



## TOWN OF AURORA COUNCIL MEETING MINUTES

Council Chambers  
Aurora Town Hall  
Tuesday, November 24, 2015

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### ATTENDANCE

**COUNCIL MEMBERS** Mayor Dawe in the Chair; Councillors Abel, Gaertner, Humfryes (arrived 7:02 p.m.), Kim, Mrakas, Pirri, Thom, and Thompson

**MEMBERS ABSENT** None

**OTHER ATTENDEES** Director of Building and By-law Services, Director of Corporate and Financial Services/Treasurer, Director of Infrastructure and Environmental Services, Acting Director of Legal and Legislative Services/Associate Solicitor, Director of Parks and Recreation Services, Director of Planning and Development Services, Town Clerk, and Council/Committee Secretary

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Mayor Dawe called the meeting to order at 7:11 p.m. following Open Forum.

Council consented to recess at 8:58 p.m. to resolve into a Closed Session meeting to consider Closed Session Item 3, and reconvened into open session at 9:25 p.m.

On a motion of Councillor Mrakas seconded by Councillor Thompson, Council consented to extend the hour past 10:30 p.m. in accordance with subsection 3.16(b) of the Procedural By-law.

Council consented to recess at 10:42 p.m. to reconvene into a Closed Session meeting to consider Closed Session Items 1 and 2, and reconvened into open session at 11:02 p.m.

### 1. DECLARATION OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

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

## 2. APPROVAL OF THE AGENDA

### Main motion

**Moved by Councillor Thompson**

**Seconded by Councillor Humfries**

THAT the agenda as circulated by Legal and Legislative Services, with the following additions, be approved:

- Delegation (b) Kirk Corkery, Chair of Regimental Council, The Queen's York Rangers  
Re: Motion (b) Councillor Abel; Re: Deployment of Light Armoured Vehicle (LAV) at the Aurora Cenotaph
- Delegation (c) Susan Walmer, Resident  
Re: Motion (a) Councillor Gaertner; Re: Highland Gate Developments Inc. Reports
- Closed Session Item 2 – A proposed or pending acquisition or disposition of land by the Town or Local Board (section 239(2)(c) of the *Municipal Act, 2001*); Re: Offer to Sell – Aurora Promenade Area – Verbal Update from the Director of Parks and Recreation Services

### **Amendment No.1**

**Moved by Councillor Mrakas**

**Seconded by Councillor Pirri**

THAT the following additional Closed Session item be added to the agenda, to be considered immediately following Delegations:

- Closed Session Item 3 – Litigation or potential litigation including matters before administrative tribunals or a Local Board (section 239(2)(e) of the *Municipal Act, 2001*); Re: Highland Gate Developments Inc., Ontario Municipal Board (OMB) Appeal

**CARRIED**

### **Amendment No. 2**

**Moved by Councillor Thompson**

**Seconded by Councillor Abel**

THAT section 3.8(a) of the Procedural By-law be waived, and the following additional delegation be approved:

- Delegation (d) Ken White, Royal Canadian Legion  
Re: Motion (b) Councillor Abel; Re: Deployment of Light Armoured Vehicle (LAV) at the Aurora Cenotaph

**CARRIED (two-thirds vote)**

**Main motion as amended  
Moved by Councillor Thompson  
Seconded by Councillor Humfryes**

THAT the agenda as circulated by Legal and Legislative Services, with the following additions, be approved:

- Delegation (b) Kirk Corkery, Chair of Regimental Council, The Queen's York Rangers  
Re: Motion (b) Councillor Abel; Re: Deployment of Light Armoured Vehicle (LAV) at the Aurora Cenotaph
- Delegation (c) Susan Walmer, Resident  
Re: Motion (a) Councillor Gaertner; Re: Highland Gate Developments Inc. Reports
- Delegation (d) Ken White, Royal Canadian Legion  
Re: Motion (b) Councillor Abel; Re: Deployment of Light Armoured Vehicle (LAV) at the Aurora Cenotaph
- Closed Session Item 2 – A proposed or pending acquisition or disposition of land by the Town or Local Board (section 239(2)(c) of the *Municipal Act, 2001*);  
Re: Offer to Sell – Aurora Promenade Area – Verbal Update from the Director of Parks and Recreation Services; and
- Closed Session Item 3 – Litigation or potential litigation including matters before administrative tribunals or a Local Board (section 239(2)(e) of the *Municipal Act, 2001*); Re: Highland Gate Developments Inc., Ontario Municipal Board (OMB) Appeal

**CARRIED AS AMENDED**

**3. ADOPTION OF THE MINUTES**

**Council Meeting Minutes of November 10, 2015  
Special Council Meeting Minutes of November 17, 2015**

**Moved by Councillor Thom**  
**Seconded by Councillor Kim**

THAT the Council meeting minutes of November 10, 2015, and the Special Council meeting minutes of November 17, 2015, be adopted as printed and circulated.

**CARRIED**

#### **4. PRESENTATIONS**

- (a) Nicole Young, Coordinator, Special Events**  
**Re: Platinum Sponsorship Recognition**

Ms. Young gave a presentation about the Platinum Sponsorship Program, highlighting the events that have taken place in 2015 and the impact the Platinum-level sponsors have on these events. Mayor Dawe presented Aurora Chrysler, Aurora Home Hardware, State Farm and TD with Platinum Sponsorship Awards.

**Moved by Councillor Thompson**  
**Seconded by Councillor Abel**

THAT the presentation by Nicole Young be received for information.

**CARRIED**

- (b) Adrian Kawun, Manager of Service Planning, York Region Transit**  
**Re: York Region Transit/VIVA Five-Year Strategic Plan and 2016 Annual Service Plan**

Mr. Kawun gave a presentation outlining the York Region Transit (YRT)/Viva services and service areas, the YRT/VIVA business model, performance metrics, 2015 accomplishments, initiatives within the Town of Aurora, and next steps for implementation of the YRT/VIVA Five-year Strategic Plan and 2016 Annual Service Plan.

**Moved by Councillor Mrakas**  
**Seconded by Councillor Gaertner**

THAT the presentation by Adrian Kawun be received for information.

**CARRIED**

**(c) Todd Brown and Claire Tucker-Reid, Monteith Brown Consultants  
Re: Sport Plan and Parks & Recreation Master Plan**

On a motion of Councillor Thompson seconded by Councillor Gaertner, Council consented on a two-thirds vote to waive the requirements of subsection 3.8(c) of the Procedural By-law to permit the presentation of Todd Brown and Claire Tucker-Reid additional time as required.

Mr. Brown presented feedback on the Parks & Recreation Master Plan, demographic considerations, and the plan in relation to indoor recreation facilities, outdoor recreation facilities and passive space. Ms. Tucker-Reid discussed the Sport Plan, themes relevant to the Sport Plan, sport promotion, celebration, and tourism, and next steps for the Parks & Recreation Master Plan and Sport Plan.

**Moved by Councillor Thom  
Seconded by Councillor Kim**

THAT the presentation by Todd Brown and Claire Tucker-Reid be received for information.

**CARRIED**

**5. PUBLIC SERVICE ANNOUNCEMENTS**

Councillor Humfryes extended a reminder that the Aurora Farmers' Market will be held at the Aurora Armoury on December 12, 2015, from 8 a.m. to 1 p.m.

Councillor Thom advised that the next Aurora Tigers Junior 'A' Hockey game will be held on November 27, 2015, at 7:30 p.m. at the Aurora Community Centre.

Councillor Pirri extended a reminder that the Santa Under the Stars Parade will be held on Saturday, November 28, 2015, from 6 p.m. to 8 p.m.

Mayor Dawe extended an invitation to a Public Open House to review the draft Sport Plan and Parks & Recreation Master Plan and provide input on Thursday, November 26, 2015, from 6 p.m. to 8 p.m. at Aurora Town Hall in Council Chambers. He noted more information can be found at [www.aurora.ca/masterplan](http://www.aurora.ca/masterplan) or [www.aurora.ca/sportplan](http://www.aurora.ca/sportplan).

Mayor Dawe advised that the Town of Aurora and Windfall Ecology Centre are undertaking the Healthy Kids Community Challenge to promote children's health through physical activity, mental well-being and better eating habits. Individuals involved in sports, health, nutrition, and wellness programs were encouraged to submit project proposals that could be implemented in the upcoming action plans. He noted

the deadline for written submissions is Friday, November 27, 2015, at 5 p.m. and that more information can be found at [www.aurora.ca](http://www.aurora.ca).

Mayor Dawe noted that food donations and letters to Santa will be collected by the Salvation Army along the route prior to the start of the Santa Under the Stars Parade, and more information regarding the Parade can be found at [www.aurora.ca](http://www.aurora.ca) or on the Town's Notice Board published in The Auroran.

Mayor Dawe extended a reminder that the Toys for Tickets program is in effect from November 15 to December 1, 2015. He noted that for every person who receives a parking ticket in Aurora for a "Park anytime between 2 a.m. and 6 a.m." offence, the fine can be paid by donating a new unwrapped children's toy. He further noted that toy donations will only be accepted at the Aurora Town Hall, Access Aurora desk until Wednesday, December 9, 2015 at 5 p.m and all toys will be donated to local toy drives.

Mayor Dawe advised that the Aurora community of Special Olympics' 7th Annual Artisans & Crafters Sale is on Sunday, November 29, 2015 from 10 a.m. to 4 p.m. at the Aurora Cultural Centre. He noted that more information can be found at [www.aurora.specialolympics.ca](http://www.aurora.specialolympics.ca).

Mayor Dawe advised that A Celtic Christmas will be presented at the Aurora Cultural Centre on Saturday, December 5, 2015, at 8 p.m. He noted that tickets and further information can be found at [www.auroraculturalcentre.ca](http://www.auroraculturalcentre.ca)

Mayor Dawe advised that the Town of Aurora, The Salvation Army and Neighbourhood Network will be starting the annual Aurora Salvation Army Kettle Drive on Saturday, November 28 that will run until Thursday, December 24, 2015. He noted that Kettles are located at the following locations in Aurora: The Real Canadian Superstore; Metro; and starting on Tuesday, December 1, 2015, the three LCBO outlets in Aurora.

Councillor Thompson advised that on Friday, November 27, 2015, between 2 p.m. and 6 p.m. there is a meeting regarding the Cultural Precinct Plan. He noted further information can be found at [www.aurora.ca](http://www.aurora.ca).

## **6. DETERMINATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

Items 1 and 2 (sub-item 1) were identified as items for discussion.

## **7. ADOPTION OF ITEMS NOT REQUIRING SEPARATE DISCUSSION**

Items 2 (with the exception of sub-item 1), 3, 4, and 5 were identified as items not requiring separate discussion.

**Moved by Councillor Mrakas  
Seconded by Councillor Thompson**

THAT the following recommendations with respect to the matters listed as “Items Not Requiring Separate Discussion” be adopted as submitted to Council and staff be authorized to take all necessary action required to give effect to same:

**2. General Committee Meeting Report of November 17, 2015**

THAT the General Committee meeting report of November 17, 2015, be received and the following recommendations carried by the Committee be approved:

**(2) PR15-035 – Tree Removal/Pruning and Compensation Policy**

THAT the draft Tree Removal/Pruning and Compensation Policy attached to Report No. PR15-035 be approved; and

THAT the draft Tree Removal/Pruning and Compensation Policy be applicable to all planning applications that are currently under review by the Town, provided the applicants have been duly notified of this draft Policy and are currently complying with the said draft Policy; and

THAT the Tree Removal/Pruning and Compensation Policy come into full force for all new requests or applications received by the Town as of December 1, 2015.

**(3) PR15-026 – Urban Forest Management Plan & Policies**

THAT Report No. PR15-026 be received; and

THAT the Urban Forest Management Plan and Policy (TAUFMPP), Attachment 1 to Report No. PR15-026, be posted on the Town of Aurora’s website for the purposes of public information and stakeholder notification; and

THAT, unless any significant comments or feedback are received from the public or stakeholders that staff determines needs to be brought to Council attention, the (TAUFMPP) be deemed to be adopted by Council effective December 1, 2015.

**(4) IES15-069 – Aurora Family Leisure Complex Additional Modification Requests**

Referred to Council Meeting of November 24, 2015 (Item 1).

**(5) CFS15-046 – Annual Cancellation, Reduction or Refund of Property Taxes under Sections 357 and 358 of the *Municipal Act, 2001***

THAT Report No. CFS15-046 be received; and

THAT a meeting be held in accordance with Sections 357 and 358 of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended (the “Act”) in respect of the applications filed with the Treasurer by the owners of property listed in this report at which applicants may make representations; and

THAT property taxes in the amount \$35,747.80 be adjusted pursuant to Section 357 of the Act; and

THAT property taxes in the amount of \$12,879.66 be adjusted pursuant to Section 358 of the Act; and

THAT the associated interest applicable be cancelled in proportion to the property taxes adjusted; and

THAT the Director of Corporate & Financial Services/Treasurer be directed to remove said property taxes from the Collector’s Roll to reflect these property tax adjustments.

**(6) BBS15-013 – Request for Sign Variance to Sign By-law No. 4898-07.P for the Canadian Disc Institute at 15000 Yonge Street**

THAT Item 6 – Request for Sign Variance to Sign By-law No. 4898-07.P for the Canadian Disc Institute at 15000 Yonge Street be referred to the Heritage Advisory Committee and the Economic Development Advisory Committee for comments and discussion at their next meetings.

**(7) BBS15-014 – Request for Sign Variance to Sign By-law No. 4898-07.P for Panera Bread at 15610 Bayview Avenue**

THAT Report No. BBS15-014 be received; and

THAT a request for variance to Sign By-law No. 4898-07.P to allow wall signs on four (4) elevations of Panera Bread at 15610 Bayview Avenue, whereas Sign By-law 4898-07.P only permits signs on two (2) elevations, be approved.

**(8) BBS15-015 – Request for Sign Variance to Sign By-Law No. 4898-07.P for the Canadian Tire at 15400 Bayview Avenue**

THAT Report No. BBS15-015 be received; and

THAT a request for variance to Sign By-law No. 4898-07.P to allow three (3) wall signs on the east elevation of the Canadian Tire at 15400 Bayview Avenue, whereas Sign By-law 4898-07.P only permits one (1) wall sign, be approved.

**(9) IES15-064 – Extension of Janitorial Services Contract**

THAT Report No. IES15-064 be received; and

THAT Tender No. IES2010-71 – for Janitorial Services and Supplies be extended to Royal Building Cleaning Ltd. to July 31, 2016, an additional six (6) months, for the amount of \$225,000 excluding taxes.

**(10) IES15-068 – Facility Projects Status Report**

THAT Report No. IES15-068 be received for information.

**(11) IES15-066 – Supply of Alternative De-icer**

THAT Report No. IES15-066 be received; and

THAT Tender IES15-67 for the supply of Thawrox be awarded to Sifto Compass Minerals Canada Corporation in the value of \$260,000 plus taxes per year for a contract period of two (2) years starting January 1, 2016; and

THAT the Mayor and Town Clerk be authorized to execute the necessary Agreement, including any and all documents and ancillary agreements required to give effect to same.

**(12) IES15-067 – Purchase Order Increase to Purchase Water Meters for  
2C**

THAT Report No. IES15-067 be received; and

THAT the purchase order for the supply of water meters from Wamco Municipal Products Inc. be increased by \$133,000 to a revised amount of \$270,000, excluding taxes; and

THAT the budget for water meter supply expenses be increased by \$120,000 and that the revenue for water meter sales be increased by \$138,000, be approved.

**(13) PR15-036 – Purchase Order Increase for Street Tree Pruning and Removal**

THAT Report No. PR15-036 be received; and

THAT Purchase Order 2014000002 (Weller Tree Services Ltd.) be increased by \$70,000.00, excluding taxes; and

THAT the option to renew the Arboriculture Services contract be exercised for the third and final year of the Contract ending December 31, 2016.

**(14) PR15-037 – Culture & Recreation Grant Bi-Annual Allocation for September 2015**

THAT Report No. PR15-037 be received for information.

**(15) PR15-038 – Aurora Seniors' Centre Operating Agreement Renewal 2016-2021**

THAT Report No. PR15-038 be received; and

THAT the Amended Operating Agreement between the Aurora Seniors Association and the Town of Aurora be approved; and

THAT the Mayor and Town Clerk be authorized to execute the Operating Agreement Renewal 2016-2021 with the Aurora Seniors Association including any and all documents and ancillary agreements required to give effect to same.

**(16) PL15-085 – Delegated Development Agreements, 2015 Summary Report**

THAT Report No. PL15-085 be received for information.

**(17) Central York Fire Services (CYFS) – Joint Council Committee (JCC) Meeting Minutes of June 2, July 21, September 8, and October 13, 2015**

THAT the Central York Fire Services – Joint Council Committee meeting minutes of June 2, 2015, July 21, 2015, September 8, 2015, and October 13, 2015, be received; and

THAT the Central York Fire Services – Joint Council Committee, at its meeting of October 13, 2015, recommended to Council:

3. Corporate Services Report – Financial Services 2015-46, dated September 22, 2015 regarding Central York Fire Services Reserve Fund

THAT Corporate Services Report - Financial Services 2015-46 dated September 22, 2015 regarding Central York Fire Services Reserve Fund be received and the following recommendations be adopted:

THAT JCC set a target level for the CYFS Reserve fund as proposed in this report;

AND THAT any 2015 CYFS operating surplus be allocated back to each municipality based on their budgeted allocation percentage;

AND THAT JCC recommend that the Councils of each municipality waive the requirements specified in Schedule D of the Fire/Emergency Services Agreement between the Town of Aurora and the Town of Newmarket dated November 1, 2001, in this one instance.

**3. LLS15-068 – General Committee Closed Session Report of November 17, 2015**

THAT Report No. LLS15-068 be received; and

THAT the following recommendation from the General Committee Closed Session meeting of November 17, 2015, be adopted:

1. **Personal matters about an identifiable individual, including a Town or Local Board employee (section 239(2)(b) of the *Municipal Act, 2001*); Re: LLS15-067 – Appointments to the Heritage Advisory Committee**

THAT the appointment of two (2) Citizen Members to the Heritage Advisory Committee as recommended by General Committee in Closed Session on November 17, 2015 be approved; and

THAT these appointments be effective as of December 1, 2015; and

THAT staff be directed to report out the names of citizen members appointed to the Heritage Advisory Committee upon adoption of this resolution.

THAT, in respect to the recruitment of a Chief Administrative Officer for the Town, the Interim Chief Administrative Officer be directed and authorized to proceed as discussed in the Closed Session General Committee meeting of November 17, 2015.

**4. Memorandum from Interim Chief Administrative Officer  
Re: Chief Administrative Officer Candidate Interviews – Delegation of  
Authority to General Committee**

THAT the memorandum “Chief Administrative Officer Candidate Interview – Delegation to General Committee” be received; and

THAT General Committee be directed and authorized to conduct interviews of candidates for the Chief Administrative Officer (“CAO”) position, and to make a recommendation to Council on the appointment of a Chief Administrative Officer for the Town; and

THAT notwithstanding anything in the Procedural By-law to the contrary, the Mayor be authorized to call Special General Committee meetings, as required, to conduct interviews of candidates for the CAO position, with the following Order of Business:

- (a) Declarations of Pecuniary Interest and General Nature Thereof
- (b) Approval of the Agenda
- (c) Consideration of Business For Which Notice Was Given
- (d) Adjournment

**5. Memorandum from Acting Director of Legal & Legislative Services/  
Associate Solicitor  
Re: Highland Gate Developments Inc. – Appeal to the Ontario Municipal  
Board**

THAT the memorandum regarding Highland Gate Developments Inc. – Appeal to the Ontario Municipal Board be received for information.

**CARRIED**

**8. DELEGATIONS**

- (a) **Janet Matthews, Resident**  
**Re: Item 1 – IES15-069 – Aurora Family Leisure Complex (AFLC)**  
**Additional Modification Requests**

Ms. Matthews spoke in support of opening the north door at the AFLC. She discussed the importance of making accommodations for the aging demographic, and spoke in support of fob access entry.

**Moved by Councillor Humfryes**  
**Seconded by Councillor Kim**

THAT the comments of Janet Matthews be received and referred to Item 1.

**CARRIED**

- (b) **Kirk Corkery, Chair of Regimental Council, The Queen's York Rangers**  
**Re: Motion (b) Councillor Abel; Re: Deployment of Light Armoured**  
**Vehicle (LAV) at the Aurora Cenotaph**

(Added Item)

Mr. Corkery spoke in support of installing the LAV at the Aurora Cenotaph. He discussed the appropriateness of the LAV at the Aurora Cenotaph, and explained the significance of the LAV as a token of remembrance.

**Moved by Councillor Thompson**  
**Seconded by Councillor Mrakas**

THAT the comments of Kirk Corkery be received and referred to Motion for Which Notice Has Been Given (b).

**CARRIED**

- (c) **Susan Walmer, Resident**  
**Re: Motion (a) Councillor Gaertner; Re: Highland Gate Developments Inc.**  
**Reports**

(Added Item)

Ms. Walmer spoke in support of Councillor Gaertner's motion, and requested that the Town's minimum growth targets be investigated as the Town moves forward through the OMB hearing process.

**Moved by Councillor Thompson**  
**Seconded by Councillor Gaertner**

THAT the comments of Susan Walmer be received and referred to Motion for Which Notice Has Been Given (a).

**CARRIED**

- (d) Ken White, Royal Canadian Legion**  
**Re: Motion (b) Councillor Abel; Re: Deployment of Light Armoured Vehicle (LAV) at the Aurora Cenotaph**  
(Added Item)

Mr. White spoke in support of installing the LAV at the Aurora Cenotaph.

**Moved by Councillor Humfries**  
**Seconded by Councillor Kim**

THAT the comments of Ken White be received and referred to Motion for Which Notice Has Been Given (b).

**CARRIED**

## **9. CONSIDERATION OF ITEMS REQUIRING SEPARATE DISCUSSION**

- 1. IES15-069 – Aurora Family Leisure Complex Additional Modification Requests**

**Main motion**  
**Moved by Councillor Mrakas**  
**Seconded by Councillor Abel**

THAT Report No. IES15-069 be received; and

THAT staff proceed with the modifications to the north pool access door for entrance by those with qualified disabilities at a budget requirement of \$15,000 with funding provided from the Facilities Repair and Replacement Reserve; and

THAT staff proceed with the purchase of new lockers in the amount of \$166,000 with funding provided from the Facilities Repair and Replacement Reserve; and

THAT staff monitor the operation and performance of the Aurora Family Leisure Complex areas being considered for additional modification as outlined in Report No. IES15-069 for a 12-month period; and

THAT staff consider any additional projects outlined in Report No. IES15-069 in the 2017 Capital Budget.

**Amendment No. 1**  
**Moved by Councillor Mrakas**  
**Seconded by Councillor Humfryes**

THAT the second clause of the main motion be amended by replacing the words “those with qualified disabilities” with the words “all members”.

**On a recorded vote the amendment was  
DEFEATED**

YEAS: 2	NAYS: 7
VOTING YEAS:	Councillors Humfryes and Mrakas
VOTING NAYS:	Councillors Abel, Gaertner, Kim, Pirri, Thom, Thompson and Mayor Dawe

**Amendment No. 2**  
**Moved by Councillor Gaertner**  
**Seconded by Councillor Humfryes**

THAT the second clause of the main motion be amended by adding the words “and mobility challenges” after the word “disabilities”.

**On a recorded vote the amendment  
CARRIED**

YEAS: 7	NAYS: 2
VOTING YEAS:	Councillors Abel, Gaertner, Humfryes, Kim, Mrakas, Thom, and Mayor Dawe
VOTING NAYS:	Councillors Pirri and Thompson

**Main motion as amended**  
**Moved by Councillor Mrakas**  
**Seconded by Councillor Abel**

THAT Report No. IES15-069 be received; and

THAT staff proceed with the modifications to the north pool access door for entrance by those with qualified disabilities **and mobility challenges** at a budget requirement of \$15,000 with funding provided from the Facilities Repair and Replacement Reserve; and

THAT staff proceed with the purchase of new lockers in the amount of \$166,000 with funding provided from the Facilities Repair and Replacement Reserve; and

THAT staff monitor the operation and performance of the Aurora Family Leisure Complex areas being considered for additional modification as outlined in Report No. IES15-069 for a 12-month period; and

THAT staff consider any additional projects outlined in Report No. IES15-069 in the 2017 Capital Budget.

**On a recorded vote the third clause of the  
main motion as amended was  
DEFEATED**

YEAS: 0	NAYS: 9
VOTING YEAS:	None
VOTING NAYS:	Councillors Abel, Gaertner, Humfryes Kim, Mrakas, Pirri, Thom, Thompson and Mayor Dawe

**On a recorded vote the first, second, fourth and fifth clauses of the  
main motion as amended  
CARRIED**

YEAS: 9	NAYS: 0
VOTING YEAS:	Councillors Abel, Gaertner, Humfryes Kim, Mrakas, Pirri, Thom, Thompson and Mayor Dawe
VOTING NAYS:	None

2. **General Committee Meeting Report of November 17, 2015**
- (1) **Memorandum from the Director of Parks & Recreation Services**  
**Re: Tree Protection By-law**

**Motion to defer**  
**Moved by Councillor Thompson**  
**Seconded by Councillor Mrakas**

THAT Item 2(1) - Memorandum from the Director of Parks & Recreation Services Re: Tree Protection By-law be deferred to the Council meeting of December 8, 2015.

**CARRIED**

## 10. NOTICES OF MOTION/MOTIONS FOR WHICH NOTICE HAS BEEN GIVEN

- (ii) **Motions for Which Notice Has Been Given**

- (a) **Councillor Gaertner**  
**Re: Highland Gate Developments Inc. Reports**

On a motion of Councillor Thompson seconded by Councillor Kim, Council consented to consider Motion for Which Notice Has Been Given (a) prior to consideration of Item 1.

On a motion of Councillor Mrakas seconded by Councillor Kim, Council consented on a two-thirds vote to waive the requirements of subsection 8.1 of the Procedural By-law to permit the introduction of Motion for Which Notice Has Been Given (a), Councillor Gaertner; Re: Highland Gate Development Inc. Reports.

**Moved by Councillor Gaertner  
Seconded by Councillor Kim**

WHEREAS it is right and prudent for Council to ensure that a comprehensive, transparent and fair Public Planning process is conducted re the proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment submitted by Highland Gate Developments Inc. (the "Highland Gate application"); and

WHEREAS the *Planning Act* provides for planning processes that are fair by making them open and accessible to ensure public knowledge and understanding of all facts relevant to a proposed planning application; and

WHEREAS it is the Town's role to ensure that facts are known and understood by all interested parties; and

WHEREAS it is possible for the Town to supply detailed factual information to the public without compromising the process; and

WHEREAS clarification of the significance of what has been commonly referred to as the one-foot buffers under the control of the Town of Aurora, to both the developer and residents, is crucial; and the criteria and circumstances that would be significant to the Town of Aurora, its residents and all affected property holders as part of the Public Planning process, or any subsequent appeal of any and all decisions resulting from that process needs to be clarified; and

WHEREAS the public at a Public Planning meeting was told by the Town of Aurora that no information was found in the Town's records regarding the one-foot buffers; and

WHEREAS it is therefore important to know what the common understanding and agreed upon purpose of these buffers were associated with the first development and the subsequent additional re-development of the land and their significance to the municipality, the public and all affected property holders; and

WHEREAS it is appropriate for Council to have a full and open discussion on the potential impacts and effects on the residents in the directly affected neighbourhood, their property rights, and their quiet enjoyment of their residency during the construction period and post construction period; and

WHEREAS the immediate and future economic impacts on the Town of Aurora and all of its taxpayers of the impacts of the proposed application should be well and fully understood by all members of the public;

NOW THEREFORE BE IT HEREBY RESOLVED THAT Council direct staff to provide a report including the following:

- All of the reports and correspondence related to the application from experts, authorities and staff received by the Town; and a report from the department of Parks and Recreation Services;
- A review and report on the newspaper articles about any and all development related to the subject lands preceding and following the time that the one-foot buffers were established; and at the time of the first redevelopment, in order to establish the publicly expressed terms of the original agreement and its intent;
- The results of a search, for information about the understanding of the purpose and effect of the one-foot buffer when it was obtained, based on publishing a public notice requesting that any party with knowledge of the decision step forward and provide related historical information to the process; and having a letter sent to all living municipal councillors from the time and to all persons identifiable from the public record at the time as having participated in related public meetings, seeking their best recollections of the facts of the matter;
- A thorough report produced by expert legal counsel independent of, but to be retained by, the Town of Aurora and reporting to Aurora Town Council as a whole to objectively summarize the facts and frame the legal context of the buffers, as they relate to the proposed development, in order to properly inform the planning process;
- A report on the potential construction impacts, including noise, dust, road and traffic disruption, implications for public health, placement of construction vehicles and materials, safety-related issues including road, property and personal, effect on existing infrastructure including the ability of roads and subsurface utilities facilities to handle weight and volume of construction vehicles without damage; and quality of life effects on the neighbourhood; and

BE IT FURTHER RESOLVED THAT the next Public Planning meeting be held once this information has been provided first at a Council meeting; and

BE IT FURTHER RESOLVED THAT Council, having received the aforementioned information, then make the decision on the appropriate

date and time for the next Public Planning meeting concerning the Highland Gate application.

**Amendment No. 1**  
**Moved by Councillor Gaertner**  
**Seconded by Councillor Thompson**

THAT the main motion be amended by replacing the second and third operative clauses with the following clause:

“BE IT FURTHER RESOLVED THAT this information be disclosed publically at a future General Committee meeting, well ahead of an appeal being heard at the Ontario Municipal Board.”

**CARRIED**

**Amendment No. 2**  
**Moved by Councillor Gaertner**  
**Seconded by Councillor Thompson**

THAT the main motion be amended by adding the following bullet point to the first operative clause:

- “A report on growth targets for the Town, including how Aurora is meeting or exceeding its growth targets”

**CARRIED**

**Amendment No. 3**  
**Moved by Councillor Gaertner**  
**Seconded by Councillor Mrakas**

THAT the main motion be amended by adding the following bullet point to the first operative clause:

- “A report on whether the Highland Gate Developments Inc. application will impact the Parks and Recreation Master Plan”

**CARRIED**

**Main motion as amended**  
**Moved by Councillor Gaertner**  
**Seconded by Councillor Kim**

WHEREAS it is right and prudent for Council to ensure that a comprehensive, transparent and fair Public Planning process is conducted

re the proposed Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment submitted by Highland Gate Developments Inc. (the "Highland Gate application"); and

WHEREAS the *Planning Act* provides for planning processes that are fair by making them open and accessible to ensure public knowledge and understanding of all facts relevant to a proposed planning application; and

WHEREAS it is the Town's role to ensure that facts are known and understood by all interested parties; and

WHEREAS it is possible for the Town to supply detailed factual information to the public without compromising the process; and

WHEREAS clarification of the significance of what has been commonly referred to as the one-foot buffers under the control of the Town of Aurora, to both the developer and residents, is crucial; and the criteria and circumstances that would be significant to the Town of Aurora, its residents and all affected property holders as part of the Public Planning process, or any subsequent appeal of any and all decisions resulting from that process needs to be clarified; and

WHEREAS the public at a Public Planning meeting was told by the Town of Aurora that no information was found in the Town's records regarding the one-foot buffers; and

WHEREAS it is therefore important to know what the common understanding and agreed upon purpose of these buffers were associated with the first development and the subsequent additional re-development of the land and their significance to the municipality, the public and all affected property holders; and

WHEREAS it is appropriate for Council to have a full and open discussion on the potential impacts and effects on the residents in the directly affected neighbourhood, their property rights, and their quiet enjoyment of their residency during the construction period and post construction period; and

WHEREAS the immediate and future economic impacts on the Town of Aurora and all of its taxpayers of the impacts of the proposed application should be well and fully understood by all members of the public;

NOW THEREFORE BE IT HEREBY RESOLVED THAT Council direct staff to provide a report including the following:

- All of the reports and correspondence related to the application from experts, authorities and staff received by the Town; and a report from the department of Parks and Recreation Services;
- A review and report on the newspaper articles about any and all development related to the subject lands preceding and following the time that the one-foot buffers were established; and at the time of the first redevelopment, in order to establish the publicly expressed terms of the original agreement and its intent;
- The results of a search, for information about the understanding of the purpose and effect of the one-foot buffer when it was obtained, based on publishing a public notice requesting that any party with knowledge of the decision step forward and provide related historical information to the process; and having a letter sent to all living municipal councillors from the time and to all persons identifiable from the public record at the time as having participated in related public meetings, seeking their best recollections of the facts of the matter;
- A thorough report produced by expert legal counsel independent of, but to be retained by, the Town of Aurora and reporting to Aurora Town Council as a whole to objectively summarize the facts and frame the legal context of the buffers, as they relate to the proposed development, in order to properly inform the planning process;
- A report on the potential construction impacts, including noise, dust, road and traffic disruption, implications for public health, placement of construction vehicles and materials, safety-related issues including road, property and personal, effect on existing infrastructure including the ability of roads and subsurface utilities facilities to handle weight and volume of construction vehicles without damage; and quality of life effects on the neighbourhood;
- A report on growth targets for the Town, including how Aurora is meeting or exceeding its growth targets;
- A report on whether the Highland Gate Developments Inc. application will impact the Parks and Recreation Master Plan; and

BE IT FURTHER RESOLVED THAT this information be disclosed publically at a future General Committee meeting, well ahead of an appeal being heard at the Ontario Municipal Board.

**On a recorded vote the main motion  
CARRIED AS AMENDED**

YEAS: 8  
VOTING YEAS: Councillors Abel, Gaertner, Humfryes,  
Kim, Mrakas, Thom, Thompson and  
Mayor Dawe  
VOTING NAYS: Councillor Pirri

- (b) **Councillor Abel**  
**Re: Deployment of Light Armoured Vehicle (LAV) at the Aurora  
Cenotaph**

Withdrawn

- (c) **Councillor Abel**  
**Re: Regional GO Transit Shuttle**

**Motion to defer**  
**Moved by Councillor Abel**  
**Seconded by Councillor Thompson**

THAT Motion for Which Notice Has Been Given (c) Councillor Abel, Re: Regional Go Transit Shuttle be deferred to the Council meeting of December 8, 2015.

**CARRIED**

- (d) **Councillor Abel**  
**Re: Temperance Street Cultural Precinct**

**Motion to defer**  
**Moved by Councillor Abel**  
**Seconded by Councillor Thompson**

THAT Motion for Which Notice Has Been Given (d) Councillor Abel, Re: Temperance Street Cultural Precinct be deferred to the Council meeting of December 8, 2015.

**CARRIED**

## 11. REGIONAL REPORT

None

## 12. NEW BUSINESS/GENERAL INFORMATION

None

## 13. READING OF BY-LAWS

**Moved by Councillor Thom**  
**Seconded by Councillor Abel**

Council consented to considering the Reading of By-laws following the consideration of Closed Session Items 1 and 2.

THAT the following by-laws be given first, second, and third readings and enacted:

- 5770-15** BEING A BY-LAW to establish a schedule of fees and charges for municipal services, activities and the use of property within the Town of Aurora (Fees and Charges By-law).
- 5780-15** BEING A BY-LAW to declare as surplus and sell municipal lands (40 Eric T. Smith Way/180 Goulding Avenue).
- 5787-15** BEING A BY-LAW to amend By-law Number 5707-15, to appoint Municipal By-law Enforcement Officers and Property Standards Officers for The Corporation of the Town of Aurora; and

THAT the following confirming by-law be given first, second, and third readings and enacted:

- 5789-15** BEING A BY-LAW to Confirm Actions by Council Resulting from Council Meeting on November 27, 2015.

**CARRIED**

## 14. CLOSED SESSION

On a motion of Councillor Thompson seconded by Councillor Pirri, Council consented to consider Closed Session Items 1 and 2 following consideration of Item 1.

**Moved by Councillor Pirri**  
**Seconded by Councillor Kim**

THAT Council resolve into Closed Session to consider the following matters:

1. A proposed or pending acquisition or disposition of land by the Town or Local Board (section 239 (2)(c) of the *Municipal Act, 2001*); Re: Report No. PR15-042 – Ivy Jay Farm Grassland Land Acquisition

2. A proposed or pending acquisition or disposition of land by the Town or Local Board (section 239(2)(c) of the *Municipal Act, 2001*); Re: Offer to Sell – Aurora Promenade Area – Verbal Update from the Director of Parks and Recreation Services

(Added Item)

**CARRIED**

**Moved by Councillor Mrakas  
Seconded by Councillor Thom**

THAT Council resolve into Closed Session to consider the following matters:

3. Litigation or potential litigation including matters before administrative tribunals or a Local Board (section 239(2)(e) of the *Municipal Act, 2001*); Re: Highland Gate Developments Inc., Ontario Municipal Board (OMB) Appeal.

(Added Item – on approval of the agenda, Council consented to consider Closed Session Item 3 prior to Delegations)

**CARRIED**

**Moved by Councillor Thom  
Seconded by Councillor Pirri**

THAT the Council meeting be reconvened into open session to rise and report from Closed Session on Items 1 and 2.

**CARRIED**

1. **A proposed or pending acquisition or disposition of land by the Town or Local Board (section 239 (2)(c) of the *Municipal Act, 2001*); Re: Report No. PR15-042 – Ivy Jay Farm Grassland Land Acquisition**

**Moved by Councillor Abel  
Seconded by Councillor Mrakas**

THAT confidential Closed Session Report No. PR15-042 be received.

**CARRIED**

2. **A proposed or pending acquisition or disposition of land by the Town or Local Board (section 239(2)(c) of the *Municipal Act, 2001*); Re: Offer to Sell – Aurora Promenade Area – Verbal Update from the Director of Parks and Recreation Services**

(Added Item)

**Moved by Councillor Abel  
Seconded by Councillor Thom**

THAT the confidential Closed Session verbal update of Director of Parks and Recreation Services be received for information.

**CARRIED**

**Moved by Councillor Pirri  
Seconded by Councillor Kim**

THAT the Council meeting be reconvened into open session to rise and report from Closed Session on Item 3.

**CARRIED**

**3. Litigation or potential litigation including matters before administrative tribunals or a Local Board (section 239(2)(e) of the *Municipal Act, 2001*);  
Re: Highland Gate Developments Inc., Ontario Municipal Board (OMB)  
Appeal**

(Added Item)

**Moved by Councillor Pirri  
Seconded by Councillor Kim**

THAT in respect to the Highland Gate Developments Inc. OMB Appeal, staff be directed to continue to engage with the Highland Gate Ratepayers Association and Highland Gate Developments Inc. as discussed in Closed Session on November 24, 2015.

**CARRIED**

## **15. ADJOURNMENT**

**Moved by Councillor Kim  
Seconded by Councillor Pirri**

THAT the meeting be adjourned at 11:06 p.m.

**CARRIED**

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**GEOFFREY DAWE, MAYOR**

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**STEPHEN M. A. HUYCKE, TOWN CLERK**

THE MINUTES OF THE COUNCIL MEETING OF NOVEMBER 24, 2015 RECEIVED FINAL APPROVAL BY COUNCIL ON DECEMBER 8, 2015.