



Town of Aurora Council Meeting Agenda

Date: Tuesday, June 28, 2022
Time: 7 p.m.
Location: Council Chambers, Aurora Town Hall

Aurora Council and Committee meetings are live streamed on the [Town's YouTube Channel](#). For information on how to participate in this meeting please visit aurora.ca/participation.

	Pages
1. Call to Order	
2. Land Acknowledgement	
3. Approval of the Agenda	
4. Declarations of Pecuniary Interest and General Nature Thereof	
5. Community Presentations	
6. Delegations	
7. Consent Agenda	
7.1. Council Meeting Minutes of May 24, 2022	1
1. That the Council meeting minutes of May 24, 2022, be adopted as circulated.	
7.2. Council Closed Session Meeting Minutes of May 17, 2022 (confidential attachment)	
1. That the Council Closed Session Minutes of May 17, 2022, be adopted as circulated.	
7.3. Council Closed Session Public Meeting Minutes of May 17, 2022	20
1. That the Council Closed Session Public meeting minutes of May 17, 2022, be adopted as circulated.	
7.4. Council Closed Session Meeting Minutes of May 24, 2022 (confidential attachment)	

1. That the Council Closed Session Minutes of May 24, 2022, be adopted as circulated.

7.5. Council Closed Session Public Meeting Minutes of May 24, 2022

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1. That the Council Closed Session Public meeting minutes of May 24, 2022, be adopted as circulated.

8. Standing Committee Reports

That the Standing Committee Reports, items 8.1 to 8.3 inclusive, be received and the recommendations carried by the Committee approved.

8.1. General Committee Meeting Report of June 7, 2022

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8.1.1. Environmental Advisory Committee Meeting Minutes of May 4, 2022

Minutes

1. That the Environmental Advisory Committee meeting minutes of May 4, 2022, be received for information.

8.1.2. Finance Advisory Committee Meeting Minutes of May 9, 2022

Minutes

1. That the Finance Advisory Committee meeting minutes of May 9, 2022, be received for information.

8.1.3. Accessibility Advisory Committee Meeting Minutes of May 11, 2022

Minutes

1. That the Accessibility Advisory Committee meeting minutes of May 11, 2022, be received for information.

8.1.4. Anti-Black Racism and Anti-Racism Task Force Meeting Minutes of May 18, 2022

Minutes

1. That the Anti-Black Racism and Anti-Racism Task Force meeting minutes of May 18, 2022, be received for information.

8.1.5. CS22-037 - Administrative Monetary Penalty System (AMPS)

Report Attachment 1 Attachment 2 Attachment 3 Attachment 4

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.

8.1.6. OPS22-011 - Fleet Division Purchases

Report Attachment 1 Attachment 2

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.

8.1.7. FIN22-018 - 2023 Budget Timeline and Process

Report

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

8.1.8. FIN22-019 - Procurement Modernization Update - Annual Software Costs

Report Attachment 1

1. That Report No. FIN22-019 be received; and
2. That the recommended changes, as summarized in Table 1, to the procurement policy and by-law in this report be approved; and
3. That staff be directed to bring forward the amending by-law 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.

8.1.9. PDS22-089 - Community Improvement Plan Review - Public Meeting

Report Attachment 1

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

8.1.10. York Region Council Highlights of May 26, 2022

Regional Report

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

8.2. General Committee Meeting Report of June 21, 2022

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8.2.1. CMS22-036 - SARC Gymnasium Update - Final Design and Budget Update

Report Attachment 1 Presentation

1. That Report No. CMS22-036 be received; and
2. That total capital budget authority for capital project No. 72410 – SARC Gymnasium of \$11,125,000 be approved, representing an increase of \$2,925,000 to be funded from \$1,692,100 in additional Parks & Recreation DCs and \$1,232,900 from the Growth & New

reserve; and

3. That in accordance with the Town of Aurora's Official Plan, 1% of the total estimated project cost contribution to the Public Art reserve fund be approved; and
4. That staff be authorized to proceed to tender and award for this project in accordance with procurement procedures; and
5. That the draft operating budget be approved and included in a future year.

8.2.2. PDS22-102 - Town of Aurora Official Plan Review - Draft Official Plan Amendment

Report Attachment 1 Presentation

1. That Report No. PDS22-102 be received; and
2. That the Draft Official Plan Amendment be formally released for public review and comment; and
3. That staff report back to a future General Committee meeting in the next term of Council early 2023 to present the revised Official Plan Amendment based on feedback received.

8.2.3. CMS22-029 - Aurora Town Square Governance - Town Staffing - Update 2

Report

1. That Report No. CMS22-029 be received for information.

8.2.4. CMS22-030 - Diversity and Inclusion Mural - Design Approval

Report

1. That Report No. CMS22-030 be received; and
2. That the Mural Design prepared by Moonlight Murals Collective be approved; and
3. That the mural be located on the side of building at 15105 Yonge Street.

8.2.5. CS22-038 - Restricted Acts (Lame Duck)

Report Attachment 1

1. That Report No. CS22-038 be received; and
2. That a by-law delegating authority to the CAO be brought forward to the July 12, 2022 Council meeting.

8.2.6. PDS22-023 - Application for Zoning By-law Amendment, Site Plan and Heritage Permit, 2578461 Ontario Inc., 15356 Yonge Street

PLAN 246 LOT 13 PT LOT 14 RP 65R31151 PARTS 1 TO 3, File Number: ZBA-2017-06 and SP-2017-05

Report Figures 1-10 Appendix A Appendix B

1. That Report No. PDS22-023 be received; and
2. That Zoning By-law Amendment Application ZBA-2017-06 be approved to rezone the subject lands from "Promenade Downtown Shoulder- Special Mixed Density 'PDS4(380)' Exception Zone, Environmental Protection 'EP(381)' Exception Zone, and Environmental Protection (EP) Zone" to ""Promenade Downtown Shoulder- Special Mixed Density 'PDS4(380)' Exception Zone and Environmental Protection 'EP' Zone"; and
3. That an implementing Zoning By-law Amendment be brought forward to a future Council Meeting for enactment; and
4. That Site Plan Application SP-2017-05 be approved to permit the development of a four-storey residential apartment with 35 units with two levels of underground parking; and
5. That Heritage Permit Application HPA-2022-05 be approved to permit the restoration of the Knowles-Readman House; and
6. That servicing be allocated to service the development with 35 units (60 persons equivalent); and
7. That in accordance with Section 45 (1.4) of the Planning Act, 1990 R.S.O., as amended, an exemption to the two-year moratorium on minor variance applications after adoption of a privately initiated zoning by-law amendment be granted to permit the submission of a minor variance application(s), if

required, for consideration by the Committee of Adjustment.

8.2.7. PDS22-042 - Review of the Aurora Register of Properties of Cultural Heritage Value or Interest

Report Attachment 1 Attachment 2 Attachment 3 Attachment 4 Attachment 5

1. That Report No. PDS22-042 be received; and
2. That the "Town of Aurora Cultural Heritage Evaluation Checklist" to evaluate properties for cultural heritage interest be adopted; and
3. That the 30 properties contained within the Aurora Register of Properties of Cultural Heritage Value or Interest be designated under Part IV of the *Ontario Heritage Act* in accordance with the Heritage Consultant's recommendations; and
4. That the Town Clerk be authorized to publish and serve Council's Notice of Intention to Designate the 30 properties in accordance with the requirements of the Ontario Heritage Act; and
5. That the designation by-laws for the 30 properties be brought before Council for adoption if no objections are received within the thirty (30) day period as per the *Ontario Heritage Act*; and
6. That 57 properties contained within the Aurora Register of Properties of Cultural Heritage Value or Interest be delisted in accordance with the Heritage Consultant's recommendations.

8.2.8. PDS22-082 - Heritage Permit Application, File: HPA-2022-06, 20 Catherine Avenue

Report Attachment 1 Attachment 2 Attachment 3

1. That Report No. PDS22-082 be received; and
2. That Heritage Permit Application HPA-2022-06 be approved to permit a two-storey rear addition to the existing dwelling at 20 Catherine Avenue.

8.2.9. PDS22-103 - Snow Disposal Facility - Request for Additional Budget

Report Attachment 1

1. That Report No. PDS22-103 be received; and
2. That the total approved capital budget authority for Project No. 34006 be increased to \$1,761,900.00, representing an increase of \$452,900 to be funded by \$312,500 in Roads & Related development charges and \$140,400 from the Storm Water Reserve.

8.3. Budget Committee Meeting Report of June 7, 2022

43

1. That the Budget Committee Meeting Report of June 7, 2022, be received for information.

9. Consideration of Items Requiring Discussion (Regular Agenda)

10. Motions

10.1. Councillor Gilliland; Re: Natural Capital Asset Management Planning for Municipal Infrastructure

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10.2. Councillor Humfries; Re: Traffic Safety on Wells Street

46

11. New Business

12. Public Service Announcements

13. By-laws

13.1. By-law Number XXXX-22 - Being a By-law to regulate and license Short Term Rentals in the Town of Aurora.

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(General Committee Report No. CS22-018, March 22, 2022)

13.2. By-law Number XXXX-22 - Being a By-law to amend By-law Number 5558-13, to create the Aurora Appeal Tribunal and to establish its Rules and Procedure.

66

(General Committee Report No. CS22-018, March 22, 2022)

13.3. By-law Number XXXX-22 - Being a By-law to amend By-law Number 6000-17, as amended, respecting the lands municipally known as 15296, 15306 and 15314 Yonge Street (File No.ZBA-2021-03).

68

(General Committee Report No. PDS22-033, April 19, 2022)

13.4. By-law Number XXXX-22 - Being a By-law to regulate and prescribe the

72

standards for fences and pool enclosures.

(General Committee Report No. CS22-034, May 17, 2022)

- | | | |
|--------------|---|-----------|
| 13.5. | By-law Number XXXX-22 - Being a By-law to amend By-law Number 6404-22, to enact a Procurement Policy for the Town. | 94 |
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(General Committee Report No. FIN22-019, June 7, 2022)

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| 13.6. | By-law Number XXXX-22 - Being a By-law to establish a Compliance Audit Committee for compliance audit applications received during the 2022 to 2026 Term of Council. | 95 |
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| 13.7. | By-law Number XXXX-22 - Being a By-law to amend By-law Number 6106-18, to designate a site plan control area. | 96 |
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| 13.8. | By-law Number XXXX-22 - Being a By-law to establish lands on Plans 65M-3851 and 65M-3852 as highways. | 97 |
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| 13.9. | By-law Number XXXX-22 - Being a By-law to appoint a Deputy Clerk and to delegate certain authority to the Deputy Clerk on behalf of The Corporation of the Town of Aurora. | 98 |
|--------------|---|-----------|

14. Closed Session

15. Confirming By-law

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| 15.1. | By-law No. XXXX-22 Being a By-law to confirm actions by Council resulting from a Council meeting on June 28, 2022 | 99 |
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16. Adjournment



**Town of Aurora
Council
Meeting Minutes**

Date: Tuesday, May 24, 2022
Time: 7 p.m.
Location: Council Chambers, Aurora Town Hall

Council Members: Mayor Tom Mrakas (Chair)
Councillor Wendy Gaertner*
Councillor John Gallo
Councillor Rachel Gilliland
Councillor Sandra Humfries
Councillor Harold Kim
Councillor Michael Thompson

Other Attendees: Doug Nadorozny, Chief Administrative Officer
Allan Downey, Director of Operations
Robin McDougall, Director of Community Services
Marco Ramunno, Director of Planning and Development Services
Techa van Leeuwen, Director of Corporate Services
Rachel Wainwright-van Kessel, Director of Finance
Anca Mihail, Manager of Engineering and Capital Delivery*
Carley Smith, Manager, Corporate Communications*
Patricia De Sario, Town Solicitor
Michael de Rond, Town Clerk
Linda Bottos, Council/Committee Coordinator

*Attended electronically

1. Call to Order

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

2. Land Acknowledgement

Mayor Mrakas 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 Councillor Humfries

Seconded by Councillor Thompson

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

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Carried (7 to 0)

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. Community Presentations

5.1 Franco De Marco, Recreation Supervisor, Community Programs, and Karie Papillon, Adult Program Coordinator, Aurora Seniors Centre; Re: June is Recreation & Parks Month

Franco De Marco and Karie Papillon presented an overview of the Town's programs and community events planned during the celebration of "June is Recreation & Parks Month", an annual community mobilization movement that takes place in parks, schools, recreation centres, and neighbourhoods across Ontario.

Moved by Councillor Thompson

Seconded by Councillor Kim

That the presentation be received for information.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson
Carried (7 to 0)

6. Delegations

6.1 Jennifer Kagan; Re: Motion 10.1 - Councillor Humfries; Re: Private Member's Bill C-233 "Keira's Law"

Jennifer Kagan, physician and advocate for victims and survivors of domestic violence and children, shared her story about the death of her four-year-old daughter Keira Kagan, the impacts of domestic violence, and the importance of Bill C-233 "Keira's Law", which aims to educate judges on domestic violence and coercive control.

Moved by Councillor Thompson

Seconded by Councillor Humfries

That the comments of the delegation be received and referred to Motion 10.1.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson
Carried (7 to 0)

6.2 David Spencer, Resident; Re: Item 8.2.5 - OPS22-010 - Off-Leash Dog Park and Trail Pilot Program

David Spencer expressed concerns about the staff report and lack of notice and consultation with area residents. He further noted concerns regarding potential noise, odour, traffic and safety issues, and displacement of an established community recreational area. Mr. Spencer requested that Council advise staff that the Darkwood Detention area is not an appropriate location and that the neighbourhood be provided with six months' notice if this matter is revisited.

Moved by Councillor Humfries

Seconded by Councillor Gilliland

That the comments of the delegation be received and referred to item 8.2.5 (b).

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson
Carried (7 to 0)

7. Consent Agenda

Moved by Councillor Thompson
Seconded by Councillor Kim

That the Consent Agenda items, 7.1 to 7.6 inclusive, be approved.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson
Carried (7 to 0)

7.1 Council Meeting Minutes of April 26, 2022

1. That the Council meeting minutes of April 26, 2022, be adopted as circulated.

Carried

7.2 Special Meeting of Council Minutes of April 26, 2022

1. That the Special Meeting of Council minutes of April 26, 2022, be adopted as circulated.

Carried

7.3 Council Closed Session Minutes of April 26, 2022 (confidential attachment)

1. That the Council Closed Session Minutes of April 26, 2022, be adopted as circulated.

Carried

7.4 Council Closed Session Public Meeting Minutes of April 26, 2022

1. That the Council Closed Session Public meeting minutes of April 26, 2022, be adopted as circulated.

Carried

7.5 Council Closed Session Minutes of May 3, 2022 (confidential attachment)

1. That the Council Closed Session minutes of May 3, 2022, be adopted as circulated.

Carried

7.6 Council Closed Session Public Meeting Minutes of May 3, 2022

1. That the Council Closed Session Public meeting minutes of May 3, 2022, be adopted as circulated.

Carried

8. Standing Committee Reports

Items were considered in the following order: 8.2.5 (a) and (b), 8.1.8, 8.1.7, and 8.1.5.

Moved by Councillor Thompson

Seconded by Councillor Gilliland

That the Standing Committee Reports, items 8.1 to 8.2 inclusive, be received and the recommendations carried by the Committee approved, with the exception of sub-items 8.1.5, 8.1.7, 8.1.8, and 8.2.5 (a) and (b), which were discussed and voted on separately as recorded below.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Carried (7 to 0)

8.1 General Committee Meeting Report of May 3, 2022

8.1.1 Mayor's Golf Classic Funds Committee Meeting Minutes of March 31, 2022

[Minutes](#)

1. That the Mayor's Golf Classic Funds Committee meeting minutes of March 31, 2022, be received for information.

Carried

8.1.2 Accessibility Advisory Committee Meeting Minutes of April 13, 2022

[Minutes](#)

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

Carried

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

[Minutes](#)

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

Carried

8.1.4 FIN22-015 - Continued Advancement of the Second-Generation Asset Management Plan

[Report Attachment 1](#)

1. That Report No. FIN22-015 be received; and
2. That Capital Project No. 14107 – Second Generation Asset Management Plan (Phase 2) with total budget authority of \$70,000 be approved and be funded by up to \$50,000 in FCM grant funding and the balance from the Studies & Other reserve; and
3. That proceeding with the project in advance of the 2023 Budget be contingent upon receiving the FCM grant; and
4. That to ensure the Town's continued compliance with O. Reg 588/17;
 - a. Staff be directed to apply for a grant opportunity from the Federation of Canadian Municipalities' Municipal Asset Management Program for the continued development and operationalization of the Asset Management Plan for the Town of Aurora; and
 - b. The Town of Aurora commit to the development and operationalization of an O. Reg 588/17 compliant Asset Management Plan as per its submitted proposed project to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance its asset management program; and
 - c. The Town of Aurora commit \$20,000 of the capital budget toward the costs of this initiative.

Carried

8.1.5 OPS22-006 - Neighbourhood Park on Hartwell Way Funding Increase

[Report Attachment 1](#)

Motion to refer

Moved by Councillor Thompson

Seconded by Councillor Kim

That Report No. OPS22-006 be referred back to staff.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Carried (7 to 0)

8.1.6 CAO22-001 - 2021 Annual Report to the Community

[Report Attachment 1](#)

1. That Report No. CAO22-001 be received for information.

Carried

8.1.7 PDS22-064 - Application for Minor Site Plan Approval, 306 St. John's Sideroad, St. Anne's School - A Private Girl's School, File Number: SPM-2022-01, Related Applications: OPA-2021-02, ZBA-2021-02, SUB-2021-01, and SPM-2022-02

[Report Figures 1-9](#)

Moved by Councillor Thompson

Seconded by Councillor Humfries

1. That Report No. PDS22-064 be received for information.

Yeas (6): Mayor Mrakas, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Nays (1): Councillor Gaertner

Carried (6 to 1)

8.1.8 PDS22-066 - Train Whistle Cessation Program Assessment Update

[Report Attachment 1 Attachment 2](#)

Council consented to vote on the fifth clause separately.

Moved by Councillor Thompson

Seconded by Councillor Kim

1. That Report No. PDS22-066 be received; and
2. That a project with total capital budget authority of \$95,000 be included in the 2023 capital budget for Council review and approval in support of the detailed design and peer review of a level crossing at St. John's Sideroad; and
3. That York Region be requested to implement a 24-hour train whistle cessation for the level crossing at St. John's Sideroad on the Barrie GO Line; and
4. That York Region be requested to budget \$1,000,000 in their 2023 budget to implement the necessary crossing upgrades for anti-whistling; and
5. That the Train Whistle Cessation Program not be implemented on roads under the Town's jurisdiction.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

**First, second, third, and fourth clauses
Carried (7 to 0)**

Yeas (5): Mayor Mrakas, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Nays (2): Councillor Gaertner, and Councillor Gallo

**Fifth clause
Carried (5 to 2)**

8.2 General Committee Meeting Report of May 17, 2022

8.2.1 Memorandum from Councillor Gaertner; Re: Lake Simcoe Region Conservation Authority Board Meeting Highlights of March 25, 2022

[Memorandum](#)

1. That the memorandum regarding Lake Simcoe Region Conservation Authority Board Meeting Highlights of March 25, 2022, be received for information.

Carried

**8.2.2 Community Recognition Review Advisory Committee Meeting
Minutes of April 25, 2022**

[Minutes](#)

1. That the Community Recognition Review Advisory Committee meeting minutes of April 25, 2022, be received for information.

Carried

**8.2.3 Mayor's Golf Classic Funds Committee Meeting Minutes of April 28,
2022**

[Minutes](#)

1. That the Mayor's Golf Classic Funds Committee meeting minutes of April 28, 2022, be received for information.

Carried

8.2.4 Heritage Advisory Committee Meeting Minutes of May 2, 2022

[Minutes](#)

1. That the Heritage Advisory Committee meeting minutes of May 2, 2022, be received for information.

Carried

8.2.5 OPS22-010 - Off-Leash Dog Park and Trail Pilot Program

[Report](#) [Attachment 1](#) [Attachment 2](#)

8.2.5 (a)

Moved by Councillor Kim

Seconded by Councillor Gilliland

1. That Report No. OPS22-010 be received; and
2. That dogs not be permitted within the environmentally sensitive lands of the David Tomlinson Nature Reserve (DTNR) and associated trails.

Motion to refer

Moved by Councillor Kim

Seconded by Councillor Gilliland

That the recommendation “That dogs not be permitted within the environmentally sensitive lands of the David Tomlinson Nature Reserve (DTNR) and associated trails.” be referred back to staff.

Yeas (5): Mayor Mrakas, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Nays (2): Councillor Gaertner, and Councillor Gallo

Carried (5 to 2)

8.2.5 (b)

Main motion

Moved by Councillor Kim

Seconded by Councillor Thompson

1. That staff be directed to develop an off-leash strategy, including park and trail location options and costs, and report back to Council.

Amendment

Moved by Councillor Humfries

Seconded by Councillor Thompson

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

“That the Darkwood Detention area be excluded from the list of park and trail location options.”

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Carried (7 to 0)

Main motion as amended

Moved by Councillor Kim

Seconded by Councillor Thompson

1. That Report No. OPS22-010 be received; and
2. That staff be directed to develop an off-leash strategy, including park and trail location options and costs, and report back to Council; **and**

3. That the Darkwood Detention area be excluded from the list of park and trail location options.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Carried (7 to 0)

8.2.6 PDS22-072 - Green Development Standards Proposed Phase 1 Implementation Plan

[Report](#) [Appendix A](#) [Presentation](#)

1. That Report No. PDS22-072 be received; and
2. That the Green Development Standards Phase 1 Implementation Plan be approved.

Carried

8.2.7 CS22-034 - Modernized Fence By-law

[Report](#) [Attachment 1](#)

1. That Report No. CS22-034 be received; and
2. That a new Fence By-law be brought forward to a future Council meeting for enactment to repeal and replace the current Fence By-law No. 4753-05.P.

Carried

8.2.8 CS22-033 - Short-Term Rental (STR) By-law Amendments

[Report](#) [Attachment 1](#) [Attachment 2](#)

1. That Report No. CS22-033 be received; and
2. That the amendments to the proposed demerit point system be approved; and
3. That the recommended updates to Schedule "I" of the Town's Fees and Charges By-law, as presented in Attachment 2 of this report be approved, and that the appropriate by-law amendment be presented at a future Council meeting for enactment.

Carried

8.2.9 York Regional Council Highlights of April 28, 2022

Regional Report

1. That the York Regional Council Highlights of April 28, 2022, be received for information.

Carried

9. Consideration of Items Requiring Discussion (Regular Agenda)

Item 9.1 was considered prior to consideration of Section 8, Standing Committee Reports.

9.1 CS22-036 - Mandatory Firefighter Certification

Deputy Chief Jeremy Inglis, Support Services, Central York Fire Services, provided an update on the March 1, 2022 report submitted to the Joint Council Committee regarding the Ontario Regulation enacted under the *Fire Protection and Prevention Act, 1997* that introduces mandatory minimum certification standards for firefighters, effective July 1, 2022.

Moved by Councillor Thompson

Seconded by Councillor Gilliland

1. That Report No. CS22-036 be received for information.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Carried (7 to 0)

10. Motions

10.1 Councillor Humfries; Re: Private Member's Bill C-233 "Keira's Law"

Moved by Councillor Humfries

Seconded by Councillor Gilliland

Whereas violence against women is a Canadian public health crisis that demands urgent action; and

Whereas one in four women experience domestic violence in their lifetime. One woman or girl is killed every other day, on average, somewhere in our country; and

Whereas the most dangerous time for a victim of abuse is when she separates from her partner. According to research from the U.S. Centre for

Disease Control and Prevention, when there is a history of coercive control, violence and a recent separation, a woman's risk of domestic homicide goes up 900 times; and

Whereas the current Canadian court system is not equipped to protect women. According to the National Judicial Institute, there is no mandatory education for Judges on domestic violence. Judges need education on what constitutes domestic violence or coercive control. A formal education program would ensure another line of defense for victims, as well as preventing violence and abuse before it happens; and

Whereas the COVID-19 pandemic has only exacerbated the domestic violence crisis. Women's shelters and crisis centres have reported a marked increase in requests for services this year. The concerns for children are significant. According to recent research from The Children's Hospital of Eastern Ontario, doctors have seen more than double the number of babies with serious injuries as this time last year. These include head injuries, broken bones or in some cases death. Institutions across the country are reporting a similar trend; and

Whereas, according to Article 19 of the UN Convention on the Rights of the Child, children must be protected from "all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child." Our current family justice system often fails our children in this regard; and

Whereas, in worst case scenarios, children are killed by a violent parent. As reported by the Canadian Domestic Homicide Prevention Initiative, recent separation and domestic violence are the two biggest risk factors for domestic violence related child homicides; and

Whereas custody disputes are an additional risk factor. Each year in Canada, about 30 children are killed by a parent. Mothers are responsible about 40 per cent of the time, often due to postpartum depression or mental illness. In the 60 per cent of cases where fathers are the murderers, anger, jealousy or post-separation retaliatory revenge are the usual motivations; and

Whereas Keira's Law is named after four-year-old Keira Kagan, who was killed while in the custody of her father, in 2020; and

Whereas many cases of domestic violence are inappropriately labelled as “high conflict” in the family court system. According to research by Rachel Birnbaum, a Social Work Professor at the University of Western Ontario who specializes in child custody, approximately one third of cases called “high conflict” by the court had substantiated evidence of valid concerns about domestic violence. These cases must be recognized and treated differently by judges; and

Whereas voting in favour of “Keira’s Law”, contained in Private Member’s Bill C-233, will not only protect victims of violence and children, it will save lives by amending the *Judges Act* to establish seminars for judges on intimate partner violence and coercive control;

1. Now Therefore Be It Hereby Resolved That Aurora Town Council calls upon the House of Commons to support Member of Parliament Anju Dhillon's Private Member’s Bill C-233, that will raise the level of education on domestic violence and coercive control for federally appointed Judges; and
2. Be It Further Resolved That a copy of this resolution be sent to: The Right Honourable Justin Trudeau, Prime Minister of Canada; The Honourable Karina Gould, MP, Minister of Families, Children and Social Development; The Honourable Candice Bergen, Interim Leader of the Conservative Party of Canada; Yves-Francois Blanchet, MP, Leader of the Bloc Quebecois; Jagmeet Singh, MP, Leader of the New Democratic Party; MP Tony Van Bynen; and MP Leah Taylor Roy; and
3. Be It Further Resolved That a copy of this resolution be circulated to all Ontario municipalities and the Federation of Canadian Municipalities (FCM).

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Carried (7 to 0)

10.2 Councillor Kim; Re: Request for Traffic Control Signals – Kaleia Avenue/Elyse Court and Wellington Street East

Moved by Councillor Kim

Seconded by Councillor Gilliland

Whereas the residents and homeowners on both the south and north sides of Wellington Street East, on Kaleia Avenue and Elyse Court of the Town of Aurora, have written and signed a petition to request the installation of a traffic light at the intersection; and

Whereas, over the past two years, there have been numerous requests by the subdivision residents expressing concerns in writing to York Region since 2020 requesting the installation of a traffic light; and

Whereas the installation of traffic control signals at Kaleia Avenue/Elyse Court and Wellington Street East would provide increased ease and comfort for the community to access Wellington Street East, especially during morning and evening rush hour periods; and

Whereas York Region has advised that traffic control signals are not warranted at this time based on Regional policy; and

Whereas York Regional Council has previously authorized the installation of unwarranted traffic control signals, subject to the local municipality agreeing to be responsible for all installation costs, plus annual maintenance costs, until such time that the intersection satisfies the Region's policy criteria; and

Whereas York Region staff have advised the estimated Capital cost for installing traffic control signals is \$250,000 and the estimated annual Operating cost for this traffic control signal is \$7,800 with ten years of operating costs (\$78,000) payable in year one;

1. Now Therefore Be It Hereby Resolved That Aurora Town Council requests York Region to install traffic control signals at Kaleia Avenue/Elyse Court and Wellington Street East and have them operational no later than 2023; and
2. Be It Further Resolved That subject to York Region Council approving the installation of the traffic control signals, a new project entitled Traffic Control Signals – Kaleia Ave/Elyse Ct and Wellington St E be added to the 2023 Capital Budget in the amount of \$250,000, plus 10 percent contingency and administration fees funded by Roads and Related Development Charges; and
3. Be It Further Resolved That, should a 2023 Capital Project be added, staff be directed to add the annual operating costs to the 2023 Operating budget for consideration by Council.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson
Carried (7 to 0)

10.3 Councillor Thompson; Re: Mandatory Firefighter Certification

Moved by Councillor Thompson

Seconded by Councillor Humfries

Whereas municipal governments provide essential services to the residents and businesses in their communities; and

Whereas the introduction of new provincial policies and programs can have an impact on municipalities; and

Whereas municipal governments are generally supportive of efforts to modernize and enhance the volunteer and full-time fire services that serve Ontario communities; and

Whereas the Association of Municipalities of Ontario (AMO) believes in principle that fire certification is a step in the right direction, it has not endorsed the draft regulations regarding firefighter certification presented by the Province; and

Whereas municipalities and AMO are concerned the thirty-day consultation period was insufficient to fully understand the effects such regulations will have on municipal governments and their fire services; and

Whereas fire chiefs have advised that the Ontario firefighter certification process will create additional training and new costs pressures on fire services; and

Whereas the Ontario government has not provided any indication they will offer some form of financial support to deliver this service; and

Whereas AMO, on behalf of municipal governments, in a letter to Solicitor General Jones dated February 25, 2022, made numerous comments and requests to address the shortcomings in the draft regulations;

1. Now Therefore Be It Hereby Resolved That the Town of Aurora does hereby support AMO's recommendations; and
2. Be It Further Resolved That the Town of Aurora does hereby call on the Solicitor General of Ontario to work with AMO, municipal governments

and fire chiefs across Ontario to address the concerns raised so that municipalities can continue to offer high quality services to their communities; and

3. Be It Further Resolved That a copy of this Motion be sent to the Association of Municipalities of Ontario (AMO), the Ontario Small Urban Municipalities (OSUM), and all Ontario municipalities for their consideration.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfries, Councillor Kim, and Councillor Thompson

Carried (7 to 0)

11. New Business

Councillor Gallo requested clarification on the protocol for permitted use of the Council Chambers, and staff provided a response.

Councillor Humfries inquired about whether any assistance could be provided to residents whose properties have sustained severe damage during the past weekend's storm, particularly in the Heritage District area.

Councillor Gilliland inquired about the Town's emergency preparedness review and whether severe weather events would be included in the plan, and staff and the Mayor provided a response.

Councillor Gilliland expressed appreciation to staff for their quick response to the impacts of the recent storm. She further provided comment and suggestions on the Town's communication options regarding such events.

Councillor Gilliland provided clarification on her position regarding the GO train whistle cessation program.

Councillor Gaertner expressed appreciation to staff and residents for their efforts in cleaning up after the recent storm. She inquired about whether the Town would offer a special yard waste curbside pickup for storm debris, and the Mayor and staff provided a response.

Councillor Gaertner inquired about the cleanup plans and trail safety in the Sheppard's Bush Conservation Area, and staff provided a response.

Mayor Mrakas expressed appreciation to staff, emergency services, residents, and Alectra Utilities for their efforts in the post-storm cleanup.

12. By-laws

- 12.1 By-law Number 6420-22 - Being a By-law to set and levy the rates of Taxation for the taxation year 2022.**
- 12.2 By-law Number 6421-22 - Being a By-law to amend By-law Number 6234-20, to appoint a Deputy Treasurer for The Corporation of the Town of Aurora.**
- 12.3 By-law Number 6422-22 - Being a By-law to amend By-law Number 6182-19, the designating by-law of a property to be of cultural heritage value or interest (De La Salle College and Pine Ridge Trail (Monk's Walk) – 50-100 Bloomington Road West).**

Moved by Councillor Thompson

Seconded by Councillor Kim

That the By-laws, items 12.1 to 12.3 inclusive, be enacted.

Yeas (7): Mayor Mrakas, Councillor Gaertner, Councillor Gallo, Councillor Gilliland, Councillor Humfryes, Councillor Kim, and Councillor Thompson

Carried (7 to 0)

13. Closed Session

None.

14. Confirming By-law

- 14.1 By-law No. 6423-22 Being a By-law to confirm actions by Council resulting from a Council meeting on May 24, 2022**

Moved by Councillor Humfryes

Seconded by Councillor Thompson

That the confirming by-law be enacted.

Carried

15. Adjournment

Moved by Councillor Gilliland

Seconded by Councillor Kim

That the meeting be adjourned at 9:42 p.m.

Carried

Tom Mrakas, Mayor

Michael de Rond, Town Clerk



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

Date: Tuesday, May 17, 2022
Time: 5:45 p.m.
Location: Council Chambers, Aurora Town Hall

Council Members: Mayor Tom Mrakas (Chair)
Councillor Wendy Gaertner*
Councillor Michael Thompson
Councillor Rachel Gilliland
Councillor John Gallo

Members Absent: Councillor Harold Kim
Councillor Sandra Humfries

Other Attendees: Doug Nadorozny, Chief Administrative Officer
John Firman, Manager, Business Support Services*
Patricia De Sario, Town Solicitor*
Michael de Rond, Town Clerk

*Attended electronically

1. Call to Order

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

Council consented to resolve into a Closed Session at 5:46 p.m.

Council reconvened into open session at 6:19 p.m.

2. Approval of the Agenda

Moved by Councillor Thompson

Seconded by Councillor Gilliland

That the confidential Council Closed Session agenda be approved.

Carried

3. **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*.

4. **Consideration of Items Requiring Discussion**

Moved by Councillor Gilliland

Seconded by Councillor Gallo

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

1. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Section 239(2)(k) of the *Municipal Act, 2001*); Re: Council Closed Session Report No. CMS22-028 - Facility Naming Rights Proposal - Aurora Sports Dome

Carried

4.1 **Council Closed Session Report No. CMS22-028 - Facility Naming Rights Proposal - Aurora Sports Dome**

A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Section 239(2)(k) of the *Municipal Act, 2001*)

Moved by Councillor Thompson

Seconded by Councillor Gaertner

1. That Council Closed Session Report No. CMS22-028 be received; and
2. That the confidential direction to staff be confirmed.

Yeas (5): Mayor Mrakas, Councillor Gaertner, Councillor Thompson, Councillor Gilliland, and Councillor Gallo

Absent (2): Councillor Kim, and Councillor Humfries

Carried (5 to 0)

5. **Confirming By-law**

5.1 **By-law No. 6418-22 Being a By-law to confirm actions by Council resulting from a Council Closed Session on May 17, 2022**

Moved by Councillor Gallo

Seconded by Councillor Gaertner

That the confirming by-law be enacted.

Carried

6. Adjournment

Moved by Councillor Thompson

Seconded by Councillor Gilliland

That the meeting be adjourned at 7:02 p.m.

Carried

Tom Mrakas, Mayor

Michael de Rond, Town Clerk



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

Date: Tuesday, May 24, 2022

Time: 5:45 p.m.

Location: Council Chambers, Aurora Town Hall

Council Members: Mayor Tom Mrakas (Chair)
Councillor Wendy Gaertner*
Councillor Sandra Humfries
Councillor Michael Thompson
Councillor John Gallo

Members Absent: Councillor Harold Kim
Councillor Rachel Gilliland

Other Attendees: Doug Nadorozny, Chief Administrative Officer
Robin McDougall, Director of Community Services (departed 6:15 p.m.)
John Firman, Manager, Business Support* (departed 6:15 p.m.)
Demetre Rigakos, Manager, Human Resources* (departed 6:15 p.m.)
Phillip Rose, Manager, Aurora Town Square (departed 6:15 p.m.)
Patricia De Sario, Town Solicitor (departed 6:15 p.m.)
Michael de Rond, Town Clerk

*Attended electronically

1. Call to Order

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

Council consented to resolve into a Closed Session at 5:45 p.m.

Council reconvened into open session at 6:41 p.m.

Councillor Gaertner was present for the Closed Session meeting, but not present when reporting out occurred.

2. Approval of the Agenda

Moved by Councillor Humfryes

Seconded by Councillor Thompson

That the confidential Council Closed Session agenda be approved with the following addition:

3. Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(c) of the *Municipal Act, 2001*); Re: Verbal Update from the CAO

Carried

3. 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.

4. Consideration of Items Requiring Discussion

Moved by Councillor Gilliland

Seconded by Councillor Humfryes

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

1. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Section 239(2)(k) of the *Municipal Act, 2001*); Re: Council Closed Session Report No. CMS22-024 – Aurora Town Square – Capital Campaign Status Update
2. A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Section 239(2)(k) of the *Municipal Act, 2001*); Re: Council Closed Session Report No. CMS22-025 – Provision of Cultural Services Agreement Status Update
3. Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(c) of the *Municipal Act, 2001*); Re: Verbal Update from the CAO

Carried

4.1 Council Closed Session Report No. CMS22-024 - Aurora Town Square - Capital Campaign Status Update

A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Section 239(2)(k) of the *Municipal Act, 2001*)

Moved by Councillor Thompson

Seconded by Councillor Humfryes

1. That Council Closed Session Report No. CMS22-024 be received; and
2. That the confidential direction to staff be confirmed.

Yeas (3): Mayor Mrakas, Councillor Humfryes, and Councillor Thompson

Nays (1): Councillor Gallo

Absent (3): Councillor Kim, Councillor Gaertner, and Councillor Gilliland

Carried (3 to 1)

4.2 Council Closed Session Report No. CMS22-025 - Provision of Cultural Services Agreement Status Update

A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board (Section 239(2)(k) of the *Municipal Act, 2001*)

Motion to defer

Moved by Councillor Thompson

Seconded by Councillor Gallo

1. That Council Closed Session Report No. CMS22-025 be deferred to a future Closed Session meeting.

Yeas (4): Mayor Mrakas, Councillor Humfryes, Councillor Thompson, and Councillor Gallo

Absent (3): Councillor Kim, Councillor Gaertner, and Councillor Gilliland

Carried (4 to 0)

4.3 Verbal Update from the CAO

Personal matters about an identifiable individual, including municipal or local board employees (Section 239(2)(c) of the *Municipal Act, 2001*)

Moved by Councillor Gallo

Seconded by Councillor Thompson

1. That the verbal update from the CAO be received for information.

Yeas (4): Mayor Mrakas, Councillor Humfryes, Councillor Thompson, and Councillor Gallo

Absent (3): Councillor Kim, Councillor Gaertner, and Councillor Gilliland

Carried (4 to 0)

5. Confirming By-law

5.1 By-law No. 6419-22 Being a By-law to confirm actions by Council resulting from a Council Closed Session on May 24, 2022

Moved by Councillor Humfryes

Seconded by Councillor Gallo

That the confirming bylaw be enacted.

Carried

6. Adjournment

Moved by Councillor Humfryes

Seconded by Councillor Gallo

That the meeting be adjourned at 7:03 p.m.

Carried

Tom Mrakas, Mayor

Michael de Rond, Town Clerk



Town of Aurora General Committee Meeting Report

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

Council Members: Mayor Tom Mrakas (Chair)
 Councillor Wendy Gaertner*
 Councillor John Gallo
 Councillor Sandra Humfries
 Councillor Harold Kim
 Councillor Michael Thompson

Members Absent: Councillor Rachel Gilliland

Other Attendees: Doug Nadorozny, Chief Administrative Officer
 Allan Downey, Director of Operations
 Robin McDougall, Director of Community Services*
 Marco Ramunno, Director of Planning and Development Services
 Techa van Leeuwen, Director of Corporate Services
 Rachel Wainwright-van Kessel, Director of Finance
 Lisa Hausz, Manager, Economic Development and Policy*
 Carley Smith, Manager, Corporate Communications*
 Alexander Wray, Manager, By-law Services*
 Patricia De Sario, Town Solicitor*
 Michael de Rond, Town Clerk
 Linda Bottos, Council/Committee Coordinator

*Attended electronically

1. Call to Order

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

2. Land Acknowledgement

General 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

General Committee approved the agenda as circulated by Legislative Services.
That the agenda as circulated by Legislative Services be approved.

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. Community Presentations

5.1 Javed S. Khan, President & Chair, and Wendy Browne, Chair, Induction Committee, Aurora Sports Hall of Fame; Re: Aurora Sports Hall of Fame 2022 Class of Inductees

General Committee consented to allow ten minutes for the presentation.

Javed Khan and Wendy Browne announced the 2022 Class of Inductees to the Aurora Sports Hall of Fame: Marco Di Girolamo, Athlete (Rugby); Dave Giroux, Builder/Contributor (Baseball); Janice (Shepp) Jones, Athlete (Swimming); and Colin S. 'Pop' Nisbet, Builder/Contributor (Golf). An invitation was extended to all to attend the Induction Celebration Dinner on Thursday, November 10, 2022, at the Royal Venetian Mansion.

General Committee received the presentation for information.

6. Delegations

None.

7. Consent Agenda

None.

8. Advisory Committee Meeting Minutes

General Committee recommends:

That the Advisory Committee Meeting Minutes, items 8.1 to 8.4 inclusive, be received for information.

Carried

8.1 Environmental Advisory Committee Meeting Minutes of May 4, 2022

1. That the Environmental Advisory Committee meeting minutes of May 4, 2022, be received for information.

Carried

8.2 Finance Advisory Committee Meeting Minutes of May 9, 2022

1. That the Finance Advisory Committee meeting minutes of May 9, 2022, be received for information.

Carried

8.3 Accessibility Advisory Committee Meeting Minutes of May 11, 2022

1. That the Accessibility Advisory Committee meeting minutes of May 11, 2022, be received for information.

Carried

8.4 Anti-Black Racism and Anti-Racism Task Force Meeting Minutes of May 18, 2022

1. That the Anti-Black Racism and Anti-Racism Task Force meeting minutes of May 18, 2022, be received for information.

Carried

9. Consideration of Items Requiring Discussion (Regular Agenda)

9.1 CS22-037 - Administrative Monetary Penalty System (AMPS)

General Committee recommends:

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.

Carried

9.2 OPS22-011 - Fleet Division Purchases

General Committee recommends:

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.

Carried

9.3 FIN22-018 - 2023 Budget Timeline and Process

General Committee recommends:

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

Carried

9.4 FIN22-019 - Procurement Modernization Update - Annual Software Costs

General Committee recommends:

1. That Report No. FIN22-019 be received; and
2. That the recommended changes, as summarized in Table 1, to the procurement policy and by-law in this report be approved; and
3. That staff be directed to bring forward the amending by-law 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.

Carried

9.5 PDS22-089 - Community Improvement Plan Review - Public Meeting

General Committee recommends:

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

Carried

10. Notices of Motion

10.1 Councillor Gilliland; Re: Natural Capital Asset Management Planning for Municipal Infrastructure

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, Ontario Regulation 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, Ontario Regulation 588/17, with recommended stewardship plans and maintenance best practices to enhance and protect these features.

11. Regional Report

11.1 York Region Council Highlights of May 26, 2022

General Committee recommends:

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

Carried

12. New Business

Councillor Gaertner expressed appreciation for the improvements to the Climate Change Considerations section of staff reports.

13. Public Service Announcements

Councillor Humfries extended a reminder that the Aurora Farmers' Market and Artisan Fair is held each Saturday from 8 a.m. to 1 p.m. at Town Park, and added that the final competition of the Aurora Performing Arts Festival would also be held at Town Park on Saturday, June 11, 2022.

Mayor Mrakas announced the following updates and activities in Aurora:

- June is National Indigenous History Month and June 21, 2022, is National Indigenous People's Day; visit aurora.ca/indigenouspeoples for information on celebrations and activities across Canada and in Aurora.
- June is Pride Month and the York Pride Parade will be held on June 18, 2022.
- June is Recreation and Parks Month; visit aurora.ca/recreationparksmoonth for more information.
- Celebrations for Canada Day will be held on June 30 and July 1, 2022; visit aurora.ca/canadaday for more details.
- Aurora's Go Green Challenge starts on July 1, 2022, for 30 days of green-themed challenges; register at aurora.ca/gogreen.
- The Town is seeking the community's input on the upcoming 2023 Budget; complete the online survey at engageaurora.ca/budget2023 and be automatically entered into a draw for a \$250 gift card.

Councillor Gaertner expressed appreciation to Gord Sheppard and the Aurora Community Band for their performance at the Queen's Platinum Jubilee celebrations at Town Park.

Mayor Mrakas announced the recent unveiling of a new bench, dedicated to Her Majesty's 70th anniversary on the Throne, in the Town's Queen's Diamond Jubilee Park on John West Way.

Mayor Mrakas announced the recent official unveiling of the first street wall mural in the Town's historic downtown.

Councillor Gaertner noted the Pride flag raising held at Town Hall on June 1, 2022, in honour of Pride Month.

14. Closed Session

None.

15. Adjournment

The meeting was adjourned at 8:09 p.m.



Town of Aurora
General Committee
Meeting Report

Date: Tuesday, June 21, 2022
Time: 7:00 p.m.
Location: Council Chambers, Aurora Town Hall

Council Members: Councillor Sandra Humfries (Chair, departed at 10:18 p.m.)
 Mayor Tom Mrakas (Chair)
 Councillor Harold Kim
 Councillor Wendy Gaertner*
 Councillor Michael Thompson (departed at 10:15 p.m.)
 Councillor Rachel Gilliland
 Councillor John Gallo

Other Attendees: Doug Nadorozny, Chief Administrative Officer
 Allan Downey, Director of Operations*
 Robin McDougall, Director of Community Services
 Marco Ramunno, Director of Planning and Development Services
 Techa van Leeuwen, Director of Corporate Services
 Rachel Wainwright-van Kessel, Director of Finance*
 Anca Mihail, Manager of Engineering and Capital Delivery*
 Edward Terry, Senior Policy Planner*
 Lisa Warth, Manager, Recreation
 Doug Bertrand, Manager, Facilities*
 Andrea Vento, Program Manager, Facility and Capital Projects*
 Phillip Rose, Manager, Aurora Town Square
 Carley Smith, Manager, Corporate Communications*
 Patricia De Sario, Town Solicitor*
 Michael de Rond, Town Clerk
 Jaclyn Grossi, Deputy Town Clerk
 Ishita Soneji, Council/Committee Coordinator

*Attended electronically

1. Call to Order

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

General Committee recessed the meeting at 7:01 p.m. to report out of Closed Session and reconvened the meeting at 7:04 p.m.

General Committee consented to recess the meeting at 8:54 p.m. and reconvened the meeting at 9:05 p.m.

Mayor Mrakas assumed the Chair after the departure of Councillor Humfryes at 10:18 p.m.

General Committee consented to extend the hour past 10:30 p.m.

2. Land Acknowledgement

General Committee acknowledged that the meeting took place on the Anishinaabe lands and the traditional and Treaty #20 territories of the Chippewas of Georgina Island 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

General Committee approved the revised agenda as circulated by Legislative Services.

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. Community Presentations

None.

6. Delegations

6.1 Phiona Durrant and Keisha Telfer, Aurora Black Community; Re: Aurora Black Community Year-to-Date Update

Phiona Durrant presented a video highlighting the Aurora Black Community's one-year progress including details on the achievements, programs and celebrations and its impact on the community and performance statistics. She further provided details on the upcoming events, next steps, and extended appreciation to Members of Council for their continuous support.

General Committee received the comments of the delegation.

6.2 Bruce Hall, Principal, The Planning Partnership; Re: Item 9.6 - PDS22-023 - Application for Zoning By-law Amendment, Site Plan and Heritage Permit, 2578461 Ontario Inc., 15356 Yonge Street

Bruce Hall provided background information on the application and process thus far noting the collaborative efforts taken in conjunction with the Aurora Historical Society (AHS) and the Ontario Heritage Trust to ensure impacts to the Hillary House are minimized during the construction process. He further noted that any comments, suggestions, and concerns from area residents, the Design Review Panel, and the Heritage Advisory Committee have been addressed and requested that the application be approved.

General Committee received and referred the comments of the delegation to Item 9.6.

7. Consent Agenda

None.

8. Advisory Committee Meeting Minutes

None.

9. Consideration of Items Requiring Discussion (Regular Agenda)

General Committee consented to consider the items in the following order: 9.6, 9.1, 9.8, 9.9, 9.5, 9.2, 9.3, 9.4, and 9.7.

9.1 CMS22-036 - SARC Gymnasium Update - Final Design and Budget Update

Lisa Warth, Manager, Recreation, provided an update on the final design and budget for the Stronach Aurora Recreation Complex (SARC) gym addition including details on the proposed renovations, process in determining the net operating budget and savings, and the next steps regarding tendering and construction. Ryan Giuricich, Associate from CS&P Architects, presented an interactive 3-D model of the proposed final design.

General Committee recommends:

1. That Report No. CMS22-036 be received; and
2. That total capital budget authority for capital project No. 72410 – SARC Gymnasium of \$11,125,000 be approved, representing an increase of \$2,925,000 to be funded from \$1,692,100 in additional Parks & Recreation DCs and \$1,232,900 from the Growth & New reserve; and
3. That in accordance with the Town of Aurora's Official Plan, 1% of the total estimated project cost contribution to the Public Art reserve fund be approved; and
4. That staff be authorized to proceed to tender and award for this project in accordance with procurement procedures; and
5. That the draft operating budget be approved and included in a future year.

Carried

9.2 PDS22-102 - Town of Aurora Official Plan Review - Draft Official Plan Amendment

David Riley, Principal, SGL Planning, provided an overview of the Official Plan review process thus far and highlighted the key proposed

amendments in the various sections of the plan and the next steps regarding public consultation and further approvals. Paul Lowes, Principal, SGL Planning, was in attendance to respond to questions.

General Committee recommends:

1. That Report No. PDS22-102 be received; and
2. That the Draft Official Plan Amendment be formally released for public review and comment; and
3. That staff report back to a future General Committee meeting in the next term of Council early 2023 to present the revised Official Plan Amendment based on feedback received.

Carried

9.3 CMS22-029 - Aurora Town Square Governance - Town Staffing - Update 2

General Committee recommends:

1. That Report No. CMS22-029 be received for information.

Carried

9.4 CMS22-030 - Diversity and Inclusion Mural - Design Approval

General Committee recommends:

1. That Report No. CMS22-030 be received; and
2. That the Mural Design prepared by Moonlight Murals Collective be approved; and
3. That the mural be located on the side of building at 15105 Yonge Street.

Carried

9.5 CS22-038 - Restricted Acts (Lame Duck)

General Committee recommends:

1. That Report No. CS22-038 be received; and

2. That a by-law delegating authority to the CAO be brought forward to the July 12, 2022 Council meeting.

Carried

9.6 PDS22-023 - Application for Zoning By-law Amendment, Site Plan and Heritage Permit, 2578461 Ontario Inc., 15356 Yonge Street, PLAN 246 LOT 13 PT LOT 14 RP 65R31151 PARTS 1 TO 3, File Number: ZBA-2017-06 and SP-2017-05

General Committee recommends:

1. That Report No. PDS22-023 be received; and
2. That Zoning By-law Amendment Application ZBA-2017-06 be approved to rezone the subject lands from "Promenade Downtown Shoulder-Special Mixed Density 'PDS4(380)' Exception Zone, Environmental Protection 'EP(381)' Exception Zone, and Environmental Protection (EP) Zone" to ""Promenade Downtown Shoulder- Special Mixed Density 'PDS4(380)' Exception Zone and Environmental Protection 'EP' Zone"; and
3. That an implementing Zoning By-law Amendment be brought forward to a future Council Meeting for enactment; and
4. That Site Plan Application SP-2017-05 be approved to permit the development of a four-storey residential apartment with 35 units with two levels of underground parking; and
5. That Heritage Permit Application HPA-2022-05 be approved to permit the restoration of the Knowles-Readman House; and
6. That servicing be allocated to service the development with 35 units (60 persons equivalent); and
7. That in accordance with Section 45 (1.4) of the Planning Act, 1990 R.S.O., as amended, an exemption to the two-year moratorium on minor variance applications after adoption of a privately initiated zoning by-law amendment be granted to permit the submission of a minor variance application(s), if required, for consideration by the Committee of Adjustment.

Carried

9.7 PDS22-042 - Review of the Aurora Register of Properties of Cultural Heritage Value or Interest

General Committee recommends:

1. That Report No. PDS22-042 be received; and
2. That the “Town of Aurora Cultural Heritage Evaluation Checklist” to evaluate properties for cultural heritage interest be adopted; and
3. That the 30 properties contained within the Aurora Register of Properties of Cultural Heritage Value or Interest be designated under Part IV of the *Ontario Heritage Act* in accordance with the Heritage Consultant’s recommendations; and
4. That the Town Clerk be authorized to publish and serve Council’s Notice of Intention to Designate the 30 properties in accordance with the requirements of the Ontario Heritage Act; and
5. That the designation by-laws for the 30 properties be brought before Council for adoption if no objections are received within the thirty (30) day period as per the *Ontario Heritage Act*; and
6. That 57 properties contained within the Aurora Register of Properties of Cultural Heritage Value or Interest be delisted in accordance with the Heritage Consultant’s recommendations.

Carried

9.8 PDS22-082 - Heritage Permit Application, File: HPA-2022-06, 20 Catherine Avenue

General Committee recommends:

1. That Report No. PDS22-082 be received; and
2. That Heritage Permit Application HPA-2022-06 be approved to permit a two-storey rear addition to the existing dwelling at 20 Catherine Avenue.

Carried

9.9 PDS22-103 - Snow Disposal Facility - Request for Additional Budget

General Committee recommends:

1. That Report No. PDS22-103 be received; and
2. That the total approved capital budget authority for Project No. 34006 be increased to \$1,761,900.00, representing an increase of \$452,900 to be funded by \$312,500 in Roads & Related development charges and \$140,400 from the Storm Water Reserve.

Carried

10. Notices of Motion

10.1 Councillor Humfries; Re: Traffic Safety on Wells Street

Whereas Wells Street has increasingly more traffic and high-speed vehicular activity; and

Whereas Wells Street at Connaught Avenue and Wells Street at Harrison Avenue have four-way intersections; and

Whereas with the development of our vibrant Downtown Core (The Aurora Town Square), vehicular traffic and speed will only increase;

1. Now Therefore Be It Hereby Resolved That staff be directed to install four-way stops at the following intersections:
 - a. Wells Street and Connaught Avenue; and
 - b. Wells Street and Harrison Avenue

11. Regional Report

None.

12. New Business

Councillor Gaertner acknowledged that it is National Indigenous Peoples Day. She further noted that the Constellations Music Festival, sponsored by the Aurora

Cultural Centre, will be held on Saturday, June 25, 2022, at Town Park from 7 p.m. to 10 p.m.

Councillor Gaertner inquired about York Region Transit offering transit support to any Ukrainian refugees in the Region, and the Mayor provided a response.

Councillor Gaertner extended appreciation to Members of Council and staff for accommodating her virtual attendance at Committee and Council meetings.

13. Public Service Announcements

Mayor Mrakas noted that in commemoration of National Indigenous Peoples Day, an art piece by Ojibwe artist Donald Chretien was unveiled at Town Park earlier today and encouraged everyone to view the public art display.

14. Closed Session

None.

15. Adjournment

The meeting was adjourned at 10:56 p.m.



Town of Aurora Budget Committee Meeting Report

Date: Tuesday, June 7, 2022
Time: 6:15 p.m.
Location: Council Chambers, Aurora Town Hall

Council Members: Mayor Tom Mrakas (Chair)
 Councillor Wendy Gaertner*
 Councillor John Gallo
 Councillor Sandra Humfries (arrived 6:18 p.m.)
 Councillor Harold Kim*

Members Absent: Councillor Rachel Gilliland
 Councillor Michael Thompson

Other Attendees: Doug Nadorozny, Chief Administrative Officer
 Rachel Wainwright-van Kessel, Director of Finance
 Jason Gaertner, Manager, Financial Management
 Sandeep Dhillon, Senior Advisor, Financial Management*
 Tracy Evans, Advisor, Financial Management*
 Carley Smith, Manager, Corporate Communications*
 Michael de Rond, Town Clerk
 Linda Bottos, Council/Committee Coordinator

*Attended electronically

1. Call to Order

The Mayor called the meeting to order at 6:17 p.m.

2. Land Acknowledgement

Budget 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

Budget Committee approved the agenda as circulated by Legislative Services.

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. Delegations - Opportunity for Members of the Public to Provide Input Regarding the 2023 Operating and Capital Budgets

No delegation requests were received from the public.

The Mayor encouraged residents to visit www.aurora.ca/budget2023 to provide comment on the upcoming 2023 Budget.

6. Adjournment

The meeting was adjourned at 6:20 p.m.



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

Town of Aurora

Motion

Notice given June 7, 2022

Re: Natural Capital Asset Management Planning for Municipal Infrastructure

To: Mayor and Members of Council

From: Councillor Rachel Gilliland

Date: June 28, 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

Motion

Notice given June 21, 2022

Re: Traffic Safety on Wells Street
To: Mayor and Members of Council
From: Councillor Sandra Humfryes
Date: June 28, 2022

Whereas Wells Street has increasingly more traffic and high-speed vehicular activity; and

Whereas Wells Street at Connaught Avenue and Wells Street at Harrison Avenue have four-way intersections; and

Whereas with the development of our vibrant Downtown Core (The Aurora Town Square), vehicular traffic and speed will only increase;

1. Now Therefore Be It Hereby Resolved That staff be directed to install four-way stops at the following intersections:
 - a) Wells Street and Connaught Avenue; and
 - b) Wells Street and Harrison Avenue

The Corporation of the Town of Aurora

By-law Number XXXX-22

Being a By-law to regulate and license Short Term Rentals in the Town of Aurora.

Whereas Subsection 8(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, (the “Act”) as amended, provides that powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality’s ability to respond to municipal issues;

And whereas Section 11(3) of the Act provides that a municipality may pass by-laws respecting business licensing;

And whereas Section 11 of the Act provides that a municipality may pass by-laws respecting consumer protection, parking, the health, safety, and well-being of persons, and the economic, social, and environmental well-being of the municipality;

And whereas Section 151 of the Act provides that a municipality may license, regulate and govern any business, wholly or partly carried on within the municipality, even if the business is being carried on from a location outside the municipality;

And whereas Subsection 391(1) of the Act provides that a municipality may pass by-laws imposing fees or charges on any persons for the use of its property including property under its control;

And whereas Section 446 of the Act provides that a municipality may proceed to do things at a person's expense which that person is otherwise required to do under a by-law but has failed to do and to recover the costs of doing so by adding the costs to the tax roll and collecting them in the same manner as property taxes;

And whereas Council for The Corporation of the Town of Aurora considers it desirable and necessary to address the concerns and opportunities presented by short-term rentals, the Council wishes to enact a new by-law to establish a system to license and regulate short-term rentals;

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

1. Definitions

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

- (a) “**Act**” means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended;
- (b) “**Applicant**” means the Person that is seeking to become licensed under this by-law and applies, or has an application made on their behalf, to the Town for obtain a License;
- (c) “**Council**” means the Council of the Town;

- (d) **"Dwelling Unit"** means a room, or a series of rooms, used or intended to be used by one, or more persons together, as a single establishment for which living, sleeping and sanitary facilities are provided;
- (e) **"License"** means an authorization under this by-law to carry on the calling, business or occupation specified therein;
- (f) **"Licensee"** means any Person that is listed on a License as being authorized by the License to carry on the calling, business or occupation specified therein, and includes any Person otherwise responsible for or obligated by the License;
- (g) **"Lot"** means a parcel of land which is legally capable of being conveyed in accordance with the *Planning Act* R.S.O. 1990, Chapter 13 as amended, or is described in accordance with a registered Plan of Condominium;
- (h) **"Officer"** means any individual designated or appointed by the Town to enforce this by-law, and includes any Municipal Law Enforcement Officer and any police officer;
- (i) **"Manager"** means the Manager of By-law Services for the Town, or their designate;
- (j) **"Market"** means sell, offer for sale, promote, canvass, solicit, rent, broker, advertise, book, arrange or facilitate sale or rental, and includes placing, posting, or erecting advertisements physically or online;
- (k) **"Operator"** means any Person that operates or owns a Short-Term Rental;
- (l) **"Person"** includes a natural person, corporation, partnership or party, and the personal or other legal representatives to whom the context can apply according to law;
- (m) **"Short-Term Rental"** means all or part of a Dwelling Unit used to provide temporary sleeping accommodations for any rental period that is less than twenty-eight (28) consecutive days in exchange for payment, and includes bed and breakfast establishments and any units otherwise deemed or presumed to fall into this definition pursuant to this by-law;
- (n) **"Short Term Rental Company"** means any Person who facilitates or brokers Short Term Rental reservations via the internet and who:
 - (i) receives payment, compensation, or any financial benefit due to, as a result of, or in connection with a Person making or completing reservations of those Short-Term Rentals; or
 - (ii) collects, accesses, or holds information on the number of nights that reservations of those Short-Term Rentals are made or completed.

This definition does not apply to a Person who facilitates or brokers reservations for a Short-Term Rental that is the principal residence of that Person or their immediate family.

- (o) **"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;
- (p) **"Tribunal"** means the Aurora Appeal Tribunal established pursuant to the Tribunal By-law;
- (q) **"Tribunal By-law"** means the Aurora Appeal Tribunal By-law, as amended or successor thereof;
- (r) **"Zoning By-law"** means the Zoning By-law of the Town of Aurora, as amended or successor thereto.

2. **Application and Short Name**

- 2.1 This by-law shall be known and may be cited as the "Short-Term Rental By-law".
- 2.2 The provisions of this by-law shall apply to all lands and premises within the Town of Aurora.
- 2.3 Notwithstanding the above, this by-law does not apply to:
 - (a) hotels, motels and long-term care facilities that are operated in compliance with the Zoning By-law and any applicable law;
 - (b) the activities by or on behalf the Town, The Regional Municipality of York, the Lake Simcoe Region Conservation Authority, the Toronto and Region Conservation Authority, a school board operating under the *Education Act*, R.S.O. 1990, c. E.2, the Province of Ontario, or the Federal Government of Canada.
- 2.4 In this by-law, any references to Persons who carry on business or Market Short-Term Rentals, or generally carry out activities regulated by this by-law, shall include any activities carried out jointly or partially by multiple Persons, who acting together, carry out such activities, despite that no single Person carries on the activity in its entirety. Any such Person that carries out any part of an activity regulated under this by-law shall be jointly and severally responsible for the same under this by-law and for the activities and omissions of others with whom activities are carried out jointly or acting together.

3. **General Prohibitions and Obligations**

- 3.1 No Person shall carry on the business of renting, leasing or letting a Short-Term Rental unless they have a valid License, in good standing, to do so pursuant to this by-law.
- 3.2 No Person shall carry on the business of a Short-Term Rental Company unless they have a valid License, in good standing, to do so issued pursuant to this by-law.
- 3.3 No Person shall operate, rent, lease, let or Market a Short-Term Rental, or any part of it, unless:
 - (a) the Short-Term Rental unit is subject to a valid License pursuant to this by-law;

- (b) the Operator of the Short-Term Rental holds a valid License pursuant to this by-law;
 - (c) the Short-Term Rental being Marketed matches the name and address of the associated License; and
 - (d) it is carried out in compliance with all the requirements, regulations and conditions of:
 - (i) the License associated to the unit,
 - (ii) this by-law, including Schedule A, and
 - (iii) any applicable laws, regulations and Town by-laws, including the Zoning By-law of the Town, the *Building Code Building Code Act*, 1992, S.O. 1992, c. 23 and the *Fire Protection and Prevention Act*, 1997, S.O. 1997, c. 4, as amended or successor legislation thereto and any regulations thereunder.
- 3.4 No Person shall conduct or Market any business pursuant to a License during a period when such License is under suspension, has been revoked or has expired pursuant to this by-law.
- 3.5 Every Person shall take down or remove a listing or advertisement related to an unlicensed Short-Term Rental or unlicensed Operator within twenty-four (24) hours of being requested to do so by the Town.
- 3.6 Every Person who issues an invoice, contract, receipt, or similar document related to a Short-Term Rental shall ensure that such document includes the License number of the Operator.
- 3.7 No Person required to be licensed under this by-law shall discriminate against any member of the public in the carrying on of the business on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, marital status, family status, or disability in contravention of the *Human Rights Code*, R.S.O. 1990, c. H.19, as amended.
- 3.8 No Person shall carry on the business of renting, leasing or letting a Short-Term Rental, in any way or manner on Town owned property, parks, boulevards, highways or other public property, unless specifically authorized to do so by a License issued under this by-law.
- 3.9 A valid License will permit a Person to conduct the specific activities to the stated extent described in the License. If a Person intends to make, or makes, any changes to the information contained in its License, or intends to undertake, or undertakes, new or expanded activities pursuant to a License, such Person is required to obtain a new License or a License amendment for those changes or activities, prior to making such changes or undertaking new or expanded activities.
- 4. **Short Term Rental Regulations and Operator Obligations**
 - 4.1 No more than one (1) Short Term Rental is permitted on any Lot.

- 4.2 Short Term Rentals shall only be operated within one (1) Dwelling Unit on a Lot.
- 4.3 Short Term Rentals shall provide one (1) off-street parking space for each bedroom identified as in use for the Short-Term Rental.
- 4.4 Each bedroom intended to be operated as part of a Short-Term Rental shall be clearly identified at the time of application for a new, or the renewal of, License through the provision of a floor plan to the Town showing the location of each bedroom.
- 4.5 Any changes to the number or location of bedroom(s) of a Short-Term Rental shall be provided to the Town through a License amendment application, prior to permitting the use of any bedrooms that previously have not been identified in the License associated to the Short-Term Rental.
- 4.6 An Operator of a Short-Term Rental shall not:
- (a) provide or permit any sleeping accommodations within any vehicle, tent, or accessory building while the unit is used as a Short-Term Rental;
 - (b) provide or permit more than three (3) bedrooms to be made available for use as part of the Short-Term Rental;
 - (c) permit more than six (6) overnight guests to stay at the Short-Term Rental; or
 - (d) provide or permit beds or bedrooms to be used that are not identified in the License associated to the Short-Term Rental.
- 4.7 An Operator of a Short-Term Rental shall post or display the License number associated to the unit on any Marketing, advertisement, or promotion of any such unit.
- 4.8 An Operator of a Short-Term Rental shall post a sign on the exterior of the Short-Term Rental unit premises in a location conspicuous to the public and in a manner as specified and to the satisfaction of the Manager, and in conformity with the Town's Sign By-law, to identify the unit as being licensed pursuant to this by-law.
- 4.9 An Operator of a Short-Term Rental shall ensure that a Person responds to any concerns raised by guests, neighbours, or the Town within two (2) hours.
- 4.10 An Operator of a Short-Term Rental shall provide to each guest and the Town the telephone number of the Person who will be available to respond to any issues, concerns or complains with respect to the Short-Term Rental.
- 4.11 An Operator of a Short-Term Rental shall only Market, list, or advertise their Short-Term Rental unit on a platform of a Short-Term Rental Company that has a valid license pursuant to this by-law that is in good standing.
- 4.12 Every Short-Term Rental and its associated License shall be subject to, conditional upon, and comply with the provisions of Schedule A of this By-law, including the demerit point system and the licensing requirement outlined in this by-law.

- 4.13 An Operator of a Short-Term Rental shall be subject to and ensure compliance with the provisions of Schedule A of this by-law, and the demerit point system and the licensing requirements outlined in this by-law.
- 4.14 Every Operator of a Short-Term Rental shall maintain in good standing, at all times while holding a License or operating a Short-Term Rental, general Liability Insurance that provides coverage for all claims for personal injury, including bodily injury resulting in death, and property damage with an inclusive limit of not less than Two Million Dollars (\$2,000,000.00) per occurrence. Such insurance shall have an endorsement for Short-Term Rentals and insure the Operator and the Short Term Rental unit against liability for any loss or damage that may result from carrying on the business of renting, leasing or letting a Short-Term Rental.
- 4.15 Every Operator of a Short-Term Rental shall provide proof, satisfactory to the Manager, of the insurance coverage required pursuant to Section 4.14 before the issuance of a License, upon any License renewal, upon expiry of a certificate of insurance and at any other time when required by the Manager in writing to confirm the status of insurance coverage.
- 4.16 Every Operator of a Short-Term Rental shall provide the Manager with at least thirty (30) days' advance notice in writing of any impending cancellation, expiration or variation in the amount or conditions of the policy required by Section 4.14.

5. **Application for License**

- 5.1 All License applications, and any renewals thereof, shall be accompanied by the applicable License or renewal fee, as set out in the Town's Fees and Charges By-law.
- 5.2 An application for a License shall be submitted to the Town in accordance with the requirements set out herein and as required by the Manager. The form, content, terms, conditions and requirements of the application for a License shall be as prescribed by the Manager from time to time and as required under this by-law.
- 5.3 On an application for a License, or the renewal thereof, the Applicant shall submit the following to the Town:
 - (a) a completed License application on a form prescribed by the Manager;
 - (b) in case of an application by a natural Person, proof, satisfactory to the Manager, that Applicant is:
 - (i) eighteen (18) years of age or older, and
 - (ii) a citizen of Canada, a permanent resident of Canada, or otherwise possesses a valid work permit or visa issued by the Government of Canada permitting the Applicant to engage in the work activities contemplated by the License;
 - (c) in case of an application by a corporate entity, incorporating documents and a copy of the last annual information return which has been filed with the appropriate government department;

- (d) in case of an application by registered partnership, a registered declaration of partnership and copy of the partnership agreement;
 - (e) any other document or information relating to the operation of the business, or proposed business, requested by the Town, including but not limited to:
 - (i) provincial driver's license;
 - (ii) Vulnerable Sector Screening Search or Criminal Conviction Background Search issued by the Police Service in which the Applicant resides;
 - (iii) Harmonized Sales Tax (HST) number;
 - (iv) York Region Health Department Inspection Certificate;
 - (v) Insurance Certificate;
 - (vi) a permitted use letter from the Town's Building Division;
 - (f) License or renewal fee, as applicable, pursuant to the Town's Fees and Charges By-law; and
 - (g) any outstanding fine(s) owed to the Town.
- 5.4 In addition to and without limiting the above, on an application for a License as an Operator of a Short-Term Rental, or the renewal thereof, the Applicant shall submit the following to the Town:
- (a) proof that the Applicant is an owner of the Lot on which the Short-Term Rental unit is located.
- 5.5 In addition to and without limiting the above, on an application for a License as a Short-Term Rental Company, the Applicant shall submit the following to the Town:
- (a) the Short-Term Rental Company's registered address in Ontario;
 - (b) the name, phone number and e-mail address of a Person responsible for responding to all communications from the Town;
 - (c) the details of the process by which the Short-Term Rental Company will remove advertisements for Short-Term Rentals that are not licensed or not in compliance with this by-law;
 - (d) the details of the Short-Term Rental Company's procedure for dealing with problem Operators and responding to complaints; and
 - (e) an executed agreement with the Town, in a form prescribed by the Town, with respect to the use, retention and disclosure of Operator and guest information.
- 5.6 Upon receipt of an application for a License, or a renewal thereof, and the requisite fee, the Manager shall make investigations as necessary to assess the

application and shall, in accordance with and subject to the criteria, requirements and grounds set out in this by-law:

- (a) issue, or renew, a License;
- (b) in the case of an approved application for a new, or renewed, License, impose such terms and conditions on the License as deemed appropriate by the Manager:
 - (i) for the protection of health, safety and well-being of persons and the economic, social and environmental well-being of the municipality;
 - (ii) to address concerns and opportunities presented by short-term rentals in the municipality;
 - (iii) for the protection of any public infrastructure and private properties;
 - (iv) for the purposes of administration of and compliance with the Short-Term Rental Licensing program and the operations of the Town,
 - (v) to satisfy any requirements of this by-law or any other applicable legislation; or
 - (vi) to address and account for any concerns or issues related to any of the grounds outlined in Subsection 9.1;
- (c) refuse to issue, or renew, a License if:
 - (i) the application is not complete,
 - (ii) all the information as required under this by-law is not provided to the Town,
 - (iii) the application does not meet all the requirements of this by-law, or
 - (iv) there are reasonable grounds to believe that Applicant may not be entitled to the issuance or renewal of a License based on the criteria and grounds outlined in this by-law;

and provide written notice of such a decision to the Applicant.

5.7 A notice of pursuant under Paragraph (b) or (c) of Subsection 5.6 shall include a statement that:

- (a) Applicant may request a hearing before the Tribunal to appeal the decision by delivering a written request in accordance with the Tribunal By-law within thirty (30) calendar days of deemed receipt of the notice; and
- (b) if no request for a hearing is provided in accordance with Paragraph (a), then the decision referred to in the notice shall be final.

5.8 If, before the expiry of a License, a Licensee has applied for renewal of the License and has remitted the prescribed fee, the License shall be deemed to:

- (a) continue until the renewal is granted;
 - (b) if the licensee is served with a notice under Paragraph (c) of Subsection 5.6, continue until the time for requesting a hearing with the Tribunal has expired or, where a hearing has been requested pursuant to the provisions of the Tribunal By-law, until a decision is made and deemed to have been provided to the Applicant; or
 - (c) continue until it is revoked pursuant to the provisions of this by-law;
- whichever occurs first.

5.9 No Person shall be permitted to apply for the renewal of an existing License before thirty (30) days before the expiry of such License.

5.10 If a Licensee does not apply for renewal within thirty-one (31) calendar days after the renewal date of a License, such License shall be deemed to have expired, without a right of appeal, and a new License application shall be required to restore any such License.

5.11 Subject to the provisions of the Tribunal By-law, if upon notice of decision under Paragraph (b) or (c) of Subsection 5.6, a request for a hearing is not provided in accordance with the provisions of the Tribunal By-law within thirty (30) calendar days of deemed receipt of such notice, the decision shall be deemed to be final without any further right of appeal and the License shall be permanently subject to such decision.

5.12 If a Person submits a License application, or renewal, that is incomplete or that does not include the requisite applicable fees, the Town has no obligation to review or consider such application until such time as the application is completed as required under this by-law and the applicable fees provided.

5.13 If a Person submits a License application and additional information or documentation is required to be provided by the Town with respect to the application, any such outstanding or required information shall be supplied to the Town within thirty (30) days of the request made by the Town, failing which the application may be refused by the Town at the discretion of the Manager and a new application for a License will be required.

6. License Fees

6.1 Fees payable pursuant to this By-law shall be as set out in the Town's Fees and Charges By-law.

6.2 Every holder of a License pursuant to this by-law shall be subject to the fees and charges set out in this by-law and shall pay such fees immediately when due.

6.3 In addition to and notwithstanding the above, an administrative fee of 25% of the renewal fee shall be added to each unpaid renewal fee that is paid after the renewal date of the License.

6.4 Once a License is issued by the Town, no fee shall be refunded by the Town in any circumstances.

7. Validity of a License

- 7.1 The Licenses issued pursuant to this by-law shall be valid from the period commencing on the date of issuance of the License and, unless they are sooner forfeited, cancelled or revoked, shall in each case expire on December 31 of each of year for which it was issued.
- 7.2 Notwithstanding any decision of, or statement by, Council, the Tribunal, any Tribunal member, or any employee of the Town, respecting the granting of a License or application therefor, no Person shall be deemed to be Licensed until the fee required by this by-law with respect to such License is paid to the Town and the physical License, plate, or other evidence of the granting of such License is provided by the Town.
- 7.3 Every License issued shall be deemed to be personal to the Licensee named therein and shall not be transferable under any circumstances.
- 7.4 No Person shall enjoy a vested right in the continuance of a License and upon the issuance or renewal thereof, the License shall be the property of the Town of Aurora.
- 8. **Revocation and Suspension of a License**
 - 8.1 Where the Manager is of the opinion, based on any investigation or applicable information, that any licensee under this by-law is not entitled to hold a License or continue under License based on the grounds referred to in Section 9, the Manager may issue a decision to revoke, suspend or to add/vary any conditions on a License of a such a licensee and provide written notice of such a decision to the licensee.
 - 8.2 A notice pursuant Subsection 8.1 shall include a statement that:
 - (a) Licensee may request a hearing before the Tribunal to appeal the decision by delivering a written request in accordance with the Tribunal By-law within thirty (30) calendar days of deemed receipt of the notice; and
 - (b) if no request for a hearing is provided in accordance with Paragraph (a), then the decision referred to in the notice shall be final.
 - 8.3 A License subject to a decision under Subsection 8.1, provided that it has not otherwise expired or been revoked pursuant to other provisions of this by-law, shall be deemed to continue, and not subject to suspension in the case of a notice of suspension, until the time for requesting a hearing with the Tribunal has expired pursuant to Subsection 8.4 or, where a hearing has been requested pursuant to the provisions of the Tribunal By-law, until a decision is made and deemed to have been provided to the licensee.
 - 8.4 Subject to the provisions of the Tribunal By-law, if upon notice of decision under Subsection 8.1, a request for a hearing is not provided in accordance with the provisions of the Tribunal By-law within thirty (30) calendar days of deemed receipt of such notice, the decision shall be deemed to be final without any further right of appeal and the License shall be permanently subject to such decision.
 - 8.5 Notwithstanding anything else in this by-law, if the Manager is satisfied that the continuation of any activity licenced under this by-law poses an immediate

danger to the health or safety of any person or property, the Manager may suspend the Licence without a hearing on conditions he/she considers appropriate, subject to the following:

- (a) before suspending the Licence, the Manager shall provide the Licensee with reasons for the suspension, either orally or in writing, and an opportunity to respond to them; and
- (b) the suspension shall not exceed 14 days.

8.6 If the Manager suspends, cancels, revokes, or refuses to issue or renew a License, the Town may post a notice, of such suspension, cancellation, revocation, or refusal to issue or renew, on the premises of the business subject to such License. Such notice posted by the Town shall not be removed until such time as the Manager issues a valid License for such premises, or otherwise the Manager permits such removal.

8.7 If a business is operating without a License as required under this by-law, the Town may post a notice describing the failure to hold a valid License on the premises of such a business. Such notice posted by the Town shall not be removed until such time as the Manager issues a valid License for such premises, or otherwise the Manager permits such removal.

9. **Grounds and Criteria for License Refusal, Revocation and Variation**

9.1 A Licence holder or Applicant for a Licence, or renewal, is, subject to the provisions of this by-law, entitled to a Licence, or renewal, except where:

- (a) the conduct of the licensee or Applicant affords reasonable grounds to believe that the licensee or Applicant has not carried on, or will not carry on, the business in accordance with applicable law and with integrity and honesty;
- (b) there are reasonable grounds to believe that the carrying on of the business by the licensee or Applicant has resulted, or will result, in a breach of this or any other by-laws, or any other law;
- (c) there are reasonable grounds to believe that the licensee or Applicant has provided false information to the Town, the Manager or any Officer, in order to obtain, or maintain, a License;
- (d) the applicant is a corporation and its conduct or the conduct of its officers, directors, employees, or agents affords reasonable grounds to believe that its business has not been, or will not be, carried on in accordance with law and with integrity and honesty;
- (e) there are reasonable grounds to believe that the premises, advertising, or platform in respect of which the Licence is required have not complied, or will not comply, with the provisions of this or other by-laws, or any other law;
- (f) the conduct of the licensee or Applicant or other circumstances afford reasonable grounds to believe that the carrying on of the business by the license or Applicant has infringed, or would infringe, the rights of other

members of the public, or has endangered, or would endanger, their health or safety.

- 9.2 Where an Applicant for a Licence or its renewal, or the holder of a License, is a corporation or a partnership, Subsection 9.1 shall apply to any of the officers or directors of the corporation or partners in the partnership.
- 9.3 In addition to the grounds set out in Subsection 9.1, a Person shall not be entitled to apply for or hold a License, and the Manager shall refuse to issue or renew a License where, in the year prior to the date of the Application:
- (a) the Person applied for and been finally refused a License;
 - (b) the Person applied for or held a License and had it finally revoked; or
 - (c) the Short-Term Rental unit for which the License is being sought has its License finally refused or revoked.
- 9.4 Notwithstanding other provisions of this by-law, a License issued in error or in contravention of the provisions of this by-law may be revoked by the Manager upon learning of the mistake or contravention, with such decision becoming effective immediately. In the event of such revocation, the Manager shall issue a revocation decision pursuant to Subsection 8.1.

10. **Demerit Point System**

- 10.1 In addition to and without limiting anything in this by-law, a demerit point system is hereby established to govern, administer and enforce non-compliance of Licenses issued pursuant to this by-law.
- 10.2 Upon initial approval of a new License, the Licensee shall have zero (0) demerit points. The demerit points shall reset to zero (0) upon each anniversary of the date of initial License approval.
- 10.3 Contraventions of this by-law, or any law applicable to the Short-Term Rental or the Licensee, shall result in the accrual of demerit of points, as outlined in Schedule A and elsewhere in this by-law.
- 10.4 If, at any time:
- (a) a Licensee accrues more than fourteen (14) demerit points assigned to their License, or
 - (b) in the event a Licensee was issued a previous decision under this Subsection and was permitted, by decision of the Manager or the Tribunal that is final, to continue to operate with more than fourteen (14) demerit point, and the Licensee accrues any additional demerit points since the issuance of the previous decision,

the Manager shall issue a decision to revoke such License or to add/vary conditions imposed on such License pursuant to Section 8.1. Such decision shall be subject to appeal and the requirements outlined in Section 8.

11. **Appeal of Decisions to Tribunal**

- 11.1 Where an Applicant or Licensee wishes to appeal a decision made pursuant to Subsection 5.6 or 8.1, such an Applicant or Licensee may appeal such decision to the Tribunal by delivering notice and any applicable fee in accordance with the provisions of the Tribunal By-law within thirty (30) calendars days of receipt of the decision or notice from the Town, or deemed receipt, whichever is earlier.
- 11.2 Notices, decisions and requests to be provided under this by-law, unless otherwise noted or specifically addressed in this by-law, shall be deemed to have been served and provided in accordance with the Rules of Procedures established under the Tribunal By-law.
- 11.3 Upon receipt of a notice to appeal a decision pursuant to Subsection 11.1, such a request shall be processed and handled in accordance with the Tribunal By-law.

12. Administration and Enforcement

- 12.1 The Director and the Manager shall be responsible for and are delegated the power to administer and enforce this by-law, including prescribing the content and form of any licences, forms or other documents required under this by-law.
- 12.2 The Manager shall be responsible for and is delegated the power to issue, refuse, revoke, cancel, suspend, set conditions of and in impose conditions on, request information with respect to, process and administer licenses and any related applications.
- 12.3 The Director, the Manager and Officers are hereby delegated the authority to enforce this by-law, including the authority to conduct inspections and investigations under this by-law, the Act, as amended, and any other applicable by-law or legislation.
- 12.4 The Director is authorized to delegate responsibilities for the administration and enforcement of this by-law to any Town staff or external third parties deemed to be qualified and appropriate by the Director for such purposes.

13. Power of Entry, Inspection, Prohibitions

- 13.1 An Officer, or any other individual authorized to enforce this by-law on behalf of the Town, may at any reasonable time enter upon any land for the purpose of carrying out an inspection to determine whether the following are being complied with:
 - (a) this by-law;
 - (b) any permit or license issued pursuant to this by-law,
 - (c) any direction or order under this by-law;
 - (d) an order issued under section 431 of the Act.
- 13.2 Where an inspection is conducted pursuant to this section, an Officer or any other individual authorized to enforce this by-law on behalf of the Town, may:
 - (a) require the production for inspection of documents or things relevant to the inspection;

- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
 - (c) require information from any Person concerning a matter related to the inspection; and
 - (d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.
- 13.3 No Person shall hinder or obstruct or attempt to hinder or obstruct the Town, its employees, officers or agents from carrying out any powers or duties under this by-law.
- 13.4 No Person shall fail to comply with, or contravene, any order or direction issued by the Town pursuant to this by-law or the Act.
- 13.5 Where an Officer, or an individual authorized to enforce this by-law, has reasonable grounds to believe that an offence has been committed by any Person, they may require the name, address and proof of identity of that Person, and the Person shall supply the required information.
- 13.6 No Person shall decline or neglect to give, produce or deliver any information, document or other thing that is requested by the Town pursuant to this by-law.
- 13.7 No Person shall knowingly make, participate in, assent to or acquiesce in the provision of false information in a statement, affidavit, application or other document prepared, submitted or filed under this by-law.
- 14. **Orders**
 - 14.1 Where the Manager or any Officer is satisfied that a contravention of this by-law has occurred, such Manager or Officer may make an order requiring that the Person who caused or permitted such contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity and/or to do work to correct the contravention.
 - 14.2 An order pursuant to this section shall set out the following:
 - (a) reasonable particulars identifying the location of the land on which the contravention occurred;
 - (b) reasonable particulars of the contravention;
 - (c) what is required of the Person subject to the order (i.e., what activity is to be seized and/or actions or work to be done);
 - (d) the date by which there must be compliance with the order and/or, if any work is ordered, the date by which any such work must be done; and
 - (e) information regarding the Town's contact Person.
 - 14.3 An order pursuant to this section shall be deemed to have been received upon:
 - (a) personal service of the order on the Person subject to the order;

- (b) one day after transmission of the order through electronic means to an email or social media address provided by the Person subject to the order;
- (c) one day after posting the order in a conspicuous location on the property subject to the order;
- (d) the fifth (5th) day after the order is sent by registered mail to the last known address of the Person who is subject to the order.

15. Remedial Action and Cost Recovery

- 15.1 Wherever this by-law or an order issued under this by-law directs or requires any matter or thing to be done by any Person within a specified time period, in default of it being done by the Person directed or required to do it, the action may be taken under the direction of the Director or an Officer at that Person's expense and the Town may recover the costs incurred through a legal action or by recovering the costs in the same manner as taxes.
- 15.2 For the purposes of taking remedial action under this section, the Town, its staff and/or its agents may enter, at any reasonable time, upon any lands on which a default to carry out a required thing or matter occurred.

16. Offences and Penalties

- 16.1 Every Person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33.
- 16.2 Every Person who contravenes any order issued pursuant to this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33.
- 16.3 If a corporation has contravened a provision of this by-law, including an order issued under this by-law, every director and officer who knowingly concurred in such a contravention is guilty of an offence.
- 16.4 Pursuant to Subsection 429(2) of the Act, all contraventions of this by-law or orders issued under this by-law are designated as continuing offences. If a contravention of any provision of this by-law has not been corrected, or an order issued under this by-law has not been complied with, the contravention of such a provision or an order shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected or an order not complied with.
- 16.5 On conviction of an offence under this by-law, every Person is liable to a fine in accordance with the following rules pursuant to the Act:
- (a) to a fine of not less than \$500.00 and not more than \$100,000.00;
 - (b) in the case of a continuing offence, for each day or part of a day that the offence continues, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00, despite paragraph (a), the total of all the daily fines for an offence is not limited to \$100,000;

- (c) in the case of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00, despite paragraph (a), the total of all fines for each included offence is not limited to \$100,000.

- 16.6 In addition to fines under this section, a Person convicted of an offence under this by-law may be liable to a special fine in the amount of the economic advantage or gain that such a Person obtained from the contravention of this by-law. Notwithstanding Subsection 16.5 above, a special fine may exceed \$100,000.
- 16.7 Where a Person is convicted of an offence under this by-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.

17. **Administrative Penalties**

- 17.1 Instead of laying a charge under the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended, for a breach of any provision of this by-law, an individual authorized to enforce this by-law on behalf of the Town may issue an administrative penalty to the Person who has contravened this by-law.
- 17.2 Individuals authorized to enforce this by-law on behalf of the Town have the discretion to either proceed by way of an administrative penalty or a charge laid under the *Provincial Offences Act*, R.S.O. 1990, c. P.33. If an administrative penalty is issued to a Person for the breach, no charge shall be laid against that same Person for the same breach.
- 17.3 The amount of the administrative penalty for a breach of a provision of this by-law, shall be as established pursuant to applicable Town by-laws.
- 17.4 A Person who is issued an administrative penalty shall be subject to the procedures as provided for in the applicable Town by-laws relating to administrative penalties.

18. **Presumption**

- 18.1 The holder of the License for the Short-Term Rental on which a non-compliance or contravention has occurred shall be presumed to have carried out or caused, or permitted to be carried out, the non-compliance or contravention, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 18.2 Any unit that is Marketed for the purpose of renting, leasing or letting such a unit for temporary sleeping or lodging accommodations for a period that is less than twenty-eight (28) consecutive days in exchange for payment, shall be presumed to be a Short-Term Rental pursuant to this by-law, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
- 18.3 Any unit that is Marketed for the purpose of renting, leasing or letting such that a guest, visitor or lodger is permitted or has the option to rent, lease or let such unit for a period that is less than twenty-eight (28) days, shall be presumed to provide accommodations for a rental period that is less than twenty-eight (28)

consecutive days, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

19. **Severability**

- 19.1 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid or to be of no force and effect, it is the intention of the Town in enacting this by-law that such provision or part of a provision shall be severable, and such a decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of this by-law.

20. **Effective Date**

- 20.1 This by-law comes into full force and effect on the date of final passage hereof.

Enacted by Town of Aurora Council this 28th day of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

Schedule A**Demerit Point System for Short Term Rentals**

1. Contraventions by a Short-Term Rental, or by the Operator or Licensee of such Short-Term Rental, will result in the accrual of demerit points as outlined Table 1 below.
2. The number of demerit points referenced in Column 3 of Table 1 of this Schedule will be accrued against the Short-Term Rental unit, and the Licensee of such unit, in respect to the matter noted in Column 1 applied against the Short-Term Rental, or the Operator or Licensee of such Short-Term Rental as it pertains to the Short-Term Rental unit, under the following conditions:
 - (a) fifteen (15) days from the date of issue of an administrative penalty issued under the Town's administrative penalty system by-law;
 - (b) upon the issuance of a Part 1 or Part III ticket under the *Provincial Offences Act*; or
 - (c) upon conviction in the Ontario Court of Justice;
 - (d) the confirmation of an order issued pursuant to this by-law; or
 - (e) the confirmation of any contravention documented by Central York Fire Services.

Table 1		
Column 1 Infraction	Column 2 Reference	Column 3 Demerit Points
Contravention of the Fire Protection and Prevention Act or the Fire Code	<i>Fire Protection and Prevention Act, 1997, S.O. 1997, c. 4; O. Reg. 213/07</i>	15
Operate while license is suspended or revoked	Subsection 3.4 of the STR	15
Contravention of the Building Code Act or the Building Code	Building Code Act, 1992, S.O. 1992, c. 23; O. Reg. 332/12	15
Failure to post a sign on the premises identifying the unit as a Short-Term Rental	Subsection 4.8 of the STR	7
Permitting use of more than the number of bedrooms authorized	Subsection 4.6 of the STR	7
Permitting more than the number of guests authorized	Subsection 4.6 of the STR	7
Failure to post business license number on advertisements	Subsection 4.7 of the STR	5
Failure to respond to complaint by specified time	Subsection 4.9 of the STR	5
Contravention of the Noise By-law	Noise By-law 6381-21 of the Town	3
Contravention of Property Standards By-law	Property Standards By-law 4044-99 of the Town	3
Contravention of Clean Communities By-law with respect to weeds and grass	Clean Communities By-law 6257-20 of the Town	3
Contravention of Clean Communities By-law with respect to garbage and waste	Clean Communities By-law 6257-20 of the Town	3

- * References to the "STR" in the table above shall mean Short-Term Rental By-law.
- * All references in the table above to by-laws, statutes and regulations are references to such as they are amended from time to time, and to any successor legislation.

The Corporation of the Town of Aurora

By-law Number XXXX-22

Being a By-law to amend By-law Number 5558-13, to create the Aurora Appeal Tribunal and to establish its Rules and Procedure.

Whereas on November 12, 2013, the Council of The Corporation of the Town of Aurora (the "Town") enacted By-law Number 5558-13, being a by-law to create the Aurora Appeal Tribunal and to establish its Rules and Procedure;

And whereas on March 29, 2022, the Council of the Town passed a motion contained in Report No. CS22-018, to bring forward amendments to By-law Number 5558-13, in regard to the Short-Term Rental By-law;

And whereas the Council of the Town deems it necessary and expedient to amend By-law Number 5558-13;

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

1. Subsection 1.1 of By-law Number 5558-13 be and is hereby amended by adding the following:

“(h) “Short-Term Rental By-law” means By-law Number XXXX-22, as amended or successor thereof.”
2. Subsection 4.1 of By-law Number 5558-13 be and is hereby deleted and replaced with the following:

“4.1 The Tribunal shall hear appeals of decisions of the Town, which decisions carry a right of appeal to the Tribunal as may be set out in the Licensing By-law, Animal Control By-law, or Short-Term Rental By-law.”
3. Subsection 9.1 of By-law Number 5558-13 be and is hereby deleted and replaced with the following:

“9.1 An appeal is commenced by the filing of a written notice/request for appeal with the Town Clerk, accompanied by the payment of the fee (if any) within the applicable appeal period set out in the Licensing By-law, Animal Control By-law or Short-Term Rental By-law, calculated according to the Rules of Procedure, after the appellant receives the decision or notice from the Town that is to be appealed, or is deemed to have received the decision, whichever is earlier.”
4. Subsection 9.2 of By-law Number 5558-13 be and is hereby deleted and replaced with the following:

“9.2 On receipt of a written request for an appeal hearing from the appellant and any applicable appeal fee, the Town Clerk shall schedule a hearing and shall give reasonable notice to the appellant, as set out in the Rules of Procedure.”
5. Section 12 of By-law Number 5558-13 be and is hereby amended by adding and the following:

By-law Number XXXX-22

Page 2 of 2

“12.3 Fees payable pursuant to this by-law shall be as set out in the Town’s Fees and Charges By-law and are non-refundable.”

6. Subsection 1.1 (e) of Schedule “A” to By-law Number 5558-13 be and is hereby deleted and replaced with the following:

“(e) “licensee” means the holder of a license issued pursuant to the provisions of the Licensing By-law and Short-Term Rental By-law;

Enacted by Town of Aurora Council this 28th day of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

The Corporation of the Town of Aurora

By-law Number XXXX-22

Being a By-law to amend By-law Number 6000-17, as amended, respecting the lands municipally known as 15296, 15306 and 15314 Yonge Street (File No. ZBA-2021-03).

Whereas under section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the “Planning Act”), zoning by-laws may be passed by the councils of local municipalities to prohibit and regulate the use of land, buildings and structures;

And whereas on June 27, 2017, the Council of The Corporation of the Town of Aurora (the “Town”) enacted By-law Number 6000-17 (the “Zoning By-law”), which Zoning By-law was appealed to the Ontario Municipal Board (the “OMB”);

And whereas on January 29, 2018, the OMB made an order, in accordance with subsection 34(31) of the Planning Act, providing that any part of the Zoning By-law not in issue in the appeal shall be deemed to have come into force on the day the Zoning By-law was passed;

And whereas the OMB and the Local Planning Appeal Tribunal (the “LPAT”) is continued under the name Ontario Land Tribunal (the “Tribunal”), and any reference to the Ontario Municipal Board or OMB or Local Planning Appeal Tribunal or LPAT is deemed to be a reference to the Tribunal;

And whereas the Council of the Town deems it necessary and expedient to further amend the Zoning By-law;

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

1. The Zoning By-law be and is hereby amended to replace the “Promenade Downtown PD1 Zone” category applying the lands shown in hatching on Schedule “A” attached hereto and forming part of this By-law with “Promenade Downtown PD1(542) Exception Zone”.
2. The Zoning By-law be and is hereby amended to add the following:

Parent Zone: PD1 Exception No.: 542	Map: 2	<i>Previous Zone:</i> PD1	<i>Previous By-laws:</i> xx
Municipal Address: 15296, 15306 and 15314 Yonge Street			
Legal Description: Lots B and C and Part of Lot D, Plan 36 and Part of Lots 15 and 16, Plan 246, Town of Aurora			

24542.1 Permitted Uses
<ul style="list-style-type: none"> • Notwithstanding Section 8.1, Dwelling units are permitted on the <i>First Storey</i> and Below Grade • All other uses permitted in the PD1 Zone
24542.2 Maximum Number of Units

<ul style="list-style-type: none"> • 136 Apartment Dwelling Units 	
24.542.3 Zone Requirements	
Number of Storeys (Maximum)	<ul style="list-style-type: none"> • 6 storeys along Yonge Street • 8 storeys at building rear (west side)
Building Height (Maximum)	24.0 metres
Rear Yard Setback (Minimum)	1.5 metres
Notwithstanding Section 8.2, a <i>Parking Area</i> is permitted in a Rear or Side Yard, located behind a building.	
24.542.4 Amenity Area	
Notwithstanding Section 7.5.2, the Minimum amount of <i>Amenity Area</i> is as follows: <ul style="list-style-type: none"> • 1380.0 m² as Outdoor <i>Amenity Area</i>, including common areas and private balconies, terraces, and patios. • 270 m² as Indoor <i>Amenity Area</i> 	
24.542.5 Section 37 Provisions	
a) Pursuant to Section 37 of the <i>Planning Act</i> , and subject to compliance with this By-law, the increase in height and density of the development (as shown on Schedule 'B') which forms part of this By-law) is permitted beyond that otherwise permitted on the lands shown on Schedule A in return for the owner's payment of \$243,162.90.	
b) The issuance of a building permit which includes the extra height and density referred to above shall be dependent on the payment of the \$243,162.90 and the entering into of a Section 37 Agreement, which will be registered on title.	

3. This By-law shall come into full force subject to compliance with the provisions of the Planning Act and subject to compliance with such provisions, this By-law will take effect from the date of final passage hereof.

Enacted by Town of Aurora Council this 28th of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

Explanatory Note

Re: By-law Number XXXX-22

By-law Number XXXX-22 has the following purpose and effect:

To amend By-law Number 6000-17, as amended, the Zoning By-law in effect in the Town of Aurora, to rezone the subject lands from "Promenade Downtown PD1" to "Promenade Downtown PD1(542) Exception Zone".

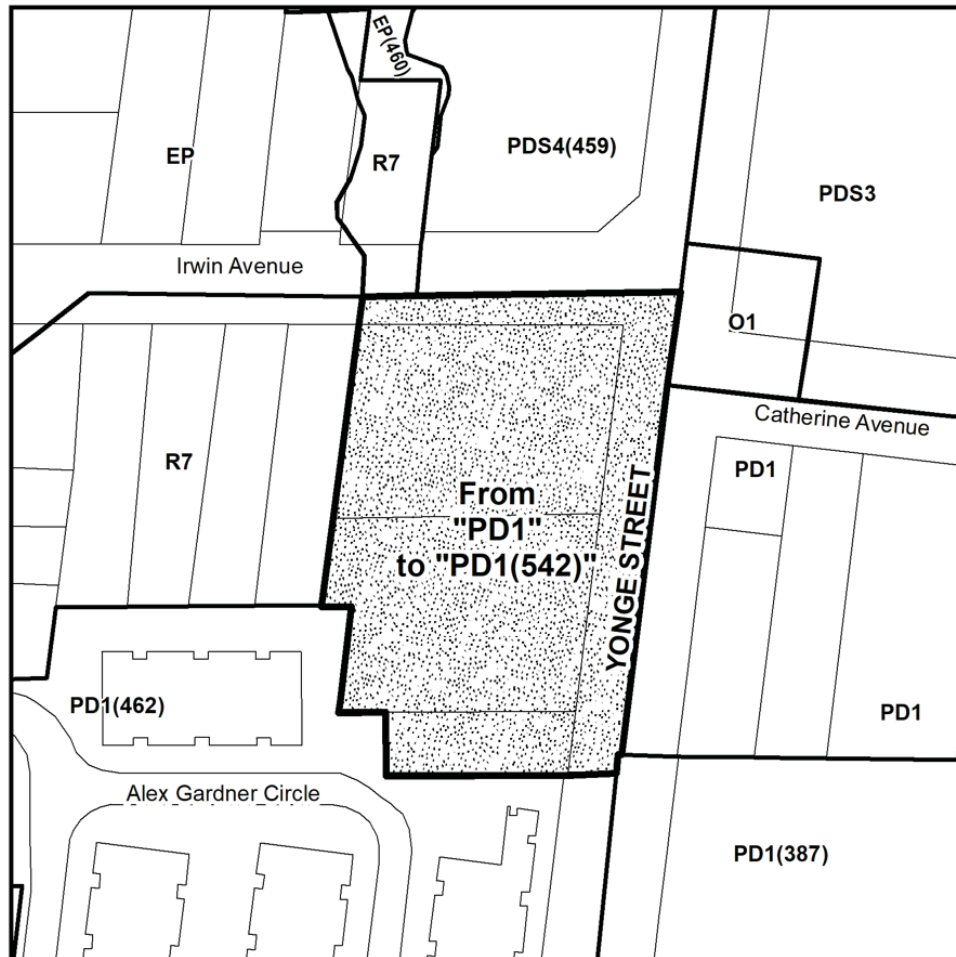
The effect of this zoning amendment is to permit a six to eight storey residential apartment building on the subject property, municipally known as 15296, 15306 and 15314 Yonge Street.

Schedule "A"

Location: Lots B and C and Part of Lot D, Plan 36 and Part of Lots 15 and 16, Plan 246, Town of Aurora, Regional Municipality of York



Lands rezoned from "Promenade Downtown PD1" to "Promenade Downtown PD1(542) Exception Zone."



The Corporation of the Town of Aurora

By-law Number XXXX-22

Being a By-law to regulate and prescribe the standards for fences and pool enclosures.

Whereas Subsection 11(3) 7 of the *Municipal Act*, 2001, S.O. 2001, c. 25, as amended (the "Municipal Act"), provides that a local municipality may pass by-laws respecting structures, including fences and signs;

And whereas Subsection 98(1) and (2) of the *Municipal Act* provides that a by-law may be passed by a municipality stating that the *Line Fences Act*, R.S.O. 1990, c. L.17 does not apply to all or part of the municipality, subject to the continuing applicability of Section 20 of the *Line Fences Act*;

And whereas Section 26 of the *Line Fences Act* states that it does not apply, except for Section 20, to land in an area that is subject to a by-law for apportioning the costs of line fences passed under the *Municipal Act*;

And whereas Subsection 8(1) of the *Municipal Act* provides that powers of a municipality shall be interpreted broadly so as to confer broad authority on the municipality to enable the municipality to govern its affairs as it considers appropriate and to enhance the municipality's ability to respond to municipal issues;

And whereas Subsection 391(1) of the *Municipal Act* provides that a municipality may pass by-laws imposing fees or charges on any persons for the use of its property including property under its control;

And whereas Section 446 of the *Municipal Act* provides that a municipality may proceed to do things at a person's expense which that person is otherwise required to do under a by-law but has failed to do and to recover the costs of doing so by adding the costs to the tax roll and collecting them in the same manner as property taxes;

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

1. Definitions

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

- (a) **"Building Code Act"** means the *Building Code Act*, 1992, S.O. 1992, c. 23, as it may be amended or replaced from time to time;
- (b) **"CBO"** means the Chief Building Official of the Town as appointed pursuant to the *Building Code Act*;
- (c) **"Clerk"** means the Clerk of the Town as appointed pursuant to the *Municipal Act*, 2001, S.O. 2001, c. 25;
- (d) **"Council"** means the Council of the Town;
- (e) **"Director"** means the department head responsible for the By-law Services Division of the Town, or his/her designate or successor;

- (f) **“Driveway”** means any space on private property used, or intended to be used, by vehicles to park or to access parking;
- (g) **“Fence”** means a barrier, including one for noise attenuation, or any structure, except a structural part of a building, that wholly or partially screens from view, encloses or divides a yard or other land, or marks or substantially marks the boundary between adjoining land, and includes any hedge or shrub that has the same effect;
- (h) **“Front Yard”** means the space, extended to the full width of the lot, including any side Lot Lines, between the main front wall of the building and the Lot Line abutting a Public Highway, but on a corner lot means the space, extended to the full width of the lot, including any side Lot Line, between the shorter Lot Line abutting a Public Highway, other than a public lane, and the nearest wall of the main building on the lot;
- (i) **“Guard”** means as defined under Ontario Regulation 332/12, the Building Code of Ontario, or amended or successor thereof;
- (j) **“Height”** means the vertical distance above grade of ground level or, if another reference point is specified, vertical distance above the other reference point;
- (k) **“Lot Line”** means the boundary line of a lot that marks the division of properties;
- (l) **“Multiple Residential Property”** means land that is not a Single Residential Property and that is primarily used for residential uses, and also includes land used for hotels and vacant land that abuts a Multiple Residential Property, as prior defined;
- (m) **“Municipal Act”** means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or successor thereto;
- (n) **“Non-Residential Property”** means land that is used for purposes other than for residential use, and includes land that is used for both residential and other uses, and also includes vacant land abutting Non-Residential Property, as prior defined;
- (o) **“Officer”** means a person appointed by the Town as a Municipal Law Enforcement Officer;
- (p) **“Open-Fence Construction”** means a Fence construction that provides motorists and pedestrians with an unobstructed view of people, vehicles and their movements through the entire length of the Fence;
- (q) **“Outside”** when used in reference to a Swimming Pool Enclosure, means the side external to the enclosed area in which the pool is located;
- (r) **“Owner”** means all registered owners of a property and also includes:
 - (i) the owner in trust,
 - (ii) a mortgagee in possession,

- (iii) any Person that is managing the property or is responsible for managing the property,
 - (iv) any Person who collects rent on the property or is responsible for collecting rent on the property, and
 - (v) any lessee or occupant of the property;
- (s) **"Parking Lot"** means any space on private property used, or intended to be used, by vehicles to park or to access parking that is not on a Single Residential Property;
- (t) **"Person"** includes an individual, sole proprietorship, partnership, limited partnership, trust or body corporate, or an individual in his or her capacity as a trustee, executor, administrator or other legal representative;
- (u) **"Public Highway"** means any highway as defined under the Municipal Act and includes any street, road, sidewalk, boulevard, lane or any other portion of a highway;
- (v) **"School"** means any land or premises used for, or intended to be used for, a school site as defined under the *Education Act*, R.S.O. 1990, c. E.2;
- (w) **"Single Residential Property"** means and includes:
 - (i) a property that is used for not more than two dwelling units in a detached or semi-detached building, and
 - (ii) vacant land abutting Single Residential Property as defined in subparagraph (i) above;
- (x) **"Snow Fence"** means any Fence used to force drifting snow to accumulate in a predictable place, and which is usually constructed of plastic mesh, lightweight woodstrip, or wire fencing;
- (y) **"Swimming Pool"** means any outdoor structure or thing located on privately owned property that is capable of being used for swimming, wading or bathing and in which the water depth at any point can exceed 600 millimetres, excluding all naturally occurring bodies of water and areas used for storm water management;
- (z) **"Swimming Pool Enclosure"** means a Fence, wall or other structure, including any permitted door, gate or other opening, which surrounds and restricts access to an outdoor Swimming Pool;
- (aa) **"Swimming Pool Enclosure Permit"** means a written permit issued by the Town pursuant to this by-law authorizing the erection, construction, placing or maintenance of a Swimming Pool Enclosure;
- (bb) **"Temporary Enclosure"** means a Fence, wall or other structure, including any permitted door, gate or other opening, which temporarily surrounds and restricts access to an outdoor Swimming Pool or the site on which a Swimming Pool is being constructed;

- (cc) **"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;
- (dd) **"Zoning By-law"** means the Zoning By-law of the Town of Aurora as amended or successor legislation thereto.

2. **Interpretation and Application of this By-law**

- 2.1 This by-law shall be known and may be cited as the "Fence and Pool Enclosure By-Law".
- 2.2 The provisions of this by-law shall apply to all lands and premises within the Town of Aurora.
- 2.3 Notwithstanding the above, this by-law does not apply to any Fence, Swimming Pool Enclosure, Temporary Enclosure or Swimming Pool erected, placed or constructed by or on behalf of the Town, The Regional Municipality of York, the Lake Simcoe Region Conservation Authority, the Toronto and Region Conservation Authority or the Federal Government of Canada.
- 2.4 Unless otherwise specified, references in this by-law to parts, sections, subsections, clauses and schedules are references to parts, sections, subsections clauses, and schedules in this by-law.
- 2.5 The part and section headings contained throughout this document are for reference purposes only and do not form a part of this by-law. This by-law is to be interpreted without reference to such headings.
- 2.6 References in this by-law to any statute or statutory provisions include references to that statute or statutory provision as it may from time to time be amended, extended, or re-enacted.
- 2.7 This by-law shall be read with all changes in gender or number as the context requires.
- 2.8 References in this by-law to items in the plural include the singular, and references to the singular include the plural, as applicable.
- 2.9 The words "include", "includes", "including" are not to be read or interpreted as limiting the words, phrases, or descriptions that precede it.
- 2.10 If a court of competent jurisdiction declares any provision, or any part of a provision, of this by-law to be invalid or to be of no force and effect, it is the intention of the Town in enacting this by-law that such provision or part of a provision shall be severable, and such a decision shall not affect the validity of the remaining sections, subsections, clauses or phrases of this by-law.
- 2.11 This by-law and the provisions contained within are intended to be complementary to other by-laws passed by Council and in the event that any other applicable law requires a higher standard than the provisions contained in this by-law, the higher standard shall apply.
- 2.12 Where vacant land is adjacent to more than one type of Single Residential Property, Multiple Residential Property and Non-Residential Property, the Fence

restrictions and requirement that apply to each part of the fence shall be those that apply to the property that is adjacent to such part of the Fence.

3. **Planning Act Agreements**

- 3.1 Where a property is subject to a site plan agreement under Section 41 of the *Planning Act*, R.S.O. 1990, c. P.13 any Fences on such property shall comply with the applicable site plan agreement. In case of any conflict or inconsistency as between such a site plan and this by-law, the provision of the site plan agreement shall prevail.
- 3.2 Where a property is subject to a subdivision agreement under Section 51 of the *Planning Act* any Fences on such property shall comply with the applicable subdivision agreement. In case of any conflict or inconsistency as between such a subdivision agreement and this by-law, the provision of the subdivision agreement shall prevail.

4. **Prohibitions and Restrictions on Fences**

- 4.1 No Person shall erect, own or maintain, or cause or permit the erection or maintenance of, any Fence that does not comply with this by-law and with any other applicable law.
- 4.2 No Person shall erect, own or maintain, or cause or permit the erection or maintenance of, any Fence:
- (a) that uses or is constructed of, wholly or partially, any barbed wire, chicken wire, or other barbed or sharp material;
 - (b) that uses or is constructed of, wholly or partially, any sheet metal or corrugated metal panels;
 - (c) that, wholly or partially, conducts electricity or contains a device that conducts electricity, unless the Fence is located on agricultural land that is in actual use for raising livestock and such Fence or electrical device:
 - i) carries electricity of not more than 12 volts;
 - ii) is designed and installed only for the purpose of containing livestock; and
 - iii) has signs installed at not more than twelve (12) metre intervals along the Fence warning that the Fence carries electricity;

for clarity, this restriction (c) does not apply with respect to a canine perimeter shock collar system.
 - (d) That uses or wholly or partially consists of materials not usually intended for use in permanent fencing, including, without limitation, adhesive tape, cloth, textile, cardboard and paper, unless specifically permitted by this by-law or another by-law.
- 4.3 Any Fence that is not permanently affixed to the ground in a structurally sound manner shall not be erected or maintained, or be caused to be erected or maintained, for a period that is longer than 180 consecutive days or a total of 180

calendar days in any year, unless otherwise approved by the Director or is associated to an active and valid Swimming Pool Enclosure Permit or building permit pursuant to the Building Code Act for the property on which such Fence is erected. Any such non-permanent Fence shall at all times comply with the provisions of this by-law.

- 4.4 Notwithstanding Paragraph (d) of Subsection 4.2, a Snow Fence may be used in the time period between November 15 and April 15, provided that it complies with all corresponding standards in this and other applicable bylaws.
- 4.5 Notwithstanding any other provisions of this by-law, any Fence located in a Front Yard of a property that is zoned as Estate Residential or Rural, under the Zoning By-law, shall be constructed or erected using Open-Fence Construction.
- 4.6 Unless otherwise provided in this by-law, the types of Fences described in the table in Schedule "A" shall comply with the Height and any other restrictions as outlined in Schedule "A", subject to the following:
 - (a) when measured at any point along its length from the average grade level measured perpendicular to and one meter away on either side of the Fence, the described Fences shall not exceed the associated Height restrictions outlined in Schedule "A";
 - (b) where more than one description in the following table applies to a Fence, each part that corresponds to a single description shall be deemed to be a separate Fence for the purpose of determining the maximum Height for that part;
 - (c) despite the Height restrictions set out herein, a Fence at any School may be up to a maximum of 1.5 meters in Height if such Fence is adjacent to a Public Highway or right-of-way
- 4.7 Unless otherwise provided in this by-law, all Fences shall comply with the following requirements with respect to Driveways and Parking Lots:
 - (a) any Fence located within 2.4 meters of any Driveway shall be an open mesh chain-link Fence, or of an equivalent Open-Fence Construction, for at least 2.4 meters from the Lot Line at which the Driveway begins so as not to obstruct the view of the boulevard or highway;
 - (b) on or around a Parking Lot, any Fence shall be an open mesh chain-link Fence, or of an equivalent Open-Fence Construction, anywhere it may otherwise restrict the sight lines of vehicular or pedestrian traffic in the Parking Lot; and
 - (c) no vegetation shall be permitted to grow and no object shall be placed in such a way as to obstruct the view through a Fence to which the aforementioned paragraphs (a) or (b) apply.
- 4.8 Any part of a Fence erected or located within 60 centimeters of a building on an adjacent property shall be constructed with removable panels or have hinged panels, or otherwise be constructed in such a way to provide ease of access to such adjacent building. Notwithstanding the above, the requirement to provide

removable panels or access to a building only applies with respect to Fences, or those parts of Fences, that:

- (a) are erected or constructed following the date of enactment of this by-law, and
- (b) are located next to a building that fits into the definition of a building under the Building Code Act which was legally erected prior to the Fence being put in place.

4.9 Where a Fence is used as a Guard, it shall be installed and maintained in compliance with the provisions of the Building Code Act and the associated regulations. Further, if a Guard forms part of a Swimming Pool Enclosure, it shall also comply with the requirements of Section 5 of this by-law. In the case that more than one by-law requirement or more than one by-law apply with respect to Guard requirements, the more restrictive provisions shall apply.

5. Swimming Pool Enclosure Permits

5.1 No Person shall excavate for or erect, or cause to be excavated for or erected, a privately-owned outdoor Swimming Pool without first obtaining a Swimming Pool Enclosure Permit for the premises on which the Swimming Pool is to be located.

5.2 An application for a Swimming Pool Enclosure Permit shall be submitted to the CBO on a form as prescribed by the CBO.

5.3 The form, content, terms, conditions and requirements of the application for a Swimming Pool Enclosure Permit shall be as prescribed by the CBO from time to time and the CBO may, without limiting the CBO's authority to prescribe the application and its form, content, terms, conditions and requirements, require as part of an application:

- (a) a detailed accurate site plan that illustrates the location of and the setback measurements of the fencing, easements, pool and all buildings;
- (b) the applicant to agree to any terms and conditions as prescribed by the CBO;
- (c) any affidavits, drawings, plans, surveys, photographs and other documents the CBO deems to be necessary in order to assess the proposed application; and
- (d) any information deemed necessary by the CBO to be able to evaluate the application with respect to the proposed activities and the associated timeframes.

5.4 In addition to the above, any premises subject to an application for a Swimming Pool Enclosure Permit located within the Lake Simcoe Region Conservation Area (LSRCA) or the Toronto Region Conservation Authority (TRCA) must receive approval in writing from the LSRCA or the TRCA, as applicable, prior to submitting the Swimming Pool Enclosure Permit application to the CBO.

5.5 Upon receipt of an application for a Swimming Pool Enclosure Permit and receipt of the applicable fees, as established in the Town's Fees and Charges By-law, the

CBO shall make investigations as necessary to assess the application and may, in accordance with the criteria and requirements set out in this by-law:

- (a) issue a Swimming Pool Enclosure Permit after receipt of a complete application for an enclosure that meets all the requirements of this by-law;
- (b) in the case of an approved application for a Swimming Pool Enclosure Permit, impose such terms and conditions on the Swimming Pool Enclosure Permit as deemed appropriate by the CBO:
 - (i) for the protection of any public infrastructure and property abutting the area subject to the Swimming Pool Enclosure Permit,
 - (ii) for the protection of health, safety and well-being of persons and the environment,
 - (iii) for the purposes of administration of the Swimming Pool Enclosure Permit and the operations of the Town,
 - (iv) for the purposes of maintaining proper standards and workmanship,
 - (v) for the purposes of protecting the Town interests with respect to any risks associated with the work or activities pursuant to the Swimming Pool Enclosure Permit and the use of a Swimming Pool, and
 - (vi) to satisfy any requirements of this by-law or any other applicable legislation.
- (c) refuse to issue a Swimming Pool Enclosure Permit if:
 - (i) the application is not completed, all the information as required under this by-law is not provided or the application does not meet all the requirements of this by-law, or
 - (ii) the required fees are not provided.

5.6 In addition to the above, the CBO may, on his or her own initiative, acting reasonably:

- (a) alter or revoke the terms and conditions of a Swimming Pool Enclosure Permit after it has been issued; or
- (b) impose new terms and conditions in a Swimming Pool Enclosure Permit.

5.7 A Swimming Pool Enclosure Permit holder shall immediately inform the CBO of any change to:

- (a) the information contained in an application for a Swimming Pool Enclosure Permit;
- (b) the information contained in a Swimming Pool Enclosure Permit that has been issued;

- (c) the characteristics of the activity or work for which the Swimming Pool Enclosure Permit has been issued; or
- (d) the cancellation of any related activity or work.

In the case of any such change, the CBO may require revised or additional information, additional fees, or a new application with respect to the change.

- 5.8 A Swimming Pool Enclosure Permit shall be time limited and shall expire pursuant to the terms and conditions as set out in the Swimming Pool Enclosure Permit, upon completion of the work or activity governed by the Swimming Pool Enclosure Permit or revocation of such Swimming Pool Enclosure Permit, whichever occurs first.
- 5.9 Prior to the expiry of a Swimming Pool Enclosure Permit, a Swimming Pool Enclosure Permit holder may apply for an extension to the Swimming Pool Enclosure Permit, and the CBO may approve of such extension.
- 5.10 The CBO may revoke a Swimming Pool Enclosure Permit if the Swimming Pool Enclosure Permit holder, or parties conducting the work or activities pursuant to the Swimming Pool Enclosure Permit:
 - (a) fail to comply with the terms and conditions of such a Swimming Pool Enclosure Permit or fail to comply with this by-law;
 - (b) fail to notify the CBO immediately of any of the changes referred to in Subsection 5.7 of this by-law;
 - (c) fail, within ninety (90) days after the issuance of the Swimming Pool Enclosure Permit, to commence the work or activity, beyond a preliminary or nominal level, for which the Swimming Pool Enclosure Permit was obtained;
 - (d) substantially discontinue the work or activity for a period of more than thirty (30) days;
 - (e) provide false or inaccurate information in the application for the Swimming Pool Enclosure Permit; or
 - (f) any Person doing work on behalf of the Swimming Pool Enclosure Permit holder has failed to comply with any applicable law, statutes, regulations, orders, standards, codes, by-laws or rules.
- 5.11 In addition to the above, the CBO may immediately suspend or revoke a Swimming Pool Enclosure Permit issued under this by-law, in writing, where the CBO is satisfied that a suspension or revocation is necessary in an emergency situation of immediate threat or danger to public infrastructure, any abutting property or to any Person.
- 5.12 The CBO may give notice of the suspension or revocation of a Swimming Pool Enclosure Permit by contacting a Swimming Pool Enclosure Permit holder in writing, by telephone or by email in accordance with the contact information provided on the Swimming Pool Enclosure Permit application.

- 5.13 Any decision of the CBO pursuant to this Section shall be final without a right to appeal to Council.

6. Swimming Pool Enclosures and Temporary Enclosures

- 6.1 Every Owner of a property on which a privately-owned outdoor Swimming Pool is located shall erect and maintain, or cause to be erected and maintained, a Swimming Pool Enclosure completely around the privately-owned outdoor Swimming Pool, which enclosure:

- (a) shall extend from the ground to a Height, measured on the Outside of the enclosure:
 - (i) of not less than 1.5 meters for any Swimming Pool on a Single Residential Property,
 - (ii) of not less than 2.0 meters for any Swimming Pool on any property other than a Single Residential Property,

along its entirety, including gates therein;
- (b) may incorporate all or a portion of a wall of a building or a structure,
 - (i) but no entrances to the pool area shall be permitted through such wall unless:
 - (A) the entrance is set back a minimum distance of 1.8 meters from the water edge of the pool, and
 - (B) the entrance is to a building that is a dwelling or to a building/ structure that does not provide access to the Outside of the enclosure area; and
 - (ii) any access points into the pool area through such wall shall be equipped with a dead bolt, chain-latch or some other mechanism to secure such access point, located at a minimum height of 1.5 metres above the inside floor level of the building or structure;
- (c) may incorporate one or more gates of equivalent material and construction as the Swimming Pool Enclosure, which gates shall:
 - (i) be self-closing and equipped with a lockable, self-latching device located on the inside near the top of the gate or on the outside at least 1.5 metres above grade,
 - (ii) not include self-latching devices with any quick release device that permits the gate to be opened from Outside of the enclosure, and
 - (iii) be supported on hinges that are designed and capable of supporting the weight of the gate;
- (d) shall be closed and locked at all times, including the entirety of the enclosure and all gates and access points, when a responsible person, of at least sixteen (16) years of age, is not present and supervising the Swimming Pool;

- (e) shall be located not less than 1.2 meters from the water edge and in the case of an above ground systems pool with a deck and a Fence forming part of the system, the water edge may be as close as 0.5 meters to the Fence portion of the system.

6.2 All parts of a Swimming Pool Enclosure, including the gate, shall be constructed in compliance with the following standards:

- (a) any wood Fence that is used in or as part of a Swimming Pool Enclosure shall be constructed in a good, workmanlike manner as follows:
 - (i) vertical boards shall be:
 - 1. made up of at least 19 millimetre by 89 millimetre lumber;
 - 2. spaced at least 38 millimetres apart where horizontal rails are spaced less than 1.2 metres apart;
 - 3. spaced at least 100 millimetres apart where horizontal rails are spaced 1.2 metres apart or more;
 - 4. attached to horizontal rails that are:
 - [A] made up of at least 38 millimetre by 89 millimetre lumber; and
 - [B] supported on posts that are at least 89 millimetres by 89 millimetres, spaced not more than 2.4 metres apart, securely fastened to the ground and structurally sound.
 - (ii) horizontal boards shall be:
 - 1. made up of at least 19 millimetre by 89 millimetre lumber;
 - 2. spaced not more than 20 millimetres apart;
 - 3. offset or protruding not more 15 millimetres from the board immediately above or below; and
 - 4. not more than 2.4 metres in length.
- (b) any metal picket Fence that is used in or as part of a Swimming Pool Enclosure shall be constructed in a good, workmanlike manner as follows:
 - (i) vertical pickets shall be spaced not more than 38 millimetres apart where horizontal rails are spaced less than 1.2 metres apart and not more than 100 millimetres apart where horizontal rails are spaced at least 1.2 metres apart; and
 - (ii) horizontal rails shall be supported on posts that are spaced not more than 2.4 metres apart, securely fastened to the ground and structurally sound.
- (c) Any glass panel Fence that is used in or as part of a Swimming Pool Enclosure shall be constructed in a good workmanlike manner as follows:

- (i) glass panels shall be located so there is no opening of more than 38 millimetres between the panel and the post where horizontal elements are spaced less than 1.2 metres apart, and not more than 100 millimetres apart where horizontal elements are spaced more than 1.2 metres apart;
 - (ii) horizontal elements shall be supported on posts that are spaced not more than 2.4 metres apart, securely fastened to the ground and structurally sound; and
 - (iii) glass panels used in Swimming Pool Enclosures shall be:
 - 1. safety glass of the laminated or tempered type conforming to CAN/CGSB-12.1-M "Tempered or Laminated Safety Glass"; or
 - 2. wired glass conforming to CAN/CGSB-12.1-M "Wired Safety Glass".
 - (d) any chain-link Fence that is used in or as part of a Swimming Pool Enclosure shall be constructed in a good, workmanlike manner and made up of not greater than 40 millimetres diamond mesh, and galvanized steel wire not less than 2.680 millimetres diameter (11 gauge);
 - (e) any wrought iron Fence that is used in or as part of a Swimming Pool Enclosure shall be constructed in a good, workmanlike manner and with at least 1 meter between horizontal members and with no greater than 10 centimeters of spacing between vertical bars; or
 - (f) a combination of the above or such other material design or construction as will provide an equivalent degree of safety and which is approved in writing by the CBO.
- 6.3 Where a Swimming Pool Enclosure or Temporary Enclosure is a building, accessory building or structure, it shall be constructed of materials that will withstand weathering and will remain in place when reasonable loads are applied.
- 6.4 No Swimming Pool Enclosure or Temporary Enclosure shall have any unprotected openings that would permit the passage of a sphere larger than 100 millimetres in diameter within or below the enclosure.
- 6.5 No Swimming Pool Enclosure or Temporary Enclosure shall have any members or attachments that could facilitate climbing on the exterior face of the Swimming Pool Enclosure or Temporary Enclosure for a distance between 100 millimetres and 1.2 meters from the grade.
- 6.6 No condition that facilitates climbing a Swimming Pool Enclosure or Temporary Enclosure may be permitted to remain within 1.0 meter of the exterior of the pool enclosure or temporary enclosure.
- 6.7 Notwithstanding any other provisions of this by-law, a Temporary Enclosure:
- (a) shall have a Height of not less than 1.2 meters along its entirety;

- (b) may be constructed of plastic mesh having openings no greater than 38 millimetres;
- (c) shall have a steel T-bar post installed at intervals no less than every 2 meters;
- (d) shall have a 9-gauge galvanized steel wire located at the top and bottom of such fencing; and
- (e) shall be continuously erected and maintained in a workmanlike manner.

Notwithstanding the above requirements, a Temporary Enclosure may be constructed in a manner that in the opinion of the CBO will provide a satisfactory degree of safety, provided such is approved by the CBO in writing prior to its construction.

6.8 For an above-ground Swimming Pool, the exterior side of the above-ground Swimming Pool structure and any rail or Guard attached thereto shall constitute a Pool Enclosure and the provisions of this by-law shall apply to such sides of the Swimming Pool. In addition, the Owner of the property on which such above-ground Swimming Pool is located and shall ensure the following requirements are complied with at all times:

- (a) the means of entry within the Swimming Pool Enclosure shall be kept closed and locked except when the Swimming Pool or enclosed area is in use by the Owner, it's invitees or licensees;
- (b) where the means of entry to the Swimming Pool Enclosure is with a ladder, such ladder shall be removable from the vicinity of the pool or be designed to be lifted and locked or be designed to have a lockable cover when the pool is not in use;
- (c) the exterior sides of the above-ground Swimming Pool structure and the Outside face of any rail or Guard shall be constructed as a Swimming Pool Enclosure, in a manner that will not facilitate climbing;
- (d) where a platform or deck is constructed adjacent to an above-ground Swimming Pool and such platform or deck is higher than 0.6 meter above the adjacent grade, a rail or Guard of not less than 0.9 meter in Height shall be provided around the Outside perimeter of such deck; notwithstanding the other provisions of this by-law, such a rail or Guard may be constructed within 1.2 meters of the nearest edge of the water contained in the above-ground Swimming Pool;
- (e) notwithstanding any other provisions of this by-law, the combined Height of the exterior sides of the Swimming Pool structure and any rail or Guard attached thereto shall be a minimum of 1.5 meters and may be a maximum of 2.5 meters in Height above the adjacent grade; and
- (f) the pool, platform and/or deck shall be setback from the Lot Lines in accordance with the Town's Zoning By-law.

7. Pool Construction and Filling of New Pools

- 7.1 While under construction, every privately owned outdoor Swimming Pool, or the site on which a Swimming Pool is to be constructed, shall be enclosed with a Temporary Enclosure, as described in this by-law, until such time as a Swimming Pool Enclosure has been erected in compliance with the provisions of this by-law.
- 7.2 No Person shall place or allow water to remain in a newly constructed Swimming Pool, until:
- (a) the CBO or their designate has been notified and the Pool Enclosure has been inspected and accepted; and
 - (b) the provisions of this by-law and applicable law have been fully complied with.
- 7.3 Despite Section 7.2, a Person may fill a Swimming Pool with water when a Temporary Enclosure has been erected in compliance with this bylaw, but the Swimming Pool shall not be used until a permanent Swimming Pool Enclosure has been erected and the Town has conducted an inspection and confirmed completion of the permanent Swimming Pool Enclosure in compliance with this bylaw and the applicable Swimming Pool Enclosure Permit.
- 8. Hot Tubs and Whirlpool**
- 8.1 Notwithstanding the provisions of this by-law, a Swimming Pool that is a hot tub, whirlpool, or swim spa and has a structurally adequate cover over its entirety that is permanently attached, that may be locked and that will support a weight of at least 27.2 kilograms, is not required to be enclosed by a Swimming Pool Enclosure or a Temporary Enclosure at any time and is not required to have a Swimming Pool Enclosure Permit in place to conduct construction.
- 8.2 The Owner of a property on which a Swimming Pool that is a hot tub, whirlpool, or swim spa is located shall ensure that the cover for such remains securely closed and locked at all times when it is not in use by the Owner, its invitees or licensees.
- 9. Fence Variances**
- 9.1 Where a proposed or existing Fence does not comply with this By-law, the Owner of the lot on which the Fence, wholly or partially, is or is proposed to be constructed, or an authorized agent of the Owner, may request a variance from any of the applicable provisions of this by-law. In the case of a Fence, or a part of a Fence, that straddles or is located on more than one lot, the variance may be requested by any one lot Owner on which the Fence, or part of a Fence, is located or the request may be made jointly by multiple Owners of lots on which the Fence, or part of the Fence, is located.
- 9.2 Applications for variance of a Fence shall be submitted to and processed by the Director, except for Fences that constitute, wholly or partially, a Swimming Pool Enclosure. Any application for a variance of a Fence that serves, or is intended to serve, wholly or partially, as a Swimming Pool Enclosure, shall be submitted to and processed by the CBO.

- 9.3 An application for a variance shall be made on the form prescribed by the Director or CBO, as applicable, and shall be accompanied by the non-refundable variance application fee, as prescribed in the Fees and Charges By-law.
- 9.4 The form, content, terms, conditions and requirements of an application for a variance shall be as prescribed by the Director or the CBO from time to time and the Director and the CBO may, without limiting its authority to prescribe the application and its form, content, terms, conditions and requirements, require as part of an application:
- (a) the name, address and contact information of the applicant(s);
 - (b) the address of the lot(s) subject to the variance request;
 - (c) enumeration of the specific Section(s) of this by-law from which the variance is sought;
 - (d) a detailed description explaining why the applicant requires the variance;
 - (e) a description of the Fence, or proposed Fence, including the dimensions and the specifications of the construction and installation;
 - (f) a survey of the lot(s) identifying the location of the Fence, or proposed Fence;
 - (g) a site plan of the lot(s) identifying the location of the Fence, or proposed Fence;
 - (h) any affidavits, drawings, plans, surveys, photographs and other documents the Director or CBO deems to be necessary in order to assess the proposed application;
 - (i) any other information deemed necessary by the Director or CBO to be able to evaluate the application with respect to the proposed variance.
- 9.5 Upon receipt of a complete application for a variance and receipt of the applicable fees, as established in the Town's Fees and Charges By-law, the Director or CBO, as applicable, shall cause notice of the application to be provided to property Owners of properties that abut the property subject to the proposed variance. Such notice may be provided by any reasonable means as determined by the Director or CBO, as applicable, including through personal service, mail, courier and posting a sign on the subject property, and may be effected by directing the applicant to provide such notice.
- 9.6 The form and content of a notice pursuant to Section 9.5 shall be as prescribed by the Director or CBO, as applicable, from time to time, but at a minimum shall:
- (i) identify the property subject to the proposed variance;
 - (ii) describe the requested variance, and
 - (iii) inform that objections other comments on the proposed variance are to be forwarded to the Director or CBO, as applicable.

- 9.7 Upon provision of notice pursuant to Section 9.5, or otherwise confirming that such notice has been provided, and permitting for a reasonable time period in which to receive objections and comments on the proposed variance, the Director or CBO, as applicable, shall make investigations as necessary to assess the application and shall bring the variance request for consideration by Council at a meeting that is open to the public. The Council shall decide the variance request as deemed appropriate by Council.
- 9.8 Upon a decision being made pursuant to Section 9.7, the Director or CBO, as applicable, shall provide the applicant, and any Owner of a property that is abutting the property subject to the application, a written notice of the decision.
- 9.9 Any decision of Council pursuant to section 9.7 is deemed to be final without any further right of appeal.
- 9.10 Unless otherwise specified by Council as part of its decision, any variance granted pursuant to this Section 9 shall be effective and valid until such time as the Fence to which the variance applies is substantially replaced or removed entirely.

10. **Administration and Enforcement**

- 10.1 The Director and the CBO shall be responsible for and are delegated the power to administer and enforce this by-law, including prescribing the content of any forms or other documents required under this by-law.
- 10.2 The CBO shall be responsible for and is delegated the power to issue, revoke, suspend, set conditions of, process and administer Swimming Pool Enclosure Permits and any related applications.
- 10.3 The Director, the CBO and Officers of the Town are hereby delegated the authority to enforce this by-law, including the authority to conduct inspections pursuant to this by-law, the Act, as amended, and any other applicable by-law or legislation.
- 10.4 The Director and the CBO is authorized to delegate responsibilities for the administration and enforcement of this by-law to any Town staff or external third parties deemed to be qualified and appropriate by the Director or CBO for such purposes.

11. **Power of Entry, Inspection, Prohibitions**

- 11.1 An Officer, or any other individual authorized to enforce this by-law on behalf of the Town, may at any reasonable time enter upon any land for the purpose of carrying out an inspection to determine whether the following are being complied with:
 - (a) this by-law;
 - (b) any permit issued pursuant to this by-law,
 - (c) any direction or order under this by-law; or
 - (d) an order issued under Section 431 of the Act.

- 11.2 Where an inspection is conducted pursuant to this Section, an Officer or any other individual authorized to enforce this by-law on behalf of the Town, may:
- (a) require the production for inspection of documents or things relevant to the inspection;
 - (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
 - (c) require information from any Person concerning a matter related to the inspection; and
 - (d) alone or in conjunction with a Person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.
- 11.3 No Person shall hinder or obstruct or attempt to hinder or obstruct the Town, its employees, officers or agents from carrying out any powers or duties under this by-law.
- 11.4 No Person shall fail to comply with, or contravene, any order or direction issued by the Town pursuant to this by-law or the Act.
- 11.5 Where an Officer, or an individual authorized to enforce this by-law, has reasonable grounds to believe that an offence has been committed by any Person, they may require the name, address and proof of identity of that Person, and the Person shall supply the required information.
- 11.6 No Person shall decline or neglect to give, produce or deliver any information, document or other thing that is requested by the Town pursuant to this by-law.
- 11.7 No Person shall knowingly make, participate in, assent to or acquiesce in the provision of false information in a statement, affidavit, application or other document prepared, submitted or filed under this by-law.
12. **Orders**
- 12.1 Where any Officer or the CBO is satisfied that a contravention of this by-law has occurred, such Officer or CBO may make an order requiring the Person who caused or permitted such contravention, or the Owner of the land on which the contravention occurred, to discontinue the contravening activity and/or to do work to correct the contravention.
- 12.2 An order pursuant to this Section shall set out the following:
- (a) reasonable particulars identifying the location of the land on which the contravention occurred;
 - (b) reasonable particulars of the contravention;
 - (c) what is required of the Person subject to the order (i.e., what activity is to be seized and/or actions or work to be done);
 - (d) the date by which there must be compliance with the order and/or, if any work is ordered, the date by which such work must be done; and

- (e) information regarding the Town's contact person.

12.3 An order pursuant to this Section shall be deemed to have been received upon:

- (a) personal service of the order on the Person subject to the order;
- (b) one day after transmission of the order through electronic means to an email or social media address provided by the Person subject to the order;
- (c) one day after posting the order in a conspicuous location on the property subject to the order;
- (d) the fifth (5th) day after the order is sent by registered mail to the last known address of the Person who is subject to the order.

12.4 In the case where there is evidence that the occupant of the land subject to an order is not the registered property owner, such order shall be served on both the registered property owner and the occupant of the land.

13. Remedial Action and Cost Recovery

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

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

14. Offences and Penalties

14.1 Every Person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

14.2 Every Person who contravenes any order issued pursuant to this by-law is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

14.3 If a corporation has contravened a provision of this by-law, including an order issued under this by-law, every director and officer who knowingly concurred in such a contravention is guilty of an offence.

14.4 Pursuant to Subsection 429(2) of the Act, all contraventions of this by-law or orders issued under this by-law are designated as continuing offences. If a contravention of any provision of this by-law has not been corrected, or an order issued under this by-law has not been complied with, the contravention of such a provision or an order shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected or an order not complied with.

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

- (a) to a fine of not less than \$500.00 and not more than \$100,000.00;
- (b) in the case of a continuing offence, for each day or part of a day that the offence continues, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00, despite paragraph (a), the total of all the daily fines for an offence is not limited to \$100,000;
- (c) in the case of a multiple offence, for each offence included in the multiple offence, the minimum fine shall be \$500.00 and the maximum fine shall be \$10,000.00, despite paragraph (a), the total of all fines for each included offence is not limited to \$100,000.

14.6 In addition to fines under this Section, a Person convicted of an offence under this by-law may be liable to a special fine in the amount of the economic advantage or gain that such a Person obtained from the contravention of this by-law. Notwithstanding Subsection 14.5 above, a special fine may exceed \$100,000.

14.7 Where a Person is convicted of an offence under this by-law, the court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the Person convicted.

15. **Administrative Penalties**

15.1 Instead of laying a charge under the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended, for a breach of any provision of this by-law, an individual authorized to enforce this by-law on behalf of the Town may issue an administrative penalty to the Person who has contravened this by-law.

15.2 Individuals authorized to enforce this by-law on behalf of the Town have the discretion to either proceed by way of an administrative penalty or a charge laid under the *Provincial Offences Act*, R.S.O. 1990, c. P.33. If an administrative penalty is issued to a Person for the breach, no charge shall be laid against that same Person for the same breach.

15.3 The amount of the administrative penalty for a breach of a provision of this by-law, shall be as established pursuant to applicable Town by-laws.

15.4 A Person who is issued an administrative penalty shall be subject to the procedures as provided for in the applicable Town by-laws relating to administrative penalties.

16. **Presumption**

16.1 An Owner of a property on which a non-compliance or contravention has occurred shall be presumed to have carried out or caused or permitted to be carried out the non-compliance or contravention, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.

17. **Line Fences Act**

17.1 With the exception of Section 20 of the *Line Fences Act*, the *Line Fences Act* shall not apply to any part of the Town.

18. Transition

18.1 Any Fence, Swimming Pool, Swimming Pool Enclosure and Temporary Enclosure lawfully existing or erected on or prior to the effective day of this by-law, shall continue to be subject to the Height, structural, material and composition restrictions and requirements as set out in By-law Number 4753.05.P, as it read on the effective date of this by-law, unless any such applicable restrictions or requirements are more permissive under this by-law, in which case the provisions of this by-law shall apply. The aforementioned continuing provisions of By-law Number 4753.05.P shall continue to apply with respect to any part of a Fence, Swimming Pool, Swimming Pool Enclosure or Temporary Enclosure until time as such part of the Fence, Swimming Pool, Swimming Pool Enclosure or Temporary Enclosure is substantially replaced or removed entirely.

18.2 Any permits issued pursuant to By-law Number 4753.05.P on or prior to the effective date of this by-law shall remain effective and be subject to the provisions of this by-law, except that such a permit shall be subject to the terms and conditions imposed at the time of issuance until expiry or termination of such permit, or if the permit is otherwise amended pursuant to this by-law.

19. Repeal

19.1 By-laws Number 4753.05.P and Number 6086-18, all as amended, are hereby repealed.

20. Effective Date

20.1 This by-law comes into full force and effect on the date of final passage hereof.

Enacted by Town of Aurora Council this 28th day of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

Schedule "A"

Maximum Height of Fences

Item #	Description of Fence	Fence on Single or Multiple Residential Property	Fence on Non-Residential Property	Hedge, shrub, or other vegetation that acts as a Fence
1.	Fence in a Front Yard; and not on a property zoned as Estate Residential or Rural under the Zoning By-law	1.2 meters	1.2 meters	1.2 meters
2.	Fence in a Front Yard; and on a property zoned as Estate Residential or Rural under the Zoning By-law; and within 2.4 meters of a Lot Line abutting a Public Highway	1.2 meters	1.2 meters	1.2 meters
3.	Fence in a Front Yard; and on a property zoned as Estate Residential or Rural under the Zoning By-law; and not within 2.4 meters of a Lot Line abutting a Public Highway	2.0 meters	2.0 meters	2.0 meters
4.	Fence not in a Front Yard; and within 2.4 meters of a Lot Line abutting a Public Highway	2.0 meters	2.5 meters	2.0 meters
5.	Fence not in a Front Yard; and not within 2.4 meters of a Lot Line abutting a Public Highway; and abutting a Multi- Residential Property, a Non-Residential Property, or a public walkway	2.5 meters	2.5 meters	2.5 meters

Item #	Description of Fence	Fence on Single or Multiple Residential Property	Fence on Non-Residential Property	Hedge, shrub, or other vegetation that acts as a Fence
6.	Fence on an unroofed deck; and not in a Front Yard; and not within 2.4 meters of a Lot Line abutting a Public Highway	2.0 meters above surface of deck	2.0 meters above surface of deck	No Maximum
7.	Fence within 2.4 meters of a Driveway or Parking Lot * except for item 9, this height limit supersedes and is in addition to any of the others in this table	1.2 meters	1.2 meters	N/A
8.	Fence for a tennis court, baseball diamond, or other recreational facility * any such Fence shall not substantially obstruct the passage of light or view through any part of the Fence that extends above 2.0 meters	3.0 meters	4.5 meters	3.0 meters
9.	An entry gate and associated entry features on a property zoned as Rural, Institutional or Estate Residential under the Zoning By-law * this height limit supersedes any others in this table that are more restrictive and apply to this item 9	3.0 meters	3.0 meters	3.0 meters
10.	Any other Fence, or part of a Fence, that does not fit into any of the other aforementioned items	2.0 meters	2.5 meters	No Maximum

* With respect to any part of a Fence that is located on a Single Residential Property or a Multiple Residential Property, and also on a Non-Residential Property, or otherwise straddling or between such properties, the less restrictive Height limit shall apply to such part of the Fence.

The Corporation of the Town of Aurora

By-law Number XXXX-22

Being a By-law to amend By-law Number 6404-22, to enact a Procurement Policy for the Town.

Whereas on February 22, 2022, the Council of The Corporation of the Town of Aurora (the "Town") enacted By-law Number 6404-22, being a by-law to enact a new Procurement Policy for the Town of Aurora;

And whereas on June 28, 2022, the Council of the Town passed a motion contained in Report No. FIN22-019, to bring forward amendments to By-law Number 6404-22;

And whereas the Council of the Town deems it necessary and expedient to amend By-law Number 6404-22;

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

1. Subsection 4.3 of By-law Number 6404-22 be and is hereby amended by adding the following:

“(d) the Non-Standard Procurements authority to procure software licenses, maintenance, and pay related fees (excluding implementation costs) for contracts of up to five years and over \$250,000,”
2. Table 2 in Section B. Non-Standard Procurement to Schedule “D” of By-law Number 6404-22 be and is hereby amended by adding the following:

Procurement Value	Authorize Procurement	Delegated Authority to Procure
\$250K and over for software licenses, maintenance, and related fees (excluding implementation costs) for contracts of up to five years	PGC	Department Head

3. Authorization Process in Section B. Non-Standard Procurement to Schedule “D” of By-law Number 6404-22 be and is hereby amended by adding the following:

“(h) If the Procurement Value is equal to or greater than \$250,000 and is for the procurement of software license, maintenance, or 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.”

Enacted by Town of Aurora Council this 28th day of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

The Corporation of the Town of Aurora

By-law Number XXXX-22

Being a By-law to establish a Compliance Audit Committee for compliance audit applications received during the 2022 to 2026 Term of Council.

Whereas subsection 88.37(1) of the *Municipal Elections Act, 1996*, S.O. 1996, c. 32, Sched., as amended (the "Act") states a council or local board shall establish a compliance audit committee before October 1 of an election year for the purposes of the Act;

And whereas it is the responsibility of a compliance audit committee to consider compliance audit applications and reports from the Town Clerk relating to the campaign finances of candidates and registered third parties who participated in the 2018 Municipal Election or in any by-election that might occur during the 2018-2022 Term of Council;

And whereas the Regional Municipality of York and its constituent municipalities have collaborated on the recruitment of a roster of individuals, to be known as the Joint Compliance Audit Committee Roster, from which the local municipalities will appoint Compliance Audit Committees as necessary;

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

1. A Committee of three (3) members, to be known as the Compliance Audit Committee, is hereby established to deal with matters provided for in Sections 88.33, 88.34, 88.35 and 88.36 of the Act;
2. The members of the Compliance Audit Committee shall be selected by the Town Clerk from the following roster of individuals:

Terrence James Alderson
 Ron Colucci
 Jodi L. Feldman
 Robert M. Freedman
 Mark Gannage
 Kelly Gravelle
 Wm. Paul Jones
 Clarence Lui
 Anxhela Peco
 Reagan Ruslim

Enacted by Town of Aurora Council this 28th day of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

The Corporation of the Town of Aurora

By-law Number XXXX-22

Being a By-law to amend By-law Number 6106-18, to designate a site plan control area.

Whereas on July 24, 2018, the Council of The Corporation of the Town of Aurora (the "Town") enacted By-law Number 6106-18, being a by-law to designate a site plan control area, under section 41 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended (the "Planning Act");

And whereas Bill 109, *More Homes for Everyone Act, 2022* was introduced on March 30, 2022, and received Royal Assent on April 14, 2022, to amend various statutes with respect to housing, development and various matters, including section 41 of the Planning Act;

And whereas under subsection 41 (4.0.1) of the Planning Act, a council that passes a by-law under subsection 41 (2) of the Planning Act shall appoint an officer, employee or agent of the municipality as an authorized person for the purposes of subsection 41 (4) of the Planning Act;

And whereas the Council of the Town deems it necessary and expedient to amend By-law Number 6106-18, as subsection 41 (4.0.1) of the Planning Act provides for the appointment of an authorized person for the purposes of subsection 41 (4) of the Planning Act, on July 1, 2022;

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

1. Section 3 of By-law Number 6106-18 be and is hereby renumbered to section 4.
2. By-law Number 6106-18 be and is hereby amended by adding the following:
 - "3. (a) No person shall undertake any development in the site plan control area without the approval of the required plans and drawings in accordance with the requirements of section 41 of the Act.
 - (b) The Director is hereby delegated Council's authority to approve plans and drawings, grant, waive or amend site plan approval, impose conditions and require agreements pursuant to section 41 of the Act.
3. Section 5 of By-law Number 6106-18 be and is hereby deleted.
4. Section 4 of By-law Number 6106-18 be and is hereby renumbered to section 5.
5. This by-law shall come into full force and effect on July 1, 2022.

Enacted by Town of Aurora Council this 28th day of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

The Corporation of the Town of Aurora**By-law Number XXXX-22****Being a By-law to establish lands on Plans 65M-3851 and 65M-3852 as highways.**

Whereas subsection 31(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, requires a municipality to enact a by-law in order to establish land as a highway unless: a) it is a highway transferred to a municipality under the *Public Transportation and Highway Improvement Act*; b) it is a road allowance made by a Crown surveyor located in a municipality; or c) it is a road allowance, highway, street, or lane shown on a registered plan of subdivision;

And whereas The Corporation of the Town of Aurora (the "Town") entered into a Subdivision Agreement with Preserve Homes Corporation, dated June 28, 2005, with respect to the lands contained within Plans 65M-3851 and 65M-3852 (the "Development A");

And whereas The Corporation of the Town of Aurora (the "Town") entered into a Residential Subdivision Agreement with TFP Aurora Development Limited, dated March 8, 2022, with respect to the lands contained within Plan 65M-4731 (the "Development B");

And whereas the Town acquired certain lands, as described in Schedule "F" of Development A, for reserve purposes adjoining certain highway(s) that are assumed (or to be assumed) and maintained for public use by the Town, as described in Schedule "G" of Development B (the "Reserves");

And whereas the Council of the Town deems it necessary and expedient to establish such Reserves as forming part of those highway(s);

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

1. The following lands in the Town of Aurora, Regional Municipality of York, be and are hereby established as a highway by the Town:
 - a) Block 150, Plan 65M-3851, forming part of Weslock Crescent;
 - b) Blocks 8 and 9, Plan 65M-3852, forming part of Mavrinac Boulevard;
 - c) Block 10, Plan 65M-3852, forming part of Halldorson Avenue; and
 - d) Block 14, Plan 65M-3852, forming part of Kane Crescent.
2. A copy of this By-law shall be registered in the appropriate Land Registry office on title to lands and highways set out herein.

Enacted by Town of Aurora Council this 28th day of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

The Corporation of the Town of Aurora

By-law Number XXXX-22

Being a By-law to appoint a Deputy Clerk and to delegate certain authority to the Deputy Clerk on behalf of The Corporation of the Town of Aurora.

Whereas under subsection 228(2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "Act"), a municipality may appoint deputy clerks who have all the powers and duties of the clerk under the Act and any other statute;

And whereas the Council of The Corporation of the Town of Aurora (the "Town") deems it necessary and expedient to appoint a Deputy Clerk;

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

1. Jaclyn Grossi be and is hereby appointed as Deputy Clerk for the Town.
2. The duties and responsibilities of the Deputy Clerk shall include exercising:
 - (a) all of the powers and duties of the Clerk under the Act;
 - (b) all of the powers and duties of the Clerk under any other statutes; and
 - (c) all of the powers, duties, and responsibilities as specified or delegated to the Clerk.
3. By-law Number 5949-17 be and is hereby repealed.

Enacted by Town of Aurora Council this 28th day of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk

The Corporation of The Town of Aurora

By-law Number XXXX-22

**Being a By-law to confirm actions by Council
resulting from a Council meeting
on June 28, 2022.**

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

1. That the actions by Council at its Council meeting held on June 28, 2022, in respect of each motion, resolution and other action passed and taken by the Council at the said meeting is hereby adopted, ratified and confirmed.
2. That the Mayor and the proper officers of the Town are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required and to execute all documents as may be necessary in that behalf and the Clerk is hereby authorized and directed to affix the corporate seal to all such documents.

Enacted by Town of Aurora Council this 28th day of June, 2022.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk