



Council Agenda

14th Meeting of City Council

July 24, 2018, 4:00 PM

Council Chambers

The City of London is committed to making every effort to provide alternate formats and communication supports for Council, Standing or Advisory Committee meetings and information, upon request. To make a request for any City service, please contact accessibility@london.ca or 519-661-2489 ext. 2425.

The Council will break for dinner at approximately 6:30 PM, as required.

Pages

1. **Disclosures of Pecuniary Interest**
2. **Recognitions**
3. **Review of Confidential Matters to be Considered in Public**
4. **Council, In Closed Session**

Motion for Council, In Closed Session (Council will remain In Closed Session until approximately 5:15 PM, at which time Council will rise and reconvene in Public Session; Council may resume In Closed Session later in the meeting, if required.)

4.1 **Solicitor-Client Privileged Advice/Litigation/Potential Litigation**

A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to litigation with respect to various personal injury and property damage claims against the City. (6.1/14/CSC)

4.2 **Personal Matters/Identifiable Individual/Litigation/Potential Litigation/Solicitor-Client Privileged Advice**

A matter pertaining to personal matters, including information regarding identifiable individuals, with respect to employment-related matters; litigation or potential litigation affecting the municipality; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.2/14/CSC)

4.3 **Solicitor-Client Privileged Advice**

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding a complaint made by Janice and Patrick Greenside under Part IV of By-law C.P.-1496-244, as amended, the Development Charges By-law, in respect of the development charge imposed by The Corporation of the City of London in connection with development on the land known as 84 Dennis Avenue. (6.3/14/CSC)

4.4 Solicitor - Client Privilege

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to proposed amendments to the Sound By-law and the Public Nuisance By-law regarding amplified live speech and personal invective. (6.1/11/CPSC)

4.5 Personal Matters about an Identifiable Individual

A matter pertaining to personal matters about an identifiable individual, including municipal or local board employees. (6.2/11/CPSC)

5. Confirmation and Signing of the Minutes of the Previous Meeting(s)

5.1 13th Meeting held on June 26, 2018 9

6. Communications and Petitions

6.1 Application - Demolition Request for Heritage Listed Property Located at 172 Central Avenue

(Refer to the Planning and Environment Committee Stage for Consideration with Clause 3.4 of the 12th Report of the Planning and Environment Committee)

1.	C. Duck, 2-459 Princess Avenue	113
2.	K. Elgie, 88 Fountain Street, Waterloo	114
3.	A. Shivakumar	115
4.	C. Hunter, 600 Talbot Street	116
5.	S. Bentley, 34 Mayfair Drive	117
6.	J. Irwin, Carleton Place and Beckwith Heritage Museum	118
7.	J. Hassan, 514 Pall Mall Street	119
8.	D. Ebbs	120
9.	J. Howe	121
10.	E. P. Hayden	122
11.	R. Moss, 600 Talbot Street	123
12.	A. Rowe	124
13.	R. Wright, Antiquarian Booksellers' Association of Canada	125
14.	B. Gee, 212 East Avenue North, Hamilton	126
15.	A. Holyk	127
16.	A. Gibb, 19-374 Simcoe Street	128
17.	K. Rounthwaite, 113 Kendal Avenue, Toronto	129

18.	V. Brown and J. Dickson	132
19.	D. Brydges	133
20.	J. Zhou	134
21.	R. H. Borg	135
22.	T. Regnier, ACO London Branch	136
23.	E. Di Trolio, 14 St. George Street and A. M. Valastro, 1-133 John Street	137

(Note: A petition signed by approximately 53 people in Support of the staffs recommendation is in the City Clerk's Office for viewing)

7. Motions of Which Notice is Given

8. Reports

8.1	12th Report of the Planning and Environment Committee	138
1.	Disclosures of Pecuniary Interest	
2.	(2.1) 3rd Report of the Agriculture Advisory Committee	
3.	(2.3) 8th Report of the Advisory Committee on the Environment	
4.	(2.5) Strategic Plan Progress Variance Report	
5.	(2.8) Riverbend South Subdivision - Phase 2 - Special Provisions (39T-16502)	
6.	(2.9) Danforth (London) Ltd v. The Corporation of the City of London - Decision of the Ontario Superior Court of Justice Dated July 5, 2018	
7.	(2.10) Building Division Monthly Report for May 2018	
8.	(2.2) 6th Report of the Trees and Forests Advisory Committee	
9.	(2.4) Application - 6188 Colonel Talbot Road (B.047/17)	
10.	(2.6) Environmental Impact Study Compliance	
11.	(2.7) Capital Works Claim - 33M-354 Riverbend Meadows - Phase 3	
12.	(3.1) 7th Report of the Environmental and Ecological Planning Advisory Committee	
13.	(3.2) Expansion of Downtown Community Improvement Plan Project Area - Revised By-laws (O-8788) (Relates to Bill Nos 428 and 429)	
14.	(3.3) Application - 661-675 Wharnccliffe Road South (OZ-8898) (Relates to Bill Nos. 430 and 438)	
15.	(3.4) Application - Demolition Request for Heritage Listed Property Located at 172 Central Avenue	

16.	(3.5) Application - 230 North Centre Road (OZ-8874)	
17.	(4.1) Medallion Realty Holdings - Application for Brownfield Incentives - 391 South Street	
18.	(4.2) Airport Area Community Airport Area Improvement Plan	
19.	(4.3) Development Application Procedure - 2156 Highbury Avenue North	
20.	(4.4) Bonusing and Affordable Housing	
21.	(5.1) 8th Report of the London Advisory Committee on Heritage	
8.2	11th Report of the Community and Protective Services Committee	173
1.	Disclosures of Pecuniary Interest	
2.	(2.1) Strategic Plan Progress Variance	
3.	(2.2) Stoney Creek Community Centre, YMCA, and Library User Agreement Amendment (Relates to Bill No. 426)	
4.	(2.3) Approval of Standard Form Licence Agreement for use of Recreation Spaces or Assets and Delegation of Authority to Execute License Agreements (Relates to Bill No. 427)	
5.	(2.6) 7th Report of the Diversity, Inclusion & Anti-Oppression Advisory Committee	
6.	(2.7) 7th Report of the Animal Welfare Advisory Committee	
7.	(2.4) Vehicle for Hire By-law - Industry Consultation	
8.	(2.5) 5th Report of the Community Safety and Crime Prevention Advisory Committee	
9.	(3.1) By-law Amendments to the Sound By-law, PW-12 and to the Public Nuisance By-law, PH-18, Public Messaging in the Community - Nuisances (Relates to Bill No.s 435 and 436)	
10.	(4.1) Neighbourhood Equipment Access	
11.	(4.2) 6th Report of the Accessibility Advisory Committee	
12.	(5.1) Middlesex-London Health Unit Office Space Fit-up Funding Request - RESUBMITTED	
13.	(5.2) Municipal Council Resolution regarding the 5th Report of Accessibility Advisory Committee	
14.	(5.3) Deferred Matters List	
15.	(5.4) Request from City of Toronto regarding Shelter Spaces for Refugee/Asylum Claimants	
8.3	14th Report of the Corporate Services Committee	180
1.	Disclosures of Pecuniary Interest	
2.	(2.1) Strategic Plan Progress Variance	

3. (2.2) Council Policy - Issuance of Technology Equipment to Council Members (Relates to By-law No. 431)
4. (2.4) Reserve and Reserve Fund Policy Report (Relates to By-law No. 433)
5. (2.7) New Entryway Signage for City-Owned Industrial Parks
6. (2.3) 2017 Investment Report (Relates to By-law No. 432)
7. (2.5) FCM Grant Funding Agreement & RFP 18-23 Award for Corporate Asset Management Plan and Policy (Relates to By-law No. 424)
8. (2.6) Industrial Land Development Strategy Annual Monitoring and Pricing Report - City-Owned Industrial Land (Relates to By-law No. 425)
9. (3.1) Tribunal - Development Charge Complaint - 84 Dennis Avenue
10. (3.2) Producing Prosperity in Ontario
11. (4.1) Confirmation of Appointment to the Community Safety and Crime Prevention Advisory Committee
12. (4.2) Daytime Schedule

8.4 11th Report of the Civic Works Committee

232

1. Disclosures of Pecuniary Interest
2. (2.1) 5th Report of the Transportation Advisory Committee
3. (2.2) 4th Report of the Rapid Transit Implementation Working Group
4. (2.3) Strategic Plan Progress Variance Report
5. (2.4) Amendments to the Traffic and Parking By-law (Relates to Bill No. 437)
6. (2.5) Water and Erosion Control Infrastructure (WECl) Program: 2018 Provincially Approved Project Funding
7. (2.6) Clean Water and Wastewater Fund Project Budget Amendments
8. (2.7) Dingman Creek and Colonel Talbot Pumping Stations Budget Adjustments
9. (2.8) Adjust 3 Container Exemption Collection Periods and Changes to Collection Zones
10. (2.9) Nortel Networks Limited and Nagata Auto Parts Canada Co., LTD. - Appeals to the Environment Review Tribunal Case No.s - 11-125/1-126
11. (3.1) 60% Waste Diversion Action Plan
12. (4.1) King Street Bike Lanes - Public Submissions

- 13. (4.2) D. Davis, Filthy Rebena Vintage
- 14. (4.3) 7th Report of the Cycling Advisory Committee
- 15. (4.4) Presentation – Canadian Urban Transit Research and Innovation Consortium (CUTRIC)
- 16. (4.5) Traffic Light - South Carriage Road and Hyde Park Road
- 17. (4.6) Residential Damage - Storm Water Discharge
- 18. (5.1) Deferred Matters List
- 19. (5.2) 3rd Report of the Waste Management Working Group

9. Added Reports

- 9.1 14th Report of Council in Closed Session

10. Deferred Matters

11. Enquiries

12. Emergent Motions

13. By-laws

By-laws to be read a first, second and third time:

- 13.1 Bill No. 423 By-law No. A.- _____ 263

A by-law to confirm the proceeding of the Council Meeting held on the 24th day of July, 2018. (City Clerk)
- 13.2 Bill No. 424 By-law No. A.- _____ 264

A by-law to authorize and approve grant funding agreement between The Corporation of the City of London (the “City”) and the Federation of Canadian Municipalities’ (“FCM”) and to authorize the Mayor and the City Clerk to execute the grant funding agreement for the City of London Corporate Asset Management Plan and Policy Update. (2.5a/CSC/14)
- 13.3 Bill No. 425 By-law No. A.-6151(____)-_____ 265

A by-law to amend By-law No. A.-6151-17, as amended, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001” by deleting Attachment “B” to Schedule “A” – Sale and other Disposition of land Policy of the By-law and by replacing it with a new Attachment “B” to Schedule “A” to amend the current pricing for City-owned serviced industrial land in Innovation Park, Skyway Industrial Park, River Road Industrial Park, Cuddy Boulevard Parcels and Trafalgar Industrial Park. (2.6/CSC/14)
- 13.4 Bill No. 426 By-law No. A.- _____ 267

A by-law to authorize and approve an Amending Agreement to the City User Agreement between The Corporation of the City of London and the

	YMCA of Western Ontario and to authorize the Mayor and the City Clerk to execute the Amending Agreement. (2.2/CPSC/11)	
13.5	Bill No. 427 By-law No. A.-____ A by-law to approve and adopt a standard form Licence Agreement for the use of recreation spaces and assets; and to authorize the Managing Director, Parks and Recreation or the Managing Director Neighbourhood, Children and Fire Services, or their written designate, to insert information and execute Licence Agreements not exceeding \$10,000, for the use of recreation spaces and assets, which employ this form and to repeal By-law No A.-6690-195 and any amendments thereto. (2.3/CPSC/11)	269
13.6	Bill No. 428 By-law No. C.P.-1356(__)-____ A by-law to repeal By-law C.P.-1356(a)-535 entitled “A by-law to amend By-law No. C.P.-1356-246, being a by-law to designate the Downtown Improvement Plan project area” and to amend By-law C.P.-1356-234, entitled “A By-law designating the Downtown Community Improvement Area”. (3.2a/PEC/12)	276
13.7	Bill No. 429 By-law No. C.P.-1357(__)-____ A by-law to repeal By-law C.P.-1357(a)-536 entitled “A by-law to amend By-law No. C.P.-1357-249, being, A by-law to establish the Downtown Community Improvement Plan project area” and amend By-law C.P.-1357-249, entitled a “By-law to adopt the Downtown Community Improvement Plan”. (3.2b/PEC/12)	278
13.8	Bill No. 430 By-law No. C.P.-1284(__)-____ A by-law to amend the Official Plan for the City of London, 1989 relating to 661-675 Wharnccliffe Road South. (3.3a/PEC/12)	281
13.9	Bill No. 431 By-law No. CPOL.-____ A by-law to amend By-law No. CPOL.-68-300 being “Issuance of Computer Equipment to Council Members” to: rename the Policy “Issuance of Technology Equipment to Council Members”; identify standard equipment guidelines for the upcoming Council term; provide for a review of the corporate standards for computer equipment and software to be issued to Council Members prior to the commencement of any new Council term; to provide greater clarity within the Policy; reformat into the new Council Policy template; and review with the gender equity lens. (2.2/CSC/14)	284
13.10	Bill No. 432 By-law No. CPOL.- A by-law to amend By-law CPOL.-39-235 being “Investment Policy”. (2.3/CSC/14)	288
13.11	Bill No. 433 By-law No. CPOL.- A by-law to adopt a new Council Policy entitled Reserve and Reserve Fund Policy. (2.4/CSC/14)	294
13.12	Bill No. 434 By-law No. F.-____ A by-law to repeal By-law No. F.-163-153 entitled “A by-law to appoint John Kobarda as Fire Chief and Director of Paramedic Services of the	301

City of London” and to appoint Lori Hamer as Fire Chief of The Corporation of the City of London. (City Clerk)

- 13.13 Bill No. 435 By-law No. PW-12-_____ 302
A by-law to amend By-law PW-12, as amended, entitled “A By-law to provide for the Regulation and Prohibition of Noise” with respect to Amplified Live Speech. (3.1a/CPSC/11)
- 13.14 Bill No. 436 By-law No. PH-18-_____ 313
A by-law to amend By-law PH-18 entitled, “A by-law to prohibit and regulate public nuisances within the City of London” to prohibit unnecessary interference with another person’s use and enjoyment of a Public Place. (3.1b/CPSC/11)
- 13.15 Bill No. 437 By-law No. PS-113-_____ 319
A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London.” (2.4/CWC/11)
- 13.16 Bill No. 438 By-law No. Z.-1-18_____ 320
A by-law to amend By-law No. Z.-1 to rezone an area of land located at 661-675 Wharncliffe Road South. (3.3b/PEC/12)

14. Adjournment



Council Minutes

13th Meeting of City Council
June 26, 2018, 4:00 PM

Present: Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, J. Zaifman
Also Present: M. Hayward, A.L. Barbon, B. Barr, G. Belch, M. Butlin, B. Card, B. Coxhead, S. Datars Bere, J. M. Fleming, T. Gaffney, . Kotisfas, L. Livingstone, J.P. McGonigal, P. McKague, D. O'Brien, D. Purdy, L. Rowe, C. Saunders, K. Scherr, S. Spring, B. Warner, B. Westlake-Power.

The meeting was called to order at 4:01 PM.

1. Disclosures of Pecuniary Interest

At 4:03 PM, Councillor M. Cassidy enters the meeting.

Councillor M. Salih discloses a pecuniary interest in item 2.3 of the 8th Report of the Strategic Priorities and Policy Committee, having to do with the proposed Free of Fear Services for All Policy as it relates to 'sanctuary cities', by indicating that he is employed by the Federal Government.

Councillor S. Turner discloses a pecuniary interest in item 2.2 of the 8th Report of the Strategic Priorities and Policy Committee (SPPC), having to do with the Municipal Accommodation Tax and the related confidential item 6.2, by indicating that he has a supervisory role with CUPE 101 staff at the Middlesex-London Health Unit. Councillor S. Turner further discloses a pecuniary interest in items 4.2 of the 8th Report of the SPPC, specifically related to the proposed policies Siting of Cannabis Retails Stores in London and Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London, as included in the 10th Report of the Governance Working Group, by indicating that his employer is the Middlesex-London Health Unit, which has these matters as areas of focus. Councillor S. Turner also discloses a pecuniary interest item 4.1 of the 8th Report of the SPPC, specifically related to the proposed Child Care Policy included in the 9th Report of the Governance Working Group, by indicating that his spouse is employed by Childreach, which receives funding from the City of London. It being noted that Councillor S. Turner further noted a pecuniary interest in the related Bill No.'s 337, 391 and 392.

Councillor S. Turner discloses a pecuniary interest in item 4.2 of the 10th Report of the Community and Protective Services Committee (CPSC), having to do with the Middlesex-London Health Unit (MLHU) Office Space Fit-up Funding Request, by indicating that MLHU is his employer. Councillor S. Turner further discloses a pecuniary interest in item 2.1 of the 10th Report of the CPSC, having to do with an Odour Monitoring Pilot Program, by indicating that the MLHU may be involved with enforcement.

Councillor J. Morgan discloses a pecuniary interest in item 3.2 of the 11th Report of the Planning and Environment Committee, having to do with a demolition request for a Heritage Listed Property located at 2154 Richmond Street, by indicating that he is involved in a separate property matter with applicant.

Councillor T. Park discloses a pecuniary interest in item 5.1 of the 11th Report of the Planning and Environment Committee, having to do with the 7th Report of the London Advisory Committee specifically related to the application for the property located at 147-149 Wellington and 253-257 Grey Street, by indicating that her family owns a neighbouring property.

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, In Closed Session

Motion made by: M. van Holst
Seconded by: A. Hopkins

That Council rise and go into Council, In Closed Session, at 4:10 PM, for consideration of the following:

4.1 Personal Matters/Identifiable Individual/Litigation/Potential Litigation/Solicitor-Client Privileged Advice

A matter pertaining to personal matters about an identifiable individual, including municipal or local board employees; litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (6.1/11/PEC)

4.2 Land Acquisition/Solicitor-Client Privileged Advice

A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (6.1/13/CSC)

4.3 Land Acquisition/Solicitor-Client Privileged Advice

A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be

carried on by or on behalf of the Corporation concerning the proposed acquisition. (6.2/13/CSC)

4.4 Land Acquisition/Solicitor-Client Privileged Advice

A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (6.3/13/CSC)

4.5 Litigation/Potential Litigation/Solicitor-Client Privileged Advice

A matter pertaining to an identifiable individual; employment-related matters; litigation or potential litigation affecting the municipality; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.4/13/CSC)

4.6 Personal Matters/Identifiable Individual

A matter pertaining to personal matters involving identifiable individuals who are municipal employees with respect to employment related matters and advice and recommendations of officers of the Corporation including communications necessary for that purpose. (6.5/13/CSC)

4.7 ADDED – Personal Matters/Identifiable Individual/Solicitor-Client Privileged Advice/Litigation/Potential Litigation

A matter pertaining to personal matters about an identifiable individual with respect to employment-related matters and advice and recommendations of officers and employees of the Corporation including communications necessary for that purpose; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and litigation or potential litigations, including matters before administrative tribunals, affecting the municipality or board. (6.1/2/AC)

4.8 (ADDED) Solicitor-Client Privileged Advice/Land Disposition

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; instructions and directions to officers and employees of the Commission pertaining to a proposed disposition of land; reports or advice or recommendations of officers and employees of the Commission pertaining to a proposed disposition of land; commercial and financial information supplied in confidence pertaining to the proposed disposition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Commission, result in similar information no longer being

supplied to the Commission where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed disposition that belongs to the Commission that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Commission or its competitive position; information concerning the proposed disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Commission; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Commission concerning the proposed disposition. (6.1/8/SPPC)

4.9 (ADDED) Solicitor-Client Privileged Advice/Labour Relations/Personal Matters/Identifiable Individual

A matter pertaining to advice that is subject to solicitor-client privilege; including communications necessary for that purpose, and for the purpose of providing instructions and directions to officers and employees of the Corporation and labour relations and employee negotiations, including communications necessary for that purpose, with respect to employment-related matters. (6.2/8/SPPC)

4.10 (ADDED) Personal Matters/Identifiable Individual

A matter pertaining to personal matters about an identifiable individual with respect to employment-related matters and advice and recommendations of officers and employees of the Corporation including communications necessary for that purpose. (6.3/8/SPPC)

Yeas: (14): M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (14 to 0)

The Council rises and goes into the Council, In Closed Session, at 4:10 PM, with Councillor P. Hubert in the Chair and all Members present except Mayor M. Brown.

At 4:38 PM, His Worship the Mayor enters the meeting.

The Council, In Closed Session, rises at 5:36 PM and Council reconvenes at 5:41 PM, Mayor M. Brown in the Chair and all Members present, except Councillor H. Usher.

5. Confirmation and Signing of the Minutes of the Previous Meeting(s)

Motion made by: J. Helmer

Seconded by: M. Salih

That the Minutes of the 12th Meeting, held on June 12, 2018, BE APPROVED.

Yeas: (14): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (1): H. Usher

Motion Passed (14 to 0)

6. Communications and Petitions

6.1 (ADDED) Councillor M. van Holst and Councilor P. Squire

Motion made by: J. Helmer
Seconded by: M. Cassidy

That the communication dated June 22, 2018, from Councillors M. van Holst and P. Squire, with respect to the municipal class environmental study for the Victoria Bridge BE RECEIVED and BE REFERRED, as noted on the Added Agenda.

Yeas: (14): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (1): H. Usher

Motion Passed (14 to 0)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 10th Report of the Civic Works Committee

Motion made by: V. Ridley

That the 10th Report of the Civic Works Committee BE APPROVED, excluding Items 2 (2.1), 12 (4.1) and 13(4.2).

Yeas: (14): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (1): H. Usher

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: V. Ridley

That it BE NOTED that no pecuniary interests were disclosed

Motion Passed

3. (2.3) Parking Regulation Surveys

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect parking regulation surveys:

a) the Civic Administration BE DIRECTED to develop an administrative process for non-safety related parking regulation changes based on the following:

i. 25% (or greater) of the property owners support a review of the parking regulations on their street; and

ii. 51% (or greater) of the property owners support the parking regulation change;

b) the Civic Administration BE DIRECTED to amend the current Residential Parking Pass Program administrative process to reflect the following:

- i. 25% (or greater) of the property owners support a review of the parking regulations on their street; and,
- ii. 51% (or greater) of the property owners support the parking regulation change (2018-T02)

Motion Passed

4. (2.4) Hyde Park Road/Sunningdale Road West Roundabout - Detailed Design - Appointment of Consulting Engineer

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a Consulting Engineer for the Hyde Park Road / Sunningdale Road West Roundabout:

- (a) MTE Consultants Inc. BE APPOINTED Consulting Engineers to complete the Detailed Design and Tendering Services in the amount of \$278,039.56 (excluding HST), in accordance with Section 15.2 (e) of the Procurement of Goods and Services Policy;
- (b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated June 19, 2018 as Appendix A;
- (c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this appointment;
- (d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the Consultant for the work; and,
- (e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2018-A05/T05)

Motion Passed

5. (2.5) Bradley Avenue Extension - Phase 2 - Wharncliffe Road South to Jalna Boulevard - Detailed Design - Appointment of Consulting Engineer

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a Consulting Engineer for Phase 2 of the Bradley Avenue Extension from Wharncliffe Road to Jalna Boulevard:

- (a) Wood Environment & Infrastructure Solutions BE APPOINTED Consulting Engineers to complete the Detailed Design and Tendering Services in the amount of \$508,009 (excluding HST), in accordance with Section 15.2 (e) of the Procurement of Goods and Services Policy;

- (b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated June 19, 2018 as Appendix A;
- (c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this appointment;
- (d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the Consultant for the work; and,
- (e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2018-A05/T05)

Motion Passed

- 6. (2.6) Wharnccliffe Road South Improvements - Wharnccliffe Road Bridge Rehabilitation - Detailed Design & Tendering - Appointment of Consulting Engineer

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a Consulting Engineer for the Wharnccliffe Road South Improvements from Becher Street to Springbank Drive and the Wharnccliffe Road Bridge Rehabilitation:

- (a) WSP BE APPOINTED Consulting Engineers for the detailed design and tendering at an upset amount of \$2,053,458.15 (excluding HST) in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- (b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated June 19, 2018 as Appendix A;
- (c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this appointment;
- (d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- (e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents including rail-related agreements, if required, to give effect to these recommendations. (2018-T04)

Motion Passed

- 7. (2.7) RFP 18-14 - Hydro Excavators

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer,

- a) the recommendation from the RFP evaluation committee BE ACCEPTED to purchase two (2) Vactor HXX 2-Stage Fan Hydro Excavators for \$570,000.00 + HST per unit from Federated Signal

and Tool (FST) - Joe Johnson Equipment Inc. (JJEI) 2521 Bowman St. Innisfil Ontario L9S 3V6;

b) funding for this purchase BE RELEASED as set out in the Source of Financing Report appended to the staff report dated June 19, 2018 as Appendix "A";

c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this purchase; and,

d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2018-E06)

Motion Passed

8. (2.8) Appointment of Consulting Engineers - Infrastructure Renewal Program

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the appointment of consulting engineers for the Infrastructure Renewal Program:

a) the following consulting engineers BE APPOINTED to carry out consulting services for the identified 2019 – 2020 Infrastructure Renewal Program funded projects, at the upset amounts identified below, in accordance with the estimate on file, and in accordance with Section 15.2(e) of the City of London's Procurement of Goods and Services Policy:

(i) AECOM Canada Limited BE APPOINTED consulting engineers to complete the pre-design and detailed design of the 2019 Infrastructure Renewal Program Contract 1, York Street Phase 2 from Talbot Street to Clarence Street reconstruction, in the total amount of \$369,029.10 (including contingency), excluding HST;

(ii) Development Engineering (London) Limited BE APPOINTED consulting engineers to complete the pre-design, detailed design and construction administration of 2019 Infrastructure Renewal Program Contract 2, Monsarrat Avenue from Belfield Street to Gatewood Road and Roehampton Avenue, all, in the total amount of \$264,566.50 (including contingency), excluding HST;

(iii) Parsons Incorporated BE APPOINTED consulting engineers to complete the pre-design, detailed design and construction administration of 2019 Infrastructure Renewal Program Contract 3, Canterbury Road from Windermere Road to Richmond Street, Westchester Drive from Canterbury Road to Richmond Street and Windermere Road from Western Road to Canterbury Road reconstruction, in the total amount of \$532,341.70 (including contingency), excluding HST;

(iv) Archibald, Gray and McKay Engineering Limited BE APPOINTED consulting engineers to complete the pre-design, detailed design and 2019 Phase 1 construction administration of 2019 Infrastructure Renewal Program Contract 4, Devonshire Avenue from Edward Street to Wortley Road, Cathcart Street from Devonshire Avenue to Dunkirk Place Park, Devonshire Place, all,

and Murray Street from Iroquois Avenue to Devonshire Avenue reconstruction, in the total amount of \$678,036.70 (including contingency), excluding HST;

(v) Spriet Associates (London) Limited BE APPOINTED consulting engineers to complete the pre-design, detailed design and construction administration of 2019 Infrastructure Renewal Program Contract 5, Wellington Street from Grosvenor Street to Victoria Street reconstruction, in the total amount of \$471,735.00 (including contingency), excluding HST;

(vi) Dillon Consulting Limited BE APPOINTED consulting engineers to complete the pre-design and detailed design of 2019 Infrastructure Renewal Program Contract 6, Old North West Area Phase 1 (Sections of William Street, Regent Street, Maitland Street, Huron Street, Fraser Avenue) reconstruction in the total amount of \$428,428.00 (including contingency), excluding HST;

(vii) GM Blueplan Engineering BE APPOINTED consulting engineers to complete the pre-design and detailed design of 2020 Infrastructure Renewal Program Contract A, Pottersburg Creek Trunk Sanitary Sewer Replacement Phase 1, Dundas Street from Pottersburg Creek to Burdick Place, Spruce Street from Dundas Street to the north end, Burdick Place from Dundas Street to the north end reconstruction, in the total amount of \$416,614.00 (including contingency), excluding HST;

(viii) Stantec Consulting Limited BE APPOINTED consulting engineers to complete the pre-design and detailed design of 2020 Infrastructure Renewal Program Contract B, Argyle Community (East Lions Park Area) Phase 1, Spruce Street from Wavell Street to Haig Street and Haig Street, all, reconstruction in the total amount of \$252,083.15 (including contingency), excluding HST;

b) Spriet Associates (London) Limited BE APPOINTED consulting engineers to complete the detailed design for the expanded scope of work for the 2017 Infrastructure Renewal Program Contract C, Cavendish Crescent/Charles Street/West Lions Park, in the total amount of \$285,711.42 (including contingency), excluding HST, in accordance with the estimate on file, and in accordance with Section 15.2(g) of the City of London's Procurement of Goods and Services Policy

c) the financing for the projects identified in (a) and (b) above BE APPROVED in accordance with the "Sources of Financing Report" appended to the staff report dated June 19, 2018, as Appendix 'A';

d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;

e) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with each consultant for the respective project; and

f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2018-A05)

Motion Passed

9. (2.10) Cavendish Crescent Trunk Sanitary and Storm Sewer Replacement (Contract No.9)

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the staff report dated June 19, 2018, regarding the Cavendish Crescent Trunk Sanitary and Storm Sewer Replacement Project BE RECEIVED for information. (2018-E01)

Motion Passed

10. (2.2) Amendments to the Traffic and Parking By-law (Relates to Bill No.s 305, 306, 307, 308 and 309)

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the Traffic and Parking By-law (PS-113):

- a) the proposed by-law appended to the staff report dated June 19, 2018 as Appendix A BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 for the purpose of amending the Traffic and Parking By-law (PS-113);
- b) the proposed by-law appended to the staff report dated June 19, 2018 as Appendix B BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 for the purpose of amending the Traffic and Parking By-law (PS-113) in order to implement 'No Stopping Anytime' zones in the vicinity of the London International Airport for Airshow London 2018 from September 7 to September 9, 2018;
- c) the proposed by-law appended to the staff report dated June 19, 2018 as Appendix C BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 for the purpose of amending the Traffic and Parking By-law (PS-113) in order remove the 'No Stopping Anytime' zones previously approved for Airshow London 2018 effective September 10, 2018;
- d) the ~~attached~~ revised proposed by-law (Appendix D) BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 for the purpose of amending the Traffic and Parking By-law (PS-113) in order to implement an All-Way Stop Control at the intersection of Wonderland Road South and Glanworth Drive; and
- e) the ~~attached~~ revised proposed by-law (Appendix E) BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 for the purpose of amending the Traffic and Parking By-law (PS-113) in order to replace the All-Way Stop Control at the intersection of Wonderland Road S and Glanworth Drive with a Two-Way Stop Control on Glanworth Drive at Wonderland Road South effective October 15, 2018. (2018-T08/C01)

Motion Passed

11. (2.9) Municipal Greenhouse (GHG) Challenge Fund Round Two Applications

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer

and the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer;

- a) information about the Province of Ontario's Municipal GHG Challenge Fund Round Two BE RECEIVED;
- b) applications for the following two projects, as detailed in the ~~attached~~ revised table, BE ENDORSED for submission to the Municipal GHG Challenge Fund:
 - i. Curbside collection of residential source-separated organics; and,
 - ii. Passive cooling at Museum London; and
- c) the Civic Administration BE DIRECTED to report back to the Civic Works Committee on the outcome of the Municipal GHG Challenge Fund Round Two applications including, where applicable, final business cases or other financial or environmental benefit details prior to final approval of the projects. (2018-F11/E17)

Motion Passed

14. (5.1) Deferred Matters List

Motion made by: V. Ridley

That the Deferred Matters list for the Civic Works Committee, as of June 11, 2018, BE RECEIVED.

Motion Passed

15. (5.2) Commissioners Road and Southdale Road

Motion made by: V. Ridley

That it BE NOTED Councillor H. Usher enquired about the schedule for the repair of Commissioners Road and Southdale Road. The Managing Director, Environmental & Engineering Services and City Engineer advised that the tender process is complete and preconstruction should be happening imminently.

Motion Passed

16. (5.3) Union Gas Site - Nixon Avenue and Southdale Road

Motion made by: V. Ridley

That it BE NOTED Councillor H. Usher enquired about the Union Gas site at Nixon Avenue and Southdale Road specifically the condition of the site. The Managing Director, Environmental & Engineering Services and City Engineer advised that Union Gas should be contacted regarding site and that the Managing Director, Development and Compliance Services and Chief Building Official would be the appropriate staff contact.

Motion Passed

17. (5.4) Repaving Commissioners Road East

Motion made by: V. Ridley

That it BE NOTED Councillor M. Vanholst enquired about the reason for the deterioration of the pavement on Commissioners Road East that required the recent repaving. The Managing Director, Environmental & Engineering Services and City Engineer advised that the mixture approved for use by the Province at the time, has now been found to be unreliable, resulting in a shorter than anticipated lifecycle that necessitated the repairing.

Motion Passed

2. (2.1) Victoria Bridge - Environmental Study Report

Motion made by: M. van Holst

Seconded by: P. Squire

That the Victoria Bridge Municipal Class Environmental Study Report BE REFERRED to the Managing Director, Environmental & Engineering Services to report back at a future meeting of the Civic Works Committee with more cost effective alternatives for addressing cultural heritage concerns that would include an enhanced design for a concrete girder bridge which incorporates special treatments, public art and/or portions of the existing bridge, with the goal of achieving an overall Project cost savings of \$1 million dollars or greater.

Yeas: (4): M. van Holst, B. Armstrong, P. Squire, and J. Morgan

Nays: (10): Mayor M. Brown, M. Salih, J. Helmer, M. Cassidy, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (1): H. Usher

Motion Failed (4 to 10)

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the Victoria Bridge Environmental Assessment:

(a) The Victoria Bridge Municipal Class Environmental Study Report BE ACCEPTED;

(b) a Notice of Completion for the project BE FILED with the Municipal Clerk;

(c) the Environmental Study Report BE PLACED on public record for a 30-day review period; and,

(d) the Victoria Bridge Replacement BE CONSIDERED in future multi-year capital budget developments.

(2018-T04/E05)

Yeas: (14): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (1): H. Usher

Motion Passed (14 to 0)

12. (4.1) Innovate4Cities - A Global Climate Action Accelerator -
Edmonton Declaration

Motion made by: V. Ridley

That the Managing Director, Environmental Services & Engineering
and City Engineer BE DIRECTED to:

- a) investigate the City of London becoming a signatory to the
Edmonton Declaration which calls on all the governments to
recognize the immediate and urgent need for coordinated action on
climate change; and,
b) report back to the Civic Works Committee with a
recommendation, as well as an overview of any potential
implications of signing the declaration.

Yeas: (13): Mayor M. Brown, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire,
J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Nays: (1): M. van Holst

Absent: (1): H. Usher

Motion Passed (13 to 1)

13. (4.2) Cycling Advisory Committee and Transportation Advisory
Committee

Motion made by: V. Ridley

That consideration of amending the Terms of Reference for the
Cycling Advisory Committee and the Transportation Advisory
Committee BE DEFERRED for consideration as part of the broader
review of Advisory Committees.

(2018-C12)

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M.
Cassidy, P. Squire, J. Morgan, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Nays: (1): P. Hubert

Absent: (1): H. Usher

Motion Passed (13 to 1)

2. Recognitions

- 2.1 2018 Tim Hickman Health and Safety Scholarship

His Worship the Mayor and Council recognizes Emily Sturtridge as the
recipient of the 2018 Tim Hickman Health and Safety Scholarship.

Motion made by Councillor M. van Holst and seconded by Councillor P.
Hubert to Approve that the Municipal Council recess.

The Municipal Council recesses at 6:30 PM and reconvenes at 7:25 PM
with Mayor M. Brown in the Chair and all Members present except
Councillors M. Salih, H. Usher and J. Zaifman.

8. Reports

8.2 11th Report of the Planning and Environment Committee

At 7:32 PM, Councillor J. Zaifman enters the meeting.

Motion made by: S. Turner

That the 11th Report of the Planning & Environment Committee BE APPROVED, excluding items 8 (2.2), 13 (3.2) and 23 (5.1).

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Turner

That it BE NOTED that Councillor T. Park disclosed a pecuniary interest in clause 5.1 of this Report specifically relating to clause 3.2 of the 7th Report of the London Advisory Committee on Heritage, having to do with the properties located at 147-149 Wellington Street and 253-257 Grey Street, by indicating that her family owns property in the area.

Motion Passed

2. (2.1) 5th Report of the Trees and Forests Advisory Committee

Motion made by: S. Turner

That the 5th Report of the Trees and Forests Advisory Committee, from its meeting held on May 23, 2018 BE RECEIVED for information.

Motion Passed

3. (2.3) Application - Portion of 1284 and 1388 Sunningdale Road West - Removal of Holding Provision (h-100) (H-8800) (Relates to Bill No. 316)

Motion made by: S. Turner

That, on the recommendation of the Senior Planner, Development Planning, based on the application by Foxhollow North Kent Development Inc., relating to the properties located at 1284 and 1388 Sunningdale Road West, the proposed by-law appended to the staff report dated June 18, 2018 BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h-100*R1-3) Zone and Holding Residential R1 (h-100*R1-5) Zone TO a Residential R1 (R1-3) Zone and Residential R1 (R1-5) Zone and to remove the h-100 holding provisions. (2018-D09)

Motion Passed

4. (2.4) Application - 608 Springbank Drive - Removal of Holding Provisions (h-5 and h-201) (H-8911) (Relates to Bill No. 317)

Motion made by: S. Turner

That, on the recommendation of the Senior Planner, Development Planning, based on the application by 1551733 Ontario Limited, c/o York Development (London) Inc., relating to the property located at 608 Springbank Drive, the proposed by-law appended to the staff report dated June 18, 2018 BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R9 Special Provision (h-5*h-201*R9-7(25)*H44) Zone TO a Residential R9 Special Provision (R9-7 (25)*H44) Zone and to remove the h-5 and h-201 holding provisions. (2018-D09)

Motion Passed

5. (2.8) Ontario's Main Street Revitalization Initiative - Municipal Funding Agreement (Relates to Bill No. 297)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Parks and Recreation, with the concurrence of the Managing Director, Planning and City Planner and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated June 18, 2018 BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to:

- a) approve the Municipal Funding Agreement appended to the staff report dated June 18, 2018 as Schedule 1 between The Corporation of the City of London and the Association of Municipalities of Ontario to receive funding under the Ontario Main Street Revitalization Initiative;
- b) authorize the Mayor and the City Clerk to execute the agreement approved in clause a) above;
- c) delegate authority to the Managing Director, Parks and Recreation, to allocate funding from this program to eligible projects aligned with Council-approved programs and plans in accordance with the eligibility criteria of the Municipal Funding Agreement, subject to future reporting to Municipal Council on the allocation of the funds;
- d) delegate authority to the Managing Director, Parks and Recreation, to authorize and approve such further and other documents (including amendments and reports) that may be required in furtherance of the agreement, and that do not require additional funding or are provided for in the City's approved budget, and that do not increase the indebtedness of The Corporation of the City of London. (2018-D19)

Motion Passed

6. (2.9) Local Planning Appeal Tribunal Transition Report

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated June 18, 2018, entitled "Local Planning Appeal Tribunal Transition Report" BE RECEIVED for information. (2018-L01)

Motion Passed

7. (2.10) 2018 Watershed Report Card

Motion made by: S. Turner

That, the communication dated June 7, 2018, from E. VanHooren, General Manager/Secretary Treasurer, Kettle Creek Conservation Authority, with respect to the Kettle Creek Watershed 2018 Report Card BE RECEIVED for information. (2018-E13)

Motion Passed

9. (2.5) Capital Works Budget Cost Sharing for 164 Sherwood Forest Square

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the ~~attached~~, revised, Source of Financing Report BE APPROVED with respect to the site plan development agreement between The Corporation of the City of London and Futurelands Ltd., for the Capital Works Budget cost sharing of external works located at 164 Sherwood Forest Square. (2018-F05)

Motion Passed

10. (2.6) Application - 1900 Kilgorman Way (H-8854)

Motion made by: S. Turner

That, on the recommendation of the Senior Planner, Development Services, based on the application by Harasym Homes Inc., relating to the lands located at 1900 Kilgorman Way, comprising Lot 9 Registered Plan No. 33M-682, the request to amend Zoning By-law Z.-1 to change the zoning of the lands FROM a Holding Residential R1 (h-37•R1-14) Zone TO a Residential R1 (R1-14), BE REFUSED for the following reasons:

a) based upon further review of the Minimum Distance Separation requirements, and in consultation with the Ministry of Agriculture, Food and Rural Affairs, the application to remove the holding "h-37" provision would not be appropriate or consistent with the Provincial Policy Statement, and policies of The London Plan and the Official Plan;

b) the condition for removing the holding provision has not been met as the subject lot is within the Minimum Distance Separation MDS1 setback of a neighbouring livestock facility; and,

c) M. Campbell, Zelinka Priamo Ltd., BE GRANTED delegation status at the June 18, 2018 Planning and Environment Committee meeting with respect to this matter. (2018-D09)

Motion Passed

11. (2.7) Notification to Tenants in the Planning Process

Motion made by: S. Turner

That, on the recommendation of the Director, Development Services, with the concurrence of the Managing Director, Planning and City Planner, the following actions be taken with respect to tenants notification for public consultation:

- a) the staff report dated June 18, 2018 entitled "Notification to Tenants Regarding Planning Applications", BE RECEIVED for information;
- b) the approach outlined in the above-noted staff report to provide notification to tenants BE ENDORSED; and,
- c) the Civic Administration BE DIRECTED to initiate The London Plan and Official Plan amendments to address the Smart Growth for Our Communities Act (Bill 73) relating to tenants notification for public consultation. (2018-D09)

Motion Passed

12. (3.1) 7th Report of the Advisory Committee on the Environment

Motion made by: S. Turner

That, the following actions be taken with respect to the 7th Report of the Advisory Committee on the Environment from its meeting held on June 6, 2018:

- a) the Managing Director, Environmental and Engineering Services & City Engineer BE REQUESTED to review the presentation appended to the 7th Report of the Advisory Committee on the Environment from C. Marsales, Senior Manager, Waste Management Service, City of Markham, with respect to the Markham Waste Diversion Strategy "Mission Green" and explore the feasibility of implementing a similar program in City of London facilities and report to the Civic Works Committee;
- b) the Civic Administration BE REQUESTED to report to the Civic Works Committee, as soon as possible, on the undertaking of the following with respect to the "Toilets Are Not Garbage Cans" public awareness sticker initiative, coordinated by B. Orr, Sewer Outreach and Control Inspector:
 - i) requiring all bathroom stalls within City of London facilities to display the "Toilets Are Not Garbage Cans" sticker;
it being noted that the above-noted sticker previously approved for use by the City of London Communications Department, is currently displayed in some, but not all, City of London facility bathroom stalls and is being displayed, voluntarily, by many organizations, including retail stores, restaurants and schools;
 - ii) identifying to the Advisory Committee on the Environment (ACE) the key Civic Administration who would be responsible for implementing the above-noted action, so that the ACE may

follow up on the progress of the implementation and in order to have a specific contact who can advise the ACE of the reasons why a sticker is not displayed in certain instances; and,

iii) reporting back to the ACE by September 7, 2018 with respect to the feasibility of requiring all facilities that receive City of London funding, including, but not limited to, Centennial Hall, the Covent Garden Market, Museum London, London Public Library locations, police and fire stations, Tourism London, the London Convention Centre, Dearness Home, Kettle Creek Conservation Authority, Lower Thames Valley Conservation Authority and the Upper Thames River Conservation Authority, to display the above-noted sticker in all bathroom stalls;

it being noted that the Waste Sub-Committee report, appended to the agenda, was received;

c) J. Ramsay, Project Manager, Rapid Transit, BE ADVISED that M. Bloxam will represent the Advisory Committee on the Environment (ACE) on the Municipal Advisory Group related to Rapid Transit; it being noted that S. Hall will act as an alternate representative for the ACE on the Advisory Group; and,

d) clauses 1.1, 2.2, 2.3, 3.1 to 3.6, 5.1 and 5.2, BE RECEIVED.

Motion Passed

14. (3.3) Parkland Dedication By-law CP-9 Update (Relates to Bill No. 299)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken as a result of the Parkland Dedication Requirements, Policies and Procedures Review:

a) the proposed ~~attached~~, revised, by-law BE INTRODUCED at the Municipal Council meeting on June 26, 2018 to amend By-law No. CP-9 entitled "A by-law to provide for the conveyance of land and cash in lieu thereof for park and other purposes." to implement changes to the parkland dedication requirements, effective September 1, 2018; and,

b) the proposed Council Policy amendments and additions BE REFERRED to the Managing Director, Planning and City Planner to report back to the Planning and Environment Committee with the necessary by-laws to amend existing Council policies and to implement new Council policies, as required, utilizing the current template and numbering protocol for Council policies as approved by the Municipal Council;

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2018-E18)

Motion Passed

15. (3.4) Application - 335-385 and 340-390 Saskatoon Street (OZ-8883) (Relates to Bill No.s 301 and 318)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 1616958 Ontario Inc., relating to the properties located at 335-385 and 340-390 Saskatoon Street:

- a) the proposed by-law appended to the staff report dated June 18, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to amend the Official Plan by ADDING a policy to section 10.1.3 – Policies for Specific Areas;
- b) the proposed by-law appended to the staff report dated June 18, 2018 as Appendix "B" BE INTRODUCED at a future Municipal Council meeting to amend The London Plan by ADDING a policy to Specific Policies for the Neighbourhoods Place Type; by ADDING the subject lands to Map 7 – Specific Policy Areas – of The London Plan and that three readings of the by-law enacting The London Plan amendments BE WITHHELD until such time as The London Plan is in force and effect; and,
- c) the proposed by-law appended to the staff report dated June 18, 2018 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a) above, to change the zoning of the subject property FROM a Residential R2/Light Industrial (R2-3/LI8) Zone TO a Holding Residential R2/Restricted Office Special Provision (h-•R2-3/RO(*)) Zone and a Holding Residential R2/Restricted Office Special Provision (h-•R2-3/RO(**)) Zone;

it being pointed out that at the public participation meeting associated with these matters, the individual indicated on the attached public participation meeting record made an oral submission regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendments are consistent with the 2014 Provincial Policy Statement (“PPS”) which directs municipalities to maintain suitable sites for employment uses and consider the needs of existing and future businesses. The recommended amendments are consistent with the PPS which promotes appropriate development standards to facilitate compact development in settlement areas;
- the recommended amendment conforms to the 1989 OP policies which list the necessary condition(s) for approval of Policies for Specific Areas, and would augment the general policies of the Low Density Residential (“LDR”) designation to allow the continued use of the existing non-residential buildings on the subject lands for existing non-residential uses until the subject lands can redevelop for residential uses in accordance with the LDR designation;
- the recommended amendment conforms to The LP policies which list the necessary condition(s) for approval of Specific Area Policies, and would augment the general policies of the Neighbourhoods Place Type to allow the continued use of the existing non-residential buildings on the subject lands for existing non-residential uses until the subject lands can redevelop for residential uses in accordance with the Neighbourhoods Place Type;
- the recommended amendment to Zoning By-law Z.-1 will conform to the Official Plan and The LP as recommended to be

amended. The recommended amendment to the Zoning By-law will permit the existing non-residential uses in the existing buildings; and limit the non-residential uses to their existing size to maintain an acceptable level of compatibility with the surrounding residential uses. The recommended amendment to the Zoning By-law will regularize and permit existing site conditions which do not meet the standard requirements of the requested zones, nor the standard parking requirements in the Zoning By-law. The existing site conditions can accommodate the existing non-residential use without serious adverse impacts for surrounding residential land uses; and,

- the recommended holding provisions will ensure compatibility between existing industrial uses on the subject lands and new residential uses. (2018-D09)

Motion Passed

16. (3.5) Application - 809 Dundas Street (Z-8875)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Paramount Development (London) Inc., relating to the property located at 809 Dundas Street:

- a) the comments received from the public during the Public Engagement process appended to the staff report dated June 18, 2018, BE RECEIVED for information;
- b) Planning staff BE DIRECTED to make the necessary arrangements to hold a future public participation meeting regarding the above-noted application in accordance with the Planning Act, R.S.O 1990, c.P. 13; and,
- c) the Civic Administration BE REQUESTED to include, as part of any recommended bonus zoning, the provision of a portion of the total units of the proposed building as affordable housing units;

it being noted that staff will continue to process the application and will consider the public, agency, and other feedback received during the review of the subject application as part of the staff evaluation of the subject application;

it being noted that the Planning and Environment Committee reviewed and received a communication dated June 14, 2018, from J. Thompson, Executive Director, LIFE*SPIN, with respect to this matter;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions regarding these matters. (2018-D09)

Motion Passed

17. (3.6) Application - 1738, 1742, 1752 and 1756 Hamilton Road (39T-17502/OZ-8147) (Relates to Bill No.s 302 and 319)

Motion made by: S. Turner

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Thames Village Joint Venture Corporation, relating to the properties located at 1738, 1742, 1752 and 1756 Hamilton Road:

- a) the proposed by-law appended to the staff report dated June 18, 2018 as Appendix "A-1" BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to amend the Official Plan to delete the "Secondary Collector" road classification on Schedule 'C' – Transportation Corridors map;
- b) the proposed by-law appended to the staff report dated June 18, 2018 as Appendix "A-2" BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Urban Reserve (UR4) Zone, a holding Urban Reserve (h-2•UR4) Zone, a Residential R1 (R1-14) Zone, an Environmental Review (ER) Zone, an Open Space (OS4) Zone, and a holding Open Space (h-2•OS4) Zone TO:
 - i) a holding Residential R1 Special Provision (h•h-100•R1-3(*)) Zone to permit single detached dwellings on lots with a minimum lot frontage of 10 metres and a minimum lot area of 300 square metres; together with a special provision for a maximum lot coverage of 45% for one (1) storey dwellings;
 - ii) a holding Residential R1 Special Provision (h•h-100•R1-3(**)) Zone with a special provision to permit the existing single detached dwelling with a minimum front yard depth of 1.5 metres;
 - iii) a holding Residential R4 Special Provision (h•h-100•R4-6()) Zone to permit street townhouse dwellings with a minimum lot area per unit of 145 square metres, together with a special provision for a minimum lot frontage of 7.0 metres, a minimum front and exterior side yard depth of 3.0 metres to a main building and 6.0 metres to a garage, and a minimum rear yard depth of 6.0 metres where access from the front yard to the rear yard of each unit is provided through the garage;
 - iv) a holding Residential R6 Special Provision (h•h-100•R6-5()) Zone to permit various forms of cluster housing including single detached, semi-detached, duplex, triplex, fourplex, townhouse, stacked townhouse, and apartment buildings up to a maximum density of 35 units per hectare and a maximum height of 12 metres; together with a special provision for a minimum interior side and rear yard depth of 5.0 metres, and to permit open or covered but unenclosed decks or porches not exceeding one storey in height to project into the required yard no closer than 2.0 metres to a lot line adjacent an Open Space (OS5) Zone; and,
 - v) an Open Space (OS5) Zone to permit such uses as conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways, and managed woodlots;

it being noted that the following holding provisions have also been applied:

- (h) - to ensure orderly development and adequate provision of municipal services, the "h" symbol shall not be deleted until the required security is provided and that the conditions of draft plan approval will ensure the execution of a subdivision agreement prior to development; and,

- h-100 – to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available;

c) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for Draft Plan of Subdivision by Thames Village Joint Venture Corporation:

- concerns with the address numbering;
- enquiring about a privacy fence;
- wondering if the homes will be one or two storeys;
- wondering about the townhouse style development behind large acreage properties;
- concerns with the loss of privacy;
- concerns with the creek bed that runs behind the property;

d) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Thames Village Joint Venture Corporation (File No. 39T-17502) (Project No. OVE DP), dated September 20, 2017, as red-line amended, which shows a draft plan of subdivision consisting of 69 single detached residential lots, 2 cluster housing blocks, 1 street townhouse block, 7 open space blocks, 1 road widening block, 2 reserve blocks, 2 temporary turning circles, and 3 local streets; SUBJECT TO the conditions contained in Appendix "A-3" appended to the staff report dated June 18, 2018;

e) the Applicant BE ADVISED that Development Finance has summarized claims and revenues information appended to the staff report dated June 18, 2018 as Appendix "A-4"; and,

f) the Site Plan Approval Authority BE REQUESTED to consider privacy fencing where indicated in the final site plan approval;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions regarding these matters;

it being further noted that the Municipal Council approves this application for the following reason:

- the proposed Thames Village Joint Venture Corp. Draft Plan of Subdivision, Official Plan and Zoning By-law amendments are consistent with The London Plan, the City's Official Plan, the Old Victoria Area Plan, and the Provincial Policy Statement. The recommended red-lined draft plan and conditions of draft approval will create a residential subdivision compatible with adjacent lands, provide good connectivity and opportunities for a multi-use trail system, and appropriate protection and enhancement of natural heritage resources. The recommended Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments represent good land use planning and an appropriate form of development. (2018-D09)

Motion Passed

18. (3.7) Application - 1742 Hamilton Road (39CD-17501)

Motion made by: S. Turner

That, on the recommendation of the Senior Planner, Development Services, with respect to the application of Thames Village Joint Venture Corporation, relating to the property located at 1742 Hamilton Road, the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium;

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2018-D07)

Motion Passed

19. (3.8) Application - 420 Fanshawe Park Road East (SPA18-024)

Motion made by: S. Turner

That, on the recommendation of the Manger, Development Planning, the following actions be taken with respect to the application of Westdell Development Corporation, relating to the property located at 420 Fanshawe Park Road East:

a) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a four (4) storey apartment building with a total of one hundred and forty-two (142) residential units;

- the extent of the tree removal on the property;
- request for an increased amount of screening on the hedgerow on Donnybrook;
- landscaping concerns;
- requesting that trees not able to be planted on the subject property be planted in Virginia Park;
- significant groundwater levels;
- subsurface water movement on the site and surrounding properties causing basement flooding;
- an increase of traffic and parking along adjacent streets;
- traffic being allowed to turn onto the site from Fanshawe Park Road;
- timing of the bore hole drilling as it was done in January 2018;
- construction access to the subject site not be granted from Donnybrook Road and surrounding streets;
- construction vehicles be retained on the subject site;
- concerns with the loss of the vegetation existing on the site currently;
- geotechnical report concerns as there is a significant number of flooding basements on Donnybrook Road;
- clarification of one level or two levels of underground parking;

- concern with right in and right out only access causing more traffic along Donnybrook Road, which is a narrow road;
- fence height and material; not reasonable for the east and west sides of the properties;
- west side will have a garage door close to the neighbouring property;

b) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan Application with the following conditions:

- a quiet operator and a quiet door;
- tree compensation plan;
- construction traffic management plan;
- parking garage sound mitigation measures;
- pre-consultation placement of fencing;
- pre and post construction consideration of traffic calming;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions regarding these matters. (2018-D11)

Motion Passed

20. (4.1) Tree Protection By-law C.P. - 1515-228 Amendments and Implementation Update (Relates to Bill No.)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to The City of London Tree Protection By-law C.P.-1515-228:

- a) the staff report dated June 18, 2018, entitled “The City of London Tree Protection By-law C.P.-1515-228 Amendments and Implementation Update” BE RECEIVED for information;
- b) the proposed amendments to the current by-law BE REFERRED to the Trees & Forest Advisory Committee for review and comment; and,
- c) the proposed by-law BE REFERRED to a public participation meeting to be held by the Planning and Environment Committee on September 24, 2018 for the purpose of seeking public input and comments on amendments to the current by-law. (2018-E18)

Motion Passed

21. (4.2) The Dundas Place Manager Purchase of Service Agreement (Relates to Bill No. 298)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Dundas Place Manager Purchase of Service Agreement:

- a) the proposed by-law appended to the staff report dated June 18, 2018 BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to authorize a Purchase of Service Agreement between MainStreet London Revitalization Organization and The Corporation of the City of London for the provision of certain services related to the management of Dundas Place; and,
- b) the Mayor and the City Clerk BE AUTHORIZED to execute the Agreement noted in a) above. (2018-L04A)

Motion Passed

22. (4.3) Subdivision Application Procedure - 3080 Bostwick Road; 3700 Colonel Talbot Road and 3645 Bostwick Road

Motion made by: S. Turner

That the following actions be taken with respect to the communication dated June 7, 2018, from A. Soufan, President, York Developments, with respect to the subdivision application procedure for the properties located at 3080 Bostwick Road, 3700 Colonel Talbot Road and 3645 Bostwick Road:

- a) the Civic Administration BE AUTHORIZED to accept and process applications by York Developments for the properties located at 3080 Bostwick Road, 3700 Colonel Talbot Road and 3645 Bostwick Road; it being noted that these applications may require amendments to the Southwest Area Plan and that these applications are to be processed through the normal channels and in due course will return to Planning and Environment Committee and Council for consideration; and,
- b) the Civic Administration BE DIRECTED to accept and process planning applications related to residential growth within the Southwest Area Plan and bring completed applications forward to Municipal Council for review and direction. (2018-D12)

Motion Passed

- 8.3 10th Report of the Community and Protective Services Committee

Motion made by: M. Cassidy

That the 10th Report of the Community and Protective Services Committee BE APPROVED, excluding items 14 (2.1), 17 (4.1) and 18 (4.2).

Yeas: (12): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, S. Turner, T. Park, and J. Zaifman

Absent: (3): M. Salih, V. Ridley, and H. Usher

Motion Passed (12 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.2) RFP18-11 - Consulting Services - Kilally Fields

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the award of consulting services for the new sports fields complex at the Kilally Fields:

- a) the proposal submitted by Landscape Planning Limited for the provision of Consulting Services for the Kilally Fields, in accordance with RFP 18-11, at a total estimated cost of \$241,000.00 (HST extra), BE ACCEPTED;
- b) the financing for this project BE APPROVED in accordance with the Source of Financing Report, as appended to the staff report dated June 18, 2018;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract for this purchase; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract, statement of work, or other documents, if required, to give effect to these recommendations. (2018-A05/F18)

Motion Passed

3. (2.3) Promissory Note Between the City of London and The London Public Library (Relates to Bill No. 289)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law, as appended to the staff report dated June 18, 2018, BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to:

- a) approve an agreement between The Corporation of the City of London (the City) and the London Public Library (the Library) regarding the \$1, 917, 507.00 promissory note; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted agreement. (2018-S12)

Motion Passed

4. (2.4) Subsidized Bus Pass for Youth 13-17 Years of Age - Council By-law and Agreement (Relates to Bill No. 290)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the proposed by-law, as appended to the staff report dated June 18, 2018, BE INTRODUCED at the Municipal Council meeting on June 26, 2018 to:

- a) authorize and approve an Agreement between The Corporation of the City of London and the London Transit Commission to provide a subsidized monthly bus pass for individuals 13 up to and including 17 years of age, commencing September 1, 2018 and authorize a grant to the London Transit Commission for such purpose; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2018-T03)

Motion Passed

- 5. (2.5) Agreement - The Optimist Club of Fanshawe, London Fanshawe Optimist Park - Children & Youth Facilities (Relates to Bill No. 291)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the proposed by-law, as appended to the staff report dated June 18, 2018, BE INTRODUCED at the Municipal Council of June 26, 2018 to:

- a) approve the Agreement between The Corporation of the City of London and The Optimist Club of Fanshawe, London regarding the construction of children and youth facilities at Fanshawe Optimist Park; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2018-L04A)

Motion Passed

- 6. (2.6) Community Policing Partnership Program (Relates to Bill No. 292)

Motion made by: M. Cassidy

That, on the recommendation of the Chief of Police, the proposed by-law, as appended to the staff report dated June 18, 2018, BE INTRODUCED at the Municipal Council meeting on June 26, 2018 to:

- a) approve the Agreement between Her Majesty The Queen in Right of Ontario, as represented by the Minister of the Ministry of Community Safety and Correctional Services, The Corporation of the City of London and the London Police Services Board as it relates to the provision of funding under the Community Policing Partnerships Program to maintain a front-line presence; and,
- b) the Mayor and the City Clerk be authorized to execute the above-noted Agreement on behalf of The Corporation of the City of London. (2018-P15)

Motion Passed

7. (2.7) Safer Communities – 1,000 Officers Partnerships Program (Relates to Bill No. 293)

Motion made by: M. Cassidy

That, on the recommendation of the Chief of Police, the proposed by-law, as appended to the staff report dated June 18, 2018, BE INTRODUCED at the Municipal Council meeting on June 26, 2018 to:

- a) approve the Agreement between Her Majesty The Queen in Right of Ontario, as represented by the Minister of the Ministry of Community Safety and Correctional Services, The Corporation of the City of London and the London Police Services Board, as it relates to the provision of funding under the Safer Communities - 1,000 Officers Partnership Program; and,
- b) the Mayor and the City Clerk be authorized to execute the above-noted Agreement on behalf of The Corporation of the City of London. (2018-P15)

Motion Passed

8. (2.8) GreenON Social Housing Program (Relates to Bill No. 294)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the proposed by-law, as appended to the staff report dated June 18, 2018, BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to:

- a) authorize and approve a Transfer Payment Agreement, substantially in the form appended to the above-noted by-law and satisfactory to the City Solicitor, between The Corporation of the City of London and the Housing Services Corporation for the GreenON Social Housing Program;
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement;
- c) authorize the Managing Director of Housing, Social Services and Dearness Home, or designate, to execute any documents and reports in furtherance of this Agreement, as required;
- d) authorize and approve a Housing Provider Contribution Agreement, in a form satisfactory to the City Solicitor, between The Corporation of the City of London and the Housing Provider; and
- e) authorize the Managing Director of Housing, Social Services and Dearness Home, or designate, to execute the above-noted Housing Provider Contribution Agreement. (2018-S11)

Motion Passed

9. (2.9) Ontario Renovates Home Repair (Relates to Bill No. 295)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the proposed by-law, as appended to the staff report dated June 18, 2018, with respect to

the Ontario Renovates Program, BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018, to:

- a) authorize and approve the Home Repair Loan Agreement for the Ontario Renovates Program, substantially in the form appended to the above-noted by-law and satisfactory to the City Solicitor, for the Ontario Renovates Program between The Corporation of the City of London and eligible applicants; and,
- b) authorize the Managing Director, Housing, Social Services and Dearness Home, or delegate, to execute the above-noted Agreement. (2018-S11/F11)

Motion Passed

10. (2.10) Request for Proposal 18-05 Social Housing Building Inventory – Building Condition Assessment and Reserve Fund Studies

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the Social Housing Building Inventory – Building Condition Assessment and Reserve Fund Studies Request for Proposal (RFP 18-05):

- a) the proposal submitted by Edison Engineers Inc. to conduct a Social Housing Building Inventory and Reserve Fund Studies, at a cost of \$115,225 (excluding HST), BE ACCEPTED;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated June 18, 2018;
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this service contract;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract for the work to be done relating to this project; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2018-S11)

Motion Passed

11. (2.11) Portable Housing Benefit – Special Priority Policy (PHB-SPP) Program (Relates to Bill No. 296)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the proposed by-law, as appended to the staff report dated June 18, 2018, BE INTRODUCED at the Municipal Council meeting to be held on June 26th, 2018 to:

- a) authorize and approve an Agreement, substantially in the form appended to the above-noted by-law and satisfactory to the City Solicitor, between The Corporation of the City of London and Her Majesty the Queen in right of Ontario, as represented by the

Ministry of Housing and the Ministry of Finance, for the purpose of approving a Transfer Payment Agreement for the Portable Housing Benefit – Special Priority Policy (PHB-SPP) Program;

b) authorize the Mayor and the City Clerk to execute the above-noted Agreement; and,

c) authorize the Managing Director, Housing, Social Services and Dearness Home, or delegate, to execute any documents and reports in furtherance of this Agreement as required. (2018-S11)

Motion Passed

12. (2.12) Requested Amendments to the Terms of Reference for the Accessibility Advisory Committee

Motion made by: M. Cassidy

That, on the recommendation of the City Clerk, with the concurrence of the Specialist I, Municipal Policy (AODA), the proposed, revised Terms of Reference for the Accessibility Advisory Committee, as appended to the staff report dated June 18, 2018, BE APPROVED. (2018-A22/C12)

Motion Passed

13. (2.13) Source of Financing for the Simcoe School WWI Memorial Restoration

Motion made by: M. Cassidy

That, on the recommendation of the Director, Community and Economic Innovation, the financing for the Simcoe School WWI Memorial Restoration Project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated June 18, 2018. (2018-R07)

Motion Passed

15. (3.1) 4th Report of the Community Safety & Crime Prevention Advisory Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 4th Report of the Community Safety and Crime Prevention Advisory Committee from its meeting held on May 24, 2018:

a) the verbal presentation from the Executive Director, Neighbourhood Watch London, BE RECEIVED with respect to how Neighbourhood Watch London can work collaboratively and be a leader in building London's community safety network in order to support Bill 175, Safer Ontario Act, which requires implementation in 2018 and will align with the Community Plans and Council's Strategic Priorities;

b) that the following actions be taken with respect to automated speed enforcement:

i) a representative from the Municipal Law Enforcement BE REQUESTED to attend the next Community Safety and Crime

Prevention Advisory Committee (CSCP) to advise what actions have been undertaken with respect to speed enforcement in school areas and the number of tickets that have been issued; and,

ii) the CSCP BE INCLUDED in the Civic Administration's review of the automated speed enforcement in community safety zones and school zones;

c) clauses 1.1, 2.1, 3.1, 3.2, 5.1 to 5.3, 6.1 and 6.4 BE RECEIVED; it being noted that members of the TAC and/or CAC will be invited to the presentation on bicycle helmet safety; and,

d) that the London Police Service (LPS) BE REQUESTED to consider the provision of an LPS member to be a resource to the Community Safety and Crime Prevention Advisory Committee;

it being noted that a verbal delegation from M. Sherritt, Member, Community Safety and Crime Prevention Advisory Committee, with respect to this matter, was received.

Motion Passed

16. (3.2) Choose London – Innovative, Vibrant and Global - London's Newcomer Strategy

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Housing, Social Services and Deerness Home, the Strategy Report, as appended to the staff report dated June 18, 2018, with respect to Choose London – Innovative, Vibrant and Global: London's Newcomer Strategy, BE ENDORSED; it being noted that the attached presentation from J. Tansley, Manager, Strategic Programs and Partnerships, E. Low, Specialist, Immigration, J. Ballès, Trudell Medical Limited and D. Sainani, London-Middlesex Local Immigration Partnership with respect to this matter, was received. (2018-S15)

Motion Passed

19. (5.1) Deferred Matters List

Motion made by: M. Cassidy

That the Deferred Matters List for the Community and Protective Services Committee, as at June 11, 2018, BE RECEIVED.

Motion Passed

20. (5.2) 6th Report of the Animal Welfare Advisory Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 6th Report of the Animal Welfare Advisory Committee from its meeting held on June 7, 2018:

a) the Civic Administration BE REQUESTED to advise the Animal Welfare Advisory Committee of the recommendations being implemented relating to the Green Standards for Light Pollution and Bird Friendly Development; it being noted that the Municipal Council resolution adopted at its meeting held on April 10, 2018

with respect to the 4th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on March 15, 2018, was received;

b) representatives from the Newmarket OSPCA and London Police Services Board BE INVITED to attend a future meeting of the Animal Welfare Advisory Committee (AWAC) to advise the AWAC of the following:

i) whose responsibility it is to remove animals from hot cars; and,

ii) how to increase public awareness of which organization to contact; and,

c) clauses 1.1, 2.1, 3.2, 4.1, 5.1, 5.2, 5.4, 5.5, 6.1 to 6.3 BE RECEIVED.

Motion Passed

21. (5.3) 6th Report of the London Housing Advisory Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 6th Report of the London Housing Advisory Committee from its meeting held on June 13, 2018:

a) K. Killen, Senior Planner, BE REQUESTED to attend a future London Housing Advisory Committee meeting to provide an update with respect to the Old East Village Dundas Street Corridor Secondary Plan; and,

b) clauses 1.1, 2.1, 2.2, 3.1, 4.2 to 4.8, 5.1 and 5.2, BE RECEIVED.

Motion Passed

22. (5.4) Richard B. Harrison Park Fire

Motion made by: M. Cassidy

That it BE NOTED that Councillor T. Park enquired about the status of replacing playground equipment damaged in a recent fire at Richard B. Harrison Park; the Managing Director, Parks and Recreation, provided a verbal update on the progress of replacement equipment.

Motion Passed

23. (5.5) Injured Firefighters

Motion made by: M. Cassidy

That it BE NOTED that Councillor M. Salih enquired as to the well-being of the two firefighters injured in a water rescue training exercise on Fanshawe Lake; the Managing Director, Neighbourhood, Children and Fire Services provided a brief verbal update.

Motion Passed

14. (2.1) Odour Monitoring Pilot Program

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the staff report dated June 18, 2018, with respect to an update on the odour monitoring pilot program, BE RECEIVED; it being noted that the Civic Administration will report back on the outcome of the above-noted program upon its completion in the fourth quarter of 2018. (2018-E07)

Yeas: (11): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, T. Park, and J. Zaifman

Recuse: (1): S. Turner

Absent: (3): M. Salih, V. Ridley, and H. Usher

Motion Passed (11 to 0)

17. (4.1) 5th Report of the Accessibility Advisory Committee

Councillor M. Cassidy moves that Item 17, the 5th Report of the Accessibility Advisory Committee (ACCAC) BE APPROVED.

Motion made by: M. Cassidy

The motion to approve part e) of Item 17, relating to the 5th Report of the ACCAC is put.

e) the following recommendation of the ACCAC BE REFERRED to the next meeting of the CPSC for consideration:

"the Managing Director, Corporate Services and City Solicitor BE REQUESTED to seek a legal opinion, from an expert in Accessibility and Human Rights legislation, with respect to the following matters, as they relate to the Conservation Master Plan for the Medway Valley Heritage Forest Environmentally Significant Area and the related, ~~attached~~ Council resolution:

i) clarification and direction on parts a) iv) and a) vi) and the application of section 80.15 of the Accessibility for Ontarians with Disabilities Act (AODA), Regulation 191/11 Integrated Accessibility Standard, as it applies to the Municipal Council's decision to reject portions of the recommended Master Plan;

it being noted that clause a) iv) calls for further consultations, however clauses a) i), a) ii), a) v) and a) vii) all serve to limit the scope of what the community (including the Accessibility Advisory Committee [ACCAC]) can discuss, comment on, or recommend and this is of particular concern as several members of Municipal Council cited ineffective or insufficient consultation as a major factor in their rejection of the CMP Phase 2 put forth by the Civic Administration;

it being further noted that, with respect to clause a) vi), the direction to limit hardscaped surfaces may be deemed to be in direct conflict with the Municipal Council endorsed Trail Guidelines and the provincial legislation, more specifically the AODA, Regulation 191/11 Integrated Accessibility Standard, which noted in section 80.9 (1), subsection 3, that "the surface of a recreational trail must

be firm and stable”, and section 80.14 (b) further clarifies that “where an exception is permitted to a requirement that applies to a recreational trail..., the exception applies solely to the portion of the recreational trail...for which it is claimed and not to the recreational trail...in its entirety”;

ii) to further clarify the much discussed and cited exemption, under section 80.15 of the standard, as the ACCAC believes it does not apply and cannot be used to justify limited accessibility in the Valley;

it being noted that the exemption requires the municipality to demonstrate a significant risk to the environment exists;

it being further noted that the Conservation Master Plan Phase 1, to which the ACCAC had no involvement or undue influence, delineated between areas of high and low sensitivity and risk to the environment and all proposed accessibility enhancements were contained within the Natural Environment Zones, as opposed to the sensitive Nature Reserve Zones; and,

iii) to address the application of the Ontario Human Rights Code, as well as the Universal Declaration of Human Rights, as proclaimed by the United Nations, cited in the preamble of the Code, as it relates to the above-noted Municipal Council resolution, most notably the application of sections 1, 2, 13 and 17 of the Code;

it being noted that all discussions at committee level and Municipal Council level addressed only the AODA when discussing accessibility legal requirements."

Yeas: (6): Mayor M. Brown, M. van Holst, B. Armstrong, M. Cassidy, J. Morgan, and J. Zaifman

Nays: (6): J. Helmer, P. Squire, P. Hubert, A. Hopkins, S. Turner, and T. Park

Absent: (3): M. Salih, V. Ridley, and H. Usher

Motion Failed (6 to 6)

At 8:00 PM, Councillor V. Ridley enters the meeting.

Motion made by: P. Squire

Seconded by: S. Turner

That the following part e), BE RECEIVED, with no further action to be taken:

e) the following recommendation of the ACCAC BE RECEIVED and NO FURTHER ACTION TAKEN with respect to this matter:

"the Managing Director, Corporate Services and City Solicitor BE REQUESTED to seek a legal opinion, from an expert in Accessibility and Human Rights legislation, with respect to the following matters, as they relate to the Conservation Master Plan for the Medway Valley Heritage Forest Environmentally Significant Area and the related, attached Council resolution:

i) clarification and direction on parts a) iv) and a) vi) and the application of section 80.15 of the Accessibility for Ontarians with Disabilities Act (AODA), Regulation 191/11 Integrated Accessibility Standard, as it applies to the Municipal Council's decision to reject portions of the recommended Master Plan;

it being noted that clause a) iv) calls for further consultations, however clauses a) i), a) ii), a) v) and a) vii) all serve to limit the scope of what the community (including the Accessibility Advisory Committee [ACCAC]) can discuss, comment on, or recommend and this is of particular concern as several members of Municipal Council cited ineffective or insufficient consultation as a major factor in their rejection of the CMP Phase 2 put forth by the Civic Administration;

it being further noted that, with respect to clause a) vi), the direction to limit hardscaped surfaces may be deemed to be in direct conflict with the Municipal Council endorsed Trail Guidelines and the provincial legislation, more specifically the AODA, Regulation 191/11 Integrated Accessibility Standard, which noted in section 80.9 (1), subsection 3, that “the surface of a recreational trail must be firm and stable”, and section 80.14 (b) further clarifies that “where an exception is permitted to a requirement that applies to a recreational trail..., the exception applies solely to the portion of the recreational trail...for which it is claimed and not to the recreational trail...in its entirety”;

ii) to further clarify the much discussed and cited exemption, under section 80.15 of the standard, as the ACCAC believes it does not apply and cannot be used to justify limited accessibility in the Valley;

it being noted that the exemption requires the municipality to demonstrate a significant risk to the environment exists;

it being further noted that the Conservation Master Plan Phase 1, to which the ACCAC had no involvement or undue influence, delineated between areas of high and low sensitivity and risk to the environment and all proposed accessibility enhancements were contained within the Natural Environment Zones, as opposed to the sensitive Nature Reserve Zones; and,

iii) to address the application of the Ontario Human Rights Code, as well as the Universal Declaration of Human Rights, as proclaimed by the United Nations, cited in the preamble of the Code, as it relates to the above-noted Municipal Council resolution, most notably the application of sections 1, 2, 13 and 17 of the Code;

it being noted that all discussions at committee level and Municipal Council level addressed only the AODA when discussing accessibility legal requirements."

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, P. Squire, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Nays: (3): J. Helmer, M. Cassidy, and J. Morgan

Absent: (2): M. Salih, and H. Usher

Motion Passed (10 to 3)

Motion made by: M. Cassidy

The motion to approve the remainder of Item 17, the 5th Report of the ACCAC, is put.

That the following actions be taken with respect to the 5th Report of the Accessibility Advisory Committee from its meeting held on May 24, 2018:

- a) the Civic Administration BE ADVISED that the Accessibility Advisory Committee recommends that additional on-street parking on Main Street in Lambeth be installed between South Routledge Road and Bainard Street (Site 2); it being noted that the ~~attached~~ presentation from M. Davenport, Engineer-in-Training, was received with respect to this matter;
- b) that the following actions be taken with respect to the 2018 Parking Lot Rehabilitation program:
 - i) the Manager, Municipal Law Enforcement Services – Parking and Licensing, or designate, BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee (ACCAC) to discuss accessible pay parking meters; and,
 - ii) the Civic Administration BE ADVISED that the ACCAC recommends that one additional accessible parking spot be installed in Lot 3E at Piccadilly east of Richmond Street, just south of the pay station;

it being noted that the ~~attached~~ presentation from M. Davenport, Engineer-in-Training, was received with respect to this matter;

- c) clauses 1.1, 2.3, 2.4, 3.1, 3.3, 3.5 and 3.6 BE RECEIVED;
- d) the following recommendation of the Accessibility Advisory Committee (ACCAC) BE REFERRED to the next meeting of the Community and Protective Services Committee (CPSC) for consideration:

"Municipal Council BE REQUESTED to take no action with respect to the proposed "Green Standards for Light Pollution and Bird-Friendly Development" document submitted by the Environmental and Ecological Planning Advisory Committee, pending the completion of a review and report back to the Accessibility Advisory Committee (ACCAC) by Civic Administration with respect to how the proposal relates to accessibility and the ACCAC has been able to provide input on the draft proposal; it being noted that the ACCAC received the draft proposal for review the May 24, 2018 meeting of the committee;" and,

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

Item 17, as adopted, reads as follows:

That the following actions be taken with respect to the 5th Report of the Accessibility Advisory Committee from its meeting held on May 24, 2018:

- a) the Civic Administration BE ADVISED that the Accessibility Advisory Committee recommends that additional on-street parking on Main Street in Lambeth be installed between South Routledge Road and Bainard Street (Site 2); it being noted that the ~~attached~~ presentation from M. Davenport, Engineer-in-Training, was received with respect to this matter;
- b) that the following actions be taken with respect to the 2018 Parking Lot Rehabilitation program:

i) the Manager, Municipal Law Enforcement Services – Parking and Licensing, or designate, BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee (ACCAC) to discuss accessible pay parking meters; and,

ii) the Civic Administration BE ADVISED that the ACCAC recommends that one additional accessible parking spot be installed in Lot 3E at Piccadilly east of Richmond Street, just south of the pay station;

it being noted that the ~~attached~~ presentation from M. Davenport, Engineer-in-Training, was received with respect to this matter;

c) clauses 1.1, 2.3, 2.4, 3.1, 3.3, 3.5 and 3.6 BE RECEIVED;

d) the following recommendation of the Accessibility Advisory Committee (ACCAC) BE REFERRED to the next meeting of the Community and Protective Services Committee (CPSC) for consideration:

"Municipal Council BE REQUESTED to take no action with respect to the proposed "Green Standards for Light Pollution and Bird-Friendly Development" document submitted by the Environmental and Ecological Planning Advisory Committee, pending the completion of a review and report back to the Accessibility Advisory Committee (ACCAC) by Civic Administration with respect to how the proposal relates to accessibility and the ACCAC has been able to provide input on the draft proposal; it being noted that the ACCAC received the draft proposal for review the May 24, 2018 meeting of the committee;" and,

e) the following recommendation of the ACCAC BE RECEIVED and NO FURTHER ACTION TAKEN with respect to this matter:

"the Managing Director, Corporate Services and City Solicitor BE REQUESTED to seek a legal opinion, from an expert in Accessibility and Human Rights legislation, with respect to the following matters, as they relate to the Conservation Master Plan for the Medway Valley Heritage Forest Environmentally Significant Area and the related, ~~attached~~ Council resolution:

i) clarification and direction on parts a) iv) and a) vi) and the application of section 80.15 of the Accessibility for Ontarians with Disabilities Act (AODA), Regulation 191/11 Integrated Accessibility Standard, as it applies to the Municipal Council's decision to reject portions of the recommended Master Plan;

it being noted that clause a) iv) calls for further consultations, however clauses a) i), a) ii), a) v) and a) vii) all serve to limit the scope of what the community (including the Accessibility Advisory Committee [ACCAC]) can discuss, comment on, or recommend and this is of particular concern as several members of Municipal Council cited ineffective or insufficient consultation as a major factor in their rejection of the CMP Phase 2 put forth by the Civic Administration;

it being further noted that, with respect to clause a) vi), the direction to limit hardscaped surfaces may be deemed to be in direct conflict with the Municipal Council endorsed Trail Guidelines and the provincial legislation, more specifically the AODA, Regulation 191/11 Integrated Accessibility Standard, which noted in section 80.9 (1), subsection 3, that "the surface of a recreational trail must be firm and stable", and section 80.14 (b) further clarifies that "where an exception is permitted to a requirement that applies to a recreational trail..., the exception applies solely to the portion of the

recreational trail...for which it is claimed and not to the recreational trail...in its entirety”;

ii) to further clarify the much discussed and cited exemption, under section 80.15 of the standard, as the ACCAC believes it does not apply and cannot be used to justify limited accessibility in the Valley;

it being noted that the exemption requires the municipality to demonstrate a significant risk to the environment exists;

it being further noted that the Conservation Master Plan Phase 1, to which the ACCAC had no involvement or undue influence, delineated between areas of high and low sensitivity and risk to the environment and all proposed accessibility enhancements were contained within the Natural Environment Zones, as opposed to the sensitive Nature Reserve Zones; and,

iii) to address the application of the Ontario Human Rights Code, as well as the Universal Declaration of Human Rights, as proclaimed by the United Nations, cited in the preamble of the Code, as it relates to the above-noted Municipal Council resolution, most notably the application of sections 1, 2, 13 and 17 of the Code;

it being noted that all discussions at committee level and Municipal Council level addressed only the AODA when discussing accessibility legal requirements."

18. (4.2) Middlesex-London Health Unit Office Space Fit-up Funding Request

Motion made by: M. Cassidy

That the communication, dated June 18, 2018, from Dr. C. Mackie, Medical Officer of Health/CEO from the Middlesex-London Health Unit, with respect to the Middlesex-London Health Unit office space fit-up funding request, BE REFERRED to the next meeting of the Community and Protective Services Committee for consideration.

Yeas: (12): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, T. Park, and J. Zaifman

Recuse: (1): S. Turner

Absent: (2): M. Salih, and H. Usher

Motion Passed (12 to 0)

8.4 13th Report of the Corporate Services Committee

Motion made by: J. Helmer

That the 13th Report of the Corporate Services Committee BE APPROVED.

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

None.

Motion Passed

2. (2.1) Council Policy - Public Access During Council and Standing Committee Meetings (Relates to Bill No.303)

Motion made by: J. Helmer

That, on the recommendation of the City Clerk and the Division Manager, Corporate Security and Emergency Management, with the concurrence of the Managing Director, Corporate Services and Chief Human Resources Officer and the Managing Director, Corporate Services and City Solicitor, the proposed by-law appended to the staff report dated June 19, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to establish a new policy pertaining to public access during Council and Standing Committee meetings.

Motion Passed

3. (2.3) Appointment of Hearings Officers to Conduct Hearings Under Various City of London By-laws (Relates to Bill No.s 285 and 286)

Motion made by: J. Helmer

That, on the recommendation of the City Clerk, the following actions be taken with respect to appointment of Hearings Officers to conduct Hearings under various City of London by-laws:

a) the proposed by-law appended to the staff report dated June 19, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to amend By-law No. A.-6653-121 being "A by-law to establish the positions of Hearings Officer" by removing the requirement that a Hearings Officer be a resident of London and by removing the term of appointment; and,

b) subject to a), above, the proposed by-law appended to the staff report dated June 19, 2018 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to approve the appointment of Hearings Officers in accordance with By-law A.-6653-121, as amended, being "A by-law to establish the positions of Hearings Officer".

Motion Passed

4. (2.4) Infrastructure Canada's Smart Cities Challenge Update

Motion made by: J. Helmer

That, on the recommendation of the Director, Community & Economic Innovation, the staff report dated June 19, 2018, including the City of London Smart Cities Challenge Application appended thereto, BE RECEIVED for information.

Motion Passed

5. (2.6) Capital Budget Realignment - Bus Rapid Transit

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated June 19, 2018, with respect to realignment of the capital budget for the Bus Rapid Transit project, BE RECEIVED for information.

Motion Passed

6. (2.7) Request for Prequalification 18-06 - Vendor of Record List for Interior Renovations

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to award of contracts for the Vendor of Record for interior renovations:

a) the prequalification responses submitted by the following vendors BE ACCEPTED:

i) Bronnenco Construction Ltd., 1885 Blue Heron Drive, Unit 1 , London, ON, N6H 5L9;

ii) Elgin Contracting and Restoration Ltd., 10 Barrie Blvd., St. Thomas, ON, N5P 4B9;

iii) K & L Construction (Ontario) Ltd., 27-1615 North Routledge Park, London, ON, N6H 5N5;

iv) michael + clark construction, 6447 Westminster Drive, London, ON, N6P 1N5;

v) Tradition Construction Inc., 523 Bathurst Street, London, ON, N6B 1P5; and

vi) Van Boxmeer Construction Co. Ltd., 13466 Elginfield Rd, Lucan, ON, N0M 2J0;

b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these purchases; and

c) approval hereby given BE CONDITIONAL upon the Corporation entering into formal contracts or having a purchase order, or contract records relating to the subject matter of this approval.

Motion Passed

7. (2.8) Procurement of Goods and Services Policy Revisions (Relates to Bill No. 288)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated June 19, 2018 as Appendix "1" BE INTRODUCED at the Municipal Council meeting

to be held on June 26, 2018 to amend Schedule “C” - Procurement of Goods and Services Policy to By-law No. A.-6151-17, being “A By-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001”.

Motion Passed

8. (2.11) Update: Harassment and Discrimination - Third Party Review

Motion made by: J. Helmer

That, on the recommendation of the City Manager and Managing Director, Corporate Services and Chief Human Resources Officer, the staff report dated June 19, 2018, providing an update on the third party review with respect to harassment and discrimination, BE RECEIVED for information.

Motion Passed

9. (2.2) Designation of Municipally Significant Events (Relates to Bill No. 304)

Motion made by: J. Helmer

That, on the recommendation of the City Clerk, with the concurrence of the Managing Director, Corporate Services and City Solicitor, the proposed by-law included as Appendix “A” to the staff report dated June 19, 2018 BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to implement a new policy entitled “Designation of Municipally Significant Events Policy”.

Motion Passed

10. (2.5) Southwestern Integrated Fibre Technology (SWIFT) Network Project (Relates to Bill No. 287)

Motion made by: J. Helmer

That, on the recommendation of the Director of Information Technology Services, and the Director of Community and Economic Innovation, with the concurrence of the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer, the following actions be taken with respect to the Southwestern Integrated Fibre Technology (SWIFT) Network project:

a) the proposed by-law appended to the staff report dated June 19, 2018 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to:

i) authorize and approve an Agreement between The Corporation of the City of London and Southwestern Integrated Fibre Technology Inc. to facilitate the construction and interconnection of an ultra-high-speed, open access fibre optic network;

- ii) authorize the Mayor and the City Clerk to execute the Agreement noted in part a) i) above; and
- iii) direct the City Clerk to give written notice of this by-law to the Minister of Finance pursuant to subsection 110(5) of the Municipal Act, 2001.
- b) the financing for the project BE APPROVED in accordance with the “Sources of Financing Report” appended to the staff report dated June 19, 2018 as Appendix “B”;
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this Agreement; and
- d) approval hereby given BE CONDITIONAL upon The Corporation of the City of London entering into a formal contract and having an agreement relating to the subject matter of this approval.

Motion Passed

11. (2.9) Taxation of Railway Rights of Way - High Tonnage

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the Minister of Finance BE REQUESTED to impose a high tonnage rate for railway rights of way in the City of London where such a rate is appropriately based on the data available to the Minister, and the City Clerk BE DIRECTED to forward the Municipal Council's request to the Minister of Finance on or before June 29, 2018.

Motion Passed

12. (2.10) Update: Workplace Diversity and Inclusion

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services and Chief Human Resources Officer, the staff report dated June 19, 2018, providing a Workplace Diversity and Inclusion update, BE RECEIVED for information.

Motion Passed

13. (3.1) Tax Adjustment Agenda

Motion made by: J. Helmer

That the recommendations contained in the Tax Adjustment Agenda appended to the June 19, 2018 agenda of the Corporate Services Committee, BE APPROVED; it being noted that the following members of the public were in attendance to speak before the Corporate Services Committee with respect to the Tax Adjustment Agenda:

- a) F. Ibrahim, regarding the property located at 76 Clarke Road - expressing concern with the property assessment given the timing and completion of the demolition of the building on the

property; it being noted that Mr. Ibrahim was advised that the Municipal Property Assessment Corporation (MPAC) is responsible for property assessments, not the City of London, so he should more properly direct his concerns to the MPAC.

b) H. Kazimme, regarding the property located at 505 Adelaide Street North - expressing concern with the amount of taxes; it being noted that Mr. Kazimme was advised that taxes were based on assessment and that the Municipal Property Assessment Corporation (MPAC) is responsible for property assessments, not the City of London, so he should more properly direct his concerns to the MPAC if he wished to appeal the assessed value of the property.

c) L. Foster-Gosnell, regarding the property located at 675 Country Club Drive - expressing concern with the length of time it took to process a tax refund and assessment reduction as a result of loss due to fire, and lack of communication regarding the process; also indicating dissatisfaction with the length of time it is taking to refund taxes paid that are no longer owing and enquiring when and how she will receive a refund of taxes; it being noted that the Manager, Customer Service and Assessment advised of the process and when and how a refund would be forthcoming.

Motion Passed

14. (4.1) Covent Garden Market

Motion made by: J. Helmer

That representatives of the Covent Garden Market BE INVITED to work with the City of London's Facilities and Transportation staff to investigate possible improvements to access points and procedures for garbage collection and the delivery of goods at the Covent Garden Market.

Motion Passed

15. (4.2) Confirmation of Appointment to the Transportation Advisory Committee and the London Housing Advisory Committee

Motion made by: J. Helmer

That Danny Chang BE APPOINTED as a Non-Voting Post-Secondary Student Representative to the Transportation Advisory Committee and the London Housing Advisory Committee, for the term ending February 28, 2019.

Motion Passed

16. (4.3) Request for Delegation Status at the July 17, 2018 Corporate Services Committee - Ontario Federation of Agriculture - Producing Prosperity in Ontario

Motion made by: J. Helmer

That the request by Crispin Colvin, Director, Ontario Federation of Agriculture, for delegation status at the July 17, 2018 Corporate Services Committee (CSC) meeting, with respect to the Ontario

Motion Passed

9. Added Reports

9.2 2nd Report of the Audit Committee

Motion made by: P. Hubert

Approve the 2nd Report of the Audit Committee.

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: P. Hubert

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (3.1) London and Middlesex Housing Corporation

Motion made by: P. Hubert

That it BE NOTED that the Audit Committee received the ~~attached~~ presentation from J. Browne, Chief Executive Officer and M. Buzzelli, Chair, London & Middlesex Housing Corporation Board of Directors, with respect to the PricewaterhouseCoopers (PwC) internal audit dated February 15, 2018 of London & Middlesex Housing Corporation; it being noted that the Audit Committee received a communication dated June 5, 2018 from PwC with respect to this matter.

Motion Passed

3. (4.1) 2017 Financial Audit

Motion made by: P. Hubert

That the following actions be taken with respect to the 2017 Financial Audit and Audit Findings Report 2017, as prepared by KPMG:

a) the 2017 Financial Report of The Corporation of the City of London BE RECEIVED; and

b) the Audit Findings Report for the year ending December 31, 2017 BE RECEIVED, including the ~~attached~~ revised page relating to the Indicators of Financial Performance document;

it being noted that the Audit Committee received the ~~attached~~ presentation from the Managing Director, Corporate Services and

City Treasurer, Chief Financial Officer and the ~~attached~~ presentation from KPMG with respect to these matters.

Motion Passed

4. (4.2) Addendum Report to the January 2018 Internal Audit Report - Building Permit Review

Motion made by: P. Hubert

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following action plans for the implementation of the recommendations of the Deloitte audit, dated January, 2018, appended to the staff report dated June 20, 2018 as Appendix 'A', BE RECEIVED as addendum to the aforementioned Audit Report.

Motion Passed

5. (4.3) Management Compensation Process Assessment - Internal Audit Report

Motion made by: P. Hubert

That the Internal Audit Report with respect to the Management Compensation Process Assessment, Internal Audit Report, issued April 23, 2018, BE RECEIVED and the recommendations BE IMPLEMENTED.

Motion Passed

6. (4.4) Internal Audit Summary Update Memo

Motion made by: P. Hubert

That the memo dated June 1, 2018, from Deloitte, providing an internal audit summary update BE RECEIVED.

Motion Passed

7. (4.5) June 2017 - December 2018 Internal Audit Dashboard as at June 1, 2018

Motion made by: P. Hubert

That the communication from Deloitte, with respect to the June 2017 - December 2018 Internal Audit Dashboard as of June 1, 2018, BE RECEIVED.

Motion Passed

8. (4.6) City of London Audit Committee Observation Summary as at June 1, 2018

Motion made by: P. Hubert

That the Observation Summary from Deloitte, as of June 1, 2018, BE RECEIVED.

Motion Passed

9. (5.1) Parking Revenue Generation Assessment

Motion made by: P. Hubert

That the Internal Audit Report with respect to the Parking Revenue Generation Assessment, issued June 2018, BE RECEIVED and the recommendations BE IMPLEMENTED.

Motion Passed

9.3 8th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

Seconded by: M. van Holst

That the following items from the 8th Report of the Strategic Priorities and Policy Committee BE REFERRED to the July 24, 2018 meeting of the Municipal Council to provide the members of the public an opportunity to review the items prior to Municipal Council's consideration:

2.1 - 2019 Budget Schedule

2.3 - Free of Fear Services for All Policy

5.1 - Indigenous Relations Working Group

Yeas: (5): M. van Holst, B. Armstrong, P. Squire, J. Morgan, and V. Ridley

Nays: (8): Mayor M. Brown, J. Helmer, M. Cassidy, P. Hubert, A. Hopkins, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Failed (5 to 8)

Motion made by: P. Hubert

That Items 2.1 and 2.2 BE APPROVED.

2.1 2019 Budget Schedule

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following dates for the 2019 Annual Budget Update BE APPROVED:

Tabling of the 2019 Annual Budget Update (Tax Supported, Water and Wastewater & Treatment)
December 17, 2018, 4 p.m.

Public Participation Meeting (Tax Supported, Water and Wastewater & Treatment)
January 17, 2019, 4 p.m.

Budget Review (Tax Supported, Water and Wastewater & Treatment)
January 24, 2019, 9 a.m.

Budget Review (Tax Supported, Water and Wastewater & Treatment)
January 28, 2019, 4 p.m. (if needed)

Final Budget Approval (Tax Supported, Water and Wastewater & Treatment)
February 12, 2019, 4 p.m.

Assessment Growth Allocation Report
February 2019

2.2 Municipal Accommodation Tax - Required Agreements and By-laws

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to implementing the new Municipal Accommodation Tax:

- a) the proposed by-law appended to the staff report dated June 25, 2018 as Appendix A, BE INTRODUCED at the Municipal Council meeting on June 26, 2018, with respect to establishing a tax on the purchase of municipal accommodation in the City of London, entitled “A By-law to Impose a Municipal Accommodation Tax”;
- b) the proposed by-law appended to the staff report dated June 25, 2018 as Appendix B, BE INTRODUCED at the Municipal Council meeting on June 26, 2018 to:
 - i) approve the Municipal Accommodation Tax Collection Agreement (Schedule 1) representing the Agreement between The Corporation of the City of London and the Ontario Restaurant Hotel & Motel Association (ORHMA) for the collection of the Municipal Accommodation Tax in the City of London; and
 - ii) authorize the Mayor and City Clerk to execute the Agreement approved in b) i) above;
- c) the proposed by-law appended to the staff report dated June 25, 2018 as Appendix C, BE INTRODUCED at the Municipal Council meeting on June 26, 2018 to:
 - i) approve the Municipal Accommodation Tax Financial Accountability Agreement (Schedule 1) substantially in the form attached and satisfactory to the City Solicitor, representing the Agreement between The Corporation of the City of London and Tourism London regarding the use and monitoring of Tourism London’s share of revenue from the Municipal Accommodation Tax; and
 - ii) authorize the Mayor and City Clerk to execute the Agreement approved in c) i) above; and,
- d) the proposed by-law appended to the staff report dated June 25, 2018 as Appendix D, BE INTRODUCED at the Municipal Council meeting on June 26, 2018, with respect to establishing a reserve fund for the purposes of receiving and distributing the City of London’s share of revenue from the Municipal Accommodation Tax, entitled “A by-law to establish the Tourism Infrastructure Reserve Fund”.

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

4. (2.3) Free of Fear Services for All Policy

Motion made by: P. Hubert

That, on the recommendation of the Managing Director, Housing, Social Services and Deerness Home, the following actions be taken with respect to London adopting a Free of Fear Services for All Policy:

- a) the commitment to ensuring access to municipal services free of fear to non-status immigrants or immigrants with uncertain status BE AFFIRMED;
- b) the initiative of providing access to municipal services to non-status immigrants or immigrants with uncertain status BE DESIGNATED as “Free of Fear Services for All”;
- c) the by-law as appended to the staff report dated June 25, 2018, BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to adopt the Council Policy entitled “Free of Fear Services for All”;
- d) the Civic Administration BE DIRECTED to implement Option #2 as outlined in the staff report date June 25, 2018; it being noted that the cost of this option will be accommodated within the approved operating budget; and,
- e) the Civic Administration BE DIRECTED to report back on the results of research and any anticipated long-term program costs as a result of implementing this policy.

Motion Failed

Amendment:

Motion made by: P. Hubert

Seconded by: J. Helmer

Amend by deleting part c) in its entirety and by replacing it with a new part c) as follows:

“c) the attached revised by-law BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to adopt the Council Policy entitled “Free of Fear Services For All”.

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

Motion made by: P. Hubert

That parts a), b) and c), as amended, BE APPROVED:

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to London adopting a Free of Fear Services for All Policy:

- a) the commitment to ensuring access to municipal services free of fear to non-status immigrants or immigrants with uncertain status BE AFFIRMED;
- b) the initiative of providing access to municipal services to non-status immigrants or immigrants with uncertain status BE DESIGNATED as “Free of Fear Services for All”;
- c) the attached revised by-law, BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to adopt the Council Policy entitled “Free of Fear Services for All”;

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

Motion made by: P. Hubert

That part d) BE APPROVED:

- d) the Civic Administration BE DIRECTED to implement Option #2 as outlined in the staff report date June 25, 2018; it being noted that the cost of this option will be accommodated within the approved operating budget; and,

Yeas: (7): Mayor M. Brown, B. Armstrong, J. Helmer, P. Hubert, A. Hopkins, S. Turner, and T. Park

Nays: (6): M. van Holst, M. Cassidy, P. Squire, J. Morgan, V. Ridley, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (7 to 6)

Motion made by: P. Hubert

That part e) BE APPROVED:

- e) the Civic Administration BE DIRECTED to report back on the results of research and any anticipated long-term program costs as a result of implementing this policy.

Yeas: (9): Mayor M. Brown, B. Armstrong, J. Helmer, M. Cassidy, P. Hubert, A. Hopkins, S. Turner, T. Park, and J. Zaifman

Nays: (4): M. van Holst, P. Squire, J. Morgan, and V. Ridley

Absent: (2): M. Salih, and H. Usher

Motion Passed (9 to 4)

5. (3.1) London Hydro Inc. - 2017 Annual Meeting of the Shareholder Annual Resolutions

Motion made by: P. Hubert

That Items 3.1, 3.2 and 3.4 BE APPROVED.

3.1 London Hydro Inc. - 2017 Annual Meeting of the Shareholder Annual Resolutions

That the following actions be taken with respect to the 2017 Annual General Meeting of London Hydro Inc.;

- a) the presentation by M. Mathur, Chair, Board of Director, London Hydro Inc., and the London Hydro Inc. 2017 Annual Reports BE RECEIVED; and,
- b) on the recommendation of the City Manager, the proposed by-law appended to the staff report dated June 25, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held June 26, 2018 to:
 - i) ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc. appended to the staff report dated June 25, 2018 as Schedule "A" to the by-law; and
 - ii) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of London Hydro Inc. attached as Schedule "A" to the by-law.

3.2 Housing Development Corporation - 2017 Annual Meeting of the Shareholder Annual Resolutions

That the following actions be taken with respect to the 2017 Annual General Meeting of the Housing Development Corporation, London:

- a) the presentation by D. Brouwer, Board Chair and S. Giustizia, CEO, Housing Development Corporation, London and the Report to City of London Municipal Council as the Sole Shareholder: Reporting Year 2017 BE RECEIVED; and,
- b) on the recommendation of the City Manager, the proposed by-law appended to the staff report dated June 25, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held June 26, 2018 to:
 - i) ratify and confirm the Annual Resolution of the Shareholder of Housing Development Corporation, London appended to the staff report dated June 25, 2018 as Schedule "A" to the by-law;
 - ii) authorize the Mayor and the City Clerk to execute the Annual Resolution of the Shareholder of Housing Development Corporation, London attached as Schedule "A" to the by-law.

3.4 London & Middlesex Housing Corporation's Community Housing Revitalization Strategy

That the presentation from J. Browne, CEO, London & Middlesex Housing Corporation regarding Community Housing Revitalization Strategy BE RECEIVED.

Motion Failed

6. (3.3) London & Middlesex Housing Corporation - 2017 Annual Meeting of the Shareholder Annual Resolutions

Motion made by: P. Hubert

Motion to approve clause 3.3, excluding parts c) and e).

That the following actions be taken with respect to the 2017 Annual Meeting of the Shareholder for the London & Middlesex Housing Corporation:

a) the proposed by-law appended to the staff report dated June 25, 2018, BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to:

i) ratify and confirm the Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation (LMHC) attached as Schedule "A" to the by-law; and

ii) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation attached as Schedule "A" to the by-law;

b) the Civic Administration BE DIRECTED to work with the London & Middlesex Housing Corporation (LMHC) to review and report back on the recommendations contained in the PricewaterhouseCoopers London & Middlesex Housing Corporation Report on Internal Audit Results dated February 15, 2018;

d) the ~~attached~~ Special Resolution of the Shareholder pursuant to the provisions of the Business Corporations Act, R.S.O., 1990, c.B16 to change the name of the Corporation from London & Middlesex Housing Corporation (LMHC) to the London & Middlesex Community Housing Inc. (LMCH), BE APPROVED; and,

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

At 8:35 PM, Councillor B. Armstrong leaves the meeting.

Motion made by: P. Hubert

Motion to approve part c) of clause 3.3:

c) the ~~attached~~ proposed changes to the LMHC Articles of Incorporation to provide expanded flexibility required to better serve their clients, BE REFERRED to the Civic Administration to work with the LMHC and report back to a future meeting of the Strategic Priorities and Policy Committee (SPPC); it being noted that the following the aforementioned presentation to the SPPC, a special meeting of Shareholder will be scheduled;

Yeas: (11): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, T. Park, and J. Zaifman

Recuse: (1): S. Turner

Absent: (3): B. Armstrong, M. Salih, and H. Usher

Motion Passed (11 to 0)

At 8:36 PM, Councillor Armstrong returns to the meeting.

Motion made by: P. Hubert

Motion to approve part e).

e) the delegation request of Ashton Forrest BE REFERRED to the Board of the London Middlesex Housing Corporation for consideration.

Yeas: (9): Mayor M. Brown, B. Armstrong, J. Helmer, M. Cassidy, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, and S. Turner

Nays: (4): M. van Holst, P. Squire, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (9 to 4)

Amendment:

Motion made by: J. Morgan

Seconded by: P. Squire

Pursuant to section 11.6 of the Council Procedure By-law, the following amendment moved by Councillor J. Morgan, and seconded by Councillor P. Squire, is withdrawn.

add a new part to the clause as follows:

b) A. Forrest BE INVITED to appear as a delegation at a future meeting of the Strategic Priorities and Policy Committee, subsequent to a), above.

8. (4.1) 9th Report of the Governance Working Group

Motion made by: P. Hubert

Motion to approve clause 4.1, the 9th Report of the Governance Working Group, excluding:

part a)i)10 - Child Care Policies; and,

part c) Annual meeting Calendar

That the following actions be taken with respect to the 9th Report of the Governance Working Group from its meeting held on May 28, 2018:

a) on the recommendation of the City Manager, the following actions be taken with respect to the Council Policy Manual Modernization:

i) the proposed by-laws appended to the Governance Working Group Report dated May 28, 2018 as (Appendices A1 to A19) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to amend the following Council Policies in order to reformat them into the new Council Policy template and to reflect any changes required as a result of the application of the gender equity lens and to make any further updates that were deemed appropriate:

1. Community Arts Investment Program Policy
2. Corporate Identity Policy
3. Media Protocols Policy
4. Community Engagement Policy
5. Banners Over City Streets
6. Special Assistance and Supplementary Aid
7. Purchased Service Agreements
8. London Community Grants Policy
9. Gender Equity in Recreation Services

11. Policy for Waiving or Reducing Fees for Use of City Owned Community Centres and Recreation Facilities
12. Dedication of Fire Stations
13. Athletic Travel Grants
14. Corporate Sponsorship and Advertising Policy
15. Leasing Parkland
16. Financial Assistance for Program Activity Fees
17. Inclusion in Recreation Facilities, Parks and Services
18. Special Events Policies and Procedures Manual
19. Rzone Policy

ii) the proposed by-law appended to the Governance Working Group Report dated May 28, 2018 as (Appendix B20) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal By-law No. CPOL.-120-372, being “A by-law to revoke and repeal Council policy related to Public Art Policy and to implement a new Council policy entitled “Public Art Policy” and to implement a new Council Policy entitled “Public Art/Monument Policy”;

iii) the proposed by-law appended to the Governance Working Group Report dated May 28, 2018 as (Appendix B21) appended to the staff report dated May 28, 2018 BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal By-law No. CPOL.-201-453, entitled Homemakers and Nurses Services, which is no longer required;

b) on the recommendation of the City Manager and the Managing Director of Neighbourhood, Children and Fire Services, the following actions be taken with respect to the Strategic Plan Measurement Framework and Tool for Reporting:

i) the Strategic Plan Measurement Framework appended to the Governance Working Group Report dated May 28, 2018 as Appendix “B” and Tool for Reporting as Appendix “C” BE ENDORSED for use in the evaluation of the 2016-2019 Strategic Plan and be considered in the development of the next Strategic Plan (2019-2023);

ii) the Civic Administration BE DIRECTED to consultant with the Strategic Thinkers Table, other internal stakeholders and agencies, boards and commissions on key metrics and targets for the next Strategic Plan (2019-2023);

iii) the next Strategic Plan (2019-2023) Reporting Cycle appended to the Governance Working Group Report dated May 28, 2018 as Appendix “D” BE ENDORSED; and,

iv) the Civic Administration BE DIRECTED to implement the Strategic Plan Measurement Framework and Tool for Reporting endorsed in i) above, beginning November 2018;

it being noted that the Civic Administration will place a note on the above-noted Appendix C acknowledging the limitation of the data provided; and,

it being further noted that the Governance Working Group (GWG) provided the Civic Administration with feedback with respect to reviewing and expanding the evaluation metrics for the next Strategic Plan (2019-2023);

d) clauses 1, 2 and 6 BE RECEIVED.

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

Motion made by: P. Hubert

Motion to approve part a)l) 10. Child Care Policies.

Yeas: (12): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, T. Park, and J. Zaifman

Recuse: (1): S. Turner

Absent: (2): M. Salih, and H. Usher

Motion Passed (12 to 0)

Motion made by: V. Ridley

Motion to approve part c) Draft Annual Meeting Calendar:

c) the following actions be taken with respect to the draft annual meeting calendar for the period January 1, 2019 to December 31, 2019, as appended to the Governance Working Group Report dated May 28, 2018:

i) the City Clerk BE DIRECTED to amend the above-noted draft meeting calendar as follows:

A) to provide for Public Participation Meetings for the Planning and Environment Committee (PEC) to be held commencing at 6:30 PM on the same day PEC meetings are proposed to be held; and,

B) to provide a note indicating that Public Participations Meetings for the Community and Protective Services Committee, Civic Works Committee and Strategic Priorities and Policy Committee will be scheduled as required;

it being noted that Public Participation Meetings before the Corporate Services Committee will be held as part of the regularly scheduled meetings of that Committee;

ii) the City Clerk BE DIRECTED to prepare a second draft annual meeting calendar for the period January 1, 2019 to December 31, 2019 based on the current timing of meetings;

iii) the City Clerk BE DIRECTED to consult with the Civic Administration with respect to the above-noted draft calendars; and,

iii) the City Clerk BE DIRECTED to make the appropriate arrangements to initiate a public consultation process to provide an opportunity for members of the public to comment on the above-noted draft annual meeting calendars through an invitation on the City of London's webpage "Get Involved" and by scheduling a

Public Participation Meeting before the Corporate Services Committee to receive input from the community with respect to the draft annual meeting calendars; and

Yeas: (8): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, J. Morgan, V. Ridley, and J. Zaifman

Nays: (5): P. Squire, P. Hubert, A. Hopkins, S. Turner, and T. Park

Absent: (2): M. Salih, and H. Usher

Motion Passed (8 to 5)

9. (4.2) 10th Report of the Governance Working Group

Motion made by: P. Hubert

That clause 4.2, the 10th Report of the Governance Working Group, excluding parts a) i) 44 (Siting of Cannabis Retail Stores in London) and 45 (Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London), and clauses 4.3, Review of the Function of the Public Utility Commission of the City of London, and 5.1, Indigenous Relations Working Group, BE APPROVED.

4.2

That the following actions be taken with respect to the 10th Report of the Governance Working Group from its meeting held on June 11, 2018:

a) on the recommendation of the City Manager, the following actions be taken with respect to the Council Policy Manual Modernization:

i) the proposed by-laws appended to the Governance Working Group Report dated June 11, 2018 as (Appendices B1 to B61, excluding Parkland Accounts) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to amend the following Council Policies in order to reformat them into the new Council Policy template and to reflect any changes required as a result of the application of the gender equity lens and to make any further updates that were deemed appropriate:

1. Requiring Building Permits for Buildings Constructed More Than One Year Prior
2. Gateway Structures, Fences and Walls - Ownership & Maintenance
3. Refunding of Application Fees
4. Government Agencies to Pay Fees
5. Subdivision & Development Agreement Security Policy
6. Assumption of Works and Services
7. Street Cleaning in Unassumed Subdivisions
8. Third Party Billing – City of London Contracts
9. Residential Front Yard and Boulevard Parking
10. Commemorative Street Naming Policy
11. Drawing Review Fees

12. Street Naming - Streets of Honour
13. Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection
14. Citizens Unable to Take Out Garbage or Recyclable Material
15. Containerized Garbage Collection Systems
16. Waiving of Landfill Site Fees
17. Provision of Blue Boxes
18. Public Notification Policy for Construction Projects
19. Deleting Works from Tenders
20. Services for Special Events
21. Catch Basins on Private Property
22. Rear Yard Grading and Drainage
23. Land Dedication
24. Street, Lane and Walkway Closings
25. New Traffic Signal Locations
26. Lane Maintenance Policy
27. Encroachment Policy
28. Traffic & Parking By-law Amendments
29. Elsie Perrin Williams Estate
30. Monumenting Program
31. Telecommunication Facilities Consultation Policy
32. Value of Parkland Dedication
33. Parkland Dedication – Plan of Subdivision
34. Parkland Dedication Cash-in-lieu
35. Parkland Dedication – Site Plan
36. Pathway Corridors
37. Parkland Accounts
38. Demolition Control
39. Substantially Changed OPA/ZBA Applications
40. Urban Design Awards
41. Tree Preservation
42. Notices of OPA and ZBA Received From Other Municipalities
43. Naturalized Areas and Wildflower Meadows

46. Grants to Centennial Hall
47. Reduced Rental Rates for Non-Profit Groups
48. Objectives of Centennial Hall
49. Using Centennial Hall for City Sponsored Events
50. Lessee Protection and Non-Competitive Clauses
51. Accounts Receivable and Collections Policy

- 52. Trust Fund Policy
- 53. Donations Policy
- 54. Royal Canadian Legion Branch Property Tax Relief Program Funding
- 55. Security Policy Regarding Letters of Credit
- 56. Identification of Operating Surpluses – Boards and Commissions
- 56. Lease Financing Policy
- 58. Assessment Growth Policy
- 59. Debt Management Policy
- 60. Capital Budget and Financing Policy
- 61. Affordable Housing Reserve Fund Implementation Policy

ii) the proposed by-laws appended to the Governance Working Group Report dated June 11, 2018 as (Appendices C1 to C6) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal and replace the following Council Policies:

- 1. Flankage Exemptions for Surface Works and Sewers to be renamed as Flankage Exemptions for Surface Works and Municipal Services
- 2. Absence of Sewers and Private Drain Connections to be renamed as Absence of Municipal Services
- 3. Phase Out Use of City-Owned Vehicles to be renamed as Annual Assessment of Underutilized Light Vehicles
- 4. Private Storm Water Connections to be renamed as Stormwater Private Drain Connections
- 5. Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision to be renamed as Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands
- 6. Perfecting Property Titles for which Consents were not Obtained

iii) the proposed by-laws appended to the Governance Working Group Report dated June 11, 2018 as (Appendices D1 to D4 and D6) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal the following Council Policies which are no longer required:

- 1. Methane Gas
- 2. Unprotected Excavations at Construction Sites
- 3. Non-Enforcement of Parking Regulations
- 4. Free Downtown Parking During Christmas Season
- 6. Service Cut Restoration Work by Utilities and Contractors;

iv) the proposed by-law appended to the Governance Working Group Report dated June 11, 2018 as (Appendix D5) being “A by-law to repeal By-law No. CPOL.-78-310, “Enforcement of City Personnel” BE INTRODUCED at a future meeting of Municipal Council after such time as the Standard Operating Procedures have been updated to outline the protocol on by-law investigations being undertaken in accordance with provincial legislation and municipal by-laws; and,

- v) the Civic Administration BE DIRECTED to bring forward a revised “Policy for the Establishment and Maintenance of Council Policies” that acknowledges that all Council Policies are to be reviewed with the gender equity lens;
- vi) the proposed policy related to Parkland Accounts BE REFERRED back to staff for additional work, with a report back to a future meeting of the Governance Working Group; and
- d) clause 1.1 BE RECEIVED.

4.3 Review of the Function of the Public Utility Commission of the City of London

That on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Civic Administration BE DIRECTED to undertake all the administrative acts that are necessary to dissolve the corporate entity known as The Public Utility Commission of the City of London and to transfer all of its assets and liabilities to The Corporation of the City of London.

5.1 (ADDED) Indigenous Relations Working Group

That the following actions be taken with respect to the Indigenous Relations Working Group:

- a) the letters from the Chippewas of the Thames First Nation, Oneida Nation of the Thames and Munsee Delaware Nation BE RECEIVED;
- b) that in accordance with section 13.2 of the Council Procedure By-law the Municipal Council decision of October 17, 2017 with respect to clause 2 of the 17th Report of the Strategic Priorities and Policy Committee, BE RECONSIDERED;
- c) the Civic Administration BE DIRECTED to retain an external facilitator, acceptable to all parties, to assist in identifying commonalities between the parties from which a terms of reference could be established for the proposed Working Group; and,
- d) upon completion of c) above, the Civic Administration BE DIRECTED to consult with the Administration of the First Nations to establish a meeting schedule for the Working Group.

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

Motion made by: P. Hubert

Motion to approve clause 4.2 parts a) i 44 (Siting of Cannabis Retail Stores in London) and 45 (Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London), as well as the disclosures of pecuniary interest from the 8th Report of the Strategic Priorities and Policy Committee.

Yeas: (12): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, T. Park, and J. Zaifman

Recuse: (1): S. Turner

Absent: (2): M. Salih, and H. Usher

Motion Passed (12 to 0)

Motion made by: A. Hopkins

Seconded by: P. Hubert

That the Council rise and resume Council, in Closed Session, at 9:00 PM, for the reasons previously noted in the Minutes.

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, T. Park, and J. Zaifman

Absent: (2): M. Salih, and H. Usher

Motion Passed (13 to 0)

The Council rises and goes into the Council, In Closed Session, at 9:00 PM, with Mayor M. Brown in the Chair and all Members present except Councillors M. Salih, J. Morgan, H.L. Usher and J. Zaifman.

At 9:10 PM, Councillor S. Turner leaves the meeting.

At 9:11 PM, Councillor S. Turner returns to the meeting.

The Council, In Closed Session, rises at 9:37 PM and Council reconvenes at 9:40 PM, with Mayor M. Brown in the Chair and all Members present, except Councillors M. Salih, J. Morgan, H.L. Usher and J. Zaifman.

At 9:41 PM, Councillor P. Hubert leaves the meeting.

9.1 13th Report of Council In Closed Session

Motion made by: V. Ridley

Seconded by: T. Park

1. Property Acquisition – Bus Rapid Transit Project – 78 Oxford Street West

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Managing Director of Environmental and Engineering Services and City Engineer, the Director, Roads and Transportation and the Project Director, Rapid Transit Implementation, on the advice of the Manager of Realty Services, the following actions be taken with respect to the property located at 78 Oxford Street West, further described as Part Park Lot A, south of Oxford Street West, as in Instrument No. 466179, containing an area of approximately 2,970 square feet, as shown on the location map attached, for the purpose of future road improvements to accommodate the Bus Rapid Transit Project:

- a) the offer submitted by Carl Anthony Dinardo (the “Vendor”) to sell the subject property to the City, for the sum of \$132,500.00 BE ACCEPTED, subject to the following conditions:

- i) the City having sixty (60) days from the date of acceptance to satisfy itself as to the soil, geotechnical, archaeological and environmental conditions of the property;
 - ii) subject to item i) above, the property being purchased on an “as is” basis;
 - iii) the Agreement of Purchase and Sale being conditional on the acceptance of the Agreements of Purchase and Sale of 80 Oxford Street West and 82 Oxford Street West;
- b) the subject property BE APPROVED for demolition and the Civic Administration BE DIRECTED to take all necessary steps to demolish the building(s), including completing a request for quotation for work to be completed, obtaining a demolition permit and any other activities to facilitate demolition of the improvements on the site detailed in the report; and
 - c) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix “A”.

2. Property Acquisition – Bus Rapid Transit Project – 80 Oxford Street West

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Managing Director of Environmental and Engineering Services and City Engineer, the Director, Roads and Transportation and the Project Director, Rapid Transit Implementation, on the advice of the Manager of Realty Services, the following actions be taken with respect to the property located at 80 Oxford Street West, further described as Part Park Lot A, south of Oxford Street West, as in Instrument No. 465882, containing an area of approximately 2,970 square feet, as shown on the location map attached, for the purpose of future road improvements to accommodate the Bus Rapid Transit Project:

- a) the offer submitted by Majesty Commercial Properties Inc. (the “Vendor”) to sell the subject property to the City, for the sum of \$138,000.00, BE ACCEPTED, subject to the following conditions:
 - i) the City having sixty (60) days from the date of acceptance to satisfy itself as to the soil, geotechnical, archaeological and environmental condition of the property;
 - ii) subject to item i), above, the property being purchased on an “as is” basis;
 - iii) the Agreement of Purchase and Sale being conditional on the acceptance of the Agreements of Purchase and Sale of 78 Oxford Street West and 82 Oxford Street West;
- b) the subject property BE APPROVED for demolition and the Civic Administration BE DIRECTED to take all necessary steps to demolish the building(s), including completing a request for quotation for work to be completed, obtaining a demolition permit and any other activities to facilitate demolition of the improvements on the site detailed in the report; and
- c) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix “A”.

3. Property Acquisition – Bus Rapid Transit Project – 82 Oxford Street West

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Managing Director of Environmental and Engineering Services and City Engineer, the Director, Roads and Transportation and the Project Director, Rapid Transit Implementation, on the advice of the Manager of Realty Services, the following actions be taken with respect to the property located at 82 Oxford Street West, further described as Part Park Lot A, south of Oxford Street West, as in Instrument No. 465559, containing an area of approximately 2,970 square feet, as shown on the location map attached, for the purpose of future road improvements to accommodate the Bus Rapid Transit Project:

- a) the offer submitted by Carl Anthony Dinardo (the “Vendor”) to sell the subject property to the City, for the sum of \$200,000.00 BE ACCEPTED, subject to the following conditions:
 - i) the City having sixty (60) days from the date of acceptance to satisfy itself as to the soil, geotechnical, archaeological and environmental condition of the property;
 - ii) subject to item i) above the property being purchased on an “as is” basis;
 - iii) the Agreement of Purchase and Sale being conditional upon the acceptance of the Agreements of Purchase and Sale for 78 Oxford Street West and 80 Oxford Street West;
- b) the subject property BE APPROVED for demolition and the Civic Administration BE DIRECTED to take all necessary steps to demolish the building(s), including completing a request for quotation for work to be completed, obtaining a demolition permit, and any other activities to facilitate demolition of the improvements on the site detailed in the report; and
- c) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix “A”.

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, V. Ridley, S. Turner, and T. Park

Absent: (5): M. Salih, J. Morgan, P. Hubert, H. Usher, and J. Zaifman

Motion Passed (10 to 0)

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

None.

13. By-laws

Motion made by: V. Ridley

Seconded by: A. Hopkins

That Introduction and First Reading of Bill No.'s 284 to 319, the revised Bill No. 327 and the Added Bill No.'s 320 to 422, excluding Bill No.'s 312, 337, 391 and 392, BE APPROVED.

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, V. Ridley, S. Turner, and T. Park

Absent: (5): M. Salih, J. Morgan, P. Hubert, H. Usher, and J. Zaifman

Motion Passed (10 to 0)

Motion made by: B. Armstrong
Seconded by: M. Cassidy

That Second Reading of Bill No.'s 284 to 319, the revised Bill No. 327 and the Added Bill No.'s 320 to 422, excluding Bill No.'s 312, 337, 391 and 392, BE APPROVED.

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, V. Ridley, S. Turner, and T. Park

Absent: (5): M. Salih, J. Morgan, P. Hubert, H. Usher, and J. Zaifman

Motion Passed (10 to 0)

Motion made by: B. Armstrong
Seconded by: M. van Holst

That Third Reading and Enactment of Bill No.'s 284 to 319, the revised Bill No. 327 and the Added Bill No.'s 320 to 422, excluding Bill No.'s 312, 337, 391 and 392, BE APPROVED.

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, V. Ridley, S. Turner, and T. Park

Absent: (5): M. Salih, J. Morgan, P. Hubert, H. Usher, and J. Zaifman

Motion Passed (10 to 0)

Motion made by: T. Park
Seconded by: M. Cassidy

That Introduction and First Reading of the revised Bill No. 312 BE APPROVED.

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, V. Ridley, S. Turner, and T. Park

Absent: (5): M. Salih, J. Morgan, P. Hubert, H. Usher, and J. Zaifman

Motion Passed (10 to 0)

Motion made by: B. Armstrong
Seconded by: M. van Holst

That Second Reading of the revised Bill No. 312 BE APPROVED.

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, V. Ridley, S. Turner, and T. Park

Absent: (5): M. Salih, J. Morgan, P. Hubert, H. Usher, and J. Zaifman

Motion Passed (10 to 0)

Motion made by: T. Park
Seconded by: A. Hopkins

That Third Reading and Enactment of the revised Bill No. 312 BE APPROVED.

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, V. Ridley, S. Turner, and T. Park

Absent: (5): M. Salih, J. Morgan, P. Hubert, H. Usher, and J. Zaifman

Motion Passed (10 to 0)

Motion made by: B. Armstrong
Seconded by: T. Park

That Introduction and First Reading of Bill No.'s 337, 391 and 392, BE APPROVED.

Yeas: (9): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, V. Ridley, and T. Park

Recuse: (1): S. Turner

Absent: (5): M. Salih, J. Morgan, P. Hubert, H. Usher, and J. Zaifman

Motion Passed (9 to 0)

Motion made by: B. Armstrong
Seconded by: M. van Holst

That Second Reading of Bill No.'s 337, 391 and 392, BE APPROVED.

Yeas: (9): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, V. Ridley, and T. Park

Recuse: (1): S. Turner

Absent: (5): M. Salih, J. Morgan, P. Hubert, H. Usher, and J. Zaifman

Motion Passed (9 to 0)

Motion made by: B. Armstrong
Seconded by: T. Park

That Third Reading and Enactment of Bill No.'s 337, 391 and 392, BE APPROVED.

Yeas: (9): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, V. Ridley, and T. Park

Recuse: (1): S. Turner

Absent: (5): M. Salih, J. Morgan, P. Hubert, H. Usher, and J. Zaifman

Motion Passed (9 to 0)

The following by-laws are enacted as bylaws of The Corporation of the City of London:

Bill No. 284 By-law No. A.-7738-233	A by-law to confirm the proceeding of the Council Meeting held on the 26 th day of June, 2018. (City Clerk)
Bill No. 285 By-law No. A.-7739-234	A by-law to amend By-law A.-6653-121 being “A by-law to establish the positions of Hearings Officer” to remove the requirement that the Hearings Officer be a resident of London and to remove the term of appointment. (2.3a/13/CSC)
Bill No. 286 By-law No. A.-7740-235	A by-law to approve the appointments of Hearings Officers in accordance with By-law A.-6653-121 being “A by-law to establish the positions of Hearings Officer.” (2.3b/13/CSC)
Bill No. 287 By-law No. A.-7741-236	A by-law to approve an agreement between The Corporation of the City of London and Southwestern Integrated Fibre Technology Inc. (SWIFT) regarding funding in order to advance the development of the SWIFT Network. (2.5/13/CSC)
Bill No. 288 By-law No. A.-7742-237	A by-law to amend By-law A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act , 2001.” (2.8/13/CSC)
Bill No. 289 By-law No. A.-7743-238	A by-law to approve and execute a promissory note between The Corporation of the City of London, and The London Public Library and to authorize the Mayor and City Clerk to execute the agreement. (2.3/10/CPSC)
Bill No. 290 By-law No. A.-7744-239	A by-law to approve an agreement with the London Transit Commission for the establishment of a Youth Bus Pass for individuals 13 years of age up to and including 17 years of age, and to authorize a grant to the London Transit Commission for such purpose, and to authorize the Mayor and City Clerk to execute the agreement. (2.4/10/CPSC)
Bill No. 291 By-law No. A.-7745-240	A by-law to authorize and approve an Agreement with The Optimist Club of Fanshawe, London regarding Fanshawe Optimist Park. (2.5/10/CPSC)
Bill No. 292 By-law No. A.-7746-241	A by-law to approve the Community Policing Partnerships (CPP) Program and to authorize the Mayor and the City Clerk to execute the Agreement. (2.6/10/CPSC)
Bill No. 293 By-law No. A.-7747-242	A by-law to approve the Safer Communities – 1,000 Officers Partnership Program and to authorize the Mayor and the City Clerk to execute the Agreement. (2.7/10/CPSC)

<p>Bill No. 294 By-law No. A.-7748-243</p>	<p>A by-law to approve the Transfer Payment Agreement for the GreenON Social Housing Program with the Housing Services Corporation; to authorize the Mayor and the City Clerk to execute the agreement; to authorize the Managing Director of Housing, Social Services and Dearness Home to execute any documents and reports in furtherance of this Agreement; and to authorize the Managing Director of Housing, Social Services and Dearness Home to execute the GreenON Social Housing Program Housing Provider Contribution Agreement. (2.8/10/CPSC)</p>
<p>Bill No. 295 By-law No. A.-7749-244</p>	<p>A by-law to approve the Ontario Renovates Home Repair Loan Agreement between the City of London and eligible applicants; to authorize the Managing Director of Housing, Social Services and Dearness Home to execute the Ontario Renovates Home Repair Loan Agreement. (2.9/10/CPSC)</p>
<p>Bill No. 296 By-law No. A.-7750-245</p>	<p>A by-law to approve the Transfer Payment Agreement for the Portable Housing Benefit Special Priority Policy Program with the Ministry of Housing and Ministry of Finance; to authorize the Mayor and the City Clerk to execute the agreement; and to authorize the Managing Director of Housing, Social Services and Dearness Home to execute any documents and reports in furtherance of this Agreement as required. (2.11/10/CPSC)</p>
<p>Bill No. 297 By-law No. A.-7751-246</p>	<p>A by-law to approve a Municipal Funding Agreement between the Association of Municipalities of Ontario and The Corporation of the City of London for Ontario's Main Street Revitalization Initiative; and to authorize the Mayor and the City Clerk to execute the Agreement; and to delegate authority to the Managing Director, Parks and Recreation to allocate funding from this program to eligible projects aligned with Council-approved programs and plans, subject to future reporting to Municipal Council on the allocation of the funds; and to delegate authority to the Managing Director, Parks and Recreation to authorize such further and other documents that may be required in furtherance of the agreement. (2.8/11/PEC)</p>
<p>Bill No. 298 By-law No. A.-7752-247</p>	<p>A by-law to authorize a Purchase of Service Agreement between MainStreet London Revitalization Organization and The Corporation of the City of London for the provision of certain services related to management of Dundas Place; and to authorize the Mayor and the City Clerk to execute the Agreement. (4.2/11/PEC)</p>
<p>Bill No. 299 By-law No. CP-9-18005</p>	<p>A by-law to amend By-law CP-9 entitled "A by-law to provide for the conveyance of land and cash in lieu thereof for park and other purposes." (3.3a/11/PEC)</p>
<p>Bill No. 300 By-law No. C.P.-1527-248</p>	<p>A by-law to establish financial incentives for the Hamilton Road Area Community Improvement Project Area. (2.2/11/PEC)</p>

Bill No. 301 By-law No. C.P.- 1284(ua)-249	A by-law to amend the Official Plan for the City of London, 1989 relating to 335-385 and 340-390 Saskatoon Street. (3.4a/11/PEC)
Bill No. 302 By-law No. C.P.- 1284(ub)-250	A by-law to amend the Official Plan for the City of London, 1989 relating to properties located at 1738, 1742, 1752 and 1756 Hamilton Road. (3.6a/11/PEC)
Bill No. 303 By-law No. CPOL.-273- 251	A by-law to implement a Council policy pertaining to public access during Council and Standing Committee Meetings. (2.1/13/CSC)
Bill No. 304 By-law No. CPOL.-274- 252	A by-law to adopt a new Council Policy entitled "Designation of Municipally Significant Events Policy". (2.2/13/CSC)
Bill No. 305 By-law No. PS-113- 18020	A by-law to amend By-law PS-113 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (2.2a/10/CWC)
Bill No. 306 By-law No. PS-113- 18021	A by-law to amend By-law PS-113 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (2.2b/10/CWC)
Bill No. 307 By-law No. PS-113- 18022	A by-law to amend By-law PS-113 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (2.2c/10/CWC)
Bill No. 308 By-law No. PS-113- 18023	A by-law to amend By-law PS-113 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (2.2d/10/CWC)
Bill No. 309 By-law No. PS-113- 18024	A by-law to amend By-law PS-113 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London." (2.2e/10/CWC)
Bill No. 310 By-law No. S.-5939-253	A by-law to assume certain works and services in the City of London. (Hunt Club Subdivision – Phase 3) (Chief Surveyor)
Bill No. 311 By-law No. S.-5944-254	A by-law to assume certain works and services in the City of London. (Hyde Park Meadows Subdivision – Phase 2) (Chief Surveyor)
Bill No. 312 By-law No. S.-5945-255	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Dundas Street, east of Adelaide Street North) (Chief Surveyor – pursuant to Consent B.054/17 and in accordance with Zoning By-law Z.-1)

Bill No. 313 By-law No. S.-5946-256	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Bakerville Street, as part of Debra Drive, and as part of Westpoint Heights) (Chief Surveyor – to be dedicated as public highway for unobstructed legal access throughout the Subdivision)
Bill No. 314 By-law No. S.-2547-257	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (for the purposes of a public highway for pedestrian use only, south of Bakerville Street) (Chief Surveyor – pursuant to the Subdivision Agreement for Registered Plan 33M-690)
Bill No. 315 By-law No. S.-5948-258	A by-law to repeal By-law No. S.-5941-228 entitled, “A by-law to lay out, constitute, establish and assume lands in the City of London as public highway (as widening to Dundas Street, west of Egerton Street and as widening to Florence Street, east of Rectory Street).” (City Clerk)
Bill No. 316 By-law No. Z.-1-182676	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1284 and 1388 Sunningdale Road West. (2.3/11/PEC)
Bill No. 317 By-law No. Z.-1-182677	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 608 Springbank Drive. (2.4/11/PEC)
Bill No. 318 By-law No. Z.-1-182678	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 335-385 and 340-390 Saskatoon Street. (3.4c/11/PEC)
Bill No. 319 By-law No. Z.-1-182679	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1738, 1742, 1752 and 1756 Hamilton Road. (3.6b/11/PEC)
Bill No. 320 By-law No. A.-7753-259	A by-law to impose a Municipal Accommodation Tax. (2.2a/8/SPPC)
Bill No. 321 By-law No. A.-7754-260	A by-law to authorize an Agreement between the Corporation of the City of London and the Ontario Restaurant Hotel & Motel Association (ORHMA); and to authorize the Mayor and City Clerk to execute the Agreement. (2.2bi/8/SPPC)
Bill No. 322 By-law No. A.-7755-261	A by-law to authorize an Agreement between the Corporation of the City of London and Tourism London; and to authorize the Mayor and City Clerk to execute the Agreement. (2.2ci/8/SPPC)
Bill No. 323 By-law No. A.-7756-262	A by-law to establish the Tourism Infrastructure Reserve Fund. (2.2d/8/SPPC)
Bill No. 324 By-law No. A.-7757-263	A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc. (3.1/8/SPPC)

Bill No. 325 By-law No. A.-7758-264	A by-law to ratify and confirm the Annual Resolutions of the Shareholder of the Housing Development Corporation, London. (3.2/8/SPPC)
Bill No. 326 By-law No. A.-7759-265	A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London & Middlesex Housing Corporation. (3.3/8/SPPC)
Bill No. 327 By-law No. CPOL.-275-266	A by-law to adopt a new Council Policy entitled "Free of Fear Services for All". (2.3/8/SPPC)
Bill No. 328 By-law No. CPOL.-276-267	A by-law to amend By-Law No. CPOL.-51-247 being "Community Arts Investment Program Policy". (3ai/9/GWG)
Bill No. 329 By-law No. CPOL.-277-268	A by-law to amend By-Law No. CPOL.-108-360 being "Corporate Identity Policy". (3aii/9/GWG)
Bill No. 330 By-law No. CPOL.-278-269	A by-law to amend By-Law No. CPOL.-124-376 being "Media Protocols Policy". (3aiii/9/GWG)
Bill No. 331 By-law No. CPOL.-279-270	A by-law to amend By-Law No. CPOL.-125-377 being "Community Engagement Policy". (3aiv/9/GWG)
Bill No. 332 By-law No. CPOL.-280-271	A by-law to amend By-Law No. CPOL.-206-458 being "Banners Over City Streets". (3av/9/GWG)
Bill No. 333 By-law No. CPOL.-281-272	A by-law to amend By-Law No. CPOL.-202-454 being "Special Assistance and Supplementary Aid". (3avi/9/GWG)
Bill No. 334 By-law No. CPOL.-282-273	A by-law to amend By-Law No. CPOL.-203-455 being "Purchased Service Agreements". (3avii/9/GWG)
Bill No. 335 By-law No. CPOL.-283-274	A by-law to amend By-Law No. CPOL.-38-234 being "London Community Grants Policy". (3aviii/9/GWG)
Bill No. 336 By-law No. CPOL.-284-275	A by-law to amend By-Law No. CPOL.-139-391 being "Gender Equity in Recreation Services". (3aix/9/GWG)

Bill No. 337 By-law No. CPOL.-285- 276	A by-law to amend By-Law No. CPOL.-204-456 being "Child Care Policies". (3ax/9/GWG)
Bill No. 338 By-law No. CPOL.-286- 277	A by-law to amend By-Law No. CPOL.-145-397 being "Policy for waiving or reducing fees for use of city owned community centres and recreation facilities". (3axi/9/GWG)
Bill No. 339 By-law No. CPOL.-287- 278	A by-law to amend By-Law No. CPOL.-80-312 being "Dedication of Fire Stations". (3axii/9/GWG)
Bill No. 340 By-law No. CPOL.-288- 279	A by-law to amend By-Law No. CPOL.-16-212 being "Athletic Travel Grants". (3axiii/9/GWG)
Bill No. 341 By-law No. CPOL.-289- 280	A by-law to amend By-Law No. CPOL.-129-381 being "Corporate Sponsorship and Advertising Policy". (3axiv/9/GWG)
Bill No. 342 By-law No. CPOL.-290- 281	A by-law to amend By-Law No. CPOL.-131-383 being "Leasing Parkland". (3axv/9/GWG)
Bill No. 343 By-law No. CPOL.-291- 282	A by-law to amend By-Law No. CPOL.-140-392 being "Financial Assistance for Program Activity Fees". (3axvi/9/GWG)
Bill No. 344 By-law No. CPOL.-292- 283	A by-law to amend By-Law No. CPOL.-141-393 being "Inclusion in Recreation Facilities, Parks and Services". (3axvii/9/GWG)
Bill No. 345 By-law No. CPOL.-293- 284	A by-law to amend By-Law No. CPOL.-142-394 being "Special Events Policies and Procedures Manual". (3axviii/9/GWG)
Bill No. 346 By-law No. CPOL.-294- 285	A by-law to amend By-Law No. CPOL.-144-396 being "Rzone Policy". (3axix/9/GWG)
Bill No. 347 By-law No. CPOL.-295- 286	A by-law to repeal By-Law No. CPOL.-120-372 being "Public Art Policy" and to implement a new Council policy entitled "Public Art / Monument Policy". (3b/9/GWG)
Bill No. 348 By-law No. CPOL.-296- 287	A by-law to repeal By-Law No. CPOL.-201-453 being "Homemakers and Nurses Services". (3c/9/GWG)

Bill No. 349 By-law No. CPOL.-297- 288	A by-law to amend By-Law No. CPOL.-23-219 being "Requiring Building Permits for Buildings Constructed More Than One Year Prior". (3.1a1/10/GWG)
Bill No. 350 By-law No. CPOL.-298- 289	A by-law to amend By-Law No. CPOL.-121-373 being "Gateway Structures, Fences and Walls - Ownership & Maintenance". (3.1a2/10/GWG)
Bill No. 351 By-law No. CPOL.-299- 290	A by-law to amend By-Law No. CPOL.-161-413 being "Refunding of Application Fees". (3.1a3/10/GWG)
Bill No. 352 By-law No. CPOL.-300- 291	A by-law to amend By-Law No. CPOL.-162-414 being "Government Agencies to Pay Fees". (3.1a4/10/GWG)
Bill No. 353 By-law No. CPOL.-301- 292	A by-law to amend By-Law No. CPOL.-13-114 being "Subdivision & Development Agreement Security Policy". (3.1a5/10/GWG)
Bill No. 354 By-law No. CPOL.-302- 293	A by-law to amend By-Law No. CPOL.-164-416 being "Assumption of Works and Services". (3.1a6/10/GWG)
Bill No. 355 By-law No. CPOL.-303- 294	A by-law to amend By-Law No. CPOL.-169-421 being "Street Cleaning in Unassumed Subdivisions". (3.1a7/10/GWG)
Bill No. 356 By-law No. CPOL.-304- 295	A by-law to amend By-Law No. CPOL.-171-423 being "Third Party Billing – City of London Contracts". (3.1a8/10/GWG)
Bill No. 357 By-law No. CPOL.-305- 296	A by-law to amend By-Law No. CPOL.-223-475 being "Residential Front Yard and Boulevard Parking". (3.1a9/10/GWG)
Bill No. 358 By-law No. CPOL.-306- 297	A by-law to amend By-Law No. CPOL.-215-467 being "Commemorative Street Naming Policy". (3.1a10/10/GWG)
Bill No. 359 By-law No. CPOL.-307- 298	A by-law to amend By-Law No. CPOL.-90-342 being "Drawing Review Fees". (3.1a11/10/GWG)
Bill No. 360 By-law No. CPOL.-308- 299	A by-law to amend By-Law No. CPOL.-208-460 being "Street Naming - Streets of Honour". (3.1a12/10/GWG)

Bill No. 361 By-law No. CPOL.-309-300	A by-law to amend By-Law No. CPOL.-83-335 being "Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection". (a13/10/GWG)
Bill No. 362 By-law No. CPOL.-310-301	A by-law to amend By-Law No. CPOL.-84-336 being "Citizens Unable to Take Out Garbage or Recyclable Material". (3.1a14/10/GWG)
Bill No. 363 By-law No. CPOL.-311-302	A by-law to amend By-Law No. CPOL.-85-337 being "Containerized Garbage Collection Systems". (3.1a15/10/GWG)
Bill No. 364 By-law No. CPOL.-312-303	A by-law to amend By-Law No. CPOL.-86-338 being "Waiving of Landfill Site Fees". (3.1a16/10/GWG)
Bill No. 365 By-law No. CPOL.-313-304	A by-law to amend By-Law No. CPOL.-88-340 being "Provision of Blue Boxes". (3.1a17/10/GWG)
Bill No. 366 By-law No. CPOL.-314-305	A by-law to amend By-Law No. CPOL.-89-340 being "Public Notification Policy for Construction Projects". (3.1a18/10/GWG)
Bill No. 367 By-law No. CPOL.-315-306	A by-law to amend By-Law No. CPOL.-103-355 being "Deleting Works from Tenders". (3.1a19/10/GWG)
Bill No. 368 By-law No. CPOL.-316-307	A by-law to amend By-Law No. CPOL.-192-444 being "Services for Special Events". (3.1a20/10/GWG)
Bill No. 369 By-law No. CPOL.-317-308	A by-law to amend By-Law No. CPOL.-197-449 being "Catch Basins on Private Property". (3.1a21/10/GWG)
Bill No. 370 By-law No. CPOL.-318-309	A by-law to amend By-Law No. CPOL.-199-451 being "Rear Yard Grading and Drainage". (3.1a22/10/GWG)
Bill No. 371 By-law No. CPOL.-319-310	A by-law to amend By-Law No. CPOL.-205-457 being "Land Dedication". (3.1a23/10/GWG)
Bill No. 372 By-law No. CPOL.-320-311	A by-law to amend By-Law No. CPOL.-207-459 being "Street, Lane and Walkway Closings". (3.1a24/10/GWG)

Bill No. 373 By-law No. CPOL.-321-312	A by-law to amend By-Law No. CPOL.-213-465 being "New Traffic Signal Locations". (3.1a25/10/GWG)
Bill No. 374 By-law No. CPOL.-322-313	A by-law to amend By-Law No. CPOL.-214-466 being "Lane Maintenance Policy". (3.1a26/10/GWG)
Bill No. 375 By-law No. CPOL.-323-314	A by-law to amend By-Law No. CPOL.-217-469 being "Encroachment Policy". (3.1a27/10/GWG)
Bill No. 376 By-law No. CPOL.-324-315	A by-law to amend By-Law No. CPOL.-222-474 being "Traffic & Parking By-law Amendments". (3.1a28/10/GWG)
Bill No. 377 By-law No. CPOL.-325-316	A by-law to amend By-Law No. CPOL.-110-362 being "Elsie Perrin Williams Estate". (3.1a29/10/GWG)
Bill No. 378 By-law No. CPOL.-326-317	A by-law to amend By-Law No. CPOL.-113-365 being "Monumenting Program". (3.1a30/10/GWG)
Bill No. 379 By-law No. CPOL.-327-318	A by-law to amend By-Law No. CPOL.-126-378 being "Telecommunication Facilities Consultation Policy". (3.1a31/10/GWG)
Bill No. 380 By-law No. CPOL.-328-319	A by-law to amend By-Law No. CPOL.-132-384 being "Value of Parkland Dedication". (3.1a32/10/GWG)
Bill No. 381 By-law No. CPOL.-329-320	A by-law to amend By-Law No. CPOL.-133-385 being "Parkland Dedication – Plan of Subdivision". (3.1a33/10/GWG)
Bill No. 382 By-law No. CPOL.-330-321	A by-law to amend By-Law No. CPOL.-134-386 being "Parkland Dedication Cash-in-lieu". (3.1a34/10/GWG)
Bill No. 383 By-law No. CPOL.-331-322	A by-law to amend By-Law No. CPOL.-135-387 being "Parkland Dedication – Site Plan". (3.1a35/10/GWG)
Bill No. 384 By-law No. CPOL.-332-323	A by-law to amend By-Law No. CPOL.-137-389 being "Pathway Corridors". (3.1a36/10/GWG)

Bill No. 385 By-law No. CPOL.-333-324	A by-law to amend By-Law No. CPOL.-165-417 being "Demolition Control". (3.1a38/10/GWG)
Bill No. 386 By-law No. CPOL.-334-325	A by-law to amend By-Law No. CPOL.-166-418 being "Substantially Changed OPA/ZBA Applications". (3.1a39/10/GWG)
Bill No. 387 By-law No. CPOL.-335-326	A by-law to amend By-Law No. CPOL.-167-419 "Urban Design Awards". (3.1a40/10/GWG)
Bill No. 388 By-law No. CPOL.-336-327	A by-law to amend By-Law No. CPOL.-168-420 being "Tree Preservation". (3.1a41/10/GWG)
Bill No. 389 By-law No. CPOL.-337-328	A by-law to amend By-Law No. CPOL.-170-422 being "Notices of OPA and ZBA Received From Other Municipalities". (3.1a42/10/GWG)
Bill No. 390 By-law No. CPOL.-338-329	A by-law to amend By-Law No. CPOL.-172-424 being "Naturalized Areas and Wildflower Meadows". (3.1a43/10/GWG)
Bill No. 391 By-law No. CPOL.-339-330	A by-law to amend By-Law No. CPOL.-232-15 being "Siting of Cannabis Retail Stores in London". (3.1a44/10/GWG)
Bill No. 392 By-law No. CPOL.-340-331	A by-law to amend By-Law No. CPOL.-233-50 being "Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London". (3.1a45/10/GWG)
Bill No. 393 By-law No. CPOL.-341-332	A by-law to amend By-Law No. CPOL.-29-225 being "Grants to Centennial Hall". (3.1a46/10/GWG)
Bill No. 394 By-law No. CPOL.-342-333	A by-law to amend By-Law No. CPOL.-30-226 being "Reduced Rental Rates for Non-Profit Groups". (3.1a47/10/GWG)
Bill No. 395 By-law No. CPOL.-343-334	A by-law to amend By-Law No. CPOL.-31-227 being "Objectives of Centennial Hall". (3.1a48/10/GWG)
Bill No. 396 By-law No. CPOL.-344-335	A by-law to amend By-Law No. CPOL.-32-228 being "Using Centennial Hall for City Sponsored Events". (3.1a49/10/GWG)

Bill No. 397 By-law No. CPOL.-345- 336	A by-law to amend By-Law No. CPOL.-33-229 being "Lessee Protection and Non-Competitive Clauses". (3.1a50/10/GWG)
Bill No. 398 By-law No. CPOL.-346- 337	A by-law to amend By-Law No. CPOL.-10-99 being "Accounts Receivable and Collections Policy". (3.1a51/10/GWG)
Bill No. 399 By-law No. CPOL.-347- 338	A by-law to amend By-Law No. CPOL.-40-236 being "Trust Fund Policy". (3.1a52/10/GWG)
Bill No. 400 By-law No. CPOL.-348- 339	A by-law to amend By-Law No. CPOL.-41-237 being "Donations Policy". (3.1a53/10/GWG)
Bill No. 401 By-law No. CPOL.-349- 340	A by-law to amend By-Law No. CPOL.-6-31 being "Royal Canadian Legion Branch Property Tax Relief Program Funding". (3.1a54/10/GWG)
Bill No. 402 By-law No. CPOL.-350- 341	A by-law to amend By-Law No. CPOL.-42-238 being "Security Policy Regarding Letters of Credit". (3.1a55/10/GWG)
Bill No. 403 By-law No. CPOL.-351- 342	A by-law to amend By-Law No. CPOL.-43-239 being "Identification of Operating Surpluses – Boards and Commissions". (3.1a56/10/GWG)
Bill No. 404 By-law No. CPOL.-352- 343	A by-law to amend By-Law No. CPOL.-44-240 being "Lease Financing Policy". (3.1a57/10/GWG)
Bill No. 405 By-law No. CPOL.-353- 344	A by-law to amend By-Law No. CPOL.-47-243 being "Assessment Growth Policy". (3.1a58/10/GWG)
Bill No. 406 By-law No. CPOL.-354- 345	A by-law to amend By-Law No. CPOL.-48-244 being "Debt Management Policy". (3.1a59/10/GWG)
Bill No. 407 By-law No. CPOL.-355- 346	A by-law to amend By-Law No. CPOL.-52-248 being "Capital Budget and Financing Policy". (3.1a60/10/GWG)
Bill No. 408 By-law No. CPOL.-356- 347	A by-law to amend By-Law No. CPOL.-75-307 being "Affordable Housing Reserve Fund Implementation Policy". (3.1a61/10/GWG)

Bill No. 409 By-law No. CPOL.-357-348	A by-law to repeal Council Policy related By-Law No. CPOL.-92-344 being “Flankage Exemptions for Surface Works and Sewers” and replace it with a new Council policy entitled “Flankage Exemptions for Surface Works and Municipal Services”. (3.1b1/10/GWG)
Bill No. 410 By-law No. CPOL.-358-349	A by-law to repeal Council Policy related By-Law No. CPOL.-94-346 being “Absence of Sewers and Private Drain Connections” and replace it with a new Council policy entitled “Absence of Municipal Services”. (3.1b2/10/GWG)
Bill No. 411 By-law No. CPOL.-359-350	A by-law to repeal Council Policy related By-Law No. CPOL.-117-369 being “Phase Out Use of City-Owned Vehicles” and replace it with a new Council policy entitled “Annual Assessment of Underutilized Light Vehicles”. (3.1b3/10/GWG)
Bill No. 412 By-law No. CPOL.-360-351	A by-law to repeal Council Policy related By-Law No. CPOL.-194-446 being “Private Storm Water Connections” and replace it with a new Council policy entitled “Stormwater Private Drain Connections”. (3.1b4/10/GWG)
Bill No. 413 By-law No. CPOL.-361-352	A by-law to repeal Council Policy related By-Law No. CPOL.-136-388 being “Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision” and replace it with a new Council policy entitled “Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands”. (3.1b5/10/GWG)
Bill No. 414 By-law No. CPOL.-362-353	A by-law to repeal Council Policy related to “Perfecting Property Titles for which Consents were not Obtained” and replace it with a new Council policy entitled “Perfecting Property Titles for which Consents were not Obtained”. (3.1b6/10/GWG)
Bill No. 415 By-law No. CPOL.-363-354	A by-law to repeal By-Law No. CPOL.-21-217, “Methane Gas”. (3.1c1/10/GWG)
Bill No. 416 By-law No. CPOL.-364-355	A by-law to repeal By-Law No. CPOL.-22-218, “Unprotected Excavations at Construction Sites”. (3.1c2/10/GWG)
Bill No. 417 By-law No. CPOL.-365-356	A by-law to repeal By-Law No. CPOL.-224-476, “Non-Enforcement of Parking Regulations”. (3.1c3/10/GWG)
Bill No. 418 By-law No. CPOL.-366-357	A by-law to repeal By-Law No. CPOL.-225-477, “Free Downtown Parking During Christmas Season”. (3.1c4/10/GWG)
Bill No. 419 By-law No. CPOL.-367-358	A by-law to repeal By-Law No. CPOL.-102-354, “Service Cut Restoration Work by Utilities and Contractors”. (3.1c6/10/GWG)

Bill No. 420 By-law No. A.-7760-359	A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Carl Anthony Dinardo, for the acquisition of 78 Oxford Street West, and to authorize the Mayor and City Clerk to execute the Agreement. (6.1/13/CSC)
Bill No. 421 By-law No. A.-7761-360	A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Majesty Commercial Properties Inc., for the acquisition of 80 Oxford Street West, and to authorize the Mayor and City Clerk to execute the Agreement. (6.2/13/CSC)
Bill No. 422 By-law No. A.-7762-361	A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Carl Anthony Dinardo, for the acquisition of 82 Oxford Street West, and to authorize the Mayor and City Clerk to execute the Agreement. (6.3/13/CSC)

14. Adjournment

Motion made by: M. Cassidy

Seconded by: M. van Holst

That the meeting adjourn.

Motion Passed

The meeting adjourns at 9:59 PM.

Matt Brown, Mayor

Catharine Saunders, City Clerk

Strategic Priorities and Policy Committee

Report

8th Meeting of the Strategic Priorities and Policy Committee
June 25, 2018

PRESENT: Mayor M. Brown, Councillors M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, J. Zaifman

ALSO PRESENT: M. Hayward, A.L. Barbon, G. Barrett, B. Card, B. Coxhead, S. Datars Bere, A. Dunbar, J.M. Fleming, G. Kotsifas, L. Livingstone, S. Mathers, P. McKague, J. Millson, D. Munteer, D. Purdy, L. Rowe, C. Saunders, K. Scherr, S. Spring, S. Stafford, J. Tansley, B. Turcott and B. Westlake-Power

The meeting was called to order at 4:02 PM.

1. Disclosures of Pecuniary Interest

That it BE NOTED that the following pecuniary interests were disclosed:

- a) Councillor M. Salih disclosed a pecuniary interest in item 2.3 of this Report, having to do with the proposed Free of Fear Services for All Policy as it relates to 'sanctuary cities', by indicating that he is employed by the Federal Government.
- b) Councillor S. Turner disclosed a pecuniary interest in item 2.2 of this Report, having to do with the Municipal Accommodation Tax and the related confidential item 6.2, by indicating that he has a supervisory role with CUPE 101 staff at the Middlesex-London Health Unit. Councillor S. Turner further discloses a pecuniary interest in items 4.2 of this Report, specifically related to the proposed policies Siting of Cannabis Retails Stores in London and Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London, as included in the 10th Report of the Governance Working Group, by indicating that his employer is the Middlesex-London Health Unit, which has these matters as areas of focus. Councillor S. Turner also discloses a pecuniary interest item 4.1 of this Report, specifically related to the proposed Child Care Policy included in the 9th Report of the Governance Working Group, by indicating that his spouse is employed by Childreach, which receives funding from the City of London.

2. Consent

2.1 2019 Budget Schedule

Moved by: M. van Holst

Seconded by: B. Armstrong

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following dates for the 2019 Annual Budget Update BE APPROVED:

Tabling of the 2019 Annual Budget Update (Tax Supported, Water and Wastewater & Treatment)
December 17, 2018, 4 p.m.

Public Participation Meeting (Tax Supported, Water and Wastewater & Treatment)
January 17, 2019, 4 p.m.

Budget Review (Tax Supported, Water and Wastewater & Treatment)
January 24, 2019, 9 a.m.

Budget Review (Tax Supported, Water and Wastewater & Treatment)
January 28, 2019, 4 p.m. (if needed)

Final Budget Approval (Tax Supported, Water and Wastewater & Treatment)
February 12, 2019, 4 p.m.

Assessment Growth Allocation Report
February 2019

Yeas: (15): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Motion Passed (15 to 0)

2.2 Municipal Accommodation Tax - Required Agreements and By-laws

Moved by: H. Usher
Seconded by: P. Hubert

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to implementing the new Municipal Accommodation Tax:

- a) the proposed by-law appended to the staff report dated June 25, 2018 as Appendix A, BE INTRODUCED at the Municipal Council meeting on June 26, 2018, with respect to establishing a tax on the purchase of municipal accommodation in the City of London, entitled "A By-law to Impose a Municipal Accommodation Tax";
- b) the proposed by-law appended to the staff report dated June 25, 2018 as Appendix B, BE INTRODUCED at the Municipal Council meeting on June 26, 2018 to:
 - i) approve the Municipal Accommodation Tax Collection Agreement (Schedule 1) representing the Agreement between The Corporation of the City of London and the Ontario Restaurant Hotel & Motel Association (ORHMA) for the collection of the Municipal Accommodation Tax in the City of London; and
 - ii) authorize the Mayor and City Clerk to execute the Agreement approved in b) i) above;
- c) the proposed by-law appended to the staff report dated June 25, 2018 as Appendix C, BE INTRODUCED at the Municipal Council meeting on June 26, 2018 to:
 - i) approve the Municipal Accommodation Tax Financial Accountability Agreement (Schedule 1) substantially in the form attached and satisfactory to the City Solicitor, representing the Agreement between The Corporation of the City of London and Tourism London regarding the use and monitoring of Tourism London's share of revenue from the Municipal Accommodation Tax; and
 - ii) authorize the Mayor and City Clerk to execute the Agreement approved in c) i) above; and,
- d) the proposed by-law appended to the staff report dated June 25, 2018 as Appendix D, BE INTRODUCED at the Municipal Council meeting on June 26, 2018, with respect to establishing a reserve fund for the purposes of receiving and distributing the City of London's share of

revenue from the Municipal Accommodation Tax, entitled “A by-law to establish the Tourism Infrastructure Reserve Fund”.

Yeas: (14): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Nays: (1): A. Hopkins

Motion Passed (14 to 1)

2.3 Free of Fear Services for All Policy

Moved by: J. Helmer

Seconded by: T. Park

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to London adopting a Free of Fear Services for All Policy:

a) the commitment to ensuring access to municipal services free of fear to non-status immigrants or immigrants with uncertain status BE AFFIRMED;

b) the initiative of providing access to municipal services to non-status immigrants or immigrants with uncertain status BE DESIGNATED as “Free of Fear Services for All”;

c) the by-law as appended to the staff report dated June 25, 2018, BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to adopt the Council Policy entitled “Free of Fear Services for All”;

d) the Civic Administration BE DIRECTED to implement Option #2 as outlined in the staff report date June 25, 2018; it being noted that the cost of this option will be accommodated within the approved operating budget; and,

e) the Civic Administration BE DIRECTED to report back on the results of research and any anticipated long-term program costs as a result of implementing this policy.

Motion Passed

Voting Record

Moved by: J. Helmer

Seconded by: T. Park

Motion to approve parts a), b) and c).

Yeas: (14): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Absent: (1): M. Salih

Motion Passed (14 to 0)

Moved by: J. Helmer

Seconded by: T. Park

Motion to approve part d).

Yeas: (8): Mayor M. Brown, B. Armstrong, J. Helmer, P. Hubert, A. Hopkins, S. Turner, H. Usher, and T. Park

Nays: (6): M. van Holst, M. Cassidy, P. Squire, J. Morgan, V. Ridley, and J. Zaifman

Absent: (1): M. Salih

Motion Passed (8 to 6)

Moved by: T. Park

Seconded by: S. Turner

Motion to approve part e).

Yeas: (9): Mayor M. Brown, B. Armstrong, J. Helmer, M. Cassidy, P. Hubert, A. Hopkins, S. Turner, T. Park, and J. Zaifman

Nays: (5): M. van Holst, P. Squire, J. Morgan, V. Ridley, and H. Usher

Absent: (1): M. Salih

Motion Passed (9 to 5)

3. Scheduled Items

3.1 London Hydro Inc. - 2017 Annual Meeting of the Shareholder Annual Resolutions

Moved by: H. Usher

Seconded by: A. Hopkins

That the following actions be taken with respect to the 2017 Annual General Meeting of London Hydro Inc.;

a) the presentation by M. Mathur, Chair, Board of Director, London Hydro Inc., and the London Hydro Inc. 2017 Annual Reports BE RECEIVED; and,

b) on the recommendation of the City Manager, the proposed by-law appended to the staff report dated June 25, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held June 26, 2018 to:

i) ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc. appended to the staff report dated June 25, 2018 as Schedule "A" to the by-law; and

ii) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of London Hydro Inc. attached as Schedule "A" to the by-law.

Yeas: (14): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Absent: (1): J. Morgan

Motion Passed (14 to 0)

3.2 Housing Development Corporation - 2017 Annual Meeting of the Shareholder Annual Resolutions

Moved by: M. Cassidy

Seconded by: B. Armstrong

That the following actions be taken with respect to the 2017 Annual General Meeting of the Housing Development Corporation, London:

- a) the presentation by D. Brouwer, Board Chair and S. Giustizia, CEO, Housing Development Corporation, London and the Report to City of London Municipal Council as the Sole Shareholder: Reporting Year 2017 BE RECEIVED; and,
- b) on the recommendation of the City Manager, the proposed by-law appended to the staff report dated June 25, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held June 26, 2018 to:
 - i) ratify and confirm the Annual Resolution of the Shareholder of Housing Development Corporation, London appended to the staff report dated June 25, 2018 as Schedule "A" to the by-law;
 - ii) authorize the Mayor and the City Clerk to execute the Annual Resolution of the Shareholder of Housing Development Corporation, London attached as Schedule "A" to the by-law.

Yeas: (15): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Motion Passed (15 to 0)

3.3 London & Middlesex Housing Corporation - 2017 Annual Meeting of the Shareholder Annual Resolutions

That the following actions be taken with respect to the 2017 Annual Meeting of the Shareholder for the London & Middlesex Housing Corporation:

- a) the proposed by-law appended to the staff report dated June 25, 2018, BE INTRODUCED at the Municipal Council meeting to be held on June 26, 2018 to:
 - i) ratify and confirm the Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation (LMHC) attached as Schedule "A" to the by-law; and
 - ii) authorize the Mayor and the City Clerk to execute the Annual Resolutions of the Shareholder of the London & Middlesex Housing Corporation attached as Schedule "A" to the by-law;
- b) the Civic Administration BE DIRECTED to work with the London & Middlesex Housing Corporation (LMHC) to review and report back on the recommendations contained in the PricewaterhouseCoopers London & Middlesex Housing Corporation Report on Internal Audit Results dated February 15, 2018;
- c) the attached proposed changes to the LMHC Articles of Incorporation to provide expanded flexibility required to better serve their clients, BE REFERRED to the Civic Administration to work with the LMHC and report back to a future meeting of the Strategic Priorities and Policy Committee (SPPC); it being noted that the following the aforementioned

presentation to the SPPC, a special meeting of Shareholder will be scheduled;

d) the attached Special Resolution of the Shareholder pursuant to the provisions of the Business Corporations Act, R.S.O., 1990, c.B16 to change the name of the Corporation from London & Middlesex Housing Corporation (LMHC) to the London & Middlesex Community Housing Inc. (LMCH), BE APPROVED; and,

e) the delegation request of Ashton Forrest BE REFERRED to the Board of the London Middlesex Housing Corporation for consideration.

Motion Passed

Voting Record

Moved by: A. Hopkins

Seconded by: M. van Holst

Motion to approve part b).

Yeas: (15): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Motion Passed (15 to 0)

Moved by: A. Hopkins

Seconded by: M. van Holst

Motion to approve part c).

Yeas: (14): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, H. Usher, T. Park, and J. Zaifman

Recuse: (1): S. Turner

Motion Passed (14 to 0)

Moved by: A. Hopkins

Seconded by: M. van Holst

Motion to approve part d).

Yeas: (15): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Motion Passed (15 to 0)

Moved by: V. Ridley

Seconded by: A. Hopkins

Motion to approve part e).

Yeas: (10): Mayor M. Brown, B. Armstrong, J. Helmer, M. Cassidy, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, and H. Usher

Nays: (5): M. van Holst, M. Salih, P. Squire, T. Park, and J. Zaifman

Motion Passed (10 to 5)

Moved by: J. Morgan
Seconded by: M. van Holst

Motion to approve part a).

Yeas: (15): Mayor M. Brown, M. van Holst, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Motion Passed (15 to 0)

3.4 Delegation - J. Browne, CEO, London & Middlesex Housing Corporation - London & Middlesex Housing Corporation's Community Housing Revitalization Strategy

Moved by: P. Hubert
Seconded by: H. Usher

That the presentation from J. Browne, CEO, London & Middlesex Housing Corporation regarding Community Housing Revitalization Strategy BE RECEIVED.

Yeas: (14): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Absent: (1): M. Salih

Motion Passed (14 to 0)

4. Items for Direction

4.1 9th Report of the Governance Working Group

That the following actions be taken with respect to the 9th Report of the Governance Working Group from its meeting held on May 28, 2018:

a) on the recommendation of the City Manager, the following actions be taken with respect to the Council Policy Manual Modernization:

i) the proposed by-laws appended to the Governance Working Group Report dated May 28, 2018 as (Appendices A1 to A19) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to amend the following Council Policies in order to reformat them into the new Council Policy template and to reflect any changes required as a result of the application of the gender equity lens and to make any further updates that were deemed appropriate:

1. Community Arts Investment Program Policy
2. Corporate Identity Policy
3. Media Protocols Policy
4. Community Engagement Policy
5. Banners Over City Streets
6. Special Assistance and Supplementary Aid
7. Purchased Service Agreements
8. London Community Grants Policy
9. Gender Equity in Recreation Services
10. Child Care Policies
11. Policy for Waiving or Reducing Fees for Use of City Owned Community Centres and Recreation Facilities

12. Dedication of Fire Stations
13. Athletic Travel Grants
14. Corporate Sponsorship and Advertising Policy
15. Leasing Parkland
16. Financial Assistance for Program Activity Fees
17. Inclusion in Recreation Facilities, Parks and Services
18. Special Events Policies and Procedures Manual
19. Rzone Policy

ii) the proposed by-law appended to the Governance Working Group Report dated May 28, 2018 as (Appendix B20) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal By-law No. CPOL.-120-372, being “A by-law to revoke and repeal Council policy related to Public Art Policy and to implement a new Council policy entitled “Public Art Policy” and to implement a new Council Policy entitled “Public Art/Monument Policy”;

iii) the proposed by-law appended to the Governance Working Group Report dated May 28, 2018 as (Appendix B21) appended to the staff report dated May 28, 2018 BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal By-law No. CPOL.-201-453, entitled Homemakers and Nurses Services, which is no longer required;

b) on the recommendation of the City Manager and the Managing Director of Neighbourhood, Children and Fire Services, the following actions be taken with respect to the Strategic Plan Measurement Framework and Tool for Reporting:

i) the Strategic Plan Measurement Framework appended to the Governance Working Group Report dated May 28, 2018 as Appendix “B” and Tool for Reporting as Appendix “C” BE ENDORSED for use in the evaluation of the 2016-2019 Strategic Plan and be considered in the development of the next Strategic Plan (2019-2023);

ii) the Civic Administration BE DIRECTED to consultant with the Strategic Thinkers Table, other internal stakeholders and agencies, boards and commissions on key metrics and targets for the next Strategic Plan (2019-2023);

iii) the next Strategic Plan (2019-2023) Reporting Cycle appended to the Governance Working Group Report dated May 28, 2018 as Appendix “D” BE ENDORSED; and,

iv) the Civic Administration BE DIRECTED to implement the Strategic Plan Measurement Framework and Tool for Reporting endorsed in i) above, beginning November 2018;

it being noted that the Civic Administration will place a note on the above-noted Appendix C acknowledging the limitation of the data provided; and,

it being further noted that the Governance Working Group (GWG) provided the Civic Administration with feedback with respect to reviewing and expanding the evaluation metrics for the next Strategic Plan (2019-2023);

c) the following actions be taken with respect to the draft annual meeting calendar for the period January 1, 2019 to December 31, 2019, as appended to the Governance Working Group Report dated May 28, 2018:

i) the City Clerk BE DIRECTED to amend the above-noted draft meeting calendar as follows:

A) to provide for Public Participation Meetings for the Planning and Environment Committee (PEC) to be held commencing at 6:30 PM on the same day PEC meetings are proposed to be held; and,

B) to provide a note indicating that Public Participations Meetings for the Community and Protective Services Committee, Civic Works Committee and Strategic Priorities and Policy Committee will be scheduled as required;

it being noted that Public Participation Meetings before the Corporate Services Committee will be held as part of the regularly scheduled meetings of that Committee;

ii) the City Clerk BE DIRECTED to prepare a second draft annual meeting calendar for the period January 1, 2019 to December 31, 2019 based on the current timing of meetings;

iii) the City Clerk BE DIRECTED to consult with the Civic Administration with respect to the above-noted draft calendars; and,

iii) the City Clerk BE DIRECTED to make the appropriate arrangements to initiate a public consultation process to provide an opportunity for members of the public to comment on the above-noted draft annual meeting calendars through an invitation on the City of London's webpage "Get Involved" and by scheduling a Public Participation Meeting before the Corporate Services Committee to receive input from the community with respect to the draft annual meeting calendars; and

d) clauses 1, 2 and 6 BE RECEIVED.

Motion Passed

Voting Record

Moved by: V. Ridley

Seconded by: J. Helmer

Motion to approve the 9th Report of the Governance Working Group excluding items 3. a) 10. (Child Care Policies) and 5 (Annual Meeting Calendar).

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, and T. Park

Absent: (2): M. Salih, and J. Zaifman

Motion Passed (13 to 0)

Moved by: V. Ridley

Seconded by: A. Hopkins

Motion to approve item 3. a) 10. Child Care Policies.

Yeas: (12): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, H. Usher, and T. Park

Recuse: (1): S. Turner

Absent: (2): M. Salih, and J. Zaifman

Motion Passed (12 to 0)

Moved by: S. Turner
Seconded by: Mayor M. Brown

Motion to refer part c), having to do with a revised Annual Meeting Calendar, BE REFERRED to the 2018-2022 Council for consideration; it being noted that the City Clerk will be required to bring forward a report prior to September 2018, based on the current meeting schedule format for the coming Council year.

Yeas: (5): Mayor M. Brown, P. Squire, P. Hubert, A. Hopkins, and S. Turner

Nays: (8): M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, J. Morgan, V. Ridley, H. Usher, and T. Park

Absent: (2): M. Salih, and J. Zaifman

Motion Failed (5 to 8)

Moved by: V. Ridley
Seconded by: M. van Holst

Motion to approve part c), with the addition to direct the City Clerk to consult with the Civic Administration on the draft calendars.

Yeas: (8): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, J. Morgan, V. Ridley, and H. Usher

Nays: (5): P. Squire, P. Hubert, A. Hopkins, S. Turner, and T. Park

Absent: (2): M. Salih, and J. Zaifman

Motion Passed (8 to 5)

4.2 10th Report of the Governance Working Group

That the following actions be taken with respect to the 10th Report of the Governance Working Group from its meeting held on June 11, 2018:

a) on the recommendation of the City Manager, the following actions be taken with respect to the Council Policy Manual Modernization:

i) the proposed by-laws appended to the Governance Working Group Report dated June 11, 2018 as (Appendices B1 to B61, excluding Parkland Accounts) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to amend the following Council Policies in order to reformat them into the new Council Policy template and to reflect any changes required as a result of the application of the gender equity lens and to make any further updates that were deemed appropriate:

1. Requiring Building Permits for Buildings Constructed More Than One Year Prior
2. Gateway Structures, Fences and Walls - Ownership & Maintenance
3. Refunding of Application Fees
4. Government Agencies to Pay Fees
5. Subdivision & Development Agreement Security Policy
6. Assumption of Works and Services
7. Street Cleaning in Unassumed Subdivisions
8. Third Party Billing – City of London Contracts

9. Residential Front Yard and Boulevard Parking
10. Commemorative Street Naming Policy
11. Drawing Review Fees
12. Street Naming - Streets of Honour
13. Frequency of Garbage, Recyclable Material, Yard Materials and Fall Leaf Collection
14. Citizens Unable to Take Out Garbage or Recyclable Material
15. Containerized Garbage Collection Systems
16. Waiving of Landfill Site Fees
17. Provision of Blue Boxes
18. Public Notification Policy for Construction Projects
19. Deleting Works from Tenders
20. Services for Special Events
21. Catch Basins on Private Property
22. Rear Yard Grading and Drainage
23. Land Dedication
24. Street, Lane and Walkway Closings
25. New Traffic Signal Locations
26. Lane Maintenance Policy
27. Encroachment Policy
28. Traffic & Parking By-law Amendments
29. Elsie Perrin Williams Estate
30. Monumenting Program
31. Telecommunication Facilities Consultation Policy
32. Value of Parkland Dedication
33. Parkland Dedication – Plan of Subdivision
34. Parkland Dedication Cash-in-lieu
35. Parkland Dedication – Site Plan
36. Pathway Corridors
- ~~37. Parkland Accounts~~
38. Demolition Control
39. Substantially Changed OPA/ZBA Applications
40. Urban Design Awards
41. Tree Preservation
42. Notices of OPA and ZBA Received From Other Municipalities
43. Naturalized Areas and Wildflower Meadows
44. Siting of Cannabis Retail Stores in London
45. Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London
46. Grants to Centennial Hall

47. Reduced Rental Rates for Non-Profit Groups
48. Objectives of Centennial Hall
49. Using Centennial Hall for City Sponsored Events
50. Lessee Protection and Non-Competitive Clauses
51. Accounts Receivable and Collections Policy
52. Trust Fund Policy
53. Donations Policy
54. Royal Canadian Legion Branch Property Tax Relief Program Funding
55. Security Policy Regarding Letters of Credit
56. Identification of Operating Surpluses – Boards and Commissions
56. Lease Financing Policy
58. Assessment Growth Policy
59. Debt Management Policy
60. Capital Budget and Financing Policy
61. Affordable Housing Reserve Fund Implementation Policy

ii) the proposed by-laws appended to the Governance Working Group Report dated June 11, 2018 as (Appendices C1 to C6) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal and replace the following Council Policies:

1. Flankage Exemptions for Surface Works and Sewers to be renamed as Flankage Exemptions for Surface Works and Municipal Services
2. Absence of Sewers and Private Drain Connections to be renamed as Absence of Municipal Services
3. Phase Out Use of City-Owned Vehicles to be renamed as Annual Assessment of Underutilized Light Vehicles
4. Private Storm Water Connections to be renamed as Stormwater Private Drain Connections
5. Parkland Dedication – Acquisition of Parkland Outside a Plan of Subdivision to be renamed as Parkland Dedication – Acquisition of Hazard Lands and/or Open Space Lands
6. Perfecting Property Titles for which Consents were not Obtained

iii) the proposed by-laws appended to the Governance Working Group Report dated June 11, 2018 as (Appendices D1 to D4 and D6) BE INTRODUCED at the Municipal Council Meeting to be held on June 26, 2018, to repeal the following Council Policies which are no longer required:

1. Methane Gas
2. Unprotected Excavations at Construction Sites
3. Non-Enforcement of Parking Regulations
4. Free Downtown Parking During Christmas Season
6. Service Cut Restoration Work by Utilities and Contractors;

iv) the proposed by-law appended to the Governance Working Group Report dated June 11, 2018 as (Appendix D5) being “A by-law to repeal By-law No. CPOL.-78-310, “Enforcement of City Personnel” BE

INTRODUCED at a future meeting of Municipal Council after such time as the Standard Operating Procedures have been updated to outline the protocol on by-law investigations being undertaken in accordance with provincial legislation and municipal by-laws; and,

v) the Civic Administration BE DIRECTED to bring forward a revised “Policy for the Establishment and Maintenance of Council Policies” that acknowledges that all Council Policies are to be reviewed with the gender equity lens;

vi) the proposed policy related to Parkland Accounts BE REFERRED back to staff for additional work, with a report back to a future meeting of the Governance Working Group; and

d) clause 1.1 BE RECEIVED.

Motion Passed

Voting Record

Moved by: V. Ridley

Seconded by: J. Helmer

Motion to approve the 10th Report of the Governance Working Group, excluding a) parts 37 (Parkland Accounts), 44 (Siting of Cannabis Retail Stores in London) and 45 (Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London).

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, and T. Park

Absent: (2): M. Salih, and J. Zaifman

Motion Passed (13 to 0)

Moved by: V. Ridley

Seconded by: M. Cassidy

Motion to refer item 37 - Parkland Accounts policy back to staff for additional work, and a report back to the GWG.

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, and T. Park

Absent: (2): M. Salih, and J. Zaifman

Motion Passed (13 to 0)

Moved by: V. Ridley

Seconded by: J. Helmer

Motion to approve parts 44 (Siting of Cannabis Retail Stores in London) and 45 (Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London).

Yeas: (12): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, H. Usher, and T. Park

Recuse: (1): S. Turner

Absent: (2): M. Salih, and J. Zaifman

Motion Passed (12 to 0)

4.3 Review of the Function of the Public Utility Commission of the City of London

Moved by: H. Usher
Seconded by: S. Turner

That on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Civic Administration BE DIRECTED to undertake all the administrative acts that are necessary to dissolve the corporate entity known as The Public Utility Commission of the City of London and to transfer all of its assets and liabilities to The Corporation of the City of London.

Yeas: (14): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Absent: (1): M. Salih

Motion Passed (14 to 0)

5. Deferred Matters/Additional Business

5.1 (ADDED) Indigenous Relations Working Group

Moved by: Mayor M. Brown
Seconded by: M. van Holst

That the following actions be taken with respect to the Indigenous Relations Working Group:

- a) the letters from the Chippewas of the Thames First Nation, Oneida Nation of the Thames and Munsee Delaware Nation BE RECEIVED;
- b) that in accordance with section 13.2 of the Council Procedure By-law the Municipal Council decision of October 17, 2017 with respect to clause 2 of the 17th Report of the Strategic Priorities and Policy Committee, BE RECONSIDERED;
- c) the Civic Administration BE DIRECTED to retain an external facilitator, acceptable to all parties, to assist in identifying commonalities between the parties from which a terms of reference could be established for the proposed Working Group; and,
- d) upon completion of c) above, the Civic Administration BE DIRECTED to consult with the Administration of the First Nations to establish a meeting schedule for the Working Group.

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, and T. Park

Absent: (2): M. Salih, and J. Zaifman

Motion Passed (13 to 0)

Moved by: J. Helmer
Seconded by: T. Park

That pursuant to section 2.3 of the Council Procedure By-law, section 11.10 of the said by-law BE SUSPENDED for the purpose of permitting the meeting to proceed beyond 11:00 PM.

Motion Passed

6. Confidential (Enclosed for Members only.)

Moved by: J. Helmer
Seconded by: T. Park

That the Strategic Priorities and Policy Committee convene in closed session with respect to the following matters:

6.1 Solicitor-Client Privileged Advice/Land Disposition

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; instructions and directions to officers and employees of the Commission pertaining to a proposed disposition of land; reports or advice or recommendations of officers and employees of the Commission pertaining to a proposed disposition of land; commercial and financial information supplied in confidence pertaining to the proposed disposition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Commission, result in similar information no longer being supplied to the Commission where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed disposition that belongs to the Commission that has monetary value or potential monetary value; information concerning the proposed disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Commission or its competitive position; information concerning the proposed disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Commission; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Commission concerning the proposed disposition.

6.2 Solicitor-Client Privileged Advice/Labour Relations/Personal Matters/Identifiable Individual

matter pertaining to advice that is subject to solicitor-client privilege; including communications necessary for that purpose, and for the purpose of providing instructions and directions to officers and employees of the Corporation and labour relations and employee negotiations, including communications necessary for that purpose, with respect to employment-related matters.

6.3 Personal Matters/Identifiable Individual

A matter pertaining to personal matters about an identifiable individual with respect to employment-related matters and advice and recommendations of officers and employees of the Corporation including communications necessary for that purpose.

Yeas: (13): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, and T. Park

Absent: (2): M. Salih, and J. Zaifman

Motion Passed (13 to 0)

The Strategic Priorities and Policy Committee convened in closed session from 10:39 PM to 10:43 PM, with respect to these matters.

- 6.1 Solicitor-Client Privileged Advice/Land Disposition
- 6.2 Solicitor-Client Privileged Advice/Labour Relations/Personal Matters/Identifiable Individual
- 6.3 Personal Matters/Identifiable Individual

7. Adjournment

The meeting adjourned at 10:44 PM.

LONDON & MIDDLESEX HOUSING CORPORATION
Special Resolution of the Sole Shareholder

Recitals:

- A. The Corporation was incorporated by a certificate of incorporation dated December 14, 2000, with the name London & Middlesex Housing Corporation.
- B. It is considered necessary and expedient in the interests of the Corporation to amend the articles of the Corporation to change the name of the Corporation and to better align the articles of the Corporation with the priorities identified in the Corporation's latest strategic plan.

NOW THEREFORE BE IT RESOLVED AS A SPECIAL RESOLUTION THAT:

- 1. The articles of the Corporation be amended to:
 - (a) change the name of the Corporation to:

LONDON & MIDDLESEX COMMUNITY HOUSING INC.
 - (b) provide that the business and powers of the Corporation shall be as set out in Schedule "A" attached hereto.
- 2. Any directors or officers of the Corporation be and are hereby authorized and directed to sign all documents and do all things necessary or desirable to effect such amendment including the delivery of articles of amendment in prescribed form to the Director under the *Business Corporations Act* (Ontario).

The foregoing special resolution is hereby passed by the sole shareholder of the Corporation pursuant to the provisions of the *Business Corporations Act* (Ontario).

DATED as of the ___ day of June, 2018.

**THE CORPORATION OF THE CITY OF
LONDON**

By: _____
Name: Matt Brown
Title: Mayor

By: _____
Name:
Title: City Clerk

SCHEDULE A

There are no such restrictions on the business the corporation may carry on or on the powers the corporation may exercise, except as provided for in the Act.

2000509

Form 3
Business
Corporations
Act

Formule 3
Loi sur les
sociétés par
actions

**ARTICLES OF AMENDMENT
STATUTS DE MODIFICATION**

1. The name of the corporation is: (Set out in BLOCK CAPITAL LETTERS)
Dénomination sociale actuelle de la société (écrire en LETTRES MAJUSCULES SEULEMENT) :

L	O	N	D	O	N		&		M	I	D	D	L	E	S	E	X		H	O	U	S	I	N	G		C	O	R
P	O	R	A	T	I	O	N																						

2. The name of the corporation is changed to (if applicable): (Set out in BLOCK CAPITAL LETTERS)
Nouvelle dénomination sociale de la société (s'il y a lieu) (écrire en LETTRES MAJUSCULES SEULEMENT) :

L	O	N	D	O	N		&		M	I	D	D	L	E	S	E	X		C	O	M	M	U	N	I	T	Y		H
O	U	S	I	N	G				I	N	C	.																	

3. Date of incorporation/amalgamation:
Date de la constitution ou de la fusion :

2000/12/14

(Year, Month, Day)
(année, mois, jour)

4. **Complete only if there is a change in the number of directors or the minimum / maximum number of directors.
Il faut remplir cette partie seulement si le nombre d'administrateurs ou si le nombre minimal ou maximal d'administrateurs a changé.**

Number of directors is/are: minimum and maximum number of directors is/are:
Nombre d'administrateurs : nombres minimum et maximum d'administrateurs :

Number minimum and maximum
Nombre minimum et maximum

or

5. The articles of the corporation are amended as follows:
Les statuts de la société sont modifiés de la façon suivante :

The articles of the corporation be amended provide that the business of the Corporation shall be as follows:

The business of the corporation shall be restricted to:

- i. the development, provision, operation and maintenance of housing accommodation

with or without any public/community space, recreational facilities, commercial space, or buildings appropriate thereto, whether or not in partnership with for profit, not for profit, or governmental entities, in accordance with the Act;

ii. obtaining outside sources of financing and revenue to further the provision of housing accommodation, as permitted by the Act;

iii. the provision of programs and supportive housing to tenants and the community in accordance with the Act, including but not limited to, providing rent-geared-to-income assistance to households of low to moderate income and facilities which assist with vulnerable populations;

iv. any other matter that is delegated to the corporation by the service manager in accordance with the Act; and

v. any other matter that is prescribed under the Act,

and the corporation shall exercise no powers other than those required in carrying on of such business and actions reasonably incidental thereto.

6. The amendment has been duly authorized as required by sections 168 and 170 (as applicable) of the *Business Corporations Act*.
La modification a été dûment autorisée conformément aux articles 168 et 170 (selon le cas) de la *Loi sur les sociétés par actions*.
7. The resolution authorizing the amendment was approved by the shareholders/directors (as applicable) of the corporation on
Les actionnaires ou les administrateurs (selon le cas) de la société ont approuvé la résolution autorisant la modification le

(Year, Month, Day)
(année, mois, jour)

These articles are signed in duplicate.
Les présents statuts sont signés en double exemplaire.

London & Middlesex Housing Corporation

(Print name of corporation from Article 1 on page 1)
(Veuillez écrire le nom de la société de l'article un à la page une).

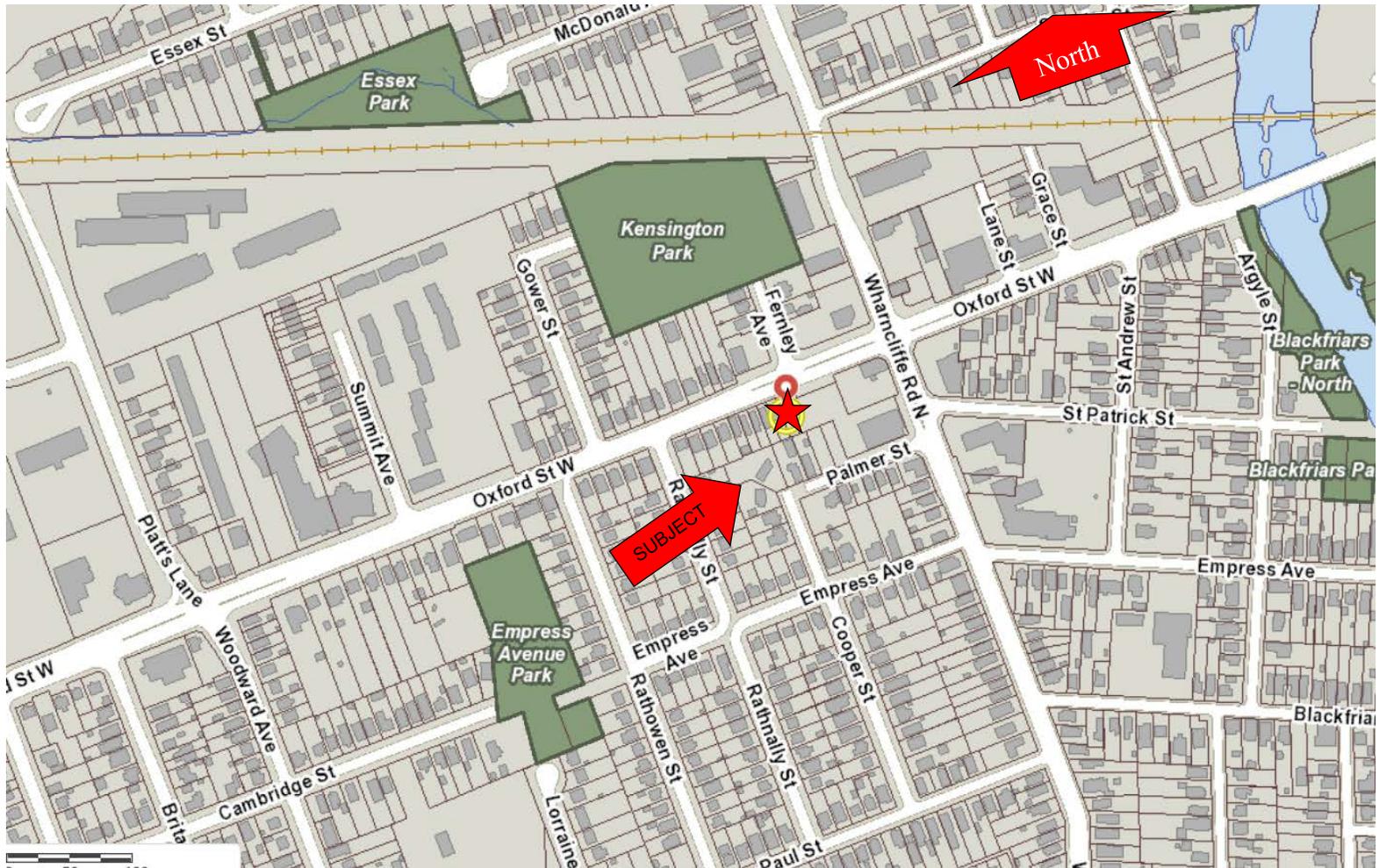
By/
Par :

(Signature)
(Signature)

President

(Description of Office)
(Fonction)

Location Map



Chair and Members
Corporate Services Committee

June 19, 2018
(Property Acquisition)

**RE: Property Acquisition - Bus Rapid Transit Project
(Subledger LD180031)
Capital Project TS1430-6 - RT 6: Oxford Street W - Hyde Park Road to Richmond Street West Leg Widening
78 Oxford Street West - Carl Anthony Dinardo**

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the detailed source of financing for this purchase is:

<u>ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed To Date</u>	<u>This Submission</u>	<u>Balance For Future Work</u>
Engineering	\$4,329,312	\$795,592		\$3,533,720
Land Acquisition	2,623,334		165,882	2,457,452
Other City Related	25,688	5,688		20,000
NET ESTIMATED EXPENDITURES	<u>\$6,978,334</u>	<u>\$801,280</u>	<u>\$165,882</u> 1)	<u>\$6,011,172</u>
<u>SOURCE OF FINANCING</u>				
Capital Levy	\$488,434	\$56,084	\$11,611	\$420,740
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) 6,489,900	745,196	154,271	5,590,432
TOTAL FINANCING	<u>\$6,978,334</u>	<u>\$801,280</u>	<u>\$165,882</u>	<u>\$6,011,172</u>

1) Financial Note:

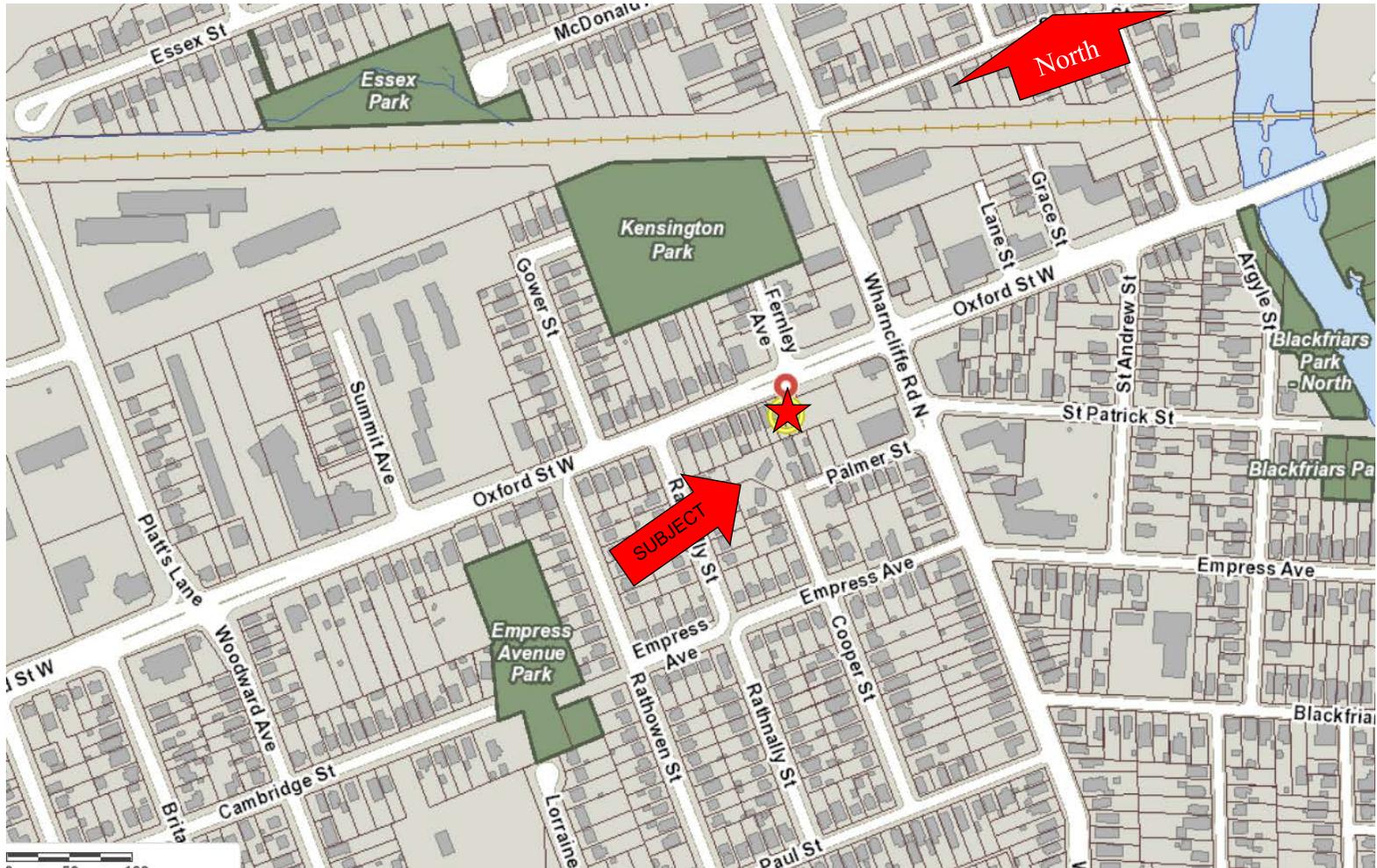
Purchase Cost	\$132,500
Add: Land Transfer Tax	1,050
Add: Estimated Demolition costs	30,000
Add: HST @13%	17,225
Less: HST Rebate	(14,893)
Total Purchase Cost	<u>\$165,882</u>

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2014.

ms

Jason Davies
Manager of Financial Planning & Policy

Location Map



Chair and Members
Corporate Services Committee

June 19, 2018
(Property Acquisition)

**RE: Property Acquisition - Bus Rapid Transit Project
(Subledger LD180032)
Capital Project TS1430-6 - RT 6: Oxford Street W - Hyde Park Road to Richmond Street West Leg Widening
80 Oxford Street West - Majesty Commercial Properties Inc.**

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the detailed source of financing for this purchase is:

<u>ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed To Date</u>	<u>This Submission</u>	<u>Balance For Future Work</u>
Engineering	\$4,329,312	\$795,592		\$3,533,720
Land Acquisition	2,623,334	165,882	171,534	2,285,918
Other City Related	25,688	5,688		20,000
NET ESTIMATED EXPENDITURES	<u>\$6,978,334</u>	<u>\$967,162</u>	<u>\$171,534</u> 1)	<u>\$5,839,638</u>
<u>SOURCE OF FINANCING</u>				
Capital Levy	\$488,434	\$67,694	\$12,006	\$408,733
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) 6,489,900	899,468	159,528	5,430,905
TOTAL FINANCING	<u>\$6,978,334</u>	<u>\$967,162</u>	<u>\$171,534</u>	<u>\$5,839,638</u>

1) Financial Note:

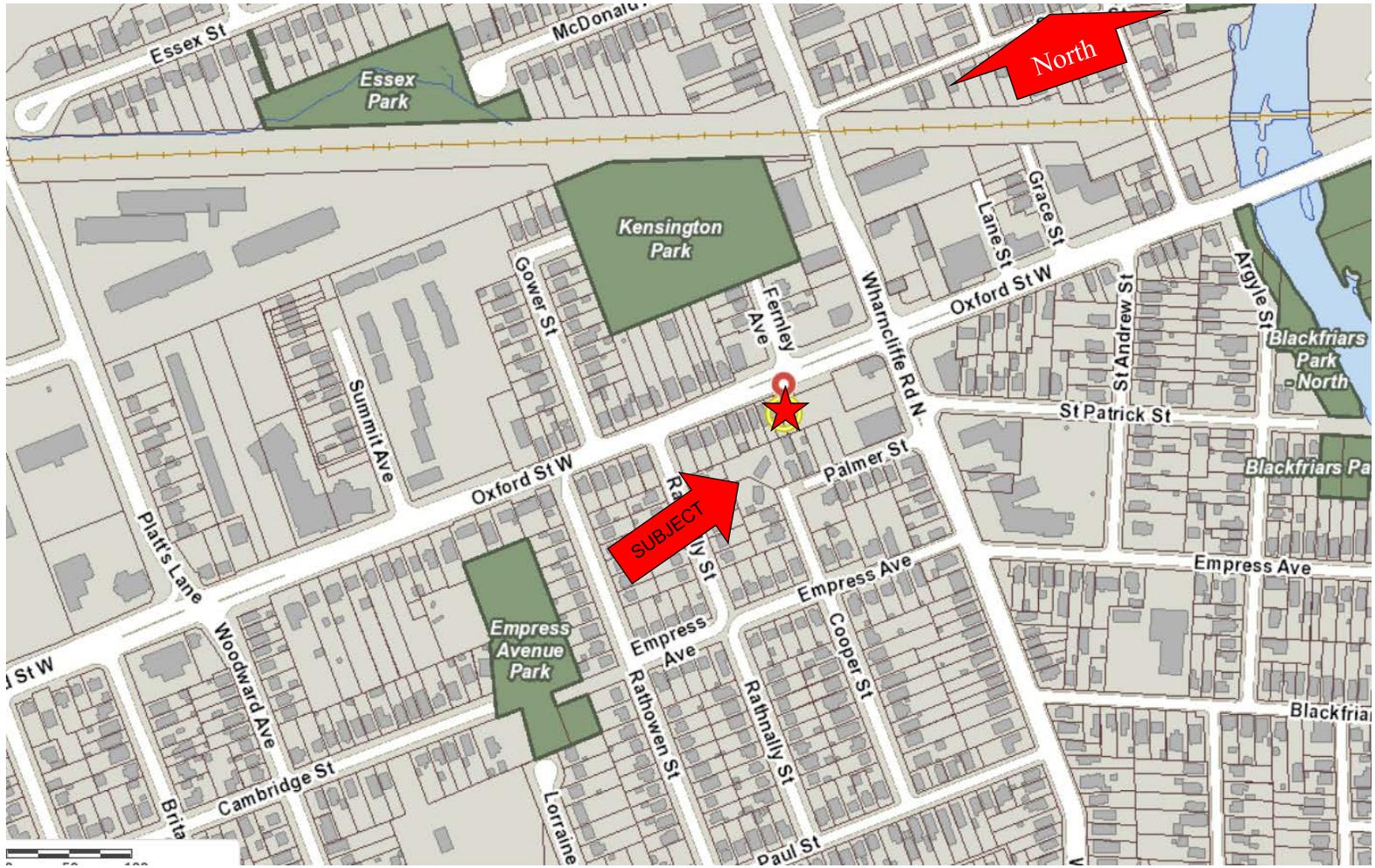
Purchase Cost	\$138,000
Add: Land Transfer Tax	1,105
Add: Estimated Demolition costs	30,000
Add: HST @13%	17,940
Less: HST Rebate	(15,511)
Total Purchase Cost	<u>\$171,534</u>

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2014.

ms

Jason Davies
Manager of Financial Planning & Policy

Location Map



Chair and Members
Corporate Services Committee

June 19, 2018
(Property Acquisition)

**RE: Property Acquisition - Bus Rapid Transit Project
(Subledger LD180033)**

**Capital Project TS1430-6 - RT 6: Oxford Street W - Hyde Park Road to Richmond Street West Leg Widening
82 Oxford Street West - Carl Anthony Dinardo**

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Works Budget and that, subject to the adoption of the recommendations of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the detailed source of financing for this purchase is:

<u>ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed To Date</u>	<u>This Submission</u>	<u>Balance For Future Work</u>
Engineering	\$4,329,312	\$795,592		\$3,533,720
Land Acquisition	2,623,334	337,416	235,245	2,050,673
Other City Related	25,688	5,688		20,000
NET ESTIMATED EXPENDITURES	<u>\$6,978,334</u>	<u>\$1,138,696</u>	<u>\$235,245</u> 1)	<u>\$5,604,393</u>
<u>SOURCE OF FINANCING</u>				
Capital Levy	\$488,434	\$79,701	\$16,465	\$392,268
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) 6,489,900	1,058,995	218,780	5,212,125
TOTAL FINANCING	<u>\$6,978,334</u>	<u>\$1,138,696</u>	<u>\$235,245</u>	<u>\$5,604,393</u>

1) Financial Note:

Purchase Cost	\$200,000
Add: Land Transfer Tax	1,725
Add: Estimated Demolition costs	30,000
Add: HST @13%	26,000
Less: HST Rebate	(22,480)
Total Purchase Cost	<u>\$235,245</u>

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2014.

ms

Jason Davies
Manager of Financial Planning & Policy

From: Colin Duck
Sent: Monday, July 16, 2018 2:32 PM
To: Saunders, Cathy <csaunder@london.ca>
Subject: re: 172 Central Avenue request to demolish

Dear Councillors,

As I am unable to attend the Planning Committee meeting tonight I thought I would tell you why I oppose the demolition request & support the heritage designation of 172 Central Avenue.

Too often heritage buildings in London are seen as having secondary importance to money & flashy new development. Often when people/developers buy heritage buildings all they see as important is the property, rather than the benefits of retaining the heritage building & incorporating it into a development. Bringing heritage buildings up to code can be costly but the benefits of doing so are countless. It is an easy out for owners to say it will cost too much to retain a heritage building, but heritage buildings often last much longer than newer buildings (that have a limited life span).

This house at 172 Central Avenue is a unique structure that has significant cultural and architectural heritage value (of local & national importance) that would be lost if it was destroyed.

When will we as a community start saying enough is enough and start indicating that heritage has an important part to play in the future of our city? We recently lost the Cedars heritage home to fire, due to neglect & the indication of no interest in restoring it. How long before the next important heritage building in London mysteriously catches fire? This is an ideal opportunity to show that heritage matters & that we must value retaining heritage buildings just as much as encouraging new development.

I trust you will make the right decision tonight & deny the demolition request for 172 Central Avenue, & support the heritage designation of the same address.

Thanks for your time,

Colin Duck
2-459 Princess Avenue
London, Ontario

From: Kae Elgie
Sent: Monday, July 16, 2018 9:14 AM
To: Turner, Stephen <sturner@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Park, Tanya <tpark@london.ca>; City of London, Mayor <mayor@london.ca>
Cc: Gonyou, Kyle <kgonyou@london.ca>; Lysynski, Heather <hlysynsk@London.ca>
Subject: Please send the right message re: 172 Central Avenue London

Dear London City Council, Planning and Environment Committee,

I recently learned of the important decision facing you on Monday July 16: whether to carry out your legislated duty to conserve significant heritage resources, or reward property owners' neglect and shoddy maintenance by allowing the demolition of an important heritage resource.

The 2014 [Provincial Policy Statement](#), under the Planning Act, states clearly in section 2.6.1 that "Significant built heritage resources and significant cultural heritage landscapes **shall** be conserved." The Ontario Heritage Act delegates this obligation to municipal councils.

The historical significance of 172 Central Avenue, its history as the home of the Dr. Oronhyaetkha, one of Canada's first Indigenous medical doctors and the first Indigenous person to attend Oxford University, is alone enough reason to designate and conserve this property, according to the Ontario Heritage Act. Such an association is particularly relevant in these post Truth and Reconciliation Commission days. The historical association with noted Canadian artist Tony Urquhart is another. Its architectural structure is a third -- but note that only one criterion is required to render a property a "significant built heritage resource" under the Ontario Heritage Act.

The fact that the property has been included in your city's Heritage Building Inventory since 1987 is further proof of the value citizens, represented by their City Council, have placed on this property for over 30 years.

Mr. Mitsis's seeming "surprise" at the "resistance we are receiving" is itself surprising. Surely he would have investigated the property he was buying, and surely he would have been aware of its heritage significance.

This is a great opportunity for you, as Councillors, to educate the public about your role in enforcing the province's legislated heritage protection policies.

This property is an important **community** resource, and community standards apply. People may think there shouldn't be a restriction on parking in a particular location, or they may not notice a NO PARKING sign, but they can nevertheless expect to get a parking ticket. So should people who buy listed heritage properties expect to have to maintain them.

Just because people own a car does not give them the right to flaunt the parking bylaws. Just because people own a house does not give them the right to flaunt the heritage bylaws. In both cases, the laws are there for the common good, the good of the whole community. They are more important than one person's right to "freedom" to park, or destroy, wherever they want.

Please use this opportunity to educate the citizens of London about your important heritage protection role, and the value of this to the community.

Thanking you in advance,

Kae Elgie
88 Fountain Street, Waterloo ON
N2L 3N1

From: Anjalie Shivakumar
Sent: Friday, July 13, 2018 3:45 PM
To: Saunders, Cathy <csaunder@london.ca>
Subject: 172 Central Avenue

To Whom it May Concern,

172 is a valued heritage property in the London community. It has a rich history and it is very disheartening that those who have the power and platform to protect it's position in the community are hesitant to do so. I am against the demolition of this property and hope that you take to heart the value and culture this property brings to our community!

Sincerely,

Anjalie Shivakumar

From: Carol Hunter

Sent: Friday, July 13, 2018 12:44 PM

To: 'jhelmer@london.ca' <jhelmer@london.ca>; 'msalih@london.ca' <msalih@london.ca>; psquire@london.ca; 'mcassidy@london.ca' <mcassidy@london.ca>; 'tpark@london.ca' <tpark@london.ca>; 'joshmorgan@london.ca' <joshmorgan@london.ca>; 'phubert@london.ca' <phubert@london.ca>; 'jhelmer@london.ca' <jhelmer@london.ca>; 'vridley@london.ca' <vridley@london.ca>; 'sturner@london.ca' <sturner@london.ca>; 'ahopkins@london.ca' <ahopkins@london.ca>; 'husher@london.ca' <husher@london.ca>; 'tpark@london.ca' <tpark@london.ca>; 'jzaifman@london.ca' <jzaifman@london.ca>

Subject: 172 Central Avenue

July 13, 2018

Dear Members of Council,

I am in favour of supporting the staff recommendation to designate 172 Central Avenue as a heritage property.

I have lived in the area for over 40 years and have been saddened to see many older homes either demolished or left in disrepair.

There is definitely a documented historical value to 172 Central and its place in the neighbourhood. It also appears that a fair bit of research has gone into determining that it can be repaired.

As the engineer's report states that the house is repairable, along with the historical value, I believe it is worth designating and saving. I am happy to see that there are also provincial grant programs which can assist with the cost of restoring heritage homes such as this.

Yours truly,

Carol Hunter
600 Talbot Street
London, ON

From: Susan Bentley

Sent: Friday, July 13, 2018 12:50 PM

To: Saunders, Cathy <csaunder@london.ca>; Bunn, Jerri-Joanne <jbunn@London.ca>

Cc: 'Brown & Dickson'

Subject: Possible demolition of 172 Central Avenue

Dear Chair and members of LACH

I wish to state my intense opposition to the demolition of 172 Central Avenue and support any attempt by the City to designate this building.

The building is needed to help retain the historical context in that vital area off Richmond Row.

All the best

Susan Bentley

34, Mayfair Drive

London ON N6A 2M6

From: Carleton Place and Beckwith Museum
Sent: Friday, July 13, 2018 3:59 PM
To: Saunders, Cathy <csaunder@london.ca>
Subject: 172 Central Avenue

Planning Committee,
Clerk's Office
City of London

To Whom it May Concern,
As a London native and strong heritage advocate, I support the designation of 172 Central Avenue as a heritage property. I am regularly dismayed at decisions made regarding heritage properties in the city of London and I strongly urge you to designate this property and refuse its demolition.

Yours in heritage,

Jennifer Irwin

Manager
Carleton Place and Beckwith Heritage Museum

Sent: Friday, July 13, 2018 4:16 PM

To: Saunders, Cathy <csaunder@london.ca>; kgonyou@london.ca Park, Tanya <tpark@london.ca>

Subject: 172 Central Ave

London City Hall
Planning Committee,

I am very disturbed that the present owners of 172 Central Ave have applied for a request for demolition of this significant historical residence built by Dr. Oronhyatekha, (1841 –1907) member of the Mohawk of the Six Nations, Dr. Oronhyatekha contributions to the city and beyond are well documented.

I implore you and the Planning Committee which will meet at City Hall to decide the fate of 172 Central Avenue to protect and designate this building as a heritage property and oppose its demolition.

We hope that you, like us, believe that architectural and cultural heritage is important to our community.

I strongly oppose this request for demolition.

sincerely,
Jamelie Hassan
514 Pall Mall St.
London, Ontario
N5Y 2Z6

From: Dan Ebbs
Sent: Friday, July 13, 2018 2:14 PM
To: Saunders, Cathy <csaunder@london.ca>
Subject: 172 Central Ave.

Hello. My name is Dan Ebbs and I am a local theatre artist, writer and teacher. It has come to my attention that 172 Central ave. is slated for demolition. This home of Dr. Oronhyateckha is important to preserve, especially for First Nations people as he was one of the earliest aboriginal doctors in our country.

Through the London Arts Council's Culture City program, I lead elementary school classes on historical tours of downtown and the forks of the Thames. Too many times, I hear myself telling them, "This is where _____ used to stand."

The Talbot Block
Sir Adam Beck House
Kingsmills
etc.

What's next?

I'm 59. Although I haven't lived my whole life in London, I know it's not the city it used to be. Too many heritage buildings have fallen under the wrecking ball.

Can we not save 172 Central Ave. from the same fate?

Sincerely yours,
Dan Ebbs

Joshua Howe

Sent: Friday, July 13, 2018 12:43 PM

To: Saunders, Cathy <csaunder@london.ca>

Subject: 172 central - demolition would be a tragedy.

Hi!

A concerned resident of London here. I just wanted to let city hall know that I whole heartedly support the designation of 172 Central as a heritage property and passionately oppose its demolition.

Please do what is right for London. It will be greatly appreciated in the long term and London should always be proactively working to respect important spaces such as this. I hope a solution is worked out to keep this space in tact, with all my heart.

Yours truly,

Joshua

--

Joshua Howe

From: Elizabeth P. Hayden
Sent: Friday, July 13, 2018 12:42 PM
To: Saunders, Cathy <csaunder@london.ca>
Subject: 172 Central

Dear Sir or Madam,

I write to express my support of 172 Central becoming a designated heritage property, and am strongly opposed to its demolition.

One of the best things about our city is its beautiful old buildings. I ask that you do all you can to preserve this important part of our town's history and heritage.

Thanks for your time.

Elizabeth

--

EPH

Elizabeth P. Hayden
Professor, Associate Chair (Graduate Studies)
Department of Psychology, Brain and Mind Institute

From: Rick Moss

Sent: Friday, July 13, 2018 12:36 PM

To: van Holst, Michael <mvanholst@london.ca>; Armstrong, Bill <BArmstro@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Squire, Phil <psquire@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Hubert, Paul <phubert@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ridley, Virginia <vridley@london.ca>; Turner, Stephen <sturner@london.ca>; Usher, Harold <husher@london.ca>; Park, Tanya <tpark@london.ca>; Zaifman, Jared <jzafman@london.ca>

Cc: Lysynski, Heather <hlysynsk@London.ca>; Carol Hunter

Subject: Possible demolition of heritage property at 172 Central

City Councillors,

Please be advised that I am strongly opposed to any demolition of this Heritage property. Unfortunately, I am unable to attend Monday's meeting at 4:30 pm.

The restoration of this property would be the appropriate thing to do, not its demolition.

It is my understanding that the City Engineering Department deems it repairable, and the Planning Department recommends that the house be given a Heritage designation and be repaired, which I support.

As you may be aware, this property was once owned by Canada's first indigenous physician, Dr. Oronhyatekha, who became world renowned.

Please advise as to how you will be voting on this matter.

Thank you for your consideration of this request and I look forward to your reply.

Sincerely,

Rick Moss

600 Talbot St. London, ON.

From: Amanda Rowe
Sent: Friday, July 13, 2018 2:13 PM
To: Saunders, Cathy <csaunder@london.ca>
Subject: 172 central

172 central should be designated a heritage property and protected from demolition. Please do what is possible to ensure this outcome and show support for all contributions by Canadians regardless of race.

Amanda Rowe

From: Robert Wright
Sent: Friday, July 13, 2018 4:00 PM
To: Saunders, Cathy <csaunder@london.ca>
Subject: 172 Central Avenue

To Whom it May Concern

I wish to lend my support for the official designation of 172 Central Avenue, London, as a heritage property.

This property has an important Canadian cultural heritage, once being the home of Mohawk Dr. Oronhyateka, as well as Tony and Jane Urquhart.

I believe the property to be an important cultural landmark worthy of preservation. I am certainly opposed to the building being demolished - surely a better solution can be found!

Robert Wright
President,
Antiquarian Booksellers' Association of Canada
P.O. Box 45
Tamworth, ON, K0K 3G0

From: Bryan Gee
Sent: Monday, July 16, 2018 2:38 PM
To: Saunders, Cathy <csaunder@london.ca>
Subject: 172 Central Avenue

Dear City Hall,

Please save historic building at 172 Central Avenue by designating it's status as a heritage building and preventing its demolition.

As I'm sure you know it was once the home of the Dr. Oronhyatekha an important figure who is significant not only to the history of London and the Mohawk nation but to the history of Canada. The preservation of the building is invaluable to First Nations people and all Canadians, it is also architecturally significant.

Please ensure that this national treasure is not demolished. Any rational that allows the destruction of this building is short-sighted one. Allowing it to happen will be viewed as a national embarrassment and stain the reputations of anyone who does nothing to save it.

Sincerely,
Bryan Gee
212 East Ave. N
Hamilton, ON. Canada
L8L 5J3

From: A H
Date: July 14, 2018 at 7:22:10 PM EDT
To: <csaunder@london.ca>
Subject: 172 Central

Good evening,

I am writing to state my support for the designation of 172 Central St, London ON, as a heritage site, and I oppose its demolition.

Thanks and have a great day,
Adrian Holyk

From: Alice Gibb
Date: July 15, 2018 at 12:21:38 PM EDT
To: <csaunder@london.ca>, Alice Gibb
Subject: 172 Central Avenue Important City Landmark

Dear Members of the London Planning Committee:

I wish to add my voice to those of other Londoners who are supporting the designation of 172 Central Avenue, the Italianate home once occupied by Dr. Oronhyatekha. With the current interest in discovering Canada's long ignored history of aboriginal peoples, this home should be preserved to honor one of this county's first native doctors. He was also the first Canadian aboriginal to attend Oxford University and had a long involvement with charitable causes in the country. In recent years there have been several articles and biographies published on the doctor's exceptional life and career.

The home's current owner, Peter Mitsis, should have done due diligence before purchasing the beautiful home to learn that it was on the list of buildings recommended for designation. Simply putting up a plaque and poorly designed facade, as was done with the ill-fated Waverley Mansion and the Talbot Inn, does little to preserve the city's past. Both Londoners and visitors to the city want to view the actual Italianate mansion built in the 1880s - it is part of a lovely street scape along Central Avenue which is the heart of London, due to its proximity to Victoria Park. It would be criminal to demolish such a fine example of Italianate architecture - and a building with such an interesting past (Dr. Oronhyatekha as well as Tony and Jane Urquhart). Sadly more and more of London's unique heritage is being lost - as is any incentive for visitors to want to spend extended stays exploring the Forest City. I am always so impressed when visiting Kingston at how well that smaller city has preserved buildings of historical and architectural importance.

I would agree with the city's heritage planner - this building needs to be repaired and preserved. The home could still be rented out as prime real estate for either residential or commercial uses. What one dreads are more "fake" facades - or plaques to a vanished past that are either hard to locate or are vandalized shortly after being put in place.

Please designate 172 Central Avenue before it becomes another of the city's lost treasures.

Sincerely:
Alice Gibb, Local Historian
374 Simcoe Street
Apt. 19
London, ON N6B 1J7

July 13, 2018

Katharine Rounthwaite,
113 Kendal Avenue,
Toronto, Ontario, M5R1L8

Members of Planning & Environment Committee (PEC) by email:

Councillor Stephen Turner, Chair
Councillor Anna Hopkins,
Councillor Jesse Helmer
Councillor Maureen Cassidy
Councillor Tanya Park,

Members of the London Advisory Committee on Heritage (LACH)
Through the LACH Committee Secretary

Re: Demolition request for 172 Central Avenue, London, Ontario

Dear Councillors,

I am writing to you to oppose the demolition request for 172 Central Avenue, and in support of the position taken by the Architectural Conservancy Ontario-London Regional Branch.

The purpose of my submission is to provide some background on the significance of Doctor Oronhyatekha to the Fraternal movement, The Independent Order of Foresters (The IOF), and thereby to the history of London, Ontario, and Canada. I am the former General Counsel of The Independent Order of Foresters (Foresters Financial). Over my many years with The IOF, I learned a lot about its history, and its most important Supreme Chief Ranger (SCR), Dr. Oronhyatekha.

Fraternal Benefit Societies in North America (NA)

Following the end of the Civil War in 1865 and the founding of Canada in 1867, North America experienced a period of great economic expansion. The foundations of the modern economies of Canada and the USA were being shaped during that time: new financial institutions, new industries, inventions such as the automobile and the telephone, growing manufacturing & mining companies, transportation infrastructure and of course agriculture and its many spinoffs. In what we now call 'financial services', the life insurance industry was being born, and the banking and investment industries were maturing. The Fraternal movement, and the institutions it spawned, were part of this expansion.

Fraternal benefit societies were founded in response to the needs of the millions of immigrants who flooded into NA to work in all these new industries and to see a new life. Fraternalism was a movement of the common people and the NA frontier, where there were few, if any, social services. Those who wished to address this gap in services drew on the powerful idea of 'mutual benefit': people who shared a 'common bond' could help each other in time of need. Most immigrants were working class, with difficult and dangerous jobs. One of their principal needs was to provide for their families should the bread winner, i.e. the father/husband, die or be injured.

The fraternal organizations, based on the idea of mutual benefit, offered death and disability benefits for the wives and children. Fraternal organizations were organized around a shared Common Bond (religious, cultural, national, gender, or certain values), and a democratic model of member ownership of the organization, with the right to elect the officers and directors. They initially used the assessment system to pay for promised benefits, rather than a system based on actuarial reserves. Upon a death occurring, the membership were asked to pay in a specific amount to create the death benefit. Initially, the benefit paid would vary depending on how many members could pay in the assessment. One of Dr. O's significant changes was to fix the death benefit at a minimum of \$1000. Ensuring the financial stability of the fraternal organizations and the life companies was an activity that CEOs, like Dr. O, and the federal regulators worked on for years.

By the turn of the 20th century, there were 350 fraternal benefit societies operating in NA. Many of the USA fraternal organizations had Canadian branches and vice versa. Some of the fraternal organizations which have survived to this day include The Knights of Columbus, The Independent Order of Foresters, Thrivent Financial for Lutherans, FaithLife (formerly Lutheran Life), Women's Life. Many major life companies began as fraternal organizations.

The Independent Order of Foresters (The IOF)

This organization was founded in 1874 in Newark New Jersey, breaking off from the UK's Ancient Order of Foresters for reasons similar to those of the American revolution: wanting control of their own destiny in the new world. Its motto was Liberty, Benevolence and Concord, its emblem, the Maltese cross. Its highest officer was the Supreme Chief Ranger. Its Common Bond was considered of universal appeal, being based on holding the values of a good citizen and having a belief in a 'Supreme Being'.

From its founding, the IOF grew rapidly. Its first Canadian branch was established in London, Ontario, with the name of Court Hope, No. 1, in 1874. Dr. Oronhyatekha joined The IOF in 1878. He was granted a special dispensation to do so, because at the time, the IOF Constitution was limited to 'white males of good health over the age of 21 and under age 55'. He was highly recommended for this special dispensation by all who knew him. He was highly educated, having attended Oxford and studied medicine at the University of Toronto. He was elected as the Supreme Chief Ranger (SCR) in 1881.

Dr. Oronhyatekha (Dr. O) became SCR at a time of extreme turmoil in The IOF. It had suffered a major fraud by its treasurer in 1878, who absconded with all their funds. There were many defections from membership and it split into several groups in Canada and the US to form other fraternal organizations.

Dr. O took the helm of the remnants of the Canadian organization, reacquired the name of 'The Independent Order of Foresters' which had been abandoned by the US headquarters due to the scandal, and rebuilt the organization, member by member. The IOF grew into Canada's largest and most important fraternal benefit society, which it remains today. He was a fearless, visionary leader with a strong belief in the principles of fraternalism and the power of The IOF to change and improve its members' lives and their communities. He expanded the organization back into the USA, and into the United Kingdom. Today The IOF continues to operate in all three countries under the trade name of Foresters Financial.

In addition to the death and disability benefits, one of the signature benefits of the IOF developed under Dr. O, was its orphan benefit. Originally conceived as a housing benefit where the children would live led to several orphanages being built. Later on this benefit morphed into a cash stipend. Dr. O was also a person who believed in individual equality. In the early 20th century, he helped change the rules for

insuring women, who were considered very high risk due to childbirth, and allowed them to be admitted as equal members of the Order.

He was a shrewd entrepreneur and business man. He understood the financial and medical underwriting basis of the paying life and disability benefits, and wrote copious speeches to explain such topics to the members so they would understand what their society was doing for them, and how it was using their funds.

Dr. Oronhyatekha - Personal

Dr. O was very proud of being a Mohawk from the Six Nations, where he was born in 1841. He was married to a granddaughter of Joseph Brant, Ellen Hill. They had 6 children, with only 2 living to adulthood. He had a major collection of native art and artifacts, which was originally housed at The IOF's Toronto headquarters, known as the Temple Building. This collection was donated to the ROM in 1911, and is on display to this day. His importance as a role model to all business people, and especially to those of indigenous heritage should not be overlooked. He is also a native son of London, Ontario area, and an important figure of the city for this reason alone.

Dr. O had a strong interest in good architecture. He was the SCR when The IOF undertook to build the Temple Building, having moved its headquarters from London in 1889. One of the motives was the desire to showcase the strength and importance of the Order in the growing financial centre that was Toronto. The Temple Building was a magnificent 8 storey structure of Credit Valley brown stone at the NW corner of Bay and Richmond, designed with all the modern conveniences of the day, built to last 'centuries'. It opened in 1895, with the Governor General of Canada attending the opening, and a huge celebration hosted by the The IOF for citizens and dignitaries.

Interestingly, it is my understanding that Dr. O forced a change in the federal law governing financial institutions and their right to own land by building the Temple Building. This change led to the building of the first head offices of most of Canada's financial institutions through the 1890-1914 period.

Unfortunately the Temple Building was torn down in the 1970s, before Canadian cities began to take an interest in their heritage. The loss of this important building was mourned by many at the time, including The Globe and Mail. In its stead stands a non-descript concrete and glass office tower, and Toronto is less rich architecturally. This cautionary tale will, I hope, inspire the Committee to preserve some of the built heritage of Dr. O, principally his house at 172 Central Avenue.

I hope this short summary of the importance of the fraternal movement and one of its most important figure, Dr. Oronhyatekha, will lead you to support the protection of the house at 172 Central Avenue. If you would like to know more about Dr. O, I would recommend a recent biography by two London area residents, Michelle Hamilton, and Keith Jamieson, entitled Dr. Oronhyatekha – Security, Justice and Equality.

Please contact me if you have any questions.

Yours truly,

Katharine Rounthwaite

From: Brown & Dickson
Sent: Friday, July 13, 2018 12:06 PM
To: Saunders, Cathy <csaunder@london.ca>
Subject: 172 Central

To the Planning Committee,

We oppose the demolition of 172 Central Avenue and support the designation of this property as a significant heritage landmark.

Sincerely,

Vanessa Brown & Jason Dickson
Proprietors

From: david brydges
Date: July 14, 2018 at 12:36:36 AM EDT
To: <csaunder@london.ca>
Subject: hi dave re; 172 heritage building

Hi: I wholeheartedly support the designation of 172 Central as a heritage property and oppose its demolition. While i do not live in the area have a strong conservation belief that older buildings with character and history need to preserved. They are a treasured asset to the cultural mix of any community connecting the past to the modern present. thank you David Brydges

From: Jenny Zhou
Sent: Monday, July 16, 2018 12:45 PM
To: Saunders, Cathy <csaunder@london.ca>
Subject: Supporting the designation of 172 Central as a heritage property

Hello,

My name is Jenny and I'm an engineering student at Western University. The Brown & Dickson Bookstore brought today's meeting to my attention, and I'm emailing to let city hall know that I support the designation of 172 Central as a heritage property and that I oppose its demolition.

I'm not extremely well educated on the state of this particular house, but I believe some outside investigation on the structural stability of it is warranted. If the building isn't completely structurally unsound, in my opinion, preserving it would be an appropriate thing to do.

Thank you,
Jenny Zhou

From: RENEE BORG
Sent: Monday, July 16, 2018 11:17 AM
To: Saunders, Cathy <csaunder@london.ca>
Subject: Demolition of 172 Central Ave

Good Morning,

I strongly oppose the demolition of 172 Central Ave as it is a designated Heritage Building. These important landmarks enrich our city and are invaluable for their place in the history of our London. So many have already been destroyed and with each destruction comes an irreplaceable loss to the unique stamp of our city.

Please re-consider this demolition and help keep our city mindful and respectful of its past.

Sincerely,

Renee H. Borg

Theresa Regnier
305-45 Pond Mills Rd.
London, Ontario
N5Z 4W5

July 14, 2018

Planning and Environment Committee
City of London
300 Dufferin Ave.
London, ON
N6A 4L9

Dear Planning and Environment Committee members,

**RE: PUBLIC PARTICIPATION MEETING
REQUEST FOR DEMOLITION – 172 Central Avenue**

The preferred option is heritage designation of 172 Central Avenue to preserve this understated c1880s Italianate style home, as it has both architectural and historical merit. It is my opinion that the demolition request for 172 Central Avenue should be denied.

The front façade exemplifies some excellent Italianate features and in addition has a very balanced symmetry.

It was the home of Dr. Dr. Oronhyatekha, one of the first Indigenous medical doctors in Canada, who became a member and later prominent figure, then leader of the Independent Order of Foresters, a fraternal and financial institution. Later residents of note were Tony (Canadian painter) and Jane (Canadian novelist and poet) Urquhart from 1968 until 1972.

It is important to have a tangible physical landmark to visit and know its' history rather than just another plaque to be read on the site.

Thank you for this opportunity to express my views on this important heritage issue.

Sincerely yours,

Theresa Regnier
Member, ACO London Branch
Past President, London and Middlesex Historical Society



North Talbot Neighbourhood Assoc.

Re: Heritage Designation of 172 Central Ave.

July 10, 2018

Dear Members of Council,

We support the staff recommendation to designate 172 Central Ave. as a heritage property. Many of us in the North Talbot area live in homes that were built in the mid and late 19th century and understand the challenges and expense of maintaining a house that is older than 100 years. We are encouraged by the staff and engineer's report that states the structure of the house at 172 Central, while in poor condition, is repairable and that if designated as a heritage property, the new owners can take advantage of provincial grant programs designed to alleviate the costs of restoring historical homes.

We will not reiterate the historical value of 172 Central Ave, as this has been well articulated in the staff report and by historians, but do wish to add that 172 Central Ave. stands as a witness not only to the history of our neighbourhood, but how Ontario came to be and celebrates those individuals and artisans that played a leading role in shaping our community today. We also support preserving the history of an extraordinary First Nations' leader that deepens our understanding of the relationship between First Canadians and New Canadians.

Witnesses of the distant past can only be preserved in structures and artifacts and old living trees. These witnesses to the past make our shared history real and ground many of us in our identity. Even for those individuals that place little value on heritage, they cannot escape the influence of our history on contemporary society. However, once a building is demolished, the history is often forgotten.

Sincerely,

Eugene Di Trolio
14 St George St London ON N6A 2Z3

AnnaMaria Valastro
133 John Street, Unit 1 London Ontario N6A 1N7

Planning and Environment Committee

Report

12th Meeting of the Planning and Environment Committee
July 16, 2018

PRESENT: Councillors S. Turner (Chair), A. Hopkins, M. Cassidy, J. Helmer, T. Park
ABSENT: Mayor M. Brown
ALSO PRESENT: ALSO PRESENT: Councillor M. van Holst; G. Bailey, G. Barrett, M. Corby, M. Elmadhoon, M. Feldberg, J.M. Fleming, K. Gonyou, P. Kokkoros, A. Macpherson, S. Meksula, B. O'Hagan, P. Kokkoros, G. Kotsifas, H. Lysynski, H. McNeely, D. O'Brien, M. Pease, L. Pompilii, D. Popadic, M. Ribera, C. Saunders, J. Smolarek, M. Sundercock, M. Tomazincic, R. Turk, S. Wise and P. Yeoman

The meeting was called to order at 4:00 PM

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor T. Park disclosed a pecuniary interest in clause 4.1 of this Report, having to do with the property located at 391 South Street, by indicating that her family owns property in the area.

2. Consent

Moved by: A. Hopkins
Seconded by: M. Cassidy

That Items 2.1, 2.3, 2.5, 2.8 to 2.10, inclusive, BE APPROVED.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

2.1 3rd Report of the Agricultural Advisory Committee

Moved by: A. Hopkins
Seconded by: M. Cassidy

That the 3rd Report of the Agricultural Advisory Committee, from its meeting held on June 20, 2018 BE RECEIVED.

Motion Passed

2.3 8th Report of the Advisory Committee on the Environment

Moved by: A. Hopkins
Seconded by: M. Cassidy

That the 8th Report of the Advisory Committee on the Environment, from its meeting held on July 4, 2018 BE RECEIVED.

Motion Passed

2.5 Strategic Plan Progress Variance Report

Moved by: A. Hopkins
Seconded by: M. Cassidy

That, on the recommendation of the City Manager, with the concurrence of the Managing Director, Planning and City Planner, the staff report dated July 16, 2018, entitled "Strategic Plan Progress Variance" BE RECEIVED for information. (2018-C08)

Motion Passed

2.8 Riverbend South Subdivision - Phase 2 - Special Provisions (39T-16502)

Moved by: A. Hopkins
Seconded by: M. Cassidy

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Sifton Properties Limited, for the subdivision of land over Part of Lots 49 and 50, Concession 'B', (Geographic Township of Westminster), City of London, County of Middlesex, situated on the east side of Westdel Bourne, south of Oxford Street West, municipally known as 1420 Westdel Bourne:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited, for the Riverbend South Subdivision, Phase 2 (39T-16502) appended to the staff report dated July 16, 2018, as Appendix "A", BE APPROVED;

b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated July 16, 2018 as Appendix "B";

c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated July 16, 2018 as Appendix "C"; and,

d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfil its conditions. (2018-D12)

Motion Passed

2.9 Danforth (London) Ltd v. The Corporation of the City of London - Decision of the Ontario Superior Court of Justice Dated July 5, 2018

Moved by: A. Hopkins
Seconded by: M. Cassidy

That, on the recommendation of Corporation Counsel, the staff report dated July 16, 2018 entitled "Danforth (London) Ltd. v. The Corporation of the City of London - Decision of the Ontario Superior Court of Justice - dated July 5, 2018" BE RECEIVED for information. (2018-L02)

Motion Passed

2.10 Building Division Monthly Report for May 2018

Moved by: A. Hopkins
Seconded by: M. Cassidy

That the Building Division Monthly Report for the month of May, 2018 BE RECEIVED for information. (2018-F-21)

Motion Passed

2.2 6th Report of the Trees and Forests Advisory Committee

Moved by: T. Park
Seconded by: M. Cassidy

That, the following actions be taken with respect to the 6th Report of the Trees and Forests Advisory Committee, from its meeting held on June 27, 2018:

- a) the following actions be taken with respect to the Tree Protection By-law Amendments and Implementation Update Report, dated June 18, 2018 as presented to the Planning and Environment Committee:
 - i) it BE NOTED that the presentation appended to the 6th Report of the Trees and Forests Advisory Committee from S. Rowland, Urban Forestry Planner, with respect to the Tree Protection By-Law Amendments and Implementation Update Report, was received; and,
 - ii) a Working Group BE ESTABLISHED, consisting of J. Spence, A. Morrison, A. Melitus, M. Szabo, S. Teichert and M. Hooydonk, to review the above noted report, and to report back at the July meeting of the Trees and Forests Advisory Committee with input on the proposed amendments;
- b) clauses 1.1, 3.1, 3.2, 4.1, 5.1 and 5.2 BE RECEIVED; and,
- c) the Civic Administration BE DIRECTED to incorporate a shade policy into the Parks and Recreation Master Plan.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Additional Votes:

Moved by: T. Park
Seconded by: M. Cassidy

Motion to approve "the Civic Administration BE DIRECTED to incorporate a shade policy into the Parks and Recreation Master Plan."

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

2.4 Application - 6188 Colonel Talbot Road (B.047/17)

Moved by: A. Hopkins
Seconded by: M. Cassidy

That, on the recommendation of the Director, Development Services, in response to the letter of appeal to the Land Planning Appeal Tribunal from Mainline Planning Services Inc. c/o Joseph Plutino, dated May 18, 2018 relating to the Provisional Decision of Consent Application B.047/17 concerning the property located at 6188 Colonel Talbot Road, the following actions be taken:

- a) the Land Planning Appeal Tribunal BE ADVISED that the Municipal Council supports the Consent Decision appended to the staff report dated July 16, 2018 as Appendix A; and,
- b) the City Solicitor BE DIRECTED to provide legal and planning representation at the Local Planning Appeal Tribunal Hearing in support of the position of the Consent Authority. (2018-L01)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

2.6 Environmental Impact Study Compliance

Moved by: M. Cassidy
Seconded by: T. Park

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to how conditions set out in Environmental Impact Statements are met:

- a) the staff report dated July 18, 2018, entitled "Environmental Impact Study (EIS) Compliance (Deferred Matters Item)" BE RECEIVED for information; and,
- b) this item BE REMOVED from the Planning and Environment Committee Deferred Matters list (Item #7 of the May 28, 2018 PEC report). (2018-D03)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

2.7 Capital Works Claim - 33M-654 Riverbend Meadows - Phase 3

Moved by: A. Hopkins
Seconded by: T. Park

That, the following actions be taken with respect to the request for additional payment of the Capital Works Budget claim under 33M-654 Riverbend Meadows Phase 3:

- a) the request for additional payment of the Capital Works Budget claim under 33M-654 Riverbend Meadows Phase 3 BE POSTPONED to the August 13, 2018 Planning and Environment Committee meeting; and,
- b) C. Linton BE GRANTED delegation status at the August 13, 2018 Planning and Environment Committee meeting relating to this matter. (2018-T04/F05)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

3. Scheduled Items

3.1 Delegation - S. Levin, Chair, Environmental and Ecological Planning Advisory Committee - 7th Report of the Environmental and Ecological Planning Advisory Committee

Moved by: A. Hopkins

Seconded by: M. Cassidy

That, the following actions be taken with respect to the 7th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on June 21, 2018:

a) the Working Group comments appended to the 7th Report of the Environmental and Ecological Planning Advisory Committee with respect to the William Street Storm Sewer Outfall Environmental Impact Statement BE FORWARDED to P. Yanchuk, Engineer in Training, for review and consideration;

b) B. Huston, Project Manager, Dillon Consulting, BE ADVISED that the Environmental and Ecological Planning Advisory Committee (EEPAC) requests to be a participant in the review of the detailed design documents on the Subject Land Status Report for the Southdale Road West Environmental Assessment Study; it being noted that the EEPAC reviewed and received the following with respect to this matter:

- a Notice of Public Information Centre #2 from B. Huston, Project Manager, Dillon Consulting Limited and T. Koza, Transportation Design Engineer;
- slides from the public information centre held on May 31, 2018; and,
- a communication dated June 6, 2018, from B. Huston, Project Manager, Dillon Consulting Limited;

c) P. Adams, Environmental Planner or A. Spargo, Project Manager, AECOM Canada, BE REQUESTED to attend a future meeting of the Environmental and Ecological Planning Advisory Committee (EEPAC) to present the Environmental Impact Study for the Broughdale dyke, when it is ready to be reviewed by the EEPAC; it being noted that the EEPAC reviewed and received the Notice of Public Information Centre with respect to this matter;

d) further to the presentation to the Environmental and Ecological Planning Advisory Committee (EEPAC) with respect to the Parks and Recreation Master Plan update, the Civic Administration BE ADVISED that the EEPAC would like guidance as to how to assist staff to achieve the objective to, "improve awareness and understanding about the importance of the City's natural heritage system, the city's urban forest and their broader role within Carolinian Canada" as noted in the Master Plan; it being noted that this is in alignment with the EEPAC mandate;

e) the issues appended to the 7th Report of the Environmental and Ecological Planning Advisory Committee identified in the review of the Hydrogeological Desktop study for Sunningdale Court BE REFERRED to the Civic Administration for review and consideration;

f) the revised Working Group comments appended to the 7th Report of the Environmental and Ecological Planning Advisory Committee with respect to the properties located at 3612 and 3630 Colonel Talbot Road and 6621 Pack Road BE FORWARDED to N. Pasato, Senior Planner, for review and consideration; it being noted that the Environmental and Ecological Planning Advisory Committee will provide hydrogeological comments at its next meeting;

g) clauses 1.1, 3.1 to 3.3, 5.3, 5.7, 5.8 and 6.1 BE RECEIVED; and,

h) the Managing Director, Environmental and Engineering Services & City Engineer BE REQUESTED to report on the outstanding items that are not addressed during the Environmental Assessment response be followed up through the detailed design phase in its report to the Civic Works Committee.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

3.2 Public Participation Meeting - Expansion of Downtown Community Improvement Plan Project Area - Revised By-laws (O-8788)

Moved by: T. Park

Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the expansion of the existing Downtown Community Improvement Plan:

a) the proposed by-law appended to the staff report dated July 16, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to repeal By-law C.P. – 1356(a)-535 entitled "A by-law to amend By-law No. C.P.-1356-246, being a by-law to designate the Downtown Community Improvement project area" and to amend By-law C.P.-1356-234, being a by-law entitled "A By-law designating the Downtown Community Improvement Area" to identify the additional lands eligible for improvement subject to the policies in the Downtown Community Improvement Plan;

b) the proposed by-law appended to the staff report dated July 16, 2018 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to repeal By-law C.P.- 1357(a)-536 entitled "A by-law to amend By-law C.P.-1357-249, being, A by-law to establish the Downtown Community Improvement Plan project area" and amend By-law C.P.- 1357- 249, entitled "A by-law to adopt the Downtown Community Improvement Plan" to include lands on Richmond Street as part of the Downtown Community Improvement Plan pursuant to Section 28 of the *Planning Act* and as provided for under Section 14.2.2 ii) (a) of the Official Plan;

c) the Downtown Community Improvement Plan amendment noted in b) above BE SUBMITTED to the Province for review under Section 28 (5) of the *Planning Act*;

it being noted that the map schedules in the Façade Improvement Loan Program and Upgrade to Building Code Loan Program will be modified consistent with the Downtown Community Improvement Area boundary as amended above;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

it being further noted that the Municipal Council approves this application for the following reasons:

- Policy Statement which recognizes the vitality of settlement areas which are critical to the long-term economic prosperity of our communities. This amendment helps to ensure appropriate development standards will be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety;
- the recommended amendment is consistent with Section 28 of the *Planning Act* which permits a Municipal Council to pass a by-law for the preparation of, or amendments to, a Community Improvement Plan for a community improvement area; and,
- the recommended amendment is consistent with Section 14 of the Official Plan. (2018-D09/D19)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: T. Park

Motion to open the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Moved by: T. Park

Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

3.3 Public Participation Meeting- Application - 661-675 Wharncliffe Road South (OZ-8898)

Moved by: A. Hopkins

Seconded by: T. Park

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 552062 Ontario Ltd, relating to the property located at 661-675 Wharncliffe Road South:

- a) the proposed by-law appended to the staff report dated July 16, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to amend the Official Plan to add a special policy to permit the open storage of vehicles;

b) the proposed by-law appended to the staff report dated July 16, 2018 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a holding Residential R5/R9(h-5*R5-7/R9-7*H48) Zone TO a holding Residential R5/R9/Restricted Service Commercial Special Provision (h-___*R5-7/R9-7*H48/RSC1()) Zone;

c) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:

i) addressing stormwater management at west boundary (rear) of site to mitigate standing water and existing pooling;

ii) providing a 1.8m (6ft) wooden, board on board fence along the west boundary (rear) of the site;

iii) providing enhanced landscaping along the west boundary (rear) of the site for the screening and buffering of adjacent residential properties; and,

iv) directing any lighting used on site away from nearby residential areas;

it being noted that the Planning and Environment Committee reviewed and received a communication from A.M. Spriet, Andrew Investments, with respect to this matter;

it being pointed out that at the public participation meeting associated with these matters, the individual indicated on the attached public participation meeting record made an oral submission regarding these matters;

it being further noted that the Municipal Council approves this application for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement 2014 which facilitates an expansion of an existing employment use;

- the recommended amendment conforms to the Official Plan through a site specific special policy to allow for the open storage use;

- the recommended amendment conforms to the policies of the Urban Corridor Place Type and the Transitional Segment policies of The London Plan; and,

- the required setback between the abutting residential zones ensures a sufficient buffer between proposed open storage and the existing neighbourhood. (2018-D04)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: M. Cassidy

Motion to open the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Moved by: A. Hopkins

Seconded by: M. Cassidy

Motion to close the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

3.4 Public Participation Meeting - Application - Demolition Request for Heritage Listed Property located at 172 Central Avenue

Moved by: T. Park

Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of the heritage listed property located at 172 Central Avenue, that notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of Municipal Council's intention to designate the property located at 172 Central Avenue to be of cultural heritage value or interest for the reasons outlined in the staff report dated July 16, 2018 as Appendix D;

it being further noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- communications dated July 2, 2018 and July 10, 2018, from J. Grainger, President, London Region Branch, Architectural Conservancy Ontario;
- a communication dated July 6, 2018, from P. Whitlow, Co-Executive Director, Museum Director, Woodland Cultural Centre;
- a communication dated July 10, 2018, from F. Leslie Thompson, President, Architectural Conservancy of Ontario;
- a communication from M. Rice, President, London Middlesex Historical Society;
- a communication dated July 11, 2018, from A. Hill, Chief, Six Nations of the Grand River;
- a communication dated July 9, 2018, from T. Peace, Assistant Professor, Department of History;
- a communication from C. Ross, 166 John Street;
- a communication dated July 10, 2018, from D. Hallam, 2 -166 John Street;

- a communication dated July 10, 2018, from E. Di Trolio, 14 St. George Street and A.M. Valastro, 1 – 133 John Street, on behalf of the North Talbot Neighbourhood Association;
- a communication dated July 10, 2018, from Chief R.D. Maracle, Mohawks of the Bay of Quinte;
- a communication dated July 11, 2018, from S. Nielson, Global Chief Administration Officer, Foresters Financial;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2018-P10d/R01)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Additional Votes:

Moved by: M. Cassidy
Seconded by: J. Helmer

Motion to open the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Moved by: M. Cassidy
Seconded by: T. Park

Motion to close the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

3.5 Public Participation Meeting - Application - 230 North Centre Road (OZ-8874)

Moved by: M. Cassidy
Seconded by: A. Hopkins

That, the following actions be taken with respect to the application of The Tricar Group, relating to the property located at 230 North Centre Road:

- a) the comments received from the public during the public engagement process appended to the staff report dated July 16, 2018 as Appendix "A" BE RECEIVED;
- b) Planning staff BE DIRECTED to make the necessary arrangements to hold a future public participation meeting regarding the above-noted application in accordance with the *Planning Act, R.S.O 1990, c.P. 13*;

c) Planning staff BE DIRECTED to continue to work with the applicant and the community to move towards a design that would result in reduced shadow or overlook, reduce massing, etc.;

it being noted that planning staff will continue to process the application and will consider the public, agencies, and other feedback received during the review of the subject application as part of the staff evaluation of the subject application;

it being noted that the Planning and Environment Committee reviewed and received a communication dated July 2, 2018, from M. Whalley, 39-250 North Centre Road, with respect to this matter;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2018-D09)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Additional Votes:

Moved by: M. Cassidy

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Moved by: A. Hopkins

Seconded by: M. Cassidy

Motion to close the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

4. Items for Direction

4.1 Medallion Realty Holdings - Application for Brownfield Incentives - 391 South Street

Moved by: J. Helmer

Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Medallion Realty Holdings ("Medallion"), relating to the property located at 391 South Street:

a) a total expenditure of up to a maximum of \$4,328,520 in municipal brownfield financial incentives BE APPROVED AND BE ALLOCATED at the Municipal Council meeting to be held on July 24, 2018 under the

following two programs in the Community Improvement Plan (CIP) for Brownfield Incentives:

i) providing a rebate equivalent to 50% of the Development Charges that are required to be paid by Medallion Realty Holdings on the project; and,

ii) providing a tax increment equivalent grants on the municipal component of property taxes for up to three years post development.

it being noted that no grants will be provided until the work is completed and receipts are obtained showing the actual cost of the remediation work;

b) the Civic Administration BE DIRECTED to process the brownfield incentive application to provide for eligibility for tax increment equivalent grants for up to three years for the development project under the Brownfields CIP and up to the full 10 year term of the Tax Increment Grant Program of the Heritage CIP for the conservation of the Colborne Building on the subject property;

c) the Civic Administration BE AUTHORIZED to process the brownfield incentive application prior to Medallion Realty Holdings obtaining ownership of the subject property;

d) the applicant BE REQUIRED to enter into an agreement with the City of London outlining the relevant terms and conditions for the incentives that have been approved by Municipal Council under the Brownfield CIP;

it being noted that the agreement between the City of London and Medallion Realty Holdings will be transferable and binding on any subsequent property owner(s);

e) the applicant BE REQUESTED to dispose of any resulting contaminated material at the W12A site to the greatest extent possible; and,

f) that B. Blackwell, Senior Project Manager, Stantec, BE GRANTED delegation status at the July 16, 2018 Planning and Environment Committee with respect to this matter.

Yeas: (4): S. Turner, A. Hopkins, M. Cassidy, and J. Helmer

Absent: (2): T. Park, and Mayor M. Brown

Motion Passed (4 to 0)

Moved by: J. Helmer

Seconded by: A. Hopkins

Motion to grant delegation status to B. Blackwell, Senior Project Manager, Stantec, with respect to this matter.

Yeas: (4): S. Turner, A. Hopkins, M. Cassidy, and J. Helmer

Absent: (2): T. Park, and Mayor M. Brown

Motion Passed (4 to 0)

4.2 Request for Delegation Status - D. R. Taylor, Versa Bank - Airport Area Community Improvement Plan

Moved by: A. Hopkins
Seconded by: T. Park

That delegation status BE GRANTED to D.R. Taylor, President & CEO, VersaBank, or his designate, at a future meeting of the Planning and Environment Committee when the Managing Director, Planning and City Planner, reports back on this matter; it being noted that the Planning and Environment Committee reviewed and received a communication dated July 4, 2018, from .R. Taylor, President & CEO, VersaBank, with respect to this matter. (2018-F11A)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

4.3 L. Kirkness, Kirkness Consulting - Development Application Procedure - 2156 Highbury Avenue North

Moved by: M. Cassidy
Seconded by: T. Park

That L. Kirkness, Kirkness Consulting, BE GRANTED delegation status with respect to the request to accept the application by Chinmaya Mission (Canada), relating to the property located at 2156 Highbury Avenue at the August 13, 2018 Planning and Environment Committee meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

4.4 Bonusing and Affordable Housing

Moved by: S. Turner
Seconded by: J. Helmer

That, the following actions be taken with respect to the communication dated July 9, 2018, from Councillor S. Turner, relating to bonusing and affordable housing:

a) the Civic Administration BE REQUESTED to prepare a background report identifying the full suite of tools available to promote the development of affordable housing in London and providing recommendations regarding options for implementing and coordinating these tools to be most effective; it being noted that tools to be considered may include such things as Bonus Zoning under Section 37 of the *Planning Act*, Community Improvement Plans, Inclusionary Zoning, use of surplus property for affordable housing development, etc.; and,

b) the Civic Administration BE DIRECTED to consult with the development community, relevant organizations, Advisory Committees and agencies, and the broader public to develop a draft Inclusionary Zoning by-law for consideration by the Municipal Council, consistent with the requirements of Ontario Regulation 232/18 and the affordable housing policies of the London Plan, including, but not limited to, policies 517, 518, 519 and 520.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

5.1 (ADDED) Delegation - D. Dudek, Chair, London Advisory Committee on Heritage - 8th Report of the London Advisory Committee on Heritage

Moved by: T. Park

Seconded by: M. Cassidy

That, the following actions be taken with respect to the 8th Report of the London Advisory Committee on Heritage, from its meeting held on July 11, 2018:

a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, with respect to the request for the demolition of the heritage listed property located at 172 Central Avenue, that notice BE GIVEN under the provisions of Section 29(3) of the *Ontario Heritage Act, R.S.O. 1990, c. O. 18*, of Municipal Council's intention to designate the property at 172 Central Avenue to be of cultural heritage value or interest for the reasons outlined in the Statement of Cultural Heritage Value or Interest appended to the 8th Report of the London Advisory Committee on Heritage;

it being noted that the presentations and submissions from K. Gonyou, Heritage Planner, G. Mitsis, P. Mitsis and M. Hamilton were received with respect to this matter;

it being further noted that a verbal delegation from A.M. Valastro and the communications, dated July 2, 2018 and July 10, 2018, from J. Grainger, Architectural Conservancy Ontario - London Region Branch, were received with respect to this matter;

b) S. Wise, Planner II, BE ADVISED that the London Advisory Committee on Heritage is satisfied with the research, assessment and conclusions of the Heritage Impact Assessment for the Colborne Building located at 391 Colborne Street and is also satisfied that the proposed development is appropriate to conserve the cultural heritage value of the Colborne Building, with the following recommendations:

- the open space should maintain vistas of adjacent cultural heritage resources, namely, the War Memorial Children's Hospital; and,
- the lower podium heights of the proposed new building should match the height of the eaves of the Colborne Building;

it being noted that the Colborne Building is being preserved in-situ and is appropriately setback from new buildings on the property;

it being further noted that a verbal delegation from E. van der Maarel, A+LiNK Architecture Inc., was received with respect to this matter;

c) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* to add a rear dormer to the building located at 104 Wharncliffe Road North, within the Blackfriars-Petersville Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- all exposed wood be painted; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the presentation from L. Dent, Heritage Planner appended to the 8th Report of the London Advisory Committee on Heritage, with respect to this matter, was received;

d) the property located at 1903 Avalon Street BE ADDED to the Inventory of Heritage Resources (the Register) based on the Statement of Significance appended to the 8th Report of the London Advisory Committee on Heritage;

it being noted that the Stewardship Sub-Committee report from its meeting held on June 27, 2018, was received;

e) M. Knieriem, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the research, assessment and conclusions of the Heritage Impact Statement for the properties located at 745 and 747 Waterloo Street but the LACH is not opposed to the proposed zoning amendment;

it being noted that the Notice of Planning Application, dated July 4, 2018, from M. Knieriem, Planner II, with respect to this matter, was received; and,

f) clauses 1.1, 2.3, 3.1 to 3.8, 5.1, 6.1, 6.2 and 6.4 BE RECEIVED.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Moved by: T. Park

Seconded by: M. Cassidy

Motion to move Item 5.1 to after Item 3.1

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 9:07 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Application – 661-675 Wharnccliffe Road South (OZ-8898)

- *(Councillor A. Hopkins asking staff when you say vehicles, does that mean just cars only.);* Ms. S.Wise, Planner II, responding that yes, that does mean just cars in this instance.

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – Demolition Request for Heritage Listed Property – 172 Central Avenue

- Gus Mitsis, part-owner, 172 Central Avenue – advising that he is a Real Estate Investor and has lived in London for fifty years; indicating that, for the past twenty years, he has been active in the core by buying, preserving and maintaining properties, none of which he has demolished; stating that his partners and him have a strong appreciation for local history, architecture and take pride in ownership of their properties; advising that the existing building at 172 Central Avenue is a two and a half storey residential building constructed in 1882 in the Italianate style; indicating that the existing building has been modified and is not entirely in its original form; stating that original front and east porches, documented in the 1907 fire insurance plan have been removed, the entire brick has been painted, the two chimneys are not symmetrical and have been rebuilt to different heights and shapes, the front door, presently on the home, is not original and the wood shutters are replicas with no hardware evident from period style shutters, the front staircase and railings are not original and some of the windows have been replaced with aluminum and vinyl replacement windows; advising that the property is not located in a Heritage Conservation District but is listed on the Heritage Building Inventory; however, not designated; advising that the project that they are proposing for 172 Central Avenue is a multi-unit residential building that has six units; advising that the building will exhibit a replica of the existing Italianate façade and will be two and a half storeys in height; pointing out that architectural elements such as existing decorative soffit brackets, coin corners, circle gable vents, wood shutters, arched windows and formal staircase will be incorporated in the new design and the stately presence of the building will be retained by keeping the same ceiling heights; most importantly a plaque honouring Dr. Oronhyatekha will be erected near the city sidewalk; noting that this plaque will celebrate and inform the public of Dr. Oronhyatekha's life and his admirable achievements and will also have a website address for an in-depth biography on him; indicating that the current conditions of 172 Central Avenue are that the building is constructed using charred timbers, logs and planks salvaged from the Carling Brewery fire in 1879; advising that this was verified by the Heritage Planner during his visit; due to the unconventional methods of construction, the use of salvage materials and many alterations over the years, the building structure has been compromised as stated in the Engineering report; the structural integrity of the building is compromised including, but not limited to, wood, floor joists, wood studs, wood lintels, single brick masonry support for floor joists and beams and roof and ceiling joists; essentially, to retain the existing building, a new building has to be built inside the existing building and in order to achieve this, the exterior of the building has to be shored, both internally and externally so that perimeter walls will not move; stating that this plan raises serious structural safety concerns and does not prevent future issues with the exterior cladding; based on the exterior of the structure and restoration cost estimates retained, demolition and reconstruction is the practical and cost effective solution; over the years, there have been structures in the City of London that were initially intended to be historical preservations but later became replications of the originals, two of the high profile projects that come to mind are the Talbot Streetscape and the Sir Adam Beck estate; these projects demonstrate that while preservation is the preferred method of retaining heritage buildings, replication can also be effective; in both these scenarios, condition, life span and feasibility were the main contributing factors in the replication of these structures; noting that the same contributing factors exist with this structure and are the reasons why they are asking for demolition and reconstruction; given the opportunity to replicate the façade into the new building will allow them to preserve the spirit of the Italianate style and the character of the streetscape; advising that this building has the least amount of detail of any of the Italianate styles, there are no detailed lintels, sills, freeze boards or brick patterns and for those reasons this façade can be replicated with very little difficulty; concluding that the project that they are proposing falls within the scope of the London Plan and the Provincial Policy Statement, it emphasizes infill development which reduces growth costs, is part of a walkable community, is accessible to public transit, helps revitalize the neighbourhood and supports local businesses; stating that multi-unit buildings, whether large or small in scale, benefit the district and the City of London; this project will address the growing demand for residences in the heart of the city and will offer a vibrant, diverse, safe and attractive alternative form of living; advising that their proposal will allow the new 172 Central Avenue and Dr. Oronhyatekha's legacy to stand

out and to stand tall for the next one hundred thirty-six years; respectfully asking the Planning and Environment Committee to recommend in favour of demolition and support for the redevelopment of 172 Central Avenue.

- Peter Mitsis, co-owner, 172 Central Avenue – clearing the air because a lot of social media has been floating around and stating that they are supposedly building a high rise residential development; advising that they are not, it is a six unit walk up style building; indicating that he had the honour and privilege to give the Chief of the Oneida Reserve, her name is Jessica Hill, on Saturday she called him and insisted that she have a tour of the home because she had ancestral ties to the house; advising that her Great-Great-Grandmother, Nellie Martin, Helen Nelly-Martin, who was married to John Smoke, she was Dr. Oronhyatekha's Father's Sister; reading the e-mail because they received it late last night "I am a distant relative of Dr. Oronhyatekha, he was a Nephew of my Great-Great-Grandmother. He was a doctor to the community of the Oneida Nation of the Thames of which I am a member and currently newly elected Chief. I think it would be fitting if he was memorialized by the restoration of the building at 172 Central Avenue in some form. I have been on the inside of the building and understand that it is currently not fit for habitation and not designated as heritage site although it could have and should have been many years ago. Since it is not designated, I think that the ideas of the Mitsis brothers to restore the front of the building to be an original replica of the current building and erect a memorial sign in the front of the home recognizing Dr. Oronhyatekha and his admirable achievements including a website that explains his life would be suffice as recognition. Secondly it would be fitting to memorialize Dr. Oronhyatekha and his years and service to the community doctor to Oneida Nation on the Thames who had family ties to my Father's maternal family. Should the Mitsis brothers be successful in their bid to rebuild and restore the front of the new building to look exactly like the original building, the details of this proposed memorial to Dr. Oronhyatekha-Martin in our community could be discussed at a later date."; Dr. Oronhyatekha was a remarkable individual and made great accomplishments; we all recognize that and we are not taking anything away from the First Nations people, he wants to make that clear; expressing disappointment to himself, his family and to the Chief of the Oneida that the City, based on a knee jerk reaction, after their submission of demolition, all of a sudden ran to the books and dug up all this history when this history was available and he should have been recognized many, many years ago but was not; it is pretty sad to see that all of a sudden he has become important but he was never important twenty, thirty or forty years ago when the history books have all sorts of details with respect to his accomplishments; advising that the focus here is not whether the public will stop and question whether the bricks and mortar are the original to the house but rather what his legacy is and was; this is about recognition and most importantly education; their project to replicate will not take any significant design or legacy from Dr. Oronhyatekha; stating that they are a small family business, they have a remarkable track record with neighbours and tenants; advising that this property was purchased as an investment and therefore has to be feasible just like any municipal project; this is not publicly funded and according to the Heritage Planner, there are no applicable funds for this property; if there are any grants or funds available through the First Nations people, he would encourage any dialogue; they would sit down and discuss that; concluding that he strongly believes that their proposal to replicate the façade as it stands today and erecting plaques and memorials and donation of building materials to the First Nations people for healing and meditation rooms should clearly demonstrate their commitment and appreciation and to our character towards his legacy and towards historical attributes of the structure.
- Jennifer Grainger, President, Architectural Conservancy of Ontario, London Branch – advising that she is not going to go over the history and the architectural details of the building again because Mr. K. Gonyou, Heritage Planner, has already done that quite well but she would like to point out that they do believe that this home is a significant historical and architectural gem despite the fact that its interior, at the moment, has been allowed to deteriorate; indicating that at the Architectural Conservancy of Ontario, they are not in favour of tearing down our heritage and replacing it with replicas; they are not in favour of façades such as we see downtown hanging on the Bud Centre or what happened to the Adam Beck house; instead they would encourage the City to ask the Mitsis family to please find a way to incorporate the entire house into the development; stating that, in one of her letters to the Planning and Environment Committee, she mentioned that the Architectural Conservancy of Ontario has been endeavouring to find a second engineering opinion on the home's condition; unfortunately, they have not as yet been able to find a Structural Engineer; advising that she is not certain what the time

frame is on this at this point, but at any rate what she said in her letter was that they would ask the Planning and Environment Committee to please defer making a decision until they could get another opinion on this structure; however, what they really would like the Planning and Environment Committee to do is to turn down the demolition request this afternoon and to please ask the family to find a way to save the building in its entirety.

- Patricia Cullimore, 156 Central Avenue – advising that her property is near the subject building; indicating that her home is one hundred eighteen years old so it is also a period building and it still bears the original street signs; noting that she has resided at this address for over thirty-five years; expressing support for the demolition of the building at 172 Central Avenue provided the newly constructed building preserves the character of the residential homes in their neighbourhood; stating that she has known the owner of 172 Central Avenue, the applicant for the demolition, for twenty years as he owns the property next door to her at 154 Central Avenue; advising that he has been a responsible landlord, which, in their neighbourhood, is a rare thing; indicating that he renovated his properties at 154 and 143 Central Avenue going to great lengths to preserve the period facades with respect to decorative woodwork on the gables, gingerbread trim, railings and skirting; advising that it was she who first suggested that he approach the owners of 172 Central Avenue when she learned that they were interested in selling; knowing the original intention of the applicant was to renovate the house and turn it into apartments and, with that intention, he spent several months last Fall and Winter gutting the house; it was only after the interior had been shelled out that structural weaknesses such as charred joists supporting first and second floors, which had been repurposed from a building previously exposed to fire were discovered which brings us here today; a key reason this demolition is so contentious is the historical relevance of 172 Central Avenue; as she mentioned earlier, she has resided at 156 Central Avenue for over thirty-five years; indicating that there is no heritage plaque on the house and the heritage designation for their neighbourhood is still being decided which begs the question that how long does it take to get a heritage designation; the house is over one hundred twenty years old; wondering why are we only having this discussion now on the eve of a potential demolition; to be consistent with Mayor Matt Brown's position to reinvigorate the core, we need feet on the street, which in other words means people living downtown and as it is quite obvious that the house at 172 Central Avenue is unoccupied, it has attracted an unprecedented number of homeless individuals to their neighbourhood, some of whom are armed with knives, who trespass on their properties, tear through their trash and discard their used syringes; encouraging the City to be expedient in their decision making so that the progress of 172 Central Avenue can occur.
- Stacia Loft, Tyendinaga Mohawk Territory – bringing greetings on behalf of Chief R. Donald Maracle and Tyendinaga Mohawk Council; thinking of important and influential Indigenous people there is a long list of deserving individuals, Dr. Oronhyatekha is one of them; Oronhyatekha, or Peter Martin Junior was born in 1841 to Peter Martin of Six Nations and Lydia Loft of Tyendinaga; born into prominent and influential families from both communities, he was destined to be a forward thinking individual and a person active in supporting and advocating for his people; during his early years Oronhyatekha was educated at the Mohawk Institute for 1851 to 1854; he departed from the Institute as a bright and ambitious young man; shortly after his time there Oronhyatekha was influenced by adults in his life who showed him that further education was necessary for him to be successful; he went on to attend Oxford University and eventually graduated from the University of Toronto as a Medical Doctor; becoming licensed in May of 1867; it is important to keep in mind the environment in which Oronhyatekha obtained such an education; he faced many obstacles including racism and unjust treatment under legislation at the time where the *Indian Act* restricted many of them from participating in or benefitting from things like higher education or even Council meetings such as this; after becoming licensed, Dr. Oronhyatekha did serve the community of Tyendinaga for a period of time as the attending physician; around this time he met and married Eleanor Ellen Hill and had six children, only two of whom survived to adulthood; his son William Ackland Heywood went on to become a physician just like his father and his daughter, Catherine Evangeline Karakwineh "Benna", was involved in the orphanage on Fosters Island which is just adjacent to the Tyendinaga Mohawk Territory on the Bay of Quinte; Dr. Oronhyatekha went on to achieve other great accomplishments in the areas of business and politics; in 1872 he was elected Chairman of the Grand General Indian Council of Ontario an organization formed of Anishinaabe/Haudenosaunee communities

in Ontario; he was active and voiced in the Council's positions on the injustices against his Indigenous brothers and sisters; in the late 1800's, Dr. Oronhyatekha was busy in London and Toronto, having a home at 172 Central Avenue right here in London; his efforts focused him on the Independent Order of Foresters (IOF) and bringing that fraternal group into a better business position for longevity; he used his sense of business savvy and opportunities that were put before him to grow the Foresters into over two hundred and fifty thousand members across the world; as the first non-white member of the IOF, this is a remarkable accomplishment; during his time with the IOF, Dr. Oronhyatekha had the opportunity to meet King George V and Queen Mary and created friendships and networks with many influential people including both Sir John A. MacDonald and Teddy Roosevelt; possibly hosting a number of these influential friends and acquaintances in his home in London at 172 Central Avenue; in 2005, Dr. Oronhyatekha was bestowed the honour of Canadian Figure of National Historical Significance and a plaque was erected at Christ Church in His Majesty's Chapel, his final resting place in Tyendinaga; when he died in 1907, his body was returned to Tyendinaga in a great procession and it is said that over ten thousand people lined the streets for his funeral; Dr. Oronhyatekha was a man of great connections between the Indigenous and Non-Indigenous society; he bridged many gaps between these two worlds and ordinally defended his culture and supported his Mohawk language and devoted himself to the strengthening of his people; it is with this information that she, on behalf of Chief R. Donald Maracle and the Mohawks of the Bay of Quinte strongly oppose the demolition of Dr. Oronhyatekha's historic home at 172 Central Avenue and ask that you, as the Committee, take steps to maintain his home and its historical designation.

- Gerald Killen – expressing surprise to find himself speaking to this issue as he came to support the no Tricar tower; stating that there is a fire in his belly being reignited and he was surprised to see his good old friend John Lutman over there; expressing surprise that he is not up almost dangling over the boards here; advising that he is not going to repeat anything that anybody else has said, he is going to bring a bit of context; outlining that he was an Ontario historian for forty years, and he still is, at King's University College, he has been President of the Ontario Historical Society, President of the Champlain Society and for half a dozen years sat on the Ontario Conservation Review Board; noting that he was the Chair of the Ontario Conservation Review Board for years; advising that he toured the Province and there are many, many reasons for designating or de-designating as well, buildings of architectural and historical significance; bringing this piece of context to this discussion; indicating that he has not seen a better proposal and background study in support of designating a building than this one and he would be very, very saddened to see the Planning and Environment Committee not designate this building, it is not going to prevent demolition in the long term perhaps but it gives people time to deal with the issue of what to do with this enormously significant building.
- Anna Maria Valastro, 1 – 133 John Street – indicating that her house is one hundred forty-two years old; advising that all of these houses that are very old will have structural problems and none of them would be to code; fifty years ago, the house that she lives in, she can barely remember this, but the house sank and it had to be excavated all the way down to the footings, the foundation had to be restructured; you can see it if you go into the house now; thinking that this is an issue of the wrong person buying the wrong house; there is really nothing wrong with this house, it is repairable; advising that she does not think that there has ever been an intention to restore the house because the budget; no one really goes into these projects with a restoration budget and she does not think that this house should be punished for being one hundred thirty-six years old; thinking that the consequences, we lose out on so much because it does not fit what the original developers idea was; this house can be resold and the right person can come along and buy it, make a lot of money on it, keep its integrity; we are looking for something that is going to enhance the heritage of this neighbourhood; this neighbourhood is rich in heritage and we have lost so much in the last few years, we have lost all of the cottages on Piccadilly Street that housed railroad workers and when we lost those houses we lost Carling Creek which was opened in the 1980's, it was an open creek, we lost the Monastery, Locust Mount went up in flames, Talbot School from the 1800's, they did not want to appropriate that building and that got destroyed, there was a demolition at 167 John Street, Peter Cuddy's house is idle, the original plans have been abandoned for that house and this neighbourhood is rich not just in architecture but who built this neighbourhood and who lived there and it is important to have an

understanding of the history of this neighbourhood; indicating that their neighbourhood is ravaged by investment property owners, some of them are really good and some of them just are using up the buildings; realizing people are saying high praises of the new property owners but she just wants to tell you really quickly that back in November, 2017, just by sheer coincidence, she found a listing for 172 Central Avenue on the student housing listings at Western and these apartments were coming available as of May, 2018, they were two – five bedroom units with a couple others which are not permissible in the Near Campus Neighbourhood that went onto By-law Enforcement; feeling that it is just not the right owner for this particular house and there is really nothing wrong with this house and a lot of people in their neighbourhood want it celebrated and if that means another owner so be it; advising that she does not believe that you should squeeze someone's idea into a house that cannot accommodate those ideas.

- John Lutman, Author, "The Historic Heart of London" – advising that, in 1975, with his Research Assistant, they conducted the first heritage surveys of the City of London; beginning in London West and then over to Talbot Street area and then Woodfield; advising that in the Talbot Street area, 172 Central Avenue stood out for its architectural significance; noting that a building does not have to be super ornate to be historically or architecturally significant and certainly the research that John and he undertook is still available in the Heritage Planner's Office and certainly with "The Historic Heart of London", the research which formed the basis of this book informed the historical and architectural community in London about this building, not that it had not been known before but the information became available; advising that he is not going to repeat all of the arguments that have been given previously but the building is not unknown, it is a historic building in terms of its history and architecture and to retain that building in its original form, not as a reproduction, as we see in the Beck estate and in the Talbot Streetscape he thinks would be very wrong indeed.
- Alan R. Patton, - providing a history lesson; stating that these gentlemen spoke about the Talbot streetscape on the block between Talbot Street and King Street where the Budweiser Centre is now and there was a strong citizen effort, this was some years ago, to save the Talbot streetscape and he was retained by the Talbot Street Coalition to save it; advising that the entire block was owned by Cambridge Leaseholds, a major developer in town, for those of you that do not have a memory of that or your memory has faded, you will remember that it was going to be probably the single largest urban redevelopment outside of the City of Toronto, certainly in Southwestern Ontario; but there was a group of heritage people who insisted that the Talbot streetscape be retained in its entirety and he was happy to be their lawyer and he fought and he fought and he fought and, at the end of the day, Cambridge Leaseholds President, Lauren Braithwaite, said personally and in a letter, that he is fed up with London, she will not invest another penny here and he left; indicating that nobody would buy the block so who buys it, the City of London; what do they do with it, they build a new development, a hockey rink; what do they do, they replicate a very small portion of the Talbot façade on a corner of the building with a layer of yellow brick probably not to the full depth and put a silly little plaque on it; advising that this gentleman is doing better than that, cities change, they build up, they get torn down; half of downtown London has been that way; certainly Toronto has as well; that is what cities do and urban regeneration is important and this area needs that.
- Keith Jameson, Six Nations of the Grand River Territory near Brantford – indicating that he recently published a book co-authored between himself and Michelle Hamilton, a Professor at Western University; stating that it took him twenty years to work this gentleman's life through, when he brought her on it took another five and they were done; however it is published and available now; reiterating that he spent that much time on him and he also worked with the Royal Ontario Museum and the Woodland Cultural Centre to build what was the first full collection donated to the formation of the Royal Ontario Museum; advising that, twenty years ago, that collection had never seen the light of day; it had been hidden in vaults, dispersed all over the place, all over Toronto and he was brought on to find all of these pieces through the Museum and in other locations around the Province and out of the Province; advising that he got to travel to Oxford University in England to visit his room there and it is designated, his room at Oxford University, in his dorm, there is a plaque there, there are photos and there are various documents associated with him and some that he wrote; indicating that it is an immortalized story, a very real story, a very contemporary story; while it was well known relative to the communities themselves, associated with Dr. Oronhyatekha, they

knew who he was and they maintained his memory; it is simply the systems around us and the institutions around us who chose not to tell it; advising that now we have an opportunity and that is what he thinks we have here, an opportunity to use something that people can see and they can touch and that they can somehow experience and it is something that works exceptionally well in the sense that the current ideas, in most Provinces now, and it is starting to get to the communities and municipalities, is the notion of acknowledgement of his people, the First Nations people across Canada, Indigenous people, that they exist and that they have contributed extensively to the formation and the development of the country and he thinks that is what it does, it gives the Committee an opportunity as a City and as a municipality to participate in moving that story; believing that people really want to do something; they ought not to be marginalized anymore and this gives the Committee the opportunity to do precisely that to trend that back so that they are part of the country and he thinks that is what Dr. Oronhyatekha represents; indicating that it presents a tremendous inspiration to everyone but particularly Mohawk people to bring their kids forward and to say things were rough and they have been very tough but they do not have to be; you need not be put down by that, it gives them a sense that if you try hard enough, it does not matter what the odds are, you will get through it and he thinks we are grasping that; advising that this has occurred recently in a number of different places around a number of different things; encouraging the Committee to consider the impact, as a focal point and as an opportunity with the preservation of that facility, with that building; appreciating any consideration that the Committee might give that opportunity.

- Michelle Hamilton, Associate Professor of History, Western University – advising that she will not repeat the accomplishments of Dr. Oronhyatekha as she thinks those are well known; indicating that there are two things she would really like to say; one is to building on what the previous speaker has just said in a more formal way and that is the Truth and Reconciliation Commission of Canada has recently called upon every public agency and every Canadian of whatever background you might be to recognize the accomplishments and the fact that Indigenous people were here before settlers were and certainly Dr. Oronhyatekha is the perfect person to use as an example of that; stating that he served both Indigenous and Non-Indigenous patients wherever he went as a doctor and he was accepted by many in a racial tolerance which was unusual at the time; advising that her second point is that Mr. K. Gonyou, Heritage Planner, did a good job suggesting where else he has been commemorated but she would like to say that all of the buildings associated with Dr. Oronhyatekha, whether they were business buildings or his personal homes have been knocked down; stating that the only one left is here in London; indicating that the building in Toronto was simply a rental property, he rented it from a physician friend of his and he rented the main floor and lived there for part of his life; in essence, 172 Central Avenue is the only building left associated with him in North America.
- Sean O'Connell - advising that he did not expect to be speaking today; indicating that he normally sits here and observes things; everything that is going on at City Hall; stating that he has traveled all over the world and when he has traveled, he has always looked for those little hidden gems and hearing the presentation and seeing that building, that is a hidden gem, that is something that most Londoners probably did not realize existed and is something that we should be proud of and better utilize for our tourism industry or just for the simple fact of the historical significance of the building; expressing happiness for having learned about this because it is one of those places that you would just like to go see just to see what it is like and if we can pour a little bit of money into it to conserve it and make sure that it is there, he thinks that we should do that.
- Janet Hunten, 253 Huron Street – advising that the cultural importance is supreme but also the architectural importance of this building; indicating that the Talbot neighbourhood is next on the list for Heritage Conservation District and this is very much a landmark building in that neighbourhood and an integral part of it; looking forward to that; we must remember that a replica is never the same as an original as we have heard discussed today.

PUBLIC PARTICIPATION MEETING COMMENTS

3.5 PUBLIC PARTICIPATION MEETING – Application – 230 North Centre Road (OZ-8874)

- C. Hendrikson, Stantec Consulting – indicating that he is speaking on behalf of the Tricar Group with respect to their proposed application for a high rise development at the northeast corner of North Centre Road at Richmond Street; noting that the site is located within a four hundred metre radius or a five minute walk from the Masonville commercial node and that it is well connected to existing transit service, located within close proximity of the northern most Rapid Transit station, as identified in the Council approved SHIFT Rapid Transit Initiative Master Plan, and is located within the transit village on the Council approved London Plan; stating that this makes this a desirable and compatible use for the high-density apartment land-use proposed; stating that Tricar has put significant effort into community consultation on this project; noting that the first public information centre was held in March, which presented the initial 230 unit, 22 storey development proposal; indicating that comments from the public were received and concerns were raised regarding the building height, shadow impacts to the east and southeast, and the overall site density; stating that Tricar reached out to the Ward Councillor and had additional meetings with Councillor Cassidy and members of the community to discuss design changes that would better address community concerns; indicating that a revised building design was developed, which resulted in the tower shifting from the southwest corner of the site to the northwest corner, a reduction in units to 215 and a building height change from 22 to 18 storeys, which; noting that the height reduction and the tower location change made significant improvements to the shadow impacts to the east and southeast, or eliminated them entirely; stating that the resulting reduction in units helps address the density concerns that have been raised and a second Public Information Centre was held just recently on July 4th for the public to review this revised proposal; indicating that he will go through some of the design changes in order to highlight a few things; stating that the tower moved from the southeast corner, at 22 storeys to the northwest corner of the site and down to 18 storeys with the addition of an 8 storey wing along the north side of the building which helps frame an amenity area on the podium roof deck for the residents of the building; stating that the initial proposal contained some podium units along the Richmond Street frontage, which, in the revised proposal have been extended across the entire frontage to help frame the Richmond Street right-of-way a little better; stating that the high-quality entrance forecourt is being proposed to help frame the intersection of Richmond Street and North Centre Road and a consolidated site-access and alignment with an existing access on North Centre Road has been proposed to help limit vehicle conflict; stating that coming from the north, it is believed that this building will help create a strong gateway into the city's north end; noting that a few of the other design highlights associated with this are that it is a compact development to create density in an area of the city most suitable for it; indicating that it is an efficient use of infrastructure; noting that the exceptional site and building design associated with the proposal, with substantial underground and close parking, which includes parking for both visitors and for building residents; noting that Tricar engages with sustainable forms of development, both during construction and with the ultimate building design, which leads to a sustainable operation of the building in the long-term; noting that this proposal will also have a significant increase in London's tax base; indicating that they look forward to continuing to work with planning and design staff on this proposal. (See attached presentation.)
- J. Chestnut, 145 North Centre Road – stating that she is very disappointed that she needs to stand in front of her Council regarding Tricar's request for an amendment to the Official Plan from 1989 and also for Tricar's request regarding the rezoning application, two separate issues; indicating that it is the Official Plan of 1989 that makes the land at 230 North Centre Road legally binding for medium density due to transitional elevation with the Arva ravine behind; indicating that the City seems to be crossing between the Official Plan and the London Plan, with BRT tied to the latter; stating that any Council member who voted for BRT can say no to this proposal; noting that the second issue, connected to amending the Official Plan of 1989, is Tricar's request to rezone 230 North Centre Road from medium-density to high-density, a 22 storey, now 18 storey, with 230 units, which could translate into 460 people, easily and may take up the entire field that is there now; indicating that frontage along 230 North Centre Road has a walk-in of 170 steps, a lot of building compacted into this area; stating that pictures of the Tricar tower building remind her of how the country-folk feel about the huge turbine towers out in the country fields, except this tower is in their backyard; noting that you can think of the Tricar tower building at Ridout Street and King Street, that is what you can imagine at 230 North Centre Road, or in your own backyard, very limited space, much shadowing

on Richmond Street and across and into the local homeowners and in and around North Centre Road; indicating that she decided to take a walk to check out the Richmond Woods Seniors Residence that Sifton built and there is a lesson there, an idyllic oasis for seniors that spans over five hundred steps, none of which cast shadows; noting that there is plenty of parking for staff and family visitors and people doing business; indicating that this vibrant community will be hit by auto and foot-traffic as people cut through their property which is a dangerous combination; indicating that on North Centre Road there will be vehicle chaos; stating that she was checking out Richmond Woods three driveways into their complex and the last entrance, closest to Richmond Street is the service entrance and for resident-leased parking and it is at this same entrance that Tricar has plans for their one and only entrance and exit; asking why, from this alone, would the Planning Department have allowed this Notice of Application to go ahead; indicating that for visitors, firefighters and all other vehicles, the principle entrance to the building is off this only in-out laneway going halfway back the building, ending at the entrance to the tenant garage with five visitor parking spots along the way; stating that Tricar is trying to jam in and up so much without giving thought to the surrounding Masonville area; stating that it is interesting to note that on Tricar's website it states "fostering relationships within communities where we build" but this statement is only words; noting that another issue is tied into all of this, that of density and bonusing; indicating that it looks like Tricar has business projects and design plans based on bonusing, and not just here in London; indicating that is definitely more money in their pocket at all the surrounding communities expense; noting that Ottawa and other large cities do not allow bonusing, so why does London; stating that this is an issue that matters; stating that awhile back, a Councillor commented on a presentation, asking why the City of London feels it has no leverage to make developers compliant in good planning; noting that the Ontario Municipal Board stated that the provincial mandate for intensification was not a licence to abandon sound planning principles, nor to diminish appropriate land use planning standards in search of more density; noting that the reasoning is solid and applicable here; asking the Committee to say no to amending the Official Plan of 1989, to Tricar's request to amend 230 North Centre Road from medium-density to high, to Tricar's use of Richmond Woods service entrance, to the issue of density and bonusing and say no to the traffic chaos Tricar will create on North Centre Road and on the Masonville area; noting that visibly the community will change dramatically unless City Council says no; stating that enough is enough.

- M. Senescu, 145 North Centre Road – indicating that she is against the 230 North Centre Road high-density rezoning application; noting that she has lived in London for the past eight years; stating that once she had saved enough money she decided to purchase her first home; noting that she had previously lived in the downtown core of London and she knew she wanted to buy a house in a less urbanized area; indicating that two years later, due to the housing market, she finally bought her one storey bungalow on North Centre Road in 2017; stating that she chose this area because it was mainly zoned for medium density, was a well-established, quiet neighbourhood and close to wetlands, which is an area she knew would never be developed; stating that when she was finally notified about Tricar's proposal in February of 2018 she was disappointed to discover that the City would even consider a high-density proposal of 18 or 22 storeys when her home, a few metres away, is only a one storey bungalow; indicating that the proposal does not fit the existing development already present in the area; stating that she is also angry at the current incentives in place, to developers, to propose out-of-place, high-density developments in her neighbourhood because it is a proposed transit village; indicating that this is unacceptable and not compatible development; noting that had she known this information prior, she would have reconsidered the purchase of her home; stating that she does not want to live in London's proposed second downtown core; indicating that her second bone of contention with the proposal is the misinformation of her neighbourhoods zoning; noting that when she first contacted the senior planner on this project, back in March, she mentioned that the majority of her area, on North Centre Road, was misquoted as high-density but the actual zoning of her neighbourhood, based on the City of London's zoning website, indicates that 185, 205, 215, 250 and 270 North Centre Road all have R5-4 and R6-5 zoning designations and both of these zonings are medium density residential, as stated in the by-law passed through the Ontario Municipal Board; stating that a number of inaccurate reports lump all of North Centre Road together, Schedule A of the 2016 of the London Plan and page 60 in the July 5 reporting to the Planning and Environment Committee says that all of North Centre Road is zoned high-density, this is not true; indicating that this clerical error regarding North Centre Road's zoning has been feeding inaccurate information to the public and has been used to persuade the public that rezoning 230 North Centre Road is not a big deal but it is a big deal; stating that this needs to be rectified and clarified to the public; noting that the majority of her area is medium-density, not high-density; indicating that she was also shocked to learn that one

of the reasons that Tricar is able to propose a 22 storey building is because the City has sanctioned her area to potentially become a transit area hub and these hubs are allowed outrageously tall buildings, however Table 8 on page 187 of the London Plan, the 2016 version, describes minimum and maximum heights allowed for transit villages; noting that on the minimum requirement, the neighbourhoods are required to have at least two storey buildings or eight metre tall buildings and all along North Centre Road there are hundreds of one storey bungalows that do not fit this requirement; stating that her bungalow only measures 5.3 metres tall; asking how high-density zoning can be considered, based on this transit village description, when the majority of the community does not fit that description; also noting that on page 198 of the London Plan it states that transit villages have “transition height and intensity between surrounding neighbourhoods”; stating that she knows there are one storey bungalows within 33 metres of the proposed development site; noting that a 22 storey building, high-density development next to a one storey bungalow is not transitional intensification and does not provide any buffer to ensure developmental compatibility for her community; stating that she is also concerned with the ability for any zoning application to be taken into consideration when they are based on sections of the 2016 London Plan; noting that when she contacted City Councillors about zoning issues, Mr. Turner informed her that all sections of the London Plan are currently under appeal; stating that she has a large issue with proposals being considered when the London Plan is not finalized; indicating that the City should not be making decisions based on hypotheticals; noting that she believes that the London Plan needs to be solidified before rezoning applications can be taken into consideration, especially for transit village areas, as they have abnormal bonusing opportunities; indicating that if City Councillors accept this bad rezoning proposal, only to have the London Plan appealed, then her community will be left with a building that will cause many issues for her area, issues that are detailed in the community website notricartower.com and she encourages everyone to read it; stating that she is all for compatible, medium-density development but she is highly against the high-density development of 230 North Centre Road; indicating that she also noticed that her e-mail and a few of her neighbours e-mailed comments, regarding this proposal, were not included in the July 5 reporting to the Planning and Environment Committee and she respectfully requests that the Committee minutes reflect all relevant comments and correspondence and include these e-mails.

- R. Croft, 145 North Centre Road – asking the Committee to retain the medium density zoning; indicating that his comments reflect the upcoming revised proposal that Tricar will apply for as well; stating that Council must not look at 230 North Centre Road as just another piece of land; indicating that protection of our natural environment is a huge concern; noting that the property is ten metres outside of Gibbons provincially significant wetlands ESA, but still within the buffer zone; stating that we do not fully know how the underground streams are connected to the wetland; indicating that the water table on the surrounding area is high and the soil is unstable and these are known issues; stating that according to an engineer at Stantec, such a large building that is proposed, deep footings or casings will have to be built for the site; indicating that it is possible that a large amount of water will be drained from this area, pre and post-development and may affect the wetlands; noting that the scale of this development will cover almost a whole hectare, with the impermeable surface affecting the natural balance of water run-off and allow for practically no green space; stating that the preservation of London’s heritage is important and the property next door contains Gibbons Lodge, a priority one property in the City’s heritage resources; noting that a modern skyscraper would be out of place, destroying the view of downtown from the Lodge, as well as for the residents of the north, east and west of Richmond; stating that 230 North Centre Road deserves the same sensitivity to scale and design as the lands across from the Masonville transit hub; stating that in the London Plan, on page 203, special attention is paid to Richmond Street, old Masonville, as the centre of the transit hub; noting that restrictions have been placed on the soon to be developed properties across from the hub at 1607 to 1653 Richmond Street; stating that page 204 recommends mitigation of impacts on surrounding, established low-density residential neighbourhoods by lowering the maximum height of townhouse dwellings and restricting the above-grade height of basements through the use of zoning regulations; also pointing out that in addition, item ten suggests limiting the number of townhouse dwellings to four per block to break up the visual massing; stating that this same transitional sensitivity should be taken into account for the development at 230 North Centre Road, with respect to the many single and two storey homes right across the street to the south and west, as well as the seniors’ residence next door; stating that in conclusion, 230 North Centre Road is right next door to a provincially significant wetland ESA and a heritage site and is surrounded by an existing neighbourhood of varying medium-densities, primarily single storey townhouse condos, established twenty years ago; requesting that we keep medium density, noting that intensification can still take place in 75 to 100 units per hectare;

- stating that Tricar will be able to build something really special that integrates seamlessly with the natural and built surroundings.
- A. Derose, North Centre Road – stating that he would like to think the Richmond Woods delegation for coming to the participation meeting; indicating that they are seniors that have come, with their canes and walkers, to listen and to oppose this high-density site at 230 North Centre Road; noting that he and his wife have lived in Richmond Woods for three years and twenty years in a condo at 250 North Centre Road and this is a love to live neighbourhood; stating that they are against this high-density rezoning as it will change the character of this well-established area forever; indicating that this application is not sensitive or compatible in this neighbourhood; stating that they are grounded by Masonville Mall, one of the most successful malls in Canada, supported by surrounding low and medium density; stating that high density is not required; asking if 200 North Centre Road, Richmond Street retirement home, lose ten to fifteen parking spots on the east side of the proposed 230 site plan; indicating that these parking spots are part of the required designated parking at Richmond Woods; indicating that he challenges everyone to stand across from a 18 to 22 storey high-rise and experience its size; indicating that his “love to live here” neighbourhood has been progressive and successive with low to medium density and high density is not needed; stating that the transit village zone is a separate item and should not be considered as part of this high density zoning amendment; stating that the transit village is directly connected to a major project and this major project does have some question marks and monies still need to be agreed on; noting that this is overdevelopment.
 - R. Warden, 205 North Centre Road – stating that he lives about 170 feet from the subject property and he and his wife have lived there for about 19 years, since the community was founded and they have seen the subject property begin as planned townhouses to the plan before the Committee; noting that he is familiar with the London Plan and he believes that Tricar’s application conflicts with the intent; indicating that the London Plan speaks to transitional elevations and that the subject tower is overly excessive in height, non-conforming with the existing community and specifically less than one hundred feet from the nearest single storey residence and this is wrong; stating that the London Plan speaks to the shadow impacts across neighbourhoods; indicating that in the shadow studies, the evening sun will be robbed of a residential neighbourhood through the summer months; indicating that west of the property, a similar effect through the winter months; stating that the quality of life of this entire community is adversely affected; indicating that acceptance of the Tricar application is not an evolution of a development, but rather a shock and awe betrayal of the London Plan; noting that he has had occasion to go door-to-door throughout this community and solicit feedback, and to date he has met nine people that support this initiative and hundreds that are adversely opposed; stating that he does not support Tricar’s application to amend medium density to high density; requesting that the Committee say no to the application.
 - Area Resident – indicating that she is speaking about just one thing that concerns her from her own perspective; however, it will affect other seniors as well as herself; indicating that, if Tricar’s proposal is allowed by Council to build a large high-rise beside Richmond Woods Senior Retirement Home it will affect it in a negative way; advising that she was so disappointed and dismayed when she became aware of Tricar’s plan to build a high-rise; pointing out that she had arrived at Richmond Woods just one and a half years ago; noting that she had been living previously in a retirement home where it was very difficult to arrange to get outside which she really wanted to do; noting that she was not prepared to live the rest of her life in that kind of a situation so she decided to move; outlining that Tricar wants to have the area rezoned to high density; identifying that, if this happens she will not be able to use the patio which was a big part of her decision; noting that she was fortunate to obtain a residence here at Richmond Woods with her own patio; stating that, as things stand now, she has pots of flowers to enjoy with some easy chairs to sit and read; noting that she knows other residents do as well; indicating that the privacy of the condos on the west side of the building threatens these condos with the high-rise looming down in them, the noise, the dirt and the dust is not pleasant to think about; advising that she had thought her problem was solved when she went to Richmond Woods; indicating that she will not be able to use her patio the way she had planned even though she pays extra every month; believing the balconies will likely have the same fate; advising that residents like herself want to be able to enjoy the outdoors which is important to our well-being; indicating that the change to high density for Tricar will affect many residents at Richmond Woods; asking the Council to please consider what is going to happen if the high rise will have on the residents as well as our neighbours in the regular community;

- stating that even Tricar's amended plan does not change the problem of the high rises; advising that we would be happy if the zoning stayed at medium density.
- John Gagnick, 200 North Centre Road, Richmond Wood Retirement Residence – indicating that this is very close to the proposed development at 230 North Centre Road; advising that many of us selected Richmond Wood Residence as a home because of its three story building height located in an existing Medium Density Residential quiet neighbourhood; expressing surprise and concern when we learned that there is an application by Tricar to permit a 22 storey residential apartment building, now changed to eighteen storeys; requiring a change in the Zoning By-law; explaining briefly, surprise because the proposed tower would be located in a very restricted area between Richmond Street and Richmond Woods property limit on North Centre Road with its main entry on to North Centre Road; expressing concern because how it would affect our quality of life at the senior home and change the neighbourhood; advising that the size of the tower would put our home in the shadows including the courtyard; stating that his apartment unit is on the 3rd floor and faces north into the courtyard and he receives sunlight in late afternoon; stating that, this sunlight, particularly in the Spring, is of my great value to my quality of life; in addition to being utmost importance to the residence facing north into the courtyard; the Courtyard is service blessed with glorious sunshine and is of immense value to our community; stating that the size of the tower will impact negatively this quality of life particularly around the Spring and Autumn equinox, but this is based on the twenty-two storey design; however, the residents of our home are affected most by the tower size and its shadowing are those facing the east side of the tower volume and its extension further north; as you read there are a number of problems; however he would like to ask you to keep in mind that the quality of life is very important for the residents in the senior home of Richmond Woods and I would also like to add that a number of us live here and are on our last leg of life's journey so please keep it at medium.
 - Gloria McGinn-McTeer, Past President, Stoneybrook-Uplands Community Association – see attached presentation.
 - Peter White, Western University Representative – indicating that Western University is the land owner of 1836 Richmond Street, known as Gibbons Lodge – stating that, as part of the LPAT process, Western wanted to ensure that we had an opportunity to get our initial comments in place, understanding how the process operates, but do want to make some initial overview comments for you; stating that, as many of you are aware, in 2014 Western worked with the City to ensure that over thirty acres of the Gibbons Lodge property was assigned an environmentally sensitive designation to ensure that we did keep the ESA area intact and through that time period we have continued to make a number of adjustments with the City to ensure that there has been public excess on the property and made a number of enhancements to our property to then allow the public to enjoy the other two-thirds the acres of the property and this has always been one of the intentions with the Gibbons Lodge property is to keep it basically in that respect, again, we are good stewards of our property, good stewards of our buildings and try to again to undertake as much opportunity as we can with a facilities; As some as you will know Gibbons Lodge is used as a hosting area for a number of our signature events, we host anywhere between 75 and 100 events a year at Gibbons Lodge which includes a number of significant visitors both from government, industry and people for instance who are recognized through our Honorary degree program and we offer both a lunch and dinner process that takes place with that; expressing a number of concerns with the project as proposed particularly with the second round of amendments; at this point we significant concerns on the main tower, the fact that from our stand point, again we have asked Stantec to provide more updated information to us, but it does appear that we will have eight to nine storeys of that building overtop of the tree line; the building now moving immediately, the second tower, the eight storey tower, that has been put to the east side of the property again immediately abutting the Gibbons Lodge Forest, from again our measurement will have a significant impact on the site line of the property not so much during the season when the trees are in bloom, but particularly from the October to April time frame there will be a significant detriment to the view coming down the hill at Gibbons Lodge, which again is one of the signature elements of the property; indicating that Western over the past has worked with land owners to ensure that we kept again a medium density property capability on that property and we do, from our stand point, see some significant impact with the Tricar proposal; advising that we will be meeting with Tricar again; we have made arrangements to have an opportunity to meet with applicant and have discussions in regard to the development, but again because

the LPAT we wanted to make sure we did make or comments this evening; we do have concern on the density, we do have concerns on the height and particularly from the height stand pint we do significant concerns on both the privacy and the security stand point; thanking the Committee for allowing us to make these comments and we will be participating in the ongoing process.

- Scott Jackson, 185 North Centre Road – indicating that they have lived there for nineteen years; stating that he has examined the proposed plans and he is very familiar with the site; advising that he strongly objects to the proposal; pointing out that the land in question is designated Medium Density in both the Zoning By law and official Plan; advising that the proposal is not in keeping with the character of the neighbourhood and eighteen storeys is more than three times the number of stories allowed in the current Medium Density Zoning By-law; stating that the scale of the proposed building is completely overpowering and imposing on the surrounding neighbourhood; indicating that Tricar’s attempt to reduce the impact at street level by putting the towers on a podium does not reduce the impact on such a monolific development in the neighbourhood. Further the site is on a hill and the north tower will appear even more imposing and daunting because of the increased change of grade as it goes up the hill. I strongly urge you not to approve the Zoning and Official Plan Amendment put forward by Tricar.
- Richard McCullah, 48-250 North Centre Road – indicating that their complex is comprised of one and two story condominiums and we are located on the northwest corner of North Centre Road and Richmond Street; stating that their particular unit looks out over the property in question; stating that several of his immediate neighbours back on to the brick wall that lines Richmond Street; advising that they have lived in their home for over twenty years; during that time we anticipated someday some sort of building would be constructed on the lot at 230 North Centre Road, we did not anticipate a high rise however; pointing out that the signs posted have always indicated Medium Density dwellings; this is the last parcel of land to be developed on North Centre Road, north of Fanshawe Park Road; stating that their neighbourhood is almost all Low and Medium Density Residential or Low Rise Commercial; to now put a high density high rise in our neighborhood is in stark contrast to the rest of the neighbourhood; a neighborhood that began to be established the early 1990’s; he read, in the past, where in places like Toronto an established neighborhood has a home demolished on the street next a new home goes up a home some refer to as monster home it is totally disproportionate to the neighbourhood; it does not mesh with the surroundings, but rather overwhelms the immediate area; this parcel of land is not that big; it is my opinion the high density which may include high-rise is too intrusive, too overwhelming; he does not believe there are any high-rises to the height proposed for this site that come anywhere near twenty-two floors or eighteen floors that are proposed anywhere north of Oxford Street or even outside of the downtown area; the London Official Plan itself, in Chapter 3.1.4 stipulates consideration be given to sensitivity to the scale and character of adjacent land uses; In chapter 3.2.3.3 and I quote “Understanding of a neighbourhoods character is an effective tool in assessing the appropriateness of a proposed change and the implications the change may have on the character of a neighbourhood.”; in chapter 3.2.3.4 it refers to the compatibility of intensification development and being sensitive to and again I quote ”A good fit within the existing neighbourhood “; changing the zoning to high density which permits high-rises with the additional imposition of bonusing for more floors infringes on the privacy of the surrounding established neighbourhood; the senior’s residence, Richmond Woods, to the east, condo complexes at 145, 185, 205 and 215 North Centre Road to the south and southeast Shauntry Place to the northwest and of course 250 and 270 North Centre to the west, where he lives are all impacted by an imposing structure as would be allowed under this rezoning application; advising that you move the goal line when you change the zoning; indicating that the proposal to change the zoning in an established neighbourhood may be considered something of a betrayal for long term residents like us; we who are present today represent only a portion of the neighbourhood; encouraging the Committee to read the report prepared by Mike Corby submitted to you the Planning and Environment Committee as it will help to better understand how many other residents who may not be here today feel; there are many concerns expressed in this report in pages 21 to 57; asking the Committee to please, please if you have not already read and understand how we feel; advising that he is not against progress, far from it development can enhance the neighbourhood if not on the scale proportionate to the existing neighbourhood; feeling that this could be achieved under the current medium density zoning; concluding my wife and him and

many of our neighbours in our complex are opposed to rezoning the property located at 230 North Centre Road.

- R. Sturdy, 205 North Centre Road – indicating that he and his wife moved to the area three years ago; stating that they were always impressed, as they came into London from the north, with the beautiful view that there is coming down Richmond Hill; noting that it is a magnificent view to come into the city and see that impressive view ahead of you; indicating that he does not know of any other cities around here that have a view like that; stating that if you put up the big Tricar building, that view is going to be gone and it won't be impressive anymore; indicating that he has some points for the Committee to consider; noting that firstly, it is certainly not fair to the senior residents of the retirement home to have an 18 storey, 215 unit, high density, high rise building right beside them; stating that three hundred plus parking spaces could mean over six hundred cars coming in and out during a day which could create a lot of noise confusion; indicating that the entrance to the parking garage is on the same side as the seniors home and actually there is a mutual drive going into both places; stating that the parking garage is right beside the seniors home too, on that side, so the noise from the horns beeping from the cars when someone locks or unlocks their cars would be very disturbing to everyone around there; indicating that the shadow study reveals that no one would lose their sunshine for more than four hours a day which is very high for anyone; stating that the seniors retirement home could lose the sunshine in their court yard up to four hours a day; noting that the study also shows that during the winter months of January and February, the hill on Richmond Street would be in a shadow from sunrise until approximately 11:00 AM in the morning and this could be a real traffic hazard with the sun not being able to melt the ice for the very high traffic hill; indicating that North Centre Road has become very busy as it is used as a short cut to avoid the lights at Richmond Street and Fanshawe Park Road; stating that Tricar has a 12 storey building on the West Side of Richmond Street, on North Centre Road, where traffic is not as busy; noting that if you ever drive past this building you will always see a lot of cars parked on the street and the same thing will happen on the new high-rise, which will make it very dangerous for the seniors to get across the road and many have walkers and canes; requesting that when the Committee is making the decision to please keep in mind what is more important, the quality of the life for our London seniors in the home or the 18 storey, high-density Tricar high-rise.
- S. Glicksman, 1890 Richmond Street – stating that her residence is well outside of the four hundred metre radius of the new building proposed; indicating that it is a condo complex with forty-eight units and she is on the board of directors; noting that they have encouraged the owners of the units to write letters to City Council and to their Ward 5 Councillor, Maureen Cassidy, and she has been fabulous in communicating with them; stating that they also met with Mike Corby and another city planner, a number of weeks ago, to gather more information about the proposal; stating that she went through the London Plan, dated December 2017 and she thinks a number of people have done that as well; indicating that a number of the points she was going to make have been covered by other speakers and she commends them, job well done; stating that Richmond Street North is the gateway to London from all the communities to the north and she is not sure that we want that to convey an image of the city, that 18 storeys just does not do it; noting that the only point she wants to make is one of her final points, that Richmond Street, north of Fanshawe Park Road is not an under-served area unless you believe that high-end luxury condos are needed because we do not have enough of them; indicating that from Wonderland Road to Adelaide Street and from Fanshawe Park Road to Sunningdale Road, there are thirteen high-rise apartment buildings completed or currently under construction; stating that there are many more buildings that have been approved for this area or just beyond it ranging from four to seven storeys and up to fifteen storeys; stating that the proposed building could look very attractive but is far too tall for the site and covers too much of the land; noting that it will impact, or obstruct, the views of the city skyline; noting that she would like to echo something that the representative from Western University said, that when they did the zoning plan for the property at Gibbons Lodge, they ensured that the preservation of the skyline views was number one and so the zoning was kept as medium density and there was respect for buffer zones and so many other things for the wetlands and she thinks that really has to be kept at the forefront; encouraging the Committee to reject this proposal to change the density to high density.
- H. Vesarie, 145 North Centre Road – indicating that he is a newcomer of sixteen years to Canada and to London, Ontario; stating that he is a first time home owner and has

lived at 145 North Centre Road for the past twelve years now; noting that most of the local residents bought their properties nineteen years ago when this area was designated for low-rise, low density residential housing; stating that the residents of North Centre Road feel betrayed if the city planners now support the construction of a high-rise, high density building in the area; indicating that new buildings built in the area should not exceed five floors in height, similar to the seniors apartment buildings two doors down to the east of the proposed Tricar Tower; stating that at the moment, the safety of this neighbourhood allows the residents including seniors, adults, children and even some pets to walk, bike and jog through the neighbourhood and walk to close by amenities; stating that this quality will be hugely effected with a high density zoning; indicating that in the past twelve years he has lived in this area and he has already seen a decline in air quality; noting that the increased air pollution has been the result of more population and similar changes to land use of several parcels of land from woodland to building on North Centre Road; stating that this change has caused people like himself to have increased breathing allergies and problems; indicating that having a new construction site, and the long term results of it, will only make the matter worse; noting that this area is home to many retired and average income families who have lived here for many years and who reside here due to the lower densities, safety, less air and noise pollution and because of the proximity to various amenities; stating that many cannot afford to move out from their condos to an upscale home in the quieter area in the north end; indicating that they have much lower costs, beautiful little homes in a quiet low rise designated area which cannot be affordably replaced in the north end of the city; requesting that the Committee not allow the areas that can have a chance to be used as woodland and greener spaces, to increase the quality of the life of our neighbourhood and the city, change to building or high-rises, high density eyesores.

230 North Centre Road

Official Plan and Zoning By-law
Amendment



Planning and Environment Committee
July 16, 2018



Site Location



Planning and Environment Committee
July 16, 2018



Public Consultation



Initial Proposal

Revised Proposal



Planning and Environment Committee
July 16, 2018



Other Design Changes & Highlights



Initial Proposal



Revised Proposal

Planning and Environment Committee
July 16, 2018



Other Design Changes & Highlights



Initial Proposal

Revised Proposal



Planning and Environment Committee
July 16, 2018



Other Design Changes & Highlights



Initial Proposal

Revised Proposal



Planning and Environment Committee
July 16, 2018



Other Design Changes & Highlights



Initial Proposal



Revised Proposal

Planning and Environment Committee
July 16, 2018



Other Design Changes & Highlights



Initial Proposal



Revised Proposal

Planning and Environment Committee
July 16, 2018



Other Design Changes & Highlights



Initial Proposal

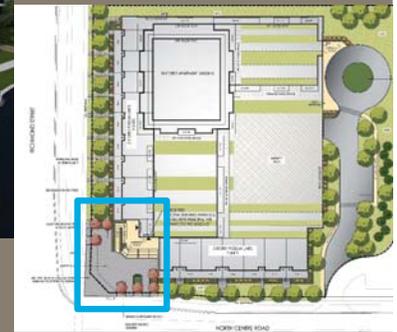


Revised Proposal

Planning and Environment Committee
July 16, 2018



Other Design Changes & Highlights



Planning and Environment Committee
July 16, 2018



Other Design Changes & Highlights



Planning and Environment Committee
July 16, 2018



Other Design Changes & Highlights



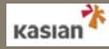
Planning and Environment Committee
July 16, 2018



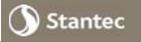
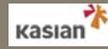
Other Design Highlights

- Compact development to create density in areas of the City most suitable for it
- Efficient use of existing infrastructure
- Exceptional site and building design
- Substantial underground and enclosed parking
- Sustainable forms of development during construction and long term with building operation
- Significant increase in London's tax base

Planning and Environment Committee
August 28, 2017



Questions?



Presentation to Planning Committee

City of London

July 16, 2018

RE: Tricar Proposal Block 7 UWO/Gibbons Wetlands

Our association has followed development for over 20 years, much of which dealt w the above area. Our association covers the block from Richmond Street and Fanshawe Park Rd. north up to Sunningdale Road across to Adelaide Street down to Fanshawe Park Rd. back along to Richmond.

The OMB decision of 1998 stemming from protecting the Area Moraine Wetland Complex, denoted Block 7 would be zoned as Medium Density. No blocks zoned north of North Centre Road were zoned any higher than medium density. High density was in place south of North Centre Road.

The decision reflected the planning principal of gradual increase in densities i.e. high to medium to low, and vice versa.

The Board stepped density accordingly i.e. high residential density along Fanshawe, directly behind the existing commercial development. Then medium density north of North Centre Road leading to the low density residential neighbourhoods already constructed

The developer of the time who held residential high density property requested a reduction to medium density, as the market reflected little uptake of high density residential in this area at the time. His request was granted and the townhouses proceeded. The end result was a density of low to medium, bordering closer to low density.

To our knowledge, within the Assoc. boundaries, there is nothing built therein which is deeper than a standard residential basement.

All commercial buildings were built slab on grade, due to the high water located throughout the block. This includes Sobeys, Home Depot, Jack Chambers School, and all commercial development directly across from Masonville Place i.e. Loblaws, Chapters etc.

This is due to the high water table located with this parcel of land. In addition, some construction ran into bedrock just below the water table. This block was formed partially by glaciers together with aggregate gravel. This mix allows water to move freely, flowing down through the subject site.

We provide this information as it is important this situation of downzoning is not a problem made by the community. It is a problem created by acquiescence by the city to a developer due to market conditions. Rather than hold, the developer chose to build, profit and move on.

We find ourselves in a similar situation now. Market conditions changed so that high density projects are hot, and a developer who purchased the property is requesting upzoning to take advantage of the market.

However, the City's responsibility is good planning, already put in place by the OMB. It is also the obligation of our elected officials to uphold good planning principles. And we know more about this property than 20 years ago.

There has been a lot of talk about the corner of North Centre Road and Richmond Street recently. If one cannot build high density there, then where can it be accommodated?

High density of this scale and proportion can be accommodated somewhere where the proposal does not affect shadowing almost all its neighbours (and right up to Sunningdale); somewhere where an existing community's well water supply will not be at risk; somewhere where the building is not overwhelming to the neighbourhood; somewhere where construction itself will be problematic simply due to get and hydro technical issues, which are well known.

Of critical importance is the reliance of Uplands residents who still rely on well for their water needs.

In an earlier construction activity, some Uplands residents noted some tainting of their wells. Unfortunately, their wells had not been tested prior to the beginning of construction.

While Tricar made efforts to change their footprint, it remains too intrusive in terms of shadowing, privacy and density. In fact, it is more intrusive on the landscape with various steps, which perhaps detrimentally would affect the high water table even more. If any development is approved, ensure the Uplands wells are tested prior to 1 shovel going into the ground, and that appropriate monitoring by the City is established and closely followed.

Our Assoc. does not support the proposal to increase from medium density to high density for this Block.

We request it be referred back to Planning Staff to follow for geotechnical testing, in particular relating to water and bedrock.

If the proposal proceeds as is, significant dewatering is likely, which in turn lowers the water table and places the Uplands water supply at risk. More land involve more intense dewatering occurs.

In areas such as this is i.e. where a high water table is known, and all previous development was predicated w this in mind e.g. slab on grade, nothing higher than 5 stories etc., it is inconceivable Planning Committee would proceed as outlined.

We also do not support approving applications within this block (as per the Poole residence at 420 Fanshawe) subject to geotechnical studies to follow. This block of land screams geotechnical be provided in conjunction with any application of development.

Gloria McGinn-McTeer, Past President

Stoneybrook Heights/Uplands Residents Association

Community and Protective Services Committee

Report

11th Meeting of the Community and Protective Services Committee
July 16, 2018

PRESENT: Councillors M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire
ABSENT: Mayor M. Brown
ALSO PRESENT: Councillors J. Helmer and M. van Holst; J. Bunn, S. Datars Bere, M. Elmadhoon, M. Hayward, O. Katolyk, G. Kotsifas, L. Livingstone, L. Marshall, J.P. McGonigle, D. O'Brien, S. Oldham, M. Ribera, J. Richardson, M. Schulthess, P. Shack, C. Smith, S. Stafford, B. Westlake-Power and R. Wilcox

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor M. Salih disclosed a pecuniary interest in clause 5.4 of this Report, having to do with a request from the City of Toronto regarding shelter spaces for refugee/asylum claimants, by indicating that there is reference to border control and that may affect his employer.

2. Consent

Moved by: V. Ridley
Seconded by: B. Armstrong

That Items 2.1, 2.2, 2.3, 2.6 and 2.7, BE APPROVED.

Yeas: (4): M. Cassidy, V. Ridley, B. Armstrong, and P. Squire

Absent: (2): M. Salih, and Mayor M. Brown

Motion Passed (4 to 0)

2.1 Strategic Plan Progress Variance

Moved by: V. Ridley
Seconded by: B. Armstrong

That, on the recommendation of the City Manager, with the concurrence of the Managing Director, Housing, Social Services and Dearnness Home and Managing Director, Neighbourhood, Children and Fire Services, the staff report dated July 16, 2018, with respect to the Strategic Plan Progress Variance, BE RECEIVED.

Motion Passed

2.2 Stoney Creek Community Centre, YMCA, and Library User Agreement Amendment

Moved by: V. Ridley
Seconded by: B. Armstrong

That, on the recommendation of the Managing Director, Parks and Recreation and the Managing Director, Neighbourhood, Children and Fire Services, the proposed by-law, appended to the staff report dated July 16, 2018, BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to:

- a) approve and authorize the Amending Agreement to the City User Agreement between The Corporation of the City of London and the YMCA of Western Ontario; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement.

Motion Passed

2.3 Approval of Standard Form Licence Agreement for use of Recreation Spaces or Assets and Delegation of Authority to Execute License Agreements

Moved by: V. Ridley
 Seconded by: B. Armstrong

That, on the recommendation of the Managing Director, Parks and Recreation and the Managing Director, Neighbourhood, Children and Fire Services, the revised proposed by-law, appended to the staff report dated July 16, 2018, BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to:

- a) approve and adopt the standard form Licence Agreement to be entered into between The Corporation of the City of London and individuals or incorporated organizations requesting to use a recreation space or asset in the care and control of the City of London;
- b) authorize the Managing Director, Parks and Recreation or the Managing Director, Neighbourhood, Children and Fire Services, or their written designate, to:
 - i) insert the following information into the above-noted standard form Licence Agreement if the dollar value of the agreement does not exceed \$10,000:
 - name of licensee;
 - recreation space or asset;
 - term of Agreement;
 - fees, additional fees; and,
 - licensee address;
 - ii) execute the above-noted Licence Agreement if the dollar value of the agreement does not exceed \$10,000; and,
- c) repeal By-law No. A.-6690-195 and its amendments.

Motion Passed

2.6 7th Report of the Diversity, Inclusion & Anti-Oppression Advisory Committee

Moved by: V. Ridley
 Seconded by: B. Armstrong

That the 7th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meeting held on June 21, 2018, BE RECEIVED.

Motion Passed

2.7 7th Report of the Animal Welfare Advisory Committee

Moved by: V. Ridley

Seconded by: B. Armstrong

That the 7th Report of the Animal Welfare Advisory Committee, from its meeting held on July 5, 2018, BE RECEIVED.

Motion Passed

2.4 Vehicle for Hire By-law - Industry Consultation

That the following actions be taken with respect to the staff report dated July 16, 2018 with respect to the Vehicle for Hire By-law:

a) a public participation meeting BE HELD at a future meeting of the Community and Protective Services Committee with respect to the Vehicle for Hire By-law in order to receive public comments on proposed administrative changes considered in the above-noted report, including:

- administration and licensing fees;
- application process;
- fares, including the ability for brokers to set fares, posting of fares, etc.;
- vehicle requirements, including age of vehicles; and,
- removal of cap on accessible & regular plates;

b) the delegation request from J. Kukurudziak, President, London Taxi, BE REFERRED to the future public participation meeting with respect to this matter; and,

c) the above-noted public participation meeting BE HELD at an off-site location.

Motion Passed

Voting Record:

Moved by: V. Ridley

Seconded by: B. Armstrong

Motion to approve a public participation meeting with respect to the Vehicle for Hire By-law.

Yeas: (4): M. Cassidy, V. Ridley, B. Armstrong, and M. Salih

Nays: (1): P. Squire

Absent: (1): Mayor M. Brown

Motion Passed (4 to 1)

Moved by: B. Armstrong

Seconded by: V. Ridley

Motion to refer the delegation to the future public participation meeting.

Yeas: (5): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, and P. Squire

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Moved by: B. Armstrong

Seconded by: M. Salih

Motion to hold the public participation meeting at an off-site location.

Yeas: (5): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, and P. Squire

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

2.5 5th Report of the Community Safety and Crime Prevention Advisory Committee

Moved by: P. Squire

Seconded by: B. Armstrong

That the following actions be taken with respect to the 5th Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on June 28, 2018:

a) the request for a report and draft by-law to the appropriate standing committee, to provide for the requirement of bicycle helmet use for all children under the age of 18 in locations beyond what is legislated currently, including: parks, nature trails, private and public spaces, sidewalks, daycares, etc. BE REFERRED to the Civic Administration for review; and,

b) clauses 1.1, 3.1, 5.1 to 5.3 and 6.2, BE RECEIVED.

Yeas: (5): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, and P. Squire

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

3. Scheduled Items

3.1 By-law Amendments to the Sound By-law, PW-12 and to the Public Nuisance By-law, PH-18, Public Messaging in the Community - Nuisances

Moved by: V. Ridley

Seconded by: M. Salih

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken to amend various City of London by-law:

a) the proposed by-law, appended to the staff report July 16, 2018, BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to amend the Sound By-law, PW-12, to:

i) provide a definition of "Amplified Live Speech";

ii) amend section 4.1, relating to "Application for a Temporary Noise Permit"; and,

iii) amend section 6.1(q), relating to “Temporary Noise Permit – Construction – Community Event (Class 2) – Amplified Live Speech;

b) the proposed by-law, appended to the staff report dated July 16, 2018, BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to amend the Public Nuisance By-law No. PH-18 to insert a new Section 4.1, relating to “Unnecessary Interference with Use and Enjoyment of Public Place”.

Yeas: (4): M. Cassidy, V. Ridley, M. Salih, and P. Squire

Absent: (2): B. Armstrong, and Mayor M. Brown

Motion Passed (4 to 0)

4. Items for Direction

4.1 Neighbourhood Equipment Access

Moved by: P. Squire

Seconded by: B. Armstrong

That the Civic Administration BE REQUESTED to review the Neighbourhood Event Equipment Lending Program and report back to the Community and Protective Services Committee with respect to adding church groups to the list of organizations available to request use of City of London equipment to host community events and implementing a prioritization system for applicants.

Yeas: (5): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, and P. Squire

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

4.2 6th Report of the Accessibility Advisory Committee

Moved by: M. Salih

Seconded by: V. Ridley

That the following actions be taken with respect to the 6th Report of the Accessibility Advisory Committee, from its meeting held on June 28, 2018:

a) a representative from Parks and Recreation BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee to update the committee on measures being taken to assist individuals with Autism Spectrum Disorder at City of London facilities; it being noted that the attached presentation from J. Clair, was received with respect to this matter;

b) the following actions be taken with respect to the revised communication dated May 22, 2018, from the City Clerk, with respect to the statement at Council and Standing Committee meetings regarding supportive devices:

i) the City Clerk BE REQUESTED to post the statement contained in the above-noted communication on all Advisory Committee agendas; and,

ii) all Committee Chairs BE REQUESTED to read the above-noted statement aloud prior to each Committee meeting; and,

c) clauses 1.1, 2.1, 2.3, 3.1, 3.2, 5.2 and 5.3, BE RECEIVED.

Yeas: (5): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, and P. Squire

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

5.1 Middlesex-London Health Unit Office Space Fit-up Funding Request - RESUBMITTED

Moved by: P. Squire

Seconded by: M. Salih

That the Civic Administration BE DIRECTED to negotiate terms of financing with the Middlesex-London Health Unit (MLHU) for the fit-up costs of MLHU's new office space, and that an appropriate agreement outlining the terms of the financing be brought forward for Municipal Council's consideration.

Yeas: (5): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, and P. Squire

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

5.2 Municipal Council Resolution regarding the 5th Report of Accessibility Advisory Committee

Moved by: P. Squire

Seconded by: M. Salih

That the Civic Administration BE DIRECTED to review the "Green Standards for Light Pollution and Bird-Friendly Development" document from the Environmental and Ecological Planning Advisory Committee and report back to a future meeting of the Accessibility Advisory Committee with respect to how the above-noted proposal relates to accessibility.

Yeas: (4): M. Cassidy, V. Ridley, M. Salih, and P. Squire

Absent: (2): B. Armstrong, and Mayor M. Brown

Motion Passed (4 to 0)

5.3 Deferred Matters List

Moved by: M. Salih

Seconded by: M. Cassidy

That the Deferred Matters List for the Community and Protective Services Committee, as at July 9, 2018, BE RECEIVED.

Yeas: (4): M. Cassidy, V. Ridley, M. Salih, and P. Squire

Absent: (2): B. Armstrong, and Mayor M. Brown

Motion Passed (4 to 0)

5.4 (ADDED) Request from City of Toronto regarding Shelter Spaces for Refugee/Asylum Claimants

Moved by: V. Ridley
Seconded by: P. Squire

That the Civic Administration BE DIRECTED to share the communication, dated June 29, 2018, from G. Carbone, Interim City Manager, City of Toronto, with respect to a request regarding shelter spaces for refugee/asylum claimants, with other communities and community organizations in order to acquire any assistance available for the City of Toronto; it being noted that the staff report dated July 16, 2018, with respect to this matter, was received.

Yeas: (3): M. Cassidy, V. Ridley, and P. Squire

Absent: (3): B. Armstrong, M. Salih, and Mayor M. Brown

Motion Passed (3 to 0)

6. Confidential

Moved by: M. Salih
Seconded by: V. Ridley

That the Community and Protective Services Committee convene in closed session with respect to the following matters:

6.1. Solicitor - Client Privilege

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to proposed amendments to the Sound By-law and the Public Nuisance By-law regarding amplified live speech and personal invective.

6.2. Personal Matters about an Identifiable Individual

A matter pertaining to personal matters about an identifiable individual, including municipal or local board employees.

Yeas: (4): M. Cassidy, V. Ridley, M. Salih, and P. Squire

Absent: (2): B. Armstrong, and Mayor M. Brown

Motion Passed (4 to 0)

The Community and Protective Services Committee convened in camera from 1:04 PM to 1:14 PM with respect to the above-noted matters.

7. Adjournment

The meeting adjourned at 1:17 PM.

Corporate Services Committee

Report

14th Meeting of the Corporate Services Committee
July 17, 2018

PRESENT: Councillors J. Helmer (Chair), J. Morgan, P. Hubert, M. van Holst, J. Zaifman
ABSENT: Mayor M. Brown
ALSO PRESENT: Councillor A. Hopkins; M. Hayward, A. Anderson, M. Balogun, A.L. Barbon, G. Barrett, D. Bordin, B. Card, M. Daley, J. Davies, A. DiCicco, M. Galczynski, M. Henderson, P. Kokkoros, G. Kotsifas, R. Lamon, M. Ribera, C. Saunders, M. Schulthess, B. Warner, B. Westlake-Power and P. Yeoman.

The meeting was called to order at 12:30 PM.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: P. Hubert
Seconded by: J. Morgan

That Items 2.1, 2.2, 2.4 and 2.7 BE APPROVED.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

2.1 Strategic Plan Progress Variance

Moved by: P. Hubert
Seconded by: J. Morgan

That, on the recommendation of the City Manager, with the concurrence of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated July 17, 2018, entitled "Strategic Plan Progress Variance" BE RECEIVED for information.

Motion Passed

2.2 Council Policy - Issuance of Technology Equipment to Council Members

Moved by: P. Hubert
Seconded by: J. Morgan

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and the City Clerk and with the concurrence of the Director, Information Technology Services, the proposed by-law appended to the staff report dated July 17, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to amend By-law No. CPOL.-68-300 being "Issuance of Computer Equipment to Council Members" to: rename the Policy "Issuance of Technology Equipment to Council Members"; identify standard equipment guidelines for the upcoming Council term; provide for

a review of the corporate standards for computer equipment and software to be issued to Council Members prior to the commencement of any new Council term; to provide greater clarity within the Policy; reformat into the new Council Policy template; and review with the gender equity lens.

Motion Passed

2.4 Reserve and Reserve Fund Policy Report

Moved by: P. Hubert

Seconded by: J. Morgan

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated July 17, 2018 as Appendix A BE INTRODUCED at the Municipal Council meeting on July 24, 2018 to enact a Reserve and Reserve Fund Policy.

Motion Passed

2.7 New Entryway Signage for City-Owned Industrial Parks

Moved by: P. Hubert

Seconded by: J. Morgan

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, and on the advice of the Manager of Realty Services, the Civic Administration BE DIRECTED to proceed with a Request for Proposal (RFP) to construct new entryway signage at Innovation Park.

Motion Passed

2.3 2017 Investment Report

Moved by: M. van Holst

Seconded by: J. Morgan

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2017 Investment Report dated July 17, 2018:

a) the 2017 Investment Report, providing a summary of the performance of the City of London's investment portfolio, BE RECEIVED for information;

b) the update on amendments to the *Municipal Act, 2001* and Ontario Regulation 438/97, including the Prudent Investor Standard, BE RECEIVED for information; and

c) the proposed by-law appended to the staff report dated July 17, 2018 as Appendix "B" BE INTRODUCED at the Municipal Council meeting on July 24, 2018, to amend By-law CPOL.-39-235 entitled "Investment Policy" to revise the investment term limitations and change to investment term targets, revise the delegation of authority and authorization to reflect the City's current organizational structure, reformat into the new Council Policy template and review with the gender equity lens.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

2.5 FCM Grant Funding Agreement & RFP 18-23 Award for Corporate Asset Management Plan and Policy

Moved by: M. van Holst
Seconded by: P. Hubert

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the advice of the Manager III, Corporate Asset Management, the following actions be taken with respect to the Corporate Asset Management Plan and Policy:

- a) the proposed by-law appended to the staff report dated July 17, 2018 as Appendix B BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to approve the Grant Funding Agreement between The Corporation of the City of London and the Federation of Canadian Municipalities, and authorize the Mayor and the City Clerk to execute the Funding Agreement; it being noted that this will assist with expenditures related to the creation of the 2018 City of London Corporate Asset Management Plan and Strategic Asset Management Policy, in accordance with Ontario Regulation 588/17 – Asset Management Planning for Municipal Infrastructure;
- b) the Mayor and the City Clerk BE AUTHORIZED to execute any contract, statement of work or other documents, if required, to give effect to these recommendations;
- c) the proposal submitted by GM BluePlan Engineering Limited, Royal Centre, 3300 Highway No.7, Suite 402, Vaughan, ON L4K 4M3, for the provision of professional services with respect to Corporate Asset Management Plan and Policy at their proposed fees of \$163,989 excluding HST, BE ACCEPTED;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with the submitted proposal; and,
- e) the approval hereby given BE CONDITIONAL upon the City of London entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

2.6 Industrial Land Development Strategy Annual Monitoring and Pricing Report - City-Owned Industrial Land

Moved by: M. van Holst
Seconded by: P. Hubert

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services with respect to the City of London's Industrial Land Development Strategy, the following actions be taken with respect to the annual monitoring and pricing of City-owned industrial lands:

- a) the proposed by-law appended to the staff report dated July 17,

2018 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to amend By-law No. A.-6151-17, as amended, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001” by deleting Attachment “B” to Schedule “A” – Sale and other Disposition of land Policy of the By-law and by replacing it with a new Attachment “B” to Schedule “A” to amend the current pricing for City-owned serviced industrial land in Innovation Park, Skyway Industrial Park, River Road Industrial Park, Cuddy Boulevard Parcels and Trafalgar Industrial Park as follows:

Innovation Park, Skyway Industrial Park, River Road Industrial Park, and Cuddy Blvd Parcels:

- Lots up to 3.99 acres from \$75,000 per acre to \$80,000.00 per acre
- 4.00 acres and up from \$65,000 per acre to \$70,000.00 per acre

Pricing for serviced industrial land in Trafalgar Industrial Park:

- All lot sizes – from \$55,000 per acre to \$65,000.00 per acre;

b) the staff report dated July 17, 2018 entitled “Industrial Land Development Strategy Annual Monitoring and Pricing Report – City-Owned Industrial Land”, BE RECEIVED.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

3. Scheduled Items

3.1 Tribunal - Development Charge Complaint - 84 Dennis Avenue

Moved by: P. Hubert

Seconded by: J. Zaifman

That, after convening as a tribunal under section 27 of Part IV of By-law C.P.-1496-244 to hear a complaint under section 20 of the *Development Charges Act 1997, S.O. 1997, c. 27*, by Janice and Patrick Greenside, the owners of the property located at 84 Dennis Avenue, regarding the development charges being appealed, for the erection of a new single detached dwelling on the subject property, as detailed in the attached Record of Proceeding, on the recommendation of the Tribunal, the complaint BE DISMISSED on the basis that the Tribunal finds that the amount of the development charge being applied were correctly determined and no error occurred in the application of the Development Charges By-law.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

Additional Votes:

Moved by: P. Hubert

Seconded by: M. van Holst

That the Corporate Services Committee now convene as a tribunal under section 27 of Part IV of By-law C.P.-1496-244 to hear a complaint under section 20 of the *Development Charges Act, 1997* and provide the complainant an opportunity to make representations.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

3.2 Crispin Colvin, Director, Ontario Federation of Agriculture - Ontario Federation of Agriculture - Producing Prosperity in Ontario

Moved by: J. Zaifman

Seconded by: P. Hubert

That the presentation from Crispin Colvin, Director, Ontario Federation of Agriculture, Ontario Federation of Agriculture with respect to Producing Prosperity in Ontario, as included on the public agenda, BE RECEIVED.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

4. Items for Direction

4.1 Confirmation of Appointment to the Community Safety and Crime Prevention Advisory Committee (Requires 1 Non-Voting Representative from Active & Safe Routes to School)

Moved by: P. Hubert

Seconded by: J. Zaifman

That Tara MacDaniel BE APPOINTED as a Non-Voting Representative from Active & Safe Routes to School to the Community Safety and Crime Prevention Advisory Committee for the term ending February 28, 2019.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

4.2 Daytime Schedule

Moved by: J. Zaifman

Seconded by: J. Morgan

That the communication dated July 8, 2018, from Councillor M. van Holst BE RECEIVED; it being noted that there will be a Public Participation Meeting related to the proposed meeting calendar at a future meeting of the Corporate Services Committee.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

The Corporate Services Committee convened as the Tribunal, In Closed Session, from 2:01 PM to 2:10 PM, to consider the following:

6.3 (ADDED) - Solicitor-Client Privileged Advice

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding a complaint made by Janice and Patrick Greenside under Part IV of By-law C.P.-1496-244, as amended, the Development Charges By-law, in respect of the development charge imposed by The Corporation of the City of London in connection with development on the land known as 84 Dennis Avenue.

Moved by: J. Zaifman

Seconded by: M. van Holst

That Corporate Services Committee convene in closed session for the purpose of considering the following matters:

6.1 Solicitor-Client Privileged Advice/Litigation/Potential Litigation

A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to litigation with respect to various personal injury and property damage claims against the City.

6.2 Personal Matters/Identifiable Individual/Litigation/Potential Litigation/Solicitor-Client Privileged Advice

A matter pertaining to personal matters, including information regarding identifiable individuals, with respect to employment-related matters; litigation or potential litigation affecting the municipality; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

The Corporate Services Committee convened in closed session from 2:57 PM to 3:08 PM.

6.1 Solicitor-Client Privileged Advice/Litigation/Potential Litigation

6.2 Personal Matters/Identifiable Individual/Litigation/Potential Litigation/Solicitor-Client Privileged Advice

7. Adjournment

The meeting adjourned at 3:09 PM.

RECORD OF PROCEEDING

CORPORATE SERVICES COMMITTEE

convening as a Tribunal under section 27 of Part IV of By-law C.P.-1496-244 to hear a complaint under section 20 of the *Development Charges Act*, 1997, S.O. 1997, c.27 by Janice and Patrick Greenside, the owners of 84 Dennis Avenue, regarding the development charges imposed by The Corporation of the City of London in connection with development on the land known as 84 Dennis Street.

July 17, 2018 – 12:55 PM
Council Chambers
London City Hall

PRESENT

Councillor J. Helmer, Chair
Councillor J. Morgan, Tribunal Member
Councillor P. Hubert, Tribunal Member
Councillor M. van Holst, Tribunal Member
Councillor J. Zaifman, Tribunal Member
B. Westlake-Power, Registrar
P. Kokkoros, Deputy Chief Building Official
A. Anderson, Solicitor II
P. Yeoman, Director, Development Finance
Patrick and Janice Greenside, Complainants
L. Kirkness, Agent for Complainants

CALL TO ORDER

The Chair called the Tribunal to order at 12:55 PM on July 17, 2018.

DECLARATIONS OF PECUNIARY INTEREST

None.

HEARING

Hearing before the Corporate Services Committee (CSC), convening as a Tribunal under section 20 of the *Development Charges Act*, 1997, S.O. 1997, c. 27, with respect to the development charge imposed by The Corporation of the City of London in connection with development on the land known as 84 Dennis Avenue.

1. Preliminary and Interlocutory Matters:

The Chair provided a brief overview and explanation of the Hearing process.

P. Kokkoros, Deputy Chief Building Official; P. Yeoman, Director, Development Finance and A. Anderson, Solicitor where in attendance on behalf of the City of London.

Patrick and Janice Greenside and L. Kirkness appeared on behalf of the Complainants Patrick and Janice Greenside.

2. Summary of the Evidence Received by the Tribunal:

The following attached documents were submitted as Exhibits at the Hearing:

Exhibit #1: Notice of Hearing dated June 29, 2018;

- Exhibit #2: Written complaint from Janice and Patrick Greenside, dated June 6, 2018 and date stamped in the Development and Compliance Services Office on June 7, 2018;
- Exhibit #3: Staff report dated July 17, 2018 from the Managing Director, Development and Compliance Services & Chief Building Official;
- Exhibit #4: PowerPoint presentation, dated July 17, 2018, from L. Kirkness, Agent for the Complainants;
- Exhibit #5: PowerPoint presentation, dated July 17, 2018, from P. Kokkoros, Deputy Chief Building Official;
- Exhibit #6: Correspondence dated September 21, 2000, to Patrick and Janice Greenside, from A.M. DeCicco, Deputy Mayor, City of London;
- Exhibit #7: Correspondence dated September 18, 2000, to A.M. DeCicco, Controller, from P. & J. Greenside.

Mr. Kirkness presented the attached presentation noted as Exhibit #4, above, after introducing Patrick and Janice Greenside. Mr. Kirkness noted that he has been involved with this file for over 2 years. He stated that the Complainants recognize the need for and the importance of the development charges, but noted that the subject property has unique circumstances. Mr. Kirkness noted that there are special considerations that may not have been contemplated by the current Development Charges By-law.

Mr. Kirkness outlined the history of the property, which the Greenside's purchased in 1994, including the existing residence known as 82 Dennis Avenue, located to the west of the property that is the subject of the complaint. Mr. Kirkness indicated that the subject property was purchased with a restrictive covenant registered on title. Mr. Kirkness outlined the information related to the property, including its size and proximity to sewage treatment facility.

Mr. Kirkness advised as to the Greenside's discussion with the Ministry of the Environment in an effort to have the 100 metre setback from the sewage treatment facility reduced. Mr. Kirkness provided the Tribunal with a copy of a 1997 City of London Council resolution related to five conditions that were to be applied to the property and be satisfied in order for the restrictive covenant to be lifted from the title. He indicated that these conditions included: a subdivision agreement; an environmental warning to be registered on title; the preparation of a survey; the construction of curb, gutter and asphalt; and the payment of applicable development charges and fees in effect at the time of any application for a building permit. Mr. Kirkness outlined the costs that were incurred by the property owners, to satisfy two of the five conditions. Mr. Kirkness further noted that these conditions were completed in good faith, and that the City responsibilities were never completed.

Mr. Kirkness noted that development was permitted in other areas of the city, including areas in closer proximity to treatment facilities. He indicated that since 1997, the treatment plant has been changed to a pumping station, eliminating the requirement for warning clause for the property – and thus, the first conditions to further development would be considered irrelevant.

Mr. Kirkness summarized the activities undertaken by the Greensides since 2016, in anticipation of building a dwelling on the subject property. He indicated that these actions included: submission of an application for site plan approval, a neighbourhood character study, a land use compatibility report, servicing connection and application for a building permit. Mr. Kirkness concluded his

submission with a summary of completed costs to-date, and suggested that the Greensides would be willing to pay development charges at rates equal to those that had been applied in 1998 and 2000.

Councillor P. Hubert requested confirmation that the Greensides are not seeking relief from paying development charges, but rather are looking to pay at a lesser development charges rate. Mr. Kirkness confirmed that the Complainants are looking for a reduction to the rate being applied by the City.

Councillor M. van Holst inquired whether there was any information available as to why the City had not signed off on the conditions. Mr. Kirkness advised that he had no information as to why the City had not signed off on the conditions.

Councillor J. Morgan enquired as to whether the Complainants or Agent felt that the development charges now being applied were incorrectly determined or if there was an error in the application of the Development Charges By-law. Mr. Kirkness indicated that the calculations were not considered to be fair.

Mr. Kokkoros presented the attached presentation noted as Exhibit #5, above. Mr. Kokkoros outlined the background of the application process and history for the property, and noted that a building permit was issued on June 7, 2018.

Mr. Kokkoros noted that the current By-law does not provide for exemptions for the construction of new single detached dwellings. He further noted that the Complainant indicates five reasons for appeal, but that none of these reasons provided as grounds for dismissal under the current By-law.

Mr. Kokkoros outlined the parameters, in accordance with the current Development Charges By-law, as to when development charges are payable. He indicated that in this circumstance, the proposed construction at 84 Dennis Avenue constitutes development and is subject to the fee outlined in the By-law for a single and semi-detached dwelling. He indicated that the subject property is located within the urban growth area.

Mr. Kokkoros outlined the provisions for exemption contained in the current By-law. Mr. Kokkoros noted that the construction of a new single detached dwelling would not be exempted from development charges.

Mr. Kokkoros outlined each reason given in the Complainants in support of the complaint and noted that none of the reasons (1997 solicitor opinion, 1997 development charge amount for a commercial property, 1997 City of London letter from Water & Sewer Engineering Department, costs incurred and paid by the Complainants to-date and property taxes paid to-date) provide for the applicable development charges to be waived or altered.

Mr. Kokkoros concluded that the construction of a single detached dwelling at the property located at 84 Dennis Avenue, is deemed to be development and is subject to a development charge in accordance with By-law C.P.-1496-244. The amount of the development charge calculated and applied with respect to the building permit issuance for 84 Dennis Avenue were correctly determined and no error in the application of the Development Charges By-law has occurred.

Councillor P. Hubert asked whether there has ever been a previous building permit application submitted to build a single detached dwelling at the subject property and whether a development charge receivable would have been created as a result of that application for building permit. Mr. Kokkoros noted that the development charges are payable at the time of building permit issuance, and that a building permit has just recently been issued for the subject property. He confirmed that there is no record of a previous building permit or permit application for the subject property.

Councillor M. van Holst inquired with respect to application of previously paid property taxes, asking when water and sewer charges were made separate from the property taxes. Mr. Kokkoros indicated that he was unable to provide information regarding the matter. Mr. Yeoman noted that the water and sewer charges were billed separately from property taxes prior to this time period. Councillor M. van Holst inquired as to why the conditions were not satisfied by the City. Mr. Kokkoros indicated that he had no information regarding that matter.

Councillor J. Zaifman inquired with respect to the discrepancy related to commercial vs. residential development charge noted for 1997, indicating that both commercial and residential have been referenced. Mr. Kokkoros noted that the application of the charge noted a charge applied to a property that was commercial, and was considered low because there was a demolition and reconstruction undertaken at the property.

The Chair asked whether the Complainants had any new information to present, based on the submissions and presentation made by Mr. Kokkoros on behalf of the City of London. Mr. Kirkness presented additional information related to a letter dated September 21, 2000 from the Deputy Mayor at the time, to the Complainants. This letter is submitted as Exhibit #6. Mr. Kirkness noted the letter states that the Deputy Mayor would forward information to the City Engineer. Mr. Kirkness further presented a letter from the Complainants to A.M. DiCicco dated September 18, 2000. This letter was submitted as Exhibit #7.

The Chair asked the Tribunal Members if there was a need to go in closed session to receive legal advice regarding the matter. The Tribunal Members requested that the Tribunal go in closed session to receive legal advice with the following motion being:

That the Tribunal convene, in Closed Session, to consider a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding a complaint made by Janice and Patrick Greenside under Part IV of By-law C.P.-1496-244, as amended, the Development Charges By-law, in respect of the development charge imposed by The Corporation of the City of London in connection with development on the land known as 84 Dennis Avenue.

The Tribunal convened in Closed Session from 2:01 PM to 2:10 PM, with the following in attendance:

Members: Councillor J. Helmer (Chair), Councillors P. Hubert, J. Morgan, M. van Holst and J. Zaifman.

Others Present: A. Anderson, Solicitor and B. Westlake-Power, Registrar.

The Tribunal resumed in public session at 2:13 PM.

The following recommendation is passed.

RECOMMENDATION:

That, after convening as a tribunal under section 27 of Part IV of By-law C.P.-1496-244 to hear a complaint under section 20 of the *Development Charges Act 1997, S.O. 1997, c. 27*, by Janice and Patrick Greenside, the owners of the property located at 84 Dennis Avenue, regarding the development charges being appealed, for the erection of a new single detached dwelling on the subject property, as detailed in the attached Record of Proceeding, on the recommendation of the Tribunal, the complaint BE DISMISSED on the basis that the Tribunal finds that the amount of the development charge being applied were correctly determined and no error occurred in the application of the Development Charges By-law.

ADJOURNMENT

The Tribunal adjourned at 2:24 PM.



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

June 29, 2018

Patrick & Janice Greenside
26-869 Whetherfield Street
LONDON ON
N6H 0A2

Dear Mr. and Mrs. Greenside:

Re: Development Charges Appeal – 84 Dennis Avenue

Further to your email exchange with Linda Rowe, Deputy City Clerk, June 10 – 13, 2018, notice is hereby given that the development charges complaint, with respect to the calculation of development charges and the application of the development charge by-law for the property located at 84 Dennis Avenue, will be heard by the Corporate Services Committee on Tuesday, July 17, not before 12:45 PM.

This meeting will be held in the Council Chambers, 2nd Floor, City Hall, 300 Dufferin Avenue, London.

You will be given the opportunity to make representations to the Corporate Services Committee at this meeting about the complaint. A copy of the staff report associated with this matter is attached hereto for your reference.

If you have any questions regarding this hearing, please contact Barb Westlake-Power at 519 661-2489, Ext. 5391.

Barb Westlake-Power
Deputy City Clerk

Attachment

- c. L. Kirkness, Laverne@kirknessconsultinginc.ca
- P. McLeod, phil@philipmcleod.ca
- B. Card
- A. Anderson
- G. Kotsifas
- P. Kokkoros
- Chair and Members, Corporate Services Committee

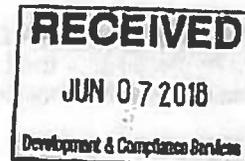
The Corporation of the City of London
Office: 519.661.2489 ext. 5396
Fax: 519.661.4892
lrowe@london.ca
www.london.ca

EXHIBIT '2'

The Corporation of the City of London
300 Dufferin Avenue
P.O. Box 5035
London, Ontario
N6A 4L9

June 6, 2018

Attention – Development and Compliance Services &
Finance and Corporate Services Departments



Re: Greenside Property 84 Dennis Avenue
Building Permit / Development Charge Fee's

We are writing this letter in response to the concerns that we have relative to the Development Charge Fee of \$30,435 which we were required to pay, in order to obtain a building permit for the new home that we are now going to build on our lot at 84 Dennis Avenue, in Lambeth.

In June of 1994 we acquired the subject site, together with other lands, from the Sullivan family. Since this date we have attempted (on numerous occasions) to acquire permission from the city to build on our lot, but we were continually turned down. Although, we received Council's approval in to build on the lot (subject to conditions) we were never able to obtain a building permit for our property.

Now, after 24 years of owning and maintaining this property, including property taxes, the city has finally granted us permission to build on our lot. This is mainly due to the fact that the former Southland STP is now a Pumping Station.

We definitely appreciate the fact that the city has granted us approval to finally build on our property, but do not feel that Development Charges/Fees of \$30,435 are warranted for a number of reasons; therefore, we would like to appeal the levying of these fees.

First and foremost, as noted in the attached letter to us from our then solicitor, Mr. Barry Card from McCarthy Tetrault, dated November 10, 1998 (page 2 – last paragraph), and I quote –

"It would be nice to have Council agree that the amount of the charge for the connection to the Southland should be nil in view of the fact that you (our lot) is within the original service area for the Southland."

Secondly, it should be noted that the Development Charges imposed on April 29, 1997 to Southside Construction for the construction of the new Tim Horton's located along Colonel Talbot Road (Highway #4) in Lambeth was only \$6,228.72 (see attached letter from the City), despite being a commercial property.

During this same year Development Charges provided to us by Rob Watson and Leo Kent, from the city's engineering department, for residential properties totalled \$5,821.00 more or less.

Thirdly, in August of 1997 a letter was sent out by the City of London's Water & Sewer Engineering Department to all of the property owners within the potential service area of the Southland Plant offering them sewer and servicing capacity for their residential or commercial property. The amount of these servicing/development charges were \$23,000 per home, and this cost was usually recovered as a lump sum or in 10 annual installments including interest. Commercial properties were designated for higher sewage flows than homes and should expect a higher charge?

Fourthly, we have paid for all surveying costs in order to provide the required road frontage for our lot, as well as curbing along both side of the road, and the cost to bring storm, sanitary and water services to our property line.

Lastly, we have paid over 24 years of property taxes on this lot and have received no services at all from the city for these levies.

In light of the foregoing, we hope that the city will seriously reconsider their decisions to impose any type of Development Charges and/or Fees for our lot, seeing as we were within the original service area for the former Southland STP.

Janice and Patrick Greenside
84 Dennis Avenue
London, Ontario
(519) 601-6158

APPENDIX 'B'

Kirby Oudekerk, P.Eng.
Environmental Services Engineer
Wastewater Treatment Operations
City of London

109 Greenside Avenue
London, ON N6J 2X5
P: 519.471.1537 | Cell: 226.448.4359 | Fax: 519.661.0199
koudeker@london.ca | www.london.ca

This email is significant in that it removes the need for an environmental warning clause to be registered on title.

Matters that need to be attended to in order to be issued a building permit

With respect to the Council resolution of Dec 16, 1997, items a), b) and e) are no longer applicable, leaving the 2 items as follows:

- a) Item (c) – a survey plan be registered on title at owners expense;
- b) Item (d) – the construction of curb, gutter and asphalt to local standards be constructed along the frontage of the subject lands at owners expense;
- c) Item (e) – the payment of all applicable Development Charge by owner is offset by the letter of November 10, 1998 from the Greenside's solicitor (page 2, last paragraph) indicating that in his opinion that the amount of charge for the connection to the Southland should be nil in view of the fact that the lot is within the original service area for the Southland WWT facility. See ATTACHMENT 6.

The above matters could form part of a Development Agreement that could also address the requirements of a Servicing Agreement as per ATTACHMENT 2 which would attend to the following matters:

- d) Item 1 – 5% cash in lieu payment for park land dedication be paid by owner; See ATTACHMENT 7 – A Letter dated December 7, 1998 from our solicitor (Barry Card) to us, indicating that he met with Vic Cote (former Director of Planning) and that Mr. Cote agreed that in the absence of anyone who could make a determination whether or not the park dedication had been imposed, that staff should be taking the position that we should be given the "benefit of the doubt" and that consequently, the cash-in-lieu requirement will be dropped;
- e) Item 2 – that Dennis Avenue be extended to the east limit of the building lot be completed by owner;
- f) Item 3 – the extended portion be properly named by bylaw (by the City);
- g) Item 4 – 0.3 m reserve be lifted by City;

McCarthy Tétrault

BARRISTERS & SOLICITORS - PATENT & TRADE-MARK AGENTS

SUITE 2000, ONE LONDON PLACE
235 QUEENS AVENUE, LONDON, ONTARIO, CANADA N6A 5B8
FACSIMILE (519) 660-3599 - TELEPHONE (519) 660-3587

Direct Line: (519) 660-7235
Internet Address: board@mccarthy.ca
Our File 153576-201347

November 10, 1998

Patrick and Janice Greenside
82 Dennis Avenue
London, Ontario
N6P 1B5

*JNP
file & breakdown*

Dear Mr. and Mrs. Greenside:

Re: 82 Dennis Avenue, London

I confirm that we had our in-camera audience with Planning Committee on Monday, November 9, 1998. The result of this session was simply a recommendation from Planning Committee to Council that no action be taken with respect to our request for assistance in settling the terms of the subdivision agreement.

The discussion lasted for approximately half an hour after a late start. Mr. Jardine said that he was in a bit of a rush because he had to go to his regular Committee meeting, however, before he departed, he managed to tell the Committee that we were trying to back out of the original Council approval (making a reconsideration necessary). He also said that the conditions being proposed by staff are perfectly consistent with what Council had been approved. Despite clear proof that in fact staff were asking for work that went much beyond the scope of what Council had approved, there was no inkling of support or encouragement from the Committee. This particular Planning Committee is now into its 12th and final month. It has been a particularly useless Committee. Initially, I thought the problem was that there were three new Councillors on the Committee and that things would improve as the year wore on. I suspect that you observed from the absence of probing questions that things have not improved very much. The Committee still believes everything it is told by staff. It takes no initiative to correct problems that emerge from the actions of staff. Yours was a prime example. I gather that unless something different happens at Council, you will not be proceeding with a plan to build on the new lot.

McCarthy Tétrault DMS-LONDON #5049055 / v. 1

VANCOUVER · CALGARY · LONDON · TORONTO · OTTAWA · MONTREAL · QUEBEC · LONDON, ENGLAND

McCarthy Tétrault

- 2 -

Patrick and Janice Greenside

November 10, 1998

During our discussion of these various issues, Mr. Côté came forward with a map. Mr. Côté said that the map showed that in fact the lot next to 82 Dennis Avenue was not in the service area for the Southland Plant. I asked Mr. Côté about the date of his map. It was clearly printed on the map that it was drawn in 1998. I suggested that it might be more instructive to see what the original service drawing in the 1960's said for the Plant. The Chairman of the Planning Committee, Councillor Polhill, asked me if I was accusing staff of altering their records to disadvantage the Greensides. I told Councillor Polhill that I was suggesting that the person who had drawn the map had been given bad information about the service boundary. After all, the primary purpose of the map was to show features connected with Mr. Lansink's request for permission to expand the Southland Plant.

I suggest that you call Councillor Walker immediately to try to arrange for her to speak to this matter at Council. We know there is some support. Both Susan Eagle and Ben Veel have expressed support for our position. I suspect that part of the problem at Planning Committee was the fact that Councillor Walker had made arrangements for the matter to appear on the Planning Committee Agenda. The Committee seemed to resent this. You may recall that several minutes were taken up by questions and answers regarding the appropriateness of Planning Committee dealing with this matter. Walker has had a bit of a falling out with some members of Council recently as the result of her criticism of the Mayor and it may be that we were caught in the crossfire. It will be difficult to convey this information to Councillor Walker who has been very supportive and helpful throughout the process. Perhaps there is no need to get into political issues as Councillor Walker herself is probably very much aware of what is going on.

In any event, we are looking for 10 votes in favour of directing staff to prepare an agreement that simply carries out the instructions that Council has given without changing requirements or applying conditions which are irrelevant.

The second objective is to move the City Solicitor out of the approval process if this can be accomplished without a reconsideration.

It would be nice to have Council agree that the amount of the charge for the connection to Southland should be nil in view of the fact that you are within the original service area for Southland. This one will have to be manoeuvred skillfully to avoid the reconsideration problem, however, I think it has more promise because Council would simply be making a determination that no charge was applicable.

McCarthy Tétrault DMS-LONDON #5049055 / v. 1

McCarthy Tétrault

- 3 -

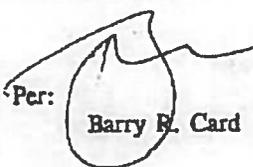
Patrick and Janice Greenside

November 10, 1998

Is it any wonder the City is such a ~~mess~~?

Yours very truly,

McCarthy, Tétrault

Per: 
Barry B. Card

BRC/jmh

cc: Tim RYAN
C1704126

58

THE CORPORATION OF THE CITY OF LONDON



V.A. COLE
Commissioner of Planning & Development
P. CERRINARA, P.E.M.O.
Director of Building Permits

BUILDING DIVISION
DEPARTMENT OF PLANNING & DEVELOPMENT

320 DUFFERIN AVENUE
PO BOX 5035
LONDON, ONT M5A 4L9
IN REPLY PLEASE REFER TO
OUR FILE NO
ATTENTION SP-95185
TELEPHONE M. HENNESSY
661-4861

April 29, 1997

Phone for Pick-up: 672-6191

Southside Construction
c/o R. Tome & Associates Inc
51 Wimbledon Cr.
LONDON, ON. N6C 5C9

Dear Romano:

Re: Site Plan Approval at 4530 Colonel Talbot Road

Site Plan Approval is granted conditional upon the completion of the attached development agreement in accordance with City procedures.

The Commissioner of Environmental Services and City Engineer estimates the following claims and revenues for the project.

Urban Works Reserve Fund

Estimated Claim NIL

Development Charges

Urban Works Reserve Fund		
Estimated Revenue (Jan 2, 1997 rates)		
(based on 164 sq. m @ \$17.33 per sq. m)	\$2,842.12	
City Services and Hydro Fund		
Estimated Revenue (Jan 2, 1997 rates)		
(based on 164 sq. m @ \$20.65 per sq. m)	\$3,386.60	
Total Estimated Development Charges		\$6,228.72

Please note that this estimate includes a reduction of 117 square metres of floor area in recognition of the proposed demolition of the existing building.

Please note that the claims and revenues are estimates only based upon information received and interpreted by the City Engineer's Department at the time of initial application. The purpose of these estimates is to generally monitor the balance of the Development Funds. The final determination whether development charges are applicable and the amount of development charges will be made by the Building Division prior to issuance of the building permit.

FAX: (519) 561-5104 - Inspections/Permits
FAX: (519) 561-5030 - Building Site Plan

Information Relative to the New
TIM HORTON'S SITE!

THE CORPORATION OF THE CITY OF LONDON



John G. Lambert, J.P.C., A.M.C.
Chairman of Environmental Council
of the City of London

ENVIRONMENTAL SERVICES DEPARTMENT
200 GRESHAM STREET
LONDON EC2A 3BS

IN REPLY PLEASE REFER TO

#11
Ld 340

197 letters sent out
August 1, 1997
J.E.F.

The City of London has initiated a Class Environmental Assessment to evaluate expansion options for the Southland Sewage Treatment Plant. The plant has been designed, built and is certified for 180 houses. The Ministry of Environment and Energy has limited future expansion of the plant to its present fenced boundaries and also requires improvements to the quality of sewage treatment.

During the course of this Class Environmental Assessment, residents within the Lambeth Urban Area (LUA) petitioned the City for sanitary servicing. Options considered were pumping off to the Greenway plant system or using capacity at an expanded Southland plant. The Greenway system is not a viable option for a number of reasons: the plant has been expanded to its maximum capacity; its drainage area does not include the LUA; the system has piping and flow limitations between Lambeth and the plant; and, commitments have been made to other lands naturally tributary to Greenway.

The expansion of the Southland plant is a technically viable option for up to 220 existing and / or future homes in an area which can be served by gravity sewer. This area is shown on the attached plan. This letter has been sent to you because you are a property owner within this potential service area. You are being offered an opportunity to express your interest in purchasing capacity and servicing your residential or commercial property.

There are more existing and future homes within the service area than can be connected to the plant after it is expanded. Ultimately, the entire LUA will be serviced by the new Southside treatment plant. The location of this plant is presently the subject of a Class Environmental Assessment. ~~The Southland plant is currently the subject of a Class Environmental Assessment.~~

Specific methods are within the Local Improvement Act and the Municipal Act for assessing, constructing and recovering the cost for new municipal services. This results in every property owner that has a pipe placed in front of it becoming financially responsible. From a technical perspective, piping within the service area cannot be displaced (pops or blocks bypassed). For this reason, it is important for the City to determine the amount of existing capacity to purchasing sanitary servicing in order to meet both the desire and technical feasibility of this option. Remaining plant capacity, after existing resident commitments are made, will become available for new home development. The purpose of the upcoming public meeting is to describe this in more detail.

Use an expanded plant can be in three ways:

- all by existing homes and commercial properties
- some by existing and some by new homes
- all by new homes

The following estimate of average household cost is provided for your information. It assumes the first option with 200 existing homes concerned:

treatment plant	\$1,500,000 / 200 homes =	\$10,000 / home
sewers	\$2,700,000 / 200 homes =	\$13,500 / home
total		\$23,500 / home

This cost is usually recovered as a lump sum or in 10 percent installments including interest. Commercial properties are designed for higher sewage flows than homes and should expect a higher charge.

A Public Information Meeting to review the options described above will be held on August 18, 1987, at 7:00 p.m. at the Lambeth Community Centre, 7112 Beattie Street. Presentations will be given on plant expansion options, wastewater allocation of plant capacity, and a review of the next steps in the process. Questions will be answered by the project consultant and staff.

If you require further information, please contact:

Mr. I.V. Lucas, P.Eng.,
 Manager Water & Sewer Engineering
 City of London,
 P.O. Box 5035
 LONDON, Ontario, N6A 4L9
 Tel: (519) 661-3537

Mr. Richard N. Sims, P. Eng.
 Project Manager
 Dillon Consulting Limited
 P.O. Box 424, Station B.
 LONDON, Ontario N6A 4W7
 Tel: (519) 438-6192

Page 0
33c

Page 0
143

NOV-12-97 16:24 From: MCCARTHY TETRAULT

5133591500

F-512 P 02/97 Job-097

McCarthy Tétrault
BARRISTERS & SOLICITORS - PATENT & TRADE-MARK AGENTS
SUITE 1100, ONE LONDON PLACE
211 QUEENS AVENUE, LONDON, ONTARIO, CANADA N6A 1S8
FACSIMILE (519) 462-1500 • TELEPHONE (519) 460-1347

Direct Line: (519) 660-7235
Internet Address: beard@mccarthy.ca

November 11, 1997

DELIVERED

Chairman and Members
Environment and Transportation Committee
The Corporation of the City of London
City Hall, 3rd Floor
300 Dufferin Avenue
London, Ontario
N6A 4L9

RECEIVED
JUN 07 2018
Development & Compliance Services

Dear Sir/Madam:

Re: 82 Dennis Avenue

I am writing to you on behalf of my clients, Patrick and Janice Greenside.

At its meeting of November 3, 1997, City Council resolved:

"That approval in principle be given to the removal of the restrictive covenant on the property at 82 Dennis Avenue on the understanding that the Environment and Transportation Committee at its meeting on November 17, 1997 will develop and will recommend to the Council at its meeting on November 24, 1997, the conditions to be applied to the lifting of the restrictive covenant at this site."

I was advised by the Committee Secretary on November 11, 1997 that I should submit all written material by no later than 2:00 p.m. on November 13, 1997. Given that the staff recommendation is not available until the close of business on Friday, November 14, 1997, it is necessary to anticipate what the staff position will be:

1. Mr. Jardine advised me on November 11, 1997 that his intention was not to write a new report, because his view of the matter had not changed. He said that he would be resubmitting his previous report. He did, however, alert me to the possibility that the City Solicitor would submit a report.

McCarthy Tétrault, DMS-LONDON #5010422 / v. 1
VANCOUVER • CALGARY • LONDON • TORONTO • OTTAWA • MONTREAL • QUÉBEC • BARRINGTON, ENGLAND

Agenda Item #
33c

Page #
145

NOV-12-97 16:25 From: MCCARTHY TETRAULT

5196833296

T-513 P-04/07 Job-097

McCarthy Tétrault

- 3 -

Chairman and Members

November 11, 1997

The May clause was more to the point; clause (a) required a "subdivision agreement" which deals with the road dedication issue. I had recommended to the Committee on October 27, 1997 that the original clause (d) (the focus of the discussion) be replaced by a clause (d) which says:

- (d) the construction of curb, gutter and asphalt to prevailing local standards along the frontage of the subject lands.

This is reasonable because:

1. The Department reported to the Committee on April 23, 1997 that "The addition of one dwelling unit would not require any additional works", beyond road improvements, and
2. The south side of the street, as demonstrated through many photographs in the past, widens into the parking lot. We are not talking about the construction of an entirely new street, simply the extension of curb and gutter for the existing "street".

As to the capacity issue, I am providing an extract from the recapitulation sheet for the Southland Plan when it was approved by Westminster in February, 1961. Capacity was calculated on the basis of 12 present and 2 future lots, so there was capacity available for Block A. The recapitulation also indicates the sewer work was to be paid for by the "owners".

Consequently, I respectfully request that the following conditions be imposed as a condition for approval to extend Dennis Avenue and to construct a dwelling:

- ✓ (a) a subdivision agreement be prepared and registered on title, at the owner's expense;
- ✓ (b) an environmental warning be registered on title at the owner's expense to provide notice to subsequent purchasers of 82 Dennis Avenue that occasional sound and odour nuisances may occur, in a form satisfactory to the Commissioner of Legal Services & City Solicitor;
- ✓ (c) a survey plan be prepared and registered on title, at the owner's expense; and

McCarthy Tétrault DMS-LONDON #5010422 / v. 1

Agenda Item # 33c
Page # 146

NOV-12-97 16:26 From: MCCARTHY TETRAULT

0101603000

7-513 P.05/07 Job-607

McCarthyTétrault

- 4 -

Chairman and Members

November 11, 1997

- (d) the construction of curb, gutter and asphalt to prevailing local standards along the frontage of the subject lands.

Yours very truly,

McCarthy, Tétrault

Per: 
Barry R. Card

EXHIBIT
"E"

BRC/jmh
Encls.

McCarthy Tétrault DMS-LONDON #3010422 / v. 1

APPENDIX 'C'

From: Patrick Greenside [REDACTED]
Sent: Sunday, June 10, 2018 6:24 PM
To: Rowe, Linda <LRowe@London.ca>
Subject: Complaint to Council - Development Charges for 84 Dennis Avenue, London

Good morning Linda,

**Re: Appeal of Development Fees/Charges
Greenside Lot - 84 Dennis Avenue
Permit #: 18 019227 000 00 RD**

Further to our conversation of Thursday June 7, 2018.

As you are aware, we picked up the aforementioned building permit for our residential building lot located at 84 Dennis Avenue, in London, on Thursday June 8, 2018 and when we did we were charged development costs/fees totalling \$30,435.00. We paid the required fees but we immediately informed staff that we would like to appeal the paying of these fees for the reasons that are noted on the attached letter that is addressed to both Development and Compliance and to the City of London Finance and Corporate Services Department.

After handing our appeal to staff within the building permit we had the opportunity to speak with Mr. Angelo DiCicco - Manager of Plans Examination, and advised him of same and provided him with a copy of the exact same information that we supplied to you (attached letter), which highlights our position and the rational for us not paying Development Charges/Fees.

Please be advised that we respectfully submit our appeal to complain to London City Council on the following grounds:

- (a) the amount of the development charge was incorrectly determined; and
- (b) there has been an error in the application of the development charge by-law. 1997, c.27, s. 20 (1).

Please be advised that Pat is away and out of town during the week of June 11th to 15th, but we will both be available anytime after next week to meet with staff, if they so desire.

Many thanks for your time and co-operation in this matter, it is very much appreciated.

Patrick & Janice Greenside

TO:	CHAIR AND MEMBERS CORPORATE SERVICES COMMITTEE
FROM:	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	DEVELOPMENT CHARGE COMPLAINT 84 DENNIS AVENUE MEETING HELD ON JULY 17, 2018

RECOMMENDATION

That, on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, the Development Charges complaint submitted by Janice and Patrick Greenside, owners of the property situated at 84 Dennis Avenue, **BE DISMISSED**.

BACKGROUND

A complaint letter from Janice and Patrick Greenside (Greensides), with respect to Development Charges paid for the erection of a new single detached dwelling (hereinafter referred to as 'complaint'), was received on June 7, 2018 and is included in Appendix 'A' of this report. Supporting documentation to the complaint letter was also submitted and is included in Appendix 'B'.

The aforementioned letter makes mention of various reasons as to why the imposed Development Charges should be waived. The following reasons have been listed:

1. Reference to a November 10, 1998 letter from their solicitor indicating that *"It would be nice to have Council agree that the amount of the charge for the connection to Southland should be nil in view of the fact that you are within the original service area for Southland"*.
2. During 1997, City staff provided a Development Charge amount for residential properties of \$5,821.00 *"more or less"*.
3. Reference to an August 1997 letter sent by the City of London's Water & Sewer Engineering Department with respect to *"servicing/development charges in the amount of \$23,000 per home"*.
4. The owners have paid surveying costs for the road frontage as well as curbing and the costs to *"...bring storm, sanitary and water services to our property line"*.
5. For the past 24 years property taxes were paid on the lot and no services were received from the City *"for the above levies"*.

Subsequent to the submission of the complaint letter, the Greensides contacted the City's clerk's office via email and indicated that the basis of their complaint was on the following grounds:

*"...(a) the amount of the development charge was incorrectly determined; and
(b) there has been an error in the application of the development charge by-law. 1997, c.27, s. 20
(1)..."*

Both are valid grounds of complaint as per s. 28 of the By-law. A copy of the email correspondence is provided in Appendix 'C'.

A building permit application was received on May 22, 2018 for the construction of a new single detached dwelling. The building permit was issued on June 7, 2018, at which time the assessed Development Charges of \$30,435.00 were paid.

ANALYSIS

On May 22, 2018 a building permit application was submitted for the construction of a new single detached dwelling at 84 Dennis Avenue. Staff assessed the amount of Development Charges due based on Development Charges By-law C.P.-1496-244 (DC By-law).

The property is situated inside the City's urban growth boundary and in accordance with the DC By-law, the DC amount for the construction of a new single detached dwelling is \$30,435.00.

Is the construction of a new single detached dwelling unit subject to payment of Development Charges?

Part II s.4 of the DC By-law requires the owner of a building that develops or redevelops the land to pay Development Charges.

"...4. Owner to Pay Development Charge

The owner of any land in the City of London who develops or redevelops the land or any building or structure thereon shall, at the time mentioned in section 6, pay Development Charges to the Corporation calculated in accordance with the applicable rate or rates in Section 1 as described in section 8."

The DC By-law further defines 'development' as:

"... the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of changing the size or usability thereof, and includes all enlargement of existing development which creates new dwelling units or additional non-residential space and includes work that requires a change of use building permit as per Section 10 of the Ontario Building Code; and "redevelopment" has a corresponding meaning;

The construction of a new single detached dwelling unit constitutes the creation of a new dwelling unit and thus is considered as development.

How was the Development Charge amount calculated?

The DC By-law provides Tables in Schedules 1-A through 1-F that depict either the amount due or the rate to be applied to the gross floor area of buildings.

The DC amount for new single and semi-detached dwelling units situated inside the urban growth boundary is as follows:

City Services charges: \$27,926.00
Urban works charges: \$ 2,509.00

Total DC amount: \$30,435.00

The full DC amount above was paid by the permit applicant just prior to building permit issuance.

The owners, at the time of building permit pick up, indicated that they have previously paid for certain services, prior to the building permit application date. There is no provision in the DC By-law to waive the DC charge based on the fact that costs for any infrastructure were previously paid by the owner.

Development Charges By-law C.P.-1496-244 and Grounds for Complaints

The DC By-law in PART IV, s.28 provides the following (depicted in italicized bold font below). Accordingly, staff's position is also provided under each sub-clause.

28. Grounds of Complaint

(a) the amount of the development charge was incorrectly determined;

Staff determined the DC amount due based on the provisions of the DC By-law for the construction of a new single detached dwelling. The DC amount for the construction of a new single detached dwelling, in accordance with the DC By-law is \$30,435.00 and was correctly determined.

(b) whether a credit is available to be used against the development charge, or the amount of the credit or the service with respect to which the credit was given, was incorrectly determined, or;

During the processing of the building permit application, there was no information made available with respect to whether any credit was available to be used towards the DC payment due and as such, staff determined that there is no credit available.

(c) there was an error in the application of this by-law.

While the complaint letter (Appendix 'A') does not indicate that an error was made in the application of the DC By-law, this is indicated in a subsequent email communication to the City's clerk's office (Appendix 'C'). It is staff's position that no error was made in the application of the current DC By-law.

Analysis of reasons provided to waive the DC amount as submitted in the complaint letter

Each of the reasons given to waive the DC charges is analyzed below:

- **Reference to a November 10, 1998 letter from their solicitor, indicating that "...It would be nice to have Council agree that the amount of the charge for the connection to Southland should be nil in view of the fact that you are within the original service area for Southland".**

This is a letter addressed to the Greensides from their solicitor summarizing an "in-camera audience" with the Planning Committee on November 9, 1998. The letter provides some direction in terms of strategy as to what is required to gain council's support. The last paragraph states:

"It would be nice to have Council agree that the amount of the charge for the connection to Southland should be nil in view of the fact that you are within the original service area for Southland".

This presumably refers to the fact that the property in question should not have been included in the discussions to expand the capacity of the Southland Sewage Treatment Plant and that the property should've been considered in the original service area for the plant.

The letter makes no reference to Development Charges and refers to "charge for the connection....". Presumably, the "connection" refers to the installation and connection charges for a sanitary sewer on Dennis Avenue.

There is no provision in PART V (Exemptions and Exceptions) of the DC By-law to waive DC charges based on the above reason.

- **During 1997, City staff provided a Development Charge amount for residential properties of \$5,821.00 "...more or less".**

This item pertains to the DCs due back in 1997. There is no provision in the current DC By-law to waive DC charges based on this reason. Presumably, it was listed for DC amount comparison purposes only.

- **Reference to an August 1997 letter sent by the City of London's Water & Sewer Engineering Department with respect to "...servicing/development charges in the amount of \$23,000 per home".**

The third reason refers to a letter sent out (Aug. 1, 1997) by the City's Water & Sewer Engineering Department with respect to a City initiated Class Environmental Assessment to explore the possibility of expanding the Southland Sewage Treatment Plant to serve approximately 220 homes from 180. The letter notes that the City is trying to determine the interest of existing residents in terms of purchasing "sanitary servicing". It further states that the average household costs were estimated to be \$23,500 per home.

Despite the complaint letter making reference to "servicing/development charges", the letter sent by the City makes no reference to Development Charges. During the processing of the building permit application and the issuance of the building permit, Building Division staff was not provided with any evidence that the sanitary sewer and treatment plant fees were indeed paid. Even if that were the case, there is no provision in the current DC By-law to waive the entire amount of DC charges for the construction of a new home.

- **The owners have paid surveying costs for the road frontage as well as curbing and the costs to "...bring storm, sanitary and water services to our property line".**

This fourth reason to waive the DCs refers to the fact that surveying costs for the road frontage as well as curbing and the costs to "...bring storm, sanitary and water services to our property line" were paid. The current DC By-law has no provision to waive DC charges solely based on the fact that the owners have paid for the infrastructure stated.

Building Division staff was not provided with any evidence of payment, nor documentation clarifying the type of sanitary, water and stormwater servicing work performed and paid for by the complainant.

A review of City data sources has provided the following regarding servicing on Dennis Avenue:

- the stormwater sewer (local) was installed in 1958;
- the watermain (local) was installed in 1961;
- the sanitary sewer (local) was installed in 1999.

Although the sanitary sewer is a relatively recent construction, the work was not completed through a Local Improvement assessed to all benefitting property owners. Several property owners of existing houses on Dennis Avenue subsequently paid frontage fees under the Sewer By-law to connect into the Municipal System.

It should be further noted that DCs do not fund local infrastructure; rather, DCs are applied to new development to pay for infrastructure with regional benefits (e.g., trunk sewers) and applicable treatment capacity (e.g., stormwater management facilities and wastewater treatment facilities). Based on all available information, prior to the payment of DCs for 84 Dennis Avenue, no funding had been provided to the City as a financial contribution to these growth costs.

- **For the past 24 years property taxes were paid on the lot and no services were received from the City for the above levies.**

The fifth reason listed refers to the fact that property taxes have been paid for the past 24 years with receipt of "no services at all from the city for these levies". The DC By-law makes

no mention of property tax payment and has no provisions to waive DC charges based on the fact that property taxes have been paid. Additionally, water and sewer costs are not funded through taxes, but rather separately through water and sewer rates. As the property has not been connected to the water and sewer system, the complainant has not been financially contributing to the water or sewer system.

Staff maintains that the DC amount was properly determined under the By-law in force and effect at the time of the building permit application submission, and therefore recommends dismissal of the complaint.

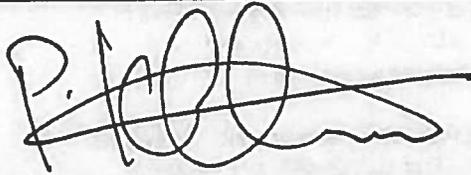
CONCLUSION

The letter submitted by Janice and Patrick Greenside provides five reasons why the entire DC amount charged on the construction of a new home at 84 Dennis Avenue should be waived. Staff has reviewed the reasons stated in the complaint letter and is of the opinion that the DC By-law was correctly administered and has correctly imposed the DC amount of \$30,435.00.

There is no provision in the current DC By-law that permits the waiving of the DC charges for the construction of a new single detached dwelling unit at 84 Dennis Avenue.

It is the Chief Building Official's opinion that the Development Charges were correctly determined and that the complaint filed by Janice and Patrick Greenside should be dismissed.

Staff wants to acknowledge the assistance provided by Aynsley Anderson, Solicitor II.

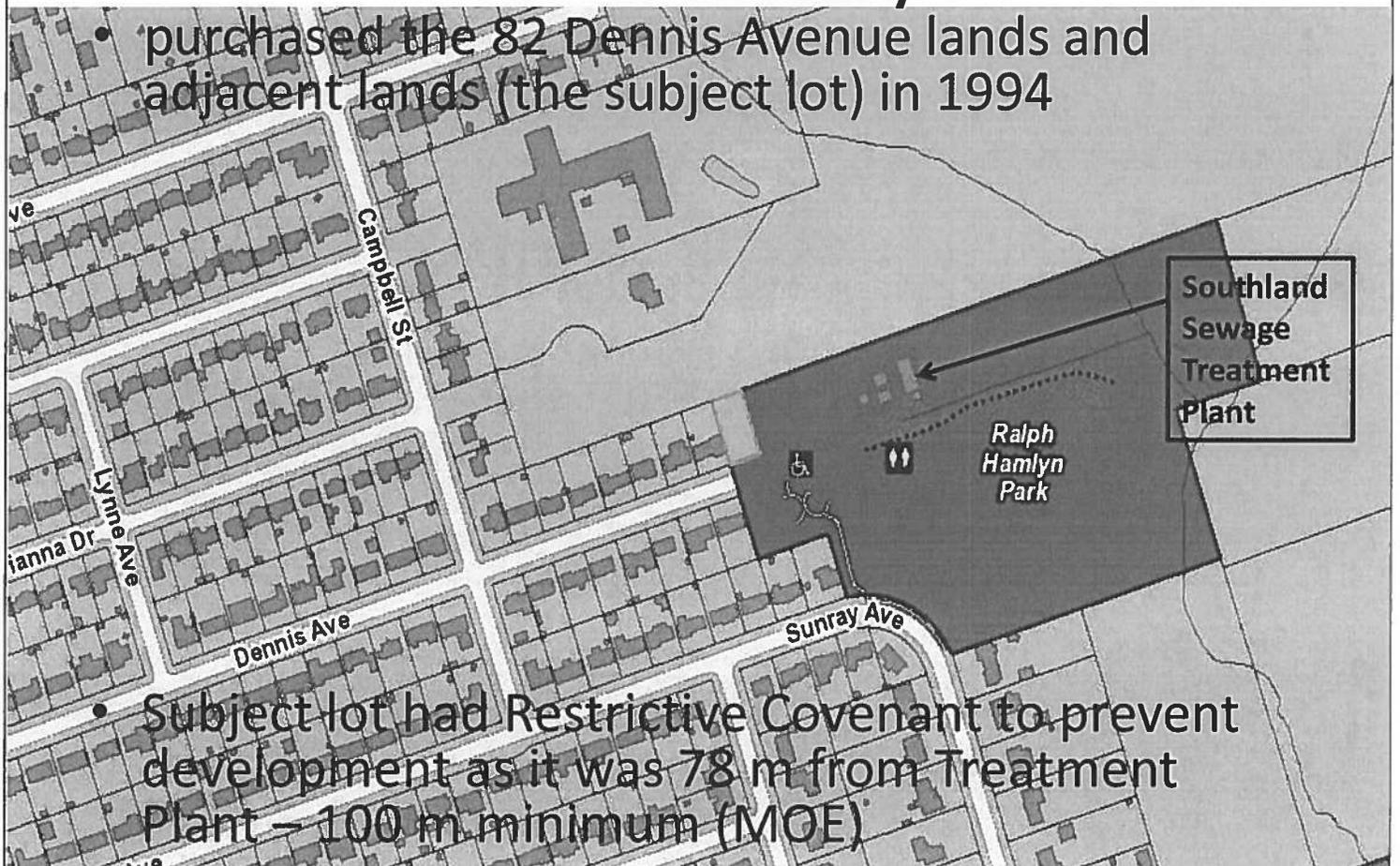
PREPARED BY:	RECOMMENDED BY:
	
P. KOKKOROS, P. ENG. DEPUTY CHIEF BUILDING OFFICIAL, DEVELOPMENT AND COMPLIANCE SERVICES	G. KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

PK:pk
c.c. Angelo DiCicco-Manager of Plans Examination
Aynsley Anderson, Solicitor II
Paul Yeoman-Director, Development Finance
Building File.

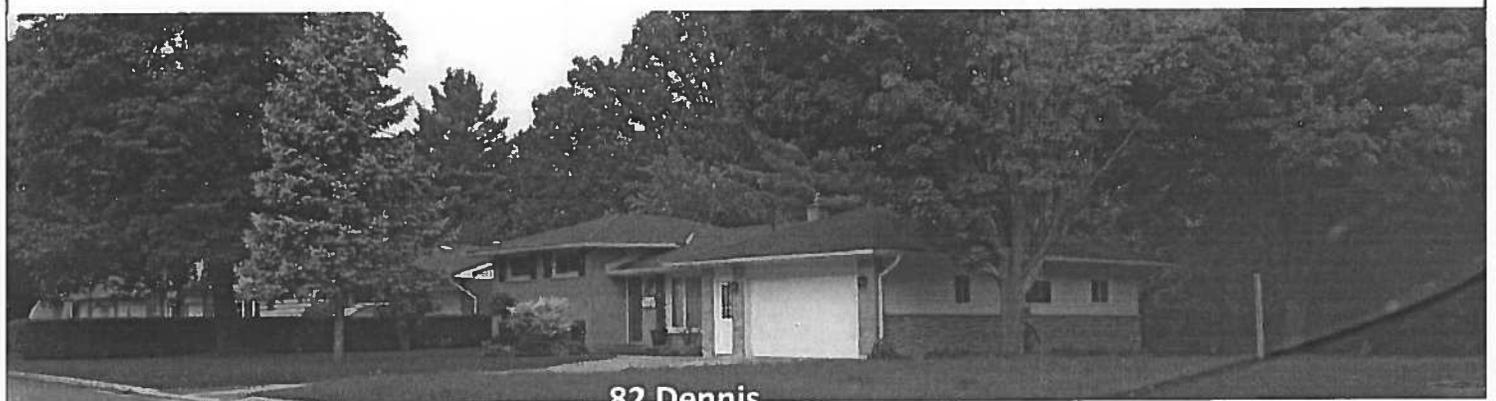
Patrick and Janice Greenside at 84 (was 82) Dennis Avenue, Lambeth

Corporate Services Committee
July 17, 2018

Short History



84 Dennis Avenue property



1994-1997

- Greensides were in pursuit of a Building permit for a single detached residence.
- Worked with MOE to resolve GUIDELINE of 100m separation distance.
- Retained lawyer to assist, whom proposed a servicing agreement and warning clause – all agreeable to MOE

THE CORPORATION OF THE CITY OF LONDON

R. A. P. O'Connell, O.C.
Commissioner of Legal Services
and City Solicitor

Jeff A. Malpass
City Clerk



Suite 208, City Hall
200 DuFur Avenue
P.O. Box 5035
London, ON M5A 4L9

Telephone: (519) 651-1620
Fax: (519) 681-4822

LEGAL SERVICES DEPARTMENT
OFFICE OF THE CITY CLERK

December 16, 1997

J. W. Jardine
Commissioner of Environmental Services & City Engineer

I hereby certify that the Municipal Council, at its session held on December 15, 1997 resolved:

21. That, notwithstanding the recommendation of the Commissioner of Environmental Services & City Engineer, the restrictive covenant on lands owned by Mr. P. Greenside at 82 Dennis Avenue adjacent to the Southland Sewage Treatment Plant **BE REMOVED**, subject to the following conditions:

- a servicing agreement be prepared and registered on title, at the owner's expense;
- an environmental warning be registered on title at the owner's expense to provide notice to subsequent purchasers of 82 Dennis Avenue that occasional sound and odour nuisances may occur, in a form satisfactory to the Commissioner of Legal Services & City Solicitor;
- a survey plan be prepared and registered on title, at the owner's expense;
- the construction of curb, gutter and asphalt to prevailing local standards along the frontage of the subject lands; and
- the payment by the owner of all applicable Development Charges and fees in effect at the time of any application for a building permit and the payment by the owner to the City of a proportional share of the cost of required upgrades to expand the Southland Sewage Treatment Plant as determined by the Commissioner of Environmental Services and City Engineer at the time of any application for a building permit. (59.3.1) (21/1/ETC) (AS AMENDED)

Jeff A. Malpass
City Clerk

Council Resolution of 1997

This Council Resolution of Dec. 1997 stated

21. That , notwithstanding the recommendation o f the Commissioner of Environmental Services & City Engineer, the restrictive covenant on lands owned by Mr. P. Greenside at 82 Dennis Avenue adjacent to the Southland Sewage Treatment Plant BE REMOVED, Subject to the following conditions: (5 conditions)

2 of the 5 Council conditions

- (a) a subdivision agreement be prepared and registered on title, at the owner's expense;
 - (b) an environmental warning be registered on title at the owner's expense to provide notice to subsequent purchasers of 82 Dennis Avenue that occasional sound and odour nuisances may occur, in a form satisfactory to the Commissioner of Legal Services & City Solicitor;
- Greensides complied but City Staff did not complete either of these conditions

3rd and 4th of 5 Council conditions

c) a survey plan be prepared and registered on title, at the owner's expense;

Completed by Greensides in 1998-2000

(d) the construction of curb, gutter and asphalt to pre vailing local standards along the frontage of the subject lands; and

Completed by Greensides in 1998-2000

5th of 5 Council conditions

(e) the payment by the owner of all applicable Development Charges and fees in effect at the time of any application for a building permit and the payment by the owner to the City of a proportional share of the cost of required upgrades to expand the Southland Sewage Treatment Plant as determined by the Commissioner of Environmental Services and City Engineer at the time of any application for a building permit. *Greensides were prepared to complete if building permit issued and would have owed \$5821 in 1998 or \$8111 in 2000.*

Greensides \$\$ costs for 2 conditions

- Surveying - \$3616
- Services and road works - \$3035
- Legal fees to work with the City to complete the first two conditions - \$20,000, but still were never completed.

Total costs \$26,651

... and still no building permit was issued.

Property taxes paid since 1994 to date = \$11,500

Conclusion

- The Greensides in good faith completed the 2 conditions and were prepared to pay the \$5821 or the \$8111 DC .
- Of the 5 conditions, 2 were the responsibility of the City Staff and were not completed which prevented the issuance of a building permit.
- Greensides “gave up” on the advice of lawyer.

Greensides wonder why 2 conditions were never completed???

- Development was permitted in other areas of the City within 100 m of Pottersburg STP.
- Development was permitted in other areas of the City and Warning Clauses were used.
- The separation distance guideline was provided by MOE and it had no objection to the issuance of a building permit if the Warning Clause was applied to the title.

2000 through to 2016

- Greensides monitored the situation and ultimately found that the Treatment Plan would become a Pumping Station
- No WARNING CLAUSE would be required.
- No subdivision agreement would be required.
- Therefore, the first two conditions were essentially irrelevant and need not be considered any longer.

2016 to present

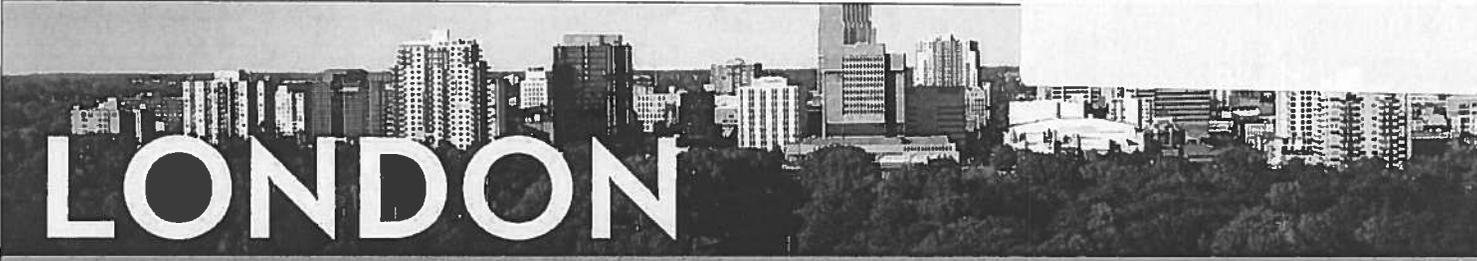
- Greensides have:
 1. made application for Site Plan Approval because it was considered infill development
 2. Prepared a Neighbourhood Character Study
 3. Prepared a Land Use Compatibility Report
 4. Arranged for the servicing connection with City staff
 5. Made application for a Building Permit and are building their family retirement home now.

Total costs =\$50,000

Current Greenside Position on DCs

- Prepared to pay the \$5821 amount which reflects the DC charge of 1998 when they completed their conditions....
- Willing to consider the 2000 rate at \$8111.

It being noted that \$50,000 approximately has already been spent as shown on previous slides and meeting the requirements of an infill SPA application.



LONDON

84 DENNIS AVENUE

Development Charges Complaint Corporate Services Committee Tribunal

July 17, 2018



LONDON

BACKGROUND

A building permit application was submitted for the construction of a new single detached dwelling on a vacant lot at 84 Dennis Avenue. The permit application was submitted on May 22, 2018 and the building permit was issued on June 7, 2018.

On June 7, 2018 at the time of permit pick up, Building Division staff were advised that the owner is 'protesting' the payment of Development Charges and provided supporting documentation. The owner has indicated that the Development Charge of \$30,435 is not warranted.

The current DC By-law (C.P. -1496-244) provides no exemption from DC payments for the construction of a new single detached dwelling and the DC charges were assessed in accordance with the provisions of the By-law.





LONDON

June 7, 2018- Received letter from Janice and Patrick Greenside providing five reasons why the DCs are not warranted:

1. Reference to a letter from their solicitor with an opinion related to Council's decision from 1997.
2. Reference to a 1997 Development Charge amount for a commercial property.
3. Reference to an August 1997 letter sent by the City of London's Water & Sewer Engineering Department.
4. The owners have paid costs for curbing, storm, sanitary and water services to the property line.
5. The fact that for the past 24 years property taxes were paid on the lot.



LONDON

DC By-law provides the following "Grounds of Complaint":

s.28

- (a) the amount of the development charge was incorrectly determined;*
- (b) whether a credit is available to be used against the development charge, or the amount of the credit or the service with respect to which the credit was given, was incorrectly determined, or;*
- (c) there was an error in the application of this by-law.*

While none of the reasons provided in the complaint letter make reference to the above-mentioned 'grounds of complaint', a subsequent email to the clerks' office stated that (a) and (c) are grounds of complaint.



LONDON

Are Development Charges payable?

4. "Owner to Pay Development Charge"

The owner of any land in the City of London who develops or redevelops the land or any building or structure thereon shall, at the time mentioned in section 6, pay Development Charges to the Corporation calculated in accordance with the applicable rate or rates in Schedule 1 as described in section 8.

In accordance with the DC By-law, "development":

"means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of changing the size or usability thereof, and includes all enlargement of existing development which creates new dwelling units or additional non-residential space and includes work that requires a change of use building permit as per Section C.1.3.1.4 of the Ontario Building Code ; and redevelopment has a corresponding meaning;"(emphasis added)



LONDON

How was the Development Charge amount determined?

The construction/erection of a new single detached dwelling is considered as development.

CITY OF LONDON DEVELOPMENT CHARGE RATES
Development Charges By-Law – C.P.-1496-244 (By-Law effective AUGUST 4TH, 2014)
RATES EFFECTIVE UNTIL DECEMBER 31, 2018¹

TOTAL CHARGES INSIDE URBAN GROWTH AREA

	Single & Semi Detached (per dwelling unit)	Multiples / Row Housing (per dwelling unit)	Apartments with < 2 bedrooms (per dwelling unit)	Apartments with > = 2 bedrooms (per dwelling unit)	Commercial (per square metre of gross floor area)	Institutional (per square metre of gross floor area)	Institutional with 50% Reduction ² on City Services Charge	Industrial ³ (per square meter of gross floor area)
1 City Services Charges ¹	\$27,926	\$20,934	\$12,990	\$17,531	\$242.66	\$140.08	\$70.04	\$179.30
2 Urban Works Charges	\$2,509	\$1,895	\$1,172	\$1,579	\$34.75	\$9.33	\$9.33	\$3.94
3 TOTAL	\$30,435	\$22,829	\$14,162	\$19,110	\$277.41	\$149.41	\$79.37	\$183.24

TOTAL CHARGES OUTSIDE URBAN GROWTH AREA

	Single & Semi Detached (per dwelling unit)	Multiples / Row Housing (per dwelling unit)	Apartments with < 2 bedrooms (per dwelling unit)	Apartments with > = 2 bedrooms (per dwelling unit)	Commercial (per square metre of gross floor area)	Institutional (per square metre of gross floor area)	Institutional with 50% Reduction ² on City Services Charge	Industrial ³ (per square meter of gross floor area)
1 City Services Charges ¹	\$17,362	\$12,959	\$8,058	\$10,885	\$168.26	\$102.09	\$51.05	\$80.98
2 Urban Works Charges ¹	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
3 TOTAL	\$17,362	\$12,959	\$8,058	\$10,885	\$168.26	\$102.09	\$51.05	\$80.98

Notes:

¹ On Building Permits applied for after January 01, 2018, also, see a 10 of the DC Bylaw

² This rate applies only to: 1) Hospitals under the Public Hospitals Act, 2) Universities and Colleges under the Ministry of Colleges and Universities Act, 3) Lands, buildings or structures used or to be used for a place of worship or for the purposes of a cemetery or burial ground, 4) Other land used for not-for-profit purposes defined in and exempt from taxation under section 3 of the Assessment Act.

³ Industrial development charges are administered through the Industrial Lands Community Improvement Plan.





LONDON

DC By-law Exemptions/ Exceptions

The complaint letter indicates that the DCs imposed are not warranted.

Part V of the DC By-law provides for exemptions and exceptions.

35. City And School Boards Exempt

36. Certain Developments Exempt

- Dwelling unit additions to existing
- Parking structures
- Non-residential farm buildings
- Buildings for seasonal use only –no municipal infrastructure
- Temporary garden suites
- Air supported structures- not for profit only

37. Industrial Use Exemptions

38. Water Service Charges, Sewer Rates – provision for avoiding duplication of DC charges

39. Development Outside Urban Growth Area (CS only)

The construction of a new single detached dwelling is not exempt from the imposition of Development Charges.



LONDON

Analysis of reasons given in complaint letter

1. Reference to a letter from the owners' solicitor with an opinion related to Council's decision from 1997.

- Letter summarized an "*in-camera audience*" with the Planning Committee on November 9, 1998.
- Provided direction - strategy to gain council's support.
- Refers to connection charge ; not to Development Charges

There is no provision in PART V (Exemptions and Exceptions) of the DC By-law to waive DC charges based on the above reason.





LONDON

2. Reference to a 1997 Development Charge amount for a commercial property.

- This reason refers to DCs charged in 1997, under a different DC By-law.
 - DCs charged to a commercial building and the residential DCs applicable at the time.
-
- There is no provision in the current DC By-law to waive DC charges based on this reason.

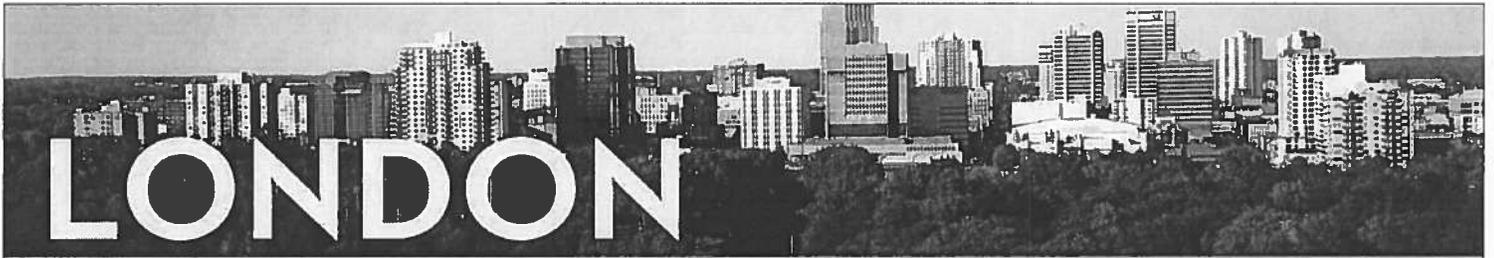


LONDON

3. Reference to an August '97 letter sent by the CoL's Water & Sewer Engineering Dept.

- City initiated Class Environmental Assessment to explore the possibility of expanding the Southland Sewage Treatment Plant
 - Interest of existing residents in terms of purchasing "sanitary servicing".
 - Costs quoted were not related to Development Charges.
-
- There is no provision in the current DC By-law to waive DC charges based on this reason.





4. Owners state costs paid for curbing, storm, sanitary and water services to the property line.

- Evidence not produced with submission of complaint letter.
- Existing infrastructure along Dennis Avenue:
 - Water - 1961
 - Storm sewer – 1958
 - Sanitary sewer - 1999
- Lateral piping placement costs vs Development Charge payment.

- There is no provision in the current DC By-law to waive DC charges based on this reason.



5. Property taxes paid on the lot over the past 24 years.

- Water and sewer costs not funded through taxes - but rather separately through water and sewer rates.
- The (vacant) property has not been connected to the water and sewer system.
- No financial contribution to the water or sewer system.

- There is no provision in the current DC By-law to waive DC charges based on this reason.





LONDON

CONCLUSIONS

- The construction of a new single detached dwelling is considered as 'development'.
- The DC amount of \$30,435 was correctly determined and payable at time of building permit issuance.
- Considering the grounds of complaint per s.28 of the DC By-law, staff opines that:
 - (a) the amount of development charge was not incorrectly determined, and
 - (b) there was no error made in the application of the By-law

Staff respectfully requests the complaint be DISMISSED.



The Corporation of the City of London



EXHIBIT '6'

September 21, 2000

Patrick and Janice Greenside
82 Dennis Avenue
London On N6P 1B5

Dear Mr. and Mrs. Greenside:

I am in receipt of your package and your request to have the subdivision agreement prepared and registered. I also acknowledge that you have attached a cheque to the Corporation of the City of London for this reason.

These issues of registration are not handled by Members of City Council and therefore, I will be forwarding the entire package to Mr. John Jardine, Commissioner of Environmental Services & City Engineer.

Sincerely

Anne Marie DeCicco
Deputy Mayor

c.c. John Jardine, Commissioner of Environmental Services & City Engineer

EXHIBIT '7'

September 18, 2000

The Corporation of the City of London
300 Dufferin Avenue
London, Ontario
N6B 1Z2

Attention: Anne Marie DeCicco - Controller

Dear Anne Marie:

**Re: 82 Dennis Avenue
London, Ontario**

First of all we would like to take this opportunity to thank you for you for acting so promptly in getting city staff to act on our request to install sanitary servicing for the vacant residential lot which we own next to our existing residence in Lambeth. Although it cost us an additional \$500.00 - \$700.00 to have this service installed, after the City's Engineering staff ordered its removed from the contract drawings at the 11th hour, this service has now been constructed to the property line. Likewise, storm and water servicing were installed as well.

The December 15, 1997 Council Resolution calls for us to pay for the installation of curb, gutter and asphalt along the frontage of our vacant lot and we have fulfilled this condition as well (see attached photos). With the physical extension of the Dennis Avenue road allowance now complete we now have a fully serviced lot that has 70 feet of frontage on a newly paved road and it is zoned and designated "residential". We have a building plan chosen for our lot and we and our builder are anxious to commence construction. Furthermore, we have a family that is interested in purchasing our current residence.

However, before we can proceed with the construction of our new home we need to iron out three outstanding conditions. Those being:

- (a) the preparation and registration of a survey plan for the lands to be dedicated as public highway (Re: extension of Dennis Avenue by By-Law),
- (b) arrange for payment of our proportional share of the costs required to upgrade/expand the Southland STP, and
- (c) registration of a warning clause on the title of our property.

In regards to the preparation and registration of the survey plan, for those lands to be dedicated as public highway (Dennis Avenue extension), we have retained the services of Archibald, Gray & Mc Kay (Mr. Drew Annable) to carry out the required surveying. We have directed them to commence this work at their earliest convenience.

According to the attached letter from Mr. J.V. Lucas, Manager Water & Sewer Engineering (Exhibit A), the estimated cost to upgrade the treatment plant is \$10,000.00 per household. He has advised that this cost is usually recovered as a lump sum or in 10 annual installments including interest. Our preference is to take advantage of the annual installment option. In light of this, we enclosed a cheque in the amount of \$1,000.00 to cover the cost of our first installment.

Lastly, there is the issue of the warning clause on the title to our lot. Although we are of the opinion that this requirement is excessive, in light of the fact that the future of the Southland Plant is well publicized - it will eventually be demolished, we are still willing to co-operate and support this requirement.

As you may not be aware, the EA for the expansion of the Southland Plant stated, and I quote:

"Any work or expansion to the Southland facility is to be considered as temporary, until such time as the "Southside" facility is constructed" (see Exhibit B).

The city was the proponent of this plant expansion and one could easily conclude that if this statement was not factual then we, our neighbours, and the rest of the residents of Lambeth were misled by this statement during the Southland EA process. It should also be noted that at most of the Public Information Centres for this plant expansion, the consultant (MM Dillon) often made reference to this fact and continued to rely on it, especially when things got heated or out of hand.

Furthermore, if the proposed expansion of this Plant was meant to be anything but temporary in nature then the City's letter of November 15, 1997 to all of the property owners within the service area of the Southland Plant (Exhibit A), and the statements/facts which the City relied upon in its letter to Mr. V. E. Danyla, from the Ministry of the Environment (Exhibit C), to support the proposed plant expansion, could be construed as a fabrication of the truth and/or misleading as well?

In our opinion, the facts and information contained in the Environmental Study Report for the Southland Sewage Treatment Plant expansion speak for themselves. The proposed expansion of this plant is only a temporary measure. However, if one still doubts this then surely the facts and statements contained in the Southland PCP Upgrade and Expansion Report (Exhibit D - dated January 1999), the Final Environmental Study report for the new Southside Plant (Exhibit E), the London Development Institute report (Exhibit F) and the peer reviewed carried out by J.V. Morris (Exhibit F - dated March 2000),

as part of the Southside EA should put any of these doubts/concerns to rest. The bottom line is the expanded Southland Plant will eventually be demolished and/or decommissioned, once an alternative servicing method for the south end of the city has been identified.

As mentioned, although we believe that the requirement for an additional warning clause on the title to our vacant lot is excessive, we recognize and appreciate the city's concern relative to "temporary" liability, and that is why we have always been supportive of the idea/requirement of putting an additional warning clause/agreement on the title to our property (at least until such time as the Southland Plant is demolished).

Subclause (b) of the December 17, 1997 Council Resolution calls for the registration of an environmental warning on the title to the property that we wish to build on (at our expense). This requirement is intended to provide notice to subsequent purchasers of 82 Dennis Avenue that occasional sound/odour nuisances may occur. According to the council resolution this clause is to be prepared and included within a subdivision agreement, in a form satisfactory to the Commissioner of Legal Services & City Solicitor. Unfortunately the City Solicitor refuses to approve any subdivision agreement that contains a warning even though he accepts that these are permitted.

We have no control over the mannerism in which the required warning clause is placed on the title to our property (ie Subdivision Agreement, Site Plan, Development/Serviceing Agreement, Agreement of Purchase and Sale, etc...), however the council resolution requires a subdivision agreement, therefore that is the appropriate vehicle for the warning clause (see Barry Cards letter of June 9/98 - attached). The subdivision agreement is a product of staff requirements (not ours) and it has never been objected to by the legal services department (not surprising since it was modeled after a clause in a City of London site plan agreement) or the land registry office.

In light of the above requirement, the City has been offered a number of alternatives/options in which to indemnify themselves, if they truly feel that they are putting themselves at risk. These alternatives/options include, but are not limited to:

- The registration of a warning clause via a "Subdivision Agreement"
- The registration of a warning clause via a "Development Agreement"
- The registration of a warning clause via a "Serviceing Agreement"
- The registration of a warning clause within a "Site Plan Agreement"
- Even Section 118 of the Planning Act also allows the Chief Building Official of

the

Municipality to register a "Warning Clause" on the title to lands where owners have elected to build next to a sewage treatment plant.

So as you can see there are many mechanisms available to staff that will allow them to indemnify themselves in the interim, that is until the Southland Plant is eventually demolished. However despite the obvious, they continue to deny and/or refuse to use any of the registration vehicles available to them.

For the record, the proposed expansion of the Southland Plant by an area developer, was turned down by the Ministry of the Environment on a number of occasions. However, after the City stepped in as the proponent they asked the Ministry to reconsider its position on the proposed plant expansion on the basis that the plant expansion was only temporary in nature and that it would eventually be demolished. Of particular interest is the following statement that the city makes under cover of its November 28, 1994 letter to Mr. Vic Danyla of the Ministry (Exhibit C), and I quote:

“The recently completed Sewage Servicing Study for the City of London recommended that a new treatment facility be constructed in the south end of the City. As part of this long-term plan, **the Southland Treatment Plant will be demolished. Until this happens, there is no justification to deny future growth within the newly adopted city limits if it is feasible to provide temporary sewage servicing**”

In light of the above statement, it is also our opinion that there is **no justification** for the City to deny us the opportunity to build a new home for our children, especially when it is feasible to provide them with temporary indemnification. They just have to choose which acceptable means of registration best fits their needs.

As you can see from the enclosed pictures we now have a fully serviced lot that fronts on a freshly paved road. Our lot is zoned and designated residential and we would like to proceed with the building of our new home. The survey for the road dedication will be available shortly and we have the cheque made out to cover our first installment for the plant expansion. Apart from this the only hurdle to overcome is warning clause.

Although we have continued to question the need for the required warning clause, we have continued to support the City's requirement for same. In the same token, we are sure that it is quite evident by now that we have demonstrated that the city does have the capability of registering the required warning clause in many different fashions. However, in order for us to move ahead on this matter the City's legal services department must be directed to choose a registration vehicle that best suits their needs.

In order to further support our case, we have taken the liberty of providing the Registrar, at the Land Registry Office in London, with a copy of the draft subdivision agreement which the city had prepared (as per the December 17, 1997 Council Resolution) in order to ascertain his position relative to its registration

On Friday September 15, 2000 the Registrar (Mr. Murray Smith) called us and advised that the subdivision agreement, which contains the Environmental Warning Clause that the City requires, can indeed be registered. We have enclosed a copy of the Subdivision agreement for your perusal and reference. He has also advised us that although they are not proponents of these types of registrations, these types of warnings regularly appear in site plans, development agreements, and in numerous subdivision agreements. He also noted that most of these types of registrations are made at the request of the City?

In order to fulfill councils will, and have the required warning clause registered, we will require your assistance in getting staff to do their part. Would you kindly use the appropriate channels necessary to have staff execute and complete the Subdivision Agreement that they have prepared so that we can have it registered. Should they not want to proceed in this manner, would you kindly have staff indicate which available registration vehicle (Site Plan Agreement, Development Agreement, etc...) best suits their needs. Lastly, if staff is still adamant about denying us a building permit then would you kindly direct them to issue a "Property Request" identifying the need to acquire our property (for public purposes) and we would be more than pleased to have the property appraised and enter into meaningful negotiations with the city in order that they can acquire the property in question and protect their interest/concerns relative to liability.

Your co-operation and assistance is greatly appreciated.

Sincerely,

Patrick & Janice Greenidge

cc: Concerned Citizens of Lambeth & Area
Attention: Mr. Jeff Paul - President

Mr. Steve Peters - M.P.P. (Elgin Middlesex)
Councillor Ben Veal
Councillor Susan Eagle
Controller Orlando Zamprova

Civic Works Committee

Report

11th Meeting of the Civic Works Committee
July 17, 2018

PRESENT: Councillors V. Ridley, T. Park, P. Hubert, P. Squire
ABSENT: H. Usher, Mayor M. Brown
ALSO PRESENT: Councillors J. Helmer, J. Morgan, M. Salih , S. Turner and M. van Holst, S. Chambers, J. Davies, M. Elmadhoon, G. Gauld, S. Maguire, S. Mathers, M. Ribera, A. Rozentals, K. Scherr, P. Shack, J. Stanford, B. Westlake-Power, J. Yanchula and P. Yeoman

The meeting was called to order at 4:00 PM.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. Consent

Moved by: P. Hubert
Seconded by: T. Park

Approve items 2.1 to 2.9

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

2.1 5th Report of the Transportation Advisory Committee

Moved by: P. Hubert
Seconded by: T. Park

That it BE NOTED that the 5th Report of the Transportation Advisory Committee, from its meeting held on June 26, 2018, was received.

Motion Passed

2.2 4th Report of the Rapid Transit Implementation Working Group

Moved by: P. Hubert
Seconded by: T. Park

That it BE NOTED that the 4th Report of the Rapid Transit Implementation Working Group, from its meeting held on July 5, 2018, was received.

Motion Passed

2.3 Strategic Plan Progress Variance Report

Moved by: P. Hubert
Seconded by: T. Park

That, on the recommendation of the City Manager, with the concurrence of the Managing Director of Environmental and Engineering Services and City Engineer, the report dated July 17, 2018, with respect to this matter BE RECEIVED. (2018-C08)

Motion Passed

2.4 Amendments to the Traffic and Parking By-law

Moved by: P. Hubert
Seconded by: T. Park

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the proposed by-law, as attached to the staff report dated July 17, 2018, as Appendix A BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 for the purpose of amending the Traffic and Parking By-law (PS-113) (2018-T08)

Motion Passed

2.5 Water and Erosion Control Infrastructure (WECl) Program: 2018 Provincially Approved Project Funding

Moved by: P. Hubert
Seconded by: T. Park

That, on the recommendation of the Managing Director Environmental & Engineering Services and City Engineer, the following actions be taken with respect to City of London's contribution to infrastructure funded through the Ministry of Natural Resources and Forestry's Water and Erosion Control Infrastructure capital cost share program:

a) the Upper Thames River Conservation Authority BE AUTHORIZED to carry out the following projects, in concert with the City, in the total amount of \$1,534,375.00, including contingency, excluding HST; noting the requirements of this provincial funding program are unique, in that only conservation authorities can apply, requiring 14.3.a) of the Procurement of Goods and Services Policy:

- i Dam Ice Safety Signs;
- ii Fanshawe Dam Hoist Licensing and Refurbishment;
- iii Fanshawe Dam Phase 5 Paint and Concrete Repairs;
- iv Fanshawe Dam Roof Replacement; and,
- v West London Dyke Phase 4A Reconstruction;

b) the financing for this work BE APPROVED as set out in the Sources of Financing Report as attached to the staff report dated July 17, 2018, and,

c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work.(2018-F11)

Motion Passed

2.6 Clean Water and Wastewater Fund Project Budget Amendments

Moved by: P. Hubert
Seconded by: T. Park

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer the staff report dated July 17, 2018, with respect to housekeeping budget adjustments for Clean Water and Wastewater Fund (CWWF) Phase One projects BE RECEIVED for information. (2018-F05A)

Motion Passed

2.7 Dingman Creek and Colonel Talbot Pumping Stations Budget Adjustments

Moved by: P. Hubert
Seconded by: T. Park

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to budget adjustments for the new Dingman Creek and Colonel Talbot Pumping Stations:

- a) budget adjustments to advance 2024 Development Charges (DC) funding from ES5263-Southwest Capacity Improvement and ES5264-Wonderland Pumping Station Upgrade BE APPROVED to fund construction of the new Dingman Creek (Wonderland) Pumping Station, in the total amount of \$19,006,387;
- b) a budget adjustment to increase 2018 DC funding for project ES5263-Southwest Capacity Improvement BE APPROVED in the total amount of \$5,000,000 to fund construction of the new Dingman Creek (Wonderland) Pumping Station; and,
- c) budget adjustments to reallocate surplus approved DC funding from ES5256-Exeter Road Trunk Sanitary Sewer, ES5260-Lambeth Southland Servicing Solution and ES2685-Greenway Expansion and Upgrade totalling \$4,100,000 BE APPROVED to fund construction of the Colonel Talbot Pumping Station;
- d) the financing for the projects BE APPROVED in accordance with the "Sources of Financing Report" as appended to the staff report dated July 17, 2018, with respect to this matter as Appendix "A" and Appendix "B".(2018-F05A)

Motion Passed

2.8 Adjust 3 Container Exemption Collection Periods and Changes to Collection Zones

Moved by: P. Hubert
Seconded by: T. Park

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken, with respect to 3 container exemption and changes to collection zones:

- a) the 3 Container Exemption Period that follows the three day Thanksgiving weekend in October BE MOVED to the week after the four day Easter weekend;and,
- b) the Civic Administration BE DIRECTED to report back with a proposed by-law to amend the Municipal Waste & Resource Materials Collection By-law (WM-12) to enact the above noted change. (2018-E07)

Motion Passed

- 2.9 Nortel Networks Limited and Nagata Auto Parts Canada Co., LTD. - Appeals to the Environment Review Tribunal Case No.s - 11-125/1-126

Moved by: P. Hubert
Seconded by: T. Park

That, on the recommendation of Corporation Counsel, the staff report dated July 17, 2018, with respect to the conclusion of the appeals by Nortel Networks Limited and Nagata Auto Parts Canada Co., Ltd., to the Environmental Review Tribunal from an Order of the Director, Ministry of the Environment, Order No. 3250-8J4J3G, dated July 2011 (the "Director's Order"), BE RECEIVED. (2018-L01)

Motion Passed

3. Scheduled Items

- 3.1 60% Waste Diversion Action Plan

Moved by: T. Park
Seconded by: P. Squire

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken:

- a) the action plan included in the staff report dated July 17, 2018, containing programs and initiatives to be phased in between 2019 and 2022 to achieve 60% waste diversion BE APPROVED for public comment;
- b) the 60% Waste Diversion Action Plan BE RELEASED for review and comment by the general public and stakeholders from July 25, 2017 to September 10, 2018, noting that minor changes/revisions to the report may be made prior to release to improve readability and/or layout of the report;
- c) the Civic Administration BE DIRECTED to consider the feedback from the consultation noted in part b), above, and submit a report to the Civic Works Committee on September 25, 2018; and,

d) that a public participation meeting on the 60% Waste Diversion Action Plan BE HELD at the September 25, 2018 meeting of the Civic Works Committee; it being noted that the Civic Works Committee received the attached presentation, from J. Stanford, Director, Environmental, Fleet & Solid Waste . (2018-E07)

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

4. Items for Direction

4.1 King Street Bike Lanes - Public Submissions

(2018-T04)

Moved by: T. Park

Seconded by: P. Hubert

That, the following actions be taken with respect to the cycle tracks located on King Street between Ridout Street and Colborne Street and the new north-south cycle track:

a) the Managing Director, Environmental and Engineering Services and City Engineer BE DIRECTED to report back to the Civic Works Committee by no later than September 2018 with recommended options and associated costs, that Municipal Council may consider for implementation, that would result in enhanced safety for cyclists using the bike lane on King Street between Ridout Street and Colborne Street, and the new north-south cycle track with possible options that may include, but not be limited to, reduced parking on the south side of King Street, the installation of barriers, such as planters, to create a protected bike lane and appropriate signage; it being noted that there are physical constraints in this area, with frequent public transit stops located along this route;

b) the Managing Director, Environmental and Engineering Services and City Engineer BE DIRECTED to consult with the London Transit Commission, the Downtown Business Improvement Association and the City of London Cycling Advisory Committee to seek input with respect to possible interim options to address the concerns raised by members of the public;

c) the Managing Director, Environmental and Engineering Services and City Engineer BE DIRECTED to enhance communication efforts to improve drivers awareness of cyclists using King Street the need to ensure the safety of all road users; and,

d) the London Police Service BE REQUESTED to increase their enforcement in this area location, with a focus on driver behaviours that may adversely impact the safety of cyclists;

it being noted that the Civic Works Committee received the following communications with respect to this matter:

a communication from A. Hunniford, by email;

a communication from B. Cowie, by email;

a communication from D. Vanden Boomen, by email;

a communication from Dr. M. Prado, by email;

a communication from J. Cameron, by email;
a communication from J. Fisher, by email;
a communication from S. Climans, by email;
a communication from B. Groot, by email;
a communication from K. Walmsley, by email;
a communication from C. Groot, by email;
a communication from C. McCreery, by email

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

4.2 Request for Delegation - D. Davis, Filthy Rebena Vintage

Moved by: P. Squire

Seconded by: P. Hubert

That the delegation from D. Davis, with respect to concerns related to the current construction situation at her business location, BE RECEIVED; it being noted that J. Yanchula and K. Scherr advised the Civic Works Committee as to current actions being undertaken to assist with the issues raised.

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

Voting Record:

Moved by: T. Park

Seconded by: P. Squire

That D. Davis BE GRANTED delegation status, with respect to the Dundas Street Construction.

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

4.3 7th Report of the Cycling Advisory Committee

Moved by: P. Hubert

Seconded by: T. Park

That the following actions be taken with respect to the 7th Report of the Cycling Advisory Committee, from its meeting held on June 20, 2018:

a) the attached 2018 Work Plan for the Cycling Advisory Committee BE APPROVED; and

b) the remaining clauses, BE RECEIVED.

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

4.4 Presentation – Canadian Urban Transit Research and Innovation Consortium (CUTRIC)

Moved by: P. Hubert

Seconded by: P. Squire

That the City Clerk BE DIRECTED to make the necessary arrangements to invite Dr. Josipa Petronic, Executive director and Chief Executive Officer of the Canadian Urban Transit Research and Innovation Consortium as a delegate before the September 17, 2018 meeting of the Strategic Priorities and Policy Committee to present information provided at the July 5, 2018 meeting of the Rapid Transit Implementation Working Group;

it being noted that a communication was received from Mayor M. Brown and Councillor H. Usher, with respect to this matter. (2018-T10)

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

4.5 Traffic Light - South Carriage Road and Hyde Park Road

Moved by: P. Hubert

Seconded by: P. Squire

That staff BE DIRECTED to install traffic lights at South Carriage road and Hyde Park Road as soon as possible and identify a source of funding for the installation;

it being noted that verbal presentations from D. Foster and D. Szpakowski were received, with respect to this matter.

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

Voting Record:

Moved by: P. Hubert

Seconded by: T. Park

That D. Foster and D. Szpakowski BE Granted delegation status with respect to the Traffic Light-South Carriage Road and Hyde Park Road.

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

- a. (ADDED) Request for Delegation - D. Foster, Red Light Movement Committee
- b. (ADDED) Request for Delegation Status - D. Szpakowski, General Manager, Hyde Park Buisness

4.6 Residential Damage - Storm Water Discharge

Moved by: V. Ridley
Seconded by: P. Hubert

That the following actions be taken with respect to storm sewer connections in residential areas:

- a) the Civic Administration BE DIRECTED to report back to the Civic Works Committee providing an update with respect to the voluntary pilot project currently underway on Guildwood Boulevard to extend residential sump pumps into the City of London storm sewer systems; and,
- b) the Civic Administration BE DIRECTED to report back a future meeting of the Civic Works committee with information pertaining to the feasibility of implementing a sump pump discharge mitigation pilot project utilizing low impact development technologies, for properties located on Mockingbird Crescent;

it being noted that Civic Works received a communication from Councillor V. Ridley, with respect to this matter. (2018-E09)

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: T. Park
Seconded by: P. Squire

That the Civic Works Committee Deferred List, as of July 9, 2018, BE RECEIVED.

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

5.2 (ADDED) 3rd Report of the Waste Management Working Group

Moved by: P. Hubert
Seconded by: T. Park

That it BE NOTED that the 3rd Report of the Waste Management Working Group, from its meeting on July 13, 2018, was received.

Yeas: (4): V. Ridley, T. Park, P. Hubert, and P. Squire

Absent: (2): H. Usher, and Mayor M. Brown

Motion Passed (4 to 0)

6. Adjournment

The meeting adjourned at 6:05PM.

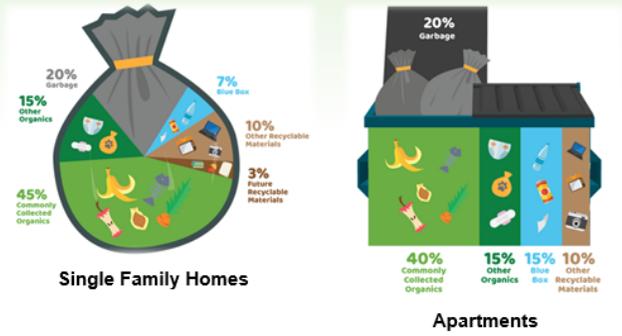
Presentation to Civic Works Committee

July 17, 2018

Environmental & Engineering Services

60% Waste Diversion Action Plan

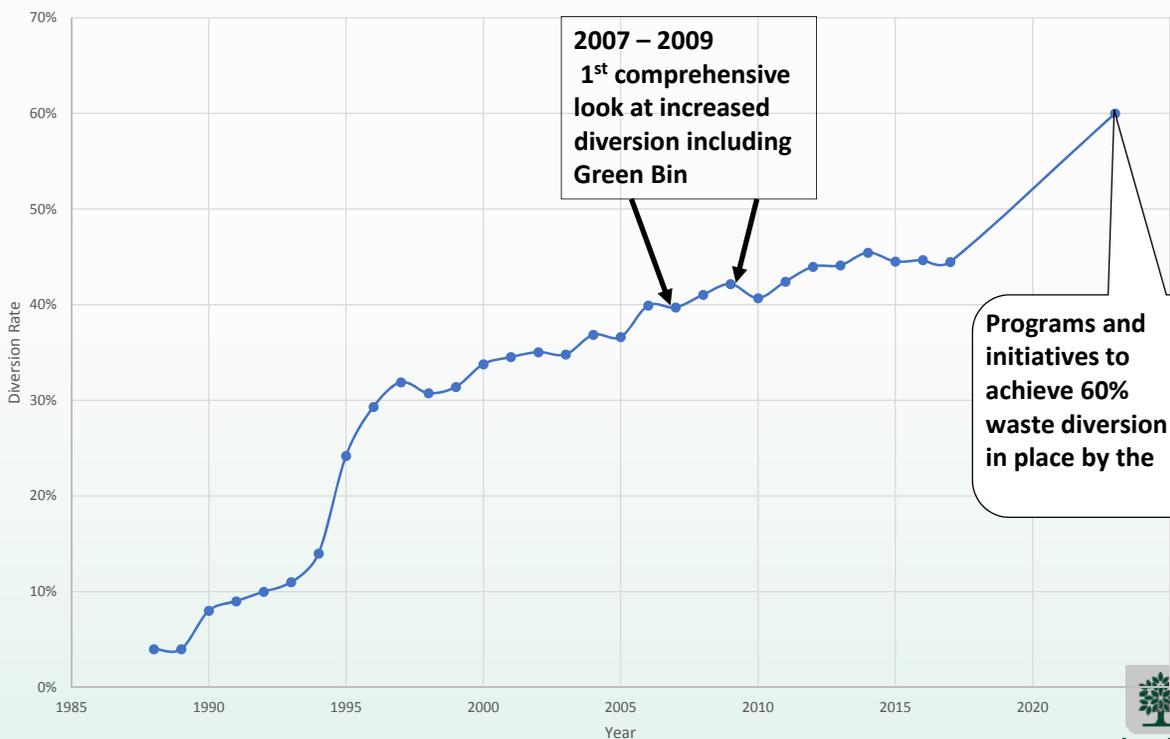
What's in the garbage?



Waste Management Working Group: July 13, 2018
 Civic Works Committee: July 17, 2018
 Municipal Council: July 24, 2018
 Community Engagement: July 25 – September 27, 2018



The Road to 60% Diversion





Council Direction(s)

October 30, 2017 Council direction:

“The W12A Landfill expansion be sized assuming the residential waste diversion rate is 60% by 2022 noting this does not prevent increasing London’s residential waste diversion rate above 60% between 2022 and 2050.”

July 13, 2018 Waste Management Working Group:

*The action plan to achieve 60% waste diversion by 2022
BE SUPPORTED IN PRINCIPLE; and,*

*The release of the report for review and comment by the
general public and other stakeholders BE SUPPORTED . .*



Council Direction(s)

Strategic Plan for the City of London (2015-2019):

Increase efforts on more resource recovery, long-term disposal capacity, and reducing community impacts of waste management.

The London Plan (December 28, 2016):

***Direction #4** Become one of the greenest cities in
Canada*

*#12 Minimize waste generation, maximize resource
recovery, and responsibly dispose of residual waste.*





Provincial Direction(s)



Many Targets (“must”)

- 70% reduction/recovery of food and organic waste from SF homes by 2025
- 50% reduction/recovery of food and organic waste generated at the building by 2025

60% waste diversion goal is a key London commitment as part of the Environmental Assessment for the W12A Landfill expansion

To mark our progress and keep on track, we have set three interim goals:



30%

diversion rate by 2020



50%

diversion rate by 2030



80%

diversion rate by 2050



How much waste and resources?

Single Family

129,900 tonnes
50% diverted



Multi-residential

29,400 tonnes
18% diverted



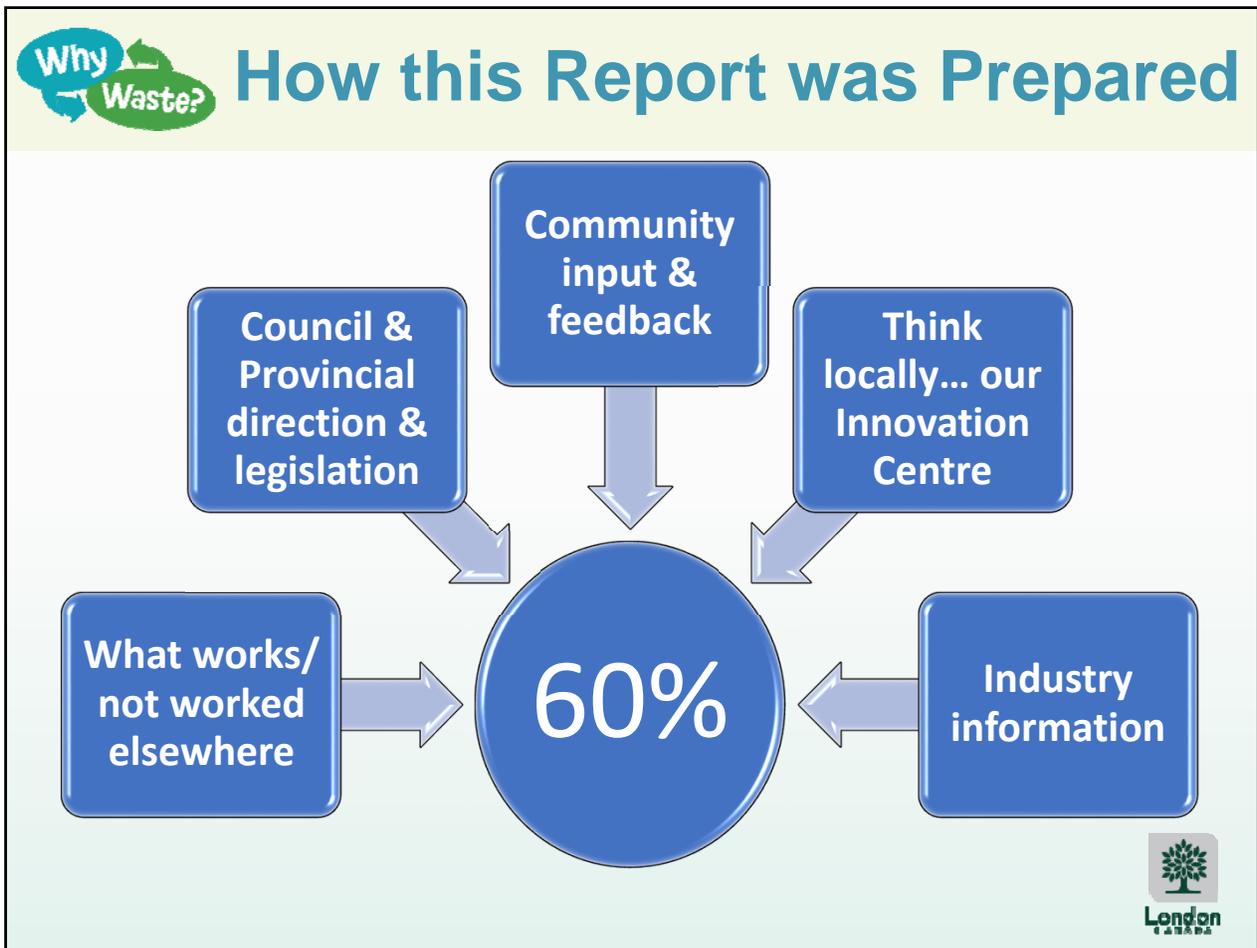
Industrial, Commercial & Institutional

~ 170,000 tonnes
~ 20% diverted

Construction, Renovation & Demolition

~ 120,000 tonnes
~ 50% diverted







Composition – *Did You Know!!*

Top 5 Diversion Opportunities	Estimated tonnes	% of Waste	Kg/hhld/year
1. Avoidable food waste	19,300	23%	107
2. Other organics	12,300	15%	68
3. Unavoidable food waste	10,100	12%	56
4. Pet waste	8,500	10%	47
5. Items for Blue Box/Cart	8,300	10%	46
Total	58,500	70%	324



Blue Box – Blue Carts

Why is this important?	<ul style="list-style-type: none"> • Provincial law - shifting to EPR is key • Industry will be funding
How many actions?	<ul style="list-style-type: none"> • None; Industry will be responsible • Council/City staff to continue to push
How much will it divert?	<ul style="list-style-type: none"> • 1% to 3% • 1,600 to 4,800 tonnes
What is the cost/hhld estimate?	<ul style="list-style-type: none"> • SAVINGS estimated at \$1.5 to \$1.8 million by 2022+ • SAVINGS \$8.00 to \$10.00 per year



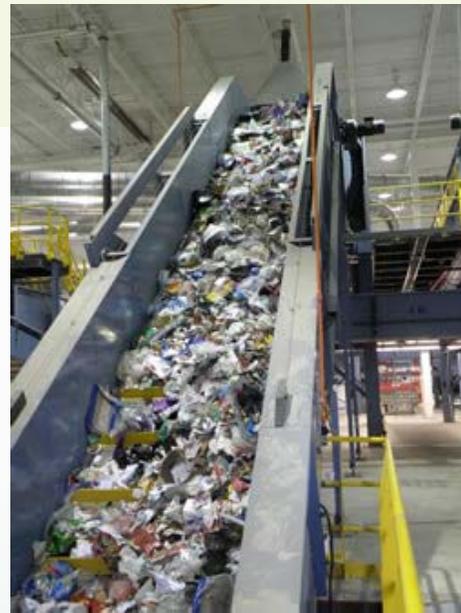
New (or Expanded) Recycling

Why is this important?	<ul style="list-style-type: none"> • Items are easy to identify/describe • Identified in provincial direction
How many actions?	<ul style="list-style-type: none"> • 7; some pilot projects • Support local jobs; potential for more • New business opportunities
How much will it divert?	<ul style="list-style-type: none"> • 0.4% to 0.8% • 640 to 1,280 tonnes
What is the cost/hhld estimate?	<ul style="list-style-type: none"> • Range \$2.00 to \$3.00 per year • Likely \$2.50



Curbside Organics

Why is this important?	<ul style="list-style-type: none"> • Largest portion of garbage (up to 60%) • Proven programs (that have improved) • Legislated
How many actions?	<ul style="list-style-type: none"> • 2 • Weekly Green Bin, recycling • Biweekly, same day garbage pickup
How much will it divert?	<ul style="list-style-type: none"> • 8% to 12% • 13,000 to 20,000 tonnes
What is the cost/hhld estimate?	<ul style="list-style-type: none"> • Range \$21.75 to \$30.50 per year • Likely \$28 (curbside home only \$40)



Mixed Waste Processing and Mechanical/Biological Treatment (MBT)



FOCUS - Green Bin vs Mixed Waste Processing

MWP Advantages

Environmental

- 25% to 80% more organics captured
- 25% to 80% more GHG reduction

Social

- More convenience
- No “Yuk” factor

MWP Disadvantages

Financial (Curbside Homes)

- Costs \$70 to \$115/hhld compared to \$30 to \$45/hhld for Green Bin

Technical

- Rules are evolving
- Uncertainty for product(s) quality





Multi-res Organics

Why is this important?	<ul style="list-style-type: none"> • Largest portion of the waste stream • Legislated
How many actions?	<ul style="list-style-type: none"> • 1 • Pilot project (15%) – mixed waste processing and composting/digestion • Follow progress of other communities
How much will it divert?	<ul style="list-style-type: none"> • 0.5% to 0.7% • 800 to 1,120 tonnes
What is the cost/hhld estimate?	<ul style="list-style-type: none"> • Range \$2.25 to \$4.00 per year • Likely \$2.75 (Multi-res unit only \$62.50)



Other Organics Programs

Why is this important?	<ul style="list-style-type: none"> • Food waste avoidance should be a priority • Lowers costs; community oriented
How many actions?	<ul style="list-style-type: none"> • 3 • Builds on 2 existing actions, BYC and community composting
How much will it divert?	<ul style="list-style-type: none"> • 0.3% to 0.6% • 480 to 960 tonnes
What is the cost/hhld estimate?	<ul style="list-style-type: none"> • Range \$1.50 to \$2.00 per year • Likely \$1.75



FOCUS – Food Waste Avoidance



Local Research (Western University), local Pilot Projects and experience in Canada, USA and Europe

- **Audits – confirmed up to 2/3rds avoidable food waste**
- **\$450 to \$600 per household (\$80 to \$100 million/year) in avoidable food**
- **10% reduced = \$8 to 10 million saved locally**



Reduction & Reuse

Why is this important?

- Lowers costs; community oriented
- Council policies, directions and by-laws set stage

How many actions?

- 7, includes community investment
- People are the driving force behind reduction and reuse

How much will it divert?

- 1% to 4%
- 1,600 to 6,400 tonnes

What is the cost/hhld estimate?

- Range \$0.50 to \$2.00 per year
- Likely \$1.50



Ipsos Survey June 2018

Parameters

- 301 respondents; Single family and a
- +/- 6.4%, 19 times out of 20



Findings

- waste diversion is somewhat or very important (93%) with 53% stating very important
- support food waste avoidance program (88%)
- support curbside/multi organics program (75%)
- prepared to deliver more to depots (65%)





Ipsos Survey June 2018

Willingness to pay more for increased waste diversion

\$0 per household per year	<div style="width: 24%; height: 15px; background-color: #008080; margin: 0 auto;"></div>	24%
\$1 to \$25 per household per year	<div style="width: 47%; height: 15px; background-color: #008080; margin: 0 auto;"></div>	47%
\$26 to \$50 per household per year	<div style="width: 18%; height: 15px; background-color: #008080; margin: 0 auto;"></div>	18%
\$51 to \$75 per household per year	<div style="width: 4%; height: 15px; background-color: #008080; margin: 0 auto;"></div>	4%
\$76 to \$100 per household per year	<div style="width: 7%; height: 15px; background-color: #008080; margin: 0 auto;"></div>	7%

76% willing to pay more



Benefits

Environmental

- increased waste diversion (33% more)
- reduced GHG gas emissions (equivalent of removing 4,200 to 6,800 cars)
- reduced landfill impacts (odour, traffic)
- better use of material and resources





Benefits

Social

- creation of jobs (between 125 and 170, direct & indirect)
- satisfaction/pride of community

Financial

- short-term landfill cost savings
- avoid long term waste export costs (\$5 to \$7 million/year)





Estimated Annual Costs

Program Category	Cost Range	Likely Cost
Blue Box/Cart Recycling	\$0	\$0
New Recycling Programs and Initiatives	\$350,000 - \$550,000	\$450,000 (\$2.50)
Curbside Organics Management Program	\$3,900,000 - \$5,500,000	\$5,000,000 (\$27.75)
Multi-Res Organics Pilot Program	\$400,000 - \$700,000	\$500,000 (\$2.75)
Other Organic Programs	\$250,000 - \$350,000	\$300,000 (\$1.75)
Waste Reduction, Reuse Initiatives and Policies	\$150,000 - \$350,000	\$250,000 (\$1.50)
Total	\$5,050,000 - \$7,450,000	\$6,500,000 (\$36.00)



Estimated Capital Costs

Program Category	Items	Estimated Cost
New Recycling Programs and Initiatives	• EnviroDepot Improvements	\$500,000 to \$2,700,000
Curbside Organics Management Program	• Green Bin Carts • Kitchen Catchers • Collection Vehicles	\$12,000,000
Other Organic Management Programs	• Community composting	\$100,000
Waste Reduction, Reuse Initiatives and Policies	• Reuse facilities	\$200,000
Total		\$12.5 - \$15 million

Why Waste? **Potential Funding Sources**

Source	Potential Amount	Possible Date	Who Controls	Level of Risk
Full EPR for Blue Box	\$1.5 M to \$1.8 M	2022 to 2025	Province	Low
Full EPR for Other Programs	\$50,000 to \$150,000	2023/2025	Province	High
W12A Landfill Levy	\$250,000 to \$1 M	2020/2022	City	Low
Total	\$1,800,000 - \$3,000,000 (\$2,000,000 likely)			

Why Waste? **Annual Cost Summary**

	Low	High	Likely (Anticipated)
Cost	\$5,050,000	\$7,450,000	\$6,500,000
Cost/hhld	\$28.00	\$41.50	\$36.00
Revenue	\$1,800,000	\$2,950,000	\$2,000,000
Revenue/hhld	\$10.00	\$16.50	\$11.00
Total Estimated Cost	Requires financing strategy as funding/revenues come later →		\$4,500,000
Total cost/hhld			\$25.00



Multi-year Budget Outlook

3 Year Investment	\$1,300,000	\$3,900,000	\$6,500,000
60% Multi-Year Budget	2020	2021	2022
Blue Box/Blue Cart Recycling	\$0	\$0	\$0
New Recycling Initiatives	\$150,000	\$300,000	\$0
Curbside Green Bin Program	\$200,000	\$2,200,000	\$2,600,000
Multi-Res Organics Pilot	\$500,000	\$0	\$0
Other Organics Programs	\$300,000	\$0	\$0
Reduction & Reuse Initiatives	\$150,000	\$100,000	\$0
Totals	\$1,300,000	\$2,600,000	\$2,600,000

Potential funding will lower these amounts



2016 Municipal Comparisons

- 49% - Ontario average waste diversion
- 66% Region of York (inc. Markham at 71%)
- 61% County of Simcoe
- 60% County of Dufferin
- 60% City of Kingston
- 50-59% - 16 communities

Source: Resource Productivity & Recovery Authority



Why Waste? **MBNC Cost Comparisons**

2016 Municipality	Cost per Household		
	Collection & Disposal	Diversion	Total
London (existing)	\$89	\$50	\$139
Hamilton (lowest Diversion & GB)	\$150	\$69	\$218
Niagara (Lowest with GB)	\$90	\$102	\$192
Average of 9 GB municipalities	\$127	\$100	\$227
London (60% - likely cost)	\$87	\$86	\$173
London (60% - high cost)	\$87	\$91	\$178

Why Waste? **Next Steps – 60%**

Next Steps	Comments	Timeline
CWC and Council "Approval in Principle"	<ul style="list-style-type: none"> CWC Meeting – July 17 Council - July 24 	July 2018
Seek Community Feedback on Action Plan	<ul style="list-style-type: none"> Interactive WhyWaste website Circulate to Stakeholder Groups Attend Gathering on the Green II Presentations to WMCLC and ACE Public Participation Meeting (Sept. 27) 	July to September, 2018
CWC and Council Approval	<ul style="list-style-type: none"> Implementation details and final cost estimates to be provided 	January/February, 2019

Cycling Advisory Committee Work Plan – 2018

Updated June 28, 2018 - Dave Mitchell

Activity	Background	Responsibility	Proposed Timeline	Proposed Budget	Cycling Master Plan Alignment	Link to Strategic Plan	Status
Assist the City in enhancing cycling connections throughout the City to the Provincial cycling network.	<ul style="list-style-type: none"> To be provided through Cycling Master Plan, EA input Explore potential of rail corridor to St Thomas Help define preferred route to attach to Trans Canada Trail in St Thomas 	CAC	2017-2018		<ul style="list-style-type: none"> Action #3 Identifying Touring Loop Routes 	<p>CITY BUILDING POLICIES</p> <p>Elevate London's Profile as a Regional Cultural Centre</p> <p>534 Advance the eco-tourism, agri-tourism, and cultural tourism opportunities available in the city and support linkages to surrounding regional cultural facilities.</p> <p>OUR STRATEGY</p> <p>60 Direction #6</p> <p>10. As opportunities arise, utilize rail corridors as mobility links for transit, cycling, and walking.</p>	Discussion with St. Thomas and Elgin county are currently on hold pending completion of a rail segment

Provide recommendations for better integration of the recreational and commuter cycling networks	<ul style="list-style-type: none"> To be provided through Cycling Master Plan, EA input. Participate in East/West cycle track analysis 	CAC	June-	<ul style="list-style-type: none"> Action #7 Identifying & Enhancing Local Cycling Hubs Action #8 Enhancing Bicycle Parking Action #9 Establishing Performance Measures Action #10 Designing & Implementing Crossings & Transitions 	<p>Our Strategy</p> <p>60 Direction #6 Place a new emphasis on Creating attractive mobility choices</p>	Consulting firm has been announced and information sessions to begin in June
Provide input to CoL Cycling web presence	<ul style="list-style-type: none"> City staff is creating a new web portal on the CoL website specific to cycling 	CAC	Stage 1 Mar-May Stage 2 TBD	<ul style="list-style-type: none"> Action #6 Creating a Cycling Specific Web Presence 		Analysis has been submitted - awaiting content launch and potential for promotion through CAC
Promote safe cycling through education and improved facilities and infrastructure	<ul style="list-style-type: none"> Need to support / initiate City, business and other 	CAC		<ul style="list-style-type: none"> Action #2 Establishing a Winter Cycling Network 	<p>Our Strategy</p> <p>60 Direction #7 Build strong, healthy and attractive</p>	Colborne street cycle track has been implemented - promotion and analysis

	<p>community partner initiatives relating to mapping, bicycle parking, cycling lanes, etc.</p> <ul style="list-style-type: none"> • Promotional outreach for cycling • Promotion of the Cycling Master Plan 				<ul style="list-style-type: none"> • Action #8 Enhancing Bicycle Parking • Action #9 Establishing Performance Measures 	<p>neighbourhoods for everyone</p> <p>6. Identify, create and promote cycling destinations in London and connect these destinations to neighbourhoods through a safe cycling network.</p>	<p>Kiwanis park bridge has been implemented - promotion required</p> <p>User friendly version of Cycling Master Plan is still pending</p> <p>Updated Cycling Map is in progress</p>
<p>Addressing Bicycle Theft</p>	<ul style="list-style-type: none"> • Promotion of best practices in bicycle security 		<p>CAC Bike security working group</p>		<ul style="list-style-type: none"> • Action #8 Enhancing Bicycle Parking 		
<p>Provide input and recommendations to Environmental Assessments relating to road and cycling infrastructure to assist in managing and upgrading transportation infrastructure.</p>	<ul style="list-style-type: none"> • EA's provide a primary opportunity to ensure cycling priorities are taken into consideration for new roadworks and 	<p>CAC</p>	<p>Ongoing</p>			<p>Our Strategy</p> <p>60</p> <p>Direction #7</p> <p>Build strong, healthy and attractive neighbourhoods for everyone</p> <p>6. Identify, create and promote cycling destinations in London and connect</p>	

	infrastructure projects.						these destinations to neighbourhoods through a safe cycling network.	
Educational Initiatives	<ul style="list-style-type: none"> Attend Share the Road conference 	Rebecca Henderson	April 20	\$200	<ul style="list-style-type: none"> Action #9 Establishing Performance Measures 		Report received	
Recognition Program	<ul style="list-style-type: none"> Dovetail into Mayor's annual recognition awards 	Cycling Award sub-committee					On hold until post election	
Assist in the annual London Celebrates Cycling event	<ul style="list-style-type: none"> Work with city staff and stakeholders to provide a signature event that promotes all components of cycling culture 	London Celebrates Cycling subcommittee	Mar-Jun		<ul style="list-style-type: none"> Action #5 Identifying & Implementing CAN-Bike Program Action #12 Establishing High-Profile Events Action #9 Establishing Performance Measures 	<p>CITY BUILDING POLICIES</p> <p>Support cultural and innovative programming to create a city that exudes innovation, vibrancy, creativity and entrepreneurialism</p> <p>535 - 539</p>	Completed - statistical analysis and follow-up to be completed	

<p>Safe cycling education and enforcement</p>	<ul style="list-style-type: none"> Multiple requests to council recommending non-child cycling on sidewalks indicating a need for a campaign 	<p>CAC</p>	<p>TBD</p>		<ul style="list-style-type: none"> Action #5 Identifying & Implementing CAN-Bike Program Action #11 Enhancing Enforcement 		
<p>Continue to identify / assess specific routes (to be mapped and signed) for key destinations and loops.</p>	<ul style="list-style-type: none"> Continue to support cycling infrastructure at the municipal, provincial and federal levels. Monitor implementation of initiatives identified in the cyclingmaster plan including potential stand-alone initiatives. 	<p>CAC</p>	<p>Ongoing</p>			<p>Strengthening Our Community – 5.1; Building a Sustainable City – 1.a, 2.a, 5.b</p>	

<p>Provide recommendations on operational requirements / improvements which will facilitate cycling</p>	<ul style="list-style-type: none"> Operational priorities (i.e. – street cleaning, snow plowing) need to be established and/or coordinated to ensure key cycling routes are maintained appropriately and that operational activities are not 'out of sync' (i.e. – cleaning streets before sidewalks, then putting all the sand from the sidewalks onto the street & cycling lanes that had just 	<p>CAC</p>	<p>Ongoing</p>			<p>Strengthening Our Community – 5.1; Building a Sustainable City – 1.a, 2.a, 5.b</p>	
---	---	------------	----------------	--	--	---	--

Bill No. 423
2018

By-law No. A.-_____

A by-law to confirm the proceedings of the Council Meeting held on the 24th day of July, 2018.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Every decision of the Municipal Council taken at the meeting at which this by-law is passed and every motion and resolution passed at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted, except where prior approval of the Ontario Municipal Board is required and where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
2. The Mayor and the proper civic employees of the City of London are hereby authorized and directed to execute and deliver all documents as are required to give effect to the decisions, motions and resolutions taken at the meeting at which this by-law is passed.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Bill No. 424
2018

By-law No. A.-_____

A by-law to authorize and approve grant funding agreement between The Corporation of the City of London (the "City") and the Federation of Canadian Municipalities' ("FCM") and to authorize the Mayor and the City Clerk to execute the grant funding agreement for the City of London Corporate Asset Management Plan and Policy Update.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS FCM is a national organization representing municipalities across Canada;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Government of Canada and FCM have established the Municipal Asset Management Program ("MAMP");

AND WHEREAS it is deemed expedient for the City to enter into a contract, grant funding agreement(s) with FCM and relating to MAMP;

AND WHEREAS it is appropriate to authorize the Mayor and the City Clerk to execute the contract, service agreement(s) or contract record on behalf of the City;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Grant Funding Agreement attached hereto as Schedule "1" between The Corporation of the City of London and the Federation of Canadian Municipalities, is hereby authorized and approved.
2. The Mayor and the City Clerk are hereby authorized to execute the Funding Agreement approved in section 1 of this by-law.
3. The Managing Director, Corporate Services and City Treasurer, Chief Financial Officer is delegated the authority to undertake all administrative, financial and reporting acts, including the "Request for Contribution" and "Letter of Attestation for Expense Claim" Reporting, that are necessary in connection with the Grant Funding Agreement approved in Section 1.
4. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Bill No. 425
2018

By-law No. A.-6151(__)-____

A by-law to amend By-law No. A.-6151-17, as amended, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” by deleting Attachment “B” to Schedule “A” – Sale and other Disposition of land Policy of the By-law and by replacing it with a new Attachment “B” to Schedule “A” to amend the current pricing for City-owned serviced industrial land in Innovation Park, Skyway Industrial Park, River Road Industrial Park, Cuddy Boulevard Parcels and Trafalgar Industrial Park.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 270(1) of the *Municipal Act, 2001* requires that a municipality adopt and maintain policies with respect to the sale and other disposition of land; hiring of employees; procurement of goods and services; circumstances in which the municipality shall provide notice to the public and, if notice is to be provided, the form, manner and times notice shall be given; the manner in which the municipality will try to ensure that it is accountable to the public for its actions and the manner in which the municipality will try to ensure that its actions are transparent to the public; and, the delegation of its powers and duties;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Attachment “B” to Appendix “A” of By-law No. A.-6151-17, as amended, is hereby deleted and replaced with a new attached Attachment “B” to Appendix “A”.

This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

ATTACHMENT “B”

The current pricing levels of all other City industrial parks be established effective October 1, 2018, as follows:

Pricing for serviced industrial land in Innovation Park, Skyway Industrial Park, River Road Industrial Park, and Cuddy Boulevard Parcels:

Lots up to 3.99 acres	\$80,000
4.00 acres and up	\$70,000

Pricing for serviced industrial land in Trafalgar Industrial Park:

All lots sizes	\$65,000
----------------	----------

Surcharges to be added as follows:

Highway 401 Exposure – 15%
Veteran’s Memorial Parkway Exposure – 5%; and

The cost of service connections from the main to the property line being the responsibility of the purchase.

Industrial lots are sold on a where is, as is basis, with grading, stripping and removal of excess topsoil being the purchaser’s responsibility and cost. The City will strive to provide grading of the municipal industrial parks on a level-graded basis. Site specific final grading is the responsibility of the purchaser.

Bill No. 426
2018

By-law No. A.-_____

A by-law to authorize and approve an Amending Agreement to the City User Agreement between The Corporation of the City of London and the YMCA of Western Ontario and to authorize the Mayor and the City Clerk to execute the Amending Agreement.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 10 of the *Municipal Act, 2001* provides that the City may provide any service or thing that the City considers necessary or desirable for the public, and may pass by-laws respecting same, and respecting economic, social and environmental well-being of the City, and the health, safety and well-being of persons;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Amending Agreement to the City User Agreement, attached as Schedule "A" to this by-law, between The Corporation of the City of London and the YMCA of Western Ontario is hereby authorized and approved.
2. The Mayor and the City Clerk are authorized to execute the Amending Agreement noted in part 1, above.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First reading – July 24, 2018
Second reading – July 24, 2018
Third reading – July 24, 2018

SCHEDULE "A"

AMENDING AGREEMENT

MEMORANDUM OF AGREEMENT

made as of the 24th day of July, 2018.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON (the "City")

-and-

YMCA OF WESTERN ONTARIO (the "YMCA")

WHEREAS the City and the YMCA entered into a joint venture agreement for the purpose of building and operating a multi-purpose community centre in the northeast area of London, (the "Facility");

AND WHEREAS as part of the Joint Venture the City and the YMCA entered into a City User Agreement to establish Programing Standards and to provide City Users with access to Programs delivered by the YMCA at the Facility;

AND WHEREAS the Parties have agreed to amend the City User Agreement;

NOW THEREFORE in consideration of the mutual covenants and agreements between the Parties, the Parties agree as follows:

1. The capitalized terms used in this Amending Agreement shall have the same meaning ascribed to them as in the City User Agreement.
2. The Parties agree to amend the City User Agreement as follows:
 - a) Paragraph 2.3 of the City User Agreement is hereby amended by changing the reference to "fifty percent (50%)" to read "thirty-five percent (35%)".
 - b) Paragraph 2.5 of the City User Agreement is hereby deleted in its entirety.
 - c) Paragraph 3.2 of the City User Agreement is hereby amended by changing the reference to "within thirty (30) days" to read "within six (6) months".
 - d) Schedule "A", together with all references to it in the City User Agreement are hereby deleted.
3. In all other respects, the Parties confirm the terms of the City User Agreement which, subject to the amendments contained herein remains in full force and effect and binding upon the parties and their respective successors and assigns.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date first written above.

THE CORPORATION OF THE CITY OF LONDON

Per: _____

Name: Matt Brown, Mayor

Per: _____

Name: Catharine Saunders, City Clerk

YMCA OF WESTERN ONTARIO

Per: _____

Name: Andrew Lockie, Chief Executive Officer

By-law No. A.-_____

A by-law to approve and adopt a standard form Licence Agreement for the use of recreation spaces and assets; and to authorize the Managing Director, Parks and Recreation or the Managing Director Neighbourhood, Children and Fire Services, or their written designate, to insert information and execute Licence Agreements not exceeding \$10,000, for the use of recreation spaces and assets, which employ this form and to repeal By-law No A.-6690-195 and any amendments thereto.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 10 of the *Municipal Act, 2001* provides that the City may provide any service or thing that the City considers necessary or desirable for the public, and may pass by-laws respecting same, and respecting economic, social and environmental well-being of the City, and the health, safety and well-being of persons;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The standard form Licence Agreement to be entered into between The Corporation of the City of London and individuals or incorporated organizations requesting to use a recreation space or asset in the care and control of the City of London, attached as Schedule "A" to this by-law, is approved and adopted as the standard form for all such Licence Agreements.
2. If the dollar value of the agreement does not exceed \$10,000, The Managing Director, Parks and Recreation, or Managing Director Neighbourhood, Children and Fire Services, or their written designate, is hereby authorized to:
 - (1) insert the following information into the standard form License Agreement approved in section 1 above:
 - (a) name of licensee;
 - (b) recreation space or asset;
 - (c) term of Agreement;
 - (d) fees, additional fees;
 - (d) licensee address; and
 - (2) execute the License Agreement approved under section 1 above.
3. By-law No. A.-6690-195 entitled "A by-law to approve and adopt the standard form for Office/Storage Space Licence Agreements and to authorize the Executive Director of Community Services, to execute contracts which employ this form", and its amendments, are hereby repealed.
4. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

SCHEDULE "A"

LICENCE AGREEMENT

THIS IS A STANDARD FORM AGREEMENT - TERMS CANNOT BE ALTERED WITHOUT THE APPROVAL OF MUNICIPAL COUNCIL

THIS AGREEMENT made in triplicate this ____ day of _____, 20__

BETWEEN

**The Corporation of the City of London
(hereinafter called the "City")**

and

(hereinafter called the "Licensee")

WHEREAS the City is the registered owner of property described as _____, located at Municipal Address: _____ ("Property") in the City of London;

AND WHEREAS the Licensee has requested permission to use certain portions of the Premises, described _____ and more particularly set out in Schedule "A", attached to this agreement ("Premises");

AND WHEREAS the City considers it in the interest of the municipality to provide support to the Licensee and its services and these services benefit the community;

NOW THEREFORE in consideration of the premises and other good and valuable consideration, the receipt of which is hereby acknowledged and admitted, the parties agree as follows:

1. Licence to Use:

The City grants to the Licensee the non-exclusive licence for use of the common facilities in the Premises, and license to use _____ in the Premises, for the sole purpose as set out in Schedule "A".

2. Term:

The term of this agreement shall commence on _____ and shall terminate on _____, or shall terminate on such earlier date as set out in this agreement or as determined by the City in its sole discretion.

3. Termination - By the City:

The City may terminate this agreement immediately without notice for any breach of the agreement or for any reason as determined by the City in its sole discretion. Such termination shall be without penalty.

4. Termination - By the Licensee:

The Licensee may terminate this agreement upon thirty days' written notice for any reason. Such termination shall be without penalty.

5. License Fee:

The Licensee shall pay the City _____ Dollars plus applicable taxes as a license fee payable in advance to the City Treasurer before the first day of the term of this agreement, and thereafter in advance on a monthly/annual basis. The fees will be reviewed annually and amended as reasonably determined by the City.

6. Additional Fees:

The Licensee additionally agrees to pay _____. (e.g utilities, cleaning charges.)

LICENSEE'S OBLIGATIONS

7. Responsible for Licensee's Group:

The Licensee shall be responsible for all members of the group affiliated with the Licensee and any person for whom the Licensee is at law responsible, including invitees ("Licensee's Group").

8. Abide by all Laws, By-laws, Rules, Regulations and Policies:

The Licensee shall abide by and obey all applicable laws, by-laws, rules, regulations and policies of the City, the Province of Ontario and the Government of Canada. The Licensee shall ensure that the Licensee's Group abides by and obeys all laws, by-laws, rules and regulations of the City, the Province of Ontario and the Government of Canada. The City may inspect the Premises at any time to ensure such compliance.

9. The Licensee shall ensure that:

- (i) the number of persons using the Premises does not exceed its approved capacity;
- (ii) no dangerous materials, including but not limited to flammable or explosive materials, are brought onto the Property or Premises;
- (iii) vehicles parked on the Property are located in designated parking areas only;
- (iv) there is no drinking of alcohol or open containers of alcohol on the Premises;
- (v) there is no smoking or use of tobacco or marijuana in any form in the Premises;
- (vi) there is no posting or displaying offensive or illegal material;
- (vii) there is no use of open flames;
- (viii) the Premises is used only for the use as defined in this agreement and particularly in Schedule "A"; and
- (ix) there is no inappropriate activity, as determined in the sole opinion of City staff.

10. Insurance:

(a) Throughout the term of this agreement, the Licensee shall obtain and maintain the insurance coverage shown below:

- (i) Third party general liability insurance covering all claims for property damage and bodily injury, including death, arising out of the use and occupation of the Premises by the Licensee. Such policy shall include the City as an additional insured with respect to this agreement and be in an amount not less than Five Million (\$5,000,000.00) Dollars including personal injury liability, broad form property damage liability, contractual liability, owners and contractors protective liability, non-owned automobile liability, contingent employer's liability, and shall contain a severability of interests clause and cross-liability clauses;
 - (ii) "All risks" property insurance (including earthquake, flood and collapse) in an amount equal to one hundred percent (100%) of the full replacement cost, insuring (1) all property owned by the Licensee, or for which the Licensee is legally liable, or installed by or on behalf of the Licensee, and located within the Building, including, but not limited to, fittings, installations, alterations, additions, partitions and all other Leasehold Improvements and (2) the Licensee inventory, furniture and movable equipment; such policy shall include a waiver of subrogation in favour of the City;
 - (iii) Business interruption insurance as the Licensee may deem appropriate.
 - (iv) Tenant's legal liability insurance covering the full replacement cost of the Premises, including loss of their use.
- (b) The Licensee shall not do, omit to do, or permit to be done or omitted to be done in or on the Premises anything that may increase premiums or void coverage under the property insurance policies carried by the Licensee or any other Tenant, Licensee or Landlord on the Premises described in this agreement.
- (c) The insurance described in (i), (ii) (iii) and (iv) above shall not be cancelled or permitted to lapse unless the City is notified in writing at least thirty (30) days prior to the date of the cancellation. The Licensee shall provide evidence of such insurance (Certificate of Insurance) delivered to the City promptly at inception of this agreement and thereafter prior to the insurance renewal date.
- (d) The City reserves the right to request such higher limits of insurance or other types of policies appropriate to this agreement as the City may reasonably require.

- (e) Failure to satisfactorily meet these conditions relating to insurance shall be deemed a breach of this agreement.

11. Indemnification:

The Licensee agrees to protect, defend, indemnify and save the City harmless from and against:

- (a) All liability, loss, claims, demands, actions, proceedings, fines or penalties, including any costs and expenses incurred by the City thereby, including reasonable legal fees, for loss, damage or injury, including death, to any person or persons and to any property arising in connection with this license as a result of any act or omission of the Licensee or the group represented by or affiliated with the Licensee or their members, officers, employees, agents or contractors, invitees, or other persons for whom the Licensee is at law responsible; and
- (b) Any claim or finding that any of the Licensee, the Licensee's employees or persons for whom the Licensee is at law responsible are employees of, or are in any employment relationship with, the City or are entitled to any Employment Benefits of any kind; and
- (c) Any liability on the part of the City, under the Income Tax Act (Canada) or any other statute (including, without limitation, any Employment Benefits statute), to make contributions, withhold or remit any monies or make any deductions from payments, or to pay any related interest or penalties, by virtue of any of the following being considered to be an employee of the City from Licensee: Licensee's employees or others for whom Licensee is at law responsible in connection with the licensing of the Premises or otherwise in connection with Licensee's operations.

12. Asbestos - Harmful Substances - No Alterations:

- (a) The Licensee acknowledges that the Premises and/or Property may contain asbestos or other toxic or harmful substances.
- (b) The Licensee and the Licensee's Group shall not make any alterations to the Property or Premises, without the prior written express approval of the Managing Director, Parks and Recreation of Managing Director, Neighbourhood, Children, and Fire Services, or delegate. Alterations that shall not be made without such approval include, but are not limited to, the following: drilling holes in any walls, floors or ceilings; inserting nails into any walls, floors or ceilings; making any structural changes; painting walls.
- (c) The Licensee shall advise any person utilizing the Premises of subsections (a) and (b) of this agreement.

13. Not Use if Unsafe - Report Unsafe Conditions:

The Licensee shall not use the Premises or Property if it is unsafe, and shall ensure that no person in the Licensee's Group shall use the Premises or Property if it is unsafe. The Licensee shall immediately report any unsafe conditions to the City.

14. Repair Costs:

The Licensee shall be responsible for any damage to the Premises or other City property as a result of any act or omission of the Licensee or the Licensee's Group and, in the event of such damage, to pay the City's costs of repairing the damage, plus an administration charge of twenty percent of damage, in such amount as is determined by the City. The minimum administration charge for damage is \$50.00.

15. Neat, Clean:

The Licensee shall maintain the appearance of the Premises in a neat, clean and well-kept manner. The Licensee shall ensure that no rubbish, refuse or objectionable material accumulates in or about the Premises. The Licensee shall place all refuse in garbage bags or receptacles. Where the City deems additional cleaning necessary, the Licensee shall pay to the City a Clean-up Charge in such reasonable amount as is determined by the City.

16. List of Current Officers/Directors:

The Licensee shall forthwith provide the City with a list of its current officers and directors for emergency and business contact purposes, and the Licensee shall forthwith provide updated lists whenever changes occur.

17. Orientation & Emergency Procedures Training:

The Licensee shall ensure that its staff, volunteers or members occupying space in the Premises are trained in emergency procedures and are oriented to the Premises by the City. The Licensee shall request the City to provide such training and orientation.

18. List of Equipment & Furnishings:

The Licensee shall provide the City with a list of equipment and furnishings the Licensee places in the Premises

19. Costs for Telephone:

The Licensee assumes all costs for telephone system enhancements, related installation costs, including computer linkages and monthly billing. Should the Licensee use the existing City telephone system, the Licensee shall pay proportionate fees and monthly charges, as determined by the City.

20. Keys:

Where the City provides the Licensee with keys for the Property and/or Premises ("City Keys"), the Licensee shall return the City Keys forthwith upon demand by the City. The Licensee shall forthwith provide the City with the names of any individuals who from time to time are in possession of the City Keys. The Licensee shall ensure that no duplicates of the City Keys are made. The Licensee shall ensure that only individuals for whom it is at law responsible have access to the City Keys. The Licensee shall notify the City forthwith of any lost City Keys, or if it becomes aware that duplicate keys have been made. Should the City be required to change any locks as a result of lost City Keys or duplicate City Keys being made,

the cost of same shall be borne by the Licensee. The Licensee is responsible to reimburse the City for the replacement of any lost City Keys.

The Licensee shall ensure that any individual associated with the Licensee who possesses a City key shall have had a building orientation with the City's Facilities Operations Staff prior to accessing the space.

The Licensee shall ensure all required procedures for opening and closing the space are adhered to.

21. Accepts Premises/Property in their Condition:

The Licensee accepts the Premises and Property in their condition as of the date of this agreement and shall not call upon the City to do or pay for any work or supply any equipment to make the Property or Premises more suitable for the proposed use by the Licensee.

22. No Assignment:

The Licensee shall not assign this agreement nor sublicense the Premises without the prior written consent of the City.

23. Licensee not Agent of City:

Nothing in this agreement shall entitle or enable the Licensee or any subcontractor to act on behalf of, or as agent for, or to assume or create any obligation on behalf of, or to make any representation, promise, and warranty or guarantee binding upon, or otherwise to bind the City. The Licensee and any subcontractor of the Licensee and the City is independent and not the agent, employee, partner or joint venture of any of the others.

GENERAL PROVISIONS

24. City Not Liable - Loss or Damage - Personal Property:

The City shall not be liable for any damage to or loss of any personal property belonging to the Licensee or Licensee's Group.

25. Premises Not Available - Property or Premises Closed – Emergency:

Notwithstanding the use granted by this license, the Property and Premises shall not be available on days during which the Property or Premises have been closed by the City because of inclement weather or any other reason, or if there is an emergency requiring the use of the Premises by the City.

26. Signage:

The City may permit signage subject to prior written approval by the Managing Director or designate. The Licensee shall not install any signs, but instead all installations of signs will be completed by the City. The Licensee shall pay the City forthwith upon receiving the City's invoice. All signage must comply with the City's sign by-law.

27. Termination:

In the event of termination, the City shall return the license fee on a pro-rata basis, and the City shall not otherwise be liable in any way to the Licensee or the Licensee's Group.

In the event of termination, the City shall provide the Licensee with reasonable time to claim the personal property of the Licensee or the Licensee's Group. In the event that such personal property is not claimed within a reasonable time, and in any event no later than 60 days from the date of termination, all such personal property shall become the property of the City and the City may dispose of such property as in its sole discretion it sees fit.

28. No Representations or Warranties:

The City makes no representations, warranties or other assurance regarding the suitability of the Premises or Property for use by the Licensee.

29. City's Right to Inspect:

The City reserves the right to inspect the Premises and Property at any time to ensure compliance with the terms of this agreement, any Federal or Provincial legislation, or municipal by-laws.

30. Care Custody and Control Remains with the City:

The complete care, custody and control of the Property and Premises shall at all times remain with the City through its management, supervisory, custodial and maintenance employees, excluding contents owned by the Licensee or the Licensee's Group.

31. Circumstances beyond the Control of Either Party:

Neither party will be responsible for damage caused by delay or failure to perform under the terms of this agreement resulting from matters beyond the control of the City and the Licensee including strike, lockout or any other action arising from a labour dispute, fire (other than a fire caused by the Licensee's negligence), natural flood, act of God, war, riot or other civil insurrection, lawful act of public authority, all of which cannot be reasonably foreseen or provided against.

32. Waiver of Breach by City - Without Prejudice:

Any waiver by the City of any breach by the Licensee of any provisions of this agreement shall be without prejudice to the exercise by the City of all or any of its rights or remedies in respect of any continuance or repetition of such breach.

33. Licensee Has Read & Understood Agreement:

The Licensee acknowledges it has read this agreement, acknowledges that it has had the opportunity to obtain independent legal advice, and understands it and agrees to be bound by its terms and conditions.

34. Facsimile Copy of Licensee's Signature Sufficient:

A facsimile copy of the Licensee's signature shall be sufficient and binding.

35. Executed in Counterparts:

This agreement may be executed in any number of counterparts with the same effect as if all parties had signed the same document. All counterparts shall be construed together, and shall constitute one and the same agreement.

36. Notice:

Any notice required to be given to the City or the Licensee under this agreement shall be sufficiently given if delivered or mailed postage prepaid to the addresses below. Such notice shall be deemed to have been received on the date of its delivery or in the case of mailing, three (3) business days after it was delivered to the post office.

City's Address

City Clerk
The Corporation of the City of London
300 Dufferin Avenue
P.O. Box 5035
London, ON N6A 4L9

Licensee's Address

37. Headings:

The headings in this Agreement are for ease of reference only and shall not be taken into account in the construction or interpretation of any provision to which they refer.

IN WITNESS WHEREOF the parties hereto have duly executed this agreement.

SIGNED, SEALED AND DELIVERED

LICENSEE:

Date

Per (Signature):

Print Name Print Title

Date

Per (Signature):

Print Name Print Title
**I/We Have the Authority to Bind the Corporation*

THE CORPORATION OF THE CITY OF LONDON

Date

Per (Signature):

Authorized Signature

Bill No. 428
2018

By-law No. C.P.-1356()-_____

A by-law to repeal By-law C.P.-1356(a)-535 entitled "A by-law to amend By-law No. C.P.-1356-246, being a by-law to designate the Downtown Improvement Plan project area" and to amend By-law C.P.-1356-234, entitled "A By-law designating the Downtown Community Improvement Area".

WHEREAS subsection 28(2) of the *Planning Act*, enables the Council of a municipal corporation to designate a community improvement project area;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by By-law No. C.P.-1356-234, designated the Downtown Community Improvement Area, passed on November 20, 1995;

AND WHEREAS the proposed Downtown Community Improvement Area as amended in the attached schedule "A" is in conformity with the Official Plan;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law C.P.-1356(a)-535 be repealed.
2. Appendix "A" of By-law C.P.-1356-234 is hereby deleted and replaced with the attached Appendix "A" to this By-law.
3. This by-law shall come into force and effect in accordance with subsection 28(5) of the *Planning Act*, R.S.O. 1990, c. P.13.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

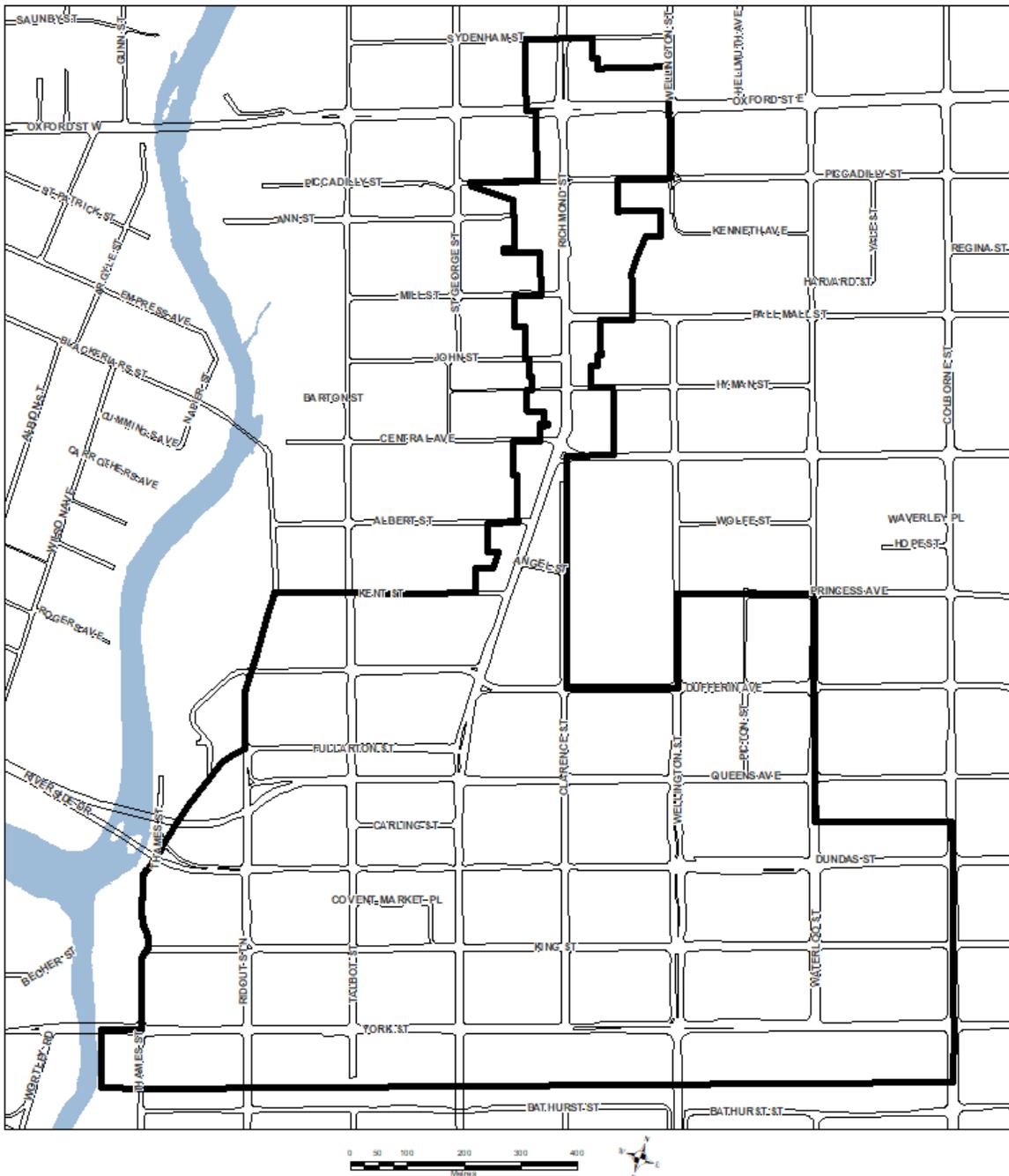
Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

APPENDIX "A"

Figure 1

THE DOWNTOWN COMMUNITY IMPROVEMENT AREA



Document Path: E:\Planning\Projects\p_BIAs\DowntownCIPexpansion\projects\Downtown_CIP_Area_July2017_8x11.mxd

Bill No. 429
2018

By-law No. C.P.-1357()-_____

A by-law to repeal By-law C.P.-1357(a)-536 entitled "A by-law to amend By-law No. C.P.-1357-249, being, A by-law to establish the Downtown Community Improvement Plan project area" and amend By-law C.P.-1357-249, entitled a "By-law to adopt the Downtown Community Improvement Plan".

WHEREAS subsection 28(4) of the *Planning Act*, enables the Council of a municipal corporation to adopt community improvement plans within designated areas;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by By-law No. C.P.-1356-249, adopted the Downtown Community Improvement Plan, passed on December 4, 1995;

AND WHEREAS subsection 28(5) of the *Planning Act*, enables the Council of a municipal corporation to amend adopted community improvement plans;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law C.P.-1357(a)-536 be repealed.
2. Figure 1, The Downtown Community Improvement Area, to the Downtown Community Improvement Plan for the City of London is deleted and replaced with a new Figure 1 attached as Appendix "A" to this by-law to add lands along Richmond Row north of the existing boundary in the City of London.
3. Section II, Area of Application, of the Downtown Community Improvement Plan for the City of London is amended by deleting the second sentence of the first paragraph which states "This is the area designated "Downtown Area" on Schedule "A" of the Official Plan for the City of London".
4. This by-law shall come into force and effect in accordance with subsection 28(5) of the *Planning Act*, R.S.O. 1990, c. P.13.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

AMENDMENT NO.

to the

DOWNTOWN COMMUNITY IMPROVEMENT PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To delete a sentence in Section II of the Downtown Community Improvement Plan for the City of London that will recognize the expansion of the Downtown Community Improvement Plan project area; and,
2. To delete and replace Figure 1 (The Downtown Community Improvement Area) that will recognize the expansion of the Downtown Community Improvement Plan project area;

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located within the boundaries of the Downtown Official Plan designation and the Downtown Business Improvement Area in the City of London.

C. BASIS OF THE AMENDMENT

The recommended expanded Downtown Community Improvement Plan (CIP) project area is intended to change the boundary of the Downtown Community Improvement Plan (CIP) project area, which was previously approved by Council on December 4, 1995, to include properties within the boundary of the Downtown Business Improvement Area (BIA) which was revised by Council on December 18, 2014, in order to offer incentives over a broader area along Richmond Street.

The recommended amendment satisfies the goals, objectives and intent of the Downtown London Community Improvement Plan Council approved in 1995.

D. THE AMENDMENT

The Downtown London Community Improvement Plan for the City of London is hereby amended as follows:

1. Figure 1, The Downtown Community Improvement Area, to the Downtown Community Improvement Plan for the City of London Planning Area is deleted and replaced by a new Figure 1 amended by adding lands along Richmond Row north of the existing boundary in the City of London, as indicated on "Schedule 1" attached hereto.
2. Section II, Area of Application, of the Downtown Community Improvement Plan for the City of London is amended by deleting the second sentence which states:
 1. *"This is the area designated "Downtown Area" on Schedule "A" of the Official Plan for the City of London."*

Bill No. 430
2018

By-law No. C.P.-1284(__)-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to 661-675 Wharncliffe Road South.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

AMENDMENT NO. ____
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy in Section 10 of the Official Plan for the City of London to allow for the open storage (vehicles) use.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 661-675 Wharncliffe Road South in the City of London.

C. BASIS OF THE AMENDMENT

The site specific amendment would only allow the limited use of the property for vehicle open storage, while retaining the underlying Multi-Family, High Density Residential Designation to facilitate the long-term intent to develop the Urban Corridor as a mixed-use residential and commercial area.

D. THE AMENDMENT

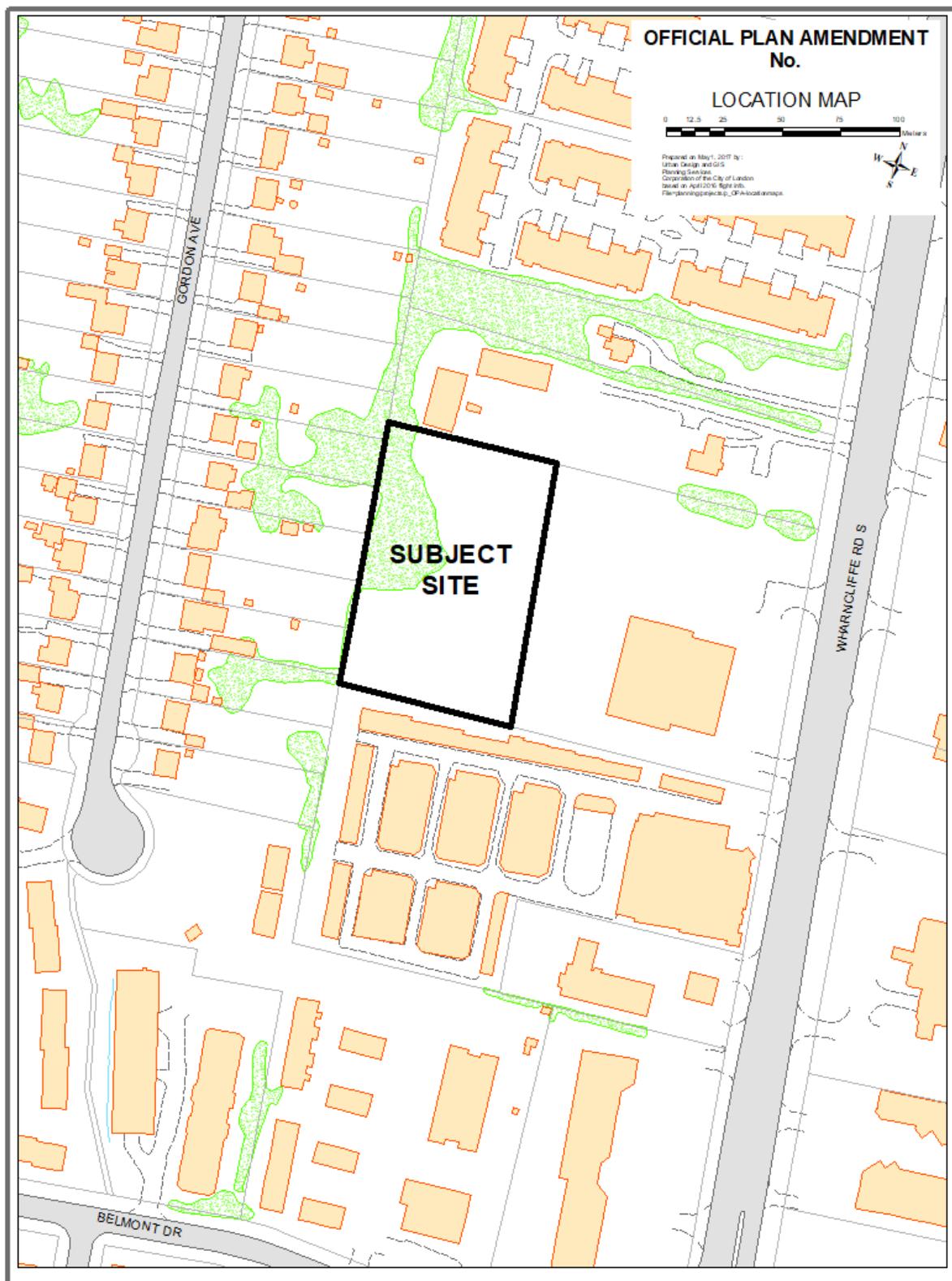
The Official Plan for the City of London is hereby amended as follows:

1. Section 10 of the Official Plan for the City of London is amended by adding the following:

661-675 Wharncliffe Road South

In the Multi-Family, High Density Residential Designation at 661-675 Wharncliffe Road South, in addition to the uses permitted in the Multi-Family, High Density Residential Designation, the open storage of vehicles may be permitted in association with an automobile sales and service facility.

LOCATION MAP



Bill No. 431
2018

By-law No. CPOL.-____-____

A by-law to amend By-law No. CPOL.-68-300 being “Issuance of Computer Equipment to Council Members” to: rename the Policy “Issuance of Technology Equipment to Council Members”; identify standard equipment guidelines for the upcoming Council term; provide for a review of the corporate standards for computer equipment and software to be issued to Council Members prior to the commencement of any new Council term; to provide greater clarity within the Policy; reformat into the new Council Policy template; and review with the gender equity lens.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-68-300 being “Issuance of Computer Equipment to Council Members” to rename the Policy “Issuance of Technology Equipment to Council Members”; identify standard equipment guidelines for the upcoming Council term; provide for a review of the corporate standards for computer equipment and software to be issued to Council Members prior to the commencement of any new Council term; to provide greater clarity within the Policy; reformat into the new Council Policy template; and review with the gender equity lens;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No. CPOL.-68-300 being “Issuance of Computer Equipment to Council Members” is hereby amended by deleting Appendix “D(16) to CPOL.-68-300 in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law comes into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

SCHEDULE "A"

Policy Name: Issuance of Technology Equipment to Council Members
Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-68-300)
Last Review Date: July 17, 2018
Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy establishes the corporate standard for technology equipment and software for Council Members.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy applies to all Council Members.

4. The Policy

4.1 Standard Equipment and Software Guidelines

Corporate standard technology equipment and software for Council Members shall be established by the City Clerk, in consultation with Information Technology Services.

The corporate standard for technology equipment and software for Council Members shall be reviewed by the City Clerk, in consultation with Information Technology Services, for appropriateness prior to the acquisition of technology equipment and software for Council Members for a new Council term.

4.2 Equipment Issuance and Options

Council Members shall be issued the following for the 2018-2022 Council term:

- (a) one corporate standard laptop, including one each of the associated corporate standard docking station, monitor, carrying case, keyboard and mouse for the laptop;
OR
a one-time allowance/reimbursement, not to exceed \$1800.00, to the Council Member to purchase their own equipment. The claim for reimbursement must be submitted to the City Clerk, prior to December 31st of the election year. Members who choose to exercise this option will be required to sign an acknowledgement noting that Information Technology Services staff will not be available to provide technical support for any self-purchased equipment, or peripherals;
- (b) one corporate standard tablet;
- (c) one standard printer (HP Wireless);
OR
a one-time allowance/reimbursement, not to exceed \$500.00 to the Council Member to self-procure. Council Members will be required to sign an acknowledgement noting that the printer will not be supported by Information Technology Services. The claim for reimbursement must be submitted to the City Clerk, prior to December 31st of the election year;
- (d) an annual stipend (already included as part of the Council Members' annual expense allocation) for the self-supply of standard high-speed Internet service at the Council Member's "home office", noting that any upgrade to premium high-speed Internet service would be at the additional expense of the individual Council Member;
- (e) corporate standard software, including Microsoft Office and any other software identified as essential to the business of the City of London by the City Clerk, in consultation with Information Technology Services (e.g. electronic agenda management software), but excluding specialized corporate software that would

not be accessible by the general public (e.g. AMANDA, Kronos, JD Edwards, etc.)

OR

a one-time allowance/reimbursement, not to exceed \$500.00 to the Council Member to self-procure software. Council Members will be required to sign an acknowledgement noting that this software will not be supported by Information Technology Services. The claim for reimbursement must be submitted to the City Clerk, prior to December 31st of the election year; and,

- (f) one corporate standard mobile device.

4.3 Supply of Equipment

Council Members will be required to indicate preferences by a date established by the City Clerk, in order to ensure that any equipment is available at the beginning of the term.

Members may “opt out” of any of the provisions of corporate equipment entirely, but are not able to “opt in” at any point in the term. Should a Council Member choose to “opt out”, and later desire equipment, it would need to be purchased through their Councillor expense account and be subject to the terms of that policy.

4.4 Supplementary Computer Equipment

Council Members may, at their discretion, utilize funds from their annual expense allocation to supplement the standard corporate issue of computer equipment, in keeping with applicable policy.

4.5 Computer Support

The Corporation of the City of London, through Information Technology Services, shall only provide support to corporately-issued equipment issued/purchased during the current term of Council. Information and Technology Services will not provide technical support to any personal equipment or systems, any equipment or service provided by a third party (e.g. WiFi connection provided by internet service provider), or any supplementary equipment that may have been purchased by funds from a Council Member’s annual expense allocation. Council Members shall be fully responsible for any costs associated with the use and maintenance of supplementary computer equipment or software they have opted to purchase outside the standard equipment and software guidelines provided for in this Policy.

Information Technology Services shall assist with the initial set up of the corporately-issued wireless printer at a Council Member’s home office. However, the Council Member shall be responsible for ensuring their home office WiFi connection is in working order so that the set up can be completed. The Council Member must be present during the initial set up and able to enter the appropriate password to complete the connection to the wireless printer.

4.6 Computer Equipment for Privately-Contracted Assistance

Any additional computer equipment required for individuals privately contracted by a Council Member shall be provided by the Council Member and will not be provided by The Corporation of the City of London via a corporate purchase or loan arrangement. For security and support reasons, no equipment other than the equipment issued to the Council Member by The Corporation of the City of London, during the current Council term, will be connected to the City of London’s network and supported by corporate resources.

4.7 Corporate Records and Corporately-Licensed Software

Any corporate records or corporately-licensed software maintained on the standard computer equipment issued to the Council Members by The Corporation of the City of London shall be returned to and remain in the custody of The Corporation of the City of London during and at the conclusion of each Council term. In those instances where a Council Member is returning to office for a subsequent Council term, the Council Member may request to have their corporate records transferred to their new computer equipment. In any event, all corporate records shall, at all times, be maintained in keeping with legislated requirements (e.g. Municipal Freedom of Information and Protection of Privacy Act, Records Retention By-law, etc.).

4.8 Computer Usage – General

Computer usage for corporate purposes shall be in keeping with the City of London's Use of Technology Policy. No Council Member, their corporately-assigned staff, or their contracted assistant, shall use the technology made available to them by The Corporation of the City of London in a manner which compromises the security of the City of London's systems or information.

4.9 Acquisition and Disposition of Corporately-Issued Computer Equipment and Software for Council Members

- (a) The City Clerk shall establish a purchase plan for the supply and replacement of standard computer equipment and software for Council Members at the commencement of each Council term, in liaison with Information Technology Services.
- (b) The City Clerk shall include a budget item for the acquisition of the standard computer equipment and software noted in (a), above, for incoming Council Members.
- (c) The City Clerk, in liaison with Information Technology Services, shall establish the corporate standard for computer equipment and software for Council Members in sufficient time for that computer equipment and software to be acquired for the commencement of the new Council term.
- (d) Information Technology Services shall arrange for the on site, and where applicable off site, installation of the standard corporate-issue computer equipment and software, as well as the related training and support, in liaison with the Council Members and/or their corporate support staff.
- (e) At the conclusion of a Council term, Council Members serving that Council term shall retain the standard computer equipment they were issued at the commencement of that Council term, to do with as they wish and/or dispose of on their own, in keeping with any applicable Canada Revenue Agency or other legislative requirements. The corporate standard Microsoft Office software shall remain with the computer equipment at the end of the Council term, but will not be supported under any maintenance agreement and shall simply age to end of life with no upgrade options. All access to the corporate network shall be fully terminated and the hardware removed from the Corporation's domain, with no further technical support being provided by the Corporation's Information Technology Services.

Bill No. 432
2018

By-law No. CPOL.-____-____

A by-law to amend By-law CPOL.-39-235 being
“Investment Policy”.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS section 7 of Ontario Regulation 438/97, as amended, enacted under section 418(6) of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended, provides that The Corporation of the City of London shall adopt a statement of its investment policies and goals;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law CPOL.-39-235 being “Investment Policy” to revise the investment term limitations and change to investment term targets, revise the delegation of authority and authorization to reflect the City’s current organizational structure, reformat into the new Council Policy template and review with the gender equity lens;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law CPOL.-39-235 being “Investment Policy” is hereby amended by deleting Appendix “C” (28) to By-Law No. CPOL.-39-235 in its entirety and by replacing it with the attached new Appendix “C”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

APPENDIX “C”

Policy Name: Investment Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-39-235)

Last Review Date: July 17, 2018

Service Area Lead: Manager III, Financial Planning and Policy

1. Policy Statement

The Corporation of the City of London (the City) shall invest public funds in a manner that maximizes investment return and minimizes investment risk while meeting the daily cash requirements of the City and conforming to legislation governing the investment of public funds.

The purpose of this investment policy is to ensure integrity of the investment management process. The objective of this investment policy is to maximize investment income at minimal risk to capital. Accordingly, emphasis on investments is placed on security first, liquidity second and overall yields third.

Objectives

The primary objectives of this investment policy, in priority order, are as follows:

1.1. Adherence to statutory requirements;

All investment activities shall be governed by the *Ontario Municipal Act, 2001*, as amended. Investments, unless further limited by Council, shall be those eligible under Ontario Regulation 438/97 or as authorized by subsequent provincial regulations.

1.2. Preservation of capital;

Meeting this objective requires the adoption of a defensive policy to minimize the risk of incurring a capital loss and of preserving the value of the invested principal. As such, this risk shall be mitigated by investing in properly rated financial instruments in accordance with applicable legislation, by limiting the types of investments to a maximum percentage of the total portfolio and being mindful of the amount invested within individual institutions.

1.3. Maintenance of liquidity; and

The investment portfolio shall remain sufficiently liquid to meet daily operating cash flow requirements and limit temporary borrowing. The portfolio shall be structured to maintain a proportionate ratio of short, medium and long-term maturities to meet the funding requirements of the City. The term liquidity implies a high degree of marketability and a high level of price stability. Important liquidity considerations are a reliable forecast of the timing of the requirement of funds, a contingency to cover the possibility of unplanned requirement of funds and an expectation of reliable secondary marketability prior to maturity.

1.4. Competitive rate of return.

Investment yields shall be sought within the boundaries set by the three foregoing objectives and then consideration shall be given to the following guidance;

- Higher yields are best obtained by taking advantage of the interest rate curve of the capital market, which normally yields higher rates of return for longer term investments;
- Yields will also fluctuate by institution as per individual credit ratings (greater risk confirmed by a lower credit rating) and by the type of capital instrument. For example, an instrument of a small trust company would in many cases have a slightly higher yield than a major bank;
- A lower credit rating generally makes an investment more difficult to sell on the secondary market and therefore less liquid; and
- Capital instruments that are non-callable will have a lower yield than instruments which are callable, but the call feature does not necessarily compromise marketability.

The investment portfolio is comprised of:

- Operating and Capital cash flow balances;
- Reserves;
- Reserve funds; and
- Trust Funds.

2. Definitions

- 1.1. **Asset Backed Securities:** fixed income securities (other than a government security) issued by a Special Purpose Entity, substantially all of the assets of which consist of Qualifying Assets.
- 1.2. **Basis Point (BPS):** a unit that is equal to 1/100th of 1%, and is used to denote the change in a financial instrument. The basis point is commonly used for calculating changes in interest rates, equity indexes and the yield of a fixed-income security.
- 1.3. **City Treasurer:** The individual appointed by the municipality as treasurer.
- 2.4. **Credit Risk:** is the risk to an investor that an issuer will default in the payment of interest and/or principal on a security.
- 2.5. **Diversification:** a process of investing assets among a range of security types by sector, maturity, and quality rating.
- 2.6. **Interest Rate Risk:** the risk associated with declines or rises in interest rates that cause an investment in a fixed income security to increase or decrease in value
- 2.7. **Liquidity:** a measure of an asset's convertibility to cash.
- 2.8. **Market Risk:** the risk that the value of a security will rise or decline as a result of changes in market conditions.
- 2.9. **Market Value:** current market price of a security.
- 2.10. **Maturity:** the date on which payment of a financial obligation is due. The final stated maturity is the date on which the issuer must retire a bond and pay the face value to the bondholder.
- 2.11. **One Investment Program:** a professionally managed group of investment funds composed of pooled investments that meet the eligibility criteria defined by O.Reg 438/97. The program consists of Money Market Funds, Bond Funds and Equity Funds. The ONE Fund is operated by LAS (Local Authority Services Ltd., a subsidiary of the Association of Municipalities of Ontario) and the CHUMS Financing Corporation (a subsidiary of the Municipal Finance Officers' Association of Ontario).
- 2.12. **Qualifying Assets:** financial assets, either fixed or revolving, that, by their terms converts into cash, within a finite time period, plus any rights or other assets designed to assure the servicing or timely distribution of proceeds to security holders.
- 2.13. **Schedule I Banks:** domestic banks that are authorized under the *Bank Act* to accept deposits, which may be eligible for deposit insurance provided by the Canadian Deposit Insurance Corporation.
- 2.14. **Schedule II Banks:** are foreign bank subsidiaries authorized under the *Bank Act* to accept deposits, which may be eligible for deposit insurance provided by the Canada Deposit and Insurance Corporation. Foreign bank subsidiaries are controlled by eligible foreign institutions.
- 2.15. **Special Purpose Entity:** a trust, corporation, partnership or other entity organized for the sole purpose of issuing securities that entitle the holders to receive payments that depend primarily on the cash flow from Qualifying Assets, but does not include a registered investment company.

3. Applicability

This investment policy shall govern the investment activities of the City's General, Capital and Reserve Funds as well as Trust Funds. This policy applies to all investments made by the City on its own behalf and on behalf of its agencies, boards and commissions and any new funds created by the City.

4. The Policy

4.1 Standard of Care

Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

Delegation of Authority and Authorization

The City Treasurer shall have overall responsibility for the prudent investment of the City's investment portfolio. The City Treasurer shall have the authority to implement the investment program and establish procedures consistent with this policy. Such procedures shall include the explicit delegation of the authority needed to complete investment transactions however the City Treasurer shall remain responsible for ensuring that the investments are compliant with regulations and this policy. No person may engage in an investment transaction except as provided under the terms of this policy.

The City Treasurer shall be authorized to enter into arrangements with banks, investment dealers and brokers, and other financial institutions for the purchase, sale, redemption, issuance, transfer and safekeeping of securities in a manner that conforms to the *Municipal Act, 2001* and the City's policy manual.

Transfer of funds for investment transactions shall be authorized by two of the individuals listed below, one of whom must be City Treasurer or Deputy City Treasurer.

- i) City Treasurer
- ii) Deputy City Treasurer
- iii) Director, Financial Planning & Business Support
- iv) Director, Financial Services
- v) Manager, Financial Planning & Policy
- vi) Division Manager – Taxation & Revenue

4.2 Investment Strategy

4.2.1 Diversification

To minimize credit risk and to maintain liquidity of the investment portfolio, investment diversification shall be guided by the following:

- i) Limiting investments to avoid over-concentration in securities from a specific issuer or sector (excluding Government of Canada securities);
- ii) Limiting investment in securities to those that have higher credit ratings;
- iii) Investing in securities with varying maturities; and
- iv) Investing in securities which have an active secondary market.

4.2.2 Investment Type Limitations

Cash held in the bank (excluding trust funds), i.e. one day maturity, shall be no less than what is deemed necessary to meet daily operating and capital requirements of the City. The current guideline is approximately \$50 million in general funds and \$150 million in reserve funds. This guideline shall be evaluated on an annual basis and this policy shall be updated as necessary to reflect any changes.

The total investment in securities issued by governments (federal, provincial or municipal) and Schedule I banks shall be no less than 75% of the total investment portfolio (excluding cash held in the bank and trust funds).

The remaining portfolio may be invested in any other securities which are deemed eligible under O.Reg 438/97 however no more than 10% of the total investment portfolio (excluding cash held in the bank and trust funds) shall be invested in eligible asset-backed securities and eligible commercial paper. Also, no more than 5% of the total investment portfolio (excluding cash held in the bank and trust funds) shall be invested in eligible pooled equity funds (i.e. One Investment Program Equity Portfolio).

These portfolio percentage limitations apply at the time an investment is made and exclude trust fund investments, which are subject to trust fund investment requirements. Investments held in a professionally managed portfolio are also excluded as diversification is subject to the judgement of the investment manager.

4.2.3 Investment Term Targets

For the purpose of this policy, a short-term investment is defined as maturing in less than one year, medium-term as maturing between one and five years and long-term as maturing in greater than five years. In general, professionally managed portfolios are deemed to be long-term investments, as it is likely that the intention of Administration is to invest funds that are not required for the next five years. For the purposes of this section, professionally managed portfolios shall be considered long-term investments, unless it is specifically known otherwise. The total investment portfolio in calculating term targets shall exclude trust funds. The term targets, listed as a percentage of the total investment portfolio, are as follows:

<u>Term</u>	<u>Target</u>
Short-term	40%
Medium-term	30%
Long-term	30%

The portfolio percentage targets shall apply at the time the investment is made. At specific times the portfolio percentages may deviate from the target for various reasons, for example the timing of maturities. The current guideline is to maintain a range of $\pm 10\%$ from each term target. Prior to any changes to the portfolio based on term targets, the City Treasurer may, at their discretion, retain the investment(s), that contravenes the portfolio targets provided that such action is not contrary to the Municipal Act, 2001.

Type limitations and term targets shall be reviewed annually by the City Treasurer and this policy shall be amended as necessary to minimize the City's exposure to changes in the financial marketplace after giving consideration to the available financial information.

Trust fund portfolio limitations are subject to the terms and conditions of the agreement to which the fund applies. Absent specific wording, compliance with the stated portfolio limitations is required, and should be considered separately from City of London funds.

4.2.4 Buy and Hold

To achieve the primary objectives of this investment policy, internally managed funds shall, for the most part, follow the buy and hold strategy. As noted above, higher yields are best obtained by taking advantage of the interest rate curve of the capital market which normally yields higher rates of return for longer term investments. By purchasing securities at varying maturity dates and holding the investments to term the interest rate risk is minimized, liquidity is maintained and capital is preserved. To be successful with the buy and hold strategy, matching cash requirements to investment terms is a key element and requires a solid cash flow forecast.

Some municipalities actively trade investments rather than holding to term. This 'active' investment strategy can produce a modest improvement in yield, but to be successful a large amount of excess cash and sophisticated investment expertise is required. Professionally managed funds charge a fee (usually basis points deducted from the yield) but it is anticipated the performance of the fund will exceed the cost of administration. Nevertheless, performance of professionally managed funds shall be regularly compared to industry benchmarks and to the result that might be achieved using the internally managed approach.

4.2.5 Performance Standards

The investment portfolio shall be managed in accordance with parameters specified within this policy. The portfolio should obtain a market average rate of return throughout budgetary and economic cycles proportionate with investment risk constraints and the cash flow needs of the City.

The performances of investments shall be measured using multiple benchmarks and performance indicators. The baseline yield for investments is the interest rate earned by the City on cash held in its bank account. Then, investment yields can be compared to Government of Canada Treasury Bills and Benchmark Bond Yields. Furthermore, prime

interest rates and other applicable market rates, such as Banker's Acceptance can be used to provide useful benchmarks with consideration to limitations attributable to the Municipal Act, 2001.

4.2.6 Internal Borrowing

In developing the cash requirements for the year, sufficient cash shall be available to fund capital expenditures. The main cash elements of the operating budget are stable and predictable, e.g. tax revenue and operating expenditures which is established in the budget process. The primary variable in forecasting cash demands is capital spending. Capital spending is supported (temporarily financed) by the General fund prior to securing long-term financing (primarily long-term debentures).

If the General fund does not have sufficient cash to support capital expenditures and operating expenditures during the year, the best option is to borrow from the Reserve Funds on a short-term basis, rather than obtaining external financing. In order for this to occur, the Reserve Funds must have sufficient cash available (i.e. not locked into long-term investments) to support the General Fund through this period. A fair rate of interest shall be applied based on the interest rate paid on funds in the City's consolidated bank account. For the most part the interest charged is going 'from one City pocket to another', but given that some reserve funds are non-rate funded, there is a requirement to pay a fair rate to the reserve funds for 'investing' in the General fund.

4.2.7 Trust Funds

Trust funds by nature must be maintained in a separate account and invested separately. The investment strategy will be dictated by the terms of the trust agreement. In the absence of specific direction, the strategy shall be in compliance with this policy.

Given the variability of capital spending, interest rates, and non-tax revenues, the investment strategy shall be reviewed, at a minimum, on an annual basis. Any changes in the investment strategy shall be reported to Council in the annual investment report and the investment policy shall be amended for the change in strategy.

4.3 Reporting

The City Treasurer shall provide an annual investment report to Council which includes, at a minimum, the requirements set forth in O. Reg. 438/97. Under the current regulations the investment report shall contain the following:

- i) a statement about the performance or the portfolio of investments of the municipality during the period covered by the report;
- ii) a description of the estimated proportion of the total investments of a municipality that are invested in its own long-term and short-term securities to the total investment of the municipality and a description of the change, if any, in that estimated proportion since the previous year's report;
- iii) a statement by the treasurer as to whether or not, in their opinion, all investments are consistent with the investment policies and goals adopted by the municipality;
- iv) a record of the date of each transaction in or disposal of its own securities, including a statement of the purchase and sale price of each security;
- v) such other information that the council may require or that in the opinion of the treasurer, should be included;
- vi) a statement by the treasurer as to whether any of the investments fall below the standard required for that investment during the period covered by the report; and
- vii) the details of the proposed use of funds realized in the disposition of an investment for which the City sold as a result of a decline in rating below the standard required by O.Reg. 438/97.

In addition to the annual report, the City Treasurer shall report to Council any investment that is made that is not, in their opinion, consistent with investment policy adopted by the City within thirty days after becoming aware of it.

Bill No. 433
2018

By-law No. CPOL.-____-____

A by-law to adopt a new Council Policy entitled Reserve and Reserve Fund Policy.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to adopt a new Council policy entitled Reserve and Reserve Fund Policy;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The policy entitled "Reserve and Reserve Fund Policy", attached hereto as Schedule "A", is hereby adopted.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

SCHEDULE "A"

Policy Name: Reserve and Reserve Fund Policy

Legislative History:

Last Review Date: July 17, 2018

Service Area Lead: Managing Director, Corporate Services and City Treasurer, Chief Financial Officer

1. Policy Statement

A Policy governing the management and administration of reserves and reserve funds.

The purpose of the Policy is to establish guiding principles, primary objectives, key management and administrative responsibilities, and standards of care for reserves and reserve funds managed by the City.

2. Definitions

- 2.1. **Budget:** An estimated financial plan of revenue and expenditure for a set period of time.
- 2.2. **Capital Asset Renewal & Replacement:** A category of reserve funds established to provide funding for the repair and maintenance of existing City assets to ensure city-owned assets do not deteriorate over time.
- 2.3. **Capital Asset Growth:** A category of reserve funds established to provide funding to new capital initiatives while allowing the City to stabilize the cost of purchasing major capital assets by spreading the cost over multiple years.
- 2.4. **City:** The Corporation of the City of London.
- 2.5. **City Treasurer:** The individual appointed by the municipality as treasurer.
- 2.6. **Contingencies/Stabilization & Risk Management:** A category of reserves and reserve funds designed to fund future obligations which are based on calculated estimates and to mitigate unforeseen events or one-time unanticipated revenue losses and expenses.
- 2.7. **Debt:** Any obligation for the payment of money. For Ontario municipalities, debt would normally consist of debentures as well as either notes or cash from financial institutions, but could also include loans from discretionary reserves and reserve funds.
- 2.8. **Development Charges Background Study:** The background study undertaken by the City for its current Development Charges By-law.
- 2.9. **Discretionary Reserves and Reserve Funds:** A reserve or reserve fund created by Council to set aside revenue to finance a future expenditure for which Council has the authority to spend money.
- 2.10. **GFOA:** Refers to the Government Finance Officers Association of the United States and Canada, a professional association of state, provincial and local finance officers dedicated to the sound management of financial resources.
- 2.11. **Intergenerational Equity:** In economic, psychological, and sociological contexts, is the concept or idea of fairness or justice between generations.
- 2.12. **Liquidity:** A measure of an asset's convertibility to cash.
- 2.13. **MFOA:** Refers to Municipal Finance Officers Association of Ontario, a professional association which promotes the interests of its members in carrying out their statutory and financial responsibilities by initiating studies and sponsoring seminars to review, discuss and develop positions on important policy and financial management issues.
- 2.14. **Obligatory Reserve Funds:** A reserve fund created when senior government statute or agreement requires that revenue received for special purposes be segregated from the general revenues of the municipality. Obligatory reserve

funds are to be used solely for the purpose prescribed for them by statute or agreement.

- 2.15. **PSAB:** Refers to the Public Sector Accounting Board, an independent board with the authority to set accounting standards for the public sector.
- 2.16. **Reserve:** An appropriation from net revenue and/or cost savings at the discretion of Council, after the provision for all known expenditures. It has no reference to any specific asset and does not require the physical segregation of money or assets as in the case of a reserve fund. Municipal Councils may set up reserves for any purpose for which they have the authority to spend money.
- 2.17. **Reserve Fund:** Funds that have been set aside either by a by-law of the municipality or by a requirement of senior government statute or agreement to meet a future event. As a result, reserve funds are either “discretionary” being those set up by Council, or “obligatory” being those set up by virtue of a requirement of senior government statute or agreement. Municipal councils may set up reserve funds for any purpose for which they have the authority to spend money.
- 2.18. **Revolving Reserves and Reserve Funds:** Reserves and reserve funds used to fund normal course operating requirements or cash flow deficiencies that do not require Council approval provided they conform with intent of originating resolution or by-law.
- 2.19. **Specific Projects & New Initiatives:** A category of reserves and reserve funds established for planned savings within the budget to fund projects or expenses either identified at the time the reserve or reserve fund is set-up or after, which allows the City to save for planned or unanticipated projects or expenses that may arise and do not have another funding source.

3. Applicability

This Policy applies to all reserves and reserve funds administered by the City, including those administered for any of the City’s Local Boards, Commissions, Agencies, or Corporations.

Furthermore, the Policy applies to all City employees who are responsible for the establishment, monitoring, administration and management of the City’s reserves and reserve funds.

4. The Policy

4.1. Principles & Objectives

The guiding principles for reserves and reserve funds shall be:

- a) **Budget and Strategic Financial Plan** - Reserves and reserve funds shall form an integral component of the City’s budget and strategic financial plan.
- b) **Liquidity** - Reserves and reserve funds shall be kept at an adequate level to ensure the City has sufficient cash flow to meet its financial obligations; including but not limited to:
 - i) Replace and rehabilitate capital infrastructure assets as required;
 - ii) Supply funds for new capital assets identified in the City’s long-term plans, or that arise from time-to-time;
 - iii) Fund long-term contingencies and potential liabilities; and
 - iv) Provide a buffer for significant unanticipated expenditures, or loss of revenues beyond the control of the City.
- c) **Intergenerational Equity** - Reserve and reserve fund balances shall be maintained to support the principle of intergenerational equity whereby the generation of citizens who benefit from an investment are also responsible for financing it to the greatest extent possible.
- d) **Credit Rating and Cost of Borrowing** - Reserve and reserve fund balances impact the City’s credit rating and associated cost of borrowing thus at a minimum, reserve and reserve fund balances shall be maintained at levels that support the maintenance of the City’s credit rating awarded by Bond Rating Agencies.

- e) **Reserve and Reserve Fund Types** - the type of reserves and reserve funds the City shall maintain are as follows:
- i) **Obligatory** - A *reserve fund* created when a senior government statute and/or agreement requires that revenue received for special purposes be segregated from the general revenues of the municipality. Obligatory reserve funds are to be used solely for the purpose prescribed for them by statute or agreement.
 - ii) **Discretionary** - A *reserve or reserve fund* created by Council to set aside revenue and/or cost savings to finance a future expenditure for which Council has the authority to spend money.

The primary objectives for reserves and reserve funds shall be in priority order:

- f) **Adherence to Statutory Requirements**
- i) It shall be the City's practice to establish and maintain segregated reserve funds that meet all statutory obligations.
 - ii) Reserves and reserve funds shall be managed in accordance with the *Municipal Act, 2001, as amended*, this includes:
 - Section 10 (2) authorizing single-tier municipalities to pass by-laws respecting accountability, transparency and financial management;
 - Section 290 (2) the budget shall set out the estimated revenues and expenditures of reserves and reserve funds contained within a municipalities budget;
 - Section 291 covering multi-year budget requirements of municipalities;
 - Section 417 (4) that money raised for a reserve fund shall be paid into a special account and shall be invested only in securities or classes of securities prescribed;
 - Section 418 (3) as allowed by the Corporation, shall combine money held in any fund (including General, Capital and Reserves and Reserve Funds) for investment purposes; and
 - Section 418 (4) that earnings from combined investments shall be credited to each segregated fund in proportion to the amount invested in it.
 - iii) Reserves shall be established by Council resolution which governs the purpose, funding sources, and drawdowns of the fund.
 - iv) Reserve funds shall be established by Council by-law which governs the purpose, funding sources, drawdowns, and investment of the fund.
- g) **Promotion of Financial Stability and Flexibility**
- i) It shall be the City's practice to maintain adequate reserves and reserve funds within the following categories to achieve long-term financial stability and flexibility (see definitions for detailed description of categories):
 - Obligatory,
 - Capital Asset Renewal and Replacement,
 - Capital Asset Growth,
 - Special Projects and New Initiatives, and
 - Contingencies/Stabilization and Risk Management.
 - ii) The City shall strive to maintain reserve and reserve fund levels in line with public service associations best practices (Municipal Finance Officers Association (MFOA), Government Finance Officers Association (GFOA), Public Sector Accounting Board (PSAB), etc.), bond rating agencies standards and other municipalities with comparable credit ratings.
- h) **Provision for Major Capital Expenditures**
- i) It shall be the City's goal to maintain adequate reserves and reserve funds to replace and rehabilitate major capital assets, as required, and to provide for new capital assets that have been identified in the long-term capital plan. To achieve this goal, the following budget practices will be applied where applicable:
 - Reserve funds for the full cost of replacement or rehabilitation of major assets will be funded from ongoing operations at a

rate which reflects the consumption of that asset by current ratepayers. Contributions to these funds will commence in the fiscal year that the asset is acquired or put into service and will be based on an estimate of the useful life of the asset.

- Obligatory reserve funds will be maintained for growth, parkland and gas tax related capital projects. The growth related obligatory reserve funds will be fully funded from developer contributions. Components of the growth related projects which benefit the existing ratepayers or for which a discount has been given, shall be funded from tax/rate funding sources in the year the project is built. Notwithstanding, debt may be issued for growth projects when required in accordance with the *Development Charges Act, 1997, as amended*, and other pertinent City policies.

i) Reduce Tax/Rate Supported Debt

- i) As per the principles of the Council approved Capital Budget and Financing Policy, the City shall use reserve and reserve fund balances as a source of financing for capital projects.
- ii) When appropriate, the City shall use reserve and reserve fund balances as a source of debt substitution for capital projects which were previously approved with debt financing.
- iii) If discretionary reserves and reserve funds are below established targets, all or a portion of the future debt servicing cost savings resulting from reserve and reserve fund balances applied towards debt substitution shall be considered for future contributions to discretionary reserves or reserve funds at the discretion of the City Treasurer, it being noted that such contributions are subject to Council approval through the City's budgetary process.

4.2. Reserve and Reserve Fund Management

a) Establishment and Modification of Reserves and Reserve Funds

- i) Reserves and reserve funds shall only be established or modified if they are supported by a financial plan identifying the funding needs, targets, contribution sources, projected drawdowns and investment of funds.
- ii) Target funding levels shall be established for every reserve and reserve fund. Methods for calculating reserve and reserve fund targets shall be determined on a case-by-case basis considering the following:
 - Purpose of fund,
 - Certainty of end needs,
 - Best practices/standards regarding the identification of need and target balance levels (MFOA, GFOA, PSAB, etc.), and
 - Economic factors.
- iii) Reserve and reserve fund balances and associated targets shall be reviewed periodically to ensure adequate reserve and reserve fund levels are maintained for a ten year period.

b) Investment of Reserves and Reserve Funds:

- i) Reserves and reserve funds shall be invested for a term that will not exceed its expected date of need;
- ii) Reserves and reserve funds shall be invested in accordance with the Council approved Investment Policy;
- iii) Interest earned on reserves shall be recognized as revenue in the operating budget;
- iv) Interest earned on reserve funds shall be recognized as revenue in each specific reserve fund according to its proportionate share of the investment portfolio.

c) Contributions To/Drawdowns From Reserves and Reserve Funds:

- i) Contributions to/drawdowns from reserves and reserve funds shall be made in accordance with applicable resolution, by-law and this Policy.
- ii) Contributions to/drawdowns from reserves and reserve funds shall be

approved by Council as part of the annual budget process, or specifically by resolution with the following exceptions:

- Direct contribution to reserves and reserve funds such as development charges revenue;
 - Transfers that are a direct result of Council approved by-laws or resolutions such as Surplus/Deficit Policy;
 - Transfer of funds between reserves and reserve funds based upon adequacy analysis or other related information, at the discretion of the City Treasurer, or designate; and
 - Use of “revolving” reserves and reserve funds for the purpose approved by Council such as Workplace Safety Insurance Board claims.
- iii) Council approved contributions to/drawdowns from reserves and reserve funds not realized shall be reported to Council as part of the budget monitoring reports, or budgetary process.
- iv) Contributions to/drawdowns from reserves and reserve funds shall take into account intergenerational equity between current and future tax/rate payers.

d) Lending/Temporary Borrowing of Reserves and Reserve Funds:

- i) Intra-fund lending between reserves and reserve funds shall be permitted to temporarily finance capital and/or operating cash flow deficiencies to avoid external borrowing costs provided that all loans/transfers bear the City’s internal rate of return and principal and interest are credited to the appropriate reserve or reserve fund source.
- ii) External loans shall be approved at the discretion of Council according to Section 107 of the *Municipal Act, 2001, as amended*, to any person, group, or body for any purpose considered to be in the best interest of the municipality. Prior to recommending such a loan to Council, staff shall consider the following:
- External loans shall only be made to public agencies/groups and shall benefit the public;
 - The term of external loans shall not exceed five years;
 - Appropriate security shall be provided to protect the interests of the City;
 - A financial profile of the borrower;
 - Are adequate reserves and reserve funds available for the term of the external loan; and
 - What rate shall the external loan bear and that principal and interest shall be credited to the appropriate reserve or reserve fund source.
- iii) All lending/temporary borrowing shall be provided from discretionary reserve and reserve fund balances as the loaning of obligatory reserve funds is prohibited under the *Development Charges Act, 1997, as amended*.
- iv) Under the *Development Charges Act, 1997, as amended*, debt may be included as a capital cost to leverage development charge (DC) revenue while waiting for DC collections to catch up to growth-related spending. Intra-fund borrowing between DC reserve funds is also permitted. In both cases, amounts borrowed must be repaid at the City’s internal rate of return and principal and interest are credited to the appropriate reserve or reserve fund source.

e) Termination of Reserves and Reserve Funds:

- i) A discretionary reserve or reserve fund shall be terminated (wound down and closed) when the program or project it supports meets any of the following criteria:
- No longer in the scope of the City’s strategic plans;
 - Program commitments have been completed and no future commitments are expected; and
 - The City Treasurer is confident that balances in other areas can mitigate the need to hold any remaining reserve or reserve fund balance.
- ii) Reserves or reserve funds identified for termination shall be reported to Council for review and approval. Reports to Council shall include recommendations regarding the timing of wind down, closure and the allocation of fund balances.

4.3. Standard of Care

a) Delegation of Authority

- i) Once Council approves reserves by resolution and reserve funds by by-law, the City Treasurer shall have overall authority for the reserves and reserve funds managed by the City.
- ii) The City Treasurer may delegate management authority over the reserves and reserve funds managed by the City to a designate.
- iii) The City Treasurer, or designate has the responsibility for setting reserve and reserve fund targets, it being noted targets will be periodically reported to Council through reserve and reserve fund reports (see Reporting Requirements below).
- iv) The City Treasurer, or designate shall have overall responsibility for this Policy, and the authority to implement a program for reserves and reserve funds and establish procedures consistent with the content of this Policy. Administrative responsibilities shall include, but are not limited to the following:
 - Determines need for reserves and reserve funds for operating and capital budgets.
 - Sets targets for reserves and reserve funds in line with directives contained in this Policy and other pertinent policies.
 - As part of the reporting to Council, reviews and reports on the adequacy and continuing need for reserves and reserve funds managed by the City.
 - Preparation and presentation of reports and/or by-laws associated with the establishment, monitoring, or termination of reserves and reserve funds.
 - Develops appropriate practices, procedures and processes for the investment of reserves and reserve funds in line with legislative requirements, the City's Investment Policy and other pertinent policies.
 - Prepares the City's long-term strategic financial plan with consideration of appropriate reserves and reserve funds to effectively meet the City's operating and capital budget financing needs.
 - Ensures reserves and reserve funds managed by the City are in line with senior government statutes and agreements and other pertinent policies.

b) Reporting Requirements:

- i) The City Treasurer, or designate shall prepare the following reports regarding reserves and reserve funds managed by the City:
 - Annual Audited Financial Statements - the annual audited financial statements shall include a statement of financial position, financial activities, and changes in fund balances for reserves and reserve funds.
 - Reserve and Reserve Fund Report - a financial plan forecasting reserve and reserve fund balances and a comparison to target objectives shall be prepared periodically based on the most current information available; this report may include the establishment of new, modification of existing and termination of existing reserves and reserve funds.
 - Budget Reports - reserve and reserve fund balances, projected contributions and planned drawdowns for a ten year period shall be presented in each multi-year budget. Annual changes to reserve and reserve fund balances shall be presented with each annual budget update, or specifically by resolution if required.
 - DC Reserve Funds Report - an annual report detailing pertinent information regarding DC reserve funds shall be presented to Council as required by the *Development Charges Act, 1997, as amended*.
 - Other reports in line with this Policy shall be brought forward to Council as needed.

c) Policy Review

- i) This Policy shall be presented to Council for review and update, if applicable, every four years, in the first year of each elected Council, or as deemed necessary by Council or the City Treasurer.

Bill No. 434
2018

By-law No. F.-_____

A by-law to repeal By-law No. F.-163-153 entitled "A by-law to appoint John Kobarda as Fire Chief and Director of Paramedic Services of the City of London" and to appoint Lori Hamer as Fire Chief of The Corporation of the City of London.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 6(1) of the *Fire Protection and Prevention Act*, 1997, S.O. 1997, CHAPTER 4, as amended, provides that if a fire department is established for a municipality the council of the municipality shall appoint a fire chief for the fire department;

AND WHEREAS it has been deemed appropriate by the Municipal Council to appoint Lori Hammer as the Fire Chief for The Corporation of the City of London;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No. F.-163-153 entitled "A by-law to appoint John Kobarda as Fire Chief and Director of Paramedic Services of the City of London" is hereby repealed.
2. Lori Hamer is hereby appointed as Fire Chief.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

Bill No. 435
2018

By-law No. PW-12-_____

A By-law to amend By-law PW-12, as amended, entitled "A By-law to provide for the Regulation and Prohibition of Noise" with respect to Amplified Live Speech.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 1.1 of By-law PW-12 is amended by inserting the following new definition of "Amplified Live Speech" after the definition of "Agricultural Operation" as follows:

"Amplified Live Speech" means live speech amplified by any means that is clearly audible at an outdoor public place, but does not include live speech that is incidental to a commercial, industrial, or institutional premise, and does not include live speech amplified by an assistive device used by a person due to a disability;

2. Section 4.1 of By-Law PW-12 is amended by:

- (i) in the heading of Part 4 inserting the phrase "**- AMPLIFIED LIVE SPEECH**" after the phrase "(CLASS 2)";
- (ii) inserting the phrase "or Amplified Live Speech" after the phrase "Community Event (Class 2)" wherever it appears;
- (iii) deleting the word "and" in subsection 4.1(2)(h);
- (iv) deleting the "." at the end of subsection 4.1(2)(i) and replacing it with "; and";
- (v) inserting a new subsection 4.1(2)(j), as follows:
"(j) despite subsections (h) and (i) of subsection (2), there shall be no fees associated with a permit for Amplified Live Speech."

3. Subsection 6.1(q) of By-law PW-12 is deleted and replaced with the following new subsections 6.1(q) as follows:

Temporary Noise Permit – Construction – Community Event (Class 2) - Amplified Live Speech

(q) Construction or a Community Event (Class 2) or Amplified Live Speech, but only if a valid temporary noise permit has been issued, and only if the terms and conditions of the temporary noise permit are complied with;

4. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

SCHEDULE "A"

(Consolidated with draft amendments highlighted)

Bill No. 217
2009

By-law No. PW-12

A by-law to provide for the Regulation and Prohibition of Noise and Sound.

WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social and environmental well-being of the municipality; in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 9, Animals; in paragraph 9, Structures including fences and signs;

AND WHEREAS section 129 of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10 of the Act, a municipality may: (a) prohibit and regulate with respect to noise, vibration, odour, dust and outdoor illumination, including indoor lighting that can be seen outdoors; and (b) prohibit the matters described in clause (a) unless a permit is obtained from the municipality for those matters and may impose conditions for obtaining, continuing to hold and renewing the permit, including requiring the submission of plans;

AND WHEREAS section 128 of the *Municipal Act, 2001* provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council are or could become public nuisances;

AND WHEREAS in the opinion of Council for the City of London, certain kinds of noise are or could become a public nuisance;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees and charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- (c) for the use of its property including property under its control;

AND WHEREAS Section 23.2 of the *Municipal Act, 2001* permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity, and any person who contravenes such an order is guilty of an offence;

AND WHEREAS section 447.8 of the *Municipal Act, 2001* provides that a by-law of a municipality made under this or any other Act may,

- (a) adopt by reference, in whole or in part, with such changes as the council considers appropriate, any code, standard, procedure or regulation as it stands at a specific date, as it stands at the time of adoption or as amended from time to time; and
- (b) require compliance with any code, standard, procedure or regulation so adopted;

AND WHEREAS section 195 of the *Highway Traffic Act*, R.S.O. 1990, c. H.8 provides in section 195 that "If a provision of a municipal by-law passed by the council of a

municipality...for regulating noise...created by the operation of motor vehicles on the highways...is inconsistent with this Act or the regulations, the provision of the by-law shall be deemed to be repealed upon the inconsistency arising”;

AND WHEREAS section 179 of the *Environmental Protection Act*, R.S.O. 1990, c. E.19 provides in section 179 “Where a conflict appears between any provisions of this Act or the regulations and any other Act or regulation in a matter related to the natural environment or a matter specifically dealt with in this Act or the regulations, the provision of this Act or the regulations shall prevail”;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

PART 1

DEFINITIONS

1.1 For the purpose of this by-law:

“Agricultural Operation” has the same meaning as contained in the *Farming and Food Production Protection Act*, 1998, S.O. 1998, C. 1, as amended, or any successor legislation;

“Amplified Live Speech” means live speech amplified by any electronic device that is clearly audible at an outdoor public place, but does not include live speech that is incidental to a commercial, industrial, or institutional premise, and does not include live speech amplified by an assistive device used by a person due to a disability;

“Animal” means any member of the animal kingdom, other than a human, and without limiting the generality of the foregoing, includes dogs, cats, and birds;

“City” means The Corporation of the City of London;

“Community Event (Class1)” means: the Western Fair Association’s annual week-long Western Fair held at the Western Fairgrounds; the annual week-long orientation events and campus life events that are held on campus at the University of Western Ontario and affiliated colleges; and the annual week-long orientation events and campus life events that are held on campus at Fanshawe College;

“Community Event (Class 2)” means: an event open to the public, including a public fair, public exhibition, public celebration, public sporting event, public concert; or a university or college event; or a school board event. A Community Event (Class 2) does not include a Special Event or a Community Event (Class 1);

“Construction” includes erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form for any purpose, and includes any work in connection therewith;

“Conveyance” includes a vehicle and any other device employed to transport a person or persons or goods from place to place but does not include any such device or vehicle if operated only within the premises of a person;

“Council” means the Council for the City;

“Hearings Officer” means a Hearings Officer appointed under the City’s Hearings Officer By-law A.-6653-121, as amended;

“Manager of By-law Enforcement” means the Manager of By-law Enforcement for the City, or his or her designate;

“Municipality” means the land within the geographic limit of the City of London;

“Normal Farm Practice” has the same meaning as contained in the *Farming and Food Production Protection Act*, 1998, S.O. 1998, C. 1, as amended, or any successor legislation;

“Point of Reception” means any point on the premises where sound originating from other than those premises is received;

“Residential Area” means any area of the Municipality where residential use is permitted under

the provisions of the City's Zoning By-law from time to time, including but not limited to land zoned R1, R2, R3, R4, R5, R6, R7, R8, R9, R10, or R11;

"Rural Area" means land in the Municipality zoned AG, AGC, or UR from time to time under the City's Zoning By-law;

"Special Event" means a Special Event as defined in the City's Special Events Policies and Procedures Manual, and that is recognized by the City as a special event;

"Stationary Source" means a source of sound which does not normally move from place to place, and includes the premises of a person as one stationary source unless the dominant source of sound on those premises is Construction or a Conveyance;

1.2 Any word or term not defined in this By-law, that is defined in the Ontario Ministry of the Environment Publication Noise Pollution Control NPC-101, 102, 103, 104, 115, 205, 206, 215 or 232 (as set out in Part 3 of this By-law) shall have the meaning ascribed to it in such NPC Publication.

PART 2 – QUALITATIVE NOISE PROHIBITIONS

General Prohibition

2.1 No person shall make, cause or permit an unreasonable noise, or a noise that is likely to disturb the inhabitants.

Prohibitions - deemed

2.2 Without limiting the generality of section 2.1 of this By-law, the provisions of sections 2.3 through 2.4 shall be deemed to be unreasonable noise, or noise that is likely to disturb the inhabitants.

Prohibitions – deemed - any time, any location

2.3 At any time or location in the Municipality:

Vehicle - Warning Device - Unreasonable Period

(a) the sounding of any bell, horn, siren or other warning device on any motor vehicle or vehicle for an unnecessary or unreasonable period of time, except when permitted by law;

Vehicle - Disrepair - Maladjustment

(b) the grating, grinding or rattling sound caused by the condition of disrepair or maladjustment of any motor vehicle or vehicle or part or accessory thereof;

Vehicle – Load – Improperly Secured

(c) the sound created by the operation of any motor vehicle, trailer or other vehicle bearing material, articles or things that are loaded upon such vehicle in such manner as to create excessive noise;

Vehicle - Exhaust- except through muffling device

(d) the sound from the discharge into the open air of the exhaust of any steam engine, internal combustion engine (including the engine of any motor vehicle), or pneumatic device without an effective exhaust or intake muffling device in good working order and in constant operation that prevents excessive noises that are loud or explosive;

Vehicle - Speakers

(e) the sound from or created by any radio, amplifier, loud speaker, public address system, or equipment, device or instrument that emits sound when the same is used or operated from any motor vehicle, trailer or vehicle that is clearly audible at least 8 metres (25 feet) from the vehicle;

Attracting attention – to Performance – Advertising

(f) the sound from or created by any instrument, radio, amplification device, loud speaker, public address system, equipment or device that emits sound when the same is used or operated for the purpose of advertising or for attracting attention to any performance or sale, show or display of goods or services and projects such sound into any street or other public place;

Whistle – attached to boiler – other mechanism

- (g) the sound from any steam whistle or air whistle attached to or used in connection with a boiler or other machine or mechanism, except for the purpose of giving notice of the time to commence or cease work, or as a warning of danger;

Alarm – Warning Device

- (h) the sounding of any alarm, bell, horn, siren or other warning device for an unnecessary or unreasonable period of time.

Prohibitions – deemed - Residential Area

2.4 At the specified times and clearly audible at a Point of Reception in a Residential Area:

Animal – any time

- (a) the persistent sound by any Animal under the care, control or ownership of the person that is clearly audible at a Point of Reception in a Residential Area at any time;

Amplified Sound – television – stereo – speakers – amplifiers – any time

- (b) the sound created by any electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers intended for the production, reproduction or amplification of sound, including but not limited to a radio, television, amplifier, loud speaker, public address system, sound equipment, that is clearly audible at a Point of Reception in a Residential Area at any time;

Shouting, Yelling, Loud Hooting, Loud Whistling, Loud Singing – any time

- (c) any shouting, yelling, loud hooting, loud whistling or loud singing that is clearly audible at a Point of Reception in a Residential Area at any time;

Construction – Excavation – 6 p.m. to 7 a.m.

- (d) the noise arising from Construction that is clearly audible at a Point of Reception in a Residential Area between 6:00 p.m. and 7:00 a.m. of the following day (or 9:00 a.m. if the following day is Sunday);

Firearms – discharge – 9 p.m. to 7 a.m.

- (e) the sound caused by the discharge of any gun or other firearm, air gun, spring-gun of any class or type that is clearly audible at a Point of Reception in a Residential Area between 9:00 p.m. and 7:00 a.m. of the following day (or 9:00 a.m. if the following day is Sunday), except if lawfully discharged by a peace officer in the performance of their duties;

Power Equipment – use – 10 p.m. to 7 a.m.

- (f) the sound caused by the use or operation of a lawnmower, chain-saw, leaf-blower, or any other such noise-generating tool or device that is clearly audible at a Point of Reception in a Residential Area between 10:00 p.m. of any day and 7:00 a.m. of the next following day (or 9:00 a.m. if the following day is Sunday).

PART 3 – QUANTITATIVE NOISE – STATIONARY SOURCES

ADOPTION OF STANDARDS AND PROCEDURES

3.1 The following Ontario Ministry of Environment Publications (NPC – Noise Pollution Control) standards and procedures are adopted and incorporated by reference into this by-law:

- NPC 101 - Technical Definitions, as set out in the Ministry of the Environment’s “Model Municipal Noise Control By-law, Final Report, August 1978”;
- NPC 102 - Instrumentation, as set out in the Ministry of the Environment’s “Model Municipal Noise Control By-law, Final Report, August 1978”;
- NPC 103 - Procedures, as set out in the Ministry of the Environment’s “Model Municipal Noise Control By-law, Final Report, August 1978”;
- NPC 104 - Sound Level Adjustments, as set out in the Ministry of the Environment’s “Model Municipal Noise Control By-law, Final Report, August 1978”;
- NPC 115 - Construction Equipment, as set out in the Ministry of the Environment’s “Model Municipal Noise Control By-law, Final Report, August 1978”;
- NPC 205 - Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban), dated October 1995;
- NPC 206 - Sound Levels Due to Road Traffic, dated October 1995;

- NPC 216 - Residential Air Conditioning Devices, dated October 1993;
- NPC 232 - Sound Level Limits for Stationary Sources in Class 3 Areas (Rural), dated October 1995

QUANTITATIVE NOISE PROHIBITIONS

3.2 No person shall emit or cause or permit the emission of sound from a Stationary Source such that the level of sound from that source at the Point of Reception:

- (a) in a Residential Area exceeds the applicable sound level limit prescribed in publication NPC-205– Sound Level Limits for Stationary Sources in Class 1 & 2 Areas (Urban), dated October 1995; or
- (b) in a Rural Area exceeds the applicable sound level limit prescribed in publication NPC-232 – Sound Level Limits for Stationary Sources in Class 3 Areas (Rural), dated October 1995; or
- (c) in a Residential Area exceeds the applicable sound level limit prescribed in publication NPC-216 – Residential Air Conditioning Devices, dated October 1993.

3.3 Where a source of sound is subject to more than one subsection in section 3.2, the least restrictive provision shall prevail.

PART 4 – TEMPORARY NOISE PERMIT - CONSTRUCTION – COMMUNITY EVENT (CLASS 2) – AMPLIFIED LIVE SPEECH

Application for a Temporary Noise Permit

- 4.1 (1) Any person may submit an application for a temporary noise permit for Construction or for a Community Event (Class 2) **or Amplified Live Speech**.
- (2) The application in subsection (1) shall be made in writing to the Manager of By-law Enforcement, and shall contain all of the following:
- (a) the name and address of the applicant;
 - (b) a description of the event and how it meets the definition of Community Event (Class 2) **or Amplified Live Speech** or Construction;
 - (c) the location of the event or activity for which the temporary noise permit is sought;
 - (d) a description of the source of sound and level of sound for which the temporary noise permit is sought;
 - (e) the times of day, and the period of time (not in excess of six months) for which the temporary noise permit is sought;
 - (f) the reasons why the temporary noise permit should be granted;
 - (g) a statement of the steps, if any, planned or presently being taken to minimize the noise or sound;
 - (h) a non-refundable application fee of \$75.00;
 - (i) a temporary noise permit fee of \$100.00, refundable if the application is not approved; **and**
 - (j) **despite subsections (h) and (i) of subsection 2, there shall be no fees associated with a permit for Amplified Live Speech.**
- (3) The following power and authority is delegated to the Manager of By-law Enforcement with respect to Construction or a Community Event (Class 2) **or Amplified Live Speech**:
- (a) to issue a temporary noise permit; and
 - (b) to refuse to issue, cancel, revoke or suspend a temporary noise permit, and to impose conditions (including special conditions) on a temporary noise permit.
- (4) In making his or her determination under subsection (3), the Manager of By-law Enforcement shall:
- (i) determine whether the event falls within the definition of Construction or Community Event (Class 2) **or Amplified Live Speech**;
 - (ii) consider any negative effects the issuance of the temporary noise permit may have on neighbouring properties or on the City;
 - (iii) consider any benefits the issuance of the temporary noise permit may have for neighbouring properties or for the City;
 - (iv) consider any previous violations of this By-law or temporary noise permit conditions by the applicant; and
 - (v) consider anything the Manager of By-law Enforcement reasonably considers relevant.

- (5) (a) The Manager of By-law Enforcement may impose conditions on a temporary noise permit, including but not limited to:
- (i) the type and volume of sounds that may be made;
 - (ii) the times during which sounds may be made;
 - (ii) the date of expiry of the temporary noise permit (not in excess of six months);
 - (iv) requiring the posting of security prior to the activity; and
 - (v) that the applicant, City staff or a professional engineer monitor the sound levels resulting from the event or activity and require a report of the findings of the engineer be filed with the Manager of By-law Enforcement within 30 days of the event or activity, all at the applicant's expense.
- (b) The Manager of By-law Enforcement shall impose conditions on a temporary noise permit for Community Event (Class 2) **or Amplified Live Speech** with respect to:
- (i) the volume of amplified sound that may be made; and
 - (ii) the times during which sounds may be made.
- (c) The minimum conditions that the Manager of By-law Enforcement shall impose under subsection 5(b) are:
- (i) subject to subsection (ii), the volume of amplified sound that may be made shall not exceed a sound pressure of at most 90 decibels at a point of reception determined by the Manager of By-law Enforcement;
 - (ii) the volume of amplified sound that may be made from an outdoor patio shall not exceed a sound pressure of at most 70 decibels at a point of reception determined by the Manager of By-law Enforcement; and
 - (iii) the times during which sound may be made shall be limited to the hours of 9:00 a.m. at the earliest and 12:00 midnight at the latest.
- (6) Where the Manager of By-law Enforcement has made a decision under subsection (3)(b), he or she shall give written notice of that decision to the applicant by regular mail to the last known address of that person. The written notice shall:
- (a) set out the grounds for the decision;
 - (b) give reasonable particulars of the grounds;
 - (c) be signed by the Manager of By-law Enforcement;
 - (d) state that the applicant is entitled to a hearing by a Hearings Officer if the applicant files a notice of appeal with the City Clerk within 10 days after the notice is given, and pays the appeal fee of \$150.
- (7) Where no appeal is received within 10 days after the notice is given, the decision of the Manager of By-law Enforcement shall be final.
- (8) The Manager of By-law Enforcement shall report to Council annually on the temporary noise permits issued and refused.

Hearings

4.1(9) The power and authority to conduct hearings of appeals under the by-law are hereby delegated to the Hearings Officer. The provisions of the City's Hearings Officer By-law A.-6653-21, as amended apply to all hearings conducted by a Hearings Officer.

4.1(10) A request by the applicant for a hearing shall be made in writing and filed with the City Clerk. The request shall consist of a notice of appeal and must comply with the requirements as set out in Schedule 1 of the City's Hearings Officer By-law A.-6653-121, as amended.

4.1(11) Subsection 4.1(4) and 4.1(5) of this by-law apply with necessary modifications to a Hearings Officer. A Hearings Officer may direct the Manager of By-law Enforcement to issue the temporary noise permit (including imposing any conditions), or refuse to issue a temporary noise permit.

4.1(12) The decision of the Hearings Officer shall be final.

Temporary Noise Permit Expiry

4.2 Any temporary noise permit issued under this By-law shall expire on the date set out on the temporary noise permit, or if no date is set out on the temporary noise permit, forty-eight hours after its issuance.

Breach of Terms or Conditions

4.3 Breach by the holder of the temporary noise permit of any of its terms or conditions shall render the temporary noise permit null and void.

Offence – Fail to Comply with Terms and Conditions

4.4 No holder of a temporary noise permit shall fail to comply with the terms and conditions of the temporary noise permit.

PART 5 – ENFORCEMENT

ORDERS

Order to Discontinue Activity

5.1 If a municipal law enforcement officer or a London Police Service police officer is satisfied that this by-law has been contravened, the officer may make an order, known as an Order to Discontinue Activity, requiring the person who contravened the by-law, or who caused or permitted the contravention, or the owner or occupier of the land on which the contravention occurred, to discontinue the contravention.

Order to Discontinue Activity - particulars

5.2 An Order to Discontinue Activity shall set out:

- (a) the municipal address of the property on which the contravention occurred;
- (b) the date of the contravention;
- (c) the reasonable particulars of the contravention of the by-law; and
- (d) the date by which there must be compliance with the order.

Order to Discontinue Activity - service

5.3 The Order to Discontinue Activity may be served personally on the person to whom it is directed or by regular mail to the last known address of that person, in which case it shall be deemed to have been given on the third day after it is mailed. Service on a corporation can be effected by registered mail to the corporate mailing address.

Contravention of Order

5.4 No person shall contravene an Order to Discontinue Activity.

Inspection Fee

5.5 (1) Where the municipal law enforcement officer determines that an activity producing noise or sound is not in compliance with this by-law or with an Order to Discontinue Activity, the fee or charge set out in the applicable Fees and Charges By-law for inspection may be imposed on the owner, person responsible for the noise or sound, or temporary noise permit holder.

(2) The fees imposed constitute a debt of the person to the City. The City Treasurer may add fees to the tax roll and collect them in the same manner as municipal taxes on any property for which all the owners are responsible for paying the fees.

Hinder or Obstruct

5.6 No person shall hinder or obstruct, or attempt to hinder or obstruct, any person who is exercising a power or performing a duty under this By-law, including carrying out an inspection.

By-law Enforcement – London Police Service - enforce

5.7 This by-law may be enforced by a City municipal law enforcement officer or a London Police Service police officer.

PART 6 - EXEMPTIONS

6.1 Despite any provision of this By-law, this By-law shall not apply to the following sounds arising from:

Police – Fire Services – Ambulance

(a) a vehicle of the London Police Service, provincial or federal police, London Fire Services, or ambulance, while in performance of their duty;

Railway – Airport – operations

(b) any activity that is integral to the operation of any railway or airport within the legislative authority of Parliament;

Public Necessity - Emergency

(c) a matter of public necessity or public emergency;

City Equipment – City Snow Removal - Road Cleaning Equipment - etc

- (d) the operation of machines and equipment by or on behalf of the City, including but not limited to snow removal equipment, road cleaning equipment, grass cutting or field maintenance equipment, tree and shrub pruning and mulching equipment, painting machines for crosswalks and highways;

Garbage & Recycling Collection / Disposal - City

- (e) the collection or disposal of garbage, waste or recyclable material by or on behalf of the City;

Signalling Devices

- (f) signalling devices utilized as traffic and pedestrian control devices at intersections and crosswalks;

City Construction Projects

- (g) the operation of equipment in conjunction with City Construction projects, City general maintenance projects, and City emergency maintenance projects;

Fireworks – Pyrotechnics

- (h) the discharge of consumer fireworks, display fireworks or pyrotechnic special effects fireworks if such discharge complies with the City's Fireworks By-law;

Bells – Clocks – Religious - City

- (i) bells, chimes, carillons or clocks associated with religious or public buildings or uses;

Industrial Use in Industrial Zone

- (j) activities from industrial uses located in lands zoned for industrial use if sound is in accordance with the terms and conditions of a valid Certificate of Approval, provisional Certificate of Approval or other approval issued under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, where such approval addresses sound as a source of contamination;

Normal Farm Practice

- (k) activities as part of a Normal Farm Practice and carried on as part of an Agricultural Operation;

Public Utilities

- (l) operation of machinery by or on behalf of a public utility where work needs to be done to minimize service interruptions;

Work Approval Permit - Streets By-law

- (m) operation of construction equipment where the City has issued a Work Approval Permit under the Streets By-law and in issuing such permit the City requires the work to be done to minimize traffic impacts;

Public election - gathering - authorized

- (n) the use in a reasonable manner of any apparatus or mechanism for the amplification of the human voice or of music in a public park or any other commodious space in connection with any public election meeting or other lawful gathering between 9:00 a.m. and 6:00 p.m.;

Special Event – compliance with Special Events Policy Manual

- (o) a Special Event but only if it is in compliance with the City's Special Events Policy and Procedures Manual;

Community Event (Class 1) – compliance with Community Event (Class 1) Policy

- (p) a Community Event (Class 1) but only if it is in compliance with the City's Community Event (Class 1) Noise Policy;

Temporary Noise Permit – Construction – Community Event (Class 2) – Amplified Live Speech

- (q) Construction or a Community Event (Class 2) or Amplified Live Speech, but only if a valid temporary noise permit has been issued, and only if the terms and conditions of the temporary noise permit are complied with;

Parade - band - authorized

- (r) a military or other band in a parade if the parade is operating under written permission of the City;

Tradesman - plying call - legitimacy - moderation

- (s) any newsboy, pedlar, hawker or petty tradesman plying his calling legitimately and moderately;

Snow Removal – Private Property

- (t) the use in a reasonable manner of vehicles and equipment when utilized for the clearing and the removal of snow from private property;

Animals – City – Police

- (u) an Animal under the care or control of the City, including but not limited to those located at Storybook Gardens, and animals under the care or control of London Police Service or provincial or federal police.

- 6.2 Despite any provision of this By-law, this By-law shall not apply where:
 - (a) a sound is from a facility that has been designed, developed, built, operated and maintained in accordance with the terms and conditions of a valid Certificate of Approval, provisional Certificate of Approval or other approval issued under the *Environmental Protection Act*, R.S.O. 1990, c. E.19, where such approval addresses sound as a source of contamination; or
 - (b) an order or permit has been issued under the *Environmental Protection Act* that addresses the sound as a source of contamination.

PART 7- PENALTY

- 7.1 (1) Any person who contravenes any provision of this By-law is guilty of an offence.
(2) A director or officer of a corporation who knowingly concurs in the contravention of this By-law is guilty of an offence.
- 7.2 Any person convicted under this By-law is liable:
 - (a) upon a first conviction, to a minimum fine of \$175.00 and a maximum fine of \$5,000.00;
 - (b) upon a subsequent conviction, to a minimum fine of \$500.00 and a maximum fine of \$10,000.00.
- 7.3 Despite section 7.2, where the person convicted is a corporation, the corporation is liable,
 - (a) upon a first conviction, to a minimum fine of \$175 and a maximum fine of not more than Ten Thousand Dollars (\$10,000.); and
 - (b) upon any subsequent conviction, to a minimum fine \$1000 and a maximum fine of not more than Twenty Five Thousand Dollars (\$25,000).
- 7.4 If this by-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the by-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order prohibiting the continuation or repetition of the offence by the person convicted.

PART 8– MISCELLANEOUS

- 8.1 By-law PW-4 and any amendments thereto are hereby repealed.
- 8.2 This by-law may be referred to as the “Sound By-law”.
- 8.3 This by-law shall come into force and effect on July 1, 2009.

PASSED in Open Council May 4, 2009.

Anne Marie DeCicco-Best
Mayor

Kevin Bain
City Clerk

First Reading – May 4, 2009
Second Reading – May 4, 2009
Third Reading – May 4, 2009

Bill No. 436
2018

By-law No. PH-18-_____

A by-law to amend By-law PH-18 entitled, "A by-law to prohibit and regulate public nuisances within the City of London" to prohibit unnecessary interference with another person's use and enjoyment of a Public Place.

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c. 25 ("*Municipal Act, 2001*"), provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: 5. Economic, social and environmental well-being of the municipality; 6. Health, safety and well-being of persons; 8. Protection of persons and property;

AND WHEREAS section 128 of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10, a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances, and the opinion of Council under this section, if arrived at in good faith, is not subject to review by any court;

AND WHEREAS, in the opinion of Council, unnecessary interference with another person's use and enjoyment of a Public Place by using abusive or insulting language as a personal invective, is or could become or cause a public nuisance;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The attached Schedule "A" By-law PH-18 is amended by inserting the following new Section 4.1:

4.1 Unnecessary Interference with Use and Enjoyment of Public Place

(1) In section 4.1 only, "Public Place" is defined as:

"**Public Place**" includes a Highway, public park, or other lands to which the public has access as of right or by invitation and includes private property that is exposed to public view.

(2) No person shall, in a Public Place, unnecessarily interfere with another person's use and enjoyment of the Public Place by using abusive or insulting language as a personal invective.

2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

SCHEDULE "A"

Public Nuisance By-law
(Consolidated with draft amendments highlighted)

Bill No. 228
2012

By-law No. PH-18

A By-law to prohibit and regulate public nuisances
within the City of London.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended ("the *Municipal Act, 2001*") provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a Municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 8 of the *Municipal Act, 2001* provides that the powers of a Municipality under this or any other Act shall be interpreted broadly so as to confer broad authority on municipalities to enable them to govern their affairs as they consider appropriate, and to enhance their ability to respond to municipal issues;

AND WHEREAS section 10 of the *Municipal Act, 2001* provides that a Municipality may pass by-laws respecting: Economic, social and environmental well-being of the Municipality; Health, safety and well-being of persons; Protection of persons and property; Structures, including fences and signs;

AND WHEREAS section 128 of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10, a local Municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances, and the opinion of Council under this section, if arrived at in good faith, is not subject to review by any court;

AND WHEREAS, in the opinion of Council, nuisance parties, public urination and defecation, and knocking over objects on the Highway are or could become or cause public nuisances;

AND WHEREAS section 425 of the *Municipal Act, 2001* establishes that any person who contravenes any by-law of the Municipality is guilty of an offence;

AND WHEREAS section 435 of the *Municipal Act, 2001* and By-law A-30 provide for the exercise of powers of entry by municipal law enforcement officers and police officers;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that a municipality may make an order requiring a person who contravened a by-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. DEFINITIONS

In this By-law,

"Building" means any permanent structure consisting of a roof supported by walls or columns that is used or intended to be used for the shelter, accommodation or enclosure of persons, animals, goods, chattels or equipment;

"Chief of Police" means the Chief of Police of the London Police Service, or designate;

“City” means The Corporation of the City of London;

“Dwelling” means a Building containing one or more dwelling units;

“Highway” includes a common and public highway, highway, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles or persons, and includes the area between the lateral property lines thereof, including sidewalks and boulevards, and Highways shall have a corresponding meaning;

“Municipality” means the land within the geographic limit of the City of London;

“Nuisance Party” means a social gathering on Premises within the Municipality and which, by reason of the conduct of the persons in attendance, results in any one or more of the following activities occurring so as to constitute a public nuisance whether occurring on neighbouring public or private property:

- (a) disorderly conduct;
- (b) public drunkenness or public intoxication;
- (c) the unlawful sale, furnishing, or distribution of alcoholic beverages or controlled substances;
- (d) the deposit of refuse on public or private property;
- (e) damage to or destruction of public or private property;
- (f) pedestrian traffic, vehicular traffic, or illegal parking that obstructs the free flow of traffic or could interfere with the ability to provide emergency services;
- (g) unreasonable noise, including loud music or shouting;
- (h) unlawful open burning or fireworks;
- (i) public disturbances, including public brawls or public fights;
- (j) outdoor public urination or defecation;
- (k) use of or entry upon a roof not intended for such occupancy;

“Premises” means any public or private place in the Municipality, including but not limited to Highways, parks, parking lots, yards appurtenant to a Building or Dwelling or vacant lands, but does not mean a Building or Dwelling.

2. PUBLIC URINATION / PUBLIC DEFECATION

2(1) In Section 2 only, “Public Place” is defined as:

“Public Place” includes a Highway, public park, parking lot or other lands to which the public has access as of right or by invitation and includes private property that is exposed to public view, but does not include an enclosed washroom facility.

2(2) No person shall urinate or defecate in a Public Place.

3. MAILBOXES ETC. ON HIGHWAY

No person shall knock over or attempt to knock over a Canada Post mailbox, Canada Post relay box, newspaper box, Blue Box, or garbage container, lawfully located on a Highway. This section shall not apply to City employees, or any person under contract with the City, acting under the City’s Waste Management By-law.

4. NUISANCE PARTIES

4(1) No person shall sponsor, conduct, continue, host, create, attend, allow, cause or permit a Nuisance Party.

4(2) No person who, individually or jointly with others, is an owner, occupant, tenant, or who otherwise has rightful possession of or possessory control of any Premises, shall allow, cause or permit a Nuisance Party on said Premises under their possession or control.

4.1 UNNECESSARY INTERFERENCE WITH USE AND ENJOYMENT OF PUBLIC PLACE

(1) In section 4.1 only, “Public Place” is defined as:

“Public Place” includes a Highway, public park, or other lands to which the public has access as of right or by invitation and includes private property that is exposed to public view.

(2) No person shall, in a Public Place, unnecessarily interfere with another person’s use and enjoyment of the Public Place by using abusive or insulting language as a personal invective.

5. ORDER TO DISCONTINUE ACTIVITY

5(1) Upon the order of the Chief of Police or his or her designate or the City's Manager of Licensing and Municipal Law Enforcement Services or his or her designate, a Nuisance Party shall cease and all persons not residing on the Premises shall leave the Premises where it is occurring.

5(2) An order under this section shall identify:

- (a) the location of the land on which the contravention occurred;
- (b) the reasonable particulars of the contravention of the By-law; and
- (c) the date and time by which there must be compliance with the order.

5(3) An order under this section may be given verbally or may be served personally on the person to whom it is directed. If the order is given by regular mail to the last known address of that person, and if given by registered mail, it shall be deemed to have been given on the third day after it is mailed. Service on a corporation can be effected by registered mail to the corporate mailing address.

5(4) No person shall fail to leave the Premises after having been directed to leave the Premises by an order to discontinue activity under this By-law.

6. CLOSE PUBLIC HIGHWAY

6(1) The Chief of Police, a London Police Service police officer, or a municipal law enforcement officer may temporarily close any Highway or portion thereof to public travel under this By-law where a Nuisance Party is occurring on or adjacent to the Highway by placing a notice on the Highway to be closed in accordance with the *Municipal Act, 2001*.

6(2) Where a Highway or portion of a Highway has been closed under this By-law, the common law right of passage by the public over the Highway and the common law right of access to the Highway by an owner of land abutting the Highway are restricted, as directed by the Chief of Police, a London Police Service police officer, or a municipal law enforcement officer.

6(3) No person shall use a Highway, or portion of a Highway that has been closed under this By-law except with lawful authority or in accordance with the direction of the Chief of Police or other officer pursuant to this section.

6(4) No person shall, without lawful authority, remove or deface any barricade, device, detour sign or notice placed on a Highway pursuant to this By-law.

7. ENFORCEMENT AND INSPECTION

7(1) The provisions of this By-law may be enforced by a municipal law enforcement officer, London Police Service police officer, or other individual duly appointed for the purpose of enforcing this By-law.

7(2) Every municipal law enforcement officer and London Police Service police officer may carry out an inspection to determine whether the provisions of this By-law are being complied with in accordance with the City's Inspections By-law and shall have the right to enter lands pursuant to the provisions of the Inspections By-law and the *Municipal Act, 2001*.

8. PENALTY

Every person who contravenes any provision of this By-law is guilty of an offence, and on conviction is liable to:

- (a) a maximum fine of \$10,000; and
- (b) for convictions under subsections 4(1), 4(2), or 5(4), a minimum fine of \$500.

9. SEVERABILITY

If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.

10. CONTINUATION - REPETITION - PROHIBITED - BY ORDER

The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

11. SHORT TITLE OF BY-LAW

This By-law may be referred to as the "Public Nuisance By-law".

12. REPEAL

By-law PH-13 is hereby repealed.

13. FORCE AND EFFECT

This By-law shall come into force and effect on the day it is passed.

PASSED in Open Council on May 22, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - - May 22, 2012
Second Reading - - May 22, 2012
Third Reading - May 22, 2012

Bill No. 437
2018

By-law No. PS-113-_____

A by-law to amend By-law PS-113 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London."

WHEREAS subsection 10(2) paragraph 7. Of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power shall be exercised by by-law;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. No Stopping
Schedule 1 of the By-law PS-113 is hereby amended by **adding** the following rows:

King Street	North	Covent Market	Richmond	3:30 p.m. to
		Place	Street	6:30 p.m.

2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 661-675 Wharnccliffe Road South.

WHEREAS 552062 Ontario Ltd has applied to rezone an area of land located at 661-675 Wharnccliffe Road South, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 661-675 Wharnccliffe Road South as shown on the attached map comprising part of Key Map No. A.111, from a holding Residential R5/R9 (h-5*R5-7/R9-7*H48) Zone to a holding Residential R5/R9/Restricted Service Commercial Special Provision (h-_*R5-7/R9-7*H48/RSC1(*)) Zone.

2. Section Number 3.8 of the Holding "h" Zone is amended by adding the following Holding Provision:

h-(_) Purpose: To ensure that residential development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-_" symbol.

Permitted Interim Uses: Non-residential uses

3. Section Number 28.4 of the Restricted Service Commercial (RSC1(_)) Zone is amended by adding the following Special Provision:

RSC1(*) 661-675 Wharnccliffe Road South

a) Regulations

- i) Permitted Use:
Open storage (vehicles) in association with an automobile sales and service establishment
- ii) The minimum rear (west) yard setback for open storage (vehicles) abutting a residential zone shall be 18m (59 feet).
- iii) Lot coverage for open storage (vehicles) 80%
(maximum)

4. The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

5. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

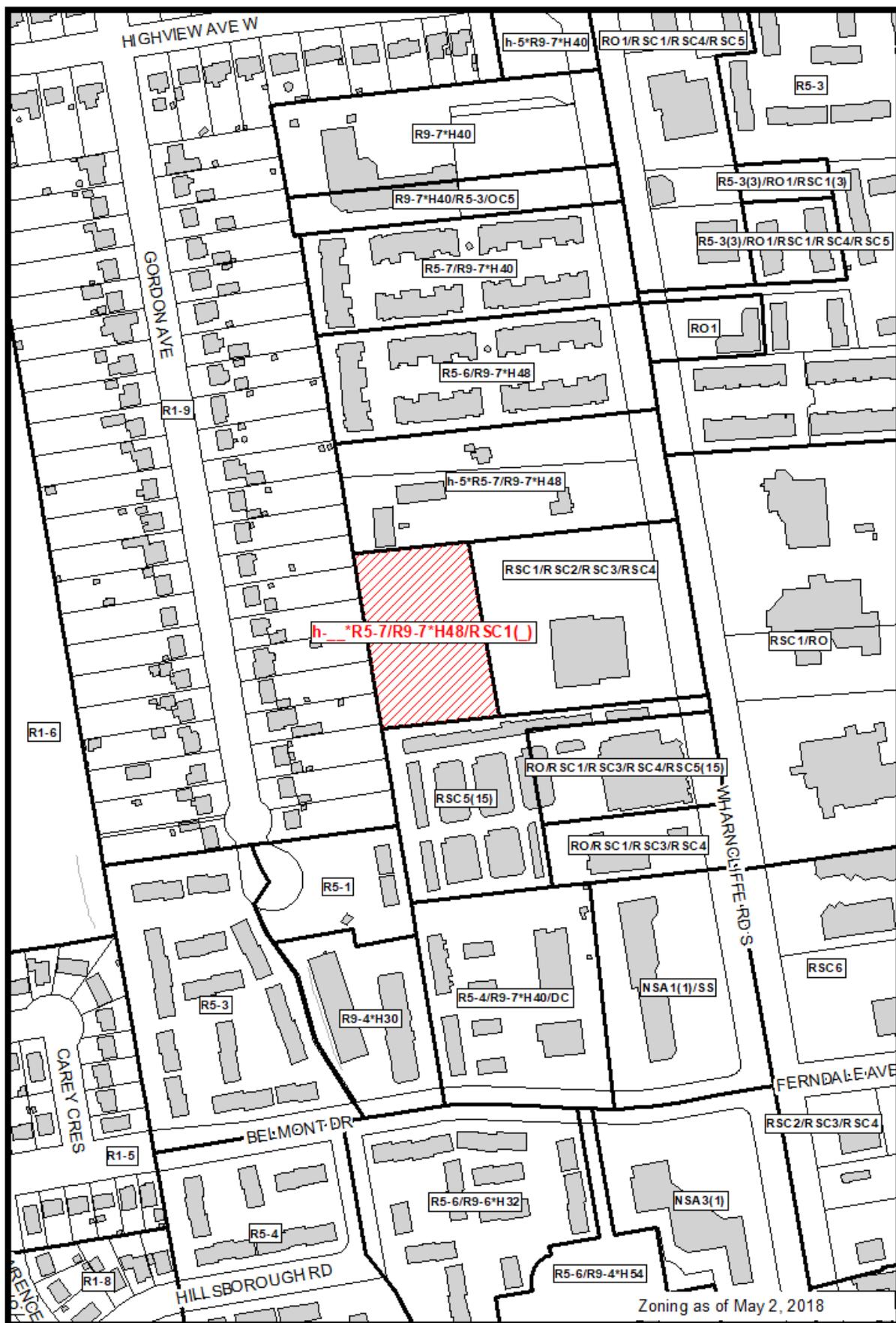
PASSED in Open Council on July 24, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – July 24, 2018
Second Reading – July 24, 2018
Third Reading – July 24, 2018

SCHEDULE "A"



File Number: OZ-8898

Planner: SW

Date Prepared: 2018/06/11

Technician: MB

By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters

