



General Committee Meeting Agenda

Tuesday, May 19, 2020

7 p.m.

Video Conference



Town of Aurora General Committee Meeting Agenda

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7 p.m., Video Conference

Note: This meeting will be held electronically as per Section 20.1 of the Town's Procedure By-law No. 6228-19, as amended, due to the COVID-19 State of Emergency.

Mayor Mrakas in the Chair

- 1. Approval of the Agenda**
- 2. Declarations of Pecuniary Interest and General Nature Thereof**
- 3. Community Presentations**
- 4. Delegations**

Note: At this time, the Municipal Offices are closed. This meeting will be live streamed at <https://www.youtube.com/user/Townofaurora2012/videos>. Residents who would like to provide comment on an agenda item are encouraged to visit www.aurora.ca/participation.

(a) Michael Testaguzza, Tony Biglieri, The Biglieri Group Ltd.

Re: Item R1 – PDS20-033 – Applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, 2523059 Ontario Inc., 132-198 Old Bloomington Road, Lots 12 and 14 and Part of Lots 10, 11 and 13, Registered Plan 166, File Nos.: OPA-2017-05, ZBA-2017-07 and SUB-2017-03

- 5. Consent Agenda**

6. Advisory Committee Meeting Minutes

7. Consideration of Items Requiring Discussion (Regular Agenda)

- R1. PDS20-033 – Applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision
2523059 Ontario Inc.
132-198 Old Bloomington Road
Lots 12 and 14 and Part of Lots 10, 11 and 13, Registered
Plan 166
File Nos.: OPA-2017-05, ZBA-2017-07 and SUB-2017-03**

Recommended:

1. That Report No. PDS20-033 be received; and
2. That Official Plan Amendment application OPA-2017-05 (2523059 Ontario Inc.) be approved to:
 - (a) Amend section 3.6.2 of OPA 34 which permits a maximum building coverage of 12% for lands within a Cluster Residential designation by adding a site-specific policy to permit a maximum building coverage of 20% for the subject lands; and
 - (b) Amend section 3.6.3 (c) of OPA 34 requiring a minimum separation distance of 35 metres between the Estate Residential designation and the lot line of any Cluster Residential unit by adding a site-specific policy that reduces the setback to 35 metres between a dwelling in the Estate Residential Designation and a dwelling in the Cluster Residential Designation which includes a 10-metre landscaped buffer; and
 - (c) Delete section 3.2.7 of OPA 34 that requires a Block Plan be approved prior to the approval of an application to permit new development within the areas identified on Schedule CC; and
3. That Zoning By-law Amendment application ZBA-2017-07 (2523059 Ontario Inc.) be approved to rezone the subject lands from “Estate Residential (ER) Zone” to “Detached Third Density Residential R3(XX1) Exception Zone”, “Detached Third Density Residential R3(XX2)

Exception Zone”, “Detached Third Density Residential R3(XX3) Exception Zone”, “Detached Third Density Residential R3(XX4) Exception Zone” “Environmental Protection – Oak Ridges Moraine (EP-ORM) Zone”, “Public Open Space (O1) Zone”, and “Private Open Space O2(XX) Zone”; and

4. That Draft Plan of Subdivision application SUB-2017-03 (2523059 Ontario Inc.) be approved, subject to the conditions listed in Schedule ‘A’ to this report; and
5. That Council grant an allocation of 161 persons from the reserve to service the development of 50 single detached dwellings on the approved Draft Plan of Subdivision; and
6. That the implementing Official Plan and Zoning By-law Amendments be brought forward to a future Council meeting.

R2. FIN20-012 – Property Tax Due Dates and Penalties

Recommended:

1. That Report No. FIN20-012 be received; and
2. That the installment dates for the final tax bill of September 15 and December 1, 2020, be approved; and
3. That Council approve a modest monthly rate of 0.25% for penalties on taxes for the period of July 1 to December 31, 2020; and
4. That Council approve waiving the five percent, one-time penalty on past due water bills for the remainder of 2020; and
5. That a by-law be enacted to reflect these changes at a future Council meeting.

R3. OPS20-008 – Blue Box Transition to Full Producer Responsibility

Recommended:

1. That Report No. OPS20-008 be received; and

2. That the timing for transition of the Blue Box Program to full producer responsibility for collection on December 31, 2025, coinciding with the end of the current waste collection contract, be approved; and
3. That staff be authorized to continue working in cooperation with the Northern Six (N6) municipalities in providing Blue Box collection services on behalf of producers, through future long-term collection contracts, subject to mutually agreeable financial and operational terms; and
4. That staff be authorized to communicate this resolution to the Association of Municipalities of Ontario (AMO), to the Minister of the Environment, Conservation and Parks, and the Regional Municipality of York.

R4. CS20-010 – Electronic Meetings for Committees of Council

Recommended:

1. That Report No. CS20-010 be received; and
2. That an amendment to the Procedure By-law to allow committees of Council to meet electronically during the state of emergency be enacted at the May 26, 2020 Council meeting; and
3. That the provisions related to in-person attendance and in-person quorum of the Policy for Ad Hoc/Advisory Committees and Local Boards be waived to allow electronic participation by members of the committees; and
4. That staff report back to Council regarding the success of electronic committee meetings.

**R5. PDS20-036 – Town-Initiated Official Plan Amendment to Consider
Outdoor Swim Schools as a Permitted Home Occupation
Use**

Recommended:

1. That Report No. PDS20-036 be received; and

2. That Town-initiated Official Plan Amendment Number 2020-19 to permit outdoor swim schools as a Permitted Home Occupation in the Official Plan be approved by adding the following new clause to Section 6.13:

(v) "Notwithstanding Section 6.13 (a)(i) and (iv) respecting Home Occupations, outdoor swim schools may be permitted as a home occupation use in addition to related minor outdoor storage, where appropriate and subject to the other policies in Section 6.13."
3. That a new fee be added to the Town's 2020 Fees and Charges By-law for a "Minor Variance for Outdoor Swim Schools" at a cost of \$250; and
4. That the implementing Official Plan Amendment and revised Fees and Charges By-Law be presented to a future Council meeting.

R6. PDS20-039 – Aurora Economic Development Corporation Board Composition

Recommended:

1. That Report No. PDS20-039 be received; and
2. That the terms of reference of the Aurora Economic Development Corporation (the "AEDC") be amended to increase the number of local residents or business owners to nine and to decrease the number of Council representatives to two members of Council; and
3. That staff be directed to present to Council a special resolution to be passed by the AEDC Board of Directors to increase the number of local residents or business owners to nine and to decrease the number of Council representatives to two, which will be confirmed at a future meeting of Council.

8. Notices of Motion

- (a) **Mayor Mrakas**
Re: Downtown Street Wall Mural Program
- (b) **Councillor Gaertner**
Re: COVID-19 Crisis – Support for Institutional Changes

- (c) Councillor Thompson**
Re: Municipal Service Level and Delivery Review

9. New Business

10. Public Service Announcements

11. Closed Session

12. Adjournment



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aurora.ca

Town of Aurora

Electronic Delegation Request

Legislative Services

This Delegation Request form and any written submissions or background information for consideration by either Council or Committees of Council must be submitted to Legislative Services.

Council or Committee Meeting Date:		
Subject:		
Name of Spokesperson and Name of Group or Person(s) being Represented (if applicable):		
Brief Summary of Issue or Purpose of Delegation:		
Have you been in contact with a Town staff or Council member regarding your matter of interest?		Yes <input type="checkbox"/> No <input type="checkbox"/>
If yes, with whom?	Date:	
<input type="checkbox"/> I acknowledge that the Procedure By-law permits five (5) minutes for Delegations.		
I wish to submit my delegation by (select one):		
<input type="checkbox"/> Video/audio*	<input type="checkbox"/> Phone*	<input type="checkbox"/> Written Correspondence

*must attend electronic meeting. Please click [here](#) for more information.



Town of Aurora
General Committee Report

No. PDS20-033

Subject: Applications for Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision
2523059 Ontario Inc.
132-198 Old Bloomington Road
Lots 12 and 14 and Part of Lots 10, 11 and 13, Registered Plan 166
File Numbers: OPA-2017-05, ZBA-2017-07 and SUB-2017-03

Prepared by: Matthew Peverini, Planner

Department: Planning and Development Services

Date: May 19, 2020

Recommendations

- 1. That Report No. PDS20-033 be received;**
- 2. That Official Plan Amendment application OPA-2017-05 (2523059 Ontario Inc.) be approved to:**
 - a) Amend section 3.6.2 of OPA 34 which permits a maximum building coverage of 12% for lands within a Cluster Residential designation by adding a site-specific policy to permit a maximum building coverage of 20% for the subject lands;**
 - b) Amend section 3.6.3 (c) of OPA 34 requiring a minimum separation distance of 35 metres between the Estate Residential designation and the lot line of any Cluster Residential unit by adding a site-specific policy that reduces the setback to 35 metres between a dwelling in the Estate Residential Designation and a dwelling in the Cluster Residential Designation which includes a 10 metre landscaped buffer; and,**
 - c) Delete section 3.2.7 of OPA 34 that requires a Block Plan be approved prior to the approval of an application to permit new development within the areas identified on Schedule CC.**
- 3. That Zoning By-law Amendment application ZBA-2017-07 (2523059 Ontario Inc.) be approved to rezone the subject lands from “Estate Residential (ER) Zone” to “Detached Third Density Residential R3(XX1) Exception Zone”,**

“Detached Third Density Residential R3(XX2) Exception Zone”, “Detached Third Density Residential R3(XX3) Exception Zone”, “Detached Third Density Residential R3(XX4) Exception Zone” “Environmental Protection – Oak Ridges Moraine (EP-ORM) Zone”, “Public Open Space (O1) Zone”, and “Private Open Space O2(XX) Zone”.

- 4. That Draft Plan of Subdivision application SUB-2017-03 (2523059 Ontario Inc.) be approved, subject to the conditions listed in Schedule ‘A’ to this report;**
- 5. That Council grant an allocation of 161 persons from the reserve to service the development of 50 single detached dwellings on the approved Draft Plan of Subdivision; and,**
- 6. That the implementing Official Plan and Zoning By-law Amendments be brought forward to a future Council Meeting.**

Executive Summary

This report seeks Council’s approval for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision applications, submitted for 132-198 Old Bloomington Road, to facilitate the development of 50 single detached lots on a municipal right-of-way.

- The Draft Plan of Subdivision consists of 50 single family residential lots, 2 environmental protection blocks, a public parkland block, and a public road;
- The Official Plan Amendment application seeks to amend policies relating to building coverage across the subject lands; separation distances between the abutting Estate Residential designation; and the requirement for Block Planning;
- The Zoning By-law Amendment application seeks to amend the existing Estate Residential (ER) Zone to four residential exception zones, environmental protection zones, and public and private open space zones;
- The proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications are consistent with Provincial, Regional and Municipal policy documents;

- The proposed development is appropriate and compatible with the surrounding community; and,
- All circulated agencies and Town Staff are satisfied with the revisions, and have no objections to the applications, subject to the Conditions of Draft Plan approval attached as Schedule 'A' to this report.

Background

Application History

Applications for Official Plan Amendment and Draft Plan of Subdivision were submitted on August 2, 2017. The application for Zoning By-law Amendment was submitted on November 28, 2017. York Region advised that the application for Official Plan Amendment is considered to be a local matter and is exempted from Regional approval.

A Statutory Public Meeting was held on January 24, 2018. At this meeting, Council passed a resolution referring the application back to staff to address comments presented at the meeting, and to report back to General Committee. Minutes of the Public Planning Meeting are attached as Appendix A.

Location / Land Use

The subject lands are municipally known as 132, 148, 166, 178, 186, 192, and 198 Old Bloomington Road, and are located generally northeast of the Yonge Street and Bloomington Road intersection, west of Steeplechase Avenue (Figure 1). The properties have a total lot area of 10.12 hectares (25 acres) and a frontage of 239.84 metres (786.9 feet) on the north side of Old Bloomington Road.

The subject lands previously consisted of seven residential lots of record (now consolidated to two properties), each occupied by a detached dwelling with access to Old Bloomington Road (with the exception of 148 Old Bloomington Road, which is vacant). The subject lands have a unique landscape with several high points, low points, and various slopes characteristic of the Oak Ridges Moraine. Generally, the subject lands slope from north to south.

The subject lands are located in the Oak Ridges Moraine. A woodlot is centrally located on the subject lands, in the rear of the existing dwellings. The woodlot is at a lower elevation than the southern portion of the property.

Surrounding Land Uses

The surrounding land uses are as follows:

North: Estate Residential.

South: Old Bloomington Road, Bloomington Road East, Residential (Richmond Hill).

East: Estate Residential.

West: Residential, Environmental Protection, and Institutional.

Policy Context

Provincial Policies

All development applications shall have regard for the Provincial Policy Statement (PPS), which provides policy direction on matters of Provincial interest. These policies support the development of strong communities through the promotion of efficient land use and development patterns.

The Growth Plan for the Greater Golden Horseshoe (The Growth Plan) is a guiding document for growth management within the Greater Golden Horseshoe Area. The Growth Plan provides a framework which guides land-use planning.

The Lake Simcoe Protection Plan (LSPP) provides policies which address aquatic life, water quality and quantity, shorelines and natural heritage, other threats and activities (invasive species, climate change and recreational activities) and implementation.

The Oak Ridges Moraine Conservation Plan (ORMCP) provides land use and resource management planning direction on how to protect the Moraine's ecological and hydrological features and functions. Official Plan Amendment No. 48 (OPA 48) was adopted by Council on October 22, 2003 to bring the Town of Aurora Official Plan into conformity with the ORMCP.

York Region Official Plan (YROP)

The subject lands are designated “Urban Area” by the YROP, which permits a wide range of residential, commercial, industrial and institutional uses. York Region’s vision for the Urban Area is to strategically focus growth while conserving resources to create sustainable lively communities. Under the YROP, a regional urbanization goal is to enhance the urban structure through city building, intensification, and compact, complete communities. The subject lands are separated from Bloomington Road East (a Regional Road) by Old Bloomington Road. Primary access to Old Bloomington Road occurs at access points directly south of the subject lands, and further east at Steeplechase Avenue. The subject lands are located within Wellhead Protection Areas D and Q (WHPA-D and WHPA Q), and partially within a Significant Recharge Area.

Section 8.3.8 of the YROP provides that amendments to local Official Plans may be exempt from Regional approval if they are of local significance and no Regional interest is adversely affected. York Region has advised that the proposed Official Plan Amendment is considered a local matter, and is therefore exempted from approval by Regional Planning Committee and Council.

Yonge Street South Secondary Plan (OPA 34)

The subject lands are designated “Cluster Residential” and “Environmental Protection Area” by OPA 34 (Figure 2).

The “Cluster Residential” designation allows clusters of residential development with areas of open space that visually and functionally distinguish development clusters from one another. Permitted uses include single detached dwellings, semi-detached dwellings, linked housing, townhouses, and private open space. This designation permits a gross residential density of no more than 5 units per hectare (2 units per acre), which is averaged over the constrained and unconstrained lands subject to a development application. The applicant is proposing a gross residential density of 4.94 units per hectare in accordance with this policy

The intent of the “Environmental Protection Area” designation is to protect the ecological structure and function and significant landforms within the Oak Ridges Moraine. No new development is permitted in an Environmental Protection Area. Delineation of these boundaries in the Official Plan is conceptual and the actual limits are to be determined through the processing of applications for development.

Oak Ridges Moraine Conservation Plan

OPA 48 adds The Oak Ridges Moraine Conservation Plan (ORMCP) into the Town’s Official Plan. OPA 48 designates the subject lands as “Oak Ridges Moraine Settlement Area”. Schedule ‘K’ of OPA 48 indicates that the subject lands are partially designated “Woodlands” and “Woodlands Minimum Vegetation Protection Zone” (MVPZ). Schedule ‘L’ indicates that the subject lands are designated “Category 1 – Complex Landform”. According to Schedule ‘M’, the subject lands are classified as within a “High Vulnerability Aquifer Area” and a “Low Vulnerability Aquifer Area”.

Zoning By-law 6000-17, as amended

The subject lands are currently zoned “Estate Residential (ER) Zone” in the Town of Aurora Zoning By-law 6000-17(Figure 3). The existing zoning only permits a single detached dwelling as the primary use. A home occupation and second suite are permitted uses subject to requirements of the Zoning By-law. In order to implement the proposed development, the applicant is proposing to rezone the subject lands from ER to residential exception zones, environmental protection zones, and public and private open space zones in accordance with OPA 34.

Reports and Studies

The reports and studies submitted to the Town as part of complete applications were listed in Public Planning Report Number PDS18-002.

Proposed Applications

Proposed Official Plan Amendment

The applicant is seeking amendments to OPA 34 for policies relating to maximum building coverage; minimum separation distances and buffers; and requirements for a Block Plan. The following Table compares the difference between the existing and proposed policies.

Table 1: Proposed Amendments to the Official Plan

	Existing	Proposed
Maximum Building Coverage	Buildings shall not cover more than 12% of all the lands with a Cluster Residential designation.	A maximum building coverage of 20% for the subject lands.

Minimum Separation Distance from Estate Residential Designation	A minimum separation of 35 metres between any Estate Residential designation and the lot line or limit of any area of private amenity space of any cluster residential unit.	A minimum 35 metre separation between dwellings in the Estate Residential Designation and the Cluster Residential Designation, which includes a 10 metre landscape buffer.
Block Plan (Block 'C')	Required.	Not required.

Proposed Zoning By-law Amendment

As shown in Figure 4, the Applicant proposes to rezone the subject lands from “Estate Residential (ER) Zone to “Detached Third Density Residential R3(XX1) Exception Zone”, “Detached Third Density Residential R3(XX2) Exception Zone”, “Detached Third Density Residential R3(XX3) Exception Zone”, “Detached Third Density Residential R3(XX4) Exception Zone”, “Environmental Protection – Oak Ridges Moraine (EP-ORM) Zone”, “Public Open Space (O1) Zone”, and “Private Open Space O2(XX) Zone”. Appendix B compares the parent R3 zone requirements to the proposed R3 exception zone; and the parent O2 zoning requirements to the proposed O2 exception zone.

Final zoning performance standards will be evaluated by Staff in detail prior to the implementing Zoning By-law Amendment being brought forward to Council for enactment.

Proposed Draft Plan of Subdivision

As illustrated on Figure 5, the proposed draft plan consists of 50 single family residential lots, 2 environmental protection blocks, a parkland block, a municipal right-of-way, and a block for a future road connection for lands to the east.

Since the Statutory Public Meeting held on January 24, 2018, the draft plan has been revised as follows:

- Reconfiguration of residential lots;
- Addition of Parkland Block 53 at the northeast boundary; and,
- Creation of a corridor between Lots 20 and 21 to provide a natural linkage between environmental protection Blocks 51 and 52.

The proposed gross residential density (averaged over the constrained and unconstrained lands subject to a development application) is 5 units per hectare (2 units

per acre) which is in accordance with OPA 34. The public road will connect from Old Bloomington Road at the south of the lands, to Yonge Street through the Ashlen Holdings draft plan of subdivision located immediately west of the subject lands.

The following is a breakdown of the proposed Draft Plan of Subdivision:

Table 2: Draft Plan of Subdivision Breakdown

Proposed Land Use	Lot and Block #	# of Units	Area (ha)
Single Detached Residential	Lots 1 to 50	50	4.80
Environmental Protection	Block 51 and 52		3.64
Public Open Space (Parkland)	Block 53		0.31
Future Right-of-way extension	Block 54		0.07
Right-of-way	Streets A and B		1.30
Totals		50	10.12

Block 51 consists of Woodlands, Wetlands and Kettle features, and will be delineated with an Environmental Protection Zone. Block 52 contains a Woodlands feature at the north boundary, and will be utilized for purposes of ecological offsetting. This Block will also be delineated with an Environmental Protection Zone. These Blocks are to be gratuitously conveyed to the Town as a condition of draft plan approval.

Block 53 is being conveyed gratuitously to the Town as public parkland in accordance with the Town's By-law 4291-01.F. This Block meets the full parkland dedication requirement under the By-law. Block 54 will be gratuitously conveyed to the Town to provide for a future public road connection for lands to the east.

Analysis

Planning Considerations

The proposed applications are consistent with the Provincial Policy Statement (PPS)

In accordance with Section 3 of the Planning Act, all land use decisions in Ontario shall be consistent with the PPS. The PPS recognizes the importance of local context and character. Policies are outcome oriented and provide for flexibility in their

implementation, provided that provincial interests are satisfied. Staff is of the opinion that the proposed application is consistent with the PPS. Appendix C outlines how the proposed development conforms to the PPS.

The proposed applications are consistent with the Places to Grow Plan for the Greater Golden Horseshoe (Growth Plan)

The Growth Plan intends to guide land development by encouraging compact built form, diverse land uses, a range of housing types and using existing infrastructure. It encourages the concentration of population and employment growth to locate within built up settlement areas, and promotes the development of complete communities that offers access to local amenities, and connections to municipal water and wastewater systems. Staff is satisfied that the proposed application is consistent with the Growth Plan. Appendix D describes how the proposed development conforms to the Growth Plan.

The proposed applications conform to the Lake Simcoe Protection Plan (LSPP)

The subject lands are located within the regulated area of the LSPP. The proposed development also constitutes major development under the LSPP (the construction of a building or buildings within a ground floor area of 500 m² or more).

The Lake Simcoe Region Conservation Authority (LSRCA) has reviewed the proposed applications in concert with the LSPP and has no objections, subject to the Conditions of approval as attached to this report. Staff is of the opinion that the proposed application conforms to the LSPP.

The proposed applications conform to the York Region Official Plan (YROP)

In accordance with YROP policy 8.3.8, amendments to local official plans may be exempt from Regional approval where they are of local significance and no Regional interest is adversely affected. The proposed OPA will enable a development that is designed to ensure accessibility to people of all ages, cultures, and abilities (Policy 5.2.7) and will assist in ensuring that by the year 2015 and for each year thereafter, a minimum of 40% of all residential development will occur within the built-up area as defined by the Growth Plan (Policy 5.3.1). The proposed development is in an urban form and design that is compact, and transit supportive (Policy 5.4.5). On this basis, York Region Development Planning staff is of the opinion that the proposed OPA aligns with the policy intent of YROP and is of local significance.

Section 1.0 of the YROP, outlines the triple bottom line objectives towards a sustainable Region. These objectives consist of: having a sustainable natural environment; creating healthy communities; and ensuring economic vitality. Appendix E to this report highlights how the proposed development aligns with the York Region triple bottom line objectives, and other policies within the Plan.

The subject lands are designated “Urban Area” in the YROP, which intends to strategically focus growth within these areas, to conserve resources, and to create sustainable and lively communities.

The Regional Municipality of York has reviewed the proposed applications for Zoning By-law Amendment and Draft Plan of Subdivision and have no objection, subject to the implementation of the attached conditions of draft plan approval.

The applicant is proposing to amend policies of OPA 34 relating to building coverage, minimum separation distance, and the requirement for a Block Plan

The subject lands are designated “Cluster Residential” and “Environmental Protection” by OPA 34. The proposed single detached built form is a permitted use within the Cluster Residential designation. The proposed density of the development is 4.94 units per hectare (50 units over 10.12 hectares), which conforms to the OPA 34 density target of 5 units per hectare (or 2 units per acre). Appendix F of this report highlights how the proposed development conforms to the general policies of OPA 34.

While the development proposal conforms in part to the policies of OPA 34, the applicant is proposing to amend three policies. An analysis of the policies to be amended in accordance with the proposed development is provided below:

Policy 3.6.2 – Maximum Building Coverage

Policy 3.6.2 prescribes that building coverage shall not cover more than twelve percent (12%) of all the lands within the Cluster Residential designation covered by OPA 34. At the statutory public meeting, it was acknowledged that this policy is difficult to implement, given the lack of available data for building coverage across the entire OPA 34 area within the Cluster Residential designation. Additionally, the OPA 34 area is not entirely built-out, and thus the limits of the Cluster Residential area are subject to confirmation.

As such, the applicant is proposing a site-specific amendment to allow for an increased lot coverage on site, which will allow for 40% coverage on each residential lot, which represents 20% of the subject lands. Subject to approval of the proposed Official Plan Amendment, this site-specific amendment would provide for a maximum building coverage of 20% of the total site area. This will be implemented by way of a 40% lot coverage maximum in the implementing Zoning By-law for the subject lands.

The proposed increase in building coverage will enable a built form that transitions appropriately to neighbouring developments, while still allowing a minimum of 40% of the total lot area to remain in an open, landscaped or natural condition in accordance with policy 3.6.4 of OPA 34. Additionally, the increased building coverage has demonstrated no adverse effects on the ecological features present on the subject lands, and the applicant has demonstrated to the satisfaction of the LSRCA through a Hydrogeological Report that ground water recharge is maintained.

Policy 3.6.3(c) – Minimum Separation Distance from “Estate Residential”

Within the Cluster Residential designation, residential units shall be sited in a manner that provides for screening by topography and/or vegetation from the existing Estate Residential Designation, and maintenance of a minimum separation of 35 metre between any Estate Residential designation and the lot line or limit of any area of private amenity space of any cluster residential unit. The intent of this policy is to provide for adequate spatial separation between existing Estate Residential properties and new development, and to mitigate against any visual impacts new development may impose on the Estate Residential properties.

The implementation of this policy would affect the inclusion of lots 30 to 37 on the draft plan. As such, the applicant is proposing a 35 metre setback between the dwelling in the Estate Residential designation and a dwelling in the Cluster Residential designation, with a 10 metre landscape buffer.

Using aerial photography, existing houses to the north of the subject lands are located approximately 50 metres to the common lot line. Additionally, a 10m landscape buffer will be located along the rear lot lines of Lots 30 to 37, and a 7.5 metre building setback to this buffer will be required for the proposed

development. The implementing Zoning By-law will require a minimum 17.5 metre rear yard setback for lots 30 to 37 – which creates a separation distance of approximately 67.5 metres between the proposed dwellings, and the existing dwellings in the Estate Residential designation to the north.

The proposed amendment results in the inclusion of lots 30 to 37 on the draft plan, which will provide an appropriate transition to the remainder of the proposed lots. It also maintains a consistent streetscape with dwellings along the north side of the right-of-way that is to extend through from the neighbouring Ashlen Holdings subdivision. Additionally, vegetation currently exists along the common lot lines at the north of the proposed subdivision, and a 10 metre landscaped buffer will enhance this feature to minimize any visual impacts to the Estate Residential designation. As such, the proposed setbacks, landscape buffer, and siting of existing dwellings ensures there are adequate measures to maintain the intent of this policy.

Policy 3.2.7 – Requirement for a Block Plan

OPA 34 requires that prior to approval of an application to permit the development within any Transitional, Suburban, Cluster, or Low Density Suburban residential designation, a Block Plan for the respective area as identified on Schedule CC must be approved by the Town in accordance with Section 11.1.

The subject lands are located within Block C on Schedule CC of OPA 34. Lands to the west of the subject lands are also located within Block C, and have proceeded with development in the absence of a comprehensive block plan for the area.

Upon submission of a complete application for the subject lands, it was acknowledged by Planning that a formal Block Plan would not be required, however, the general intent of Section 11.1 (Block Plan Requirements) would still need to be satisfied for Block C in its entirety. This includes identifying new roads, intersections, parks and trails; general location for potential residential clusters and environmental protection areas; means of servicing; identification of a water budget through a Hydrogeological Study; and consideration of interface with surrounding land uses.

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Report No. PDS20-033

The applicant has submitted a Functional Servicing Report, Landform Conservation Report, and Hydrogeological Study to support the elements of a Block Plan to the satisfaction of commenting Departments and Agencies.

Planning Staff have reviewed the proposed applications with regards to OPA 34, and have no objections subject to the fulfilment of conditions of approval attached as Schedule 'A' to this report.

The proposed applications are consistent with OPA 48 and the Oak Ridges Moraine Conservation Plan (ORMCP)

OPA 48 states that continued development within existing urban settlement areas should be provided. Applications for development must comply with the provisions of the ORMCP, including the applicable provisions of Part III and Part IV of the Plan (for Settlement Areas the provisions outlined in subsections 19(3) and 31(4)). A general analysis of how the proposed development conforms to the ORMCP (implemented by OPA 48) is provided below. Appendix G to this report outlines how the development conforms to these documents in greater detail.

The subject lands are located within the ORM Settlement Area

Lands within a Settlement Area are designated for development of an urban type, permitting a range of residential, commercial, industrial and institutional uses. Within the Settlement Area, the existing Region of York and Town of Aurora Official Plan policies and land use designations shall guide development, subject to the applicable provisions of the ORMCP and the applicable policies of Section 3.13 of OPA 48. Uses permitted shall be in accordance with OPA 34, and all applicable policies of the ORMCP. Single detached dwellings are a permitted use in the Cluster Residential designation.

The subject lands are identified as having a Woodland, Wetlands and Woodlands MVPZ on a portion of the site

An Environmental Impact Study, Natural Heritage Evaluation and ORM Conformity Study, and a Hydrogeological Investigation have been submitted as part of the application, and determined the presence of Key Natural Heritage Features (KHNF) and Key Hydrologic Features (KHF) on the subject lands. Where site specific studies result in refinements to the boundary of environmental features or their related minimum vegetation protection zones

(MVPZs), such refinements shall not require an amendment to the Official Plan (Policy 3.13.4.f.vi).

Two Significant Woodland features exist within the central and northeastern portions of the site. While no development is proposed within these features, site grading and development is proposed adjacent to these features. A 10 metre variable MVPZ has been established around the Significant Woodlands. An Environmental Protection Zone will be applied to the limit of these features.

Two wetlands exist on the subject lands within kettle features (which are located in the central Woodlands feature), but are not permanently filled with water, and are therefore not considered kettle lakes. A third wetland was documented adjacent to the east site boundary. Variable buffers of 15 metres have been established from the limits of these features.

No development is proposed within the Environmental Protection Area and the associated KNHFs and KHF. Variable buffers have been determined to the satisfaction of the LSRCA. A condition of Draft Plan approval requires the Owner to implement all and any recommendations of the above noted studies. Included in these documents are mitigation measures to minimize potential impacts to the woodland and wetland features and associated usage by wildlife. Additionally, the features are located within Blocks 51 and 52 on the draft plan, which are to be dedicated to the Town as a condition of approval.

The LSRCA has imposed a condition of draft approval whereby a detailed ecological offsetting strategy in accordance with the LSRCA Ecological Offsetting Plan is to be prepared and approved prior to registration. This strategy will identify the appropriate compensatory measures for loss of natural heritage features (reduction of buffers) resulting from development and also identifying areas for feature compensation.

The subject lands are identified as Category 1 – Complex Landform, and within a Vulnerable Aquifer Area

Per applicable policy, the applicant has submitted a Landform Conservation Study, as the proposed development constitutes major development on lands within a Landform Conservation Area.

The Landform Conservation Study identified two landform features (kettles), located within the central woodlands feature (delineated as Block 51 on the draft plan). This Block occupies approximately 30% of the subject lands, inclusive of buffers to ensure there is no adverse impact on all of the features within this Block. An additional 5.9% of the lands at the northeast limits will be enhanced to offset for reductions in the buffers in other areas of the lands.

With site alteration (filling, grading and excavation) estimated to affect approximately 88% of the net developable area of the lands, and a total impervious surface of approximately 35%, the proposal exceeds the targets of 25% and 15%, respectively, as recommended by Section 30(5) of the ORMCP for development within a Category 1 Landform Conservation Area. Furthermore, the proposed plan does not fully maintain significant landform features (kettles and steep slopes) in their undisturbed form.

Given that the subject lands are located within a Settlement Area on the ORM, adherence to these policies is encouraged, but is not a requirement for approval. As stated in Section 7.4.2 of OPA 34, where landform features are considered to be of lesser significance, they are to be retained to the extent possible. Section 30(13) of the ORMCP provides that with respect to lands within Settlement Areas, when considering development within landform conservation areas the approval authority shall consider adopting planning, design, and construction practices to keep disturbance to landform character to a minimum to satisfy the above noted thresholds *if possible*.

Design measures required to service and provide access to the subject lands require disturbances to the landform. This includes the road connection to the adjacent Ashlen Holdings development; additional grading at Old Bloomington Road to achieve proper drainage for sanitary and storm connections; and fill to meet the existing grade of Bloomington Road to provide a new four-way intersection. The proposed development has been designed to limit the impact to landform conservation, and a condition of draft plan approval will be to implement any and all recommendations set out by the final Environmental Impact Study, Natural Heritage Evaluation, and ORM Conformity Study; and Landform Conservation Study.

Significant efforts have been made to minimize disturbance to the landform character and maintain pre-development recharge by minimizing impervious

surfaces and incorporating enhanced recharge facilities. The Hydrogeological Study and Water Balance Assessment demonstrates that the development will maintain and enhance pre-development infiltration levels and maintain the hydrological function of the kettles.

Planning has reviewed the proposed applications with regards to consistency to OPA 48 and the ORMCP, and have no objections, subject to the conditions of approval outlined in Schedule 'A' to this report.

The proposed applications are appropriate and compatible with the surrounding community, subject to the conditions of approval listed herein

To implement the proposed development and achieve the planning vision of OPA 34, the applicant has applied to rezone the subject lands. Recognizing that each residential subdivision has unique characteristics, the proposed site-specific zoning provisions implement the urban design principles of OPA 34 in the proposed by-law.

Planning is of the opinion that the subject application is appropriate and compatible with adjacent and neighbouring community, and that the by-law exception is appropriate to facilitate the development. As mentioned, the proposed site-specific amendments are outlined in Appendix B to this report. Planning's analysis of how each amendment is appropriate and compatible is discussed below.

Lot Area and Lot Frontage

The applicant is proposing a varying lot fabric within the proposed draft plan of subdivision. Four residential exception zones have been created to distinguish lots according to lot area and lot frontage. All proposed areas and frontage are greater than the parent R3 zone standards.

Rear Yard Setback for the Proposed R3(XX3) Exception Zone

The 17.5 metre proposed setback for this exception zone accounts for the 10 metre wide O2(XX) zone that forms the northerly portion of lots 30 to 37. A 7.5 metre setback from that buffer in accordance with the parent R3 zone has been added to the O2(XX) zone for a total rear yard setback of 17.5 metres.

Lot Coverage

The applicant is requesting a 40% lot coverage across all proposed residential exception zones. The proposed increase in lot coverage will facilitate a built form that is compatible with adjacent land uses, without causing adverse impact on the natural heritage features located on the subject lands.

Height

The applicant is proposing a maximum permitted building height of 11 metres, whereas the parent R3 zone permits 10 metres. Neighbouring residential developments vary in building height permissions from 10 metres to 13.4 metres. The Ashlen Holdings development to the west and existing estate residential development to the north both have maximum 10 metre heights; the Stirling Cook development to the west along Old Bloomington Road has a maximum height of 12.5 metres; and the residences on Davina Circle to the west have maximum building heights of 13.4 metres. Dwellings will be situated on large lots, and the proposed increase in height will not result in any adverse impact on neighbouring developments. As mentioned, the subject lands generally slope southward, which preserves sight-lines for residences to the north. Additionally, the proposed dwellings will have a pitched roof, which will limit massing and scale.

Landscape Specifications

In accordance with OPA 34 policy 3.6.4, a clause will be included in the amending by-law which states that a minimum of 40% of the lot area shall be preserved in an open, landscaped or natural condition. The 40% standard will not include accessory buildings or structures (excluding a deck), swimming pools or any other covered area with impervious material.

Dually Zoned Lots

Lots 30 to 37 on the proposed draft plan are intended to be dually zoned R3(XX3) and O2(XX). The O2(XX) comprises the northern 10 metres of each lot and will consist of a naturalized landscaped buffer to assist in providing separation to the adjacent Estate Residential dwellings. This buffer is required in accordance with OPA 34. Dually zoned lots will be subject to the minimum zone

requirements of the lots zoned Detached Third Density Residential R3(XX3) Exception Zone, as applicable.

The O2(XX) is incorporated into the overall lot fabric of Lots 30 to 37, consisting of a narrow strip at the back of the Lots with limited access. To provide additional protection for this Private Open Space area, a condition of draft plan approval will be to apply a restrictive covenant to these lots, which will restrict development, site alteration, or tree removal on the portion of lots zoned O2(XX).

Department / Agency Comments

The proposed applications were circulated to all internal and external agencies for review and comments. All circulated agencies are satisfied with the revisions and have no objections, subject to the conditions of approval outlined in Schedule 'A'. The following are highlighted discussions from the circulations.

Traffic and Access

The Town's Traffic/Transportation Analyst is requesting that a Pavement Markings and Signage Plan must be submitted for the proposed development. This comment can be addressed during the detailed design stage of the Draft Plan of Subdivision.

Urban Design

The applicant has submitted conceptual elevations, a streetscape plan, a priority lot plan, and an urban design brief as part of a complete application. While staff are satisfied with these documents in principle, a draft plan condition of approval requires the Owner to prepare and implement Urban and Architectural Design Guidelines in accordance with Appendix "A" of The Yonge Street South Secondary Plan (OPA 34) for the design and construction of all residential dwelling units, walkways, landscaping and all other elements within the Draft Plan.

York Region

The Regional Municipality of York has no objection to the approval of the subject applications, subject to the applicant fulfilling conditions of draft plan approval. The Region requires prior to registration: the functional design for a sidewalk on the north side of Bloomington Road between Yonge Street and Parabelle Drive; and, that a comprehensive assessment of sewer gases and associated odours in this area of the

Region's trunk sewer and proximity of the proposed trunk sewer connection to the subdivision be prepared that recommends a sound, robust and protective odour and sewer gas mitigation strategy.

Stormwater Management

There are two stormwater flows. One to the wetland feature internal to the environmental protection Block 51, and the other downstream to the Toronto Region Conservation Authority (TRCA) network. General drainage pattern conveys flows southward along Street 'A', with a local high point introduced at the boundary between LSRCA and TRCA jurisdictions to split the overland flow routes from each catchment to their respective stormwater management facilities.

A dry pond is proposed in the block between lots 20 and 21 with an oil grit separator (OGS) unit upstream of the pond inlet. This feature will serve as the quantity and quality control for the storm flows on the LSRCA portion of the site. These flows will be conveyed to the existing wetland, at a controlled rate to retail pre-development conditions.

An underground stormwater storage chamber with an OGS unit is proposed under Street 'A' proximal to Old Bloomington Road. This storage tank will be located downstream of the TRCA storm sewer network and will account for both the minor and major storm flows for this catchment area. The flows will be treated for both quality and quantity prior to being released to the existing storm sewer.

Overall site discharge to the municipal storm sewers are controlled to the pre-development allowable rates for the 2-year through 100-year storms. It was also demonstrated that internal catchments (kettles) do not produce any runoff for up to the 100-year design storm.

Servicing Allocation

Staff are recommending that Council grant servicing allocation in the amount of 161 persons from the reserve for the proposed development. An average of 3.23 persons per unit (ppu) is required to service a single detached dwelling. In consultation with Policy Planning, it has been confirmed that capacity is available for allocation.

Public Comments

At the time of writing this report, no written comments were submitted from the public. Responses to verbal comments made at the January 2018 Statutory Public Planning Meeting are attached to this report as Appendix H.

Advisory Committee Review

No Communication Required.

Legal Considerations

Subsections 22(7) and 22(7.0.2) of the *Planning Act* states that if Council refuses the Official Plan Amendment application or fails to make a decision on it within 180 days after the receipt of the application, the applicant (or the Minister) may appeal the application to the Local Planning Appeal Tribunal (LPAT).

Subsection 34(11) of the *Planning Act* states that if Council refuses the Zoning By-law Amendment application or fails to make a decision on it within 120 days after the receipt of the application, the applicant (or the Minister) may appeal the application to the Local Planning Appeal Tribunal (LPAT).

Subsection 51(34) of the *Planning Act* states that if Council refuses the Draft Plan of Subdivision application or fails to make a decision on it within 180 days after the receipt of the application, the applicant (or the Minister) may appeal the application to the Local Planning Appeal Tribunal (LPAT).

These applications were received in 2017 and therefore, the applicant may appeal them to the LPAT at any time.

Financial Implications

There are no financial implications identified at this time.

Communications Considerations

On January 4, 2018, a Notice of Complete Application and Public Planning Meeting was published in the Aurora Banner and Auroran newspapers and given by mail to all addressed property owners within a minimum of 120 metres (393 feet) of the subject

lands. On the same date, a Notice of Public Planning Meeting sign was also posted on the subject lands fronting Old Bloomington Road.

All interested parties were notified that the subject applications would be presented at the May 19, 2020 General Committee Meeting. While not a statutory meeting, public notification of the General Committee meeting was given in accordance with the requirements of the *Planning Act*.

Link to Strategic Plan

The proposed applications support the Strategic Plan goal of supporting an exceptional quality of life for all through its accomplishment in satisfying requirements in the following key objectives within this goal statement:

Strengthening the fabric of our community: Through the addition of 50 residential units, housing is provided in accordance with the objective to collaborate with the development community to ensure future growth includes housing opportunities for everyone.

Alternative(s) to the Recommendation

1. That Council provide direction.

Conclusions

Planning and Development Services has reviewed the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications against the relevant Provincial plans, Regional and Town Official Plans, Town Zoning By-law and municipal development standards. The development proposal is considered good planning, and conforms to Provincial and Regional policies and is consistent with policies of the Town's Official Plan. The OPA, zoning by-law and draft plan conditions work together to protect the ecological function of existing natural features in addition to increasing the separation distance to the existing estate housing community to the north.

Therefore, Staff recommend the approval of Official Plan Amendment file OPA-2017-02, Zoning By-law Amendment file ZBA-2017-08 and Draft Plan of Subdivision File SUB-2017-03.

May 19, 2020

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Report No. PDS20-033

Attachments

Figure 1 – Location Map
Figure 2 – Existing Official Plan Designation
Figure 3 – Existing Zoning By-law
Figure 4 – Proposed Zoning By-law
Figure 5 – Proposed Draft Plan of Subdivision
Schedule 'A' – Conditions of Draft Plan Approval

Appendix A – Excerpt from Minutes of the January 24, 2018 Public Planning Meeting
Appendix B – Proposed Residential Exception and Private Open Space Zones
Appendix C – Provincial Policy Statement Analysis
Appendix D – Growth Plan Policy Analysis
Appendix E – York Region Official Plan Analysis
Appendix F – OPA 34 Policy Analysis
Appendix G – Oak Ridges Moraine Conservation Plan Policy Analysis
Appendix H – Response to Public Comments

Previous Reports

Public Planning Report No. PDS18-002, dated January 24, 2018.

Pre-submission Review

Agenda Management Team Meeting review on April 30, 2020.

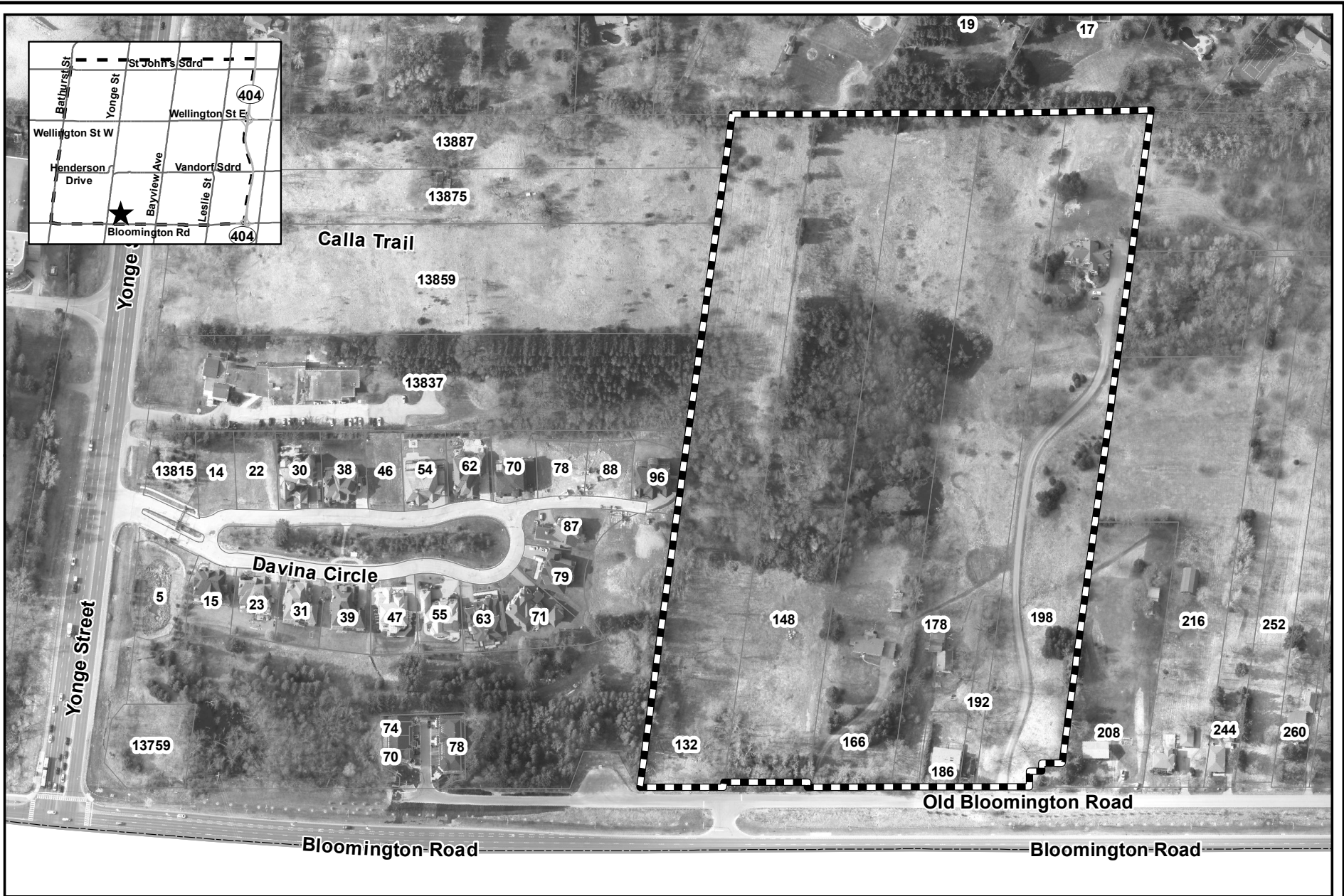
Departmental Approval

Approved for Agenda



**David Waters, MCIP, RPP, PLE
Director
Planning and Development Services**

**Doug Nadorozny
Chief Administrative Officer**

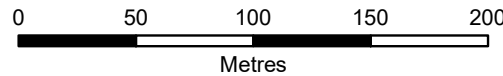


LOCATION MAP

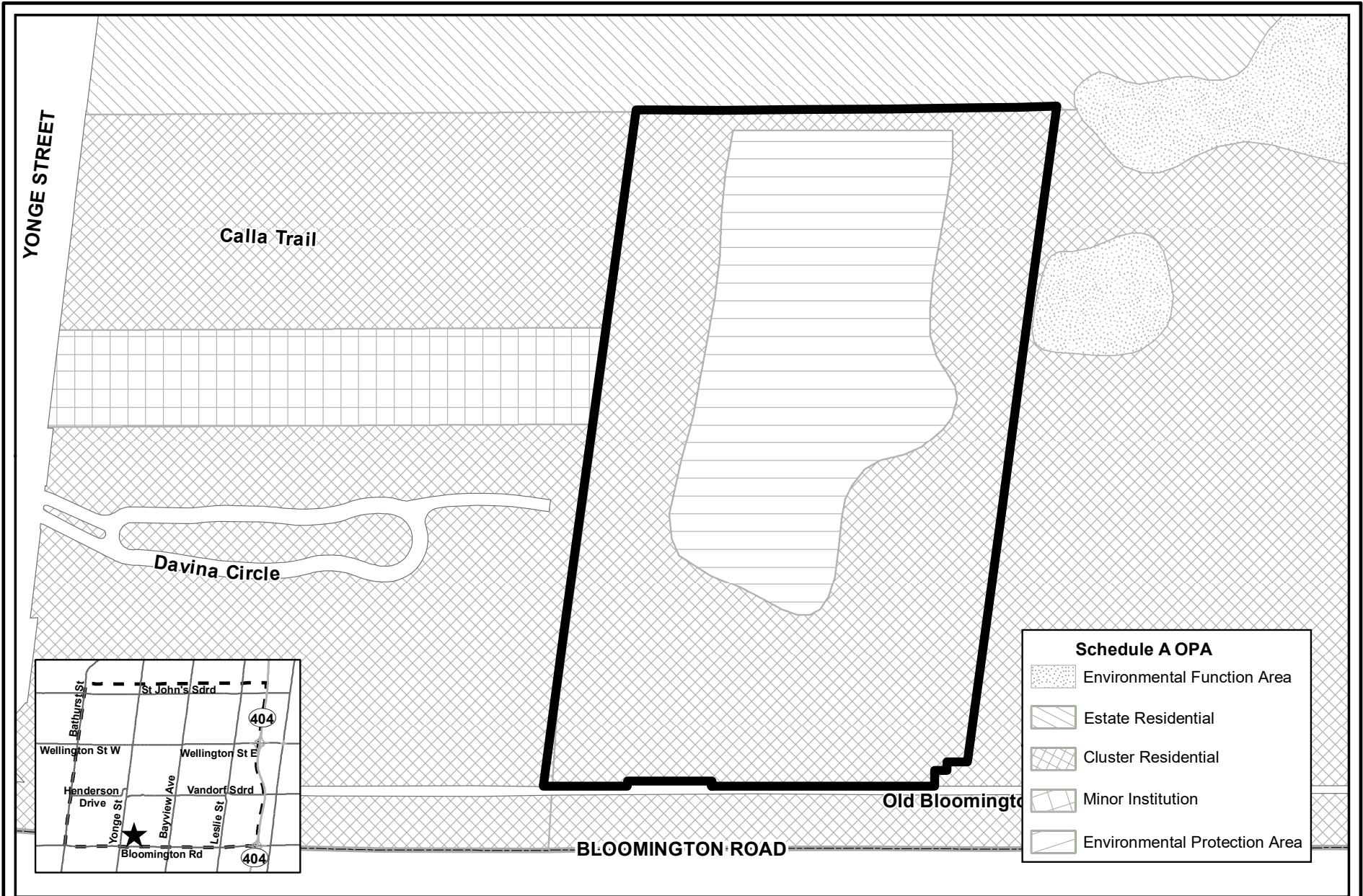
APPLICANT: 2523059 Ontario Inc
 FILE: OPA-2017-05, ZBA-2017-07 & SUB-2017-03
 FIGURE 1



SUBJECT LANDS



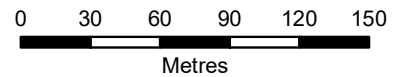
Map created by the Town of Aurora Planning and Building Services Department, April 20, 2020. Base data provided by York Region & the Town of Aurora. Air Photos taken Spring 2019. © First Base Solutions Inc., 2019 Orthophotography.

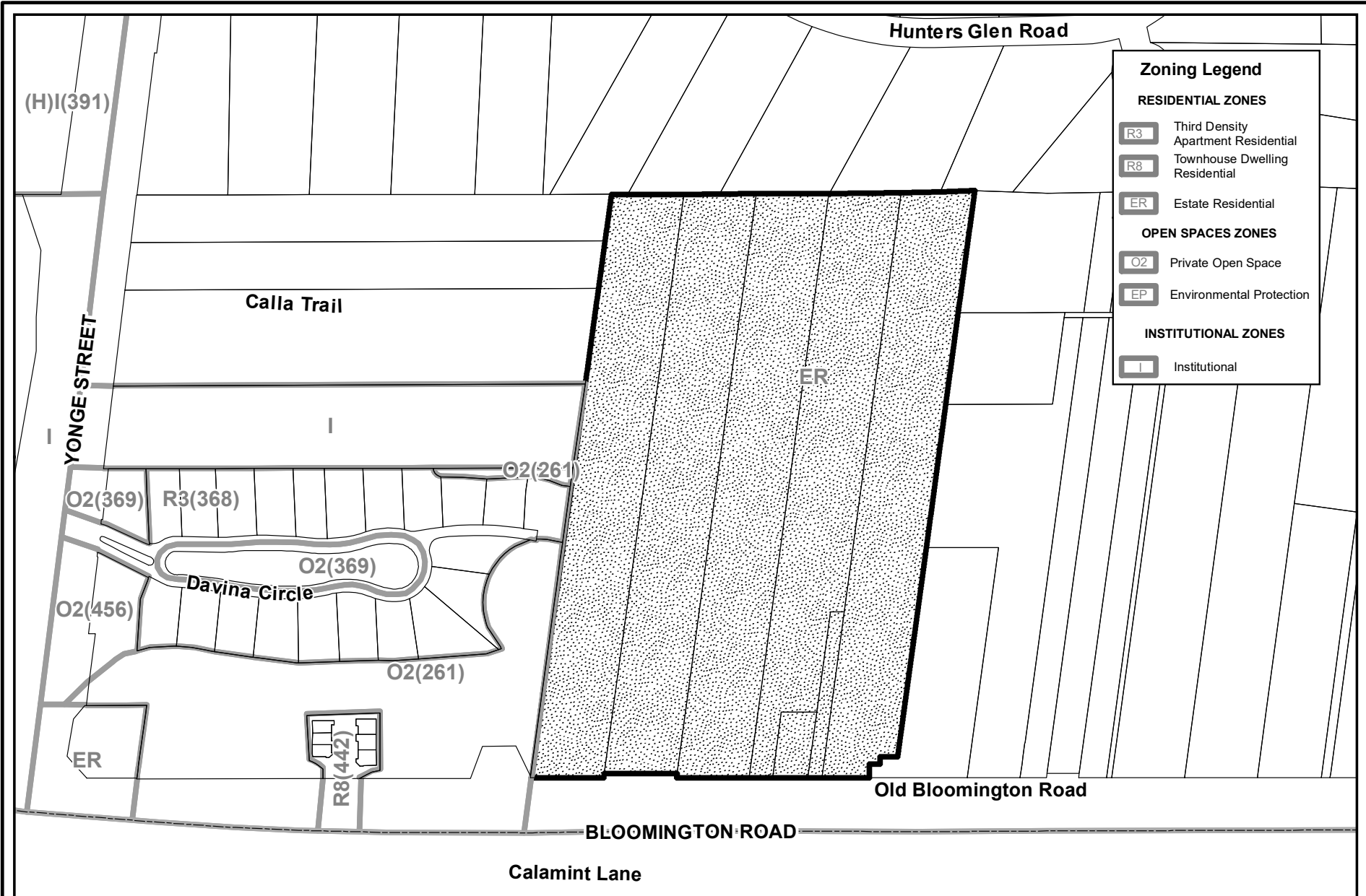


EXISTING OFFICIAL PLAN DESIGNATION

APPLICANT: 2523059 Ontario Inc
 FILE: OPA-2017-05, ZBA-2017-07 & SUB-2017-03
 FIGURE 2

 SUBJECT LANDS





Zoning Legend

RESIDENTIAL ZONES

- R3 Third Density Apartment Residential
- R8 Townhouse Dwelling Residential
- ER Estate Residential

OPEN SPACES ZONES

- O2 Private Open Space
- EP Environmental Protection

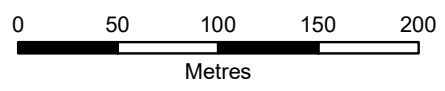
INSTITUTIONAL ZONES

- I Institutional

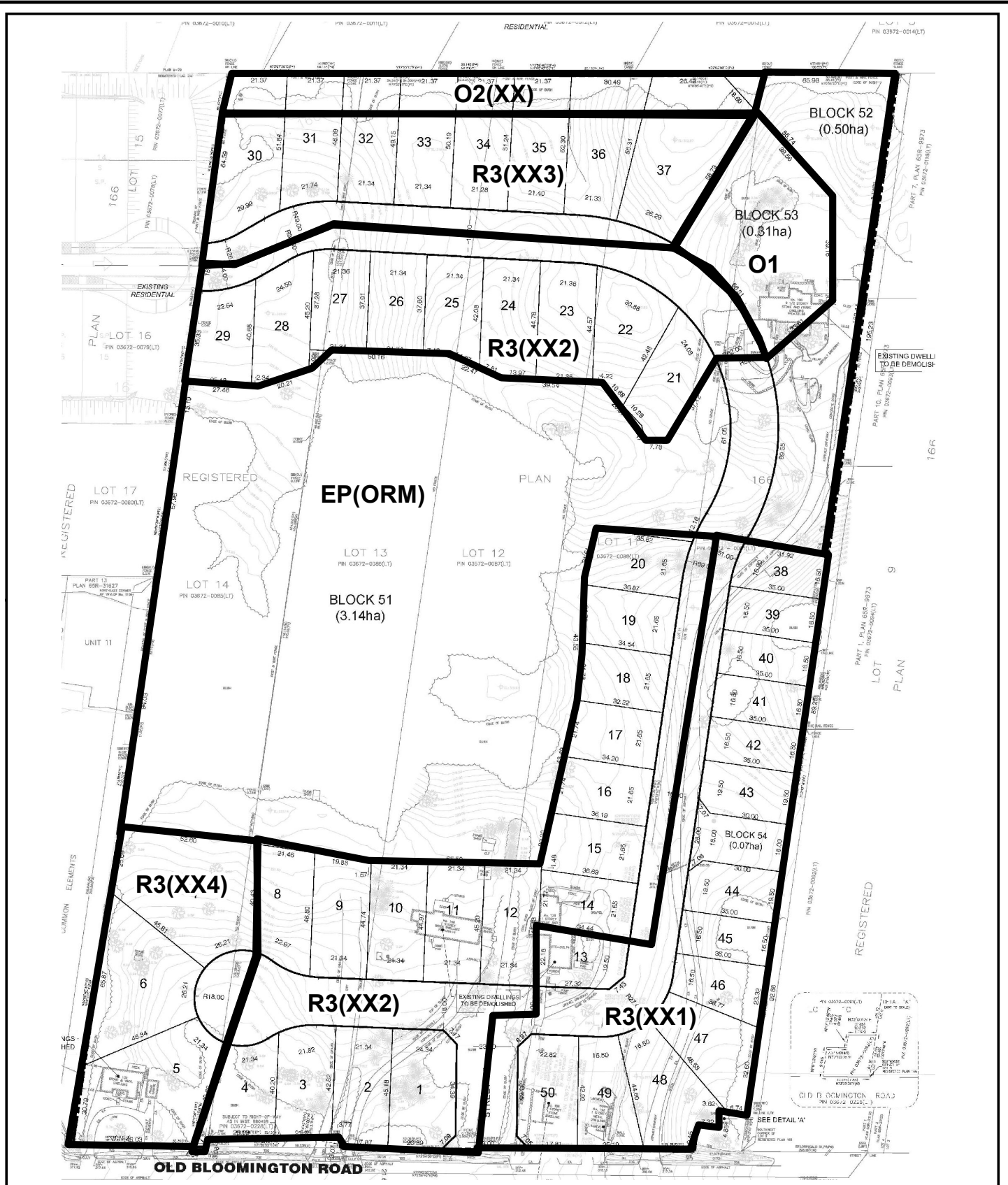
EXISTING ZONING BY-LAW

APPLICANT: 2523059 Ontario Inc
 FILE: OPA-2017-05, ZBA-2017-07 & SUB-2017-03
 FIGURE 3

SUBJECT LANDS



Map created by the Town of Aurora Planning & Building Services Department, April 20, 2020. Base data provided by York Region & the Town of Aurora.

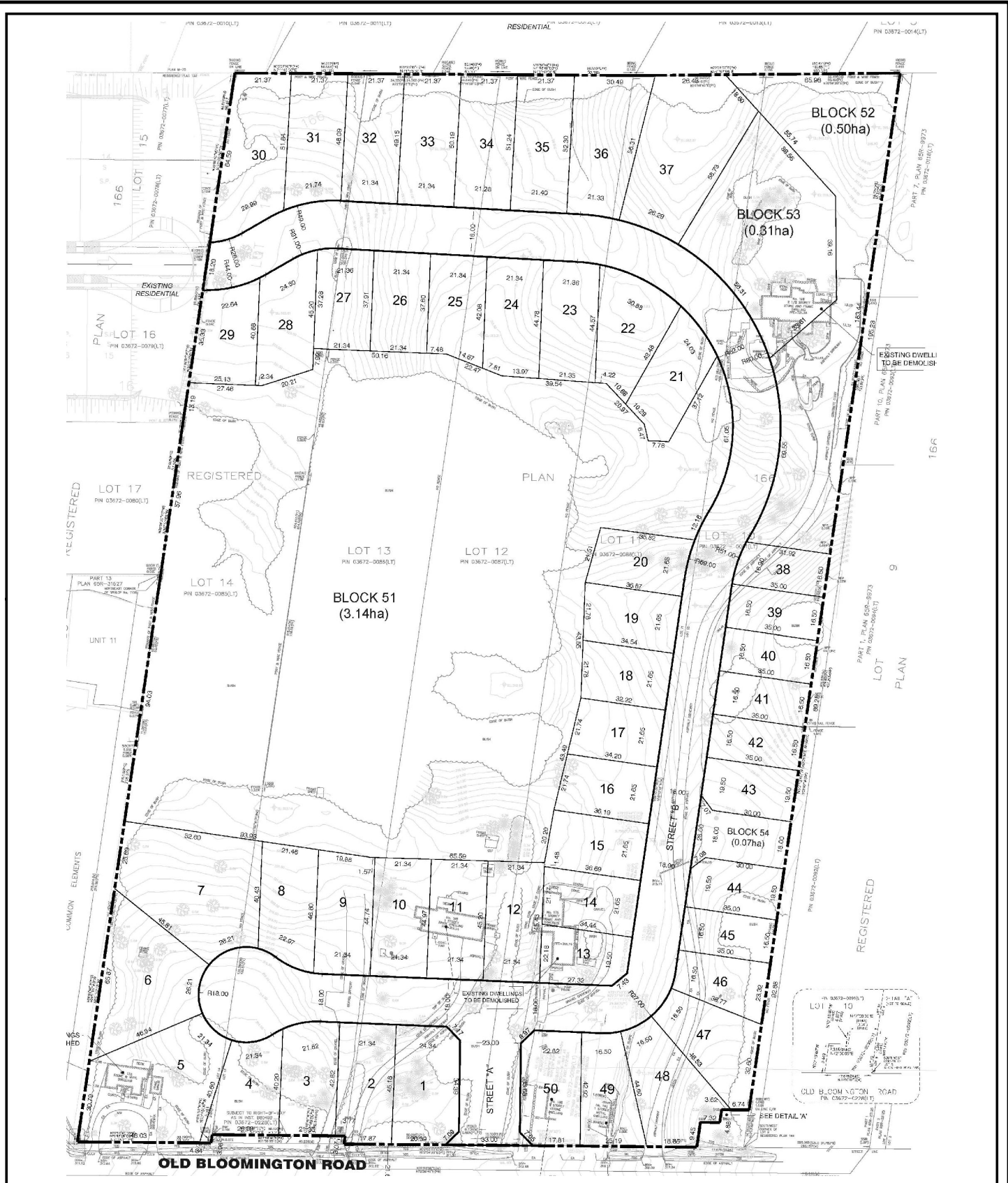


PROPOSED ZONING BY-LAW

APPLICANT: 2523059 Ontario Inc
 FILE: OPA-2017-05, ZBA-2017-07 & SUB-2017-03

FIGURE 4





PROPOSED DRAFT PLAN OF SUBDIVISION

APPLICANT: Kashani & Co. Investment Inc.

FILES: ZBA-2019-04

FIGURE 5



Schedule “A”

CONDITIONS OF APPROVAL

**DRAFT PLAN OF SUBDIVISION (SUB-2017-03)
2523059 Ontario Inc. and 2407854 Ontario Inc.**

132, 148, 166, 178, 186, 192 and 198 Old Bloomington Road, legally described as Part Lots 10, 11 and 13 and Lots 12 and 14, Plan 166, designated as Part 1 on Plan 65R-38076 and Parts 1 and 2 on Plan 65R-38075 (the “Lands”)

DRAFT PLAN APPROVAL AND THE FOLLOWING DRAFT PLAN CONDITIONS LAPSE AT THE EXPIRATION OF THREE YEARS FROM THE DATE THAT THE DRAFT PLAN OF THE LANDS HAS BEEN APPROVED BY COUNCIL. PROVIDED THAT DRAFT PLAN APPROVAL HAS NOT LAPSED, COUNCIL MAY, AT ITS SOLE DISCRETION, EXTEND THE APPROVAL.

THE CONDITIONS OF AURORA COUNCIL THAT SHALL BE SATISFIED BY THE OWNER OF THE LANDS (THE “OWNER”) PRIOR TO THE RELEASE FOR REGISTRATION OF ANY M-PLAN OF THE LANDS (THE “PLAN”), ARE AS FOLLOWS:

Planning Division Conditions

1. The final draft plan prepared by The Biglieri Group Ltd. dated November 27, 2017 and revised November 5, 2019 with respect to the creation of fifty (50) lots on a plan of subdivision (the “Draft Plan”) and associated conditions of Draft Plan approval shall be amended to the satisfaction of the Town’s Planning Division, if revisions are required to implement or integrate any recommendations resulting from studies required as a condition of Draft Plan approval. Further, minor redline revisions to the Draft Plan may also be required to ensure property alignment with existing or proposed lots, blocks, streets, and/or facilities on lands adjacent to the Draft Plan.
2. Prior to the release for registration of the M-Plan, the Owner shall submit, to the satisfaction of the Planning Division, the final draft M-Plan in the following form:
 - a) an electronic and hardcopy version of the signed white paper print approved by the Land Registry Office for registration;
 - b) one (1) original mylar;
 - c) two (2) mylar duplicates; and
 - d) three (3) white paper prints, one (1) of which contains an A.O.L.S form.
3. Prior to the release for registration of the Plan, the Lands shall be appropriately zoned by a zoning by-law that has come into effect in accordance with the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended (the “*Planning Act*”). The holding provisions of Section 36 of the *Planning Act* may be used in conjunction with any zone category to be applied to the Lands in order to ensure that development does not occur until such time as the holding “H” symbol is removed in accordance with the provisions of the *Planning Act*. The Town’s Zoning By-law, as amended or successor thereto, shall specify the

terms under which the Town's Council will consider the removal of the holding "H" symbol.

4. The Owner shall, prior to the release for registration of the Plan, enter into and execute agreement(s) with The Corporation of the Town of Aurora, including but not limited to an agreement for a residential subdivision agreeing to satisfy all conditions, legal, financial (including fees and securities) and otherwise of the Town (the "Subdivision Agreement"). The Subdivision Agreement and related documents shall be registered on title against the Lands, as provided for in the *Planning Act*, at the sole expense of the Owner.
5. Prior to the release for registration of the Plan, the Owner shall prepare a Green Building and Development report for the development of the Lands related to Environmental Protection, Energy Efficiency, Solar Gain, Energy Technologies, Water Conservation, Green Materials and Waste Reduction, Reduction of Noise Pollution, Indoor Air Quality and Residential Information/ Education Package, all to the satisfaction of the Town's Planning Division. A clause shall be added to the Subdivision Agreement stating that the Owner shall implement any and all recommendations of this report to the satisfaction of the Town.
6. A clause shall be added to the Subdivision Agreement stating that the Owner shall implement any and all recommendations of the Environmental Impact Study, Natural Heritage Evaluation and Oak Ridges Moraine Conservation Plan Conformity Report prepared by WSP Canada Inc. dated March 5, 2019, as amended, and in accordance with the *Endangered Species Act, 2007*, S.O. 2007, c.6.
7. A clause shall be added to the Subdivision Agreement stating that the Owner shall implement any and all recommendations of the Landform Conservation Study prepared by WSP Canada Inc. dated March 5, 2019, as amended on November 7, 2019 to the satisfaction of the Town's Planning Division
8. A clause shall be added to the Subdivision Agreement stating that the Owner shall prepare and implement Urban and Architectural Design Guidelines in accordance with Appendix "A" of The Yonge Street South Secondary Plan (OPA 34) for the design and construction of all residential dwelling units, walkways, landscaping and all other elements within the Draft Plan. Strict compliance with the Urban Design Guidelines shall be undertaken by the Owner unless otherwise approved by the Town's Planning Division.
9. A clause shall be added to the Subdivision Agreement stating that prior to the release for registration of the Plan, the road allowances included within the Draft Plan shall be named to the satisfaction of the Town's Planning Division and the Region of York.

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Conditions of Approval
Page 3

10. A clause shall be added to the Subdivision Agreement stating that the Owner shall erect and maintain signs on any vacant land within the Plan indicating the designated or proposed use of all lots and/or blocks (including temporary turning circles) on the Plan, other than those lots designated for residential purposes.
11. A clause shall be added to the Subdivision Agreement stating that the Owner shall satisfy any requirements in accordance with: a) the Town's Parkland/Cash-in-Lieu By-law, as amended or successor thereto and applicable policies; and b) any related Parkland Agreements imposed by the Town.
12. A clause shall be added to the Subdivision Agreement stating that the Owner shall register a Restrictive Covenant on Lots 30 to 37 inclusive on the Draft Plan, restricting development, site alteration, or tree removal within the portion of the Lots zoned for Private Open Space.

Legal Services Division Conditions

13. Prior to the execution of the Subdivision Agreement, the Owner shall provide a draft Solicitor's Title Opinion for the Lands as well as an electronic and hardcopy version of all draft Reference Plans referred to in the Subdivision Agreement in a final signed form as approved by the Land Registry Office for registration.
14. A clause shall be added to the Subdivision Agreement stating that immediately following registration of the M-Plan, the Owner shall, at no cost and free of all encumbrances to the Town to the satisfaction of the Town Solicitor: a) grant all easements required for municipal purposes; b) convey all lands required for municipal purposes, including 0.3m reserves; and c) dedicate as public highways on the Plan, all streets and road widenings.
15. A clause shall be added to the Subdivision Agreement stating that, immediately following the registration of the M-Plan, the Owner shall consent to the Town's registration of the Subdivision Agreement, and any ancillary agreements as necessary in priority of all encumbrances to the Town to the satisfaction of the Town Solicitor and to pay to the Town its associated fees upon execution of the Subdivision Agreement for the preparation and registration of same as set out in the Town's Fees and Charges By-law, as amended or successor thereto.

Engineering Division Conditions

Private Wells:

16. A clause shall be added in the Subdivision Agreement stating that prior to the release for registration of the Plan, the Owner shall provide the Town with a

survey of nearby private wells on lands external to the Draft Plan, including information on water quality and quantity. Water sampling and analysis on external lands shall be completed at selected wells where existing water quality concerns are suspected upon obtaining legal access from external land owners.

17. A clause shall be added to the Subdivision Agreement stating that the Owner shall retain a hydrogeological consultant to monitor the groundwater table and submit for the Town's approval a letter report of the findings and conclusions prior to any site alteration on the Lands, and on a yearly basis, which summarizes and identifies groundwater fluctuations, if any, and provides qualified justification for possible fluctuations including recommendations to mitigate construction impacts, if any. A further clause shall be added to the Subdivision Agreement stating that if as a result of carrying out the monitoring and design, modifications are recommended, the Owner shall, at its own expense, provide for such modifications to the satisfaction of the Director.
18. A clause shall be added in the Subdivision Agreement stating that the Owner shall provide confirmation that there will be no future ground source heat pump installations involving wells associated with the Draft Plan and that all existing private wells on the Draft Plan will be located and properly abandoned.
19. A clause shall be added to the Subdivision Agreement stating that the Owner shall properly abandon and plug any unused wells on the Draft Plan in accordance with the *Ontario Water Resources Act*, R.S.O.1990, c. O.40, and R.R.O. 1990, Reg. 903.

Stormwater Management:

20. Prior to the release for registration of the Plan, the Owner shall submit a detailed Stormwater Management Report, to the satisfaction of the Town's Engineering Division, to substantiate that the Lands meet the current stormwater balance, quantity and quality requirements in accordance with the latest Ministry of Environment guidelines and the Town's Infrastructure & Environmental Services Department Policy #68 (Stormwater Management Pond and Pond Block Design, Safety and Maintenance). The Owner shall meet the stormwater management control targets to protect surface and ground water and other natural resources in accordance with the criteria and objectives set out in the Town's master plan for stormwater management. The Owner shall also provide a separate operations and maintenance manual quantifying the frequency of inspections and maintenance requirements and costs for individual items and areas of the stormwater management system to the satisfaction of the Town.
21. Prior to the release for registration of the Plan, the Owner shall submit a Stormwater Management Report and a Hydrogeological Report which

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addresses water balance; demonstrates that the post development water balance is acceptable; and provides any recommendations required for mitigation. A clause shall be added to the Subdivision Agreement stating that the Owner shall carry-out the recommendations/mitigation measures set out in the Reports to the satisfaction of the Town and the Lake Simcoe Region Conservation Authority.

22. A clause shall be added to the Subdivision Agreement stating that in accordance with the Town's Policy, the Owner shall pay to the Town upon execution of the Subdivision Agreement a non-refundable cash contribution to be determined by and to the satisfaction of the Town, in accordance with the recommended maintenance and monitoring requirements of the storm water management report. The contribution shall provide for the long term operation and maintenance costs of the stormwater management facilities based on a 50 year life cycle cost determined through a present day cost analysis to the satisfaction of the Town.

Roads and Municipal Services:

23. A clause shall be added to the Subdivision Agreement stating that, immediately following the registration of the Plan, the Owner shall convey Block 54 on the Draft Plan to the Town for future public road purposes, at no charge and free of all encumbrances, to the satisfaction of the Town's Engineering Division.
24. A clause shall be added to the Subdivision Agreement stating that the Town's temporary cul de sac to the west of the Lands shall be removed, and all works necessary to reinstate the curb, drainage, sidewalk, road and any other works to the satisfaction of the Town, shall be at the sole cost of the Owner.
25. A clause shall be added to the Subdivision Agreement stating that the Owner shall construct, at its sole cost, any temporary turning circles on all dead end streets in conjunction with the construction of the works for any street that is not completed. Streets that are otherwise temporarily terminated must have a temporary turning circle constructed in accordance with the Town of Aurora Design Criteria Manual and to the satisfaction of the Town's Engineering Division. Prior to the release for registration of the Plan, the Owner shall, at its sole cost, prepare and submit a reference plan showing the temporary turning circle, grant any temporary easements and enter into any further agreements over the turning circle lands which may be required by the Town.
26. A clause shall be added to the Subdivision Agreement stating that the Owner shall implement any and all recommendations of the Functional Servicing Report prepared by WSP dated February, 2019, as amended with respect to the detailed engineering design drawings and reports for the layout and construction of roads and services (i.e. water, storm and sanitary) in

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- accordance with the Town of Aurora Design Criteria Manual to the satisfaction of the Town's Engineering Division.
27. Prior to the release for registration of the Plan, the Owner shall submit a Report setting out the details of any watermain connection to Yonge Street as well as resolution and mitigation of sewer gas and odour of the existing Region sanitary sewer noted by the Region to the satisfaction of the Town and Region. The report shall also have consideration for ongoing maintenance and include a maintenance manual with future costs of maintenance to mitigate the concerns. A clause shall be added to the Subdivision Agreement stating that the Owner shall provide the Town with a cash contribution in such an amount to be determined by the Town as per the recommended maintenance and monitoring requirements of the sanitary sewer report to the satisfaction of the Town (such contribution shall be the in accordance with the present value cost of 50 year maintenance).
28. Prior to the release for registration of the Plan, the Owner shall prepare and submit detailed engineering drawings which will include, but not be limited to, grading control plans (including any retaining walls and details), plan and profile drawings of all underground and above ground services, general plans (notes, above and below ground and updated to conform to current construction requirements to reduce infiltration), drainage plans, composite utility plans (to include above and non-standard below ground utilities, services, driveways and boulevard tree locations, etc. signed as approved by all related utility providers and Canada Post), stormwater management plans, detail plans, erosion and sediment control plans, illumination (to be controlled to the sidewalk and road and being "dark sky" compliant), and signalization plans, if any, etc. to the satisfaction of the Town's Engineering Division. The drawings shall include the details of related works on external lands, where applicable. Any proposed final grading shall eliminate retaining walls, unless approved otherwise by the Town's Engineering Division. Construction details and notes, material descriptions, location and dimensions including top and bottom of wall elevations, heights and length of all retaining walls approved by the Town's Engineering Division shall be provided in the detailed engineering plans stamped by a professional engineer registered in the Province of Ontario. Any approved retaining walls shall include drainage systems with positive outlets, shall not permit surface drainage to drain over the top of wall, and when there is the option, shall be located on private property instead of public property.
29. Prior to the release for registration of the Plan, the Owner shall submit a capacity study of the Town's water distribution system to the Lands in order to determine that the proposed development can be adequately serviced to the satisfaction of the Town. As part of the study, should the use of a pressure reducing valve (PRV) be required, consideration should be given to individual PRV's, as well as a review and confirmation of PRV requirements following the water meters. Furthermore, as part of the study, should a further watermain

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- connection to Yonge Street be determined necessary along Bloomington/Old Bloomington Road, the Owner shall be responsible for all works including the design and construction as well as negotiating and establishing any easements or lands required.
30. Prior to the release for registration of the Plan, the Owner shall submit a detailed sanitary sewer capacity study including review of existing sewer conditions in order to determine that the proposed development can be adequately serviced to the satisfaction of the Town. A clause shall be added to the Subdivision Agreement stating that the Owner shall upgrade or remediate any sewers that the study reports require remediation or upgrading.
 31. Prior to the release for registration of the Plan, the Owner shall submit plans acceptable to the Town, detailing any phasing of construction and development, together with the means by which construction access to the Lands will be gained during any construction or phasing. Should phasing be necessary or requested, a clause shall be added to the Subdivision Agreement stating that the Owner shall comply with the phasing plan and make all builders aware of the phasing plan.
 32. A clause shall be added to the Subdivision Agreement stating that construction access may be limited until such time as the first occupancy of any lot or block on the Plan if determined by the Town in consultation with York Region and approved by Central York Fire Services and the Chief Building Official.
 33. At the time of second submission of detailed engineering drawings, the Town, in its sole discretion may request the Owner to pay engineering fees to the Town in the amount of 1% of the estimated cost of all the works necessary for the construction of the servicing including all grading, drainage and infrastructure works etc., as estimated by the consultant for the project. Upon execution of the Subdivision Agreement, the Owner shall pay any additional engineering fees to a total fee of 6% of the estimated cost of all work to the satisfaction of the Town's Engineering Division in accordance with the Town's Fees and Charges By-Law, as amended or successor thereto.
 34. A clause shall be added to the Subdivision Agreement stating that the Owner shall, prior to the release for registration of the Plan, provide servicing securities to the Town, in a form acceptable to the Town's Financial Services Division and in such amount as approved by the Town's Engineering Division.
 35. A clause shall be added to the Subdivision Agreement stating that the Owner shall provide detailed engineering drawings and be required to construct or pay for the construction of roads, bicycle lanes, curbs, gutters, sidewalks (in accordance with applicable Town policy), underground and above ground services, street lights and illumination, street signs, utilities, storm water management facilities, etc., and any and all other works necessary for the

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- development and servicing of the Lands to the satisfaction of the Town's Engineering Division.
36. A clause shall be added to the Subdivision Agreement stating that the Owner shall construct and pay for the boundary water meter chambers to the satisfaction of the Town's Engineering Division.
 37. A clause shall be added to the Subdivision Agreement stating that the Owner shall reimburse the Town for snow removal and winter maintenance costs for the roads and sidewalks within the Draft Plan based on the ratio of occupied/unoccupied units/ lots and blocks within the Draft Plan as determined by the Town's Engineering Division.
 38. A clause shall be added to the Subdivision Agreement stating that the Owner shall reimburse the Town for street lighting maintenance costs within the Draft Plan based on the current level of occupancy to the satisfaction of the Town's Engineering Division.
 39. A clause shall be added to the Subdivision Agreement stating that the Owner shall connect the sanitary servicing on the Lands to the sanitary sewer on Old Bloomington Road and that no Development Charge Credits shall apply to the said connection.
 40. Prior to undertaking any grading on the Lands, and in connection with the Town's issuance of a Topsoil Removal Permit (if required), the Owner shall submit a Lot Grading and Erosion Control Plan for any grading within the Draft Plan for approval by the Town and the Lake Simcoe Region Conservation Authority that shall include a Certificate of Decommissioning for any well(s) and septic systems and proposed methods for:
 - a) erosion and sediment control prior to and during construction including the extent of grading/filling, the access location and erosion control detail, the location of spoil pile storage and the location and nature of sediment control works;
 - b) progressive stripping and grading to ensure minimum duration of exposed soil areas to the extent practical; and
 - c) archaeological clearance.
 41. Prior to the release for registration of the Plan, the Owner shall complete an Environmental Site Assessment in accordance with the *Environmental Protection Act*, R.S.O. 1990, c. E.19, O. Reg. 153/04 and O. Reg. 511/95, all as amended, undertaken by a qualified person registered to ensure that the land is suitable for the proposed use. If in the opinion of the qualified person, the Environmental Site Assessment indicates the land may not be suitable for the

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- proposed uses, the qualified person shall so advise the Ministry of the Environment, Conservation and Parks and the Town. Prior to the release for registration of the Plan, the Owner shall do further investigative studies and do all work required to make the Lands suitable for the proposed use.
42. A clause shall be added to the Subdivision Agreement stating for any land to be conveyed to the Town including roads, storm water management facilities, open space, parks, (ravines and buffer areas/natural heritage system etc.), the Owner shall undertake an environmental audit (under *Environmental Protection Act*, regulation O. Reg. 153/04) and shall obtain any further investigative studies as necessary to complete all required works to clean the said lands of soil contamination to make the lands suitable for the proposed uses.
 43. A clause shall be added to the Subdivision Agreement stating that all lots and/or blocks on the Plan to be left vacant for longer than six (6) months, and all portions of public highways that are not paved, together with all drainage swales, shall be graded, seeded and/or sodded and maintained by the Owner to the satisfaction of the Town.
 44. A clause shall be added to the Subdivision Agreement stating that the Owner shall grant the required easements to the appropriate authority for public utilities, drainage purposes, turning circles, or any other services as deemed necessary. Any off site easements and works necessary to connect watermains, storm sewers and sanitary sewers to outfall trunks and storm water management facilities on external lands shall be satisfactory to and granted to the appropriate authorities. No works off site or connections to existing infrastructure may be undertaken prior to such approvals and easements being in place.
 45. Prior to the release for registration of the Plan, the Owner shall satisfy the Town's Engineering Division that the services to be installed within, and in conjunction with the Draft Plan will provide for sidewalks which meet the Town's standards along the Lands' frontage onto roadways that have/will have transit services.
 46. Prior to the release for registration of the Plan, the Owner shall submit an internal and external traffic management plan including internal traffic study for review and approval by the Town's Engineering Division. A clause shall be added to the Subdivision Agreement stating that all road work and construction shall be completed in accordance with the approved internal traffic study, which shall include works relating to road cross-sections (in accordance with the latest development standards as approved by the Town), parking controls, bike ways, pavement markings, pedestrian crossings, sidewalks, access driveways locations, traffic signage including bicycle route signage on the collector or minor collector road in accordance with the Town's Traffic Demand Management Policy, and other requirements as set out in the said internal

- traffic study. All traffic control devices (including temporary pavement markings) as specified in the internal traffic study shall be constructed to the satisfaction of the Town's Engineering Division prior to the occupancy of any dwelling. Regardless of any alternative design standards, the right-of-way shall be a minimum of 22 metres.
47. Prior to the release for registration of the Plan, the Owner shall submit detailed engineering drawings to demonstrate compliance with the Town's standard configuration with respect to all road bends on the Draft Plan to the satisfaction of the Town's Engineering Division.
 48. Prior to release for registration of the Plan, the Owner shall ensure that all dead end streets, sides of road allowances requiring restricted access, as designated by the Town's Engineering Division shall be terminated in 0.3 metre reserves to prohibit access at certain locations either temporarily or permanently in the sole discretion of the Town.
 49. A clause shall be added to the Subdivision Agreement stating that the Owner shall provide sanitary sewer and storm sewer inspection testing and acceptance in accordance with the latest standards and certifications of the National Association of Sewer Service Companies. Sanitary sewer inspection testing and acceptance shall be in accordance with York Region Sanitary Inspection, Testing and Acceptance Guideline requirements dated September 2011, as amended from time to time and the requirements of the Town. Storm sewer and manhole inspection testing and acceptance shall be in accordance with the requirements and policies of the Town.
 50. A clause shall be added to the Subdivision Agreement stating that the Owner shall retain, at its sole expense, a qualified company acceptable to the Town to provide a video (CCTV) inspection of all sanitary and storm sewers and to prepare a report of the findings and conclusions. The report shall summarize and identify sewer pipe material used in accordance with the Town's and Region of York's specifications as well as any deleterious materials to be cleaned, settlements, or deflections, if any, with qualified justification provided which are stamped by a professional Engineer registered in the Province of Ontario for possible deviation from Region of York, Town and OPS standards and specifications with recommendations to mitigate construction impacts, if any. If as a result of carrying out the video (CCTV) inspection, modifications or rectifications are required, provide for, at its own expense, such modifications or rectifications as required, the Owner shall, at its sole expense and prior to the Town's final release of securities, provide for such modifications or rectifications as required through such means as agreed to by the Town until such CCTV inspection and rectifications, if any, are completed to the satisfaction of the Town's Engineering Division.

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51. A clause shall be added to the Subdivision Agreement stating that the Owner shall prepare and submit an overall Composite Utility Plan showing the location (shared or otherwise) of all required utilities (on-grade, or above-grade or non-standard below grade, including on-site servicing facilities and streetscaping) to the satisfaction of the Town. The plan shall consider the requirements of those utility providers (including natural gas, hydro, and telecommunications service providers) that will conduct works within the Lands and the respective standards and specification manuals, where applicable, of the utility providers.
52. A clause shall be added to the Subdivision Agreement stating that natural gas, telecommunication service providers and cable television services, including other street hardware, where possible, shall be constructed underground within the road allowances or other appropriate easements to the satisfaction of the Town.
53. A clause shall be added to the Subdivision Agreement stating that the Owner shall grant access, on reasonable terms and conditions, to any telecommunications service providers indicating an interest to locate within a municipal right-of-way. The Owner shall advise any telecommunications service provider intending to locate within a municipal right-of-way, of the requirement to enter into a Municipal Access Agreement with the Town, and to satisfy all conditions, financial and otherwise of the Town.
54. A clause shall be added to the Subdivision Agreement stating that the Owner shall carry out the recommendations of a detailed Salt Reduction Design Plan to be provided by the Owner to the satisfaction of the Town.

Noise Attenuation Barrier Conditions:

55. A clause shall be added to the Subdivision Agreement stating that the Owner shall be responsible to construct, install, maintain, inspect, alter, remove and reconstruct any noise attenuation walls in accordance with the approved Noise Study to the satisfaction of the Town's Engineering Division. Attenuation barriers must not be located on Town property and the Town will not accept or provide maintenance of attenuation barriers. Details of the noise attenuation barriers for outdoor living areas, location, dimensions, including top and bottom of barrier elevations, and construction details and notes shall be provided on the detailed engineering plans and approved by the Town's Engineering Division.

Parks Division Conditions

Parkland:

56. A clause shall be added to the Subdivision Agreement stating that the Owner shall convey Block 53 on the Draft Plan to the Town for parkland purposes, at

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no charge and free of all encumbrances, to the satisfaction of the Town's Parks Division.

Environmental Protection Lands:

57. A clause shall be added to the Subdivision Agreement stating that the Owner shall convey Blocks 51 and 52 on the Draft Plan to the Town for environmental protection purposes, at no charge and free of all encumbrances, to the satisfaction of the Town's Parks Division.
58. A clause shall be added to the Subdivision Agreement stating that the Owner shall, in regard to Blocks 51, 52 and 53, and the northern 10 metres of Lots 30 to 37 on the Draft Plan:
 - a) not disturb or otherwise use any portion of these Lots or Blocks for the storage of topsoil or fill materials, with the exception of topsoil stockpiling on the existing residential portion of Blocks 52 and 53 on the Draft Plan, provided that the area be delineated and approved by the Town prior to stockpiling, and that the area be restored to the satisfaction of the Parks Division;
 - b) not encroach into these Lots or Blocks without prior written approval of the Town's Parks Division;
 - c) not alter grades within buffers to these Lots or Blocks;
 - d) provide a forest edge enhancement and management plan addressing invasive species removal, native restoration plantings, and removal of dead or hazardous trees and limbs within these Lots or Blocks;
 - e) install on-site temporary Paige wire protection/silt fencing along the boundaries of these Lots or Blocks prior to any adjacent development disturbance, and maintain in place the temporary fencing for the duration of development construction; and
 - f) restore and revegetate any proposed disturbance or grading activities within these Lots or Blocks with extensive plantings using native species compatible with the surrounding environment.

Vegetation Management:

59. A clause shall be added to the Subdivision Agreement stating that the Owner shall implement any and all recommendations of a Vegetation Management Plan (the "VMP") to the satisfaction of the Town's Parks Division which VMP shall be prepared by a consulting landscape architect in coordination with a certified arborist or registered professional forester, or other environmental specialist, as required, and shall include, but not be limited to, the following:
 - a) a detailed vegetation inventory & assessment identifying all vegetation 50mm caliper or greater for individual tree assessments and/or perimeter at canopy of woodland, groups or stands of vegetation; identifying trees

- and vegetation on adjacent property that may be impacted; and including inventory that identifies species, size and condition;
- b) identification of all vegetation removals and identification of all protection measures including tree preservation zones for vegetation designated to be preserved; an at-grade impact assessment to support vegetation removals; and/or preservation measures;
 - c) a monetary vegetation appraisal in order to determine compensation planting in accordance with the Town's Tree Removal/Pruning & Compensation Policy;
 - d) provisions for compliance monitoring and protection/mitigation specifications and implementation of all arboricultural requirements for trees designated to be preserved during construction; and provisions for post construction performance monitoring and rehabilitation specifications;
 - e) coordination with existing homeowners for trees located on property boundaries that require removal with homeowner's approval for removals and coordination, method of removal, and replacement being obtained;
 - f) a compensation planting plan providing plantings equal to or greater than the appraised value of vegetation designated to be removed from the Lands, which compensation planting shall be completed in addition to the Town's minimum planting standards; and where compensation plantings cannot be provided on the Lands in the full assessed value, the Owner shall pay a fee to the Town equal to the value of the balance of compensation plantings, to the satisfaction of the Director of the Parks Division; and
 - g) coordination of naturalization and restoration plantings and vegetation related recommendations from the approved Environmental Impact Statement, Natural Heritage Evaluation, and ORM Conformity Study prepared by WSP dated March 5, 2019, as amended.
60. Prior to the commencement of any demolition, topsoil removal, grading or construction activities on the Lands, the Owner shall construct temporary Paige post and wire protection fencing for all vegetation and natural areas to be preserved, in accordance with the VMP. A clause shall be added to the Subdivision Agreement stating that the Owner shall maintain this fencing in good condition for the duration of development on the Lands and provide signage panels on protection fencing identifying the purpose of the fencing and indicating no disturbance beyond the fence to the satisfaction of the Town's Parks Division.

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61. The Owner shall only be permitted to remove trees on any lots or blocks on the Draft Plan upon meeting the following conditions with respect to tree removal, preservation, payment of fees, and any such other related items, all to the satisfaction of the Town's Parks Division: a) tree removal plan and the execution of the Subdivision Agreement; or b) prior to the execution of the Subdivision Agreement, the submission of a Vegetation Management Plan and the execution of a Vegetation Management Agreement.

Fencing:

62. A clause shall be added to the Subdivision Agreement stating that the Owner shall implement onsite black vinyl chain link fencing to Town standards on the municipal side of lot lines for all lots and blocks on the Draft Plan that are adjacent to municipal lands.

General Landscaping:

63. Prior to the release for registration of the Plan, the Owner shall provide landscape design plans for approval by the Town's Parks Division detailing landscape works for street tree planting on all road allowances within the Draft Plan. A clause shall be added to the Subdivision Agreement stating that the Owner shall implement said landscape works in accordance with Town standards and to the satisfaction of the Town's Parks Division. As an alternative, and at sole the discretion of the Town, the Town may consider through the Subdivision Agreement, the Owner's payment of cash-in-lieu of the value of street tree plantings in accordance with the approved landscape plans to the satisfaction of the Town's Parks Division.
64. A clause shall be added to the Subdivision Agreement stating that the Owner shall, at the time of street tree installations, distribute to each prospective purchaser of lots within the Plan, a copy of the Town's "Boulevard Tree" information brochure. The Owner shall obtain the Brochures from the Town's Parks Division at no cost to the Owner.
65. Prior to the release for registration of the Plan, the Owner shall provide landscape design plans for all proposed fencing, landscape structures, subdivision entry features, buffer plantings including native plantings along the proposed noise wall to be constructed along Old Bloomington Road, or any other landscape features required by urban and architectural design guidelines or as required by Town standards, to the satisfaction of the Town's Parks Division. A clause shall be added to the Subdivision Agreement stating that the Owner shall implement said landscape works.
66. A clause shall be added to the Subdivision Agreement stating that the Owner shall provide consistent and continuous minimum 300mm depth topsoil for all areas associated with tree and shrub plantings within the Plan, to the

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- satisfaction of the Town's Parks Division. These areas shall include all boulevards designated for street tree plantings, storm water management facilities and landscape and grading buffers.
67. A clause shall be added to the Subdivision Agreement stating that the Owner shall provide the Town the right of first refusal of surplus topsoil at no cost to the Town and shall provide the Town with prior notification of topsoil removal from the Plan.
68. A clause shall be added to the Subdivision Agreement stating that the Owner shall perform topsoil testing in accordance with Town standards by an approved agency to determine nutrient availability for all topsoil sources to be utilized within the Plan and that the Owner shall implement fertilizers and soil amendments in accordance with topsoil test recommendations, to the satisfaction of the Town's Parks Division.
69. A clause shall be added to the Subdivision Agreement stating that the Owner shall pay, prior to the release for registration of the Plan a one-time financial contribution for the purposes of supplementing the Town's on-going annual maintenance costs associated with landscape works on municipal lands, such works as required by the Town's standards and/or approved urban and architectural design guidelines. The amount of the contribution shall be equal to twenty-five percent (25%) of the total cost of plant material installed on municipal lands within the Plan, with the exception of naturalization and restoration plantings within the environmental protection Blocks 51 and 52 on the Draft Plan.
70. A clause shall be added to the Subdivision Agreement stating that the Owner shall, prior to the release for registration of the Plan, provide landscape securities to the Town, in a form acceptable to the Town's Financial Services Division, in such amount which is equal to one hundred percent (100%) of the estimated costs of the landscape works, to ensure performance and compliance of all landscape works, to the approval and satisfaction of the Town's Parks Division.
71. A clause shall be added to the Subdivision Agreement stating that the Owner shall, upon execution of the Subdivision Agreement, pay landscape fees to the Town based on the percentage amount of estimated landscape works as set out in the Town's Fees and Charges By-law, as amended or successor thereto. The estimated cost of the landscape works shall be provided by the consulting landscape architect and approved by the Town.

Building Division Conditions

72. Prior to the release for registration of the Plan, the Owner shall submit a schedule certified by an Ontario Land Surveyor indicating the areas and

frontages of the lots, blocks and/or units within the Plan, to the satisfaction of the Chief Building Official.

73. Prior to the release for registration of the Plan, the Owner shall submit reference plans, engineering details and specifications and recommendations for any retaining walls to be constructed on the lands for which a building permit is required under the *Building Code Act*, 1992, S.O. 1992, c. 23, as amended, and O. Reg. 350/06 (Building Code), (the "*Building Code Act*"), indicating therein any restrictions such as setback limits for structures, in-ground or above ground pools, trees and landscaping etc. to the satisfaction of the Town's Building Division and Engineering Division. If any such restrictions are identified, a clause shall be added to the Subdivision Agreement stating that the Owner shall register the Restrictive Covenants on title to the restricted lands to the satisfaction of the Town.
74. Prior to the release for registration of the Plan, the Owner shall obtain a permit under the *Building Code Act* for the decommissioning of any septic system and shall submit a consultant's certificate upon completion of the decommissioning, to the satisfaction of the Chief Building Official.
75. Prior to the release for registration of the Plan, the Owner shall obtain a permit under the *Building Code Act* for the demolition of any buildings or structures prior to the demolition of said buildings or structures to the satisfaction of the Chief Building Official.
76. The Owner shall further keep all of the above materials up-to-date, to reflect the most current approvals, and/or submissions regarding the Plan, and/or engineering design drawings, and other such matters as may be required by the Town's Building Division and Engineering Division.

Noise Impact Study:

77. Prior to the release for registration of the Plan, the Owner shall engage the services of a qualified noise consultant to complete a noise impact study (environmental noise analysis) which assesses projected nuisances caused by noise or vibration (as necessary) within the Draft Plan with recommended mitigation measures for noise generated by the private internal road network, road traffic on external roads or by any other identified source to the satisfaction of the Town's Chief Building Official and the Region of York, if necessary. The noise impact study shall demonstrate how noise levels can be made to be acceptable in accordance with current Ministry of Environment and Energy guidelines, Provincial standards and Town and Regional policies, and address the long-term functionality and maintenance of any recommended mitigation measures, which are deemed appropriate and acceptable to the Town and the Region of York. The recommendations of the noise impact study shall address the 55dBA limit on all lots, blocks and/or units on the Draft Plan. All attenuation

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measures and mitigating measures proposed for acoustical purposes shall be approved by the Town's Engineering Division and the Region of York Transportation and Works Department.

78. A clause shall be added to the Subdivision Agreement stating that the Owner shall implement the recommendations and measures of the approved noise impact study, including, but not limited to, noise, and, or, vibration control measures and warning clauses to the satisfaction of the Town, in consultation with the Region of York.

Warning Clauses:

79. A clause shall be added to the Subdivision Agreement stating that the Owner shall include in Offer to Purchase Agreements with prospective purchasers, the following warning clauses, with evidence of same being provided to the Town, if requested, prior to the execution of the Subdivision Agreement:

- a) "Purchasers are advised that the developer is required to undertake and has borne the sole cost of the following items:
- i) street trees;
 - ii) corner lot fencing as identified on the approved engineering plans;
 - iii) rear lot fencing as identified on the approved engineering plans;
 - iv) noise attenuation fencing and berms as identified in the approved noise impact study and the approved engineering plans;
 - v) fencing (if required) along school blocks, park blocks and environmental protection lands as identified on the approved engineering plans; and
 - vi) entry features and fencing (if required) as identified on the approved landscape plans."
- b) "Purchasers/tenants are advised that sound levels due to increasing (road) traffic may occasionally interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits of the Municipality and Ministry of the Environment".

"Purchasers/tenants are advised that despite the inclusion of noise control features in the development and within the building units, sound levels due to increasing road traffic may on occasions interfere with some activities of the dwelling occupants as the sound levels exceed the sound level limits if the Municipality and the Ministry of the Environment."

"This dwelling unit has been designed with the provision for adding central air conditioning at the occupant's discretion. Installation of central air conditioning by the occupant in low and medium density developments will allow windows and exterior doors to remain closed, thereby ensuring that

the indoor sound levels are within sound level limits of the Municipality and the Ministry of the Environment.

(Note: The location and installation of the outdoor air conditioning device should be done so as to comply with noise criteria of MOE Publication NPC-216, Residential Air Conditioning

Devices and thus minimize the noise impacts both on and in the immediate vicinity of the subject property."

"This dwelling unit has been supplied with a central air conditioning system which will allow windows and exterior doors to remain closed, thereby ensuring that the indoor sound levels are within the sound level limits of the Municipality and Ministry of the Environment."

- c) "Purchasers of Lots 7 to 29 inclusive, Lots 37 and 38 on the Draft Plan are advised that the lands adjacent to their lot or block are intended for conservation and naturalization, and portions may be used for active recreational use, a public trail system and trail amenities. The lands are to remain as much as possible in their natural state. The Town will not be responsible for pedestrian traffic, night lighting, noise or any inconvenience or nuisance which may present itself as a result of the lands and associated trail system and recreational amenities."
 - d) "Purchasers of Lots 7 to 9 inclusive, and Lots 38 and 39 are advised that fence gates and/or other means of access will not be permitted to access adjoining municipal lands (including, but not limited, to municipal lands used for parks, open space, environmental and stormwater management purposes) from residential properties."
 - e) "Purchasers of Lots 1 to 50 inclusive are advised that Block 53 will be used for parkland purposes which may include recreational amenities, a trail system, and lighting for night uses."
 - f) "Purchasers of Lots 30 to 37 inclusive are advised that a Restrictive covenant is registered on title stating that the rear portion of their Lots are not permitted for development, site alteration, or tree removal."
80. A clause shall be added to the Subdivision Agreement stating that the Owner shall include in all Offers of Purchase and Sale Agreements with purchasers of lots within the Plan, a notice clearly setting out the details of any fencing or urban design feature that is to be installed on the lot being purchased. Such notice shall clearly identify specifications relating to location, timing of installation, colour, materials, height and other design details of the fencing or urban design features. A further clause shall be added to the Subdivision Agreement stating that the Owner shall include in the purchase price of the lot, any fencing or urban design feature that is required by the Town and/or the Region.

York Region Conditions

81. The Owner shall agree to save harmless the Town of Aurora and York Region from any claim or action as a result of water or sanitary sewer service not being available when anticipated.
82. The Owner shall agree to implement the sewer gas and odour mitigation solution as per the Region's approved engineering drawings outlined in Condition 98 to the satisfaction of York Region and Town of Aurora.
83. The Owner shall agree to advise all potential purchasers of the lots within the subdivision that sewer gas and associated odours may be present in the area.
84. The Owner shall agree to include the following warning clause in all offers to purchase, and agreements of Purchase and Sale or Lease for all lots within the subdivision:

"Purchasers are advised that despite the sewer gas and associated odour mitigation measures implemented within the subdivision, sewer gas and associated odours may persist."
85. The Owner shall agree to indemnify and hold harmless the Town of Aurora and York Region, their elected and appointed officials, Chairmen, employees, contractors and agents against any and all actions, causes of action, suits, orders, proceedings, claims, demands and damages whatsoever which may arise from presence of sewer gas and associated odours within the subdivision.
86. The Owner shall agree to locate, design and install the proposed wastewater outlet to the Region's 1050mm sewer on Bloomington Road to the satisfaction of the Region.
87. The Owner shall agree to locate, design and install the section of proposed watermain on Yonge Street that crosses Region's existing trunk sewer and watermain to the satisfaction of the Region.
88. The Owner shall agree to provide direct shared pedestrian/cycling facilities and connections from the proposed development to Yonge Street, Bloomington Road and (Collector/Local Roads) to support active transportation and public transit, where appropriate. A drawing showing the conceptual layout of active transportation facilities and connections internal to the site and to the Regional roads shall be provided to the Region.
89. The Owner shall agree that where berm, noise wall, window and/or oversized forced air mechanical systems are required, these features shall be certified by a professional engineer to have been installed as specified by the approved

Noise Study and in conformance with the Ministry of Environment guidelines and the York Region Noise Policy.

90. The following warning clause shall be included in the Subdivision Agreement with respect to the lots or blocks affected:

"Purchasers are advised that despite the inclusion of noise attenuation features within the development area and within the individual building units, noise levels will continue to increase, occasionally interfering with some activities of the building's occupants".

91. Where noise attenuation features will abut a York Region Right-Of-Way, the Owner shall agree in wording satisfactory to York Region Development Engineering, as follows:

- a) That no part of any noise attenuation feature shall be constructed on or within the York Region Right-Of-Way;
- b) That noise fences adjacent to York Region roads may be constructed on the private side of the 0.3 metre reserve and may be a maximum 2.5 metres in height, subject to the area municipality's concurrence;
- c) That maintenance of the noise barriers and fences bordering on York Region Right-Of-Way's shall not be the responsibility of York Region.

92. The Owner shall agree to be responsible for determining the location of all utility plants within York Region Right-Of-Way and for the cost of relocating, replacing, repairing and restoring any appurtenances damaged during construction of the proposed site works. The Owner must review, or ensure that any consultants retained by the Owner, review, at an early stage, the applicable authority's minimum vertical clearances for aerial cable systems and their minimum spacing and cover requirements. The Owner shall be entirely responsible for making any adjustments or relocations, if necessary, prior to the commencement of any construction.

93. The Owner shall agree to implement the recommendations of the Transportation Mobility Plan Study, as approved by the Region.

94. The road allowance included within the draft plan of subdivision shall be named to the satisfaction of the Town of Aurora and York Region.

95. The Owner shall provide to the Region the following documentation to confirm that water and wastewater servicing capacity is available to the subject development and have been allocated by the Town of Aurora:

- a) a copy of the Council resolution confirming that the Town of Aurora has allocated servicing capacity, specifying the specific source of the capacity, to the development proposed within this draft plan, or any phase thereof.
 - b) a copy of an email confirmation by Town of Aurora staff stating that the allocation to the subject development remains valid at the time of the request for regional clearance of this condition.
96. The Owner shall provide an electronic set of the final engineering drawings showing the watermains and sewers for the proposed development to the Community Planning and Development Services branch and the Infrastructure Asset Management branch for record.
97. Prior to the First Engineering submission, the Owner shall engage the services of a consultant to prepare and submit to the Town's and Region's satisfaction a sewer gas and odour mitigation feasibility study evaluating sewer system design options and recommending a preferred solution to be implemented for the proposed subdivision. The evaluation of options and recommended preferred solution shall include due consideration for all relevant factors, including but not limited to, the following:
- a) health and safety concerns, as well as odour concerns for existing and future residents in the area;
 - b) operation and maintenance requirements of the new infrastructure, including sewers, manholes and related appurtenances;
 - c) longer-term impacts to the sewer system, including potential for increased corrosion;
 - d) any other long-term risks associated with the proposed solution.
98. The Owner shall submit the detailed engineering drawings for the preferred sewer gas and odour mitigation solution outlined in Condition 97 to the Region for review and approval.
99. The Owner shall demonstrate that the proposed re-location of the access from Old Bloomington Road to Bloomington Road will be aligned with Paradelles Drive to create a four-legged intersection. This intersection shall be designed to Regional standards and requirements
100. The Owner shall provide a functional design for a sidewalk on the north side of Bloomington Road between Yonge Street and Parade lie Drive, to the satisfaction of York Region and the Town of Aurora.

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101. The Owner shall demonstrate that the existing Old Bloomington Road access will be closed.
102. The Owner shall demonstrate that Street "B" will connect to the proposed public street on the properties located to the west (13859, 13875, 13887 Yonge Street).
103. The Owner shall provide a TDM letter, addressing the comments above, to the satisfaction of the Region.
104. The Owner shall have prepared, by a qualified professional transportation consultant, a functional transportation report/plan outlining the required road improvements for this subdivision. The report/plan, submitted to Development Engineering for review and approval, shall explain all transportation issues and shall recommend mitigative measures for these issues.
105. Prior to final approval and concurrent with the submission of the subdivision servicing application (MOE) to the area municipality, the Owner shall provide a set of engineering drawings, for any works to be constructed on or adjacent to the York Region road, to Development Engineering, Attention: Manager, Development Engineering, that includes the following drawings:
 - a) Plan and Profile for the York Region road and intersections;
 - b) Grading and Servicing;
 - c) Intersection/Road Improvements, including the recommendations of the Traffic Report;
 - d) Construction Access Design;
 - e) Utility and underground services Location Plans;
 - f) Signalization and Illumination Designs;
 - g) Line Painting;
 - h) Traffic Control/Management Plans;
 - i) Erosion and Siltation Control Plans;
 - j) Landscaping Plans, including tree preservation, relocation and removals;
 - k) Sidewalk locations, concrete pedestrian access to existing and future transit services and transit stop locations as required by York Region Transit/Viva;

- l) Functional Servicing Report (water, sanitary and storm services)
 - m) Water supply and distribution report;
 - n) Engineering drawings showing plan and profile views of proposed works related to connections to or crossing of Regional watermain or sewer, including the following, as applicable:
 - i. Disinfection Plan
 - ii. MOECC Form 1-Record of Watermains Authorized as a Future Alteration
 - o) Engineering drawings showing plan and profile views of proposed sewers and watermains and appurtenances, including manholes, watermains, valves, hydrants, etc. proposed within the subdivision.
106. The Owner shall submit a detailed Development Charge Credit Application to York Region, if applicable, to claim any works proposed within the York Region Right-Of-Way. Only those works located in their ultimate location based on the next planning upgrade for this Right-Of-Way will be considered eligible for credit, and any work done prior to submission without prior approval will not be eligible for credit.
107. The Owner shall provide drawings for the proposed servicing of the site to be reviewed by the Engineering Department of the area municipality. Three (3) sets of engineering drawings (stamped and signed by a professional engineer), and MOE forms together with any supporting information shall be submitted to Development Engineering, Attention: Mrs. Eva Pulnicki, P.Eng.
108. The location and design of the construction access for the subdivision work shall be completed to the satisfaction of Development Engineering and illustrated on the Engineering Drawings.
109. The Owner shall demonstrate, to the satisfaction of Development Engineering, that all existing driveway(s) along the Regional road frontage of this subdivision will be removed as part of the subdivision work, at no cost to York Region.
110. The Owner shall engage the services of a consultant to prepare and submit for review and approval, a noise study to the satisfaction of Development Engineering recommending noise attenuation features.
111. The Owner shall implement the noise attenuation features as recommended by the noise study and to the satisfaction of Development Engineering.

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112. The Owner shall demonstrate, to the satisfaction of Development Engineering, that the throat width of the proposed access off Bloomington Road shall be designed to accommodate the recommendations of the transportation report approved by York Region.
113. The intersection of Bloomington Road and Street 'A' shall be designed to the satisfaction of Development Engineering with any interim or permanent intersection works including turning lanes, profile adjustments, illumination and/or signalization as deemed necessary by Development Engineering
114. The Owner shall demonstrate, to the satisfaction of Development Engineering, that all local underground services will be installed within the area of the development lands and not within York Region's road allowance. If a buffer or easement is needed to accommodate the local services adjacent to York Region's Right-of-Way, then the Owner shall provide a satisfactory buffer or easement to the Area Municipality, at no cost to the Region.
115. The Owner shall provide an executed Subdivision Agreement to the Regional Corporate Services Department, outlining all requirements of the Corporate Services Department.
116. The Owner shall enter into an agreement with York Region, agreeing to satisfy all conditions, financial and otherwise, of the Regional Corporation; Regional Development Charges are payable in accordance with Regional Development Charges By-law in effect at the time that Regional Development Charges, or any part thereof, are payable.

Lake Simcoe Region and Conservation Authority Conditions

117. That this approval is applicable to the Draft Plan of Subdivision prepared by The Biglieri Group Ltd. (November 9, 2018) and may be subject to redline revisions based on the detailed technical plans and studies.
118. That prior to final plan approval and any major site alteration, the following shall be prepared to the satisfaction of the LSRCA and the Town:
 - a) A detailed Stormwater Management Report in accordance with Lake Simcoe Region Conservation Authority Technical Guidelines for Stormwater Management Submissions and in conformity with the Stormwater Management Master Plan approved under Strategic Action 4.5-SA of the Lake Simcoe Protection Plan;
 - b) A detailed erosion and sediment control plan;
 - c) A detailed grading and drainage plan;

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- d) A detailed restoration planting plan;
 - e) A Detailed Low Impact Development (LID) Evaluation demonstrating the means to maximize the use of LID measures consistent with Policy 1.6.6.7 of the Provincial Policy Statement (2014); and,
 - f) A Contaminant Management Plan demonstrating a minimization of impacts to the kettle features.
119. That prior to final approval, the following shall be undertaken to the satisfaction of the LSRCA, in accordance with the South Georgian Bay Lake Simcoe Source Protection Plan:
- a) Detailed Hydrogeological Report / Water Balance;
 - b) Compensatory Measures if required.
120. That prior to final approval, the following shall be undertaken to the satisfaction of the LSRCA, in accordance with the Phosphorus Offsetting Policy:
- a) Phosphorus budget
 - b) Compensatory measures if required
121. That prior to final plan approval, the owner shall pay all development fees to the LSRCA in accordance with the approved fees policy, under the Conservation Authorities Act.
122. That prior to final plan approval, a detailed ecological offsetting strategy in accordance with the LSRCA Ecological Offsetting Plan (Updated 2019) shall be prepared to the satisfaction of the LSRCA identifying the appropriate compensatory measures for the loss of natural heritage features (e.g. forest cover) resulting from the development and also identifying areas for feature compensation.
123. That prior to final plan approval, a feature-based water balance shall be prepared to the satisfaction of the LSRCA demonstrating that there will be no negative impacts on the contiguous wetland and woodland features.
124. That prior to final plan approval, all technical comments provided by the LSRCA shall be addressed to the satisfaction of the LSRCA and the Town.
125. That prior to final plan approval, an edge management plan for the newly created forest edge shall be prepared to the satisfaction of the LSRCA and the Town demonstrating, among other matters, the means to address sunscald, wind-throw, and invasive species.

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126. That prior to final approval the provisions of the Endangered Species Act shall be addressed to the satisfaction of the Ministry of Natural Resources and Forestry.
127. That prior to final plan approval, the Owner shall successfully apply and amend the Zoning By-law by placing Block 51 in an Environmental Protection Zone.
128. That prior to final plan approval, the owner shall obtain a permit from the LSRCA for any development within an area subject to Ontario Regulation 179/06 under the Conservation Authorities Act.
129. That the Owner shall agree in the Subdivision Agreement to dedicate and transfer the environmentally significant areas located in Block 51 to a public authority such as the Region of York, Town of Aurora, or TRCA.
130. That the Owner shall agree in the Subdivision Agreement to adequately demarcate the environmentally significant areas located in Block 51 by means such as fencing and signage.
131. That the owner shall agree in the Subdivision Agreement to carry out, or cause to be carried out, the recommendations and requirements contained within the plans and reports as approved by the LSRCA and the Town.
132. That the owner shall agree in the Subdivision Agreement to retain a qualified professional to certify in writing that the works were constructed in accordance with the plans and reports as approved by the LSRCA and the Town.
133. That the owner shall agree in the Subdivision Agreement to ensure that proper erosion and sediment control measures will be in place in accordance with the approved Grading and Drainage Plan, and Erosion and Sediment Control Plan prior to any site alteration or grading.
134. That the owner shall agree in the Subdivision Agreement to grant any easements required for storm water management purposes to the Town.
135. That the owner shall agree in the Subdivision Agreement to maintain all existing vegetation up until a minimum of 30 days prior to any grading or construction on-site in accordance with 4.20b.-DP of the Lake Simcoe Protection Plan.
136. The Owner shall agree in the Subdivision Agreement to indemnify and save harmless the municipality and the LSRCA from all costs, losses, damages, judgements, claims, demands, suits, actions, or complaints resulting from any increased flooding or erosion to property and people as a result of the approved storm water management scheme. The Owner shall obtain and maintain in full force and effect during the term of this agreement general liability insurance with respect to the storm water management works and system.

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137. The LSRCA will require the following prior to the issuance of a clearance letter:

- a) A copy of the executed subdivision agreement.
- b) A copy of the draft M-Plan.
- c) A letter from the developer's planning consultant detailing how each LSRCA condition of draft plan approval has been fulfilled to the satisfaction of the conservation authority.

Town of Richmond Hill

138. Prior to final approval of the plan, the Owner shall provide a detailed Stormwater Management Monitoring Report. This report shall be completed to the satisfaction of the City of Richmond Hill and the Town of Aurora. The Owner shall agree in the subdivision agreement to implement the recommendations of the Stormwater Management Monitoring Report and to undertake the performance monitoring program specified in the Report and to provide appropriate securities to carry out or cause to be carried out the performance monitoring program. The Owner shall agree in the subdivision agreement to demonstrate that, prior to assumption of municipal services, all stormwater management facilities are performing in accordance with their approved design to the satisfaction of the City of Richmond Hill and the Town of Aurora.

Central York Fire Services Conditions

- 139. A minimum of temporary street signage must be in place to assist emergency responses prior to construction of buildings.
- 140. All roads must be complete to a minimum base coat and be able to support emergency vehicles with site access acceptable to Central York Fire Services prior to any building construction.
- 141. Plans shall include provisions for emergency vehicle access required to be maintained during construction.
- 142. Access for emergency vehicles shall be maintained at all times during construction.
- 143. Water supply for firefighting, including hydrants must be installed and operational prior to construction of buildings.
- 144. A schedule of Firebreak lots/blocks is submitted to Central York Fire Services for approval prior to construction of buildings. Builders/developers will not make application for building permits for designated firebreak lots/blocks without written release of firebreak designation from Central York Fire Services.

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145. Plans shall include provisions for Secondary access.

Ministry of Tourism and Sport

146. A clause shall be added to the Subdivision Agreement stating that the Owner shall not grade or otherwise disturb the soil on the Lands prior to the Ministry of Tourism Culture and Sport confirming that all archaeological resource concerns have met licensing and resource conservation requirements.

Canada Post

147. The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.

148. The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.

149. The owner/developer will install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.

150. The owner/developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary Community Mailbox location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy.

151. The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy.

152. The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser/tenants that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners/tenants of any established easements granted to Canada Post.

153. The owner/developer will be responsible for officially notifying the purchasers of the exact Community Mailbox locations prior to the closing of any home sales

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with specific clauses in the Purchase offer, on which the homeowners do a sign off.

Alectra Utilities

154. The owner/developer shall complete a subdivision application form and enter into a legal binding Offer to Connect (OTC) agreement with Alectra Utilities which outline roles and responsibilities pertaining to the design, installation, energization and servicing of the Electrical Distribution System (EDS) for the subdivision. Design and Installation of the EDS can only commence once all monies, securities, easements and executed OTC have been received by Alectra Utilities. The owner/developer is responsible to provide proof of the executed OTC to the municipality to have this condition met.

Enbridge Gas

155. The applicant shall contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea30@enbridge.com for service and meter installation details and to ensure all gas piping is installed prior to the commencement of site landscaping (including, but not limited to: tree planting, silva cells, and/or soil trenches) and/or asphalt paving.
156. If the gas main needs to be relocated as a result of changes in the alignment or grade of the future road allowances or for temporary gas pipe installations pertaining to phase construction, all costs are the responsibility of the applicant.
157. In the event that easement(s) are required to service this development, the applicant will provide the easement(s) to Enbridge Gas Distribution at no cost.
158. The applicant will contact Enbridge Gas Distribution's Customer Connections department by emailing SalesArea30@enbridge.com prior to any site construction activities to determine if existing piping facilities need to be relocated or abandoned.
159. The applicant will grade all road allowances to as close to final elevation as possible, provide necessary field survey information and all approved municipal road cross sections, identifying all utility locations prior to the installation of the gas piping.
160. Enbridge Gas Distribution reserves the right to amend or remove development conditions.

Clearances

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161. The Town's Planning Division shall advise that Conditions 1 to 12 inclusive have been satisfied, stating briefly how each condition has been met.
162. The Town's Legal Services Division shall advise that Conditions 13 to 15 inclusive have been satisfied, stating briefly how each condition has been met.
163. The Town's Engineering Division shall advise that Conditions 16 to 55 inclusive, and 73, 76, 77, 79 and 138 have been satisfied, stating briefly how each condition has been met.
164. The Town's Parks Division shall advise that Conditions 56 to 71 inclusive, and 79 have been satisfied, stating briefly how each condition has been met.
165. The Town's Building Division shall advise that Conditions 72 to 80 inclusive have been satisfied, stating briefly how each condition has been met.
166. York Region shall advise that Conditions 81 to 116 inclusive have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
167. The Lake Simcoe Region Conservation Authority shall advise that Conditions 117 to 137 inclusive have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
168. The City of Richmond Hill shall advise that Condition 138 has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met
169. Central York Fire Services shall advise that Conditions 139 to 145 inclusive have been satisfied; the clearance letter shall include a brief statement detailing how the condition has been met.
170. The Ministry of Tourism shall advise that Condition 146 has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
171. Canada Post shall advise that Conditions 147 to 153 inclusive have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
172. Alectra shall advise that Condition 154 has been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.
173. Enbridge shall advise that Conditions 155 to 160 inclusive have been satisfied; the clearance letter shall include a brief statement detailing how each condition has been met.

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Appendix A – Excerpt from Minutes of the January 24, 2018 Public Planning Meeting



Town of Aurora
Council Public Planning
Meeting Minutes

Council Chambers, Aurora Town Hall
Wednesday, January 24, 2018

Attendance

Council Members Mayor Dawe in the Chair; Councillors Abel, Gaertner, Kim, Mrakas, Pirri, Thom, and Thompson

Members Absent Councillor Humfryes

Other Attendees Marco Ramunno, Director of Planning and Development Services, Caitlin Graup, Planner, Marty Rokos, Planner, Michael de Rond, Town Clerk, and Linda Bottos, Council/Committee Secretary

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

Council consented to recess the meeting at 8:03 p.m. and reconvened at 8:10 p.m.

1. Approval of the Agenda

Moved by Councillor Pirri

Seconded by Councillor Kim

That the agenda as circulated by Legislative Services be approved.

Carried

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2. Declarations of Pecuniary Interest and General Nature Thereof

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

3. Planning Applications

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

- 1. PDS18-002 – Applications for Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision, 2523059 Ontario Inc., 132-198 Old Bloomington Road, Lots 11, 12 and 14 and Part of Lots 10 and 13 of Registered Plan 166, File Numbers: OPA-2017-05, ZBA-2017-07, SUB-2017-03**

Planning Staff

Mr. Marty Rokos, Planner, presented an overview of the applications and staff report respecting the proposal to amend the “Cluster Residential” designation in the Yonge Street South Secondary Plan (OPA 34), and amend the “Estate Residential ER Zone” to three “Detached Dwelling Second Density Residential Zones” with exceptions, to allow the development of 50 single detached lots, with increased building coverage and reduced buffer, on two public streets. He noted that the proposed subdivision would connect to the Ashlen Holdings subdivision to the west and future development lands to the east.

Consultant

Ms. Melinda Holland, Planner of The Biglieri Group Ltd., presented a brief overview of the proposal including planning context, land use, streetscape plan, and conceptual elevations.

Public Comments

Aurora residents, John Green and Warren McClure, provided the following comments:

- Concerns regarding:

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- Lot size
 - Building height
 - Compatibility
 - View lines from existing homes
 - Integrity and protection of area wells; recourse in event of well failure
 - Access and unrestricted movement of wildlife through ecological site
 - Preservation of buffer zone to north of property
- Support for project and density of two units per acre

Consultant

Ms. Holland addressed the concerns regarding the area wells and buffer zone.

Planning Staff

Mr. Marco Ramunno, Director of Planning and Development Services, addressed the concerns regarding preservation of the buffer zone.

Moved by Councillor Abel

Seconded by Councillor Pirri

1. That Report No. PDS18-002 be received; and
2. That comments presented at the Public Planning meeting be addressed by Planning and Development Services in a comprehensive report outlining recommendations and options at a future General Committee meeting.

Carried

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Appendix B – Proposed Residential Exception Zones and Private Open Space Exception Zones

	Parent R3 Zone	R3(XX1) Exception Zone (Lots 13, and 38 to 50)	R3(XX2) Exception Zone (Lots 1 to 4, 8 to 12 and 14 to 29)	R3(XX3) Exception Zone (Lots 30 to 37)	R3(XX4) Exception Zone (Lots 5 to 7)
Permitted Uses	Single Detached Dwelling, Home Occupation, Second Suite Dwelling	Single Detached Dwelling, Home Occupation, Second Suite Dwelling	Single Detached Dwelling, Home Occupation, Second Suite Dwelling	Single Detached Dwelling, Home Occupation, Second Suite Dwelling	Single Detached Dwelling, Home Occupation, Second Suite Dwelling
Lot Area (minimum)	460 m ²	550 m ² *	690 m ² *	1,000 m ² *	1,600 m ² *
Lot Frontage (minimum)	15 m	16.5 m *	21 m *	21 m *	21 m *
Front Yard (minimum)	6 m	6 m	6 m	6 m	6 m
Rear Yard (minimum)	7.5 m	7.5 m	7.5 m	17.5 m *	7.5 m
Exterior Side Yard (minimum)	6 m	4.5 m *	4.5 m *	4.5 m *	4.5 m *
Interior Side Yard (minimum)					
1-Storey	1.2 m	1.2 m	1.2 m	1.2 m	1.2 m
2-Storey	1.5 m	1.5 m	1.5 m	1.5 m	1.5 m
Lot Coverage (maximum)	35%	40% *	40% *	40% *	40% *
Height (maximum)	10 m	11 m *	11 m *	11 m *	11 m *

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Dually Zoned Lots	N/A	N/A	N/A	May use area on the lots zoned O2(XX) when calculating lot area, lot coverage and setbacks. *	N/A
Permitted Encroachments for Open Porches, uncovered terraces and decks	When 3.2m in height or less, are permitted to encroach 2.5m in to the front yard, but in no case shall be 4.5m from the Front Lot Line or 3m from the Exterior Side Lot Line.	Open porches, and uncovered terraces (including associated steps and landings) shall be permitted to encroach a maximum of 3m into the required front yard, and a maximum of 2.5m into the required exterior side yard.			
Landscape	N/A	Notwithstanding any other provisions to the contrary, a minimum of 40.0% of the lot area shall be preserved in an open landscaped or natural condition. This 40.0% shall not include accessory buildings or structures (excluding a deck), swimming pools or any other covered area with impervious material. *			
Daylighting Triangle	Notwithstanding any other provisions to the contrary, on a corner lot where a daylighting triangle has been conveyed, the Exterior Side Lot Line and the front lot line shall be deemed to be the continued projection of the Exterior Side Lot Line and the front lot line to a point of intersection, for the purposes of calculating the required minimum front yard and the required minimum exterior side yard requirements. Notwithstanding the provisions above, and any other provisions to the contrary, no building or structure shall be permitted to encroach within the daylighting triangle.				

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	Parent O2 Zone	Proposed O2(XX) Exception Zone
Permitted Uses	Athletic fields, Agricultural Uses, Conservation Uses, Golf Courses, Public Park, Private Park, Woodlands, Recreation Centre	Natural Vegetation Plantings for purposes of establishing a 10.0 metre landscaped buffer from the northern property line *
Lot Area	2000 m ²	Dually zoned lots shall be subject to the minimum zone requirements of the lots zoned Detached Third Density Residential R3(XX3) Exception Zone, as applicable. *
Lot Frontage	30 m	
Front Yard	7.5 m	
Rear yard	7.5 m	
Side Yard	3 m	
Height (maximum)	10 m	
Lot Coverage (maximum)	10 %	

Appendix C – Provincial Policy Statement Analysis

PPS Policies (summarized)	Policy Analysis
<p>Section 1.1.1</p> <p>Healthy, liveable and safe communities are sustained by a) promoting efficient development and land use patterns; b) accommodating a range of residential types, and recreational uses; c) avoiding development patterns which may cause environmental or public health and safety concerns; e) promoting integration of land use planning, growth management, transit-supportive development, and infrastructure planning to achieve cost-effective development patterns; and g) ensuring necessary infrastructure is available to meet current and projected needs.</p>	<p>The proposed development exhibits components of a Block Plan, and facilitates an efficient land use pattern that accommodates 50 single detached dwellings, a municipal right-of-way, and parkland and environmental protection blocks. The lands are integrated with adjacent properties by way of road and servicing connections from Yonge Street (through Ashlen Holdings), to Bloomington Road; while also protecting for a road connection for the lands to the east. The development has been planned to ensure that future development will not adversely effect the environment or public health and safety; and to provide necessary infrastructure to accommodate current and future projected needs.</p>
<p>Sections 1.1.3.1 and 1.4.3</p> <p>Provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area.</p>	<p>The proposed dwellings will contribute to the Town’s housing stock, and accommodate residential growth within Settlement Areas. Availability of services in proximity to the subject lands ensures the needs of current and future residents of the regional market area are met.</p>
<p>Section 1.5</p> <p>Healthy, active communities should be promoted by: a) planning public streets, spaces and facilities to be safe, foster social interaction and facilitate active transportation and community connectivity; and b) planning for a publicly accessible built and natural settings for recreation.</p>	<p>Block 53 on the draft plan is intended for public parkland. This will provide an accessible built setting for recreation, social interaction, active transportation, and connectivity to adjacent developments. Public streets and spaces will be designed to include sidewalks and lighting to ensure safety within this community. Environmental protection</p>

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	<p>blocks within the development provide a natural setting for future residents.</p>
<p>Section 1.6.1</p> <p>Planning for infrastructure, shall be coordinated and integrated with land use planning and growth management so that it is financially viable over its life cycle, and available to meet current and projected needs.</p>	<p>The proposed development has been planned to integrate with adjacent developments by way of a roadway and servicing connections, while ensuring that potential future development to the east of the subject lands can also capitalize on existing infrastructure.</p>
<p>Section 2.1</p> <p>Natural Heritage features shall be protected for the long term. The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.</p>	<p>Significant Woodlands and Wetland features (and their minimum MVPZs) have been identified on the subject lands. The limits of the feature have been delineated, and no development is to occur within the feature. Conditions of draft approval of the subdivision include adherence to the recommendations set out in the Environmental Impact Study, Natural Heritage Evaluation and ORM Conformity Study; and to adhere to a restoration plan approved to the satisfaction of the LSRCA. The proposed development has been designed to ensure that there are no adverse effects to the long-term function of the feature. Additionally, Block 52 on the Plan serves the purpose of a linkage between natural heritage features.</p>

Appendix D – Growth Plan Policy Analysis

Growth Plan Policies (summarized)	Policy Analysis
<p>Section 2.2.1</p> <p>Achievement of complete communities that:</p> <ul style="list-style-type: none"> • feature a diverse mix of land uses; • provide a diverse range and mix of housing options...to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; • expand access to a range of transportation options, safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and, • provide for a vibrant public realm including public open spaces. 	<p>The subject lands are located within the Yonge Street South Secondary Plan Area (OPA 34) which contemplates a range of uses (residential, institutional, open space and environmental protection). The proposed residential, open space and environmental protection uses conform to the uses permitted by OPA 34, and contribute to the overall build-out of the Yonge Street South area.</p> <p>The development encompasses access to both Yonge Street and Bloomington Road, which expands access to a range of transportation options (vehicles, bus, cycling, trails, and pedestrian infrastructure). Additionally, Block 53 on the proposed draft plan is intended for parkland purposes. A vibrant public realm will be established through the implementation of urban design guidelines that are in accordance with the policies in OPA 34.</p>
<p>Section 2.2.6</p> <p>Municipalities will support the achievement of complete communities by: a) planning to accommodate forecasted growth; b) planning to achieve the minimum intensification and density targets; c) considering the range and mix of housing options and densities of the existing housing stock; and d) planning to diversify their overall housing stock.</p>	<p>The applicant is proposing development of 50 residential dwelling units, which will contribute to the Town’s goal of achieving the minimum intensification and density targets as provided for in the Growth Plan. The applicant has also included permission for secondary suites in the proposed Zoning By-law Amendment which considers the range and mix of housing options within the development, and enables diversification of the housing stock across the municipality.</p>

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<p>Section 3.1</p> <p>Achieve cost savings by ensuring existing infrastructure is optimized before new infrastructure is built.</p>	<p>The proposed draft plan optimizes road infrastructure by considering a connecting through to Yonge Street via the Ashlen Holdings subdivision at the northwest, and Bloomington Road at the south. The proposed development will be connected to the watermain at Yonge Street through infrastructure within the Ashlen Holdings development; and sewer along Bloomington Road.</p>
<p>Section 4.2.5</p> <p>Establish an open space system within settlement areas, which may include public parks.</p>	<p>Blocks 51 and 52 on the proposed draft plan are intended for environmental protection purposes. It should be noted that that the area between Lots 20 and 21 on Block 51 is to provide a wildlife connection to Block 52 and beyond. Block 53 is intended for purposes of a public park to service residents in this area.</p>

Appendix E – York Region Official Plan Analysis

YROP Objective	Analysis
<p>Having a sustainable natural environment through ensuring that significant environmental features and functions are protected and natural hazards are avoided.</p>	<p>The proposed development is located within the Oak Ridges Moraine, and studies submitted as part of the application indicate the presence of KNHFs and KHF s on the lands.</p> <p>Through technical studies and correspondence with staff, York Region and the LSRCA, the features and their MVPZs have been delineated to ensure protection and no adverse impact resulting from the development.</p> <p>Conditions of draft plan approval require the developer to implement any and all recommendations included in the submitted studies (as approved), and comply with any compensation planting and edge management requirements for the features.</p> <p>The Owner will be required to maintain ground water recharge as demonstrated through a hydrogeological study. This requires that the water balance for pre-development is maintained or improved post-development; and include features such as Low Impact Development (LID) standards to minimize stormwater volume and contaminant loads.</p>
<p>Creating healthy communities by: promoting a mix and range of housing types; and promoting the health and well-being of residents in accessible and safe communities.</p>	<p>Single detached dwellings are proposed in accordance with the permitted uses under the Cluster Residential designation in OPA 34. The applicant has included secondary suites as an additional</p>

	<p>permitted use in the amending Zoning By-law, which will provide for a range of housing types.</p> <p>The proposed development will connect to the Ashlen Holdings subdivision, and have access to both Yonge Street and Bloomington Road. This interconnectivity provides for access to amenities such as transit, pedestrian infrastructure, and services west of Yonge Street. Public parkland (Block 53) will foster community interaction and place making.</p>
<p>Ensuring economic vitality by balancing job creation with population growth; promoting economic diversity and resilience; and, delivering context sensitive and efficient infrastructure.</p>	<p>The YROP forecasts a population of 70,200 residents within the Town of Aurora by 2031. The proposed application will contribute 50 single detached dwelling units (with potential for secondary suites) to Aurora’s housing stock.</p>
<p>Policy 5.2.8</p> <p>To employ the highest standard of urban design, which:</p> <ul style="list-style-type: none"> • Provides pedestrian scale, safety, comfort, accessibility and connectivity; • Complements the character of existing areas and fosters each community’s unique sense of place; • Promotes landscaping, public spaces and streetscapes; and • Ensures compatibility with and transition to surrounding land uses. 	<p>As a condition of Draft Plan approval, the Owner is required to prepare and implement Urban and Architectural Design Guidelines in accordance with Appendix “A” of The Yonge Street South Secondary Plan (OPA 34) for the design and construction of all residential dwelling units, walkways, landscaping and all other elements within the Draft Plan, to the satisfaction of the Planning Division.</p>

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Appendix F – OPA 34 Policy Analysis

OPA 34 Policies (summarized)	Policy Analysis
<p>Policy 3.2.3</p> <p>Gross residential density averaged over constrained and unconstrained lands subject to a development application shall be no more than 5 units per hectare (2 units per acre).</p>	<p>The applicant is proposing 50 units over 10.12 hectares of land. The resulting density for the proposed development is 4.94 units per hectare.</p>
<p>Policy 3.2.4</p> <p>(a) Residential developments shall ensure appropriate compatibility with nearby uses and environmental features in terms of setbacks, siting, landscaping, height, orientation and landscaping... (c) new residential development proposed where adjacent lands have different lot areas or density characteristics will be required to provide separation.</p>	<p>The proposed development is compatible with surrounding land uses as it contemplates single detached dwellings, which is consistent with lands to the north and west. Graduated lot areas, and appropriate buffers and setbacks have been implemented on the lots situated at the northern property boundary to ensure for an appropriate transition from Estate Residential to a more compact Cluster Residential development.</p>
<p>Policy 3.2.5</p> <p>All development in a Cluster Residential designation shall be designed to incorporate municipal water and sanitary services; storm drainage; paved streets, appropriate lighting, walkways and landscaping.</p>	<p>The proposed development is proposed to be municipally serviced by a watermain on Yonge Street through the Ashlen Holdings development; and sanitary and stormwater services along Bloomington Road.</p> <p>The proposed development is to be situated along a municipal right-of-way, which will feature appropriate lighting, walkways and a desirable public realm, in accordance with Urban Design Guidelines to be finalized through conditions of draft approval.</p>
<p>Policy 3.6.1 and 3.6.6</p>	<p>The applicant is proposing single detached dwellings in accordance with</p>

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<p>Permitted uses in a cluster residential designation include single detached dwellings and private open space. These uses shall be identified in a site specific Zoning By-law</p>	<p>the permitted uses within a Cluster Residential designation. The uses will be administered through an implementing Zoning By-law, subject to approval of the applications.</p>
<p>Policy 3.6.2 Buildings shall not cover more than 12% of all the lands within a Cluster Residential designation</p>	<p>This clause is proposed to be amended. See Planning Considerations section of the Report for analysis.</p>
<p>Policy 3.6.3 Within a Cluster Residential designation, residential units shall be sited to provide for: a) adequate setback and buffering from environmental features; b) arrangement and design which conserves landform, and has minimal effect on the natural hydrogeological recharge function of the moraine; and c) screening by topography and/or vegetation, from existing areas of Estate Residential designation, and maintenance of a minimum separation of 35m between any Estate Residential designation and the lot line or limit of any area of private amenity space of any cluster residential unit.</p>	<p>Adequate setback and buffering from environmental features has been provided through consultation with the LSRCA to determine the limits of the features MVPZs. This includes conformity with the requirements of any EIS prepared per policy 11.2.2.</p> <p>Regarding landform conservation, please see Planning Considerations section of the report for full analysis. The applicant's Hydrogeological Study submitted in accordance with the provisions of policy 11.2.5 confirms no adverse effect on the form and function of the kettle features.</p> <p>Adequate buffering and setbacks have been provided to neighbouring Estate Residential designation. Per the Planning Considerations section of the Report, upwards of 67m of separation will exist between the estate dwellings and the proposed dwellings. A 10m landscape buffer is required along the northern boundary of the subject lands.</p>
<p>Policy 3.6.4</p>	<p>The maximum lot coverage requested by the applicant is 40%. Assuming a build out of 40%, and an additional 40% of the</p>

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<p>Lots within the Cluster Residential designation of this Plan shall preserve a minimum of 40% of the lot area, in an open, landscaped or natural condition. This area shall not include any area devoted to a swimming pool, accessory building, paved driveway, patio or other area covered with impervious material.</p>	<p>lot area is to remain in an open, natural or landscaped condition, future homeowners have a balance 20% of the lot to devote to uses listed in this policy.</p>
<p>Policy 6.2.3 and 6.3.6</p> <p>Prior to consideration of development within or adjacent to an Environmental Protection Area, an Environmental Impact Study shall be undertaken in consultation with the appropriate agencies or jurisdictions, as warranted. The Environmental Impact Study shall define the exact size, significance and extent of the environmental feature. As a minimum, an Environmental Impact Study shall address the matters set out in Section 11.2.2</p> <p>Where possible, the boundaries of Environmental Protection Areas shall be staked in the field and surveyed to the satisfaction of the appropriate authorities.</p>	<p>An Environmental Impact Study, Natural Heritage Evaluation and ORM Conformity Study was submitted as part of a complete application.</p> <p>In concert with the LSRCA, the environmental features on site were delineated, along with appropriate, variable associated MVPZs. No development is to occur within the identified environmental protection areas.</p>
<p>Policy 6.3.11</p> <p>The Environmental Protection Area on the lands is believed to include a kettle feature. If further onsite investigation in accordance with an Environmental Impact Study reveals that such a feature is not present, the Environmental Protection Area may be reduced or removed subject to the recommendations of such Study without amendment to this Plan.</p>	<p>The presence of a kettle features have been confirmed and assessed by way of an Environmental Impact Study and a Landform Conservation Study. They are located within Block 51 (intended for environmental protection), in which the limits of this Block have been determined in consultation with the LSRCA, and supporting studies. In consultation with the LSRCA, it has been determined that the established limits of Block 51 will not</p>

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	adversely affect the kettle features on the subject lands.
<p>Policy 7.1.2</p> <p>Proposed new development shall demonstrate that the current level and quality of infiltration will be maintained through natural rather than engineered means, to the greatest extent possible.</p>	<p>Stormwater management controls for the development and have been designed in accordance with the policies of the ORMCP, and meets the intent of the Town's, Ministry of Environment, and applicable conservations authority guidelines and criteria.</p>
<p>Policy 7.5.1, 7.5.4 and 7.5.7</p> <p>Kettle features are to be designated as Environmental Protection Areas.</p> <p>Development in or near the watershed of a kettle feature shall be required to undertake appropriate hydrology and hydrogeology studies to demonstrate that the development will not have a negative impact on any groundwater systems, water quality or quantity of the feature.</p>	<p>The existing kettle features are captured within Block 51, and this Block is to be zoned as Environmental Protection.</p> <p>The applicant has submitted a Hydrogeological Study and Water Balance Assessment, which shows that the proposed development will maintain and enhance pre-development infiltration levels and maintain the hydrological function of the kettles.</p>
<p>Policies 7.6.3 and 7.6.7</p> <p>The Town shall encourage, that wherever possible and environmentally feasible, other wooded areas are contained within open space linkages and are used to link Environmental Protection Areas, Environmental Function Areas, Ecological Restoration Areas and other areas of open space.</p> <p>In considering applications for development, the Town may request an applicant to enter into a Vegetation Management Agreement.</p>	<p>The proposed development preserves a link between environmental features. An open area is located along the eastern boundary of Block 51 between Lots 20 and 21. This preserves a connection to Block 52, which is also intended for Environmental Protection.</p> <p>As a condition of draft plan approval, the Town is requiring the applicant to enter into a Vegetation Management Agreement, to ensure documentation of existing trees, and adequate compensation.</p>

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<p>Section 8.3</p> <p>The Yonge Street South Area shall be designed in accordance with the Urban Design Guidelines forming Appendix A to OPA 34.</p>	<p>The Owner is required to prepare and implement Urban and Architectural Design Guidelines in accordance with Appendix "A" of The Yonge Street South Secondary Plan (OPA 34) for the design and construction of all residential dwelling units, walkways, landscaping and all other elements within the Draft Plan, as a condition of draft plan approval.</p>
<p>Section 11.2</p> <p>An Environmental Impact Study, Landform Conservation Study, Vegetation Preservation Study, Hydrogeological Study, Stormwater Management Report are required to be submitted prior to approval of a development application or rezoning.</p>	<p>All studies were submitted as part of a complete application to the Town. Reports have been reviewed by Departments and commenting Agencies. All recommendations as outlined in the submitted reports are to be implemented within the development. Adherence to these reports will form part of the conditions of approval in Schedule 'A' to this report.</p>

Appendix G – Oak Ridges Moraine Conservation Plan Policy Analysis

Oak Ridges Moraine Conservation Plan Policies (summarized)	Analysis
<p>Section 21 – Minimum area of influence and MVPZ</p> <ul style="list-style-type: none"> • Key Natural Heritage Features and Key Hydrologic Features have minimum areas of influence and MVPZs. <p>Section 22 – Key Natural Heritage Features</p> <ul style="list-style-type: none"> • Wetlands and Significant Woodlands are considered KNHFs. All development and site alteration within features are prohibited except specific uses listed in Section 22(2). • An application for development or site alteration within the minimum area of influence of a KNHF shall be accompanied by a Natural Heritage Evaluation. <p>Section 23 – Natural Heritage Evaluation (NHE)</p> <ul style="list-style-type: none"> • AN NHE shall demonstrate development will not adversely affect the KHNF; identify practices that will maintain, and where possible improve its function; and determine a sufficient MVPZ. 	<p>Wetlands and Significant Woodlands are identified on the subject lands. Both features have a minimum area of influence of all lands within 120m of the feature, and a 30m MVPZ (subject to clause 23(1)(d), which provides that where a Natural Heritage Evaluation is required and conducted, this required MVPZ may be altered).</p> <p>No development or site alteration proposed within the features, as delineated in consultation with the LSRCA. Additionally, no uses as listed in Section 22(2) are proposed at this time.</p> <p>A Natural Heritage Evaluation has been prepared and submitted as part of the subject applications. The report has been prepared to the satisfaction of the LSRCA, and demonstrates that the proposed development will not adversely affect the KNHFs on the lands, maintains (and may improve) the functions of the feature, and provides for variable MVPZs for the features.</p>
<p>Section 24 – Watershed Plans Section 25 – Water Budgets and Conservation Plans</p>	<p>The LSPP addresses long term environmental issues in Lake Simcoe and its watershed. The applicant has submitted a Hydrogeological Study</p>

<ul style="list-style-type: none"> York Region shall have a watershed plan. Major development is prohibited unless the development conforms to the watershed plan; and a water budget and water conservation plan is prepared in accordance with Section 25. 	<p>(which includes a Water Budget and Conservation Plan), to the satisfaction of the LSRCA.</p>
<p>Section 26 – Key Hydrologic Features (KHF)</p> <ul style="list-style-type: none"> Wetlands are considered a KHF. All development within a KHF or its MVPZ are prohibited, aside from uses listed in 26(2). An application for development within the minimum area of influence shall be accompanied by a Hydrological Evaluation. Subsection 26(4) provides that a Hydrological Evaluation shall demonstrate development will not adversely affect the KHF; identify practices that will maintain, and where possible improve its function; and determine a sufficient MVPZ. 	<p>The assessment of the Wetlands feature was included in the Environmental Impact Study, Natural Heritage Evaluation and ORM Conformity document submitted as part of the subject applications. This study has demonstrated that the proposed development will not adversely affect the KHF, and will at minimum maintain its function. A variable MVPZ was determined and approved by the LSRCA. No uses are proposed within the KHF, and thus Section 26(2) is satisfied.</p>
<p>Section 27 – Subwatersheds</p> <ul style="list-style-type: none"> Respecting land in Settlement Areas, considering applications for development on land within a subwatershed, the approval authority shall consider maintenance, improvement or restoring of natural vegetation; and minimizing impervious surfaces and impact on water quality and quantity. 	<p>An Environmental Impact Study, Natural Heritage Evaluation and ORM Conformity Study, Landform Conservation Study, Hydrogeological Study, and Stormwater Management Plan have been submitted and reviewed by the Town and commenting Agencies. It has been determined through these studies that Natural Vegetation will be restored.</p> <p>Implementation of the recommendations as outlined in these studies, ensures</p>

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	water quality and quantity on site is controlled.
<p>Section 28 – Wellhead Protection Areas Section 29 – Areas of High Aquifer Vulnerability</p> <ul style="list-style-type: none"> • These sections outline uses that are prohibited within WHPAs and Areas of High Aquifer Vulnerability. 	The applicant is not proposing any uses on the subject lands that comprise the list of prohibited uses provided for in these sections of the ORMCP.
<p>Section 30 – Landform Conservation</p> <ul style="list-style-type: none"> • With respect to lands within Settlement Areas, in considering applications for development or site alteration within landform conservation areas, adopting planning, design and construction practices to keep disturbance to a minimum shall be considered. 	A Category 1 Landform Conservation Area applies to the subject lands. Please see Planning Considerations section to this Report for analysis on the landform conservation component of the proposed development.
<p>Section 41 – Infrastructure</p> <ul style="list-style-type: none"> • Municipalities shall ensure that the development of new infrastructure or the upgrading or extension of existing infrastructure is supported by the necessary studies, assessments and documentation such as infrastructure master plans, asset management plans, land use and financial scenarios, watershed studies and subwatershed plans, environmental assessments and other relevant studies. 	The proposed development does not bisect any environmentally significant feature on site. Required reports have been submitted to support the proposed infrastructure on site (and beyond) in accordance with the policies required in OPA 34 (under Block Plan requirements).
<p>Section 43 – Sewage and Water Services</p> <ul style="list-style-type: none"> • Applications for major development shall be accompanied by a sewage and water system plan that demonstrates: the ecological integrity of KNHFs and KHFs will 	A Functional Servicing Report, and Hydrogeological Study and Water Balance Assessment Report has been prepared and submitted as part of the subject applications. The Hydrogeological Investigation primarily addresses the quality and quantity of groundwater and

<p>be maintained; (b) the quantity and quality of groundwater and surface water will be maintained; (c) that stream baseflows will be maintained; (d) the project will comply with any applicable watershed plan, water budget, water conservation plan, water and wastewater master plan or subwatershed plan; (d.1) that the assimilative capacity of receiving lakes, rivers or streams with respect to sewage from surrounding areas will not be exceeded and the attenuation capacity of groundwater with respect to subsurface sewage service systems will not be exceeded; and (e) that the water use projected for the development will be sustainable.</p>	<p>the Stormwater Management Report addresses the quantity and quality of surface water. Both reports identify that ecological integrity of the KHF's and KNHF's on the lands will be maintained.</p> <p>Various measures have been implemented to ensure that the quantity and quality of stormwater is maintained to pre-development standards, with measures implemented such as a stormwater storage tank and a dry pond to control the quantity and quality of water before it is outletted.</p>
<p>Section 45 and 46 – Stormwater Management and Stormwater Management Plans</p> <ul style="list-style-type: none"> • Application for major development shall be accompanied by a stormwater management plan, as set out in Section 46. It shall be demonstrated that design and construction practices that protect water resources will be used; • Development standards shall incorporate planning, design and construction practices that will: reduce the portions of lots and sites that have impervious surfaces; and, provide the flexibility 	<p>The stormwater management strategy proposes preliminary sizing of the proposed stormwater management controls for the development and has been designed in accordance with the policies in the ORMCP, and meets the intent of the Town of Aurora's, Ministry of Environment (MOE), and applicable conservation authority guidelines and criteria.</p> <p>Water quantity control is addressed on a per "drainage pattern" basis. Overall site discharge to the municipal storm sewers are controlled to the pre-development allowable rates for the 2-year through 100-year storms. It was also</p>

<p>to use alternative stormwater management techniques.</p> <ul style="list-style-type: none">• Disposal of stormwater into a kettle lake is prohibited.• New stormwater management ponds are prohibited on lands within a KNHF or KHF.• A "stormwater management pond" shall mean a detention basin that temporarily stores or treats collected stormwater runoff and releases it at a controlled rate.	<p>demonstrated that internal catchments (North and South Kettles) do not produce any runoff for up to the 100-year design storm. Quantity control for runoff offsite through the northeast corner is also secured to pre-development conditions. Volume control is addressed for the right of way and will be further designed for all measures during detailed design to make up for the deficit in volume to be retained. Minor storm drainage is conveyed by the proposed storm sewer while major storm drainage is conveyed by the right of way. Minor and major storms are controlled by the proposed dry pond and underground storage chamber proposed on site. Water quality control is addressed by the installation of two appropriately sized oil grit separator units in series with a dry pond and infiltration measures.</p> <p>Water balance is described in the Hydrogeological Investigation Report a. In terms of erosion and sediment control, standard devices such as silt fences, mud mats, catch basin buffers and rock check dams are proposed to minimize impacts of erosion and sedimentation on site during construction.</p>
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Appendix H – Response to Public Comments

Public Comments (summarized)	Response to comments
<p>Concern about lot sizes and building heights. This includes view lines from existing homes and overall compatibility with the Estate Residential lots to the north.</p>	<p>Per OPA 34, the applicable Cluster Residential designation intends for a more dense form of development than the neighbouring Estate Residential designation. The proposed development complies with the density threshold of 5 units per hectare (2 units per acre); and contemplates single detached dwellings, which is a compatible built form to neighbouring developments. Additionally, lot sizes range from approximately 550 m² to 2000 m², with the largest lots located at the north adjacent to the Estate Residential designation. This provides for an appropriate transition to smaller lots within the plan of subdivision.</p> <p>While the existing Estate Residential and neighbouring Ashlen Holdings developments have maximum height permissions of 10m, proximal developments (on Davina Circle, and the townhouse development to the west) permit heights of 13.4m and 12.5m respectively. Newer developments within the OPA 34 area also exceed heights of 10m for single detached dwellings. Houses will be designed to have pitched roofs, which will limit the massing of the structures.</p> <p>The proposed development is provided separation from the Ashlen Holdings Inc. development to the west by way of 2 stormwater management ponds on each side of the right-of way; and by way of setbacks and a landscape buffer from the Estate Residential properties to the north. Additionally, the subject lands generally slope southwards, so impact to sightlines towards Bloomington Road for the Estate Residential Lots are minimized.</p>

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<p>Integrity and protection of area wells</p>	<p>Staff are imposing a condition of draft plan approval that the Owner shall provide the Town with a survey of nearby private wells on lands external to the Draft Plan, including information on water quality and quantity. Water sampling and analysis on external lands shall be completed at selected wells where existing water quality concerns are suspected upon obtaining legal access from external land owners.</p> <p>A Hydrogeological Report was submitted as part of the applications. The study revealed that there is to be no adverse impact on surrounding wells. Additionally, the proposed development is on full municipal services.</p>
<p>Access and unrestricted movement of wildlife through the ecological site.</p>	<p>A corridor between Environmental Protection Blocks 51 and 52 has been provided for on the revised draft plan. An area on the east side of Block 51 between Lots 20 and 21 will provide a direct connection between environmental features on the subject lands, and lands to the east.</p>
<p>Preservation of buffer zone at the northern property boundary.</p>	<p>Lots 30 to 37 on the draft plan will be required to have a 10m landscape buffer at the northern property line. This feature will be protected by way of an exception zone, which only permits natural vegetation plantings as a permitted use. Additionally, a restrictive covenant will be imposed on title for these lots to ensure that these features are not to be developed, and no tree removal is to occur.</p>
<p>Support for adhering to the density provisions as outlined in OPA 34.</p>	<p>The revised draft plan provides for a density of 4.94 units per hectare, which is in accordance with the 5 units per hectare permitted by OPA 34.</p>



Town of Aurora
General Committee Report

No. FIN20-012

Subject: Property tax due dates and penalties
Prepared by: Rachel Wainwright-van Kessel, Director, Finance - Treasurer
Department: Finance
Date: May 19, 2020

Recommendation

- 1. That Report No. FIN20-012 be received; and**
- 2. That the installment dates for the final tax bill of September 15th and December 1st be approved; and**
- 3. That Council approve a modest monthly rate of 0.25% for penalties on taxes for the period of July 1 to December 31, 2020; and**
- 4. That Council approve waiving the five percent one-time penalty on past due water bills for the remainder of 2020; and**
- 5. That a bylaw be enacted to reflect these changes at a future Council meeting.**

Executive Summary

This report summarizes the recommended installment dates and penalties to be applied to the installments of the final tax bill to provide some relief to tax payers because of COVID-19:

- 18.8% of the April tax installment was yet to be collected by April 30th and water bill collections have also started to decline
- Water bills should continue to be due on their regular dates and transferred to tax accounts if unpaid and the one-time five percent charge could be waived
- The normal final installment dates could be deferred to September 15th and December 1st
- 63 percent of taxes collected go to the school boards and the Region
- Municipalities can establish penalties on taxes up to 1.25% per month
- The full waiving of penalties on past due taxes for the remainder of 2020 will create a negative budget variance of \$1,053,700

- Modest penalties on taxes encourage those who can pay to pay while not being overly burdensome to those who cannot pay
- Changes to penalties on taxes will impact the 2021 and 2022 multi-year budget

Background

On March 20th the Town of Aurora announced financial relief measures on property tax bills to defer the second tax levy installment by roughly two months for residential tax payers. The Town also announced the waiving of all late payment penalties on any unpaid water bill amounts owing until June 30, 2020. Some relief was also provided to those on pre-authorized bank payments. On request they could pause their monthly or scheduled payments for two months or come off the pre-authorized plan. Those who paused their monthly payment would have their payments recalculated from July to December to make up the outstanding balance by the end of 2020. A similar offer was made available to commercial tax payers on an application basis.

On March 25th the province announced a 90 day deferral of paying the taxes collected on behalf of the school boards for the payments originally due on June 30th and September 30th. The December payment deadline remains unchanged at this time.

On April 30th York Region's Council decided to waive the interest on tax installments from the lower tier municipalities until December 31st for the payments due up to September 30th and they also waived penalties on the December installment until March 31st, 2021.

Analysis

18.8% of the April tax installment was yet to be collected by April 30th and water bill collections have also started to decline

The Town of Aurora originally planned the interim taxes to be collected in February and April. Allowing the option to defer the April installment to June has resulted in 18.8% of tax installment to not have been collected by April 30th as shown in Table 1.

Table 1
Tax deferrals up to April 30th

Description	Due to Date	Collected	Outstanding	
			\$	%
First Installment due February 25th	36,039,284	34,938,869	1,100,415	3.1%
Second Installment originally due April 21 st	36,039,283	29,260,104	6,779,179	18.8%
Monthly Pre-authorized payments*	13,600,920	13,288,571	312,349	2.3%
Previous Arrears	7,650,678	2,274,503	5,376,175	70.3%

* The monthly pre-authorized payments reflect the amount received to the end of April and are included in the tax installment numbers above.

The interim relief measures the Town announced on March 20th did have an impact on the timing of when the second tax installment was paid. Property owners were notified of this option through the Town’s website, media releases and social media.

Table 2
2020 tax and water collections compared to 2019

Description	January	February	March	April
2019 Collections:				
Tax	309,141	30,227,042	3,037,006	31,816,922
Water	924,302	1,930,388	1,086,227	1,789,786
	1,233,442	32,157,430	4,123,233	33,606,708
2020 Collections:				
Tax	500,844	32,191,297	2,246,828	29,260,104
Water	1,337,709	1,611,554	898,650	1,513,093
	1,838,553	33,802,851	3,145,478	30,773,197
Change:				
Tax	191,703	1,964,254	(790,178)	(2,556,819)
Water	413,407	(318,834)	(187,577)	(276,693)
	605,111	1,645,421	(977,755)	(2,833,511)

Note: These amount billed reflect the tax and water rates which were in effect on these dates.

A large portion of the taxes originally due in April were collected. This indicates that many property owners had the ability to pay taxes in April. However, depending on how long the current COVID-19 situation lasts it may be more difficult for property owners to pay in the future.

Tax and water collections started to noticeably decrease in March of 2020 compared to 2019 as shown in Table 2. However, it is worthwhile to note that the collections for taxes and water were billed at lower rates in 2019 compared to 2020 and Aurora is also a growing community. This means the decrease in collections for 2020 is much more significant than the impact shown in this table.

Water bills should continue to be due on their regular dates and transferred to tax accounts if unpaid and the one-time five percent charge could be waived

Water bills should continue to be due on their regular dates and transferred to tax accounts if they remain uncollected. This follows the normal practice of the Town for managing unpaid water bills. Council could consider waiving the one-time five percent late payment fee on past due water accounts. This fee is the penalty charged on past due water accounts prior to being moved to the property tax account if they remain unpaid. The one-time late payment fee on water accounts is budgeted at \$91,200 for the period of July to December 2020.

The water, wastewater and stormwater rates approved by Council for the period including May 1st to June 30th assume this five percent charge on late payments is waived.

The normal final installment dates could be deferred to September 15th and December 1st

The two components of tax relief measures available for the final tax installments include delaying the normal due date and the rate to be charged on uncollectable accounts. The relief measures provided by the school boards and the Region will enable the Town to defer the normal due dates of property taxes for the final billing.

The lower collections of the April tax installment show that some property owners have taken the option to defer their April interim installment to June. Normally the installments for the final tax billing would be due in July and September. Asking those who took the deferral option to pay in June could make it challenging for them to pay the next installment in July. Staff recommend deferring the tax installment dates for the final billing to September 15th and December 1st as shown in Table 3. This schedule for billing will also ensure that the Town bills the taxes due in 2020 this year.

Table 3
2020 tax installment dates

	Normal Date	Recommended Date
Interim Billing – First Installment	February 25	No change
Interim Billing – Second Installment	April 21	June 23
Final Billing – First Installment	July 21	September 15
Final Billing – Second Installment	September 22	December 1

These revised billing dates do not reflect the full 90 day deferral that was provided by the province on behalf of the school boards. However, they do partially mitigate the risks associated with ensuring the Town’s ability to collect the taxes required to pay the school boards and the Region while also having funds to pay for its own operations.

63 percent of taxes collected go to the school boards and the Region

The school boards account for roughly 20% and the Region 43% of the taxes that the Town of Aurora bills. The province has deferred the next two payments to the school boards but not the final payment in December and the Region has waived penalties on late payments until the end of 2020 and also the late payment of the tax installment due in December to March 31st, 2021. If these payments do not meet the new terms then then the Town is charged a penalty for late payment at a rate of 1.25% per month.

Under normal circumstances, the Town pays the full amount of taxes owed to the school boards and the Region to avoid paying penalties. But this is manageable as the Town’s collection rates is normally quite high. Then the Town charges the property owner a penalty of 1.25% on past due balances and keeps this income.

Relief measures provided to property owners must consider the timing of when the Town needs to pay the school boards and the Region without penalty. Table 4 shows the timing of the tax billing, along with the remittances due, to the school boards and the Region.

Table 4
Schedule of tax collection and remittances

Description	Interim: 1st Installment		Interim: 2nd Installment		Final: 1st Installment		Final: 2nd Installment	
	Date	\$	Date	\$	Date	\$	Date	\$
Billing	25-Feb	\$ 36,039,284	Apr 24 Jun 23	\$ 36,039,283	July 24 Sept 15	37,345,655	Sept 22 Dec 1	37,345,655
Remittances:								
School Boards	Mar 31	10,313,099	Jun 30 Sept 28	10,313,099	Sept 30 Dec 29	10,313,099	Dec 31	10,313,099
Region	Apr 30	13,755,874	Jun 30*	13,755,874	Sept 30*	14,570,222	Dec 31**	14,570,222
Town Taxes		11,970,310		11,970,310		12,462,334		12,462,334
Less: Uncollected	Apr 30	(1,100,415)	Apr 30	(6,779,179)				
Net Town Cashflow	Apr 30	10,869,896	Apr 30	5,191,131				

* Penalties waived until December 31st, 2020

** Penalties waived until March 31st, 2021

Note: Tax installments shaded in yellow for the school boards and the Region are estimated.

The collection risk related to cash flow and the amount of late payments are difficult to predict and the risk needs to be mitigated. The Town must collect the full amount owed to the school board for 2020 and the first three installments to the Region by the end of the year. Should the Town collect less, then the Town will either need to use its own funds to pay the school boards and the Region or not pay the full amount and incur their 1.25% per month penalty on the late payment.

The recommended installment dates of September 15th and December 1st help manage the collection risk related to cash flow but does not completely eliminate it.

Municipalities can establish penalties on taxes up to 1.25% per month

Aurora’s normal practice for charging penalties on late payments of property tax follows that which is set out in the *Municipal Act*. Section 345 allows municipalities to charge a penalty of up to 1.25% per month on unpaid tax accounts. This reflects the same rate that is charged to the Town from the school boards and the Region for late payment.

Penalties on taxes are included in the Town’s operating budget as a revenue. This revenue is estimated based on historical behaviour under normal economic conditions. The 2020 budget includes \$1,395,300 in revenue for penalties on taxes.

COVID-19 has created an economic situation where more property owners may not have the ability to pay their taxes in the near term. By keeping the rate at the existing level the Town would likely see a surplus on this budget item which would be unfair as it would create a significant burden for property owners as they work to catch-up on their property taxes during the economic recovery. So while this rate is recommended for normal practice, in normal economic conditions, a lower rate or waiver of penalties on taxes is recommended for the rest of 2020.

The full waiving of penalties on past due taxes for the remainder of 2020 will create a negative budget variance of \$1,053,700

The 2020 budget includes \$1,395,300 in revenue for penalties on taxes. Prior to penalties being waived on March 20th the Town had charged \$341,600 in penalties. This means waiving penalties on taxes for the rest of 2020 will result in a negative budget variance of \$1,053,700 for the year including \$615,600 from July 1st to December 31st. This budget variance would need to be funded through operational savings or a draw from the tax rate stabilization reserve.

Waiving penalties on taxes does increase the risk to the cash flows for property taxes as shown in Table 4 earlier in the report. The main risk being those that can afford to pay their taxes on the installment date may wait until the end of the year to pay. They would essentially be taking advantage of the free financing waiving penalties provides. This could put at risk the Town's ability to make the payments due to the school boards and the Region prior to the Town incurring penalty charges.

Modest penalties on taxes encourage those who can pay to pay while not being overly burdensome to those who cannot pay

A modest rate of 0.25% per month on late payments of taxes will encourage those who can pay their taxes, on the due date, to pay them. A modest rate combined with the deferred payments for the final tax installments will provide some tax relief to all property owners in Aurora in 2020.

This lower rate will also mean that the Town could collect some additional revenue in 2020 on late payments but, while difficult to predict, it would be less than what is budgeted. The rate would apply to all tax accounts with past due balances on July 1st and then be applied on the first day of each month going forward for the balance of the year. Any past due water bills, while not being charged the one-time 5% penalty, will have this rate applied once the balance is moved to the tax account.

Changes to penalties on taxes will impact the 2021 and 2022 multi-year budget

This report recommends that any decisions to change the rate charged for penalties on taxes apply only to 2020. Aurora has a multi-year budget which spans from 2020 to 2022 and each year includes estimated revenue for penalties on taxes. Any decision for penalties on taxes for future years should be considered as part of the 2021 to 2022 Budget reaffirmation process.

The 2021 to 2022 Budget process will focus on the changes to the budget. The budget will provide Council with options to consider for a path to return to the normal rate of penalties on taxes with the associated impact on the budget. This decision can then be considered with the understanding of how it will impact the budget for the next two years and the impact to the future years tax levy.

Advisory Committee Review

None

Legal Considerations

Municipalities are able to charge penalties (interest) on taxes not to exceed 1.25% per month per section 345 of the *Municipal Act*. These penalties must be established through a bylaw and may be imposed on the first day of default or later as specified in the bylaw. The decision of Council on the rate to be charged for non-payment of taxes in this report will be brought forward as a bylaw in June to establish the final tax installment dates and the penalty, if any, for late payment to be charged.

Financial Implications

The waiving of penalties on taxes and the one-time five percent penalty on water will have a budget impact of \$615,600 and \$91,200 respectively from July to December, 2020. If a modest rate of 0.25% per month is used for penalties on taxes, then based on historical past due balances the Town could collect roughly \$123,000 in penalties in the second half of the year. However this amount is likely to be higher as the current economic conditions could result in larger past due balances.

Any deficit related to the penalties on taxes would be funded through the tax rate stabilization reserve while waiving penalties on the water bills will reduce the contributions to the water, wastewater and stormwater asset management reserves.

The deferral of the tax deadlines will partially mitigate the risk of not collecting enough in taxes to fund Aurora's operations and pay the Region and the school board their taxes without penalty. However, should the economic impacts of COVID-19 continue the ability to collect taxes could be at risk. Should this happen the Town will need to pull money from long term investments and forego the interest earned on them.

Communications Considerations

The Town of Aurora will use 'Inform' as the level of engagement for this project. There are five different levels of community engagement to consider, with each level providing the community more involvement in the decision making process. These levels are: Inform, Consult, Involve, Collaborate and Empower. Examples of each can be found in the Community Engagement Policy. These options are based on the International Association of Public Participation (IAP2) Spectrum and assist in establishing guidelines for clearly communicating with our public and managing community engagement. In order to inform the public of the changes to the tax due dates and penalties, Town staff will post this information to the Town's website and social media feeds and will also send out a media release.

Link to Strategic Plan

Outlining and understanding the impact of reducing or waiving penalties on taxes as a result of COVID-19 contributes to achieving the Strategic Plan guiding principle of "Leadership in Corporate Management" and improves transparency and accountability to the community.

Alternative(s) to the Recommendation

1. Council approve that the Town continue to charge the normal rate of 1.25% per month on the late payment of taxes on current installments and arrears.
2. Council approve waiving penalties on taxes until December 31st, 2020.
3. Council provide direction

May 19, 2020

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Report No. FIN20-012

Conclusions

The timing of the due dates for final tax installments will have an impact on how the Town manages its cash flow. The Town can defer payments to September 15th and December 1st by taking advantage of the deferred payments from the school boards and the waiving of penalties by the Region.

This report also recommends the waiving of the one-time five percent charge on past due water accounts and that a modest rate 0.25% be used for penalties on past due tax accounts. While providing a full waiver of penalties on taxes does provide property owner whom are financially impacted by COVID-19 the most relief it does increase the risk that the Town will not collect enough in taxes to pay the school boards and the Region without incurring a penalty which is why Council the 0.25% per month rate is recommended.

Attachments

None

Previous Reports

FIN020-010 – COVID-19 Financial Impact Forecast

Pre-submission Review

Agenda Management Team review on April 30, 2020

Departmental Approval



Digitally signed by Rachel
Wainwright-van Kessel, CPA, CMA
Date: 2020.05.06 17:14:20 -04'00'

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

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**



Town of Aurora
General Committee Report No. OPS20-008

Subject: Blue Box Transition to Full Producer Responsibility

Prepared by: Allan D. Downey, Director of Operations

Department: Operational Services

Date: May 19, 2020

Recommendation

- 1. That Report No. OPS20-008 be received; and**
- 2. That the timing for transition of the Blue Box Program to full producer responsibility for collection on December 31, 2025, coinciding with the end of the current waste collection contract, be approved; and**
- 3. That Council authorize staff to continue working in cooperation with the Northern Six (N6) municipalities in providing Blue Box collection services on behalf of producers, through future long term collection contracts, subject to mutually agreeable financial and operational terms; and**
- 4. That Council authorize staff to communicate this resolution to the Association of Municipalities of Ontario (AMO), to Minister of the Environment, Conservation and Parks and the Regional Municipality of York.**

Executive Summary

The purpose of this report is to provide a recommendation to Council on the preferred non-binding timing for the transition of the Blue Box program to full user responsibility:

- In August 2019, the Province of Ontario, through the Made-in-Ontario Environment Plan, committed to moving Ontario's existing waste diversion programs to a full producer responsibility model.
- York Regional Council has noted the preference to have all local municipal Council decisions on preferred timing in order to pass a resolution that represents the whole integrated Region.
- It is possible that a transition to full producer responsibility could result in significant changes to the existing Blue Box program, but details of such changes, are not known at this time.

Background

On August 15, 2019, the Minister of the Environment, Conservation and Parks issued direction letters to the Resource Productivity and Recovery Authority (RPRA) and Stewardship Ontario (SO) to begin to transition the management of Ontario's Blue Box program to Producers of paper products and packaging (see Appendix #1).

It is proposed that all of Ontario's Blue Box programs be transitioned to full producer responsibility over a three-year period, starting January 1, 2023 and ending December 31, 2025. After this three-year period Producers will be fully responsible for Blue Box services (collection and processing) Province-wide.

Currently, there are many program uncertainties including, an absence of a framework to transfer service responsibilities, establishment of province-wide service levels and producer and municipal expectations. To assist in guiding further consultations with the Province, AMO has requested that municipal Councils provide resolutions from each municipality by June 30, 2020 outlining their non-binding preferences for:

1. Preferred year of transition to full producer responsibility (2023, 2024 or 2025)
2. Interest in continuing to be a Blue Box material service provider to the Producers
3. Rationale for the selected transition date.

Analysis

In August 2019, the Province of Ontario, through the Made-in-Ontario Environment Plan, committed to moving Ontario's existing waste diversion programs to a full producer responsibility model.

At this time, AMO has requested each municipality provide a non-binding transition date preference in order to gauge the overall picture as the Provincial Blue Box programs move towards full producer responsibility. This wide-reaching initiative is extremely complex and has significant uncertainties which will impact each municipality. Staff continue to be closely involved and are monitoring the development of this transition with a focus on cost reduction, maintaining or improving service levels and convenience to our residents.

York Regional Council has noted the preference to have all local municipal Council decisions on preferred timing in order to pass a resolution that represents the whole Region.

Regional Municipality of York Council has recommended a proactive approach in advocating to the province. Other Municipalities across the province will be identifying their preferred transition date, therefore it is important to support the AMO initiative to provide consistent messaging to the province. If municipalities don't state a preference, the Province may create a methodology to determine how and when municipalities transition versus a preferred schedule in the forthcoming regulations that is based on each municipality's local circumstances i.e. existing contract expiry dates, capabilities etc., therefore it is important to articulate a preferred transition for our Municipality.

It is possible that a transition to full producer responsibility could result in significant changes to the existing Blue Box program, but details of such changes, are not known at this time.

The current N6 joint collection contract with GFL ends on December 31, 2025 which coincides well with the latest possible transition date. Transitioning at the end of the current waste collection contract also avoids the need to negotiate with our current contractor and avoids potential contract penalties.

Preparation of the post 2025 waste collection contract RFP will likely begin mid-2024 as such staff will be able to incorporate knowledge learned from early transitioned municipalities into the post 2025 waste collection contract.

While there are theoretical increases in funding to municipalities following transition to full producer responsibility from approximately 50% to 100%, the actual financial benefit is difficult to quantify. Through the current Blue Box program the Town receives between 35% and 49% funding with the balance provided through in-kind services including advertising, etc. Likewise, post transition, staff do not expect full funding to be realized.

Advisory Committee Review

None.

Legal Considerations

The legal implications of the transition are considered throughout the report.

Financial Implications

Under current legislation, Producers of printed paper and packaging are responsible for 50 percent of the net costs of operating Ontario's Blue Box program. However, the process for determining actual net costs, funding in-kind and producer obligation has been inconsistent and has resulted in the Town receiving 35-49% annual funding.

Table 1 below identifies the Town's net Blue Box program costs and resulting producer funding received for the last two years.

Table 1 – Blue Box Program Funding

Program Year	Blue Box Program Actual Net Costs	Blue Box Program Funding Received per Municipal Funding Allocation Model (RPRA Funding)	Percentage of Actual Net Costs Received through RPRA Funding
2019	\$603,183	\$253,583	42.04%
2018	\$653,006	\$230,730	35.33%
2017	\$550,043	\$237,061	43.10%
2016	\$530,203	\$244,334	48.17%
2015	\$507,208	\$247,686	48.83%

Historically, the Town's Blue Box program accounts for 30% of the Town's overall solid waste budget. By transitioning early, there is a potential for some additional financial benefit. However, it is difficult to determine the exact amount as there may be collection impacts elsewhere with unknown cost implications (e.g. levied contamination penalties, uncertain collection requirements or impacts to organics and garbage collection efficiencies).

Changes to the responsibilities of delivering Blue Box collection services will have an impact on future operating and capital budgets. Any associated costs as a result of changes including early termination to the existing contract remain unknown.

Communications Considerations

The Town of Aurora will use 'Inform' as the level of engagement for this project. There are five different levels of community engagement to consider, with each level providing the community more involvement in the decision making process. These levels are: Inform, Consult, Involve, Collaborate and Empower. Examples of each can be found in the Community Engagement Policy. These options are based on the International Association of Public Participation (IAP2) Spectrum and assist in establishing guidelines

for clearly communicating with our public and managing community engagement. In order to inform, this report will be posted to the Town's website. A communications plan will be established once a plan to transition to a new producer is in place and changes are better understood.

Link to Strategic Plan

The Blue Box Transition supports the Strategic Plan goal of Supporting an Exceptional Quality of Life for All through its accomplishment in satisfying requirements in the following key objective within this goal statement: Invest in sustainable infrastructure. Maintain and expand infrastructure to support forecasted population growth through technology, waste management, roads, emergency services and accessibility.

Alternative(s) to the Recommendation

1. Council may provide further direction.

Conclusions

From the information presented in this report, it is recommended that the preferred year for transition be 2025, the third and final transition year. While transitioning later will potentially provide a lesser financial gain, it does provide more time to better understand and adapt to changes under a producer-led program. Furthermore, transitioning in year three better aligns with the end date of the current waste collection contract with GFL and reduces any potential increases to costs associated with the transition.

Staff will report back to Council through a future Council report as more details become known about the new Blue Box regulation and for approval of any future agreements with a Producer Responsibility Organization (PRO).

Attachments

Attachment #1 – Q&A for the Resolution on Transition to Full Producer Responsibility – June 2020

Previous Report

OPS20-003 Blue Box Transition to Full Producer Responsibility, March 24, 2020.

May 19, 2020

Page 6 of 6

Report No. OPS20-008

Pre-submission Review

Agenda Management Meeting review on April 30, 2020.

Departmental Approval

Approved for Agenda



Allan D. Downey
Director of Operations
Operational Services



Doug Nadorozny
Chief Administrative Officer

Attachment #1

Q&A for the Resolution on Transition to
Full Producer Responsibility
June 2020

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BLUE BOX TRANSITION

1. WHY DO MUNICIPALITIES SUPPORT EPR?

- (Extended) or full producer responsibility is necessary to encourage innovation and deliver better economic and environmental outcomes, while reducing the burden on taxpayers.
- Currently Producers (companies like Coca Cola, Unilever, Loblaws, etc) pay municipalities just under 50% of the net costs to operate the blue box program in Ontario.
- Municipalities have no control over the type, amount of products and packaging that enters the waste stream – each municipality may have different programs and/or facilities.
- Producers are in the best position to communicate directly with consumers about whether their products can be recycled and to decide how to best collect them.
- Producers, who design products and packaging, are also best positioned to invest in the recycling collection and processing system necessary and to create the end markets to support their end use.
- Moving to full producer responsibility will shift the cost of managing the blue box program to producers who are best positioned to innovate and reduce packaging and design packaging with better recycling content

2. WHAT IS THE TIMELINE FOR TRANSITION?

- In 2019, the Province announced the timeline for the transition of the Blue Box Program. It is a six year process, with three years for planning and regulation development (2019-2022) and 3 years phased transition (2023-2025):
 - 2020
 - Provincial consultations occurring through working groups and webinars to develop regulations that will define: eligible sources and materials, service levels, targets for producers, transition timing mechanism, and reporting requirements
 - Draft regulations expected to be released in the fall
 - Stewardship Ontario will conduct consultations on Blue Box wind up plan which will determine the management of funds as transition occurs
 - 2021-2022
 - Producers prepare to assume control of the Blue Box Program
 - Producers negotiate with interested municipalities & service providers on:
 - Funding levels
 - Contract terms and conditions
 - Contamination rates
 - Processing catchments
 - Municipalities work with contractors to amend/terminate contracts as needed
 - 2023-2025
 - Producers will assume financial and operational responsibility for recycling in Ontario by the end of 2025; One-third of municipalities transition during 2023, 2024, and 2025.

3. IS TRANSITION BEING IMPACTED BY COVID-19?

- No. The Province has indicated that the Blue Box transition timelines will stay intact.
- Blue Box transition consultations will continue but will occur on online platforms.
- Staff will continue to participate in the consultation process and continue to collaborate with our local partners.
- We may see efforts to delay some of the obligations or targets to allow businesses more time to recover from the economic impacts of COVID -19.

4. WHAT ARE THE KEY CONSIDERATIONS FOR TRANSITION?

We must consider the impacts to the whole system. Key concerns include:

- Impacts to service levels for residents (collections, call centre)
- Growing costs of Blue Box contamination and lack of end markets
- Impacts to existing service contracts (collection, transfer, processing)

Considerations for collection:

- Regs finalize in late 2020 and commercial terms for service providers negotiated in 2021/2022
- Blue Box collection contracts end in 2025-2029; potential risk of penalties for amending or terminating contracts early
- Time needed to understand impacts to customer service, multi-residential and mixed-use properties, co-collection and servicing gaps (e.g. BIAs will not be included - they are <1% of total tonnes)
- Current net collection costs are approximately \$7M/year; savings associated with transition will be estimated by local municipalities
- Later transition provides time to understand and adapt to changes under producer-led program

Considerations for transfer and processing:

- Contamination is on the rise; processing contaminated recyclables costs over \$200/tonne
- Overseas end markets have strict quality requirements, driving down market prices
- York Region has invested over \$8.4M in capital upgrades and \$500K/year for extra staff to mitigate contamination
- Annual Blue Box revenue declined from \$8.4M between 2014-2017 to \$4.3M in 2018 and 2019
- Transitioning to producers has potential savings of \$5-7M/year
- Early transition timing mitigates challenges in Blue Box processing and end market risk

5. WHY ARE WE MAKING THIS RESOLUTION NOW, BEFORE ALL DETAILS ARE KNOWN?

The Resolution process is a proactive process by municipalities to initiate an approach to transition. The resolutions are a voluntary and non-binding estimation of when municipalities would prefer to transition under their current circumstances. Municipalities may have an opportunity to negotiate timing with

producers once the regulations have been developed and more details are known about the producer led program. That being said, the resolution process alleviates the following risks:

- That we will be told what year we are transitioning which may not be the year we prefer
- Council has set precedence for proactive approach in advocating to the province on issues that are in the best interests of their communities. The blue box is a direct service to residents and Councils are best positioned to put forward their preference for timing of transition. If municipalities don't self-declare, the Province may insert a methodology to determine how and when municipalities transition. Instead of a schedule in the regulations that is based on each municipality's local circumstances
- Political sensitivity that other Councils across the province have passed resolutions; staff may need to answer to questions on why the opportunity to declare was missed

6. ARE WE ADVOCATING FOR FLUSHABLES TO BE INCLUDED AS A DESIGNATED MATERIAL?

Yes. We are advocating that flushable products be added to the list of designated materials for the following reasons:

- Flushable wipes and other products do not break down in municipal wastewater infrastructure resulting in pump failures and blockages that can lead to overflows. Labelling for these products should be corrected to clearly identify that these materials should be disposed of in the garbage stream and municipalities should be compensated for managing these materials. There is minimal information available about the amount of this product in the Ontario marketplace, making it hard to estimate the scale of negative impact it is having on municipal infrastructure
- Designating flushables will require producers of these products to report on their usage. Once we have data for this material we can make an informed decision on how they should be managed.

7. ARE PRODUCERS GOING TO BE COLLECTING FROM IC&I SOURCES UPON TRANSITION?

No. In his report, Special Advisor David Lindsay recommended that collection from IC&I sources not be included during the transition period rather scaling up the new Blue Box Program over time. Producers need to gain an understanding of how to run the Blue Box program before they begin collecting from new collection sources that may have significantly different stream composition and collection methods. Scaling up this complex program will better set up the producers for success and help improve diversion from the status quo.

8. OUR MUNICIPALITY COLLECTS BLUE BOX MATERIALS FROM BUSINESSES, HOW WILL THAT BE IMPACTED?

Businesses will not be covered by the new program, just as they are not included as eligible sources under the current Blue Box program.

- If you are acting as a service provider under the producer led program you can still provide blue box collection services to businesses, including BIAs, however you will be financially responsible

for providing these services. At this time, it is unclear how this will be sorted out with producers, but it is possible you will be required to back out these tonnes when reporting to obtain compensation.

- Alternatively, you may choose to stop collecting Blue Box materials from non-eligible sources under the producer led program and have the businesses set up collection services with a private contractor.

9. WILL MUNICIPALITIES CONTINUE TO RECEIVE BLUE BOX FUNDING DURING TRANSITION?

Yes, municipalities will continue to receive funding for Blue Box operations in the same way they currently do until they have transitioned. After they have transitioned, they will no longer have responsibility to deliver the Blue Box program. Financial compensation for those that wish to continue operating as a service provider will be negotiated with producer organizations prior to transition. Municipalities do not have the option to continue operating under the current framework after the transition period has ended.

10. DO MUNICIPALITIES HAVE TO TRANSITION?

Yes. During provincial consultations, ministry staff confirmed that municipalities are required to transition. For collection services, municipalities can decide if they want to continue to act as a service provider or opt out of providing blue box collection services. For transfer and processing services, the Region will not have first right of refusal, and would have to bid on tonnages to transfer and process with no guarantees they will be successful proponents.

11. WHEN WILL MUNICIPALITIES KNOW WHEN THEY ARE GOING TO BE TRANSITIONING?

The mechanism for deciding transition timing will be established under the new regulations. These are being drafted over the summer months and will be posted for comment in the fall. Regulations will be finalized by early 2021.

12. ARE TRANSFER COSTS INCORPORATED INTO THE REGIONAL FINANCIAL ANALYSIS?

Yes. Using the actual costs and tonnages from 2019, it was calculated that transfer costs were \$2.0 million and the processing costs were \$8.9 million in 2019. This would suggest that 20% of the Region's costs are related to the transfer function and 80% to processing.

QUESTIONS THAT MAY COME UP: SINGLE USE PLASTICS/LITTER

13. WHAT MEASURES ARE BEING TAKEN TO ADDRESS THE GROWING LITTER ISSUES IN OUR COMMUNITIES?

The SM4RT Living Plan identifies the following strategies that could be used to address the issue of litter within the Region:

- Identify hot spots where more infrastructure (ie more bins in parks and public areas or private malls/plazas) is needed. Make changes as needed and monitor impacts
- Initiate a hotline/online reporting through the Region or local municipal partner websites or app for members of the public to use to report litter 'hotspots'.
- Explore use of deeper Blue Boxes and/or lids/covers for Blue Box to help manage wind impacts

Policy-planning actions:

- Continue to advocate to the province to designate single-use plastics and items that are often a source of litter so producers are responsible for these items and work towards better design and environmental outcomes
- Consult and align policies with neighbouring municipalities to tackle single-use items to maximize opportunities for harmonization and consistent policymaking.
- Support businesses and community groups on waste reduction initiatives through the CEI fund.
- Monitor impacts of policies implemented in other jurisdictions to learn what's effective.
- Consult with businesses and other stakeholders to inform policymaking.
- Develop positions and advocacy strategies related to mandatory take-back programs, disposal bans, deposit return, material targets, by-request bylaws and materials bans.

14. WHAT HAPPENS TO PLASTICS COLLECTED IN THE BLUE BOX? IS IT REALLY BEING RECYCLED?

- Yes. The majority of our accepted plastics (water bottles, detergent bottles, yogurt containers, margarine containers) received at the Region's MRF is recovered and sent to end markets in North America where it is turned into drain tiles, pipes, plastic bottles, garden edging, etc.
- Between January and October 2019, we shipped approximately 4,900 tonnes of plastics to end markets. Over 75% of these materials were processed locally in Ontario/Quebec.
- Because plastics are a valuable (revenue generating) commodity, the Region utilizes dedicated mechanical equipment (optical sorters) at our MRF to ensure maximum recovery.
- Plastics that are not part of our blue box program (i.e., Styrofoam containers, plastic toys and plastic bags) are disposed of as waste.
- Black plastics have become a problematic material for municipalities as most end markets are no longer accepting black plastics. Operationally, it is difficult to mechanically recover since our equipment detects and separates recyclables based on light reflection and colour recognition. Considering our conveyor belt is also black in colour, our equipment is unable to detect black plastics, and ends up in residual waste.

15. IS THE REGION CONSIDERING BANNING SINGLE USE PACKAGING?

Not at this time. As part of the recently completed master plan update, the Region and local municipal partners explored practices for managing the impacts of single use plastics and problematic materials, including policy tools such as bans, by-request bylaws, education and new technologies.

- A national strategy on single use plastics and potential provincial action are anticipated in the coming months and the Region will seek to align with this broader direction. It is too early to tell if the current response in relation to COVID-19 will impact federal plans to implement a national strategy.

- Plan includes a voluntary approach first – implementing an ‘ask-first’ program with business and education programming with residents
- Municipalities take a leadership role in reducing SUP in facilities and at public events.
- Exploration of a ban/bylaw after the voluntary approach. Waiting a couple of years will allow us to align with anticipated federal and provincial action on SUP.
- York Region staff continue to work closely with municipal organizations on advocacy for extended producer responsibility programs for single use plastics including film, coffee pods, coffee cups including influencing consideration of bans at the national or provincial level.
- In the meantime, York Region promotes a retailer [Plastic Bag Take-Back program](#) to residents on the Region’s website and through other communication channels. York Region also promotes waste reduction activities such as use of reusable bags.

16. WHAT ABOUT DEPOSIT RETURN PROGRAMS AS A METHOD TO MANAGE LITTER/SINGLE USE ITEMS?

- The Masterplan Update does not recommend York Region and its local municipal partners start a local level beverage deposit program due to logistical challenges and increased operating costs.
- Deposit return could be considered as an alternative method of collection that producers would implement under the new EPR framework once the blue box program transitions to full producer responsibility.
- Part of the technical work for the review and update (appendix C: Single Use Plastics) looked at options to address single-use packaging and litter. Deposit return was considered and the recommendation was to advocate for EPR programs that include high targets while allowing producers the flexibility to determine the most effective capture methods to meet those targets. This will continue to be part of the Region’s advocacy position on EPR regulations in Ontario and aligns with the position taken by the broader municipal sector (M3RC).
- Under the current system, the negative financial impact of implementing a deposit return system and removing high value materials such as aluminum and PET plastic beverage containers from the Blue Box would be significant for York Region. Those two materials account for \$2-3M in revenue.



Town of Aurora
General Committee Report

No. CS20-010

Subject: Electronic Meetings for Committees of Council
Prepared by: Michael de Rond, Town Clerk
Department: Corporate Services
Date: May 19, 2020

Recommendation

- 1. That Report No. CS20-010 be received; and**
- 2. That an amendment to the Procedure By-law to allow committees of Council to meet electronically during the state of emergency be enacted at the May 26, 2020 Council Meeting; and,**
- 3. That the provisions related to in person attendance and in person quorum of the Policy for Ad Hoc/Advisory Committees and Local Boards be waived to allow electronic participation by members of the committees; and,**
- 4. That staff report back to Council regarding the success of electronic committee meetings.**

Executive Summary

This report seeks direction regarding a recommended amendment to the Procedure By-law to permit all committees of Council to meet electronically while the Town is in a state of emergency. The report further recommends that staff report back to Council regarding the success of holding committee meetings electronically. The following are important considerations in the report;

- The Province has provided clarification that the statutory timelines provided in certain Provincial Acts are still in effect at the discretion of the municipality
- Staff are developing training plans for committee members and would ensure public participation opportunities are available and accessible, should the amendment be enacted
- The state of emergency allows staff to test and implement electronic meeting solutions which could result in a recommendation that these meetings continue after the emergency

Background

On March 17, 2020, due to the growing public health concerns surrounding the 2019 Novel Coronavirus (COVID-19), the Province declared a province-wide emergency under section 7.0.1 of the *Emergency Management and Civil Protection Act, 1990* (“EMCPA”).

On March 18, 2020, Mayor Mrakas declared a state of local emergency in accordance with the EMCPA in the Town of Aurora.

Since then, the Province has enacted Bill 187, *The Municipal Emergency Act, 2020*, which allows meetings of Council to be conducted through electronic means during declared emergencies. Council subsequently approved amendments to the Town’s Procedure By-law to allow electronic meetings for General Committee and Council meetings during declared emergencies on March 31, 2020. Council will be able to hold electronic meetings as long as the state of emergency remains active at either the Provincial or Local level.

Analysis

The Province has provided clarification that the statutory timelines provided in certain Provincial Acts are still in effect at the discretion of the municipality

Immediately after the declaration of emergency by the Province and the passing of *The Municipal Emergency Act, 2020* there was widespread misunderstanding regarding whether the timelines specified in various Provincial acts were still in place during the emergency. The Province has since clarified that the timelines in the Planning Act may still be in effect at the discretion of the municipality, which has necessitated staff to continue to implement ways for the Town to move business forward during the declared emergency.

Staff are developing training plans for committee members and would ensure public participation opportunities are available and accessible, should the amendment be enacted

Should the recommendations of this report be adopted, staff will first implement electronic meetings for the statutory committees of Council, being the Committee of Adjustment, Heritage Advisory Committee and the Accessibility Advisory Committee. Each of these committees is mandated by Provincial legislation. The Accessibility

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Advisory Committee has a mandated role in site plan approval and must continue to serve this function.

Staff will provide training to ensure Committee members feel comfortable participating in an electronic meeting. This will involve significant testing as well as providing documentation that can be referred to throughout the meeting.

Staff are developing a plan to ensure that the public participation standards of Provincial Acts, the Town's Procedure By-law and the Town's Policy for Committees are met when holding electronic meetings. Staff are working with other municipalities to ensure that best practices are followed and all interested parties have the chance to provide comments to Committee Members and Staff on matters for consideration.

Staff are planning to hold statutory committee meetings in June. All other committees will resume a regular meeting schedule, whether electronic or in-person, in September. Should further stay at home orders be in place in the future, staff believe further amendments to the Procedure By-law will not be required and meetings can continue on seamlessly.

The state of emergency has given staff an opportunity to test and implement electronic meeting solutions which could result in a recommendation that these meetings continue after the emergency

Staff are recommending that this period during the declaration of emergency be used to test and document the success of electronic Advisory Committee meetings and report back to Council regarding whether they are viable when the emergency is lifted. This is not to suggest that staff foresee a time where all committee meetings are electronic, rather this could become a practical back-up option that could be implemented quickly, should an in-person meeting not be possible.

At this time, Staff are requesting a waiver of the Policy for Committees to allow for Committees to meet during the remainder of the declaration of emergency. Any recommendations for changes to the Policy will be brought forward when Staff report back to ensure that the Policy considers all aspects of electronic meetings.

Advisory Committee Review

None

Legal Considerations

On April 14, 2020, the Province passed Bill 189, *Coronavirus (COVID19) Support and Protection Act* (“Bill 189”). Bill 189 provided discretion to the Minister of Municipal Affairs and Housing to enact an emergency regulation which could exempt *Planning Act* timelines from the current suspension imposed by an earlier provincial order issued under the EMCPA. Ontario Regulation 149/20, “Special Rules Relating to Declared Emergency” was filed and came into effect on April 15, 2020 (the “Regulation”).

The Regulation sets out that all *Planning Act* timelines which were suspended [by the previously issued emergency order \(O. Reg. 73/20\)](#) were deemed to have never been suspended. Instead, the Regulation enables a municipality to decide how to deal with planning applications, including applications before the Committee of Adjustment. It allows a municipality to not hold Committee of Adjustment hearings within 30 days of receiving an application, as is required by the *Planning Act*. However, if the Town chooses to do so, then it must ensure that there is physical distancing and that all other relevant orders under the EMCPA are complied with, such as the prohibition of gatherings of five or more people. This would be accomplished by allowing all committees to meet electronically.

Financial Implications

Electronic meetings for committees of Council will result in no further expenditures by the Town.

Communications Considerations

Legislative Services staff will work closely with Communications staff to ensure public participation opportunities for the various committees identified in this report are readily available. Beyond that, normal notice provisions in the Procedure By-law will be adhered to.

Link to Strategic Plan

Allowing electronic meetings of Committees of Council promotes **progressive corporate excellence and continuous improvement** by implementing policy and processes that reflect sound and accountable governance.

Alternative(s) to the Recommendation

1. Council provide direction

Conclusions

Adopting a Procedure By-law amendment to allow committees of Council to continue meeting during the emergency allows the Town to ensure the business of these committees continues as close to normal as possible. It may also provide the Town with an alternate solution, should an in person meeting not be possible in the future.

Should the recommendations in this report be adopted, electronic Committee meetings will begin in June if required.

Attachments

Attachment 1 – Proposed Procedure By-law Amendment

Attachment 2 – Policy for Local Boards, Ad Hoc and Advisory Committees

Previous Reports

None

Pre-submission Review

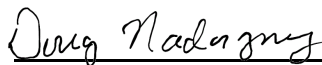
Agenda Management Team review on April 30, 2020

Departmental Approval



**Techa van Leeuwen
Director
Corporate Services**

Approved for Agenda



**Doug Nadorozny
Chief Administrative Officer**

The Corporation of the Town of Aurora

By-law Number XXXX-20

Being a By-law to amend By-law Number 6228-19, to govern the proceedings of Council and Committee meetings of the Town of Aurora.

Whereas under subsection 238 (2) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended (the "*Municipal Act, 2001*"), every municipality and local board shall pass a procedure by-law for governing the calling, place and proceedings of meetings;

And whereas on December 10, 2019, The Corporation of the Town of Aurora (the "Town") enacted By-law Number 6228-19, being a by-law to govern proceedings at Council and Committee meetings;

And whereas on March 19, 2020 the Province of Ontario enacted the Bill 187, *Municipal Emergency Act, 2020* to amend the *Municipal Act, 2001* to enact subsection 238 (3.3) and subsection 238 (3.4) to permit meetings to be held electronically during an emergency declared pursuant to the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c. E.9, as amended (the "*Emergency Management and Civil Protection Act*");

And Whereas the World Health Organization has declared a worldwide pandemic regarding the Novel Coronavirus 19 (COVID-19);

And whereas on March 17, 2020, a Declaration of Emergency was made by the Province of Ontario pursuant to section 7.0.1 of the *Emergency Management and Civil Protection Act* related to COVID-19;

And whereas on March 18, 2020, a Declaration of Emergency was made by the Town pursuant to section 4 of the *Emergency Management and Civil Protection Act* related to COVID-19;

And whereas the Lieutenant Governor has issued Order-in-Council 520/2020, pursuant to the *Emergency Management and Civil Protection Act*, prohibiting all organized public events of over fifty people due to COVID-19;

And whereas the Town considers the protection of the health and safety of the public to be a paramount concern, and has suspended the operations of all Town facilities and services, other than those deemed essential for the welfare of the citizens of the Town of Aurora during the COVID-19 emergency;

And whereas the Town considers it desirable to put measures in place to ensure that urgent matters, where a Council decision is required, can still occur;

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

1. Section 20.1 (b)(i) of By-law Number 6228-19 be and is hereby amended by adding the following wording:

b) Electronic Meetings

By-law Number XXXX-20

Page 2 of 2

- i) A regular meeting or special meeting of Council **as well as meetings of committees of Council and Local Boards** may be conducted by Electronic Meeting during an Emergency, in accordance with this Section and any Emergency Electronic Meeting Protocol as may be approved; and,

Enacted by Town of Aurora Council this 26th day of May, 2020.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk



Corporate Policies, Programs and Procedures
Policy for Ad Hoc/Advisory Committees and Local Boards

Title of Policy:	Policy for Ad Hoc/Advisory Committees and Local Boards	Affects:	All Employees, Elected Officials and the members of the public appointed to Ad Hoc Committees, Advisory Committees and Local Boards
Section:	Legislative Services	Replaces:	December 16, 2014 version
Original Policy Date:		Revision Date:	July 23, 2019
Effective Date:	December 18, 2018	Next Review Date:	As Required
Prepared By:	Legislative Services	Approval Authority:	Council

1.0 Purpose

Council for The Corporation of the Town of Aurora is required by provincial legislation to establish certain local boards and committees. Additionally, Council may establish Ad Hoc or Advisory Committees to provide opportunities for members of the public to have input into the decisions of the Town. To ensure effective and efficient operation of all local Boards and Committees this policy establishes:

- (a) The procedures to be followed in establishing Ad Hoc Committees, Advisory Committees and Local Boards (not otherwise required by provincial legislation).
- (b) The procedures for recruiting and appointing members of the public to serve on any Ad Hoc Committees, Advisory Committees and Local Boards, including any Statutory Board or Committee.
- (c) The procedural requirements, not provided for in the Procedure By-law 6068-18, as amended, necessary for the effective and efficient operations of an Ad Hoc Committees, Advisory Committees and Local Boards, including any Statutory Board or Committee.

2.0 Application

- 2.1 This Policy applies to all Ad Hoc committees, Advisory Committees and Local Boards established by Council for the Corporation of the Town of Aurora, except for the Aurora Economic Development Corporation Board.
- 2.2 In respect to Statutory Board and Committees, this policy is intended to supplement provincial legislation where applicable to such appointments.
- 2.3 In the event of conflict with provincial legislation, the provisions of the provincial legislation shall prevail.
- 2.4 This policy does not apply to a Compliance Audit Committee established by Council under the provisions of subsection 81.1(1) of the *Municipal Elections Act, 1996, S.O. 1996, c.32, Sch, s.1(1)*, as amended.

- 2.5 This policy does not apply to any standing committees comprised of all Council Members.
- 2.6 The Clerk is responsible for interpreting this policy and establishing any forms which may be required by this policy.

3.0 Definitions

In this Policy, the following words have the following meanings:

- a) “C.A.O.” means the means the Chief Administrative Officer appointed by Council, or his or her designate;
- b) “Clerk” means the Town Clerk, or his or her designate;
- c) “Council” means the Council of The Corporation of the Town of Aurora;
- d) “Council Members” includes the Mayor or a Councillor;
- e) “Director” means the person appointed by the C.A.O. or Council as head of one of the Town’s administrative departments, or his or her designate;
- f) “Member” means a person, including a Council Member, appointed to serve on a Committee established under this policy and may include a Member of Council unless stated otherwise.
- g) “Procedure By-law” means Town of Aurora Procedure By-law 6068-18, as amended, and any successor procedure by-law adopted by Council; and,
- h) “Statutory Board or Committee” means a committee or local board that Council is required by provincial legislative to establish.

Any term not defined by this policy shall have the same meaning as it does in the Procedure By-law.

4.0 Creation and Disposition of Committees

Ad Hoc Committees

- 4.1 Council may from time to time, by resolution, establish such Ad Hoc Committees as it deems appropriate.
- 4.2 Ad Hoc Committees shall be discontinued by Council resolution when their recommendations upon the specified initiative or matter have been provided and further recommendations are no longer required.

Advisory Committees

- 4.3 Council shall by resolution, establish such Advisory Committees as it deems appropriate to provide recommendations to such Directors as it may designate on a specific initiative or matter.

Local Boards

- 4.4 Council may from time to time, by by-law, establish such Local Boards as it deems appropriate to carry out those functions which Council may lawfully authorize such Local Boards to perform, pursuant to the statute authorizing the creation of the Local Boards.
- 4.5 Local Boards shall only be discontinued by Council By-law, provided such Local Boards are not mandated by provincial legislation.

5.0 Terms of Reference

- 5.1 Ad Hoc and Advisory Committees may consider delegations, correspondence, staff reports and matters for discussion in relation to their Terms of Reference in order to provide advice or recommendations, through staff, to General Committee.
- 5.2 Whenever possible, the Terms of Reference for a committee shall be established by Council concurrent with the creation of the Ad Hoc or Advisory Committee. In circumstances where to do so is not possible as a prelude to undertaking any other action, staff may be directed to prepare a proposed Terms of Reference for approval concurrent with the recruitment and first meeting(s) of the Committee.
- 5.3 The Terms of Reference for a Local Board shall be provided in the Council By-law establishing the Local Boards or subsequent amendments thereto within the jurisdiction of Council and in the provincial legislation authorizing creation of the Local Boards.

6.0 Terms of Office

- 6.1 A Member, other than Council Members, shall not be considered for reappointment to a Local Board or Committee after having served two (2) consecutive terms on that Local Board or Committee.
- 6.2 A Member may serve any number of consecutive terms on different Local Boards or Committees, subject to section 6.3 of this policy.
- 6.3 A Member, other than Council Members, may not serve on more than one (1) Local Boards or Committees at the same time. Council may choose to appoint a Member, other than Council Members, to more than one (1) committee by resolution, or by approving a Terms of Reference for a Local Board or Committee that specifically includes one (1) or more Members serving on another Local Board or Committee.

Resignation, Withdrawal or Removal from Office

- 6.4 Members may resign from office at any time by submitting a letter of resignation to the Clerk and such resignation shall be effective upon receipt of such letter by the Clerk. Normally resignations are tabled for the information of Council at a subsequent Meeting.
- 6.5 Members may temporarily withdraw from office, upon the consent by resolution of Council, for a period of time not to exceed three (3) months. Such withdrawal shall be effective upon receipt of a notice of withdrawal by the Clerk.

Continuation Where a Member Is Retired

6.6 It is intended that all Local Boards and Committees shall have the membership as set forth in the Terms of Reference for that Committee/Board. Where a Member resigns or is removed from office, Council shall determine within two (2) months whether to select a new Member or amend the Terms of Reference respecting the membership of that entity.

Attendance

6.7 Members are expected to attend all Meetings. Should an appointee be absent for three (3) consecutive meetings, as reflected in the minutes of the Local Boards and Committees, Council may, with or without a recommendation from the Local Boards and Committees, resolve to remove said Member from office.

Remuneration

6.8 Generally, Members who sit on Local Boards and Committees do not receive compensation; however, remuneration may be established at the discretion of Council. If Council decides by resolution to grant remuneration to Members who sit on Local Boards and Committees, the Terms of Reference for that Local Board or Committee shall be amended by the Clerk to reflect the change.

7.0 Membership

7.1 The Mayor (or Deputy Mayor when acting in the place and stead of the Mayor) shall be an ex-officio Member of all Ad Hoc and Advisory Committees and Local Boards as may be established from time to time. Ex-officio Member may take part in Committee discussions but may not take part in the vote unless that Member is counted in order to form a quorum.

7.2 The Members for each Local Board shall be appointed from time to time by by-law or resolution.

7.3 Council shall appoint by resolution all of the Members to its Ad Hoc and Advisory Committees and such persons may be such Council Members, or members of the public as Council determines may be of assistance to its Ad Hoc and Advisory Committees.

7.4 Council Members who are not Members shall be entitled to attend all Advisory Committee Meetings, and shall be entitled to speak at a Committee Meeting upon requesting recognition from the Chair, but shall not be entitled to vote. This privilege shall not be extended to any Closed Session portion of the meeting or Statutory Committees or Boards such as the Committee of Adjustment or the Library Board.

Advertising

7.5 All vacancies for Local Boards and Committees shall be advertised in the local media and any manner determined by the Clerk.

Application Form

- 7.6 All applications shall be submitted on a form established by the Clerk. Such applications shall be considered public documents however, they will be redacted in accordance with MFIPPA.

Selection Process

- 7.7 After a vacancy has been advertised, the Clerk shall provide Council with all applications received to date in relation to that office.
- 7.8 Where an applicant is clearly disqualified from a particular office by virtue of this Policy or other applicable law, the Clerk is authorized not to provide such applications to Council.
- 7.9 The selection of applicants shall be confirmed in an open Council Meeting. Nonetheless, given that aspects of the selection process may touch upon matters of a personal nature, Council shall review applications for office in a Closed Session Meeting prior to confirming appointments at an open Council Meeting.
- 7.10 In consideration of applications, Council may review any materials it wishes, including the applications, any references, conduct interviews with applicants and/or solicit recommendations from existing Local Boards and Committees.
- 7.11 Applicants will be selected based upon suitability, in the opinion of Council, to perform the tasks required by the office. Council shall avoid making an appointment which would create a conflict of interest or a perception of a conflict of interest relative to the activities of the Local Boards and Committees and the affiliation, profession or occupation of the appointee. Council shall have regard for legislation which may restrict or impinge upon Council's latitude with respect to Local Boards and Committees appointments.

Qualifications

- 7.12 All Members of Local Boards and Committees must at all times during their term of office be a resident within the municipality, or an owner of land within the municipality, or a tenant for the purposes of business tax as shown on the last revised Assessment Rolls for the municipality.
- 7.13 No person who is an "employee" within the meaning of Town Administration Procedure No. 1 may be appointed by Council to Local Boards and Committees. Employees should give consideration, prior to accepting appointments from other bodies empowered to appoint Members to Local Boards and Committees, as to whether a potential for conflict may exist.

Declaration of Office

- 7.14 Upon selection by Council and prior to undertaking any activity associated with the Local Boards and Committees, all appointees shall complete a Authorization Form to Release Personal Information approved by the Clerk. The format of the required documents shall be approved by the Clerk.

Training

- 7.15 The Clerk will provide Members of Local Boards and Committees with information or training on their respective roles and duties.

8.0 Chair

- 8.1 The Chair and Vice Chair of the Advisory Committees shall be appointed by a vote of the members at the first meeting, and shall have such responsibilities and powers as are provided for the Chair in Procedure By-law, as amended from time to time.
 - 8.1.1 To select a Chair and Vice Chair, the Clerk or other assigned staff person will call on Members two (2) times to move a motion to nominate a Member as Chair, which must be duly seconded. The Committee will vote on the motions in order in which they are made until a majority vote affirms the selection of the Chair.
 - 8.1.2 The Chair and Vice Chair shall be elected at the first meeting of every calendar year for a one-year term.
 - 8.1.3 Citizen members may only serve as Chair and/or Vice Chair for a total of two years of the term of the Committee.
- 8.2 The Chair of each Local Board and the term of the Chair shall be determined by the Members of the Local Board except to the extent that provincial legislation or a Council By-law relating specifically to that Local Board provides otherwise.
- 8.3 In the absence of the Chair and Vice Chair, the Members shall elect one of their Members as Chair for the purposes of that Meeting.
- 8.4 The Chair shall provide leadership and direction to the Committee or Local Board.
- 8.5 The Chair shall direct the affairs of the Committee or Local Board in accordance with the provisions of this Policy, applicable by-laws and procedures of the Town and provincial legislation.
- 8.6 The Chair shall ensure that Committees and Local Boards respect the authority of Council, and shall not permit debate of issues for which Council has made a final determination unless authorized to do so by Council.

9.0 Quorum

- 9.1 A quorum for Ad Hoc and Advisory Committees shall require the attendance of a majority of the Members who may have been appointed.
- 9.2 Except to the extent that provincial legislation or a Council By-law relating specifically to that Local Board provides otherwise, a quorum for the Local Boards shall require the attendance of a majority of the Local Boards Members who may have been appointed.

10.0 Staff Support

- 10.1 The duties of the Staff Liaison to each Ad Hoc or Advisory Committee or Local Board shall be carried out by staff as appointed by the C.A.O. in consultation with the Chair,

and each Staff Liaison shall continue under the supervision of their respective Director, if applicable.

- 10.2 The duties of the Committee Coordinator for each Advisory Committee shall be carried out by staff as directed by the Clerk.
- 10.3 Where the staff person appointed by the C.A.O. is unavailable, the Committee or Local Board Members shall appoint a person as Secretary for the purposes of that Meeting.
- 10.4 The Committee Coordinator shall prepare an Agenda and Attachments at the direction of the appropriate Director and shall make such materials available to all Council Members, to the Members, to the C.A.O. and the Clerk.
- 10.5 The Committee Coordinator shall provide notice of the Meeting to the public in accordance with the provisions in Section 15(f) of the Procedure By-law or any other applicable provincial legislation.
- 10.6 Where materials are provided for the Committee's consideration that were not previously circulated with the Agenda and Attachments, the Committee Coordinator shall make such materials available to all Council Members, the C.A.O. and the Clerk as soon as is practicable after the Committee Meeting by placing a copy of such materials in the internal mail system of the Town or by electronic mail, and by posting materials on the Town's webpage.
- 10.7 The duties of Committee Coordinator shall not include circulation of correspondence arising from adoption of the Ad Hoc or Advisory Committee recommendations by Council, since that function will be provided by the Clerk.
- 10.8 It shall also be open to the C.A.O. to provide the Ad Hoc Committee with staff technical support should the matters to be considered by the Committee require such expertise and, in such cases, the role of the Committee Coordinator may be separated or consolidated with the role of the technical support person.
- 10.9 The Committee Coordinator of an Ad Hoc Committee or Advisory Committee shall prepare and provide draft minutes of all Committee's Meetings to the Clerk.
- 10.10 The Secretary/Committee Coordinator of a Local Board shall prepare minutes of the Local Board's Meetings to be provided for the information of General Committee, if so directed by the Chair of the Local Board, or shall prepare an informal minutes of the Board's Meetings to form part of the files retained by the Town, subject to applicable provincial legislation.

11.0 Open Meetings and Notice of Meetings

- 11.1 Meetings of Ad Hoc and Advisory Committees and Local Boards appointed by Council shall be held at the Aurora Town Hall or other disability accessible Town-owned facility at a time and date established by the Committee at the beginning of the year/term, unless it is in the public interest to temporarily convene a Meeting at another location within the Town of Aurora.

- 11.2 Any Meeting of Ad Hoc and Advisory Committees and Local Boards may be cancelled or rescheduled subject to the approval of the Chair and Staff Liaison, and proper notice of the change shall be circulated to all Members and posted on the Town's website as per the Procedure By-law.
- 11.3 The Committee Coordinator shall give notice of all Meetings by making available for pick-up a copy of the Agenda and Attachments to all Council Members, to the Committee Members, to the C.A.O., to the Clerk, and the Agenda shall be posted on the Town website.
- 11.4 Where a Meeting is called upon with less than twenty-four (24) hours advance notice, it shall be the responsibility of the Chair and the Committee Coordinator to make reasonable efforts to provide notice to those concerned, as per the Procedure By-law.
- 11.5 All Meetings of Ad Hoc and Advisory Committees and Local Boards shall be open to the public, except as provided for in the Procedure By-law, and Committee/Board Members shall observe all provisions respecting Closed Session Meetings in this Policy. Materials supplied for Closed Session consideration must previously have been circulated to all Members of Council, the C.A.O. and the Clerk, taking due care to ensure the confidentiality of such materials, and the materials shall be collected at the end of the Closed Session meeting.

12.0 Procedures and Rules of Debate

- 12.1 Procedures and rules of debate as set out in the Procedure By-law shall apply in the conduct of all Ad Hoc and Advisory Committee Meetings.
- 12.2 It is intended that the conduct of all Local Board Meetings shall be formal, and the Meeting shall incorporate all statutory requirements in relation to that Local Board.
- 12.3 The order of business shall include disclosures of interest.
- 12.4 The Ad Hoc or Advisory Committee shall have authority to hear Delegations and to consider staff reports and correspondence in addition to topics for general discussion within the mandate of the Committee's Terms of Reference.
- 12.5 Debate on any matter shall proceed formally under the direction of the Chair, and that Committee/Board Members may speak to any issue no more than twice.
- 12.6 Members shall refrain from criticizing staff or decisions of Council.
- 12.7 No vote taken at an Ad Hoc or Advisory Committee Meeting shall be a recorded vote.
- 12.8 The Chair shall have authority to determine the conduct of Members in accordance with Section 10 of the Procedure By-law.

13.0 Reporting

- 13.1 No discussion or recommendation of an Ad Hoc, Advisory Committee or Local Board shall constitute an act of Council.

- 13.2 The Clerk or Committee Coordinator will circulate the draft minutes referred to in section 10.9 of this policy to Members for comment. The Clerk will consider any comments received and prepare final Minutes which will be deemed approved by the Committee.
- 13.3 Minutes of all Ad Hoc, Advisory Committee or Local Board meetings, including any recommendations contained therein, shall be provided to General Committee or Council for information purposes only. The receipt of minutes from Ad Hoc Committees, Advisory Committees or Local Board by Council does not constitute endorsement by the Town of any recommendations or actions contained therein.
- 13.4 All Committee recommendations shall proceed to an Agenda Management Team Meeting where Senior Staff will decide whether the recommendation should proceed to Council to be enacted or whether Council could benefit from a further report from staff before making a decision.
- 13.5 Where an Ad Hoc, Advisory Committee or Local Board has adopted a recommendation, the C.A.O. or Director may reference any such recommendation in his or her reports to General Committee or Council.
- 13.6 Each Local Board shall report to the entity set forth in its enabling provincial legislation or the Council By-law enacted in relation to that Board.



Town of Aurora
General Committee Report

No. PDS20-036

Subject: Town Initiated Official Plan Amendment to Consider Outdoor Swim Schools as a Permitted Home Occupation Use

Prepared by: Edward Terry, Senior Policy Planner

Department: Planning and Development Services

Date: May 19, 2020

Recommendations

1. That Report No. PDS20-036 be received;
2. That Town initiated Official Plan Amendment Number 2020-19 to permit outdoor swim schools as a Permitted Home Occupation in the Official Plan be approved by adding the following new clause to Section 6.13;
 - (v) “Notwithstanding Section 6.13 (a)(i) and (iv) respecting Home Occupations, outdoor swim schools may be permitted as a home occupation use in addition to related minor outdoor storage, where appropriate and subject to the other policies in Section 6.13.”
3. That a new fee be added to the Town's 2020 Fees and Charges By-law for a "Minor Variance for Outdoor Swim Schools" at a cost of \$250; and;
4. That the implementing Official Plan Amendment and revised Fees and Charges By-Law be presented to a future Council meeting.

Executive Summary

This report provides information on a proposed Town initiated Official Plan Amendment to consider outdoor swim schools a permitted home occupation use.

- **An Official Plan Amendment is required to support outdoor swim schools as a home occupation use in the Official Plan**

May 19, 2020

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Report No. PDS20-036

- **The proposed Official Plan Amendment will add a policy to the Official Plan permitting outdoor swim schools as a home occupation subject to approval of a minor variance by the Committee of Adjustment at a reduced fee of \$250**
- **The Committee of Adjustment has the ability to impose conditions of approval to address potential land use impacts/concerns**
- **A survey of Ontario municipalities reveals a number of different approaches to permitting outdoor swim schools**
- **Introducing a business licensing approach without a minor variance component does not address the issue of appropriateness and is not recommended**
- **No concerns were raised from the circulation of the proposed Official Plan Amendment**
- **Next steps include working with By-law Enforcement and other Town Departments to address pool safety**

Background

On February 26, 2019, Council passed a resolution requesting that staff report on the revisions required to the Town's Comprehensive Zoning By-law 6000-17, as amended, to permit backyard swim schools as a home occupation use.

On December 3, 2019, General Committee considered a report and approved staff's recommendation to present to a future Public Planning Meeting an approach for considering outdoor swim schools as a permitted home occupation use. The report outlined existing Official Plan policies and Zoning By-law regulations pertaining to Home Occupations and recommended that the Town initiate an Official Plan amendment to support backyard swim schools as a permitted Home Occupation use in the Official Plan. The proposed approach enables outdoor swim schools to be considered as a permitted Home Occupation use, on a site specific basis, through a minor variance application to the Committee of Adjustment.

At the March 10, 2020 Public Planning meeting, Council requested additional information regarding opportunities to reduce the cost to applicants specifically for this home-based

business and the merits of introducing a business licencing system including examples from other municipalities. The information requested by Council is presented herein.

Location / Land Use

The proposed Official Plan Amendment applies to Town-wide lands where home occupations are permitted in single and semi-detached dwellings.

Policy Context

Provincial Policies

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning. The PPS encourages a mix of employment opportunities and the efficient use of land, buildings and infrastructure in our communities. Home Occupations support this policy direction by utilizing existing housing stock for local employment opportunities.

The Growth Plan for the Greater Golden Horseshoe (The Plan) is a guiding document for growth management within the Greater Golden Horseshoe Area to 2041. The Plan supports the development of complete communities that provide a variety of housing, employment, services and amenities for residents. Home occupations support the development of complete communities by providing local services and employment opportunities in close proximity to residents.

The Oak Ridges Moraine Conservation Plan (ORMCP) supports home occupations, home businesses, and home industries, subject to certain criteria, including the requirement that the use generally be conducted within a dwelling and/or an accessory building.

York Region Official Plan (YROP)

The York Region Official Plan encourages a balance of residential and employment uses throughout the Region to provide opportunities for living and working in close proximity and supports home occupations.

Town of Aurora Official Plan

The Town's Official Plan supports home occupations in single and semi-detached dwelling units, including lands within the Settlement Areas of the Oak Ridges Moraine, subject to specific provisions, as outlined in Section 6.13. Key criteria include:

- That the use be carried out entirely within the dwelling unit;
- That the use is clearly secondary to the primary use of the property as a residence, in terms of floor space utilization;
- That the property is the principal residence of the person carrying out the Home Occupation use;
- No outdoor storage of goods, materials, equipment or service vehicles is permitted, except where permitted in accordance with the provisions of the Zoning By-law;
- The Home Occupation use, including traffic generated and hours of operation, do not adversely affect the surrounding area; and,
- Compliance with on-site parking requirements and other provisions regulating Home Occupations in the Zoning By-law.

The Official Plan also states the following with respect to Home Occupations in the "Stable Neighbourhoods" designation:

"Home Occupations may be permitted within the "Stable Neighbourhoods" designation subject to the policies of 6.13 and 8.1.4 of this Plan and provided that the use is of an accessory and subordinate nature and does not substantially alter the residential nature of the property."

The Town's Official Plan also permits "compatible" Home Occupations in the Suburban and Estate Residential designations (Section 8.2).

Comprehensive Zoning By-law 6000-17

The Town's Comprehensive Zoning By-law 6000-17, as amended, defines a Home Occupation as follows:

"means an occupation which is carried on by and includes the persons residing in a dwelling or dwelling unit and such Home Occupation uses include but are not limited to a studio; tailor; office; office of one (1) medical practitioner; (teaching) and dance or musical instruction when limited to three (3) students at a time; hair stylist; catering services; pet grooming; and a private home day-care."

Home Occupations are permitted in several residential zones subject to the Home Occupation provisions in Section 4.6 of the Zoning By-Law. These provisions are intended to mitigate potential negative impacts on adjacent properties and require that the use be clearly secondary to the main residential use of the building and that the residential character of the dwelling be maintained. Other Home Occupation Zoning By-law provisions regulate matters such as:

- Maximum gross floor area (GFA);
- Location of home occupation use (must be entirely within dwelling or permitted accessory buildings);
- Maximum number of employees;
- Storage of mechanical equipment; and,
- Parking requirement for home occupations, in addition to residential requirements.

Analysis

An Official Plan Amendment is required to support outdoor swim schools as a home occupation use in the Official Plan

The Town's Official Plan supports non-residential uses as home occupations provided they are clearly secondary to the primary residential use and the use is conducted entirely within a dwelling unit. Given the nature of outdoor swim schools as a predominately outdoor use, they are not supported by the Town's Official Plan as a Home Occupation use.

To support backyard swim schools as a Home Occupation use, an Official Plan Amendment is required. Specifically, the proposed Official Plan Amendment introduces a policy to the Official Plan to permit backyard swim schools as a home occupation notwithstanding that the use is conducted entirely outdoors. The proposed amendment also introduces a policy to permit minor outdoor storage associated with a outdoor swim school use.

Consistent with the Town's Official Plan Home Occupation policies, the proposed amendment will apply to Town-wide lands where home occupations are permitted in single and semi-detached dwellings, including lands within the Settlement Areas of the Oak Ridges Moraine. All other Official Plan policies pertaining to home occupations, as

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outlined in Section 6.13, will be maintained. The draft Official Plan Amendment is attached to this report (See Attachment 1).

The proposed Official Plan Amendment will add a policy to the Official Plan permitting outdoor swim schools as a home occupation subject to approval of a minor variance by the Committee of Adjustment at a reduced fee of \$250

Similar to the Town's Official Plan policies, the Town's Comprehensive Zoning By-law 6000-17, as amended, only permits home occupations if they are conducted entirely within the dwelling or a permitted accessory building.

Provided that the proposed Official Plan Amendment is approved by Council, outdoor swim schools may be permitted as a home occupation, on a site specific basis, from a zoning perspective subject to approval by the Committee of Adjustment of a minor variance. With this approach, minor variance applications will be reviewed by staff and considered by the Committee based on the four (4) tests in the *Planning Act*:

1. Is it minor in nature?
2. Is it desirable for the appropriate development or use of the land, building or structure?
3. Does it meet the general intent and purpose of the Zoning By-law?
4. Does it meet the general intent and purpose of the Official Plan?

The proposed Official Plan Amendment will satisfy the test relating to the intent and purpose of the Official Plan.

The minor variance process takes thirty days to complete from the time an application is submitted. In the interest of reducing costs, Town staff have the ability to minimize the submission requirements for this specific type of request (i.e. hand drawn Site Plan and completed application form).

With regard to fees, an additional line item can be added to the fees by-law for Minor Variance for Outdoor Swim Schools. Planning application fees are currently based on approximate cost of staff resources and is revenue neutral. An application fee of \$250 is proposed that would facilitate some cost recovery but more importantly help to reduce the cost of starting up this business opportunity.

The Committee of Adjustment has the ability to impose conditions of approval to address potential land use impacts/concerns

The Planning Act [S. 45 (9)] provides the Committee with the authority to grant minor variances subject to any conditions the Committee deems necessary. Conditions of approval may be recommended by Town staff after review of the application or they may be imposed by Committee at the hearing to address concerns raised by applicants, etc. Examples of possible conditions that may be imposed on a minor variance to approve a outdoor swim school include: a limit on the months and hours of operation, maximum number of students and/or employees, hours of operation, inspections, insurance, etc.

Committee of Adjustment applications are circulated to all property owners within a 60 metre radius of the property requesting the minor variance. This provides nearby residents who may be impacted by the use with the opportunity to provide input. Public and stakeholder input is considered by the Committee of Adjustment prior to making a decision on a minor variance application.

A survey of Ontario municipalities reveals a number of different approaches to permitting outdoor swim schools

Staff benchmarked more than ten municipalities with St. Catharines as the only municipality that permits outdoor swim schools as-of-right in the Official Plan and Zoning By-law. In addition, St. Catharines does not license outdoor swim schools.

The Town of Bradford is considering as-of-right permissions for outdoor swim schools but their Council has not made a decision. In the interim, the use is being permitted for existing businesses. Bradford's Council initially considered a zoning amendment in October 2018 but are currently revisiting the matter. Staff anticipate a final decision before the end of 2020.

To date, all minor variance applications to permit outdoor swim schools appealed to LPAT (Caledon, Oshawa & Whitchurch-Stouffville) have been denied on the basis of not satisfying the four tests for a minor variance, specifically not meeting the general intent of the Official Plan.

It is the opinion of staff that the proposed Official Plan Amendment will satisfy the test relating to the intent and purpose of the Official Plan.

Introducing a business licensing approach without a minor variance component does not address the issue of appropriateness and is not recommended

In response to the request made by Council at the March 19, 2020 Public Planning Meeting to explore the process for licensing outdoor swim schools, By-law Services were consulted. The requirements that form part of a licensing application for an outdoor swimming pool include:

- Application form
- Initial Application Fee (\$75-\$100)
- Proof of Qualifications & Insurance
- Waiver
- Checklist of requirements
- Inspection of the property to ensure the swimming pool and enclosure are in compliance with the Town's Fence By-law.
- A plan to support parking (parents picking up and dropping off kids)
- Posting of the license
- Subsequent annual re-application and inspection to ensure continued compliance (Reduced fee \$50-\$75)

Business Licensing contains a Zoning compliance component. Establishing a licensing process would still require a zoning by-law amendment or Committee of Adjustment approval for conformity. Introducing an as-of-right Zoning by-law amendment will result in an extended timeline and would prevent businesses from legally operating in the Town this summer season. In addition, introducing a business licensing approach without a minor variance component does not address the issue of appropriateness. A backyard swim school may not be an appropriate use in every situation. In addition, the Town of Aurora does not license home occupations.

Although not recommended, if Council decides to license outdoor swim schools, an amendment will be required to the Town's Business Licensing By-law. For the reasons stated herein, staff do not recommend the licensing of outdoor swim schools.

No concerns were raised from the circulation of the proposed Official Plan Amendment

The proposed Official Plan amendment was circulated to public agencies for review and comment. At the time of the writing of this report, no concerns have been received to

the proposed Official Plan Amendment. In addition, York Region has granted an exemption from Regional approval for the Town's official plan amendment.

Next steps include working with By-law Enforcement & Communications to address pool safety

Planning staff will collaborate with By-law Enforcement to ensure that those wishing to run outdoor swim schools obtain a pool enclosure permit from Building Services to enclose the pool area and, where one already exists, that it be inspected by By-law Services for compliance with the Pool Enclosure By-law. Staff are proposing to waive the initial inspection fee.

Planning staff advise that both the permit and inspection may be undertaken prior to the minor variance application submission, as part of the application review process and/or as a condition of approval. Planning and By-law Enforcement will continue to work together on an appropriate approach and develop a communications plan in consultation with other Town Departments.

Public Comments

Town Planning staff have not received any comments from the public at the time of the writing of this report. The Minutes of the March 10, 2020 Public Planning Meeting are attached as Attachment 2.

Advisory Committee Review

No communication required

Financial Implications

The proposed fee of \$250 will cover roughly 12% of the administration costs associated with processing a ground related minor variance fee.

Legal Considerations

Once Council adopts the Official Plan Amendment, notice will be provided to each person or public body that requested to be notified of the adoption and to any other prescribed person or public body. Any person or public body who made oral

submissions at a public meeting or written submissions to Council and the Minister may appeal the adoption of the Official Plan Amendment. No oral or written submissions have been received by the Town on the proposed official plan amendment.

Communications Considerations

The Town of Aurora will use 'Inform' as the level of engagement for this project. There are five different levels of community engagement to consider, with each level providing the community more involvement in the decision making process. These levels are: Inform, Consult, Involve, Collaborate and Empower. Examples of each can be found in the Community Engagement Policy. These options are based on the International Association of Public Participation (IAP2) Spectrum and assist in establishing guidelines for clearly communicating with our public and managing community engagement.

In order to inform the community about permitting outdoor swim schools to operate as a home occupation, Corporate Communications will create a communications plan along with an education campaign using social media, the Town's Notice Board, website and advertisements.

Link to Strategic Plan

The recommended approach for considering backyard swim schools as a permitted home occupation use supports the Strategic Plan goals of: Supporting an exceptional quality of life for all and enabling a diverse, creative and resilient economy. The relevant supporting objectives include: Strengthening the fabric of our community and promoting economic opportunities that facilitate the growth of Aurora as a desirable place to do business.

Alternative(s) to the Recommendation

1. That Council provide direction.

Conclusions

Provided that the proposed Official Plan Amendment is approved by Council, outdoor swim schools may be permitted as a home occupation, on a site specific basis, from a zoning perspective subject to approval by the Committee of Adjustment of a minor

variance. Planning staff will work to simplify this process and update the Fee By-Law to allow for the request for zoning relief to not become complex and cost prohibitive.

Adopting a business license approach for swimming schools is not recommended because establishing a licensing process would still require a zoning by-law amendment or Committee of Adjustment approval for compliance.

Planning staff will also work with By-law Enforcement and other Town Departments to implement safety procedures as part of a minor variance process including a communications plan.

Attachments

Attachment 1 - Official Plan Amendment Number 19

Attachment 2 - March 10, 2020 Public Planning Meeting Minutes

Previous Reports

General Committee Report No. PDS 19-100, dated December 3, 2019.

Public Planning Report No. PDS20-22, dated March 10, 2020

Pre-submission Review

Agenda Management Team Meeting review on April 30, 2020

May 19, 2020

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Report No. PDS20-036

Departmental Approval

Approved for Agenda



**David Waters, MCIP, RPP, PLE
Director
Planning and Development Services**

**Doug Nadorozny
Chief Administrative Officer**

Attachment 1



AMENDMENT NO. 19

TO THE OFFICIAL PLAN

FOR THE TOWN OF AURORA

AMENDMENT NO. 19
TO THE OFFICIAL PLAN
FOR THE TOWN OF AURORA

STATEMENT OF COMPONENTS

PART I – THE PREAMBLE

1. Introduction
2. Purpose of the Amendment
3. Location
4. Basis of the Amendment

PART II – THE AMENDMENT

1. Introduction
2. Details of the Amendment
3. Implementation and Interpretation

PART I – THE PREAMBLE

1. Introduction

This part of the Official Plan Amendment No. 19 (the “Amendment”), entitled Part I – The Preamble, explains the purpose and location of this Amendment, and provides an overview of the reasons for it. It is for explanatory purposes only and does not form part of the Amendment.

2. Purpose of the Amendment

The purpose of this Amendment is to allow outdoor swim schools to be considered as a permitted home occupation use for single and semi-detached dwellings. The Amendment will amend Official Plan home occupation policies to allow a swim school home occupation use to be conducted outside of a dwelling unit and to permit associated minor outdoor storage subject to receiving approval for a minor variance from the Committee of Adjustment.

3. Location

The proposed amendment will apply to all lands within the Town where home occupations are permitted in single and semi-detached dwellings.

4. Basis of the Amendment

The basis of the Amendment is as follows:

- 4.1 The Official Plan Amendment is a Town-initiated amendment. On December 10, 2019, Council directed staff to initiate an Official Plan Amendment to add backyard swim schools as a permitted Home Occupation use.
- 4.2 A Public Planning Meeting was held on March 10, 2020 to present the proposed Amendment and to obtain input from members of the public and Council.
- 4.3 The Town’s Official Plan policies (6.13) permit home occupations in single detached and semi-detached residences provided, amongst other things, that the use is carried out entirely within the dwelling unit and there is no outdoor storage. An Official Plan Amendment is required to amend the Official Plan home occupation policies to allow a swim school home occupation use to be conducted entirely outside of a dwelling unit and to permit associated minor outdoor storage.
- 4.4 To ensure compatibility with neighbouring and surrounding properties and to mitigate potential impacts, the existing Official Plan policies that limit home occupations as a secondary use to the primary residential use (in terms of floor

space utilization), require compliance with on-site parking requirements and require no adverse traffic or hours of operation impacts will be maintained.

- 4.5 The Amendment will provide the flexibility for outdoor swim schools to be considered as a permitted home occupation use, on a case by case basis and where appropriate, via a minor variance application to the Committee of Adjustment.
- 4.6 The Amendment is consistent with Provincial and Regional Policies and Plans which support the:
 - Utilization of existing housing stock for local employment opportunities; and,
 - Development of complete communities by providing local services and employment opportunities in close proximity to residents and opportunities for living and working in close proximity.

PART II – THE AMENDMENT

1. Introduction

All of this part of the document entitled Part II – The Amendment, consisting of the following text constitutes Amendment No. 19 to the Official Plan.

2. Details of the Amendment

The Official Plan is hereby amended as follows:

New clause to Section 6.13:

“Notwithstanding Section 6.13 (a)(i) and (iv) respecting Home Occupations, outdoor swim schools may be permitted as a home occupation use in addition to related minor outdoor storage, where appropriate and subject to the other policies in Section 6.13.”

3. Implementation and Interpretation

This Amendment has been considered in accordance with the provisions of the Official Plan. The implementation and interpretation of this Amendment shall be in accordance with the respective policies of the Official Plan.



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

Council Chambers, Aurora Town Hall
Tuesday, March 10, 2020

Attendance

- Council Members** Mayor Mrakas in the Chair; Councillors Gaertner, Gallo, Gilliland, Humfries, Kim, and Thompson
- Members Absent** None
- Other Attendees** David Waters, Director of Planning and Development Services, Anna Henriques, Senior Planner, Samantha Yew, Deputy Town Clerk, Ishita Soneji, Council/Committee Coordinator
-

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

Council consented to recess the meeting at 8:55 p.m. and reconvened the meeting at 9:05 p.m.

1. Approval of the Agenda

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

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

- Replacement Pages 23 and 24 (Attachment 7 and 8, revised boundaries), Re: Item 1 – PDS20-020 –Application of Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision, Charlieville Ltd., 45 Tyler Street, Lot 26 and Part of Lots 24, 25, and 27, Plan 9, File Numbers: OPA-2015-02, ZBA-2016-06, and SUB-2015-03

Carried

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2. Declarations of Pecuniary Interest and General Nature Thereof

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

3. Planning Applications

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

1. PDS20-020 – Application of Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision, Charlieville Ltd. 45 Tyler Street, Lot 26 and Part of Lots 24, 25, and 27, Plan 9, File Numbers: OPA-2015-02, ZBA-2016-06, and SUB-2015-03

Mayor Mrakas extended a reminder that this application is currently being appealed at the Local Planning Appeal Tribunal (LPAT) and that Aurora Council is not at any authority to make any decisions regarding the application. Mr. David Waters noted that a Case Management Conference is forthcoming regarding the appeal.

Applicant

Ms. Joanne Barnett, representing Charlieville Developments, along with other consultants presented an overview of the application including original and revised submission plans, chronology of the application thus far, details of 4th submission including updated draft plan, site plan, typical elevations, and the risk assessment process undertaken to protect naturalized areas surrounding the property.

Planning Staff

Ms. Anna Henriques, Senior Planner, presented an overview of the staff report regarding the Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision for the subject lands noting that the application has been appealed by the Local Planning Appeal Tribunal and the purpose of the report is to provide an update on the status of the applications. She provided details

on the 4th submission of the proposal to facilitate the development of a 70 unit common element townhouse condominium, including updated proposed site specific zoning standards, and outlined the next steps.

Public Comments

Aurora residents Angela Daust, Barry Bridgeford, David Cabianca, Tom Hashem, Frank Keller, and Sandra Sangster expressed the following concerns and questions:

- Concerns regarding:
 - Number of proposed lots in the subject lands
 - Height exemption; suggestion to maintain height and setback restrictions, increased height will have visual impact to surrounding area
 - Design of proposed development; suggestion that the design be conforming to surrounding neighbourhood and historic nature of the area
 - Risk of flooding as subject lands are in flood zone and potential impact to surrounding properties
 - Ground water management protection; in-house measures and around the property
 - Lack of consideration of a creek side pedestrian trail to maintain continuity and link to surrounding hiking trails
 - Location of private park land surrounding the subject property as noted in the Town's Official Plan
 - Risk assessment plan indicating no basements
 - Traffic impacts to surrounding neighbourhood
 - Risk of invasive plant growth and mitigation measures
- Questions regarding:
 - Re-designation of subject lands to Environmental Protection
 - Risk assessment methodology; excavating measures to check the presence of cobalt carbonate and chromium dioxide on the creek bank and risk of possible contamination in the creek and soil
 - Parking plan; number of parking spaces for residents and visitors
 - Traffic study and impact on immediate neighbourhoods
 - Construction management and safety plans, fencing
 - Local Planning Appeal Tribunal process regarding this application
 - Legal liability and location of creek fence and vegetation cover

Council Public Planning Meeting Minutes
Tuesday, March 10, 2020

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- Underground water storage
- Berm barrier to mitigate erosion control

Planning Staff

Staff addressed the questions and concerns regarding traffic study, possible pedestrian trail, improving flood storage, berm barrier, and noted that maintenance of the land and ecological protection measures would be the responsibility of the developer.

Applicant

The applicant and consultants addressed questions and concerns regarding the parking plan, contamination risks within the creek and soil, proposed fencing around creek to prevent human access and maintain wildlife access, re-designation of environmental protection zone, underground water storage, issues regarding height exemption, and invasive species protection.

Moved by Councillor Gilliland

Seconded by Councillor Thompson

1. That Report No. PDS20-020 be received; and
2. That staff continue to work with the appellant to address comments from agencies and Town staff, and comments presented at the second Public Planning Meeting.

Carried

2. PDS20-022 – Town Initiated Official Plan Amendment to Consider Backyard Swim Schools as a Permitted Home Occupation Use

Planning Staff

Ms. Anna Henriques, Senior Planner, presented an overview of the staff report regarding Town initiated Official Plan amendment to support backyard swim school as a permitted home occupation use and provided details on the proposed approach to consider backyard swim schools through a site specific minor variance application to the Committee of Adjustment and presented the merits of this approach. It was mentioned that a zoning by-law amendment

Council Public Planning Meeting Minutes
Tuesday, March 10, 2020

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providing a blanket, as-of-right permission for backyard swim use was not recommended.

Public Comments

No members of the public came forward.

Moved by Councillor Kim

Seconded by Councillor Gilliland

1. That Report No. PDS20-022 be received; and
2. That the comments presented at the Public Planning meeting be addressed by Planning and Development Services in a recommendation report to General Committee.

Carried

4. Confirming By-law

Moved by Councillor Gallo

Seconded by Councillor Kim

That the following confirming by-law be enacted:

6245-20 Being a By-law to confirm actions by Council resulting from a Council Public Planning meeting on March 10, 2020.

Carried

5. Adjournment

Moved by Councillor Gilliland

Seconded by Councillor Gaertner

That the meeting be adjourned at 10:56 p.m.

Carried

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Tuesday, March 10, 2020

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Tom Mrakas, Mayor

Samantha Yew, Deputy Town Clerk



**Town of Aurora
General Committee**

No. PDS20-039

Subject: Aurora Economic Development Corporation Board Composition
Prepared by: Nick Kazakoff, Economic Development Officer
Department: Planning and Development Services
Date: May 19, 2020

Recommendation

- 1. That Report No. PDS20-039 be received;**
- 2. That the terms of reference of the Aurora Economic Development Corporation (the "AEDC") be amended to increase the number of local residents or business owners to 9 and to decrease the number of Council representatives to two members of Council; and,**
- 3. That staff be directed to present to Council a special resolution to be passed by the AEDC Board of Directors to increase the number of local residents or business owners to nine and to decrease the number of Council representatives to two which will be confirmed at a future meeting of Council.**

Executive Summary

The purpose of this report is to seek Council approval for amending the composition of the Board of Directors of the Aurora Economic Development Corporation (AEDC) by converting the vacant Council representative seat into an additional local resident/business owner member seat with experience in business development.

- The AEDC Board of Directors has two vacancies following the resignation of a Director in January 2020
- The AEDC Board of Directors have established three sub-committees to address strategic plan priorities and implementation
- An additional local resident/business owner member director is needed with experience in business development or strategic planning to implement the recommendations of the Town's economic development plan and to advance the work program of each sub-committee

Background

In March 2019, Council appointed the Mayor, two (2) Councillors and seven (7) local resident/business owner members as directors to the Aurora Economic Development Corporation's (AEDC) Board of Directors. Council members were appointed for a term concurrent with the term of Council or until which time a replacement member has been appointed. Local resident/business owner member directors were appointed using staggered terms of two, three and four year appointments, to ensure continuity. Each local resident/business owner member can be elected to a maximum of two consecutive three year terms.

The overall size of the board is composed of up to eight (8) local resident/business owner members and a minimum of four (4) members, while Council members of the Board of Directors will include the Mayor and up to two (2) Councillors. The CAO is a non-voting member of the Board of Direction (ex-officio). As of April 2020, the AEDC Board of Directors has two director vacancies following the resignation of Councillor Thompson's directorship and the eighth local resident/business owner member seat was never filled.

Analysis

The AEDC Board of Directors has two vacancies following the resignation of a Director in January 2020

There are two vacancies currently on the AEDC Board of Directors, one Councillor Direction position and one local resident/business owner member direction position. The composition of the Board can include a maximum of eight and minimum of four local resident/business owner members, while Council members of the Board of Directors can include the Mayor and up to two Councillors.

The current roster of the Aurora Economic Development Board of Directors includes the following:

- Tim Hammill (Chair)
- Marilee Harris (Vice Chair)
- Mayor Tom Mrakas
- Councillor Sandra Humfryes
- Vern Cunningham
- Richard Gong

- Steve Hinder
- Mae Khamissa
- Craig Youdale

These initial local resident/business owner member directors were appointed using a staggered term approach as follows, to ensure continuity:

- Two Year Term Appointment: Tim Hammill & Steve Hinder
- Three Year Term Appointment: Marilee Harris, Richard Gong, Mae Khamissa & Craig Youdale
- Four Year Term Appointment: Vern Cunningham

Council members were appointed for a term concurrent with term of Council or until which time a replacement member has been appointed.

The AEDC Board of Directors have established three sub-committees to address strategic plan priorities and implementation

The AEDC has established three sub-committees to support the implementation of the Economic Development Plan. The sub-committees were chosen based on action items identified within the Strategic Plan which the Board could play a significant role in advancing the activities. The three sub-committees are undertaking a Target Sector Analysis; Developing a Business Mix Strategy; and Building Relationships with C-Suite Residents. The majority of local resident/business owner member directors are serving on two out of the three committees.

Table 1: AEDC Board Sub-Committee Members

Board Member	Undertaking a Target Sector Analysis	Developing a Downtown Business Mix Strategy	Building Relationships with C-Suite Residents
Vern Cunningham	X		X
Tim Hammill		X	X
Marilee Harris	X		X
Steve Hinder		X	X
Mae Khamissa	X		X
Richard Gong	X	X	
Craig Youdale		X	

Mayor Tom Mrakas			
Councillor Sandra Humfryes		X	

An additional local resident/business owner member director is needed with experience in business development or strategic planning to implement the recommendations of the Town’s economic development plan and to advance the work program of each subcommittee

Through the work of the AEDC sub-committees, the Board has identified the need for additional local resident/business owner member directors to serve on the AEDC Board and its sub-committees to advance the recommendations of the economic development plan with experience in business development or strategic planning. Therefore, it is proposed that the vacant Councillor Director seat be converted into an additional local resident/business owner member seat. This would keep the total number of board seats at eleven (11) while increasing the maximum number of local resident/business owner member directors to nine (9) from eight (8).

The AEDC Board of Directors will begin recruiting for the vacant board seats following Council’s approval of this report. The AEDC will then recommend qualified candidates to be appointed to its Board in a future report to Council.

Advisory Committee Review

None

Legal Considerations

If Council agrees to the recommendation to change the number of directors, AEDC’s Board of Directors will be required to pass a special resolution in accordance with its corporate documents. The special resolutions then must be confirmed by Council, as the only shareholder of the AEDC.

Financial Implications

None

Communications Considerations

The Town of Aurora will use 'Inform' as the level of engagement for this project. There are five different levels of community engagement to consider, with each level providing the community more involvement in the decision making process. These levels are: Inform, Consult, Involve, Collaborate and Empower. Examples of each can be found in the Community Engagement Policy. These options are based on the International Association of Public Participation (IAP2) Spectrum and assist in establishing guidelines for clearly communicating with our public and managing community engagement.

In order to inform the public of the proposed changes to composition of the committee, Town staff will post this report to the Town's website. The public will be informed via the Town's website (news and notices section) and Town's Notice Board when the new members for the AEDC Board are chosen.

Link to Strategic Plan

Maintaining Ad Hoc and Advisory Committees/ Boards supports the Strategic Plan goal of supporting an exception quality of life for all through the accomplishment in satisfying requirements in the following key objectives within this goal statement:

Strengthening the fabric of our community: through the identification of new formats, methods and technologies to effectively and regularly engage the community.

Alternative to the Recommendation

1. That Council provide direction.

Conclusions

The AEDC Board of Directors currently has two vacancies on the Board. In order to advance the recommendations of the economic development strategic plan, it is proposed that the vacant Council representative seat be converted into an additional local resident/business owner member seat while maintaining the overall size of the Board at eleven (11) members.

May 19, 2020

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Report No. PDS20-039

An additional local resident/business owner member is needed with experience in the area of business development to advance the implementation of the Town's economic development plan and the work program of each subcommittee.

Attachments

Attachment 1: AEDC Terms of Reference 2018-2022

Previous Reports

Report # PDS19-016 dated March 19, 2019.

Pre-submission Review

Agenda Management Team review on April 30, 2020

Departmental Approval

Approved for Agenda



**David Waters, MCIP, RPP, PLE
Director
Planning and Development Services**

**Doug Nadorozny
Chief Administrative Officer**

Attachment 1

Appendix A

Aurora Economic Development Corporation Terms of Reference

Role

The Aurora Economic Development Corporation (AEDC) is a non-share, not-for-profit, corporation, incorporated under the *Business Corporations Act* and *Municipal Act, 2001* and is the economic development arm of the Town of Aurora. On behalf of the Council of the Town of Aurora, the Aurora Economic Development Corporation provides strategic leadership and coordination of community economic development. The AEDC works with partners (provincial, regional and federal governments, community agencies, educational institutions and local businesses) to strengthen and diversify existing business, attract new business and investment, and coordinate strategic economic development initiatives within the community.

Responsibilities

The AEDC provides a critical advisory role in promoting economic growth and diversification in the Town of Aurora. Economic development goals should seek to build on local strengths, mitigate inherent weaknesses, convey the desired outcomes of the strategic planning process and speak directly to the aspirations of the community.

The AEDC is responsible for working with community stakeholders to develop and maintain an Economic Development Strategy for the Town of Aurora to guide economic development activities and investment over the short, medium and long term. This Strategy will be updated and approved by Council every 5 years.

In addition to the preparation of an Economic Development Strategy, the AEDC Board of Directors will also be responsible for reviewing the Economic Development Operational Plan that will be presented to the Board and approved by Council on an annual basis.

Goals and Objectives

The goal of the Board of Directors is to strengthen economic development and quality of life within Aurora by:

- supporting the expansion of current businesses;
- advising on Downtown Revitalization Activities;
- advising on community cultural activities that offer opportunities for economic development;
- attracting, brokering and facilitating new business development;
- encouraging continued economic diversification; and;
- pursuing other goals as determined by Council

This is accomplished through the following objectives:

- making strategic recommendations that assist in the expansion of current businesses and the development of new businesses;
- making strategic recommendations to Council on funding and grants to advance downtown revitalization objectives, cultural services and other strategic economic development initiatives and projects;
- promoting strategic public/private partnerships opportunities that advance economic development interests;
- recommending strategic programs to Council that actively promote tourism (including sport tourism) in Aurora;
- enable the implementation of the Town's Community Improvement Plan(s) as directed by Council;
- recommending strategic programs to Council that actively promote Aurora as a centre for advanced manufacturing, information technology and telecommunications, environmental technology, medical and related technologies, finance, insurance, real estate and leasing; and,

- recommending strategic programs that actively promoting Aurora as York Region's centre for education and training, business services, health services and government services.

Economic Development staff at the Town of Aurora serve as support to the Board of Directors at the Aurora Community Development Corporation.

Composition

The Board of Directors is composed of:

- Up to 8 local residents or business owners that serve three-year terms and represent the various economic and geographic sectors of our community. Preference will be given to Aurora Chamber of Commerce members that meet both the skills and eligibility requirements.
- 3 members of Council (Two Town Councillors and the Mayor of the Town of Aurora).
- CAO, Town of Aurora (ex-officio)
- Manager, Policy Planning and Economic Development (non-voting)

Eligibility

Members of the Board of Directors must be a Town of Aurora resident or employed with a business within the Town of Aurora.

Term

The Board shall be appointed for a three year term, with the option of a further three year term. For the initial Board, members will be appointed on staggered terms to ensure Board continuity. Council members will be appointed for terms concurrent with their term of Council. In municipal election years, appointed Council members will be permitted to serve on the board until which time that Council appoints a replacement member.

Remuneration

None.

Chairperson of Meeting

The Board will appoint a local resident or business owner member as a non-executive Chairperson and Vice-Chairperson. In the event that the Chairperson is absent, the Vice-Chairperson will assume the responsibilities of the Chair.

General Operating Procedures The Board will be subject to the requirements of Roberts Rules of Order.

Recruitment

Private members should be primarily influential business leaders that play a significant role in the community. Membership should include representation from large and small businesses, public and private sectors, private/public education, non-profit and accommodation / tourism providers. Previous membership on a governance board is an asset. A more detailed skills matrix is outlined in Appendix B.

Council members will be appointed by Mayor and Council.

Confidentiality

AEDC will protect the confidentiality of its clients and business activities. AEDC respects the confidentiality of proprietary information and intellectual property and will not disclose information, directly or indirectly, except as required by law. AEDC Board members are obligated to maintain strident client & corporate confidentiality, protect client & corporate proprietary information and respect client & corporate intellectual property.



Notice of Motion

Mayor Tom Mrakas

Date: May 19, 2020

To: Members of Council

From: Mayor Mrakas

Re: Downtown Street Wall Mural Program

Whereas experience shows that a mural in a well-considered location often brings a community together and improves spaces for people passing through neighbourhoods; and

Whereas a mural can create belonging and a sense of pride, reduce graffiti and tagging, and allow neighbourhoods to shape their community through beautification and shared project goals; and

Whereas a street wall mural program would allow local artists to beautify the downtown core in a unique way;

1. Now Therefore Be It Hereby Resolved That staff be directed to report back to Council regarding a Downtown Street Wall Mural program where local artists would create wall murals on Town-owned retaining walls along Yonge Street in the Downtown Core (Aurora Heights Drive to Kennedy Street); and
2. Be It Further Resolved That at least one Town-owned retaining wall shall be dedicated to our frontline workers; and
3. Be It Further Resolved That the report include guidelines for program objectives and eligibility requirements and timelines for selecting local artists.



Notice of Motion

Councillor Wendy Gaertner

Date: May 19, 2020
To: Mayor and Members of Council
From: Councillor Gaertner
Re: **COVID-19 Crisis – Support for Institutional Changes**

Whereas Premier Doug Ford said that the COVID-19 Crisis “is a test that will define a generation on how we respect and take care of those who cannot take care of themselves”; and

Whereas this Crisis “has exposed deadly weaknesses” in our long-term care and retirement facilities; and

Whereas the Premier has opened the door to systematic changes as a result of this “wake-up call”; and

Whereas the Premier has acknowledged that the province must raise and change the operating standards;

1. Now Therefore Be It Hereby Resolved That Aurora Council send a letter to Premier Ford supporting, and holding the provincial government accountable for, institutional changes that follow through on his statements made during the COVID-19 Crisis including:
 - (a) “systematic changes” to remediate the “exposed dramatic weakness” in “how we respect and take care of those who cannot look after themselves”; and
 - (b) ensure that these “heroes in this Crisis, these essential workers that provide caregiving and protection of the most vulnerable” have increased pay and safe working conditions commiserate to their essential function that will allow the protective ability to “only work in one home”; and
 - (c) provide staff with “the tools they need by strengthening training and education on infection control prevention and control”; and

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- (d) have a “Plan on what to do in the event of an outbreak”; and
2. Be It Further Resolved That a copy of this resolution be sent to the Minister of Health, the Minister of Long-Term Care, Aurora MPP’s Christine Elliott and Michael Parsa, and the Councils of all Ontario municipalities.



Notice of Motion

Councillor Michael Thompson

Date: May 19, 2020

To: Mayor and Members of Council

From: Councillor Thompson

Re: Municipal Service Level and Delivery Review

Whereas the Town of Aurora is committed to making informed, affordable, strategic choices about how municipal services are delivered; and

Whereas Council wishes to examine how to improve services, identify any new or rising service demands and evaluate service levels in the face of competing priorities and/or decreasing revenues and increasing costs to operate the municipality; and

Whereas Council wishes to set priorities and, where possible, identify potential revenue opportunities, reduce the cost of delivery while maintaining and/or improving services and service levels; and

Whereas a municipal service level and delivery review is a rigorous evaluation process that looks at the needs and expectations of the community, the performance and costs of the services provided, and may provide insight on best practices and/or alternative/better ways to deliver a service; and

Whereas the last municipal service level review was conducted in 2013;

1. Now Therefore Be It Hereby Resolved That the Town of Aurora consider a Municipal Services Review to identify actions and directions that could result in a more efficient and cost-effective service delivery, enhanced organizational and operation procedures, new revenue streams, and potential savings; and
2. Be It Further Resolved That this item be referred to the 2021 budget with an estimate on the cost of conducting a service review; and
3. Be It Further Resolved That pending Council's approval of the cost to conduct a review, the CAO be directed to finalize and issue a Request for Proposal for a Service Level and Delivery Review no later than February 2021.