



Council Minutes

15th Meeting of City Council
August 28, 2018, 4:00 PM

Present: Mayor M. Brown, M. van Holst, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, J. Zaifman
Absent: B. Armstrong
Also Present: M. Hayward, A. Anderson, B. Card, I. Collins, B. Coxhead, S. Datars Bere, P. Foto, G. Kotsifas, L. Loubert, D. O'Brien, M. Ribera, K. Scherr, M. Schulthess, E. Skalski, C. Smith, M. Tomazincic, B. Warner and B. Westlake-Power.

The meeting is called to order at 4:05 PM.

1. Disclosures of Pecuniary Interest

Councillor T. Park discloses a pecuniary interest in clause 3.4 of the 13th Report of the Planning and Environment Committee, having to do with the property located at 391 South Street, and the related Bill No. 541 by indicating that her family owns property in the area. Councillor T. Park also discloses a pecuniary interest in clauses 2 and 3 of the 15th Report of the Council in Closed Session, having to do with properties located at 32 and 34 Wellington Street, respectively, and the related Bill No.'s 542 and 543, by indicating that her family owns property in the area.

Councillor S. Turner discloses a pecuniary interest in clauses 2 and 3 of the 15th Report of the Council in Closed Session, having to do with properties located at 32 and 34 Wellington Street, respectively, and the related Bill No.'s 542 and 543, by indicating that his family owns property within 500 m of the subject properties.

Councillor V. Ridley discloses a pecuniary interest in clauses 2 and 3 of the 15th Report of the Council in Closed Session, having to do with properties located at 32 and 34 Wellington Street, respectively, and the related Bill No.'s 542 and 543, by indicating that her family owns property in the area.

2. Recognitions

His Worship the Mayor, on behalf of Council, presents the 2018 Queen Elizabeth Scholarships to Kai Sun, from A.B. Lucas Secondary School (average 98.50%) and Robert Nadal from Sir Wilfrid Laurier Secondary School (average 98.17%)

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, In Closed Session

Motion made by: T. Park
Seconded by: H. Usher

That Council rise and go into Council, In Closed Session, for the purpose of considering the following:

4.1 Land Disposition/Solicitor-Client Privileged Advice

A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition 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 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 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 disposition 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 disposition 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 disposition. (6.1/15/CSC)

4.2 Land Disposition/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. (6.2/15/CSC)

4.3 Land Disposition/Solicitor-Client Privileged Advice

A matter to be considered for the purpose of 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. (6.3/15/CSC)

4.4 Labour Relations/Employee Negotiations/Solicitor-Client Privileged Advice

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's unions and advice which is subject to solicitor client privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation. (6.4/15/CSC)

4.5 Labour Relations/Employee Negotiations/Litigation/Potential Litigation/Solicitor-Client Privileged Advice/Personal Matters/Identifiable Individual

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regards to the Corporation's associations and unions, and litigation or potential litigation affecting the municipality, and advice which is subject to solicitor client privilege, including communications necessary for that purpose; and a matter pertaining personal matters about an identifiable individual; litigation or potential litigation affecting the municipality; advice that is subject to solicitor-client privilege, including communications, reports, advice or recommendations of officers and employees of the Corporation necessary for that purpose and directions to officers and employees of the Corporation pertaining to by-law enforcement matters with respect to the City's Vehicle for Hire By-law L.-130-71. (6.5/15/CSC)

4.6 Solicitor-Client Privilege/Litigation/Potential Litigation

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal, and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.1/13/PEC)

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

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

5.1 14th Meeting held on July 24, 2018

Motion made by: M. Cassidy

Seconded by: M. Salih

That the Minutes of the 14th Meeting held on July 24, 2018, BE APPROVED.

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

6. Communications and Petitions

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

That the communication, having to do with a proposed by-law amendment to By-law PH-3, BE REFERRED as noted on the Agenda.

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 12th Report of the Community and Protective Services Committee

Motion made by: M. Cassidy

That the 12th Report of the Community and Protective Services Committee BE APPROVED.

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 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. (2.1) Age Friendly London Progress Report 2018

Motion made by: M. Cassidy

That it BE NOTED that the staff report dated August 14, 2018, with respect to the Age Friendly London Progress Report 2018, was received. (2018-S12)

Motion Passed

3. (3.1) London and Middlesex Housing Corporation Board of Directors

Motion made by: M. Cassidy

That the delegation from J. Peaire, with respect to the London and Middlesex Housing Corporation Board of Directors, BE RECEIVED. (2018-C12)

Motion Passed

4. (3.2) 7th Report of the Accessibility Advisory Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 7th Report of the Accessibility Advisory Committee from its meeting held on July 26, 2018:

a) the motion from the Policy Sub-Committee report, from the meeting held on July 10, 2018, with respect to Municipal Council being requested to fully endorse the Outdoor Event Guide, in its entirety, and require that all events held on city-owned land be required to implement all points BE REFERRED to the Civic Administration for review and a report back to the Community and Protective Services Committee in enough time for possible implementation prior to the next events season;

b) that the following actions be taken with respect to the Built Environment Sub-Committee report from its meeting held on July 23, 2018:

i) the Civic Administration BE REQUESTED to update the Complete Streets Design Manual to include the Accessibility Advisory Committee (ACCAC), the Transportation Advisory Committee and the Cycling Advisory Committee in the stakeholder map; and,

ii) the Civic Administration BE ADVISED of the following comments from the ACCAC with respect to the Parks and Recreation Master Plan:

- there should be more accessible programming through partnerships with other community agencies provided;
- there should be consistency and persistence when providing programming; it being noted that it may take time to build up a clientele and will require advertising throughout the community;
- the Master Plan should include the Facility Accessibility Design Standards (FADS) in the list of council-endorsed/approved initiatives; and,
- it should be ensured that all parks and recreation facilities are included in the FADS document;

it being noted that the remainder of the Built Sub-Committee report was received;

c) the Civic Administration BE ADVISED that the Accessibility Advisory Committee (ACCAC) supports, in principle, the idea of issuing wristbands to children with special needs who attend Storybook Gardens in order to communicate to staff that extra assistance may be required; it being noted that the ACCAC wishes to be consulted throughout this development and implementation of this system;

d) a representative from the Committee of Adjustment BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee in order to speak to how often items come before the Committee that are accessibility-related and how best to ensure that the accessibility lens is applied to these situations;

it being noted that the Notice of Decision from the Committee of Adjustment Submission No.: A.088/18, submitted to the agenda by A. Forrest, was received; and,

e) clauses 1.1, 3.1 to 3.3, 5.3, 6.1 and 6.2, BE RECEIVED;

it being noted that a verbal delegation from M. Cairns, Accessibility Advisory Committee, was received with respect to this matter.

Motion Passed

5. (3.3) 8th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Motion made by: M. Cassidy

That the 8th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meeting held on July 19, 2018, BE RECEIVED;

it being noted that the ~~attached~~ presentation from F. Cassar, Diversity, Inclusion and Anti-Oppression Advisory Committee, with respect to this matter, was received.

Motion Passed

6. (3.4) 8th Report of the Animal Welfare Advisory Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 8th Report of the Animal Welfare Advisory Committee from its meeting held on August 2, 2018:

a) the following actions be taken with respect to the proposed amendments to the London Animal Control By-law PH-3:

i) the Civic Administration BE REQUESTED to report back to the Animal Welfare Advisory Committee(AWAC) regarding amendments to the London Animal Control By-law PH-3, as previously submitted by the AWAC, as soon as possible;

ii) the Civic Administration BE ADVISED that the AWAC believes there is some urgency with respect to this matter and that the staff report should be expedited for the Community and Protective Services Committee (CPSC) and the Municipal Council's consideration as a private zoo business has stated its intent to, and has reportedly been working to establish, a facility in London;

b) the following actions be taken with respect to potential amendments to the Zoning By-law regarding Licensing in Homes for Pet Related Services:

i) the Civic Administration BE ADVISED of the following comments from Animal Welfare Advisory Committee(AWAC) with respect to the above-noted potential by-law amendments:

standards for good animal welfare should be addressed in terms of physical space, and also caring for these animals such as:

- basic obedience training;
- CPR First Aid;
- human First Aid;

- fire and safety measures put in place;
 - sanitation protocol and standards;
 - vaccination and insurance requirements;
 - fence height restriction;
 - education requirements; and,
 - determining whether current business owners are meeting the above standards and, if not, recommend that a timeline be established for compliance;
- ii) the Civic Administration BE REQUESTED to report back to the AWAC with respect to the feasibility of implementing the recommendations above; and,
- c) clauses 1.1, 3.1, 3.2, 4.1 and 5.1, BE RECEIVED.

Motion Passed

7. (4.1) 7th Report of the London Housing Advisory Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 7th Report of the London Housing Advisory Committee (LHAC) from its meeting held on July 11, 2018:

- a) the following actions be taken with respect to growing marijuana in apartment buildings:
- i) a representative from Neighbourhood Legal Services BE INVITED to attend the October meeting of the LHAC to speak to the rights and responsibilities of landlords and tenants; and,
 - ii) a representative from Property Management BE INVITED to attend a future meeting of the LHAC with respect to this matter;
- b) the City Clerk BE REQUESTED to consider the addition of a member of the Housing Development Corporation as a non-voting member to the LHAC;

it being noted that a comprehensive review of all advisory committees is being undertaken by the City Clerk and that the LHAC members were also requested to review the Terms of Reference for the committee;

- c) the Civic Administration BE REQUESTED to make a staff person from the appropriate area available at LHAC meetings when Planning Notices are being reviewed by the committee;
- d) S. Giustizia, J. Browne and D. Purdy BE INVITED to attend the September meeting of the LHAC to discuss the 2018 Shareholder reports;
- e) the Civic Administration BE REQUESTED to provide an update with respect to inclusionary zoning to the LHAC; and,
- f) clauses 1.1, 2.1, 3.1 to 3.4, 6.1 and 6.4, BE RECEIVED.

Motion Passed

8. (5.1) Deferred Matters List

Motion made by: M. Cassidy

That the Deferred Matters List for the Community and Protective Services Committee, as at July 30, 2018, BE RECEIVED.

Motion Passed

9. (5.2) Mayor's Meeting With the Accessibility Advisory Committee – Update

Motion made by: M. Cassidy

That the following actions be taken with respect to the correspondence from Mayor M. Brown regarding his meeting on June 28, 2018 with members of the Accessibility Advisory Committee:

a) the first two action items on the correspondence, listed below, BE IMPLEMENTED as soon as possible:

- a statement be read at all City Meetings, noted on agendas and signage be posted near the entrance of City Hall and outside Council Chambers that reads: "The City of London is committed to fostering an accessible and inclusive community wherein all members of the public have equitable access to Municipal Council and its activities. To facilitate this environment, the City of London offers supportive devices, communications supports and adaptive technologies to those in attendance and those off-site. If you require assistance, please contact accessibility@london.ca or 519-661-2489 ext. 2425."; and,

- create an active motions list and deferred matters list outlining all former Accessibility Advisory Committee requests; and,

b) the remainder of the above-noted correspondence BE REFERRED to the Civic Administration in order to report back to the Community and Protective Services Committee as soon as possible related to the request(s), including, but not limited to, potential timelines and resource implications. (2018-A22)

Motion Passed

8.2 15th Report of the Corporate Services Committee

Motion made by: J. Helmer

That the 15th Report of the Corporate Services Committee BE APPROVED.

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Appointments to the Joint Venture Management Committee for the 4-Pad Arena Complex (Relates to Bill No. 530)

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 August 14, 2018 as Appendix "A" BE INTRODUCED at the August 28, 2018 meeting of the Municipal Council to amend By-law No. A.-6567-226, entitled "A By-law to approve the appointment of City of London representatives to the Joint Venture Management Committee for the 4-Pad Arena Complex located on Western Fair Association (WFA) lands".

Motion Passed

3. (2.2) 2017 Annual Reporting of Lease Financing Agreements

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 August 14, 2018 entitled "2017 Annual Reporting of Lease Financing Agreements" BE RECEIVED for information.

Motion Passed

4. (4.1) Federation of Canadian Municipalities - Standing Committees

Motion made by: J. Helmer

That Councillor V. Ridley BE REIMBURSED for her associated expenses, outside of her annual expense allocation, subject to the annual budget approval process, and in accordance with Council's Travel & Business Expenses Policy for her attendance as an appointed Federation of Canadian Municipalities Standing Committee Member, at the following:

Board of Directors Meeting - September 11-14, 2018 - Annapolis County, NS

Board of Directors Meeting - November 20-23, 2018 - Ottawa, ON

Board of Directors Meeting - March 12-15, 2019 - Penticton, B.C.;

it being noted that the Board of Directors Meeting - March 12-15, 2019 Penticton, B.C. is subject to the re-election of Councillor Ridley on October 22, 2018.

Motion Passed

5. (5.1) Corporate Services Committee Deferred Matters List

Motion made by: J. Helmer

That the Corporate Services Committee Deferred Matters List, as of August 2018, BE RECEIVED.

Motion Passed

8.3 12th Report of the Civic Works Committee

Motion made by: V. Ridley

That the 12th Report of the Civic Works Committee BE APPROVED, excluding Items 3 (2.2), 5 (2.4), 13 (2.12), 14 (2.13), 15 (2.14) and 16 (2.15).

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

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

2. (2.1) 6th Report of the Transportation Advisory Committee

Motion made by: V. Ridley

That it BE NOTED that the 6th Report of the Transportation Advisory Committee, from its meeting held on July 24, 2018, was received.

Motion Passed

4. (2.3) Wastewater Operations Equipment Replacement - Budget Amendment

Motion made by: V. Ridley

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 Wastewater Operations 2018 equipment replacement account:

a) a budget adjustment to increase 2018 funding for project ES508418 Replacement Equipment BE APPROVED in the total amount of \$750,000 to fund ongoing repairs and replacement of equipment; and,

b) the financing for the projects BE APPROVED in accordance with the "Source of Financing Report", as attached to the staff report dated August 13, 2018. (2018-F05A)

Motion Passed

6. (2.5) Commissioners Road West Realignment Environmental Study Report

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 Commissioners Road West Realignment Environmental Assessment:

- (a) the Commissioners Road West Realignment Municipal Class Environmental Study Report BE ACCEPTED;
- (b) a Notice of Study Completion for the project BE FILED with the Municipal Clerk; and,
- (c) the Environmental Study Report BE PLACED on the public record for a 30 day review period. (2018-E05)

Motion Passed

7. (2.6) Community Energy Action Plan - Status Update

Motion made by: V. Ridley

That, on the recommendation of the Director of Environment, Fleet and Solid Waste, the staff report dated August 13, 2018, with respect to an update on the status of the Community Energy Action Plan activities BE RECEIVED for information. (2018-E17)

Motion Passed

8. (2.7) Corporate Energy Management Program Update

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environment & Engineering Services and City Engineer and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the Corporate Energy Management Program Update report dated August 13, 2018, BE RECEIVED. (2018-E17)

Motion Passed

9. (2.8) 2017 Community Energy and Greenhouse Gas Inventory

Motion made by: V. Ridley

That, on the recommendation of the Director, Environment, Fleet & Solid Waste the 2017 Community Energy & Greenhouse Gas Inventory report dated August 13, 2018, BE RECEIVED. (2018-E17)

Motion Passed

10. (2.9) East London Sanitary Servicing Study - Municipal Class Environmental Assessment - Notice of Completion

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 East London Sanitary Servicing Study:

(a) the preferred treatment and collection servicing alternatives, as outlined in the staff report dated August 13, 2018 BE ACCEPTED in accordance with the Schedule B Municipal Class Environmental Assessment process requirements;

(b) a Notice of Completion BE FILED with the Municipal Clerk; and,

(c) the Municipal Class Environmental Assessment Schedule B project file for the East London Sanitary Servicing Study BE PLACED on the public record for a 30-day review period. (2018-E05)

Motion Passed

11. (2.10) Appointment of Consulting Engineer - Vauxhall Wastewater Treatment Plant - Class EA for Capacity Upgrades

Motion made by: V. Ridley

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the assignment of consulting services for the completion of the Municipal Class Environmental Assessment to increase of the treatment capacity of the Vauxhall Wastewater Treatment Plant:

a) CH2M Hill Canada Limited BE APPOINTED consulting engineers at a cost of \$200,694.00, including 20% contingency, excluding HST, and in accordance with Section 15.2 d) of the City of London's Procurement of Goods and Services Policy;

b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report" as attached to the staff report dated August 13, 2018;

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

d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract; 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-E03)

Motion Passed

12. (2.11) Irregular Result Request for Tender (RFT) 18-82, 72 inch Out-Front Deck Rotary Mowers

Motion made by: V. Ridley

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

- a) the Request for Tender 18-82 to purchase eight (8) F3990 Out-Front Rotary Mowers with a 72" cutting deck for \$198,400, excluding HST, from Hyde Park Equipment, 2034 Mallard Rd, London, Ontario, N6H 5L8 BE ACCEPTED;
- b) funding for this purchase BE APPROVED as set out in the Source of Financing Report as attached to the staff report dated August 13, 2018;
- 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-F18)

Motion Passed

17. (4.1) Springhill Flowers Street Renaming - Portion of Pleasantview Drive (From South Wenige Drive to Rolling acres) to Rollingacres Drive and Pleasantview Drive (South of Waterwheel Road) to Pleasantview Court

Motion made by: V. Ridley

That, on the recommendation of the Director, Development Services, a public meeting for the proposed renaming of the portion of Pleasantview Drive (between South Wenige Drive and Rollingacres Drive) to Rollingacres Drive and the portion of Pleasantview Drive (south of Waterwheel Drive) to Pleasantview Court, BE SCHEDULED, it being noted that:

- the Applicant will be required to pay for the cost of the advertising and change of street name signage; and,
- the Applicant will be required to compensate any property owner in the amount of \$200.00, for incurred costs associated with the municipal address change as a result of the street name change. (2018-D29)

Motion Passed

18. (5.1) Deferred Matters List

Motion made by: V. Ridley

That the Civic Works Committee Deferred List, as of August 2, 2018, BE RECEIVED.

Motion Passed

19. (5.2) Meg Drive Watermain Break

Motion made by: V. Ridley

That it BE NOTED Councillor H. Usher enquired about the water break on Meg Drive and expressed concern with respect to communication, the Managing Director, Environmental & Engineering Services and City Engineer advised that staff will review the communication process to ensure that residents are notified in a timely manner.

Motion Passed

3. (2.2) Amendments to the Traffic and Parking By-law (Relates to Bill No. 527)

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law as appended to the staff report dated August 13, 2018, BE INTRODUCED at the Municipal Council meeting to be held on August 28, 2018, to amend the Traffic and Parking By-law (PS-113). (2018-T08)

Motion made by: V. Ridley
Seconded by: S. Turner

That the proposed by-law to amend the Traffic and Parking By-law, in accordance with the recommendation in the staff report dated August 13, 2018 BE REFERRED to the Municipal Council meeting to be held on September 18, 2018 for introduction, to provide an opportunity for the Civic Administration to carry out necessary technical amendments to the by-law.

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

5. (2.4) Contract Award - Tender RFT 18-73 - Wilton Grove Sanitary Sewer Replacement

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 award of contracts for the replacement of the Wilton Grove Road Sanitary Sewer:

a) the bid submitted by Bre-Ex Construction Inc., 247 Exeter Road, London, ON, N6L 1A5, at its tendered price of \$4,597,122.40 excluding H.S.T., for the replacement of the Wilton Grove Road Sanitary Sewer, BE ACCEPTED; it being noted that the bid submitted by Bre-Ex Construction Inc. was the lowest of seven bids

received and meets the City's specifications and requirements in all areas;

b) Parsons Corporation BE APPOINTED Consulting Engineers to complete the construction administration and supervision for the Wilton Grove Road Sanitary Sewer Replacement in accordance with the estimate, on file, at an upset amount of \$408,095.60, including 10% contingency, excluding H.S.T., 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 project BE APPROVED in accordance with the "Sources of Financing Report" included with the staff report dated August 13, 2018;

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

e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract; 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-F18/E01)

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

13. (2.12) Provincial Maintenance Standards for Municipal Highways - Amendments 2018 (Relates to Bill No. 528)

Motion made by: V. Ridley

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Provincial Minimum Maintenance Standards for Municipal Highways:

a) the Municipal Act, 2001, O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways BE ADOPTED as the City of London's Minimum Maintenance Standards for Highways;

b) the City of London's Quality Standard for Sidewalk Winter Maintenance and Maintenance Guideline for Sidewalks BE REPLACED with the Municipal Act, 2001, O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways;

c) the Civic Administration BE DIRECTED to bring forward a business case for consideration as part for the 2019 budget process with respect to additional costs as a result of part a), above; and,

d) the by-law as appended to the staff report dated August 13, 2018 BE INTRODUCED at the Municipal Council meeting to be held on August 28, 2018, to delegate authority to the City Engineer or City Engineer's designate, Director, Roads and Transportation or Division Manager, Transportation and Roadside Operations, to declare the beginning and end of a significant weather event for the purpose of administering the Municipal Act, 2001, O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways;

it being noted that the total cost of this service is \$410,000 annually, not the per kilometer cost as indicated in the report. (2018-T06)

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

14. (2.13) 2018-2019 Transport Canada - Rail Safety Improvement Program Agreement for Grade Crossing Improvements (Relates to Bill No. 529)

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 2018-2019 Rail Safety Improvement Program Funding:

a) the proposed by-law as appended to the staff report dated August 13, 2018 BE INTRODUCED at the Municipal Council meeting to be held August 28, 2018 to:

i) authorize and approve an Agreement between Her Majesty the Queen in Right of Canada, as represented by the Minister of Transport ("Canada") and The Corporation of the City of London for the Rail Safety Improvement Program for Grade Crossing Improvements; and,

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

b) the Civic Administration BE DIRECTED to take all necessary steps to implement the improvements identified in the City of London's application for the Rail Safety Improvement Program funding. (2018-T10)

Amendment:

Motion made by: V. Ridley

Seconded by: M. Cassidy

Amend part a) to read as follows:

a) the attached proposed by-law be INTRODUCED at the Municipal Council meeting to be held on August 28, 2018 to:

i) authorize and approve an Agreement between Her Majesty the Queen in Right of Canada, as represented by the Minister of Transport ("Canada") and The Corporation of the City of London for the Rail Safety Improvement Program for Grade Crossing Improvements; and,

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

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

Amendment:

Motion made by: V. Ridley
Seconded by: H. Usher

That clause 14 BE APPROVED, as amended.

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

Item 14, clause 2.13, as amended reads as follows:

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the 2018-2019 Rail Safety Improvement Program Funding:

- a) the attached proposed by-law be INTRODUCED at the Municipal Council meeting to be held on August 28, 2018 to:
 - i) authorize and approve an Agreement between Her Majesty the Queen in Right of Canada, as represented by the Minister of Transport (“Canada”) and The Corporation of the City of London for the Rail Safety Improvement Program for Grade Crossing Improvements; and,
 - ii) authorize the Mayor and the City Clerk to execute the above-noted Agreement; and,
- b) the Civic Administration BE DIRECTED to take all necessary steps to implement the improvements identified in the City of London’s application for the Rail Safety Improvement Program funding. (2018-T10)

15. (3.1) Complete Streets Design Manual

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 City of London Complete Streets Design Manual:

- (a) the Complete Streets Design Manual, as summarized in the Executive Summary included in the staff report dated August 13, 2018 BE APPROVED, as the basis for planning and design of City streets; it being noted that the Manual will be subject to future periodic updates; and,
- (b) the Design Specifications and Requirements Manual BE UPDATED based on the Complete Streets Design Manual and in coordination with the Design Specifications and Requirements Manual update process;

it being noted that the Civic Works Committee received the attached presentation, from M. Morris, Engineer.(2018-T05)

Yeas: (14): Mayor M. Brown, M. van Holst, 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 (14 to 0)

16. (3.2) Adelaide Street North - Canadian Pacific Railway Grade Separation - Environmental Study Report

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 Adelaide Street North/Canadian Pacific Railway Grade Separation Municipal Class Environmental Assessment:

a) the Adelaide Street North/Canadian Pacific Railway Grade Separation Municipal Class Environmental Study Report BE ACCEPTED;

b) a notice of completion for the project BE FILED with the Municipal Clerk; and,

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

it being noted that the Civic Works Committee received the ~~attached~~ presentation, from D. MacRae, Division Manager, Transportation Planning and Design. (2018-E05/T10)

Yeas: (14): Mayor M. Brown, M. van Holst, 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 (14 to 0)

- 8.4 13th Report of the Planning and Environment Committee

At 5:40 PM, Councillor P. Squire leaves the meeting.

Motion made by: S. Turner

That the 13th Report of the Planning and Environment Committee BE APPROVED, excluding items 17 (3.1) and 20 (3.4).

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

Absent: (0): B. Armstrong

Motion Passed (13 to 0)

At 5:43 PM, Councillor P. Squire enters the meeting.

1. Disclosures of Pecuniary Interest

Motion made by: S. Turner

That it BE NOTED that Councillor T. Park disclosed a pecuniary interest in clause 3.4 of this Report, having to do with the property located at 391 South Street, by indicating that her family owns property in the area.

Motion Passed

2. (2.1) Update on Regulations for the Promoting Affordable Housing Act, 2016 (Inclusionary Zoning)

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 Inclusionary Zoning for the delivery of affordable housing:

- a) the staff report dated August 13, 2018 entitled "Update on Regulations for the Promoting Affordable Housing Act, 2016 (Inclusionary Zoning) BE RECEIVED for information;
- b) the Civic Administration BE DIRECTED to report back to the Planning and Environment Committee outlining options and approaches to implement Inclusionary Zoning in London, following consultation with the London Home Builders Association and the London Development Institute; and,
- c) the Civic Administration BE DIRECTED to prepare a draft Municipal Assessment Report to establish a framework for policies for Inclusionary Zoning. (2018-S11)

Motion Passed

3. (2.2) Local Planning Appeal Tribunal Process Report

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, and the Managing Director, Development and Compliance Services and Chief Building Official, with the concurrence of the City Clerk and Solicitor II, the following actions be taken with respect to the Local Planning Appeal Tribunal process:

- a) the staff report dated August 13, 2018, entitled "Local Planning Appeal Tribunal Process Report" BE RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to initiate the processes outlined as noted in clause a) above. (2018-L01)

Motion Passed

4. (2.3) ReThink Zoning Terms of Reference

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated August 13, 2018 entitled "ReThink Zoning Terms of Reference" and the draft Terms of Reference BE RECEIVED for information and BE CIRCULATED to stakeholders, agencies and the public for the purposes of receiving comments; it being noted that the final Terms of Reference will be brought before a future meeting of the Planning and Environment Committee for approval following the consultations with stakeholders, agencies and the public. (2018-C01A)

Motion Passed

5. (2.5) Process to Consider Privately-Initiated Applications for Official Plan Amendments

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, with the concurrence of the City Clerk, the staff report dated August 18, 2018, entitled "Process to Consider Privately-initiated Applications for Official Plan Amendments" BE RECEIVED for information. (2018-D09)

Motion Passed

6. (2.6) Planning Services and Development Services Application Fees and Charges Update

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner and the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the Planning Services and Development Services application fees and charges review:

- a) the staff report dated August 13, 2018, entitled "Planning Services and Development Services Application Fees and Charges update" regarding the Planning Services and Development Services fee review BE RECEIVED for information; and,
- b) this item BE REMOVED from the Planning and Environment Committee Deferred Matters list (Item #3 of the May 28, 2018 PEC report); it being noted that a public participation meeting will be held at the Strategic Priorities and Policy Committee on September 17, 2018, with respect to this matter. (2018-F21)

Motion Passed

7. (2.7) Application - Creekview Subdivision - Phase 3 - Special Provisions (39T-05512)

Motion made by: S. Turner

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 Landea North Developments Inc. and Landea Developments Inc., for the subdivision of land over Part of Lot 22, Concession 5, (Township of London), City of London, County of Middlesex, situated on the south side of the Sunningdale Road West, west of Wonderland Road, municipally known as 1196 Sunningdale Road West:

- a) the Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Landea North Developments Inc. and Landea Developments Inc., for the Creekview Subdivision, Phase 3 (39T-05512) appended to the staff report dated August 13, 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 August 13, 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 August 13, 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-D09)

Motion Passed

- 8. (2.8) Application - West 5 Subdivision - Phase 3 - Special Provisions (39T-14503)

Motion made by: S. Turner

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 north side of Oxford Street West, east of Riverbend Road, west of Kains Road, and south of Shore Road, municipally known as 1300 Riverbend Road:

- 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 West 5 Subdivision, Phase 3 (39T-14503) appended to the staff report dated August 13, 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 August 13, 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 August 13, 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-D09)

Motion Passed

- 9. (2.10) Application - 2313 and 2373 Callingham Drive - Removal of Holding Provision (H-8929) (Relates to Bill No. 536)

Motion made by: S. Turner

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of Town & Country Developments Inc., relating to the properties located at 2313 and 2373 Callingham Drive, the proposed by-law appended to the staff report dated August 13, 2018 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on August 28, 2018 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R4 (h•R4-6) Zone TO a

Residential R4 (R4-6) Zone to remove the “h” holding provision. (2018-D09)

Motion Passed

10. (2.11) Application - 1826 and 1854 Oxford Street West - Removal of Holding Provisions (h and h-11) (H-8895) (Relates to Bill No. 537)

Motion made by: S. Turner

That, on the recommendation of the Planner II, Development Planning, based on the application of Oxford West Gateway Inc., c/o Laverne Kirkness, relating to the properties located at 1826 and 1854 Oxford Street West, the proposed by-law appended to the staff report dated August 13, 2018 BE INTRODUCED at the Municipal Council meeting to be held on August 28, 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 Community Shopping Area Special Provision (h*h-11*CSA5(6)) Zone TO a Community Shopping Area Special Provision (CSA5(6)) Zone to remove the h. and h-11 holding provisions. (2018-D09)

Motion Passed

11. (2.12) Application - 164 Sherwood Forest Square - Removal of Holding Provision (H-8913) (Relates to Bill No. 538)

Motion made by: S. Turner

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of Ben Cameron Consulting Inc., relating to the property located at 164 Sherwood Forest Square, the proposed by-law appended to the staff report dated August 13, 2018 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on August 28, 2018 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R8 Special Provision (h-5•h-11•h-179•R8-4(26)) Zone TO a Residential R8 Special Provision (R8-4(26)) Zone to remove the h-5, h-11, and h-179 holding provisions. (2018-D09)

Motion Passed

12. (2.13) Application - 728, 730, 742 and 744 Dundas Street - Removal of Holding Provisions (h-67) and (H-8925) (Relates to Bill No. 539)

Motion made by: S. Turner

That, on the recommendation of the Senior Planner, Development Services, based on the application by Indwell Community Homes, relating to lands located at 728, 730, 742 and 744 Dundas Street, the proposed by-law appended to the staff report dated August 13, 2018 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on August 28, 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 Business District Commercial

Special Provision (h-67•BDC(19)•D250• H46•B-12) Zone TO a Business District Commercial Special Provision (BDC(19)•D250•H46•B-12) Zone to remove the h-67 holding provision. (2018-D09)

Motion Passed

13. (2.14) Application - 1100 Upperpoint Boulevard/1854 Oxford Street West - Removal of Holding Provisions (h and h-209) (H-8906) (Relates to Bill No. 540)

Motion made by: S. Turner

That, on the recommendation of the Manager, Development Planning, based on the application by Sifton Properties Limited, relating to lands located at 1100 Upperpoint Boulevard, the proposed by-law appended to the staff report dated August 13, 2018 BE INTRODUCED at the Municipal Council meeting to be held on August 28, 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 R5 / Residential R6 / Residential R7 / Residential R8 (h.*h-209*R5-7/R6-5/R7 D75 H15/R8-4) Zone TO a Residential R5 / Residential R6 / Residential R7 / Residential R8 (R5-7/R6-5/R7 D75 H15/R8-4) Zone to remove the h and h-209 holding provisions. (2018-D09)

Motion Passed

14. (2.15) Building Division Monthly Report for June 2018

Motion made by: S. Turner

That the Building Division Monthly Report for the month of June, 2018 BE RECEIVED for information. (2018-F-21)

Motion Passed

15. (2.4) Application - 1631-1649 Richmond Street

Motion made by: S. Turner

That, the Civic Administration BE AUTHORIZED to accept and process Zoning By-law Amendment and Official Plan Amendment applications submitted by Zelinka Priamo Ltd., for the properties located at 1631 to 1649 Richmond Street; it being noted that the Planning and Environment Committee heard a verbal presentation and reviewed and received a communication dated July 26, 2018, from H. Froussios, Senior Associate, Zelinka Priamo Ltd., with respect to these matters. (2018-D09)

Motion Passed

16. (2.9) Application - 2427 Daisy Bend and 3025 Doyle Drive - Removal of Holding Provisions (H-8907) (Relates to Bill No. 535)

Motion made by: S. Turner

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited,

relating to lands located at 2427 Daisy Bend and 3025 Doyle Drive, the proposed by-law appended to the staff report dated August 13, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 28, 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 R5/R6 (h•h-54•R5-4/R6-5) Zone TO a Residential R5/R6 (R5-4/R6-5) Zone to remove the h and h-54 holding provisions. (2018-D09)

Motion Passed

18. (3.2) Capital Works Claim - Riverbend Meadows Phase 3 (33M-654)

Motion made by: S. Turner

That, on the recommendation of the Director, Development Services, the request for additional payment on the Capital Works Budget claim under 33M-654 Riverbend Meadows Phase 3 BE DISMISSED and no further action BE TAKEN as the original claim amount has been paid out in accordance with the Subdivision Agreement provisions; it being noted that the Planning and Environment Committee heard a verbal presentation from C. Linton, Developro Land Services Inc., with respect to this matter.

Motion Passed

19. (3.3) Application - 131 King Street (Z-8902)

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 York Development, relating to the property located at 131 King Street:

a) the comments received from the public during the public engagement process appended to the staff report dated August 13, 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;

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 to be presented at a future public participation meeting;

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

21. (3.5) 2427 Daisy Bend and 3025 Doyle (39CD-18509)

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 Sifton Properties Limited, relating to the lands located at 2427 Daisy Bend and 3025 Doyle Drive:

a) the Approval Authority BE ADVISED that the following issues were raised by the public at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the properties located at 2427 Daisy Bend and 3025 Doyle Drive:

- i) the installation of townhomes across from single existing family residences;
- ii) concerns with respect to the proposed wrought iron fence;
- iii) requesting a stone wall instead of a wrought iron fence;
- iv) requesting trees, such as Blue Spruce, to be planted;
- v) requesting the applicant work with the neighbours;
- vi) requesting a wider circulation for Notices; and,
- vii) requesting privacy when they sit on their front porches;

b) the Approval Authority BE ADVISED that the following issues were raised by the Planning and Environment Committee members at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the properties located at 2427 Daisy Bend and 3025 Doyle Drive:

- i) requesting boulevard trees be planted;

c) the Approval Authority BE ADVISED that the following issues were raised by the public at the public meeting with respect to the Site Plan Approval application relating to the property located at 2427 Daisy Bend and 3025 Doyle Drive:

- i) concerns with respect to the proposed wrought iron fence;
- ii) requesting a stone wall instead of a wrought iron fence;
- iii) requesting boulevard trees, such as Blue Spruce, to be planted;
- iv) requesting the applicant work with the neighbours;
- v) requesting a wider circulation for Notices; and,
- vi) requesting privacy when they sit on their front porches;

d) the Approval Authority BE ADVISED that the following issues were raised by the Planning and Environment Committee members at the public meeting with respect to the Site Plan Approval application relating to the property located at 2427 Daisy Bend and 3025 Doyle Drive:

- i) requesting boulevard trees be planted;

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

22. (3.6) Application - 1146 and 1156 Byron Baseline Road (Z-8847)

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 2186121 Ontario Inc., relating to the properties located at 1146-1156 Byron Baseline Road:

a) the Local Planning Appeal Tribunal BE ADVISED that Municipal Council recommends that the request to amend Zoning By-law No. Z-1 to change the zoning of the subject property FROM a Residential R1 (R1-7) Zone TO a Residential R8 Special Provision (R8-4(_)) Zone, to permit a 4-storey (15 metre) apartment building BE REFUSED for the following reasons:

- i) the requested Zoning By-law Amendment is not consistent with the Provincial Policy Statement;
- ii) the requested Zoning By-law Amendment does not conform to the 1989 Official Plan; and,
- iii) the requested Zoning By-law Amendment does not conform to The London Plan;

b) the Local Planning Appeal Tribunal BE ADVISED that Municipal Council recommends that in the event that the Local Planning Appeal Tribunal allows the appeal in whole or in part, that the Local Planning Appeal Tribunal BE REQUESTED to withhold its Order(s) approving the application until such time as the Tribunal has been advised by the City Solicitor that:

- i) the proposed Zoning By-law Amendment is in a form satisfactory to the City Planner and City Solicitor;
- ii) a hydrogeological report has been completed and all necessary mitigation measures have been implemented to the satisfaction of the City Engineer;
- iii) a Site Plan application has been made and a Site Plan Agreement has been entered into between the City and the owner following a public Site Plan review process;

c) the City Solicitor BE DIRECTED to provide legal and planning or expert witness representation at the Local Planning Appeal Tribunal hearing in support of Municipal Council's position;

it being further noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a communication dated July 27, 2018, from K. and J. White, 126 October Crescent;
- a communication dated July 30, 2018, from T. and R. Wolf, 399 Lansing Avenue;
- a communication from R. Toft, 34 September Lane;
- a communication dated July 30, 2018, from J. Lee and J. Burkell, 1158 Byron Baseline Road; and,
- a communication from I. and J. Clark, 1044 Griffith Street;

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 refuses this application for the following reasons:

- the requested Zoning By-law Amendment is not consistent with the Provincial Policy Statement;
- the requested Zoning By-law Amendment does not conform to the 1989 Official Plan; and,
- the requested Zoning By-law Amendment does not conform to The London Plan. (2018-D09)

Motion Passed

23. (4.1) 7th Report of the Trees and Forests Advisory Committee

Motion made by: S. Turner

That, the following actions be taken with respect to the 7th Report of the Trees and Forests Advisory Committee from its meeting held on July 25, 2018:

a) the Civic Administration BE ADVISED of the following comments from the Trees and Forests Advisory Committee with respect to the Parks and Recreation Master Plan:

- it should be ensured that trees continue to populate the City of London as it is “The Forest City” and more trees should be planted in shared recreation spaces;
- it is recommended that a shade policy be created as a task item and implemented under the Parks and Recreation Master Plan;
- selective tree species should be planted in parks and recreation areas to assist with safer shaded areas;
- older trees should be kept and maintained as much as possible and all trees should be properly maintained (watering, trimming, etc.);
- citizens of the City of London should be engaged with respect to what is being done to protect and encourage trees and forests in their area;
- tree-related communities (i.e., ReForest London) should be allowed to use parks and recreation facilities to hold events;
- the Parks and Recreation Master Plan should explicitly recognize the importance of park spaces play in the local environment and that park spaces should be designed in such a way as to enhance the environmental benefits they offer; and,
- it is recommended that a Naturalization Policy be included as a task item under the Parks and Recreation Master Plan;

b) the Civic Administration BE ADVISED of the following comments of the Trees and Forests Advisory Committee with respect to the City of London Tree Protection By-law:

- there should be a standardized form as part of the application package for both the “Arborist Report” and the “Arborist Opinion”;
- the by-law should include a minimum canopy target of 51% of irreversible die back;

- the definition of “Pest” should be revised to include an infestation causing detrimental and irreversible damage to the direct health of a tree;
- the distinctive tree size should be reduced to 25 cm for a permit;
- the definition of “Replacement Tree” should be revised to clarify that “native” is required and that “shade” and “large growing tree” are synonymous;
- golf courses should be added to the exemption list in Section 5 of the by-law; and,
- wildlife values and interests within a tree should be considered more carefully with respect to provincial and federal Acts and Regulations and tied back to the by-law process to ensure a consistent approach;

it being noted that the communication appended to the 7th Report of the Trees and Forests Advisory Committee from the Tree Protection By-law Working Group, with respect to this matter, was received; and,

c) clauses 1.1, 2.1, 3.1, 3.2 BE RECEIVED.

Motion Passed

24. (4.2) 8th Report of the Environmental and Ecological Planning Advisory Committee

Motion made by: S. Turner

That, the following actions be taken with respect to the 8th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on July 19, 2018:

- a) the Working Group comments appended to the 8th Report of the Environmental and Ecological Planning Advisory Committee, relating to the Parks and Recreation Master Plan review BE REFERRED to the Civic Administration for review and consideration; it being noted that the Environmental and Ecological Planning Advisory Committee is willing to assist with the review of the Parks and Recreation Master Plan;
- b) the following actions be taken with respect to the Environmental Impact Study and Hydrogeological Study, relating to the properties located at 3070 Colonel Talbot Road and 3645 Bostwick Road:
 - i) a Working Group BE ESTABLISHED, consisting of S. Levin (lead), R. Trudeau and I. Whiteside to review the Environmental Impact Study and Hydrogeological Study, relating to the properties located at 3070 Colonel Talbot Road and 3645 Bostwick Road; and,
 - ii) the Division Manager, Environmental & Engineering Services, BE REQUESTED to provide a status update on the Dingman Creek Subwatershed study;

it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received a Notice of Planning application, revised Draft Plan of Subdivision, Official Plan and

Zoning By-law Amendments from N. Pasato, Senior Planner, with respect to this matter;

c) clauses 1.1, 3.1, 3.2, 5.3, 5.4, 6.1 and 6.2 BE RECEIVED.

Motion Passed

17. (3.1) Application - 2156 Highbury Avenue North

Motion made by: T. Park

That, the Civic Administration BE AUTHORIZED to accept and process Zoning By-law Amendment and Official Plan Amendment applications by Chinmaya Mission (Canada), for the property located at 2156 Highbury Avenue North, to add a Neighbourhood Facility zone to the subject property in order to permit a Place of Worship; it being noted that the Planning and Environment Committee heard a verbal presentation from L. Kirkness, Kirkness Consulting, with respect to this matter. (2018-D09)

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

Nays: (2): A. Hopkins, and S. Turner

Absent: (0): B. Armstrong

Motion Passed (12 to 2)

20. (3.4) 391 South Street (Z-8803) (Relates to Bill No. 541)

At 5:55 PM, Councillor T. Park leaves the meeting.

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application by The Corporation of the City of London, relating to the property located at 391 South Street, the proposed by-law appended to the staff report dated August 13, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 28, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a holding Residential R7/ Residential R9/ Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) Zone TO a holding Residential R8 Special Provision Bonus (h-__*R8-4(__)*B-__) Zone and a holding Residential R9 Special Provision Bonus (h-__*R9-3(__)*H30*B-__) Zone; it being noted that the (B-__) Bonus Zone shall be implemented through one or more agreements to provide for an apartment building height maximum of 23 storeys or 80m (262 ft) with an increased density of up to 705 units per hectare in return for the provision of the following facilities, services, and matters:

a) a high quality development which substantively implements the site plan and renderings as appended to the staff report dated August 13, 2018 as Schedule "1" to the amending by-law, with minor revisions except where described in more detail below:

Lower Podium

i) ensuring that brick is the primary material used to clad the lower podium portion of the building;

- ii) ensuring ground floor units facing the Riverfront Promenade and South Street include individually accessible and externally lockable front door entrances;
- iii) ensuring ground floor units provide walkways that lead to: a City sidewalk, the courtyard, the River Promenade, and the mid-block connection;
- iv) providing for elevated ground floor patios where possible, in order to provide for privacy and increase the livability of the ground floor units;
- v) ensuring the principle entrances into the apartment buildings are prominent and easily identifiable by: introducing a break in the rhythm of massing, including a high level of clear glazing, or through the incorporation of canopies;
- vi) ensuring high quality design of the south elevation with individual unit entrances and private amenity courtyard spaces oriented to the Riverfront Promenade, and avoid blank walls to provide a positive edge with active uses facing the promenade;
- vii) providing a green roof treatment and/or amenity space on top of the lower podium roof;
- viii) provision of all above-ground structured parking within the building entirely screened by active uses;

Courtyard

- i) ensuring that the Colborne Building is appropriately integrated with the proposed courtyard by including entrances, patios, and active ground floor uses;
- ii) utilizing similar materials, treatments and patterns (ie-paving, aerial string lights between new building and Colborne Building, etc) as the proposed SoHo Heritage Square to the north in the design of the proposed courtyard;
- iii) maintaining the vista to the Children's War Memorial Hospital Building from the courtyard, by relocating any artifacts such as the nurse's residence arch from the north of the courtyard to elsewhere in the courtyard;

Upper Podium

- i) incorporating brick is encouraged on the mid-rise (eight storey) portions of the building;
- ii) ensuring that the material and colour palette provides for a cohesive design between all elements of the development including the lower podium, towers, top of towers, and the Colborne Building;

Tower

- i) provision of slender point towers with floor plates less than 800m²;
- ii) ensuring the design of the top of the towers provides interest to the skyline and is well integrated with the design language of the overall development;
- iii) offsetting heights of 19 storeys on the north tower and 23 storeys on the south tower;
- b) conservation, retention and adaptive re-use of the existing heritage designated Colborne Building;
- c) provision of a publicly accessible open space courtyard which substantively implements the concept landscape plan

appended to the staff report dated August 13, 2018 as Schedule “2” to the amending by-law, which features:

- i) a publicly accessible connection over private lands from the SoHo Civic Space to the Riverfront Promenade;
 - ii) enhanced landscaping with the use of trees, shrubs, and various raised planting features;
 - iii) decorative paving reminiscent of the former Hospital uses;
 - iv) provision of publicly accessible seating areas;
 - v) provision of publicly accessible art pieces in accordance with the Public Art policies in section 20.6.3.3 of the Old Victoria Hospital Lands Secondary Plan through the installation of hospital artifacts; and,
- d) provision of two levels of underground parking;

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 reasons:

- the recommended amendment is consistent with the Provincial Policy Statement (PPS), 2014, which promotes intensification, redevelopment and a compact form in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- the adaptive reuse of the existing Colborne Building is consistent with the Provincial Policy Statement, as it encourages a sense of place and preserves important built heritage;
- the recommended amendment conforms to the Old Victoria Hospital Secondary Plan and facilitates the development of one of the Four Corners and a High Rise Residential block, and contributes to the creation of a vibrant mixed-use node;
- the recommended bonus zone provides for an increased density and height in return for a series of bonusable facilities, services and matters that benefit the public in accordance with Section 20.6.3.3 of the Old Victoria Hospital Lands Secondary Plan; and,
- the recommended amendment is appropriate for the site and context, and will implement the vision of the Old Victoria Hospital Secondary Plan on the City-owned lands, and be a catalyst for revitalization of the overall SoHo community. (2018-D09)

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

Motion Passed (13 to 0)

At 6:02 PM, Councillor T. Park returns to the meeting.

9. Added Reports

9.1 15th Report of Council in Closed Session

Councillor H. Usher presents the 15th Report of the Council, in Closed Session.

Motion made by: H. Usher
Seconded by: M. van Holst

That pursuant to Section 17.4 of the Council Procedure By-law, leave be given for discussion and debate and the making of a substantive motion with respect to clause(s) 1 and 4 of the 15th Report of the Council, In Closed Session.

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

Absent: (0): B. Armstrong, and T. Park

Motion Passed (13 to 0)

Motion made by: H. Usher
Seconded by: J. Helmer

1. 267 Dundas Street – Canadian Medical Hall of Fame – Lease Extension Agreement

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, the attached Lease Extension Agreement, between The Corporation of the City of London and the Canadian Medical Hall of Fame (CMHF) relating to a portion of the J. Allyn Taylor building located at 267 Dundas Street, for a four (4) month term ending July 31, 2019, BE ACCEPTED.

4. Execution of Collective Agreement for Unifor Local 302 July 1, 2016 to June 30, 2019

That, on the recommendation of the Managing Director, Corporate Services and Chief Human Resources Officer, the Civic Administration BE DIRECTED to undertake all administrative acts that are necessary in order for the Mayor and the City Clerk to obtain the necessary authorization to execute the Collective Agreement for the years 2016 to 2019, appended as Appendix “C” to the staff report dated August 14, 2018, pursuant to the Memorandum of Agreement dated June 26, 2017 (Appendix “A”), between The Corporation of the City of London and Unifor Local 302.

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

Motion made by: H. Usher
Seconded by: A. Hopkins

That pursuant to Section 17.4 of the Council Procedure By-law, leave be given for discussion and debate and the making of a substantive motion with respect to clause(s) 2 and 3 of the 15th Report of the Council, In Closed Session.

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

Recuse: (2): S. Turner, and T. Park

Absent: (0): B. Armstrong

Motion made by: H. Usher
Seconded by: J. Helmer

2. Property Acquisition – 32 Wellington Road – Bus Rapid Transit Project

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 and the Project Director, Rapid Transit Implementation, and on the advice of the Manager of Realty Services, the following actions be taken with respect to the property located at 32 Wellington Road, further described as Part Lots 1 and 2, Plan 95 (4th) PIN 083570071, containing an area of approximately 3,333 square feet, as shown on the location map attached, for the purpose of future road improvements to accommodate the Bus Rapid Transit initiative:

- a) the offer submitted by Christopher Stover, to sell the subject property to the City, for the sum of \$222,000.00 BE ACCEPTED, subject to the following conditions:
 - i) the City having the right to view the property two (2) further times prior to closing;
 - ii) the transaction includes all the existing fixtures, chattels, appliances;
 - iii) the City will assume the rental contract for the hot water tank; and,
- b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix “A”.

3. Property Acquisition – 34 Wellington Road – Bus Rapid Transit Project

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 and the Project Director, Rapid Transit Implementation, and on the advice of the Manager of Realty Services, the following actions be taken with respect to the property located at 34 Wellington Road, further described as Part Lots 2 and 3, Plan 95 (4th) PIN 083570365, containing an area of approximately 6,394 square feet, as shown on the location map attached, for the purpose of future road improvements to accommodate the Bus Rapid Transit initiative:

- a) the offer submitted by Nathan Walker and Sara Carrera La Gamba, to sell the subject property to the City, for the sum of \$310,000.00 BE ACCEPTED, subject to the following conditions:
 - i) the City having the right to view the property one (1) further time prior to closing;
 - ii) the transaction includes all the existing fixtures, chattels, and appliances; and

b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A".

Yeas: (11): Mayor M. Brown, M. van Holst, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, H. Usher, and J. Zaifman

Recuse: (3): V. Ridley, S. Turner, and T. Park

Absent: (0): B. Armstrong

Motion Passed (11 to 0)

10. Deferred Matters

None.

11. Enquiries

Councillor M. van Holst enquires with respect to recent occurrences of tents being set up in public areas, with people residing there, and whether there may be a way to get ahead of this issue. The Councillor enquires whether there is a city-owned property where this may be permitted. The Managing Director, Development Service and Compliance Services and Chief Building Official responds, noting that staff are working to assist with sheltering of persons who require it.

12. Emergent Motions

None.

13. By-laws

Motion made by: M. Salih

Seconded by: P. Hubert

That Introduction and First Reading of Bill No.'s 525, 526 and 528 to 540, including the revised Bill No. 529, and the Added Bill No.'s 544 and 545, BE APPROVED.

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

Motion made by: J. Helmer

Seconded by: H. Usher

That Second Reading of Bill No.'s 525, 526 and 528 to 540, including the revised Bill No. 529, and the Added Bill No.'s 544 and 545, BE APPROVED.

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

Motion made by: H. Usher

Seconded by: A. Hopkins

That Third Reading and Enactment of 525, 526 and 528 to 540, including the revised Bill No. 529, and the Added Bill No.'s 544 and 545, BE APPROVED.

Yeas: (14): Mayor M. Brown, M. van Holst, 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: (0): B. Armstrong

Motion Passed (14 to 0)

Motion made by: H. Usher

Seconded by: S. Turner

That Introduction and First Reading of Bill No. 541, BE APPROVED.

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

Recuse: (1): T. Park

Absent: (0): B. Armstrong

Motion Passed (13 to 0)

Motion made by: J. Helmer

Seconded by: A. Hopkins

That Second Reading of Bill No. 541, BE APPROVED.

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

Recuse: (1): T. Park

Absent: (0): B. Armstrong

Motion Passed (13 to 0)

Motion made by: H. Usher

Seconded by: J. Zaifman

That Third Reading and Enactment of Bill No. 541, BE APPROVED.

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

Recuse: (1): T. Park

Absent: (0): B. Armstrong

Motion Passed (13 to 0)

Motion made by: M. Salih

Seconded by: J. Zaifman

That Introduction and First Reading of Added Bill No.'s 542 and 543, BE APPROVED.

Yeas: (11): Mayor M. Brown, M. van Holst, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, H. Usher, and J. Zaifman

Recuse: (3): V. Ridley, S. Turner, and T. Park

Absent: (0): B. Armstrong

Motion Passed (11 to 0)

Motion made by: H. Usher

Seconded by: M. van Holst

That Second Reading of Bill No.'s 542 and 543, BE APPROVED.

Yeas: (11): Mayor M. Brown, M. van Holst, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, H. Usher, and J. Zaifman

Recuse: (3): V. Ridley, S. Turner, and T. Park

Absent: (0): B. Armstrong

Motion Passed (11 to 0)

Motion made by: H. Usher

Seconded by: M. van Holst

That Third Reading and Enactment of Bill No.'s 542 and 543, BE APPROVED.

Yeas: (11): Mayor M. Brown, M. van Holst, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, H. Usher, and J. Zaifman

Recuse: (3): V. Ridley, S. Turner, and T. Park

Absent: (0): B. Armstrong

Motion Passed (11 to 0)

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

Bill No. 525 By-law No. A.- 7767-459	A by-law to confirm the proceeding of the Council Meeting held on the 28 th day of August, 2018. (City Clerk)
Bill No. 526 By-law No. A.- 7768-460	A by-law to repeal By-law No. CPOL.-68(a)-406 being, "A by-law to amend By-Law No. CPOL-68-300 being "Issuance of Computer Equipment to Council Members." (City Clerk)
Bill No. 527 By-law No. PS-113-18_____ Referred back	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." (2.2/12/CWC)
Bill No. 528 By-law No. A.- 7769-461	A by-law to delegate authority to the City Engineer or the City Engineer's designate, Director, Roads and Transportation or Division Manager, Transportation and Roadside Operations, to declare the beginning and end of a significant weather event for the purposes of administering the Municipal Act, 2001 , O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways. (2.12/12/CWC)

Bill No. 529 By-law No. A.-7770-462	A by-law to authorize and approve an Agreement between Her Majesty the Queen in Right of Canada, as represented by the Minister of Transport (“Canada”) and The Corporation of the City of London for the Rail Safety Improvement Program (RSIP) Agreement for Grade Crossing Improvements; and to authorize the Mayor and the City Clerk to execute the Agreement. (2.13/12/CWC)
Bill No. 530 By-law No. A.-6567(a)-463	A by-law to amend By-law No. A.-6567-226 entitled, “A By-law to approve the appointment of City of London representatives to the Joint Venture Management Committee for the 4-Pad Arena Complex located on Western Fair Association (WFA) lands”. (2.1/15/CSC)
Bill No. 531 By-law No. S.-5949-464	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Western Road, from Essex Street to Platt’s Lane) (Chief Surveyor - for the purposes of establishing the following lands as public highway)
Bill No. 532 By-law No. W.-5641-465	A by-law to authorize debenture financing for project ES5264-Wonderland Pumping Station. (2.7a/11/CWC)
Bill No. 533 By-law No. W.-5642-466	A by-law to authorize debenture financing for project ES5263-Southwest Capacity Improvement. (2.7b/11/CWC)
Bill No. 534 By-law No. W.-5593(a)-467	A by-law to amend by-law No. W.-5593-37 entitled, “A by-law to authorize the Colonel Talbot Pumping Station. (Project No. ES2204)” (2.7c/11/CWC)
Bill No. 535 By-law No. Z.-1-182681	A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for lands located at 2427 Daisy Bend and 3025 Doyle Drive. (2.9/13/PEC)
Bill No. 536 By-law No. Z.-1-182682	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 2313 and 2373 Callingham Drive. (2.10/13/PEC)
Bill No. 537 By-law No. Z.-1-182683	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1826 & 1854 Oxford Street West. (2.11/13/PEC)
Bill No. 538 By-law No. Z.-1-182684	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 164 Sherwood Forest Square. (2.12/13/PEC)
Bill No. 539 By-law No. Z.-1-182685	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for lands located at 728, 730, 742 and 744 Dundas Street. (2.13/13/PEC)
Bill No. 540 By-law No. Z.-1-182686	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1100 Upperpoint Boulevard. (2.14/13/PEC)
Bill No. 541 By-law No. Z.-1-182687	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 391 South Street. (3.4/13/PEC)

<p>Bill No. 542 By-law No. A.- 7771-468</p>	<p>A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Nathan Walker and Sara Carrera La Gamba, for the acquisition of property located at 34 Wellington Road, in the City of London, for the Bus Rapid Transit Project and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/15/CSC)</p>
<p>Bill No. 543 By-law No. A.- 7772-469</p>	<p>A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Christopher Stover, for the acquisition of property located at 32 Wellington Road, in the City of London, for the Bus Rapid Transit Project and to authorize the Mayor and the City Clerk to execute the Agreement. (6.2/15/CSC)</p>
<p>Bill No. 544 By-law No. A.- 7773-470</p>	<p>A By-law to authorize and approve a Lease Extension Agreement between The Corporation of the City of London and the Canadian Medical Hall of Fame, for the lease of the City owned building at 267 Dundas Street, London, Ontario, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.3/15/CSC)</p>
<p>Bill No. 545 By-law No. A.- 7774-471</p>	<p>A By-law to authorize the Mayor and City Clerk to execute the Collective Agreement between The Corporation of the City of London and Unifor Local 302. (6.4/15/CSC)</p>

14. Adjournment

Motion made by: H. Usher

Seconded by: S. Turner

That the meeting adjourn.

Meeting adjourns at 6:26 PM.

Matt Brown, Mayor

Catharine Saunders, City Clerk



Council Minutes

14th Meeting of City Council
July 24, 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. Anderson, A.L. Barbon, M. Balogun, B. Card, B. Coxhead, S. Datars Bere, J.M. Fleming, L. Hamer, G. Kotsifas, L. Livingstone, D. O'Brien, A. Patis, C. Saunders, K. Scherr, M. Schulthess, S. Spring, S. Stafford, B. Warner, B. Westlake-Power, R. Wilcox and J. Wills.

The meeting is called to order at 4:00 PM.

1. Disclosures of Pecuniary Interest

Councillor J. Morgan discloses a pecuniary interest in item 3.5 of the 12th Report of the Planning and Environment Committee, having to do with a planning application for the property located at 230 North Centre Road, by indicating that the subject property is adjacent to property owned by his employer, the University of Western Ontario who has expressed concerns with respect to the planning application.

Councillor S. Turner discloses a pecuniary interest in item 5.1 of the 11th Report of the Community and Protective Services Committee, having to do with a request from the Middlesex-London Health Unit (MLHU) with respect to a funding request for office space fit-up, by indicating that MLHU is his employer.

Councillor T. Park discloses a pecuniary interest in item 4.1 of the 12th Report of the Planning and Environment Committee, having to do with an application for Brownfield Incentives for the property located at 391 South Street, by indicating that her family owns property in the area.

Councillor P. Hubert discloses a pecuniary interest in item 2.2 of the 11th Report of the Community and Protective Services Committee and related Bill No. 426, having to do with the Stoney Creek Community Centre, YMCA and Library User Agreement Amendment, by indicating that he is the President of a social enterprise that has a contract to provide cleaning services at the subject property.

Councillor M. Salih discloses a pecuniary interest in item 5.4 of the 11th Report of the Community and Protective Services Committee, having to do with a request from the City of Toronto regarding shelter spaces for refugee/asylum claimants, by indicating that he is an employee of the federal government.

2. Recognitions

None.

4. Council, In Closed Session

Motion made by: A. Hopkins
Seconded by: V. Ridley

That Council rise and go into Council, In Closed Session, for the purpose of considering the following:

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/Identifiable Individual

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

(ADDED) Land Disposition/Solicitor-Client Privileged Advice

A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition 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 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 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 disposition that belongs to the Corporation 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 Corporation or its competitive position; information concerning the proposed disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; information relating to a position, plan, procedure, criteria 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 disposition. (6.1/9/SPPC)

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

A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition or disposition 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 or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition or 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 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 or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition or disposition 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 or disposition. (6.2/9/SPPC)

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, H. Usher, and T. Park

Absent: (1): J. Zaifman

Motion Passed (14 to 0)

The Council rises and goes into the Council, In Closed Session, at 4:07 PM, with Mayor M. Brown in the Chair and all Members present except Councillors M. Salih and J. Zaifman.

At 4:08 PM Councillor J. Zaifman enters the meeting.

At 4:12 PM Councillor M. Salih enters the meeting.

At 5:04 PM Councillor J. Helmer leaves the meeting.

At 5:07 PM Councillor J. Helmer enters the meeting.

The Council, In Closed Session, rises at 5:35 PM and Council reconvenes at 5:40 PM, with Mayor M. Brown in the Chair and all Members present, except Councillor V. Ridley.

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

5.1 13th Meeting held on June 26, 2018

Motion made by: B. Armstrong

Seconded by: J. Morgan

That the Minutes of the 13th Meeting held on June 26, 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, S. Turner, H. Usher, T. Park, and J. Zaifman

Absent: (1): V. Ridley

Motion Passed (14 to 0)

6. Communications and Petitions

Motion made by: T. Park
Seconded by: H. Usher

That the communications, having to do with the heritage listed property located at 172 Central Avenue, BE RECEIVED and BE REFERRED as noted on the 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, S. Turner, H. Usher, T. Park, and J. Zaifman

Absent: (1): V. Ridley

Motion Passed (14 to 0)

7. Motions of Which Notice is Given

None.

Motion made by: M. Cassidy
Seconded by: M. van Holst

That pursuant to section 6.4 of the Council Procedure By-law, the order of business BE CHANGED to permit consideration of Bill No. 434 at this time.

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

Absent: (1): V. Ridley

Motion Passed (14 to 0)

At 5:45 PM Councillor V. Ridley enters the meeting.

Motion made by: H. Usher
Seconded by: B. Armstrong

That Introduction and First Reading of Bill No. 434, BE APPROVED.

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)

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

That Second Reading of Bill No. 434, BE APPROVED.

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)

Motion made by: H. Usher
Seconded by: B. Armstrong

That Third Reading and Enactment of Bill No. 434, BE APPROVED.

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)

8. Reports

8.1 12th Report of the Planning and Environment Committee

Motion made by: S. Turner

That the 12th Report of the Planning and Environment Committee BE APPROVED, excluding Items 15 (3.4), 16 (3.5) and 17 (4.1).

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)

1. Disclosures of Pecuniary Interest

Motion made by: S. Turner

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.

Motion Passed

2. (2.1) 3rd Report of the Agriculture Advisory Committee

Motion made by: S. Turner

That the 3rd Report of the Agricultural Advisory Committee, from its meeting held on June 20, 2018 BE RECEIVED.

Motion Passed

3. (2.3) 8th Report of the Advisory Committee on the Environment

Motion made by: S. Turner

That the 8th Report of the Advisory Committee on the Environment, from its meeting held on July 4, 2018 BE RECEIVED.

Motion Passed

4. (2.5) Strategic Plan Progress Variance Report

Motion made by: S. Turner

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

5. (2.8) Riverbend South Subdivision - Phase 2 - Special Provisions (39T-16502)

Motion made by: S. Turner

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

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

Motion made by: S. Turner

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

7. (2.10) Building Division Monthly Report for May 2018

Motion made by: S. Turner

That the Building Division Monthly Report for the month of May, 2018 BE RECEIVED for information. (2018-F-21)

Motion Passed

8. (2.2) 6th Report of the Trees and Forests Advisory Committee

Motion made by: S. Turner

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.

Motion Passed

9. (2.4) Application - 6188 Colonel Talbot Road (B.047/17)

Motion made by: S. Turner

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)

Motion Passed

10. (2.6) Environmental Impact Study Compliance

Motion made by: S. Turner

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)

Motion Passed

11. (2.7) Capital Works Claim - 33M-354 Riverbend Meadows - Phase 3

Motion made by: S. Turner

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)

Motion Passed

12. (3.1) 7th Report of the Environmental and Ecological Planning Advisory Committee

Motion made by: S. Turner

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.

Motion Passed

13. (3.2) Expansion of Downtown Community Improvement Plan Project Area - Revised By-laws (O-8788) (Relates to Bill Nos 428 and 429)

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 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)

Motion Passed

14. (3.3) Application - 661-675 Wharncliffe Road South (OZ-8898)
(Relates to Bill Nos. 430 and 438)

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 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)

Motion Passed

18. (4.2) Airport Area Community Airport Area Improvement Plan

Motion made by: S. Turner

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)

Motion Passed

19. (4.3) Development Application Procedure - 2156 Highbury Avenue North

Motion made by: S. Turner

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.

Motion Passed

20. (4.4) Bonusing and Affordable Housing

Motion made by: S. Turner

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.

Motion Passed

21. (5.1) 8th Report of the London Advisory Committee on Heritage

Motion made by: S. Turner

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.

Motion Passed

15. (3.4) Application - Demolition Request for Heritage Listed Property Located at 172 Central Avenue

Motion made by: S. Turner

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: (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)

16. (3.5) Application - 230 North Centre Road (OZ-8874)

Motion made by: S. Turner

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: (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

Recuse: (1): J. Morgan

Motion Passed (14 to 0)

17. (4.1) Medallion Realty Holdings - Application for Brownfield Incentives - 391 South Street

At 6:08 PM Councillor T. Park leaves the meeting.

At 6:12 PM Councillor T. Park enters the meeting.

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 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: (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, H. Usher, and J. Zaifman

Recuse: (1): T. Park

Motion Passed (14 to 0)

8.2 11th Report of the Community and Protective Services Committee

Motion made by: M. Cassidy

That the 11th Report of the Community and Protective Services Committee BE APPROVED, excluding Items 3 (2.2), 9(3.1), 12(5.1) and 15 (5.4).

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)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

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.

Motion Passed

2. (2.1) Strategic Plan Progress Variance

Motion made by: M. Cassidy

That, on the recommendation of the City Manager, with the concurrence of the Managing Director, Housing, Social Services and Deerness 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

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)

Motion made by: M. Cassidy

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

5. (2.6) 7th Report of the Diversity, Inclusion & Anti-Oppression Advisory Committee

Motion made by: M. Cassidy

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

6. (2.7) 7th Report of the Animal Welfare Advisory Committee

Motion made by: M. Cassidy

That the 7th Report of the Animal Welfare Advisory Committee, from its meeting held on July 5, 2018, BE RECEIVED.

Motion Passed

7. (2.4) Vehicle for Hire By-law - Industry Consultation

Motion made by: M. Cassidy

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 on off-site location.

Motion Passed

8. (2.5) 5th Report of the Community Safety and Crime Prevention Advisory Committee

Motion made by: M. Cassidy

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.

Motion Passed

10. (4.1) Neighbourhood Equipment Access

Motion made by: M. Cassidy

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.

Motion Passed

11. (4.2) 6th Report of the Accessibility Advisory Committee

Motion made by: M. Cassidy

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.

Motion Passed

13. (5.2) Municipal Council Resolution regarding the 5th Report of Accessibility Advisory Committee

Motion made by: M. Cassidy

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.

Motion Passed

14. (5.3) Deferred Matters List

Motion made by: M. Cassidy

That the Deferred Matters List for the Community and Protective Services Committee, as at July 9, 2018, BE RECEIVED.

Motion Passed

15. (5.4) Request from City of Toronto regarding Shelter Spaces for Refugee/Asylum Claimants

Motion made by: M. Cassidy

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: (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

Recuse: (1): M. Salih

Motion Passed (14 to 0)

3. (2.2) Stoney Creek Community Centre, YMCA, and Library User Agreement Amendment (Relates to Bill No. 426)

Motion made by: M. Cassidy

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.

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

Recuse: (1): P. Hubert

Motion Passed (14 to 0)

- 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)

Motion made by: M. Cassidy

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”.

Motion made by: M. Cassidy

The motion to approve Part a) of Item 9 (3.1) is put. Part a) reads as follows:

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;

Yeas: (14): Mayor M. Brown, 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

Nays: (1): M. van Holst

Motion Passed (14 to 1)

Motion made by: M. Cassidy

The motion to approve Part b) of Item 9 (3.1) is put. Part b) reads as follows:

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: (9): Mayor M. Brown, B. Armstrong, M. Salih, J. Helmer, M. Cassidy, P. Squire, S. Turner, H. Usher, and T. Park

Nays: (6): M. van Holst, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, and J. Zaifman

Motion Passed (9 to 6)

12. (5.1) Middlesex-London Health Unit Office Space Fit-up Funding Request - RESUBMITTED

At 6:58 PM Councillor M. Salih leaves the meeting.

Motion made by: M. Cassidy

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: (13): Mayor M. Brown, M. van Holst, B. Armstrong, 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 (13 to 0)

Motion made by Councillor B. Armstrong and seconded by Councillor M. van Holst to Approve that Municipal Council recess.

Motion Passed

The Municipal Council recesses at 6:58 PM and reconvenes at 7:38 PM with Mayor M. Brown in the Chair and all Members present except Councillors M. Cassidy and M. Salih.

- 8.3 14th Report of the Corporate Services Committee

Motion made by: J. Helmer

That the 14th Report of the Corporate Services Committee BE APPROVED.

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

Absent: (2): M. Salih, and M. Cassidy

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Strategic Plan Progress Variance

Motion made by: J. Helmer

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

3. (2.2) Council Policy - Issuance of Technology Equipment to Council Members (Relates to By-law No. 431)

Motion made by: J. Helmer

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

4. (2.4) Reserve and Reserve Fund Policy Report (Relates to By-law No. 433)

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 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

5. (2.7) New Entryway Signage for City-Owned Industrial Parks

Motion made by: J. Helmer

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

6. (2.3) 2017 Investment Report (Relates to By-law No. 432)

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 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.

Motion Passed

7. (2.5) FCM Grant Funding Agreement & RFP 18-23 Award for Corporate Asset Management Plan and Policy (Relates to By-law No. 424)

Motion made by: J. Helmer

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.

Motion Passed

8. (2.6) Industrial Land Development Strategy Annual Monitoring and Pricing Report - City-Owned Industrial Land (Relates to By-law No. 425)

Motion made by: J. Helmer

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.

Motion Passed

9. (3.1) Tribunal - Development Charge Complaint - 84 Dennis Avenue

Motion made by: J. Helmer

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.

Motion Passed

10. (3.2) Producing Prosperity in Ontario

Motion made by: J. Helmer

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.

Motion Passed

11. (4.1) Confirmation of Appointment to the Community Safety and Crime Prevention Advisory Committee

Motion made by: J. Helmer

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.

Motion Passed

12. (4.2) Daytime Schedule

Motion made by: J. Helmer

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.

Motion Passed

At 7:42 PM Councillor M. Cassidy enters the meeting.

8.4 11th Report of the Civic Works Committee

Motion made by: V. Ridley

That the 11th Report of the Civic Works Committee BE APPROVED, excluding Items 11 (3.1) and 16 (4.5).

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)

1. Disclosures of Pecuniary Interest

Motion made by: V. Ridley

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) 5th Report of the Transportation Advisory Committee

Motion made by: V. Ridley

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

3. (2.2) 4th Report of the Rapid Transit Implementation Working Group

Motion made by: V. Ridley

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

4. (2.3) Strategic Plan Progress Variance Report

Motion made by: V. Ridley

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

5. (2.4) Amendments to the Traffic and Parking By-law (Relates to Bill No. 437)

Motion made by: V. Ridley

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

6. (2.5) Water and Erosion Control Infrastructure (WECI) Program: 2018 Provincially Approved Project Funding

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 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

7. (2.6) Clean Water and Wastewater Fund Project Budget Amendments

Motion made by: V. Ridley

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

8. (2.7) Dingman Creek and Colonel Talbot Pumping Stations Budget Adjustments

Motion made by: V. Ridley

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

9. (2.8) Adjust 3 Container Exemption Collection Periods and Changes to Collection Zones

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 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

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

Motion made by: V. Ridley

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

12. (4.1) King Street Bike Lanes - Public Submissions

Motion made by: V. Ridley

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

Motion Passed

13. (4.2) D. Davis, Filthy Rebena Vintage

Motion made by: V. Ridley

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.

Motion Passed

14. (4.3) 7th Report of the Cycling Advisory Committee

Motion made by: V. Ridley

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.

Motion Passed

15. (4.4) Presentation – Canadian Urban Transit Research and Innovation Consortium (CUTRIC)

Motion made by: V. Ridley

That the City Clerk BE DIRECTED to make the necessary arrangements to invite Dr. Josipa Petrunic, 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)

Motion Passed

17. (4.6) Residential Damage - Storm Water Discharge

Motion made by: V. Ridley

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)

Motion Passed

18. (5.1) Deferred Matters List

Motion made by: V. Ridley

That the Civic Works Committee Deferred List, as of July 9, 2018, BE RECEIVED.

Motion Passed

19. (5.2) 3rd Report of the Waste Management Working Group

Motion made by: V. Ridley

That it BE NOTED that the 3rd Report of the Waste Management Working Group, from its meeting on July 13, 2018, was received.

Motion Passed

11. (3.1) 60% Waste Diversion Action Plan

Motion made by: V. Ridley

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

Nays: (2): M. van Holst, and S. Turner

Motion Passed (12 to 2)

16. (4.5) Traffic Light - South Carriage Road and Hyde Park Road

Motion made by: V. Ridley

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. Szapakowski were received, with respect to this matter.

Yeas: (8): M. van Holst, B. Armstrong, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, and T. Park

Nays: (6): Mayor M. Brown, J. Helmer, M. Cassidy, S. Turner, H. Usher, and J. Zaifman

Absent: (1): M. Salih

Motion Passed (8 to 6)

At 8:45 PM Councillor J. Zaifman leaves the meeting.

9. Added Reports

9.2 9th Report of the Strategic Priorities and Policy Committee

Motion made by: V. Ridley

That the 9th Report of the Strategic Priorities and Policy 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, H. Usher, and T. Park

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

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: V. Ridley

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Multi-Year Budget Policy Update

Motion made by: V. Ridley

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 23, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting on July 24, 2018, to amend Council policy related to By-law No. CPOL.-45-241 being "Multi-Year Budget Policy" by deleting Appendix "C(34)" in its entirety and replacing it with a new Council Policy entitled "Multi-Year Budget Policy".

Motion Passed

3. (2.2) 2019 Development Charges Study - UWRF Retirement

Motion made by: V. Ridley

That on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, with the concurrence of the Managing Director, Corporate Services, City Treasurer and Chief Financial Officer, the following actions be taken:

- a) the implementation process for full retirement of the Urban Works Reserve Fund with the adoption of the 2019 Development Charges By-Law BE ENDORSED; and
- b) the Civic Administration BE AUTHORIZED to conduct the necessary housekeeping adjustments to facilitate the wind-up of the Urban Works Reserve Fund.

Motion Passed

4. (2.3) Strategic Plan Progress Variance

Motion made by: V. Ridley

That, on the recommendation of the City Manager, with the concurrence of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the Managing Director, Planning and City Planner and the Managing Director, Legal and Corporate Services and City Solicitor, the staff report dated July 23, 2018, entitled "Strategic Plan Progress Variance" BE RECEIVED for information.

Motion Passed

5. (4.1) Review of Council Established Task Forces, Working Groups and Special Committees

Motion made by: V. Ridley

The Civic Administration BE DIRECTED to undertake a comprehensive review of all of Council's Advisory Committees, Task Forces, Working Groups and Special Committee and report back to the Governance Working Group with recommendations that would address the utility of the Committees, any potential duplication or overlapping of roles and ensure that the work of these Committees is focused on the tasks established by Council.

Motion Passed

6. (4.2) London & Middlesex Housing Corporation Board of Directors

Motion made by: V. Ridley

That the communication dated June 26, 2018 from M. Buzzelli regarding his resignation from the London & Middlesex Housing Corporation and the added communication dated July 19, 2018 from S. Quigley, Chair, Board of Directors, London & Middlesex Housing Corporation, BE RECEIVED.

Motion Passed

7. (4.3) 11th Report of the Governance Working Group

Motion made by: V. Ridley

That the following actions be taken with respect to the 11th Report of the Governance Working Group from its meeting held on June 25, 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 dated June 25, 2018 as Appendices B2 to B4, B6 to B24, and B26 to B78, excluding B16, B33 and B44, BE INTRODUCED, at the Municipal Council meeting to be held on July 24, 2018, to amend the following Council Policies for reformatting into the new Council Policy template, review with the gender equity lens and content updates:

2. Diversity and Inclusion Policy for the City of London
3. Accessibility Policy
4. Promotion of Corporate Products to City Staff
6. Hiring of Employees Policy
7. Employee Service Recognition Program
8. Benefits for Survivors of Employees Killed on the Job
9. Appointments Requiring Council Approval and/or Consultation
10. Workplace Harassment and Discrimination Prevention Policy
11. Mayor – Contracted Staff
12. Fixed Term Employment Agreements
13. Collective Bargaining Activities
14. Bravery Award Policy
15. Queen Elizabeth Scholarships

17. Annual Retirement Dinner, 25-Year Club Dinner and Other Civic Dinners Policy
18. Diversity, Race Relations and Inclusivity Award Policy
19. Corporate Plaques and Recognitions Policy
20. Outstanding London Ambassador Award Policy
21. Soliciting Funds in City Hall Policy
22. Naming/Re-naming or Dedicating of Municipal Property, Buildings and Park Elements
23. City of London Days at the Budweiser Gardens Policy
24. Use of Civic Square by Centennial Hall Events Policy
26. Placement of Public Submissions on Standing Committee Agendas
27. Inter-Municipal Endorsement of Council Resolutions
28. General Policy for Advisory Committees
29. Delegations by Union Executives to Standing Committees
30. Establishment of Task Forces and Working Groups
31. Allocation of Councillors' Offices
32. Policy for the Use of City of London Resources for Municipal Election Purposes
34. Code of Conduct for Members of Council
35. Remuneration for Elected Officials and Appointed Citizen Members
36. Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions
37. Review of Ward Boundaries
38. Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy
39. Legal Services and Accounts
40. Added Staff Recommendations and Committee Reports
41. Official City Flag
42. Landing of Helicopters
43. Use of Cenotaph
45. Issuance of Proclamations
46. Public Notice Policy
47. Accountability and Transparency to the Public Policy
48. Delegation of Powers and Duties Policy
49. Illumination of City of London Buildings and Amenities
50. City of London Records Management Policy
51. Staff at Ward Meetings
52. Protocol for Unapproved Aboriginal Burial Sites
53. City of London Community Suite Policy
54. Council Members' Expense Account

55. Mayor's Expenses
56. Policy for the Establishment and Maintenance of Council Policies
57. Sale of Major Assets Policy
58. Asset Transfers To Municipal Services Corporations Policy
59. Conveyance of Sanitary Filled Land
60. Real Estate Service – MLS
61. Financing of Sales
62. Transactions Involving Elected Officials
63. Property for Capital Works Projects
64. Internal Review of Property Sales
65. City-Owned Residential Properties
66. Property Enquiries to Board of Education
67. Demolitions of Buildings on Flood Plain Lands
68. Rental of Lands for Billboards
69. Leasing and Licencing of City-Owned Land
70. Real Estate Services
71. Lands for Public Works Projects
72. Donation of Land and Buildings to the City
73. Sale and Other Disposition of Land Policy
74. Real Property Acquisition Policy
75. Tax Collection Policy
76. Treatment of Properties That Do Not Sell At Municipal Tax Sales
77. Minutes of Settlement for Assessment Appeals
78. Travel & Business Expenses

ii) the proposed by-laws appended to the Governance Working Group dated June 25, 2018 as Appendix C1 to C7 BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to repeal and replace the following Council Policies:

1. "Use of Cafeteria as Staff Facility Policy" to be renamed as "Use of the City Hall Cafeteria Policy"
2. "Discussion on Elected Officials' Salaries to be in Public" to be renamed as "Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to Serve on its Committees or a Local Agency, Board or Commission Policy"
3. "Council Appointee to External Board or Commission – Membership Paid by City" to be renamed as "Payment of Membership Fees of a Council Appointee to an External Board or Commission"
4. "Anonymous Communications, Etc." to be renamed as "Processing of Anonymous Communications Policy"
5. "City Representation at "Out of Town" Functions" to be renamed as "City Council Representation at "Out of Town" Functions Policy"

6. "Civic Administration - Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees" to be renamed as "Civic Administration Appointments to Boards, Commissions and Advisory Committees Policy"

7. "Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman" to be renamed as "Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman Policy;

iii) the ~~attached~~ proposed by-law (Appendix B25) being "A by-law to amend By-law No. CPOL.-54 "Appointment of Deputy Mayor" BE REFERRED to a future meeting of the Governance Working Group (GWG) for further discussion; it being noted that the Deputy Mayor will be invited to attend that meeting of GWG to provide input with respect to his experience as Deputy Mayor; it being further noted that all Members of Council are to be advised that that this matter would be discussed, so that they may attending the meeting should they wish to do so;

iv) the Civic Administration BE DIRECTED to undertake consultation with the First Nations to receive input with respect to Council Policy "Protocol for Unapproved Aboriginal Burial Sites" and report back at a future meeting of the Governance Working Group (GWG) with respect to any additional updates to the Policy which may be required as a result of the consultation;

v) the ~~attached~~ further revised proposed by-law appended to the Governance Working Group dated June 25, 2018 as Appendix B1 BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to repeal and replace the Council Policy CPOL.-188-370 being "City of London Race Relations Policy" and replace it with a new Council Policy entitled "City of London Race Relations/Anti-Racism Policy"; and

vi) the ~~attached~~ further revised proposed by-law appended to the Governance Working Group dated June 25, 2018 as Appendix B5 BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to repeal and replace the Council Policy related to By-law No. CPOL.-147-399 being "Retirement Dinners for Department Heads" and replace it with a new Council Policy entitled "Retirement Dinners for the Service Areas Leads";

vii) the ~~attached~~ revised proposed by-law (Appendix B16) BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to, to repeal and replace the Council Policy CPOL.-18(a)144 being "Mayor's New Year's Honour List Policy" and replace it with a new Council Policy entitled ""Mayor's New Year's Honour List Policy";

viii) the ~~attached~~ revised proposed by-law (Appendix B44) BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to, to repeal and replace the Council Policy CPOL.-114(a)-63 being "Flags at City Hall Policy" and replace it with a new Council Policy entitled ""Flags at City Hall Policy";

b) clause 3.1 a) 33. Issuance of Computer Equipment to Council Members, BE RECEIVED; and,

c) clauses 1.1, 2.1 and 2.2 BE RECEIVED.

Motion Passed

8. (4.4) Acting Mayor - July 25, 2018 to August 14, 2018

Motion made by: V. Ridley

That Councillor H.L. Usher BE APPOINTED Acting Mayor for the period commencing 9 AM on Wednesday, July 25, 2018 until approximately noon on Monday, August 13, 2018.

Motion Passed

9.1 14th Report of Council in Closed Session

Motion made by: V. Ridley

Seconded by: B. Armstrong

That, on the recommendation of the City Clerk and in recognition of achieving the highest scholastic achievement in their graduating year, the following students BE AWARDED the 2018 Queen Elizabeth Scholarships, in the amounts shown:

Kai Sun	A. B. Lucas S.S.	98.50%	\$2,000
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Robert Nadal	Sir Wilfred Laurier S.S.	98.17%	\$2,000
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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)

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

None.

13. By-laws

Motion made by: H. Usher

Seconded by: A. Hopkins

That Introduction and First Reading of Bill No.'s 423 to 438 and the Added Bill No.'s 439 to 524, excluding Bill No.'s 426, 434 and 436, 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, H. Usher, and T. Park

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

Motion Passed (13 to 0)

Motion made by: H. Usher

Seconded by: B. Armstrong

That Second Reading of Bill No.'s 423 to 438 and the Added Bill No.'s 439 to 524, excluding Bill No.'s 426, 434 and 436, 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, H. Usher, and T. Park

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

Motion Passed (13 to 0)

Motion made by: B. Armstrong

Seconded by: A. Hopkins

That Third Reading and Enactment of Bill No.'s 423 to 438 and the Added Bill No.'s 439 to 524, excluding Bill No.'s 426, 434 and 436, 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, H. Usher, and T. Park

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

Motion Passed (13 to 0)

Motion made by: M. Cassidy

Seconded by: T. Park

That Introduction and First Reading of Bill No. 426, BE APPROVED.

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

Recuse: (1): P. Hubert

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

Motion Passed (12 to 0)

Motion made by: T. Park

Seconded by: M. Cassidy

That Second Reading of Bill No. 426, BE APPROVED.

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

Recuse: (1): P. Hubert

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

Motion Passed (12 to 0)

Motion made by: A. Hopkins

Seconded by: T. Park

That Third Reading and Enactment of Bill No. 426, BE APPROVED.

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

Recuse: (1): P. Hubert

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

Motion Passed (12 to 0)

Motion made by: M. Cassidy

Seconded by: T. Park

That Introduction and First Reading of Bill No. 436, BE APPROVED.

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Turner, H. Usher, and T. Park

Nays: (3): P. Hubert, A. Hopkins, and V. Ridley

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

Motion Passed (10 to 3)

Motion made by: S. Turner

Seconded by: H. Usher

That Second Reading of Bill No. 436, BE APPROVED.

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Turner, H. Usher, and T. Park

Nays: (3): P. Hubert, A. Hopkins, and V. Ridley

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

Motion Passed (10 to 3)

Motion made by: B. Armstrong

Seconded by: H. Usher

That Third Reading and Enactment of Bill No. 436, BE APPROVED.

Yeas: (10): Mayor M. Brown, M. van Holst, B. Armstrong, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Turner, H. Usher, and T. Park

Nays: (3): P. Hubert, A. Hopkins, and V. Ridley

Motion Passed (10 to 3)

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

Bill No. 423 By-law No. A.-7763-362	A by-law to confirm the proceeding of the Council Meeting held on the 24 th day of July, 2018. (City Clerk)
Bill No. 424 By-law No. A.-7764-363	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)
Bill No. 425 By-law No. A.-6151(s)-364	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)
Bill No. 426 By-law No. A.-7765-365	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)
Bill No. 427 By-law No. A.-7766-366	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)
Bill No. 428 By-law No. C.P.-1356(b)-367	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)
Bill No. 429 By-law No. C.P.-1357(b)-368	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)

Bill No. 430 By-law No. C.P.-1284(uc)-369	A by-law to amend the Official Plan for the City of London, 1989 relating to 661-675 Wharncliffe Road South. (3.3a/PEC/12)
Bill No. 431 By-law No. CPOL.-68(a)-370	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)
Bill No. 432 By-law No. CPOL.-39(a)-371	A by-law to amend By-law CPOL.-39-235 being "Investment Policy". (2.3/CSC/14)
Bill No. 433 By-law No. CPOL.-368-372	A by-law to adopt a new Council Policy entitled Reserve and Reserve Fund Policy. (2.4/CSC/14)
Bill No. 434 By-law No. F.-168-373	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. (City Clerk)
Bill No. 435 By-law No. PW-12-18003	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)
Bill No. 436 By-law No. PH-18-18002	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)
Bill No. 437 By-law No. PS-113-18025	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)
Bill No. 438 By-law No. Z.-1-182680	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)
Bill No. 439 By-law No. CPOL.-45(a)-374	A by-law to amend Council policy related to By-law No. CPOL.-45-241 being "Multi-Year Budget Policy" by deleting Appendix "C(34)" in its entirety and replacing with a new Council Policy entitled "Multi-Year Budget Policy". (2.1/SPPC/9)
Bill No. 440 By-law No. CPOL.-369-375	A by-law to repeal By-Law No. CPOL.-118-370 being "City of London Race Relations Policy" and replace it with a new Council policy entitled "City of London Race Relations/Anti-Racism Policy." (e/GWG/11)

Bill No. 441 By-law No. CPOL.-119(a)-376	A by-law to amend By-Law No. CPOL.-119-371 being "Diversity and Inclusion Policy for the City of London". (a2/GWG/11)
Bill No. 442 By-law No. CPOL.-122(a)-377	A by-law to amend By-Law No. CPOL.-122-374 being "Accessibility Policy". (a3/GWG/11)
Bill No. 443 By-law No. CPOL.-123(a)-378	A by-law to amend By-Law No. CPOL.-123-375 being "Promotion of Corporate Products to City Staff". (a4/GWG/11)
Bill No. 444 By-law No. CPOL.-370-379	A by-law to repeal Council Policy related to By-Law No. CPOL.-147-399 being "Retirement Dinners for Department Heads" and replace it with a new Council policy entitled "Retirement Dinners for Service Area Leads." (f/GWG/11)
Bill No. 445 By-law No. A.-6151(t)-380	A by-law to amend 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. (a6/GWG/11)
Bill No. 446 By-law No. CPOL.-151(a)-381	A by-law to amend By-Law No. CPOL.-151-403 being "Employee Service Recognition Program". (a7/GWG/11)
Bill No. 447 By-law No. CPOL.-153(a)-382	A by-law to amend By-Law No. CPOL.-153-405 being "Benefits for Survivors of Employees Killed on the Job". (a8/GWG/11)
Bill No. 448 By-law No. CPOL.-154(a)-383	A by-law to amend By-Law No. CPOL.-154-406 being "Appointments Requiring Council Approval and/or Consultation". (a9/GWG/11)
Bill No. 449 By-law No. CPOL.-155(a)-384	A by-law to amend By-Law No. CPOL.-155-407 being "Workplace Harassment and Discrimination Prevention Policy". (a10/GWG/11)
Bill No. 450 By-law No. CPOL.-156(a)-385	A by-law to amend By-Law No. CPOL.-156-408 "Mayor – Contracted Staff". (a11/GWG/11)
Bill No. 451 By-law No. CPOL.-157(a)-386	A by-law to amend By-Law No. CPOL.-157-409 being "Fixed Term Employment Agreements". (a12/GWG/11)
Bill No. 452 By-law No. CPOL.159(a)--387	A by-law to amend By-Law No. CPOL.-159-411 being "Collective Bargaining Activities". (a13/GWG/11)
Bill No. 453 By-law No. CPOL.-15(a)-388	A by-law to amend By-Law No. CPOL.-15-211 being "Bravery Award Policy". (a14/GWG/11)

Bill No. 454 By-law No. CPOL.-17(a)-389	A by-law to amend By-Law No. CPOL.-17-213 being "Queen Elizabeth Scholarships". (a15/GWG/11)
Bill No. 455	Not being used.
Bill No. 456 By-law No. CPOL.-18(b)-390	A by-law to repeal and replace By-Law No. CPOL.-18(a)-144 entitled "A by-law to amend By-law No. CPOL.-18-214 being "A by-law to revoke and repeal Council policy related to Mayor's New Year's Honour List and replace it with a new Council policy entitled "Mayor's New Year's Honour List Policy" to replace the name of the nomination category "Persons with Disabilities" with the name "Accessibility"; and to replace the current description of the award from "(i.e. contributions to the promotion and facilitation of a barrier-free community for citizens of all abilities, including those with disabilities" to "(awarded to those who, through action and/or example, foster an environment of inclusion that embraces citizens of all abilities)"; and to amend By-Law No. CPOL.-18-214 being the policy for "Mayor's New Year's Honour List Policy". (a16/GWG/11)
Bill No. 457 By-law No. CPOL.-19(a)-391	A by-law to amend By-Law No. CPOL.-19-215 being "Annual Retirement Dinner, 25-Year Club Dinner and Other Civic Dinners Policy". (a17/GWG/11)
Bill No. 458 By-law No. CPOL.-20(a)-392	A by-law to amend By-Law No. CPOL.-20-216 being "Diversity, Race Relations and Inclusivity Award Policy". (a18/GWG/11)
Bill No. 459 By-law No. CPOL.-49(a)-393	A by-law to amend By-Law No. CPOL.-49-245 being "Corporate Plaques and Recognitions Policy". (a19/GWG/11)
Bill No. 460 By-law No. CPOL.-50(a)-394	A by-law to amend By-Law No. CPOL.-50-246 being "Outstanding London Ambassador Award Policy". (a20/GWG/11)
Bill No. 461 By-law No. CPOL.-25(a)-395	A by-law to amend By-Law No. CPOL.-25-221 being "Soliciting Funds in City Hall Policy". (a21/GWG/11)
Bill No. 462 By-law No. CPOL.-26(a)-396	A by-law to amend By-Law No. CPOL.-26-222 being "Naming/Re-naming or Dedicating of Municipal Property, Buildings and Park Elements". (a22/GWG/11)
Bill No. 463 By-law No. CPOL.-27(a)-397	A by-law to amend By-Law No. CPOL.-27-223 being "City of London Days at the Budweiser Gardens Policy". (a23/GWG/11)
Bill No. 464 By-law No. CPOL.-28(a)-398	A by-law to amend By-Law No. CPOL.-28-224 being "Use of Civic Square by Centennial Hall Events Policy". (a24/GWG/11)
Bill No. 465 By-law No. CPOL.-55(a)-399	A by-law to amend By-Law No. CPOL.-55-287 "Placement of Public Submissions on Standing Committee Agendas". (a26/GWG/11)

Bill No. 466 By-law No. CPOL.-56(a)-400	A by-law to amend By-Law No. CPOL.-56-288 being "Inter-Municipal Endorsement of Council Resolutions". (a27/GWG/11)
Bill No. 467 By-law No. CPOL.-59(a)-401	A by-law to amend By-Law No. CPOL.-59-291 being "General Policy for Advisory Committees". (a28/GWG/11)
Bill No. 468 By-law No. CPOL.-60(a)-402	A by-law to amend By-Law No. CPOL.-60-292 being "Delegations by Union Executives to Standing Committees". (a29/GWG/11)
Bill No. 469 By-law No. CPOL.-62(a)-403	A by-law to amend By-Law No. CPOL.-62-294 being "Establishment of Task Forces and Working Groups". (a30/GWG/11)
Bill No. 470 By-law No. CPOL.-66(a)-404	A by-law to amend By-Law No. CPOL.-66-298 being "Allocation of Councillors' Offices". (a31/GWG/11)
Bill No. 471 By-law No. CPOL.-230(a)-405	A by-law to amend By-Law No. CPOL.-230-519 being "Policy for the Use of City of London Resources for Municipal Election Purposes". (a32/GWG/11)
Bill No. 472 By-law No. CPOL.-68(a)-406	A by-law to amend By-Law No. CPOL.-68-300 being "Issuance of Computer Equipment to Council Members". (a33/GWG/11)
Bill No. 473 By-law No. CPOL.-69(a)-407	A by-law to amend By-Law No. CPOL.-69-301 being "Code of Conduct for Members of Council". (a34/GWG/11)
Bill No. 474 By-law No. CPOL.-70(a)-408	A by-law to amend By-Law No. CPOL.-70-302 being "Remuneration for Elected Officials and Appointed Citizen Members". (a35/GWG/11)
Bill No. 475 By-law No. CPOL.-71(a)-409	A by-law to amend By-Law No. CPOL.-71-303 being "Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions". (a36/GWG/11)
Bill No. 476 By-law No. CPOL.-72(a)-410	A by-law to amend By-Law No. CPOL.-72-304 being "Review of Ward Boundaries". (a37/GWG/11)
Bill No. 477 By-law No. CPOL.-74(a)-411	A by-law to amend By-Law No. CPOL.-74-306 being "Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy". (a38/GWG/11)
Bill No. 478 By-law No. CPOL.-77(a)-412	A by-law to amend By-Law No. CPOL.-77-309 being "Legal Services and Accounts". (a39/GWG/11)
Bill No. 479 By-law No. CPOL.-190(a)-413	A by-law to amend By-Law No. CPOL.-190-442 being "Added Staff Recommendations and Committee Reports". (a40/GWG/11)
Bill No. 480 By-law No. CPOL.-105(a)-414	A by-law to amend By-Law No. CPOL.-105-357 being "Official City Flag". (a41/GWG/11)

Bill No. 481 By-law No. CPOL.-109(a)-415	A by-law to amend By-Law No. CPOL.-109-361 being "Landing of Helicopters". (a42/GWG/11)
Bill No. 482 By-law No. CPOL.-112(a)-416	A by-law to amend By-Law No. CPOL.-112-364 being "Use of Cenotaph". (a43/GWG/11)
Bill No. 483 By-law No. CPOL.-114(b)-417	A by-law to repeal and replace By-Law No. CPOL.-114(a)-63 being "A by-law to amend By-law No. CPOL.-114-366 being "A by-law to revoke and repeal Council policy related to Flags at City Hall and replace it with a new Council policy entitled Flags at City Hall"; and to amend By-law No. 114-366 being "Flags at City Hall". (a44/GWG/11)
Bill No. 484 By-law No. CPOL.-115(a)-418	A by-law to amend By-Law No. CPOL.-115-367 being "Issuance of Proclamations". (a45/GWG/11)
Bill No. 485 By-law No. A.-6151(u)-419	A by-law to amend 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. (a46/GWG/11)
Bill No. 486 By-law No. A.-6151(v)-420	A by-law to amend 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. (a47/GWG/11)
Bill No. 487 By-law No. A.-6151(w)-421	A by-law to amend 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. (a48/GWG/11)
Bill No. 488 By-law No. CPOL.-127(a)-422	A by-law to amend By-Law No. CPOL.-127-379 being "Illumination of City of London Buildings and Amenities". (a49/GWG/11)
Bill No. 489 By-law No. CPOL.-128(a)-423	A by-law to amend By-Law No. CPOL.-128-380 being "City of London Records Management Policy". (a50/GWG/11)
Bill No. 490 By-law No. CPOL.-148(a)-424	A by-law to amend By-Law No. CPOL.-148-400 being "Staff at Ward Meetings". (a51/GWG/11)
Bill No. 491 By-law No. CPOL.-186(a)-425	A by-law to amend By-Law No. CPOL.-186-438 being "Protocol for Unapproved Aboriginal Burial Sites". (a52/GWG/11)

Bill No. 492 By-law No. CPOL.-193(a)-426	A by-law to amend By-Law No. CPOL.-193-445 being "City of London Community Suite Policy". (a53/GWG/11)
Bill No. 493 By-law No. CPOL.-228(a)-427	A by-law to amend By-Law No. CPOL.-228-480 being "Council Members' Expense Account". (a54/GWG/11)
Bill No. 494 By-law No. CPOL.-229(a)-428	A by-law to amend By-Law No. CPOL.-229-481 being "Mayor's Expenses". (a55/GWG/11)
Bill No. 495 By-law No. CPOL.-231(a)-429	A by-law to amend By-Law No. CPOL.-231-555 being "Policy for the Establishment and Maintenance of Council Policies". (a56/GWG/11)
Bill No. 496 By-law No. CPOL.-9(a)-430	A by-law to amend By-Law No. CPOL.-9-98 being "Sale of Major Assets Policy". (a57/GWG/11)
Bill No. 497 By-law No. CPOL.-130(a)-431	A by-law to amend By-Law No. CPOL.-130-382 being "Asset Transfers To Municipal Services Corporations Policy". (a58/GWG/11)
Bill No. 498 By-law No. CPOL.-173(a)-432	A by-law to amend By-Law No. CPOL.-173-425 being "Conveyance of Sanitary Filled Land". (a59/GWG/11)
Bill No. 499 By-law No. CPOL.-174(a)-433	A by-law to amend By-Law No. CPOL.-174-426 being "Real Estate Service – MLS". (a60/GWG/11)
Bill No. 500 By-law No. CPOL.-175(a)-434	A by-law to amend By-Law No. CPOL.-175-427 being "Financing of Sales". (a61/GWG/11)
Bill No. 501 By-law No. CPOL.-176(a)-435	A by-law to amend By-Law No. CPOL.-176-428 being "Transactions Involving Elected Officials". (a62/GWG/11)
Bill No. 502 By-law No. CPOL.-177(a)-436	A by-law to amend By-Law No. CPOL.-177-429 being "Property for Capital Works Projects". (a63/GWG/11)
Bill No. 503 By-law No. CPOL.-178(a)-437	A by-law to amend By-Law No. CPOL.-178-430 being "Internal Review of Property Sales". (a64/GWG/11)
Bill No. 504 By-law No. CPOL.-179(a)-438	A by-law to amend By-Law No. CPOL.-179-431 being "City-Owned Residential Properties". (a65/GWG/11)
Bill No. 505 By-law No. CPOL.-180(a)-439	A by-law to amend By-Law No. CPOL.-180-432 being "Property Enquiries to Board of Education". (a66/GWG/11)
Bill No. 506 By-law No. CPOL.-181(a)-440	A by-law to amend By-Law No. CPOL.-181-433 being "Demolitions of Buildings on Flood Plain Lands". (a67/GWG/11)

Bill No. 507 By-law No. CPOL.-182(a)-441	A by-law to amend By-Law No. CPOL.-182-434 being "Rental of Lands for Billboards". (a68/GWG/11)
Bill No. 508 By-law No. CPOL.-183(a)-442	A by-law to amend By-Law No. CPOL.-183-435 being "Leasing and Licencing of City-Owned Land". (a69/GWG/11)
Bill No. 509 By-law No. CPOL.-184(a)-443	A by-law to amend By-Law No. CPOL.-184-436 being "Real Estate Services". (a70/GWG/11)
Bill No. 510 By-law No. CPOL.-185(a)-444	A by-law to amend By-Law No. CPOL.-185-437 being "Lands for Public Works Projects". (a71/GWG/11)
Bill No. 511 By-law No. CPOL.-187(a)-445	A by-law to amend By-Law No. CPOL.-187-439 being "Donation of Land and Buildings to the City". (a/72GWG/11)
Bill No. 512 By-law No. A.-6151(x)-446	A by-law to amend 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. (a73/GWG/11)
Bill No. 513 By-law No. CPOL.-188(a)-447	A by-law to amend By-Law No. CPOL.-188-440 being "Real Property Acquisition Policy". (a74/GWG/11)
Bill No. 514 By-law No. CPOL.-219(a)-448	A by-law to amend By-Law No. CPOL.-219-471 being "Tax Collection Policy". (a75/GWG/11)
Bill No. 515 By-law No. CPOL.-220(a)-449	A by-law to amend By-Law No. CPOL.-220-472 being "Treatment of Properties That Do Not Sell at Municipal Tax Sales". (a76/GWG/11)
Bill No. 516 By-law No. CPOL.-221(a)-450	A by-law to amend By-Law No. CPOL.-221-473 being "Minutes of Settlement for Assessment Appeals". (a77/GWG/11)
Bill No. 517 By-law No. CPOL.-227(a)-451	A by-law to amend By-Law No. CPOL.-227-479 being "Travel & Business Expenses". (a78/GWG/11)
Bill No. 518 By-law No. CPOL.-371-452	A by-law to repeal Council Policy related By-Law No. CPOL.-24-220 being "Use of Cafeteria as Staff Facility Policy" and replace it with a new Council policy entitled "Use of the City Hall Cafeteria Policy". (a/GWG/11) (b1/GWG/11)
Bill No. 519 By-law No. CPOL.-372-453	A by-law to repeal Council Policy related By-Law No. CPOL.-57-289 being "Discussion on Elected Officials' Salaries to be in Public" and replace it with a new Council policy entitled "Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to Serve on its Committees or a Local Agency, Board or Commission Policy". (b2/GWG/11)

Bill No. 520 By-law No. CPOL.-373-454	A by-law to repeal Council Policy related By-Law No. CPOL.-58-290 being “Council Appointee to External Board or Commission – Membership Paid by City” and replace it with a new Council policy entitled “Payment of Membership Fees of a Council Appointee to an External Board or Commission Policy”. (b3/GWG/11)
Bill No. 521 By-law No. CPOL.-374-455	A by-law to repeal Council Policy related By-Law No. CPOL.-61-293 being “Anonymous Communications, Etc.” and replace it with a new Council policy entitled “Processing of Anonymous Communications Policy”. (b4/GWG/11)
Bill No. 522 By-law No. CPOL.-375-456	A by-law to repeal Council Policy related By-Law No. CPOL.-63-295 being “City Representation at “Out of Town” Functions” and replace it with a new Council policy entitled “City Council Representation at “Out of Town” Functions Policy”. (b5/GWG/11)
Bill No. 523 By-law No. CPOL.-376-457	A by-law to repeal Council Policy related By-Law No. CPOL.-65-297 being “Civic Administration - Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees” and replace it with a new Council policy entitled “Civic Administration Appointments to Boards, Commissions and Advisory Committees Policy”. (b6/GWG/11)
Bill No. 524 By-law No. CPOL.-377-458	A by-law to repeal Council Policy related By-Law No. CPOL.-73-305 being “Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman” and replace it with a new Council policy entitled “Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman Policy”. (b7/GWG/11)

14. Adjournment

Motion made by: M. Cassidy

Seconded by T. Park

That the meeting adjourn.

Motion Passed

The meeting adjourns at 8:51 PM.

Matt Brown, Mayor

Catharine Saunders, City Clerk

Strategic Priorities and Policy Committee Report

9th Meeting of the Strategic Priorities and Policy Committee
July 23, 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, M. Galczynski, G. Kotsifas, L. Livingstone, C. Saunders, K. Scherr, M. Schulthess, J. Senese, S. Spring, S. Stafford, B. Westlake-Power, R. Wilcox, T. Wellhauser and P. Yeoman.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: T. Park
Seconded by: S. Turner

That Items 2.1 to 2.3, inclusive, BE APPROVED.

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)

2.1 Multi-Year Budget Policy Update

Moved by: T. Park
Seconded by: S. Turner

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 23, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting on July 24, 2018, to amend Council policy related to By-law No. CPOL.-45-241 being "Multi-Year Budget Policy" by deleting Appendix "C(34)" in its entirety and replacing it with a new Council Policy entitled "Multi-Year Budget Policy".

Motion Passed

2.2 2019 Development Charges Study - UWRF Retirement

Moved by: T. Park
Seconded by: S. Turner

That on the recommendation of the Managing Director, Development and Compliance Services & Chief Building Official, with the concurrence of the Managing Director, Corporate Services, City Treasurer and Chief Financial Officer, the following actions be taken:

- a) the implementation process for full retirement of the Urban Works Reserve Fund with the adoption of the 2019 Development Charges By-Law BE ENDORSED; and

b) the Civic Administration BE AUTHORIZED to conduct the necessary housekeeping adjustments to facilitate the wind-up of the Urban Works Reserve Fund.

Motion Passed

2.3 Strategic Plan Progress Variance

Moved by: T. Park
Seconded by: S. Turner

That, on the recommendation of the City Manager, with the concurrence of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the Managing Director, Planning and City Planner and the Managing Director, Legal and Corporate Services and City Solicitor, the staff report dated July 23, 2018, entitled "Strategic Plan Progress Variance" BE RECEIVED for information.

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

4.1 Review of Council Established Task Forces, Working Groups and Special Committees

Moved by: P. Squire
Seconded by: A. Hopkins

The Civic Administration BE DIRECTED to undertake a comprehensive review of all of Council's Advisory Committees, Task Forces, Working Groups and Special Committee and report back to the Governance Working Group with recommendations that would address the utility of the Committees, any potential duplication or overlapping of roles and ensure that the work of these Committees is focused on the tasks established by Council.

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

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

Motion Passed (12 to 3)

4.2 Resignation of M. Buzzelli from the London & Middlesex Housing Corporation Board of Directors

Moved by: A. Hopkins
Seconded by: H. Usher

That the communication dated June 26, 2018 from M. Buzzelli regarding his resignation from the London & Middlesex Housing Corporation and the added communication dated July 19, 2018 from S. Quigley, Chair, Board of Directors, London & Middlesex Housing Corporation, BE RECEIVED.

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)

4.3 11th Report of the Governance Working Group

Moved by: V. Ridley

Seconded by: B. Armstrong

That the following actions be taken with respect to the 11th Report of the Governance Working Group from its meeting held on June 25, 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 dated June 25, 2018 as Appendices B2 to B4, B6 to B24, and B26 to B78, excluding B16, B33 and B44, BE INTRODUCED, at the Municipal Council meeting to be held on July 24, 2018, to amend the following Council Policies for reformatting into the new Council Policy template, review with the gender equity lens and content updates:

2. Diversity and Inclusion Policy for the City of London
3. Accessibility Policy
4. Promotion of Corporate Products to City Staff
6. Hiring of Employees Policy
7. Employee Service Recognition Program
8. Benefits for Survivors of Employees Killed on the Job
9. Appointments Requiring Council Approval and/or Consultation
10. Workplace Harassment and Discrimination Prevention Policy
11. Mayor – Contracted Staff
12. Fixed Term Employment Agreements
13. Collective Bargaining Activities
14. Bravery Award Policy
15. Queen Elizabeth Scholarships
17. Annual Retirement Dinner, 25-Year Club Dinner and Other Civic Dinners Policy
18. Diversity, Race Relations and Inclusivity Award Policy
19. Corporate Plaques and Recognitions Policy
20. Outstanding London Ambassador Award Policy
21. Soliciting Funds in City Hall Policy
22. Naming/Re-naming or Dedicating of Municipal Property, Buildings and Park Elements
23. City of London Days at the Budweiser Gardens Policy
24. Use of Civic Square by Centennial Hall Events Policy
26. Placement of Public Submissions on Standing Committee Agendas
27. Inter-Municipal Endorsement of Council Resolutions

28. General Policy for Advisory Committees
29. Delegations by Union Executives to Standing Committees
30. Establishment of Task Forces and Working Groups
31. Allocation of Councillors' Offices
32. Policy for the Use of City of London Resources for Municipal Election Purposes
34. Code of Conduct for Members of Council
35. Remuneration for Elected Officials and Appointed Citizen Members
36. Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions
37. Review of Ward Boundaries
38. Audio Recording of Municipal Council and Standing Committee In Closed Session Meetings Policy
39. Legal Services and Accounts
40. Added Staff Recommendations and Committee Reports
41. Official City Flag
42. Landing of Helicopters
43. Use of Cenotaph
45. Issuance of Proclamations
46. Public Notice Policy
47. Accountability and Transparency to the Public Policy
48. Delegation of Powers and Duties Policy
49. Illumination of City of London Buildings and Amenities
50. City of London Records Management Policy
51. Staff at Ward Meetings
52. Protocol for Unapproved Aboriginal Burial Sites
53. City of London Community Suite Policy
54. Council Members' Expense Account
55. Mayor's Expenses
56. Policy for the Establishment and Maintenance of Council Policies
57. Sale of Major Assets Policy
58. Asset Transfers To Municipal Services Corporations Policy
59. Conveyance of Sanitary Filled Land
60. Real Estate Service – MLS
61. Financing of Sales
62. Transactions Involving Elected Officials
63. Property for Capital Works Projects
64. Internal Review of Property Sales
65. City-Owned Residential Properties
66. Property Enquiries to Board of Education
67. Demolitions of Buildings on Flood Plain Lands

- 68. Rental of Lands for Billboards
- 69. Leasing and Licencing of City-Owned Land
- 70. Real Estate Services
- 71. Lands for Public Works Projects
- 72. Donation of Land and Buildings to the City
- 73. Sale and Other Disposition of Land Policy
- 74. Real Property Acquisition Policy
- 75. Tax Collection Policy
- 76. Treatment of Properties That Do Not Sell At Municipal Tax Sales
- 77. Minutes of Settlement for Assessment Appeals
- 78. Travel & Business Expenses

ii) the proposed by-laws appended to the Governance Working Group dated June 25, 2018 as Appendix C1 to C7 BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to repeal and replace the following Council Policies:

1. "Use of Cafeteria as Staff Facility Policy" to be renamed as "Use of the City Hall Cafeteria Policy"
2. "Discussion on Elected Officials' Salaries to be in Public" to be renamed as "Discussion of Remuneration for Elected Officials and Individuals Appointed by City Council to Serve on its Committees or a Local Agency, Board or Commission Policy"
3. "Council Appointee to External Board or Commission – Membership Paid by City" to be renamed as "Payment of Membership Fees of a Council Appointee to an External Board or Commission"
4. "Anonymous Communications, Etc." to be renamed as "Processing of Anonymous Communications Policy"
5. "City Representation at "Out of Town" Functions" to be renamed as "City Council Representation at "Out of Town" Functions Policy"
6. "Civic Administration - Not to be Appointed as Voting Members to Boards, Commissions and Advisory Committees" to be renamed as "Civic Administration Appointments to Boards, Commissions and Advisory Committees Policy"
7. "Process for the Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman" to be renamed as "Public Release of Information Pertaining to Investigations Undertaken by the Ontario Ombudsman Policy";

iii) the ~~attached~~ proposed by-law (Appendix B25) being "A by-law to amend By-law No. CPOL.-54 "Appointment of Deputy Mayor" BE REFERRED to a future meeting of the Governance Working Group (GWG) for further discussion; it being noted that the Deputy Mayor will be invited to attend that meeting of GWG to provide input with respect to his experience as Deputy Mayor; it being further noted that all Members of Council are to be advised that that this matter would be discussed, so that they may attending the meeting should they wish to do so;

iv) the Civic Administration BE DIRECTED to undertake consultation with the First Nations to receive input with respect to Council Policy "Protocol for Unapproved Aboriginal Burial Sites" and report back at a future meeting of the Governance Working Group (GWG) with respect to any additional updates to the Policy which may be required as a result of the consultation;

v) the ~~attached~~ further revised proposed by-law appended to the Governance Working Group dated June 25, 2018 as Appendix B1 BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to repeal and replace the Council Policy CPOL.-188-370 being “City of London Race Relations Policy” and replace it with a new Council Policy entitled “City of London Race Relations/Anti-Racism Policy”; and

vi) the ~~attached~~ further revised proposed by-law appended to the Governance Working Group dated June 25, 2018 as Appendix B5 BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018, to repeal and replace the Council Policy related to By-law No. CPOL.-147-399 being “Retirement Dinners for Department Heads” and replace it with a new Council Policy entitled “Retirement Dinners for the Service Areas Leads”;

vii) the ~~attached~~ revised proposed by-law (Appendix B16) BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to, to repeal and replace the Council Policy CPOL.-18(a)144 being “Mayor’s New Year’s Honour List Policy” and replace it with a new Council Policy entitled “Mayor’s New Year’s Honour List Policy”;

viii) the ~~attached~~ revised proposed by-law (Appendix B44) BE INTRODUCED at the Municipal Council meeting to be held on July 24, 2018 to, to repeal and replace the Council Policy CPOL.-114(a)-63 being “Flags at City Hall Policy” and replace it with a new Council Policy entitled “Flags at City Hall Policy”;

b) clause 3.1 a) 33. Issuance of Computer Equipment to Council Members, BE RECEIVED; and,

c) clauses 1.1, 2.1 and 2.2 BE RECEIVED.

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)

4.4 Acting Mayor - Wednesday, July 25, 2018 to Tuesday, August 14, 2018

Moved by: M. van Holst
Seconded by: P. Hubert

That Councillor H.L. Usher BE APPOINTED Acting Mayor for the period commencing 9 AM on Wednesday, July 25, 2018 until approximately noon on Monday, August 13, 2018.

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)

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

Moved by: M. van Holst
Seconded by: A. Hopkins

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

6.1 Land Disposition/Solicitor-Client Privileged Advice

A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition 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 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 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 disposition that belongs to the Corporation 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 Corporation or its competitive position; information concerning the proposed disposition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; information relating to a position, plan, procedure, criteria 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 disposition.

6.2 Land Acquisition/Disposition/Solicitor-Client Privileged Advice

A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition or disposition 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 or disposition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition or 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 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 or disposition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition or disposition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition or disposition 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 or disposition.

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)

The Strategic Priorities and Policy Committee convened in closed session from 4:33 PM to 6:23 PM with respect to these matters.

7. Adjournment

The meeting adjourned at 6:24 PM.

From:
Vicki Van Linden
431 Ridgewood Crescent
London, ON, N6J 3H2

August 15, 2018

Letter for inclusion in the minutes of the Council meeting of August 28, 2018, regarding a matter addressed in the 8th report of the Animal Welfare Advisory Committee at the CPSC meeting of August 14th, 2018

Dear Mayor and Councillors:

I am contacting you in support of the delegation on August 14th, 2018 from the Chair of the Animal Welfare Advisory Committee, asking you to expedite a staff report on a proposed bylaw amendment.

The purpose of the proposed bylaw amendment is to remove an exemption that allows the keeping and display of prohibited species of animals, including various species of snakes in: "a public park, zoo, fair, exhibition or circus operated or licensed by a municipal or other governmental authority".

The amendment I refer to is related to Animal Bylaws, PH-3/ Section 3 - item 3.6, regarding the APPLICATION OF BY-LAW EXEMPTIONS.

Since the province of Ontario has no licensing process for the keeping and display of exotic animals, any form of licensing would come from the municipality. The bylaw as written does not state what type of license is referred to.

The requested bylaw amendment will remove this exemption, an exemption that offers no benefit to the city. Exemptions such as this allow the proliferation of businesses that promote an out-dated view of living beings as objects for human entertainment, regardless of the degree of harm and suffering inflicted on the animals involved. This archaic view of animals promotes a lack of compassion for animals which can lead to irresponsible treatment of them. There is no social benefit to a community in fostering a lack of compassion for vulnerable beings.

The species of animals that are on the prohibited list are there for good reason. They are species of wild animals that can pose a potential threat to humans through transmission of disease or ability to inflict injury. As well, these species are not easily housed and provided for in the same way that a domesticated species like a dog or cat can be cared for. The keeping and display of such wild species exposes them to poor living conditions and chronic distress.

This amendment request is of particular concern because of the interest expressed by a zoo business in opening a facility in London. This business already operates a zoo facility in another municipality. I visited that facility and observed poor quality enclosures designed to appeal to the human viewer, as opposed to providing a reasonable quality of life for the animals confined there. I also observed reptiles exhibiting behaviours that are known to be demonstrations of discomfort and distress caused by the conditions of their confinement.

Such businesses also encourage the pet trade in such animals. The presence of certain types of snakes in private homes can pose a risk to police service personnel. When there are welfare concerns and such animals require rescue or protection there is no adequate system of sheltering in Ontario for reptiles and amphibians. Indeed, the only solution available when such an animal needs rescue is to hand over the animal to another zoo business, simply perpetuating the problem.

The benefits to tourism that such a business provides have been over-stated, in my opinion. It's likely that the chief financial benefit to the zoo business itself is to use the facility as an anchor for Mobile Live Animal Programs (MLAPs) where animals are hired

out to private events. These provide no tourism benefit to the city. But, an increase in the numbers of reptiles and amphibians sent about in the city, and an increase in such animals in homes can create additional demands on public health and animal control enforcement.

As a caring and socially responsible community we should always be concerned about animal welfare. An example of the poor welfare standards at the zoo facility this business presently operates is the Sulcata Tortoise enclosure. Sulcata Tortoises are large animals who would normally travel as many as five miles each day. Like many species of wild animals, they are hard-wired to travel long distances to forage. When confined in a small space their evolutionary needs and behaviours do not change, and they are driven to engage in their natural behaviours.

I observed three Sulcata Tortoises in a very small enclosure where they moved around the perimeter constantly. They have no other way to satisfy their ingrained, instinctual drive than to circle around in a constant, boring and meaningless way. Boredom and frustration are forms of distress for captive wild animals. Other animals confined at this facility are also housed in inadequate conditions and were seen displaying behaviours that are known indicators of distress.

Setting aside the serious issue of poor animal welfare, another concern is the way that such businesses promote the captivity of reptiles and amphibians in the pet trade. As one leaves the zoo portion of this business's present facility there is a large area where tanks and other supplies for the keeping of reptiles and amphibians are sold. This is surely meant to encourage impulse purchases of such equipment after seeing the captive animals displayed. Once that equipment has been purchased, the obvious next step would be to acquire an animal to fill the tank.

London's animal services, as well as humane societies and SPCAs are not well equipped to monitor, protect or rescue such animals. We have enough expense and difficulty responding responsibly to the presence of dogs and cats in our community, and there is no benefit for us to encourage expanding the keeping of reptiles and amphibians in London homes.

There are limitations in how a municipality can oppose the entry of a business from setting up in our city. But I urge you to protect the interests of the city, and to avoid provision of licensing or zoning accommodations that would allow a reptile zoo or similar facility to establish itself in London before this bylaw amendment has been fully reviewed. This will prevent prohibited classes of animals from being incorporated into a new zoo facility before the amendment has been fully reviewed.

And, ultimately, I urge you to remove the exemption, as already proposed by the Animal Welfare Advisory Committee.

Best regards,

Vicki Van Linden

On behalf of FOCA – Friends of Captive Animals
(A grassroots, London-based group)
431 Ridgewood Crescent
London, ON, N6J 3H2
519-474-1980

Community and Protective Services Committee

Report

12th Meeting of the Community and Protective Services
August 14, 2018

PRESENT: Councillors M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire, Mayor M. Brown

ALSO PRESENT: Councillor J. Helmer; K. Broderick, J. Bunn, S. Datars Bere, M. Dellamora, G. Kotsifas, D. MacRae, J.P. McGonigle, M. Ribera, M. Schultess, C. Smith, S. Stafford and B. Westlake-Power

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

2.1 Age Friendly London Progress Report 2018

Moved by: B. Armstrong

Seconded by: Mayor M. Brown

That it BE NOTED that the staff report dated August 14, 2018, with respect to the Age Friendly London Progress Report 2018, was received. (2018-S12)

Yeas: (4): M. Cassidy, V. Ridley, B. Armstrong, and Mayor M. Brown

Motion Passed (4 to 0)

3. Scheduled Items

3.1 London and Middlesex Housing Corporation Board of Directors

Moved by: Mayor M. Brown

Seconded by: B. Armstrong

That the delegation from J. Peaire, with respect to the London and Middlesex Housing Corporation Board of Directors, BE RECEIVED. (2018-C12)

Yeas: (5): M. Cassidy, V. Ridley, B. Armstrong, P. Squire, and Mayor M. Brown

Motion Passed (5 to 0)

3.2 7th Report of the Accessibility Advisory Committee

That the following actions be taken with respect to the 7th Report of the Accessibility Advisory Committee from its meeting held on July 26, 2018:

a) the motion from the Policy Sub-Committee report, from the meeting held on July 10, 2018, with respect to Municipal Council being requested to fully endorse the Outdoor Event Guide, in its entirety, and require that all events held on city-owned land be required to implement all points BE REFERRED to the Civic Administration for review and a report back to the Community and Protective Services Committee in enough time for possible implementation prior to the next events season;

b) that the following actions be taken with respect to the Built Environment Sub-Committee report from its meeting held on July 23, 2018:

i) the Civic Administration BE REQUESTED to update the Complete Streets Design Manual to include the Accessibility Advisory Committee (ACCAC), the Transportation Advisory Committee and the Cycling Advisory Committee in the stakeholder map; and,

ii) the Civic Administration BE ADVISED of the following comments from the ACCAC with respect to the Parks and Recreation Master Plan:

- there should be more accessible programming through partnerships with other community agencies provided;
- there should be consistency and persistence when providing programming; it being noted that it may take time to build up a clientele and will require advertising throughout the community;
- the Master Plan should include the Facility Accessibility Design Standards (FADS) in the list of council-endorsed/approved initiatives; and,
- it should be ensured that all parks and recreation facilities are included in the FADS document;

it being noted that the remainder of the Built Sub-Committee report was received;

c) the Civic Administration BE ADVISED that the Accessibility Advisory Committee (ACCAC) supports, in principle, the idea of issuing wristbands to children with special needs who attend Storybook Gardens in order to communicate to staff that extra assistance may be required; it being noted that the ACCAC wishes to be consulted throughout this development and implementation of this system;

d) a representative from the Committee of Adjustment BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee in order to speak to how often items come before the Committee that are accessibility-related and how best to ensure that the accessibility lens is applied to these situations;

it being noted that the Notice of Decision from the Committee of Adjustment Submission No.: A.088/18, submitted to the agenda by A. Forrest, was received; and,

e) clauses 1.1, 3.1 to 3.3, 5.3, 6.1 and 6.2, BE RECEIVED;

it being noted that a verbal delegation from M. Cairns, Accessibility Advisory Committee, was received with respect to this matter.

Motion Passed

Voting Record:

Moved by: P. Squire

Seconded by: B. Armstrong

Motion to approve part a).

Yeas: (6): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire, and Mayor M. Brown

Motion Passed (6 to 0)

Moved by: V. Ridley
Seconded by: Mayor M. Brown

Motion to approve part b).

Yeas: (6): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire, and Mayor M. Brown

Motion Passed (6 to 0)

Moved by: V. Ridley
Seconded by: B. Armstrong

Motion to approve the remainder of the clause.

Yeas: (6): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire, and Mayor M. Brown

Motion Passed (6 to 0)

3.3 8th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Moved by: V. Ridley
Seconded by: M. Salih

That the 8th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meeting held on July 19, 2018, BE RECEIVED;

it being noted that the attached presentation from F. Cassar, Diversity, Inclusion and Anti-Oppression Advisory Committee, with respect to this matter, was received.

Yeas: (6): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire, and Mayor M. Brown

Motion Passed (6 to 0)

3.4 (ADDED) 8th Report of the Animal Welfare Advisory Committee

Moved by: Mayor M. Brown
Seconded by: M. Salih

That the following actions be taken with respect to the 8th Report of the Animal Welfare Advisory Committee from its meeting held on August 2, 2018:

a) the following actions be taken with respect to the proposed amendments to the London Animal Control By-law PH-3:

i) the Civic Administration BE REQUESTED to report back to the Animal Welfare Advisory Committee(AWAC) regarding amendments to the London Animal Control By-law PH-3, as previously submitted by the AWAC, as soon as possible;

ii) the Civic Administration BE ADVISED that the AWAC believes there is some urgency with respect to this matter and that the staff report should be expedited for the Community and Protective Services Committee (CPSC) and the Municipal Council's consideration as a private zoo business has stated its intent to, and has reportedly been working to establish, a facility in London;

b) the following actions be taken with respect to potential amendments to the Zoning By-law regarding Licensing in Homes for Pet Related Services:

i) the Civic Administration BE ADVISED of the following comments from Animal Welfare Advisory Committee(AWAC) with respect to the above-noted potential by-law amendments:

standards for good animal welfare should be addressed in terms of physical space, and also caring for these animals such as:

- basic obedience training;
- CPR First Aid;
- human First Aid;
- fire and safety measures put in place;
- sanitation protocol and standards;
- vaccination and insurance requirements;
- fence height restriction;
- education requirements; and,
- determining whether current business owners are meeting the above standards and, if not, recommend that a timeline be established for compliance;

ii) the Civic Administration BE REQUESTED to report back to the AWAC with respect to the feasibility of implementing the recommendations above; and,

c) clauses 1.1, 3.1, 3.2, 4.1 and 5.1, BE RECEIVED.

Yeas: (6): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire, and Mayor M. Brown

Motion Passed (6 to 0)

4. Items for Direction

4.1 7th Report of the London Housing Advisory Committee

Moved by: B. Armstrong

Seconded by: M. Salih

That the following actions be taken with respect to the 7th Report of the London Housing Advisory Committee (LHAC) from its meeting held on July 11, 2018:

a) the following actions be taken with respect to growing marijuana in apartment buildings:

i) a representative from Neighbourhood Legal Services BE INVITED to attend the October meeting of the LHAC to speak to the rights and responsibilities of landlords and tenants; and,

ii) a representative from Property Management BE INVITED to attend a future meeting of the LHAC with respect to this matter;

b) the City Clerk BE REQUESTED to consider the addition of a member of the Housing Development Corporation as a non-voting member to the LHAC;

it being noted that a comprehensive review of all advisory committees is being undertaken by the City Clerk and that the LHAC members were also requested to review the Terms of Reference for the committee;

- c) the Civic Administration BE REQUESTED to make a staff person from the appropriate area available at LHAC meetings when Planning Notices are being reviewed by the committee;
- d) S. Giustizia, J. Browne and D. Purdy BE INVITED to attend the September meeting of the LHAC to discuss the 2018 Shareholder reports;
- e) the Civic Administration BE REQUESTED to provide an update with respect to inclusionary zoning to the LHAC; and,
- f) clauses 1.1, 2.1, 3.1 to 3.4, 6.1 and 6.4, BE RECEIVED.

Yeas: (6): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire, and Mayor M. Brown

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: V. Ridley
 Seconded by: B. Armstrong

That the Deferred Matters List for the Community and Protective Services Committee, as at July 30, 2018, BE RECEIVED.

Yeas: (6): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire, and Mayor M. Brown

Motion Passed (6 to 0)

5.2 (ADDED) Mayor's Meeting With the Accessibility Advisory Committee – Update

Moved by: Mayor M. Brown
 Seconded by: M. Salih

That the following actions be taken with respect to the correspondence from Mayor M. Brown regarding his meeting on June 28, 2018 with members of the Accessibility Advisory Committee:

- a) the first two action items on the correspondence, listed below, BE IMPLEMENTED as soon as possible:

- a statement be read at all City Meetings, noted on agendas and signage be posted near the entrance of City Hall and outside Council Chambers that reads: "*The City of London is committed to fostering an accessible and inclusive community wherein all members of the public have equitable access to Municipal Council and its activities. To facilitate this environment, the City of London offers supportive devices, communications supports and adaptive technologies to those in attendance and those off-site. If you require assistance, please contact accessibility@london.ca or 519-661-2489 ext. 2425.*"; and,

- create an active motions list and deferred matters list outlining all former Accessibility Advisory Committee requests; and,

- b) the remainder of the above-noted correspondence BE REFERRED to the Civic Administration in order to report back to the Community and Protective Services Committee as soon as possible related to the request(s), including, but not limited to, potential timelines and resource implications.

Yeas: (6): M. Cassidy, V. Ridley, B. Armstrong, M. Salih, P. Squire, and Mayor M. Brown

Motion Passed (6 to 0)

6. Adjournment

The meeting adjourned at 5:16 PM.



City of London
Diversity, Race Relations
and Inclusivity Award
2018

Presentation to:
Community & Protective Services Committee:
August 14, 2018

Background of Awards Program



- City of London awards that recognize initiatives which promote public awareness of diversity, race relations, inclusivity and human rights, which help advance London as a welcoming city
- Nominations are received in the following categories:
 - small businesses/small labour
 - large businesses/large labour
 - social/community service not-for-profits/small labour;
 - social/community service not-for-profits/large labour
 - youth

Award Eligibility



1. Be represented in one of the five award categories:
 - small businesses/small labour (49 or fewer employees/members)
 - large businesses/large labour (50 or more employees/members)
 - social/community service not-for-profits/small labour; (49 or fewer employees/members)
 - social/community service not-for-profits/large labour; (50 or more employees/members)
 - Youth (less than 26 years of age); groups or organizations
2. Have been operating in London continuously during the past 12 months, at a minimum
3. Have made their qualifying contribution in the City of London within the past 12 months
4. Consent to the nomination

Nomination Criteria

1. Nominations can be made by any individual who works or resides in the city of London
2. Nominators must be familiar with the activities of the nominee, and may be called upon for an interview by the Awards and Recognition Sub-Committee of the Diversity, Inclusion and Anti-Oppression Advisory Committee.

Past Winners (2013-2017)

2017:

- Hoops for Hope
- London Cross Cultural Learner Centre and South London (LUSO)
- PH Spa and Salon
- Sanctuary London

2016:

- King's University College
- Northeast Community Conversations Group
- Pride London

2015

- Ability First
- Atlosha Native Family
- London Cross Cultural Arts
- London Health Integration Network (LHIN)
- Muslim Resource Centre

2014

- Epilepsy Support Centre
- The London & Middlesex Local Immigration Partnership
- UWO: School of Communications Sciences & Disorders

2013

- Lavish Night Club
- LUSO
- Regional HIV/Aids Connection
- Rogers Television
- UWO's Indigenous Services

Key Dates in 2018

Date	Event
September 30, 2018	Last day for nominations to be submitted
October 2, 2018	Awards Sub-Committee evaluates all nominations and develops recommendations for Award winners
TBD	Award recommendations presented to Diversity, Inclusion and Anti-Oppression Advisory Committee (DIAAC)
October 10, 2018	Community and Protection Services (CPSC) receives DIAAC's recommendations
November 6, 2018	Municipal Council considers the recommendation from CPSC
November 20, 2018	Awards event

Our Asks



1. Create awareness and assist with promotion of nominations within your circles of influence.
2. Continue to promote all good work being done in our City.

Questions or Additional Information

- For additional detail on the Award, including the eligibility criteria, nomination form and previous recipients, visit the [LDRRI Award page on London.ca](#).
- For general questions, contact:

DIAAC Committee Secretary: Pat Shack (Pshack@london.ca)

DIAAC Chairperson: Rifat Hussain (rhussain@lccl.org)

Awards & Recognition Sub-Committee Chair: Flo Cassar

(Florence.Cassar@lhsc.on.ca)



Corporate Services Committee

Report

15th Report of the Corporate Services Committee
August 14, 2018

PRESENT: Councillors J. Helmer (Chair), J. Morgan, P. Hubert, M. van Holst, J. Zaifman
ABSENT: Mayor M. Brown
ALSO PRESENT: M. Hayward, A. Barbon, B. Card, I. Collins, B. Coxhead, A. Hagan, S. Swance, M. Ribera, B. Warner and B. Westlake-Power

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

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

That items 2.1 and 2.2 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 Appointments to the Joint Venture Management Committee for the 4-Pad Arena Complex

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

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 August 14, 2018 as Appendix "A" BE INTRODUCED at the August 28, 2018 meeting of the Municipal Council to amend By-law No. A.-6567-226, entitled "A By-law to approve the appointment of City of London representatives to the Joint Venture Management Committee for the 4-Pad Arena Complex located on Western Fair Association (WFA) lands".

Motion Passed

2.2 2017 Annual Reporting of Lease Financing Agreements

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

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated August 14, 2018 entitled "2017 Annual Reporting of Lease Financing Agreements" BE RECEIVED for information.

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

4.1 Federation of Canadian Municipalities - Standing Committees

Moved by: J. Zaifman

Seconded by: J. Morgan

That Councillor V. Ridley BE REIMBURSED for her associated expenses, outside of her annual expense allocation, subject to the annual budget approval process, and in accordance with Council's Travel & Business Expenses Policy for her attendance as an appointed Federation of Canadian Municipalities Standing Committee Member, at the following:

Board of Directors Meeting - September 11-14, 2018 - Annapolis County, NS

Board of Directors Meeting - November 20-23, 2018 - Ottawa, ON

Board of Directors Meeting - March 12-15, 2019 - Penticton, B.C.;

it being noted that the Board of Directors Meeting - March 12-15, 2019 Penticton, B.C. is subject to the re-election of Councillor Ridley on October 22, 2018.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

5.1 Corporate Services Committee Deferred Matters List

Moved by: J. Zaifman

Seconded by: J. Morgan

That the Corporate Services Committee Deferred Matters List, as of August 2018, BE RECEIVED.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Motion Passed (5 to 0)

6. Confidential (Enclosed for Members only.)

Moved by: M. van Holst

Seconded by: J. Morgan

That the Corporate Services Committee convene in closed session for the purpose of considering the following matters:

6.1 Land Disposition/Solicitor-Client Privileged Advice

A matter pertaining to instructions and directions to officers and employees of the Corporation pertaining to a proposed disposition 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 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 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 disposition 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 disposition 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 disposition.

6.2 Land Disposition/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 Land Disposition/Solicitor-Client Privileged Advice

A matter to be considered for the purpose of 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.

6.4 Labour Relations/Employee Negotiations/Solicitor-Client Privileged Advice

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's unions and advice which is

subject to solicitor client privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation.

6.5 Labour Relations/Employee Negotiations/Litigation/Potential Litigation/Solicitor-Client Privileged Advice/Personal Matters/Identifiable Individual

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regards to the Corporation's associations and unions, and litigation or potential litigation affecting the municipality, and advice which is subject to solicitor client privilege, including communications necessary for that purpose; and a matter pertaining personal matters about an identifiable individual; litigation or potential litigation affecting the municipality; advice that is subject to solicitor-client privilege, including communications, reports, advice or recommendations of officers and employees of the Corporation necessary for that purpose and directions to officers and employees of the Corporation pertaining to by-law enforcement matters with respect to the City's Vehicle for Hire By-law L.-130-71.

Yeas: (5): J. Helmer, J. Morgan, P. Hubert, M. van Holst, and J. Zaifman

Motion Passed (5 to 0)

The Corporate Services Committee convened in closed session from 12:36 PM to 12:51 PM.

7. Adjournment

The meeting adjourned at 12:51 PM.

Civic Works Committee

Report

12th Meeting of the Civic Works Committee
August 13, 2018

PRESENT: Councillors V. Ridley, T. Park, P. Hubert, P. Squire, H. Usher
ABSENT: Mayor M. Brown
ALSO PRESENT: Councillors J. Helmer and M. van Holst; J. Ackworth, M. Elmadhoon, S. MacDonald, D. MacRae, S. Maguire, L. Marshall, S. Mathers, M. Morris, B. Page, J. Parsons, M. Ribera, K. Scherr, P. Shack, A. Spahiu, J. Stanford, J. Wills, B. Westlake and P. Yeoman

The meeting was called to order at 12:00 PM.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

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

Approve items 2.1 to 2.13

Yeas: (5): V. Ridley, T. Park, P. Hubert, P. Squire, and H. Usher

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

2.1 6th Report of the Transportation Advisory Committee

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

That it BE NOTED that the 6th Report of the Transportation Advisory Committee, from its meeting held on July 24, 2018, was received.

Motion Passed

2.2 Amendments to the Traffic and Parking By-law

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

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law as appended to the staff report dated August 13, 2018, BE INTRODUCED at the Municipal Council meeting to be held on August 28, 2018, to amend the Traffic and Parking By-law (PS-113). (2018-T08)

Motion Passed

2.3 Wastewater Operations Equipment Replacement Budget Amendment

Moved by: H. Usher

Seconded by: P. Hubert

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 Wastewater Operations 2018 equipment replacement account:

- a) a budget adjustment to increase 2018 funding for project ES508418 Replacement Equipment BE APPROVED in the total amount of \$750,000 to fund ongoing repairs and replacement of equipment; and,
- b) the financing for the projects BE APPROVED in accordance with the "Source of Financing Report", as attached to the staff report dated August 13, 2018. (2018-F05A)

Motion Passed

2.4 Contract Award - Tender RFT 18-73 - Wilton Grove Sanitary Sewer Replacement

Moved by: H. Usher

Seconded by: P. Hubert

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the award of contracts for the replacement of the Wilton Grove Road Sanitary Sewer:

- (a) the bid submitted by Bre-Ex Construction Inc., 247 Exeter Road, London, ON, N6L 1A5, at its tendered price of \$4,597,122.40 excluding H.S.T., for the replacement of the Wilton Grove Road Sanitary Sewer, BE ACCEPTED; it being noted that the bid submitted by Bre-Ex Construction Inc. was the lowest of seven bids received and meets the City's specifications and requirements in all areas;
- (b) Parsons Corporation BE APPOINTED Consulting Engineers to complete the construction administration and supervision for the Wilton Grove Road Sanitary Sewer Replacement in accordance with the estimate, on file, at an upset amount of \$408,095.60, including 10% contingency, excluding H.S.T., 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 project BE APPROVED in accordance with the "Sources of Financing Report" included with the staff report dated August 13, 2018;
- (d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- (e) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract; 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-F18/E01)

Motion Passed

2.5 Commissioners Road West Realignment Environmental Study Report

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

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

- (a) the Commissioners Road West Realignment Municipal Class Environmental Study Report BE ACCEPTED;
- (b) a Notice of Study Completion for the project BE FILED with the Municipal Clerk; and,
- (c) the Environmental Study Report BE PLACED on the public record for a 30 day review period. (2018-E05)

Motion Passed

2.6 Community Energy Action Plan - Status Update

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

That, on the recommendation of the Director of Environment, Fleet and Solid Waste, the staff report dated August 13, 2018, with respect to an update on the status of the Community Energy Action Plan activities BE RECEIVED for information. (2018-E17)

Motion Passed

2.7 Corporate Energy Management Program - Update

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

That, on the recommendation of the Managing Director, Environment & Engineering Services and City Engineer and the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the Corporate Energy Management Program Update report dated August 13, 2018, BE RECEIVED. (2018-E17)

Motion Passed

2.8 2017 Community Energy and Greenhouse Gas Inventory

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

That, on the recommendation of the Director, Environment, Fleet & Solid Waste the 2017 Community Energy & Greenhouse Gas Inventory report dated August 13, 2018, BE RECEIVED. (2018-E17)

Motion Passed

2.9 East London Sanitary Servicing Study - Municipal Class Environmental Assessment - Notice of Completion

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

That, on the recommendation of the Managing Director Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the East London Sanitary Servicing Study:

- (a) the preferred treatment and collection servicing alternatives, as outlined in the staff report dated August 13, 2018 BE ACCEPTED in accordance with the Schedule B Municipal Class Environmental Assessment process requirements;
- (b) a Notice of Completion BE FILED with the Municipal Clerk; and,
- (c) the Municipal Class Environmental Assessment Schedule B project file for the East London Sanitary Servicing Study BE PLACED on the public record for a 30-day review period. (2018-E05)

Motion Passed

2.10 Appointment of Consulting Engineer - Vauxhall Wastewater Treatment Plant - Class EA for Capacity Upgrades

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

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the assignment of consulting services for the completion of the Municipal Class Environmental Assessment to increase of the treatment capacity of the Vauxhall Wastewater Treatment Plant:

- a) CH2M Hill Canada Limited BE APPOINTED consulting engineers at a cost of \$200,694.00, including 20% contingency, excluding HST, and in accordance with Section 15.2 d) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report" as attached to the staff report dated August 13, 2018;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract; 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-E03)

Motion Passed

2.11 Irregular Result Request for Tender (RFT) 18-82, 72 inch Out-Front Deck Rotary Mowers

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

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

- a) the Request for Tender 18-82 to purchase eight (8) F3990 Out-Front Rotary Mowers with a 72" cutting deck for \$198,400, excluding HST, from Hyde Park Equipment, 2034 Mallard Rd, London, Ontario, N6H 5L8 BE ACCEPTED;
- b) funding for this purchase BE APPROVED as set out in the Source of Financing Report as attached to the staff report dated August 13, 2018;
- 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-F18)

Motion Passed

2.12 Provincial Maintenance Standards for Municipal Highways - Amendments 2018

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

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Provincial Minimum Maintenance Standards for Municipal Highways:

- a) the *Municipal Act, 2001*, O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways BE ADOPTED as the City of London's Minimum Maintenance Standards for Highways;
- b) the City of London's Quality Standard for Sidewalk Winter Maintenance and Maintenance Guideline for Sidewalks BE REPLACED with the *Municipal Act, 2001*, O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways;
- c) the Civic Administration BE DIRECTED to bring forward a business case for consideration as part for the 2019 budget process with respect to additional costs as a result of part a), above; and,
- d) the by-law as appended to the staff report dated August 13, 2018 BE INTRODUCED at the Municipal Council meeting to be held on August 28, 2018, to delegate authority to the City Engineer or City Engineer's designate, Director, Roads and Transportation or Division Manager, Transportation and Roadside Operations, to declare the beginning and end of a significant weather event for the purpose of administering the *Municipal Act, 2001*, O.Reg. 239/02, Minimum Maintenance Standards for Municipal Highways;

it being noted that the total cost of this service is \$410,000 annually, not the per kilometer cost as indicated in the report. (2018-T06)

Motion Passed

2.13 2018-2019 Transport Canada - Rail Safety Improvement Program Agreement for Grade Crossing Improvements

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

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the 2018-2019 Rail Safety Improvement Program Funding:

- a) the proposed by-law as appended to the staff report dated August 13, 2018 BE INTRODUCED at the Municipal Council meeting to be held August 28, 2018 to:
 - i) authorize and approve an Agreement between Her Majesty the Queen in Right of Canada, as represented by the Minister of Transport (“Canada”) and The Corporation of the City of London for the Rail Safety Improvement Program for Grade Crossing Improvements; and,
 - ii) authorize the Mayor and the City Clerk to execute the above-noted Agreement; and,
- b) the Civic Administration BE DIRECTED to take all necessary steps to implement the improvements identified in the City of London’s application for the Rail Safety Improvement Program funding. (2018-T10)

Motion Passed

3. Scheduled Items

3.1 Complete Streets Design Manual

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

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the City of London Complete Streets Design Manual:

- (a) the Complete Streets Design Manual, as summarized in the Executive Summary included in the staff report dated August 13, 2018 BE APPROVED, as the basis for planning and design of City streets; it being noted that the Manual will be subject to future periodic updates; and,
 - (b) the Design Specifications and Requirements Manual BE UPDATED based on the Complete Streets Design Manual and in coordination with the Design Specifications and Requirements Manual update process;
- it being noted that the Civic Works Committee received the attached presentation, from M. Morris, Engineer.(2018-T05)

Yeas: (5): V. Ridley, T. Park, P. Hubert, P. Squire, and H. Usher

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

3.2 Adelaide Street North - Canadian Pacific Railway Grade Separation - Environmental Study Report

Moved by: T. Park
Seconded by: H. Usher

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions BE TAKEN

with respect to the Adelaide Street North/Canadian Pacific Railway Grade Separation Municipal Class Environmental Assessment:

- a) the Adelaide Street North/Canadian Pacific Railway Grade Separation Municipal Class Environmental Study Report BE ACCEPTED;
- b) a notice of completion for the project BE FILED with the Municipal Clerk; and,
- c) the Environmental Study Report BE PLACED on the public record for a 30-day public review period;

it being noted that the Civic Works Committee received the attached presentation, from D. MacRae, Division Manager, Transportation Planning and Design. (2018-E05/T10)

Yeas: (5): V. Ridley, T. Park, P. Hubert, P. Squire, and H. Usher

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

4. Items for Direction

- 4.1 Springhill Flowers Street Renaming Portion of Pleasantview Drive (From South Weinge Drive to Rollingacres) and Pleasantview Drive (South of Waterwheel Road) to Pleasantview Court

Moved by: H. Usher

Seconded by: P. Hubert

That, on the recommendation of the Director, Development Services, a public meeting for the proposed renaming of the portion of Pleasantview Drive (between South Wenige Drive and Rollingacres Drive) to Rollingacres Drive and the portion of Pleasantview Drive (south of Waterwheel Drive) to Pleasantview Court, BE SCHEDULED, it being noted that:

- the Applicant will be required to pay for the cost of the advertising and change of street name signage; and,
- the Applicant will be required to compensate any property owner in the amount of \$200.00, for incurred costs associated with the municipal address change as a result of the street name change.

Yeas: (5): V. Ridley, T. Park, P. Hubert, P. Squire, and H. Usher

Absent: (1): Mayor M. Brown

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

- 5.1 Deferred Matters List

Moved by: T. Park

Seconded by: P. Hubert

That the Civic Works Committee Deferred List, as of August 2, 2018, BE RECEIVED.

Yeas: (5): V. Ridley, T. Park, P. Hubert, P. Squire, and H. Usher

Absent: (1): Mayor M. Brown

5.2 (ADDED) Meg Drive Water Break

That it BE NOTED Councillor H. Usher enquired about the water break on Meg Drive and expressed concern with respect to communication, the Managing Director, Environmental & Engineering Services and City Engineer advised that staff will review the communication process to ensure that residents are notified in a timely manner.

6. Adjournment

The meeting adjourned at 1:54PM.



London CANADA



City of London Complete Streets Design Manual



Presentation to Civic Works Committee
August 13, 2018

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London CANADA



Introduction - What are Complete Streets?

“A complete street is one that is designed to accommodate the mobility needs of all ages, abilities, and modes of travel. Safe and comfortable access for pedestrians, bicycles, transit users, and the mobility challenged are not design after-thoughts, but are integral to the planning of the street from the start.”

- London Transportation Master Plan



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2



London CANADA



Stakeholder Consultation

Many stakeholders were included in consultation efforts for the development of the Complete Streets Design Manual. These groups included:

- Transportation Advisory Committee
- Accessibility Advisory Committee
- Cycling Advisory Committee
- Diversity, Inclusion, & Anti-Oppression Advisory Committee
- Trees and Forests Advisory Committee
- Age Friendly London
- London Middlesex Road Safety Committee
- London Transit
- London Environmental Network
- Middlesex Health Unit
- Can-Bike
- DC External Stakeholders
- Utility Coordinating Committee
- Building and Developer Liaison Forum
- London Development Institute (LDI)



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London CANADA



Background

The 2016 City of London Official Plan introduced a group of **Street Classifications**, which set the stage for more **context sensitive city building policies** and **redefining mobility** for Londoners

Classifications Include:

- Rapid Transit Boulevards
- Urban Thoroughfares
- Civic Boulevards
- Main Streets
- Neighbourhood Connectors
- Neighbourhood Streets
- Rural Thoroughfares
- Rural Connectors



THE LONDON PLAN

EXCITING. EXCEPTIONAL. CONNECTED.

4

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London CANADA



London Complete Street Manual - Content

- Chapter 1: Complete Streets: Vision and Principles
- Chapter 2: Elements of Complete Streets
- Chapter 3: Undertaking Complete Streets Design
- Chapter 4: Street Design for Roadways
- Chapter 5: Street Design for Intersections
- Chapter 6: Moving Forward with Complete Streets

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5



London CANADA



Local Policy Support

“At the local level, policy support for complete streets is found in a number of documents, including the:

- Strategic Plan
- The London Plan
- Downtown Plan
- Design Specifications and Requirements Manual
- Cycling Master Plan
- London Rapid Transit
- London Road Safety Strategy
- London 2030 Transportation Master Plan”
- Vision Zero



THE LONDON PLAN

EXCITING. EXCEPTIONAL. CONNECTED.

LONDON BIKES

COMPLETE STREETS: VISION AND PRINCIPLES



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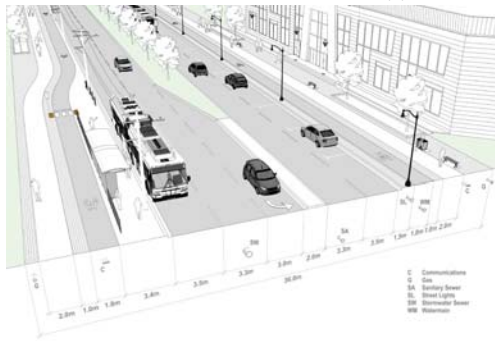
6



“ Physically separated and continuous cycling facilities are preferred. ”

Example Civic Boulevard

“ Civic Boulevards provide multi-modal connections between different neighbourhoods across the City including downtown. ”



STREET DESIGN FOR ROADWAYS

7

“ The variety of destinations along these corridors can generate significant volumes of walking trips ”

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Example Rapid Transit Boulevard Intersecting a Main Street

“ The pedestrian clearway widens as the planter boxes and trees are discontinued, providing for greater ease of pedestrian movement and queuing. ”



“ Centre median design requires dedicated transit signals which use the same phasing as the through motor vehicle movement. ”

STREET DESIGN FOR INTERSECTIONS

8

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Implications

Financial

- Negligible impact on the Development Charges
- Cycling facilities on Neighbourhood Connectors

Project Management

- Pressures when modifying existing residential neighbourhoods
- Coordination with other processes (Design Specifications & Requirements Manual and The London Plan)

Property Requirements

- Right of Way (ROW) widths consistent with The London Plan

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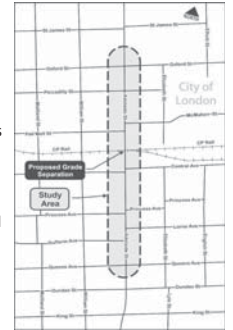


Adelaide Street / Canadian Pacific Railway (CPR) Grade Separation EA



Study Background / Context

- ✓ City's highest priority new rail-road grade separation candidate site as per the **2005 Rail Exposure Index Study and 2013 Blockage Study**
- ✓ The **Smart Moves 2030 Transportation Master Plan and Development Charge Background Study (2014)** identifies needs for optimization and for the implementation of the grade separation in the 2031 planning horizon respectively.
- ✓ Subsequently, in 2017 Council approved moving project forward in a 3-5 timeframe to support implementation of the BRT initiative.



Existing Conditions

- ✓ Adelaide Street North is a key north-south 4-lane arterial roadway that carries over 25,500 vehicles per day and is an important local commercial and service corridor.
- ✓ Frequent train crossings result in the street being blocked significantly affecting EMS, vehicles, transit, cyclists, pedestrians and resulting in **cut-through traffic** onto local streets
- ✓ CPR operations can block the crossing on average **20 times and up to 80 minutes per day**, with more than half of the blockages resulting from shunting activities (2018 study)
- ✓ Excessive delays **increase idling time** and emissions



Opportunities

- ✓ Grade separating the crossing will **create a safer and more reliable** road crossing of the CPR line by removing potential conflict between railway operations and pedestrian, cyclists and automobiles
- ✓ Provide an uninterrupted north-south road corridor for **emergency planning** and response
- ✓ Improve local transit **reliability** and support the implementation of the BRT north corridor
- ✓ Allow for improvements to surrounding **streetscape** and integration of **heritage character** of the neighborhood and McMahan Park
- ✓ Improve **circulation** for all modes of travel, including integration of separated cycling facilities through a multi-use path within the proposed underpass



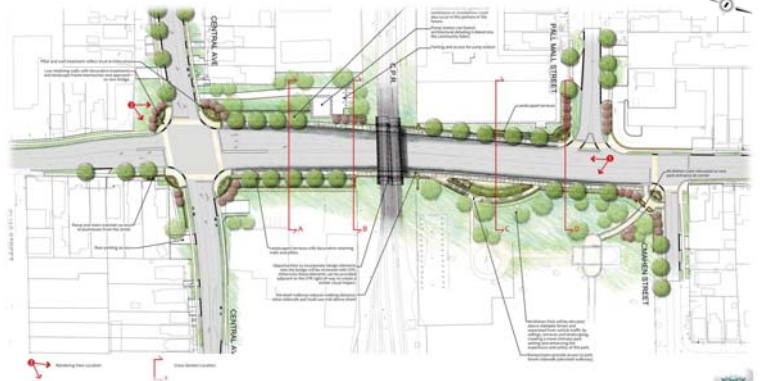
Preliminary Preferred Concept

Underpass (road under rail) is preferred because:

- ✓ Fewer overall property impacts
- ✓ Improves connectivity with Central Ave and maintains access to Elias St, Pall Mall Ave and McMahan St.
- ✓ Decreased traffic noise from the depressed roadway
- ✓ Is more attractive to pedestrians and cyclists
- ✓ Relatively little visual intrusion to the surrounding community and provides more opportunities for context sensitive design
- ✓ Preferred by the community



Preliminary Preferred Concept





Adelaide St Cross-Section

SECTION B

View looking north along Adelaide, showing relationship of bridge, abutment walls and sidewalks



7



Intersection Improvements

Central Ave Realignment



Recommended

Pall Mall and McMahan Street



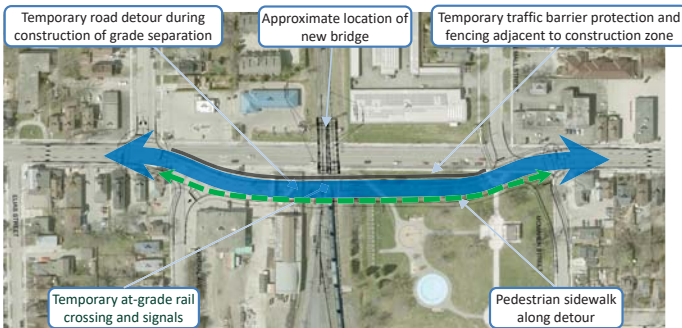
Recommended



Not Recommended



Temporary Road Detour



9



Temporary Road Detour

- ✓ The specifics of the temporary detour are subject to further design and review with CPR.
- ✓ Significant rail infrastructure constraints exist and implementation of a 2-lane detour with turning lanes is proposed.



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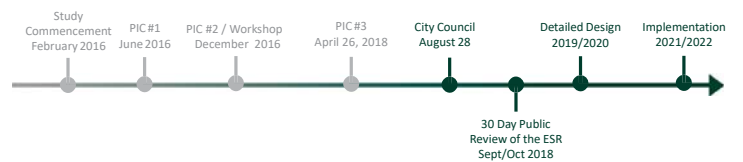
Estimated Capital Costs

Item	Estimated Cost
Removals	1,139,000
Roadwork	10,826,000
Storm Sewers / Pump Station	8,779,000
CP Structure	9,832,000
Sanitary Sewer	567,000
Watermain	876,000
Temporary Work	660,000
Road Detour	2,027,000
Utility Relocation	4,440,000
CP Railway Infrastructure Costs	4,080,000
Property Acquisition	9,800,000
Engineering	5,250,000
TOTAL (cost sharing with CP is expected at 15%)	\$58,276,000

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Next Steps



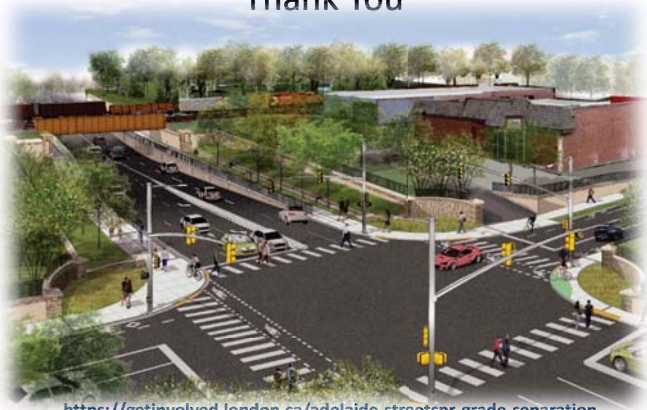
Municipal Class EA Process

12





Thank You



<https://getinvolved.london.ca/adelaidestreetcpr-grade-separation>

13



Bill No.
2018

By-law No.

A by-law to authorize and approve an Agreement between Her Majesty the Queen in Right of Canada, as represented by the Minister of Transport ("Canada") and The Corporation of the City of London for the Rail Safety Improvement Program (RSIP) Agreement for Grade Crossing Improvements; and to authorize the Mayor and the City Clerk to execute the Agreement.

WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS the Government of Canada has introduced a program to promote increased railway safety in Canada;

AND WHEREAS the City has applied to the Government of Canada for funding under the Rail Safety Improvement Program, to assist in carrying out railway crossing safety improvements;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Agreement between Her Majesty the Queen In Right of Canada, as represented by the Minister of Transport ("Canada") and The Corporation of the City of London for the Rail Safety Improvement Program (RSIP) Agreement for Grade Crossing Improvements attached hereto as Schedule A is hereby authorized and approved;
2. The Mayor and the City Clerk are hereby authorized to execute the Agreement authorized and approved in section 1, above.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council

2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading August 28, 2018
Second Reading August 28, 2018
Third Reading August 28, 2018

Schedule 'A'

CANADA – CITY OF LONDON
RAIL SAFETY IMPROVEMENT PROGRAM
AGREEMENT FOR GRADE CROSSING IMPROVEMENTS

This Agreement is made as of the date of last signature

BETWEEN: **HER MAJESTY THE QUEEN IN RIGHT OF CANADA**, as represented by the Minister of Transport (“Canada”)

AND

THE CORPORATION OF THE CITY OF LONDON, continued or incorporated pursuant to the Municipality Act (the “Recipient”),

individually referred to as a “Party” and collectively referred to as the “Parties”.

RECITALS

WHEREAS the Minister of Transport is responsible for the Program entitled the Rail Safety Improvement Program (“Program”);

WHEREAS the Recipient has submitted to Canada a proposal for the funding of the Projects which qualify for support under the Program;

AND WHEREAS the Recipient is responsible for carrying out the Projects and Canada wishes to provide financial support for the Projects and its objectives;

NOW THEREFORE, the Parties agree as follows:

1. INTERPRETATION

1.1 DEFINITIONS

In addition to the terms defined in the recitals and elsewhere in this Agreement, a capitalized term has the meaning given to it in this Section.

“**Agreement**” means this contribution agreement and all its schedules, as may be amended from time to time.

“**Agreement End Date**” means March 31, 2020.

“**Asset**” means any real or personal property or immovable or movable asset acquired, purchased, constructed, rehabilitated or improved, in whole or in part, with funds contributed by Canada under the terms and conditions of this Agreement.

“**Asset Disposal Period**” means the period commencing from the Effective Date and ending on the Agreement End Date.

“**Contract**” means an agreement between the Recipient and a Third Party whereby the latter agrees to supply a product or service to any Project in return for financial consideration.

“**Declaration of Completion**” means a declaration in the form substantially prescribed in Schedule E (Declaration of Completion).

“**Effective Date**” means the date of last signature of this Agreement.

“**Eligible Expenditures**” means those costs incurred that are directly related to the Projects and which are considered eligible by Canada and may include cash-equivalent expenditures associated with In-Kind Contributions as set out in Schedule A (Eligible and Ineligible Expenditures).

“**Fair Value**” means the amount that would be agreed upon in an arm’s length transaction between knowledgeable, willing parties who are under no compulsion to act.

“**Final Claim Date**” means the Project Completion Date of a Project no later than March 31, 2019.

“**Fiscal Year**” means the period beginning April 1 of a year and ending March 31 of the

following year.

“**Guide**” means the *Guide to Railway Charges for Crossing Maintenance and Construction* prepared by the Canadian Transportation Agency, applicable to the year that the work was completed.

“**In-Kind Contributions**” means non-monetary contributions of goods, services or other support provided by the Recipient, or to the Recipient by a third party for any Project, for which Fair Value is assigned, but for which no payment occurs. The associated cash-equivalent expenditures may be considered Eligible Expenditures in accordance with Schedule A (Eligible and Ineligible Expenditures).

“**Projects**” means all of the projects described in Schedule B (The Projects).

“**Project Completion Date**” means the date at which all funded activities of a Project under this Agreement have been completed and which must be no later than March 31, 2019.

“**Third Party**” means any person or legal entity, other than a Party, who participates in the implementation of any Project by means of a Contract.

“**Total Financial Assistance**” means funding from all sources towards Eligible Expenditures of the Projects, including funding from the Recipient and federal, provincial, territorial, and municipal governments as well as funding from all other sources, including In-Kind Contributions.

1.2 ENTIRE AGREEMENT

This Agreement comprises the entire agreement between the Parties in relation to the subject of the Agreement. No prior document, negotiation, provision, undertaking or agreement has legal effect, unless incorporated by reference into this Agreement. No representation or warranty express, implied or otherwise, is made by Canada to the Recipient except as expressly set out in this Agreement.

1.3 DURATION OF AGREEMENT

This Agreement will be effective as of the Effective Date and will terminate on the Agreement End Date subject to early termination in accordance with this Agreement.

1.4 SCHEDULES

The following schedules are attached to, and form part of this Agreement:

Schedule A – Eligible and Ineligible Expenditures

Schedule B – The Projects

Schedule C – Certificate(s) of Compliance for Claims

Schedule D – Communications Protocol

Schedule E – Declaration of Completion

2. PURPOSE OF AGREEMENT

The purpose of this Agreement is to establish the terms and conditions whereby Canada will provide funding to the Recipient for the Projects.

3. OBLIGATION OF THE PARTIES

3.1 CONTRIBUTION BY CANADA

- a) Canada agrees to pay a contribution to the Recipient of not more than eighty percent (80%) of the total Eligible Expenditures for the Projects but only up to a maximum of one hundred eighty-six thousand eight hundred dollars (\$186,800.00).
- b) Canada will pay the contribution in accordance with the terms and conditions of this Agreement and the Fiscal Year breakdown in Schedule B.2 (Projects and Cashflow).
- c) If Canada's total contribution towards any Project exceeds eighty percent (80%) of the Project's total Eligible Expenditures or if the Total Financial Assistance received or due in respect of the total Project costs exceeds one hundred percent (100%) thereof, Canada may recover the excess from the Recipient or reduce its contribution by an amount equal to the excess.
- d) The Parties acknowledge that Canada's role in the Projects is limited to making a financial contribution to the Recipient for the Projects and that Canada will have no involvement in the implementation of any Project or its operation. Canada is neither a decision-maker nor an administrator to the Projects.

3.2 COMMITMENTS BY THE RECIPIENT

- a) The Recipient will complete the Projects in a diligent and timely manner, within the costs and deadlines specified in this Agreement and in accordance with the terms and conditions of this Agreement.
- b) The Recipient will be responsible for all costs of the Projects including cost overruns, if any.
- c) The Recipient will inform Canada promptly of the Total Financial Assistance received or due for all Projects.
- d) The Recipient will repay to Canada any payment received for disallowed costs, unexpended contributions, and overpayments made under and according to the terms and conditions of this Agreement.
- e) The Recipient will ensure the ongoing operation, maintenance, and repair of any Asset in relation to the Project as per appropriate standards, during the Asset Disposal Period.
- f) Canada may request that the Recipient declare to Canada any amounts owing to the federal Crown, under legislation or contribution agreements that constitute an overdue debt. The Recipient recognizes that any such amount owing is a debt due to the federal Crown and may be set-off by Canada in accordance with Section 18.6 (Set-off by Canada).
- g) The Recipient will inform Canada immediately of any fact or event that could compromise wholly or in part any Project.
- h) Upon Canada's request and throughout the term of the Agreement, the Recipient will promptly provide Canada with updates to the status of the Projects and to the expenditures and forecasts set out in Schedule B (The Projects).

3.3 APPROPRIATIONS AND FUNDING LEVELS

Notwithstanding Canada's obligation to make any payment under this Agreement, this obligation does not arise if, at the time when a payment under this Agreement becomes due, the Parliament of Canada has not passed an appropriation that is sufficient and constitutes lawful authority for making the payment. Canada may reduce or terminate any payment under this Agreement in response to the reduction of appropriations or departmental funding levels in respect of transfer payments, the program under which this Agreement was made or otherwise, as evidenced by any appropriation act or the federal Crown's main or supplementary estimates expenditures. Canada will promptly advise the Recipient of any reduction or termination of funding once it becomes aware of any such situation. Canada will not be liable for any direct, indirect, consequential, exemplary or punitive damages, regardless of the form of action, whether in contract, tort or otherwise, arising from any such reduction or termination of funding.

3.4 FISCAL YEAR BUDGETING

- a) The amount of the contribution payable by Canada for each Fiscal Year of a Project is set out in Schedule B.2 (Projects and Cashflow).
- b) If the actual amount payable by Canada in respect of any Fiscal Year of a Project is less than the estimated amount in Schedule B.2 (Projects and Cashflow), the Recipient may request that Canada re-allocate the difference between the two amounts to a subsequent Fiscal Year. Subject to Section 3.3 (Appropriations and Funding Levels), Canada agrees to make reasonable efforts to accommodate the Recipient's request. The Recipient acknowledges that requests for re-allocation of Project funding will require appropriation adjustments or federal Crown approvals.
- c) In the event that any requested re-allocation of Project funding is not approved, the amount of Canada's contribution payable pursuant to Section 3.1 (Contribution by Canada) may be reduced by the amount of the requested re-allocation. If the contribution payable by Canada pursuant to Section 3.1 (Contribution by Canada) is so reduced, the Parties agree to review the effects of such reduction on the overall implementation of the Project and to adjust the terms and conditions of this Agreement as appropriate.

3.5 CHANGES DURING THE LIFE OF THE PROJECTS

- a) Where a change to this Agreement is contemplated, the Recipient will submit to Canada a request for a change.
- b) Where the change is approved by Canada, the Parties will execute the corresponding amendment to the Agreement in accordance with Section 18.14 (Amendments).

3.6 INABILITY TO COMPLETE PROJECTS

If, at any time during the term of this Agreement, one or all of the Parties determine that it will not be possible to complete a Project for any reason, the Party will immediately notify the other Party of that determination and Canada may suspend its funding obligation. The Recipient will, within thirty (30) business days of a request from Canada, provide a summary of the measures that it proposes to remedy the situation. If Canada is not satisfied that the measures proposed will be adequate to remedy the situation, then this will constitute an Event of Default under Section 15 (Default) and Canada may declare a default pursuant to Section 15 (Default).

3.7 GUIDELINES

The Recipient will complete the Project, or cause the Project to be completed, in accordance with all applicable laws, regulations and prevailing industry standards for such design and construction and all applicable building and design codes.

4. RECIPIENT REPRESENTATIONS AND WARRANTIES

The Recipient represents and warrants to Canada that:

- a) the Recipient has the capacity and authority to enter into and execute this Agreement as duly authorized by City of London Council By-Law No. 2018- , dated August __, 2018.
- b) the Recipient has the capacity and authority to carry out the Projects;
- c) the Recipient has the requisite power to own the Assets;
- d) this Agreement constitutes a legally binding obligation of the Recipient, enforceable against it in accordance with its terms and conditions;
- e) all information submitted to Canada as set out in this Agreement is true, accurate, and was prepared in good faith to the best of its ability, skill, and judgment;
- f) any individual, corporation or organization that the Recipient has hired, for payment, who undertakes to speak to or correspond with any employee or other person representing Canada on the Recipient's behalf, concerning any matter relating to the contribution under this Agreement or any benefit hereunder and who is required to be registered pursuant to the federal *Lobbying Act*, is registered pursuant to that *Act*;
- g) the Recipient has not and will not make a payment or other compensation that is contingent upon or is calculated upon the contribution hereunder or the negotiation of the whole or any part of the terms and conditions of this Agreement to any individual, or corporation or organization with which that individual is engaged in doing business with, who is registered pursuant to the federal *Lobbying Act*;
- h) there are no actions, suits, investigations or other proceedings pending or, to the

knowledge of the Recipient, threatened and there is no order, judgment or decree of any court or governmental agency which could materially and adversely affect the Recipient's ability to carry out the activities contemplated by this Agreement. The Recipient will inform Canada immediately if any such action or proceedings are threatened or brought during the term of this Agreement; and

- i) the Recipient is in good standing under the laws of the jurisdiction in which it is required to be registered.

5. [INTENTIONALLY OMITTED]

6. CONTRACT PROCEDURES

6.1 AWARDING OF CONTRACTS

- a) The Recipient will ensure that Contracts are awarded in a way that is transparent, competitive, consistent with value-for-money principles, or in a manner otherwise acceptable to Canada, and if applicable, in accordance with the Canadian Free Trade Agreement and international trade agreements.
- b) If Canada determines that the Recipient has awarded a Contract in a manner that is not in compliance with the foregoing, upon notification to the Recipient, Canada may consider the expenditures associated with the Contract to be ineligible.

6.2 CONTRACT PROVISIONS

The Recipient will ensure that all Contracts are consistent with, and incorporate, the relevant provisions of this Agreement. More specifically but without limiting the generality of the foregoing, the Recipient agrees to include terms and conditions in all Contracts to ensure that:

- a) the Third Party will keep proper and accurate financial accounts and records, including but not limited to its contracts, invoices, statements, receipts, and vouchers, in respect of a Project for at least six (6) years after the Agreement End Date and that the Recipient has the contractual right to audit them;
- b) all applicable labour, environmental, and human rights legislation are respected; and
- c) Canada and its designated representatives, to the extent permitted by law, will at all times be permitted to inspect the terms and conditions of the Contract and any records and accounts respecting a Project and will have free access to the Project sites and to any documentation relevant for the purpose of audit.

7. [INTENTIONALLY OMITTED]

8. ABORIGINAL CONSULTATION

The Recipient agrees that:

- a) Canada has determined that no legal duty to consult Aboriginal groups arises in the context of the Project.
- b) The Recipient must inform Canada promptly of any changes to the Project, or otherwise, that may affect Canada's determination of the legal duty to consult for this Project.
- c) If as a result of changes to the Project or otherwise, Canada determines that a legal duty to consult arises or further consultation is required, the Recipient agrees that:
 - i. all of Canada's obligations pursuant to this Agreement will be suspended from the moment that Canada informs the Recipient that a legal duty to consult arises;
 - vi. it will consult with Aboriginal groups that might be affected by the Project, explain the Project to them, including Canada's role, and will provide a report to Canada, which will include:
 - a. a list of all Aboriginal groups contacted;
 - b. a summary of all communications to date with the Aboriginal groups, indicating which groups support or object to the Project, and whether their positions are final, preliminary, or conditional in nature;

- c. a summary of any issues or concerns that the Aboriginal groups have raised and an indication of how the Recipient has addressed or proposes to address those issues or concerns; and
 - d. any other information Canada may deem appropriate.
- vii. no construction of the Project will occur and Canada has no obligation to reimburse Eligible Expenditures until Canada is satisfied that any legal duty to consult with, and where appropriate, to accommodate Aboriginal groups have been met and continue to be met.

9. CLAIMS AND PAYMENTS

9.1 PAYMENT CONDITIONS

- a) Canada will not pay interest for failing to make a payment under this Agreement.
- b) Canada will not pay any claims submitted after the Final Claim Date, unless otherwise accepted by Canada.
- c) Canada will not pay any claims until the requirements under Section 8 (Aboriginal Consultation), if applicable, are, in Canada's opinion, satisfied to the extent possible at the date the claim is submitted to Canada.

9.2 PROGRESS CLAIMS

- a) The Recipient will submit progress claims to Canada for each Project covering the Recipient's Eligible Expenditures in a form acceptable to Canada. Each progress claim must include the following:
 - i. a certification by a senior official designated in writing by the Recipient in the form set out in Schedule C.1 (Certificate of Compliance for Progress Claim) stating that the information submitted in support of the claim is accurate;
 - ii. a breakdown of Eligible Expenditures claimed, in accordance with Schedule B.2 Projects and Cashflow); and
 - iii. documentation to support the Eligible Expenditures claimed that is satisfactory to Canada.
- b) Canada will make a payment upon review and acceptance of a progress claim, subject to the terms and conditions of the Agreement.

9.3 FINAL CLAIM AND FINAL ADJUSTMENTS

- a) The Recipient will submit a final claim to Canada for each Project by the Final Claim Date covering the Recipient's Eligible Expenditures in a form acceptable to Canada. The final claim for each Project must include the following:
 - i. a certification by a senior official designated in writing by the Recipient in the form set out in Schedule C.2 (Certificate of Compliance for Final Claim) stating that the information submitted in support of the claim is accurate;
 - ii. a breakdown of Eligible Expenditures claimed in accordance with Schedule B.2 (Projects and Cashflow);
 - iii. confirmation of the Total Financial Assistance in accordance with Section 3.2 c) (Commitments by the Recipient) in the form set out in Schedule C.2 (Certificate of Compliance for Final Claim);
 - iv. a completed Declaration of Completion in accordance with Section 9.5 (Declaration of Completion);
 - v. upon request by Canada, any of the documents referenced in Schedule E (Declaration of Completion); and
 - vi. documentation to support the Eligible Expenditures claimed that is satisfactory to Canada.
- b) Upon receipt of the final claim for a Project, but before issuing the final payment, the Parties will jointly carry out a final reconciliation of all claims and payments in respect

of the Project and make any adjustments required in the circumstances.

9.4 WITHHOLDING OF CONTRIBUTION

Canada may withhold up to ten percent (10%) of its contribution towards Eligible Expenditures claimed under the Agreement. Any remaining amount withheld by Canada will be released when the final adjustments have been completed under Section 9.3 (Final Claim and Final Adjustments) and the Recipient fulfills all its obligations under this Agreement.

9.5 DECLARATION OF COMPLETION

- a) Prior to executing the Declaration of Completion, the Recipient will request confirmation in writing from Canada as to whether the Declaration of Completion lists all relevant documents.
- b) The Declaration of Completion must be signed by an authorized official of the Recipient as deemed acceptable by Canada, and it must list all relevant documents as determined by Canada.

10. [INTENTIONALLY OMITTED]

11. AUDIT, EVALUATION AND MONITORING FOR COMPLIANCE

11.1 RECIPIENT AUDIT

Canada may, at its discretion, conduct a Recipient audit related to this Agreement during the term of this Agreement and up to two years after the Agreement End Date, in accordance with the Canadian Auditing Standards and Section 18.3 (Accounting Principles).

11.2 [INTENTIONALLY OMITTED]

11.3 EVALUATION

The Recipient agrees to cooperate with Canada in the conduct of any evaluation of the Program during or after the term of this Agreement.

11.4 CORRECTIVE ACTION

The Recipient agrees to ensure that prompt and timely corrective action is taken in response of any audit findings and recommendations conducted in accordance with this Agreement.

11.5 RECORD KEEPING

The Recipient will keep proper and accurate financial accounts and records, including but not limited to its Contracts, invoices, statements, receipts, and vouchers, in respect of the Project, for at least six (6) years after the Agreement End Date.

11.6 ACCESS

The Recipient will provide Canada and its designated representatives with reasonable and timely access, at no cost, to the Project sites, facilities, and any documentation for the purposes of audit, evaluation, inspection and monitoring compliance with this Agreement.

12. COMMUNICATIONS

12.1 COMMUNICATIONS PROTOCOL

The Parties will comply with Schedule D (Communications Protocol).

12.2 RECOGNITION OF CANADA'S CONTRIBUTION

The Recipient will acknowledge Canada's contribution in all signage and public communication produced as part of a Project or the Agreement, in a manner acceptable to Canada, unless Canada communicates in writing to the Recipient that this acknowledgement is not required.

12.3 PUBLIC INFORMATION

The Recipient acknowledges that the following may be made publicly available by Canada:

- a) its name, the amount awarded by Canada, and the general nature of each Project; and
- b) any evaluation or audit report and other reviews related to this Agreement.

13. INTELLECTUAL PROPERTY

- a) All intellectual property that arises in the course of a Project will vest in the Recipient.
- b) The Recipient will obtain the necessary authorizations, as needed, for the implementation of a Project, from third parties who may own the intellectual property rights or other rights in respect of the Project. Canada will assume no liability in respect of claims from any third party in relation to such rights and to the Agreement.

14. DISPUTE RESOLUTION

- a) The Parties will keep each other informed of any issue that could be contentious by exchanging information and will, in good faith and reasonably, attempt to resolve potential disputes.
- b) Where the Parties cannot agree on a resolution, the Parties may explore any alternative dispute resolution mechanisms available to them to resolve the issue.
- c) Any payments related to the issue in dispute will be suspended, together with the obligations related to such issue, pending resolution.
- d) The Parties agree that nothing in this section will affect, alter or modify the rights of Canada to terminate this Agreement.

15. DEFAULT

15.1 EVENTS OF DEFAULT

The following events constitute Events of Default under this Agreement:

- a) the Recipient has not complied with one or more of the terms and conditions of this Agreement;
- b) the Recipient has not completed a Project in accordance with the terms and conditions of this Agreement;
- c) the Recipient has submitted false or misleading information to Canada or made a false or misleading representation in respect of a Project or in this Agreement, except for an error in good faith, demonstration of which is incumbent on the Recipient, to Canada's satisfaction;
- d) the Recipient has neglected or failed to pay Canada any amount due in accordance with this Agreement.

15.2 DECLARATION OF DEFAULT

Canada may declare a default if:

- i. In Canada's opinion, one or more of the Events of Default occurs;
- ii. Canada gave notice to the Recipient of the event which constitutes an Event of Default; and
- iii. the Recipient has failed, within thirty (30) business days of receipt of the notice from Canada, either to remedy the Event of Default or to notify Canada and demonstrate, to the satisfaction of Canada, that it has taken such steps as are necessary to remedy the Event of Default.

15.3 REMEDIES ON DEFAULT

In the event that Canada declares a default under Section 15.2 (Declaration of Default), Canada may exercise one or more of the following remedies, without limiting any remedy available to it at law:

- a) suspend any obligation by Canada to contribute or continue to contribute funding to a Project, including any obligation to pay an amount owing prior to the date of such

- suspension;
- b) terminate any obligation of Canada to contribute or continue to contribute funding to a Project, including any obligation to pay any amount owing prior to the date of such termination;
- c) require the Recipient to reimburse Canada all or part of the contribution paid by Canada to the Recipient;
- d) terminate the Agreement.

16. LIMITATION OF LIABILITY AND INDEMNIFICATION

16.1 DEFINITION OF PERSON

In this section, "Person" includes, without limitation, a person, the Recipient, a Third Party, a corporation, or any other legal entity, and their officers, servants, employees or agents.

16.2 LIMITATION OF LIABILITY

In no event will Canada, its officers, servants, employees or agents be held liable for any damages in contract, tort (including negligence) or otherwise, for:

- a) any injury to any Person, including, but not limited to, death, economic loss or infringement of rights;
- b) any damage to or loss or destruction of property of any Person; or
- c) any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease or other long term obligation;

in relation to this Agreement or to any Project.

16.3 INDEMNIFICATION

The Recipient will at all times indemnify and save harmless Canada, its officers, servants, employees or agents, from and against all actions, claims, demands, losses, costs, damages, suits or other proceedings, whether in contract, tort (including negligence) or otherwise, by whomsoever brought or prosecuted in any manner based upon or occasioned by:

- a) any injury to any Person, including, but not limited to, death, economic loss or any infringement of rights;
- b) any damage to or loss or destruction of property of any Person; or
- c) any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease or other long term obligation;

in relation to this Agreement or to any Project, except to the extent to which such actions, claims, demands, losses, costs, damages, suits or other proceedings are caused by the negligence or breach of the Agreement by an officer, servant, employee or agent of Canada in the performance of his or her duties.

17. ASSETS

- a) Assets acquired, purchased, constructed, rehabilitated, or improved, in whole or in part, through the course of a Project will be the responsibility and remain the property of the Recipient.
- b) Notwithstanding any other provision of this Agreement, the Recipient will preserve, maintain, and use any Assets for the purposes of a Project, and will not dispose of any Asset during the Asset Disposal Period, unless the Recipient notifies Canada in writing and Canada consents to the Asset's disposal.
- c) Unless otherwise agreed to by Canada, upon alternate use or disposal of any Asset, which includes selling, leasing and encumbering an Asset whether directly or indirectly, during the Asset Disposal Period, the Recipient will reimburse Canada, at Canada's discretion, in whole or in part, an amount of funds contributed by Canada to the Asset under this Agreement.

18. GENERAL

18.1 PUBLIC BENEFIT

The Parties acknowledge that their contributions to the Project are meant to accrue to the public benefit.

18.2 SURVIVAL

The Parties' rights and obligations which, by their nature, extend beyond the termination of this Agreement, will survive any termination of this Agreement.

18.3 ACCOUNTING PRINCIPLES

All accounting terms will have the meanings assigned to them, all calculations will be made and all financial data to be submitted will be prepared, in accordance with the Generally Accepted Accounting Principles (GAAP) in effect in Canada as defined in the Chartered Professional Accountants (CPA) Canada Handbook - Accounting or, where applicable, the CPA Canada Public Sector Accounting.

18.4 DEBTS DUE TO THE FEDERAL CROWN

Any amount owed to Canada under this Agreement by the Recipient will constitute a debt due to the federal Crown, which the Recipient will reimburse to Canada forthwith on demand.

18.5 INTEREST ON DEBTS DUE TO THE FEDERAL CROWN

Debts due to the federal Crown by the Recipient will accrue interest in accordance with the federal *Interest and Administrative Charges Regulations*.

18.6 SET-OFF BY CANADA

Any debt due to the federal Crown by the Recipient may be set-off against any amounts payable by Canada to the Recipient under this Agreement.

18.7 MEMBERS OF THE HOUSE OF COMMONS AND SENATE

No member of the House of Commons or the Senate of Canada will be admitted to any share or part of this Agreement, or to any benefit arising from it that is not otherwise available to the public. The Recipient will promptly inform Canada should it become aware of the existence of any such situation.

18.8 CONFLICT OF INTEREST

No current or former public servant or public office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Canada applies will derive direct benefit from this Agreement unless the provision or receipt of such benefits is in compliance with such legislation, guidelines, policies or codes. The Recipient will promptly inform Canada should it become aware of the existence of any such situation.

18.9 NO AGENCY, PARTNERSHIP, JOINT VENTURE, ETC.

- a) No provision of this Agreement and no action by the Parties will establish or be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between

Canada and the Recipient or between Canada and a Third Party.

- b) The Recipient will not represent itself, including in any agreement with a Third Party, as a partner, employee or agent of Canada.

18.10 NO AUTHORITY TO REPRESENT

Nothing in this Agreement is to be construed as authorizing any person, including a Third Party, to contract for or to incur any obligation on behalf of Canada or to act as an agent for Canada. The Recipient will take the necessary action to ensure that any Contract between the Recipient and any Third Party contains a provision to that effect.

18.11 ASSIGNMENT

The Recipient will not transfer or assign its rights or obligations under this Agreement without the prior written consent of Canada. Any attempt by the Recipient to assign any of the rights, duties or obligations of this Agreement without Canada's express written consent is void.

18.12 COUNTERPART SIGNATURE

This Agreement may be signed in counterpart, and the signed copies will, when attached, constitute an original agreement.

18.13 SEVERABILITY

If for any reason a provision of this Agreement that is not a fundamental term of this Agreement between the Parties is found to be or becomes invalid or unenforceable, in whole or in part, and if both Parties agree, it will be deemed to be severable and will be deleted from this Agreement, but all the other terms and conditions of this Agreement will continue to be valid and enforceable.

18.14 AMENDMENTS

This Agreement, including its schedules, can only be amended in writing by the Parties.

18.15 WAIVER

A Party may waive any of its rights under this Agreement only in writing. Any tolerance or indulgence demonstrated by the Party will not constitute a waiver.

18.16 NOTICE

- a) Any notice, information or required documentation provided for under this Agreement must be delivered in person or sent by mail, email, messenger or facsimile to the identified representatives of the Parties at the following coordinates, unless otherwise specified by Canada:

Canada:

Director, Transportation Infrastructure Program
Transport Canada
Place de Ville, Tower C, 19th Floor
330 Sparks Street
Ottawa, Ontario
K1A 0N5

Email: TC.RSIPITR-PASFITR.TC@tc.gc.ca

Recipient:

Janice Verhaeghe
300 Dufferin Avenue,
London, Ontario
N6A 4L9

Email: jverhaeg@london.ca

- b) Such notice will be deemed to have been received:
 - i. in person, when delivered;
 - ii. if sent by mail, email or facsimile, when receipt is acknowledged by the other Party;
 - iii. if sent by messenger or registered mail, when the receiving Party has signed the acknowledgment of reception.
- c) If a Party changes its representative or the coordinates for that representative, it will advise the other Party as soon as possible.

18.17 COMPLIANCE WITH LAWS

The Recipient will comply with all applicable laws and regulations and all requirements of regulatory bodies having jurisdiction over the subject matter of the Project.

18.18 GOVERNING LAW

This Agreement is governed by the laws applicable in the Province of Ontario.

18.19 SUCCESSORS AND ASSIGNS

This Agreement is binding upon the Parties and their respective successors and assigns.

19. SIGNATURES

This Agreement has been executed on behalf of Her Majesty the Queen in right of Canada by the Minister of Transport and on behalf of the City of London by the Mayor and City Clerk

HER MAJESTY THE QUEEN IN RIGHT
OF CANADA

THE CORPORATION OF THE CITY OF
LONDON

Per: Emilia Warriner
Director, Transportation Infrastructure
Program

Per: Matt Brown
Mayor

Date

Date

Per: Cathy Saunders
City Clerk

Date

SCHEDULE A – ELIGIBLE AND INELIGIBLE EXPENDITURES

SCHEDULE A.1: ELIGIBLE EXPENDITURES

Eligible Expenditures must:

- be reasonable and directly related to a Project, as determined by Canada;
- must not exceed the rates described in the *Guide to Railway Charges for Crossing Maintenance and Construction* (the “Guide”)
- be incurred between the date Canada received the recipient’s application for Program funding and the Final Claim Date; and
- consist of the following categories of expenditures:
 - Staff salaries and benefits;
 - Purchase and lease of capital assets, technology, equipment and supplies;
 - Professional services, including accounting, translation, audit and consulting;
 - Planning, design and evaluation;
 - Engineering and environmental reviews and follow-up measures;
 - Expenditures related to construction and rehabilitation of assets (including fees paid to general contractors and labourers, materials, licenses, permits, and the rental of construction machinery and equipment, and fees paid to power supply companies);
 - Licenses and permits
 - Expenditures for Aboriginal consultations, specifically project-related consultation activities pursuant to the Crown’s legal duty to consult;
 - Administrative expenditures (including general administration expenditures, rent, insurance, office equipment rental, and membership fees);
 - Travel expenditures (including the cost of accommodations, vehicle rental and kilometric rates, bus, train, airplane or taxi fares, allowances for meals and incidentals). Travel and per diem expenses cannot be more than the rates and allowances determined in the Travel Directive of the National Joint Council, available at the following link: <http://www.njc-cnm.gc.ca/directive/index.php?did=10&dlabel=travel-voyage&lang=eng&merge=2&slabel=index>;
 - Other costs that are, in the opinion of the Minister or his/her delegated representative, considered to be direct, reasonable, and incremental for the successful implementation of a project and have been approved in writing prior to being incurred.

For the purposes of determining Eligible Expenditures, and notwithstanding the material overhead rates set out in Schedule C to the Guide, the overhead rate applicable to pre-wired packages will be the allowance for contract overheads set out in Schedule D of the Guide.

Eligible Expenditures can be cash-equivalent expenditures associated with In-Kind Contributions. These expenditures may be reimbursed so long as the following three criteria are met:

- 1) The associated costs are deemed as Eligible Expenditures and have been approved by Canada;
- 2) The associated costs are not a donation received from a third party; and
- 3) The associated costs are related to goods, services or other support that would otherwise be purchased and paid for by the Recipient as essential for a Project.

In-Kind Contributions received from a third party are considered donations and may form part of the total Eligible Expenditures of a Project, but are not reimbursable.

SCHEDULE A.2: INELIGIBLE EXPENDITURES

The following expenditures shall be considered ineligible, and therefore will not be considered in the calculation of the total eligible expenditures of a Project:

- Costs incurred before the date Canada received the recipient's application for Program funding or after the Final Claim Date;
- Expenditures for provincial sales tax and Goods and Services Tax, or the Harmonized Sales Tax, where applicable, for which the Recipient is eligible for a rebate, and any other costs eligible for rebates;
- Purchase of land and/or buildings, related real estate fees, and vehicles;
- Financing charges and interest payments on loans; and
- Expenditures that have been reimbursed from other sources of funding, federal statutes or funding programs.
- Personal mileage to and from Recipient's employees' homes.

SCHEDULE B – THE PROJECTS

SCHEDULE B.1: DESCRIPTION OF PROJECTS

Description of Projects:

The Projects involve grade crossing improvements in the Province of Ontario.

Objective(s):

The objective of the Projects is to enhance public safety at the public grade crossings described in Schedule B.2 (Projects and Cashflow) to reduce the risk of collisions, fatalities and injuries.

Activities:

The Projects consists of improvements to the crossings described in Schedule B.2 (Projects and Cashflow) through undertaking the following activities:

- Relocation and installation of signage, pavement markings, approach surface resurfacing
- Median separation and vegetation removal
- Sidewalk replacement

Project Outcomes:

In order to illustrate how the Projects will contribute to rail safety, the Recipient will collect performance data and report on the following performance indicators that the Projects will contribute to:

- Number of installed new crossing warning system barrier gates;
- Number of installed cantilever structures;
- Number of new interconnection cable ducts from traffic controller to rail crossing bungalow.

This data is collected only for the purpose of performance measurement and reporting to Canadians.

SCHEDULE B.2: PROJECT AND CASHFLOW

Name of Project	Description of Project	Estimated Total Project Expenditures	Estimated Total Eligible Project Expenditures	Estimated Contribution by Canada	Estimated contribution to Eligible Expenditures per Party, per Fiscal Year	
	(Main technical and financial stages, location, construction methods, etc.)				Contributor	2018-19
Project 1 - Mile 73.10 Dundas Subdivision, Gore Road	Installation of signage, pavement markings, approach surface resurfacing	\$36,000.00	\$36,000.00	\$28,800.00	Canada	\$28,800.00
					Recipient	\$7,200.00
Project 2 - Mile 77.66 Dundas Subdivision, Colborne Street	Installation of signage, pavement markings, vegetation removal, approach surface resurfacing.	\$46,500.00	\$46,500.00	\$37,200.00	Canada	\$37,200.00
					Recipient	\$9,300.00
Project 3 - Mile 0.17 Windsor Subdivision, St. George Street	Installation of signage, pavement markings, median separation, and vegetation removal.	\$39,000.00	\$39,000.00	\$31,200.00	Canada	\$31,200.00
					Recipient	\$7,800.00
Project 4 – Mile 0.05 Windsor Subdivision, Richmond Street	Installation of signage, remove old pavement markings, approach surface resurfacing, and sidewalk replacement.	\$21,500.00	\$21,500.00	\$17,200.00	Canada	\$17,200.00
					Recipient	\$4,300.00
Project 5 – Mile 76.84 Dundas Subdivision, Rectory Street	Installation/relocation of signage, pavement markings, approach surface resurfacing.	\$14,000.00	\$14,000.00	\$11,200.00	Canada	\$11,200.00
					Recipient	\$2,800.00
Project 6 –Mile 118.77 Guelph Subdivision, Highbury Avenue	Installation of signage, pavement markings, vegetation removal.	\$8,500.00	\$8,500.00	\$6,800.00	Canada	\$6,800.00
					Recipient	\$1,700.00
Project 7 –Mile 77.36 Dundas Subdivision, William Street	Installation of signage, pavement markings, vegetation removal.	\$25,500.00	\$25,500.00	\$20,400.00	Canada	\$20,400.00
					Recipient	\$5,100.00
Project 8 – Mile 77.51 Dundas Subdivision, Maitland Street	Relocation and installation of signage, crossing surface resurfacing including sidewalk replacement, and pavement markings.	\$21,000.00	\$21,000.00	\$16,800.00	Canada	\$16,800.00
					Recipient	\$4,200.00

Name of Project	Description of Project	Estimated Total Project Expenditures	Estimated Total Eligible Project Expenditures	Estimated Contribution by Canada	Estimated contribution to Eligible Expenditures per Party, per Fiscal Year	
	(Main technical and financial stages, location, construction methods, etc.)				Contributor	2018-19
Project 9 – Mile 76.44 Dundas Subdivision, Egerton Street	Installation of signage, and pavement markings.	\$6,000.00	\$6,000.00	\$4,800.00	Canada	\$4,800.00
					Recipient	\$1,200.00
Project 10 – Mile 73.97 Dundas Subdivision, Clarke Road	Installation of signage, pavement markings, approach surface resurfacing, and sidewalk replacement.	\$15,500.00	\$15,500.00	\$12,400.00	Canada	\$12,400.0
					Recipient	\$3,100.00
TOTAL		\$233,500.00	\$233,500.00	\$186,800.00	Canada	\$186,800.00
					Recipient	\$46,700.00

For greater certainty, Canada's total contribution cannot exceed the amount set out in Section 3.1 (Contribution by Canada).

SCHEDULE C – CERTIFICATE(S) OF COMPLIANCE FOR CLAIMS

SCHEDULE C.1: CERTIFICATE OF COMPLIANCE FOR PROGRESS CLAIM

In the matter of the Agreement entered into between Her Majesty the Queen in right of Canada, as represented by the Minister of Transport, and the City of London (the “Recipient”), represented by _____ (Name), concerning the Grade Crossing Improvements Project (the “Agreement”).

I, _____ (Name), of the City/Town of _____, Province/Territory of _____, declare as follows:

1. That I hold the position of _____ with the Recipient and as such have knowledge of the matters set forth in this declaration and believe this declaration to be true.
2. I am duly authorized by the Recipient to give this Certificate under **[RECIPIENT INSERTS THE COMPLETE REFERENCE TO THE BY LAW OR INTERNAL POLICY AUTHORITY THAT ALLOWS THEM TO PROVIDE THIS CERTIFICATION]** dated **[DATE]**.
3. I have read and understood the Agreement and the progress claim submitted by the Recipient thereunder dated the same date as this Certificate and have knowledge of the business and affairs of the Recipient and have made such examinations or investigations as are necessary to give this Certificate and to ensure that the information contained herein is true and accurate.
4. The expenditures claimed are Eligible Expenditures in accordance with the Agreement.
5. The Recipient, at the date of this Certificate, has performed all covenants under the Agreement that are required to be performed by it on or prior to that date.
6. All representations and warranties of the Recipient contained in the Agreement are true and accurate in all respects at the date of this Certificate as though such representations and warranties had been made at the date of this Certificate.

Dated, this _____ day of _____ 20____

Signature

SCHEDULE C.2: CERTIFICATE OF COMPLIANCE FOR FINAL CLAIM

In the matter of the Agreement entered into between Her Majesty the Queen in right of Canada, as represented by the Minister of Transport, and the City of London (the “Recipient”), represented by _____(Name), concerning the Grade Crossing Improvements Project (the “Agreement”).

I, _____(Name), of the City/Town of _____, Province/Territory of _____, declare as follows:

1. That I hold the position of _____ with the Recipient and as such have knowledge of the matters set forth in this declaration and believe this declaration to be true.
2. I am duly authorized by the Recipient to give this Certificate under [RECIPIENT INSERTS THE COMPLETE REFERENCE TO THE BY LAW OR INTERNAL POLICY AUTHORITY THAT ALLOWS THEM TO PROVIDE THIS CERTIFICATION] dated [DATE].
3. I have read and understood the Agreement and the final claim submitted by the Recipient thereunder dated the same date as this Certificate and have knowledge of the business and affairs of the Recipient and have made such examinations or investigations as are necessary to give this Certificate and to ensure that the information contained herein is true and accurate.
4. The Recipient, at the date of this Certificate, has performed all covenants under the Agreement that are required to be performed by it on or prior to that date.
5. The expenditures claimed are Eligible Expenditures in accordance with the Agreement.
6. All representations and warranties of the Recipient contained in the Agreement are true and accurate in all respects at the date of this Certificate as though such representations and warranties had been made at the date of this Certificate.
7. The Project as defined in the Agreement has been completed.

[If applicable, add:]

8. All applicable mitigation measures, accommodation measures and follow-up measures required to be performed during the Project implementation as a result of Aboriginal consultations have been implemented.
9. The Total Financial Assistance received or due for the Project in accordance with Section 3.2 c) (Commitments by the Recipient) is as follows:
[INCLUDE ALL TOTAL FINANCIAL ASSISTANCE RECEIVED OR DUE]
10. This Certificate of Compliance does not preclude any rights of Canada to verify, audit or inspect as per the terms and conditions of the Agreement.
11. The Recipient is not entitled to payment of any amount under the Agreement, other than any amount requested by the Recipient in accordance with the Agreement on or prior to the date of this Certificate.

Dated, this _____ day of _____ 20____

Signature

SCHEDULE D – COMMUNICATIONS PROTOCOL

GENERAL

1. Canada and the Recipient agree to undertake joint communications activities and products that will enhance opportunities for open, transparent, effective and proactive communications with citizens through appropriate, continuous, and consistent public information activities that recognize the contribution of the Parties and, where applicable, any other contributor.
2. The mechanisms for such communications and public information activities and products will be determined by Canada.
3. All public information material in relation to this Agreement will be prepared jointly and in both official languages and will equitably reflect the funding of all contributors to the Project. This requirement is not needed for tendering documents; the Recipient will carry out any tendering processes in accordance with its own policies, guidelines and governing laws.

COMMUNICATING WITH THE PUBLIC

Public Information Products

The Parties may jointly develop information kits, brochures, public reports, and website material for the public about the Projects.

News Releases

A joint news release may be issued when the Agreement is signed and/or at appropriate milestones such as start of Project work or completion of the Project. A news release may include quotations from a federally, provincially, or municipally elected official or, where applicable, any other contributor. Canada must agree on these quotations.

Press Conferences, Public Announcements and Other Joint Events

The Parties will co-operate in organizing press conferences, announcements or official ceremonies. Canada should also agree on the messages and public statements at such events. No public announcement for a Project under this Agreement will be made by the Recipient or, where applicable, any other contributor, unless Canada has been informed of it at least thirty (30) business days in advance.

Either Party may organize a joint press conference. The requestor will give the other Party reasonable notice of at least thirty (30) business days of such a press conference, public announcement or joint event.

Signage

Prior to the implementation of a Project under this Agreement, and as directed by Canada, the Recipient agrees to supply, erect, and maintain signage consistent with federal/provincial identity graphics guidelines, and in both official languages specifying that the Project is financed by contributions from the Government of Canada and the Recipient or such wording as may have been or may be agreed upon by Canada.

COMMUNICATION COSTS

The eligibility of costs related to communication activities that provide public information on this Agreement will be subject to Schedule A (Eligible and Ineligible Expenditures) and must be agreed to in advance by Canada.

SCHEDULE E – DECLARATION OF COMPLETION

In the matter of the Agreement entered into between Her Majesty the Queen in right of Canada, as represented by the Minister of Transport, and the City of London (the “Recipient”), represented by _____ (Name), concerning the Grade Crossing Improvements Project (the “Agreement”).

I, _____ (Name), of the City/Town of _____, Province/Territory of _____, declare as follows:

1. I hold the position of _____ with the Recipient and as such have knowledge of the matters set forth in this declaration and believe this declaration to be true.
2.
 - a) I have received the following documents for the [Grade Crossing] Project:
 - i. [LIST NAME OF RELEVANT DOCUMENT(S), e.g. Certificate of Completion, Certificate of Performance, Occupancy Permit, etc.] signed by _____ (Name), a _____ (Profession, e.g. professional engineer, professional architect or other applicable professional) for the Project.
 - ii. [ADD SAME TEXT AS IN i FOR EACH DOCUMENT]
 - b) Based on the above documents and the representations made to me by the professionals identified in section 2(a) above, I declare to the best of my knowledge and belief that the Project has been completed, as described in Schedule B.1 (Description of Projects), as defined in the Agreement, on the _____ day of the _____ 20__.

[Insert #3, if applicable:]

3. I have received the following documents and based on these documents and representations made to me by the professionals identified below, I declare to the best of my knowledge and belief that the Project conforms with the guidelines referenced in Section 3.7 (Guidelines) of the Agreement:
 - i. [LIST NAME OF RELEVANT DOCUMENT(S), e.g. Certificate of Completion, Certificate of Performance, Occupancy Permit, etc.] signed by _____ (Name), a _____ (Profession, e.g. professional engineer, professional architect or other applicable professional) for the Project.
 - ii. [ADD SAME TEXT AS IN i FOR EACH DOCUMENT]
4. All terms and conditions of the Agreement that are required to be met as of the date of this declaration have been met.

Declared at _____ (City/Town), in _____ (Province/Territory)

this _____ day of _____, 20_____.

Signature

Planning and Environment Committee

Report

13th Meeting of the Planning and Environment Committee
August 13, 2018

PRESENT: Councillors S. Turner (Chair), A. Hopkins, M. Cassidy, J. Helmer, T. Park
ABSENT: Mayor M. Brown
ALSO PRESENT: Councillors J. Morgan, M. van Holst and J. Zaifman; I. Abushehada, J. Adema, A. Anderson, G. Barrett, M. Corby, M. Elmadoon, J.M. Fleming, M. Knieriem, P. Kokkoros, G. Kotsifas, H. Lysynski, T. Macbeth, H. McNeely, L. Mottram, N. Pasato, M. Pease, 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 3.4 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: J. Helmer
Seconded by: T. Park

That Items 2.1 to 2.3, inclusive and 2.5 to 2.8, inclusive and 2.10 to 2.15, inclusive, BE APPROVED.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Motion Passed (5 to 0)

2.1 Update on Regulations for the Promoting Affordable Housing Act, 2016 (Inclusionary Zoning)

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

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to Inclusionary Zoning for the delivery of affordable housing:

- a) the staff report dated August 13, 2018 entitled "Update on Regulations for the *Promoting Affordable Housing Act, 2016* (Inclusionary Zoning) BE RECEIVED for information;
- b) the Civic Administration BE DIRECTED to report back to the Planning and Environment Committee outlining options and approaches to implement Inclusionary Zoning in London, following consultation with the London Home Builders Association and the London Development Institute; and,
- c) the Civic Administration BE DIRECTED to prepare a draft Municipal Assessment Report to establish a framework for policies for Inclusionary Zoning. (2018-S11)

Motion Passed

2.2 Local Planning Appeal Tribunal Process Report

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

That, on the recommendation of the Managing Director, Planning and City Planner, and the Managing Director, Development and Compliance Services and Chief Building Official, with the concurrence of the City Clerk and Solicitor II, the following actions be taken with respect to the Local Planning Appeal Tribunal process:

- a) the staff report dated August 13, 2018, entitled "Local Planning Appeal Tribunal Process Report" BE RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to initiate the processes outlined as noted in clause a) above. (2018-L01)

Motion Passed

2.3 ReThink Zoning Terms of Reference

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

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated August 13, 2018 entitled "ReThink Zoning Terms of Reference" and the draft Terms of Reference BE RECEIVED for information and BE CIRCULATED to stakeholders, agencies and the public for the purposes of receiving comments; it being noted that the final Terms of Reference will be brought before a future meeting of the Planning and Environment Committee for approval following the consultations with stakeholders, agencies and the public. (2018-C01A)

Motion Passed

2.5 Process to Consider Privately-Initiated Applications for Official Plan Amendments

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

That, on the recommendation of the Managing Director, Planning and City Planner, with the concurrence of the City Clerk, the staff report dated August 18, 2018, entitled "Process to Consider Privately-initiated Applications for Official Plan Amendments" BE RECEIVED for information. (2018-D09)

Motion Passed

2.6 Planning Services and Development Services Application Fees and Charges Update

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

That, on the recommendation of the Managing Director, Planning and City Planner and the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the Planning Services and Development Services application fees and charges review:

- a) the staff report dated August 13, 2018, entitled “Planning Services and Development Services Application Fees and Charges update” regarding the Planning Services and Development Services fee review BE RECEIVED for information; and,
- b) this item BE REMOVED from the Planning and Environment Committee Deferred Matters list (Item #3 of the May 28, 2018 PEC report); it being noted that a public participation meeting will be held at the Strategic Priorities and Policy Committee on September 17, 2018, with respect to this matter. (2018-F21)

Motion Passed

2.7 Application - Creekview Subdivision - Phase 3 - Special Provisions (39T-05512)

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

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 Landea North Developments Inc. and Landea Developments Inc., for the subdivision of land over Part of Lot 22, Concession 5, (Township of London), City of London, County of Middlesex, situated on the south side of the Sunningdale Road West, west of Wonderland Road, municipally known as 1196 Sunningdale Road West:

- a) the Special Provisions to be contained in a Subdivision Agreement between The Corporation of the City of London and Landea North Developments Inc. and Landea Developments Inc., for the Creekview Subdivision, Phase 3 (39T-05512) appended to the staff report dated August 13, 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 August 13, 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 August 13, 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-D09)

Motion Passed

2.8 Application - West 5 Subdivision - Phase 3 - Special Provisions (39T-14503)

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

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 north side of Oxford Street West, east of Riverbend Road, west of Kains Road, and south of Shore Road, municipally known as 1300 Riverbend Road:

- 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 West 5 Subdivision, Phase 3 (39T-14503) appended to the staff report dated August 13, 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 August 13, 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 August 13, 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-D09)

Motion Passed

2.10 Application - 2313 and 2373 Callingham Drive - Removal of Holding Provision (H-8929)

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

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of Town & Country Developments Inc., relating to the properties located at 2313 and 2373 Callingham Drive, the proposed by-law appended to the staff report dated August 13, 2018 as Appendix “A” BE INTRODUCED at the Municipal Council meeting to be held on August 28, 2018 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R4 (h•R4-6) Zone TO a Residential R4 (R4-6) Zone to remove the “h” holding provision. (2018-D09)

Motion Passed

2.11 Application - 1826 and 1854 Oxford Street West - Removal of Holding Provisions (h and h-11) (H-8895)

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

That, on the recommendation of the Planner II, Development Planning, based on the application of Oxford West Gateway Inc., c/o Laverne Kirkness, relating to the properties located at 1826 and 1854 Oxford Street West, the proposed by-law appended to the staff report dated August 13, 2018 BE INTRODUCED at the Municipal Council meeting to be held on August 28, 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 Community Shopping Area Special Provision (h*h-11*CSA5(6)) Zone TO a Community Shopping Area Special Provision (CSA5(6)) Zone to remove the h. and h-11 holding provisions. (2018-D09)

Motion Passed

2.12 Application - 164 Sherwood Forest Square - Removal of Holding Provision (H-8913)

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

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of Ben Cameron Consulting Inc., relating to the property located at 164 Sherwood Forest Square, the proposed by-law appended to the staff report dated August 13, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 28, 2018 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R8 Special Provision (h-5•h-11•h-179•R8-4(26)) Zone TO a Residential R8 Special Provision (R8-4(26)) Zone to remove the h-5, h-11, and h-179 holding provisions. (2018-D09)

Motion Passed

2.13 Application - 728, 730, 742 and 744 Dundas Street - Removal of Holding Provision (h-67) (H-8925)

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

That, on the recommendation of the Senior Planner, Development Services, based on the application by Indwell Community Homes, relating to lands located at 728, 730, 742 and 744 Dundas Street, the proposed by-law appended to the staff report dated August 13, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 28, 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 Business District Commercial Special Provision (h-67•BDC(19)•D250•H46•B-12) Zone TO a Business District Commercial Special Provision (BDC(19)•D250•H46•B-12) Zone to remove the h-67 holding provision. (2018-D09)

Motion Passed

2.14 Application - 1100 Upperpoint Boulevard/1854 Oxford Street West - Removal of Holding Provisions (h and h-209) (H-8906)

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

That, on the recommendation of the Manager, Development Planning, based on the application by Sifton Properties Limited, relating to lands located at 1100 Upperpoint Boulevard, the proposed by-law appended to the staff report dated August 13, 2018 BE INTRODUCED at the Municipal Council meeting to be held on August 28, 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 R5 / Residential R6 / Residential R7 / Residential R8 (h.*h-209*R5-7/R6-5/R7 D75 H15/R8-4) Zone TO a Residential R5 / Residential R6 / Residential R7 / Residential R8 (R5-7/R6-5/R7 D75 H15/R8-4) Zone to remove the h and h-209 holding provisions. (2018-D09)

Motion Passed

2.15 Building Division Monthly Report for June 2018

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

That the Building Division Monthly Report for the month of June, 2018 BE RECEIVED for information. (2018-F-21)

Motion Passed

2.4 Application - 1631-1649 Richmond Street

Moved by: M. Cassidy
Seconded by: T. Park

That, the Civic Administration BE AUTHORIZED to accept and process Zoning By-law Amendment and Official Plan Amendment applications submitted by Zelinka Priamo Ltd., for the properties located at 1631 to 1649 Richmond Street; it being noted that the Planning and Environment Committee heard a verbal presentation and reviewed and received a communication dated July 26, 2018, from H. Froussios, Senior Associate, Zelinka Priamo Ltd., with respect to these matters. (2018-D09)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Motion Passed (5 to 0)

Additional Votes:

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

That H. Froussios, Zelinka Priamo Ltd., BE GRANTED delegation status with respect to this matter.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Motion Passed (5 to 0)

2.9 Application - 2427 Daisy Bend and 3025 Doyle Drive - Removal of Holding Provisions (H-8907)

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

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to lands located at 2427 Daisy Bend and 3025 Doyle Drive, the proposed by-law appended to the staff report dated August 13, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 28, 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 R5/R6 (h•h-54•R5-4/R6-5) Zone TO a Residential R5/R6 (R5-4/R6-5) Zone to remove the h and h-54 holding provisions. (2018-D09)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Motion Passed (5 to 0)

3. Scheduled Items

- 3.1 Delegation - L. Kirkness, Kirkness Consulting Inc. - Application - 2156 Highbury Avenue North

Moved by: T. Park
Seconded by: M. Cassidy

That, the Civic Administration BE AUTHORIZED to accept and process Zoning By-law Amendment and Official Plan Amendment applications by Chinmaya Mission (Canada), for the property located at 2156 Highbury Avenue North, to add a Neighbourhood Facility zone to the subject property in order to permit a Place of Worship; it being noted that the Planning and Environment Committee heard a verbal presentation from L. Kirkness, Kirkness Consulting, with respect to this matter. (2018-D09)

Yeas: (3): M. Cassidy, J. Helmer, and T. Park

Nays: (2): S. Turner, and A. Hopkins

Motion Passed (3 to 2)

- 3.2 Delegation - C. Linton, Developro - Capital Works Claim - Riverbend Meadows Phase 3 (33M-654)

Moved by: A. Hopkins
Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, the request for additional payment on the Capital Works Budget claim under 33M-654 Riverbend Meadows Phase 3 BE DISMISSED and no further action BE TAKEN as the original claim amount has been paid out in accordance with the Subdivision Agreement provisions; it being noted that the Planning and Environment Committee heard a verbal presentation from C. Linton, Developro Land Services Inc., with respect to this matter.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Motion Passed (5 to 0)

- 3.3 Public Participation Meeting - Application - 131 King Street (Z-8902)

Moved by: T. Park
Seconded by: A. Hopkins

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of York Development, relating to the property located at 131 King Street:

- a) the comments received from the public during the public engagement process appended to the staff report dated August 13, 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*;

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 to be presented at a future public participation meeting;

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

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 - 391 South Street (Z-8803)

Moved by: J. Helmer

Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application by The Corporation of the City of London, relating to the property located at 391 South Street, the proposed by-law appended to the staff report dated August 13, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 28, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a holding Residential R7/ Residential R9/ Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) Zone TO a holding Residential R8 Special Provision Bonus (h-__*R8-4(__)*B-__) Zone and a holding Residential R9 Special Provision Bonus (h-__*R9-3(__)*H30*B-__) Zone; it being noted that the (B-__) Bonus Zone shall be implemented through one or more agreements to provide for an apartment building height maximum of 23 storeys or 80m (262 ft) with an increased density of up to 705 units per hectare in return for the provision of the following facilities, services, and matters:

- a) a high quality development which substantively implements the site plan and renderings as appended to the staff report dated August 13, 2018 as Schedule "1" to the amending by-law, with minor revisions except where described in more detail below:

Lower Podium

- i) ensuring that brick is the primary material used to clad the lower podium portion of the building;
- ii) ensuring ground floor units facing the Riverfront Promenade and South Street include individually accessible and externally lockable front door entrances;
- iii) ensuring ground floor units provide walkways that lead to: a City sidewalk, the courtyard, the River Promenade, and the mid-block connection;
- iv) providing for elevated ground floor patios where possible, in order to provide for privacy and increase the livability of the ground floor units;
- v) ensuring the principle entrances into the apartment buildings are prominent and easily identifiable by: introducing a break in the rhythm of massing, including a high level of clear glazing, or through the incorporation of canopies;
- vi) ensuring high quality design of the south elevation with individual unit entrances and private amenity courtyard spaces oriented to the Riverfront Promenade, and avoid blank walls to provide a positive edge with active uses facing the promenade;
- vii) providing a green roof treatment and/or amenity space on top of the lower podium roof;
- viii) provision of all above-ground structured parking within the building entirely screened by active uses;

Courtyard

- i) ensuring that the Colborne Building is appropriately integrated with the proposed courtyard by including entrances, patios, and active ground floor uses;
- ii) utilizing similar materials, treatments and patterns (ie- paving, aerial string lights between new building and Colborne Building, etc) as the proposed SoHo Heritage Square to the north in the design of the proposed courtyard;
- iii) maintaining the vista to the Children's War Memorial Hospital Building from the courtyard, by relocating any artifacts such as the nurse's residence arch from the north of the courtyard to elsewhere in the courtyard;

Upper Podium

- i) incorporating brick is encouraged on the mid-rise (eight storey) portions of the building;
- ii) ensuring that the material and colour palette provides for a cohesive design between all elements of the development including the lower podium, towers, top of towers, and the Colborne Building;

Tower

- i) provision of slender point towers with floor plates less than 800m²;
- ii) ensuring the design of the top of the towers provides interest to the skyline and is well integrated with the design language of the overall development;
- iii) offsetting heights of 19 storeys on the north tower and 23 storeys on the south tower;

- b) conservation, retention and adaptive re-use of the existing heritage designated Colborne Building;
- c) provision of a publicly accessible open space courtyard which substantively implements the concept landscape plan appended to the staff report dated August 13, 2018 as Schedule “2” to the amending by-law, which features:
 - i) a publicly accessible connection over private lands from the SoHo Civic Space to the Riverfront Promenade;
 - ii) enhanced landscaping with the use of trees, shrubs, and various raised planting features;
 - iii) decorative paving reminiscent of the former Hospital uses;
 - iv) provision of publicly accessible seating areas;
 - v) provision of publicly accessible art pieces in accordance with the Public Art policies in section 20.6.3.3 of the Old Victoria Hospital Lands Secondary Plan through the installation of hospital artifacts; and,
- d) provision of two levels of underground parking;

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 reasons:

- the recommended amendment is consistent with the Provincial Policy Statement (PPS), 2014, which promotes intensification, redevelopment and a compact form in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- the adaptive reuse of the existing Colborne Building is consistent with the Provincial Policy Statement, as it encourages a sense of place and preserves important built heritage;
- the recommended amendment conforms to the Old Victoria Hospital Secondary Plan and facilitates the development of one of the Four Corners and a High Rise Residential block, and contributes to the creation of a vibrant mixed-use node;
- the recommended bonus zone provides for an increased density and height in return for a series of bonusable facilities, services and matters that benefit the public in accordance with Section 20.6.3.3 of the Old Victoria Hospital Lands Secondary Plan; and,
- the recommended amendment is appropriate for the site and context, and will implement the vision of the Old Victoria Hospital Secondary Plan on the City-owned lands, and be a catalyst for revitalization of the overall SoHo community. (2018-D09)

Yeas: (4): S. Turner, A. Hopkins, M. Cassidy, and J. Helmer

Motion Passed (4 to 0)

Additional Votes:

Moved by: M. Cassidy
Seconded by: J. Helmer

Motion to open the public participation meeting.

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: M. Cassidy
Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (4): S. Turner, A. Hopkins, M. Cassidy, and J. Helmer

Absent: (2): T. Park, and Mayor M. Brown

Motion Passed (4 to 0)

3.5 Public Participation Meeting - 2427 Daisy Bend and 3025 Doyle (39CD-18509)

Moved by: T. Park
Seconded by: A. Hopkins

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Sifton Properties Limited, relating to the lands located at 2427 Daisy Bend and 3025 Doyle Drive:

- a) the Approval Authority BE ADVISED that the following issues were raised by the public at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the properties located at 2427 Daisy Bend and 3025 Doyle Drive:
 - i) the installation of townhomes across from single existing family residences;
 - ii) concerns with respect to the proposed wrought iron fence;
 - iii) requesting a stone wall instead of a wrought iron fence;
 - iv) requesting trees, such as Blue Spruce, to be planted;
 - v) requesting the applicant work with the neighbours;
 - vi) requesting a wider circulation for Notices; and,
 - vii) requesting privacy when they sit on their front porches;
- b) the Approval Authority BE ADVISED that the following issues were raised by the Planning and Environment Committee members at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the properties located at 2427 Daisy Bend and 3025 Doyle Drive:
 - i) requesting boulevard trees be planted;

c) the Approval Authority BE ADVISED that the following issues were raised by the public at the public meeting with respect to the Site Plan Approval application relating to the property located at 2427 Daisy Bend and 3025 Doyle Drive:

- i) concerns with respect to the proposed wrought iron fence;
- ii) requesting a stone wall instead of a wrought iron fence;
- iii) requesting boulevard trees, such as Blue Spruce, to be planted;
- iv) requesting the applicant work with the neighbours;
- v) requesting a wider circulation for Notices; and,
- vi) requesting privacy when they sit on their front porches;

d) the Approval Authority BE ADVISED that the following issues were raised by the Planning and Environment Committee members at the public meeting with respect to the Site Plan Approval application relating to the property located at 2427 Daisy Bend and 3025 Doyle Drive:

- i) requesting boulevard trees be planted;

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

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: 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)

3.6 Public Participation Meeting - 1146-1156 Byron Baseline Road (Z-8847)

Moved by: A. Hopkins
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 2186121 Ontario Inc., relating to the properties located at 1146-1156 Byron Baseline Road:

a) the Local Planning Appeal Tribunal BE ADVISED that Municipal Council recommends that the request to amend Zoning By-law No. Z-1 to change the zoning of the subject property FROM a Residential R1 (R1-7) Zone TO a Residential R8 Special Provision (R8-4(_)) Zone, to permit a 4-storey (15 metre) apartment building BE REFUSED for the following reasons:

- i) the requested Zoning By-law Amendment is not consistent with the Provincial Policy Statement;
- ii) the requested Zoning By-law Amendment does not conform to the 1989 Official Plan; and,
- iii) the requested Zoning By-law Amendment does not conform to The London Plan;

b) the Local Planning Appeal Tribunal BE ADVISED that Municipal Council recommends that in the event that the Local Planning Appeal Tribunal allows the appeal in whole or in part, that the Local Planning Appeal Tribunal BE REQUESTED to withhold its Order(s) approving the application until such time as the Tribunal has been advised by the City Solicitor that:

- i) the proposed Zoning By-law Amendment is in a form satisfactory to the City Planner and City Solicitor;
- ii) a hydrogeological report has been completed and all necessary mitigation measures have been implemented to the satisfaction of the City Engineer;
- iii) a Site Plan application has been made and a Site Plan Agreement has been entered into between the City and the owner following a public Site Plan review process;

c) the City Solicitor BE DIRECTED to provide legal and planning or expert witness representation at the Local Planning Appeal Tribunal hearing in support of Municipal Council's position;

it being further noted that the Planning and Environment Committee reviewed and received the following communications with respect to this matter:

- a communication dated July 27, 2018, from K. and J. White, 126 October Crescent;
- a communication dated July 30, 2018, from T. and R. Wolf, 399 Lansing Avenue;
- a communication from R. Toft, 34 September Lane;
- a communication dated July 30, 2018, from J. Lee and J. Burkell, 1158 Byron Baseline Road; and,
- a communication from I. and J. Clark, 1044 Griffith Street;

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 refuses this application for the following reasons:

- the requested Zoning By-law Amendment is not consistent with the Provincial Policy Statement;
- the requested Zoning By-law Amendment does not conform to the 1989 Official Plan; and,

- the requested Zoning By-law Amendment does not conform to The London Plan. (2018-D09)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

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: M. Cassidy
 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)

4. Items for Direction

4.1 7th 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 7th Report of the Trees and Forests Advisory Committee from its meeting held on July 25, 2018:

a) the Civic Administration BE ADVISED of the following comments from the Trees and Forests Advisory Committee with respect to the Parks and Recreation Master Plan:

- it should be ensured that trees continue to populate the City of London as it is “The Forest City” and more trees should be planted in shared recreation spaces;
- it is recommended that a shade policy be created as a task item and implemented under the Parks and Recreation Master Plan;
- selective tree species should be planted in parks and recreation areas to assist with safer shaded areas;
- older trees should be kept and maintained as much as possible and all trees should be properly maintained (watering, trimming, etc.);
- citizens of the City of London should be engaged with respect to what is being done to protect and encourage trees and forests in their area;
- tree-related communities (i.e., ReForest London) should be allowed to use parks and recreation facilities to hold events;

- the Parks and Recreation Master Plan should explicitly recognize the importance of park spaces play in the local environment and that park spaces should be designed in such a way as to enhance the environmental benefits they offer; and,
- it is recommended that a Naturalization Policy be included as a task item under the Parks and Recreation Master Plan;

b) the Civic Administration BE ADVISED of the following comments of the Trees and Forests Advisory Committee with respect to the City of London Tree Protection By-law:

- there should be a standardized form as part of the application package for both the “Arborist Report” and the “Arborist Opinion”;
- the by-law should include a minimum canopy target of 51% of irreversible die back;
- the definition of “Pest” should be revised to include an infestation causing detrimental and irreversible damage to the direct health of a tree;
- the distinctive tree size should be reduced to 25 cm for a permit;
- the definition of “Replacement Tree” should be revised to clarify that “native” is required and that “shade” and “large growing tree” are synonymous;
- golf courses should be added to the exemption list in Section 5 of the by-law; and,
- wildlife values and interests within a tree should be considered more carefully with respect to provincial and federal Acts and Regulations and tied back to the by-law process to ensure a consistent approach;

it being noted that the communication appended to the 7th Report of the Trees and Forests Advisory Committee from the Tree Protection By-law Working Group, with respect to this matter, was received; and,

c) clauses 1.1, 2.1, 3.1, 3.2 BE RECEIVED.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Motion Passed (5 to 0)

4.2 8th Report of the Environmental and Ecological Planning Advisory Committee

Moved by: T. Park
Seconded by: M. Cassidy

That, the following actions be taken with respect to the 8th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on July 19, 2018:

- a) the Working Group comments appended to the 8th Report of the Environmental and Ecological Planning Advisory Committee, relating to the Parks and Recreation Master Plan review BE REFERRED to the Civic Administration for review and consideration; it being noted that the Environmental and Ecological Planning Advisory Committee is willing to assist with the review of the Parks and Recreation Master Plan;
- b) the following actions be taken with respect to the Environmental Impact Study and Hydrogeological Study, relating to the properties located at 3070 Colonel Talbot Road and 3645 Bostwick Road:

i) a Working Group BE ESTABLISHED, consisting of S. Levin (lead), R. Trudeau and I. Whiteside to review the Environmental Impact Study and Hydrogeological Study, relating to the properties located at 3070 Colonel Talbot Road and 3645 Bostwick Road; and,

ii) the Division Manager, Environmental & Engineering Services, BE REQUESTED to provide a status update on the Dingman Creek Subwatershed study;

it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received a Notice of Planning application, revised Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments from N. Pasato, Senior Planner, with respect to this matter;

c) clauses 1.1, 3.1, 3.2, 5.3, 5.4, 6.1 and 6.2 BE RECEIVED.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and T. Park

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

Solicitor-Client Privilege/Litigation/Potential Litigation

Moved by: T. Park

Seconded by: M. Cassidy

The Planning and Environment Committee convened in Committee, In Closed Session, from 7:44 PM to 7:50 PM, with respect to the following matter:

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal, and for the purpose of providing instructions and directions to officers and employees of the Corporation.

7. Adjournment

The meeting adjourned at 7:51 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Application – 131 King Street (Z-8902)

- Laverne Kirkness, Kirkness Consulting, on behalf of York Developments – appreciating the fact that this is a very significant development for the Downtown and they appreciate that it is happening in two steps, that is, they come before the Planning and Environment Committee in the statutory public meeting context and then go home and do their refinements and then come back with a perfect proposal; indicating that they are here to listen and are also happy to respond to any questions.
- Bob Usher, CEO and General Manager, Covent Garden Market – expressing support for the application; feeling that it is a positive step for Downtown in the vibrancy and they expect all of the tenants will be shopping at the Covent Garden Market; expressing minor concerns; however, they seemed serious enough that they felt they had to bring them forward tonight; stating that when you look at the development and when you look at the proximity of where they are intending to have cars exiting onto King Street it is almost adjacent to the underground parking at Covent Garden Market, when you put the two together and especially with Bus Rapid Transit, which, if it goes ahead, they think there is going to be a major traffic problem and they believe that if there is going to be the parking exiting onto King Street it needs to move up a bit further the other way, closer to Budweiser Gardens, on the westerly side so that they are not almost identically across from each other; pointing out that you have to remember that when there is a major event, certainly at Budweiser Gardens or in the Downtown, they have almost five hundred cars leaving the parking almost all at the same time; stating that they are never going to get out of that apartment complex if it is directly across from the Covent Garden Market parking; suggesting the applicant take a look at where it exits and even move it up a bit rather than directly across from them; expressing another concern, that if you look at the way the building is seemingly being developed in between the adjacent property where Suki has his hair salon, there is a four foot alley; believing that a four foot alley is looking for trouble; believing that it should almost abut onto Suki's building and there are other concerns that Suki has brought up in his documents that he sent forward but they see the two items that he has mentioned they feel are very serious and need to be addressed.
- Greg Priamo, Zelinka Priamo Ltd., on behalf of Ms. Mendez, who owns the properties directly to the west of this property, 123, 125, 127 King Street – echoing the comments of Mr. B. Usher, Covent Garden Market; advising that they like the idea of the project and think it has a lot of very positive attributes and it has the making for a good addition to the Downtown; advising that their clients' interests are very particular, of course, as they are right beside it; indicating that they have three two-storey buildings that will now be next to a thirty storey building, they have residential units that face the laneway between their property and the York development and they are concerned about the functionality of those spaces, the aesthetics and the livability of those spaces going forward; expressing concern with the period of time when the building is under construction and the impacts that that may have on the function of their clients' buildings in both commercial and residential respects and that they will be managed properly; expressing concern about the function of the laneway between the two properties; stating that the ownership issue of the laneway is still subject to some review although, as it stands right now, each property owner alleges ownership of half the laneway; advising that his client has established access use over the entire laneway historically; looking to resolve that; that being said, during the process to date, they have been in contact with York Developments and they have been very responsive to their concerns, they have met with them on several occasions and they are working through these processes and these issues and at this point they are very hopeful because the

discussion has been very constructive and positive that they can, as the project continues to evolve and finalize, that they can get into some of the details that will be necessary in order to be satisfied with some of these issues and, through this forum, they would encourage staff and York Developments to continue to pursue that process and they will certainly do their part to try to resolve any issues that may come about; advising that they provided a letter to staff and Council; noting that it is on the Planning and Environment Committee Agenda and it provides more detail as to the aspects of some of their concerns; encouraging the Planning and Environment Committee Members to read it; he knows that staff has been through it carefully; hoping that they can resolve those issues and move forward with a positive development.

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – Application – 391 South Street (Z-8803)

- Luka Kot and Rad Vucicevich, on behalf of Medallion Properties – commending staff on their excellent work as this has been a highly collaborative process; advising that they are here to hear comments from the community and to answer any questions; looking forward to working with the Planning and Environment Committee on making the best project possible for 391 South Street.
- Shelly Carr, 50 Ridout Street – indicating that currently she is not a member of the SoHo community; however, she has some roots within SoHo for the last three years; advising that she had to move away because there is a shortage of accessible rental housing in SoHo; stating that many rental units are converted homes or walk ups which make rental choices difficult for people with disabilities and for seniors; furthermore, there is only one high rise that has an elevator; noting that the other four are geared-to-income and have five year waiting lists; reiterating that she currently lives in Old South; housing is expensive there compared to SoHo; pointing out that a two bedroom in Old South runs \$1,100 to \$1,300 a month when SoHo has two bedrooms well under \$1,000; advising that Medallion has proven themselves to be incognizant of the needs of an area as seen in Old East Village; indicating that she has had the opportunity to take a tour of the Medallion development in Old East and all of them were much, much cheaper than even where she lives now; thanking staff for putting the effort into this development; believing that many people are excited about this proposed building site, heritage people are pleased with the proposed preservation of the Colborne Hospital and neighbours are pleased not to see an empty field; realizing that there will be no shadowing on present homes as you can see by the development; stating that this is a fantastic way to grow and develop SoHo; looking forward to seeing this development and the future of SoHo.
- Genet Hodder, 20 Mayfair Drive – advising that she does not live in SoHo but she cares a lot about that neighbourhood as she does about other of the older neighbourhoods, particularly in London; advising that she would like to say that this planned development and restoration of the Colborne building is beyond wonderful; indicating that she cannot say enough about it; hoping that there will be some reference to the Elsie Perrin Williams building, the art deco components that have been lost and that that might be incorporated someplace, perhaps in the courtyard or elsewhere; reiterating that she things this is a wonderful project and she commends Medallion staff for moving into challenging neighbourhoods and taking the risk.

PUBLIC PARTICIPATION MEETING COMMENTS

3.5 PUBLIC PARTICIPATION MEETING – Application – 2427 Daisy Bend and 3025 Doyle (39CD-18509)

- Lindsay Clark, Sifton Properties – expressing support for the staff recommendation.
- Gary Simm, 1764 Hamilton Road – indicating that he lives directly across from the Sifton Properties site; advising that his family has lived there since the 1940's and live in one of the original homes that is on that road; providing some history of the area; it was annexed by the City of London in 1993 and from then until now it has largely remained untouched; indicating that even after the building, the subdivisions that have gone in, it will still largely be a rural area; advising that many of the homes are large properties, large parcels with open yards; realizing that change is happening; stating that the subdivision is going to be across from them, the picturesque view that they had will not necessarily remain the same; expressing disagreement with Mr. L. Mottram, Senior Planner, in regards to the three complaints or the three questions that were e-mailed; indicating that he talked to many of the neighbours, seeing the e-mails that were sent off; advising that many of them have concerns about the fact that there would be townhomes going in directly across from them; pointing out that if you were to go over White's bridge coming from in town out towards their area, you would see that it is a sleepy country neighbourhood and he is not saying that the subdivision does not fit with the neighbourhood but the townhomes at the roadway are not in keeping with what is there; the wrought iron fence, as Mr. L. Mottram, Senior Planner, had brought up, is something that a lot of us have large concerns over; our big thing would be that the condominium board has agreed to be in agreement to say that we are going to maintain this wrought iron but all you have to do is go up to Commissioners Road between Wharnccliffe Road and Wellington Road and look at the wrought iron that is along there; noting that some of those homes are million dollar homes that they are not maintained and who is to say that what looks disheveled, is that going to be taken care of five years down the line, will the condo board have enough money to take care of that; from a privacy standpoint, a lot of us neighbours have said that if you go up the road on Commissioners Road to frankly a lower end neighbourhood than what we have where we are, would be a stone wall; noting that they have that running right across the face of their subdivision, if you will; advising that there are stone pillars and then right out at the boulevard or the walkway/sidewalks, they have trees planted there; suggesting that a stone wall would go along that area and perhaps a tree that would not shed, something like a Blue Spruce because it is a high speed road and in the Fall you do not want leaves on the road; noting that, in the Fall, everyone knows that you have to watch out for that; proposing that the City of London and Sifton Properties could work with the neighbours in his area and put out a memo or a plan that basically says that we have three or four designs within reason, within cost and send that to everybody along their street and ask the residents to vote on it and pick which one they think is best because they are left with whatever they decide at this point and a lot of people, regardless of this project, have been very unhappy with the communication that has gone on between Sifton Properties, Tridon and the City with a lot of this; advising that, for this meeting tonight, many of the neighbours did not even know that it was going on; indicating that he has had talks with the City and there is a one hundred twenty metre affected area where memos go out and that is one of the other things that he would request this evening, whatever the results of this meeting are; advising that he has a piece of paperwork that has all of his neighbours addresses if he could give that to Mr. L. Mottram, Senior Planner, or whoever would be best, if someone could please send out by mail what the results of this meeting are and keep everybody up-to-date with what is going on with this Sifton development; reiterating that a lot of the neighbours feel that a

stone wall would be best in keeping with what is in the neighbourhood; indicating that a lot of the area residents also feel that the townhomes should not be there in the first place; indicating that if you were to drive out here and if anybody from the Council would like to come out he would give them the grand tour, it is not in keeping with the neighbourhood; understanding that, in Canada, we do not have ghettos but they should have been put at the back of the subdivision; speaking for most of his neighbours, they would agree with that; stating that, even if that cannot be done at this point, a wall or some trees along the way would be a lot better; pointing out that one of his other neighbours raised issues about the wrought iron fencing causing drifts and things like that that he knows about further down, one of the other homes was built in the 1960's and if you have not been there, on our street, for thirty years, you are new; a lot of us neighbours have grown up in the country and have been used to what has gone on on that street and it is a big change for a lot of them to accept but the big thing is communication and getting what their opinion is out to members of the City and Sifton Properties and they were told that the wrought iron was going to be the plan and they are not happy about it; asking that the staff keep everyone, it does not matter what end of the street you live on; reiterating that he would like to provide someone with the piece of paper that has everyone's address, even if they are outside the one hundred twenty metre zone, that they get that and that they have input and a vote as to what that will be within reason; realizing that you cannot ask for the moon; *(Councillor S. Turner advising that he is going to cut him off because he is well past his five minutes.);* the road that is tied into Oriole Drive, they put that in in 2017 and they did not notify any of the neighbours along that way, they put a blind hill down and it has had a negative effect and it will have a permanent negative effect on their properties; advising that he will not get into why, but they will be having discussions with the City, all of our neighbours and other impacts but that is one of the things, again, nobody knew about, it just happened, people came, saw cut our driveways and now will permanently have a negative effect and if you need evidence to that fact, he can give you three neighbours as well as the addresses and numbers that would go along with that and that is for down the road; *(Councillor Turner indicating that that is not related.);* realizing that, but he is echoing the general sentiment of the neighbourhood and it does not tie in with what is in the neighbourhood; *(Councillor S. Turner advising that he is going to cut him off because he is well past his five minutes.);* see attached map.

- Clara Simm - advising that she owns the property in the middle right across from this; mentioning wrought iron gate; asking people to imagine, she does not think that there is anybody in here that would be sitting out on their front yard, she has a beautiful porch and other people in the area do too and she is going to be staring at at least fifteen townhomes and they are going to be staring at her; advising that she does not see why you cannot put a stone wall there like they have done at Summerside and a lot of other places other than Sifton does not want to pay the cost; reiterating that she would like the Committee to think of that, if you sit on your front porch, if you have one, are you going to be looking at fifteen townhouses and they are going to be looking at you, it would be nice to have a stone wall for privacy there.



PUBLIC PARTICIPATION MEETING COMMENTS

3.6 PUBLIC PARTICIPATION MEETING – Application – 1146-1156 Byron Baseline Road (Z-8847)

- Ben Billings, LDS Consulting – thanking Ms. M. Knieriem, Planner II, for her professionalism through this process; noting that it has been highly appreciated; advising that the report is well-written, well balanced; however, they do not agree with the assertion that it does not comply with the Provincial Policy Statement, the current Official Plan and the upcoming London Plan; advising that you will note that throughout the report, the report does say that the application generally applies with but the only stickler seems to be that it does not fit on this site; advising that that wording is consistent throughout the report; their contention is the fact that the application, the proposal does fit the site; advising that they have a secondary process called site plan approval which they work with the municipality to make sure that the development complies with the zoning regulations that they take into consideration the concerns of the residents so they believe there is a secondary process in place for those concerns; appreciating that there is considerable opposition to this particular application; however, the planning paradigm is changing throughout Ontario, the municipalities and the Province alike are requiring higher densities, even in established areas as they redevelop so they see there is a shift in paradigm in terms of density, infill and intensification proposals throughout the Province; indicating that they have not really had a confirmation of what municipal staff will support in terms of the height as the height seems to be the major issue here; advising that they had talked about, in terms of three storeys but there were never able to get a confirmation from staff that three storeys was acceptable; stating that their proposal is four storeys and the net result of that is that they are talking about one storey in terms of potential impact on the surrounding neighbourhood; thinking that they are quite close with the municipality but they are not really sure and they do not agree with the assertion that the project, as submitted, does not comply with the applicable planning policies; *(Councillor S. Turner indicating that Ms. M. Knieriem, Planner II, indicated that the applicant was working with staff and had agreed to move forward past the application deadline or the consideration deadline prior to it being brought forward to the Planning and Environment Committee and, as an applicant, you had requested that it not come forward to the Planning and Environment Committee at that time and now an appeal has been made; wondering what that represents.);* Mr. B. Billings, LDS Consultants, responding that represents that they were, in their opinion, unable to reach an agreement with staff with respect to how to go forward with the application; as mentioned, there was some discussion about a three storey proposal but that was never confirmed in writing by Planning staff so that is where things broke off in terms of discussion.
- Dan Doroshenko, 374 Foyston Road and Greg Thurston, 18 September Lane - See attached presentation.
- Terry Wisniewski, 27 September Crescent – advising that she has been a resident in that area for thirty years; indicating that they have seen a lot of change in Byron over that time and most of it has been welcomed by the community; stating at the outset that she and her husband are not against developing that property, in fact, they have looked at it for years and said that it is an empty site and they would like to see it developed; unfortunately, there are a number of issues with this recommendation and the greatest outside the fact that the building is way too large for the existing site is parking; the consultants have stated that the above-ground spaces are more than adequate as the people in the said buildings, the majority of which will be using public transit; expressing amazement that they can look into the future and know this; advising that most people that she knows own at least one car, if not two; the answer is not how to provide adequate parking would be to simply put it underground; no need now to

push the building right on top of the sidewalk in order to squish enough spaces for the required parking spaces; underground parking will also eliminate a lot of the noise issues and allow for the green spaces to be created around the building to provide everyone with much needed buffer zone and privacy; the winter snow adds another issue, in order to clear the lot of snow, it would be pushed right to the backyards of the neighbours and what happens when the run-off from the large banks of snow; underground would be more expensive but all the latest multi-level construction that has taken place recently in Byron has this feature; the simplest way to resolve all the many issues is to deny this request and send the builder back to the drawing board to create a new plan that will be much more in tune with the existing surroundings of the single family homes of one or two storeys; a two storey condo, which would still allow the building owner to make a lot of money off these properties; when all is said and done, these properties were purchased with the designation of single family homes she is unaware, as well, of any compromise on behalf of the builder; allowing a developer to go ahead way beyond the set out guidelines could easily lead to a domino effect that will become a free for all with regards to all small lots within the city.

- Robert Toft, 34 September Lane – indicating that he submitted a written document to the Planning and Environment Committee; agreeing with everything that everyone else has said here tonight on the residents side; advising that he was here at 5:00 PM and he heard that some of the other developers actually seemed to work with the community openly and get their input before they submit plans and then are willing to change those plans if they have further comments that are in need of consideration; advising that the developer for this application has not done that and, in fact, he attended some of the meetings and he was quite heartened that the panel of architects that the City employees to review these projects thought it was a pretty poorly conceived document that they had submitted in terms of their planning report; indicating that when he read their planning report he was shocked at how much misrepresentation was in it as Mr. G. Thurston and Mr. D. Doroshenko pointed out and he pointed it out in his report; advising that he is of the old-fashioned belief that there needs to be honesty and integrity in dealing with the city, in dealing with the residents and they simply have not had it from this developer.

Byron community opposition to re-zoning request for 1146 - 1156 Byron Baseline Road

Presenters: Greg Thurston, Dan Doroshenko

Internal

Agenda

Date: August 13, 2018
Location: London City Hall

Presentation Agenda

1. Opposition Statement
2. Errors in Urban Design Brief
3. Urban Design Peer Panel review
4. Location Map
5. Community Involvement
6. Formal Request

Property Details

Address: 1146 - 1156 Byron Baseline Road
Rezoning Request: R1 to R8
Company: 2186121 Ontario Inc (Birani Homes)
Proposed Building Height: 4 stories
Proposed Building Units: 38 units
Property Acreage: 0.54 hectares

Internal

Opposition Statement



Internal

Errors in Urban Design Brief

Springbank Gardens at 420,430,440 North Street London



Springbank Garden apartments are aligned in height to neighboring homes

Internal

Errors in Urban Design Brief

Springbank Gardens at 420,430,440 North Street London



Three storey apartment below grade of Byron Baseline Road

Internal

Errors in Urban Design Brief

Town Homes at 1100 Byron Baseline



Properties are single and two story homes

Internal

Errors in Urban Design Brief

Heritage Property at 1158 Byron Baseline



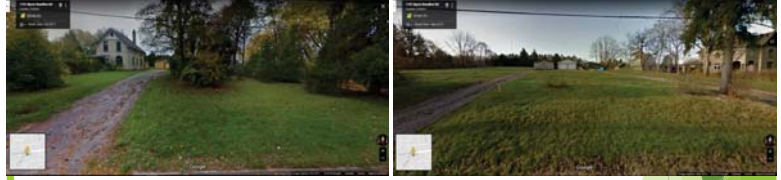
Property is 2.5 story home

Internal

Errors in Urban Design Brief

Google Earth View October 2011

Google Earth View May 2015



Property was not vacant until purchased by the applicant in 2012

Internal

Errors in Urban Design Brief



"Cedar Hedge" does not provide buffer

Internal

Urban Design Peer Review Panel

Direct quotes from panel review on December 20, 2017

- "Amenity space and front yard buffer required"
- "Needs amenity space for tenant"
- "Too tall, too big, footprint too large"
- "Consider different built form to reflect the patterning in neighborhood"
- "Need to look at reducing height or a townhouse model"

Urban Design Peer Review Panel Members

- Adrian Dyer – Studiodyer, Architect
- Jason McIntyre – Cornerstone Architecture, Architect
- John Nicholson – Nicholson Sheffield Architects Inc., Architect
- Janine Oosterveld, City of Kitchener, Urban Designer
- Sung Ae Sim – Terraplan landscape architects, Landscape Architect

Internal

Location Map



Internal

Community Involvement

- Interested Parties – 149
- Concerned Parties – 146
- Community meetings - 3

Internal

Formal Request

The Planning & Environmental Committee recommendation to City Council to decline this request for a zoning change for this development.

City of London opposition to this claim at the Ontario Municipal Board meeting in October, 2018



Internal

Appendix "A"

Lease Extension Agreement

THIS EXTENSION AGREEMENT made the ____ day of _____, 2018.

BETWEEN:

The Corporation of the City of London
(the "Landlord")

AND

The Canadian Medical Hall of Fame
(the "Tenant")

WHEREAS:

1. By a lease dated April 25, 2017 (the "Lease"), the Landlord leased to the Tenant the premises (the "Premises") more fully described in the Lease and being located municipally at 267 Dundas Street, London, ON for a term of Eighteen (18) months from October 1, 2017 to March 31, 2019, upon and subject to the terms and conditions set forth in the Lease;
2. The parties wish to extend the term of the lease as hereinafter provided.

NOW THEREFORE for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto hereby covenant and agree with each other as follows:

1. The Term of the Lease is hereby extended for the period (the "Extension Term") of four months from April 1, 2019 to July 31, 2019, with no further rights to extend or renew.

2. The Tenant shall pay Basic Rent during the Extension Term, at the times and in the manner provided in the Lease.

3. The Tenant shall pay all Additional Rent and other charges and expenses payable pursuant to the Lease during the Extension Term, at the times and in the manner provided in the Lease.

4. The Tenant agrees that it will accept the Premises "as is" and, without limitation, any tenant allowances, rent free periods, Landlord's Work or other Landlord construction obligations and other inducements (if any) contained in the Lease do not apply to the Extension Term.

5. This Agreement shall be read together with the Lease and the parties confirm that, except as modified herein, all covenants and conditions in the Lease remain unchanged, unmodified and in full force and effect.

7. Any capitalized word or term not otherwise defined herein shall have the meaning given thereto in the Lease.

8. If the Lease is terminated by the Landlord before the end of the current Term pursuant to any right of the Landlord under the Lease, then, without limiting any other rights or remedies of the Landlord, the Extension Term shall not commence.

9. The parties agree, from time to time, to do or cause to be done all such things, and shall execute and deliver all such documents, agreements and instruments reasonably requested by another party, as may be necessary or desirable to complete the extension contemplated by this Agreement and to carry out its provisions and intention.


10. This Agreement shall enure to the benefit of and be binding upon the parties and their legal representatives, heirs, executors, administrators, successors and permitted assigns, as the case may be.

IN WITNESS WHEREOF the Corporation of the City of London has hereunto caused to be affixed its Corporate Seal attested by the hands of its proper signing officers pursuant to the

authority contained in By-law No. _____ of the Council
of the Corporation of the City of London passed the _____ day of _____.

IN WITNESS WHEREOF the parties hereto have executed this Agreement.

Canadian Medical Hall of Fame

Per:  *Lissa Foster.*
Name: _____ *Executive Director*
Title: _____

I/We have authority to
bind the Corporation

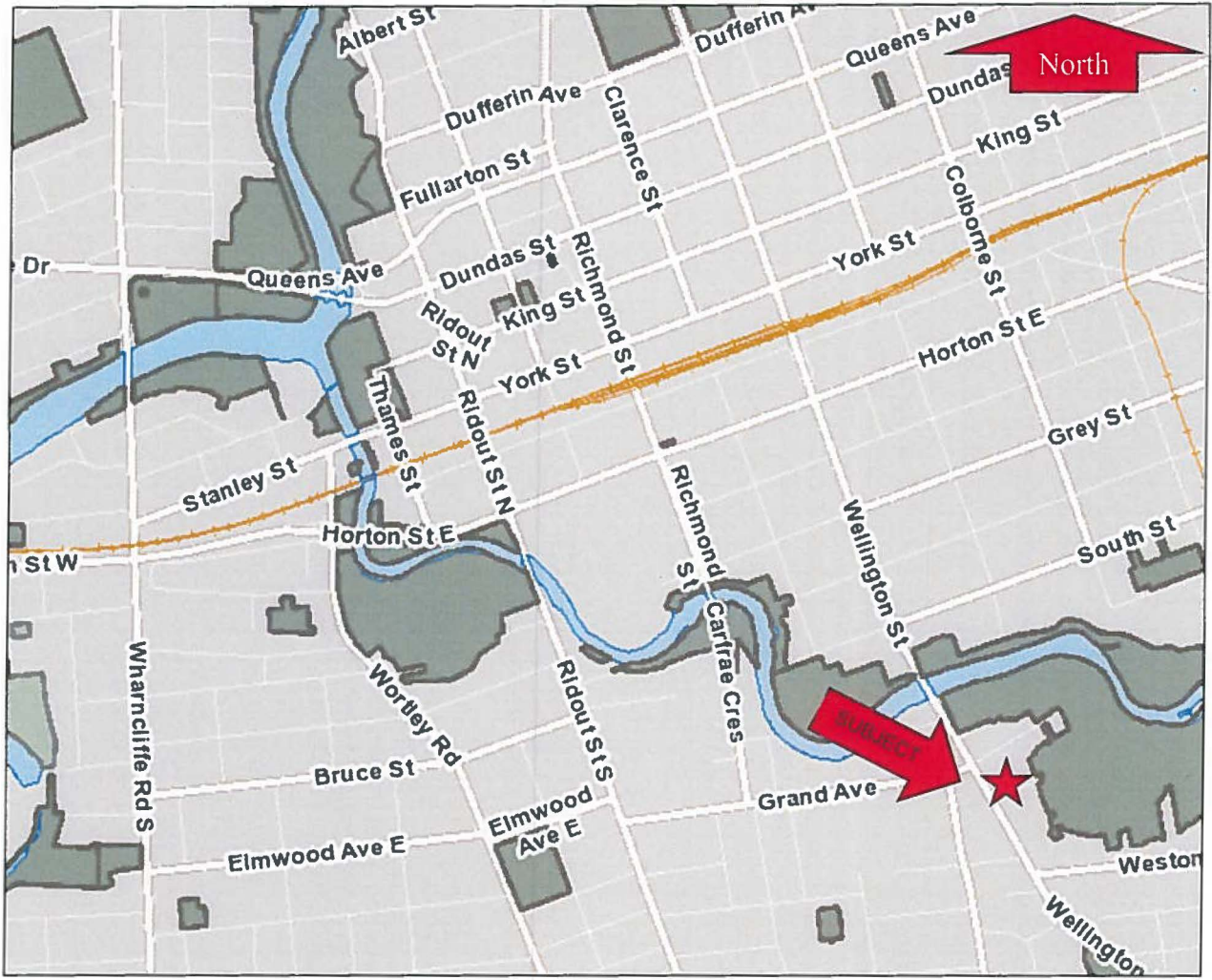
Per: _____
Name: _____
Title: _____

Corporation of the City of London

Per: _____
Matt Brown, Mayor

Per: _____
Catharine Saunders, City Clerk

Location Map



Chair and Members
 Corporate Services Committee

RE: **Property Acquisition - Bus Rapid Transit Project**
(Subledger LD180029)
Capital Project TS1430-1 - RT 1: Wellington Rd - Bradley Ave to Horton St S Leg Widening
32 Wellington Road

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>Revised Budget</u>	<u>Committed To Date</u>	<u>This Submission</u>	<u>Balance For Future Work</u>
Engineering	\$2,141,632	\$2,141,632	\$2,141,590		\$42
Land Acquisition	2,063,000	1,944,884	1,083,768	227,852	633,264
Construction	1,000	1,000	445		555
City Related Expenses	768,000	886,116	886,116		0
NET ESTIMATED EXPENDITURES	\$4,973,632	\$4,973,632	\$4,111,919	\$227,852 1)	\$633,861
SOURCE OF FINANCING					
Capital Levy	\$261,232	\$261,232	\$168,996	\$27,164	\$65,073
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) 1,930,000	1,930,000	1,248,550	200,688	480,761
PTIF (Public Transit Infrastructure Fund)	2,782,400	2,782,400	2,694,373		88,027
TOTAL FINANCING	\$4,973,632	\$4,973,632	\$4,111,919	\$227,852	\$633,861

1) Financial Note:

Purchase Cost	\$222,000
Add: Land Transfer Tax	1,945
Add: HST @13%	28,860
Less: HST Rebate	(24,953)
Total Purchase Cost	\$227,852

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

APPENDIX "A"
CONFIDENTIAL - Released in
Public

#18137
 August 14, 2018
 (Property Acquisition)

Chair and Members
 Corporate Services Committee

RE: Property Acquisition - Bus Rapid Transit Project
(Subledger LD180030)
Capital Project TS1430-1 - RT 1: Wellington Rd - Bradley Ave to Horton St S Leg Widening
34 Wellington Road

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	\$2,141,632	\$2,141,590		\$42
Land Acquisition	1,944,884	1,311,620	318,581	314,683
Construction	1,000	445		555
City Related Expenses	886,116	886,116		0
NET ESTIMATED EXPENDITURES	<u>\$4,973,632</u>	<u>\$4,339,771</u>	<u>\$318,581</u> 1)	<u>\$315,280</u>
SOURCE OF FINANCING				
Capital Levy	\$261,232	\$196,159	\$37,980	\$27,092
Drawdown from City Services - Roads Reserve Fund (Development Charges)	1,930,000	1,449,239	280,601	200,161
PTIF (Public Transit Infrastructure Fund)	2,782,400	2,694,373		88,027
TOTAL FINANCING	<u>\$4,973,632</u>	<u>\$4,339,771</u>	<u>\$318,581</u>	<u>\$315,280</u>

1) Financial Note:

Purchase Cost	\$310,000
Add: Land Transfer Tax	3,125
Add: HST @13%	40,300
Less: HST Rebate	(34,844)
Total Purchase Cost	<u>\$318,581</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

Bill No. 525
2018

By-law No. A.- ____ - ____

A by-law to confirm the proceedings of the Council Meeting held on the 28th day of August, 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 August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

Bill No. 526
2018

By-law No. A.- ____ - ____

A by-law to repeal By-law No. CPOL.-68(a)-406 being, "A by-law to amend By-Law No. CPOL-68-300 being "Issuance of Computer Equipment to Council Members."

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;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law No. CPOL.-68(a)-406 being, "A by-law to amend By-Law No. CPOL-68-300 being "Issuance of Computer Equipment to Council Members" passed on July 24, 2018 is hereby repealed.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – August 28, 2018
Second Reading – August 28, 2018
Third Reading – August 28, 2018

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. **Designation of Parking Spaces**

By-law PS-113 is hereby amended by **deleting** the following:

76. (1) Where in a public parking lot or facility one or more parking spaces are intended for the sole use of a vehicle of a disabled person, the owner or operator of the public parking lot or facility shall identify each such parking space by erecting an official sign in such a manner that the official sign shall be clearly visible to the operator of any vehicle approaching or entering such parking space. The official sign shall be erected on a post secured in the ground or on a wall. The official sign shall be at the front of the parking space in the middle so that the bottom of the sign is between 1.2 m and 1.8 m above the parking lot surface.

By-law PS-113 is hereby amended by **adding** the following:

76. (1) Where in a public parking lot or facility one or more parking spaces are intended for the sole use of a vehicle of a disabled person, the owner or operator of the public parking lot or facility shall identify each such parking space by erecting an official sign in such a manner that the official sign shall be clearly visible to the operator of any vehicle approaching or entering such parking space. The official sign shall be erected on a post secured in the ground or on a wall. The official sign shall be at the front of the parking space in the middle so that the sign is between 1.5 m and 2.0 m when measuring from the grade to the centre of the sign.

2. **No Stopping**

Schedule 1 (No Stopping) of the By-law PS-113 is hereby amended by **deleting** the following row:

Sherwood Forest Square	North, West and South	A point 165 m west of Wonderland Road N	A point 235 m west of said street	7:00 am to 6:00 pm Monday to Friday
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Schedule 1 (No Stopping) of the By-law PS-113 is hereby amended by **adding** the following rows:

Sherwood Forest Square	Both	A point 170 m west of Wonderland Road N	A point 130 m west of Wonderland Road N	Anytime
Sherwood Forest Square (north and south leg)	Both	A point 170 m west of Wonderland Road N	A point 260 m west of Wonderland Road N	7:30 a.m. to 8:30 a.m. and 2:00 p.m. to 3:00 p.m. Monday to Friday September 1 st to June 30 th

Shore Road	South	A point 205 m west of Riverbend Road	Riverbend Road	Anytime
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2. **No Parking**

Schedule 2 (No Parking) of the By-law PS-113 is hereby amended by **deleting** the following rows:

Base Line Road E	South	A point 71 m west of Wellington Road	Westminster Avenue	Anytime
Evans Boulevard	South	Jackson Road	Green Gables Road	Anytime
Sherwood Forest Square that portion of a lane extending from Sherwood Forest Square (north leg) to Sherwood Forest Square (south leg)	Both	Sherwood Forest Square (north leg)	Sherwood Forest Square (south leg)	Anytime
Sherwood Forest Square (west leg)	East	Sherwood Forest Square (north leg)	Sherwood Forest Square (south leg)	Anytime
Tallwood	Both	A point 115 m north of Windermere Road	Windermere Road	8:00 a.m. to 6:00 p.m.
Wortley Road	East	Bruce Street	A point 37 m south of Bruce Street	Anytime

Schedule 2 (No Parking) of the By-law PS-113 is hereby amended by **adding** the following rows:

Banbury Road	South	A point 75 m west of Deveron Crescent	Deveron Crescent	Anytime
Base Line Road E	South	A point 250 m west of Wellington Road	Westminster Avenue	Anytime
Brock Lane	North	Brock Street	East limit of Brock Lane	Anytime
Elworthy Ave (East Leg)	West and South	Base Line Road E	A point 125 m north of Base Line Road E	Anytime
Evans Boulevard (south leg)	North	A point 42 m west of Green Gable Road	Green Gable Road	Anytime
Evans Boulevard (south leg)	South, West and North	Jackson Road	A point 80 m west of Green Gable Road	Anytime
Kerrigan Court	South	A point 55 m west of Farnham Road	Farnham Road	Anytime
North Wenige Drive	North	A point 75 m north of Sunningdale Road E	Ballymote Avenue	Anytime
Sherwood Forest Square	Both	Sherwood Forest Square (south leg, east intersection)	Wonderland Road N	Anytime

Sherwood Forest Square (north leg)	Both	Sherwood Forest Square (south leg, west intersection)	Sherwood Forest Square (south leg, east intersection)	Anytime
Sherwood Forest (south leg)	Both	Sherwood Forest Square (north leg, west intersection)	Sherwood Forest Square (north leg, east intersection)	Anytime
Sherwood Forest Square, the area that constitutes the traffic island	Both	A point 117 m west of Wonderland Road N	A point 95 m west of Wonderland Rd N	Anytime
Sherwood Forest Square, the area that constitutes the traffic island	Both	A point 41 m west of Wonderland Road N	A point 9 m west of Wonderland Rd N	Anytime
Tallwood Circle	Both	A point 115 m north of Windermere Road	Windermere Road	8:00 a.m. to 6:00 p.m.
Wortley Road	East	A point 27 m South of Bruce Street	A point 37 m south of Bruce Street	Anytime April 15 to October 15

3. **Bus Stops**

Schedule 3 (Bus Stops) of the PS-113 By-law is hereby amended by **adding** the following row:

Banbury Road	South	A point 30 m west of Deveron Crescent	A point 50 m west of Deveron Crescent	
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4. **Limited Parking**

Schedule 6 (Limited Parking) of the By-law PS-113 is hereby amended by **deleting** the following rows:

Tallwood	Both	the north end of the streets to a point 115 m north of Windermere Road	8:00 a.m. to 4:00 p.m.	2 Hours Except Saturdays
Wortley Road	East	A point 37 m south of Bruce Street to Elmwood Avenue E	8:00 a.m. to 6:00 p.m.	1 Hour

Schedule 6 (Limited Parking) of the By-law PS-113 is hereby amended by **adding** the following rows:

Ann Street	South	A point 205 m west of Talbot Street to a point 185 m west of Talbot Street	8:00 a.m. to 6:00 p.m.	2 Hours
Tallwood Circle	Both	A point 115 m north of Windermere Road to a point 383 m north of Windermere Road	8:00 a.m. to 4:00 p.m.	2 Hours Except Saturdays
Wortley Road	East	A point 20 m south of Bruce Street to Elmwood Avenue E	8:00 am to 6:00 pm	1 Hour

5. **Prohibited Turns**

Schedule 8 (Prohibited Turns) of the PS-111 By-law is hereby amended by **adding** the following rows:

Cudmore Crescent with Darnley Boulevard	Northbound	Left
Darnley Boulevard with Cudmore Crescent	Westbound	“U” Turn

6. **Stop Signs**

Schedule 10 (Stop Signs) of the PS-111 By-law is hereby amended by **adding** the following rows:

Eastbound	Brentwood Crescent	Middlewoods Drive
Westbound	Ranson Drive	Middlewoods Drive
Northbound	Sherwood Forest Square (south leg)	Sherwood Forest Square (north leg, east intersection)
Eastbound	Ski Valley Crescent	Ski View Road
Westbound	Ski Valley Road	Ski View Crescent

7. **Yield Signs**

Schedule 11 (Yield Signs) of the PS-111 By-law is hereby amended by **deleting** the following rows:

Eastbound	Ski Valley Crescent	Ski View Road
Westbound	Ski Valley Road	Ski View Crescent
Eastbound	Tallwood	Tallwood
Northbound	The Birches	Agincourt Gardens

Schedule 11 (Yield Signs) of the PS-111 By-law is hereby amended by **adding** the following rows:

Northbound	La Stradella Gate	Monterey Crescent
Southbound	La Stradella Gate	Scottsdale Street
Northbound	Sherwood Forest Square (south leg)	Sherwood Forest Square (north leg)
Eastbound	Tallwood Circle (south leg)	Tallwood Circle (east leg)
Northbound	The Birches	Agincourt Gardens

8. **One-Way Streets**

Schedule 12 (One-way) of the PS-113 By-law is hereby amended by **adding** the following row:

Sherwood Forest Square (south leg)	Sherwood Forest Square (north leg, west intersection)	Sherwood Forest Square (north leg, east intersection)	Northbound, Eastbound and Southbound
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9. **Pedestrian Crossovers**

Schedule 13.1 (Pedestrian Crossovers) of the PS-113 By-law is hereby amended by **adding** the following rows:

Sherwood Forest Square	155 m west of Wonderland Rd N
------------------------	-------------------------------

10. **School Bus Loading Zones**

Schedule 16 (School Bus Loading Zones) of the PS-113 By-law is hereby amended by **deleting** the following row:

Sherwood Forest Square	North, West & South	A point 165 m west of Wonderland Road N	A point 235 m west of the said street
------------------------	---------------------	---	---------------------------------------

Schedule 16 (School Bus Loading Zones) of the PS-113 By-law is hereby amended by **adding** the following rows:

Sherwood Forest Square (north leg)	Both	Sherwood Forest Square (south leg, west intersection)	Sherwood Forest Square (south leg, east intersection)
Sherwood Forest Square (south leg)	Both	Sherwood Forest Square (north leg, west intersection)	Sherwood Forest Square (north leg, east intersection)

11. **Higher Speed Limits**

Schedule 17 (Higher Speed Limits) of the PS-113 By-law is hereby amended by **adding** the following row:

Bradley Avenue W	West limit	Wharncliffe Road S	60 km/h
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12. **Designated Parking Spaces - Disabled Persons**

Schedule 27 (Designated Parking Spaces – Disabled Persons) of the PS-113 By-law is hereby amended by **adding** the following rows:

Ann Street	South	From a point 185 m west of Talbot Street to a point 180 m west of Talbot Street	2 Hours
Wortley Street	East	From a point 37m south of Bruce Street to a point 46 m south of Bruce Street	1 Hour

13. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

Bill No. 528
2018

By-law No. A.- ____ - ____

A by-law to delegate authority to the City Engineer or the City Engineer's designate, Director, Roads and Transportation or Division Manager, Transportation and Roadside Operations, to declare the beginning and end of a significant weather event for the purposes of administering the *Municipal Act, 2001*, O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways.

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*, 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 section 44(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, states that the municipality that has jurisdiction over a highway or bridge shall keep it in a state of repair that is reasonable in the circumstances, including the character and location of the highway or bridge;

AND WHEREAS the *Municipal Act, 2001*, O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways establishes minimum standards of repair for highways and bridges or any class of them;

AND WHEREAS section 1(1) of the *Municipal Act 2001*, O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways defines a "significant weather event" as an approaching or occurring weather hazard with the potential to pose a significant danger to users of the highways within a municipality;

AND WHEREAS the *Municipal Act, 2001*, O. Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways details the standards for addressing snow accumulation and ice formation arising from a significant weather event;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The City Engineer or the City Engineer's designate, Director, Roads and Transportation or Division Manager, Transportation and Roadside Operations, to declare the beginning or end of a significant weather event for the purposes of administering the *Municipal Act, 2001*, O.Reg. 239/02 - Minimum Maintenance Standards for Municipal Highways.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – August 28, 2018
Second Reading – August 28, 2018
Third Reading – August 28, 2018

Bill No. 529
2018

By-law No. A.- ____ - ____

A by-law to authorize and approve an Agreement between Her Majesty the Queen in Right of Canada, as represented by the Minister of Transport ("Canada") and The Corporation of the City of London for the Rail Safety Improvement Program (RSIP) Agreement for Grade Crossing Improvements; and to authorize the Mayor and the City Clerk to execute the Agreement.

WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS the Government of Canada has introduced a program to promote increased railway safety in Canada;

AND WHEREAS the The Corporation of the City of London has applied to the Government of Canada for funding under the Rail Safety Improvement Program, to assist in carrying out railway crossing safety improvements;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The Agreement between Her Majesty the Queen In Right of Canada, as represented by the Minister of Transport ("Canada") and The Corporation of the City of London for the Rail Safety Improvement Program (RSIP) Agreement for Grade Crossing Improvements attached hereto as Schedule A is hereby authorized and approved;
2. The Mayor and the City Clerk are hereby authorized to execute the Agreement authorized and approved in section 1, above.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council August 28, 2018

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - August 28, 2018
Second Reading - August 28, 2018
Third Reading - August 28, 2018

SCHEDULE 'A'

CANADA – CITY OF LONDON RAIL SAFETY IMPROVEMENT PROGRAM

AGREEMENT FOR GRADE CROSSING IMPROVEMENTS

This Agreement is made as of the date of last signature

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF CANADA,
as represented by the Minister of Transport ("Canada")

AND

CITY OF LONDON,
continued or incorporated pursuant to the Municipality Act (the "Recipient"),
individually referred to as a "Party" and collectively referred to as the "Parties".

RECITALS

WHEREAS the Minister of Transport is responsible for the Program entitled the Rail Safety Improvement Program ("Program");

WHEREAS the Recipient has submitted to Canada a proposal for the funding of the Projects which qualify for support under the Program;

AND WHEREAS the Recipient is responsible for carrying out the Projects and Canada wishes to provide financial support for the Projects and its objectives;

NOW THEREFORE, the Parties agree as follows:

1. INTERPRETATION

1.1 DEFINITIONS

In addition to the terms defined in the recitals and elsewhere in this Agreement, a capitalized term has the meaning given to it in this Section.

"Agreement" means this contribution agreement and all its schedules, as may be amended from time to time.

"Agreement End Date" means March 31, 2020.

"Asset" means any real or personal property or immovable or movable asset acquired, purchased, constructed, rehabilitated or improved, in whole or in part, with funds contributed by Canada under the terms and conditions of this Agreement.

"Asset Disposal Period" means the period commencing from the Effective Date and ending on the Agreement End Date.

"Contract" means an agreement between the Recipient and a Third Party whereby the latter agrees to supply a product or service to any Project in return for financial consideration.

"Declaration of Completion" means a declaration in the form substantially prescribed in Schedule E (Declaration of Completion).

"Effective Date" means the date of last signature of this Agreement.

"Eligible Expenditures" means those costs incurred that are directly related to the Projects and which are considered eligible by Canada and may include cash-equivalent expenditures associated with In-Kind Contributions as set out in Schedule A (Eligible and Ineligible Expenditures).

"Fair Value" means the amount that would be agreed upon in an arm's length transaction between knowledgeable, willing parties who are under no compulsion to act.

"Final Claim Date" means the Project Completion Date of a Project no later than March 31, 2019.

"Fiscal Year" means the period beginning April 1 of a year and ending March 31 of the following year.

"Guide" means the *Guide to Railway Charges for Crossing Maintenance and Construction* prepared by the Canadian Transportation Agency, applicable to the year that the work was completed.

“In-Kind Contributions” means non-monetary contributions of goods, services or other support provided by the Recipient, or to the Recipient by a third party for any Project, for which Fair Value is assigned, but for which no payment occurs. The associated cash-equivalent expenditures may be considered Eligible Expenditures in accordance with Schedule A (Eligible and Ineligible Expenditures).

“Projects” means all of the projects described in Schedule B (The Projects).

“Project Completion Date” means the date at which all funded activities of a Project under this Agreement have been completed and which must be no later than March 31, 2019.

“Third Party” means any person or legal entity, other than a Party, who participates in the implementation of any Project by means of a Contract.

“Total Financial Assistance” means funding from all sources towards Eligible Expenditures of the Projects, including funding from the Recipient and federal, provincial, territorial, and municipal governments as well as funding from all other sources, including In-Kind Contributions.

1.2 ENTIRE AGREEMENT

This Agreement comprises the entire agreement between the Parties in relation to the subject of the Agreement. No prior document, negotiation, provision, undertaking or agreement has legal effect, unless incorporated by reference into this Agreement. No representation or warranty express, implied or otherwise, is made by Canada to the Recipient except as expressly set out in this Agreement.

1.3 DURATION OF AGREEMENT

This Agreement will be effective as of the Effective Date and will terminate on the Agreement End Date subject to early termination in accordance with this Agreement.

1.4 SCHEDULES

The following schedules are attached to, and form part of this Agreement:

Schedule A – Eligible and Ineligible Expenditures

Schedule B – The Projects

Schedule C – Certificate(s) of Compliance for Claims

Schedule D – Communications Protocol

Schedule E – Declaration of Completion

2. PURPOSE OF AGREEMENT

The purpose of this Agreement is to establish the terms and conditions whereby Canada will provide funding to the Recipient for the Projects.

3. OBLIGATION OF THE PARTIES

3.1 CONTRIBUTION BY CANADA

- a) Canada agrees to pay a contribution to the Recipient of not more than eighty percent (80%) of the total Eligible Expenditures for the Projects but only up to a maximum of one hundred eighty-six thousand eight hundred dollars (\$186,800.00).
- b) Canada will pay the contribution in accordance with the terms and conditions of this Agreement and the Fiscal Year breakdown in Schedule B.2 (Projects and Cashflow).
- c) If Canada's total contribution towards any Project exceeds eighty percent (80%) of the Project's total Eligible Expenditures or if the Total Financial Assistance received or due in respect of the total Project costs exceeds one hundred percent (100%) thereof, Canada may recover the excess from the Recipient or reduce its contribution by an amount equal to the excess.
- d) The Parties acknowledge that Canada's role in the Projects is limited to making a financial contribution to the Recipient for the Projects and that Canada will have no involvement in the implementation of any Project or its operation. Canada is neither a decision-maker nor an administrator to the Projects.

3.2 COMMITMENTS BY THE RECIPIENT

- a) The Recipient will complete the Projects in a diligent and timely manner, within the costs and deadlines specified in this Agreement and in accordance with the terms and conditions of this Agreement.
- b) The Recipient will be responsible for all costs of the Projects including cost overruns, if any.
- c) The Recipient will inform Canada promptly of the Total Financial Assistance received or due for all Projects.
- d) The Recipient will repay to Canada any payment received for disallowed costs, unexpended contributions, and overpayments made under and according to the terms and conditions of this Agreement.
- e) The Recipient will ensure the ongoing operation, maintenance, and repair of any Asset in relation to the Project as per appropriate standards, during the Asset Disposal Period.
- f) Canada may request that the Recipient declare to Canada any amounts owing to the federal Crown, under legislation or contribution agreements that constitute an overdue debt. The Recipient recognizes that any such amount owing is a debt due to the federal Crown and may be set-off by Canada in accordance with Section 18.6 (Set-off

by Canada). The Recipient will inform Canada immediately of any fact or event that could compromise wholly or in part any Project.

- g) Upon Canada's request and throughout the term of the Agreement, the Recipient will promptly provide Canada with updates to the status of the Projects and to the expenditures and forecasts set out in Schedule B (The Projects).

3.3 APPROPRIATIONS AND FUNDING LEVELS

Notwithstanding Canada's obligation to make any payment under this Agreement, this obligation does not arise if, at the time when a payment under this Agreement becomes due, the Parliament of Canada has not passed an appropriation that is sufficient and constitutes lawful authority for making the payment. Canada may reduce or terminate any payment under this Agreement in response to the reduction of appropriations or departmental funding levels in respect of transfer payments, the program under which this Agreement was made or otherwise, as evidenced by any appropriation act or the federal Crown's main or supplementary estimates expenditures. Canada will promptly advise the Recipient of any reduction or termination of funding once it becomes aware of any such situation. Canada will not be liable for any direct, indirect, consequential, exemplary or punitive damages, regardless of the form of action, whether in contract, tort or otherwise, arising from any such reduction or termination of funding.

3.4 FISCAL YEAR BUDGETING

- a) The amount of the contribution payable by Canada for each Fiscal Year of a Project is set out in Schedule B.2 (Projects and Cashflow).
- b) If the actual amount payable by Canada in respect of any Fiscal Year of a Project is less than the estimated amount in Schedule B.2 (Projects and Cashflow), the Recipient may request that Canada re-allocate the difference between the two amounts to a subsequent Fiscal Year. Subject to Section 3.3 (Appropriations and Funding Levels), Canada agrees to make reasonable efforts to accommodate the Recipient's request. The Recipient acknowledges that requests for re-allocation of Project funding will require appropriation adjustments or federal Crown approvals.
- c) In the event that any requested re-allocation of Project funding is not approved, the amount of Canada's contribution payable pursuant to Section 3.1 (Contribution by Canada) may be reduced by the amount of the requested re-allocation. If the contribution payable by Canada pursuant to Section 3.1 (Contribution by Canada) is so reduced, the Parties agree to review the effects of such reduction on the overall implementation of the Project and to adjust the terms and conditions of this Agreement as appropriate.

3.5 CHANGES DURING THE LIFE OF THE PROJECTS

- a) Where a change to this Agreement is contemplated, the Recipient will submit to Canada a request for a change.
- b) Where the change is approved by Canada, the Parties will execute the corresponding amendment to the Agreement in accordance with Section 18.14 (Amendments).

3.6 INABILITY TO COMPLETE PROJECTS

If, at any time during the term of this Agreement, one or all of the Parties determine that it will not be possible to complete a Project for any reason, the Party will immediately notify the other Party of that determination and Canada may suspend its funding obligation. The Recipient will, within thirty (30) business days of a request from Canada, provide a summary of the measures that it proposes to remedy the situation. If Canada is not satisfied that the measures proposed will be adequate to remedy the situation, then this will constitute an Event of Default under Section 15 (Default) and Canada may declare a default pursuant to Section 15 (Default).

3.7 GUIDELINES

The Recipient will complete the Project, or cause the Project to be completed, in accordance with all applicable laws, regulations and prevailing industry standards for such design and construction and all applicable building and design codes.

4. RECIPIENT REPRESENTATIONS AND WARRANTIES

The Recipient represents and warrants to Canada that:

- a) the Recipient has the capacity and authority to enter into and execute this Agreement as duly authorized by City of London Council By-Law No. 2018- , dated August __, 2018.
- b) the Recipient has the capacity and authority to carry out the Projects;
- c) the Recipient has the requisite power to own the Assets;
- d) this Agreement constitutes a legally binding obligation of the Recipient, enforceable against it in accordance with its terms and conditions;
- e) all information submitted to Canada as set out in this Agreement is true, accurate, and was prepared in good faith to the best of its ability, skill, and judgment;

- f) any individual, corporation or organization that the Recipient has hired, for payment, who undertakes to speak to or correspond with any employee or other person representing Canada on the Recipient's behalf, concerning any matter relating to the contribution under this Agreement or any benefit hereunder and who is required to be registered pursuant to the federal *Lobbying Act*, is registered pursuant to that *Act*;
- g) the Recipient has not and will not make a payment or other compensation that is contingent upon or is calculated upon the contribution hereunder or the negotiation of the whole or any part of the terms and conditions of this Agreement to any individual, or corporation or organization with which that individual is engaged in doing business with, who is registered pursuant to the federal *Lobbying Act*;
- h) there are no actions, suits, investigations or other proceedings pending or, to the knowledge of the Recipient, threatened and there is no order, judgment or decree of any court or governmental agency which could materially and adversely affect the Recipient's ability to carry out the activities contemplated by this Agreement. The Recipient will inform Canada immediately if any such action or proceedings are threatened or brought during the term of this Agreement; and
- i) the Recipient is in good standing under the laws of the jurisdiction in which it is required to be registered.

5. [INTENTIONALLY OMITTED]

6. CONTRACT PROCEDURES

6.1 AWARDING OF CONTRACTS

- a) The Recipient will ensure that Contracts are awarded in a way that is transparent, competitive, consistent with value-for-money principles, or in a manner otherwise acceptable to Canada, and if applicable, in accordance with the Canadian Free Trade Agreement and international trade agreements.
- b) If Canada determines that the Recipient has awarded a Contract in a manner that is not in compliance with the foregoing, upon notification to the Recipient, Canada may consider the expenditures associated with the Contract to be ineligible.

6.2 CONTRACT PROVISIONS

The Recipient will ensure that all Contracts are consistent with, and incorporate, the relevant provisions of this Agreement. More specifically but without limiting the generality of the foregoing, the Recipient agrees to include terms and conditions in all Contracts to ensure that:

- a) the Third Party will keep proper and accurate financial accounts and records, including but not limited to its contracts, invoices, statements, receipts, and vouchers, in respect of a Project for at least six (6) years after the Agreement End Date and that the Recipient has the contractual right to audit them;
- b) all applicable labour, environmental, and human rights legislation are respected; and
- c) Canada and its designated representatives, to the extent permitted by law, will at all times be permitted to inspect the terms and conditions of the Contract and any records and accounts respecting a Project and will have free access to the Project sites and to any documentation relevant for the purpose of audit.

7. [INTENTIONALLY OMITTED]

8. ABORIGINAL CONSULTATION

The Recipient agrees that:

- a) Canada has determined that no legal duty to consult Aboriginal groups arises in the context of the Project.
- b) The Recipient must inform Canada promptly of any changes to the Project, or otherwise, that may affect Canada's determination of the legal duty to consult for this Project.
- c) If as a result of changes to the Project or otherwise, Canada determines that a legal duty to consult arises or further consultation is required, the Recipient agrees that:
 - vi. all of Canada's obligations pursuant to this Agreement will be suspended from the moment that Canada informs the Recipient that a legal duty to consult arises;
 - vii. it will consult with Aboriginal groups that might be affected by the Project, explain the Project to them, including Canada's role, and will provide a report to Canada, which will include:
 - a. a list of all Aboriginal groups contacted;
 - b. a summary of all communications to date with the Aboriginal groups, indicating which groups support or object to the Project, and whether their positions are final, preliminary, or conditional in nature;
 - c. a summary of any issues or concerns that the Aboriginal groups have raised and an indication of how the Recipient has addressed or proposes to address those issues or concerns; and
 - d. any other information Canada may deem appropriate.

- viii. no construction of the Project will occur and Canada has no obligation to reimburse Eligible Expenditures until Canada is satisfied that any legal duty to consult with, and where appropriate, to accommodate Aboriginal groups have been met and continue to be met.

9. CLAIMS AND PAYMENTS

9.1 PAYMENT CONDITIONS

- a) Canada will not pay interest for failing to make a payment under this Agreement.
- b) Canada will not pay any claims submitted after the Final Claim Date, unless otherwise accepted by Canada.
- c) Canada will not pay any claims until the requirements under Section 8 (Aboriginal Consultation), if applicable, are, in Canada's opinion, satisfied to the extent possible at the date the claim is submitted to Canada.

9.2 PROGRESS CLAIMS

- a) The Recipient will submit progress claims to Canada for each Project covering the Recipient's Eligible Expenditures in a form acceptable to Canada. Each progress claim must include the following:
 - i. a certification by a senior official designated in writing by the Recipient in the form set out in Schedule C.1 (Certificate of Compliance for Progress Claim) stating that the information submitted in support of the claim is accurate;
 - ii. a breakdown of Eligible Expenditures claimed, in accordance with Schedule B.2 Projects and Cashflow); and
 - iii. documentation to support the Eligible Expenditures claimed that is satisfactory to Canada.
- b) Canada will make a payment upon review and acceptance of a progress claim, subject to the terms and conditions of the Agreement.

9.3 FINAL CLAIM AND FINAL ADJUSTMENTS

- a) The Recipient will submit a final claim to Canada for each Project by the Final Claim Date covering the Recipient's Eligible Expenditures in a form acceptable to Canada. The final claim for each Project must include the following:
 - i. a certification by a senior official designated in writing by the Recipient in the form set out in Schedule C.2 (Certificate of Compliance for Final Claim) stating that the information submitted in support of the claim is accurate;
 - ii. a breakdown of Eligible Expenditures claimed in accordance with Schedule B.2 (Projects and Cashflow);
 - iii. confirmation of the Total Financial Assistance in accordance with Section 3.2 c) (Commitments by the Recipient) in the form set out in Schedule C.2 (Certificate of Compliance for Final Claim);
 - iv. a completed Declaration of Completion in accordance with Section 9.5 (Declaration of Completion);
 - v. upon request by Canada, any of the documents referenced in Schedule E (Declaration of Completion); and
 - vi. documentation to support the Eligible Expenditures claimed that is satisfactory to Canada.
- b) Upon receipt of the final claim for a Project, but before issuing the final payment, the Parties will jointly carry out a final reconciliation of all claims and payments in respect of the Project and make any adjustments required in the circumstances.

9.4 WITHHOLDING OF CONTRIBUTION

Canada may withhold up to ten percent (10%) of its contribution towards Eligible Expenditures claimed under the Agreement. Any remaining amount withheld by Canada will be released when the final adjustments have been completed under Section 9.3 (Final Claim and Final Adjustments) and the Recipient fulfills all its obligations under this Agreement.

9.5 DECLARATION OF COMPLETION

- a) Prior to executing the Declaration of Completion, the Recipient will request confirmation in writing from Canada as to whether the Declaration of Completion lists all relevant documents.
- b) The Declaration of Completion must be signed by an authorized official of the Recipient as deemed acceptable by Canada, and it must list all relevant documents as determined by Canada.

10. [INTENTIONALLY OMITTED]

11. AUDIT, EVALUATION AND MONITORING FOR COMPLIANCE

11.1 RECIPIENT AUDIT

Canada may, at its discretion, conduct a Recipient audit related to this Agreement during the term of this Agreement and up to two years after the Agreement End Date, in accordance with the Canadian Auditing Standards and Section 18.3 (Accounting Principles).

11.2 [INTENTIONALLY OMITTED]

11.3 EVALUATION

The Recipient agrees to cooperate with Canada in the conduct of any evaluation of the Program during or after the term of this Agreement.

11.4 CORRECTIVE ACTION

The Recipient agrees to ensure that prompt and timely corrective action is taken in response of any audit findings and recommendations conducted in accordance with this Agreement.

11.5 RECORD KEEPING

The Recipient will keep proper and accurate financial accounts and records, including but not limited to its Contracts, invoices, statements, receipts, and vouchers, in respect of the Project, for at least six (6) years after the Agreement End Date.

11.6 ACCESS

The Recipient will provide Canada and its designated representatives with reasonable and timely access, at no cost, to the Project sites, facilities, and any documentation for the purposes of audit, evaluation, inspection and monitoring compliance with this Agreement.

12. COMMUNICATIONS

12.1 COMMUNICATIONS PROTOCOL

The Parties will comply with Schedule D (Communications Protocol).

12.2 RECOGNITION OF CANADA'S CONTRIBUTION

The Recipient will acknowledge Canada's contribution in all signage and public communication produced as part of a Project or the Agreement, in a manner acceptable to Canada, unless Canada communicates in writing to the Recipient that this acknowledgement is not required.

12.3 PUBLIC INFORMATION

The Recipient acknowledges that the following may be made publicly available by Canada:

- a) its name, the amount awarded by Canada, and the general nature of each Project; and
- b) any evaluation or audit report and other reviews related to this Agreement.

13. INTELLECTUAL PROPERTY

- a) All intellectual property that arises in the course of a Project will vest in the Recipient.
- b) The Recipient will obtain the necessary authorizations, as needed, for the implementation of a Project, from third parties who may own the intellectual property rights or other rights in respect of the Project. Canada will assume no liability in respect of claims from any third party in relation to such rights and to the Agreement.

14. DISPUTE RESOLUTION

- a) The Parties will keep each other informed of any issue that could be contentious by exchanging information and will, in good faith and reasonably, attempt to resolve potential disputes.
- b) Where the Parties cannot agree on a resolution, the Parties may explore any alternative dispute resolution mechanisms available to them to resolve the issue.
- c) Any payments related to the issue in dispute will be suspended, together with the obligations related to such issue, pending resolution.
- d) The Parties agree that nothing in this section will affect, alter or modify the rights of Canada to terminate this Agreement.

15. DEFAULT

15.1 EVENTS OF DEFAULT

The following events constitute Events of Default under this Agreement:

- a) the Recipient has not complied with one or more of the terms and conditions of this Agreement;
- b) the Recipient has not completed a Project in accordance with the terms and conditions of this Agreement;
- c) the Recipient has submitted false or misleading information to Canada or made a false or misleading representation in respect of a Project or in this Agreement, except for an error in good faith, demonstration of which is incumbent on the Recipient, to Canada's satisfaction;
- d) the Recipient has neglected or failed to pay Canada any amount due in accordance with this Agreement.

15.2 DECLARATION OF DEFAULT

Canada may declare a default if:

- i. In Canada's opinion, one or more of the Events of Default occurs;
- ii. Canada gave notice to the Recipient of the event which constitutes an Event of Default; and the Recipient has failed, within thirty (30) business days of receipt of the notice from Canada, either to remedy the Event of Default or to notify Canada and demonstrate, to the satisfaction of Canada, that it has taken such steps as are necessary to remedy the Event of Default.

15.3 REMEDIES ON DEFAULT

In the event that Canada declares a default under Section 15.2 (Declaration of Default), Canada may exercise one or more of the following remedies, without limiting any remedy available to it at law:

- a) suspend any obligation by Canada to contribute or continue to contribute funding to a Project, including any obligation to pay an amount owing prior to the date of such suspension;
- b) terminate any obligation of Canada to contribute or continue to contribute funding to a Project, including any obligation to pay any amount owing prior to the date of such termination;
- c) require the Recipient to reimburse Canada all or part of the contribution paid by Canada to the Recipient;
- d) terminate the Agreement.

16. LIMITATION OF LIABILITY AND INDEMNIFICATION

16.1 DEFINITION OF PERSON

In this section, "Person" includes, without limitation, a person, the Recipient, a Third Party, a corporation, or any other legal entity, and their officers, servants, employees or agents.

16.2 LIMITATION OF LIABILITY

In no event will Canada, its officers, servants, employees or agents be held liable for any damages in contract, tort (including negligence) or otherwise, for:

- a) any injury to any Person, including, but not limited to, death, economic loss or infringement of rights;
- b) any damage to or loss or destruction of property of any Person; or
- c) any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease or other long term obligation;

in relation to this Agreement or to any Project.

16.3 INDEMNIFICATION

The Recipient will at all times indemnify and save harmless Canada, its officers, servants, employees or agents, from and against all actions, claims, demands, losses, costs, damages, suits or other proceedings, whether in contract, tort (including negligence) or otherwise, by whomsoever brought or prosecuted in any manner based upon or occasioned by:

- a) any injury to any Person, including, but not limited to, death, economic loss or any infringement of rights;
- b) any damage to or loss or destruction of property of any Person; or
- c) any obligation of any Person, including, but not limited to, any obligation arising from a loan, capital lease or other long term obligation;

in relation to this Agreement or to any Project, except to the extent to which such actions, claims, demands, losses, costs, damages, suits or other proceedings are caused by the negligence or breach of the Agreement by an officer, servant, employee or agent of Canada in the performance of his or her duties.

17. ASSETS

- a) Assets acquired, purchased, constructed, rehabilitated, or improved, in whole or in part, through the course of a Project will be the responsibility and remain the property of the Recipient.
- b) Notwithstanding any other provision of this Agreement, the Recipient will preserve, maintain, and use any Assets for the purposes of a Project, and will not dispose of any Asset during the Asset Disposal Period, unless the Recipient notifies Canada in writing and Canada consents to the Asset's disposal.
- c) Unless otherwise agreed to by Canada, upon alternate use or disposal of any Asset, which includes selling, leasing and encumbering an Asset whether directly or indirectly, during the Asset Disposal Period, the Recipient will reimburse Canada, at Canada's discretion, in whole or in part, an amount of funds contributed by Canada to the Asset under this Agreement.

18. GENERAL

18.1 PUBLIC BENEFIT

The Parties acknowledge that their contributions to the Project are meant to accrue to the public benefit.

18.2 SURVIVAL

The Parties' rights and obligations which, by their nature, extend beyond the termination of this Agreement, will survive any termination of this Agreement.

18.3 ACCOUNTING PRINCIPLES

All accounting terms will have the meanings assigned to them, all calculations will be made and all financial data to be submitted will be prepared, in accordance with the Generally Accepted Accounting Principles (GAAP) in effect in Canada as defined in the Chartered Professional Accountants (CPA) Canada Handbook - Accounting or, where applicable, the CPA Canada Public Sector Accounting.

18.4 DEBTS DUE TO THE FEDERAL CROWN

Any amount owed to Canada under this Agreement by the Recipient will constitute a debt due to the federal Crown, which the Recipient will reimburse to Canada forthwith on demand.

18.5 INTEREST ON DEBTS DUE TO THE FEDERAL CROWN

Debts due to the federal Crown by the Recipient will accrue interest in accordance with the federal *Interest and Administrative Charges Regulations*.

18.6 SET-OFF BY CANADA

Any debt due to the federal Crown by the Recipient may be set-off against any amounts payable by Canada to the Recipient under this Agreement.

18.7 MEMBERS OF THE HOUSE OF COMMONS AND SENATE

No member of the House of Commons or the Senate of Canada will be admitted to any share or part of this Agreement, or to any benefit arising from it that is not otherwise available to the public. The Recipient will promptly inform Canada should it become aware of the existence of any such situation.

18.8 CONFLICT OF INTEREST

No current or former public servant or public office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Canada applies will derive direct benefit from this Agreement unless the provision or receipt of such benefits is in compliance with such legislation, guidelines, policies or codes. The Recipient will promptly inform Canada should it become aware of the existence of any such situation.

18.9 NO AGENCY, PARTNERSHIP, JOINT VENTURE, ETC.

- a) No provision of this Agreement and no action by the Parties will establish or be deemed to establish a partnership, joint venture, principal-agent relationship or employer-employee relationship in any way or for any purpose whatsoever between Canada and the Recipient or between Canada and a Third Party.
- b) The Recipient will not represent itself, including in any agreement with a Third Party, as a partner, employee or agent of Canada.

18.10 NO AUTHORITY TO REPRESENT

Nothing in this Agreement is to be construed as authorizing any person, including a Third Party, to contract for or to incur any obligation on behalf of Canada or to act as an agent for Canada. The Recipient will take the necessary action to ensure that any Contract between the Recipient and any Third Party contains a provision to that effect.

18.11 ASSIGNMENT

The Recipient will not transfer or assign its rights or obligations under this Agreement without the prior written consent of Canada. Any attempt by the Recipient to assign any of the rights, duties or obligations of this Agreement without Canada's express written consent is void.

18.12 COUNTERPART SIGNATURE

This Agreement may be signed in counterpart, and the signed copies will, when attached, constitute an original agreement.

18.13 SEVERABILITY

If for any reason a provision of this Agreement that is not a fundamental term of this Agreement between the Parties is found to be or becomes invalid or unenforceable, in whole or in part, and if both Parties agree, it will be deemed to be severable and will be deleted from this Agreement, but all the other terms and conditions of this Agreement will continue to be valid and enforceable.

18.14 AMENDMENTS

This Agreement, including its schedules, can only be amended in writing by the Parties.

18.15 WAIVER

A Party may waive any of its rights under this Agreement only in writing. Any tolerance or indulgence demonstrated by the Party will not constitute a waiver.

18.16 NOTICE

- a) Any notice, information or required documentation provided for under this Agreement must be delivered in person or sent by mail, email, messenger or facsimile to the identified representatives of the Parties at the following coordinates, unless otherwise specified by Canada:

Canada:

Director, Transportation Infrastructure Program
Transport Canada
Place de Ville, Tower C, 19th Floor
330 Sparks Street
Ottawa, Ontario
K1A 0N5

Email: TC.RSIPITR-PASFITR.TC@tc.gc.ca

Recipient:

Janice Verhaeghe
300 Dufferin Avenue,
London, Ontario
N6A 4L9

Email: jverhaeg@london.ca

- b) Such notice will be deemed to have been received:
- i. in person, when delivered;
 - ii. if sent by mail, email or facsimile, when receipt is acknowledged by the other Party;
 - iii. if sent by messenger or registered mail, when the receiving Party has signed the acknowledgment of reception.
- c) If a Party changes its representative or the coordinates for that representative, it will advise the other Party as soon as possible.

18.17 COMPLIANCE WITH LAWS

The Recipient will comply with all applicable laws and regulations and all requirements of regulatory bodies having jurisdiction over the subject matter of the Project.

18.18 GOVERNING LAW

This Agreement is governed by the laws applicable in the Province of Ontario.

18.19 SUCCESSORS AND ASSIGNS

This Agreement is binding upon the Parties and their respective successors and assigns.

19. SIGNATURES

This Agreement has been executed on behalf of Her Majesty the Queen in right of Canada by the Minister of Transport and on behalf of the City of London by the Mayor and City Clerk

HER MAJESTY THE QUEEN IN RIGHT
OF CANADA

CITY OF LONDON

Per: Emilia Warriner
Director, Transportation Infrastructure
Program

Per: Matt Brown
Mayor

Date

Date

Per: Cathy Saunders
City Clerk

Date

SCHEDULE A – ELIGIBLE AND INELIGIBLE EXPENDITURES

SCHEDULE A.1: ELIGIBLE EXPENDITURES

Eligible Expenditures must:

- be reasonable and directly related to a Project, as determined by Canada;
- must not exceed the rates described in the *Guide to Railway Charges for Crossing Maintenance and Construction* (the “Guide”)
- be incurred between the date Canada received the recipient’s application for Program funding and the Final Claim Date; and
- consist of the following categories of expenditures:
 - Staff salaries and benefits;
 - Purchase and lease of capital assets, technology, equipment and supplies;
 - Professional services, including accounting, translation, audit and consulting;
 - Planning, design and evaluation;
 - Engineering and environmental reviews and follow-up measures;
 - Expenditures related to construction and rehabilitation of assets (including fees paid to general contractors and labourers, materials, licenses, permits, and the rental of construction machinery and equipment, and fees paid to power supply companies);
 - Licenses and permits
 - Expenditures for Aboriginal consultations, specifically project-related consultation activities pursuant to the Crown’s legal duty to consult;
 - Administrative expenditures (including general administration expenditures, rent, insurance, office equipment rental, and membership fees);
 - Travel expenditures (including the cost of accommodations, vehicle rental and kilometric rates, bus, train, airplane or taxi fares, allowances for meals and incidentals). Travel and per diem expenses cannot be more than the rates and allowances determined in the Travel Directive of the National Joint Council, available at the following link: <http://www.njc-cnm.gc.ca/directive/index.php?did=10&dlabel=travel-voyage&lang=eng&merge=2&slabel=index>;
 - Other costs that are, in the opinion of the Minister or his/her delegated representative, considered to be direct, reasonable, and incremental for the successful implementation of a project and have been approved in writing prior to being incurred.

For the purposes of determining Eligible Expenditures, and notwithstanding the material overhead rates set out in Schedule C to the Guide, the overhead rate applicable to pre-wired packages will be the allowance for contract overheads set out in Schedule D of the Guide.

Eligible Expenditures can be cash-equivalent expenditures associated with In-Kind Contributions. These expenditures may be reimbursed so long as the following three criteria are met:

- 1) The associated costs are deemed as Eligible Expenditures and have been approved by Canada;
- 2) The associated costs are not a donation received from a third party; and
- 3) The associated costs are related to goods, services or other support that would otherwise be purchased and paid for by the Recipient as essential for a Project.

In-Kind Contributions received from a third party are considered donations and may form part of the total Eligible Expenditures of a Project, but are not reimbursable.

SCHEDULE A.2: INELIGIBLE EXPENDITURES

The following expenditures shall be considered ineligible, and therefore will not be considered in the calculation of the total eligible expenditures of a Project:

- Costs incurred before the date Canada received the recipient's application for Program funding or after the Final Claim Date;
- Expenditures for provincial sales tax and Goods and Services Tax, or the Harmonized Sales Tax, where applicable, for which the Recipient is eligible for a rebate, and any other costs eligible for rebates;
- Purchase of land and/or buildings, related real estate fees, and vehicles;
- Financing charges and interest payments on loans; and
- Expenditures that have been reimbursed from other sources of funding, federal statutes or funding programs.
- Personal mileage to and from Recipient's employees' homes.

SCHEDULE B – THE PROJECTS

SCHEDULE B.1: DESCRIPTION OF PROJECTS

Description of Projects:

The Projects involve grade crossing improvements in the Province of Ontario.

Objective(s):

The objective of the Projects is to enhance public safety at the public grade crossings described in Schedule B.2 (Projects and Cashflow) to reduce the risk of collisions, fatalities and injuries.

Activities:

The Projects consists of improvements to the crossings described in Schedule B.2 (Projects and Cashflow) through undertaking the following activities:

- Relocation and installation of signage, pavement markings, approach surface resurfacing
- Median separation and vegetation removal
- Sidewalk replacement

Project Outcomes:

In order to illustrate how the Projects will contribute to rail safety, the Recipient will collect performance data and report on the following performance indicators that the Projects will contribute to:

- Number of installed new crossing warning system barrier gates;
- Number of installed cantilever structures;
- Number of new interconnection cable ducts from traffic controller to rail crossing bungalow.

This data is collected only for the purpose of performance measurement and reporting to Canadians.

SCHEDULE B.2: PROJECT AND CASHFLOW

Name of Project	Description of Project	Estimated Total Project Expenditures	Estimated Total Eligible Project Expenditures	Estimated Contribution by Canada	Estimated contribution to Eligible Expenditures per Party, per Fiscal Year	
	(Main technical and financial stages, location, construction methods, etc.)				Contributor	2018-19
Project 1 - Mile 73.10 Dundas Subdivision, Gore Road	Installation of signage, pavement markings, approach surface resurfacing	\$36,000.00	\$36,000.00	\$28,800.00	Canada	\$28,800.00
					Recipient	\$7,200.00
Project 2 - Mile 77.66 Dundas Subdivision, Colborne Street	Installation of signage, pavement markings, vegetation removal, approach surface resurfacing.	\$46,500.00	\$46,500.00	\$37,200.00	Canada	\$37,200.00
					Recipient	\$9,300.00
Project 3 - Mile 0.17 Windsor Subdivision, St. George Street	Installation of signage, pavement markings, median separation, and vegetation removal.	\$39,000.00	\$39,000.00	\$31,200.00	Canada	\$31,200.00
					Recipient	\$7,800.00
Project 4 – Mile 0.05 Windsor Subdivision, Richmond Street	Installation of signage, remove old pavement markings, approach surface resurfacing, and sidewalk replacement.	\$21,500.00	\$21,500.00	\$17,200.00	Canada	\$17,200.00
					Recipient	\$4,300.00
Project 5 – Mile 76.84 Dundas Subdivision, Rectory Street	Installation/relocation of signage, pavement markings, approach surface resurfacing.	\$14,000.00	\$14,000.00	\$11,200.00	Canada	\$11,200.00
					Recipient	\$2,800.00
Project 6 –Mile 118.77 Guelph Subdivision, Highbury Avenue	Installation of signage, pavement markings, vegetation removal.	\$8,500.00	\$8,500.00	\$6,800.00	Canada	\$6,800.00
					Recipient	\$1,700.00
Project 7 –Mile 77.36 Dundas Subdivision, William Street	Installation of signage, pavement markings, vegetation removal.	\$25,500.00	\$25,500.00	\$20,400.00	Canada	\$20,400.00
					Recipient	\$5,100.00
Project 8 – Mile 77.51 Dundas Subdivision, Maitland Street	Relocation and installation of signage, crossing surface resurfacing including sidewalk replacement, and pavement markings.	\$21,000.00	\$21,000.00	\$16,800.00	Canada	\$16,800.00
					Recipient	\$4,200.00
Project 9 – Mile 76.44 Dundas Subdivision, Egerton Street	Installation of signage, and pavement markings.	\$6,000.00	\$6,000.00	\$4,800.00	Canada	\$4,800.00
					Recipient	\$1,200.00

Name of Project	Description of Project	Estimated Total Project Expenditures	Estimated Total Eligible Project Expenditures	Estimated Contribution by Canada	Estimated contribution to Eligible Expenditures per Party, per Fiscal Year	
	(Main technical and financial stages, location, construction methods, etc.)				Contributor	2018-19
Project 10 – Mile 73.97 Dundas Subdivision, Clarke Road	Installation of signage, pavement markings, approach surface resurfacing, and sidewalk replacement.	\$15,500.00	\$15,500.00	\$12,400.00	Canada	\$12,400.00
					Recipient	\$3,100.00
TOTAL		\$233,500.00	\$233,500.00	\$186,800.00	Canada	\$186,800.00
					Recipient	\$46,700.00

For greater certainty, Canada's total contribution cannot exceed the amount set out in Section 3.1 (Contribution by Canada).

SCHEDULE C – CERTIFICATE(S) OF COMPLIANCE FOR CLAIMS
SCHEDULE C.1: CERTIFICATE OF COMPLIANCE FOR PROGRESS CLAIM

In the matter of the Agreement entered into between Her Majesty the Queen in right of Canada, as represented by the Minister of Transport, and the City of London (the “Recipient”), represented by _____(Name), concerning the Grade Crossing Improvements Project (the “Agreement”).

I, _____(Name), of the City/Town of _____, Province/Territory of _____, declare as follows:

1. That I hold the position of _____ with the Recipient and as such have knowledge of the matters set forth in this declaration and believe this declaration to be true.
2. I am duly authorized by the Recipient to give this Certificate under **[RECIPIENT INSERTS THE COMPLETE REFERENCE TO THE BY LAW OR INTERNAL POLICY AUTHORITY THAT ALLOWS THEM TO PROVIDE THIS CERTIFICATION]** dated **[DATE]**.
3. I have read and understood the Agreement and the progress claim submitted by the Recipient thereunder dated the same date as this Certificate and have knowledge of the business and affairs of the Recipient and have made such examinations or investigations as are necessary to give this Certificate and to ensure that the information contained herein is true and accurate.
4. The expenditures claimed are Eligible Expenditures in accordance with the Agreement.
5. The Recipient, at the date of this Certificate, has performed all covenants under the Agreement that are required to be performed by it on or prior to that date.
6. All representations and warranties of the Recipient contained in the Agreement are true and accurate in all respects at the date of this Certificate as though such representations and warranties had been made at the date of this Certificate.

Dated, this _____ day of _____ 20____

Signature

SCHEDULE C.2: CERTIFICATE OF COMPLIANCE FOR FINAL CLAIM

In the matter of the Agreement entered into between Her Majesty the Queen in right of Canada, as represented by the Minister of Transport, and the City of London (the "Recipient"), represented by _____(Name), concerning the Grade Crossing Improvements Project (the "Agreement").

I, _____(Name), of the City/Town of _____, Province/Territory of _____, declare as follows:

1. That I hold the position of _____ with the Recipient and as such have knowledge of the matters set forth in this declaration and believe this declaration to be true.
2. I am duly authorized by the Recipient to give this Certificate under **[RECIPIENT INSERTS THE COMPLETE REFERENCE TO THE BY LAW OR INTERNAL POLICY AUTHORITY THAT ALLOWS THEM TO PROVIDE THIS CERTIFICATION]** dated **[DATE]**.
3. I have read and understood the Agreement and the final claim submitted by the Recipient thereunder dated the same date as this Certificate and have knowledge of the business and affairs of the Recipient and have made such examinations or investigations as are necessary to give this Certificate and to ensure that the information contained herein is true and accurate.
4. The Recipient, at the date of this Certificate, has performed all covenants under the Agreement that are required to be performed by it on or prior to that date.
5. The expenditures claimed are Eligible Expenditures in accordance with the Agreement.
6. All representations and warranties of the Recipient contained in the Agreement are true and accurate in all respects at the date of this Certificate as though such representations and warranties had been made at the date of this Certificate.
7. The Project as defined in the Agreement has been completed.

[If applicable, add:]

8. All applicable mitigation measures, accommodation measures and follow-up measures required to be performed during the Project implementation as a result of Aboriginal consultations have been implemented.
9. The Total Financial Assistance received or due for the Project in accordance with Section 3.2 c) (Commitments by the Recipient) is as follows:
[INCLUDE ALL TOTAL FINANCIAL ASSISTANCE RECEIVED OR DUE]
10. This Certificate of Compliance does not preclude any rights of Canada to verify, audit or inspect as per the terms and conditions of the Agreement.
11. The Recipient is not entitled to payment of any amount under the Agreement, other than any amount requested by the Recipient in accordance with the Agreement on or prior to the date of this Certificate.

Dated, this _____ day of _____ 20____

Signature

SCHEDULE D – COMMUNICATIONS PROTOCOL

GENERAL

1. Canada and the Recipient agree to undertake joint communications activities and products that will enhance opportunities for open, transparent, effective and proactive communications with citizens through appropriate, continuous, and consistent public information activities that recognize the contribution of the Parties and, where applicable, any other contributor.
2. The mechanisms for such communications and public information activities and products will be determined by Canada.
3. All public information material in relation to this Agreement will be prepared jointly and in both official languages and will equitably reflect the funding of all contributors to the Project. This requirement is not needed for tendering documents; the Recipient will carry out any tendering processes in accordance with its own policies, guidelines and governing laws.

COMMUNICATING WITH THE PUBLIC

Public Information Products

The Parties may jointly develop information kits, brochures, public reports, and website material for the public about the Projects.

News Releases

A joint news release may be issued when the Agreement is signed and/or at appropriate milestones such as start of Project work or completion of the Project. A news release may include quotations from a federally, provincially, or municipally elected official or, where applicable, any other contributor. Canada must agree on these quotations.

Press Conferences, Public Announcements and Other Joint Events

The Parties will co-operate in organizing press conferences, announcements or official ceremonies. Canada should also agree on the messages and public statements at such events. No public announcement for a Project under this Agreement will be made by the Recipient or, where applicable, any other contributor, unless Canada has been informed of it at least thirty (30) business days in advance.

Either Party may organize a joint press conference. The requestor will give the other Party reasonable notice of at least thirty (30) business days of such a press conference, public announcement or joint event.

Signage

Prior to the implementation of a Project under this Agreement, and as directed by Canada, the Recipient agrees to supply, erect, and maintain signage consistent with federal/provincial identity graphics guidelines, and in both official languages specifying that the Project is financed by contributions from the Government of Canada and the Recipient or such wording as may have been or may be agreed upon by Canada.

COMMUNICATION COSTS

The eligibility of costs related to communication activities that provide public information on this Agreement will be subject to Schedule A (Eligible and Ineligible Expenditures) and must be agreed to in advance by Canada.

SCHEDULE E – DECLARATION OF COMPLETION

In the matter of the Agreement entered into between Her Majesty the Queen in right of Canada, as represented by the Minister of Transport, and the City of London (the “Recipient”), represented by _____(Name), concerning the Grade Crossing Improvements Project (the “Agreement”).

I, _____(Name), of the City/Town of _____, Province/Territory of _____, declare as follows:

- 1. I hold the position of _____with the Recipient and as such have knowledge of the matters set forth in this declaration and believe this declaration to be true.
- 2.
 - a) I have received the following documents for the [Grade Crossing] Project:
 - i. [LIST NAME OF RELEVANT DOCUMENT(S), e.g. Certificate of Completion, Certificate of Performance, Occupancy Permit, etc.] signed by _____ (Name), a _____ (Profession, e.g. professional engineer, professional architect or other applicable professional) for the Project.
 - ii. [ADD SAME TEXT AS IN i FOR EACH DOCUMENT]
 - b) Based on the above documents and the representations made to me by the professionals identified in section 2(a) above, I declare to the best of my knowledge and belief that the Project has been completed, as described in Schedule B.1 (Description of Projects), as defined in the Agreement, on the _____ day of the _____ 20__.

[Insert #3, if applicable:]

- 3. I have received the following documents and based on these documents and representations made to me by the professionals identified below, I declare to the best of my knowledge and belief that the Project conforms with the guidelines referenced in Section 3.7 (Guidelines) of the Agreement:
 - i. [LIST NAME OF RELEVANT DOCUMENT(S), e.g. Certificate of Completion, Certificate of Performance, Occupancy Permit, etc.] signed by _____ (Name), a _____ (Profession, e.g. professional engineer, professional architect or other applicable professional) for the Project.
 - ii. [ADD SAME TEXT AS IN i FOR EACH DOCUMENT]
- 4. All terms and conditions of the Agreement that are required to be met as of the date of this declaration have been met.

Declared at _____ (City/Town), in _____ (Province/Territory) this _____ day of _____, 20__.

Signature

Bill No. 530
2018

By-law No. A.-6567(__)-__

A by-law to amend By-law No. A.-6567-226 entitled, "A By-law to approve the appointment of City of London representatives to the Joint Venture Management Committee for the 4-Pad Arena Complex located on Western Fair Association (WFA) lands".

WHEREAS the Municipal Council of The Corporation of the City of London wishes to appoint its representatives to the Joint Venture Management Committee for the 4-Pad Arena Complex located on Western Fair Association lands;

AND WHEREAS the Western Fair Association has approved the City of London's nominees to the Joint Venture Management Committee, in accordance with section 3.3 of the Joint Venture Agreement;

AND WHEREAS section 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. By-law No. A.-6567-226 entitled, "A By-law to approve the appointment of City of London representatives to the Joint Venture Management Committee for the 4-Pad Arena Complex located on Western Fair Association (WFA) lands" is amended as follows:
 - a) by amending Section 1. by deleting the words "Division Manager, Parks and Community Sports" and replacing them with the words "Division Manager, Aquatics, Arenas & Parks Operations";
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – August 28, 2018
Second Reading – August 28, 2018
Third Reading – August 28, 2018

Bill No. 531
2018

By-law No. S.-____-____

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Western Road, from Essex Street to Platt's Lane)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Western Road, from Essex Street to Platt's Lane, namely:

"Part of Park Lot 1 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 8 on Reference Plan 33R-19516. (all of PIN 08078-0187)"

"Part of Park Lot 1 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 1 on Expropriation Plan ER1112549. (all of PIN 08078-0175)"

"Part of Park Lot 1 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 1 on Expropriation Plan ER1112550. (all of PIN 08078-0177)"

"Part of Park Lot 1 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 1 on Expropriation Plan ER1112551. (all of PIN 08078-0179)"

"Part of Park Lot 1 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 1 on Expropriation Plan ER1112552. (all of PIN 08078-0181)"

"Part of Park Lot 1 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 1 on Expropriation Plan ER1112553. (all of PIN 08078-0183)"

"Part of Park Lot 1 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Parts 14 and 15 on Reference Plan 33R-19516. (all of PIN 08078-0185)"

"Part of Park Lot 1 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 6 on Reference Plan 33R-11830. (all of PIN 08078-0101)"

"Part of Block "A" on Registered Plan 780 in the City of London, designated as Part 16 on Reference Plan 33R-19516. (all of PIN 08078-0159)"

"Part of Park Lot 3 South of Victoria Street, in the geographic Township of London, now in the City of London, designated as Part 1 on Reference Plan 33R-19655. (all of PIN 08078-0169)"

"Part of Park Lot 3 South of Victoria Street, in the geographic Township of London, now in the City of London, designated as Part 2 on Reference Plan 33R-19655. (all of PIN 08078-0167)"

"Part of Park Lot 3 South of Victoria Street, in the geographic Township of London, now in the City of London, designated as Part 3 on Reference Plan 33R-19655. (all of PIN 08078-0170)"

“Part of Park Lot 2 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 5 on Reference Plan 33R-19517. (all of PIN 08078-0161)”

“Part of Park Lot 2 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 6 on Reference Plan 33R-19517. (all of PIN 08078-0163)”

“Part of Park Lot 2 North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 7 on Reference Plan 33R-19517. (all of PIN 08078-0165)”

“Part of Park Lot 2, North of Wharncliffe Highway, in the geographic Township of London, now in the City of London, designated as Part 8 on Reference Plan 33R-19517. (all of PIN 08078-0171)”

“Part of Park Lots 2 and 3 North of Grosvenor Street, in the geographic Township of London, now in the City of London, designated as Part 9 on Reference Plan 33R-19517. (all of PIN 08078-0173)”

“Part of Park Lot 3 North of Grosvenor Street, in the geographic Township of London, now in the City of London, designated as Parts 10 and 11 on Reference Plan 33R-19517. (Part of PIN 08078-0017)”

“Part of Park Lot 3 North of Grosvenor Street, in the geographic Township of London, now in the City of London, designated as Part 12 on Reference Plan 33R-19517. (all of PIN 08078-0152)”

2. This by-law comes into force and effect on the day it is passed.

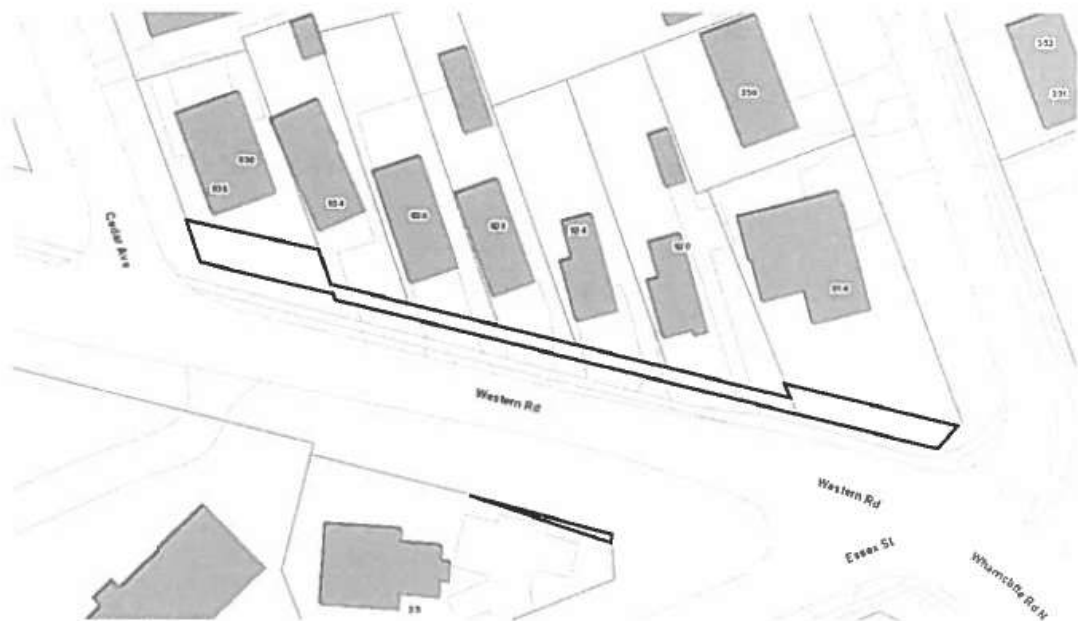
PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – August 28, 2018
Second Reading – August 28, 2018
Third Reading – August 28, 2018

LOCATION MAP



 SUBJECT LANDS

Bill No. 532
2018

By-law No. W.- ____ - ____

A by-law to authorize debenture financing for project ES5264-Wonderland Pumping Station.

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The "ES5264-Wonderland Pumping Station" project is hereby authorized.
2. The net cost of this project shall be met by the issue of debentures in an amount not to exceed \$5,000,000.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

Bill No. 533
2018

By-law No. W.- ____ - ____

A by-law to authorize debenture financing for project ES5263 -Southwest Capacity Improvement.

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The "ES5263-Southwest Capacity Improvement" project is hereby authorized.
2. The net cost of this project shall be met by the issue of debentures in an amount not to exceed \$15,006,387.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

Bill No. 534
2018

By-law No. W.-5593()- ____

A by-law to amend by-law No. W.-5593-37 entitled,
“A by-law to authorize the Colonel Talbot Pumping
Station. (Project No. ES2204)”

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

AND WHEREAS it has been deemed expedient to amend By-law No. W.-5593-37 passed on January 4th, 2016, to authorize an increase in the net amount of monies to be debentured for the “Colonel Talbot Pumping Station. (Project No. ES2204)”

NOW THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. The net cost of this project shall be met by the increase in the issue of debentures by \$9,600,000 from \$600,000 to \$10,200,000.
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

Bill No. 535
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for lands located at 2427 Daisy Bend and 3025 Doyle Drive.

WHEREAS Sifton Properties Limited has applied to remove the holding provisions from the zoning for the lands located at 2427 Daisy Bend and 3025 Doyle Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

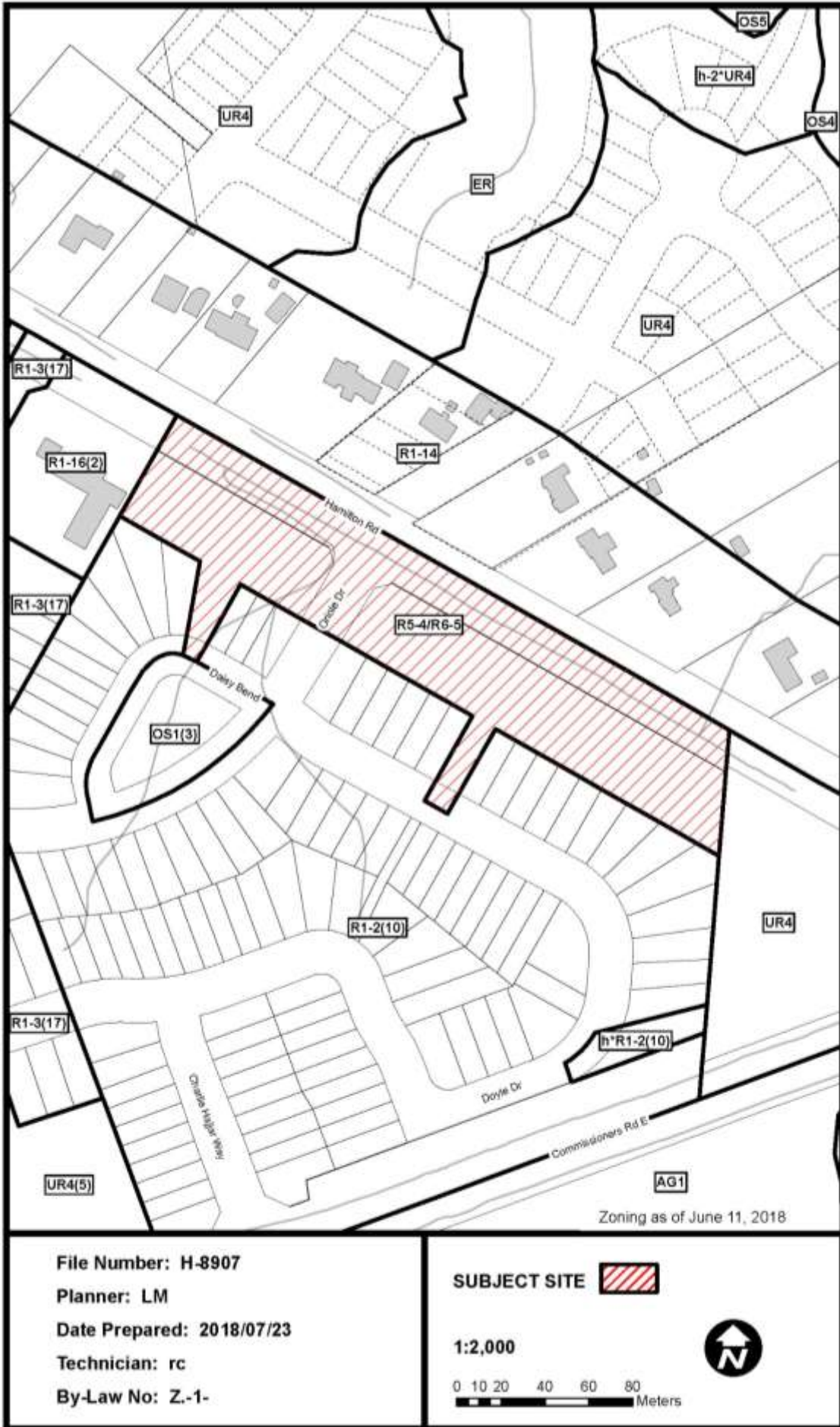
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 2427 Daisy Bend and 3025 Doyle Drive, as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Residential R5/R6 (R5-4/R6-5) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

SCHEDULE "A"



Bill No. 536
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 2313 and 2373 Callingham Drive.

WHEREAS Town & Country Developments has applied to remove the holding provision from the zoning for lands located at 2313 and 2373 Callingham Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

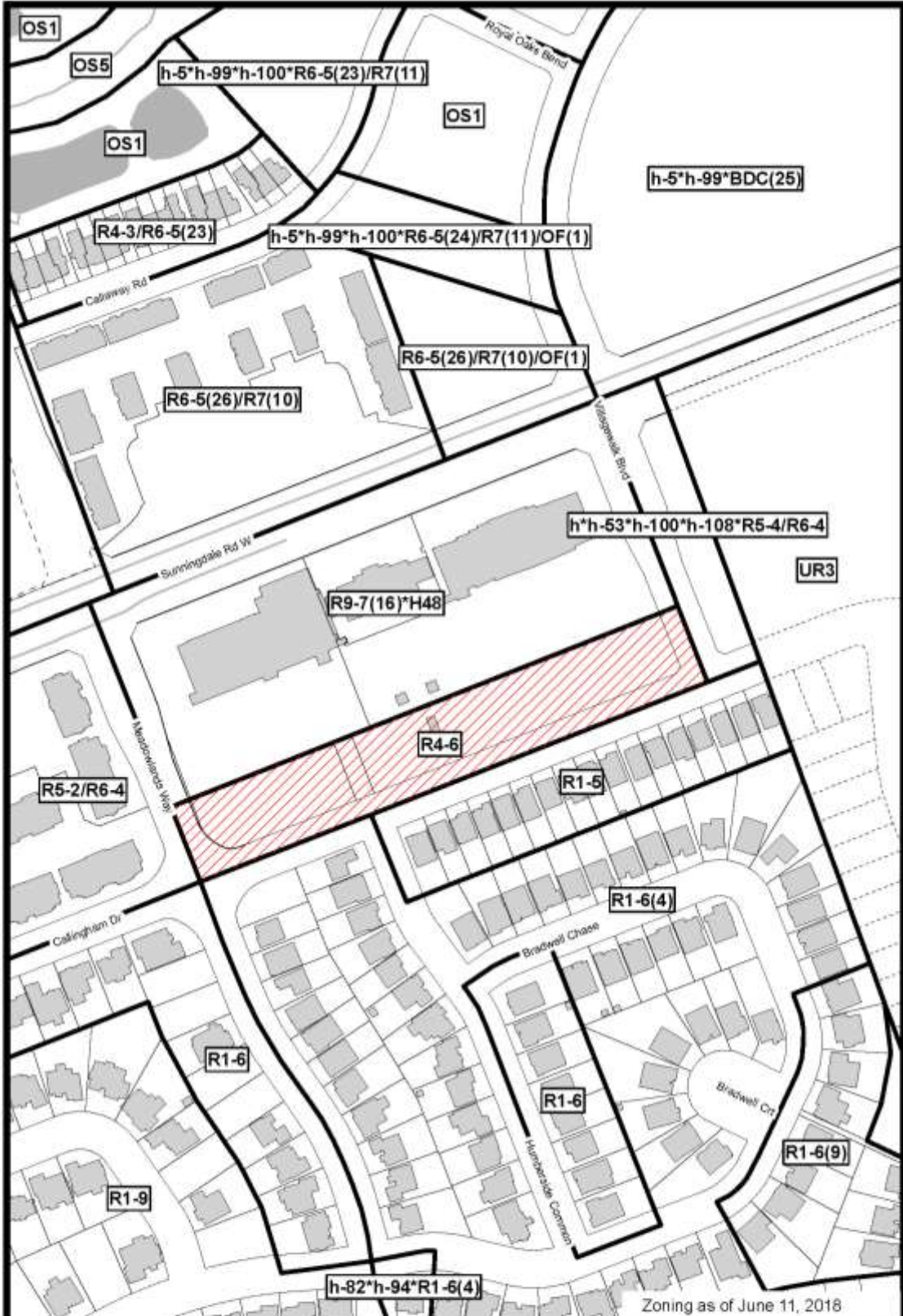
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 2313 and 2373 Callingham Drive, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R4 (R4-6) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

SCHEDULE "A"



Zoning as of June 11, 2018

File Number: H-8929
 Planner: MS
 Date Prepared: 2018/07/20
 Technician: LT
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500
 0 12.525 50 75 100 Meters



Bill No. 537
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1826 & 1854 Oxford Street West.

WHEREAS Oxford West Gateway Inc. c/o Laverne Kirkness have applied to remove the holding provisions from the zoning for the lands located at 1826 & 1854 Oxford Street West, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said land;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

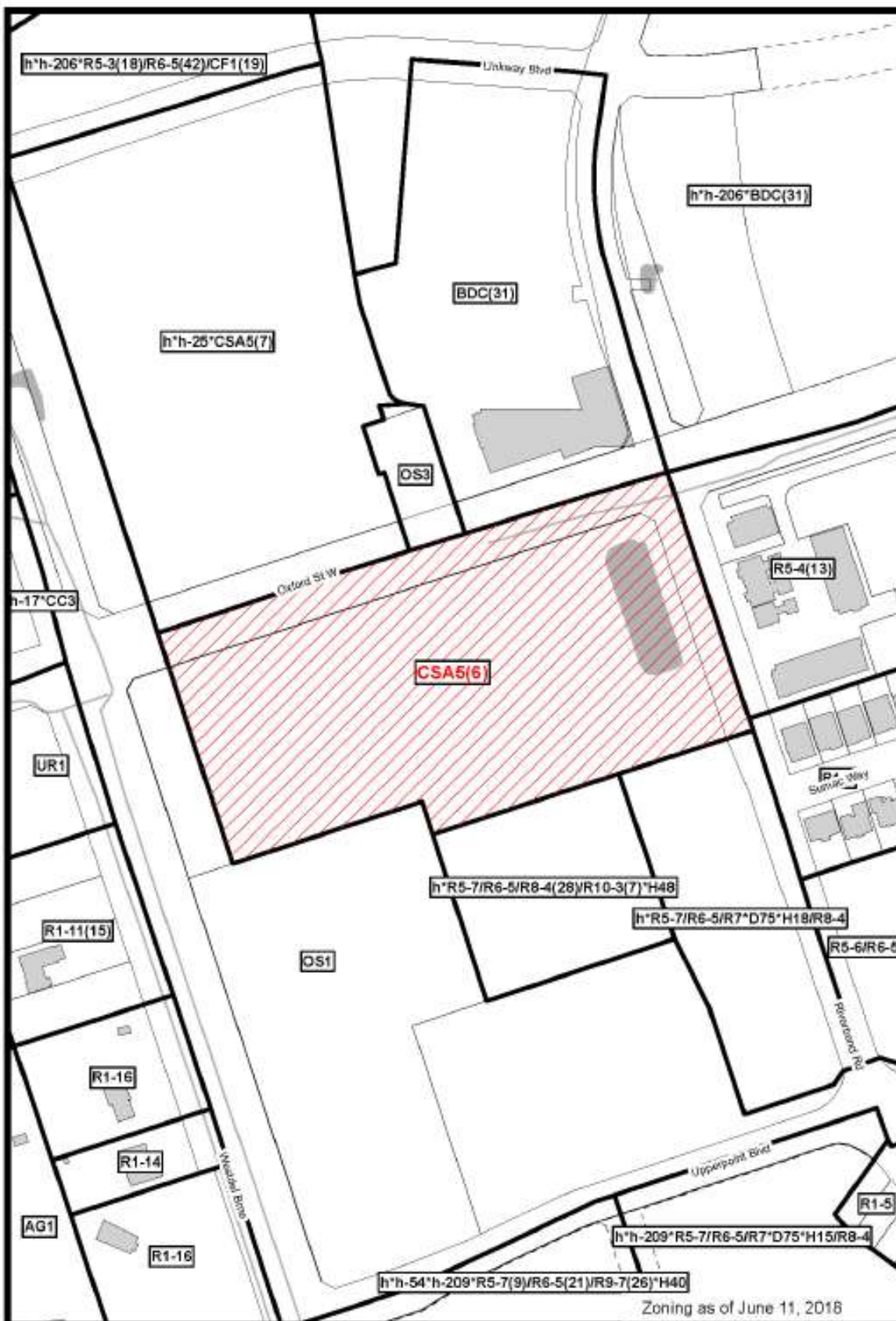
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1826 & 1854 Oxford Street West, as shown on the attached map, to remove the h and h-11 holding provisions so that the zoning of the lands as a Community Shopping Area Special Provision (CSA5(6)) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

SCHEDULE "A"



File Number: H-8895
 Planner: SM
 Date Prepared: 2018/07/23
 Technician: rc
 By-Law No: Z-1-

SUBJECT SITE 

1:2,500

0 12.5 25 50 75 100 Meters



Bill No. 538
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 164 Sherwood Forest Square.

WHEREAS Ben Cameron Consulting Inc. has applied to remove the holding provision from the zoning for lands located at 164 Sherwood Forest Square, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

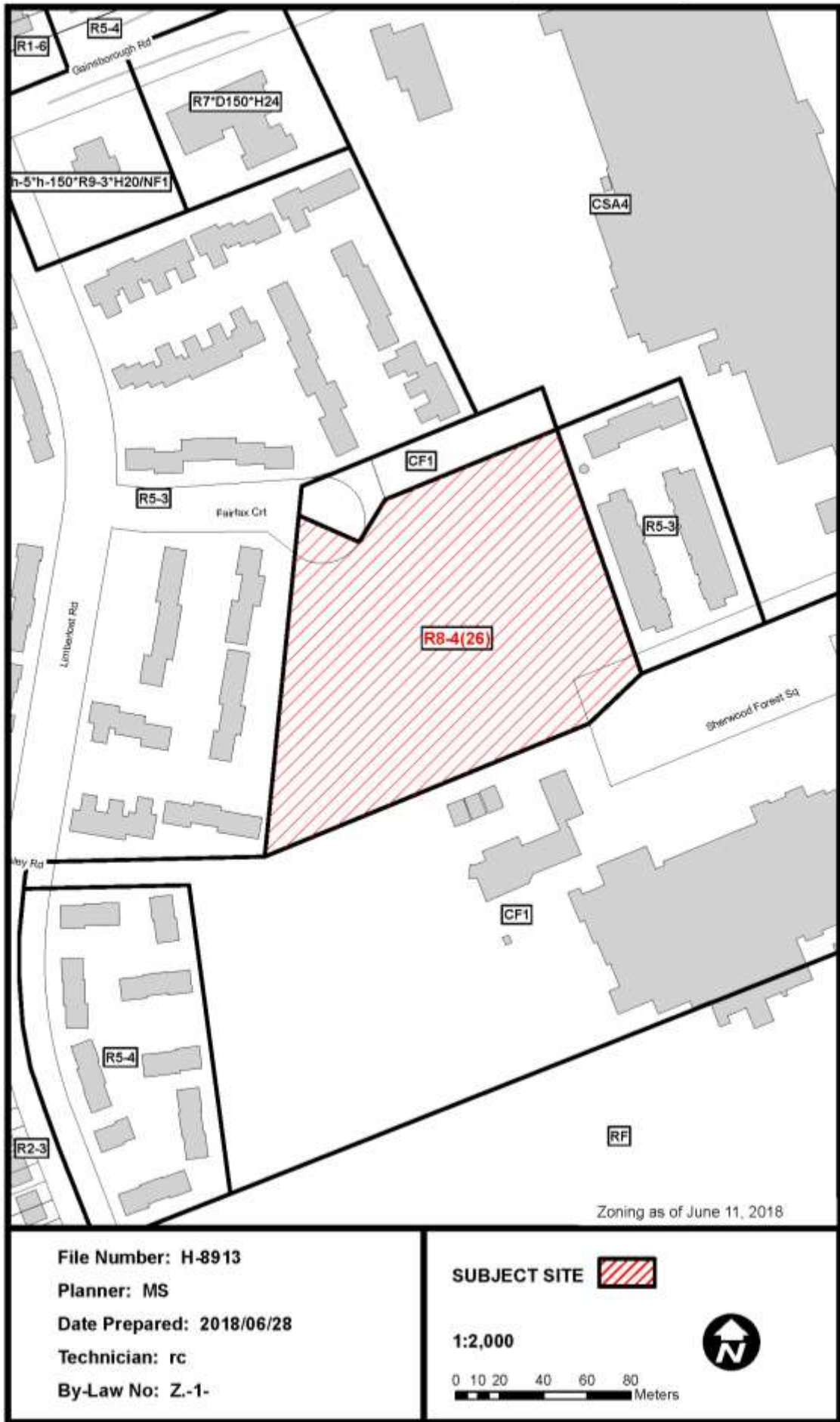
- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 164 Sherwood Forest Square, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R8 Special Provision (R8-4(26)) Zone comes into effect.
- 2) This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.


Matt Brown
Mayor

Catharine Saunders
City Clerk


SCHEDULE "A"




File Number: H-8913
Planner: MS
Date Prepared: 2018/06/28
Technician: rc
By-Law No: Z-1-

SUBJECT SITE 

1:2,000

 Meters



Bill No. 539
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for lands located at 728, 730, 742 and 744 Dundas Street.

WHEREAS Indwell Community Homes has applied to remove the holding provision from the zoning for the lands located at 728, 730, 742 and 744 Dundas Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said lands;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

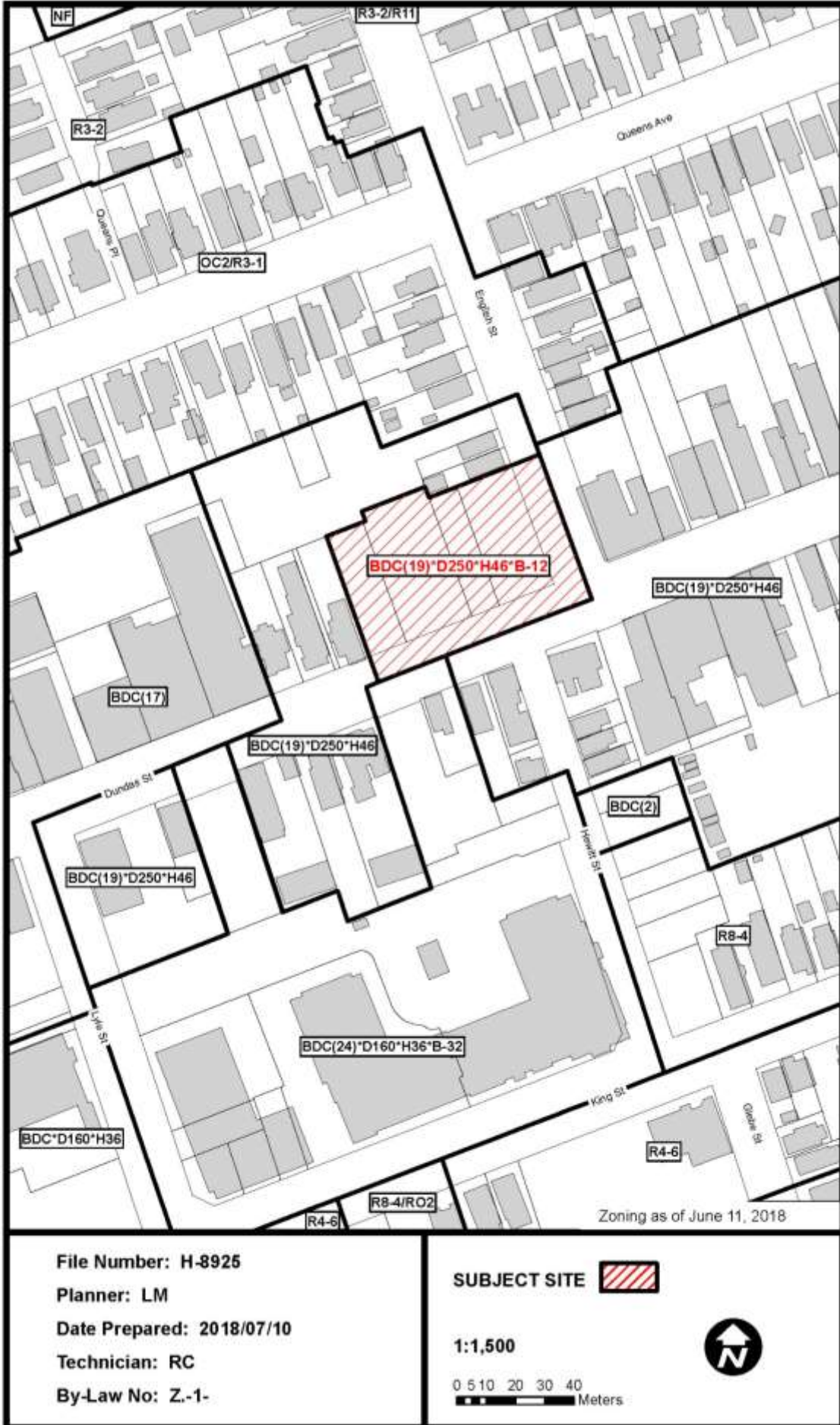
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 728, 730, 742 and 744 Dundas Street, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Business District Commercial Special Provision (BDC(19)•D250•H46•B-12) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

SCHEDULE "A"



Bill No. 540
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1100 Upperpoint Boulevard.

WHEREAS Sifton Properties Limited have applied to remove the holding provisions from the zoning for the lands located at 1100 Upperpoint Boulevard, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said land;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

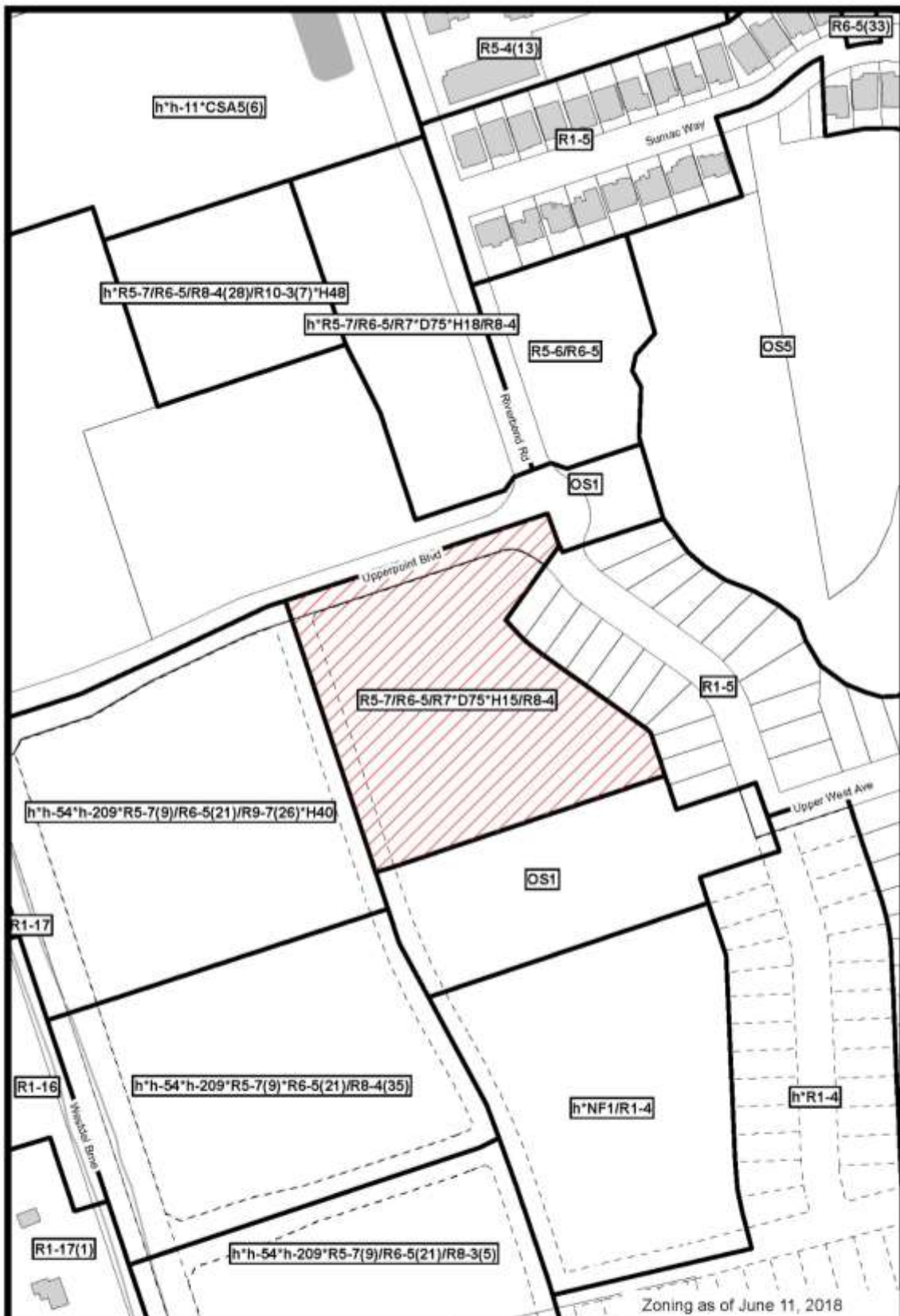
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1100 Upperpoint Boulevard, as shown on the attached map, to remove the h and h-209 holding provisions so that the zoning of the lands as a Residential R5 / Residential R6 / Residential R7 / Residential R8 (R5-7/R6-5/R7 D75 H15/R8-4) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on August 28, 2018.




Matt Brown
Mayor

Catharine Saunders
City Clerk

SCHEDULE "A"



Zoning as of June 11, 2018

<p>File Number: H-8906 Planner: LM Date Prepared: 2018/07/25 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters </p> <p></p>
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Bill No. 541
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 391 South Street.

WHEREAS the Corporation of the City of London has applied to rezone an area of land located at 391 South Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms 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 391 South Street, as shown on the attached map comprising part of Key Map No. A107, from a holding Residential R7/Residential R9/Regional Facility (h-5*R7*D150*H30/R9-7*H30/RF) Zone, to a holding Residential R8 Special Provision Bonus (h-__*R8-4(__)*B-__) Zone; and a holding Residential R9 Special Provision Bonus (h-__*R9-3(__)*H30*B-__) Zone.

2) Section Number 3.8 2) (Holding "h" Zones/Holding Zone Provisions) is amended by adding the following new holding zone:

h-__ Purpose: to ensure that development is consistent with the vision and objectives for the development of the Old Victoria Hospital lands, the holding provision will not be lifted until a development agreement is entered into for the subject lands, that substantively implements the site plan and renderings attached as Schedule "1" to the amending by-law, with minor variations to the satisfaction of the City of London; that conforms with the community structure, character area, form and design policies of the Old Victoria Hospital Lands Secondary Plan.

Permitted Interim Uses: Existing uses

3) Section 4.3. 4) (Bonus Zones/Site Specific Bonus Provisions) is amended by adding the following new bonus zone:

B-__ 391 South Street

This bonus zone is intended to facilitate a high quality development which substantively implements through the required development agreement(s), the Site Plan, Renderings and Concept Landscape Plan, attached as Schedule "1" and Schedule "2" to the amending by-law; and

- i) Conservation, retention and adaptive re-use of the existing heritage designated Colborne Building;
- ii) Provision of the publicly accessible courtyard and public art within the courtyard
- iii) Provision of two levels of underground parking

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations:

- i) Density: 705 units per hectare
Maximum
- ii) Frontage: 98m (328 ft)
Minimum
- iii) Lot Area: 9,000m² (9,687 sq ft)
Minimum

- ix) Front, Interior, Exterior and Rear Setbacks: 0m (0ft)
Minimum
- x) Height: 80 metres (262 ft)
Maximum
- xi) Tower floor plate above 9th Storey 800m²
Maximum
- xii) Parking total for all uses: 360 spaces
Minimum

4) Section 12.4 d) (Residential R8/Special Provisions) is amended by adding the following new special provision zone variation:

R8-4()

a) Additional Permitted Uses

- i) Offices
- ii) Medical-dental offices
- iii) Clinics
- iv) Day care centres
- v) Studios
- vi) Convenience stores
- vii) Pharmacies
- viii) Financial institutions
- ix) Personal service establishments
- x) Restaurants, eat-in
- xi) Business service establishments
- xii) Hotels
- xiii) Retail Store

b) Regulations

- i) Within the existing building, there will be no limit on the location of non-residential floor area or floor space permitted within, with the exception of the retail store use.
- ii) For the existing building, the height is as existing on the date of the passing of the by-law.
- iii) Residential uses located on the ground floor of the existing building may occupy no more than 80% of the total ground floor gross floor area
- iv) Within new buildings, non-residential uses are restricted to the ground floor with a maximum combined gross floor area of 850m²
- v) Lot Frontage 25m
Minimum
- vi) Lot Coverage 80%
Maximum
- vii) Height 9m (29 ft)
Minimum
13 m (42 ft)
Maximum
- viii) Density 50 units per hectare
Minimum
60 units per hectare
Maximum
- ix) Front and Exterior Side Yard Setbacks 0m (0 ft)
Minimum
3m (10 ft)
Maximum

x)	Rear Yard Requirements Maximum	3m (10 ft)
xi)	Interior Side Yard Requirements Minimum	2m (6 ft)
xii)	Landscaped Open Space Minimum	20%
xiii)	Parking requirement for residential uses Minimum	0.75 spaces per unit
xiv)	Retail Store Total Gross Floor Area Maximum	300m ² (3,229 sq ft)
xv)	Offices/Medical Dental Offices Maximum	2,000m ² for new buildings

5) Section 13.4 c) (Residential R9/Special Provisions) is amended by adding the following new special provision zone variation:

R9-3()

- a) Permitted Uses
 - i) Apartment buildings
 - ii) Stacked townhouses
- b) Secondary Permitted Uses on the ground floor abutting the Riverfront Promenade:
 - i) Restaurants, eat-in
 - ii) Studios
- c) Regulations
 - i) Lot Coverage (Maximum) 80%
 - ii) Height
Minimum 21 m (69 ft)
Maximum 30 m (98 ft)
 - iii) Density
Minimum 75 units per hectare
Maximum 100 units per hectare
 - iv) Floor plate above 4th Storey
Maximum 800m²
 - v) Front and Exterior Side Yard Setbacks
Minimum 0 m (0 ft)
Maximum 3m (10 ft)
 - vi) Rear Yard Requirements
Minimum 0m (0 ft)
 - vii) Interior Side Yard Requirements
Minimum 0m (0 ft)
 - viii) Landscaped Open Space
Minimum 20%
 - ix) Parking requirement for residential uses
Minimum 0.75 spaces per unit

6) 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.

7) 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.

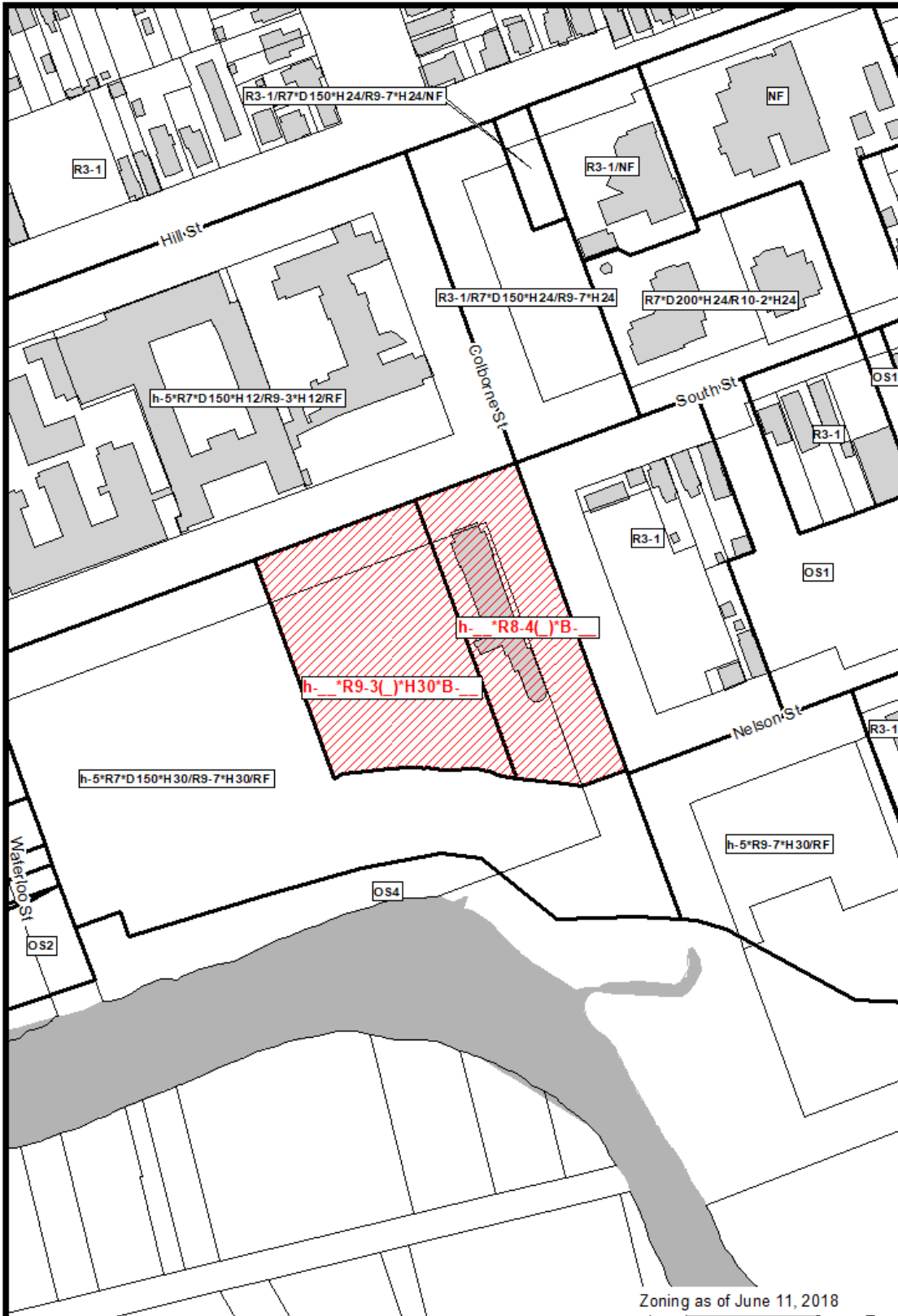
PASSED in Open Council on August 28, 2018.


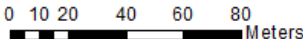

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – August 28, 2018
Second Reading – August 28, 2018
Third Reading – August 28, 2018

SCHEDULE "A"



<p>File Number: Z-8803 Planner: SW Date Prepared: 2018/07/10 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,000</p> <p> Meters</p> <p></p>
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