not apply with respect to competitive Procurement requirements, and in such cases Procurement can be conducted as a Non-Standard Procurement, when it can be demonstrated that the goods or services can be supplied only by a particular Supplier and no alternative or substitute exists for the following reason(s):
 - i. there is an absence of competition for technical reasons;
 - ii. patents, copyrights, or other exclusive rights must be protected.

Non-standard procurements valued up to \$250,000 are approved by staff. With procurements greater than \$100,000 and below \$250,000 approved by the Procurement Governance Committee (PGC). Procurements of \$250,000 or more require approval by Council.

The WAMCO operating contract is an example of the impact of the change in the bylaw

The automated water meter reading technology project procurement was initiated under the old bylaw. That is why the recommendations in report FIN21-016 only requested the approval to award the single source contract for the implementation of the project. Under the old bylaw the ongoing software licencing and maintenance costs for the project were exempt. The report did outline the operating impact on the water and wastewater budget along with some offsetting savings.

There were delays in getting this project started due to supply chain issues related to COVID. The portion of the contract related to the capital project has been awarded but the operating portion has not because it is now governed by the new procurement bylaw which classifies this purchase as a non-standard procurement over \$250,000 which requires Council approval. This example is the first instance where staff now need to seek Council approval for software licencing and maintenance for an existing solution.

Staff propose that the award of all annual software procurements with a term of up to five years be approved by the Procurement Governance Committee

Under both the old and new bylaw, the implementation of new software would be initiated by a capital project which is approved by Council during the budget process. This ensures that Council is informed about new software initiatives which are being implemented by the town.

Post implementation of a new system, there are annual costs which include licencing, maintenance, subscription fees, etc. These costs are ongoing for the length of time that the town uses the software. Should an existing system become outdated or obsolete, then staff would bring forward a capital budget request to implement a new solution.

This report proposes that annual fees related to software (excluding implementation costs) for contracts up to five years in length be approved by the PGC. The PGC will ensure that the non-standard procurement is managed appropriately and meets the criteria of being for existing systems implemented by the town.

The changes to the bylaw for this recommendation impact the role of the PGC in the main policy and Schedule D – Threshold and Authorization Schedule as summarized in

June 7, 2022

4 of 6

Report No. FIN22-019

Table 1 and outlined in the procurement bylaw and policy with track changes in Attachment 1.

Table 1
Recommended Changes to the Procurement Policy and Bylaw

Section	Change
Procurement Policy 4.3 Procurement Governance Committee	Add clause (d) (d) the Non-Standard Procurements authority to procure for software license, maintenance, and related fees (excluding implementation costs) for contracts of up to five years and over \$250,000
Schedule D – Threshold and Authorization Schedule Part B Non-Standard Procurement	Table 2 – Table of Authority, add the following: Procurement Value: \$250,000 and over for software license, maintenance, and related fees (excluding implementation costs) for contracts of up to five years Authorize Procurement: PGC Delegated Authority to Procure: Department Head 1. Authorization Process, insert the following clause after f) and re-label the current clause g to h. g) If the Procurement Value is equal to or greater than \$250,000 and is for the procurement of software license, maintenance, and related fees (excluding implementation costs) for a contract of up to five years, the PGC may authorize the Procurement and delegate the authority to procure to the Department Head.

Advisory Committee Review

None

Legal Considerations

The Municipal Act, 2001 requires that municipalities adopt and maintain policies with respect to the procurement of goods and services. If Council approves the proposed changes to the procurement policy, a bylaw incorporating the changes to the policy will

be brought to Council at a future date, which will amend the existing procurement by-law.

Financial Implications

The financial implications of the award of the operating costs for the automated water meter reading system were included in report FIN21-016 Automated Water Meter Antenna System and were included in the 2022 Budget. The annual cost after savings is forecasted at \$47,400 in year one and increasing to \$61,500 by year five. This reflects growth in the community and increased use of the online portal by residents.

The changes to the bylaw have no financial implications.

Communications Considerations

The Town will use “inform” as the level of engagement for this report and policy. It will also be promoted by way of the monthly Council Highlights media release. The report will be placed on the Town’s website.

Climate Change Considerations

There are no climate change considerations related to this report.

Link to Strategic Plan

The changes to the procurement bylaw supports the **leadership in corporate financial management** and **progressive corporate excellence, innovation and continuous improvement** guiding principles of the strategic plan. By reviewing the effectiveness of the procurement policy periodically and making amendments to the bylaw where necessary the procurement process can be streamlined while still being open, transparent, and fair.

Alternative(s) to the Recommendation

1. Keep the procurement policy and bylaw as is and all non-standard procurements over \$250,000 will be reviewed by Council

Conclusions

The recommended changes to the procurement bylaw will help streamline the process for the non-standard procurements for annual costs related to software licencing, maintenance, subscription, and related fees. Council will be notified through the quarterly reporting of the approval of non-standard procurements. Should a system need to be replaced, the costs for the replacement will come forward as a capital budget request which will require Council approval. The WAMCO operating contract is an example of this situation.

Attachments

Attachment 1 – Amended Procurement Bylaw with Track Changes

Previous Reports

FIN21-016 – Automated Water Meter Antenna System, April 2021

FIN22-001 – Procurement Modernization Proposed New Policy, January 2022

Pre-submission Review

Agenda Management Team review via email on May 19, 2022

Approvals

Approved by Rachel Wainwright-van Kessel, CPA, CMA, Director, Finance

Approved by Doug Nadorozny, Chief Administrative Officer

The Corporation of the Town of Aurora

By-law Number 6404-22

**Being a By-law to enact a new Procurement Policy
for the Town of Aurora.**

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

And whereas on May 8, 2018, The Corporation of the Town of Aurora (the 'Town') passed a by-law regarding its Procurement of goods and services, being By-law Number 6076-18;

And whereas it is deemed necessary to adopt a policy by by-law with respect to the Town's Procurement of goods and services to replace By-law Number 6076-18;

And whereas it is then deemed necessary and expedient to repeal By-law Number 6076-18;

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

1. By-law Number 6076-18, as amended, and all previous by-laws and policies passed under paragraph 3 of subsection 270(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25., or any predecessor thereof, are repealed in their entirety, including all sections, schedules, and amendments.
2. The Town of Aurora Procurement Policy, attached hereto as Appendix "A", is hereby adopted and enacted as the policy for the procurement of goods and services for the Town, pursuant to paragraph 3 of subsection 270(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25.

Enacted by Town of Aurora Council this ~~22nd-28th~~ day of ~~February~~June, 2022.

Tom Mrakas, Mayor

Michael de Rand, Town Clerk

APPENDIX A

Town of Aurora Procurement Policy

Table of Contents

PROCUREMENT POLICY 2

SECTION 1 – PURPOSE AND PRINCIPLES 2

SECTION 2 – INTERPRETATION AND APPLICATION 2

SECTION 3 – ETHICAL CONDUCT AND CONFLICTS OF INTEREST..... 5

SECTION 4 – ROLES AND RESPONSIBILITIES..... 5

SECTION 5 – ESTABLISHMENT OF SUPPLY ARRANGEMENTS 8

SECTION 6 – PROCUREMENT OF DELIVERABLES..... 9

SECTION 7 – SUPPLIER RELATIONS AND CONTRACT MANAGEMENT 13

SECTION 8 – PROCUREMENT RECORD–KEEPING 14

SECTION 9 – COMPLIANCE MONITORING AND REPORTING 15

SECTION 10 – GREEN PROCUREMENT 16

SCHEDULE A – GLOSSARY OF TERMS..... 17

SCHEDULE B – EXCLUSIONS..... 21

SCHEDULE C – PROCUREMENT THRESHOLDS 24

SCHEDULE D – THRESHOLD AND AUTHORIZATION SCHEDULE 25

SCHEDULE E – SUPPLIER CODE OF CONDUCT 31

PROCUREMENT POLICY

SECTION 1 - PURPOSE AND PRINCIPLES

1.1 Purpose

The purpose of this policy is to detail the principles, procedures, roles, and responsibilities for the Town's Procurement operations.

1.2 Principles

The Town is committed to conducting its Procurement operations in accordance with the following principles:

- compliance and consistency with applicable legislation, trade agreements, policies, and procedures;
- open, fair, and transparent processes that afford equal access to all qualified Suppliers;
- reciprocal non-discrimination and geographic neutrality with respect to its trading partners in accordance with trade treaty obligations;
- achieving best value through consideration of the full range of Procurement formats and the adoption of commercially reasonable business practices;
- effective balance between accountability and efficiency; and
- ensuring adherence to the highest standards of ethical conduct.

SECTION 2 - INTERPRETATION AND APPLICATION

2.1 Defined Terms

Terms used in this policy are defined in the Glossary of Terms (Schedule A).

2.2 Application

This policy applies to the Procurement of all Deliverables with the exception of the exclusions set out in Schedule B of this policy. Procurement includes the acquisition of Deliverables by purchase, rental, or lease.

This policy does not apply to:

- Contracts or agreements relating to hiring of employees or employee compensation or reimbursement of employee expenses;

- Contracts or agreements for the sale, purchase, lease or license of land or existing buildings; or
- Procurement conducted by Central York Fire Services, the Aurora Public Library Board or any municipal services corporation established by the Town.

2.3 Authorization Schedule

The Authorization Schedule (Schedule D) sets out the authorities for:

- a) initiating a procurement;
- b) conducting a Procurement process and approving the award of a Contract;
- c) issuing Purchase Orders and signing Contracts on behalf of the Town; and
- d) approving amendments to existing Contracts.

2.4 Procurement Protocols and Procedures

Procurement Services is responsible for developing and maintaining detailed protocols and procedures to support this policy. All procurements covered by this policy must be conducted in accordance with all applicable protocols and procedures.

2.5 Emergency Purchases

Notwithstanding any other provisions of this policy, where an emergency exists and prior approval of the Procurement Manager cannot be obtained, a Department Head, or their designate, may authorize any officer or employee to acquire required Deliverables in an expedited manner.

For greater certainty, an emergency Procurement includes any other expenditure that is necessary to respond to or effectively manage any Town emergency, or as required under the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended.

Emergency procurements shall only be to the extent necessary to mitigate the immediate threat or risk, or to temporarily contain the situation or circumstance and restore services. Longer term projects or work for replacement of lost significant infrastructure must follow the provisions of this policy.

Situations of urgency resulting from the failure to properly plan for a Procurement do not constitute an emergency.

2.5.1 Purchases During a Declared Emergency or Similar

During an emergency declaration or similar situation where the CAO, or other authorized person, convenes some or all of the members of the Municipal Emergency Control Group, but for which a formal declaration of an emergency is not made, but an emergency intervention is approved, this policy is suspended only for purchases that relate directly or indirectly to the emergency situation. All other routine Procurement activities of the Town during the emergency, but unrelated, remain subject to this policy.

Purchases relating to the situation to contain and manage the emergency situation shall be authorized as set out in the Municipal Emergency Management Response Program and the Town's Treasurer shall prepare the required accountability and financial reports for Council for information following the termination of the emergency.

2.5.2 Emergency Procurement not Related to a Declared Emergency

An emergency Procurement may be made when an event occurs or a circumstance is discovered that is determined by the Department Head or the Chief Building Official to be an imminent and significant threat to, or which has already significantly affected or threatened: (a) public health; (b) the maintenance of essential Town services; (c) the safety or welfare of persons or of public property; or (d) the security of the Town's interests; but such emergency Procurement is only permitted where time does not permit open competitive bidding or obtaining invitational quotations.

2.6 Co-operative Purchasing

The Town may participate in co-operative or joint purchasing initiatives with other government agencies or public authorities where such initiatives are determined by the Procurement Manager to be in the best interests of the Town to do so. If the Town participates in such co-operative or joint purchasing initiatives, the Town may adhere to the policies of the entity conducting the purchasing process, provided that such policies comply in spirit with this policy. If the Town is leading a co-operative or joint purchasing initiative, this policy will be followed.

2.7 Piggyback Purchasing

The Town may piggyback on an existing procurement by accepting the results of a competitive Procurement process of another government agency or public authority where the provisions of the original Solicitation Document allow for such a piggyback, or when the Supplier is willing to do so, and it is believed by the Procurement Manager it is in the best interest of the Town to do so. Piggyback Procurements shall be considered a Non-Standard Procurement and shall comply with the reporting and approval requirements set out in Schedule "D" – Threshold and Authorization Schedule that apply to Non-Standard Procurements.

SECTION 3 - ETHICAL CONDUCT AND CONFLICTS OF INTEREST

3.1 Conduct and Conflicts of Interest

The Town's Procurement activities must be conducted with integrity, and all individuals involved in the Town's Procurement activities must act in a manner that is consistent with the principles and objectives of this policy and in accordance with the Town's Code of Conduct, and the Council Code of Conduct.

All participants in a Procurement process, including any outside consultants or other service providers participating on behalf of the Town, must declare any perceived, possible, or actual conflicts of interest.

"Conflict of interest," when applied to the activities of the Town and its Suppliers, means a conflict or tension between one's private interests and one's public or fiduciary duties.

3.2 Supplier Conduct and Conflicts of Interest

The Town requires its Suppliers to act with integrity and conduct business in an ethical manner.

All Suppliers participating in a Procurement process or providing Deliverables to the Town must declare any perceived, possible, or actual conflicts of interest and must conduct themselves in accordance with the Supplier Code of Conduct in Schedule E of this policy.

The Town may refuse to do business with any Supplier that has engaged in illegal or unethical bidding practices, has an actual or potential conflict of interest or an unfair advantage, or fails to adhere to ethical business practices.

SECTION 4 - ROLES AND RESPONSIBILITIES

4.1 Role and Responsibilities of Council

It is the role of Council to establish policy and approve expenditures through the Town's budget-approval process. Through this policy, Council delegates to the Town's officers and employees the authority to incur expenditures in accordance with approved budgets through the Procurement of Deliverables in accordance with the rules and processes set out in this policy and applicable protocols and procedures. Council will not generally be involved in the day-to-day Procurement operations or individual Procurement processes, except to the extent that the approval of Council is required under this policy or in the event that an exception to this policy is required.

4.2 Roles and Responsibilities of Employees

Specific responsibilities pertaining to all stages of a Procurement process, from the initial identification of requirements through to the management of Contracts with Suppliers, are detailed in this policy and applicable protocols and procedures. In addition to those specific responsibilities, the general roles and responsibilities delegated to the Town's employees are set out below.

4.2.1 Procurement Manager

It is the role of Procurement Services to lead the Town's Procurement operations. In fulfilling this role, the Procurement Manager, or designate, is responsible for:

- a) ensuring the consistent application of this policy and the provision of Procurement services to the Departments efficiently and diligently;
- b) developing Procurement strategies and continually analyzing business requirements and spending patterns to identify opportunities for more strategic sourcing;
- c) researching, developing, maintaining, updating, and communicating Procurement protocols, procedures, and templates;
- d) addressing any issues or concerns that arise in respect of a Procurement process and seeking guidance, support, and advice of Legal Services, as required; and
- e) providing appropriate orientation, training, and tools to employees involved in Procurement activities.

4.2.2 Department Heads

It is the role of the Departments to ensure that their requirements for Deliverables are met in accordance with the principles and objectives of this policy. In fulfilling this role, Department Heads are responsible for ensuring that their Department complies with this policy and all applicable protocols and procedures, encouraging sound Procurement practices and ensuring the provision of appropriate education and training to employees involved in Procurement activities.

Department Heads will be held accountable for any decision to proceed with a Procurement process or transaction that is not conducted in accordance with this policy or does not have the approval of Procurement Services.

4.2.3 Department Employees

Employees of all Departments are responsible for complying with this policy. Department employees involved in Procurement activities must understand their obligations and

responsibilities under this policy and all applicable protocols and procedures, and they should consult with Procurement Services in respect of any questions regarding the application or interpretation of this policy or any relevant procedures.

4.2.4 Procurement Services Employees

Employees of Procurement Services are responsible for complying with this policy and ensuring this policy and all protocols and procedures are applied consistently. Employees of Procurement Services are responsible for:

- a) providing strategic support, consultation and procurement services to the Departments efficiently and diligently;
- b) assisting with the development of Procurement strategies and analysis of business requirements and spending patterns to identify opportunities for more strategic sourcing;
- c) communicating Procurement protocols, procedures, and templates to the Town; and
- d) training clients on the procurement policy, protocols and forms.

Employees of Procurement Services must understand their obligations and responsibilities under this policy and all applicable protocols and procedures, and are responsible for complying with this policy and ensuring consistent application of this policy. Employees of Procurement Services should consult with the Procurement Manager in respect of any questions regarding the application or interpretation of this policy.

Employees of Procurement Services must understand their obligations and responsibilities under this policy and all applicable protocols and procedures, and they should consult with the Procurement Manager in respect of any questions regarding the application or interpretation of this policy, and the protocols and procedures.

4.2.5 Legal Services

It is the role of Legal Services to provide legal advice and assistance on the Town's Procurement activities and its relationships with Suppliers. In fulfilling this role, Legal Services is responsible for:

- a) advising the Procurement Manager as required on legal issues arising from Procurement activities and reviewing and approving specific Solicitation Documents and related documentation referred for legal review by the Procurement Manager;

- b) providing advice on the finalization of Contracts and agreements and reviewing and advising on proposed changes to the Town’s standard terms and conditions, legal agreements, and Solicitation Document templates; and
- c) providing legal advice and counsel to the Town in the event of a Contract dispute or legal challenge flowing from a Procurement process.

4.3 Procurement Governance Committee

Procurement Governance Committee (“PGC”) is hereby established for the purpose of making determinations under:

- (a) the Procurement Protest Protocol;
- (b) the Supplier Suspension Protocol; and
- (c) the Non-Standard Procurements authority to procure between \$100,000 and under \$250,000; and

(d) the Non-Standard Procurements authority to procure for software license, maintenance, and related fees (excluding implementation costs) for contracts of up to five years and over \$250,000,

and for considering and providing input on other Procurement matters that may be referred to it by the Procurement Manager.

Meetings and deliberations of the PGC will include the Procurement Manager and at least two members of the Executive Leadership Team or employees of the Town. Legal Services will provide guidance and advice to the PGC, as required.

SECTION 5 - ESTABLISHMENT OF SUPPLY ARRANGEMENTS

5.1 Recurring Requirements

Before initiating a Procurement, Departments must consider the availability of existing supply arrangements. If the Deliverables will be required on a frequent or regularly recurring basis, and there is no existing supply arrangement, the Department must consult with Procurement Services about the possibility of establishing a Standing Offer or Qualified Supplier Roster.

5.2 Standing Offers

Standing Offers may be established for standardized Deliverables to be purchased by all Departments, where:

- (a) the requirements for Deliverables are recurring and predictable over an extended

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By-law Number 6404-22

Page 10 of

period of time;

- (b) the requirements are standard and clearly defined at the time of establishment of the Standing Offer; and

- (c) it is possible to fix pricing for the Deliverables for the duration of the Standing Offer.

The establishment of a Standing Offer does not create a contractual commitment to procure Deliverables from the Supplier. The commitment to purchase against a Standing Offer is formed at the time a specific order is placed through the issuance of a Purchase Order to the Supplier.

The Procurement Manager is authorized to establish Standing Offers through an Open Competition. The Open Competition will be managed by Procurement Services, with the co-operation and involvement of subject-matter experts from the relevant Department(s). If multiple Standing Offers are established for the same goods or services, clear ranking methodologies and call-up procedures must be specified.

5.3 Qualified Supplier Rosters

Qualified Supplier Rosters may be established to prequalify Suppliers that will be eligible to compete for individual work assignments involving the delivery of a particular type of Deliverables, as and when required.

The establishment of a Qualified Supplier Roster does not create a contractual commitment to procure Deliverables from any of the Suppliers. When Deliverables are required, a Roster Competition will be conducted for the purposes of awarding a contract to one of the qualified Suppliers.

The Procurement Manager is authorized to conduct Open Framework Competitions to establish Qualified Supplier Rosters. The Open Framework Competition will be managed by Procurement Services, with the co-operation and involvement of the Department(s), in accordance with the Qualified Supplier Roster Protocol.

SECTION 6 - PROCUREMENT OF DELIVERABLES

6.1 Procurement Planning

Effective Procurement planning is essential to ensuring an effective result and to limit risk to the Town. Departments must follow the Procurement Planning Protocol and ensure that they leave sufficient time to plan for a procurement, including time for:

- a) developing proper specifications and business requirements;
- b) obtaining internal reviews;
- c) conducting a Competitive Process, as required; and
- d) obtaining necessary approvals.

6.2 Market Research

Where the Department is uncertain about the Deliverables required or where there is insufficient internal knowledge about the market, the Department must consult with Procurement Services about conducting a Request for Information ("RFI") process. An RFI process must be conducted by Procurement Services, and be openly posted in order to gather market research from prospective Bidders. It must not be used as a pre-qualification tool.

6.3 Procurement Value

It is important to accurately estimate the value of the Procurement to determine the appropriate Procurement method and ensure compliance with the requirements of this policy. Possible extension years must be included in the calculation of the Procurement Value. Departments must refer to the Procurement Planning Protocol for additional guidance on determining the Procurement Value.

6.4 Contract-Splitting

Subdividing, splitting or otherwise structuring Procurement requirements or contracts in order to reduce the value of the Procurement or in any way circumvent the requirements or intent of this policy is not permitted.

6.5 Initiating Procurement

Unless specifically permitted under this policy or the Procurement protocols or procedures, Departments are not permitted to procure Deliverables or engage with potential Suppliers regarding the Procurement of Deliverables without the involvement of Procurement Services. All procurements must be initiated in accordance with the Procurement Planning Protocol.

6.6 Procurement Authorization

Before any Procurement process begins, authorization of the Procurement and delegation of authority to procure must be obtained in accordance with the Authorization Schedule.

6.7 Standard Procurement Methods

Depending on the nature, value, and circumstances of the Procurement, the Town may procure Deliverables through the standard Procurement methods outlined below in this Section. The various thresholds are set out in Schedule C of this policy.

6.7.1 Existing Supply Arrangement**6.7.1.1 Ordering from Standing Offer**

When a Standing Offer is available, its use is mandatory for all Departments. To purchase from a Standing Offer, Departments should process orders directly with the Supplier. The purchase from a Standing Offer can be made through P-Card or Purchase Order referring to the Standing Offer details should be created and sent to the Supplier as per the Contract. The Purchase Order referencing the Standing Offer and reflecting the prices and terms and conditions of the Standing Offer will be created and issued to the Supplier by the Department.

6.7.1.2 Roster Competition

If the Deliverables are available under an existing Qualified Supplier Roster, they must be acquired through a Roster Competition.

Roster Competitions will be managed by Procurement Services, with the co-operation and involvement of the Department, in accordance with the Qualified Supplier Roster Protocol.

6.7.2 Low-Value Procurement

Where the Procurement Value is below the Low-Value Purchase Threshold and the Deliverables are not covered under an existing Standing Offer or Qualified Supplier Roster, Departments may make Low-Value Procurements without the involvement of Procurement Services.

It is the responsibility of the Department to determine if there is an existing Standing Offer or Qualified Supplier Roster for the required Deliverables before making a purchase. When available, the Deliverables must be purchased in accordance with the terms of the Standing Offer or in accordance with the Qualified Supplier Roster Protocol.

For Low-Value Procurements, the Department is only required to obtain one quote and may acquire the Deliverables using a corporate purchasing card or by submitting a Purchase Order requisition to be approved by the Manager or Department Head based on the individual's Financial Authority.

Where practical, Departments are encouraged to obtain multiple quotes to ensure they are obtaining the best value. Quotes may be obtained through advertisements or Supplier catalogues or by contacting the potential Supplier(s) by telephone or email.

The Department Head is responsible and accountable for Low-Value Procurements and may authorize specific individuals within the Department to make Low-Value Procurements and may assign specific spending authority limits, in accordance with the individual's Financial Authority.

If a Department anticipates making multiple Low-Value Procurements of the same Deliverables and the total value of those purchases may exceed the applicable Low-Value Purchase Threshold, the Department must contact Procurement Services to discuss the possibility of setting up a Standing Offer or Qualified Supplier Roster.

6.7.3 Mid-Value Procurement (Invitational Competition)

A Mid-Value Procurement uses an Invitational Competition, in which Bids are solicited from a minimum of three Suppliers, and is the standard method of Procurement when the Procurement Value is between the Low-Value Purchase Threshold and the Open Competition Threshold. For Mid-Value Procurements, the Department may acquire the Deliverables by submitting a Purchase Order requisition to be approved by the Manager or Department Head based on the individual's Financial Authority.

The Department Head is responsible and accountable for ensuring that the process is conducted in accordance with the Invitational Competition Protocol.

Open Competition may be conducted in lieu of a Mid-Value Procurement, where the Procurement Manager, in consultation with the Department, determines that it would be in the Town's best interest.

6.7.4 Open Competition

An Open Competition, in which Bids are solicited from all interested Suppliers through a publicly posted Solicitation Document, is the standard method of Procurement when the Procurement Value equals or exceeds the Open Competition Thresholds.

Open Competitions must also be used to establish Standing Offers.

Open Competitions may include two-stage Procurement processes in which a pre-qualification process is conducted by soliciting and evaluating submissions from all interested Suppliers in order to establish a short list of prequalified Suppliers that will be eligible to submit a Bid in response to a second-stage Solicitation Document. A two-stage Procurement process may be used whenever determined appropriate by the Procurement Manager.

Open Competitions will be managed by Procurement Services, with the co-operation and involvement of the Department, in accordance with the Open Competition Protocol.

6.8 Non-Standard Procurement

Non-Standard Procurement means the acquisition of Deliverables through a method other than the standard method for the type and value of the Deliverables, as set out above under Section 6.7.

Non-standard Procurement methods include:

- a) acquiring Deliverables directly from a particular Supplier without conducting a Competitive Process when an Invitational Competition or an Open Competition would normally be required; and
- b) soliciting Bids from a limited number of Suppliers without conducting an open pre-qualification process when an Open Competition would normally be required.

The use of a Non-Standard Procurement process is permitted only under the specific circumstances set out in the Non-Standard Procurement Protocol and must be approved in accordance with the Non-Standard Procurement Protocol.

Under no circumstances will a Non-Standard Procurement be used for the purpose of avoiding competition among Suppliers or in a manner that discriminates against or advantages Suppliers based on geographic location.

6.9 Contract Award and Finalization

Contracts must be awarded in accordance with this policy and the applicable protocol(s) governing the Procurement process and must be authorized in accordance with the Authorization Schedule.

A Contract may be entered into through the execution of a legal agreement and/or the issuance of a Purchase Order evidencing the contract. The Contract must be entered into prior to the delivery or provision of the Deliverables. No work shall commence without a Purchase Order having been issued with sufficient funds available for the work.

The Procurement Manager has delegated authority to issue Purchase Orders on behalf of the Town. Agreements must be signed in accordance with the Authorization Schedule.

No Contract may be entered into, either through the issuance of a Purchase Order or the execution of an agreement, unless:

- a) approved funding in an amount sufficient to cover the Procurement Value is available;
- b) the Procurement process was conducted in accordance with this policy; and
- c) applicable protocols and all required authorizations have been obtained.

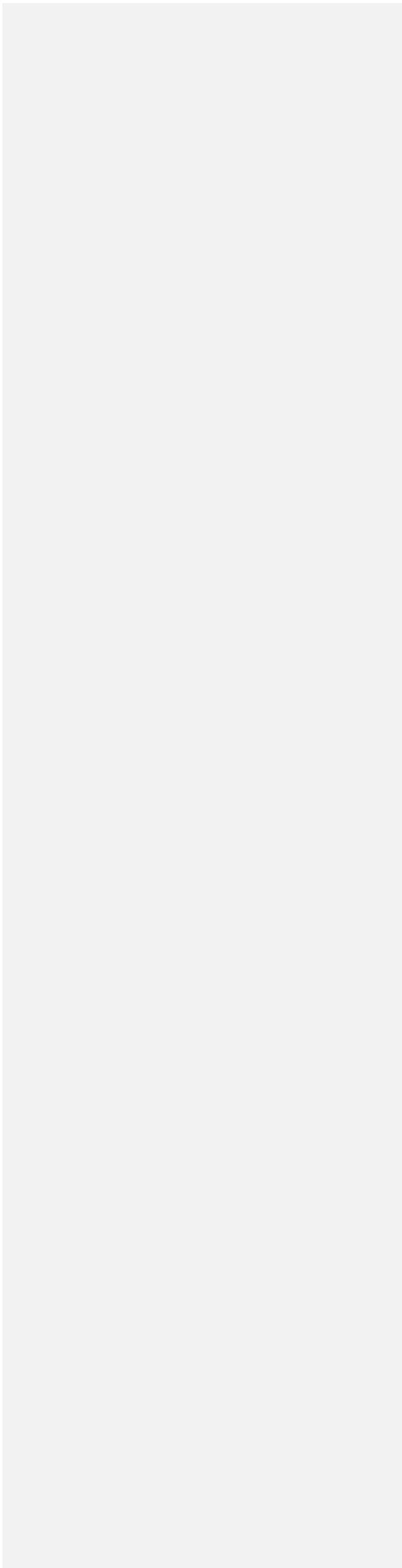
SECTION 7 - SUPPLIER RELATIONS AND CONTRACT MANAGEMENT

7.1 Debriefings

Where the Town has conducted an Open Competition, unsuccessful Suppliers may request a debriefing. Debriefings must be conducted in accordance with the Bidder

By-law Number 6404-22
Debriefing Protocol.

Page 15 of 33



7.2 Procurement Protests

Suppliers may formally protest the outcome of a Procurement process. Procurement protests must be managed and responded to in accordance with the Procurement Protest Protocol.

7.3 Contract Management

All contracts for Deliverables must be managed by the Department in accordance with the Contract Management Protocol. Master Framework Agreements will be managed by Procurement Services in accordance with the Qualified Supplier Rosters Protocol.

7.4 Contract Extensions or Amendments

Contract extensions and amendments must not be used to expand a Contract beyond what was contemplated under the terms of the Contract and the original Procurement process or to circumvent the need to procure additional Deliverables through a Competitive Process in accordance with this policy.

If a Contract amendment results in a net increase to the Contract value previously approved, the amendment must be approved in accordance with the Contract Management Protocol and the Authorization Schedule.

7.5 Supplier Performance

The performance of a Supplier under Contract must be monitored and tracked in accordance with the Supplier Performance Evaluation Protocol.

7.6 Supplier Suspension

Suppliers can be suspended from participating in future Procurement processes in accordance with the Supplier Suspension Protocol.

SECTION 8 - PROCUREMENT RECORD-KEEPING

8.1 Supplier Information

The Town must ensure that Supplier information submitted in confidence in connection with a Procurement process or Contract is adequately protected. Procurement Services and the Departments must ensure that all Bids and Contracts are kept in a secure location and are only accessible by those individuals directly involved with the Procurement or management of the Contract.

8.2 Procurement Records

The maintenance, release, and management of all Procurement records must be in accordance with the Town's policies and procedures on document management and access to information and the *Municipal Freedom of Information and Protection of Privacy Act*.

Procurement Services is responsible for ensuring that all documentation relating to a Procurement is properly filed and maintained in a Procurement project file. Documentation and reports regarding Procurement processes and Contract awards (including Non-Standard Procurements) and data necessary to trace the process conducted electronically must be maintained as required under the Town's document management policies.

SECTION 9 - COMPLIANCE MONITORING AND REPORTING

9.1 Compliance Monitoring

Non-compliance with this policy may expose the Town to the risk of Supplier complaints, reputational damage, Bid disputes, legal challenges, and may compromise the integrity, fairness, openness, and transparency of the process.

Department Heads are required to observe and address non-compliance with this policy within their Departments. Where instances of non-compliance are identified, the Department Head is expected to notify the Procurement Manager and obtain advice; (a) with respect to mitigating potential risks to the Town arising from the non-compliance; and (b) to ensure future non-compliance is avoided.

The Procurement Manager is responsible for monitoring compliance across the organization. Based on the results of compliance monitoring, reports outlining instances of non-compliance will be issued by the Procurement Manager to the relevant Department Head. The Department Head must address the identified compliance concerns and submit a written confirmation of actions taken to the Procurement Manager. Ongoing concerns with respect to compliance will be subject to internal audit.

The Procurement Manager will address noncompliance in accordance with the procedures established under the Non-Compliance Reporting and Remediation Protocol.

9.2 Audit

All Procurement activities will be subject to audit by York Region Audit Services.

9.3 Reporting

The Procurement Manager will prepare and submit to Council a quarterly report summarizing the Town's Procurement activities, including:

- (a) Non-standard Procurements; and
- (b) Procurements over \$250,000.

SECTION 10 - GREEN PROCUREMENT

10.1 Green Procurement

Town staff are responsible for ensuring that their procurements address the Town's green procurement objectives in a manner consistent with the Green Procurement Policy.

SCHEDULE A - GLOSSARY OF TERMS

“**Bid**” means a submission in response to a Solicitation Document, and includes proposals, quotations, or responses.

“**Bidder**” means a Supplier that submits a Bid, and includes proponents and respondents.

“**CAO**” means the Chief Administrative Officer for the Town.

“**Competitive Process**” means the solicitation of Bids from multiple Suppliers.

“**Contract**” means a commitment by the Town for the Procurement of Deliverables from a Supplier, which may be evidenced by an agreement executed by the Supplier and the Town, or a Purchase Order issued by the Town to the Supplier.

“**Contract Administrator**” means an employee assigned to the management of a Contract.

“**Council**” means the elected Council of the Town.

“**Deliverables**” means any goods, services, or construction, or combination thereof.

“**Department**” means the department of the Town that is requisitioning the purchase of the Deliverables.

“**Department Head**” means a Director (or designate) of the Town who is responsible for a Department, and shall include the CAO with respect to his /her direct responsibilities for a Department.

“**Department Lead**” means the Department employee assigned primary responsibility for a Procurement.

“**Division**” means the division of the Town that is requisitioning the purchase of the Deliverables.

“**Division Manager**” means the Manager, or their designate, of the Town who is responsible for a Division.

“**Financial Authority**” refers to the Town’s financial authority registry which outlines the signing authority for individual Town employees.

“**Invitational Competition**” means a Competitive Process in which an invitation to submit Bids is issued to at least three Suppliers.

“**Legal Services**” means the Town’s Legal Services division.

“Low-Value Procurement” means any Procurement of Deliverables with a value below the Low-Value Purchase Threshold set out in Schedule C, except where the Procurement is made through an existing Standing Offer or Qualified Supplier Roster.

“Low-Value Purchase Threshold” means the maximum value for a Procurement of Deliverables that the Town may procure without proceeding with an Open Competition.

“Master Framework Agreement” means a master agreement entered into between the Town and the prequalified Suppliers that have been included on a Qualified Supplier Roster.

“Mid-Value Procurement” is an Invitational Competition where bids are sought from three suppliers.

“Non-Standard Procurement” means the acquisition of Deliverables through a process or method other than the standard method required for the type and value of the Deliverables. Non-standard Procurement methods include:

- a) acquiring Deliverables directly from a particular Supplier without conducting a Competitive Process when an Invitational Competition or an Open Competition would normally be required; and
- b) soliciting Bids from a limited number of Suppliers without conducting an open pre-qualification process when an Open Competition would normally be required.

“Open Competition” means the solicitation of Bids through a publicly posted Solicitation Document.

“Open Competition Threshold” means the minimum value for a Procurement that the Town must procure using an Open Competition.

“Open Framework Competition” means the Competitive Process used to establish a Qualified Supplier Roster and provide for an ongoing application process during the term of the Qualified Supplier Roster, as further described in the Qualified Supplier Rosters Protocol.

“Performance Evaluation Report” means a report evaluating a Supplier's performance in accordance with the Supplier Performance Evaluation Protocol, and includes both Interim and Final Performance Evaluation Reports.

“Procurement” means the acquisition of Deliverables by purchase, rental, or lease.

“Procurement Governance Committee” (“PGC”) means the committee established by the Town under the Procurement Policy for the purposes of considering and making determinations on procurement-related matters, including determinations under the Procurement Protest Protocol, and the Supplier Suspension Protocol.

Town of Aurora Procurement Policy

“Procurement Manager” means the individual officer or employee who is responsible for Procurement Services.

“Procurement Plan” means the plan developed by a Department at the outset of an Invitational Competition or Open Competition in accordance with the Competitive Procurement Planning Protocol.

“Procurement Services” means the branch, department, division, or unit responsible for purchasing Deliverables for the Town.

“Procurement Value” means the maximum total value of the Deliverables being procured, and it must include all costs to the Town, including, as applicable, acquisition, maintenance, replacement, and disposal; training, delivery, and installation; and extension options, less applicable rebates or discounts and exclusive of sales taxes.

“Purchase Order” means the Town’s written document issued by a duly authorized employee of the Town to a Supplier formalizing all the terms and conditions of the purchase and supply of the Deliverables identified on the face of the Purchase Order.

“Purchasing Card” means a credit card provided by the Town to authorized officers and employees for use as a payment method to purchase directly from Suppliers where permitted under the Procurement Policy and in accordance with any cardholder agreement and applicable procedures.

“Qualified Supplier Roster” means a list of Suppliers that have participated in and successfully met the requirements of a Request for Pre-Qualifications (“RFPQ”) and have therefore been prequalified to perform individual work assignments involving the delivery of a particular type of Deliverable. The Suppliers that qualify for inclusion on the Qualified Supplier Roster will enter into a Master Framework Agreement and will be eligible to participate in Roster Competitions, as and when the goods or services are required.

“Request for Information” or **“RFI”** means a market research initiative for the collection of data for the purposes of future Procurement planning.

“Roster Competition” means an expedited, invitational competition between Suppliers that have been included on a Qualified Supplier Roster for the selection of a Supplier to perform a discrete work assignment during the term of the roster.

“Solicitation Document” means the document issued by the Town, or in the case of a piggyback Procurement by a government agency or public authority, to solicit Bids from Bidders.

“Standing Offer” means a written offer from a pre-approved Supplier to supply Deliverables to the Town, upon request, through the use of an ordering process during a

By-law Number 6404-22 **Page 20 of 33**
particular period of time, at a predetermined price or discount, generally within a predefined dollar limit. The Standing Offer does not create a contractual commitment

from either party for a defined volume of business. The commitment to purchase against a Standing Offer is formed at the time a specific order is placed through the issuance of a Purchase Order to the Supplier.

“**Supplier**” means a person carrying on the business of providing Deliverables.

“**Total Cumulative Increase**” means the total value of all increases to the original Procurement Value, including the value of all previously approved amendments and the value of the proposed amendment.

“**Town**” means The Corporation of the Town of Aurora.

SCHEDULE B - EXCLUSIONS

- 1. Excluded Acquisitions and Expenditures**
- (a) This policy does not apply to Contracts, agreements or costs related for the sale, purchase, lease, or licence of land or existing buildings.
 - (b) This policy does not apply to the acquisition of the following Deliverables:
 - i. services provided by licensed lawyers, notaries or forensic auditors;
 - ii. services of expert witnesses or factual witnesses used in court or legal proceedings, including tribunal matters;
 - iii. financial services including banking, merchant fees, brokerage, debt issuance, and investments;
 - iv. insurance premiums and services, including insurance adjusters, and replacement purchases made as a result of an insurance claim;
 - v. goods intended for resale to the public;
 - vi. goods purchased on a commodity market;
 - vii. works of art; and
 - viii. subscriptions to newspapers, magazines, or other periodicals.
 - (c) This policy does not apply to Contracts or agreements relating to hiring of employees or employee compensation, or memberships or dues, or reimbursement of employee expenses, or employee training, including conferences, courses, and seminars.
 - (d) This policy does not apply to goods or services procured from a government entity or non-profit organization. Note: This exclusion does not apply to procurements that are covered by the Canada-European Union Comprehensive Economic and Trade Agreement (the "CETA").
 - (e) This policy does not apply with respect to competitive Procurement requirements, and in such cases Procurement can be conducted as a Non-Standard Procurement, when it can be demonstrated that the goods or services can be supplied only by a particular Supplier and **no alternative or substitute exists** for the following reason(s):
 - i. there is an absence of competition for technical reasons;
 - ii. patents, copyrights, or other exclusive rights must be protected.
 - (f) This policy does not apply when the Procurement is for:
 - i. goods or consulting services regarding matters of a confidential or privileged nature and the disclosure of those matters through an Open Competition could reasonably be expected to compromise government

confidentiality, result in the waiver of privilege, cause economic disruption, or be contrary to the public interest;

- ii. a prototype or a first good or service to be developed in the course of and for a particular Contract for research, experiment, study, or original development, but not for any subsequent purchases;
 - iii. goods available under exceptionally advantageous circumstances that arise only in the very short term, such as resale of used equipment, liquidation, bankruptcy, or receivership;
 - iv. a Contract to be awarded to the winner of a design contest and the contest was organized in a fair and transparent manner and was advertised by publicly posted notice and participants were judged by an independent jury;
 - v. The Procurement is being conducted on behalf of an entity that is not covered by the Procurement Policy.
- (g) This policy does not apply with respect to competitive Procurement requirements when unforeseeable events have resulted in a situation where extreme urgency exists and the goods or services could not be obtained in time through an Open Competition. In such cases, the Procurement may be conducted as a Non-Standard Procurement. Note: The Department Lead must clearly identify and explain the unforeseeable events that brought about the urgency. Failure to plan for and proceed with a Procurement in a timely manner will not be considered a valid reason for a Non-Standard Procurement.
- (h) This policy does not apply with respect to competitive Procurement requirements when the Procurement Value is below the Open Competition Threshold and it is in the best interests of the Town to proceed with a Non-Standard Procurement. In such cases, the Procurement may be conducted as a Non-Standard Procurement. Note: The Department Lead must clearly explain why it is in the Town's best interest to proceed with a Non-Standard Procurement rather than an Invitational Competition.
- (i) This policy does not apply with respect to competitive Procurement requirements when the Procurement is otherwise exempt from Open Competition requirements under all applicable trade agreements, and it is in the best interests of the Town to proceed with a Non-Standard Procurement. In such cases, the Procurement may be conducted as a Non-Standard Procurement. Note: The Department Lead must indicate the specific section(s) of the applicable trade agreements that provide for the exemption and clearly explain why it is in the Town's best interest to proceed with a Non-Standard Procurement rather than an Open Competition.

- (j) This policy does not apply to payment of the Town's general expenses, such as:
- i. Taxes including Harmonized Sales Tax (HST), remittance of property taxes and development charges to school boards and York Region
 - ii. Debt repayment and sinking fund contributions
 - iii. Costs related to employee training, development and recruitment in accordance with Town policies
 - iv. Grants to agencies in accordance with Town policies
 - v. Postage and courier services
 - vi. Utility charges for consumption and acquisition of water, sewer, electricity, natural gas
 - vii. Utility relocation and construction costs relating to a capital project
 - viii. Town sponsored employee purchase programs
 - ix. Employment agencies for temporary employment contracts
 - x. Appraisal fees
 - xi. Arbitrator, mediator and other similar professionals
 - xii. Suppliers and entertainers for special events and programs
 - xiii. Goods, services or construction where 100 percent of the total cost is funded by a third party

2. Approval and Payment of Excluded Acquisitions and Expenditures

The approval and payment of excluded items is to be completed in accordance with the Town's financial authority registry.

SCHEDULE C - PROCUREMENT THRESHOLDS

Table 1 - Procurement Thresholds

Low-Value Procurements	Below \$25,000
Mid-Value Procurements (Invitational Competition)	\$25,000 to less than \$50,000
Open Competition	\$50,000 and over

SCHEDULE D - THRESHOLD AND AUTHORIZATION SCHEDULE

A. STANDARD PROCUREMENT

Table 1 - Table of Authority

Procurement Method and Threshold	Authorized to Initiate Procurement	Delegated Authority to Award*	Contract Requirement
Order from Existing Standing Offer	Department Head	Division Manager	Use existing contract from standing offer if available Contract approved based on Financial
Roster Competition Less than \$50,000	Department Head	Division Manager	Use existing contract from roster if available Contract approved based on Financial
Roster Competition \$50,000 and over	Department Head	Division Manager and Procurement Manager	Use existing contract from roster if available Contract approved based on Financial
Low-Value Procurement Below \$25,000	Department Head or designate	Division Manager	None required
Mid-Value Procurement (Invitational Competition) \$25,000 to <\$50,000	Department Head	Division Manager	Required only for construction procurements over \$25,000 in a form approved by Legal Services
Open Competition < \$1M	Department Head	Division Manager and Procurement	Required for all procurements in a form approved by

Procurement Method and Threshold	Authorized to Initiate Procurement	Delegated Authority to Award*	Contract Requirement
			Contract approved based on Financial
Open Competition ≥ \$1M	Department Head	Division Manager and Procurement Manager	Required for all procurements in a form approved by Legal Services Contract approved by

*The Ability to award is contingent on the individual having the Financial Authority to do so.

1. Authorization Process

- a) The Department Lead completes the Procurement Authorization Form and submits it to the Department Head.
- b) The Department Head reviews and approves the Procurement Authorization Form.
- c) If a Contract is required and less than \$1 million dollars, then it must be in a form approved by Legal Services and signed by an individual in the Department with the appropriate Financial Authority. If the contract required is equal to or greater than \$1 million dollars, then the Contract must be in a form approved by Legal Services and approved by the CAO.
- d) No Procurement may be authorized unless sufficient funding is available in an approved budget, unless authorized by Council.

2. Delegated Authority to Procure

The delegation of authority to procure includes the authority to:

- a) conduct the Procurement process in accordance with this policy and applicable protocols;
- b) approve the Procurement document(s) for a Competitive Process;
- c) approve the selection of qualified Bidders in a multi-stage Open Competition;
- d) approve the establishment of qualified Supplier rosters in an Open Framework Competition; and
- e) approved the award of the Contract.

3. Conditions of Delegated Authority to Procure

Delegated authority to procure is subject to the following conditions:

- a) No Procurement may be initiated unless approved budget funding in an amount sufficient to cover the Procurement Value is available.
- b) In the case of a multi-stage Open Competition or an Open Framework Competition, qualified Bidders are selected in accordance with the evaluation and selection process set out in the Solicitation Document.
- c) No Contract award may be approved unless:
 - i. sufficient funding is available in an approved budget;
 - ii. the Procurement process was conducted through the standard Procurement method, as determined in accordance with this policy;
 - iii. the Procurement process was conducted in accordance with this policy and all applicable protocols; and
 - iv. in the case of a Competitive Process, the Contract is awarded to the top-ranked Bidder, as determined in accordance with the evaluation and selection process set out in the Solicitation Document.

Where the authority to procure is delegated to multiple individuals, all those individuals must be satisfied that the above conditions of delegated authority are met.

4. Council Authority

If any of the applicable conditions of delegated authority are not met, Council approval must be obtained before proceeding with any Procurement activity.

B. NON-STANDARD PROCUREMENT

Table 2 - Table of Authority

Procurement Value	Authorize Procurement	Delegated Authority to Procure
< Open Competition Threshold	Department Head	Department Lead
≥ Open Competition Threshold and < \$100K	CAO	Department Head
\$100K < \$250K	PGC	Department Head
\$250K and over	Council	Department Head
<u>\$250,000 and over for software license, maintenance, and related fees (excluding implementation costs) for contracts of up to five years</u>	<u>PGC</u>	<u>Department Head</u>

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1. Authorization Process

- a) The Department Lead completes the Non-Standard Procurement Authorization Form and submits it to the Department Head.
- b) The Department Head reviews and approves the Non-Standard Procurement Authorization Form.
- c) If the Procurement Value is less than the applicable Open Competition Threshold, the Department Head may authorize the Procurement and delegate the authority to procure to the Department Lead.
- d) If the Procurement Value is equal to or greater than the applicable Open Competition Threshold but less than \$100,000, the Department Head submits the Non-Standard Procurement Authorization Form to the CAO.
- e) If the Procurement Value is equal to or greater than \$100,000 but less than \$250,000, the PGC may authorize the Procurement and delegate the authority to procure to the Department Head.
- f) If the Procurement Value is equal to or greater than \$250,000, the Department Head submits a report to Council for authority to proceed with the procurement. Council may authorize the Procurement and delegate the authority to procure to the Department Head.
- g) If the Procurement Value is equal to or greater than \$250,000 and is for the procurement of software license, maintenance, and related fees (excluding implementation costs) for a contract of up to five years, the PGC may authorize the Procurement and delegate the authority to procure to the Department Head.
- h) No Procurement may be authorized unless sufficient funding is available in an approved budget, unless authorized by Council.

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2. Delegated Authority to Procure

In the case of a Non-Standard Procurement, the delegation of authority to procure includes the authority to negotiate and finalize the Contract with the selected Supplier.

Contract requirements follow the same thresholds as standard Procurements. No Contract may be finalized unless sufficient funding is available in an approved budget and is approved by Legal Services.

Town of Aurora Procurement Policy

C. CONTRACT ISSUANCE OR EXECUTION

1. Authorized Signatories

The Procurement Manager has delegated authority to issue Purchase Orders on behalf of the Town.

The following individuals have delegated authority to execute legal agreements on behalf of the Town:

Table 3 - Authorized Signatories

Procurement Value	Authorized Signatory
< \$1M	Department Head or delegate, in accordance with Financial Authority
≥ \$1M	CAO

Note: All contracts shall be reviewed by Legal Services prior to signing.

2. Review and Execution Process

- a) In accordance with the delegated authority to procure, the authorized individual(s):
 - i. approves the award of the Contract;
 - ii. confirms all pre-conditions of award are met; and
 - iii. assembles all Contract documents and provides the Contract documents to Legal Services for review.
- b) If an agreement is to be signed, Legal Services reviews and approves the agreement for signature and the agreement is sent to the Authorized Signatory.
- c) The agreement is signed by the Authorized Signatory.

3. Pre-Approval of Standard Term Contracts

Legal Services may approve standard term Contract documents, including Purchase Order terms, standard forms of agreement, and supplementary terms and conditions for use in specified circumstances and subject to established conditions.

D. CONTRACT AMENDMENTS

Table 4 – Table of Authority if Total Cumulative Increase is Less Than 20% of Original Procurement Value

Total Cumulative Increase	Authorize Amendment
< \$50,000	Department Head
≥ \$50,000	CAO

Table 5 – Table of Authority if Total Cumulative Increase is Equal to or More Than 20% of Original Procurement Value

Total Cumulative Increase	Authorize Amendment
< \$250,000	Chief Administrative Officer
≥ \$250,000	Council

Total Cumulative Increase means the total value of all increases to the original Procurement Value, including the value of all previously approved amendments and the value of the proposed amendment.

1. Authorization Process

- a) The Contract Administrator completes the Contract Amendment Authorization Form.
- b) If the Procurement Value is less than the applicable Open Competition Threshold, the Contract Administrator obtains the appropriate authority based on the above tables. If the amendment must be authorized by the Department Head or CAO, the Contract Amendment Authorization Form must first be approved by the Department Head when CAO approval is required.
- c) If the Total Cumulative Increase is equal to or greater than the applicable Open Competition Threshold, the Contract amendment must be treated as a Non-Standard Procurement and the Contract Amendment Authorization Form must be reviewed by the PGC. The PGC reviews and addresses any concerns with the Department Head. Once any concerns have been resolved or noted on the Contract Amendment Authorization Form, the Form shall be submitted to the CAO based on Table 4 above and if the increase is more than 20% of the original value, the Department Head shall seek approval from Council in a report in accordance with the authority in Table 5 above.
- d) No Contract amendment may be authorized unless sufficient funding is available in an approved budget, unless authorized by Council.

SCHEDULE E - SUPPLIER CODE OF CONDUCT

The Town requires its Suppliers to act with integrity and conduct business in an ethical manner. The Town may refuse to do business with any Supplier that has engaged in illegal or unethical bidding practices, has an actual or potential conflict of interest or an unfair advantage, or fails to adhere to ethical business practices.

Suppliers are responsible for ensuring that any employees, representatives, agents, or subcontractors acting on their behalf conduct themselves in accordance with this Supplier Code of Conduct. The Town may require the immediate removal and replacement of any individual or entity acting on behalf of a Supplier that conducts themselves in a manner inconsistent with this Supplier Code of Conduct. The Town may refuse to do business with any Supplier that is unwilling or unable to comply with such requirement.

A. ILLEGAL OR UNETHICAL BIDDING PRACTICES

Illegal or unethical bidding practices include:

- a) bid-rigging, price-fixing, bribery or collusion, or other behaviours or practices prohibited by federal or provincial statutes;
- b) offering gifts or favours to the Town's officers, employees, appointed or elected officials, or any other representative of the Town;
- c) engaging in any prohibited communications during a Procurement process;
- d) submitting inaccurate or misleading information in a Procurement process; and
- e) engaging in any other activity that compromises the Town's ability to run a fair Procurement process.

The Town will report any suspected cases of collusion, bid-rigging, or other offences under the *Competition Act* to the Competition Bureau or to other relevant authorities.

B. CONFLICTS OF INTEREST

All Suppliers participating in a Procurement process must declare any perceived, possible, or actual conflicts of interest.

The term "conflict of interest," when applied to Suppliers, includes any situation or circumstance where:

- a) in the context of a Procurement process, the Supplier has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including but not limited to:

- i. having, or having access to, confidential information of the Town that is not available to other Suppliers;
 - ii. having been involved in the development of the Procurement document, including having provided advice or assistance in the development of the Procurement document;
 - iii. receiving advice or assistance in the preparation of its response from any individual or entity that was involved in the development of the Procurement document;
 - iv. communicating with any person with a view to influencing preferred treatment in the Procurement process (including but not limited to the lobbying of decision-makers involved in the Procurement process); or
 - v. engaging in conduct that compromises, or could be seen to compromise, the integrity of an open and competitive Procurement process or render that process non-competitive or unfair; or
- b) in the context of performance under a potential Contract, the Supplier's other commitments, relationships, or financial interests:
 - i. could, or could be seen to, exercise an improper influence over the objective, unbiased, and impartial exercise of its independent judgment; or
 - ii. could, or could be seen to, compromise, impair, or be incompatible with the effective performance of its contractual obligations.

Where a Supplier is retained to participate in the development of a Solicitation Document or the specifications for inclusion in a Solicitation Document, that Supplier will not be allowed to respond, directly or indirectly, to that Solicitation Document.

C. ETHICAL BUSINESS PRACTICES

In providing Deliverables to the Town, Suppliers are expected to adhere to ethical business practices, including:

- a) performing all Contracts in a professional and competent manner and in accordance with the terms and conditions of the Contract and the duty of honest performance;
- b) complying with all applicable laws, including safety and labour codes (both domestic and international as may be applicable); and
- c) providing workplaces that are free from harassment and discrimination.



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora

General Committee Report

No. PDS22-089

Subject: Community Improvement Plan Review – Public Meeting

Prepared by: Nick Kazakoff, Economic Development Officer

Department: Planning and Development Services

Date: June 7, 2022

Recommendation

1. That Report No. PDS22-089 be received for information.

Executive Summary

This report seeks to update Council on the internal review of the Aurora Promenade Community Improvement Plan (CIP) as directed by Council in September 2021 and its progress to date. Staff have conducted a best-practices review of its neighbouring municipalities CIP programs related to four key themes: Accessibility, Sustainability, Heritage and Affordable Housing.

- Accessibility related grants are common among neighbouring municipalities
- Several neighbouring municipalities offer sustainability related grants
- Heritage related CIP Programs are common among downtown CIPs
- Affordable Housing CIP programs are rare in lower-tier municipalities

Background

A Community Improvement Plan or CIP is a tool that allows a municipality to direct funds and implement policy initiatives toward a specifically defined project area. Section 28 of the Planning Act gives municipalities that have enabling policies in their official plans, the ability to prepare a CIP. CIPs are intended to encourage revitalization initiatives and/or stimulate development and redevelopment. Once implemented, the Plan allows municipalities to provide tax assistance, grants or loans to assist in the revitalization of lands and/or buildings within the defined CIP area.

Through Community Improvement Plans, municipalities can:

- Focus public attention on local priorities and municipal initiatives
- Target areas in transition or in need of repair, revitalization and redevelopment
- Facilitate and encourage community change in a coordinated manner
- Stimulate private sector investment through municipal incentive-based programs

As part of an overall plan to revitalize the downtown area, the Town has designated the Aurora Promenade as a CIP area. In 2014, a number of financial incentives were developed to support the Aurora Promenade CIP to encourage long-term private sector investment in new and existing development in the area. In 2019, the five-year CIP expired, and due to the pandemic, consultation on an updated CIP was halted.

In September 2021, Council directed staff to initiate an internal review of the Aurora Promenade Community Improvement Plan, as directed in the current CIP plan, and is intended to determine whether each program has met its goals.

The detailed internal review aims to evaluate and report back on several aspects including:

- The opportunities to improve effectiveness by determining which programs should be eliminated, and which programs should be added or enhanced, that align with the Official Plan and Promenade Secondary Plan
- The effectiveness of the funding and organizational structure of the CIP process
- The composition and operation of the Evaluation Committee
- The effectiveness of staff and other resources to administer, monitor and market the programs;
- The funding levels required to support the recommended programs

As part of the review and public consultation process, staff are presenting a program comparison of neighbouring municipalities as well as review and present best practices and programs from across Ontario that are permitted under the Municipal Act and Planning Act for a Community Improvement Plan. Special consideration has been given to programs that align with the Town's Strategic Plan and various Departmental plans and objectives including: climate and environment, green development, downtown revitalization, business support, heritage preservation, accessibility and public realm amenities, along with managed growth in the Promenade. These various facets of consideration have been grouped into four key areas: sustainability, heritage, accessibility and affordable housing. (Note that *affordable* and *attainable* housing terms have been

used interchangeably, both relating to the ability of people to find appropriate housing that meets their needs and budget.)

Analysis

Staff have conducted a best-practices review of other communities across Ontario that offer downtown Community Improvement Plans (see Attachment 1). The updated CIP aims to address the following four priority areas: sustainability, heritage, accessibility and affordable housing. By reviewing these best practices staff have identified elements that can be included into the Town's original CIP Programs or even new programs to be added to the next iteration of the Aurora Promenade CIP.

Accessibility related grants are common among neighbouring municipalities

A few of the Town's neighbouring municipalities offer accessibility-related grants as an eligible expense within their Building Restoration and Improvement Program. For example, the Township of King offers the installation of automatic doors and accessibility ramps as an eligible expense in their *Property Improvement Grant*. Similarly, the Town of Whitchurch-Stouffville offers eligible expenses for barrier free entry under their *Building, Façade and Signage Loan* program. King's maximum eligible grant amount is \$10,000 and Whitchurch-Stouffville is \$15,000.

Another example is Kawartha Lake's CIP that offers 50 per cent eligible cost grants on accessibility improvement projects, for a maximum of \$4,000, if they are in accordance with the Ontario Disability Act Standards. Similarly for commercial units, the City of Cambridge offers enhanced accessibility elements as an eligible expense under their *Building Restoration* program and covers 50 per cent of eligible costs.

The inclusion of accessibility improvement investments in the Aurora Promenade CIP could be easily addressed by adding them as an eligible expense as part of the Building Restoration, Renovation and Improvement Program similar to Whitchurch-Stouffville's CIP. As of right now, there is no reference to accessible improvements under the Aurora Promenade CIP.

Several neighbouring municipalities offer sustainability related grants

Several municipalities near Aurora offer sustainability-related incentives in their tax-increment based CIP programs. For example, the Township of King listed part of their eligible expenses to their Tax Increment Equivalent Grant (TIEG) program that would cover improvements to energy and water efficiency to buildings. Additionally, Bradford offers part of their eligible expenses in their *Tax-based Redevelopment Grant* (TIG)

program could go towards costs associated with environmental contamination and protection, or public infrastructure improvements like water services.

Another example, Middlesex County offers a unique sustainability-related incentive program titled *Energy Efficiency and Retrofit Grant* which includes replacement of windows and lighting with ENERGY STAR® models, implementation of a green roof with vegetation, replacement hot water tanks/ systems with more energy efficient models, and updating heating systems with ENERGY STAR® models under their eligible expenses. This grant covers 50 per cent of construction costs up to a total maximum amount of \$7,500. Lastly, on a broader scale, the City of Hamilton offers a sustainability grant titled *LEEDing The Way*, which covers up to 75 per cent of costs that are consistent with LEED (Leadership in Energy and Environmental Design) certification goals.

It is recommended that Aurora considers adding eligible expenses relating to sustainability, such as water efficiency upgrades, to their existing *Tax-based Redevelopment Grant Program*. This approach has been successfully demonstrated in close-by and comparable municipalities such as King and Bradford. Additionally, Middlesex County is a comparable municipality to Aurora and has taken the initiative to offer an entirely separate CIP incentive that includes many important sustainability improvements with a maximum eligible grant amount of \$7,500. Therefore, Aurora may consider adapting a similar program for the promenade CIP as it would greatly advance sustainability efforts and be within an affordable budget range.

Heritage related CIP Programs are common among downtown CIPs

Heritage related CIP programs are very common across many CIPs focused on downtown revitalization and redevelopment including the Town's neighbouring municipalities. For example, Bradford offers heritage-related incentives, such as the repairing and restoration of historic commercial facades in the eligible expenses under their *Façade, Landscape and Signage Improvement Grant* (See Fig. 1). Additionally, the Township of King offers heritage incentives, including the redevelopment of a non-historic property or the re-purposing of an historic property, under their *Tax Increment Equivalent Grant* (TIEG).

In addition, the City of Brampton offers extra grant amounts to developers under their Building Improvement Program who specifically meet Ontario Heritage Act (OHA) guidelines, up to a maximum of \$50,000. The eligible expense for Brampton's program includes restoring architectural features, and/or interior works (ie. woodwork, walls, metal work) for the purposes of heritage preservation in non-residential and mixed use-buildings.

In addition to heritage grant-based CIP programs common among many municipalities, the Aurora Promenade CIP offered a unique program titled the *Heritage Property Tax Relief Program* which isn't offered elsewhere. This program offered applicants 10-40 per cent reduction in municipal taxes for up to five years when improvement work to preserve, restore and enhance historic character elements of heritage properties which are being utilized for commercial enterprises was undertaken. Applicants of this program were able to stack this program and be eligible for other grant programs within the Aurora Promenade CIP program such as the Façade and Signage Program as well as Building Restoration and Improvement Grant.

Aurora already offered the *Heritage Property Tax Relief Program*, it may not be necessary to introduce any additional heritage CIP grants. However, Aurora may want to consider adding heritage-related restoration to their *Façade and Signage Improvement Grant Program* or their *Tax-based Redevelopment Grant Program*, which is what has been done in comparable neighboring municipalities such as Bradford and King.

Affordable Housing CIP programs are rare in lower-tier municipalities

Very few lower-tier municipalities offer affordable housing related CIP programs and none of the Town's neighbouring municipalities offers an affordable housing program component within their respective CIPs. Many of the affordable housing incentive programs are delivered at the Regional level. For example, Northumberland County offers grants and forgivable loans of \$20,000 per affordable rental housing unit that is built. Other larger single-tier municipalities such as the City of Hamilton and the City of Peterborough offer the waiving of development charges and providing tax assistance for affordable housing related developments.

The addition of an affordable housing financial component in the Aurora Promenade CIP may be out of the scope as it would require significant cost analysis in order to realize any benefit. However, non-financial incentives could be developed and offered under a CIP. For instance, projects that offer an affordable or attainable housing component might be eligible for a streamlined planning process, fee deferment plans, or assistance with grant applications from the Region, Province or Federal granting levels.

Advisory Committee Review

Consultation and presentation to the Town's various committees and organizations were or will be held on the following dates, with comments collected by staff for consideration.

May 2, 2022 - Heritage Advisory Committee

May 4, 2022 - Environmental Advisory Committee

May 11, 2022 – Accessibility Advisory Committee

June 7, 2022 – Aurora Economic Development Corporation

May 15, 2022 – Business Improvement Area

Legal Considerations

Once the preparation of the community improvement plan is underway, it will be done in accordance with the process set out in the *Planning Act*, which includes consultation and public meetings, notice, and the opportunity for submission and comments. The plan will require approval from Council and then the Minister.

Financial Implications

When first established, the Town's CIP program was funded through a similarly named capital project. In 2017 Council approved the creation of a new economic development reserve and funded it through a transfer of all remaining unused funds from the CIP capital project. On an ongoing basis the economic development reserve has been replenished through the Town's annual revenues earned from its small cell technology pilot projects.

All approved CIP program applications have been funded from the economic development reserve since 2017. To date this reserve has proven sufficient in meeting all CIP program funding needs. Should this program be expanded, staff will continue to monitor its funding requirements to ensure the ongoing health of this reserve.

Communications Considerations

Communications will assist with the public consultation and once the preparation of the community improvement plan is underway, the community will be informed.

Climate Change Considerations

Aurora continues to demonstrate community growth through the pursuit of new developments. With developmental growth comes impacts to climate change, particularly GHG emissions. The recommendations from this report, through the implementation of the Community Improvement Plan, provides the town an opportunity to continue their pursuit of communal growth whilst supporting town-wide commitment to sustainable investments. The implementation of the 2021 Community Improvement Plan programs will not only support the goals and objectives presented in the Town's Community Energy Plan; to reach a path towards 80% emissions reductions from 2018 levels by 2050 but support the objectives of the Town's Green Development Standards, currently in development.

Link to Strategic Plan

The 2021 Community Improvement Plan for the Aurora Promenade supports many of the Goals and Objectives of the Town's Strategic Plan, the most relevant goals are: Supporting an exception quality of life for all and enabling a diverse, creative and resilient economy. The relevant supporting objectives include: Strengthening the fabric of our community and promoting economic opportunities that facilitate growth of Aurora as a desirable place to do business.

Alternative(s) to the Recommendation

1. That Council provide direction.

Conclusions

Staff have conducted a best-practices review of neighbouring municipalities' CIP programs particularly related to Accessibility, Heritage, Sustainability and Affordable Housing and have consulted with the Town's various advisory committees. Staff will report back to Council on the findings of the public consultation to a future General Committee meeting following the statutory public meeting.

Attachments

Attachment 1 – CIP Review - Best Practices Overview

Previous Reports

PDS21-108 – Aurora Promenade Community Improvement Plan, September 21, 2021

Pre-submission Review

Agenda Management Team review on May 19, 2022

Approvals

Approved by Marco Ramunno, Director, Planning and Development Services

Approved by Doug Nadorozny, Chief Administrative Officer

▶ TOWN OF AURORA, PLANNING AND DEVELOPMENT

Promenade Area Community Improvement Plan (CIP) Best Practices Overview

TOWN OF AURORA, PLANNING AND DEVELOPMENT

Seeking Input: Four 'Bucket' Incentives

The Town of Aurora is looking to review each of our 7 CIP programs with the following (4) themes that are in line with the official plan:

- Sustainability
- Heritage
- Accessibility
- Affordable Housing



1. Façade Grant Program

Façade CIP Comparison: Neighbouring Municipalities

Municipality	Aurora	King	Richmond Hill	Newmarket	Whitchurch-Stouffville	Bradford
Grant	Façade & Signage Improvement Grant Program	Façade and Signage Improvement Grant	Façade and Signage Improvement Grant	Façade Improvement & Restoration Program	Building, façade and Signage Loan	Façade, Landscape and Signage Improvement Grant
Allocated Amount (%)	50% of eligible costs	50% of eligible costs	50% of eligible costs	50% of eligible costs	Matching amount spent by proponent	50% of eligible costs
Maximum Amount	\$15,000	Varies	\$15,000	\$15,000	\$15,000	\$25,000
Eligible Expenses	Replacement of doors, windows, façades & signage	Signage & façade improvement architectural services	Building façades, front/side lot landscaping, signage	Repainting masonry/ brickwork redesign of storefronts, window repair	Upgrading buildings to comply with the OBC, canopies, building signage, barrier-free entries	Roof repair, historic restoration, exterior window treatment, signage

1. Façade Grant Program

Overview:

- Aurora's Façade program is very comparable in terms of **grant amounts, maximum amounts, and eligible expense criteria** to neighbouring municipalities.

Suggestions:

- To address our four key themes, **heritage-related** criteria could be written as an additional eligible expense (*i.e. Bradford offers historic restoration in their eligible expenses*).
- Better use of language to incorporate one or more key themes.

2. Building Renovation & Restoration

Building Renovation & Restoration Comparison: **Neighbouring Municipalities**

Municipality	Aurora	King	Richmond Hill	Newmarket	Whitchurch-Stouffville	Bradford
Grant	Building Restoration, Renovation and Improvement Program	Property Improvement Grant	Building Renovation Grant	Interior Renovation & Improvement Program	Building, façade and Signage Loan	Building Restoration, Renovation, and Improvement Program
Allocated Amount (%)	50% of eligible costs	50% of eligible costs	50% of eligible costs	50% of eligible costs	Matching amount spent by proponent	50% of eligible costs
Maximum Amount	\$40,000	\$10,000	\$50,000	\$15,000 / loan of \$100,000	\$15,000	\$50,000
Eligible Expenses	Building, fire and other code compliance, expansion/additions, general	Automatic doors, accessibility ramps, building/ fire code compliance,	Materials, labor, professional fees, building/ fire code compliance, structural	Structural, leasehold and fixed improvements	The conversion of the upper storey commercial buildings to residential use/ offices, barrier free entry, building/ fire	Building/ fire code compliance, expansion/additions, retrofitting existing space, additional on-site

2. Building Renovation & Restoration

Overview:

- Aurora's Building Renovation program is very comparable in terms of **grant amounts** to neighbouring municipalities.
- Maximum amounts/ eligible expense criteria varies slightly.

Suggestions:

- Express better language to promote sustainability and accessibility-related incentives in the eligible expense criteria section.
- **Sustainability**-related incentive examples: green roofs, updated heating systems, lighting and window replacements, etc.
- **Accessibility**: barrier free entry, accessibility ramps, etc.

3. Development Charge Grant Program

Development Charge Grant Program **Comparison**

Municipality	Aurora	King	Richmond Hill	Newmarket	Whitchurch-Stouffville	Bradford
Grant	Development Charge (DC) Grant Program	N/A	N/A	Development Charges Rebate/Credit Program	N/A	The Development Charge (DC) Grant Program
Allocated Amount (%)	75% of the Development Charge	N/A	N/A	TBD based on project/ merit	N/A	50% DC reduction
Maximum Amount	\$100,000	N/A	N/A	TBD based on project/ merit	N/A	Max. 50%
Eligible Expenses	Only applicable to commercial developments / projects	N/A	N/A	New construction, building preservation, restoration of heritage, residential intensification	N/A	Assistance for the development & redevelopment of sites

3. Development Charge Grant Program

Overview:

- The Development Charge Grant Program offered in Aurora is somewhat comparable to its neighboring municipalities.
- Newmarket and Bradford offer a DC grant similar in description title to Aurora's, but allocated amounts and maximum time frames are not specified in Newmarket.

Suggestions:

- To include both affordable housing & heritage-related incentives under their eligible expenses criteria.
- Allowing multi-unit (rather than only commercial) projects to advance affordable housing development possibilities

4. Tax-Based Increment Program

Tax-based Increment Program Comparision

Municipality	Aurora	King	Richmond Hill	Newmarket	Whitchurch-Stouffville	Bradford
Grant	Tax-based Redevelopment Grant Program	Tax increment equivalent grant	Tax Increment Equivalent Grant (TIEG)	Redevelopment & Rehabilitation Tax Incentive Program	Redevelopment/Rehabilitation Grant Program	Tax-based Redevelopment Grant (TIG) Program
Allocated Amount (%)	80% for non residential, 100% for multi-unit residential	Grant provided on a declining rate basis	Grant provided on a declining rate basis	Annual grant based on tax increase the property will experience	Grant provided on a declining rate basis	100% of annual tax
Maximum Amount	10 year period	Up to 100% over a 10 year period.	90% of the annual tax increment. Max 10 years.	10 year period	Year 1- 80% property tax bill, Year 10- owner pays full	10 year period
Eligible Expenses	Site development and infrastructure work including demolition & building rehabilitation	Re-purposing of an historic property, improvements to energy/water efficiency	Development of office use (stand-alone or as part of mixed use developments) across the entire CIPA.	Redevelopment of properties	Redevelopment and rehabilitation of sites as deemed appropriate by the Town	Building rehabilitation, environmental protection, public infrastructure (water services)

4. Tax-Based Increment Program

Overview:

- The Taxed-Based Increment Program offered is very comparable.
- Most municipalities offer a reduction in taxes on a declining basis throughout 10 years or less, until finally reaching a 100% reduction by the 10th year.

Suggestions:

- Aurora should consider expressing affordable housing & sustainability-related incentives to its eligible criteria for this program.
- Affording housing incentives would fit well into this program because it is already related to site development and multi-unit residential buildings.

Heritage Grant Program Comparison

Municipality	Aurora	King	Richmond Hill	Newmarket	Whitchurch-Stouffville	Bradford
Grant	Heritage Property Tax Relief Program	N/A	N/A	N/A	N/A	N/A
Allocated Amount (%)	10-40% reduction of taxes	N/A	N/A	N/A	N/A	N/A
Maximum Amount	Up to 5 years	N/A	N/A	N/A	N/A	N/A
Eligible Expenses	Improvement work to preserve, restore and enhance historic character/ elements of Heritage Properties which are being utilized for	N/A	N/A	N/A	N/A	N/A

5. Heritage Property Tax Relief Program

Overview:

- The Heritage Property Tax Program is very unique to Aurora and not offered in other neighbouring municipalities.
- This incentive can only be applied to a development in conjunction with applications under programs 1 and 2 (façade & building restoration).

Suggestions:

- Aurora is already exceeding other municipalities in terms of heritage-related incentives through this program.

Environmental Site Assessment Program Comparison

Municipality	Aurora	King	Richmond Hill	Newmarket	Whitchurch-Stouffville	Bradford
Grant	Environmental Site Assessment Program	N/A	N/A	N/A	N/A	N/A
Allocated Amount (%)	Matching financial assistance / deferring property tax increases	N/A	N/A	N/A	N/A	N/A
Maximum Amount	N/A	N/A	N/A	N/A	N/A	N/A
Eligible Expenses	Brownfield redevelopment (Phase II ESA Remedial Action Plans)	N/A	N/A	N/A	N/A	N/A

6. Environmental Site Assessment Program

Overview:

- Similar to the Heritage program, the Environmental Site Assessment Program is unique and specific to Aurora.
 - This program specifically targets brownfield development that has been an issue in this area of Aurora's downtown district.

Suggestions:

- Aurora should reassess the need for this incentive moving forward.

7. Environmental Remediation Tax Assistance Program

Environmental Remediation Tax Assistance Program Comparison

Municipality	Aurora	King	Richmond Hill	Newmarket	Whitchurch-Stouffville	Bradford
Grant	Environmental Remediation Tax Assistance Program	N/A	N/A	N/A	N/A	N/A
Allocated Amount (%)	N/A	N/A	N/A	N/A	N/A	N/A
Maximum Amount	N/A	N/A	N/A	N/A	N/A	N/A
Eligible Expenses	Phase II environmental site assessments, risk assessments and risk management plans.	N/A	N/A	N/A	N/A	N/A

7. Environmental Remediation Tax Assistance Program

Overview:

- Aurora's neighboring municipalities do not offer a comparable environmental tax remediation program.
- This is site specific to address needs to large Brownfield sites.

Suggestions:

Review the various site-specific needs within the town and determine if this program is still feasible.



Next Steps

- Continue with Advisory Committee consultations
- Public Session with Council in June 2022
- Assess and implement feedback
- Conduct program analysis
- Conduct cost/benefit analysis
- Report back to Council in 2023



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora

Notice of Motion

Councillor's Office

Re: Natural Capital Asset Management Planning for Municipal Infrastructure
To: Mayor and Members of Council
From: Councillor Rachel Gilliland
Date: June 7, 2022

Whereas the last economic value of natural capital assets associated with the Ecosystem Protection Review was in 2013, but did not fall in line with the Asset Management Planning for Municipal Infrastructure, O Reg 588/17; and

Whereas the land values have changed significantly in the last 10 years; and

Whereas natural capital assets are becoming more at risk of endangerment and identified as important key recommended assets in mitigating climate change and adaptation plans; and

Whereas a natural capital assets study should also include stewardship plans and maintenance best practices to enhance and protect these features; and

Whereas the Town of Aurora supported a climate emergency for the purposes of naming and deepening our commitment to protecting our eco systems;

1. Now Therefore Be It Hereby Resolved That a study to establish the economic value of the Town owned natural capital assets be included in the 2023 Capital Budget for Council discussion and consideration; and
2. Be It Further Resolved That the study should align with the Asset Management Planning for Municipal Infrastructure, O Reg 588/17, with recommended stewardship plans and maintenance best practices to enhance and protect these features.



100 John West Way
Aurora, Ontario
L4G 6J1
(905) 727-3123
aurora.ca

Town of Aurora
Memorandum
Office of the Mayor

Subject: York Regional Council Highlights of May 26, 2022

To: Members of Council

From: Mayor Mrakas

Date: June 7, 2022

Recommendation

- 1. That the York Regional Council Highlights of May 26, 2022, be received for information.**

COUNCIL HIGHLIGHTS

FOR IMMEDIATE RELEASE



Friday, May 26, 2022

York Regional Council – Thursday, May 26, 2022

Live streaming of the public session of Council and Committee of the Whole meetings is available on the day of the meeting from 9 a.m. until the close of the meeting. Past sessions are also available at [York.ca/councilandcommittee](https://york.ca/councilandcommittee)

COVID-19 Update

York Regional Council received [an update](#) on the continued response to the COVID-19 pandemic.

York Region continues to be actively engaged in the pandemic response and has been monitoring the spread of COVID-19 through three key indicators: wastewater surveillance, hospitalizations and institutional outbreaks. While wastewater signals are stabilizing, hospitals are still seeing admissions from the virus.

Vaccination remains the most effective tool to protect ourselves, our families and our communities from serious outcomes related to COVID-19. Over 88% of York Region residents received at least one dose of COVID-19 vaccine, and over 85% of residents having received two doses. Three doses have been administered to 57% of eligible residents aged 12 years and older. Residents who are eligible and have not yet received a third or fourth booster dose are encouraged to [book an appointment](#) or visit one of York Region's [many walk-in, mobile or community hub vaccination clinics](#) at the earliest opportunity.

York Region continues to support high-risk settings with ongoing case, contact and outbreak management. These settings include long-term care, retirement and group homes, hospitals, hospices, shelters, farms and other congregate settings. Staff also continue to work with schools and child care centres to provide support on messaging, guidance and absenteeism.

York Region estimates the financial impacts of COVID-19 in 2022 will total \$49.2 million. Funding from senior levels of government is expected to fully offset the increased cost for the COVID-19 response in 2022, allowing for no tax levy pressure due to the pandemic response.

More information about York Region's ongoing response to COVID-19 is available at york.ca/COVID19

Regional Council endorses 2023 budget timeline

Regional Council endorsed the timeline for development of the [2023 to 2026 Budget](#), aligning with the next term of York Regional Council and the proposed 2023 to 2027 Strategic Plan.

Since 2015, York Region has developed a multi-year budget comprised of an annual budget and a three-year outlook aligned with the term of Council. This process allows for better coordination of budgeting and supports long-term financial sustainability through the implementation of the [Region's fiscal strategy](#).

The 2023 budget will be developed in an environment of continued uncertainty regarding future COVID-19 impacts. Although there are positive signs about the pandemic recovery, service and

financial impacts are expected to continue beyond 2022. Additional pressures on the 2023 budget will include inflation, rising fuel prices and population growth as demand for Regional services increases.

To help manage financial pressures and minimize impacts on programs and services, a review of base budget items will be made to determine cost savings, reductions and other efficiencies.

The 2023 to 2026 budget will be tabled with Regional Council in January 2023 and considered for approval in February 2023.

Updated 2022 Development Charges Bylaw takes effect June 17, 2022

Regional Council has approved the [2022 Development Charges Bylaw](#), coming into effect on June 17, 2022. This bylaw is updated every five years in accordance with the [Development Charges Act, 1997](#).

Development charges are fees levied on new development to help pay for growth-related infrastructure. This infrastructure must be in place before development begins, ensuring it is ready and available to service growth when it occurs. In February 2022, Regional Council endorsed, in principle, the use of a uniform Region-wide rate to recover all growth-related costs in the new bylaw.

For the first time, the Development Charge Bylaw will include the Yonge North Subway Extension as it will provide benefit to York Region's nine cities and towns.

Housing Services will also benefit from the new Development Charges Bylaw. The updated bylaw will include \$909 million of gross project costs to facilitate the construction of more than 2,700 affordable rental apartments and transitional housing in the next 20 years. Of the \$909 million, approximately \$181 million is proposed to be funded through development charges.

The updated bylaw is anticipated to recover \$10 billion in development charge-eligible costs.

74% of Strategic Plan measures headed in the right direction

Regional Council received the [Year 3 \(2021\) Progress Report on the 2019-2023 Strategic Plan](#), showing 74% of the key performance measures trending in the desired direction. Regional Council also [approved](#) the development approach for the 2023 to 2027 Strategic Plan, which will align with the next term of Council.

Despite the operational pressures of the COVID-19 global pandemic response, significant progress has been made on several performance measures. Specifically, York Region has:

- Achieved top scores in the Ontario Chief Drinking Water Inspector's Report, with 100% of samples meeting Ontario Drinking water standards
- Purchased six new electric buses, moving closer to Council's goal of zero greenhouse gas emissions by 2051
- Increased greenspace through the planting of 92,154 trees and shrubs
- Reduced debt levels through the Regional Fiscal Strategy, with the reserve-to-debt ratio increasing from 86% to 147%

York Region's [2019 to 2023 Strategic Plan](#) is tracked, measured and reported annually to ensure progress is made on Council's priorities. A copy of the progress report is available at york.ca/stratplan

York Region releases plan to strengthen community well-being and keep residents safe

Regional Council [approved York Region's Community Safety and Well-Being Plan](#). The provincially mandated plan is a long-term tool to enhance safety by focusing on well-being and building on a strong foundation of collaborative relationships with community partners across York Region. It serves as an

important call to action to address community issues that are important to all residents and recognizes its success is a responsibility shared by all.

The 2022 to 2026 plan was created with input and support from residents and partners, including community service providers, local municipalities, York Regional Police and the Human Services Planning Board of York Region.

To leverage and enhance community asset and strengthen local capacity to drive change, York Region formed Community Action Tables. Over the next four years, the Region will continue to support these community-driven groups to work on top opportunities for action, including improving mental well-being and housing and economic stability.

Leveraging what was learned during the COVID-19 pandemic, the plan includes actions and initiatives to support equitable recovery from the pandemic. The plan also leverages the momentum established for collective impact, bringing together partners and resources to implement actions and make a positive difference across York Region's communities. In collaboration our partners, York Region will implement and report back on the plan's progress.

To get involved and for more information visit york.ca/CommunityAction

York Region shares proposed changes to the draft Regional Official Plan following public consultation

Regional Council has [endorsed changes](#) recommended for the draft [Regional Official Plan](#) (ROP) based on comments received to date. Since its release in November 2021, York Region has engaged with the public, local municipalities, stakeholders, Indigenous communities and underrepresented groups to gather comments and feedback on the draft ROP.

It's important to hear and receive feedback from those who live, work and play in York Region through the MCR process. An [engagement summary](#) from November 2021 to March 2022 shows an update of what was heard during the consultation period.

Feedback received through public and stakeholder engagement including the May 12, 2022, Statutory Public Open House and May 19, 2022, Public Meeting will inform the updated ROP proposed to Council for adoption in June 2022, prior to the Provincial deadline of July 2022.

A [tracked changes version](#) of the draft Regional Official Plan is available for a side-by-side view of proposed changes so far.

Visit york.ca/haveyoursay for updates on public engagement findings and follow the York Regional Official Plan journey [here](#).

City building initiatives driving York Region's future growth

York Region is [continuing to transform](#) its four provincially mandated Urban Growth Centres by combining urban pedestrian friendly and walkable communities with construction of new rapid transit corridors and stations to connect York Region and the Greater Toronto Area.

Despite the impacts of COVID-19, development activity remained stable, signaling a potentially stronger outlook in the years ahead. Other 2021 highlights include:

- 8,140 units (in 27 buildings) under construction, showing strong construction activity
- 87% of all new apartment builds are in the Region's Urban Growth Centres, making it the highest one-year percentage recorded
- 578 purpose built rental apartment units were under construction in 2021, with another 2,600 more units proposed

Investment in transit continues to have a positive impact in York Region. York Region is fully committed to seeing the completion of the Yonge North Subway Extension as a number one transit priority, and creating vibrant, sustainable and livable complete communities supporting the area as a destination. This commitment is already yielding development interest, including:

- Over 50,000 new residential units proposed in 2021 along the Yonge North Subway Extension Corridor and
- Approximately 42,000 units and 343,000 square metres of commercial/retail/office space are proposed in the Bridge and High-Tech station areas through the [Ontario Transit-Oriented Communities Program](#)

York Region's four Urban Growth Centres are: Newmarket Centre (Yonge Street and Davis Drive), Markham Centre (Highway 7 and Warden Avenue), Richmond Hill/Langstaff Gateway Centre (Highway 7 and Yonge Street) and Vaughan Metropolitan Centre (Highway 7 and Jane Street).

[Stay updated](#) on projected growth in these urban areas, as York Region is planning for supporting infrastructure, servicing and community services to achieve planned vision and growth targets laid out by the province.

Striving for more affordable housing in York Region through ongoing measuring and monitoring

Regional Council received an update on [affordable housing measuring and monitoring for 2021 which assesses new housing supply for affordability each year](#), specifically in new ownership and the supply of new purpose-built rental housing.

A full mix and range of housing options, including both affordable ownership and rental, is essential for communities where people of all ages, stages and incomes can live, work and play.

The 2021 analysis identifies a lack of new affordable housing options in York Region, which continues to be a challenge throughout the Greater Toronto Hamilton Area. Less than 1% of new ownership units were deemed affordable in 2021, and only 275 new rental units were identified, representing 4% of all units.

In February 2021, Regional Council identified an Affordable Housing Crisis and reinforced that building [complete communities](#) and addressing the continued affordability challenges is only possible through partnerships, new innovations and policy.

Partnerships are important since no one entity can solve the affordability crisis and different partners have a role in supporting the housing needs of residents and workers, including senior levels of government. With input and support from development proponents, other levels of government, housing providers and other stakeholders, York Region continues to work toward innovative solutions to housing affordability.

An Affordable Private Market Housing Implementation Plan and a Community Housing Master Plan are currently being developed to support more affordable housing options across York Region.

Updated Water and Wastewater Master Plan ensures water and wastewater services meet community needs now and into the future

Regional Council endorsed the [2022 Water and Wastewater Master Plan Update](#) and [list of infrastructure projects and programs](#), inclusive of approval of the [Upper York Sewage Solutions \(UYSS\) project](#). The UYSS project meets wastewater capacity growth needs in the Towns of East Gwillimbury and Newmarket and awaits the Ontario government's long outstanding decision.

The 2022 Water and Wastewater Master Plan Update identifies infrastructure and programs required to support projected growth to over 2 million residents and nearly 1 million jobs by 2051. The update builds on the 2016 plan and supports greater resiliency in our water and wastewater systems by using [One Water](#) principles to guide decision-making.

Extensive consultation and engagement with various participants, including Indigenous communities, local cities and towns, residents and other partners was completed throughout the plan development, including a [Special Committee of the Whole meeting on May 19, 2022](#).

The estimated cost to implement identified water and wastewater infrastructure projects is \$4.5 billion, primarily funded through Development Charges. The Master Plan aligns with the 10-year capital plan, including \$1 billion for water and \$3.5 billion for wastewater growth projects. Wastewater funding includes upgrades and expansion for the York Durham Sewage System and Duffin Creek Water Pollution Control Plant and UYSS project (pending outstanding provincial approvals) in the Lake Simcoe watershed. The UYSS project is a key component of the wastewater servicing solution for growth in East Gwillimbury and Newmarket and will allow for the decommissioning of the Holland Landing Lagoons.

Water and wastewater initiatives are integrated with the Region's Official Plan, the Transportation Master Plan and other strategies to ensure cost-effectiveness.

York Region remains at the forefront in delivering water and wastewater services and contributes to building stronger communities and a healthier, more resilient environment for all. Learn more at york.ca/wwmp

York Region Transit continues to provide safe travel options

Regional Council received an update on [York Region Transit's \(YRT\) Enforcement and Security](#), which outlines Special Constable activities as reported to the York Regional Police Services Board.

During 2021, YRT Enforcement and Security continued to promote public safety across the system to support a safe and comfortable experience on the transit system, including:

- Investigating and responding to more than 4,500 incidents
 - Assisting travellers, including over 400 incidents when staff assisted people experiencing homelessness and vulnerable persons, and connecting these individuals with other Regional programs and services, as appropriate
 - Conducting fare inspections
 - Retrieving and reviewing closed-circuit television footage for safety, security and police purposes
- Enforcing public health measures related to the COVID-19 pandemic, including compliance with the mandatory mask (or face covering) bylaw

Many YRT incidents reported at transit facilities and on buses in 2021 continued to be directly related to impacts of the COVID-19 pandemic, including an increase in property and security-related occurrences.

YRT Special Constables have Peace Officer authority, as set out in the Criminal Code of Canada. These include enforcement of offences related to Obstructing or Resisting a Peace Officer, Obstructing Justice, False Pretences, Forgery, Uttering a Threat, Forged Document, Fraud Under \$5,000 and Fraud relating to fares. During 2021, staff continued to emphasize education, traveller assistance, safety and security.

For more information on York Region Transit please visit yrt.ca

Cycling improvements coming to Bayview Avenue/Prospect Street

Regional Council approved road improvements to [Bayview Avenue/Prospect Street](#) in the Town of Newmarket to enhance access and safety for cyclists and pedestrians.

Enhancements include:

- Designating bicycle lanes [between 1st Street/Pearson Street and Mulock Court between Srigley Street and Timothy Street](#)
- Prohibiting stopping or parking [between Srigley Street and Mulock Drive](#)
- Reducing the speed limit from 50 km/hr to 40 km/hr [between Davis Drive and 265 metres south of Mulock Drive](#)
- Providing a connection to the East-West Bikeway and future Mulock Drive multi-use path

Bicycle lanes and stopping prohibition signage will be implemented in coordination with cycling pavement markings later this year.

For more information on cycling in York Region, visit york.ca/cycling

2021 Annual Investment Report shows strong Regional position

Regional Council received the [2021 Annual Investment Report](#), providing an update on the General and Sinking Fund investment portfolios held by York Region.

In 2021, the General Fund realized investment returns of \$99.8 million, or a 2.6% return rate. Total returns exceeded the FTSE/S&P Index and the ONE Investment Program benchmarks by 1.98% and 1.48% respectively. These returns augment reserve and reserve fund balances over the longer term, potentially reducing future levels of required contributions to these funds.

In 2021, the Sinking Fund generated realized returns of \$25.9 million on average investments of \$860.4 million, representing a return of 3.01%.

As of December 31, 2021, the General Fund and the Sinking Fund investment portfolios had a combined maturity value of approximately \$5.562 billion.

York Region's investment program is governed by a sound and effective Council-approved Investment Policy that consistently provides positive returns while maintaining conservative credit and term risk exposures.

Celebrating 20 years of environmental stewardship

York Region's [Greening Strategy Refinement and 2021 Achievements](#) puts the commitment to a healthier, more resilient natural environment into action.

In 2021, York Region's Greening Strategy [achievements](#) included:

- Planting 92,154 trees and shrubs
- Securing 142 hectares (350 acres) of land for conservation
- Supporting and attending 57 community events
- Leveraging \$2.8 million in external funding for large scale reforestation, backyard tree planting, outdoor education and land securement

First adopted in 2001, the Greening Strategy is helping York Region [build sustainable communities and protect our environment](#).

Over the past two decades the Greening Strategy has supported planting over 1.7 million trees and securing more than 1,500 hectares (approximately 3,750 acres) of land for conservation.

Additionally, over the past 20 years, a \$19 million Regional investment has secured \$108 million in conservation lands through land securement partnerships, donations from landowners and grant funding.

The Greening Strategy was identified for a 10-year review and refinement. The refinement commits to continuing and expanding core programs, developing new partnerships and piloting new programs to offer residents more opportunities to get involved.

York Region is an innovative and collaborative leader for natural environment programs. Greening Strategy initiatives have been recognized by the Arbour Day Foundation and the Food and Agriculture Organization of the United Nations (2021), Forests Ontario (2021), the Ontario Lieutenant Governor (2019) and the Green World Awards (2019).

For more information on York Region's Greening Strategy and how residents and other stakeholders can support environmental and sustainable initiatives, please visit york.ca/greening

New circular economy roadmap closes the waste loop

York Region is driving action to meet its [aspirational vision](#) of a 'world in which nothing goes to waste' with the development of a [Circular Economy Roadmap](#). The [Roadmap](#) guides implementation and fosters collaboration to prevent waste and maximize diversion from landfill. Action areas focus on:

- Sustainable food systems
- Reuse and sharing
- Community capacity building
- Circular procurement
- Asset management

York Region will engage the community to build knowledge, showcase successes and identify new champions and additional opportunities to advance waste reduction efforts.

Implementing the Circular Economy Roadmap will help further advance York Region's vision of net-zero greenhouse gas emissions (GHG) by 2051, plus other key priorities, including climate change mitigation, energy and water demand management and economic vitality.

York Region remains a leader in waste diversion. Over the past several years, the Region has successfully diverted more than 90% of York Region waste from landfills. The roadmap builds on successful community programs such as [Repair Cafés](#), [The Lendery](#) and [Curbside Giveaway Days](#) that provide opportunities for residents to participate in the circular economy.

To learn how a circular economy aims to eliminate waste and pollution and conserves resources, along with tools for residents and businesses, visit york.ca/circulareconomy

York Region shares findings of the 2021 Homeless Count

Regional Council received [an update](#) on the [I Count 2021: York Region's Homeless Count Report](#). The last update was presented to Council in [April 2021](#), outlining the plan to conduct the count.

In June 2021, York Region partnered with the United Way of Greater Toronto to carry out a Point-in-Time (PIT) count. A PIT Count provides a snapshot of the number of sheltered and unsheltered people experiencing homelessness on a specific day.

Anonymous surveys were conducted across York Region with individuals and families experiencing homelessness. Locations included emergency housing (shelters), transitional housing, encampments, hospitals and mental health and addiction program location. The 2021 PIT Count identified 329 people experiencing homelessness and provided insights on factors contributing to homelessness.

With this additional insight, York Region remains focused on investing in strategies to prevent homelessness and, when necessary, to help people find and keep housing. The data collected through this count will also support the design and ongoing delivery of a range of programs, including the York Region's [10-Year Housing and Homelessness Plan](#).

The 2021 PIT Count is fully funded by the province through the Social Services Relief Fund. This was the third count conducted in York Region, with previous counts conducted in [2016](#) and [2018](#). Due to the COVID-19 pandemic, the count was conducted differently than in previous years to follow public health guidelines.

For more information, please visit york.ca/icount

Responding to changes in long-term care

Regional Council [received an update](#) on the proposed new National Standard for the Operation and Infection Prevention and Control of Long-term Care Homes. The proposed standards are an important step towards strengthening long-term care service delivery and protecting residents and provides guidance on safe operating practices, design and infection prevention and control.

Regional Council, in its role as Committee of Management for York Region's long-term care homes at Newmarket Health Centre and Maple Health Centre, has been influential in advocating for legislative and regulatory changes in the long-term care sector at both provincial and federal levels.

Staff gathered feedback through internal consultations with staff, York Region Public Health and sector organizations and submitted the feedback to the Canadian Standards Association Group, municipal partners and senior levels of government.

The draft national standards are not federally or provincially legislated at this time and there is no immediate impact on the operations of the two long-term care homes. Implementing the national standards would require additional provincial support and funding.

The long-term care sector is undergoing a significant period of transformation in response to longstanding challenges and issues magnified by the COVID-19 Pandemic. A report to Council in [April 2022](#) provided a summary of this work to date. Staff continue to monitor federal and provincial standards for legislation and regulation updates and will report back to Regional Council once regulations are finalized.

Residential Sustainable Development Incentive Program Update

Regional Council [approved the changes](#) to the Sustainable Development Incentive Programs which offers Sustainable Development through Leadership in Energy and Environmental Design (LEED).

With the recent advancements through federal and provincial building codes, a higher level for new developments has been set. These changes will result in York Region's [Servicing Incentive Program](#) for low-rise development being terminated. Alternative offers are still available through the [Sustainable Development through LEED](#) Program for high-rise development.

Local municipalities with programs tied to York Region's previous Servicing Incentive Program will also update their policies to reflect the change.

Find out more about development financial and servicing incentives [here](#).

York Region renews Toronto Global Membership

Regional Council received an update on [Toronto Global](#), a non-profit corporation between Federal, Provincial and Regional/local government with the mandate of attracting global investment.

Regional Council works with municipal partners to [continue partnership](#) with Toronto Global. With York Region as a top destination for Foreign Direct Investment (FDI), Toronto Global has changed its funding model to tailor to the 905 areas in the GTA, focusing on York Region. Though FDI attraction is very high, York Region and GTA results overall have remained low.

The renewed partnership with Toronto Global will also feature a “made in York Region” framework which will include additional support focused on local municipal FDI attraction and help address concerns about funding levels and regional collaboration.

York Region is home to an impressive list of foreign organizations, including IBM, Huawei, Aviva Insurance, Honda, Siemens and Johnson & Johnson among others. While the FDI activity has slowed since the COVID-19 pandemic, foreign investments continue to come through.

York Region will work with local municipalities in the coming months with the new FDI framework fully rolled out in early 2023 and reported on annually through the [Economic Development Action Plan](#) update.

Storm recovery continues across York Region

Regional Council extended appreciation and thanks to Regional and municipal staff, emergency service workers and hydro partners for their diligent efforts to keep the community safe, clean up debris and resume services following the severe storm that hit Southern Ontario on Saturday, May 21, 2022.

York Region has worked closely with municipal partners to share [resources and up-to-date information](#) of road closures, food safety, water safety, yard waste clean-up and forest track closures following the storm and asks residents to remain patient as recovery continues.

Regional Council also extended their support to the Town of Uxbridge, who experienced the worst of the storm, including a Category 2 tornado.

Residents can learn more about emergency preparedness at york.ca/beprepared and can remain up-to-date on storm related service disruptions through the Region’s social media channels or by downloading the [York Region mobile app](#).

Remembering Kathleen Llewellyn-Thomas

Regional Council paid respects to former York Region Transportation Commissioner Kathleen Llewellyn-Thomas, who died on Monday, May 2, 2022.

Ms. Llewellyn-Thomas was a proud member of the York Region team, serving as Transportation Commissioner from 2008 to 2013. Following her time with York Region, she left to lend her expertise to the Toronto Community Housing Corporation and most currently served as Chief Strategy and Customer Officer for the Toronto Transit Corporation.

At the Thursday, May 5, 2022, meeting of Committee of the Whole, Regional Council extended condolences to Ms. Llewellyn-Thomas’ family, friends and colleagues.

Mourning lives lost in Uvalde, Texas

Regional Council held a moment of silence in honour of the 21 innocent lives lost in the mass shooting in Uvalde, Texas on Tuesday, May 24, 2022.

York Region and Regional Council extended sympathies to all impacted by this horrific crime and joins communities around the world in the global call to action to address the issue of gun violence.

Tragedy in Buffalo

Regional Council held a moment of silence in honour of the victims of the Saturday, May 14, 2022, mass shooting in the City of Buffalo.

York Region joined with communities across Canada and around the world in condemning anti-Black racism and prejudice of any kind, and shared support for the victims of this unnecessary act of violence.

Through endorsement of the Inclusion Charter for York Region, Regional Council remains steadfast in their commitment to equity, acceptance and safety for all and continues to work to build a welcoming and inclusive York Region where everyone can live free from discrimination.

York Region updates Traditional Land Acknowledgment

At the May 5, 2022, meeting of Committee of the Whole, York Region provided an updated Land Acknowledgment statement, developed in partnership with the York Region Indigenous staff committee, senior levels of government and Indigenous partners.

The updated acknowledgment recognizes and honours the historical cultural communities geographically associated with York Region and demonstrates Regional Council's commitment to creating a York Region that fosters Indigenous inclusion.

York Region celebrates Pride Month

Regional Council recognized June 2022 as Pride Month and acknowledged the countless contributions York Region's vibrant and proud LGBTQ2+ community are making towards building a more inclusive community for all.

As one of Canada's fastest growing and most diverse municipalities, York Region embraces all dimensions of diversity and acknowledges the ability to celebrate and value everyone's differences and contributions as source of great community strength.

During Pride Month and all year long, Regional Council appreciates everyone who continues to build a strong, caring and safe York Region where all are free to celebrate their own identity.

National AccessAbility Week

Regional Council recognized and celebrated [National AccessAbility Week](#) from May 29 to June 4, 2022.

AccessAbility Week is a time to recognize the people, communities and organizations that are actively increasing opportunities and removing barriers, so people of all abilities have a best chance to succeed.

It is an opportunity to focus on making our communities more welcoming and inclusive for every individual who calls York Region home.

Paramedic Services Week

Regional Council recognized [Paramedic Services Week](#) from May 22 to May 28, 2022, thanking the dedicated individuals who work around the clock to keep York Region residents healthy and safe.

During Paramedic Services Week and throughout the year, York Region recognizes the passion, expertise and dedication of paramedics, emergency medical dispatchers and the network of paramedic support staff who support residents in their greatest time of need.

Personal Support Worker Day

Regional Council recognized Thursday, May 19, 2022, as [Personal Support Worker Day](#), thanking York Region's personal support workers for their dedication and commitment to delivering essential care and support to some of the most vulnerable in the community.

Personal Support Workers Day provides an opportunity to recognize the essential role personal support workers play in the broader health care system by providing high-quality community and home-based care. It also provides an opportunity to thank people for being on the front lines of the COVID-19 response, putting themselves at risk to provide care and support to those most in need.

National Nurses Week

Regional Council recognized May 9 to May 15, 2022, as [National Nurses Week](#) and extended appreciation to the thousands of men and women in York Region who dedicate their lives to the health and well-being of others.

Nurses are an integral part of the health care system. As York Region looks towards post-pandemic recovery, nurses will continue to play a critical role in protecting and promoting health and safety across our communities.

Economic Development Week

Regional Council recognized May 9 to May 13, 2022, as [International Economic Development Week](#), acknowledging the significant work of economic development in supporting business growth and attracting new business to York Region.

Sponsored by the International Economic Development Council, Economic Development Week raises awareness of local programs that create jobs, advance career development and improve quality of life. York Region is home to a diverse business sector. Stimulating entrepreneurship and establishing the next generation of new business will be critical in the months and years ahead as York Region looks to the post-pandemic recovery of the local economy.

Red Dress Day

Regional Council recognized Thursday, May 5, 2022, as [Red Dress Day](#), honouring the spirits of missing and murdered Indigenous People.

Red Dress Day is an opportunity to raise awareness about missing and murdered Indigenous women and girls and to stand in solidarity with Indigenous communities.

World Press Freedom Day

Regional Council recognized Tuesday, May 3, 2022, as [World Press Freedom Day](#), celebrating the role journalists play in society and honouring those who have lost their lives in the pursuit of truth.

Regional Council also extended appreciation to local, regional and national media partners who have played an integral role in providing residents with timely, accurate and truthful information related to the COVID-19 pandemic response.

Next meeting of York Regional Council

York Regional Council will meet on Thursday, June 30, 2022, at 9 a.m. To continue protecting the health and well-being of residents, this is currently planned to be a hybrid meeting, with Members of Council attending either in-person or virtually. The meeting will be streamed on york.ca/live

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 54,000 businesses with over 650,000 employees. More information about the Region's key service areas is available at york.ca/regionalservices

-30-

Media Contact: Kylie-Anne Doerner, Corporate Communications, The Regional Municipality of York
Phone: 1-877-464-9675, ext. 71232 Cell: 289-716-6035 kylie-anne.doerner@york.ca