



**Community
Advisory Committee
Meeting Agenda**

**Thursday, February 20, 2020
7 p.m.**

**Holland Room
Aurora Town Hall**

Public Release
February 13, 2020



Town of Aurora Community Advisory Committee Meeting Agenda

Date: Thursday, February 20, 2020

Time and Location: 7 p.m., Holland Room, Aurora Town Hall

Election of Committee Chair for Year 2020

Recommended:

That the Chair be elected for Year 2020 of the Community Advisory Committee (2018-2022 Term).

Election of Committee Vice Chair for Year 2020

Recommended:

That the Vice Chair be elected for Year 2020 of the Community Advisory Committee (2018-2022 Term).

1. Approval of the Agenda

Recommended:

That the agenda as circulated by Legislative Services be approved.

2. Declarations of Pecuniary Interest and General Nature Thereof

3. Receipt of the Minutes

Community Advisory Committee Meeting Minutes of October 10, 2019

Recommended:

That the Community Advisory Committee meeting minutes of October 10, 2019, be received for information.

4. Delegations

5. Consideration of Items

1. Memorandum from Town Clerk

Re: Role of Advisory Committees

Recommended:

1. That the memorandum regarding Role of Advisory Committees be received for information.

2. CAC20-001 – By-law Services – Clean Communities

Recommended:

1. That Report No. CAC20-001 be received; and
2. That the Community Advisory Committee comments regarding the proposed implementation of a Clean Communities By-law be received and referred to staff for consideration and action as appropriate.

3. Round Table Discussion

Re: Active Transportation in Aurora

Recommended:

1. That the Committee comments regarding Active Transportation in Aurora be received and referred to staff for consideration and action as appropriate.

4. Round Table Discussion

Re: Future of the Community Advisory Committee

Recommended:

1. That the Committee comments regarding Future of the Community Advisory Committee be received and referred to staff for consideration and action as appropriate.

6. Informational Items

7. Adjournment



**Town of Aurora
Community Advisory Committee
Meeting Minutes**

Date:	Thursday, October 10, 2019
Time and Location:	7 p.m., Holland Room, Aurora Town Hall
Committee Members:	Sera Weiss (Chair), Barry Bridgeford, Councillor Rachel Gilliland, Balpreet Grewal, Janet Mitchell, Jennifer Sault, Laura Thanasse
Members Absent:	Chris Gordon, Denis Heng (Vice Chair), Chris MacEachern
Other Attendees:	Techa van Leeuwen, Director of Corporate Services, John Firman, Manager, Business Support, Sara Tienkamp, Parks and Fleet Manager, Lisa Warth, Manager, Recreation, Linda Bottos, Council/Committee Coordinator

The Chair called the meeting to order at 7:02 p.m.

The Chair welcomed new Committee member Laura Thanasse.

1. Approval of the Agenda

Moved by Jennifer Sault

Seconded by Janet Mitchell

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

- Delegation (a) Marion Howell, Resident; Re: Item 2 – CAC19-003 – Future Off-Leash Dog Park Locations

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. Receipt of the Minutes

Community Advisory Committee Meeting Minutes of June 20, 2019

Moved by Balpreet Grewal

Seconded by Barry Bridgeford

That the Community Advisory Committee meeting minutes of June 20, 2019, be received for information.

Carried

4. Delegations

(a) Marion Howell, Resident

Re: Item 2 – CAC19-003 – Future Off-Leash Dog Park Locations

Ms. Howell, on behalf of residents in her neighbourhood, expressed support for the staff report recommendation.

Moved by Barry Bridgeford

Seconded by Laura Thanasse

That the comments of the delegation be received and referred to Item 2.

Carried

5. Matters for Consideration

1. CAC19-002 – 276 and 310 Hartwell Way – Non-Programmed Park Design

Staff provided an overview of the staff report and two preliminary design concepts for a natural, non-programmed park at the north end of the Community Wildlife Park. The Committee and staff discussed various aspects of the proposed park features including dog park size, naturalized playground

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options, the structure and management of community gardens, parking, and concerns regarding the setback/barrier to residential rear yards and coyote presence in the area. The Committee inquired about the public consultation process respecting the proposed community gardens and staff provided clarification. The Committee suggested including accommodation for green vehicles, an open space between the dog park and children's play area so that the two amenities are not adjacent, a water feature in the dog park, and portable toilets.

**Moved by Jennifer Sault
Seconded by Laura Thanasse**

1. That Report No. CAC19-002 be received; and
2. That the comments and suggestions regarding Report No. CAC19-002 – 276 and 310 Hartwell Way – Non-Programmed Park Design be received and referred to staff for consideration and action as appropriate.

Carried

2. CAC19-003 – Future Off-Leash Dog Park Locations

Staff provided an overview of the staff report and concept plan for a leash-free dog park at a future Highland Gate subdivision, noting that the identified possible off-leash dog park locations are based on residents' feedback.

The Committee and staff discussed various aspects of the potential land within Phase 2 of the Highland Gate Development including options for surface material, a path around the dog park, water feature, smaller-dog or passive-dog area, plantings and trees within the park, and agility training-type facilities.

The Committee and staff discussed various aspects of the potential Hydro One Corridor Lands including options for fencing, plantings, providing a buffer between the potential dog park and residential rear yards, interactive/agility training features including the repurposing of tunnel slides from playgrounds, parking, and maintenance vehicle access. Staff noted that Hydro One's criteria regarding conductivity in the area would need to be considered.

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**Moved by Laura Thanasse
Seconded by Barry Bridgeford**

1. That Report No. CAC19-003 be received; and
2. That the comments and suggestions regarding Report No. CAC19-003 – Future Off-Leash Dog Park Locations be received and referred to staff for consideration and action as appropriate.

Carried

6. Informational Items

3. Memorandum from Manager, Business Support Re: Outdoor Sports Field Development Strategy

Staff provided an overview of the memorandum providing an update on the development of a strategy to address the short-term and long-term needs for outdoor sports fields, noting that the consultant's report would be brought forward to Council by the year-end. The Committee inquired about the opportunity to include washrooms and a play area at sports fields, and noted the need to protect the Town's tree canopy.

**Moved by Balpreet Grewal
Seconded by Laura Thanasse**

Recommended:

1. That the memorandum regarding Outdoor Sports Field Development Strategy be received for information.

Carried

4. Memorandum from Manager, Recreation Re: Aquatic Facility Feasibility Study – Update

Staff provided an overview of the memorandum including preliminary findings of the study and possible design options. The Committee discussed and inquired about various aspects including the potential for expansion of existing facilities, parking, tree removal and replacement, building to last and climate

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resiliency, multi-level versus sprawling facility, and diving provisions.

**Moved by Barry Bridgeford
Seconded by Janet Mitchell**

Recommended:

1. That the memorandum regarding Aquatic Facility Feasibility Study – Update be received for information.

Carried

**5. Memorandum from Deputy Town Clerk
Re: Advisory Committee Chair Rotation**

Staff provided a brief overview of the memorandum and it was agreed that the election of the Committee's Chair and Vice Chair for the year 2020 would be addressed at the next Committee meeting.

**Moved by Jennifer Sault
Seconded by Laura Thanasse**

Recommended:

1. That the memorandum regarding Advisory Committee Chair Rotation be received for information.

Carried

7. Adjournment

**Moved by Balpreet Grewal
Seconded by Barry Bridgeford**

That the meeting be adjourned at 8:35 p.m.

Carried



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Town of Aurora
Corporate Services

Memorandum

Date: February 20, 2020
To: Community Advisory Committee
From: Michael de Rond, Town Clerk
Re: **Role of Advisory Committees**

Recommendation

- 1. That the memorandum regarding Role of Advisory Committees be received for information.**

Background

This memo is being prepared in response to questions from Committee members about the role of Advisory Committees at the Town of Aurora.

Section 4.3 of the Policy for Ad Hoc/Advisory Committees and Local Boards states:

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.

The purpose of the Community Advisory Committee, provided in the Terms of Reference states:

The Community Advisory Committee is formed to support and advise Town staff in various issues that affect the Town of Aurora as a whole. The Committee is the result of combining the Parks, Recreation and Cultural Services Advisory Committee, Environmental Advisory Committee, and the Trails and Active Transportation Committee from the previous term.

The mandate of the Committee is meant to be broad and include matters and initiatives outside the jurisdiction of other, narrower-mandated Committees.

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Further to this, the duties and functions provided by the Terms of Reference states:

- To support and advise Town staff on initiatives and matters relating to the Community Services department of the Town, including Recreation, Facilities and Cultural Services;
- To support and advise Town staff on initiatives and matters relating to the Operational Services department of the Town, including Parks and Infrastructure Operations; and
- To support and advise Town staff on initiatives and matters relating to the Planning and Development Services department of the Town, including Trails, Traffic, and Engineering (which includes Environment).

Advisory Committees at the Town serve an important role by providing staff with comments on various initiatives from civically minded members of the community. After receiving the comments from the Committee, staff incorporate them into the “Advisory Committee Review” section of a General Committee report. This is meant to provide further information to Council regarding how a group of Aurora residents, who are generally active in the community, feel about a particular policy direction that staff are recommending.

The initiatives and projects that staff bring to the Committee are generally derived from the Council-approved budget for that year or other specific direction from Council. Between day-to-day tasks and budgeted items, staff do not have much capacity to take on additional projects from Committees.

Members who have served on Committees on previous terms of Council will notice that the relationship between Council, staff and Committees has changed. In previous terms, Committees made recommendations directly to Council through a Committee recommendations report. While reviewing the process prior to the establishment of Committees for this term, staff noted that Committees making recommendations directly to Council was not optimal for comprehensive decision making as Council was often left deciding whether to support a Committee recommendation, often without having all the relevant information available to them. The current relationship allows staff to receive the valuable input from Committee members while still being able to provide comprehensive, professional recommendations to Council.

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Committee members continue to be encouraged to email staff when they notice something in the community that can be improved. Ideally, staff are already working on a solution, or will give it consideration to be included in the draft budget brought to Council for the following year.

Attachments

None



**Town of Aurora
Community
Advisory Committee Report**

No. CAC20-001

Subject: Bylaw Services – Clean Communities
Prepared by: Alexander Wray, Manager of Bylaw Services
Department: Corporate Services
Date: February 20, 2020

Recommendation

- 1. That Report No. CAC20-001 be received; and**
- 2. That the Community Advisory Committee comments regarding the proposed implementation of a Clean Communities By-law be received and referred to staff for consideration and action as appropriate.**

Executive Summary

This report provides information associated with Bylaw Services proposed implementation of a new Clean Communities By-law.

- Modernizing legislation allows the Town to meet current needs while preparing for future growth.
- New standards to address graffiti will align the Town with other York Region municipalities.
- Enhancements of existing standards will ensure Aurora maintains its small Town charm.
- Consolidation of existing legislation makes finding by-laws easier for our residents.

Background

As part of a comprehensive review of existing by-law legislation coupled with the modernization of the Towns current by-laws, it has been identified that existing legislation is outdated and does not address current community expectations.

The proposed Clean Communities By-law would consolidate the existing Clean Yards and Waste By-Law's into a single, easy to read document. The existing by-laws are

approximately 15 years old and are reflective of the Town's needs when it was approximately 35% less populated.

Analysis

Modernizing legislation allows the Town to meet current needs while preparing for future growth

Modernization of the Town's existing by-laws allows the municipality to remain progressive and meet the changing expectations of our residents. It also allows the Town to prepare for future growth and intensification while ensuring we maintain our small town charm.

New standards to address graffiti will align the Town with other York Region municipalities.

As part of the modernization process, neighbouring York Region municipalities were consulted to identify industry best practices. As a result, it has been determined that the Town of Aurora is currently the only municipality in the region that does not have legislation to address graffiti concerns in our community. The proposed by-law includes such provisions.

Enhancements of existing standards will ensure Aurora maintains its small Town charm.

In addition to the implementation of graffiti standards, the proposed Clean Communities By-Law enhances compliance timelines and introduces provisions for the maintenance of boulevards on all properties throughout the Town. The service enhancements will require property owners to keep their properties and boulevards free of long grass, weeds, and waste unless it is their designated waste collection day.

Consolidation of existing legislation makes finding by-law easier for our residents.

In addition to the enhancements found in the Clean Communities By-law, the proposed legislation will consolidate the existing Clean Yards and Waste by-laws into a single document. As part of the consolidation, it is believed that residents and business owners will have a clearer understanding of their responsibilities.

Legal Considerations

None.

Financial Implications

None.

Communications Considerations

None.

Link to Strategic Plan

The proposed Clean Communities By-Law supports the Strategic Plan Goal of Supporting an Exceptional Quality of Life for all, by encouraging a safe and clean community.

Alternative(s) to the Recommendation

1. Council direct staff to continue using existing Clean Yards and Waste by-laws.
2. Council provide direction.

Conclusions

For the reasons outlined in this report. Staff recommend that the Clean Communities By-Law be approved as presented.

Attachments

Attachment #1 – Clean Communities By-law Draft

Previous Reports

None.

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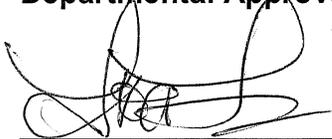
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Report No. CAC20-001

Pre-submission Review

Agenda Management Team review on February 3, 2020

Departmental Approval



**Techa Van Leeuwen
Director
Corporate Services**

The Corporation of the Town of Aurora

Attachment #1

By-law Number XXXX-20

**Being a By-law to require owners and occupiers of land to clean,
clear, and maintain private land and right of ways in
the Town of Aurora.**

Whereas Section 11(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended (the "Municipal Act"), provides that a local municipality may pass by-laws regulating highways under its jurisdiction;

And whereas Section 127 of the Municipal Act, 2001, provides that a local municipality may require the owner and occupants of land to clean and clear the land or to clear refuse and debris from the land, not including buildings;

And whereas Section 128 of the Municipal Act, 2001, provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters which in the opinion of its council are or could become or cause public nuisance;

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

1. Definitions

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

- (a) **"adjacent boulevard"** means the boulevard immediately adjacent to the front yard and/or side yard of a property;
- (b) **"agricultural purposes"** means land designated for agricultural uses under the Zoning By-Law;
- (c) **"boulevard"** means that part of a highway (whether assumed or unassumed by the Town) between the adjacent property line and the edge of the curb, or where there is no curb, that portion of the highway which is travelled or designed to be travelled by vehicles, which may or may not contain a sidewalk;
- (d) **"Clerk"** means the Town Clerk of the Town as appointed by by-law;
- (e) **"fixture"** means any structure or other fixture affixed or placed on land or a building, including utility boxes, newspaper vending boxes, bench, transit shelters, telephone box, transformer box or vault, hydro pole, streetlight, stoplight poles, and street signs;
- (f) **"graffiti"** means one or more letter, symbol, number, etching, inscription, pictorial representation, or other marking that disfigures or defaces a fixture, howsoever made or otherwise affixed to a fixture;
- (g) **"highway"** means a common and public highway that constitutes a highway under Section 26 of the Municipal Act, whether assumed or unassumed, and includes a bridge, trestle, viaduct, or other structure forming part of the highway, and includes a portion of a highway;
- (h) **"injure"** means any action which may cause physical, biological, or chemical damage;

- (i) **"inoperable motor vehicle"** means a vehicle:
 - (i) that is in a wrecked, dismantled, partially dismantled or abandoned in a condition such that would hinder safe and immediate operation; or
 - (ii) a motor vehicles that does not have a current and valid license plates attached, unless such vehicle is covered by a fitted vehicle cover and maintained in a good condition;
- (j) **"Manager"** means the Manager of By-law Services for the Town;
- (k) **"Municipal Act"** means the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended or successor thereto;
- (l) **"Municipal Law Enforcement Officer"** means a person appointed by the Town as a Municipal Law Enforcement Officer;
- (m) **"municipal property"** means any land owned or occupied by the Town;
- (n) **"naturalized property"** means:
 - (i) land that is owned or occupied by the Town of Aurora, Regional Municipality of York, the Provincial or Federal Governments, or Lake Simcoe Region Conservation Authority that is left in a naturalized condition for the purpose of recreation or to protect the surrounding environment, or
 - (ii) any woodland as defined in the Town's Private Tree Protection By-law, as amended;
 - (iii) land which may be considered steep or may pose dangers maintaining
- (o) **"owner"** means all registered owners of a property and also includes:
 - (i) the owner in trust,
 - (ii) a mortgagee in possession,
 - (iii) any person that is managing the property or is responsible for managing the property,
 - (iv) any person who collects rent on the property or is responsible for collecting rent on the property, and
 - (v) any lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for maintenance and occupancy of the property;
- (p) **"person"** includes a natural individual and their heirs, executors, administrators or other legally appointed representatives, a corporation, partnership or other form of business association;
- (q) **"property"** means any grounds, yard, parking lot, vacant land or other parcel of land, including public lands and highways, but not including buildings;

- (r) **“Public Authority”** means any commission, committee, school board, department or agency of the Government of Canada, Province of Ontario, The Regional Municipality of York or the Town;
- (s) **“refuse”** means any article, thing, matter or effluent that has been discarded by any person or that is no longer in use or reasonably intended to be used by any person having ownership or control over such object or material and includes but is not limited to the following: grass clippings, tree cuttings, brush, tree branches, leaves, garden refuse, earth and fill, paper, cardboard, clothing, kitchen and table waste, animal or organic waste, cans, glass, plastic containers, dishes, refrigerators, freezers, stoves, clothes washers, dryers, dishwashers, microwaves or other appliances, disused furniture, furnaces, furnace parts, pipes, fittings to pipes, water or fuel tanks, fencing materials, piping, tubing, conduits or cable, container of any size, type or composition, rubble, broken concrete, bricks, broken asphalt, patio or sidewalk slabs, mechanical equipment, mechanical parts, accessories to mechanical equipment, paper products, lumber or wood products, chemical products, bones, feathers, hides, material resulting from or as part of construction or demolition projects, inoperative motor vehicles, vehicle parts and accessories, vehicle tires either mounted or unmounted on rims;
- (t) **“sidewalk”** means any municipal or regional sidewalk located on a boulevard;
- (u) **“Town”** means The Corporation of The Town of Aurora and/or the geographical limits of the Town of Aurora, depending on the context of the provision in which the term appears;
- (v) **“Utility Company”** means a company which supplies water, electrical, gas, cable, internet or telephone services to a property;
- (w) **“Zoning By-law”** means The Zoning By-law of the Town of Aurora, as amended or successor thereof.

2. Interpretation and Application of this By-law

- 2.1 This by-law shall be known and may be cited as the “Clean Communities By-Law”.
- 2.2 The provisions of this by-law shall apply to all lands and premises within the Town of Aurora.
- 2.3 Notwithstanding the above, this by-law does not apply to activities or matters undertaken by a Public Authority or to land owned by the Government of Canada.
- 2.4 Unless otherwise specified, references in this by-law to parts, sections, subsections, clauses and schedules are references to parts, sections, subsections clauses, and schedules in this by-law.
- 2.5 The part and section headings contained throughout this document are for reference purposes only and do not form a part of this by-law. This by-law is to be interpreted without reference to such headings.

- 2.6 References in this by-law to any statute or statutory provisions include references to that statute or statutory provision as it may from time to time be amended, extended, or re-enacted.
- 2.7 This by-law shall be read with all changes in gender or number as the context requires.
- 2.8 References in this by-law to items in the plural include the singular, and references to the singular include the plural, as applicable.
- 2.9 The words “include”, “includes”, “including” are not to be read or interpreted as limiting the words, phrases, or descriptions that precede it.
- 2.10 If a court of competent jurisdiction declares any section, or any part of any section of this by-law to be invalid or to be of no force in effect, it is the intention of the Town that every other provision of this by-law be applied and enforced in accordance with its terms to the extent possible according to law.
- 2.11 This by-law and the provisions contained within are intended to be complementary to other by-laws passed by Council and in the event that any other applicable law requires a higher standard than the provisions contained in this by-law, the higher standard shall apply.
3. **Property and Boulevard Maintenance**
 - 3.1 Every owner of a property shall keep their property free of any excavations, trenches, ditches or depressions that present, or could present, an unsafe condition.
 - 3.2 Every owner of a property shall keep their property free of any:
 - (a) excavations, trenches, ditches and depressions that is capable of holding standing water for more than three (3) days; and
 - (b) refuse of any kind that is capable of holding standing water.
 - 3.3 Every owner of a property shall keep their property free of grass or weeds exceeding (20) centimeters in height, except for:
 - (a) properties that are used for agricultural purposes; and
 - (b) naturalized properties.
 - 3.4 Every owner of a property that is located in a Residential, Commercial, Employment or Promenade Zone, pursuant to the Zoning By-law, shall keep the boulevard that is adjacent to their property free of grass or weeds exceeding (20) centimeters in height.
 - 3.5 No person shall throw, place or deposit any refuse on any property, except for:
 - (a) refuse thrown, placed or deposited inside of an enclosed building, an enclosed structure or a receptacle designed for that purpose;
 - (b) refuse that is set out for collection in compliance with the Waste Collection By-law; and

- (c) refuse that is required or used for a lawful business purpose that is in accordance with the Zoning By-law and any other applicable legislation.
- 3.6 Every owner of a property shall keep their property free of refuse, except for:
 - (a) refuse that is set out for collection in compliance with the Waste Collection By-law; and
 - (b) refuse that is required or used for a lawful business purpose that is in accordance with the Zoning By-law and any other applicable legislation.
- 3.7 Every owner of a property shall keep the boulevard that is adjacent to their property free of refuse, except for:
 - (a) refuse that is set out for collection in compliance with the Waste Collection By-law; and
 - (b) refuse that is required or used for a lawful business purpose that is in accordance with the Zoning By-law and any other applicable legislation.
- 3.8 Every owner of a property or a building shall keep free of graffiti any parts of the property or the building that are common elements, common access corridors and passageways, areas that are owned by multiple unrelated persons and areas to which the public has access. For clarity, the requirements under this section do not apply to any parts of a building that are a residential dwelling.
- 3.9 Every person that owns a fixture, wall, fence, pole or other structure on a highway or other public space, shall keep such wall, fence, pole or other structure free of graffiti.
- 3.10 No person shall place, or cause to be placed, or permit to be placed graffiti on any property, fixture or structure.
- 3.11 No person shall injure or destroy a hedge, shrub, flower or tree planted by the Town on a boulevard or on other municipal property.
- 3.12 No person shall defecate or urinate in public on any property or in or on a public place.
- 3.13 Notwithstanding, nothing in this section 3 shall be deemed as prohibiting, preventing or limiting the placement, repair or maintenance of structures, electrical wiring, piping, drainage or plumbing that is conducted by a Utility Company pursuant to an approval from or agreement with the Town or otherwise pursuant to legislative authority.
- 4. **Administration and Enforcement**
 - 4.1 The Manager shall be responsible and is delegated the power to administer and enforce this by-law, including prescribing the content of any forms or other documents required under this by-law from time to time.
 - 4.2 The Manager and Municipal Law Enforcement Officers of the Town are hereby delegated the authority to enforce this by-law, including the authority to conduct inspections pursuant to this by-law, the Municipal Act, as amended, and any other enacted applicable by-law or legislation.

4.3 The Manager is authorized to delegate responsibilities for the administration and enforcement of this by-law to any Town staff or external third parties deemed to be qualified and appropriate by the Manager for such purposes.

5. Power of Entry, Inspection, Prohibitions

5.1 A Municipal Law Enforcement Officer, or any other individual authorized to enforce this by-law on behalf of the Town, may at any reasonable time enter upon any land for the purpose of carrying out an inspection to determine whether the following are being complied with:

- (a) this by-law;
- (b) any direction or order under this by-law;
- (c) any condition on any report under this by-law; or
- (d) an order issued under section 431 of the Municipal Act.

5.2 Where an inspection is conducted pursuant to this section, a Municipal Law Enforcement Officer or any other individual authorized to enforce this by-law on behalf of the Town, may:

- (a) require the production for inspection of documents or things relevant to the inspection;
- (b) inspect and remove documents or things relevant to the inspection for the purpose of making copies and extracts;
- (c) require information from any person concerning a matter related to the inspection; and
- (d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purpose of the inspection.

5.3 No person shall hinder or obstruct or attempt to hinder or obstruct the Town, its employees, officers or agents from carrying out any powers or duties under this by-law.

5.4 No person shall contravene any order or direction issued by the Town pursuant to this by-law or the Municipal Act.

5.5 Where a Municipal Law Enforcement Officer, or an individual authorized to enforce this by-law, has reasonable grounds to believe that an offence has been committed by any person, they may require the name, address and proof of identity of that person, and the person shall supply the required information.

5.6 No person shall decline or neglect to give, produce or deliver any access, information, document or other thing that is requested by the Town pursuant to this by-law.

5.7 No person shall knowingly make, participate in, assent to or acquiesce in the provision of false information in a statement, affidavit, application or other document prepared, submitted or filed under this by-law.

6. Orders

- 6.1 Where the Manager or any Municipal Law Enforcement Officer is satisfied that a contravention of this by-law has occurred, such Manager or Municipal Law Enforcement Officer may make an order requiring that the person who caused or permitted such contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravening activity and/or to do work to correct the contravention.
- 6.2 An order pursuant to this section shall set out the following:
- (a) the municipal address and/or the legal description of the land or premises on which the contravention occurred;
 - (b) reasonable particulars of the contravention;
 - (c) what is required of the person subject to the order;
 - (d) the date by which there must be compliance with the order and/or, if any work is ordered, the date by which any such work must be done;
 - (e) if any work is required to be done, a statement that if such work is not done in compliance with the order and within a specified time period, the Town will have the work done at the expense of the person directed or required to do it; and
 - (f) information regarding the Town's contact person.
- 6.3 An order pursuant to this section shall be deemed to have been received upon:
- (a) personal service of the order to the person being served;
 - (b) the day after posting a copy of the order on the land on which the contravention took place; or
 - (c) the fifth (5th) day after the order is sent by registered mail to the last known address of the owner of the land on which the contravention took place or the last known address of any other person in contravention of this by-law.
- 7. Remedial Action and Cost Recovery**
- 7.1 Wherever this by-law or an order issued under this by-law directs or requires any matter or thing to be done by any person within a specified time period, in default of it being done by the person directed or required to do it, the action may be taken under the direction of the Manager or a Municipal Law Enforcement Officer at that person's expense and the Town may recover the costs incurred through a legal action or by recovering the costs in the same manner as taxes.
- 7.2 For the purposes of taking remedial action under this section, the Town, its staff and/or its agents may enter, at any reasonable time, upon any lands on which a default to carry out a required thing or matter occurred.
- 8. Offence and Fines**
- 8.1 Every person who contravenes any provision of this by-law, including an order issued under this by-law, is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.

- 8.2 If a corporation has contravened a provision of this by-law, including an order issued under this by-law, every director and officer who knowingly concurred in such a contravention is guilty of an offence and upon conviction is liable to a fine as provided for in the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended.
- 8.3 Pursuant to subsection 429(2) of the Municipal Act, all contraventions of this by-law or orders issued under this by-law are designated as multiple offences and continuing offences. If a contravention of any provision of this by-law has not been corrected, or an order issued under this by-law has not been complied with, the contravention of such a provision or an order shall be deemed to be a continuing offence for each day or part of a day that the contravention remains uncorrected or an order not complied with. A multiple offence is an offence in respect of two (2) or more acts or omissions each of which separately constitutes an offence and is a contravention of the same provision of this by-law.
- 8.4 In addition to fines under this section, a person convicted of an offence under this by-law may be liable to a special fine in the amount of the economic advantage or gain that such a person obtained from the contravention of this by-law.
9. **Presumption**
- 9.1 An owner of a property on which a contravention has occurred shall be presumed to have carried out or caused or permitted to be carried out the contravention, which presumption may be rebutted by evidence to the contrary on a balance of probabilities.
10. **Repeal of By-laws and Enactment**
- 10.1 Any by-law which was in effect in the Town on the date of passage of this by-law which covers the same subject matter as this by-law shall remain in effect only for the purposes of the completion of any procedure that was commenced under that by-law.
- 10.2 By-law Number 4738-05, as amended, and By-law Number 4754-05.P, as amended, be and are hereby repealed.
- 10.3 This by-law shall come into full force and effect on the date of final passage hereof.

Enacted by Town of Aurora Council this XX day of XX, 2020.

Tom Mrakas, Mayor

Michael de Rond, Town Clerk