



Council Minutes

18th Meeting of City Council
October 16, 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. Barbon, B. Card, B. Coxhead, S. Datars Bere, K. Dawtrey, J. Fleming, A. Hagan, G. Kotsifas, L. Livingstone, S. Miller, J.P. McGonigle, C. Saunders, K. Scherr, M. Schulthess, B. Warner, B. Westlake-Power and R. Wilcox.

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

1. Disclosures of Pecuniary Interest

Councillor T. Park discloses a pecuniary interest in item 7, clause 2.4 of the 18th Report of the Corporate Services Committee, having to do with Elected Officials Remuneration, by indicating that she is a candidate.

Councillor T. Park further discloses a pecuniary interest in item 14, clause 3.6, of the 15th Report of the Planning and Environment Committee, having to do with an application for the property located at 147-149 Wellington Street and 253-257 Grey Street, and the related Bill No. 593, by indicating that her family owns a neighbouring property.

Councillor V. Ridley discloses a pecuniary interest in item 14, clause 3.6, of the 15th Report of the Planning and Environment Committee, having to do with an application for the property located at 147-149 Wellington Street and 253-257 Grey Street, and the related Bill No. 593, by indicating that she has an interest in a neighbouring property.

Councillor P. Hubert discloses a pecuniary interest in item 4 of the 18th Report of the Council, In Closed Session, having to do with the CUPE Local 101 Tentative Agreement, by indicating that he is the Executive Director of a Social Service Agency that has a purchase of service agreement with Ontario Works.

Councillor S. Turner discloses a pecuniary interest in item 4 of the 18th Report of the Council, In Closed Session, having to do with the CUPE Local 101 Tentative Agreement, by indicating that he supervises CUPE 101 staff in his role at the Middlesex London Health Unit.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, In Closed Session

Motion made by: M. van Holst
Seconded by: J. Zaifman

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

4.1 Personal Matters/Identifiable Individual

A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2019 Mayor's New Year's Honour List (6.1/13/CPSC)

4.2 Land Acquisition/Solicitor-Client Privileged Advice

A matter pertaining instructions and directions to officers and employees of the Corporation pertaining to a proposed acquisition of land; advice that is subject to solicitor-client privilege, including communications necessary for that purpose; reports or advice or recommendations of officers and employees of the Corporation pertaining to a proposed acquisition of land; commercial and financial information supplied in confidence pertaining to the proposed acquisition the disclosure of which could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of the Corporation, result in similar information no longer being supplied to the Corporation where it is in the public interest that similar information continue to be so supplied, and result in undue loss or gain to any person, group, committee or financial institution or agency; commercial, information relating to the proposed acquisition that belongs to the Corporation that has monetary value or potential monetary value; information concerning the proposed acquisition whose disclosure could reasonably be expected to prejudice the economic interests of the Corporation or its competitive position; information concerning the proposed acquisition whose disclosure could reasonably be expected to be injurious to the financial interests of the Corporation; and instructions to be applied to any negotiations carried on or to be carried on by or on behalf of the Corporation concerning the proposed acquisition. (6.1/CSC/18)

4.3 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/CSC/18)

4.4 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. (6.3/CSC/18)

4.5 Personal Matters/Identifiable Individual

ADDED A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2019 Mayor's New Year's Honour List. (6.1/CPSC/14)

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

ADDED A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regards to one of the Corporation's unions and advice which is subject to solicitor-client privilege, including communications necessary for that purpose and for the purpose of providing instructions and direction to officers and employees of the Corporation. (6.1/SPPC/11)

4.7 Personal Matters/Identifiable Individual

ADDED A matter pertaining to personal matters about an identifiable individual with respect to employment-related matters and advice and recommendations of officers and employees of the Corporation including communications necessary for that purpose. (6.2/SPPC/11)

4.8 Personal Matters/Identifiable Individual

ADDED A matter pertaining to personal matters about an identifiable individual with respect to employment-related matters and advice and recommendations of officers and employees of the Corporation including communications necessary for that purpose. (6.2/SPPC/11)

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)

The Council rises and goes into the Council, In Closed Session, at 4:03 PM, with Mayor M. Brown in the Chair and all Members present except Councillor V. Ridley.

The Council, In Closed Session, rises at 4:20 PM and Council reconvenes at 4:24 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)

Motion made by: M. Cassidy

Seconded by: H. Usher

That the Minutes of the 17th Meeting held on October 2, 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

None.

7. Motions of Which Notice is Given

None.

8. Reports

8.1 15th Report of the Planning and Environment Committee

Motion made by: S. Turner

That the 15th Report of the Planning and Environment Committee BE APPROVED, excluding Items 14 (3.6) and 15(3.7).

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)

1. Disclosures of Pecuniary Interest

Motion made by: S. Turner

That it BE NOTED that Councillor T. Park disclosed a pecuniary interest in clause 3.6 of this Report, having to do with the properties located at 147-149 Wellington Street and 253-257 Grey Street, by indicating that her family owns property within half a kilometer and this is on a rapid transit corridor.

Motion Passed

2. (2.1) Contract Renewal for Management of Environmentally Significant Areas (Relates to Bill No. 582)

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 renewal of the five year Agreement with the Upper Thames River Conservation Authority for the management of City-owned Environmentally Significant Areas in the City of London:

a) approval BE GIVEN under Section 14.3 (c) of the Procurement of Goods and Services Policy to enter into an Agreement with the Upper Thames River Conservation Authority for the management of Environmentally Significant Areas in the City of London as a "Sole Source" contract; and,

b) the proposed by-law appended to the staff report dated October 9, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018, to approve an Agreement between The Corporation of the City of London and the Upper Thames River Conservation Authority for the management of

Environmentally Significant Areas in the City of London, substantially in the form of the by-law appended to the staff report dated October 9, 2018, and to authorize the Mayor and City Clerk to execute the agreement;

it being noted that funding for this service is included within the base budget of Parks and Natural Areas Planning and Design. (2018-E18)

Motion Passed

3. (2.2) London Plan Status Update

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated October 9, 2018 entitled "London Plan Status Update" BE RECEIVED for information. (2018-D09)

Motion Passed

4. (2.3) Passage of Heritage Designation By-law - 172 Central Avenue (Relates to Bill No. 587)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the ~~attached~~ by-law to designate 172 Central Avenue to be of cultural heritage value or interest BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018; it being noted that this matter has been considered by the London Advisory Committee on Heritage and public notice has been completed with respect to the designation in compliance with the requirements of the *Ontario Heritage Act*. (2018-R01)

Motion Passed

5. (2.4) Application - 2900 Tokala Trail (H-8892) (Relates to Bill No. 590)

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 Foxwood Development (London) Inc., relating to the property located at 2900 Tokala Trail, the proposed by-law appended to the staff report dated October 9, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 16, 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 (h-*h-71*h-100*R5-7)) Zone TO a Residential R5 (R5-7) Zone to remove the h., h-71 and h-100 holding provisions. (2018-D09)

Motion Passed

6. (2.5) Application - 3804 South Winds Drive - Removal of Holding Provisions (h., h-161, h-162 and h-163) (H-8955) (Relates to Bill No. 591)

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 Mimadala Holdings Inc., relating to the property located at 3804 South Winds Drive, the proposed by-law appended to the staff report dated October 9, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 Special Provision (h-*h-161*h-162*h-163*R1-14(3)) Zone TO a Residential R1 Special Provision (R1-14 (3)) Zone to remove the h., h-161, h-162 and h-163 holding provisions. (2018-D09)

Motion Passed

7. (2.6) Application - Riverbend South Subdivision - Phase 2 - Formerly 1826 and 1854 Oxford Street West (H-8880) (Relates to Bill No. 592)

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 within the Riverbend South Subdivision – Phase 2, (formerly 1826 and 1854 Oxford Street West), the proposed by-law appended to the staff report dated October 9, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h•R1-4 and h•R1-5) Zone TO a Residential R1 (R1-4 and R1-5) Zone to remove the holding (h) provision. (2018-D12)

Motion Passed

8. (2.7) Building Division Monthly Report for August 2018

Motion made by: S. Turner

That the Building Division Monthly Report for the month of August, 2018 BE RECEIVED for information. (2018-D04)

Motion Passed

9. (3.1) 10th Report of the Environmental and Ecological Planning Advisory Committee

Motion made by: S. Turner

That, the following actions be taken with respect to the 10th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on September 20, 2018:

a) the Working Group comments appended to the 10th Report of the Environmental and Ecological Planning Advisory Committee with respect to the application by MHBC Planning relating to the property located at 3080 Bostwick Road BE FORWARDED to S. Wise, Senior Planner, for consideration;

b) the revised Working Group comments appended to the 10th Report of the Environmental and Ecological Planning Advisory Committee relating to the Southdale Road Environmental Assessment, from Pine Valley to Colonel Talbot Road BE FORWARDED to S. Shannon, Technologist II, City of London and S. Muscat, AECOM;

c) the Civic Administration BE REQUESTED to work with the Environmental and Ecological Planning Advisory Committee with respect to natural heritage and stormwater management on a system basis, particularly in the southwest area of the city and the Dingman watershed; and,

d) clauses 1.1, 3.1, 5.1 and 6.1 BE RECEIVED for information.

Motion Passed

10. (3.2) Application - 3080 Bostwick Road (39T-18502/Z-8931)

Motion made by: S. Turner

That, the following actions be taken with respect to the application by 31675 Ontario Ltd (York Developments Inc), relating to a portion of the property located at 3080 Bostwick Road:

a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018 as Appendix "A" BE RECEIVED for information; and,

b) a public participation meeting BE HELD at a future meeting of the Planning and Environment Committee;

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

it being 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

11. (3.3) Application - 3080 Bostwick Road, Site 1 (OZ-8941)

Motion made by: S. Turner

That, the following actions be taken with respect to the application by 31675 Ontario Ltd (York Developments Inc), relating to a portion of the property located at 3080 Bostwick Road:

a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018, BE RECEIVED; it being noted that staff will continue to process the application and will consider the public, agency, and other feedback received during the review of the subject application as part of the staff evaluation of the subject application; and,

b) a public participation meeting BE HELD at a future Planning and Environment Committee meeting;

it being noted that the Planning and Environment Committee reviewed and received a communication dated September 28, 2018 from A. Clarke, with respect to this matter;

it being further noted that no individuals spoke at the public participation meeting associated with this matter. (2018-D09)

Motion Passed

12. (3.4) Application - 3080 Bostwick Road, Site 3 (Z-8942)

Motion made by: S. Turner

That, the following actions be taken with respect to the application by 31675 Ontario Ltd (York Developments Inc), relating to a portion of the property located at 3080 Bostwick Road:

a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018, BE RECEIVED; and,

b) a public participation meeting BE HELD at a future Planning and Environment Committee meeting;

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

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2018-D09)

Motion Passed

13. (3.5) Application - 3080 Bostwick Road, Site 5 (OZ-8943)

Motion made by: S. Turner

That, the following actions be taken with respect to the application by 31675 Ontario Ltd (York Developments Inc), relating to a portion of the property located at 3080 Bostwick Road:

a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018, BE RECEIVED; and,

b) a public participation meeting BE HELD at a future Planning and Environment Committee meeting;

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

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2018-D09)

Motion Passed

16. (3.8) Application - 3130 and 3260 Dingman Drive and 4213 Wellington Road South (SPA 17-109, SPA 17-111, SPA-17-117)

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 PenEquity / Goal Ventures Inc., relating to the properties located at 3130 and 3260 Dingman Drive and 4313 Wellington Road South:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of approximately 73,000m² of commercial space; and,

b) the Approval Authority BE ADVISED that the Municipal Council does not have any issues with respect to the Site Plan Application;

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 proposed Site Plan is consistent with the Provincial Policy Statement, which directs development to designated growth areas and that development be adjacent to existing development;
- the proposed Site Plan conforms to the policies of the Shopping Area Place Type and all other applicable policies of The London Plan;
- the proposed Site Plan is in conformity with the policies of the New Format Regional Commercial Node designation of the Official Plan (1989) and will implement an appropriate range of commercial uses in accordance with the Official Plan policies;

- the proposed Site Plan Control application integrates conforms to the Policies of the Southwest Area Secondary Plan; and,
- the proposed Site Plan meets the requirements of the Site Plan Control By-law. (2018-D09)

Motion Passed

17. (4.1) Neighbourhood School Strategy - Evaluation and Acquisition of Surplus School Sites (17 CLO) (Relates to Bill No. 584)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken to describe the City's approach to the evaluation and acquisition of school sites identified as surplus to School Boards' needs:

a) the proposed by-law appended to the revised staff report dated October 8, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018, to adopt the Council Policy for the Evaluation and Acquisition of Surplus School Sites; and,

b) the Administrative Policy for the Evaluation and Acquisition of Surplus School Sites appended to the staff report dated October 9, 2018 as Appendix "B" BE RECEIVED for information. (2018-L07)

Motion Passed

18. (4.2) Hyde Park Business Association Board of Management By-laws

Motion made by: S. Turner

That the City Clerk BE DIRECTED to bring forward to a future meeting of Municipal Council a by-law to incorporate the proposed amendments to the Hyde Park Business Improvement Area By-law as requested by the Hyde Park Business Improvement Area Board of Management as outlined in the communication dated October 9, 2018 from D. Szpakowski

Motion Passed

19. (4.3) Argyle Business Association Board of Management By-laws

Motion made by: S. Turner

That the City Clerk BE DIRECTED to bring forward to a future meeting of Municipal Council a by-law to incorporate the proposed amendments to the Argyle Business Improvement Area By-law as requested by the Argyle Business Improvement Area Board of Management as outlined in the communication dated October 9, 2018 from S. McConnell.

Motion Passed

20. (5.1) 10th Report of the Advisory Committee on the Environment

Motion made by: S. Turner

That, the following actions be taken with respect to the 10th Report of the Advisory Committee on the Environment, from its meeting held on October 3, 2018:

a) clause 5.1 BE REFERRED to the 2019 Budget process for consideration; it being noted that clause 5.1 reads as follows:

“Municipal Council BE REQUESTED to consider additional funding for the 2019 Forestry Operations budget to allow for further maintenance and watering of existing trees in the City of London; it being noted that the Advisory Committee on the Environment (ACE) received a presentation from A. Beaton, Manager, Forestry Operations with respect to the practices related to the watering of London trees at a past meeting of the ACE; it being further noted that the ACE feels that increased maintenance and watering of existing trees will extend the average tree life expectancy of mature trees in London and potentially achieve London’s 34% canopy target;” and,

b) clauses 1.1, 3.1 and 5.2 to 5.4, BE RECEIVED for information.

Motion Passed

21. (5.2) 9th Report of the Trees and Forests Advisory Committee

Motion made by: S. Turner

That, the following actions be taken with respect to the 9th Report of the Trees and Forests Advisory Committee, from its meeting held on September 26, 2018:

a) the following action be taken with respect to the Boulevard Tree Protection By-law:

i) the Trees and Forests Advisory Committee BE REQUESTED to have the opportunity to review street tree species that are listed in the Design and Specification Manual prior to final decision, to prevent fruit trees from being planted on boulevards;

it being noted that the presentation appended to the 9th Report of the Trees and Forests Advisory Committee from S. Rowland, Urban Forestry Planner, with respect to Boulevard Tree Protection By-Law, was received; and,

b) clauses 1.1, 3.1, 3.2 and 5.1 to 5.4 BE RECEIVED for information.

14. (3.6) Application - 147-149 Wellington Street and 253-257 Grey Street (Z-8905) (Relates to Bill No. 593)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of JAM Properties Inc., relating to the property located at 147-149 Wellington Street and 253-257 Grey Street:

a) the proposed by-law appended to the staff report dated October 9, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 16, 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 Business District Commercial Special Provision (BDC(8)) Zone and Business District Commercial Special Provision (BDC(4)) Zone TO a Business District Commercial Special Provision Bonus (BDC(8))*B() Zone and Business District Commercial Special Provision Bonus (BDC(4))*B() Zone;

the B() Zone shall be implemented through one or more agreements to provide for an apartment building with a maximum height of 18-storeys or 63 metres with an increased density of up to 560 units per hectare in return for the provision of the following facilities, services, and matters:

i) a high quality development which substantially implements the site plan and elevations and rendering as appended in Schedule "1" to the amending by-law:

Podium

A) a four storey podium along both the Wellington and Grey street frontages;

B) brick as the primary material on the street facing elevations;

C) ground floor units along the Wellington Street frontage designed to be convertible between residential and commercial;

D) individual unit entrances with front door access for all ground floor units;

E) ground floor units with direct access to the City sidewalk for all street facing units; and,

F) a prominent principle entrance into the apartment building, at the intersection of Wellington and Grey Streets, that is easily identifiable by including some or all of the following: a change of massing, a higher level of clear glazing, and/or the incorporation of canopies;

Mid-Rise Portions

A) a step back of the mid-rise portions of the building above the podium;

B) a step back of the mid-rise portion from the southerly and westerly extents of the podium;

C) a material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This includes the use of brick

and or alternative materials with similar texture and colour to the brick cladding on the podium; and,

D) a high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers.

Tower

A) the tower portion located on top of the north east corner of the podium;

B) a step back of the tower above the podium;

C) a material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and or a similar colour to the brick cladding on the podium;

D) a high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers; and,

E) the design of the top of the towers that provides interest to the skyline and is well integrated with the design language of the overall building;

ii) Transit Station

the financial contribution of funding to the future Transit Station at Wellington Street and Grey Street in the amount of \$200,000, for the provision of public art or other station enhancements to be provided at the time of site plan approval or construction of the station, whichever occurs first;

iii) Provision of Affordable Housing

the provision of 10 affordable housing units, established by agreement at 95% of average market rent for a period of 20 years. An agreement shall be entered into with the Corporation of the City of London, to secure those units for this 20 year term;

iv) 2 levels of underground parking

the construction of a civic space provided at the main pedestrian entrance to the building and enhanced landscaping along Wellington Street, consistent with the conceptual site plan and renderings shown in Schedule 1 of the amending by-law;

b) Staff BE DIRECTED to initiate an amendment to The London Plan for the properties located at 147-149 Wellington Street and 253-257 Grey Street to ADD a new policy to the Specific Policies for the Rapid Transit and Urban Corridor Place Type to allow for a maximum height of 18-storeys subject to a bonus zone;

it being noted that the Planning and Environment Committee reviewed and received a communication dated September 21, 2018, from H. Froussios, Senior Associate, Zelinka Priamo Ltd., with respect to these matters;

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 PPS 2014;

- the recommended amendment is consistent with the City of London Official Plan policies and Rapid Transit Corridor Place Type policies of the London Plan;
- the recommended amendment facilitates the redevelopment of an underutilized site and encourages an appropriate form of development;
- the bonusing of the subject site ensures the building form and design will fit within the surrounding area and provide for an affordable housing and quality design standard; and,
- the proposed development includes the provision of affordable housing which will be mixed throughout the development. (2018-D09)

Yeas: (13): 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, and J. Zaifman

Recuse: (1): T. Park

Absent: (1): V. Ridley

Motion Passed (13 to 0)

15. (3.7) Amendments to Section 4.10 (Home Occupations) (Z-8946)

Motion made by: A. Hopkins

That the application by The Corporation of the City of London, with respect to the proposed Zoning By-law for Home Occupations to add day sitting for dogs and domestic cats as a permitted use BE REFERRED back to the Civic Administration for further consideration, providing direction on issues raised at the Planning and Environment Committee meeting, including, but not limited to:

- a) the issues may be better addressed through the Business Licensing By-law;
- b) the matter of not allowing overnight pet sitting may not stand up in court; and,
- c) the matter of receiving written consent from a tenant by the landlord;

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. (2018-P01)

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

Nays: (1): S. Turner

Absent: (1): V. Ridley

Motion Passed (13 to 1)

8.2 14th Report of the Community and Protective Services Committee

Motion made by: M. Cassidy

That the 14th Report of the Community and Protective Services Committee BE APPROVED, excluding Item 7 (2.7).

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)

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) 9th Report of the Animal Welfare Advisory Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 9th Report of the Animal Welfare Advisory Committee, from its meeting held on September 6, 2018:

a) Alice Balluku, Ward 13 Councillor for London Youth Advisory Council, BE INVITED to attend a future meeting of the Animal Welfare Advisory Committee, with respect to key important issues regarding vulnerable animals in our city; and,

b) clauses 1.1, 2.1 to 2.3, 3.1, 5.1 and 6.1, BE RECEIVED.

Motion Passed

3. (2.2) 1st Report of the Town & Gown Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 1st Report of the Town and Gown Committee, from its meeting held on September 13, 2018:

a) J. Smith, Fanshawe College Student Union President, BE REQUESTED to contact the Cycling Advisory Committee to request information on establishing a Bicycle Sharing Program for the Fanshawe College Downtown campus; and,

b) clauses 1.1, 1.2, 2.1, 3.1 to 3.4, 4.1 and 5.1 to 5.4, BE RECEIVED.

Motion Passed

4. (2.3) 8th Report of the Accessibility Advisory Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 8th Report of the Accessibility Advisory Committee, from its meeting held on September 27, 2018:

a) the following actions be taken with respect to Accessibility Advisory Committee (ACCAC) representatives on various groups:

- i) P. Moore BE APPOINTED as the ACCAC representative on the Transportation Advisory Committee;
- ii) the Civic Administration BE ADVISED that requests for site visits from the Trails Advisory Group should be submitted to the Chair of the ACCAC and she will ensure that a member of ACCAC is available to attend; and,
- iii) the Civic Administration BE ADVISED that site plans that need reviewing should be sent to J. Madden, M. Dawthorne and J. Menard; and,
- b) clauses 1.1, 2.1 to 2.4, 3.1 to 3.5, 4.1, 5.2 and 7.1, BE RECEIVED.

Motion Passed

- 5. (2.4) 6th Report of the Community Safety & Crime Prevention Advisory Committee

Motion made by: M. Cassidy

That the 6th Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on September 27, 2018, BE RECEIVED.

Motion Passed

- 6. (2.6) Ontario Transfer Payment Agreements - Seniors Active Living Centres Program for Kiwanis Seniors Community Centre, Hamilton Road Seniors' Centre & Community Centre and North London Optimist Community Centre (Relates to Bill No. 583)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the proposed by-law, as appended to the staff report dated October 10, 2018, BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018, to:

- a) approve the template Agreement, substantially in the form appended to the above-noted by-law, between The Corporation of the City of London and Her Majesty the Queen in right of Ontario, as represented by the Minister of Seniors and Accessibility, with respect to funding for Seniors Active Living Centre Programs at Kiwanis Seniors Community Centre, Hamilton Road Seniors Centre and Community Centre and North London Optimist Community Centre;
- b) delegate authority to the Managing Director, Neighbourhood, Children and Fire Services and his/her written designates, to insert the name of the centre onto the first page, and to insert contact information on Schedule B of the above-noted Agreement;
- c) delegate authority to the City Manager and the Managing Director, Neighbourhood, Children and Fire Services and their written designates, to approve agreements with respect to programs under the Seniors Active Living Centres Act, 2017, or any successor legislation, to be entered into between The Corporation of the City of London and Her Majesty the Queen in right of Ontario, and any schedules, thereto, and any amendments, thereto, and

such further other documents (including project budgets, cash flows and other financial reporting), that:

- i) are consistent with the requirements contained in the above-noted Agreement;
- ii) do not require additional funding or are provided for the City's current budget; and,
- iii) do not increase the indebtedness or liabilities of The Corporation of the City of London; and,
- d) authorize the Mayor and the City Clerk to execute the contracts, agreements, schedules, amendments and documents approved above. (2018-L04)

Motion Passed

8. (2.8) Nuisance Feeding of Wildlife - Proposed Amendments to Public Nuisance By-law PH-18 (Relates to Bill No. 588)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the proposed by-law, as appended to the staff report dated October 10, 2018, BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018, to enact various amendments to the Public Nuisance By-law PH-18, to address nuisance feeding of wildlife. (2018-P01)

Motion Passed

9. (2.5) 9th and 10th Reports of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 9th and 10th Reports of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meetings held on September 20, 2018 and October 3, 2018, respectively:

- a) the 9th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee BE RECEIVED;
- b) the following actions be taken with respect to the 10th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee:
 - i) the following actions be taken with respect to the 2018 Diversity, Race Relations and Inclusivity Award:
 - A) M.I. understanding BE AWARDED the 2018 Diversity, Race Relations and Inclusivity Award, in the Small Business/Labour (under 49 members) category for their initiative to increase Gender Diversity Literacy (see ~~attached~~ nomination);
 - B) Police Ethnic and Culture Exchange (PEACE Team) BE AWARDED for the 2018 Diversity, Race Relations and Inclusivity Award, in the Corporations Large Business/Labour (over 50 Members) category for their initiative to hire diverse high school youth, giving them full-time summer employment and community engagement and learning opportunities (see ~~attached~~ nomination);

- C) Emancipation Day celebration BE AWARDED THE 2018 Diversity, Race Relations and Inclusivity Award, in the Social Community Services Not for Profit (under 50) category for their Emancipation Day Celebration initiative (see ~~attached~~ nomination);
- D) My Sisters Place BE AWARDED the 2018 Diversity, Race Relations and Inclusivity Award, in the Social Community Services Not for Profit (over 50) category for their Helping Women, Helping People initiative (see ~~attached~~ nomination); and,
- E) N'Amerind Friendship Centre BE AWARDED the 2018 Diversity, Race Relations and Inclusivity Award, in the Youth/Young Adult Groups or Organizations category for their formation of the 1st Youth First Cultural Exchange (see ~~attached~~ nomination); and,
- ii) clauses 1.1, 2.1 and 2.2, BE RECEIVED.

Motion Passed

10. (3.1) London Homeless Coalition Update

Motion made by: M. Cassidy

That the presentation from A. Oudshoorn, as appended to the agenda, with respect to an update on the London Homeless Coalition, BE RECEIVED. (2018-S14)

Motion Passed

11. (3.2) Community Diversity and Inclusion Strategy (CDIS) Update

Motion made by: M. Cassidy

That, on the recommendation of the Community Diversity and Inclusion Strategy Steering Committee, the following actions be taken with respect to an update on the Community Diversity and Inclusion Strategy (CDIS):

a) the next steps, as outlined in the staff report dated October 10, 2018, BE ENDORSED as the process for implementing and monitoring the CDIS; it being noted that Appendix B will be revised to indicate that the Chairs of the Steering Committees will be elected by the members of the individual working groups; and,

b) the above-noted report BE RECEIVED;

it being noted that the ~~attached~~ presentation from R. Wilcox, Director, Community and Economic Innovation and S. Lewkowitz, CDIS Steering Committee, with respect to this matter, was received.

Motion Passed

12. (5.1) Deferred Matters List

Motion made by: M. Cassidy

That the Deferred Matters List for the Community and Protective Services Committee, as at October 1, 2018, BE RECEIVED.

Motion Passed

7. (2.7) Vehicle for Hire By-law Amendments (Relates to Bill No. 586)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the Vehicle for Hire By-law L-130-71, as appended to the staff report dated October 10, 2018, BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018, to provide for the licensing, regulating and governing of vehicles for hire, including cabs, accessible cabs, limousines, private vehicles for hire and accessible vehicle for hire, owners and brokers. (2018-P09)

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

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

Absent: (1): V. Ridley

Motion Passed (12 to 2)

8.3 18th Report of the Corporate Services Committee

Motion made by: J. Helmer

That the 18th Report of the Corporate Services Committee BE APPROVED, excluding Items 6(2.1) and 7 (2.4).

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 4:43 PM, Councillor V. Ridley enters the meeting.

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.2) New Entryway Signage for City-Owned Industrial Parks - Award RFP-18-42

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, the following actions be taken with respect to the Request for Proposal for the new entryway signage for Innovation Park (RFP 18-42):

- a) the proposal submitted by Excellent Signs and Displays Inc., 2736 Dingman Drive, London, Ontario N6N 1G4, at its bid price of \$104,500.00 excluding HST, for services to design, supply, and install of four (4) entryway signs for Innovation Park Phases I-

IV (the "Project") BE ACCEPTED; it being noted that the proposal submitted by Excellent Signs and Displays Inc. was one of two proposals received and the only proposal that met the City's specifications and evaluation requirements as per RFP18-42;

b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which is necessary in connection with this matter; and

c) the financing BE APPROVED as set out in the Source of Financing Report ~~attached~~ hereto as Appendix "A".

Motion Passed

3. (2.3) Declare Surplus - City-Owned Property - 332 Wharncliffe Road North

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, the following actions be taken with respect to the City owned property municipally known as 332 Wharncliffe Road North, further described as Part Lots 5, 6 and 7, Plan 434 (W), designated as Part 2, Plan 33R7913, save and except for Part 1, Plan ER1115597, as in PIN 082480234, containing an area of approximately 9,160 square feet:

a) the above-noted subject property BE DECLARED SURPLUS; and

b) the subject property ("Surplus Lands") BE DISPOSED OF in accordance with the City's Sale and Other Disposition of Land Policy.

Motion Passed

4. (2.5) Federation of Canadian Municipalities (FCM) Special Advocacy Fund

Motion made by: J. Helmer

That, on the recommendation of the Director, Community & Economic Innovation, the following actions be taken with respect to the Federation of Canadian Municipalities Special Advocacy Fund:

a) that the City of London's financial commitment of \$40,002.00 for the 2018/19 Federation of Canadian Municipalities (FCM) Special Advocacy Fund BE ENDORSED; and,

b) that the staff report providing information on the FCM Special Advocacy Fund BE RECEIVED for information.

Motion Passed

5. (2.6) Report of the Federation of Canadian Municipalities Board of Directors Meeting - Annapolis County, NS - September 11-14, 2018

Motion made by: J. Helmer

That the communication dated October 1, 2018, from Councillor J. Morgan, regarding the Federation of Canadian Municipalities Board of Directors meeting held September 11-14, 2018 in Annapolis County, NS, BE RECEIVED for information.

Motion Passed

6. (2.1) London Health Sciences Centre South Street Campus Decommissioning (Phase B)

At 4:48 PM, Councillor M. Cassidy leaves the meeting.

Motion made by: J. Helmer

That, on the recommendation of City Solicitor's Office, the following actions be taken with respect to the City owned South Street Campus lands under lease to LHSC and LHSC owned lands:

- a) the Mayor and City Clerk BE AUTHORIZED to execute the Lease Amending Agreement appended to the staff report dated October 9, 2018 as Schedule "A" to "E", or substantially in the form of Schedule "A" and approved by the City Solicitor's office; and
- b) the balance of the above-noted staff report BE RECEIVED for information.

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

Recuse: (1): T. Park

Absent: (1): M. Cassidy

Motion Passed (13 to 0)

7. (2.4) Elected Officials Remuneration - One-Third Non Taxable Allowance (Relates to Bill No. 584)

Motion made by: J. Helmer

That the following actions be taken with respect to Elected Officials Remuneration:

- a) the proposed by-law appended to the staff report dated October 9, 2018 as Appendix "A" BE INTRODUCED at the October 16, 2018 meeting of the Municipal Council to eliminate the "one-third tax free" allowance for Elected Officials; and
- b) the Mayor's salary at January 1, 2019, BE INCREASED to \$138,025 annually, in order to accommodate for the elimination of the allowance noted in part a), above and maintain the "take home" pay at the current level.

Motion made by: J. Helmer

The motion to approve part a) is put.

That the following actions be taken with respect to Elected Officials Remuneration:

- a) the proposed by-law appended to the staff report dated October 9, 2018 as Appendix "A" BE INTRODUCED at the October

16, 2018 meeting of the Municipal Council to eliminate the “one-third tax free” allowance for Elected Officials; and

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

Absent: (1): M. Cassidy

Motion Passed (14 to 0)

At 4:50 PM, Councillor B. Armstrong leaves the meeting.

At 4:50 PM, Councillor T. Park leaves the meeting.

Motion made by: J. Helmer

The motion to approve part b) is put.

b) the Mayor’s salary at January 1, 2019, BE INCREASED to \$138,025 annually, in order to accommodate for the elimination of the allowance noted in part a), above and maintain the “take home” pay at the current level.

Yeas: (7): Mayor M. Brown, M. van Holst, J. Helmer, P. Hubert, A. Hopkins, S. Turner, and H. Usher

Nays: (5): M. Salih, P. Squire, J. Morgan, V. Ridley, and J. Zaifman

Absent: (3): B. Armstrong, M. Cassidy, and T. Park

Motion Passed (7 to 5)

9. Added Reports

9.2 11th Report of the Strategic Priorities and Policy Committee

Motion made by: P. Hubert

That the 11th Report of the Strategic Priorities and Policy Committee BE APPROVED, excluding Item 8(5.1).

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

Absent: (3): B. Armstrong, M. Cassidy, and T. Park

Motion Passed (12 to 0)

At 4:53 PM, Councillor T. Park enters the meeting.

1. Disclosures of Pecuniary Interest

Motion made by: P. Hubert

Councillor S. Turner advised of intent to disclose a pecuniary interest in Item 6.1, in Closed Session.

Councillor P. Hubert advised of intent to disclose a pecuniary interest in Item 6.1, in Closed Session.

Motion Passed

2. (2.1) Surplus/Deficit Policy Update

Motion made by: P. Hubert

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 October 15, 2018 as Appendix "B" BE INTRODUCED at the Municipal Council meeting on October 16, 2018, to amend By-law CPOL.-46-242 being "Surplus/Deficit Policy".

Motion Passed

3. (2.2) Draft Smart City Strategy

Motion made by: P. Hubert

That, on the recommendation of the Managing Director, Planning & City Planner, the Director of Information Technology Services, the Manager II, Information Technology Services, the Director of Community and Economic Innovation and the Manager II, Geospatial Infrastructure Systems, the following actions be taken with respect to the Draft Smart City Strategy:

a) the Draft Smart City Strategy, attached as Appendix 1 to the staff report dated October 15, 2018, BE CIRCULATED to identified stakeholders and interested members of the community for feedback and suggestions; and

b) an associated Implementation Plan BE PREPARED for consideration through the next Four-year Strategic Plan process and the associated 2020-2024 Multi-year Budget process;

it being noted that the ~~attached~~ presentation from the Managing Director, Planning & City Planner was received.

Motion Passed

4. (2.3) Dissolution of the Public Utilities Commission

Motion made by: P. Hubert

That, on the recommendation of the Assistant City Solicitor, the proposed by-law appended to the staff report dated October 15, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting on October 16, 2018 for the purpose of dissolving the Public Utilities Commission of the City of London.

Motion Passed

5. (2.4) London Convention Centre Corporation

Motion made by: P. Hubert

That, on the recommendation of the City Clerk, the following actions be taken with respect to the London Convention Centre Corporation:

a) the proposed by-law appended to the staff report dated October 15, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting on October 16, 2018 for the purpose of amending By-law No. A.-6866-270, entitled "A by-law respecting the London Convention Centre Corporation" to update references to the Board, section 4, and the Term, section 5; and,

b) the following staggered term appointments to the Board of Directors BE CONFIRMED:

Crispin Colvin - December 1, 2018 to November 30, 2019, (Class 1)

Titus Ferguson - December 1, 2018 to November 30, 2019, (Class 1)

Peter White - December 1, 2018 to November 30, 2020, (Class 2)

David Smith - December 1, 2018 to November 30, 2021, (Class 3)

Jennifer Diplock - December 1, 2018 to November 30, 2021, (Class 3)

Chris Schlachta - December 1, 2018 to November 30, 2021, (Class 3)

Nora Fisher - December 1, 2018 to November 30, 2021, (Class 3)

Tony Soares - December 1, 2018 to November 30, 2021, (Class 3)

Motion Passed

6. (4.1) Resignation of Mark F. Rosehart from the London and Middlesex Housing Corporation

Motion made by: P. Hubert

That the resignation from Mark F. Rosehart from the London and Middlesex Housing Corporation Board of Directors BE ACCEPTED; it being noted that this vacancy will be included in the advertisement for appointments for the new term of council.

Motion Passed

7. (4.2) Changes to the Hyde Park Business Association Board of Management

Motion made by: P. Hubert

That Tom Delaney from Oxford Dodge on Hyde Park Road BE APPOINTED to the Hyde Park Business Improvement Area Board of Management for the term ending November 30, 2018.

Motion Passed

8. (5.1) London Hydro - Request for BRT - Related Information

Motion made by: P. Hubert

That London Hydro be requested to provide to the shareholder, London City Council, a breakdown of the estimated costs London Hydro will absorb for the work required to be undertaken for the bus

rapid transit project; and further, if those costs will impact London Hydro ratepayers.

Amendment:

Motion made by: J. Helmer
Seconded by: P. Hubert

That Item 8 (clause 5.1) be amended to read as follows:

"That the following actions be taken with respect to a request for information from London Hydro as it relates to the bus rapid transit project:

- a) the CEO of London Hydro BE REQUESTED to attend a future meeting of Strategic Priorities and Policy Committee to discuss coordination of London Hydro's infrastructure renewal needs with bus rapid transit, including estimates of how London Hydro ratepayers may be affected by these capital projects;
- b) the Civic Administration BE DIRECTED to prepare a report on this issue for the same meeting."

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

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (13 to 0)

Amendment:

Motion made by: P. Hubert
Seconded by: M. van Holst

The motion to approve Item 8, Clause 5.1 as amended, is put.

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

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (13 to 0)

9.1 18th Report of Council in Closed Session

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

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, 2, 3 and 4 of the 18th Report of the Council, In Closed Session.

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

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (13 to 0)

Motion made by: H. Usher

Seconded by: T. Park

1. Property Acquisition – Portion of 3544 Dingman Drive – New Dingman Creek Pumping Station Facility

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Managing Director, Environmental and Engineering Services and City Engineer, on the advice of the Manager of Realty Services, the following actions be taken with respect to a portion of the property located at 3544 Dingman Drive, further described as Part of Lot 18, Concession 3 save and except Part 1 Plan 33R-17198, and being a portion of PIN 082040324:

- a) the offer submitted Try Recycling (S/L) Inc. to sell the subject property to the City, for the sum of \$320,000.00 subject to HST inclusive of interest BE ACCEPTED, subject to the following conditions:
 - i) the City having ninety (90) days to carry out Soil, Geotechnical, Archaeological, and Environmental Tests;
 - ii) the City re-establishing servicing to the parent parcel where it is required;
 - iii) the City completing a reference plan of the subject property; and
 - iv) Try Recycling (S/L) Inc. (the Vendor) providing the City with periodic access to the site;
- b) the financing for this acquisition BE APPROVED as set out in the source of Financing Report attached hereto as Appendix “A”.

2. Refund of Offer Deposit – 2448622 Ontario Corporation – Part 1 and Part 2, Plan 33R-18405 and being Part of Part 4 and Part of Part 8, Plan 33R-18258 – Innovation Park Phase I

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 following actions be taken with respect to the City-owned industrial land located on the west side of Innovation Drive in Innovation Park, Phase I, containing an area of approximately 4 acres, being comprised of Part 1 and Part 2, Plan 33R-18405, and being Part of Part 4 and Part of Part 8, Plan 33R-18258, as outlined on the sketch attached hereto as Schedule “A”;

- a) the Civic Administration BE DIRECTED to return a deposit in the amount of \$26,000.00 for the Agreement of Purchase and Sale (the “Offer”) on April 8, 2017, submitted by 2448622 Ontario Corporation (the “Purchaser”), to purchase the subject property from the City, as outlined on the location map attached; and
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts necessary to release the Purchaser and the City from all terms and conditions as per the offer.

3. Option Agreement to Purchase Industrial Lands – Dancor Phase III Oxford Inc. Southerly 10.15 Acres Portion of Part 8, 9, 10 and 11 of Plan 33R-19050 – Skyway Industrial Park

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 Option to Purchase Agreement submitted by Dancor Phase III Oxford Inc. (the “Purchaser”) for an Option to Purchase until October 31, 2019, attached as Appendix “B”, of approximately 10.15 acres of industrial land located on the west side of Robin’s Hill Road, described as the southerly portion of Parts 8, 9, 10 and

11, Plan 33R-19050, as outlined on the location map attached as Appendix "A", BE ACCEPTED.

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

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (13 to 0)

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

4. CUPE Local 101 Tentative Agreement

That, on the recommendation of the Managing Director, Corporate Services & Chief Human Resources Officer, the attached Memorandum of Agreement concerning the 2019-2022 Collective Agreement for Local Union No. 101 (Canadian Union of Public Employees) ("CUPE Local 101") representing the inside workers BE RATIFIED.

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

Recuse: (2): P. Hubert, and S. Turner

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (11 to 0)

10. Deferred Matters

None.

11. Enquiries

Councillor P. Hubert enquires as to the impact of not proceeding with the proposed BRT project, with respect to development charges. The Managing Director, Environmental and Engineering Services and City Engineer responds with information related to the current development charge model, and the projected net benefit of the project.

Councillor H. Usher enquires with respect to the removal of trees from private and public property. The Managing Director Development and Compliance Services and Chief Building Official responds, with respect to the history of the specific situation, noting that the city crews do not remove trees on private property.

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 581 to 592, 594 and the Added Bill No.'s 595 to 597, and 598 to 600 BE APPROVED.

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

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (13 to 0)

Motion made by: J. Zaifman
Seconded by: T. Park

That Second Reading of Bill No.'s 581 to 592, 594 and the Added Bill No.'s 595 to 597, and 598 to 600 BE APPROVED.

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

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (13 to 0)

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

That Third Reading and Enactment of 581 to 592, 594 and the Added Bill No.'s 595 to 597, and 598 to 600 BE APPROVED.

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

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (13 to 0)

Motion made by: A. Hopkins
Seconded by: J. Zaifman

That Introduction and First Reading of Bill No. 593 BE APPROVED.

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

Recuse: (2): V. Ridley, and T. Park

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (11 to 0)

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

That Second Reading of Bill No. 593 BE APPROVED.

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

Recuse: (2): V. Ridley, and T. Park

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (11 to 0)

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

That Third Reading and Enactment of Bill No. 593 BE APPROVED.

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

Recuse: (2): V. Ridley, and T. Park

Absent: (2): B. Armstrong, and M. Cassidy

Motion Passed (11 to 0)

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

Bill No. 581 By-law No. A.-7780-489	A by-law to confirm the proceeding of the Council Meeting held on the 16 th day of October, 2018. (City Clerk)
Bill No. 582 By-law No. A.-7781-490	A by-law to approve an Agreement between The Corporation of The City of London and the Upper Thames River Conservation Authority; and to authorize the Mayor and City Clerk to execute the Agreement. (2.1/15/PEC)
Bill No. 583 By-law No. A.-7782-491	A by-law to approve the template Ontario Transfer Payment Agreement between The Corporation of the City of London and Her Majesty the Queen in right of Ontario with respect to funding for Seniors Active Living Programs; and to authorize the Mayor and the City Clerk to execute the Agreement. (2.6/14/CPSC)
Bill No. 584 By-law No. A.-7788-492	A by-law to eliminate the “one-third tax free” allowance for Elected Officials. (2.4/18/CSC)
Bill No. 585 By-law No. CPOL.-380-493	A by-law to introduce the “Surplus School Site Evaluation and Acquisition Policy”. (4.1/15/PEC)
Bill No. 586 By-law No. L-130(a)-494	A by-law to provide for the licensing, regulating and governing of vehicles for hire, including cabs, accessible cabs, limousines, private vehicles for hire and accessible vehicles for hire, owners and brokers. (2.7/14/CPSC)
Bill No. 587 By-law No. L.S.P.-3478-495	A by-law to designate 172 Central Avenue to be of cultural heritage value or interest. (2.3/15/PEC)
Bill No. 588 By-law No. PH-18-18003	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 nuisance feeding of wildlife”. (2.8/14/CPSC)
Bill No. 589 By-law No. S.-5957-496	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Westdel Bourne south of Oxford Street West and as widening to Oxford Street West east of Westdel Bourne) (City Surveyor - Reserves for the purpose of unobstructed legal access to a public highway pursuant to SPA18-010)

Bill No. 590 By-law No. Z.-1-182698	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the land located at 2900 Tokala Trail. (2.4/15/PEC)
Bill No. 591 By-law No. Z.-1-182699	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the land located at 3804 South Winds Drive. (2.5/15/PEC)
Bill No. 592 By-law No. Z.-1-182700	A by-law to amend By-law No. Z.-1 to remove the holding provision from the zoning for lands located within the Riverbend South Subdivision – Phase 2 (formerly 1826 and 1854 Oxford Street West). (2.6/15/PEC)
Bill No. 593 By-law No. Z.-1-182701	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 147-149 Wellington Street and 253-257 Grey Street. (3.6/15/PEC)
Bill No. 594 By-law A.- 7783-497	A by-law to appoint deputies to the City Treasurer of The Corporation of the City of London. (City Clerk)
Bill No. 595 By-law No. A.-6866(a)- 498	A by-law to amend By-law No. A.-6866-270, respecting the London Convention Centre Corporation. (2.4/11/SPPC)
Bill No. 596 By-law No. A.-7784-499	A By-law to dissolve the Public Utilities Commission of the City of London and to provide for the assumption by the City of London of the assets and liabilities of Public Utilities Commission of the City of London. (2.3/11/SPPC)
Bill No. 597 By-law No. CPOL.-46(a)- 500	A By-law to amend by-law no. CPOL.-46-242 being “Surplus/Deficit Policy. (2.1/11/SPPC)
Bill No. 598 By-law No. A.-7785-501	A By-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Try Recycling (S/L) Inc. for the acquisition of a portion of 3544 Dingman Drive, for the purpose of a pumping station and ancillary uses, and to authorize the Mayor and City Clerk to execute the Agreement. (6.1/18/CSC)
Bill No. 599 By-law No. A.-7786-502	A by-law to direct the Civic Administration to return the deposit of \$26,000.00 to 2448622 Ontario Corporation (the “Purchaser”) as it relates to the Agreement of Purchase and Sale (the Agreement) for the land described as Part 1 and Part 2, Plan 33R-18405, and being Part of Part 4 and Part of Part 8, Plan 33R-18258, in the City’s Innovation Park, in the City of London, and to authorize the Civic Administration to undertake all administrative acts necessary to release the Purchaser and the City from all terms and conditions of the Agreement. (6.2/18/CSC)
Bill No. 600 By-law No. A.-7787-503	A by-law to authorize an Option to Purchase Agreement between The Corporation of the City of London and Dancor Phase III Oxford Inc. for the southerly 10.15 acres portion of Parts 8, 9, 10 and 11 of Plan 33R-19050 being part of Skyway Industrial Park, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.3/18/CSC)

14. Adjournment

Motion made by: M. van Holst
Seconded by: J. Morgan

That the meeting adjourn.

The meeting adjourns at 5:21 PM.

Matt Brown, Mayor

Catharine Saunders, City Clerk



Council Minutes

17th Meeting of City Council
October 2, 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. Barbon, B. Card, B. Coxhead, S. Datars Bere, K. Dawtrey, J. Fleming, A. Hagan, G. Kotsifas, L. Livingstone, D. O'Brien, C. Saunders, M. Schulthess, S. Spring, S. Stafford, J. Stanford, A. Thompson, B. Warner, B. Westlake-Power and R. Wilcox.

The meeting is called to order at 4:03 PM.

1. Disclosures of Pecuniary Interest

Councillor J. Morgan discloses a pecuniary interest in Item 2.1 of the 17th Report of the Corporate Services Committee, having to do with the City of London 2019 Provincial and Federal Budget Submissions, specific to those matters related to Bus Rapid Transit, as his employer, Western University, has an interest in the project.

Councillor M. Salih discloses a pecuniary interest in Item 2.3 of the 17th Report of the Corporate Services Committee, having to do with the 2018 Mid-Year Capital Budget Monitoring Report, specific to the matter of the new USMCA and its potential impact on the Budget, by indicating that he works for the federal government.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, In Closed Session

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

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

4.1 Labour Relations/Employee Negotiations/Litigation/Potential Litigation/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 regards to one of the Corporation's unions and litigation or potential litigation affecting the municipality, and advice which is subject to solicitor-client privilege, including communications necessary for that purpose. (6.1/CSC/17)

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: (0): V. Ridley

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 Councillor V. Ridley.

The Council, In Closed Session, rises at 4:11 PM and Council reconvenes at 4:13 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 16th Meeting held on September 18, 2018

Motion made by: T. Park

Seconded by: B. Armstrong

That the Minutes of the 16th Meeting held on September 18, 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: (0): V. Ridley

Motion Passed (14 to 0)

6. Communications and Petitions

Motion made by: S. Turner

Seconded by: A. Hopkins

That the following communications BE REFERRED to the Planning and Environment stage for consideration with item 3.8 of the 15th Report of the Planning and Environment Committee, as noted on the Added Agenda:

6.1 Application - 230 North Centre Road

1. R. Bikowski
2. V. Digby, Foxborough Chase Condo Corp.
3. I. Rozek
4. R. Webb
5. A. Chan
6. R. Wilson
7. D. Lawrence
8. R. Whimster
9. R. Hatherwell

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

Motion Passed (14 to 0)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 13th Report of the Civic Works Committee

Motion made by: T. Park

That the 13th Report of the Civic Works Committee BE APPROVED, excluding Items 17(2.12), 19(3.2) and 20 (3.3).

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: (0): V. Ridley

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: T. Park

That it BE NOTED that Councillor V. Ridley disclosed a pecuniary interest in clause 2.12 of this Report, having to do with the Business Case-Switching to Compressed Natural Gas (CNG) Waste Collection Vehicles, by indicating her spouse works for Union Gas.

Motion Passed

2. (2.1) 4th Report of the Waste Management Working Group

Motion made by: T. Park

That it BE NOTED that the 4th Report of the Waste Management Working Group, from its meeting held on August 15, 2018, was received.

Motion Passed

3. (2.2) Single Source – Trailer-Mounted Recycled Asphalt Heaters

Motion made by: T. Park

That, on the recommendation of the Managing Director - Environmental and Engineering Services and City Engineer; the following actions be taken with respect to Trailer-Mounted Recycled Asphalt Heaters:

- a) single source recommendation BE APPROVED to negotiate pricing for four (4) Trailer-Mounted Recycled Asphalt Heaters from Heat Design Equipment Inc. 1197 Union Street, Kitchener Ontario, N2H 6N6;
- b) funding for this purchase BE APPROVED as set out in the Source of Financing Report as appended to the staff report dated September 25, 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

4. (2.5) Richmond Street - Fanshawe Park Road - Intersection Improvements - Environmental Study Report

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Richmond Street and Fanshawe Park Road Intersection Improvements Environmental Assessment:

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

Motion Passed

5. (2.6) Rail Safety Week

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the report dated September 25, 2018 with respect to Rail Safety Week BE RECEIVED. (2018-P15)

Motion Passed

6. (2.8) Riverside Drive Bridge Over CNR Rehabilitation - Detailed Design, Tendering, and Contract Administration - Appointment of Consulting Engineer

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a Consulting Engineer for the Riverside Drive Bridge over CNR Rehabilitation (No. 1-BR-08):

- (a) Stantec Consulting Ltd. BE APPOINTED Consulting Engineers to complete the detailed design, tendering, and contract administration services in the amount of \$170,538.50 (excluding HST), in accordance with Section 15.2 (e) of the Procurement of Goods and Services Policy;
- (b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated September 25, 2018;

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

(d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the Consultant for the work; and,

(e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, including rail agreements, if required, to give effect to these recommendations. (2018-T04)

Motion Passed

7. (2.9) Amendments to the Traffic and Parking By-law (Relates to Bill No. 572)

Motion made by: T. Park

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 September 25, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 2, 2018, for the purpose of amending the Traffic and Parking By-law (PS-113). (2018-T08)

Motion Passed

8. (2.10) Hyde Park Community Storm Drainage and Stormwater Management Servicing - Municipal Class Environmental Assessment Addendum - Schedule B Master Plan - Notice of Study Completion

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Hyde Park Community Storm Drainage and Stormwater Management Servicing Municipal Class Environmental Assessment Addendum: Schedule 'B' Master Plan:

(a) the preferred servicing alternative, executive summary as appended to the staff report dated September 25, 2018, BE ACCEPTED in accordance with the Municipal Class Environmental Assessment process requirements;

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

(c) the Municipal Class Environmental Assessment project file BE PLACED on public record for a 30-day review period. (2018-E08)

Motion Passed

9. (2.11) Sewer Private Drain Connection Policy Review

Motion made by: T. Park

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

review of the current private drain connection policies BE ENDORSED, noting that the review process will include consultation with external stakeholders prior to a recommendation being advanced to Council. (2018-E01)

Motion Passed

10. (2.13) Potential Savings in Consultant Costs

Motion made by: T. Park

That, on the recommendation of the Managing Director of Environmental and Engineering Services, City Engineer, the Managing Director of Corporate Services, City Treasurer and Chief Financial Officer, the opportunity to shift services currently provided by consultants to increased in-house delivery for the corporation BE CONSIDERED as a potential area of more detailed evaluation in the upcoming Service Review (“Deep Dive”) process. (2018-A05)

Motion Passed

11. (2.14) Appointment of Consulting Services for Municipal Class Environmental Assessment - Kilally South, East Basin (ESSWM-KILSE)

Motion made by: T. Park

Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the appointment of a consultant for the Kilally South, East Basin Municipal Class Environmental Assessment:

- a) Ecosystem Recovery Inc. BE APPOINTED consulting engineer to carry out the Municipal Class Environmental Assessment of the Kilally South, East Basin, in the total amount of \$178,272 (including 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 appended to the staff report dated September 25, 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. (2.15) Mockingbird Crescent Low Impact Development - Voluntary Pilot Project

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Civic Administration BE DIRECTED to proceed with a voluntary pilot project on Mockingbird Crescent to install low impact development technologies on private property to mitigate sump pump discharge where no storm sewer exists. (2018-E03)

Motion Passed

13. (2.16) Municipal Waste and Resource Materials Collection By-law Amendment (Relates to Bill No. 573)

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the draft amending by-law as appended to the staff report dated September 25, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 2, 2018 to amend the Municipal Waste & Resource Collection By-law (WM-12) to move the Container Exemption Period that follows the three day Thanksgiving weekend in October to the week after the four day Easter weekend. (2018-E07)

Motion Passed

14. (2.3) Road Traffic Noise Impact Study - Highbury Avenue From Bradley Avenue to the Thames River

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Road Traffic Noise Impact Study of Highbury Avenue from Bradley Avenue to the Thames River:

- a) the residential rear yard noise measurements on the west side of Highbury Avenue from Bradley Avenue to the Thames River BE RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to undertake a review of comparator municipal noise abatement local improvement procedures to inform a potential update to the City of London administrative practices and procedures.
- c) Civic Administration BE DIRECTED to communicate the process being undertaken with all potential impacted property owners and to survey them regarding our local improvement process as well as the suggested barrier proposed by staff. (2018-T08)

Motion Passed

15. (2.4) Byron South Neighbourhood Sidewalk Connectivity Plan

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Byron South Neighbourhood Sidewalk Connectivity Plan BE

ENDORSED for implementation in the 2019 Annual New Sidewalk Program.

it being noted that the Civic Works Committee heard a verbal presentation from A. Gilbert, Vice Principal Byron Southwood Public School, and also received a communication from R. Ellis, with respect to this matter. (2018-T04)

Motion Passed

16. (2.7) Downtown King Street Cycling Improvements

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Downtown King Street Cycling Improvements:

(a) the information related to initiatives to make King Street safer for cycling as outlined in the staff report dated September 25, 2018, BE RECEIVED for information;

(b) the King Street cycling facility alternative, identified in the above-noted report as Alternative 1d, and generally described as a south side cycle track separated by parking and transit islands BE IMPLEMENTED in 2019; and,

it being noted that that the following communications were received:

a communication from B. Cowie, J. Roberts and S. Cozens.

it being noted that further consultations will occur in the future about the future cycling in the downtown that may not necessarily be on King Street. (2018-T05)

Motion Passed

18. (3.1) Proposed Terms of Reference - Environmental Assessment of the Proposed W12A Landfill Expansion

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the support of the Waste Management Working Group, the following actions be taken with respect to the Proposed Terms of Reference for the Environmental Assessment of the Proposed W12A Landfill Expansion, as included the staff report dated September 25, 2018;

a) the above-noted Terms of Reference BE APPROVED; and,

b) the Civic Administration BE AUTHORIZED to submit the Proposed Terms of Reference to the Ministry of Environment, Conservation and Parks (MECP) for approval by the Minister of the Environment, Conservation and Parks.

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. (2018-E07)

Motion Passed

21. (4.1) 8th Report of the Cycling Advisory Committee

Motion made by: T. Park

That the following actions be taken with respect to the 8th Report of the Cycling Advisory Committee, from its meeting held on August 15, 2018:

a) the Civic Administration BE REQUESTED to designate Highbury Avenue South of Hamilton Road as a no bicycle lane with proper signage:

it being noted that the Notice of Completion from B. Hutson, Dillon Consulting Limited and M. Elmadhoon, City of London, with respect to the Environmental Assessment Study, was received; and

b) clauses 1.1, 2.1 to 3.3, 4 to 6.1 BE RECEIVED.

Motion Passed

22. (4.2) Traffic Signalization at Priority Intersections

Motion made by: T. Park

That the Civic Administration BE DIRECTED take the following actions with respect to traffic signalization at priority intersections:

a) conduct detailed design work on the following intersections of Pack Road and Colonel Talbot Road; Blackwater Rad and Adelaide Street; and Sunningdale Road and South Wenige Drive-thus, when they meet the warrant, traffic signals can be installed without further delay;

b) conduct an updated traffic study at Oxford Street and Riverbend Road, and Stackhouse Avenue and Fanshawe Park Road; and,

c) review the current warrant system and best practices in other municipalities and report back with possible changes to the way we prioritize intersections for traffic signalization where appropriate;

it being noted the Civic Works Committee received communication from Councillors A. Hopkins and M. Cassidy with respect to this matter.

Motion Passed

23. (4.3) Unassumed Laneways

Motion made by: T. Park

That Staff BE REQUESTED to report back to the appropriate standing committee with respect to the current process, and potential improvements, with respect to unassumed laneways, and the request for delegation from M. Koch Denomme BE APPROVED and BE REFERRED to the meeting when this matter will be considered.

Motion Passed

24. (4.4) Public Education and Empathy Program and Speed Markers

Motion made by: T. Park

That the communication from Councillor M. van Holst with respect to Public Education and Empathy Program and Speed Markers BE RECEIVED. (2018-T08).

Motion Passed

25. (5.1) Deferred Matters List

Motion made by: T. Park

That the Civic Works Committee Deferred List, as at September 17, 2018, BE RECEIVED.

Motion Passed

17. (2.12) Business Case - Switching to Compressed Natural Gas (CNG) Waste Collection Vehicles

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to switching to compressed natural gas (CNG) Waste Collection Vehicles:

- a) the Civic Administration BE AUTHORIZED to proceed with the Compressed Natural Gas (CNG) vehicle switching project by purchasing CNG waste collection vehicles as per the vehicle replacement schedule;
- b) the Civic Administration BE AUTHORIZED to negotiate a CNG purchase agreement with Union Gas at the Highbury Road South and Highway 401 (Flying J) fuelling station;
- c) the Civic Administration BE AUTHORIZED to spend up to \$1,382,625 on facility modifications for the Exeter Road Operations Centre (EROC) Fleet Maintenance Facility to be CNG compliant and any City-specific capital upgrades to the fast fill CNG waste collection vehicles at the Highbury Road South and Highway 401 (Flying J) fuelling station, as part of the agreement noted in b) above;
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts in regard to project development and implementation;
- e) the Civic Administration BE AUTHORIZED to revise the sources of financing for the previously approved capital project ME1208 – CNG Fuel Switching Project as set out in the Source of Financing Report as appended to the staff report dated September 25, 2018; and,

f) the Civic Administration BE DIRECTED to report back on progress on this project to the Civic Works Committee in late 2019. (2018-F11)

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: (0): V. Ridley

Motion Passed (14 to 0)

19. (3.2) 60% Waste Diversion Action Plan

Motion made by: T. Park

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken, with respect to the 60% Waste Diversion Action Plan:

a) the 60% Waste Diversion Action Plan (Action Plan) containing programs and initiatives to be phased in between 2019 and 2022 to achieve 60% waste diversion BE APPROVED;

b) the Civic Administration BE DIRECTED to refine cost estimates, develop implementation plans, determine operational requirements and draft an implementation schedule for the Action Plan taking into consideration available financial and staffing resources; and,

c) the Civic Administration BE DIRECTED to examine financing options for the Action Plan and submit final cost estimates and the draft Implementation Plan to Civic Works Committee and Council in early 2019,

it being noted that any additional funding required would be considered alongside other funding requests as part of the 2020-2023 Multi-year budget process.

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-E07)

Yeas: (13): Mayor M. Brown, 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

Nays: (1): M. van Holst

Absent: (0): V. Ridley

Motion Passed (13 to 1)

20. (3.3) Renaming of Pleasantview Drive

Motion made by: T. Park

That the Consent Authority BE ADVISED that Municipal Council will take no action to rename Pleasantview Drive, noting the existing conditions relating to the two unconnected portions of Pleasantview Drive have existed for over twelve years, and are known to the residents in the area;

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.

Amendment:

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

That clause 3.3 BE AMENDED to read as follows:

That the Municipal Council TAKE NO ACTION to rename Pleasantview Drive and the Consent Authority BE ADVISED of this decision in relation to the conditions of consent for 1140 and 1154 Sunningdale Road East.

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: (0): V. Ridley

Motion Passed (14 to 0)

Amendment:

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

Motion to Approve Item 20 (3.3), as amended.

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: (0): V. Ridley

Motion Passed (14 to 0)

Item 20, clause 3.3, as amended, reads as follows:

That the Municipal Council TAKE NO ACTION to rename Pleasantview Drive and the Consent Authority BE ADVISED of this decision in relation to the conditions of consent for 1140 and 1154 Sunningdale Road East;

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.

8.2 15th Report of the Planning and Environment Committee

Motion made by: S. Turner

That the 15th Report of the Planning and Environment Committee, BE APPROVED, excluding Item 16(3.8).

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: (0): V. Ridley

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Turner

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) 9th Report of the Advisory Committee on the Environment

Motion made by: S. Turner

That the 9th Report of the Advisory Committee on the Environment from its meeting held on September 5, 2018 BE RECEIVED.

Motion Passed

3. (2.2) Application - Creekview Subdivision - Request for a Three Year Extension of Draft Plan of Subdivision Approval (39T-05512)

Motion made by: S. Turner

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the request from Landea North Development Inc. and Landea Developments Inc., for the property located at 995 Fanshawe Park Road West:

a) the Approval Authority BE ADVISED that the Municipal Council supports the granting of a three (3) year extension of the draft plan of subdivision, submitted by Landea North Development Inc. and Landea Developments Inc., (File No. 39T-05512), prepared by Whitney Engineering Inc., certified by Jason Wilband (Drawing No. 2), which shows 20 low density residential blocks, two (2) multi-family blocks, one (1) commercial block, two (2) stormwater management blocks and various reserve blocks served by one (1) new collector road and four (4) new local streets, SUBJECT TO the revised conditions contained in the ~~attached~~ Appendix "39T-05512"; and,

b) the applicant BE ADVISED that the Director of Development Finance has summarized claims and revenues information appended to the staff report dated September 24, 2018 as Schedule "B". (2018-D09)

Motion Passed

4. (2.3) Application - 982 Gainsborough Road (H-8908) (Relates to Bill No. 574)

Motion made by: S. Turner

That, on the recommendation of the Senior Planner, Development Planning, based on the application by Highland Homes, relating to the property located at 982 Gainsborough Road, the proposed by-law appended to the staff report dated September 24, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 2, 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 (h-11*h-17*BDC1/BDC2) Zone TO a Business District (BDC1/BDC2) Zone to remove the h-11 and h-17 holding provisions. (2018-D09)

Motion Passed

5. (2.4) Application - 1090, 1092 and 1096 Hamilton Road (Relates to Bill No. 575)

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 by Italian Seniors Project, relating to the properties located at 1090, 1092 and 1096 Hamilton Road, the proposed by-law appended to the staff report dated September 24, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 2, 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-213•R8-4(41)) Zone TO a Residential R8 Special Provision (R8-4(41)) Zone to remove the h-213 holding provision. (2018-D09)

Motion Passed

6. (2.5) Application - Part Lot Control - 1245 Michael Street - Blocks 1 and 2 - 33M-745 (P-8858) (Relates to Bill No. 571)

Motion made by: S. Turner

That, on the recommendation of the Senior Planner, Development Services, with respect to the application by Wastell Builders (London) Inc., the proposed by-law appended to the staff report dated September 24, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 2, 2018 to exempt Blocks 1 and 2, Registered Plan 33M-745, from the Part Lot Control provisions of Subsection 50(5) of the Planning Act, for a period not exceeding three (3) years. (2018-D25)

Motion Passed

7. (2.6) Amendment to By-law CP-1 - Expansion of Old East Village Business Improvement Plan (Relates to Bill No. 569)

Motion made by: S. Turner

That, on the recommendation of The Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and the

Managing Director, Planning and City Planner, the proposed by-law appended to the staff report dated September 24, 2018, being a by-law to amend By-law CP-1 "A by-law to provide for the Improvement Area to be known as the Old East Village Business Improvement Area and to Establish a Board of Management Therefor" BE INTRODUCED at the Municipal Council meeting to be held on October 2, 2018, relating to the Old East Village Business Improvement Area request for expansion. (2018-D19)

Motion Passed

8. (2.7) Designation of an Improvement Area Under Section 204 of The Municipal Act 2001 - Hamilton Road Business Improvement Area (Relates to Bill No. 570)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and Managing Director, Planning and City Planner, the proposed by-law appended to the staff report dated September 24, 2018, being "A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area" BE INTRODUCED at the Municipal Council meeting to be held on October 2, 2018, to designate the Hamilton Road Business Improvement Area in accordance with section 204 of the Municipal Act, 2001. (2018-D19)

Motion Passed

9. (3.1) VersaBank Incentives - 1979 Otter Place - Request to Extend Airport Area Community Improvement Plan (CIP) Tax Increment Grant

Motion made by: S. Turner

That the Managing Director, Planning and City Planner's report dated September 24, 2018 entitled "VersaBank 1979 Otter Place - Request to extend Airport Area Community Improvement Plan (CIP) Tax Increment Grant" and the communication dated September 20, 2018 from D.R. Taylor, President & CEO, VersaBank, withdrawing their request for delegation status BE RECEIVED. (2018-D19)

Motion Passed

10. (3.2) Application - 1877 Sandy Somerville Lanes - Request for Draft Plan of Subdivision Approval (39T-18503)

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 property located at 1877 Sandy Somerville Lane:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application by Sifton Properties, for draft plan of subdivision relating to the property located at 1877 Sandy Somerville Lane;

b) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Sifton Properties Limited (File No. 39T-18503) as prepared by AGM Land Surveyors, certified by Jason Wilband, OLS, which shows one (1) residential block, SUBJECT TO the conditions contained in the ~~attached~~ Appendix "39T-18503";

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. (2018-D09)

Motion Passed

11. (3.3) Application - 418 Oxford Street East (SPA-18-061)

Motion made by: S. Turner

That, on the recommendation of the Manger, Development Planning, the following actions be taken with respect to the application by Jason King, relating to the property located at 418 Oxford Street East:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Site Plan Approval to permit the conversion of a single detached dwelling to a converted dwelling with three units; and,

b) the Approval Authority BE ADVISED that the Municipal Council supports issuing the Site Plan Application;

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:

- the proposed Site Plan is consistent with the Provincial Policy Statement, which encourages infill and intensification and the provision of a range of housing types, compact urban form and efficient use of existing infrastructure;
- the proposed Site Plan has regard to the use, intensity, and form in conformity with The London Plan, and will implement Key Direction 5 – Build a Mixed-Use Compact City given this proposal supports intensification, takes advantage of existing services and facilities, and reduces the need to grow outward.

- the proposed Site Plan is in conformity with the policies of the Multi-Family, Medium Density Residential designation of the Official Plan (1989) and will implement an appropriate medium density form in accordance with the Official Plan policies; and,
- the proposed Site Plan meets the requirements of the Site Plan Control By-law. (2018-D09)

Motion Passed

12. (3.4) Application - 3425 Emily Carr Lane (39T-16508/Z-8697)
(Relates to Bill No. 576)

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 2178254 Ontario Limited, c/o DNL Group Inc., relating to the property located at 3425 Emily Carr Lane (1160 Wharncliffe Road South):

- a) the proposed by-law appended to the staff report dated September 24, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 2, 2018 to amend Zoning By-law No. Z.-1, (in conformity with The London Plan and the Official Plan), to change the zoning of the subject property FROM an Urban Reserve (UR4) and Urban Reserve (UR6) Zone TO a Holding Residential R4 Special Provision (h.*h-100*h-104*h-155*R4-4(2)) Zone, to permit street townhouse dwellings with a minimum lot area of 180 m², and a special provision to permit a minimum lot frontage of 6.7 metres, a Holding Residential R5 (h.*h-100*h-104*h-155*R5-7) Zone, to permit cluster townhouse development and a Holding Residential R8 (h*h-100*h-104*h-198*R8-4) Zone, to permit apartments to a maximum height of 13 metres;

it being noted that the following holdings provision have also been applied:

- (h) holding provision - to ensure that there is orderly development through the execution of a subdivision agreement and the provision of adequate securities.
- (h-100) holding provision - to ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol.
- (h-104) holding provision - to ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The "h-105" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer.

- (h-155) holding provision - Purpose: The removal of the h-155 symbol shall not occur until such time as the Owner has entered into a development agreement with the City of London, to ensure that the development is consistent with and conforms to the guidelines and vision of OPA 541, Southwest Area Secondary Plan (SWAP).

- (h-198) holding provision - Purpose: To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan.

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application by 2178254 Ontario Limited, c/o DNL Group Inc., for draft plan of subdivision relating to the property located at 3425 Emily Carr Lane(1160 Wharnccliffe Road South);

c) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the recommended plan of residential subdivision, which shows seven (7) medium density residential blocks and three (3) local public street SUBJECT TO the conditions contained in the ~~attached~~ Appendix "39T-16508"; and,

d) the applicant BE ADVISED that the Director of Development Finance has summarized claims and revenues information appended to the staff report dated September 24, 2018 as Schedule "B";

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 residential development is consistent with the Provincial Policy Statement;

- the draft plan conforms with the Neighbourhood designation policies of the City of London, as contained in The London Plan and Multi-Family, Medium Density designation of the Official Plan;

- the proposed road and lot pattern is integrated with a future subdivision to the north, and an existing residential subdivision to the east, with public road access provided by an extension of Lismer Way;

- the recommended zoning and conditions of draft approval will ensure that development of services occurs in an orderly manner; and,

- the recommended development represents good land use planning. (2018-D09)

Motion Passed

13. (3.5) Application - 745-747 Waterloo Street (Z-8921) (Relates to Bill No. 577)

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 The Y Group Investments and Management Inc., relating to the property located at 745-747 Waterloo Street:

a) the proposed by-law appended to the staff report dated September 24, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 2, 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 Residential R2/Office Conversion (R2-2/OC4) Zone TO a Residential R2/Office Conversion Special Provision Zone (R2-2/OC6(_)) Zone at 745 Waterloo Street and FROM an Office Conversion/ Convenience Commercial Special Provision (OC4/CC(1)) Zone TO an Office Conversion Special Provision/Convenience Commercial Special Provision Zone (OC6(_)/CC(1)) Zone at 747 Waterloo Street; and,

b) the Civic Administration BE REQUESTED to review, in consultation with the neighbourhood, the traffic and parking congestion concerns raised by the neighbourhood and to report back at a future Planning and Environment Committee meeting;

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

- a communication from B. and J. Baskerville, by e-mail;
- a communication from C. Butler, 863 Waterloo Street; and,
- a communication from L. Neumann and D. Cummings, Co-Chairs, Piccadilly Area Neighbourhood Association;

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 Zoning By-law Amendment would allow for the reuse of the existing buildings with an expanded range

of office conversion uses that are complementary to the continued development of Oxford Street as an Urban Corridor, consistent with The London Plan policies for the subject site. Limiting the requested Zoning By-law Amendment to the existing buildings helps to ensure compatibility with the surrounding heritage resources and also that the requested parking and landscaped area deficiencies would not be perpetuated should the site be redeveloped in the future. While the requested parking deficiency is less than the minimum required by zoning, it is reflective of the existing conditions. By restricting the office conversion uses to the ground floor of the existing building at 745 Waterloo Street and the entirety of the existing building at 747 Waterloo Street (rather than the entirety of both buildings, as requested by the applicant), the parking requirements for the site would be less than the parking requirements for the existing permitted uses. The applicant has indicated a willingness to accept the special provisions limiting the permitted uses to the ground floor of the existing building at 745 Waterloo Street and to the entirety of the existing building at 747 Waterloo Street. (2018-D09)

Motion Passed

14. (3.6) Application - 723 Lorne Avenue (former Lorne Avenue Public School Site) (Z-8454) (Relates to Bill No. 578)

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 by The Corporation of the City of London, relating to the property located at 723 Lorne Avenue:

a) the proposed by-law appended to the staff report dated September 24, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 2, 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 Neighbourhood Facility (NF) Zone TO a Residential R1 Special Provision (R1-2(_)) Zone and an Open Space (OS1) Zone; and,

b) that any procurement process associated with the subject site evaluate submissions to ensure that the design of development is consistent with “Section 4.5.1 Design Guidelines for New Buildings” of the Old East Heritage Conservation District – Conservation and Design Guidelines when determining the successful proponent;

it being noted that the Planning and Environment Committee reviewed and received a communication from R.N.R. Crossman, 482 Elizabeth Street, 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;

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

- the Old East Village has been identified as being parks deficient, relying heavily on the former Lorne Avenue Public School site for community outdoor space. The City acquired the former Lorne Avenue Public School site due to this municipal need for parkland in the area. While a portion of the funding for acquiring the former Lorne Avenue Public School site was from the City's Parklands Reserve Fund, the remainder of the funding came from other funding sources with the expectation that the portion of the site not used for parkland would be developed for residential uses in the future. Working closely with the community, a preferred land use concept was prepared that would permit a public park and would also allow a portion of the site to be sold for residential development in the form of single detached dwellings. The Zoning By-law Amendment includes special provisions to help ensure any future development of the site is compatible with the Old East Heritage Conservation District. (2018-D09)

Motion Passed

15. (3.7) Application - 900 King Street and 925 Dundas Street (OZ-8937) (Relates to Bill No.s 579 and 580)

Motion made by: S. Turner

That, the following actions be taken with respect to the application of the Western Fair Association and The Corporation of the City of London, relating to the property located at 900 King Street and 925 Dundas Street:

- a) the proposed by-law appended to the staff report dated September 24, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 2, 2018 TO AMEND Section 6.2.2 ii) of the Official Plan to adopt permitted uses for the Western Fairgrounds as identified in The London Plan;
- b) the proposed ~~attached~~, revised by-law (Appendix "B") BE INTRODUCED at the Municipal Council meeting to be held on October 2, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in part a) above), to ADD new definitions to Section 2 (Definitions), and to change the zoning of the subject property FROM a Regional Facility Special Provision (RF(2)) Zone TO a Holding Regional Facility Special Provision (h-5•h-18•h-205•RF(*)) Zone and a Holding Regional Facility Special Provision (h-*•h-205•RF(*)) Zone;
- c) the Civic Administration BE DIRECTED to consider amendments to the Official Plan and the Zoning By-law for the balance of the Western Fairgrounds that are located north of King Street and bounded by existing commercial/residential to the north, Ontario Street to the east, King Street to the south and Rectory Street to the west; and located south of Florence Street bounded by Florence Street to the north, Egerton Street to the east, the CN railway facilities to the south and Rectory Street to the west to align

the planning framework for all the sites operated by Western Fair Association;

d) the Civic Administration BE DIRECTED to review the proposed Statement of Significance contained in the Cultural Heritage Evaluation Report for 900 King Street prepared by Common Bond Collective (August 2018) and consult with the London Advisory Committee on Heritage for consideration of the designation of the property under Part IV of the Ontario Heritage Act (R.S.O. 1990, as amended);

e) the Site Plan Approval Authority BE REQUESTED to consider the following for inclusion in the Development Agreement:
“That the owner/developer be required to execute and complete the recommendations of the archeological monitoring mitigation strategy to the satisfaction of the City of London.”; and,

f) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the Site Plan Approval process:

i) locate any new buildings as close to Queen’s Park as practical, in order to contribute to a positive relationship with this key public space and help to further define the edge of the park;

ii) ensure that new building locations do not preclude the opportunity for street-oriented buildings abutting Florence Street, Rectory Street and King Street in order to provide for an active street edge in the future.

iii) provide an on-site walkway that connects between Queen’s Park and the Park-facing building entrance, moving pedestrians through any intervening surface parking area. This walkway should be significantly wider than standard walkways, have a distinctive surface material and/or finish, and be supported by appropriate flanking landscaping, including trees, along its edges;

iv) design the northerly (facing Queen’s Park) and westerly (facing Rectory Street) building elevations as principal building elevations. The principal building elevations will be the priority for architectural treatment and emphasis. Principal building elevations are meant as the front “face” of the building. They should include primary building entrances and transparent glazing as a principal component providing openness between the interior building activity areas and the exterior. Emphasis of primary building entrances should be achieved through a combination of glazing, lighting, signage and building overhangs or canopies;

v) secondary building elevations should be designed with windows or glazing, a diversity of material types (which may include non-transparent glazing), colours, and/or features together with variations in the depth of the wall plane to avoid long stretches of blank, monotonous, and featureless walls. Design elements should be applied to establish a positive pedestrian environment;

vi) design taller hotel components with a base that contributes to a transparent, active, and human-scale on the ground; and a top that provides a refined and interesting finish to the building that

would reflect its prominence within the broader Western Fair District and Old East Village;

vii) use quality, durable cladding materials throughout all building elevations that fit with the overall building architecture and unify the project. There is a wide diversity of cladding materials that are appropriate for a contemporary architectural expression, including compositions of transparent glass, metals, woods and masonry products;

viii) explore opportunities for incorporating similar materials, colours or finishes from surrounding cultural heritage resources;

ix) include screening walls to rear loading and service areas and any field of parking; and ensure that these walls are clad in a consistent fashion to that of the main building architecture; and,

x) parking should be avoided between Queen's Park and any adjacent building;

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 amendments are consistent with the 2014 Provincial Statement ("PPS") and will provide for a broad range and mix of entertainment, recreational, and secondary commercial land uses that will allow for the intensification, redevelopment, and revitalization of the subject lands. The recommended range and mix of land uses will also provide for more sustainable, year-round tourism on the subject lands which has the potential to improve the long-term economic prosperity of the community and support current and planned transit proximate to the subject lands consistent with the PPS;
- the recommended amendment to the 1989 Official Plan to explicitly allow hotels on the Western Fairgrounds is consistent with the expanded recreational and entertainment focus for the Western Fairgrounds in The London Plan;
- the recommended amendment to the Zoning By-law, and the list of specific land uses to be recognized as additional permitted uses is generally consistent with the permitted use of Western Fairgrounds as described in the 1989 Official Plan and conforms to the specific policies for the Western Fairgrounds in The London Plan;
- the recommended regulations providing a single parking rate for all permitted uses and the ability to locate required parking on adjacent lots will result in a reasonable and appropriate amount of parking, consistent with the PPS that promotes appropriate development standards and the efficient use of land. The recommended increase in building height up to a maximum of 50 metres for hotels without the use of Bonus Zoning conforms to the 12-storey building height maximum contemplated in The London Plan. The recommended minimum yard depth requirement abutting a public street of 3.0 metres will support street-oriented

development consistent with the form based consideration for the Western Fairgrounds found in The London Plan;

- recognizing the significant cultural heritage value of the subject lands, and consistent with the PPS and conforming to the 1989 Official Plan and The London Plan that direct significant cultural heritage resources to be conserved, it is a recommendation of this report that Staff be directed to consider designation of the subject lands under Part IV of the Ontario Heritage Act;
- consistent with the PPS and conforming to the 1989 Official Plan and The London Plan that direct significant archaeological resources be conserved, holding provisions will be used to ensure that potential archaeological matters are addressed. This includes the use of a new holding provision for an archaeological monitoring mitigation strategy. It is also a recommendation of this report, that the Site Plan Approval Authority be requested to consider adding a clause to the Development Agreement that the owner/developer be required to execute and complete the recommendations of the archeological monitoring mitigation strategy to ensure the conservation of archaeological resources; and,
- a holding provision is also recommended to be used to ensure any land uses compatibility issues with major facilities, namely railway facilities, are addressed consistent with the PPS, and conforming to The London Plan and other relevant guideline documents. (2018-D09)

Motion Passed

17. (4.1) 9th Report of the London Advisory Committee on Heritage

Motion made by: S. Turner

That the following actions be taken with respect to the 9th Report of the London Heritage Advisory Committee from its meeting held on September 12, 2018:

- a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 33 of the Ontario Heritage Act to remove and replace the existing slate roof on the building located at 836 Wellington Street, consent BE GIVEN with the condition that the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed; it being noted that the London Advisory Committee on Heritage is satisfied with the proposed shingle brought forward by the applicant;

it being noted that the presentations appended to the 9th Report of the London Advisory Committee on Heritage from K. Gowan, Heritage Planner, and C. and R. Leishman, property owners, with respect to this matter, were received;

- b) the following actions be taken with respect to the Notice of Planning Application, dated August 29, 2018, from M. Knieriem, Planner II and the Heritage Impact Assessment (HIA) dated August 2018 and communication dated September 6, 2018, from ASI Archaeological Cultural Heritage Services with respect to the

property located at 723 Lorne Avenue, located in the Old East Heritage Conservation District:

- i) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) is satisfied by the recommendations of the above noted HIA; and
- ii) the Civic Administration BE ADVISED that the LACH prefers development concept 1 from the above-noted Notice of Planning Application;

it being noted that the presentation appended to the 9th Report of the London Advisory Committee on Heritage from M. Knieriem, Planner II, with respect to this matter, was received;

- c) the Civic Administration BE REQUESTED to undertake the following actions with respect to the update on the Rapid Transit Cultural Heritage Screening Report:

- i) provide the London Advisory Committee on Heritage (LACH) with the final Cultural Heritage Screening Report (CHSR);
- ii) consult the LACH on the post-Transit Project Assessment Process (TPAP), Cultural Heritage Evaluation Process (CHER) and Heritage Impact Assessment (HIA) methodology;
- iii) consult the LACH with respect to the proposed groupings of properties for the completion of Cultural Heritage Evaluation Reports (CHERs) and/or Heritage Impact Assessments (HIAs); and,
- iv) consult the LACH on the identification of individual properties which warrant individual, property-specific, CHERs and/or HIAs;

it being noted that the presentation appended to the 9th Report of the London Advisory Committee on Heritage from J. Hodgins, Engineer-in-Training, Environmental and Engineering Services, with respect to this matter, was received;

- d) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the research assessment and conclusions of the Heritage Impact Review, dated June 2018, from Kirkness Consulting, with respect to the property located at 470 Colborne Street; it being noted that the LACH is not opposed to the proposed Official Plan and Zoning By-law Amendment and that a Heritage Alteration Permit may be required for any exterior alterations;

it being further noted that the Notice of Planning Application, dated August 29, 2018, from B. Debbert, Senior Planner, with respect to the above-noted matter, was received;

e) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the properties identified in Appendix A of the staff report, dated September 12, 2018, BE REMOVED from the Register (Inventory of Heritage Resources); it being noted that the demolition requests were processed following the applicable legislation and practice at the time of the request and that no further notification or consultation is required;

f) the Civic Administration BE REQUESTED to report back at a future meeting of the London Advisory Committee on Heritage with respect to further information related to proposed City of London Guidelines for the Installation of Photovoltaic Technology on Heritage Designated Properties; it being noted that the presentation appended to the 9th Report of the London Advisory Committee on Heritage from K. Gowan, Heritage Planner, with respect to this matter, was received;

g) 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 for upgrades to the commercial storefront and signage to the building located at 187 Dundas Street, within the Downtown Heritage Conservation District, BE PERMITTED, with the term and condition that the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed; it being noted that the presentation appended to the 9th Report of the London Advisory Committee on Heritage from L. Dent, Heritage Planner, with respect to this matter, was received;

h) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, 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 intent to designate the property located at 432 Grey Street to be of cultural heritage value or interest for the reasons outlined in the revised Statement of Cultural Heritage Value or Interest appended to the 9th Report of the London Advisory Committee on Heritage; it being noted that the presentation appended to the 9th Report of the London Advisory Committee on Heritage from L. Dent, Heritage Planner, with respect to this matter, was received;

i) the Civic Administration BE REQUESTED to add the Register (Inventory of Heritage Resources) to the City of London's Open Data Portal; it being noted that a communication from M. Whalley, with respect to this matter, was received;

j) the following actions be taken with respect to the 2018 London Advisory Committee on Heritage (LACH) Work Plan:

i) the revised 2018 Work Plan appended to the 9th Report of the London Advisory Committee on Heritage BE RECEIVED; it being noted that changes were made to the distribution of the LACH budget; and,

ii) the item on the above-noted work plan, with respect to heritage signage and plaque placement and funding, BE REFERRED to the Education Sub-Committee for review and a report back to the LACH; and,

k) clauses 1.1, 2.1, 2.4, 3.1 to 3.9, 3.11 to 3.15, 4.1, 4.2, 5.5, 5.7, 5.8, 5.10 and 5.11 BE RECEIVED.

Motion Passed

18. (4.2) Byron Valley Conceptual Nature Trail Plan

Motion made by: S. Turner

That D. Park, L. Black, C. Morrison, E. Washburn, J. Santin and M. Laliberte, BE GRANTED delegation status at the October 29, 2018 Planning and Environment Committee meeting with respect to the Byron Valley Conceptual Nature Trail Plan concurrent with the Managing Director, Planning and City Planner's report. (2018-D09)

Motion Passed

16. (3.8) Application - 230 North Centre Road (OZ-8874)

At 4:56 PM, Councillor V. Ridley enters the meeting.

Motion made by: S. Turner

The application by Tricar Group, relating to the property located at 230 North Centre Road, BE REFERRED back to the Civic Administration to initiate consultation between the applicant, the community and the Civic Administration to explore potential revisions to the proposed development taking into consideration the concerns raised by the public; it being noted that the Civic Administration will report back no later than the November 12, 2018 meeting of the Planning and Environment Committee on the results of the consultation;

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

- a petition signed by approximately 210 people;
- a communication dated September 13, 2018 from D. Holman, 32-145 North Centre Road;
- a communication dated September 13, 2018 from P. Digby, 16-1890 Richmond Street;
- a communication dated September 13, 2018 from J. Brania, by e-mail;
- a communication dated September 13, 2018 from I.G. Walker, by e-mail;
- a communication dated September 13, 2018 from A.M. Patrick, by e-mail;

- a communication dated September 13, 2018 from F. Birch, 1890 Richmond Street;
- communications dated September 14 and 20, 2018 from V. Digby, 1890 Richmond Street;
- a communication dated September 14, 2018 from M. Bogdan Stanescu, by e-mail;
- a communication dated September 17, 2018 from D. Bai, by e-mail;
- communications dated September 17 and 20, 2018 from B. Boss, by e-mail;
- a communication dated September 19, 2018 from S. Glikzman, 1890 Richmond Street;
- a communication dated September 19, 2018 from M. Birch, 1890 Richmond Street;
- a communication dated September 19, 2018 from A. Robin and R.M.L. Bajonero, 52-250 North Centre Road;
- a communication dated September 19, 2018 from P. Newson, by e-mail;
- a communication dated September 19, 2018 from N. Cottle, 21-215 North Centre Road;
- a communication dated September 19, 2018 from Y. Yang, J.J. Ding and R. and M. Mclean, 215 North Centre Road;
- a communication dated September 20, 2018 from J. Cottle, 215 North Centre Road;
- a communication dated September 20, 2018 from O. da Silva, by e-mail;
- a communication dated September 20, 2018 from H. Morrison, McGarrell Drive;
- a communication dated September 20, 2018 from Main, by e-mail;
- a communication dated September 20, 2018 from D. Hillis, by e-mail;
- a communication dated September 20, 2018 from M. Ordoñez, by e-mail;
- a communication dated September 20, 2018 from M. Gajda, by e-mail;
- a communication dated September 20, 2018 from P. Reath, by e-mail;
- a communication dated September 20, 2018 from A. Watson, by e-mail;
- a communication dated September 20, 2018 from B. Auger, 145 North Centre Road;
- a communication dated September 20, 2018 from C. MacKinnon, 203-235 North Centre Road;
- a communication dated September 21, 2018 from J. Chemali, 1997 Valleyrun Boulevard;
- a communication dated September 20, 2018 from D. Stollar and D. Morrison, 31-145 North Centre Road;

- a communication dated September 21, 2018 from G. McGinn-McTeer, Past President, Stoneybrook Heights/Uplands Residents Association;
- a communication dated September 21, 2018 from J. and S. Jackson, 185 North Centre Road;
- a communication dated September 20, 2018 from J. Chestnut, 145 North Centre Road;
- a communication dated September 20, 2018 from L. Ibrahim, 145 North Centre Road;
- a communication dated September 21, 2018 from R. and S. Sturdy, 9-230 North Centre Road;
- a communication dated September 20, 2018 from R. Croft, by e-mail;
- a communication dated September 21, 2018 from R. Marti, by e-mail;
- a communication dated September 21, 2018 from R. Whimster, 55-250 North Centre Road; and,
- a communication dated September 20, 2018 from Denis, by e-mail;

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.

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

Nays: (2): J. Helmer, and J. Zaifman

Motion Passed (13 to 2)

8.3 17th Report of the Corporate Services Committee

Motion made by: J. Helmer

That the 17th Report of the Corporate Services Committee, BE APPROVED, excluding Items 2(2.3) and 5(2.1).

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: J. Helmer

Councillor J. Morgan discloses a pecuniary interest in Item 2.1, having to do with the City of London 2019 Provincial and Federal Budget Submissions, specific to those matters related to Bus Rapid Transit, as his employer, Western University, has an interest in the project.

Motion Passed

3. (2.5) Asset Review: Class A- Vacant Land and Buildings and Class C - Major Venues, Non-Core Services and Assets

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 Asset Review: Class A and Class C:

- a) the reporting of the proceeds from the sale of surplus lands, and the update on the City of London Class C – Major Venues, Non-Core Services and Assets BE RECEIVED for information;
- b) the Civic Administration BE DIRECTED to allocate \$434,716 of net proceeds from the completed sales of surplus land as per the Council approved Sale of Major Assets Policy;
- c) the Civic Administration BE DIRECTED to take no further action regarding the review of the following City-owned heritage assets:
 - i) Baty House;
 - ii) Eldon House/Coach House/Greenhouse/ Interpretive Centre/Museum;
 - iii) EP Williams Estate/Gatehouse;
 - iv) Flint Cottage/Flint Shelter/ Springbank Pumphouse;
 - v) Grosvenor Lodge/Carriage House;
 - vi) Park Farm; and,
- d) the Civic Administration BE DIRECTED to bring forward a detailed business case as part of the 2020-2023 Multi-Year Budget to support the costs associated with the transition plan and subsequent disposition of T-Block building.

Motion Passed

4. (2.7) Vehicle Donation to ReForest London (Relates to Bill No. 568)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, notwithstanding the Procurement of Goods and Services Policy the following actions be taken with respect to the vehicle donation to ReForest London:

- a) the proposed by-law appended to the staff report dated September 25, 2018 as Appendix “A” BE INTRODUCED at the October 2, 2018 meeting of the Municipal Council to make a grant of a City-owned surplus truck to ReForest London; and
- b) the Civic Administration BE AUTHORIZED to transfer \$9,500 from the Community Investment Reserve Fund to the Vehicle & Equipment Reserve Fund.

Motion Passed

6. (2.2) Reserves Rationalization Report

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 Corporation of the City of London reserves:

a) the following six (6) reserves BE APPROVED as the reserves of The Corporation of the City of London:

i) tax Supported Budget – Operating Budget Contingency Reserve and Operating Efficiency, Effectiveness & Economy Reserve;

ii) wastewater & Treatment Rate Supported Budget – Wastewater Budget Contingency Reserve and Wastewater Efficiency, Effectiveness & Economy Reserve;

iii) water Rate Supported Budget – Water Budget Contingency Reserve and Water Efficiency, Effectiveness & Economy Reserve;

b) the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer BE AUTHORIZED to take any and all actions necessary to align the reserves approved in a), above, with the provisions of the City's Reserve and Reserve Fund Policy; and

c) the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer BE AUTHORIZED to take the following actions with respect to winding down and terminating reserves currently held by The Corporation of the City of London that are no longer included in the reserves approved in a) above:

i) transfer reserve balances identified in Appendix B to the Operating Budget Contingency Reserve and terminate reserves after the transfers are complete;

ii) transfer reserve balance identified in Appendix C to the City Facilities Reserve Fund and terminate reserve after the transfer is complete; and

iii) convert reserves identified in Appendix D into reserve funds, terminate reserves after the conversions are complete and balances have been transferred, it being noted that Civic Administration will bring forward appropriate reserve fund by-laws to a future Corporate Services Committee meeting.

Motion Passed

7. (2.4) 2018 Operating Budget Mid-Year Monitoring Report - Property Tax, Water, Wastewater and Treatment Budgets

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 2018 Mid-Year Monitoring:

a) the 2018 Operating Budget Mid-Year Monitoring Report for the Property Tax Supported Budget (refer to Appendix A as appended to the staff report dated September 25, 2018), Water, and Wastewater & Treatment Budgets BE RECEIVED for information it being noted that the year-end positions for the net corporate projections below could fluctuate significantly based on factors beyond the control of Civic Administration:

- i) Property Tax Supported Budget surplus of \$2.1 million as identified by Civic Administration, Boards and Commissions. The projected year-end position includes the contributions to Reserve Funds listed in items b) and c);
- ii) Water Rate Supported Budget surplus of \$2.7 million;
- iii) Wastewater & Treatment Rate Supported Budget surplus of \$4.7 million;
- b) the Civic Administration BE AUTHORIZED to contribute the Housing Development Corporation's year-end operational surplus, if any, to the Housing Development Corporation Reserve Fund which will be used to support housing initiatives and future work of the Housing Development Corporation;
- c) the Civic Administration BE AUTHORIZED to contribute Information Technology Services year-end operational surplus, if any, to the Technology Services Reserve Fund to be used to support investments in corporate systems;
- d) the Civic Administration BE AUTHORIZED to contribute to or drawdown from the Water Capital Reserve Fund to balance year-end operations of the Water Budget should the budget be in a surplus/deficit position;
- e) the Civic Administration BE AUTHORIZED to contribute to or drawdown from the Wastewater Rate Stabilization Reserve to balance year-end operations of the Wastewater & Treatment Budget should the budget be in a surplus/deficit position;
- f) the Civic Administration BE AUTHORIZED to allocate Wastewater & Treatment Budget year-end surplus from the Wastewater Rate Stabilization Reserve to the Sewage Works Reserve Fund should the Wastewater Rate Stabilization Reserve achieve its target balance of 2.5% of the Wastewater & Treatment Revenue Budget, noting that in previous years this Reserve Fund has been drawn from to offset operational deficits; and
- g) the Civic Administration's contribution of \$1,989,623 (\$1,760,121 – Property Tax Supported; \$76,925 – Water; and \$152,577 – Wastewater & Treatment) to the Efficiency, Effectiveness and Economy Reserve in 2018 BE RECEIVED for information.

Motion Passed

8. (2.6) Update #2: Harassment and Discrimination - Third Party Review

Motion made by: J. Helmer

That, on the recommendation of the City Manager and the Managing Director, Corporate Services and Chief Human Resources Officer, the following actions be taken:

- a) the staff report dated September 25, 2018 BE RECEIVED for information; and
- b) the Civic Administration BE AUTHORIZED to exceed Council approved spending limits up to an additional \$200,000 for this review as necessary to complete the work which will be awarded as a Single Source Procurement as per section 14.4 (b) of the Procurement of Goods and Services Policy.

Motion Passed

9. (3.1) Tax Adjustment Agenda

Motion made by: J. Helmer

That the recommendations contained in the Tax Adjustment Agenda dated September 25, 2018 BE APPROVED; it being noted that there were no members of the public in attendance to speak before the Corporate Services Committee, at the public hearing associated with the Tax Adjustment Agenda.

Motion Passed

2. (2.3) 2018 Mid-Year Capital Budget Monitoring Report

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 2018 Mid-Year Capital Monitoring Report :

- a) the above-noted report BE RECEIVED for information, it being noted that the life-to-date capital budget represents \$1.9 billion with \$1.3 billion committed and \$0.6 billion uncommitted; it being further noted that the City Treasurer, or designate, will undertake the housekeeping adjustments identified in the Report, in accordance with the Multi-Year Budget Policy adopted by By-law No. CPOL.-45-241;
- b) the status updates of active 2015 life-to-date capital budgets (2015 and prior) having no future budget requests, appended to the staff report dated September 25, 2018 as Appendix "B", BE RECEIVED for information;
- c) the following actions be taken with respect to the completed Capital Projects identified in Appendix "C", as appended to the staff report dated September 25, 2018, which have a total of \$6.2 million of net surplus funding:
 - i) the Capital Projects included in Appendix "C" BE CLOSED;
 - ii) the following actions be taken with respect to the funding associated with the Capital Projects approved for closure in c) i), above:

Rate Supported

- A) capital receipts funding of \$264,943 BE TRANSFERRED to Capital Projects in a net deficit position;
- B) authorized debt financing of \$860,123 BE RELEASED resulting in a reduction of authorized, but unissued debt;
- C) uncommitted reserve fund drawdowns of \$1,511,647 BE RELEASED from the reserve funds which originally funded the projects;

Non-Rate Supported

- D) uncommitted reserve fund drawdowns of \$2,936,042 BE RELEASED from the reserve funds which originally funded the projects;
- E) authorized debt financing of \$887,903 BE RELEASED resulting in a reduction of authorized, but unissued debt; and
- F) other net non-rate supported funding sources of \$226,254 BE ADJUSTED in order to facilitate project closings.

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)

5. (2.1) City of London 2019 Provincial and Federal Budget Submissions

Motion made by: J. Helmer

That, on the recommendation of the Director, Community & Economic Innovation, the following actions be taken with respect to the City of London's 2018 Budget Submissions:

- a) the Civic Administration BE DIRECTED to submit the City of London 2019 Provincial Budget Submission, as appended to the staff report dated September 25, 2018, to the Government of Ontario as part of the provincial pre-budget submission process;
- b) the Civic Administration BE DIRECTED to submit the City of London 2019 Federal Budget Submission, as appended to the staff report dated September 25, 2018, to the Government of Canada as part of the federal pre-budget submission process; and,
- c) the report dated September 25, 2018 with respect to this matter, BE RECEIVED.

Yeas: (11): Mayor M. Brown, B. Armstrong, J. Helmer, M. Cassidy, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Nays: (3): M. van Holst, M. Salih, and P. Squire

Recuse: (1): J. Morgan

Motion Passed (11 to 3)

9. Added Reports

9.1 17th Report of Council in Closed Session

PRESENT: Mayor M. Brown, Councillors 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: Councillor V. Ridley.

ALSO PRESENT: M. Hayward, B. Card, B. Coxhead, K. Dawtrey, C. Saunders and B. Westlake-Power.

Motion made by: H. Usher

1. That the Council in Closed Session met, in camera, for the purpose of considering a matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regards to one of the Corporation's unions and litigation or potential litigation affecting the municipality, and advice which is subject to solicitor-client privilege, including communications necessary for that purpose.
(6.1/17/CSC)

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)

10. Deferred Matters

None.

11. Enquiries

Councillor P. Squire enquires with respect to the unsanctioned "Fake Homecoming" event over the past weekend (September 29), as to whether there is a way forward to manage this event. The City Manager advises that there will be conversations and that there will be a report back to Council as to next steps, noting that there will be costs to managing this.

12. Emergent Motions

None.

13. By-laws

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

That Introduction and First Reading of Bill No.'s 567 to 580, 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: J. Helmer
Seconded by: A. Hopkins

That Second Reading of Bill No.'s 567 to 580, 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: T. Park
Seconded by: J. Helmer

That Third Reading and Enactment of 567 to 580, 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)

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

Bill No. 567 By-law No. A.- 7778-484	A by-law to confirm the proceeding of the Council Meeting held on the 2 nd day of October, 2018. (City Clerk)
Bill No. 568 By-law No. A.- 7779-485	A by-law to make a grant of a City owned surplus truck to ReForest London. (2.7/17/CSC)
Bill No. 569 By-law No. CP-1-18003	A by-law to amend by-law CP-1 “A by-law to provide for the Improvement Area to be known as The Old East Village Business Improvement Area and to Establish a Board of Management Therefor” to expand the area designated as an improvement area; to amend the board of management; and to amend certain procedures for the purpose of managing the Old East Village Business Improvement Area. (2.6/15/PEC)
Bill No. 570 By-law No. C.P.-1528- 486	A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area. (2.7/15/PEC)
Bill No. 571 By-law No. C.P.-1529- 487	A by-law to exempt from Part Lot Control lands located on Michael Circle, north of Michael Street, formerly known as 1245 Michael Street, legally described as Blocks 1 and 2 in Registered Plan 33M-745, more accurately described as Parts 1-126 inclusive on Reference Plan 33R- 20211 in the City of London and County of Middlesex. (2.5/15/PEC)
Bill No. 572 By-law No. PS-113-18027	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.” (2.9/13/CWC)
Bill No. 573 By-law No. WM-12-18015	A by-law to amend by-law WM-12 being “A by-law to provide for the Collection of Municipal Waste and Resource Materials in the City of London”. (2.16/13/CWC)
Bill No. 574 By-law No. Z.- 1-182692	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 982 Gainsborough Road. (2.3/15/PEC)
Bill No. 575 By-law No. Z.- 1-182693	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1090, 1092 & 1096 Hamilton Road. (2.4/15/PEC)
Bill No. 576 By-law No. Z.- 1-182694	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3425 Emily Carr Lane. (3.4/15/PEC)
Bill No. 577 By-law No. Z.- 1-182695	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 745-747 Waterloo Street. (3.5/15/PEC)
Bill No. 578 By-law No. Z.- 1-182696	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 723 Lorne Avenue. (3.6/15/PEC)

Bill No. 579 By-law No. C.P.- 1284(ud)-488	A by-law to amend the Official Plan for the City of London, 1989 relating to 900 King Street and 925 Dundas Street. (3.7a/15/PEC)
Bill No. 580 By-law No. Z.- 1-182697	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 900 King Street and 925 Dundas Street and to amend Section 2 (Definitions). (3.7b/15/PEC)

14. Adjournment

Motion made by: V. Ridley

Seconded by: H. Usher

That the meeting adjourn.

Motion Passed

The meeting adjourns at 5:20 PM.

Matt Brown, Mayor

Catharine Saunders, City Clerk

Planning and Environment Committee

Report

15th Meeting of the Planning and Environment Committee
October 9, 2018

PRESENT: Councillors S. Turner (Chair), A. Hopkins, M. Cassidy, J. Helmer, T. Park, Mayor M. Brown

ALSO PRESENT: I. Abushehada, J. Adema, A. Anderson, G. Barrett, M. Corby, M. Elmadhoon, M. Feldberg, J.M. Fleming, M. Henderson, G. Kotsifas, A. Lockwood, H. Lysynski, T. Macbeth, A. Macpherson, D. MacRae, L. McDougall, B. O'Hagan, M. Pease, L. Pompilii, M. Ribera, C. Saunders, 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 3.6 of this Report, having to do with the properties located at 147-149 Wellington Street and 253-257 Grey Street, by indicating that her family owns property within half a kilometer and this is on a rapid transit corridor.

2. Consent

Moved by: T. Park
Seconded by: M. Cassidy

That Items 2.1 to 2.7, inclusive, BE APPROVED.

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

2.1 Contract Renewal for Management of Environmentally Significant Areas

Moved by: T. Park
Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the renewal of the five year Agreement with the Upper Thames River Conservation Authority for the management of City-owned Environmentally Significant Areas in the City of London:

- a) approval BE GIVEN under Section 14.3 (c) of the Procurement of Goods and Services Policy to enter into an Agreement with the Upper Thames River Conservation Authority for the management of Environmentally Significant Areas in the City of London as a "Sole Source" contract; and,
- b) the proposed by-law appended to the staff report dated October 9, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018, to approve an Agreement between The Corporation of the City of London and the Upper Thames River Conservation Authority for the management of Environmentally Significant Areas in the City of London, substantially in the form of the by-law appended to the staff report dated October 9, 2018, and to authorize the Mayor and City Clerk to execute the agreement;

it being noted that funding for this service is included within the base budget of Parks and Natural Areas Planning and Design. (2018-E18)

Motion Passed

2.2 London Plan Status Update

Moved by: T. Park
Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, the staff report dated October 9, 2018 entitled "London Plan Status Update" BE RECEIVED for information. (2018-D09)

Motion Passed

2.3 Passage of Heritage Designating By-law - 172 Central Avenue

Moved by: T. Park
Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the attached by-law to designate 172 Central Avenue to be of cultural heritage value or interest BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018; it being noted that this matter has been considered by the London Advisory Committee on Heritage and public notice has been completed with respect to the designation in compliance with the requirements of the *Ontario Heritage Act*. (2018-R01)

Motion Passed

2.4 Application - 2900 Tokala Trail (H-8892)

Moved by: T. Park
Seconded by: M. Cassidy

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Foxwood Development (London) Inc., relating to the property located at 2900 Tokala Trail, the proposed by-law appended to the staff report dated October 9, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 16, 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 (h-*h-71*h-100*R5-7) Zone TO a Residential R5 (R5-7) Zone to remove the h., h-71 and h-100 holding provisions. (2018-D09)

Motion Passed

2.5 Application - 3804 South Winds Drive - Removal of Holding Provisions (h., h-161, h-162 and h-163) (H-8955)

Moved by: T. Park
Seconded by: M. Cassidy

That, on the recommendation of the Senior Planner, Development Services, the following actions be taken with respect to the application of Mimadala Holdings Inc., relating to the property located at 3804 South Winds Drive, the proposed by-law appended to the staff report dated October 9, 2018 BE INTRODUCED at the Municipal Council meeting to be

held on October 16, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 Special Provision (h-h-161-h-162-h-163-R1-14(3)) Zone TO a Residential R1 Special Provision (R1-14 (3)) Zone to remove the h., h-161, h-162 and h-163 holding provisions. (2018-D09)

Motion Passed

- 2.6 Application - Riverbend South Subdivision - Phase 2 (Formerly 1826 and 1854 Oxford Street West) (H-8880)

Moved by: T. Park
Seconded by: M. Cassidy

That, on the recommendation of the Senior Planner, Development Services, based on the application by Sifton Properties Limited, relating to lands located within the Riverbend South Subdivision – Phase 2, (formerly 1826 and 1854 Oxford Street West), the proposed by-law appended to the staff report dated October 9, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R1 (h-R1-4 and h-R1-5) Zone TO a Residential R1 (R1-4 and R1-5) Zone to remove the holding (h) provision. (2018-D12)

Motion Passed

- 2.7 Building Division Monthly Report for August 2018

Moved by: T. Park
Seconded by: M. Cassidy

That the Building Division Monthly Report for the month of August, 2018 BE RECEIVED for information. (2018-D04)

Motion Passed

3. Scheduled Items

- 3.1 Delegation - S. Levin, Chair, Environmental and Ecological Planning Advisory Committee - 10th Report of the Environmental and Ecological Planning Advisory Committee

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

That, the following actions be taken with respect to the 10th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on September 20, 2018:

- a) the Working Group comments appended to the 10th Report of the Environmental and Ecological Planning Advisory Committee with respect to the application by MHBC Planning relating to the property located at 3080 Bostwick Road BE FORWARDED to S. Wise, Senior Planner, for consideration;
- b) the revised Working Group comments appended to the 10th Report of the Environmental and Ecological Planning Advisory Committee relating to the Southdale Road Environmental Assessment, from Pine Valley to Colonel Talbot Road BE FORWARDED to S. Shannon, Technologist II, City of London and S. Muscat, AECOM;

c) the Civic Administration BE REQUESTED to work with the Environmental and Ecological Planning Advisory Committee with respect to natural heritage and stormwater management on a system basis, particularly in the southwest area of the city and the Dingman watershed; and,

d) clauses 1.1, 3.1, 5.1 and 6.1 BE RECEIVED for information.

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: M. Cassidy

Motion to add part c) which reads as follows:

"c) the Civic Administration BE REQUESTED to work with the Environmental and Ecological Planning Advisory Committee with respect to natural heritage and stormwater management on a system basis, particularly in the southwest area of the city and the Dingman watershed; and,"

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

3.2 Public Participation Meeting - Application - 3080 Bostwick Road (39T-18502/Z-8931)

Moved by: A. Hopkins

Seconded by: M. Cassidy

That, the following actions be taken with respect to the application by 31675 Ontario Ltd (York Developments Inc), relating to a portion of the property located at 3080 Bostwick Road:

a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018 as Appendix "A" BE RECEIVED for information; and,

b) a public participation meeting BE HELD at a future meeting of the Planning and Environment Committee;

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

it being 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: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

Additional Votes:

Moved by: M. Cassidy

Seconded by: T. Park

Motion to open the public participation meeting.

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

Moved by: A. Hopkins

Seconded by: T. Park

Motion to close the public participation meeting

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

3.3 Public Participation Meeting - Application - 3080 Bostwick Road, Site 1 (OZ-8941)

Moved by: T. Park

Seconded by: A. Hopkins

That, the following actions be taken with respect to the application by 31675 Ontario Ltd (York Developments Inc), relating to a portion of the property located at 3080 Bostwick Road:

a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018, BE RECEIVED; it being noted that staff will continue to process the application and will consider the public, agency, and other feedback received during the review of the subject application as part of the staff evaluation of the subject application; and,

b) a public participation meeting BE HELD at a future Planning and Environment Committee meeting;

it being noted that the Planning and Environment Committee reviewed and received a communication dated September 28, 2018 from A. Clarke, with respect to this matter;

it being further noted that no individuals spoke at the public participation meeting associated with this matter. (2018-D09)

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

Additional Votes:

Moved by: T. Park

Seconded by: Mayor M. Brown

Motion to open the public participation meeting.

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

Moved by: M. Cassidy
Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

3.4 Public Participation Meeting - Application - 3080 Bostwick Road, Site 3 (Z-8942)

Moved by: T. Park
Seconded by: A. Hopkins

That, the following actions be taken with respect to the application by 31675 Ontario Ltd (York Developments Inc), relating to a portion of the property located at 3080 Bostwick Road:

a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018, BE RECEIVED; and,

b) a public participation meeting BE HELD at a future Planning and Environment Committee meeting;

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

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2018-D09)

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

Additional Votes:

Moved by: A. Hopkins
Seconded by: Mayor M. Brown

Motion to open the public participation meeting.

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

Moved by: A. Hopkins
Seconded by: Mayor M. Brown

Motion to close the public participation meeting.

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

3.5 Public Participation Meeting - Application - 3080 Bostwick Road, Site 5 (OZ-8943)

Moved by: Mayor M. Brown
Seconded by: J. Helmer

That, the following actions be taken with respect to the application by 31675 Ontario Ltd (York Developments Inc), relating to a portion of the property located at 3080 Bostwick Road:

- a) the comments received from the public during the Public Engagement process appended to the staff report dated October 9, 2018, BE RECEIVED; and,
- b) a public participation meeting BE HELD at a future Planning and Environment Committee meeting;

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

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2018-D09)

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

Additional Votes:

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

Motion to open the public participation meeting.

Yeas: (6): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, T. Park, and Mayor M. Brown

Motion Passed (6 to 0)

Moved by: A. Hopkins
Seconded by: T. Park

Motion to close the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, J. Helmer, T. Park, and Mayor M. Brown

Absent: (0): M. Cassidy

Motion Passed (5 to 0)

3.6 Public Participation Meeting - Application - 147-149 Wellington Street and 253-257 Grey Street (Z-8905)

Moved by: Mayor M. Brown
Seconded by: A. Hopkins

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of JAM Properties Inc., relating to the property located at 147-149 Wellington Street and 253-257 Grey Street:

a) the proposed by-law appended to the staff report dated October 9, 2018 BE INTRODUCED at the Municipal Council meeting to be held on October 16, 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 Business District Commercial Special Provision (BDC(8)) Zone and Business District Commercial Special Provision (BDC(4)) Zone TO a Business District Commercial Special Provision Bonus (BDC(8))*B() Zone and Business District Commercial Special Provision Bonus (BDC(4))*B() Zone;

the B() Zone shall be implemented through one or more agreements to provide for an apartment building with a maximum height of 18-storeys or 63 metres with an increased density of up to 560 units per hectare in return for the provision of the following facilities, services, and matters:

i) a high quality development which substantially implements the site plan and elevations and rendering as appended in Schedule "1" to the amending by-law:

Podium

- A) a four storey podium along both the Wellington and Grey street frontages;
- B) brick as the primary material on the street facing elevations;
- C) ground floor units along the Wellington Street frontage designed to be convertible between residential and commercial;
- D) individual unit entrances with front door access for all ground floor units;
- E) ground floor units with direct access to the City sidewalk for all street facing units; and,
- F) a prominent principle entrance into the apartment building, at the intersection of Wellington and Grey Streets, that is easily identifiable by including some or all of the following: a change of massing, a higher level of clear glazing, and/or the incorporation of canopies;

Mid-Rise Portions

- A) a step back of the mid-rise portions of the building above the podium;
- B) a step back of the mid-rise portion from the southerly and westerly extents of the podium;
- C) a material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This includes the use of brick and or alternative materials with similar texture and colour to the brick cladding on the podium; and,
- D) a high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers.

Tower

- A) the tower portion located on top of the north east corner of the podium;
- B) a step back of the tower above the podium;
- C) a material and colour palette that provides for a cohesive design between all elements of the building including the podium, the mid-rise portions and the tower. This could include the inclusion of brick and or a similar colour to the brick cladding on the podium;
- D) a high proportion of glass materials and a relatively low proportion of exposed concrete or similar materials, including floor to ceiling window walls. Use of clear glass balcony barriers; and,

E) the design of the top of the towers that provides interest to the skyline and is well integrated with the design language of the overall building;

ii) Transit Station

the financial contribution of funding to the future Transit Station at Wellington Street and Grey Street in the amount of \$200,000, for the provision of public art or other station enhancements to be provided at the time of site plan approval or construction of the station, whichever occurs first;

iii) Provision of Affordable Housing

the provision of 10 affordable housing units, established by agreement at 95% of average market rent for a period of 20 years. An agreement shall be entered into with the Corporation of the City of London, to secure those units for this 20 year term;

iv) 2 levels of underground parking

the construction of a civic space provided at the main pedestrian entrance to the building and enhanced landscaping along Wellington Street, consistent with the conceptual site plan and renderings shown in Schedule 1 of the amending by-law;

b) Staff BE DIRECTED to initiate an amendment to The London Plan for the properties located at 147-149 Wellington Street and 253-257 Grey Street to ADD a new policy to the Specific Policies for the Rapid Transit and Urban Corridor Place Type to allow for a maximum height of 18-storeys subject to a bonus zone;

it being noted that the Planning and Environment Committee reviewed and received a communication dated September 21, 2018, from H. Froussios, Senior Associate, Zelinka Priamo Ltd., with respect to these matters;

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 PPS 2014;
- the recommended amendment is consistent with the City of London Official Plan policies and Rapid Transit Corridor Place Type policies of the London Plan;
- the recommended amendment facilitates the redevelopment of an underutilized site and encourages an appropriate form of development;
- the bonusing of the subject site ensures the building form and design will fit within the surrounding area and provide for an affordable housing and quality design standard; and,
- the proposed development includes the provision of affordable housing which will be mixed throughout the development. (2018-D09)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and Mayor M. Brown

Absent: (0): 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 Mayor M. Brown

Absent: (0): T. Park

Motion Passed (5 to 0)

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

Motion to close the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and Mayor M. Brown

Absent: (0): T. Park

Motion Passed (5 to 0)

3.7 Public Participation Meeting - Amendments to Section 4.10 (Home Occupations) (Z-8946)

Moved by: J. Helmer
Seconded by: Mayor M. Brown

That the application by The Corporation of the City of London, with respect to the proposed Zoning By-law for Home Occupations to add day sitting for dogs and domestic cats as a permitted use BE REFERRED back to the Civic Administration for further consideration, providing direction on issues raised at the Planning and Environment Committee meeting, including, but not limited to:

- a) the issues may be better addressed through the Business Licensing By-law;
- b) the matter of not allowing overnight pet sitting may not stand up in court; and,
- c) the matter of receiving written consent from a tenant by the landlord;

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. (2018-P01)

Yeas: (4): A. Hopkins, M. Cassidy, J. Helmer, and Mayor M. Brown

Nays: (1): S. Turner

Absent: (0): T. Park

Motion Passed (4 to 1)

Additional Votes:

Moved by: M. Cassidy
Seconded by: J. Helmer

Motion to open the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and Mayor M. Brown

Absent: (0): T. Park

Motion Passed (5 to 0)

Moved by: A. Hopkins
Seconded by: Mayor M. Brown

Motion to close the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and Mayor M. Brown

Absent: (0): T. Park

Motion Passed (5 to 0)

3.8 Public Participation Meeting - Application - 3130 and 3260 Dingman Drive and 4213 Wellington Road South (SPA17-109, SPA17-111, SPA17-117)

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

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to the application of PenEquity / Goal Ventures Inc., relating to the properties located at 3130 and 3260 Dingman Drive and 4313 Wellington Road South:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of approximately 73,000m² of commercial space; and,

b) the Approval Authority BE ADVISED that the Municipal Council does not have any issues with respect to the Site Plan Application; 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 proposed Site Plan is consistent with the Provincial Policy Statement, which directs development to designated growth areas and that development be adjacent to existing development;
- the proposed Site Plan conforms to the policies of the Shopping Area Place Type and all other applicable policies of The London Plan;
- the proposed Site Plan is in conformity with the policies of the New Format Regional Commercial Node designation of the Official Plan (1989) and will implement an appropriate range of commercial uses in accordance with the Official Plan policies;
- the proposed Site Plan Control application integrates conforms to the Policies of the Southwest Area Secondary Plan; and,
- the proposed Site Plan meets the requirements of the Site Plan Control By-law. (2018-D09)

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and Mayor M. Brown

Absent: (0): 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 Mayor M. Brown

Absent: (0): T. Park

Motion Passed (5 to 0)

Moved by: Mayor M. Brown

Seconded by: J. Helmer

Motion to close the public participation meeting.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and Mayor M. Brown

Absent: (0): T. Park

Motion Passed (5 to 0)

4. Items for Direction

4.1 Neighbourhood School Strategy - Evaluation and Acquisition of Surplus School Sites (17 CLO)

Moved by: M. Cassidy

Seconded by: A. Hopkins

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken to describe the City's approach to the evaluation and acquisition of school sites identified as surplus to School Boards' needs:

- a) the proposed by-law appended to the revised staff report dated October 8, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018, to adopt the Council Policy for the Evaluation and Acquisition of Surplus School Sites; and,
- b) the Administrative Policy for the Evaluation and Acquisition of Surplus School Sites appended to the staff report dated October 9, 2018 as Appendix "B" BE RECEIVED for information. (2018-L07)

Yeas: (4): S. Turner, A. Hopkins, M. Cassidy, and J. Helmer

Absent: (0): T. Park, and Mayor M. Brown

Motion Passed (4 to 0)

4.2 Hyde Parks Business Association Board of Management By-laws

Moved by: Mayor M. Brown

Seconded by: A. Hopkins

That the City Clerk BE DIRECTED to bring forward to a future meeting of Municipal Council a by-law to incorporate the proposed amendments to the Hyde Park Business Improvement Area By-law as requested by the Hyde Park Business Improvement Area Board of Management as outlined in the communication dated October 9, 2018 from D. Szpakowski

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and Mayor M. Brown

Absent: (0): T. Park

Motion Passed (5 to 0)

4.3 Argyle Business Improvement Area Board of Management By-laws

Moved by: M. Cassidy

Seconded by: A. Hopkins

That the City Clerk BE DIRECTED to bring forward to a future meeting of Municipal Council a by-law to incorporate the proposed amendments to the Argyle Business Improvement Area By-law as requested by the Argyle Business Improvement Area Board of Management as outlined in the communication dated October 9, 2018 from S. McConnell.

Yeas: (5): S. Turner, A. Hopkins, M. Cassidy, J. Helmer, and Mayor M. Brown

Absent: (0): T. Park

Motion Passed (5 to 0)

5. Deferred Matters/Additional Business

5.1 (ADDED) 10th Report of the Advisory Committee on the Environment

Moved by: A. Hopkins

Seconded by: M. Cassidy

That, the following actions be taken with respect to the 10th Report of the Advisory Committee on the Environment, from its meeting held on October 3, 2018:

a) clause 5.1 BE REFERRED to the 2019 Budget process for consideration; it being noted that clause 5.1 reads as follows:

“Municipal Council BE REQUESTED to consider additional funding for the 2019 Forestry Operations budget to allow for further maintenance and watering of existing trees in the City of London; it being noted that the Advisory Committee on the Environment (ACE) received a presentation from A. Beaton, Manager, Forestry Operations with respect to the practices related to the watering of London trees at a past meeting of the ACE; it being further noted that the ACE feels that increased maintenance and watering of existing trees will extend the average tree life expectancy of mature trees in London and potentially achieve London's 34% canopy target;” and,

b) clauses 1.1, 3.1 and 5.2 to 5.4, BE RECEIVED for information.

Yeas: (4): S. Turner, A. Hopkins, M. Cassidy, and J. Helmer

Absent: (0): T. Park, and Mayor M. Brown

Motion Passed (4 to 0)

5.2 (ADDED) 9th Report of the Trees and Forests Advisory Committee

Moved by: J. Helmer

Seconded by: M. Cassidy

That, the following actions be taken with respect to the 9th Report of the Trees and Forests Advisory Committee, from its meeting held on September 26, 2018:

a) the following action be taken with respect to the Boulevard Tree Protection By-law:

i) the Trees and Forests Advisory Committee BE REQUESTED to have the opportunity to review street tree species that are listed in the Design and Specification Manual prior to final decision, to prevent fruit trees from being planted on boulevards;

it being noted that the presentation appended to the 9th Report of the Trees and Forests Advisory Committee from S. Rowland, Urban Forestry Planner, with respect to Boulevard Tree Protection By-Law, was received; and,

b) clauses 1.1, 3.1, 3.2 and 5.1 to 5.4 BE RECEIVED for information.

Yeas: (4): S. Turner, A. Hopkins, M. Cassidy, and J. Helmer

Absent: (0): T. Park, and Mayor M. Brown

Motion Passed (4 to 0)

6. Adjournment

The meeting adjourned at 8:24 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – Application – 3080 Bostwick Road (39T-18502/Z-8931)

- *(Councillor T. Park expressing that she is glad that Ms. S. Wise, Senior Planner, touched on the servicing; knowing that there is some concern about that on this stretch; wondering if staff could talk about that a little bit further, about how we look at this corridor on Southdale Road going forward the next five and ten years.);* M. Feldberg, Manager III, Development Finance, responding that as this is just the introduction for the site, they still have quite a bit of review to undertake; advising that the Southdale Environmental Assessment is nearing completion at which time they would be able to identify what works are required on Southdale Road and the same could be said for the Bostwick corridor.
- Scott Allen, MHBC Planning, on behalf of York Developments – supplementing Ms. S. Wise's presentation by briefly reviewing the design considerations that were utilized and influenced the development plans for 3080 Bostwick Road; responding to Councillor S. Turner's comments, he will address the overall Master Plan concept first and then they will have further discussion on the other applications as they progress through the meetings; noting that David Yuhasz, from Zedd Architecture, will speak specifically providing an overview of the guiding design elements for both the Master Plan and the Draft Plan; advising that he will also review the design themes for the individual sites that will be discussed in the following meetings and they will endeavour to keep their presentations to approximately five minutes; advising that Ms. S. Wise, Senior Planner, has provided a relatively thorough description of the key components of the Master Plan for 3080 Bostwick Road so he will focus his summary more on the fundamental objectives of this Plan; encouraging greater housing choice in Southwest London, particularly high density residential forms to promote compact, transit supportive development; secondly to enhance the Activity Node at this location by offering a mix of development and recreational uses that would complement the City's new Southwest Community Centre and to support neighbourhood connectivity by providing linkages to transit, the community centre and surrounding open space areas; indicating that, with respect to housing choice, a key design influence for the Master Plan is the High Density Residential designation applied to the site under the South West Area Plan (SWAP); advising that the project site, which is in red, encompasses all the land designated High Density Residential within the SWAP's residential neighbourhood; indicating that it is important to note that there are relatively few undeveloped High Density Residential sites in the South West planning area; stating that, recently high rise permissions were removed Wonderland Economic corridor which is located immediately east of this neighbourhood; in light of this context, the design of the Master Plan emphasises High Rise Residential forms to help promote a broader mix of residential housing within the Bostwick community; pointing out that the Master Plan itself has been designed with several organizing elements to help achieve its project vision and guiding design objectives; illustrating the various components of the Master Plan including the location of the five residential blocks, the orientation of residential and commercial buildings within those blocks, the central park feature, the street network and the Thornicroft Drain channel which may accommodate ultimately a multi-use pathway; noting that he will not go into further details on these elements as Ms. S. Wise, Senior Planner, has presented some of that already in terms of the layout and further discussion will be had through the course of the following meetings; however, in conclusion, he would like to point out that a variety of recreational amenity areas are provided throughout the project site as illustrated in this conceptual landscape plan; additionally, pedestrian and cycle connections are planned to link this development and adjacent community centre and surrounding neighbourhoods; advising that Mr. D. Yuhasez, Zedd

Architecture, will provide an overview of the design considerations for both the Master Plan and the Draft Plan. (See attached presentation.)

- David Yuhasz, Zedd Architecture – indicating that Ms. S. Wise, Senior Planner, and Mr. S. Allen, MHBC Planning, have gone through the site, it is a little bit complicated in terms of what is being presented first and second; giving a very quick overview through the various sites and what is on each site from a Commercial/Residential point of view, some of the design decisions that they have been undertaking quite a bit of the massing diagram, studies for the site and this includes all the circulation, pedestrian, vehicular, below-grade parking and all those types of things; advising that they have a concentration that he believes they will speak to later in site five; noting that site five is the three storey commercial and the residential; pointing out that site one, which is basically two towers sitting on a five storey podium with a ground floor that is intended primarily for commercial, looking more towards a grocery store or food establishment for that; noting that he is not going to get into all of the statistics because you have them all before you; showing the site plan roof plan; showing the exterior parking ramping down to two levels of underground parking; indicating that site two is quite similar to site one in the sense that it also contains a podium as they are trying to tie the elevation on the street so it has some symmetry and you can see the podium at five storeys, the ground floor in this case, partial commercial but mostly residential as well; noting that there will be two levels of underground parking; advising that site six, a large site; thinking that there was a comment that they did not meet the parking requirements earlier and they have met the parking requirements with the redesign; advising that it is two towers, again, but it sits on a two level podium and has access for residential units basically off the street itself as opposed to internally through the building; providing a quick isometric view showing the two storey podiums, statistics which they can get into later and then they redesigned the parking to accommodate the requirements; site five, which is where they have done some concentration is obviously adjacent to the recreation centre; noting that the recreation centre is quite a large building, four to five storeys, roughly, in scale; indicating that the intent is that site five would be the first site developed and that would be with the three storey commercial building and the seventeen storey residential building with a very strong podium tying the two buildings together; getting into that later but trying to tie the relationship of the existing recreation centre and the stylistic approach contemporary that it is to this development that will carry on through the entire development as a theme with parking below. (See attached presentation.)
- Tom Brimson, 1015 Farnham Road – advising that this is on the northwest corner of Southdale Road and Farnham Road; advising that his concerns are very narrow; expressing concern with the exit onto Bostwick Road; believing that anybody who exits the development out Bostwick Road and wants to go to the city, would continue straight on through right up onto Farnham Road; indicating that he did a little test over the weekend and if he made a right onto Southdale Road and wanted to go to the corner of Viscount Road and Wonderland Road South, he would hit eight stop lights; indicating that if he went straight up Farnham Road he would hit about five speed bumps, one stop sign and one stop light, not counting the one on the corner of Viscount and Wonderland Road South; stating that, if they are going west, and they already have this problem, the traffic now is so heavy on Southdale Road, if you are heading to Byron, people are cutting up Farnham Road already; indicating that Farnham Road and Bradley Avenue have become a through-way for people going from Southdale Road to the main part of Byron; advising that he sees no reason why that would stop and it would be even worse with this development; stating that Farnham Road and that area between Viscount Road and Southdale Road is going to take them a very, very substantial increase in traffic; stating that he had the occasion to live on the corner of Wonderland Road and Oxford Street two years ago and he has visions of Wonderland Road and Southdale Road becoming the very

same as that intersection where, at any time of the day, you cannot go north of Wonderland Road without stopping on the bridge or the train tracks; advising that they had six twelve storey units where he was living, anywhere from eighty to one hundred apartments in each unit; noting that they had once entrance going out onto Capulet Lane and that did not seem to be a problem for moving traffic out of the area; suggesting that we look at closing the exit onto Bostwick Road; if you are coming out the other two exits, you are not going to go west when you are wanting to head north, you are going to go right to Wonderland Road South, it is much easier, but if you are on Bostwick Road, Farnham Road looks awfully inviting; advising that that is his major concern over the development is that one exit onto Bostwick Road and he thinks that is going to cause mayhem in traffic in the Westmount area.



York DEVELOPMENTS **zedd ARCHITECTURE**

MHBC
PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

Proposed Draft Plan of Subdivision 3080 Bostwick Road

Tuesday, October 9, 2018

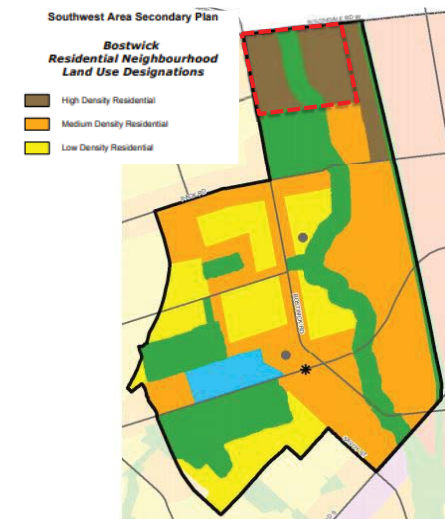
Project Vision: Master Plan Concept

Vision: Provide a integrated residential neighbourhood:

- Offering a variety of on-site amenities:
- Benefiting from close proximity to regional shopping, employment opportunities, public transit networks, recreational facilities, natural areas and major open space.

Principal Design Themes:

- Encourage Housing Choice and Diversity
- Enhance Community Activity Node
- Support Neighbourhood Connectivity

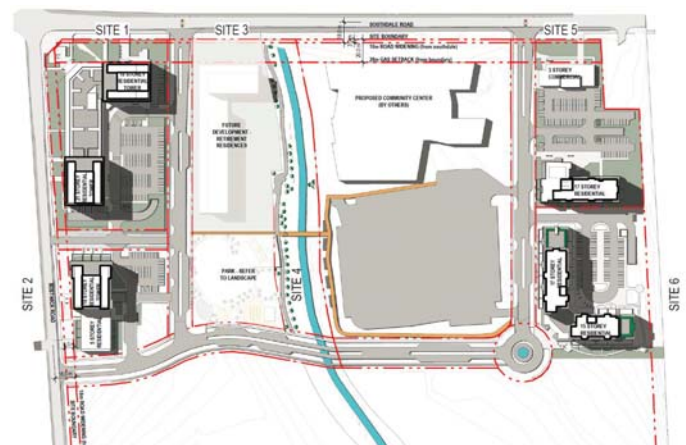


SWAP Context

- Part of Bostwick Residential Neighbourhood
- Largely Designated 'High Density Residential'
- Only HDR lands in Neighbourhood
- Limited HDR Opportunities in SWAP



Master Plan Concept



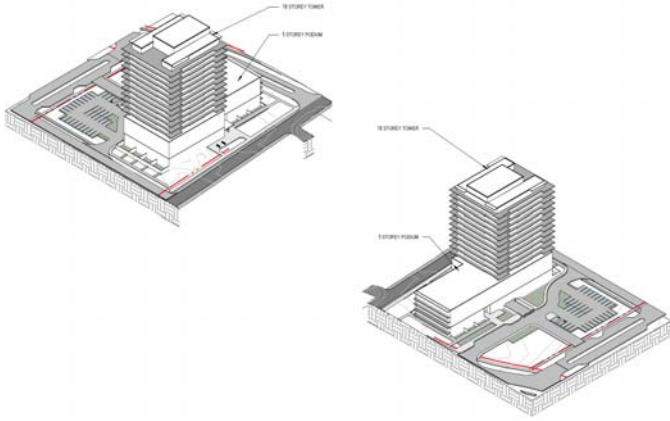
Conceptual Landscape Plan



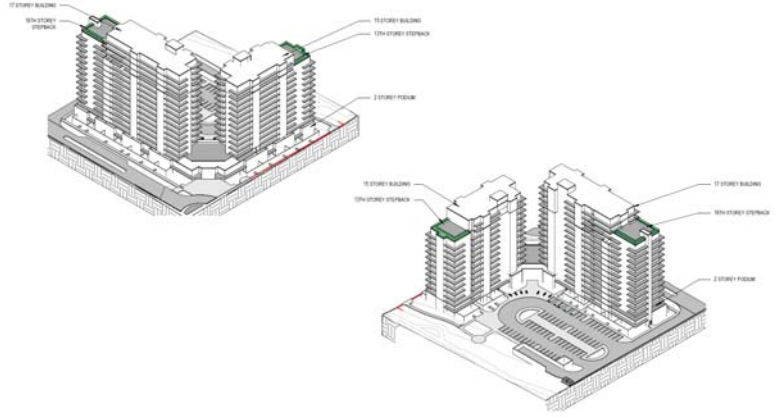
Draft Plan Layout



Perspective (Site 2)

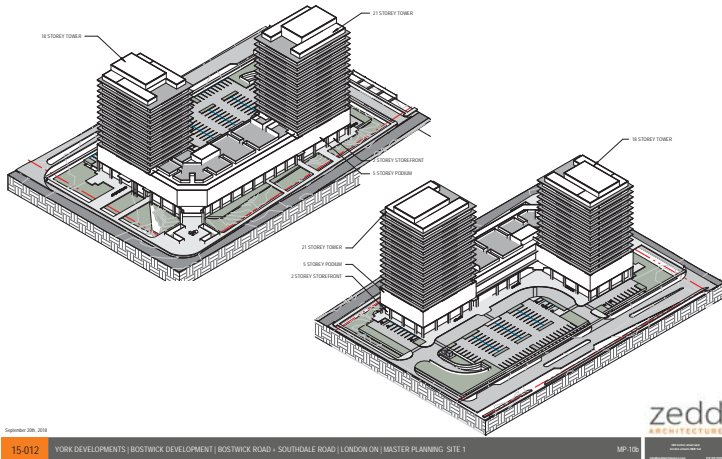
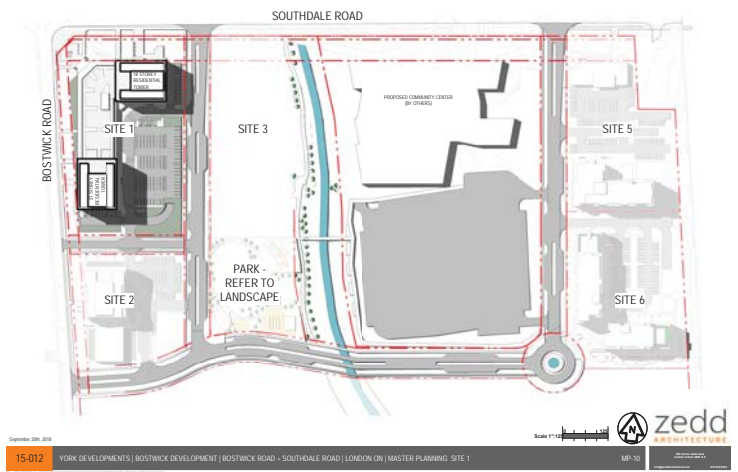
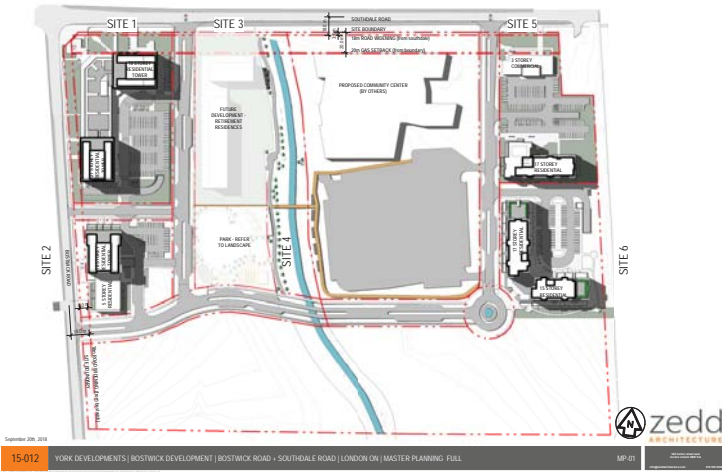


Perspective (Site 6)



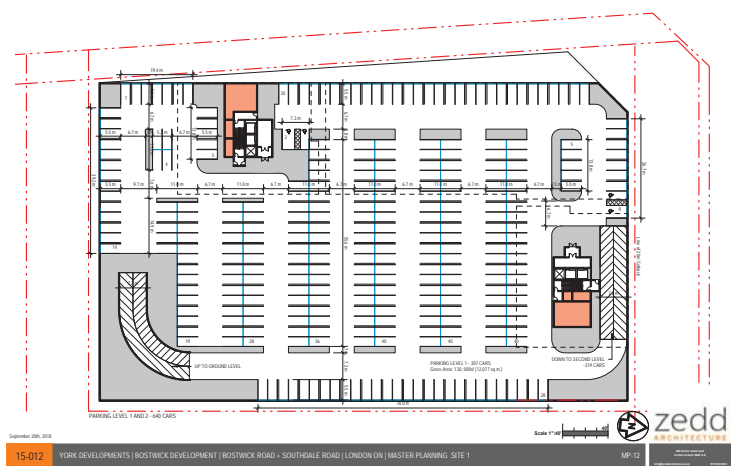
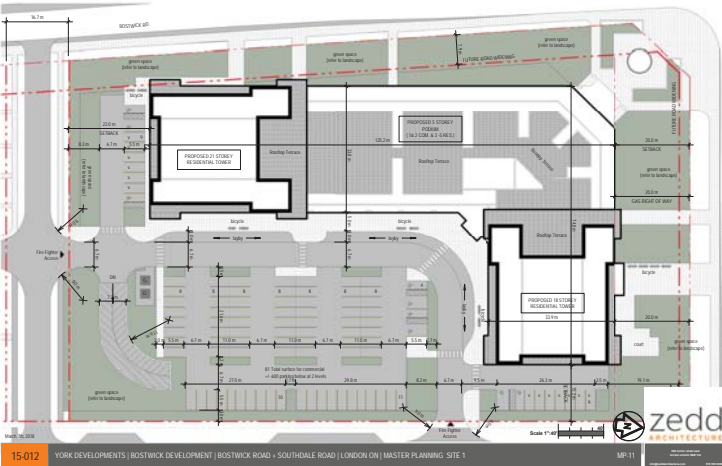
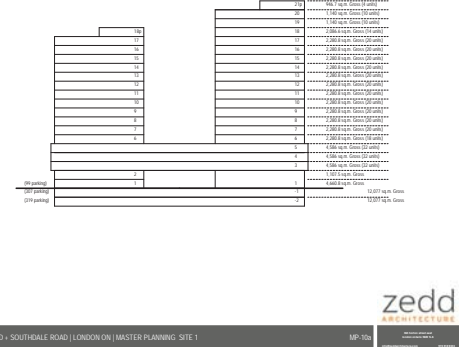
QUESTIONS?

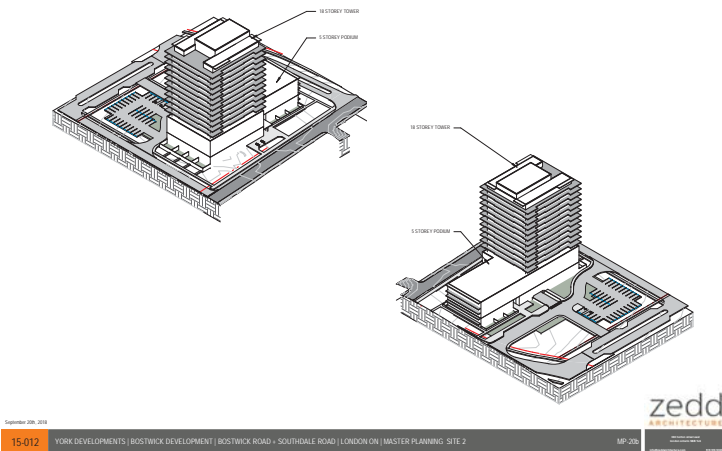
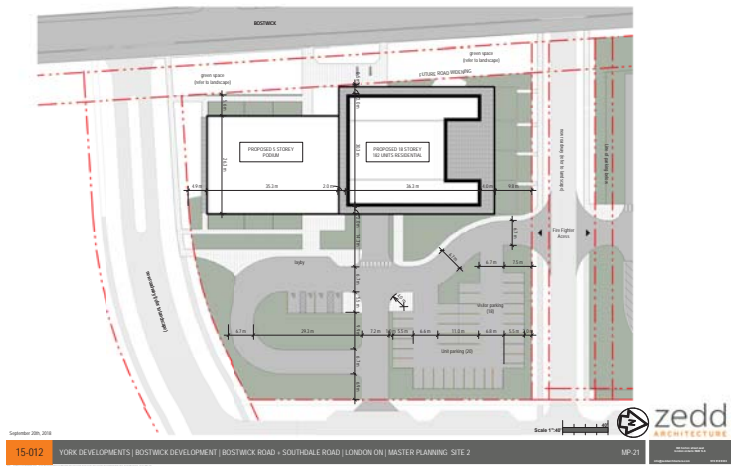
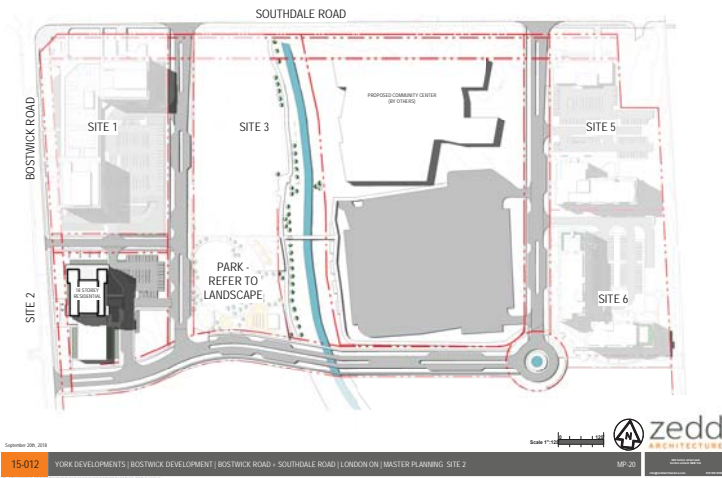




Site Development Statistics (SITE 1)		
200 Bostwick Road, London Ontario		
Item	Requirements	Proposed/Provided
PROPOSED ZONE	06-1	
ZONE - PERMITTED USES	Apartment Building, Office, Office Use, Building	Multi-Residential, Commercial/Community Office Building
LOT AREA (BARRIAGE)	1800 sq.m.	16,983 sq.m. 16,498 sq.m.
LOT COVERAGE (MAX. FOR ALL BARRIAGE)	30% (plus 4% per 1% over 20% if Land-use upon approval up to 40%)	50% (50.0%) 50.0%
LOT FRONTAGE (BARRIAGE)	30m	107m (Overhead Rd)
LOT DEPTH (BARRIAGE)	50m	153m
FRONT YARD DEPTH (BARRIAGE)	6m (1m per store of building higher above 10m high)	24.0m (12.2m)
REAR YARD DEPTH (BARRIAGE)	6m (1m per store of building higher above 10m high)	8.3m 0.4m
REAR YARD DEPTH (BARRIAGE)	1.2m per store of building height (min 0.6m)	10.2m 10.2m
REAR YARD DEPTH (BARRIAGE)	1.2m per store of building height (min 0.6m)	10.2m 10.2m
LANDSCAPED OPEN SPACE (BARRIAGE)	30%	12,000 sq.m. (2,800 sq.m. covered) 1,000 sq.m. (2,800 sq.m.)
REAR YARD (BARRIAGE)	7.5m	1.8m (1.8m)
BUILDING GROSS AREA		122,010 sq.m. Above Grade 24,154 sq.m. Below Grade
BUILDING AREA		Commercial/Community Office + 5000 sq.m. Residential/Assembly + 1,000 sq.m. Residential/Residential + 25,306 sq.m. Underground parking/Storage + 20,000 sq.m.
COURTS	400 parking (incl. 270 on-site parking)	370 units 720 total parking
DENSITY (UNITS PER HECTARE MAX.)	100	460 (219) 440

15-012 YORK DEVELOPMENTS | BOSTWICK DEVELOPMENT | BOSTWICK ROAD + SOUTHDALE ROAD | LONDON ON | MASTER PLANNING - SITE 1





Site Development Statistics (SITE 2)

200 Bostwick Road, London Ontario

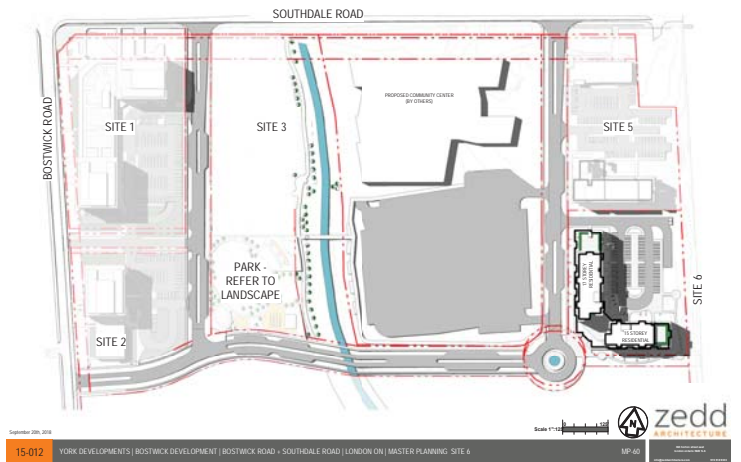
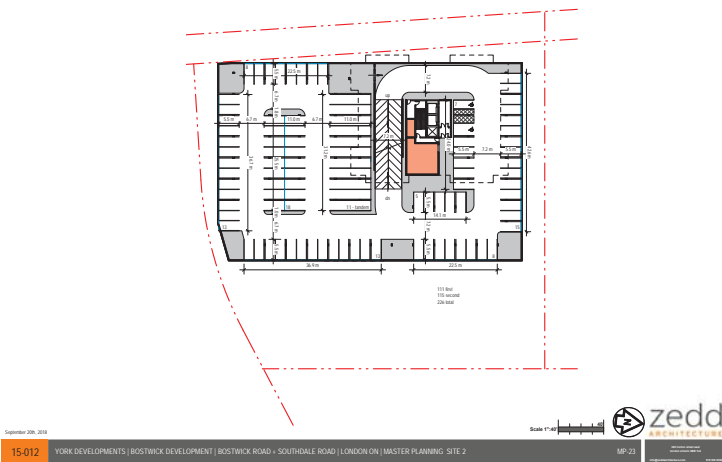
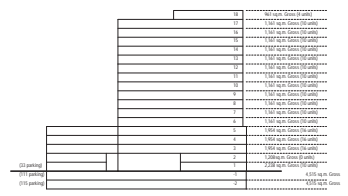
Item	Requirements	Proposed/Provided
PROPOSED ZONE	20-1	20-1
ZONE - PERMITTED USES	Apartment Building, Group Child Care Building	Multi Residential, Student Residence
LOT AREA (BENCHMARK)	1800 sq.m	261 910 sq.m 1,400 000 sq.m
LOT COVERAGE (MAX. FOR ALL BENCHMARKS)	25% (25% per 75' lot) 25% (25% for 150' lot) 25% (25% for 225' lot)	22 200 sq.m (2 200 sq.m) 2 200 sq.m (2 200 sq.m) 2 200 sq.m (2 200 sq.m)
LOT FLOORAGE (BENCHMARK)	2500	50m (Bostwick 181)
LOT DEPTH (BENCHMARK)	50m	50m
FRONT YARD DEPTH (BENCHMARK)	6m (1.5m per 3m of building height above 6m 3m high)	261 910 sq.m 0.4m
R-1 SIDE YARD (BENCHMARK)	600 mm per 3m of building height above 6m 3m high	5m 5m
R-2 SIDE YARD (BENCHMARK)	1.2m per 3m of building height (min 4.5m)	5m 5m
REAR YARD DEPTH (BENCHMARK)	1.2m per 3m of building height (min 4.5m)	5m 5m
LANDSCAPED OPEN SPACE (REAR)	10%	2 200 sq.m covered 2 200 sq.m (2 200 sq.m)
REAR YARD (BENCHMARK)	50m	50m
BUILDING COVER AREA	22 200 sq.m - Above Grade 2 200 sq.m - Below Grade	22 200 sq.m - Above Grade 2 200 sq.m - Below Grade
BUILDING AREA		Dividential Area: 2,400 sq.m. Dividential Level: 11,110 sq.m
COUNTS	210 parking (incl 120 site parking incl)	250 units 250 total parking (including 100)
DENSITY (UNITS PER HECTARE MAX)	150	210 210

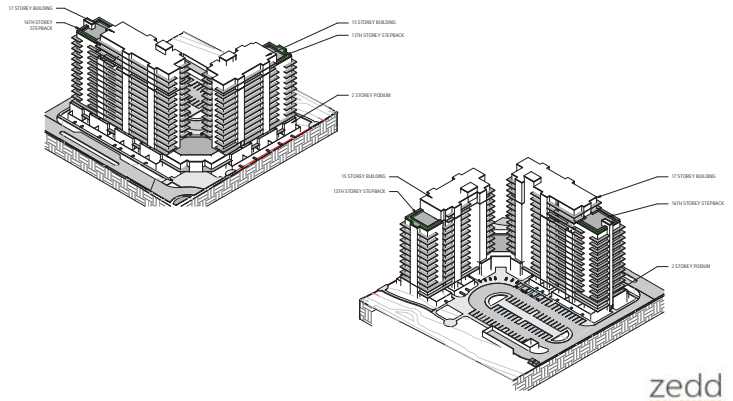
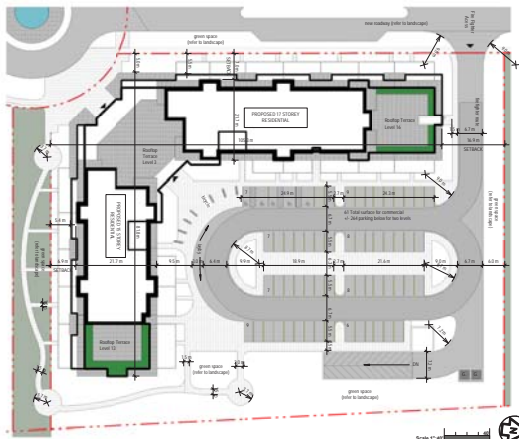
September 20th, 2016

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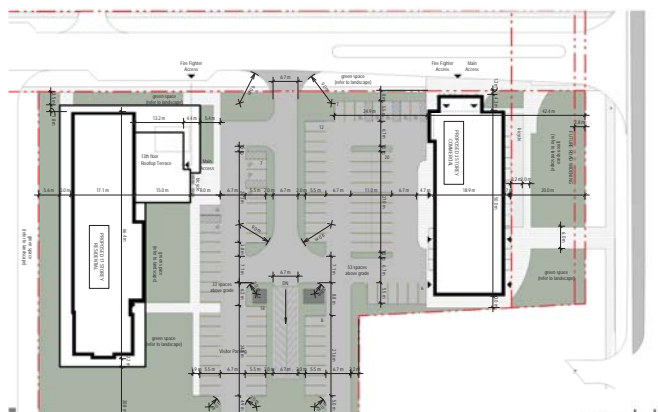
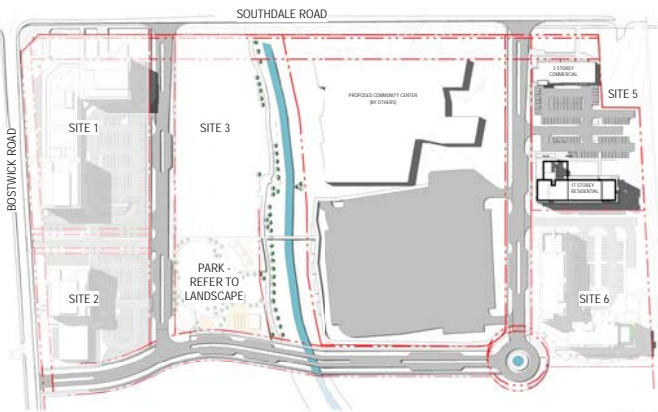
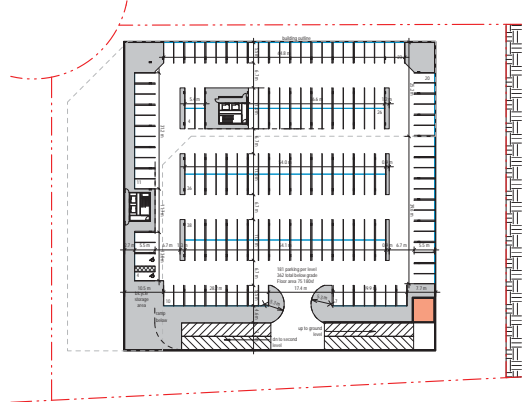
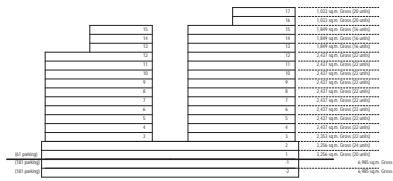
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15-012 YORK DEVELOPMENTS | BOSTWICK DEVELOPMENT | BOSTWICK ROAD + SOUTHDALE ROAD | LONDON ON | MASTER PLANNING SITE 2 MP-25





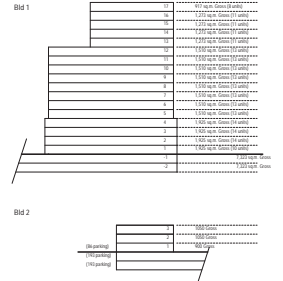
Site Development Statistics (SITE 6)		
2000 Bostwick Road, London Ontario		
Item	Requirements	Proposed/Provided
PROPOSED ZONE	00-1	
ZONE PERMITTED USES	Apartment building, Senior Citizen Hq. Buildings	MU Residential
LOT AREA (SQUARE METERS)	1000 sq.m.	11,800 sq.m.
LOT COVERAGE (MAX. FOR ALL BLDGS. & ACCESSORIES BLDG. EXCEPT)	30% (364 sq. m. per 1000 sq. m.)	22.26% (2636 sq. m.)
LOT FRONTAGE (METERS)	20m	120m (New Rd.)
LOT DEPTH (METERS)	50m	
FLOOR TO FLOOR DEPTH (METERS)	3m (2m per 10m of building height above 30m high)	7.0m (New prop. limit)
EXTERIOR SIDE WARD WIDTH (METERS)	3m (2m per 10m of building height above 30m high)	5.4m
REAR WARD DEPTH (METERS)	1.2m per 3m of building height (min 1.5m)	13.2m
INTERIOR SIDE WARD WIDTH (METERS)	1.2m per 3m of building height (min 1.5m)	16.9m
LANDSCAPED OPEN SPACE (PERCENTAGE)	30%	4.75% (m. covered), 2.58% (m. landscaped), 27.75% (m. paved)
REAR WARD (METERS)	50m	
BUILDING CROSS AREA	25,000 sq. m. Below Grade, 13,970 sq. m. Below Grade	25,000 sq. m. Above Grade, 13,970 sq. m. Below Grade
BUILDING AREA	Residential Amenity: 234 sq.m., Residential Care: 27,048 sq.m.	
COURTS	410 parking spots, 240 site parking spots	230+/- units, 422 total parking provided
DENSITY (UNITS PER HECTARE MAX.)	100	200



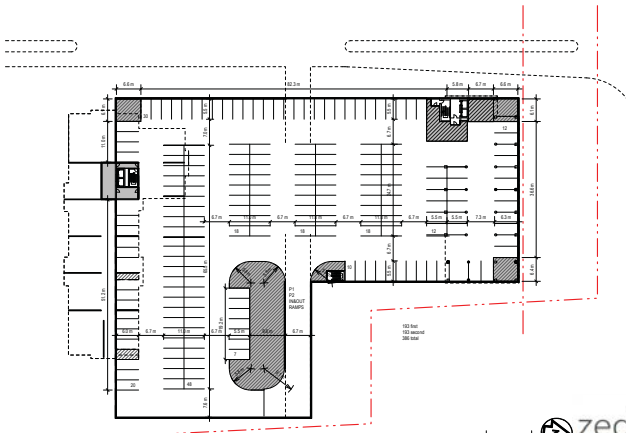


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Site Development Statistics (SITE 5)		
3880 Bostwick Road, London Ontario		
Item	Requirements	Proposed/Provided
PROPOSED ZONE	DR-7	
ZONE - PERMITTED USES	Apartment Buildings, Senior Citizen Age Buildings	Multi Residential, Commercial/Community Office Building
LOT AREA (M ²)	1000 sq.m.	255,023.5
LOT COVERAGE	20% (Max 1% per 1% over 20% of Land) (see above)	20% (DR-7) 24.8%
MAX. LOT AREA (M ²)	20% of Land (see above)	20% (DR-7) 24.8%
LOT FRONTAGE (M)	20m	57.3m (Southside Rd)
LOT DEPTH (M)	50m	145m
FRONT YARD DEPTH (M)	8m (1.5m per 10m of building height above 8m 3m high)	20% (DR-7) 21.8m
EXTENSIVE SIDE YARD (M)	8m (1.5m per 10m of building height above 8m 3m high)	20% (DR-7) 3.5m
REAR YARD DEPTH (M)	1.5m per 3m of building height (min 7m)	20% (DR-7) 5.0m
INTERIOR SIDE YARD (M)	1.5m per 3m of building height (min 7m)	20% (DR-7) 3.0m
LANDSCAPED OPEN SPACE (M ²)	30%	76,507.05 m ² (Landscaped) 1,342.4 m ² (Open) 1,342.4 m ² (Open) 1,342.4 m ² (Open)
PERCENT (M ²)		57.3m
BUILDING GROSS AREA		888,126,389.77 sq.m. Above Grade 888,126,389.77 sq.m. Below Grade 12,688,148.16 m ² Below Grade
BUILDING AREA		Commercial/Office Useable - 1,000 sq.m.
COURTS	200 parking level 195 bike parking level	200 auto 570 total parking (145 for office/224 for retail)
DESIGNY (M ²)	100	100
DESIGNY (M ²)	100	100



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PUBLIC PARTICIPATION MEETING COMMENTS

- 3.5 PUBLIC PARTICIPATION MEETING – Application – 3080 Bostwick Road, Site 5 (OZ-8943)
- *(Councillor S. Turner enquiring, with respect to our Commercial Office policies, this is below that threshold for siting those in the core.);* S. Wise, Senior Planner, responding that the 2,000² metres of office is at the maximum that can be considered through the High Density Residential designation in the 1989 Official Plan and similarly, for the Convenience Commercial, it would be supported in Residential designation for the contemplation for up to 1,000² metres, they are both at the maximum.

PUBLIC PARTICIPATION MEETING COMMENTS

3.6 PUBLIC PARTICIPATION MEETING – Application – 147-149 Wellington Street and 2530-257 Grey Street (Z-8905)

- *(Mayor M. Brown enquiring about the ten affordable housing units at ninety-five percent of the rate and this is some new territory for them and he is wondering how ninety-five is selected as he has heard other numbers in the past, eighty, eighty-five.);* Mr. J.M. Fleming, Managing Director, Planning and City Planner, responding that Mr. S. Giustizia, from the Housing Development Corporation is here today and has been very involved, as you heard from Mr. M. Corby, Senior Planner, in some of the discussions on the affordable housing components and the ninety-five percent is not something that is set in stone; thinking that Mr. S. Giustizia would be the right person to answer that question as an expert if that is acceptable; Mr. S. Giustizia, there are a couple of different approaches out there right now and he will speak to this later as it relates to the calculation of bonus density and the tools for affordability; specifically to the ninety-five percent, you already have within the London Plan language related to affordability and language which establishes affordability, we also have similar language based on the Municipal Facilities By-law; first we turn to what is going on in other jurisdictions and then they also turn to some of their own tools to determine what does affordability mean; the easiest measure of affordability and the simplest approach for something like this would be to say that average market rent, which right now is \$850 in London, would establish a marker for affordability; noting that our average market rent has jumped considerably over the course of the last five or six years; if you use that as a marker, then what you are establishing is something that goes below that, something that is demonstrably below one hundred percent of average market rent is ninety-five percent of average market rent; thinking that is a safe factor to use and it makes sure that it is conservative to both the developer and to the needs that they have; it also, if he can say just quickly, it also fits with a population and a need at that moderate income level so if you think about \$850 per month so that means rent at about \$800 per month and staying outside of core need, what you are really attracting to is what some municipalities call gap housing which is that really important rental stock that is so necessary for people who are working in the service industry and for labourers; it also matches a huge need within our community.
- *(Councillor A. Hopkins enquiring about the ten affordable housing units, wondering whose responsibility is it to keep them affordable in the next twenty years.);* Mr. J.M. Fleming deferring to Mr. S. Giustizia; Mr. S. Giustizia responding that the way that this would be structured is that it would be structured similar to the way that they do other affordable housing which would be an encumbrance on file so it is on the property; the monitoring and maintenance of the compliance on an ongoing basis for that twenty year period would happen in the exact same way as it currently happens which would be through the Housing Division of the City of London; Mr. J.M. Fleming, Managing Director, Planning and City Planner, indicating that what he thinks is important for people to understand is that this kind of affordable housing relates to that average market rent, it does not relate to a program so it is not the case as some people think it is where there is an affordable housing program and there is a waiting list and you are required to house the people on that list rather this is a situation where there is a market opportunity as long as people qualify for the housing and, again, there is a formula in place but it is available to the market and anybody that qualifies could rent those units; this is an example where there is lots of flexibility involved in terms of providing that level of affordable housing while not being locked into a specific program.
- Harry Froussios, Zelinka Priamo Ltd., on behalf of the applicant – thanking staff for their work with them for working to get to this stage where they have a positive recommendation in front of them; pointing out that they have had extensive discussions regarding the design of the building, they are finally there, they are at a point now where they can finally move forward on the design and

they have been able to accomplish their timing objectives to get this in front of the Committee in such a timely fashion; advising that, in general, they are supportive of the recommendations in front of the Committee; indicating that there is one matter that they want to bring forward for your consideration regarding the bonusing provisions that are outlined in the staff report; prior to the Planning and Environment Committee meeting on September 10, 2018, they had always envisioned that the bonusing for this site would revolve around the Bus Rapid Transit, because of the sites location on the bus rapid transit line and they are trying to meet the City's objectives of intensification along these rapid transit corridors and that was what they were working with staff towards; indicating that, as of September 10, 2018, they had just recently come to an understanding on the design which also informed them on the height and density of the project but they had not finalized the bonusing when it came time for the September 10, 2018 Planning and Environment Committee meeting; noting that, on September 10, 2018, there was the request from the Planning and Environment Committee to incorporate the affordable housing units as part of the overall development; similarly, they have a staff recommendation in front of them that incorporates ten units for affordable housing; stating that it should be noted that affordable housing was never considered as part of this overall development; reiterating that, all along, it was meant to be more bus rapid transit driven and neither did staff ever come to them and say that they are looking for affordable housing until after they received the recommendation from staff; advising that the only concern that they have with this requirement for affordable housing at this stage is that there is no mechanism in place that will guide landowners or developers as to how to incorporate this type of housing in private developments; advising that his opinion is that it is important to be provided, at the onset of a project, so that developers and landowners are well informed as to what may be required of them in terms of any bonusing provisions that may be required as part of a development like this and then they can make informed decisions moving forward on their application before they make a formal decision; advising that the overall financial impact of this type of affordable housing on this type of development is really unknown at this stage, beyond the loss of potential revenues for those ten units that they would otherwise be able to gain through the normal rent situation, they really are aware as to what other financial obligations there may be to provide this type of housing and this type of development; understanding that staff is in the process of preparing a report to address these variations and they will be bringing that report forward shortly; unfortunately, we are not at that stage where that information can inform this project as well; notwithstanding, they are prepared to move forward in the application with the recommendation that is in front of you with a request to consider a revised proposal on the bonusing; advising that the staff recommendation includes a cash contribution of \$200,000 for the bus rapid transit initiatives and they believe that including both bus rapid transit and affordable housing as part of the bonusing may be somewhat excessive when you consider other bonusing projects that have been approved in the city for similar types of heights and densities within the city; acknowledging that moving forward in the London Plan that exceptional design and underground parking is going to be more than norm, that it is going to be required of these projects; however, they are still components within Section 19.4.4. of the Official Plan, therefore, they do qualify for bonusing as part of this project as well; the enhanced landscaping in the civic square, that has always been proposed since day one when they came forward with this proposal and that is something that they intend to follow through on obviously and that, in his opinion, is more directed towards the bus rapid transit function as well; you are going to have an enhanced streetscape, more opportunities for public engagement and involvement along the corridor and that is something that is obviously going to be a plus for this development and the community; indicating that the overall value of adding ten affordable units, both from a public benefit situation and from a

financial commitment, is not insignificant on its own, the value associated with this exceed the one-time cash payment for the bus rapid transit; by adding the cash contribution to the bus rapid transit, in their opinion, it becomes a little more excessive in terms of the overall bonusing that is required for this project; advising that he is not sure if the Committee has had a chance to view their correspondence from September 21, 2018, this was written after the Planning and Environment Committee meeting and before the staff provided the recommendation, they came up with their proposal as to what they thought was appropriate bonusing and that included the exceptional design, the underground parking, specific space and enhanced landscaping and then a \$250,000 contribution for the bus rapid transit; noting that the \$250,000 is something that he thinks has been used regularly for bonusing projects recently in the community for various things whether it is public art or other types of contributions they felt that was appropriate in this situation as well; noting that these items are all consistent with the bonusing provisions under 19.4.4. of the Official Plan but they acknowledge that the Planning and Environment Committee requested the affordable housing component to be part of this housing development as well; right now, there are two options in front of the Committee, you have the staff report, the staff recommendation with the bonusing provisions that were outlined by Mr. M. Corby, Senior Planner, the Committee has their letter from September 21, 2018 that outlines their suggested bonusing provisions and he suggests to the Committee that there may be a third option that hopefully the Committee will consider as well and that is taking the staff recommendation and modifying it to exclude the \$200,000 bus rapid transit payment and asking the Committee to consider one of the three options this evening, they are in a situation where they would like to move forward with the application but they do want the Committee's consideration in terms of whether or not there is a better option available; advising that their preference is to choose between either what they outlined on September 21, 2018 letter or the modified staff recommendation that he just spoke of that would eliminate the \$200,000 bus rapid transit payment; respectfully asking that the Planning and Environment Committee endorse one of the three options that the Committee has available to them this evening.

- Steve Giustizia, CEO, Housing Development Corporation – recognizing that it might be unique to have an agency of the City participate in a forum like this but part of our Council defined role is to work with Civic Administration and our community to advance affordable housing; speaking briefly only to the bonusing zone recognizing the incredible and great proposal that is in front of the Committee and the great work done by both the developer and the planning staff; as background and as presented to you earlier, many of the resources and policies that enable housing happen with programs and services that are associated directly with the municipality; advising that they have worked closely with Civic Administration to advance these tools among them Section 37 Bonus Considerations for Affordable Housing; noting that work is continuing on others where the Committee's authority can further support new and regenerated housing; knowing that report is coming forward; indicating that Londoners need these tools so that persons with low and moderate incomes including new graduates, persons with support needs, seniors, general labourers, and those who work in the service industry are able to access stable housing; stating that CMHC recently updated their Core Housing Needs study reflecting again that London remains ranked fifth in Canadian urban centres for the percentage of Londoners living in core housing need; pointing out that large urban centres across Ontario are engaged in the same conversations as the Committee is having tonight related to bonusing; pointing out that in some locations affordable housing is not just a defined service of Section 37, it is the priority defined by Council and as recently as Friday, he was participating in an affordable housing meeting of Regional Planners and he can attest that Section 37 remains a significant part of their shared work and agenda; as it relates to this specific site,

he can share that the comments made by the proponent in your addendum were considered in their meeting and in consideration of the proposed lift, the local housing needs, the statistics and data that they took into consideration both at a London-wide level and in the neighbourhood, the land location and other bonus elements, they believe that the recommendation that the Committee has in front of them represents a modest but effective use of Section 37 as an off-set to the added lift in revenue potential of the development; this does not include the recently established tax grant program, they did not take that into consideration but they understand that that is also available to the site which they consider separate from the Section 37 provision of course but reflective of Council's ability to stack different programs and services together in considering affordable housing; advising that they will continue to work with Civic Administration on a broader policy framework supporting affordable housing and they have begun that process as was stated earlier to meet with developers up front so that this is a transparent process right from the very beginning, but that said, they believe that they have been able to offer all of the appropriate information required for the decision that is in front of the Committee tonight.

PUBLIC PARTICIPATION MEETING COMMENTS

3.7 PUBLIC PARTICIPATION MEETING – Application – Amendments to Section 4.10 (Home Occupations) (Z-8946)

- *(Councillor S. Turner requesting clarification, the rationale for not pursuing the overnight setting is explicitly because the kennel requirements are explicit and it would be in conflict with the zoning provisions for kenneling.);* Ms. M. Sundercock, Planner I, responding that that is correct.
- Tom Masterson, Articling Student, Harrison Pensa, on behalf of Mr. and Mrs. Johnson – advising that Mr. and Mrs. Johnson are a retired couple and residents of Ward 9 who retained their firms' services as they were concerned with the potential amendment to the Zoning By-law, which, if approved, will allow dog sitting as a home occupation; indicating that this matter is important to the Johnson's as twelve years ago they purchased their current home hoping it would be their last; over the past few years, however, their neighbour has operated a dog sitting business which has resulted in nuisances of constant barking and a terrible odour from not picking up after the dogs; indicating that, as one would expect, the substantial noise and significant odour created by the dogs affects the Johnson's everyday use of their property making it impossible for them to enjoy their own backyard; the municipality, by taking steps to amend the relevant by-law and therefor authorizing these conditions experienced by the Johnson's is greatly concerning to them and is why he is here today; advising that the Johnson's have many issues with regard to this potential by-law amendment including concerns with enforcement and the decrease in property value; however, there are two primary points that he would like to specifically address and he hopes the Committee will consider when it comes time to vote; indicating that this amendment is contrary to the general theme of Section 4.10 of the Zoning By-law that home occupations should be both not outside or create nuisances; as well, when considering the specific regulations proposed in the amendment, they do little to ensure that no nuisance will occur; expressing concern with the lack of evidence provided to support this position that this amendment will not result in a nuisance and therefor residential neighbourhood suffering; a single study was completed in the preparation of this proposed amendment and it does not support any change let alone such a radical shift from the current by-law; starting with the nuisance, this amendment will cause and how it is contrary to the general theme of Section 4.10 as stated in the Zoning By-law, that for home occupations a nuisance such as noise, fumes, dust, odour, traffic or parking shall not be created which will interfere with the enjoyment of the residential activities of the neighbourhood; there are seventeen provisions or restrictions with the home occupation by-law to ensure that these nuisances do not occur; one of those provisions, as previously addressed, is By-law 4.10.3, which states in no case shall any outdoor use or outdoor storage be permitted; this makes sense as by keeping home occupations indoors it mitigates the chances of any nuisance such as noise or odour to be experienced by neighbours like the Johnsons; potential for nuisances by animals is recognized in the report to the Planning and Environment Committee in section 4 which states that this amendment can be supported subject to regulations to ensure that no nuisance be created which would interfere with the enjoyment of the residential amenities of the neighbourhood; yet the regulation included in this amendment allows dogs which create both noise and odours outside as long as the yard is enclosed and are supervised; this does little to ensure that the neighbours enjoyment and use of the land will not be affected but rather, and consistent with the Johnson's experience, actually ensures that the nuisance will likely take place; approving this amendment as it currently stands would be the first of its kind as it will be the first home occupation in London to permit outdoor use; this is a significant shift from the current by-law; as explained already, this is not a home occupation that can take place outdoors without the potential neighbours

suffering disturbances; the regulations as they currently stand do not address either the noise or odour issues as dogs being supervised and behind fences still does little to ensure these nuisances will not take place; therefore, allowing someone to profit at someone else's expense; addressing the lack of evidence in support of this amendment, in the report to the Planning and Environment Committee, nine similar cities were consulted on their policies regarding pet boarding and/or pet sitting as home occupations, the results were none of the municipalities consulted permit such occupations, not a single one; it is safe to assume that there must be a reason why these other municipalities do not allow such businesses in residential areas and it seems likely because of the inevitable harm that will be created; if this amendment is to go through as it is currently proposed, not only will it be the first home occupation in London to allow outside use, but also be the first home occupation of its kind out of all the similar cities considered; this lack of evidence makes it difficult to believe that this occupation is suited for residential areas or that no nuisance will occur; in conclusion, due to the inevitable harm and interference this amendment would cause the neighbours of individuals who will operate dog sitting businesses that allow someone to profit at the neighbours expense; it is the Johnson's views that, until it can be ensured through evidence and regulations, that the home occupation of dog sitting will not create a nuisance, it should simply not be permitted; the Johnson's therefore request that you consider the consequences of this amendment and that the Committee opposes this amendment when it is time to vote.

PUBLIC PARTICIPATION MEETING COMMENTS

3.8 PUBLIC PARTICIPATION MEETING – Application – 3130 and 3260 Dingman Drive and 4213 Wellington Road South (SPA17-109, SPA17-111, SPA17-117)

- L. Xavier, PenEquity Realty Corporation, on behalf of Goal Ventures Inc., the owners of the land – advising that there are representatives from Ikea and Costco as well; indicating that Ms. A. Lockwood, Site Development Planner, did an amazing job introducing the project so his job is a little bit easier tonight; sharing a couple of brief images to try and pick up on where Ms. A. Lockwood, Site Development Planner, left off with a view to continuing their site plan work with a view to meeting the timelines and the goals and objectives that have been set out by the previous Council back in 2013; being from London everyone knows where this site is but basically they have always had a fantastic vision of the site from the perspective of being one of the key gateways to the City of London as well as the region of Southwestern Ontario; indicating that the site is located at Wellington Road and Roxburgh Road just immediately south of the 401; pointing out that they have eighty-three acres in and around the lands and two thousand feet of lineal frontage on Highway 401 so again the key here was great location, great city, great place to live, work and play and what they are really looking to do is to bring some fantastic new retailers and create a great little cluster and community of interest around all of the attributes that have been described before you; indicating that what exists today is a great jumping off point for them, they have a great co-anchor on site with them and what they are doing again is going to be taking the existing Costco and bringing it down to Dingman Road and what that allows them to do is really focus and create a fantastic new gateway and a fantastic vision moving forward and that is probably the key difference between where they were back in 2013 with their application and where they are now; noting that they have worked with city staff as well as their co-anchor, partners and designers to come up with what they believe is a fantastic opportunity to create the new face for the City of London in terms of one of the key gateway intersections and that effectively is where their name has come from, the Gateway; showing a quick vision of what they have been up to over the last few months with the support of their various stakeholder groups including the Upper Thames River Conservation Authority, City of London staff as well as the Ministry of Transportation; they have secured all of the required approvals, along with various different ministries to fill in the previous gravel pit pond that existed on site so that is now filled in and we are now effectively preparing the land for approvals either later this year or coming up shortly; from a site plan perspective, again, what Ms. A. Lockwood, Site Development Planner, has described in their minds was really a balance of all of the different requirements in terms of creating an eight hundred thousand square foot destination so fundamental to the plan is their main street precinct, it picks up on the previous direction and plans that were set out by previous Council resolutions back in 2013, very high streetscaping perspective; noting that this is where they see a lot of animation, activation and really their ability to connect back out to Wellington Road and back out to Roxburgh Road and really foster greater development and greater opportunities to really captivate and to bring people down to the south part of London; moving from the main street district, they have their retail precinct, again, they have got some fantastic new retailers that they have announced such as Sail, who will be establishing their first location in London, a fantastic new retailer who is really going to take on and is really excited about being here in the community; from that perspective, broadening the mix, adding new retailers who are looking at the region; these are retailers who are looking at the opportunity of being on a 400 series highway having the City of London as a fantastic base under which to work from but also looking at the region in its totality; in addition to the retail precinct, they then move into their anchor precinct; reiterating that they have fantastic co-anchor partners who are

with them tonight but also who have participated in the process, working with City staff and the various agencies; Ikea and Costco are very excited about being here, very excited about being part of the site; the implementation that they have come up with really tries to fit within the overall perspective of how do you weave eight hundred thousand square feet together with all those different uses, they are very different in terms of some of their basic needs but they feel they have a fantastic plan that creates this almost like tiered, three fantastic neighbourhoods that they believe meet the previous Council resolutions and they are here to check in, solicit any feedback or commentary the Committee may have and to take that back as they finalize plans with staff; showing images of what they have come up with; noting that they are not final by any stretch but the goal is to try to describe, this would be the Main Street District; looking at the corner of Roxburgh Road and Wellington Road, they have a gateway that they have brought buildings out to the street, they have shown connections, they have some green space, the idea was to create and reconnect back to the street; providing the horse power and providing the feedback of what they have achieved from staff in the past in terms of maintaining as many flexible connections that they can come up with, cafés, restaurants, this is an amazing opportunity to bring people into the city, identify and maintain that London is a great place to live, work and play and they think that this is a key intersection as they continue on with their work as it anchors the site from the perspective that it is the first thing that you see when you come off the highway into the City of London, it is the first thing you see when coming up to the interchange and from their perspective it was very important that they come up with a program with the massing, with the merchandising and with the community of interest in terms of looking at their retail partners who will really bring life to this part of the city right now; it is just a different way of being used; the idea is that they are able to continue on with Costco, bring them into an anchor position as part of the development so they will draw traffic to the centre overall and it gives them an opportunity to readdress this key intersection as they go forward; expressing excitement about being able to achieve that from when they were first here back in 2013 and just a little bit of a different application in terms of what they are moving forward with but in terms of the resolution, they are very happy and they know that staff have been very succinct and very direct in terms of the previous resolution and they have definitely challenged us, it is a pretty big challenge in terms of weaving everything together but they believe in terms of what they have come up with, they have got a lot of the pieces in place and obviously they are here to check in to make sure they are on the right track; showing a high level vision; speaking to some of the elements, a lot of the elements that they have tried to come up with in terms of the buffers whether it be Dingman Drive, whether it be the highway, whether it be screening along the 401, they believe they are now at that point where they are here before the Committee. (See attached presentation.)



3130, 3260 Dingman Dr & 4313 Wellington Rd S

Public Site Plan Meeting
October 9th, 2018

Proposed: Commercial development consisting of 26 units and 73,000m² gross leasable area

Applicant: PenEquity, Goal Ventures Inc., Ikea, and Costco

File #: SPA17-109, SPA17-111, SPA17-117



Site Location & Context



Site Characteristics:

Current Land Use: Vacant with the exception of a single large format commercial building and associated parking on the northeast corner of the site.
Frontage: 606m (Dingman Drive)
Depth: 675 m
Area: 190,558 m²
Shape: Irregular

Neighbours:

North: Highway 401, open space, and commercial uses
South: Open space and agricultural uses
East: Large format commercial uses
West: Highway 401, open space, commercial and agricultural uses



Zoning

Current London Plan Designation: Shopping Area Place Type

Zoning: h*h-5*h-18*h-55*h-103*h-141*ASA3/ASA5/ASA6(3)/ASA7(1)/ASA8(11) and OS5

Zoned to permit: Clinics, Day car centers, Laboratories, Medical/dental offices, Offices (professional), Offices (service), Automobile repair garages, Automotive uses (restricted), Restaurants, Taxi establishments, Commercial recreation establishments and Taverns.

Council Approved (June 2013): Cinemas, Hotel, Home improvement and furnishing store, Liquor, beer and wine store and Gas bar.

Ontario Municipal Board: On June 30th, 2015, the OMB issued an Order on the Zoning By-law (ZBA) and Official Plan Amendment (OPA). The ZBA was issued on a contingent basis requiring confirmation that transportation issues have been addressed.



Council Resolution – June 26th, 2013

The Council resolution of June 26, 2013 provided the following additional direction with regards to Site Plan Approval:

- Create a block pattern on the site that incorporates buildings oriented towards a high quality main street with direct pedestrian connections throughout the site.
- Provide a variety of high quality materials (such as transparent glass, brick, stone, etc.) on all proposed buildings, in particular the elevations facing Highway 401, Dingman Drive and the mainstreet;
- Include a key building at the view terminus of the proposed main street and create a centralized public space.
- Provide enhanced landscape buffering along Highway 401 and Dingman Drive. Include adequately sized landscape islands to break up large surface parking areas. Plant three trees for every tree removed.



Responses From the Public

January 4th, 2018: a Notice of Application was sent to area residents (within 120 m of the site) advising that a site plan application was received.

January 18th: a Notice of Site Plan Application was published in The Londoner

September 14th, 2018: a Notice of Public Site Plan Meeting was sent to area residents (within 120 m of the site) advising of a public meeting before the Planning and Environment Committee on October 9th, 2018

September 20th: Notice of Public Site Plan Meeting was published in The Londoner

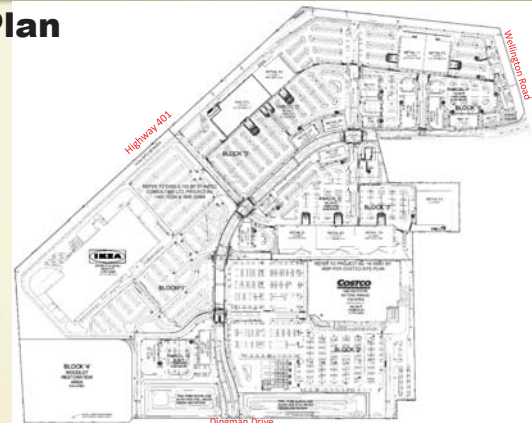
Responses: 1 written, 1 phone call

In Regard to:

- Concern with traffic volumes.

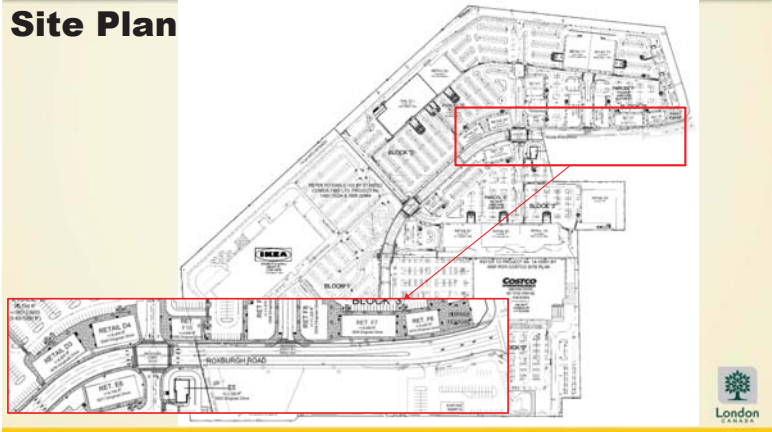


Site Plan

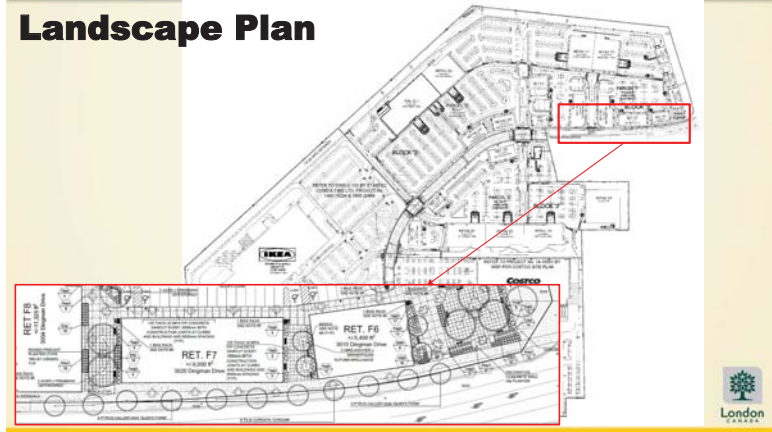




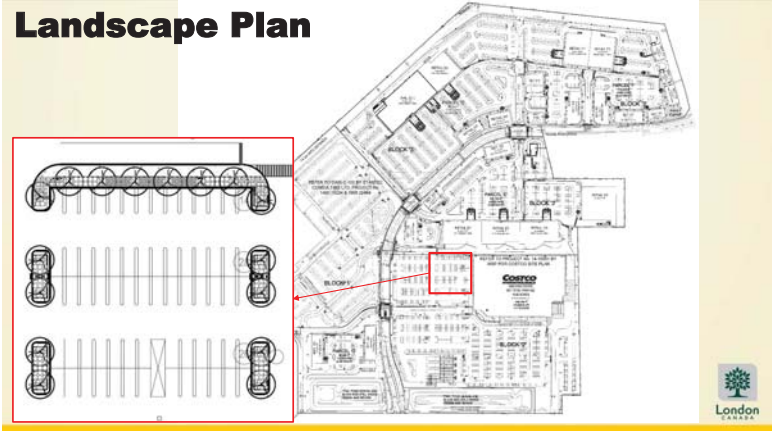
Site Plan



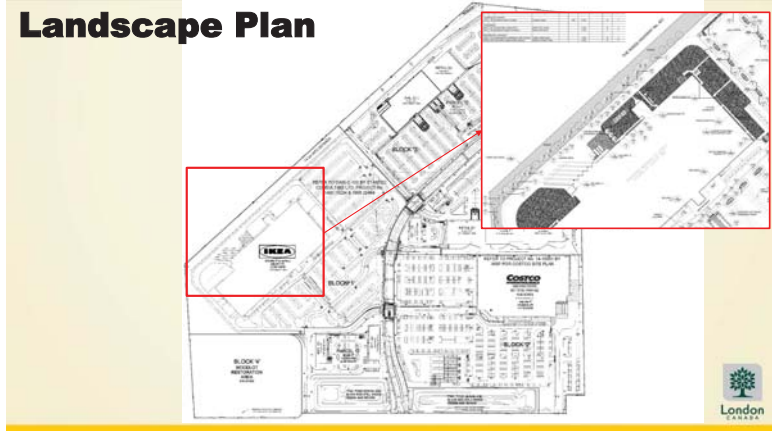
Landscape Plan



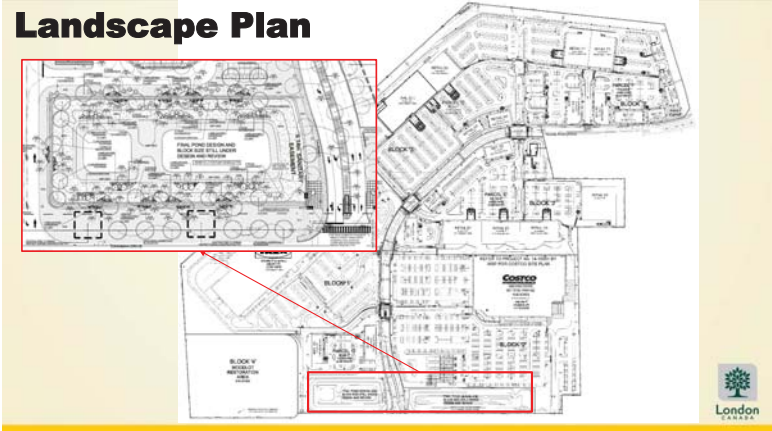
Landscape Plan



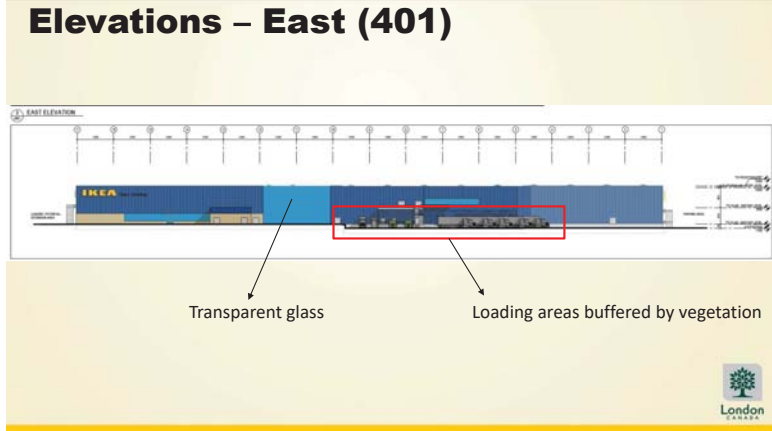
Landscape Plan



Landscape Plan



Elevations - East (401)



Transparent glass

Loading areas buffered by vegetation





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Staff and Agency Comments

In regard to the modifications to the proposed design in keeping with Council's provided direction, Staff request the following items be taken into consideration:

TRANSPORTATION COMMENTS: Road widening dedication, traffic signalization, and road alignment to be refined through further submissions.

SITE PLAN COMMENTS: Continue to refine the main street with elevation that show the buildings oriented towards the main street with accented pedestrian entry points, transparent glass, articulated facades and rooflines; Create a centralized public space located along the main street.

MTO COMMENTS: The City received comments from MTO on October 2nd regarding the Traffic Impact Study, and on October 9th regarding the updated Site Plan submitted for PEC. MTO is supportive of the development proposal, and has provided interim permission for limited site works to advance. They acknowledge that the Proponents have made advances towards the provision of an accepted Traffic Impact Study, though concerns remain.



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Next Steps

1. Council recommendation to the Site Plan Approval Authority based on outcomes of tonight's public meeting
2. Subsequent submissions provided by the Applicant for review by staff and the Approval Authority
3. Issuance of a Building and Land Use Permit by the Ministry of Transportation
4. OMB Final Decision issuance
5. Site Plan Control Approval
6. Development Agreement executed and registered on title
7. Removal of Holding Provisions



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Recommendation

The Planning & Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of approximately 73,000m² of commercial space; and

Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.



Community and Protective Services Committee

Report

14th Meeting of the Community and Protective Services Committee
October 10, 2018

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

ALSO PRESENT: Councillors J. Helmer and H. Usher; J. Bunn, H. Chapman, S. Datars Bere, P. Foto, M. Hayward, O. Katolyk, G. Kotsifas, J. Richardson, M. Schulthess, C. Smith, S. Spring, S. Stafford and R. Wilcox

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: M. Salih

Seconded by: P. Squire

That Items 2.1, 2.2, 2.3, 2.4, 2.6, 2.7 and 2.8 BE APPROVED.

Yeas: (4): V. Ridley, B. Armstrong, M. Salih, and P. Squire

Absent: (0): M. Cassidy and Mayor M. Brown

Motion Passed (4 to 0)

2.1 9th Report of the Animal Welfare Advisory Committee

Moved by: M. Salih

Seconded by: P. Squire

That the following actions be taken with respect to the 9th Report of the Animal Welfare Advisory Committee, from its meeting held on September 6, 2018:

a) Alice Balluku, Ward 13 Councillor for London Youth Advisory Council, BE INVITED to attend a future meeting of the Animal Welfare Advisory Committee, with respect to key important issues regarding vulnerable animals in our city; and,

b) clauses 1.1, 2.1 to 2.3, 3.1, 5.1 and 6.1, BE RECEIVED.

Motion Passed

2.2 1st Report of the Town & Gown Committee

Moved by: M. Salih

Seconded by: P. Squire

That the following actions be taken with respect to the 1st Report of the Town and Gown Committee, from its meeting held on September 13, 2018:

a) J. Smith, Fanshawe College Student Union President, BE REQUESTED to contact the Cycling Advisory Committee to request information on establishing a Bicycle Sharing Program for the Fanshawe College Downtown campus; and,

b) clauses 1.1, 1.2, 2.1, 3.1 to 3.4, 4.1 and 5.1 to 5.4, BE RECEIVED.

Motion Passed

2.3 8th Report of the Accessibility Advisory Committee

Moved by: M. Salih
Seconded by: P. Squire

That the following actions be taken with respect to the 8th Report of the Accessibility Advisory Committee, from its meeting held on September 27, 2018:

a) the following actions be taken with respect to Accessibility Advisory Committee (ACCAC) representatives on various groups:

i) P. Moore BE APPOINTED as the ACCAC representative on the Transportation Advisory Committee;

ii) the Civic Administration BE ADVISED that requests for site visits from the Trails Advisory Group should be submitted to the Chair of the ACCAC and she will ensure that a member of ACCAC is available to attend; and,

iii) the Civic Administration BE ADVISED that site plans that need reviewing should be sent to J. Madden, M. Dawthorne and J. Menard; and,

b) clauses 1.1, 2.1 to 2.4, 3.1 to 3.5, 4.1, 5.2 and 7.1, BE RECEIVED.

Motion Passed

2.4 6th Report of the Community Safety & Crime Prevention Advisory Committee

Moved by: M. Salih
Seconded by: P. Squire

That the 6th Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on September 27, 2018, BE RECEIVED.

Motion Passed

2.6 Ontario Transfer Payment Agreements - Seniors Active Living Centres Program for Kiwanis Seniors Community Centre, Hamilton Road Seniors' Centre & Community Centre and North London Optimist Community Centre

Moved by: M. Salih
Seconded by: P. Squire

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the proposed by-law, as appended to the staff report dated October 10, 2018, BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018, to:

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

by the Minister of Seniors and Accessibility, with respect to funding for Seniors Active Living Centre Programs at Kiwanis Seniors Community Centre, Hamilton Road Seniors Centre and Community Centre and North London Optimist Community Centre;

b) delegate authority to the Managing Director, Neighbourhood, Children and Fire Services and his/her written designates, to insert the name of the centre onto the first page, and to insert contact information on Schedule B of the above-noted Agreement;

c) delegate authority to the City Manager and the Managing Director, Neighbourhood, Children and Fire Services and their written designates, to approve agreements with respect to programs under the Seniors Active Living Centres Act, 2017, or any successor legislation, to be entered into between The Corporation of the City of London and Her Majesty the Queen in right of Ontario, and any schedules, thereto, and any amendments, thereto, and such further other documents (including project budgets, cash flows and other financial reporting), that:

i) are consistent with the requirements contained in the above-noted Agreement;

ii) do not require additional funding or are provided for the City's current budget; and,

iii) do not increase the indebtedness or liabilities of The Corporation of the City of London; and,

d) authorize the Mayor and the City Clerk to execute the contracts, agreements, schedules, amendments and documents approved above. (2018-L04)

Motion Passed

2.7 Vehicle for Hire By-law Amendments

Moved by: M. Salih

Seconded by: P. Squire

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the Vehicle for Hire By-law L-130-71, as appended to the staff report dated October 10, 2018, BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018, to provide for the licensing, regulating and governing of vehicles for hire, including cabs, accessible cabs, limousines, private vehicles for hire and accessible vehicle for hire, owners and brokers. (2018-P09)

Motion Passed

2.8 Nuisance Feeding of Wildlife - Proposed Amendments to Public Nuisance By-law PH-18

Moved by: M. Salih

Seconded by: P. Squire

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the proposed by-law, as appended to the staff report dated October 10, 2018, BE INTRODUCED at the Municipal Council meeting to be held on October 16, 2018, to enact various amendments to the Public Nuisance By-law PH-18, to address nuisance feeding of wildlife. (2018-P01)

Motion Passed

2.5 9th and 10th Reports of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Moved by: M. Salih

Seconded by: B. Armstrong

That the following actions be taken with respect to the 9th and 10th Reports of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meetings held on September 20, 2018 and October 3, 2018, respectively:

a) the 9th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee BE RECEIVED;

b) the following actions be taken with respect to the 10th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee:

i) the following actions be taken with respect to the 2018 Diversity, Race Relations and Inclusivity Award:

A) M.I. understanding BE AWARDED the 2018 Diversity, Race Relations and Inclusivity Award, in the Small Business/Labour (under 49 members) category for their initiative to increase Gender Diversity Literacy (see attached nomination);

B) Police Ethnic and Culture Exchange (PEACE Team) BE AWARDED for the 2018 Diversity, Race Relations and Inclusivity Award, in the Corporations Large Business/Labour (over 50 Members) category for their initiative to hire diverse high school youth, giving them full-time summer employment and community engagement and learning opportunities (see attached nomination);

C) Emancipation Day celebration BE AWARDED THE 2018 Diversity, Race Relations and Inclusivity Award, in the Social Community Services Not for Profit (under 50) category for their Emancipation Day Celebration initiative (see attached nomination);

D) My Sisters Place BE AWARDED the 2018 Diversity, Race Relations and Inclusivity Award, in the Social Community Services Not for Profit (over 50) category for their Helping Women, Helping People initiative (see attached nomination); and,

E) N'Amerind Friendship Centre BE AWARDED the 2018 Diversity, Race Relations and Inclusivity Award, in the Youth/Young Adult Groups or Organizations category for their formation of the 1st Youth First Cultural Exchange (see attached nomination); and,

ii) clauses 1.1, 2.1 and 2.2, BE RECEIVED.

Yeas: (4): V. Ridley, B. Armstrong, M. Salih, and P. Squire

Absent: (0): M. Cassidy and Mayor M. Brown

Motion Passed (4 to 0)

3. Scheduled Items

3.1 London Homeless Coalition Update

Moved by: V. Ridley

Seconded by: Mayor M. Brown

That the presentation from A. Oudshoorn, as appended to the agenda, with respect to an update on the London Homeless Coalition, BE RECEIVED. (2018-S14)

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

Absent: (0): B. Armstrong, P. Squire

Motion Passed (4 to 0)

3.2 Community Diversity and Inclusion Strategy (CDIS) Update

Moved by: Mayor M. Brown

Seconded by: V. Ridley

That, on the recommendation of the Community Diversity and Inclusion Strategy Steering Committee, the following actions be taken with respect to an update on the Community Diversity and Inclusion Strategy (CDIS):

a) the next steps, as outlined in the staff report dated October 10, 2018, BE ENDORSED as the process for implementing and monitoring the CDIS; it being noted that Appendix B will be revised to indicate that the Chairs of the Steering Committees will be elected by the members of the individual working groups; and,

b) the above-noted report BE RECEIVED;

it being noted that the attached presentation from R. Wilcox, Director, Community and Economic Innovation and S. Lewkowitz, CDIS Steering Committee, with respect to this matter, was received.

Motion Passed

Voting Record:

Moved by: Mayor M. Brown

Seconded by: V. Ridley

Motion to approve part a).

Yeas: (3): M. Cassidy, V. Ridley, and Mayor M. Brown

Nays: (1): M. Salih

Absent: (0): B. Armstrong, P. Squire

Motion Passed (3 to 1)

Moved by: Mayor M. Brown

Seconded by: V. Ridley

Motion to approve part b).

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

Absent: (0): B. Armstrong

Motion Passed (5 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

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

That the Deferred Matters List for the Community and Protective Services Committee, as at October 1, 2018, BE RECEIVED.

Yeas: (4): M. Cassidy, V. Ridley, M. Salih, and P. Squire

Absent: (0): B. Armstrong, and Mayor M. Brown

Motion Passed (4 to 0)

6. Confidential

6.1 Personal Matters/Identifiable Individual

That the Community and Protective Services Committee convene in closed session with respect to the following matter:

6.1. Personal Matters/Identifiable Individual

A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2019 Mayor's New Year's Honour List.

Motion Passed

The Community and Protective Services Committee convened in camera from 1:52 PM to 1:55 PM with respect to the above-noted matter.

7. Adjournment

The meeting adjourned at 1:55 PM.

Nominee

Name of Youth, Group or Organization you are nominating:

M.I. understanding

Address of Nominee (please include City, as well as postal code)

244 Briscoe St E London ON N6C 1X6

Name(s) of Contact People (including position titles)

Paula Jesty, Principal/Owner

➤ **Small business/small labour (49 or fewer employees/members)**

Does the nominee meet the eligibility criteria? yes

Project

What is the initiative this group/organization implemented?

www.Prideunderstanding.ca

When did the initiative take place? eg. Spring 2018

Pride understanding was launched January, 18, 2018 and is ongoing.

Do you know who the key department(s) or committees involved were? Please name:

Pride London Festival, Thames Valley District School Board, Kid's Mental Health Optimist Club of Canada, Fanshawe College, PFLAG Canada & London Chapter, The 519 Community Centre Toronto, Rainbow Optimist Club – Southwestern Ontario.

Brief description of initiative:

Pride understanding is a communication tool designed to start a conversation to increase GENDER DIVERSITY LITERACY. A series of videos & stories were created that help create a safe environment to ask questions, start a discussion to increase empathy, understanding and decrease stigma.

How has the initiative contributed to the promotion of diversity, race relations, inclusivity and human rights in London and promoting London as a welcoming city? eg. Number of people who benefited from this initiative, success stories, etc.

Over 20,000 people have been reached and impacted. This has been done through presentation and YouTube views of the videos. Presentations have been made to School Board superintendents, principals, teachers, community organizations, politicians, community organizations and the general public. Pride understanding had a booth at Pride London Festival's Pride in the Park July 27, 28 and 29 and also had a presence in the Pride Parade. Pride Understanding had a display at Forest City Comicon and was very well received

What short or long-term impact has/will the initiative have on the promotion of diversity, race relations, inclusivity and human rights in London and promoting London as a welcoming city?

One of the results was the development of material for curricula in the area of gender diversity, equity and inclusion with the focus on early intervention, understanding and the decrease of stigma; through the art of storytelling as a method of communicating, educating and increasing awareness. This initiative supported early learning around multiculturalism, human rights, diversity and the fundamental values that keep marginal communities from being isolated, leading to rejection and bullying. Other initiatives developed through this project included: the community exhibits to strengthen engagement with students, families and the community, supportive curriculum to successfully enhance existing school and community programs and to support the development of new programs centered around equity and inclusion.

What is the potential for expansion and/or inspiration for replication of the initiative?

An Ontario Trillium Foundation Grow Grant has been applied for to create another series of video stories and expand to other school boards and area across Ontario. Organizations in Toronto, Windsor and Sarnia already have reached out to start working with the Pride understanding team. The Rainbow Optimist Club – Southwestern Ontario will be promoting and using Pride understanding to increase understanding and gender diversity literacy in the rural LGBTQ2Q+ youth, their families and their communities.

How can receiving this Award be used to further promote diversity, race relations, inclusivity and human rights in London and to further promote London as a welcoming city?

By receiving this Award, London would be leading by example. It would be seen as a more open, understanding and welcoming City. By starting the conversations that Pride understanding can facilitate residents have a better understanding. London will be getting closer to the goal of being seen as a Creative City.

Nominator

Martin Withenshaw



Diversity, Race Relations and Inclusivity Award Nomination Form

London
CANADA

NOMINEE INFORMATION

Name of group or organization: <i>London Police Service</i>	
Business Address: <i>601 Dundas St</i>	
City: <i>London</i>	Postal code: <i>N6B 1X1</i>
Name(s) of contact people (including position titles): <i>Anthea Fordyce - Secondary School Resources Officer</i> <i>Jacquie Wilson "</i>	
Business Telephone: <i>519-661-5670</i>	Business Fax:
Business E-mail: <i>a.fordyce@londonpolice.ca</i>	
Category: (check one)	
<input type="checkbox"/> Small business/small labour (49 or fewer employees/members)	
<input checked="" type="checkbox"/> Large business/large labour (50 or more employees/members)	
<input type="checkbox"/> Social/community services (including Not-for-Profits) (49 or fewer employees/members)	
<input type="checkbox"/> Social/community services (including Not-for-Profits) (50 or more employees/members)	
<input type="checkbox"/> Youth/young adult groups or organizations (<26 years of age)	

INITIATIVE INFORMATION (attach additional sheets or supporting material as required)

What is the initiative this group/organization implemented? <i>Police Ethnic And Culture Exchange (PEACE Team)</i>
When did the initiative take place? eg. Spring 2018 <i>Summer 2018 (running since 1994)</i>
Do you know who the key department(s) or committees involved were? Please name: <i>Anthea Fordyce - Secondary School Resource Officer in Community Services</i> <i>Jacquie Wilson "</i>
Key people involved: <i>Anthea Fordyce</i> <i>Jacquie Wilson</i>
Brief description of initiative: <i>The PEACE team looks to hire diverse high school youth, giving them fulltime summer employment + lots of community engagement + learning opportunities</i>
How has the initiative contributed to the promotion of diversity, race relations, inclusivity and human rights in London and promoting London as a welcoming city? <i>-Hiring diverse youth, much community engagement + involvement in diverse learning + specifically the role London Police played in creation of Youth First Cultural Exchange + the running of the program</i>

<p>What short or long-term impact has/will the initiative have on the promotion of diversity, race relations, inclusivity and human rights in London and promoting London as a welcoming city?</p> <p>Short - summer work experience, full time pay, understanding + immersion in diverse City of London, Relationship building</p> <p>Long - poss. financial support for Post Secondary, poss career w/ Police better + more understanding of Community + roles</p>
<p>What is the potential for expansion and/or inspiration for replication of the initiative?</p> <p>Opportunity to share experience of Youth First Cultural Exchange to other Services (Police + otherwise)</p> <p>- Continued opportunities can strengthen relationships</p>
<p>How can receiving this Award be used to further promote diversity, race relations, inclusivity and human rights in London and to further promote London as a welcoming city?</p> <p>- shows London organizations working together</p> <p>- shows LPS caring @ youth, their futures + life choices</p> <p>- shows London cares @ youth</p>

NOMINATOR INFORMATION

Your Name: Theresa Allott	
Address: 601 Dundas St	
City: London	Postal code: N6B 1K1
Telephone: 519-660-5812	Fax:
E-mail: diversityofficer@londonpolice.ca	Signature: T Allott
Date: 2018-09-25	Note: By submitting this form you are hereby confirming that the Nominee has consented to the nomination.

Submissions must be received by September 30 to:

Diversity, Inclusion and Anti-Oppression Advisory Committee
c/o Committee Secretary, City Clerk's Office
City of London
300 Dufferin Avenue, PO Box 5035
London, ON N6A 4L9

Phone: 519-661-CITY (2489) Ext. 5417
Fax: 519-661-4892
E-mail: pshack@london.ca

NOTICE OF COLLECTION OF PERSONAL INFORMATION

Please be advised that all nominations submitted for the Diversity, Race Relations and Inclusivity Award become part of the public record. The nominations will be published on a public agenda and made available electronically through the City of London public internet website. The personal information collected on this form is collected under the authority of the Municipal Act 2001, as amended, and will be used to administer the Diversity, Race Relations and Inclusivity Award program. Questions about this collection should be addressed to the City Clerk at 300 Dufferin Avenue, London, Ontario N6A 4L9 Tel: 661-CITY (2489) Ext. 4937

City of London - City of London Diversity, Race Relations and Inclusivity Award - Nomination Form

Section 1 - Information of Group/Organization Being Nominated

Name of Youth, Group or Organization you are nominating: **Emancipation Day Celebration**

Address of Nominee (please include City, as well as postal code): **801-985 Huron Street, London, N5Y 5E4**

Name(s) of Contact People (including position titles): **Justine Turner, Event Organizer**

Business Phone #: **5196973430**

Business E-mail address: **justine@emancipationdaycelebration.com**

Organization Website (if one exists):

Which of the following categories does this group/organization fit into?: **Social/Community Services (49 or fewer)**

Does the nominee meet the eligibility criteria?: **Yes**

Section 2 - Your Reason for Nominating

What is the initiative this group/organization implemented?: **Emancipation Day Celebration**

At what time during this year did this initiative take place? (eg. Spring 2017): **September 23, 2018**

Name the key individuals, departments or committees involved: **Justine Turner**

Brief description of initiative: Emancipation Day Celebration is an annual event held to celebrate the historical significance of the black community in London and their ancestors who sought freedom from slavery. The first incarnation of event ran from 1948 to 1986 and was re-established in 2013 by Justine Turner to promote inclusivity and diversity by creating a shared and welcoming space for Londoners to learn about black history.

How has the initiative contributed to the promotion of diversity, race relations, inclusivity and human rights in London and promoting London as a welcoming city? eg. Number of people who benefited from this initiative, success stories, etc.: Across North America and the Caribbean, Emancipation Day Celebrations commemorate the freedom of enslaved people of African descent. It is an important day in which we acknowledge the struggle and loss suffered by the hundreds of thousands of people who tirelessly fought for freedom from slavery. In London, Emancipation Day Celebration has a long tradition of bringing diverse groups together to celebrate freedom from this dark period of history. For many Londoners of African descent, it is a day to remember the suffering and determination of their ancestors who travelled here seeking safety and a life free of bondage. For allies and other event attendees, Emancipation Day Celebration represents an opportunity to acknowledge the incredible struggle and sacrifice of those who sought freedom, while also celebrating London's history as a beacon of safety for so many on their arduous journey of hope. As a city with a predominantly white-Caucasian demographic, it is especially important that events like Emancipation Day Celebration exist to provide a welcoming and inclusive space to learn about black history in the city. The event encourages all Londoners to join and learn more about the history of slavery in North America and the symbolism of the Meeting Tree. This helps to promote diversity and foster a shared understanding by beautifully showcasing black history through songs and stories. The Meeting Tree and the work of the event organizer to protect it is also an important aspect that promotes inclusivity and belonging. The Meeting Tree exemplifies that all Londoners are connected to history through the nature arounds us and reminds us to respect each other and our environment.

What short or long-term impact has/will the initiative have on the promotion of diversity, race relations, inclusivity and human rights in London and promoting London as a welcoming city?: The growth of this event over the last five years demonstrates its value in the London community and especially those of African descent. As the event continues to grow and expand in the future, the larger community will become more knowledgeable about the event and as a result black history in the city. This will inspire others to become involved in the Emancipation Day Celebration as well as other events celebrating diversity and black history in London. Of equal importance is the Meeting Tree and its symbols of strength, courage, perseverance, hope and safety celebrated at the Emancipation Day Celebration. Through the work of the event organizer, the Meeting Tree was designated as a Heritage Tree in 2012 and has become a centerpiece of the day. Heritage Tree designation ensures that it will be preserved in the city to allow future generation to learn about its historical

importance to many in the black community in London.

What is the potential for expansion and/or inspiration for replication of the initiative?: **This event will continue to expand each year as more and more Londoners become aware of it as well as the Meeting Tree and its significance to many in London's black community. Through this, the larger community will become more knowledgeable about the event and as a result black history in the city. This will inspire others to become involved in the Emancipation Day Celebration as well as other events celebrating diversity and black history in London. This could lead to potential future community collaborations including other installations that commemorate its significance or benches for people to sit in the vicinity to take in its beauty and reflect on its importance to the city.**

How can receiving this Award be used to further promote diversity, race relations, inclusivity and human rights in London and to further promote London as a welcoming city?: **Through the Emancipation Day Celebration a striking element of London's history is retold and remembered for attendees who visit and learn of its significance through the ceremony at the Meeting Tree. By receiving this award, this important work will have increased recognition in the community through news, social media and other City of London promotions. The award would also reinforce the importance of efforts of those who strive to commemorate black history in our community and encourage others to learn more and become involved. Finally, this award is an opportunity to educate Londoners about Emancipation Day Celebration and the Meeting Tree. This will help ensure that the event goes on for many years and continues to engage Londoners—now and for generations to come.**

Do you wish to attach a document or photo in support of your nomination?: **Emancipation Day Celebration 2018 Poster.jpg**

Another document or photo?:

Another document or photo?:

Another document or photo?:

Section 3 - Nominator Information

Your Name: **Amber Matthews**

Your Address (please include postal code):

Your Phone #:

Your e-mail (a copy of this submission will be sent to the e-mail address you provide):

Submitted on: **9/30/2018 5:47:03 PM**

City of London - City of London Diversity, Race Relations and Inclusivity Award - Nomination Form

Section 1 - Information of Group/Organization Being Nominated

Name of Youth, Group or Organization you are nominating: **My Sisters Place**

Address of Nominee (please include City, as well as postal code): **566 Dundas St.
London N6B 1W8**

Name(s) of Contact People (including position titles): **Rita Senior Staff,Indigenous
and Cultural Program Administration**

Business Phone #: **519-697-9570**

Business E-mail address: **mysistersplace@cmhamiddlesex.ca**

Organization Website (if one exists): **My Sisters Place London Middlesex
C.M.H.A.**

Which of the following categories does this group/organization fit into?: **Social/Community Services (49 or fewer)**

Does the nominee meet the eligibility criteria?: **Yes**

Section 2 - Your Reason for Nominating

What is the initiative this group/organization implemented?: **Helping
Women,Helping People**

At what time during this year did this initiative take place? (eg. Spring 2017): **365
days a Year all years established**

Name the key individuals, departments or committees involved: **Day and Evening
Program C.M.H.A.**

Brief description of initiative: **Good,Great Awesome Mental Health and Inclusion Advocacy Legal Support And Community Supports also Peer Support**

How has the initiative contributed to the promotion of diversity, race relations, inclusivity and human rights in London and promoting London as a welcoming city? eg. Number of people who benefited from this initiative, success stories, etc.: **Saves Lives Everyday,That are in Very extreme he man rights battles Pscho Social,Physical,Emotional,Mental ect. Also So many in Transition and at Risk of or are already homeless**

What short or long-term impact has/will the initiative have on the promotion of diversity, race relations, inclusivity and human rights in London and promoting London as a welcoming city?: **A Very Vital Resource in Our Community that is there for all these concerns and Human Rights Battles ongoing**

What is the potential for expansion and/or inspiration for replication of the initiative?: **Good Great Very!**

How can receiving this Award be used to further promote diversity, race relations, inclusivity and human rights in London and to further promote London as a welcoming city?: **Important to acknowledge their Great Work Great Outcomes and Raise Awareness for better Funding**

Do you wish to attach a document or photo in support of your nomination?:

Another document or photo?:

Another document or photo?:

Another document or photo?:

Section 3 - Nominator Information

Your Name: **Sheilagh Lesarge**

Your Address (please include postal code):

Your Phone #:

Your e-mail (a copy of this submission will be sent to the e-mail address you provide):

Submitted on: **9/21/2018 12:59:39 PM**



Diversity, Race Relations and Inclusivity Award Nomination Form

London
CANADA

NOMINEE INFORMATION

Name of group or organization: N'Amerind Friendship Centre (London)	
Business Address: 260 Colborne St	
City: London Ont	Postal code: N6B 2S6
Name(s) of contact people (including position titles): Rochelle Cornelius - Wasa Nabin Coordinator Sandy Albert - Urban Aboriginal Healthy Living Coordinator	
Business Telephone: 519-673-0131	Business Fax:
Business E-mail: r.cornelius@namerind.on.ca	
Category: (check one)	
<input type="checkbox"/> Small business/small labour (49 or fewer employees/members)	
<input type="checkbox"/> Large business/large labour (50 or more employees/members)	
<input checked="" type="checkbox"/> Social/community services (including Not-for-Profits) (49 or fewer employees/members)	
<input type="checkbox"/> Social/community services (including Not-for-Profits) (50 or more employees/members)	
<input type="checkbox"/> Youth/young adult groups or organizations (<26 years of age)	

INITIATIVE INFORMATION (attach additional sheets or supporting material as required)

What is the initiative this group/organization implemented? Youth First Cultural Exchange
When did the initiative take place? eg. Spring 2018 July 23, 24 + 25 2018
Do you know who the key department(s) or committees involved were? Please name: Wasa Nabin Coordinator - Rochelle Cornelius + Sandy Albert
Key people involved: Rochelle Cornelius Sandy Albert
Brief description of initiative: N'Amerind lead the formation of 1st ever Youth First Cultural Exchange + partnered w LPS, WFD, LEMS, Atlohsa, SOAHAC, TVDSB + LDCSB to develop 3 interactive days of First Responders + Indig. youth cultural exchange. Focus on relationship building + possible future career
How has the initiative contributed to the promotion of diversity, race relations, inclusivity and human rights in London and promoting London as a welcoming city? - worked on strengthening relationships between First Responders + Indig. youth - exchange of culture + knowledge sharing - provided info on pass careers in first response to indig. youth - showed collaboration + partnerships between the many organizations involved

What short or long-term impact has/will the initiative have on the promotion of diversity, race relations, inclusivity and human rights in London and promoting London as a welcoming city?

Short - making others more approachable + open to sharing + listening
to others
Long - poss more representation in workforce of first responders

What is the potential for expansion and/or inspiration for replication of the initiative?

- expansion - already planned for 4 days next year
- continue to have LPS summer youth part of program
- share with other communities

How can receiving this Award be used to further promote diversity, race relations, inclusivity and human rights in London and to further promote London as a welcoming city?

- shows what Ldn organizations working together can do
- shows that Ldn organizations care @ youth, relationships + future jobs + success

NOMINATOR INFORMATION

Your Name: Theresa Allott	
Address: 601 Dundas St	
City: London	Postal code: N6B 1X1
Telephone: 519-660-5812	Fax:
E-mail: diversity.officer@london.ca	Signature: T Allott
Date: 2018-09-21	Note: By submitting this form you are hereby confirming that the Nominee has consented to the nomination.

Submissions must be received by September 30 to:

Diversity, Inclusion and Anti-Oppression Advisory Committee
c/o Committee Secretary, City Clerk's Office
City of London
300 Dufferin Avenue, PO Box 5035
London, ON N6A 4L9

Phone: 519-661-CITY (2489) Ext. 5417
Fax: 519-661-4892
E-mail: pshack@london.ca

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London's Community Diversity and Inclusion Strategy

2018 Update

October 10, 2018

Agenda

1. CDIS Overview
2. 2018 Update
3. Proposed Implementation Body structure
4. Approach to CDIS strategies that affect the City of London
5. Next steps

Community Diversity & Inclusion Strategy (CDIS)

- Council's 2015-2019 Strategic Plan identifies a need to develop a Community Diversity & Inclusion Strategy (CDIS) as a way to build a '*diverse, inclusive and welcoming community*' by '*supporting all Londoners to feel engaged and involved in our community.*'

Community Diversity & Inclusion Strategy (CDIS)

- In order to develop the strategy, the City of London issued an open call in 2016 for volunteer 'Diversity and Inclusion Champions'
- 200 Londoners, reflecting a diversity of backgrounds and perspectives, stepped forward to be part of this process
- A volunteer Steering Committee comprised of representatives from Council's DIAAC and others selected through an open application process, provided oversight to this process

Community Diversity & Inclusion Strategy (CDIS)

- CDIS presented to CPSC on August 1, 2017 and included the following components:
 - A **Vision**
 - A **Statement of Commitment**
 - Five **Priorities**
 - **Strategies** to advance each priority
 - A section called **What We Heard**
 - A **Glossary**

Vision

London is a diverse and inclusive community that honours, welcomes, and accepts all people; where people have the power to eliminate systemic oppressions.

Statement of Commitment

The City of London commits to:

- ▶ Mandating equity and exemplifying our vision of London as a diverse and inclusive community.
- ▶ Learning and honouring the unique histories and lived experiences of all peoples in our community.
- ▶ Removing systemic barriers to accessibility as experienced by our community by listening and responding to the voices of those who are marginalized.

As Londoners, we commit to:

- ▶ Working together with the City of London towards our vision of a diverse and inclusive community.
- ▶ Modelling the community we aspire to be: respecting others, learning, acknowledging our biases, and celebrating the diversity and history of our community.
- ▶ Being passionate allies with our neighbours and fellow Londoners, and standing up for one another to ensure we live in a city where everyone belongs.

Priorities

1. Take concrete steps towards healing and reconciliation.

2. Have zero tolerance for oppression, discrimination and ignorance.

3. Connect and engage Londoners.

4. Remove accessibility barriers to services, information and spaces.

5. Remove barriers to employment.

What We Heard

During their last meeting the Community Diversity and Inclusion Champions brainstormed ways to address the needs as well as barriers and oppressions faced by specific populations within London.

When looking at all of these perspectives it is key to understand the concept of intersectionality. Intersectionality can be defined as the intersection, or crossover, of our many identities affect how each of us experience the community. These intersections occur within a context of connected systems and structures of power (e.g., laws, policies, state governments, other political and economic unions, religious institutions, and media). (Advancing Equity and Inclusion, A Guide for Municipalities) Due to the intersecting identities and the relationship with structures, many groups and individuals find themselves with little to no influence and ability to make changes to increase their power. They also risk ongoing discrimination, and tend to have fewer resources.

What We Heard

Indigenous, First Nations, Métis and Inuit

There are three communities located in close proximity to London, they are the Chippewas of the Thames First Nation, Munsee Delaware Nation and Oneida Nation of the Thames. Many members of these communities as well as other Indigenous peoples, Métis and Inuit have chosen to make London their home. Champions identified infrastructure, education, changing mindsets, and reconciliation as playing a role in the lives of local Indigenous peoples. A large emphasis was placed on the *Truth and Reconciliation Commission – Calls to Action* (TRC) and ways in which both the City of London and the community can work together with the local Indigenous peoples to implement the strategies. This included ideas such as:

- Establishing an implementation and accountability plan and creating ways to measure progress;
- Ensuring local Indigenous peoples lead the change within the community;
- Establishing an Indigenous relations office within the City of London, and;
- Working with the local Indigenous peoples to create health, homelessness and housing strategies geared to the needs of Indigenous peoples.

Glossary of Terms

The following definitions are provided to assist users with the general understanding of issues related to diversity management. The definitions come from various sources, which are credited following each explanation. Language related to diversity management is complex and frequently undergoes transformation into new words, phrases, terms, concepts, and understandings. (Exert from: Halifax Regional School Board, Diversity Definitions)

These terms were devised in collaboration between community anti-oppression educators, City staff, and City of London's Diversity Inclusion and Anti-Oppression Advisory Committee noting that many terms were adopted from DIAAC's "Diversity Definitions" resource tool. We acknowledge permission of DIAAC to use the tool.

Ableism

Attitudes in society that devalue and limit the potential of persons with disabilities. People with disabilities are assumed to be less worthy of respect and consideration, less able to contribute and take part, and of less value than other people. Ableism can be conscious or unconscious and is embedded in institutions, systems or the broader culture of a society. (Ontario Human Rights Commission)

Accessibility

A general term for the degree of ease that something (e.g., device, service, physical environment and information) can be accessed, used and enjoyed by persons with disabilities. The term implies conscious planning, design and/or effort to make sure something is barrier-free to persons with disabilities. Accessibility also benefits the general population, by making things more usable and practical for everyone, including older people and families with small children. (Ontario Human Rights Commission)

Accessible

Does not have obstacles for people with disabilities – something that can be easily reached or obtained; facility that can be easily entered; information that is easy to access. (Ontario Human Rights Commission)

Accessibility for Ontarians with Disabilities Act (AODA), 2005

The purpose of the AODA is to develop, implement and enforce accessibility standards to remove barriers for Ontarians with disabilities on or before January 1, 2025 in relation to: goods, services, facilities, accommodations, employment and buildings, structures and premises. The AODA came into effect on June 4, 2005. (Ontario Human Rights Commission)

Affirmative Action

Action designed to address the historic disadvantage that identifiable groups (e.g., women, racialized persons) have experienced by increasing their representation in employment and/or higher education. (Ontario Human Rights Commission)

African Canadian

A Canadian of African origin or descent. (Ontario Human Rights Commission)

Afrocentricity

Placing African ideals at the center of any analysis that involves African culture and behaviour. (Asante, Molefi. 1987. *The Afrocentric Idea*.)

Ageism

Prejudice or discrimination against a particular age-group, especially the elderly. (Ontario Ministry of Children and Youth Services)

Allyship

A process, and everyone has more to learn. Allyship involves a lot of listening. Sometimes, people say "doing ally work" or "acting in solidarity with" to reference the fact that "ally" is not an identity, it is an ongoing and lifelong process that involves a lot of work. (TI-College Libraries Research Guide, Allyship and Anti-Oppression: A Resource Guide)

Alternative (alternate) Format

A method of communication that takes into account a person's disabilities. Examples include providing a text version of a website, or a large print version of a document for someone with a visual disability. (Ontario Human Rights Commission)

Community Diversity & Inclusion Strategy (CDIS)

- On August 22, 2017, Council resolved the following:
 - a) the Community Diversity and Inclusion Strategy, as appended to the staff report dated August 1, 2017, BE ENDORSED in principle; it being noted that this aspirational document was developed by Londoners who share City Council's interest in a more diverse and inclusive London;
 - b) the CDIS Steering Committee BE REQUESTED to report back to the Community and Protective Services Committee on a proposed structure to support implementation;
 - c) the Civic Administration BE DIRECTED to report back to the Community and Protective Services Committee regarding strategies in the CDIS which refer to, or could affect, The Corporation of the City of London; and,
 - d) a letter of thanks and acknowledgement BE PROVIDED from the Mayor, on behalf of City Council, to all Londoners who contributed to the CDIS process.

2018 Update

- The past year has been focused on initiating the work of CDIS
- 74% of the strategies have been initiated by the community and the City of London
- Progress being made across all priorities, as well as a number of CDIS-wide strategies

Proposed Implementation Body

On August 22, 2017, Council resolved that:

‘the CDIS Steering Committee BE REQUESTED to report back to the Community and Protective Services Committee on a proposed structure to support implementation’

Proposed Implementation Body Functions

Engagement	The implementation body will engage the community about what is happening and opportunities to get involved. This will include both individuals and organizations. Addressing diversity and inclusion means working with the entire community every step of the way.
Research	The implementation body will use research and data to help develop work plans and make decisions about how to implement the recommendations.
Planning	The implementation body will work with the community to prioritize the recommendations and develop work plans that outline: <ul style="list-style-type: none"> - How a recommendation is being implemented; - Who is doing it; and, - When it will happen. Work plans should include clear goals that hold people accountable for action.
Coordination	The implementation body is responsible for coordinating the work of all groups working on CDIS. Bringing the community together to implement the various aspects of CDIS is one of the most important functions of the implementation body.
Evaluation	The implementation body will measure the work of CDIS using both stories and statistics. The implementation body will measure the impact the recommendations are having, as well as how well the implementation body itself is working and whether any changes are required.
Reporting	Reporting to Council and the community will happen annually as a way to share stories of progress and to engage residents and organizations in opportunities to be involved. This will include a detailed report on overall progress, evaluation, and plans for the next year.

Proposed Implementation Body Structure

Membership	Participation is open to anyone who is interested in supporting and advancing the CDIS vision: <i>London is a diverse and inclusive community that honours, welcomes and accepts all people; where people have the power to eliminate systemic oppressions.</i>
Working Groups	<p>There will be five (5) Priority Working Groups established around the priorities identified in CDIS;</p> <ol style="list-style-type: none"> i. Take concrete steps towards healing and reconciliation; ii. Have zero tolerance for oppression, discrimination and ignorance; iii. Connect and engage Londoners; iv. Remove accessibility barriers to services, information and spaces; and, v. Remove barriers to employment. <p>The Working Groups will champion and guide the implementation and monitoring of their respective CDIS priorities. Each Working Group will be supported by City of London staff.</p>
Leadership Table	<p>The CDIS Leadership Table will be made up of ten (10) members:</p> <ol style="list-style-type: none"> a) Three (3) City of London Staff b) One chair from each of the five (5) Working Groups c) One (1) representative from the Diversity Inclusion, and Anti-Oppression Advisory Committee (DIAAC), and; d) One (1) representative from the Accessibility Advisory Committee (ACCAC). <p>Other resource personnel will be invited to attend meetings as required.</p>
Term	Commitment is a minimum of two years.
Compensation	An honorarium of \$2,000 per year will be provided to the chairs of the Working Groups.

Proposed Implementation Body

- Approach recognizes the critical role of community leadership, as well as the City of London's important role in CDIS
- City staff will be part of the CDIS Leadership Table and the City will provide key support to the Leadership Table and Working Groups

Proposed Approach to Strategies that Affect the City of London

- Nearly all of the 47 strategies outlined in the plan touch the City of London, whether directly or indirectly
- City staff will continue to assess the financial and resource implications of this work
- Based on this assessment, business case(s) will be submitted for consideration to the next Multi-Year Budget process

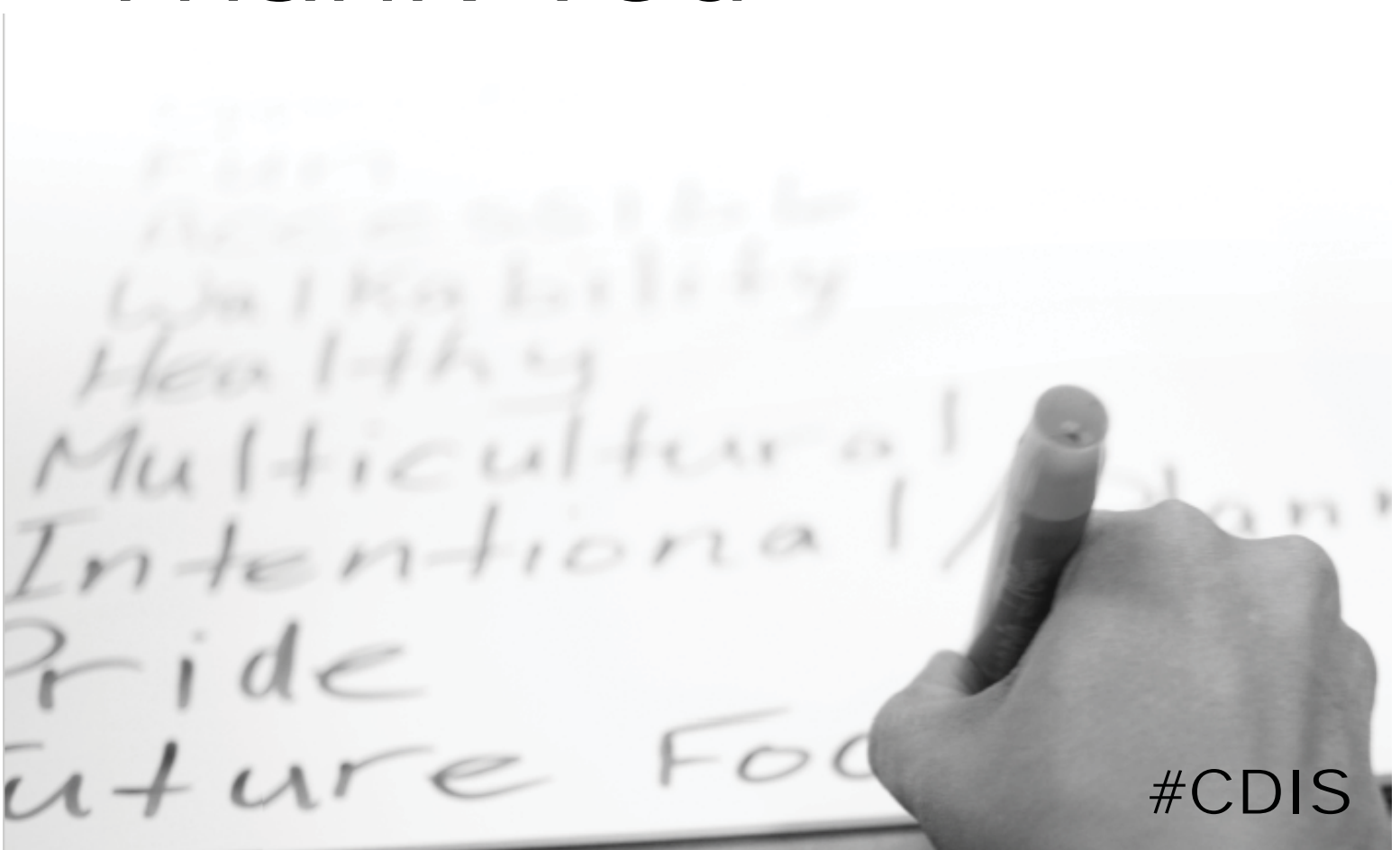
Financial Impact

- The City of London position focused on Indigenous relations will be funded temporarily for 2 years through the Efficiency, Effectiveness and Economy Reserve
- The compensation provided to the chairs of the CDIS Working Groups can be accommodated through existing budgets
- Financial and resource requirements of the plan will continue to be monitored and a business case(s) will be brought forward to the next Multi-Year Budget process

Next Steps

- The community, City of London and various partners will continue to actively implement CDIS
- Work will continue to define the City of London position focused on Indigenous relations
- Pending Council approval, recruitment for the CDIS Implementation Body will begin
- City staff will continue to monitor the financial and resource implications of the work of CDIS and submit business case(s) as part of the next Multi-Year Budget process

Thank You



Corporate Services Committee

Report

18th Meeting of the Corporate Services Committee
October 9, 2018

PRESENT: Councillors J. Helmer (Chair), J. Morgan, P. Hubert, M. van Holst, J. Zaifman
ABSENT: Mayor M. Brown
ALSO PRESENT: Councillor H. Usher, M. Hayward, A. Barbon, G. Belch, B. Card, I. Collins, P. Foto, D. Mounteer, J. Stanford, A. Thompson, B. Warner, B. Westlake-Power and R. Wilcox.

The meeting is called to order at 12:31 PM.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: P. Hubert
Seconded by: J. Zaifman

That items 2.2, 2.3, 2.5 and 2.6 BE APPROVED.

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

Absent: (0): Mayor M. Brown

Motion Passed (5 to 0)

2.2 New Entryway Signage for City-Owned Industrial Parks - Award RFP-18-42

Moved by: P. Hubert
Seconded by: J. Zaifman

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 following actions be taken with respect to the Request for Proposal for the new entryway signage for Innovation Park (RFP 18-42):

- a) the proposal submitted by Excellent Signs and Displays Inc., 2736 Dingman Drive, London, Ontario N6N 1G4, at its bid price of \$104,500.00 excluding HST, for services to design, supply, and install of four (4) entryway signs for Innovation Park Phases I-IV (the "Project") BE ACCEPTED; it being noted that the proposal submitted by Excellent Signs and Displays Inc. was one of two proposals received and the only proposal that met the City's specifications and evaluation requirements as per RFP18-42;
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which is necessary in connection with this matter; and
- c) the financing BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A".

Motion Passed

2.3 Declare Surplus - City-Owned Property - 332 Wharncliffe Road North

Moved by: P. Hubert

Seconded by: J. Zaifman

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 following actions be taken with respect to the City owned property municipally known as 332 Wharncliffe Road North, further described as Part Lots 5, 6 and 7, Plan 434 (W), designated as Part 2, Plan 33R7913, save and except for Part 1, Plan ER1115597, as in PIN 082480234, containing an area of approximately 9,160 square feet:

- a) the above-noted subject property BE DECLARED SURPLUS; and
- b) the subject property ("Surplus Lands") BE DISPOSED OF in accordance with the City's Sale and Other Disposition of Land Policy.

Motion Passed

2.5 Federation of Canadian Municipalities (FCM) Special Advocacy Fund

Moved by: P. Hubert

Seconded by: J. Zaifman

That, on the recommendation of the Director, Community & Economic Innovation, the following actions be taken with respect to the Federation of Canadian Municipalities Special Advocacy Fund:

- a) that the City of London's financial commitment of \$40,002.00 for the 2018/19 Federation of Canadian Municipalities (FCM) Special Advocacy Fund BE ENDORSED; and,
- b) that the staff report providing information on the FCM Special Advocacy Fund BE RECEIVED for information.

Motion Passed

2.6 Report of the Federation of Canadian Municipalities Board of Directors Meeting - Annapolis County, NS - September 11 - 14, 2018

Moved by: P. Hubert

Seconded by: J. Zaifman

That the communication dated October 1, 2018, from Councillor J. Morgan, regarding the Federation of Canadian Municipalities Board of Directors meeting held September 11-14, 2018 in Annapolis County, NS, BE RECEIVED for information.

Motion Passed

2.1 London Health Sciences Centre South Street Campus Decommissioning (Phase B)

Moved by: M. van Holst

Seconded by: J. Zaifman

That, on the recommendation of City Solicitor's Office, the following actions be taken with respect to the City owned South Street Campus lands under lease to LHSC and LHSC owned lands:

- a) the Mayor and City Clerk BE AUTHORIZED to execute the Lease Amending Agreement appended to the staff report dated October 9, 2018 as Schedule "A" to "E", or substantially in the form of Schedule "A" and approved by the City Solicitor's office; and
- b) the balance of the above-noted staff report BE RECEIVED for information.

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

Absent: (0): Mayor M. Brown

Motion Passed (5 to 0)

2.4 Elected Officials Remuneration - One-Third Non Taxable Allowance

Moved by: P. Hubert
Seconded by: J. Helmer

That the following actions be taken with respect to Elected Officials Remuneration:

- a) the proposed by-law appended to the staff report dated October 9, 2018 as Appendix "A" BE INTRODUCED at the October 16, 2018 meeting of the Municipal Council to eliminate the "one-third tax free" allowance for Elected Officials; and
- b) the Mayor's salary at January 1, 2019, BE INCREASED to \$138,025 annually, in order to accommodate for the elimination of the allowance noted in part a), above and maintain the "take home" pay at the current level.

Motion Passed

Voting Record:

Moved by: P. Hubert
Seconded by: J. Helmer

Part a)

That the following actions be taken with respect to Elected Officials Remuneration:

- a) the proposed by-law appended to the staff report dated October 9, 2018 as Appendix "A" BE INTRODUCED at the October 16, 2018 meeting of the Municipal Council to eliminate the "one-third tax free" allowance for Elected Officials; and

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

Absent: (0): Mayor M. Brown

Motion Passed (5 to 0)

Moved by: P. Hubert
Seconded by: J. Helmer

Motion to approve part b)

b) the Mayor's salary at January 1, 2019, BE INCREASED to \$138,025 annually, in order to accommodate for the elimination of the allowance noted in part a), above and maintain the "take home" pay at the current level.

Yeas: (3): J. Helmer, P. Hubert, and M. van Holst

Nays: (2): J. Morgan, and J. Zaifman

Absent: (0): Mayor M. Brown

Motion Passed (3 to 2)

3. Scheduled Items

None.

4. Items for Direction

None.

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

Moved by: P. Hubert
Seconded by: J. Zaifman

That the Corporate Services Committee convene In Closed Session at 1:20 PM, for consideration of the following matters:

6.1 Land Acquisition/Solicitor-Client Privileged Advice

A matter pertaining 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 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.

6.3 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.

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

Absent: (0): Mayor M. Brown

Motion Passed (5 to 0)

The Corporate Services Committee convened in closed session from 1:20 PM to 1:30 PM.

7. Adjournment

The meeting adjourned at 1:31 PM.

APPENDIX 'A'

#18169

Chair and Members
Corporate Services Committee

October 9, 2018
(Award Contract)

**RE: RFP18-42 New Entryway Signage for City-Owned Industrial Parks
(Subledger ID180002)
Capital Project ID1168 - Innovation Park
Excellent Signs and Displays Inc. - \$104,500.00 (excluding H.S.T.)**

FINANCE REPORT ON THE SOURCES OF FINANCING:

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

ESTIMATED EXPENDITURES	Approved Budget	Revised Budget	Committed to Date	This Submission	Balance for Future Work
Engineering	\$2,753,745	\$3,220,916	\$3,220,916		\$0
Construction	16,190,892	15,366,831	14,579,620	106,339	680,872
Relocate Utilities	5,300,000	5,300,000	4,622,686		677,314
Street Lights		219	219		0
City Related Expenses	1,205,000	2,113,023	2,113,023		0
Other Expenses		130,264	130,264		0
NET ESTIMATED EXPENDITURES	\$25,449,637	\$26,131,253	\$24,666,728	\$106,339 1)	\$1,358,186
SOURCE OF FINANCING:					
Debenture By-Law No. W.-1960-144 (Serviced through Industrial Land R.F.)	\$2,442,916	\$2,442,916	\$978,391	\$106,339	\$1,358,186
Drawdown from Industrial Land R.F.	4,240,000	4,240,000	4,240,000		0
Drawdown from Industrial Oversizing R.F.	3,806,637	3,806,637	3,806,637		0
Provincial Grants	9,325,000	9,325,000	9,325,000		0
Superbuild Funding	1,273,084	1,273,084	1,273,084		0
Drawdown from London Connect R.F.	3,491,000	3,491,000	3,491,000		0
Other Contributions	871,000	1,552,616	1,552,616		0
TOTAL FINANCING	\$25,449,637	\$26,131,253	\$24,666,728	\$106,339	\$1,358,186

Financial Note:

- 1) Contract Price
- Add: HST @13%
- Total Contract Price Including Taxes
- Less: HST Rebate
- Net Contract Price

\$104,500
13,585
118,085
11,746
<u>\$106,339</u>

lp


Jason Davies
Manager of Financial Planning & Policy

Bill No. 581
2018

By-law No. A.-____-____

A by-law to confirm the proceedings of the
Council Meeting held on the 16th day of
October, 2018.

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

1. Every decision of the 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 October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

Bill No. 582
2018

By-law No. A.-_____-____

A by-law to approve an Agreement between The Corporation of The City of London and the Upper Thames River Conservation Authority; and to authorize the Mayor and City Clerk to execute the Agreement.

WHEREAS section 5(3) of the *Municipal Act*, 2001 S.O. 2001 c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act*, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority under this or any other Act;

AND WHEREAS it is deemed expedient for The Corporation of The City of London (the "City") to enter into an Agreement with the Upper Thames River Conservation Authority, for the management of certain lands within the City of London (the "Agreement");

AND WHEREAS it is appropriate to authorize the Mayor and City Clerk to execute the Agreement on behalf of the City;

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

1. The Agreement attached as Schedule "A" to this by-law, being the Agreement between The Corporation of the City of London and the Upper Thames River Conservation Authority is hereby AUTHORIZED AND APPROVED.
2. The Mayor and City Clerk are authorized to execute the Agreement authorized and approved under section 1 of this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on October 16, 2018

Matt Brown
Mayor

Catherine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

SCHEDULE "A"

THIS AGREEMENT dated as of the 1st day of January, 2019,

BETWEEN:

UPPER THAMES RIVER CONSERVATION AUTHORITY

(the "Authority")

OF THE FIRST PART

and

THE CORPORATION OF THE CITY OF LONDON

(the "City")

OF THE SECOND PART

WHEREAS the Authority and/or the City are the owners of the Environmentally Significant Natural

Areas (ESAs) located within the City of London, in the County of Middlesex, known as the Westminster Pond/Pond Mills, Kilally Meadows, Medway Valley Heritage Forest, Sifton Bog, Warbler Woods, Meadowlilly Woods, Kains Woods, The Coves, Lower Dingman, Kelly Stanton, and Pottersburg Valley which for the purposes of the City's Parks and Recreation By-law are considered to be ESAs under their joint management (hereinafter referred to as the "ESAs");

AND WHEREAS the Authority approves of the use of its ESA lands for public access as long as such public access is in compliance with the City's Parks and Recreation By-law;

AND WHEREAS the City desires the Authority to provide Management Activities for all of the ESAs under this agreement whether owned by the City or owned by the Authority;

AND WHEREAS the existing location and demarcation of the ESAs and their respective management areas are more particularly identified in the maps shown as Appendix #1 attached hereto;

AND WHEREAS the City and the Authority have previously entered into agreements dated the 2nd day of July, 1976 and the 15th day of March, 2002 and the 18th day of August 2008 and the 1st of January 2013 with respect to the creation, development and management of environmentally significant natural areas in the City of London;

AND WHEREAS the City and the Authority have agreed to enter into this Agreement in replacement to all previous management agreements as set out in the paragraph above and to provide for the maintenance, repair, service, development and operation of the ESAs and their respective management areas on the terms and conditions contained herein;

AND WHEREAS the Authority is governed by the *Conservation Authorities Act*, R.S.O. 1990, c. C.27, and s. 21 of that Act provides that, for the purpose of accomplishing its objects, an authority has power and may enter into a memorandum of understanding with a municipality situated in whole or in part within its area of jurisdiction in respect of programs and services that the authority will provide on behalf of the municipality; and further in s. 20 that the objects of an authority are to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals;

AND WHEREAS the City is governed by the *Municipal Act, 2001*, S.O. 2006, c. 11, Sch. A. as amended, and s. 9 of that Act 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 further in section 10(2) to pass by-laws respecting the “economic, social and environmental well-being of the municipality; health safety and well-being of persons; protection of persons and property; public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act; providing services that the municipality considers necessary or desirable for the public; and animals;

AND WHEREAS the parties intend that the Authority’s costs of providing its services to the City will not form part of the Authority’s annual levy to the City for carrying out the Authority’s regulatory services under the *Conservation Authorities Act*;

AND WHEREAS the City intends to identify within the City’s annual operating budget the annual costs of this Agreement;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. Management Activities

(a) The Authority shall carry out the management activities described in Appendix #2, attached hereto (“Management Activities”) for the ESAs and other lands according to objectives established in the Conservation Master Plans for the ESAs, and as directed by the joint ESA Management Committee and as otherwise directed by the City;

(b) It is understood and agreed between the parties that the scheduling and timing of Management Activities as set forth in paragraph 1 (a) will be completed at the discretion of the Authority on the basis of regular consultation with the City and to the City’s satisfaction;

(c) The parties shall from time to time develop risk management and hazard tree management policies applicable to all lands within the ESAs and their respective management areas, whether owned by the City or the Authority;

(d) In performing its Management Activities under this Agreement, the Authority shall comply with all applicable policies as provided by the City, or as otherwise directed in writing by the City.

(e) The Authority shall provide a minimum of 6900 hours of service per year carrying out the Management Activities; and,

(f) The Authority shall provide quarterly reports to the City in a form acceptable to the City outlining progress on all Management Activities.

2. Term of Agreement

This agreement shall be for a term of five (5) years commencing on the 1st day of January, 2019 and shall expire on the 31st day of December, 2023.

3. Land Acquisition

Except as hereinafter provided, the parties hereto agree that the title to all lands within the ESAs shall remain in the name of the registered owner as of the date of the signing of this Agreement. As one of the methods of acquiring land necessary for implementation of the ESA Master Plans the Authority may, from time to time and when sums become available from the Province of Ontario, Ontario Ministry of Natural Resources and Forestry, obtain and register property in its own name. Any such land acquisitions shall only be done with the approval of the City.

The City may at any time acquire on behalf of itself or the Authority any land which may become available with respect to the ESAs or surrounding lands. It is hereby agreed between the parties that, with respect to any lands so purchased by the City, that the City

may apply through the Authority, to the Ministry of Natural Resources and Forestry or any other municipal, provincial or federal agencies, for such grants as may be available, and the Authority shall assist to ensure that such application is in fact made to the proper body.

4. Payments to the Authority

(a) The Authority's costs to provide the Management Activities to the City as defined in subparagraph (b) below, are separate and distinct from the Authority's annual levy to the City for carrying out its regulatory services under the *Conservation Authorities Act*. The Authority shall not include in its annual levy to the City under the *Conservation Authorities Act* the costs for its Management Activities under this Agreement.

(b) In the first year of the term of this Agreement, the City shall pay the Authority seven hundred dollars (\$700.44) per hectare for the management of ESAs. As of January 1, 2019, the total area under management will be 735.6 ha. In each subsequent year of the term, the annual payment shall be increased by an amount equal to the annual increase in the Cost of Living Index, to a maximum of 2% on an annual basis, except as otherwise agreed by the parties.

The Authority shall use the payments provided by the City pursuant to this Agreement only for the specific purpose for which the payment is provided.

Notwithstanding anything in this Agreement, the Authority shall immediately refund to the City any payments made by the City that are in excess of the amount to which the Authority is entitled.

(c) The parties agree that a minimum of one (1) years notice will be given to the other party if any change to the payment formula described in paragraph 4 (b) is anticipated. In the event of a termination notice under section 11, the City's payment obligations for the following year shall be modified *pro rata*.

(d) As new ESA lands are acquired, the City shall pay the corresponding increase in the contract amount in accordance with the formula established in paragraph 4 (b) commencing in the next year. Program costs and management activities will be adjusted with the agreement of the parties in order that newly acquired ESA lands can be managed in accordance with this Agreement.

(e) The Authority shall submit its proposed expenses and revenues for providing the Management Activities for subsequent years to the City for its approval by May 30th in a format acceptable to the City and in accordance with generally accepted accounting and budgeting practices. The revenues shall include the value of any in kind services or donations received to offset the costs of maintenance, repair, development, operation and management of the ESAs.

(f) Payment by the City in each year shall be in accordance with procedures agreed upon by the parties, but such payments shall not be less than one twelfth of the sum owing in each year payable monthly by the City.

5. Indemnification and Waiver

The Authority undertakes and agrees to defend and indemnify the City and hold the City harmless, at the Authority's sole expense, from and against all claims, demands, suits, losses, costs, damages and expenses that the City may sustain or incur by reason of:

- (a) any breach of this Agreement by any of the Authority, the Authority's employees, any subcontractor of the Authority, or persons for whom the Authority is at law responsible;
- (b) any loss or misuse of funds held by the Authority, the Authority's employees, subcontractor of the Authority, or persons for whom the Authority is at law responsible, under this Agreement;
- (c) the acts or omissions of the Authority, the Authority's employees, subcontractor of the Authority, or any person for whom the Authority is at law responsible in performing the services or otherwise carrying on the Authority's business, including any damage to

- any and all persons or property, whether deliberate, accidental or through negligence, and all tickets, fines or penalties;
- (d) any claim or finding that any of the Authority, the Authority's employees, subcontractor of the Authority, or persons for whom the Authority is at law responsible are employees of, or are in any employment relationship with, the City or are entitled to any Employment Benefits of any kind; and,
 - (e) any liability on the part of the City, under the *Income Tax Act* (Canada) or any other statute (including, without limitation, any Employment Benefits statute), to make contributions, withhold or remit any monies or make any deductions from payments, or to pay any related interest or penalties, by virtue of any of the following being considered to be an employee of the City, from Authority: Authority's employees or others for whom Authority is at law responsible in connection with the performance of services or otherwise in connection with Authority's business.

6. Responsibility for Damage

If the said lands, or any property installed thereon by the City shall become damaged by an act, omission or negligence of the Authority, the Authority shall promptly remedy the damage or pay such reasonable amount as may be required to restore the property to its pre-damage condition.

7. Insurance

The Authority agrees to purchase and maintain during the term of the agreement at its own expense obtain and maintain until the termination of the contract, and provide the City with evidence of:

- a) Comprehensive general liability insurance on an occurrence basis for an amount not less than five million (\$5,000,000) dollars and shall include the City as an additional insured with respect to the successful bidder(s) operations, acts and omissions relating to its obligations under this Agreement, such policy to include non-owned automobile liability, personal injury, broad form property damage, contractual liability, owners' and contractors' protective, products and completed operations, contingent employers liability, cross liability and severability of interest clauses;
- b) Automobile liability insurance for an amount not less than five million (\$5,000,000) dollars on forms meeting statutory requirements covering all vehicles used in any manner in connection with the performance of the terms of this Agreement;
- c) The policies shown above will not be cancelled or permitted to lapse unless the Authority ensures that the insurer notifies the City in writing at least thirty (30) days prior to the effective date of cancellation or expiry. The City reserves the right to request such higher limits of insurance or other types of policies appropriate to the work as the City may reasonable require; and
- d) Evidence that the insurance described above is in force shall be provided to the City on commencement of the program and thereafter at least once annually prior to the renewal date of the policy. The City reserves the right to request such higher limits of insurance or other types of insurance policies appropriate to program as it may reasonably require.

8. Licenses

The Authority shall have the right to licence the use of any lands within the ESAs that the Authority owns for the purposes consistent with the Master Plans, provided that the term of any such licence(s) shall not exceed one (1) year in duration. With respect to all licences having a term in excess of one (1) year, the Authority shall obtain the approval of the City regarding the terms and conditions of such licence prior to the issuance of the same. Any fees received by the Authority for such licensing hereunder shall be applied to and offset any costs, fees, charges, or other sums the City is responsible for pursuant to this agreement so as to so reduce such payments by the City.

9. Compliance

All parties shall at all times comply with all provisions of the Conservation Authorities Act and any amendments thereto and any regulations, by-laws and amendments in force from time to time and all rules and regulations pertaining to ESAs as may be enacted from time to time.

The Authority shall comply with all applicable federal, provincial and municipal legislation, regulations and by-laws.

The Authority shall ensure that it and all of its volunteers, employees or agents, if they deal with members of the public under this Agreement, receive training about the provision of services to persons with disabilities, in compliance with the *Accessibility for Ontarians with Disabilities Act, 2005* and its Regulations

10. Development

In accordance with the *Conservation Authorities Act*, and for greater certainty only, the City shall comply with all regulations of the Authority concerning the placement of fill, construction of buildings, alteration of waterways for any development on any lands within the ESA's unless the written consent of the Authority shall have been first obtained.

11. Termination

Either party may terminate this Agreement for any reason by giving one (1) year written notice to the other party.

12. The Authority's Contractual Status

(1) The Authority acknowledges and agrees this Agreement shall in no way be deemed or construed to be an Agreement of Employment. Specifically, the parties agree that it is not intended by this Agreement that the Authority nor any person employed by or associated with the Authority (including but not limited to its agents, officers, subcontractors) is an employee of, or has an employment relationship of any kind with the City or is in any way entitled to employment benefits of any kind whatsoever from the City whether under internal policies and programs of the City, the *Income Tax Act*, R.S.C. 1985 c.1 (1st Supp); the *Canada Pension Act*, R.S.C. 1985, c.C-8; the *Employment Insurance Act*, S.O. 1996,c.23; the *Workplace Safety and Insurance Act*, 1997 S.O. 1997, c.26 (Schedule "A"); the *Occupational Health and Safety Act*, R.S.O. 1990, c.o.1; the *Pay Equity Act*, R. S. O. 1990, c.P.7; the *Health Insurance Act*, R.S.O. 1990, c.H.6; or any other employment related legislation, all as may be amended from time to time, or otherwise.

(2) Notwithstanding subparagraph (1) above, it is the sole and exclusive responsibility of the Authority to make its own determination as to its status under the Acts referred to above and, in particular, to comply with the provisions of any of the aforesaid Acts, and to make any payments required thereunder.

(3) The parties are each independent of the other and this Agreement shall not operate to create a partnership, joint venture, employment arrangement, master servant relationship or any other similar relationship between the City and the Authority or between the City and any employees, agent or contractor of the Authority.

13. Assignment

Neither this Agreement nor any part or interest may be assigned, subcontracted or otherwise transferred by the Authority without the prior written consent of the City, which consent may be withheld.

14. Execution

The Authority acknowledges that it has read this Agreement, understands it and agrees to be bound by its terms and conditions.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement, under the hands of their duly authorized officers in that behalf.

SIGNED, SEALED AND DELIVERED

UPPER THAMES RIVER CONSERVATION AUTHORITY

Per:

Per:

*We have the authority to bind the Upper Thames River Conservation Authority

THE CORPORATION OF THE CITY OF LONDON

Mayor

City Clerk



**Kiality Meadows
2018 Management Area**

- Legend**
- ① Strategic Structure
 - ② Structure
 - ③ Street
 - ④ Utility
 - ⑤ Access Point
 - ⑥ Management Area Bound
 - ⑦ Management Area Bound (Dashed)
 - ⑧ Management Area Bound (Dotted)
 - ⑨ Management Area Bound (Dashed)
 - ⑩ Management Area Bound (Dotted)
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UPPER THAMES RIVER
 Environmental Management Plan
 prepared by the City of London
 December 16, 2018

**Medway Valley
Heritage Forest**
2018 Management Area



Legend

Managed Structures

- Barrow (Down)
- Barrow (Up)
- Bench
- Bridge
- Bunting
- Staircase
- Viewing Platform

Access Point

- ① Woodford Road Foot
- ② Abchurch Lane
- ③ Abchurch Lane (West)
- ④ Abchurch Lane (West)
- ⑤ Fairview Park Road West (West)
- ⑥ Fairview Park Road West (West)
- ⑦ Hickmidge Common
- ⑧ Sandgate Road West
- ⑨ Valley Road (West)
- ⑩ Greenway
- ⑪ Abchurch Park
- ⑫ Abchurch Lane
- ⑬ Waterway Road (West)
- ⑭ Oak Farm Williams Estate
- ⑮ Railway Road (North - Home College)
- ⑯ Railway Road (South - Green College)
- ⑰ Millers Green
- ⑱ Waterway Park
- ⑲ Denmark Gate (East)
- ⑳ Piccadilly
- ㉑ Valley Road (West)
- ㉒ Crossbridge Road

- Parking
- Managed Trail (1077.1 ha)
- Management Area (173.4 ha)
- City of London (195.8 ha)
- UTRCA (27.8 ha)

Location Map



UPPER THAMES RIVER
CONSERVATION SOCIETY

Map produced by UTRCA with data provided by the City of London. Copyright © UTRCA 2018.



Sifton Bog
2025 Management Area

Legend

- Managed Structures**
- Service Pylon
 - Street Light
 - Utility Pole
- Access Point**
- 1 Color Street (Bog Road)
 - 2 Hyde Park Road (Bog)
 - 3 Oak River Park Street
 - 4 Maple Point
 - 5 Nisongap Road
 - 6 Silver Birch Road
 - 7 Nisongap Drive
 - 8 Nisongap Crescent
 - 9 Parking
- Planting**
- New plant (2017-2025)
 - Management Area (2017-2025)
 - City of Uthmaniyah (2017-2025)
 - Uthmaniyah (2017-2025)

Location Map



UPPER THAMES RIVER

Map produced by Uthmaniyah
City of Uthmaniyah
Copyright © Uthmaniyah 2018



Warbler Woods
2018 Management Area

Legend

- Managed Structures**
- Barricade (Open)
 - Barricade (Closed)
 - Boardwalk
 - ≡ Bridge
 - ⊗ Railing
- Access Point**
- ① Commissioners Road West
 - ② Chestnut Court
 - ③ Springfield Crescent
 - ④ Tinker Drive
 - ⑤ Woodgate Place
 - ⑥ Cooler Place
 - ⑦ Baseline Road East
 - ⑧ Baseline Road West
 - ⑨ Warbler Woods Walk (North)
 - ⑩ Warbler Woods Walk (South)
 - ⑪ Upper West Avenue
 - ⑫ Beanhelm Way
 - Ⓟ Parking
- Managed Trail (5375 m)
 - ⋯ Thames Valley Trail
 - Management Area (40 ha)
 - City of London (40 ha)

Location Map



UPPER THAMES RIVER
CONSERVATION TRUST

Map produced by UTCTCA with data
provided by the City of London.
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**Meadowlark Woods
2016 Remediation Area**

Legend

- Damaged Structures**
- Baseline (Brown)
 - Baseline (Green)
 - Baseline (Red)
 - Baseline (Yellow)
- Access Point**
- ① Commissioner Road / Spring Lane
 - ② Meadowlark Road / Spring Lane
 - ③ Meadowlark Road / Spring Lane
 - ④ Meadowlark Road / Spring Lane
 - ⑤ Meadowlark Road / Spring Lane
 - ⑥ Meadowlark Road / Spring Lane
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 - ㊿ Meadowlark Road / Spring Lane
- Property**
- Managed Land (Light Blue)
 - Management Area (Dark Blue)
 - City of Denver (Light Green)
 - City of Denver (Dark Green)

Location Map



UPPER THAMES RIVER
 Map provided by UTRCA with data
 provided by the City of Denver
 Mapping by City of Denver
 August 15, 2016



Cairns Woods
2018 Management Area

- Legend**
- Managed Structures
 - American Club
 - American Club
 - Club
 - Barbecue
 - Bridge
 - Access Point
 - Spray Box
 - Snow Load Area
 - Check Snow Yaw
 - Winter Snow
 - * * * * * Cairns Woods 2018 Management Area 2018
 - * * * * * Cairns Woods 2018 Management Area 2018
 - * * * * * Cairns Woods 2018 Management Area 2018



UPPER THAMES RIVER
Cairns Woods 2018 Management Area

Map published by Upper Thames River
Prepared by the City of London
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The Coves
2018 Management Area

Legend

- Managed Structures**
- Bridge
 - Railway
- Access Point**
- ① Springbank Drive
 - ② Brookdale Avenue
 - ③ MacAlpine Avenue
 - ④ Cove Road
 - ⑤ Elmwood Avenue
 - ⑥ Southeast Drive
 - ⑦ Phyllis Street
 - ⑧ Centre Crescent
 - ⑨ Baseline Road West
 - ⑩ Beachwood Avenue
 - ⑪ Rachel Street
 - ⑫ Emory Street
 - ⑬ Weston Avenue
 - ⑭ Mackay Avenue
 - ⑮ Strickon Street West
- Managed Trail (5842 m)
 - ⋯⋯⋯ Thames Valley Trail
 - Management Area (47.4 ha)
 - City of London (47.4 ha)

Location Map



UPPER THAMES RIVER
SUSTAINABILITY AUTHORITY

Map prepared by UTIRA with data provided by the City of London. Copyright © UTIRA 2018.



**Lower Dillingman
2016 Management Area**

Legend

- Access Point
- Homeowner
- Pipeline
- Management Area
- Management Area 2016
- City of Cambridge

Location Map



**UPPER THAMES RIVER
WATER TREATMENT PLANT**

Map prepared by TWC and the
City of Cambridge, Ohio
Copyright © 2016 TWC



Kelly Stanton
2018 Management Area

Legend	
	Management Area (5 mi)
	Management Area (2.5 mi)
	City of Laramie (5 mi)



Location Map



UPPER THAMES RIVER
Management Area
City of Laramie
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Potterburg Valley
2018 Management Area

Legend

- Access point
- Trunkline Road
- Property
- Management Area (2018)
- Management Area (2016)
- City of Potterburg (2018 Map)

Location Map



UPPER THAMES RIVER

This Management Area (2018) and other Management Areas are provided by the City of Potterburg.
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Appendix “2”

Management Activities:

The Management Activities to be performed by the Authority under this Agreement are:

- 1. Monitoring and enhancing the natural resource – Approximately 40% of total hours:**
 - a. Wildlife and habitat protection
 - b. Invasive species management, ecological restoration, and, monitoring
 - c. Native tree planting
 - d. Coordinate research initiatives

- 2. Enforcing applicable provincial statutes, regulations, and municipal bylaws – 20%:**
 - a. City Parks and Recreation By-laws, including encroachments into City ESA lands
 - b. Trespass to Property Act
 - c. Conservation Authority Act

- 3. Overseeing and implementing risk management and hazard tree policies – 5%:**
 - a. City Hazard Tree Risk Management Policy and Procedure Manual
 - b. Annual inspection of built structures (ex. stairs, boardwalks, docks, railings etc.)

- 4. Maintaining trail systems – 30%:**
 - a. Maintenance and upkeep of built structures (boardwalks, bridges, stairs, docks etc.)
 - b. Maintenance and upkeep of ESA entrances, and existing trail system
 - c. Maintenance and upkeep of all required signage
 - d. Garbage pick-up

- 5. Coordinating educational programs, events and community projects – 5%:**
 - a. Public meetings and presentations
 - b. Community projects and volunteer groups
 - c. Provide quarterly and annual reports to the City

- 6. Other management activities as agreed to in writing by the parties.**

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ESAs CONTRACT REVISED FINAL FOR OCT 9 PEC REPORT Aug 2018 Reviewed by
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Bill No. 583
2018

By-law No. A.- ____ - ____

A by-law to approve the template Ontario Transfer Payment Agreement between The Corporation of the City of London and Her Majesty the Queen in right of Ontario with respect to funding for Seniors Active Living Programs; and to authorize the Mayor and the City Clerk to execute the Agreement.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 10 of the *Municipal Act, 2001* provides that (1) a municipality may provide any service or thing that the municipality considers necessary or desirable for the public, and (2) that a municipality may pass by-laws respecting: 5. Economic, social and environmental well-being of the municipality, including respecting climate change; 6. Health, safety and well-being of persons; 7. Services and things the municipality is authorized to provide under subsection (1); 8. Protection of persons and property;

AND WHEREAS sections 9 and 10 and 23.1 through 23.5 of the *Municipal Act, 2001* authorize a municipality to delegate its powers and duties under this or any other Act to a person or body;

AND WHEREAS the *Seniors Active Living Centres Act, 2017*, S.O. 2017, c. 11, Sched. 6, provides for the payment of Provincial grants towards the cost of maintaining and operating Seniors Active Living Centre programs;

AND WHEREAS the City operates Seniors Active Living Centre programs at Kiwanis Seniors Community Centre, Hamilton Road Seniors Centre and Community Centre, and North London Optimist Community Centre;

AND WHEREAS the City wishes to enter into Transfer Payment Agreements with the Queen in right of Ontario with respect to funding for these Seniors Active Living Centre programs;

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

1. (a) The template agreement, substantially in the form attached as Schedule 1 to this By-law, between The Corporation of the City of London and Her Majesty the Queen in right of Ontario, as represented by the Minister for Seniors and Accessibility, with respect to funding for Seniors Active Living Centre Programs at Kiwanis Seniors Community Centre, Hamilton Road Seniors Centre and Community Centre, and North London Optimist Community Centre, is approved.

(b) The Managing Director, Neighbourhood, Children and Fire Services, and his or her written designates, are severally delegated the authority to insert the name of the centre onto the first page, and to insert contact information on Schedule B of the agreement approved in (a) above.

2. The City Manager, and his or her written designates, and the Managing Director, Neighbourhood, Children and Fire Services, and his or her written designates, are severally delegated the authority to approve agreements with respect to programs

under the *Seniors Active Living Centres Act, 2017*, or any successor legislation, to be entered into between The Corporation of the City of London and Her Majesty the Queen in right of Ontario, and any schedules thereto, and any amendments thereto, and such further other documents (including project budgets, cash flows and other financial reporting) that:

- i. are consistent with the requirements contained in the Agreement approved in section 1 above;
 - ii. do not require additional funding or are provided for in the City's current budget; and
 - iii. do not increase the indebtedness or liabilities of The Corporation of the City of London.
3. The Mayor and the City Clerk are authorized to execute the contracts, agreements, schedules, amendments and documents approved under section 1 and section 2 above.
4. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

SCHEDULE "1"

ONTARIO TRANSFER PAYMENT AGREEMENT SENIORS ACTIVE LIVING CENTERS PROGRAM

THE AGREEMENT is effective as of the first day of May, 2018.

B E T W E E N :

**Her Majesty the Queen in right of Ontario
as represented by the Minister for Seniors and Accessibility (the "Province")**

- and -

The Corporation of the City of London
(<Insert Name of Centre>)

(the "Recipient")

CONSIDERATION

In consideration of the mutual covenants and agreements contained in this Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

1.1 The agreement, together with:

Schedule "A" - General Terms and Conditions
Schedule "B" - Project Specific Information and Additional Provisions and any amending agreement entered into as provided for in section 4.1, constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between the Additional Provisions and the provisions in Schedule "A", the following rules will apply:

- (a) the Parties will interpret any Additional Provisions in so far as possible, in a way that preserves the intention of the Parties as expressed in Schedule "A"; and
- (b) where it is not possible to interpret the Additional Provisions in a way that is consistent with the provisions in Schedule "A", the Additional Provisions will prevail over the provisions in Schedule "A" to the extent of the inconsistency.

3.0 COUNTERPARTS

3.1 The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

4.0 AMENDING THE AGREEMENT

4.1 The Agreement may only be amended by a written agreement duly executed by the Parties.

5.0 ACKNOWLEDGEMENT

5.1 The Recipient acknowledges that:

- (a) by receiving Funds it may become subject to legislation applicable to organizations that receive funding from the Government of Ontario, including the *Broader Public Sector Accountability Act, 2010* (Ontario), the *Public Sector Salary Disclosure Act, 1996* (Ontario), and the *Auditor General Act* (Ontario);
- (b) Her Majesty the Queen in right of Ontario has issued expenses, perquisites, and procurement directives and guidelines pursuant to the *Broader Public Sector Accountability Act, 2010* (Ontario);
- (c) the Funds are:
 - (i) to assist the Recipient to carry out the Project and not to provide goods or services to the Province;
 - (ii) funding for the purposes of the *Public Sector Salary Disclosure Act, 1996* (Ontario);
- (d) the Province is not responsible for carrying out the Project; and
- (e) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO as represented by the Minister for
Seniors and Accessibility**

Date

Kathleen Henschel, Director

THE CORPORATION OF THE CITY OF LONDON

Date

Name:

Title:

I have authority to bind the Recipient.

SCHEDULE "A"
GENERAL TERMS AND CONDITIONS

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 **Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) "include", "includes" and "including" denote that the subsequent list is not exhaustive.

A1.2 **Definitions.** In the Agreement, the following terms will have the following meanings:

"Additional Provisions" means the terms and conditions set out in Schedule "B".

"Agreement" means this agreement entered into between the Province and the Recipient, all of the schedules listed in section 1.1, and any amending agreement entered into pursuant to section 4.1.

"Budget" means the budget for expenses related to the Recipient's seniors active living centre program, as set out in the Funding Letter.

"Business Day" means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year's Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

"Effective Date" means the date set out at the top of the Agreement.

"Event of Default" has the meaning ascribed to it in section A13.1.

"Funding Letter" means the letter(s) from the Province to the Recipient indicating the approved amount of the Funds to the Recipient for the Funding Year;

"Funding Year" means:

- (a) in the case of the first Funding Year, the period commencing on the Effective Date and ending on the following March 31; and
- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31.

"Funds" means the money the Province provides to the Recipient pursuant to the Agreement.

"Indemnified Parties" means Her Majesty the Queen in right of Ontario, Her ministers, agents, appointees, and employees.

“Maximum Funds” means the maximum Funds set out in the Funding Letter.

“Notice” means any communication given or required to be given pursuant to the Agreement.

“Notice Period” means the period of time within which the Recipient is required to remedy an Event of Default pursuant to section A13.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A13.4.

“Parties” means the Province and the Recipient.

“Party” means either the Province or the Recipient.

“Program Guidelines” means the Province’s program guidelines, issued April 2018, and revised from time to time by the Province, containing terms and conditions in respect of seniors active living centre program funding.

“Project” means the undertakings approved by the Province in accordance with the *Seniors Active Living Centres Act, 2017*, in support of the Recipient’s seniors active living centre program, as set out in the Funding Letter.

A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS

A2.1 General. The Recipient represents, warrants, and covenants that:

- (a) it is, and will continue to be, a validly existing legal entity with full power to fulfill its obligations under the Agreement;
- (b) it has, and will continue to have, the experience and expertise necessary to carry out the Project;
- (c) it is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules, and by-laws related to any aspect of the Project, the Funds, or both; and
- (d) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete.

A2.2 Execution of Agreement. The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and
- (b) taken all necessary actions to authorize the execution of the Agreement.

A2.3 Governance. The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) a code of conduct and ethical responsibilities for all persons at all levels of the Recipient’s organization;
- (b) procedures to enable the Recipient’s ongoing effective functioning;
- (c) decision-making mechanisms for the Recipient;
- (d) procedures to enable the Recipient to manage Funds prudently and effectively;

- (e) procedures to enable the Recipient to complete the Project successfully;
- (f) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;
- (g) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0; and
- (h) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

A2.4 **Supporting Proof.** Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in Article A2.0.

A3.0 TERM OF THE AGREEMENT

A3.1 **Term.** The term of the Agreement will commence on the Effective Date and shall continue until terminated pursuant to Article A11.0, Article A12.0, or Article A13.0.

A4.0 FUNDS AND CARRYING OUT THE PROJECT

A4.1 **Funds Provided.** The Province will:

- (a) provide the Recipient up to the Maximum Funds for the purpose of carrying out the Project;
- (b) provide the Funds to the Recipient at regular intervals determined by the Province, with notice to the Recipient, as set out in the Funding Letter; and
- (c) deposit the Funds into an account designated by the Recipient provided that the account:
 - (i) resides at a Canadian financial institution; and
 - (ii) is in the name of the Recipient.

A4.2 **Limitation on Payment of Funds.** Despite section A4.1:

- (a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the certificates of insurance or other proof as the Province may request pursuant to section A10.2;
- (b) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project;
- (c) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Province's assessment of the information the Recipient provides to the Province pursuant to section A7.1; or
- (d) if, pursuant to the *Financial Administration Act* (Ontario), the Province does not receive the necessary appropriation from the Ontario Legislature for payment under the Agreement, the Province is not obligated to make any such payment, and, as a consequence, the Province may:
 - (i) reduce the amount of Funds and, in consultation with the Recipient, change the Project; or
 - (ii) terminate the Agreement pursuant to section A12.1.

A4.3 **Use of Funds and Carry Out the Project.** The Recipient will do all of the following:

- (a) carry out the Project in accordance with the Agreement;
- (b) use the Funds only for the purpose of carrying out the Project;
- (c) spend the Funds only in accordance with the Budget;
- (d) not use the Funds to cover any cost that has or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario.

A4.4 **Interest Bearing Account.** If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest bearing account in the name of the Recipient at a Canadian financial institution.

A4.5 **Interest.** If the Recipient earns any interest on the Funds, the Province may:

- (a) deduct an amount equal to the interest from any further instalments of Funds; or
- (b) demand from the Recipient the payment of an amount equal to the interest.

A4.6 **Rebates, Credits, and Refunds.** The Ministry will calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS

A5.1 **Acquisition.** If the Recipient acquires goods, services, or both with the Funds, it will:

- (a) do so through a process that promotes the best value for money; and
- (b) comply with the *Broader Public Sector Accountability Act, 2010* (Ontario), including any procurement directive issued thereunder, to the extent applicable.

A5.2 **Disposal.** The Recipient will not, without the Province's prior written consent, sell, lease, or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded the amount as provided for in Schedule "B" at the time of purchase.

A6.0 CONFLICT OF INTEREST

A6.1 **No Conflict of Interest.** The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest.

A6.2 **Conflict of Interest Includes.** For the purposes of Article A6.0, a conflict of interest includes any circumstances where:

- (a) the Recipient; or
- (b) any person who has the capacity to influence the Recipient's decisions,

has outside commitments, relationships, or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Project, the use of the Funds, or both.

A6.3 **Disclosure to Province.** The Recipient will:

- (a) disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential, or perceived conflict of interest; and
- (b) comply with any terms and conditions that the Province may prescribe as a result of the disclosure.

A7.0 **REPORTS, ACCOUNTING, AND REVIEW**

A7.1 **Preparation and Submission.** The Recipient will:

- (a) submit to the Province at the address referred to in section A17.1, an annual report in accordance with the Program Guidelines, or in a form as specified by the Province from time to time;
- (b) submit to the Province at the address referred to in section A17.1, any other reports as may be requested by the Province in accordance with the timelines and content requirements specified by the Province;
- (c) ensure that the annual report and any other reports are completed to the satisfaction of the Province; and
- (d) ensure that the annual report and any other reports are signed on behalf of the Recipient by an authorized signing officer.

A7.2 **Record Maintenance.** The Recipient will keep and maintain:

- (a) all financial records (including invoices) relating to the Funds or otherwise to the Project in a manner consistent with generally accepted accounting principles; and
- (b) all non-financial documents and records relating to the Funds or otherwise to the Project.

A7.3 **Inspection.** The Province, any authorized representative, or any independent auditor identified by the Province may, at the Province's expense, upon twenty-four hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to review the progress of the Project and the Recipient's allocation and expenditure of the Funds and, for these purposes, the Province, any authorized representative, or any independent auditor identified by the Province may take one or more of the following actions:

- (a) inspect and copy the records and documents referred to in section A7.2;
- (b) remove any copies made pursuant to section A7.3(a) from the Recipient's premises; and
- (c) conduct an audit or investigation of the Recipient in respect of the expenditure of the Funds, the Project, or both.

A7.4 **Disclosure.** To assist in respect of the rights provided for in section A7.3, the Recipient will disclose any information requested by the Province, any authorized representatives, or any independent auditor identified by the Province, and will do so in the form requested by the Province, any authorized representative, or any independent auditor identified by the Province, as the case may be.

A7.5 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

A7.6 **Auditor General.** The Province's rights under Article A7.0 are in addition to any rights provided to the Auditor General pursuant to section 9.1 of the *Auditor General Act* (Ontario).

A8.0 COMMUNICATIONS REQUIREMENTS

A8.1 **Acknowledge Support.** Unless otherwise directed by the Province, the Recipient will:

- (a) acknowledge the support of the Province for the Project; and
- (b) ensure that the acknowledgement referred to in section A8.1(a) is in a form and manner as directed by the Province.

A8.2 **Publication.** The Recipient will indicate, in any of its Project-related publications, whether written, oral, or visual, that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

A9.0 INDEMNITY

A9.1 **Indemnification.** The Recipient will indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages, and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits, or other proceedings, by whomever made, sustained, incurred, brought, or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

A10.0 INSURANCE

A10.1 **Recipient's Insurance.** The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than the amount provided for in Schedule "B" per occurrence. The insurance policy will include the following:

- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

A10.2 **Proof of Insurance.** The Recipient will:

- (a) provide to the Province, either:
 - (i) certificates of insurance that confirm the insurance coverage as provided for in section A10.1; or
 - (ii) other proof that confirms the insurance coverage as provided for in section A10.1; and
- (b) upon the request of the Province, provide to the Province a copy of any insurance policy.

A11.0 TERMINATION ON NOTICE

A11.1 **Termination on Notice.** The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving at least 30 days' Notice to the Recipient.

A11.2 **Consequences of Termination on Notice by the Province.** If the Province terminates the Agreement pursuant to section A11.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:
 - (i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to section A11.2(b); and
 - (ii) subject to section A4.1(a), provide Funds to the Recipient to cover such costs.

A12.0 TERMINATION WHERE NO APPROPRIATION

A12.1 **Termination Where No Appropriation.** If, as provided for in section A4.2(d), the Province does not receive the necessary appropriation from the Ontario Legislature for any payment the Province is to make pursuant to the Agreement, the Province may terminate the Agreement immediately without liability, penalty, or costs by giving Notice to the Recipient.

A12.2 **Consequences of Termination Where No Appropriation.** If the Province terminates the Agreement pursuant to section A12.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project and permit the Recipient to offset such costs against the amount owing pursuant to section A12.2(b).

A12.3 **No Additional Funds.** If, pursuant to section A12.2(c), the Province determines that the costs to wind down the Project exceed the Funds remaining in the possession or under the control of the Recipient, the Province will not provide additional Funds to the Recipient.

A13.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A13.1 **Events of Default.** Each of the following events will constitute an Event of Default:

- (a) in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:
 - (i) carry out the Project;
 - (ii) use or spend Funds; or
 - (iii) provide, in accordance with section A7.1, Reports or such other reports as may have been requested pursuant to section A7.1(b);

- (b) the Recipient's operations, its financial condition, or its organizational structure, changes such that it no longer meets one or more of the eligibility requirements of the program under which the Province provides the Funds;
- (c) the Recipient makes an assignment, proposal, compromise, or arrangement for the benefit of creditors, or a creditor makes an application for an order adjudging the Recipient bankrupt, or applies for the appointment of a receiver; or
- (d) the Recipient ceases to operate.

A13.2 **Consequences of Events of Default and Corrective Action.** If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient; and
- (i) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A13.3 **Opportunity to Remedy.** If, in accordance with section A13.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will give Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

A13.4 **Recipient not Remediating.** If the Province provided the Recipient with an opportunity to remedy the Event of Default pursuant to section A13.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A13.2(a), (c), (d), (e), (f), (g), (h), and (i).

A13.5 **When Termination Effective.** Termination under Article will take effect as provided for in the Notice.

A14.0 FUNDS AT THE END OF A FUNDING YEAR

A14.1 **Funds at the End of a Funding Year.** Without limiting any rights of the Province under Article A13.0, if the Recipient has not spent all of the Funds allocated for the Funding Year as provided for in the Budget, the Province may take one or both of the following actions:

- (a) demand from the Recipient payment of the unspent Funds; and
- (b) adjust the amount of any further instalments of Funds accordingly.

A15.0 FUNDS UPON EXPIRY

A15.1 **Funds Upon Expiry.** The Recipient will, upon expiry of the Agreement, pay to the Province any Funds remaining in its possession or under its control.

A16.0 DEBT DUE AND PAYMENT

A16.1 **Payment of Overpayment.** If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay an amount equal to the excess Funds to the Province.

A16.2 **Debt Due.** If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or
- (b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not the Province has demanded their payment,

such Funds or other amount will be deemed to be a debt due and owing to the Province by the Recipient, and the Recipient will pay the amount to the Province immediately, unless the Province directs otherwise.

A16.3 **Interest Rate.** The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.

A16.4 **Payment of Money to Province.** The Recipient will pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and delivered to the Province as provided for in Schedule "B".

A16.5 **Fails to Pay.** Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

A17.0 NOTICE

A17.1 **Notice in Writing and Addressed.** Notice will be in writing and will be

delivered by email, postage-prepaid mail, personal delivery, or fax, and will be addressed to the Province and the Recipient respectively as provided for Schedule "B", or as either Party later designates to the other by Notice.

A17.2 **Notice Given.** Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; or
- (b) in the case of email, personal delivery, or fax, one Business Day after the Notice is delivered.

A17.3 **Postal Disruption.** Despite section A17.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will give Notice by email, personal delivery, or fax.

A18.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A18.1 **Consent.** When the Province provides its consent pursuant to the Agreement, it may impose any terms and conditions on such consent and the Recipient will comply with such terms and conditions.

A19.0 SEVERABILITY OF PROVISIONS

A19.1 **Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement. Any invalid or unenforceable provision will be deemed to be severed.

A20.0 WAIVER

A20.1 **Waiver Request.** Either Party may, in accordance with the Notice provision set out in Article A17.0, ask the other Party to waive an obligation under the Agreement.

A20.2 **Waiver Applies.** Any waiver a Party grants in response to a request made pursuant to section A20.1 will:

- (a) be valid only if the Party granting the waiver provides it in writing; and
- (b) apply only to the specific obligation referred to in the waiver.

A21.0 INDEPENDENT PARTIES

A21.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

A22.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A22.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A22.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on the Parties' respective heirs, executors, administrators, successors, and permitted assigns.

A23.0 GOVERNING LAW

A23.1 **Governing Law.** The Agreement and the rights, obligations, and relations of

the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A24.0 FURTHER ASSURANCES

A24.1 **Agreement into Effect.** The Recipient will provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains, and will otherwise do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A25.0 JOINT AND SEVERAL LIABILITY

A25.1 **Joint and Several Liability.** Where the Recipient is comprised of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A26.0 RIGHTS AND REMEDIES CUMULATIVE

A26.1 **Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A27.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A27.1 **Other Agreements.** If the Recipient:

- (a) has failed to comply with any term, condition, or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a "**Failure**");
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A28.0 SURVIVAL

A28.1 Survival. The following Articles and sections, and all applicable cross-referenced sections and schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0, Article 3.0, Article A1.0 and any other applicable definitions, section A2.1(a), sections A4.2(d), A4.5, section A5.2, section A7.1 (to the extent that the Recipient has not provided the Reports or other reports as may have been requested to the satisfaction of the Province), sections A7.2, A7.3, A7.4, A7.5, A7.6, Article A8.0, Article A9.0, section A11.2, sections A12.2, A12.3, sections A13.1, A13.2(d), (e), (f), (g) and (h), Article A15.0, Article A16.0, Article A17.0, Article A19.0, section A22.2, Article A23.0, Article A25.0, Article A26.0, Article A27.0 and Article A28.0.

- END OF GENERAL TERMS AND CONDITIONS -

SCHEDULE "B"
PROJECT SPECIFIC INFORMATION AND ADDITIONAL
PROVISIONS

Maintenance and Operating	See Ministry for Seniors and Accessibility Funding Letter
Special Grant	See Ministry for Seniors and Accessibility Funding Letter
Maximum Funds	See Ministry for Seniors and Accessibility Funding Letter
Expiry Date	Until terminated pursuant to Article A11.0, Article A12.0, or Article A13.0.
Amount for the purposes of section A5.2 (Disposal) of Schedule "A"	\$2,000
Insurance	\$2,000,000
Contact information for the purposes of Notice to the Province	<p>Name: Anita Koch</p> <p>Position: Senior Program Consultant</p> <p>Address: 777 Bay Street, 6th Fl, Toronto ON M5G 2C8</p> <p>Phone: 416-212-0491</p> <p>Email : anita.koch@ontario.ca</p>
Contact information for the purposes of Notice to the Recipient (Program management)	<p>Name: <i>Insert Name</i></p> <p>Position: <i>Insert Position</i></p> <p>Address: <i>Insert Address</i></p> <p>Phone: <i>Insert Phone Number</i></p> <p>Email: <i>Insert Email Address</i></p>
Contact information for the senior financial person in the Recipient organization (e.g., CFO, CAO) – to respond as required to requests from the Province related to the Agreement	<p>Name: Mr. Martin Hayward</p> <p>Position: Chief Administrative Officer</p> <p>Address: City of London, 300 Dufferin Avenue P.O. Box 5035 London, Ontario, Canada N6A 4L9</p> <p>Phone: 519-661-2489 Ext 1724</p> <p>Email: mhayward@london.ca</p>

Additional Provisions:

1. Objective

The Funds are provided for the objective of promoting active and healthy living, social engagement and learning for persons who are primarily seniors by providing them with activities and services. All Funds provided by the Province to the Recipient must be spent in support of this objective.

2. Program Guidelines

- a. The Recipient agrees to abide by all terms and conditions in the Program Guidelines in respect of the use of the Funds.
- b. The Province agrees to provide the Recipient with prompt notice of any revisions to the Program Guidelines.

- End -

Bill No. 584
2018

By-law No. CPOL.-____-____

A by-law to eliminate the “one-third tax free” allowance for Elected Officials.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London at its meeting on December 20, 2002 passed a resolution declaring Municipal Council’s intention pursuant to subsection 255(2) of the *Municipal Act, R.S.O. 1990 c. M. 45* to continue to have one-third of council remuneration deemed to be expenses incident to the discharge of his or her duties;

AND WHEREAS the Municipal Council of the Corporation of the City of London at its meetings on May 1, 2006, November 15, 2010, and October 27, 2015 further resolved to continue to deem one third of the remuneration paid to members of Council and its local boards expenses incident to the discharge of their duties and therefore tax exempt pursuant to the provisions of subsection 238 of the *Municipal Act, 2001*;

AND WHEREAS subsection 283 (5) of the *Municipal Act, 2001, S.O. 2001*, provides if a resolution of a municipality under subsection 255(2) or (3) of the old Act is not revoked before January 1, 2003, the resolution shall be deemed to be a by-law of the municipality and one-third of the remuneration paid to the elected members of the council and its local boards is deemed as expenses incident to the discharge of their duties as members of the council or local board;

AND WHEREAS subsection 283 (6) of the *Municipal Act, 2001, S.O. 2001*, provides that Council may repeal a by-law under subsection (5);

AND WHEREAS at its meeting held on August 22, 2017, Municipal Council resolved that the “one-third tax free” allowance for Council members be eliminated effective for the next Council term based on recommendations from the 2016 Council Compensation Review Task Force,

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

1. Municipal Council’s resolution passed on December 20, 2002 that was deemed to be a by-law of the municipality by subsection 283(5) of the *Municipal Act, S.O. 2001* is hereby repealed.
2. Municipal Council’s resolution passed on December 20, 2002 is hereby revoked.

3. That the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer be authorized to take any and all administrative acts that are necessary to eliminate the one third tax free allowance.

4. This by-law shall come into force and effect on January 1, 2019.

Passed in Open Council on October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

Bill No. 585
2018

By-law No. CPOL.-_____-____

A by-law to introduce the “Surplus School Site Evaluation and Acquisition Policy”.

WHEREAS Section 5(3) of the Municipal Act, 2001, S.O. 2001, C. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS Section 9 of the Municipal Act, 2001, S.O. 2001, C. 25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purposes of exercising its authority;

AND WHEREAS the Municipal Council of the Corporation of the City of London wishes to introduce the Council Policy attached as “Schedule A” with the new Council Policy template and applying the gender equity lens;

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

1. The “Surplus School Site Evaluation and Acquisition Policy” attached hereto as Schedule “A” be introduced as Council Policy.
2. This by-law shall come into effect on the day it is passed.

PASSED in Open Council on October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

Schedule “A”

Council Policy: Surplus School Site Evaluation and Acquisition Policy

Policy Name: Surplus School Site Evaluation and Acquisition Policy

Legislative History: None

Last Review Date: October 9, 2018

Service Area Lead: Manager, Long Range Planning and Research

1. Policy Statement

To establish a Council policy for the evaluation and acquisition of surplus school sites.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the Corporation of the City of London for the evaluation of sites for potential municipal acquisition that have been identified by School Boards as surplus to school needs.

4. The Policy

4.1 Municipal Needs

Surplus school sites will be evaluated for acquisition for one or more of the following municipal needs:

- As a site for an affordable housing project. This will be the first need evaluated.
- As a site for a community centre
- As a site to address an identified parkland deficiency

4.2 Evaluation Process

An administrative review team representing Service Areas and Agencies responsible for affordable housing, parkland development and community centre development shall be established to evaluate sites within the City for potential acquisition that have been identified as surplus to a School Board’s needs.

Criteria for the municipal acquisition of an identified surplus school site will be established.

Staff will report the results of the evaluation if the site meets one or more identified municipal needs, and prepare a recommendation to Council to acquire the site. If the site that is declared surplus does not meet an identified municipal need, it will not be recommended for acquisition.

4.3 Partnerships

The City may partner in the development of a site that has been recommended for acquisition in accordance with City policies regarding partnerships. Such partnerships may include the development of any portion of a site.

4.5 Sites Recommended for Acquisition

Sites that meet a municipal need will be recommended for acquisition, and a Source of Financing will be identified.

The City may consider the acquisition of sites that are larger than required to meet a municipal need, and may dispose of the portion not required for the municipal need to offset costs associated with the acquisition and development of the site.

Bill No. 586
2018

By-law No. L.-130()-____

A by-law to provide for the licensing, regulating and governing of vehicles for hire, including cabs, accessible cabs, limousines, private vehicles for hire and accessible vehicles for hire, owners and brokers.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 11 Business Licensing;

AND WHEREAS subsection 151(1) of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10 of the Act, a municipality may: provide for a system of licences with respect to a business and may;

- (a) prohibit the carrying on or engaging in the business without a licence;
- (b) refuse to grant a licence or to revoke or suspend a licence;
- (c) impose conditions as a requirement of obtaining, continuing to hold or renewing a licence;
- (d) impose special conditions on a business in a class that have not been imposed on all of the businesses in that class in order to obtain, continue to hold or renew a licence;
- (e) impose conditions, including special conditions, as a requirement of continuing to hold a licence at any time during the term of the licence;
- (f) license, regulate or govern real and personal property used for the business and the persons carrying it on or engaged in it; and,
- (g) require a person, subject to such conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with any part of a system of licences established by the municipality;

AND WHEREAS subsection 151(5) of the *Municipal Act, 2001* provides that subsection 151(1) applies with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9, 10 and 11 as if it were a system of licences with respect to a business;

AND WHEREAS subsection 156(1) of the *Municipal Act, 2001* provides that without limiting sections 9, 10 and 11, a local municipality, in a by-law under section 151 with respect to the owners and drivers of taxicabs, may:

- (a) establish the rates or fares to be charged for the conveyance of property or passengers either wholly within the municipality or from any point in the municipality to any point outside the municipality;
- (b) provide for the collection of the rates or fares charged for the conveyance; and
- (c) limit the number of taxicabs or any class of them;

AND WHEREAS the Council for the City of London considers it necessary and desirable for the public to regulate Vehicles for Hire for the purposes of health and safety, consumer protection and service quality to ensure an efficient Vehicle for Hire service is available to all persons including the travelling public in the City of London and that such Vehicle for Hire service is provided in a manner that provides a safe environment for both passengers and drivers;

AND WHEREAS section 23.2 of the *Municipal Act, 2001* permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS Council for the City of London is of the opinion that the delegation of legislative powers under this by-law to the Licensing Manager and the Hearings Officer, including without limitation the power to issue and impose conditions on a licence, prescribe vehicle, operational and reporting standards to be imposed on licensees as being powers of a minor nature having regard to the number of people, the size of geographic area and the time period affected by the exercise of the power in accordance with subsection 23.2(4) of the *Municipal Act, 2001*;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees and charges on persons,

- (a) for services or activities provided or done by or on behalf of it;
- (b) for costs payable by it for services or activities provided or done by or on behalf of any other municipality or any local board; and,
- (c) for the use of its property including property under its control;

AND WHEREAS section 444 of the *Municipal Act, 2001* provides that the municipality may make an order requiring the person who contravened the by-law or who caused or permitted the contravention to discontinue the contravening activity, and any person who contravenes such an order is guilty of an offence;

AND WHEREAS it is deemed expedient to pass this by-law;

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

VEHICLE FOR HIRE BY-LAW

PART 1	DEFINITIONS
PART 2	PROHIBITIONS
PART 3	APPLICATION OF BY-LAW – EXEMPTIONS
PART 4	ADMINISTRATION OF BY-LAW
PART 5	APPLICATION FOR LICENCES AND RENEWALS
PART 6	ISSUANCE OF LICENCES
PART 7	NOTIFICATION OF CHANGE OF INFORMATION
PART 8	NUMBER OF CAB AND ACCESSIBLE CAB OWNER LICENCES
PART 9	CAB PRIORITY LIST
PART 10	LEASING OF CABS
PART 11	TRANSFER OF CAB OWNER LICENCES
PART 12	TRANSFER OF CAB OWNER LICENCES BY ESTATE
PART 13	POWERS OF LICENCE MANAGER
PART 14	HEARINGS BEFORE THE HEARINGS OFFICER
PART 15	INSPECTIONS
PART 16	FARES
PART 17	LICENCE AND OTHER FEES
PART 18	PENALTY
PART 19	GENERAL
PART 20	MISCELLANEOUS
SCHEDULE 1	VEHICLE FOR HIRE DRIVERS
SCHEDULE 2	VEHICLE FOR HIRE OWNERS
SCHEDULE 3	GENERAL BROKER
SCHEDULE 4	TRANSPORTATION NETWORK COMPANY BROKER
SCHEDULE 5	FEES

PART 1 DEFINITIONS

1.1 For the purpose of this By-law:

“Accessible Cab” means a Cab that is wheelchair-accessible permitting the loading, transportation and off-loading of a person with a disability confined to a wheelchair, or other similar device, without transfer, and is available for or providing a Conveyance Service, but does not include a Limousine, Private Vehicle for Hire or an Accessible Private Vehicle for Hire;

“Accessible Cab Driver” means a Licensed Cab Driver whose Licence has been endorsed by the Licence Manager to permit them to drive an Accessible Cab;

“Accessible Cab Owner” means a person who holds a Class A Accessible Cab Owner Licence and corresponding Owner Plate or a Class B Accessible Cab Owner Licence and corresponding Owner Plate;

“Accessible Cab Priority List” means the list of Applicants for Accessible Cab Owner Licences maintained by the Licence Manager in accordance with this By-law;

“Accessible Vehicle” means an Accessible Cab or an Accessible Private Vehicle for Hire or both as the context requires;

“Accessible Private Vehicle for Hire” means a Private Vehicle for Hire that is wheelchair-accessible permitting the loading, transportation and off-loading of a person with a disability confined to a wheelchair, or other similar device, without transfer, and is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab or a Limousine;

“Accessible Private Vehicle for Hire Driver” means a Private Vehicle for Hire Driver who has been endorsed by the Licence Manager to permit them to drive an Accessible Private Vehicle for Hire;

“Applicant” means a person applying for a licence under this By-law;

“Broker” means any person who accepts Orders for or Dispatches a Vehicle for Hire and includes a Transportation Network Company.

“Brokerage” means the business of a Broker and shall be deemed to include the premises where the business is carried on;

“Cab” means a motor vehicle that is available for or providing a Conveyance Service, but does not include a Limousine, Private Vehicle for Hire or an Accessible Private Vehicle for Hire;

“Cab Driver” means a person who holds a Cab Driver Licence;

“Cab Owner” means a person who holds a Class A Cab Owner Licence and corresponding Owner Plate or a Class B Cab Owner Licence and corresponding Owner Plate;

“Cab Meter” means an independent self-contained measuring device approved by the Licence Manager and used in a Cab or Accessible Cab to calculate, amongst other things, the rate payable for a Trip;

“Cab Priority List” means the list of Applicants for Cab Owner Licences maintained by the Licence Manager in accordance with this By-law;

“Cab Stand” means the area set aside and designated by the City to be used by a Cab or an Accessible Cab while it is waiting for or picking up goods or Passengers;

“City” means The Corporation of the City of London;

“City Clerk” means the City Clerk of The Corporation of the City of London or a person delegated by them for the purpose of this By-law.

“City Plated Vehicle” means a Cab, Accessible Cab, Limousine, Private Vehicle for Hire or Accessible Private Vehicle for Hire that has an Owner Plate;

“Class A Accessible Cab Owner” means a person who holds a Class A Cab Owner Licence and corresponding Owner Plate;

“Class A Cab Owner Licence” means a Cab Owner Licence issued in the first instance on or before October 31, 2004 with a corresponding Owner Plate numbered 100-999 inclusive;

“Class B Accessible Cab Owner” means a person who holds a Class B Cab Owner Licence and corresponding Owner Plate;

“Class B Accessible Cab Owner Licence” means an Accessible Cab Owner Licence issued in the first instance after October 31, 2008 or an Accessible Cab Owner Licence issued to a person from the Accessible Cab Priority List with the corresponding Owner Plate numbered 1000 or greater;

“Class B Cab Owner” means a person who holds a Class B Cab Owner Licence and corresponding Owner Plate;

“Class B Cab Owner Licence” means a Cab Owner Licence issued in the first instance after October 31, 2004 or a Cab Owner Licence issued from the Cab Owner Priority List with the corresponding Owner Plate numbered 1000 or greater;

“Conveyance Service” means conveying one or more persons in exchange for a fee or other consideration;

“Council” means the Municipal Council of The Corporation of the City of London;

“Dispatch” means the sending of a Vehicle for Hire to a location for the purpose of offering or providing transportation to a Passenger, and includes but is not limited to:

- (i) receiving telephone or radio calls from prospective Passengers and directing a person operating a Vehicle for Hire to attend at the Passenger’s requested location;
- (ii) offering or operating any part of a mobile application or other electronic service that receives requests for transportation services from prospective Passengers and connects such requests to a person operating a Vehicle for Hire; or
- (iii) any other action that results in a Passenger and Vehicle for Hire being in the same place at the same time for the purpose of providing the Passenger with Vehicle for Hire services, regardless of whether the Vehicle for Hire services are actually provided to the Passenger.

“Driver” means the individual who has care and control of a Cab, Accessible Cab, Limousine, Private Vehicle for Hire or Accessible Private Vehicle;

“Enforcement Officer” means a Municipal Law Enforcement Officer appointed by the Council or a police officer with the London Police Services;

“Fare” means the amount charged to a Passenger for transportation provided in a Vehicle for Hire;

“Fleet” means one or more City Plated Vehicles being Dispatched by a Broker;

“General Broker” means a Broker that Dispatches Cabs, Accessible Cabs or Limousines;

“Hearings Officer” means a Hearings Officer appointed under the City’s Hearings Officer By-law A.-6653-121 as amended;

“Lease” means any contract, agreement, understanding or other arrangement whereby an Owner permits another person to manage, operate, control, have custody of, or otherwise employ their Cab, but does not include permitting a Driver to drive a Cab for one regular shift when the Cab is returned to the Owner at the end of the shift;

“Licence” means a licence issued under this By-law;

“Licensed” means licensed under this By-law;

“Licence Manager” means the Chief Municipal Law Enforcement Officer of the City and includes their delegates;

“Licensee” means any person licensed under this By-law;

“Limousine” means Limousine (Executive), Limousine (Stretch), or Limousine (Classic);

“Limousine Driver” means a person who holds a Limousine Driver Licence;

“Limousine (Classic)” means a motor vehicle for which an historic permit has been issued under the *Highway Traffic Act* that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab, Limousine (Executive), Limousine (Stretch), Private Vehicle for Hire or Accessible Private Vehicle for Hire;

“Limousine (Executive)” means a luxury motor vehicle of a wheelbase size smaller than a stretch limousine manufactured to carry up to ten (10) passengers, excluding the driver, and approved by the Licence Manager;

“Limousine (Stretch)” means a luxury-class motor vehicle manufactured or modified with an extended wheel-base with a seating capacity for not more than 10 individuals that is available for or providing a Conveyance Service, but does not include a Cab, Accessible Cab, Limousine (Executive), Limousine (Classic), Private Vehicle for Hire or Accessible Private Vehicle for Hire;

“Limousine Owner” means a person who holds a Limousine (Executive), Limousine (Stretch) or Limousine (Classic) Owner Licence and corresponding Owner Plate;

“Limousine Stand” means the area set aside and designated by the City to be used by a Limousine while it is waiting for or picking up goods or Passengers;

“Municipality” means the land within the geographic limit of the City of London;

“Operate” means to drive a Cab, Accessible Cab, Limousine, Private Vehicle for Hire or Accessible Private Vehicle for Hire while it is available for or providing a Conveyance Service and operating shall have the corresponding meaning;

“Order” means a request for a motor vehicle to provide a Conveyance Service;

“Owner” means the person who holds a Cab Owner Licence, Accessible Cab Owner Licence, or a Limousine Owner Licence;

“Owner Plate” means vehicle licence identification issued to the Owner under this By-law corresponding to their Owner Licence;

“Passenger” means any individual, not including the Driver, seated in a Cab, Accessible Cab, Limousine, Private Vehicle for Hire or Accessible Private Vehicle for Hire and includes a person engaging or attempting to engage a Cab, Accessible Cab, Limousine, Private Vehicle for Hire Accessible Private Vehicle for Hire to provide a Conveyance Service;

“Plated” means to have the Owner Plate affixed to the Vehicle for Hire for which it was issued;

“Police Record Check” means a criminal information report that is a result of a search of the local police records where the applicant resides and the national databases maintained by the Canadian Police Information Centre; or alternatively, a third party police record check with a grading of Pass, Fail or Concern.

“Private Vehicle for Hire” means a motor vehicle that is available for or providing a conveyance service but does not include a Cab, Accessible Cab or Limousine;

“Private Vehicle for Hire Driver” means a person who is registered with a Transportation Network Company Broker;

“Safety Standards Certificate” means a safety standards certificate issued under the *Highway Traffic Act*;

“Transportation Network Company” means a person that Dispatches only by offering or operating any part of a mobile application or other electronic service that receives requests for transportation services from prospective passengers and connects such requests to a person operating a Vehicle for Hire;

“Transportation Network Company Broker” means a Broker that registers Private Vehicle for Hire Drivers and Dispatches Private Vehicles for Hire or Accessible Private Vehicles for Hire;

“Trip” means each journey in a Vehicle for Hire commencing when a passenger enters the vehicle, continuing for the period that the vehicle is occupied, and ending when all passengers exit the vehicle;

“Vehicle for Hire” means a motor vehicle that is conveying or available for conveying one or more persons in exchange for a fee or other consideration and includes without limitation a Cab, Accessible Cab, Limousine, Private Vehicle for Hire and Accessible Private Vehicle for Hire;

“Vehicle for Hire Driver” means a person who holds a Cab, Accessible Cab or Limousine Licence and includes a Private Vehicle for Hire Driver or Accessible Private Vehicle for Hire Driver.

PART 2 PROHIBITIONS

2.1 No person shall:

- (a) own or Operate a Vehicle for Hire without being licensed or registered with a Transportation Network Company Broker under this By-law;
- (b) dispatch a Vehicle for Hire without being licensed under this By-law;
- (c) own or Operate a Vehicle for Hire without a valid Owner Plate affixed to the Vehicle for Hire;
- (d) operate a Vehicle for Hire while their licence issued under this By-law is under suspension;
- (e) act as a Broker while their licence issued under this By-law is under suspension;
- (f) advertise the use of a Vehicle for Hire without an Owner or a Broker licence issued under this By-law; or
- (g) publish or cause to be published any representation that they are licensed under this By-law or hold themselves out as being licensed under this By-law if they are not.

PART 3 APPLICATION OF BY-LAW EXEMPTIONS

3.1 This By-law shall not apply to:

- (a) a motor vehicle with a seating capacity of 11 or more individuals, including the driver;
- (b) an ambulance or funeral hearse;
- (c) a school bus as defined under the *Highway Traffic Act* that is licensed under the *Public Vehicles Act* while it conveys students to and from school as defined under the *Highway Traffic Act*;
- (d) a bus operated under the *Public Vehicles Act* by the London Transit Commission;
- (e) the London Community Transportation Brokerage;
- (f) any person the London Transit Commission or the London Community Transportation Brokerage enters into an agreement with for the conveyance of senior citizens or persons with disabilities;
- (g) a motor vehicle used by not for profit organizations registered in the province of Ontario for the purposes of transporting senior citizens or persons with disabilities; designated driver services for which a designated driver drives the customer in the customer's vehicle to at least one destination; or
- (h) courtesy vehicles in association with motor vehicle repair shops where a customer is driven to a predetermined destination.

PART 4 ADMINISTRATION OF BY-LAW

4.1 The administration of this By-law is assigned to the Licence Manager who shall generally perform all of the administrative functions conferred upon them by this By-law and without limitation may:

- (a) receive and process all applications for all licences and renewals of licences under this By-law;
- (b) issue licences in accordance with the provisions of this By-law;
- (c) impose terms and conditions on licences in accordance with this By-law; and

- (d) refuse to issue or renew a licence or revoke or suspend a licence in accordance with this By-law.

PART 5 APPLICATION FOR LICENCES AND RENEWALS

- 5.1 Every application for a licence and renewal licence shall be made to the Licence Manager on the forms provided by the Licence Manager. Without limitation, every application for a licence or a renewal shall include the following information:
- (a) the name, date of birth, municipal address, telephone number and email address of each Applicant;
 - (b) if the Applicant is a partnership, the name, address and telephone number of each partner;
 - (c) if the Applicant is a corporation, the address of its head office, the name, address and telephone number of each director and officer;
 - (d) a sworn statement by the Applicant certifying the accuracy, truthfulness and completeness of the application;
 - (e) if the Applicant is a partnership, a sworn statement by each partner certifying the accuracy, truthfulness and completeness of the application; and,
 - (f) if the Applicant is a corporation, a sworn statement by an officer of the corporation duly authorized for that purpose certifying the accuracy, truthfulness and completeness of the application.
- 5.2 Every person applying for a licence or a renewal of a licence shall provide in full at the time the application is submitted all of the information requested on the application form as well as:
- (a) payment of the prescribed fee as set out in Schedule "5" of this By-law;
 - (b) if the Applicant or Licensee is a corporation, a copy of the incorporating documentation, a copy of the last initial notice or notice of change which has been filed with the provincial or federal government and a Certificate of Status issued by the Ministry of Government and Consumer Services dated no later than thirty (30) days prior to the date of the application;
 - (c) if the Applicant or Licensee is a partnership, details of each partner's interest in the partnership; and,
 - (d) any other documentation or information as may be required in any other part of this By-law, including any Schedule to this By-law, or by the Licence Manager.
- 5.3 The Licence Manager may require affidavits in support of an application for or a renewal of a licence.
- 5.4 Every application may be subject to investigations by and comments or recommendations from the municipal, provincial or federal departments or agencies as the Licence Manager deems necessary including but not limited to:
- (a) the London Police Services;
 - (b) the Chief Municipal Law Enforcement Officer of the City;
 - (c) the Ministry of Transportation.

PART 6 ISSUANCE OF LICENCES

- 6.1 Every licence shall be electronic or in the form and manner as provided by the Licence Manager and shall, without limitation, include on its face:

- (a) the licence number;
 - (b) the name of each Licensee; and
 - (c) the date the licence was issued and the date it expires.
- 6.2 Every licence that is issued for the first time, and every renewal thereof, is subject to the following conditions of obtaining, continuing to hold and renewing a licence all of which shall be performed and observed by the Applicant or the Licensee:
- (a) the Applicant or Licensee shall pay the prescribed fee as set out in Schedule “5” of this By-law;
 - (b) the Applicant or Licensee shall pay all fees and fines owed by the Applicant or Licensee to the City; and
 - (c) the Applicant or Licensee shall meet all of the requirements of this By-law.
- 6.3 A licence issued under this By-law shall be valid only for the period of time for which it was issued. A licence issued under this By-law may be renewed provided the Applicant meets all of the requirements of this By-law. An application for a renewal shall be delivered to the Licence Manager on or before the expiry date of the licence being renewed.
- 6.4 A Vehicle for Hire Driver Licence may be issued for a term of 12 or 24 months with the term commencing on the day it is issued and ending on the day set out on the face of the Licence. This will not apply to Private Vehicle for Hire Drivers or Accessible Private Vehicle for Hire Drivers.
- 6.5 All Cab Owner, Accessible Cab Owner, Limousine Owner Licences and Broker Licences shall expire on October 31st each year.
- 6.6 The issuance of a licence or renewal thereof under this By-law is not intended and shall not be construed as permission or consent by the City for the Licensee to contravene or fail to observe or comply with any law of Canada, Ontario or any By-law of the City.
- 6.7 Every Licence, at all times, is owned by and is the property of the City and is valid only in respect of the person named therein.
- 6.8 No person shall sell, purchase, lease, mortgage, charge, assign, pledge, transfer, seize, distraint or otherwise deal with a Licence, including any right title or interest therein, issued under this By-law except in accordance with Parts 10, 11 and 12 of this By-law.
- 6.9 All Fees and inspection fees paid under this By-law are non-refundable.
- 6.10 A limitation is imposed on the issuance of Cab Owner Licences as set out in Part 8 of this By-law.
- 6.11 The following classes of Licences may be issued under this By-law in accordance with the provisions of this By-law and the corresponding Schedules and every Applicant and Licensee shall comply with all of the provisions of this By-law and the corresponding Schedules:
- a) Drivers – Schedule “1”
 - i) Vehicle for Hire Driver
 - ii) Accessible Vehicle for Hire Driver
 - b) Owners – Schedule “2”
 - i) Class A Cab Owner
 - ii) Class B Cab Owner

- iii) Class A Accessible Owner
- iv) Class B Accessible Owner
- v) Limousine Owner
- c) General Broker – Schedule “3”
- d) Transportation Network Company Broker – Schedule “4”

PART 7 NOTIFICATION OF CHANGE OF INFORMATION

- 7.1 When a Licensee changes their name, address, affiliated Broker, employer or any other information relating to their Licence, the Licensee shall notify the Licence Manager within 5 days after such change and if necessary, as determined by the Licence Manager, the Licence shall be returned immediately to the Licence Manager for amendment.
- 7.2 When the Licensee is a corporation and there is any change in the following information given on the application namely: the names and addresses of officers or directors, the location of the corporate head office, change of ownership of shares, the Licensee shall report the change to the Licence Manager within 5 days of the change and if necessary as determined by the Licence Manager, the Licence shall be returned immediately to the Licence Manager for amendment.

PART 8 NUMBER OF CAB AND ACCESSIBLE CAB OWNER LICENCES

- 8.1 A limitation is imposed on the issuance of Cab Owner Licences at whichever number is greater:
- (a) the number of licences issued under By-law No. L.-129-51 immediately before its repeal; or,
 - (b) a ratio of one Licence for each 1,100 residents of the City, the total number of residents of the City to be determined annually from the latest revised population figures available from Statistics Canada.
- 8.2 A limitation is imposed on the number of Accessible Cab Owner Licences at the ratio of one Licence for every 12 Cab Owner Licences.
- 8.3 Nothing in this By-law shall be construed as preventing an Owner from converting a Cab Owner Licence to an Accessible Cab Owner Licence. An Accessible Cab Owner Licence shall not be converted to a Cab Owner Licence.
- 8.4 To regulate the distribution of available Cab Owner Licences and Accessible Cab Owner Licences, the Licence Manager shall issue new Cab Owner Licences and Accessible Cab Owner Licences only at such times as the formula referred to in subsection 8.1(a) and (b) of this By-law warrants the issuance of new Cab Owner Licences and Accessible Cab Owner Licences. If warranted, the new Licences shall be issued upon review of the population figures being available from Statistics Canada and in the order from the Cab Priority List or the Accessible Cab Priority List.

PART 9 CAB PRIORITY LIST AND ACCESSIBLE CAB PRIORITY LIST

- 9.1 The Licence Manager shall establish and maintain a Cab Priority List and an Accessible Cab Priority List to be used in determining the priority for issuing new Cab Owner Licences and Accessible Cab Owner Licences, using the following criteria:
- (a) applicants that are on the Cab Priority List or the Accessible Cab Priority List on or before February 28th, 2017 shall have their name placed on the Cab Priority List or Accessible Cab Priority List and maintain their order;

- (b) on or after March 1 , 2017, a person may have their name added to the Cab Priority List or Accessible Cab Priority List by providing to the Licence Manager a completed application in a form as prescribed by the Licence Manager together with the prescribed fee as set out in Schedule “5”;
 - (c) in order to remain on the Cab Priority List or the Accessible Cab Priority List, a person must submit an application as prescribed by the Licence Manager together with the applicable fee on or before November 1st each year. Where no such application is received, the person’s name will be removed from the Cab Priority List or Accessible Cab Priority List
 - (d) where a person’s name has been placed on a Cab Priority List or Accessible Cab Priority List, it is their responsibility to provide the Licence Manager with any change to their contact information.
 - (e) no person shall hold more than one position on the Cab Priority List or Accessible Cab Priority List at any one time;
 - (f) once a person receives a Cab Owner Licence or Accessible Cab Owner Licence by means of the Cab Priority List, Accessible Cab Priority List or by a transfer, the Licence Manager shall remove that person’s name from the Cab Priority List or Accessible Cab Priority List.
- 9.2 When a Cab Owner Licence or Accessible Cab Owner Licence becomes available for issuance, the Licence Manager shall send a letter to the person whose name is at the top of the Cab Priority List or Accessible Cab Priority List by first class prepaid mail requesting that they, or each partner if the Applicant is a partnership, attend at the office of the Licence Manager within 45 days of the date of the letter to;
- (a) submit an Application for such Licence; and
 - (b) pay the required fee.
- 9.3 Every newly Licensed Cab Owner or Accessible Cab Owner shall place their Cab or Accessible Cab in operation within 45 days from the date the Cab Owner Licence or Accessible Cab Owner Licence is granted, failing which the Cab Owner Licence or Accessible Cab Owner Licence shall be returned to the Licence Manager who may proceed to issue the Cab Owner Licence or Accessible Cab Owner Licence to another eligible Applicant on the Cab Priority List or Accessible Cab Priority List.
- 9.4 When a Cab Owner Licence or Accessible Cab Owner Licence is issued or denied to a person on the Cab Priority List or Accessible Cab Priority List, that person’s name shall be removed from the Cab Priority List or Accessible Cab Priority List by the Licence Manager and all other names below shall be moved forward one position.
- 9.5 No person, by virtue of the submission of an Application for a Cab Owner Licence or Accessible Cab Owner Licence or by virtue of the placing of their name on the Cab Priority List or Accessible Cab Priority List, shall obtain a vested right to a Cab Owner Licence or Accessible Cab Owner Licence, or to remain on the Cab Priority List or Accessible Cab Priority List.
- 9.6 The City may at any time amend or repeal this By-law and any successor By-laws and place further or additional requirements or restrictions on persons on the Cab Priority List or Accessible Priority List or purge or eliminate the Cab Priority List or Accessible Priority List.
- 9.7 The Cab Priority List or Accessible Priority List shall not oblige the City to issue a Licence to any person on it, regardless of their position on the list. The Cab Priority List and Accessible Cab Priority List shall not give any person a vested interest in a Cab Owner Licence or Accessible Cab Owner Licence and its use

shall be solely for establishing the order of priority of persons seeking a Cab Owner Licence or Accessible Cab Owner Licence

- 9.8 The Licence Manager shall remove the name of an individual from the Cab Priority List immediately upon learning of their death.
- 9.9 The Cab Priority List shall be available for inspection by the public during normal business hours at the office of the Licence Manager.

PART 10 LEASING OF CABS

- 10.1 No Person shall enter into or be party to any Lease or otherwise convey rights over a Cab Licence or Accessible Cab Licence or Owner Plate or give or receive any consideration or remuneration therefore.
- 10.2 Notwithstanding subsection 10.1 of this By-law, a Cab Owner holding a Class A Cab Owner Licence may lease their Cab provided that;
- (a) the lessee is Licensed as a Vehicle for Hire Driver, Owner or Broker;
 - (b) under the terms of the Lease, the Cab Owner provides a Cab that is Plated and otherwise meets all of the requirements of this By-law;
 - (c) under the terms of the Lease, the Cab Owner is responsible for the maintenance of and insurance on the Cab;
 - (d) the Lease is for one Cab and expires upon the sale, replacement or other disposition of the Cab;
 - (e) the Cab Owner or a partner, if the Applicant is a partnership, or an officer or director, if the Applicant is a corporation, signs a statutory declaration stating that the Owner Plate will not be transferred during the term of the Lease;
 - (f) the Lease is in writing and signed by the parties thereto;
 - (g) a copy of the Lease is filed with the Licence Manager; and
 - (h) all fees required under this By-law are paid.
- 10.3 The written Lease may be in any form agreed to by the parties thereto, provided that it includes:
- (a) the date of its signing;
 - (b) the names and business addresses of the parties thereto;
 - (c) its effective date;
 - (d) its termination date;
 - (e) a full description of the Cab which is the subject of the Lease, including the vehicle identification number, the make, the model year, the licence plate number and the number of the Owner Licence and Owner Plate;
 - (f) the parties' rights to early termination of the Lease; and
 - (g) the signatures of the parties and witnesses thereto.
- 10.4 No person shall sub-lease or purport to sub-lease a Cab that is the subject of a Lease.
- 10.5 No Owner shall, by a term in a Lease or otherwise, permit any lessee or other person to lease or sub-lease or purport to lease or sub-lease a Cab that is the subject of a Lease.
- 10.6 No person shall be a party to a Lease or purported Lease of a Cab to which the Owner is not the lessor.

- 10.7 Every Cab Owner shall notify the Licence Manager in writing of the expiration or other sooner termination of any Lease to which they are a party within 10 days of the expiration of the termination of the said Lease.
- 10.8 No Cab Owner shall enter into or be a party to more than one Lease at any one time with respect to any one Cab.

PART 11 TRANSFER OF CAB AND ACCESSIBLE CAB OWNER LICENCES

- 11.1 Class A Cab Owner and Class A Accessible Cab Owner Licences are transferable, provided that:
- (a) the transferee is a Licensed Vehicle for Hire Driver;
 - (b) the transferee, or a partner, if the transferee is a partnership, or an officer or director, if the transferee is a corporation, signs a statutory declaration as set out by the Licence Manager;
 - (c) the transferor or a partner, if the transferor is a partnership, or an officer or director, if the transferor is a corporation, has completed a written application for such a transfer;
 - (d) the transferee meets all of the requirements of a Cab Owner or Accessible Cab Owner under this By-law, including submitting the Cab or Accessible Cab to which the Owner Plate will be affixed for inspection; and
 - (e) all fees required under this By-law are paid.
- 11.2 Class B Cab Owner Licences and Class B Accessible Cab Owner Licences the corresponding Owner Plates numbered 1000 or greater shall not be transferred.

PART 12 TRANSFER OF CAB OWNER AND ACCESSIBLE CAB OWNER LICENCES BY ESTATE

- 12.1 Within 30 days following the death of an individual holding a Class A Cab Owner or Class A Accessible Cab Owner Licence, the executor or administrator of the individual's estate shall file with the Licence Manager:
- (a) proof of death of the individual; and
 - (b) proof of the executor's or administrator's capacity.
- 12.2 Class B Cab Owner Licences and Class B Accessible Cab Owner Licences shall not be transferable and shall be returned to the Licence Manager within 30 days following the death of an individual holding such Licence.
- 12.3 On the death of an individual holding one or more Class A Cab Owner or Class A Accessible Cab Owner Licences:
- (a) the executor or administrator of the individual's estate may continue to hold any Class A Cab Owner or Class A Accessible Cab Owner Licences for up to one year following the date of death, subject to all of the requirements of this By-law;
 - (b) during the year following the date of death, the executor or administrator of the individual's estate may transfer the Class A Cab Owner or Class A Accessible Cab Owner Licence to anyone currently Licensed as a Vehicle for Hire Driver;
 - (c) after the year following the date of death, the executor or administrator of the individual's estate may continue to hold one Class A Cab Owner or Class A Accessible Cab Owner Licence, if they meet all of the requirements for holding such Owner Licence under this By-law; and

(d) after one year following the date of death, all Class A Cab or Class A Accessible Cab Owner Licences that have not been transferred in accordance with subsections 12.3(b) or 12.3(c) of this By-law shall be revoked and returned to the Licence Manager by the executor or administrator of the individual's estate immediately.

12.4 Notwithstanding subsection 12.3(d) of this By-law, if the executor or administrator of the individual's estate has not transferred all Class A Cab or Class A Accessible Cab Owner Licences in accordance with subsections 12.3 (b) or 12.3 (c), they may request a hearing before a Hearings Officer to consider an extension of up to 2 years before revocation. A request for a hearing shall be made by filing with the City Clerk a notice of appeal in writing and the appeal fee as set out in this By-law prior to the expiration of the 1 year period in subsection 12.3 (d) of this By-law. The notice of appeal must comply with the requirements as set out in Schedule "1" of the City's Hearings Officer By-law A.-6653-121, as amended.

PART 13 POWERS OF LICENCE MANAGER

13.1 The power and authority to refuse to issue or renew a licence, to cancel, revoke or suspend a licence, to impose terms and conditions, including special conditions, on a licence, or to exempt any person from all or part of this By-law are delegated to the Licence Manager.

13.2 The Licence Manager shall issue a licence or renew a licence where the requirements or conditions of this By-law have been met.

13.3 The Licence Manager may refuse to issue, refuse to renew or revoke or suspend a licence or impose a term or condition on a licence on the following grounds:

- (a) the conduct of the Applicant or Licensee, or any partner, officer, director, employee or agent of the Applicant or Licensee, affords reasonable cause to believe that the Applicant or Licensee will not carry on their business in accordance with the law or with honesty or integrity;
- (b) an Applicant or Licensee is carrying on activities that are in contravention of this By-law;
- (c) there are reasonable grounds to believe that an application or other documents provided to the Licence Manager by or on behalf of the Applicant or a Licensee contains a false statement;
- (d) any information contained in the original application form or any other information provided to the Licence Manager, has ceased to be accurate and the Licensee has not provided up-to-date accurate information to the Licence Manager to allow the Licence Manager to conclude that the Licence should continue;
- (e) an Applicant or Licensee does not meet, at any time, one or more of the requirements of this By-law or any conditions imposed on a Licence;
- (f) the Applicant or Licensee is not in compliance with any federal, provincial law or City By-law, including this By-law;
- (g) the Applicant or Licensee or any partner, officer or director has been convicted of an offence, for which a pardon has not been granted, pursuant to any one or more of Parts V (Sexual Offences), VIII (Offences Against the Person and Reputation) or IX (Offences Against Property) of the *Criminal Code of Canada*, R.S.C. 1985 c. C-46, as amended or any other criminal convictions in the preceding five (5) years;
- (h) the Applicant or Licensee or any partner, officer or director has been convicted of an indictable offence under any Statute of Canada, including but

not limited to the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drug Act*, and the *Controlled Drug and Substances Act* during the preceding five (5) years;

- (i) the Applicant or Licensee has been convicted of any other criminal offence for which, in the opinion of the Licence Manager, it would not be in the interest of public safety to issue a licence;
- (j) the Applicant or Licensee is currently under a prohibition order issued in any court within Canada that prohibits the operation of a motor vehicle;
- (k) the Applicant or Licensee does not have a valid "G" Ontario Driver's Licence or equivalent or their driver's licence is under suspension; or
- (l) the Applicant or Licensee has accumulated 9 or more demerit points within a three year period.

13.4 Notwithstanding any other provision of this By-law, the Licence Manager may impose terms and conditions on any licence at issuance, renewal or any time during the term of the licence, including special conditions, as are necessary in the opinion of the Licence Manager to give effect to this By-law.

13.5 Where the Licence Manager is of the opinion that:

- (a) an application for a licence or renewal of a licence should be refused;
- (b) a reinstatement should not be made;
- (c) a licence should be revoked;
- (d) a licence should be suspended; or,
- (e) a term or condition of a licence should be imposed

the Licence Manager shall make that decision.

13.6 Where the Licence Manager has made a decision under section 13.5 of this By-law the Licence Manager's written notice of that decision shall be given to the Applicant or the Licensee by regular mail to the last known address of that person and shall be deemed to have been given on the 3rd day after it is mailed. Service on a corporation can be effected by regular mail to the address of the corporation's head office.

13.7 The written notice to be given under section 13.6 of this By-law shall:

- (a) set out the grounds for the decision;
- (b) give reasonable particulars of the grounds;
- (c) be signed by the Licence Manager; and,
- (d) state that the Applicant or Licensee is entitled to a hearing by the Hearings Officer if the Applicant or Licensee files with the City Clerk a notice of appeal in writing and the appeal fee as set out in this By-law within ten (10) business days after the notice in section 13.6 of this By-law is given. The notice of appeal must comply with the requirements as set out in Schedule 1 of the City's Hearings Officer By-law A-6653-121 as amended.

13.8 Where no appeal is filed within the required time period, the decision of the Licence Manager shall be final.

13.9 Despite section 13.7 of this By-law, where a Licence is voluntarily surrendered by the Licensee for revocation, the Licence Manager may revoke the Licence without notice to the Licensee.

- 13.10 In addition to any other power, duty or function prescribed by this By-law, the Licence Manager may make regulations under this By-law including:
- (a) prescribing the form of any information required to be provided to the Licence Manager under this By-law;
 - (b) prescribing the format and content of any forms or other documents required under this By-law;
 - (c) prescribing standards for Vehicles for Hire including without limitation to:
 - (i) classes of vehicles that may be used as Limousines (Executive);
 - (ii) standards related to the condition of Vehicles for Hire;
 - (iii) colours and or markings for Vehicles for Hire, including without limitation to roof or top lights;
 - (iv) standards related to advertising on the exterior or interior of Vehicles for Hire;
 - (v) standards for Cab Meters;
 - (vi) standards for public notification for consumer protection purposes;
 - (vii) submission requirements for supplementary Safety Standards Certificates.
 - (d) prescribing operational standards for Vehicles for Hire Drivers including without limitation to:
 - (i) standards for the display of Fares and Licences;
 - (ii) customer service standards;
 - (iii) driver training standards;
 - (e) prescribing standards for the form and content of records required to be kept maintained and released to the Licence Manager by Brokers under Schedule 3 and 4 of this By-law.

13.11 The City Clerk shall maintain a record of all regulations prescribed by the Licence Manager under this By-law. The record of all regulations shall be available for public inspection at the office of the Licence Manager and the office of the City Clerk during normal business hours.

PART 14 HEARINGS BEFORE THE HEARINGS OFFICER

- 14.1 The power and authority to conduct hearings of appeals under this By-law are hereby delegated to the Hearings Officer.
- 14.2 The provisions of the City's Hearings Officer By-law A-6653-121 as amended apply to all hearings conducted by the Hearings Officer under this By-law.
- 14.3 The Hearings Officer may uphold or vary the decision of the Licence Manager or make any decision that the Licence Manager was entitled to make in the first instance.
- 14.4 The decision of the Hearings Officer is final.

PART 15 INSPECTIONS

- 15.1 Every Owner or Driver shall submit or cause to be submitted their Vehicle for Hire for inspection when required to do so by the Licence Manager or an Enforcement Officer to a place designated by the Licence Manager or an Enforcement Officer:

- (a) forthwith if the vehicle is in the presence of the Licence Manager, an Enforcement Officer or an Ontario Ministry of Transportation Inspector and the vehicle is in Operation; or
 - (b) within 24 hours of receipt of the request, at a time set by the Licence Manager or an Enforcement Officer, if the vehicle is not in the presence of the Licence Manager, an Enforcement Officer or an Ontario Ministry of Transportation Inspector.
- 15.2 Every Owner or Driver shall, upon the request of the Licence Manager or an Enforcement Officer during an inspection, produce all relevant licences, permits, invoices, vouchers, appointment books or like documents and the Licence Manager or an Enforcement Officer may remove any of these documents for photocopying provided that the Owner or Driver is given a receipt and the documents are returned to them within 48 hours.
- 15.3 Notification of an inspection or an order made under section 15 of this By-law shall be served on an Owner:
- (a) personally;
 - (b) by email to the last known address of the Owner, whether actually received or not;
 - (c) personally on the Driver Operating the City Plated Vehicle;
 - (d) by leaving a copy with an individual at a Brokerage associated with the Owner; or
 - (e) by facsimile or email to the last known facsimile number or email address of a Broker associated with the Owner.
- 15.4 An Enforcement Officer may require a Driver or an Owner to submit or cause to be submitted their Vehicle for Hire for a random inspection, including an inspection by a designated mechanic or a designated representative of the manufacturer of the Cab Meter, at a time and place specified by the Enforcement Officer to ensure that the provisions of this By-law are being complied with.
- 15.5 When the Licence Manager or an Enforcement Officer believes on reasonable grounds that a Vehicle for Hire is being Operated such that it is a danger to the health or safety of the public, or does not comply with any requirement of this By-law or any regulation as prescribed by the Licence Manager either may:
- (a) remove the Owner Plate;
 - (b) order the Driver to have the vehicle towed to a place of repair or other private property at the Driver's or the Owner's expense;
 - (c) order the Owner not to Operate or permit the Operation of the vehicle until the danger is remedied, the vehicle has been inspected by the Licence Manager or an Enforcement Officer and, in the case of a Cab or Accessible Cab, the Cab Meter has been resealed; or
 - (d) order the Owner to file with the Licence Manager a Safety Standards Certificate after the date of the order.
- 15.6 An Owner whose Vehicle for Hire is deemed unsafe or dangerous due to mechanical defects, may be required to attend before the Licence Manager to determine whether or not their Licence should be suspended, revoked or have conditions imposed on it.
- 15.7 For the purpose of section 15.6, mechanical defect includes, but is not limited to, mechanical defects directly or indirectly related to any part or parts of the vehicle involving or affecting:
- (a) its brakes or braking system;

- (b) its steering system;
- (c) its suspension system;
- (d) its under body;
- (e) its exhaust system;
- (f) the condition of its tires;
- (g) its lighting;
- (h) its glass;
- (i) its seat belt operation;
- (j) its wheelchair restraints, if applicable;
- (k) its heating system; or
- (l) the condition of the vehicle's body.

15.8 When the vehicle has been in an accident, the Owner shall:

- (a) immediately remove the vehicle from service; and
- (b) notify the Licence Manager of the collision; and
- (c) notify the Licence Manager of the details of the vehicle's repairs.

15.9 Once the repairs to the vehicle have been effected, the Owner or Driver shall provide the Enforcement Officer with a current Safety Standards Certificate and the Enforcement Officer shall inspect the Vehicle for Hire.

15.10 When the Licence Manager or an Enforcement Officer believes on reasonable grounds that a Vehicle for Hire does not comply with the requirements of this By-law, they may order the Owner to bring it into compliance, and the order shall:

- (a) state the Owner Plate number of the vehicle;
- (b) give reasonable particulars of any repairs to be made;
- (c) indicate the time for compliance with the order;
- (d) give notice that if the order is not complied with the Owner Licence may be suspended; and
- (e) require that the Owner Plate be returned to the Licence Manager immediately.

PART 16 FARES

A schedule of Fares including any discounts or promotions shall be set by the Broker and submitted by the Broker to the Licence Manager. The minimum Fare per Trip shall not be less than \$3.50.

PART 17 LICENCE AND OTHER FEES

17.1 The annual Licence fees and all other fees to be paid to the City under this By-law shall be as listed in Schedule "5" of this By-law.

PART 18 PENALTY

18.1 Any person who contravenes any provision of this By-law, including any Schedule attached hereto, is guilty of an offence.

18.2 A director or officer of a corporation who knowingly concurs in the contravention of any provision of this By-law, including any Schedule attached hereto, is guilty of an offence.

- 18.3 A person convicted under this By-law is liable to a maximum fine of \$25,000.00 upon a first conviction and a maximum fine of \$50,000.00 for any subsequent conviction.
- 18.4 Despite section 18.3 where the person convicted is a corporation, the corporation is liable to a maximum fine of \$50,000.00 upon a first conviction and a maximum fine of \$100,000.00 for any subsequent conviction.
- 18.5 If this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by this By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order,
- (a) prohibiting the continuation or repetition of the offence by the person convicted; and,
 - (b) requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

PART 19 GENERAL

- 19.1 If any provision or part of this By-law is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, the balance of the By-law, or its application in other circumstances, shall not be affected and shall continue to be in full force and effect.
- 19.2 If there is a conflict between a provision of this By-law and a provision of any other City By-law, then the more restrictive provision shall apply.
- 19.3 Unless otherwise stated, the requirements of the Schedules to this By-law shall be in addition to all other requirements of this By-law.

PART 20 MISCELLANEOUS

- 20.1 By-law L.-129-51 and any amendments thereto are hereby repealed.
- 20.2 This By-law may be referred to as the "Vehicle for Hire By-law".
- 20.3 This By-law shall come into force and effect on October 16, 2018.

PASSED in Open Council on October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

SCHEDULE 1 – VEHICLE FOR HIRE DRIVERS

LICENCE APPLICATIONS, DRIVER'S DUTIES, DRIVER'S PROHIBITIONS

1.0 LICENCE APPLICATIONS

- 1.1 Every Applicant for a Vehicle for Hire Driver Licence or a renewal thereof, or alternatively, a Broker acting on the behalf of the Applicant shall:
- a) submit to the Licence Manager a complete application form for such Licence;
 - b) submit to the Licence Manager documentation showing proof of Canadian Citizenship, Landed Immigrant Status, or a Work Permit to work as a driver issued by the Government of Canada;
 - c) submit to the Licence Manager a valid Class G driver's licence issued by the Province of Ontario which is in good standing according to the records of the Ministry of Transportation;
 - d) submit to the Licence Manager proof that they are at least 18 years of age;
 - e) submit to the Licence Manager a Police Record Check dated no later than 60 days prior to the application for a Licence;
 - f) submit to the Licence Manager a Ministry of Transportation driver's abstract dated no later than 60 days prior to the application for a Licence;
 - g) submit to the Licence Manager the name of the Licensed Broker with whom they are affiliated.

Accessible Vehicle for Hire Driver

- 1.2 In addition to the requirements of Section 1.1 of this Schedule, every Applicant for an Accessible Vehicle for Hire Driver Licence in the first instance shall satisfactorily complete a sensitivity course approved by the Licence Manager pertaining to the transportation of persons with disabilities.

2.0 DRIVER'S DUTIES

- 2.1 Every Vehicle for Hire Driver shall:
- a) carry their driver's licence issued under the *Highway Traffic Act*, and their Licence while operating a Vehicle for Hire;
 - b) comply with all operational standards for Vehicles for Hire Drivers as prescribed by the Licence Manager under this By-law;
 - c) report immediately to the Licence Manager if they are charged or convicted with any offence under the *Criminal Code of Canada*, the *Narcotic Control Act*, the *Food and Drugs Act*, the *Controlled Drugs and Substances Act* or the *Highway Traffic Act*;
 - d) report immediately to the Licence Manager if their driver's licence issued under the *Highway Traffic Act* is cancelled, suspended or revoked or if their driver's licence has expired, and surrender immediately their Licence to the Licence Manager;
 - e) unless their Vehicle for Hire has been previously engaged, provide a Conveyance Service to any person, irrespective of the requested destination, refusing only if the Driver is concerned for their personal safety;
 - f) make available the number of the Owner Plate and the name of the Fleet that the Vehicle for Hire belongs to in an accessible format to Passengers who are persons with disabilities.

Accessible Vehicle for Hire Driver

2.2 In addition to all of the requirements set out in section 2.1 of this Schedule, every Accessible Vehicle for Hire Driver shall:

- a) ensure that all wheelchairs being transported within the Accessible Vehicle are securely fastened so as to prevent them from moving when the Accessible Vehicle is in motion;
- b) ensure that the Accessible Vehicle:
 - (i) is equipped with an extra tire, wheel and jack ready for use for that Accessible Vehicle;
 - (ii) is equipped with wheelchair tie downs;
 - (iii) is in compliance with the Canadian Standards Association's Standard D409-M84 and all other applicable federal and provincial legislation including without limitation to O. Reg 1990 629 under the *Highway Traffic Act*;
 - (iv) is equipped with a first aid kit;
 - (v) is equipped with a dry chemical fire extinguisher having an effective total rating of at least 4-Bc and weighing 2.27 kilograms; and
 - (vi) is equipped with operable air-conditioning and heating;
- c) give priority for Conveyance Services for persons with disabilities over persons without disabilities.

Cab and Accessible Cab Drivers

2.3 In addition to all of the requirements set out in section 2.1 of this Schedule, every Cab or Accessible Cab Driver shall, where a Passenger is paying a Fare as calculated by a Cab Meter, engage the Cab Meter at the start of the Trip and keep it running throughout the Trip; noting that the driver has discretion to disengage the Cab Meter during periods of traffic disruption.

3.0 DRIVER'S PROHIBITIONS

3.1 No Vehicle for Hire Driver shall:

- a) smoke inside a Vehicle for Hire;
- b) operate a Vehicle for Hire whose owner is not licensed under this By-law;
- c) Operate a Vehicle for Hire without the number of the Owner Plate and the name of the Fleet it belongs to displayed on the rear bumper of the Vehicle for Hire in accordance with subsection 2.6 (c) and 2.7 (i) of Schedule "2" of this By-law;
- d) Operate a Vehicle for Hire when the Driver has been on duty for more than 14 hours within a 24 hour period, without first taking 10 hours off duty. Within the 14 hour on duty period, a maximum of 12 hours may be consecutive on duty time;
- e) Operate a Vehicle for Hire that does not comply with the operational standards as set out in the regulations as prescribed by the Licence Manager.
- f) Operate a Vehicle for Hire without insurance as required under subsection 1.2 (d) of Schedule "2" of this By-law.

- 3.2 No Private Vehicle for Hire Driver or Accessible Private Vehicle for Hire Driver shall provide a Conveyance Service without such service being arranged through a mobile application or other electronic service that receives requests for transportation services from passengers and connects such requests to a person operating a Vehicle for Hire.
- 3.3 No Private Vehicle for Hire Driver or Accessible Private Vehicle for Hire Driver shall accept payment of a Fare other than through a mobile payment application or other electronic service that receives requests for transportation services from passengers and connects such requests to a person operating a Vehicle for Hire.
- 3.4 No Private Vehicle for Hire Driver or Accessible Private Vehicle for Hire Driver shall provide a Conveyance Service without the request for such service being Dispatched by a Licensed Transportation Network Company Broker.

SCHEDULE 2 – VEHICLE FOR HIRE OWNERS

CLASS A CAB

CLASS B CAB

CLASS A ACCESSIBLE CAB

CLASS B ACCESSIBLE CAB

LIMOUSINE (EXECUTIVE, CLASSIC & STRETCH)

LICENCE APPLICATIONS, VEHICLE REQUIREMENTS, OWNER DUTIES, OWNER PROHIBITIONS

1.0 LICENCE APPLICATIONS

- 1.1 A person who is the owner of more than one Vehicle for Hire shall take out a separate Licence and Owner Plate for each vehicle.
- 1.2 Every Applicant, or alternatively, a Broker acting on the behalf of the Applicant shall:
- a) if the Applicant is an individual, attend at the office of the Licence Manager in person and complete a written application for such Licence, or alternatively, submit an application electronically;
 - b) if the Applicant is partnership, have a partner attend at the office of the Licence Manager in person and complete a written application for such Licence, or alternatively, submit an application electronically;
 - c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority attend at the office of the Licence Manager in person and complete a written application for such Licence, or alternatively, submit an application electronically;
 - d) file with the Licence Manager:
 - i. proof that the vehicle to be Plated has a current motor vehicle permit that is in good standing issued under the *Highway Traffic Act* and is either registered in their name or leased by them;
 - ii. proof of insurance in respect of the vehicle to be Plated indemnifying and protecting the Owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager who shall be notified in writing at least 60 days prior to the date of its cancellation or expiry;
 - iii. a Safety Standards Certificate issued within the previous 60 days with respect to the vehicle to be Plated; and
 - e) submit for inspection and approval by the Licence Manager the vehicle that is to be Plated that meets all of the requirements of this Schedule and all standards for Vehicles for Hire prescribed by the Licence Manager under this By-law, if requested by the Licence Manager.

Class A Cab Owner, Class B Cab Owner and Accessible Cab Owner

- 1.3 In addition to all of the requirements set out in section 1.1 of this Schedule, every Applicant for a Cab Owner Licence or Accessible Cab Owner Licence or any renewal thereof, shall file with the Licence Manager a certificate of accuracy with respect to the Cab Meter installed in the vehicle to be Plated, dated not later than 30 days prior to the application for a Licence, by a qualified and authorized representative of the manufacturer of the Cab Meter on its letterhead stating that the Cab Meter is properly sealed and registers accurately.

2.0 VEHICLE REQUIREMENTS

2.1 Every Owner shall ensure that their Vehicle for Hire:

- a) has a seating capacity of not more than 10 individuals;
- b) meets all standards for Vehicles for Hire prescribed by the Licence Manager under this By-law.

2.2 For the purpose of this By-law the age of any motor vehicle shall be determined by counting the model year as year zero.

2.3 No motor vehicle more than 10 (ten) years old may be Plated as a Vehicle for Hire under this By-law.

2.4 Sections 2.2 and 2.3 do not apply to a Limousine (Classic).

Class A Cab Owner, Class B Cab Owners

2.6 In addition to all of the requirements set out in section 2.1 of this Schedule, every Cab Owner shall ensure that their Cab has:

- a) the Owner Plate issued for the Cab securely affixed to its right rear trunk;
- b) a fully-operational Cab Meter for registering distance travelled, waiting time, and computing Fares;
- c) has displayed on the rear bumper of the Vehicle for Hire the number of the Owner Plate issued for the Vehicle for Hire and the name of the Fleet it belongs to in text that is high colour-contrasted with its background in order to assist with visual recognition, has the appearance of solid characters and is consistently shaped, coloured and positioned with other vehicles in the Fleet;

Accessible Cab Owners

2.7 In addition to all of the requirements set out in section 2.1 of this Schedule, every Accessible Cab Owner shall ensure that their Accessible Cab:

- a) has the Owner Plate issued for the Accessible Cab securely affixed to its right rear trunk;
- b) has a fully-operational Cab Meter for registering distance travelled, waiting time, and computing Fares;
- c) is equipped with an extra tire, wheel and jack ready for use for that Accessible Cab;
- d) is equipped with wheelchair tie downs;
- e) is equipped with a first aid kit;
- f) is equipped with a dry chemical fire extinguisher having an effective total rating of at least 4-B c and weighing 2.27 kilograms;
- g) is equipped with operable air-conditioning and heating;
- h) is in compliance with the Canadian Standards Association's Standard D409-M84 and all other federal and provincial legislation including without limitation to R.R.O. 1990, Reg. 629 under the *Highway Traffic Act*; and
- i) has displayed on the rear bumper of the Vehicle for Hire the number of the Owner Plate issued for the Vehicle for Hire and the name of the Fleet it belongs

to in text that is high colour-contrasted with its background in order to assist with visual recognition, has the appearance of solid characters and is consistently shaped, coloured and positioned with other vehicles in the Fleet:

Limousine Owners

2.8 In addition to all the requirements set out in section 2.1 of this Schedule, every Limousine Owner shall ensure that their Limousine has:

- a) the Owner Plate issued for the Limousine securely affixed to its right rear trunk.

OWNER'S DUTIES

3.1 Every Owner shall:

- a) keep at all times in their Vehicle for Hire, the original or a photocopy of the original of each of the following documents:
 - i) the current Vehicle for Hire Owner Licence;
 - ii) a current Ministry of Transportation passenger motor vehicle permit issued for their Vehicle for Hire;
 - iii) valid certificate of insurance for the Vehicle for Hire obtained in accordance with the requirements of this By-law.
- b) repair all of their Vehicle for Hire's mechanical defects immediately when reported by a Driver, the Licence Manager or an Enforcement Officer;
- c) submit their Vehicle for Hire for a safety inspection annually by a motor vehicle inspection mechanic at a motor vehicle inspection station as defined by the *Highway Traffic Act* and at other times as requested to do so by the Licence Manager or an Enforcement Officer;
- d) maintain insurance on their Vehicle for Hire as required under subsection 1.2(d) of this Schedule;
- e) file with the Licence Manager at least 5 days prior to the expiry date of any current insurance policy an insurance renewal policy or certificate of insurance;
- f) ensure that their Vehicle for Hire complies with all regulations as prescribed by the Licence Manager under this By-law; and
- g) ensure that every Driver or lessee or every other person involved in the operation of the Vehicle for Hire complies with all of the requirements of this By-law.

Cab and Accessible Cab Owners

3.2 In addition to all of the requirements set out in section 3.1 of this Schedule, every Cab Owner and Accessible Cab Owner shall:

- a) submit the Cab Meter for testing, inspection and sealing by such person as the Licence Manager directs at any time; and
- b) submit on or before October 31st of each year a certificate of accuracy satisfactory to the Licence Manager for any Cab Meter for testing, inspection and sealing.

Class B Cab Owners

3.3 In addition to all of the requirements set out in section 3.1 of this Schedule, every Class B Cab Owner shall:

- a) Operate their Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31st; and
 - b) if the Owner is a partnership, each partner shall drive their Cab on a full-time basis for a minimum of 35 hours a week for 40 weeks for the period of November 1 to October 31st.
- 3.4 Notwithstanding section 3.3 of this Schedule, the Licence Manager may exempt a Class B Cab Owner from the minimum hours of operation required if, on account of illness, injury or other medical disability, they have been unable to meet the requirements of that subsection, if they file with the Licence Manager a statutory declaration so stating, together with supporting documentation including a medical certificate from a physician certified to practice in Ontario and such other evidence as the Licence Manager may require and the statutory declaration shall also state that they did meet the requirements of section 3.3 of this Schedule before the onset of their medical disability.

OWNER'S PROHIBITIONS

- 4.1 No Owner shall:
- a) operate or permit their Vehicle for Hire to be Operated without an Owner Plate;
 - b) permit any person to Operate their Vehicle for Hire without that person being Licensed as a Vehicle for Hire Driver under this By-law;
 - c) permit their Owner Plate to be used with respect to any other vehicle other than the vehicle for which the Owner Plate was issued;
 - d) require or permit a Driver to Operate the Owner's Vehicle for Hire when the Driver has been on duty for more than 14 hours within a 24 hour period without first taking 10 hours off duty. Within the 14 hour on duty period, a maximum of 12 hours may be consecutive on duty time;
 - e) operate or permit their Vehicle for Hire to be Operated with mechanical defects;
 - f) operate or permit their Vehicle for Hire to be Operated in affiliation with a Broker who is not licensed under this By-law;
 - g) operate or permit their Vehicle for Hire to be Operated without insurance as required under subsection 1.2(d) of this Schedule;
 - h) operate or permit their Vehicle for Hire to be Operated when it is not in compliance with any regulation as prescribed by the Licence Manager under this By-law; or
 - i) operate or permit a Vehicle for Hire that does not comply with the operational standards as set out in the regulations as prescribed by the Licence Manager.

Cab and Accessible Cab Owners

- 4.2 No Cab Owner or Accessible Cab Owner shall:
- a) fail to maintain their Cab or Accessible Cab in operation for a period of at least 120 successive days; or
 - b) permit a person to Operate their Cab or Accessible Cab when the Cab Meter is out of order or defective in any way.

SCHEDULE 3 – GENERAL BROKER

LICENCE APPLICATIONS, BROKER'S DUTIES, BROKER'S PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

- 1.1 Every Applicant for a Broker Licence shall:
- a) if the Applicant is an individual, complete a written application for such Licence;
 - b) if the Applicant is a partnership, have a partner complete a written application for such Licence;
 - c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority complete a written application for such Licence; and
 - d) file with Licence Manager proof that the Applicant has a system for receiving Orders and Dispatching Vehicles for Hire.

2.0 BROKER'S DUTIES

- 2.1 Every Broker shall:
- a) keep a record of all Vehicles for Hire associated with the Broker including: the make, model and VIN for each vehicle, the Owner's name and contact information, and a copy of the Owner's Licence;
 - b) ensure that every Driver or Owner in association with the Broker complies with all provisions of this By-law, including being Licensed;
 - c) maintain an accurate record for at least 6 months, of all Orders for each Vehicle for Hire including the following information:
 - (i) the Owner Licence number;
 - (ii) the Driver's name and Driver Licence number;
 - (iii) the date and time of Dispatch;
 - (iv) the time of arrival at pick up for all Trips;
 - (v) the time of arrival at the destination for all Trips;
 - d) comply with all regulations for the form and content of records as prescribed by the Licence Manager under this By-law;
 - e) carry on the Brokerage 24 hours a day, 7 days of the week for each week during the term of the Broker Licence;
 - f) upon request, inform a passenger of the anticipated length of time for a vehicle to arrive at the pick-up location;
 - g) notify the Licence Manager on a weekly basis of any addition to or deletion of a Vehicle for Hire from the Fleet;
 - h) when Dispatching Accessible Cabs or Accessible Private Vehicles for Hire:
 - (i) give priority for Conveyance Services for persons with disabilities over persons without disabilities; and
 - (ii) record the number of Trips each Accessible Cab or Accessible Private Vehicle for Hire has made for persons with disabilities and persons without disabilities;
 - i) ensure that each Vehicle for Hire that it Dispatches is equipped to accept credit card and debit card payments; and
 - j) ensure that each Vehicle for Hire that it Dispatches is equipped with a fully functioning global positioning system that is approved by the Licence Manager.

3.0 BROKER'S PROHIBITIONS

3.1 No Licensed Broker shall:

- a) dispatch any Driver who is not Licensed;
- b) dispatch any person who is operating a Vehicle for Hire whose owner is not Licensed;
- c) charge or receive payment for a Trip through a mobile payment application or other electronic service that receives requests for transportation services from Passengers and connects such requests to a person operating a Vehicle for Hire without:
 - (i) communicating to the Passenger clearly and transparently prior to the start of the Trip the full amount to be charged to the Passenger; and
 - (ii) receiving from the Passenger acceptance of the full amount to be charged for the Trip prior to the start of the Trip;
- d) charge or receive payment for a Trip through a mobile payment application or other electronic service that receives requests for transportation services from Passengers and connects such requests to a person operating a Vehicle for Hire for an amount other than as communicated to and accepted by the Passenger prior to the start of the Trip;
- e) dispatch a Vehicle for Hire that does not comply with the operational standards as set out in the regulations as prescribed by the Licence Manager.

SCHEDULE 4 – TRANSPORTATION NETWORK COMPANY BROKER

LICENCE APPLICATIONS, BROKER'S DUTIES, BROKER'S PROHIBITIONS

1.0 LICENCE APPLICATIONS AND RENEWALS

1.1 Every Applicant for a Broker Licence shall:

- a) if the Applicant is an individual complete a written application for such Licence;
- b) if the Applicant is a partnership, have a partner complete a written application for such Licence;
- c) if the Applicant is a corporation, have an officer or director of the corporation having signing authority complete a written application for such Licence;
- d) file with Licence Manager proof that the Applicant has a system for receiving Orders and Dispatching Vehicles for Hire; and
- e) file with the Licence Manager proof of insurance with respect to the Vehicle for Hire indemnifying and protecting the Driver, vehicle owner and the public, including Passengers, in the amount of \$2,000,000.00, which insurance shall be satisfactory to the Licence Manager.

1.2 A Private Vehicle for Hire Driver or Accessible Private Vehicle for Hire Driver may be registered for a term of 12 months with a Transportation Network Company.

2.0 BROKER'S DUTIES

2.1 Every Broker shall:

- a) keep a record of all Private Vehicle for Hire Drivers registered with the Broker;
- b) ensure that all Private Vehicle for Hire Drivers submit to the Transportation Network Company annually the following:
 - i) a valid Class G drivers licence issued by the Province of Ontario
 - ii) proof that they are at least 18 years of age;
 - iii) a Police Record Check dated no older than 60 days prior to registration;
 - iv) a Ministry of Transportation abstract dated no older than 60 days prior to registration;
 - v) a Safety Standards Certificate issued within the previous 60 days prior to driver registration;
- c) ensure that all submissions be reviewed by the Transportation Network Company before the driver is registered in accordance with Part 13, Section 13.3;
- d) keep a record of all registered Drivers and their associated vehicles, including: the make, model and VIN for each vehicle, the vehicle owner's name and contact information, and a copy of the vehicle ownership;
- e) ensure that every Driver in association with the Broker complies with all provisions of this By-law;
- f) maintain an accurate record for at least 6 months, of all Orders for each Vehicle for Hire including the following information:
 - (i) the Driver's name;

- (ii) the Driver's Ontario licence plate number;
 - (iii) the date and time of Dispatch;
 - (iv) the time of arrival at pick up for all Trips; and
 - (vi) the time of arrival at the destination for all Trips;
- g) comply with all regulations for the form and content of records as prescribed by the Licence Manager under this By-law;
 - h) carry on the Brokerage 24 hours a day, 7 days of the week for each week during the term of the Broker Licence;
 - i) upon request, inform a passenger of the anticipated length of time for a vehicle to arrive at the pick-up location;
 - j) notify the Licence Manager on a weekly basis of any addition to or deletion of a Driver from the Transportation Network Company Broker;
 - k) when Dispatching Accessible Private Vehicles for Hire:
 - (i) give priority for Conveyance Services for persons with disabilities over persons without disabilities; and
 - (ii) record the number of Trips each Private Vehicle for Hire has made for persons with disabilities and persons without disabilities;
 - l) ensure that each Vehicle for Hire that it Dispatches is equipped to accept electronic forms of payment; and
 - m) ensure that each Vehicle for Hire that it Dispatches is equipped with a fully functioning global positioning system that is approved by the Licence Manager.

2.2 In addition to all the requirements in section 2.1 of this Schedule, every Transportation Network Company shall remit to the City the per trip fee referenced in Schedule "5" on a monthly basis, such remittance shall be made to the City by the 15th of the month following the month to which the remittance relates, and upon request shall provide the Licence Manager with record establishing the basis of the calculation of the said per trip charges.

3.0 BROKER'S PROHIBITIONS

3.1 No Licensed Broker shall:

- a) dispatch any Private Vehicle for Hire Driver who is not registered with the Transportation Network Company Broker;
- b) charge or receive payment for a Trip through a mobile payment application or other electronic service that receives requests for transportation services from Passengers and connects such requests to a person operating a Vehicle for Hire without:
 - (i) communicating to the Passenger clearly and transparently prior to the start of the Trip the full amount to be charged to the Passenger; and
 - (ii) receiving from the Passenger acceptance of the full amount to be charged for the Trip prior to the start of the Trip;
- c) charge or receive payment for a Trip through a mobile payment application or other electronic service that receives requests for transportation services from Passengers and connects such requests to a person operating a Vehicle for Hire for an amount other than as communicated to and accepted by the Passenger prior to the start of the Trip;

- d) dispatch a Vehicle for Hire that does not comply with the operational standards as set out in the regulations as prescribed by the Licence Manager.

SCHEDULE 5 - FEES

5.1 Licence fees identified in this By-law are non-refundable.

5.2 Each fee listed below shall be charged by the City in each particular instance.

CATEGORY	FEE PLUS APPLICABLE TAXES
Driver Licence	\$60 per year
- Cab, Accessible Cab, Limousine	\$120 every two years
Owner Licence	\$750 per year
- Class A & Class B Cab	
- Limousine	
- Class A & Class B Accessible Cab	
General Broker Licence	\$400 per year
Transportation Network Company	
1-50 vehicles	\$1 000 plus \$0.25c per Trip
51-100 vehicles	\$5 000 plus \$0.25c per Trip
101-500 vehicles	\$10 000 plus \$0.25c per Trip
501-1000 vehicles	\$15 000 plus \$0.25c per Trip
1000 plus vehicles	\$50 000 plus \$0.25c per Trip
Replacement of Owner Plate or Driver Licence Replacement	\$35
Cab or Accessible Cab Priority List	\$25 one-time fee
Request for Appeal of Decision of Licence Manager	\$100

Bill No. 587
2018

By-law No. L.S.P.- _____ - ____

A by-law to designate 172 Central Avenue to be of cultural heritage value or interest.

WHEREAS pursuant to the *Ontario Heritage Act, R.S.O. 1990, c. 0.18*, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of cultural heritage value or interest;

AND WHEREAS notice of intention to so designate the property known as 172 Central Avenue has been duly published and served and no notice of objection to such designation has been received;

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

1. The real property at 172 Central Avenue, more particularly described in Schedule "A" attached hereto, is designated as being of cultural heritage value or interest for the reasons set out in Schedule "B" attached hereto.
2. The City Clerk is authorized to cause a copy of this by-law to be registered upon the title to the property described in Schedule "A" hereto in the proper Land Registry Office.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Trust and to cause notice of this by-law to be published once in a newspaper of general circulation in The City of London, to the satisfaction of the City Clerk, and to enter the description of the aforesaid property, the name and address of its registered owner, and designation statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property in the Register of all properties designated under the *Ontario Heritage Act*.
4. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

SCHEDULE "A"

To By-law No. L.S.P.- _____ - ____

Legal Description

Lot 23, Plan 238(W), London

SCHEDULE “B”

To By-law No. L.S.P.- _____ - ____

Statement for Designation

Description of Property

The property located at 172 Central Avenue is located on the north side of Central Avenue (formerly Lichfield Street, Litchfield Street) between Richmond Street and St. George Street. A two storey brick building with an elevated basement is located on the property.

Statement of Cultural Heritage Value or Interest

The property at 172 Central Avenue is of cultural heritage value or interest because of its physical or design values, historical or associative values, and its contextual values.

The property at 172 Central Avenue includes a house which is a representative example of the Italianate style in London. Popular in the 1870s-1880s, the Italianate style was at the height of its popularity when the house at 172 Central Avenue was constructed in about 1882.

The house has a symmetrical two-storey façade with three bays, where the central bay slightly projecting, which is typical of the Italianate style. However, the remaining design qualities of the house are unusual. It is narrow with its broadest façade facing Central Avenue to make the home appear larger and grander. The two storey house is very tall, emphasizing the verticality of the Italianate style in the elevated basement and formal approach up to the main entry door, nearly ten foot ceilings on the main floor, and twelve foot ceilings on the second storey. These design characteristics are often attributed to Dr. Oronhyatekha's robust stature.

The house demonstrates a high degree of integrity with respect to the Italianate style and its vertical emphasis in the design treatment of the façade, as it retains a number of original features, including: symmetrical façade, wooden two-over-two windows, paired and single brackets at the eaves, brick quoins, brick string course, brick voussoirs, brick frieze, shallow hipped roof, and slightly projecting central bay with gable and round louvered opening.

Dr. Oronhyatekha (1841-1907) is a person of National Historic Significance with direct historical associations to the property at 172 Central Avenue. He and his family lived in the house at 172 Central Avenue in its first occupancy in about 1882 until 1889. Dr. Oronhyatekha is often attributed as having a hand in the design of the house at 172 Central Avenue, as demonstrated in its tall ceilings, robust detailing, and prominent street-facing presentation to emphasize the prestige of the address. London is important in an understanding of Dr. Oronhyatekha's significance as he was living in London when he first joined the International Order of Foresters as well as when he became its Supreme Chief Ranger. Dr. Oronhyatekha cited London as the “cradle” of the International Order of Foresters. Dr. Oronhyatekha was remembered by Londoners well after his departure from London and death in 1907.

The house at 172 Central Avenue is associated with the International Order of Foresters as the home of its first Supreme Chief Ranger, Dr. Oronhyateka. The fashionable Italianate style of the house reflects the grandness and stature of a community leader, like Dr. Oronhyateka.

The property is also associated with Tony Urquhart (b.1934), who lived at 172 Central Avenue from 1968 until 1972. Tony Urquhart was the first Artist-in-Residence at the University of Western Ontario. He is the co-founder of the Canadian Artist Representation/Frontes des Artistes Canadiens, and is known for his distinctive “box” style of paintings and sculptures as one of Canada's pioneering abstractionists. He was inducted into the Order of Canada in 1995.

The property at 172 Central Avenue has the potential to yield information on an understanding of Mohawk ideals and Victorian values as reflected in the home of Dr. Oronhyatekha.

The property at 172 Central Avenue is important in defining the character of the North Talbot area. The North Talbot area is characterized by homes primarily in the 1870s and 1880s which reflect popular architectural styles of the time. The prominent design values of the house allow it to define this character.

Heritage Attributes

The heritage attributes which support or contribute to the cultural heritage value or interest of the property at 172 Central Avenue include:

- Form, scale, and massing of the two storey brick building with elevated basement;
- Setback of the building from Central Avenue;
- Orientation of the building with its broadest façade towards Central Avenue;
- Brick exterior cladding (now painted) and brick detailing, including string course, frieze, quoins, voussoirs, and two chimneys;
- Symmetrical, three-bay façade with middle bay slightly projecting;
- Shallow pitched hipped roof with gable roof emphasizing the slightly projecting middle bay of the building;
- Louvered round window in the front gable;
- Paired and single wood brackets at the eaves;
- Segmented arch window openings with radiating brick voussoirs;
- Wooden two-over-two windows; and,
- Wood shutters on the front façade.

Bill No. 588
2018

By-law No. PH-18-18_____

A by-law to amend By-law PH-18 entitled, “A by-law to prohibit and regulate public nuisances within the City of London.” to prohibit nuisance feeding of wildlife.

WHEREAS section 5(3) of the *Municipal Act, 2001* S.O. 2001, c. 25 (“*Municipal Act, 2001*”), provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: 5. Economic, social and environmental well-being of the municipality; 6. Health, safety and well-being of persons; 8. Protection of persons and property; and 9. Animals;

AND WHEREAS section 128 of the *Municipal Act, 2001* provides that, without limiting sections 9 and 10, a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances, and the opinion of Council under this section, if arrived at in good faith, is not subject to review by any court;

AND WHEREAS, in the opinion of Council, nuisance feeding of wildlife is or could become or cause a public nuisance;

AND WHEREAS section 446 of the *Municipal Act, 2001* provides that if a municipality has the authority under this or any other Act or under a by-law under this or any other Act to direct or require a person to do a matter or thing, the municipality may also provide that, in default of it being done by the person directed or required to do it, the matter or thing shall be done at the person’s expense;

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

1. By-law PH-18 is amended by deleting the sixth recital and replacing it with the following:

“AND WHEREAS, in the opinion of Council, nuisance parties, public urination and defecation, knocking over objects on the Highway, unnecessary interference with use and enjoyment of public places, and nuisance feeding of wildlife are or could become or cause public nuisances;”

2. Section 1 of by-law PH-18 is amended by inserting the following definitions:

“**feed**” and “**feeding**” includes the regular or intermittent supply of food;

“**food**” means anything that can be consumed by an animal for sustenance, but does not include:

- (a) composting materials kept in accordance with all applicable laws, regulations and by-laws;
- (b) landscaping materials or plants, trees or shrubs (including shrubs, berries on shrubs, trees, herbs, vegetables on vegetable plants, fruit on trees);

3. Section 1 of by-law PH-18 is amended by inserting the following definition:

“**Nuisance Feeding of Wildlife**” means feeding or permitting the feeding of wildlife, or leaving food that is accessible by wildlife, which results in one or more

of the following occurring so as to constitute a public nuisance whether occurring on public or private property:

- (a) excessive accumulation of food, including bird seed and seed casings;
- (b) excessive accumulation of wildlife feces;
- (c) unreasonable interference with the normal use and enjoyment of nearby premises;
- (d) excessive attraction of rodents (including mice or rats) or predatory wildlife (including coyotes) to the premises;

4. Section 1 of by-law PH-18 is amended by inserting the following definition after the definition of "Premises":

"wildlife" means an animal that belongs to a species that is wild by nature.

5. By-law PH-18 is amended by inserting the following new Section 4.2 as follows:

4.2 NUISANCE FEEDING OF WILDLIFE

(1) No person shall engage in or permit Nuisance Feeding of Wildlife.

(2) Subsection (1) shall not apply to:

- (a) land zoned for agricultural uses;
- (b) a person leaving food for a an ear-tipped cap or a feral cat colony for the purposes of a trap, neuter or spay and release program approved by the City; and
- (c) a person leaving food as bait in a trap to capture wildlife if they have the legal authority to do so.

(3) Every person who engages in or permits Nuisance Feeding of Wildlife shall immediately remove such food when directed to do so by the City, and if the person fails to do so, the City may enter upon the Premises at any reasonable time to remove the food at the person's expense. The City may recover the costs (plus interest) of removing the food from the person required to do it, by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes. The amount of costs including interest constitutes a lien on the land upon the registration in the proper land registry office of the notice of lien.

6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

Bill No. 589
2018

By-law No. S.-____-____

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Westdel Bourne south of Oxford Street West and as widening to Oxford Street West east of Westdel Bourne)

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 Westdel Bourne south of Oxford Street West and as widening to Oxford Street West east of Westdel Bourne, namely:

“All of Block 109 on Registered Plan 33M-711 in the City of London and County of Middlesex.”

And

“All of Block 110 on Registered Plan 33M-711 in the City of London and County of Middlesex.”

2. This by-law comes into force and effect on the day it is passed.

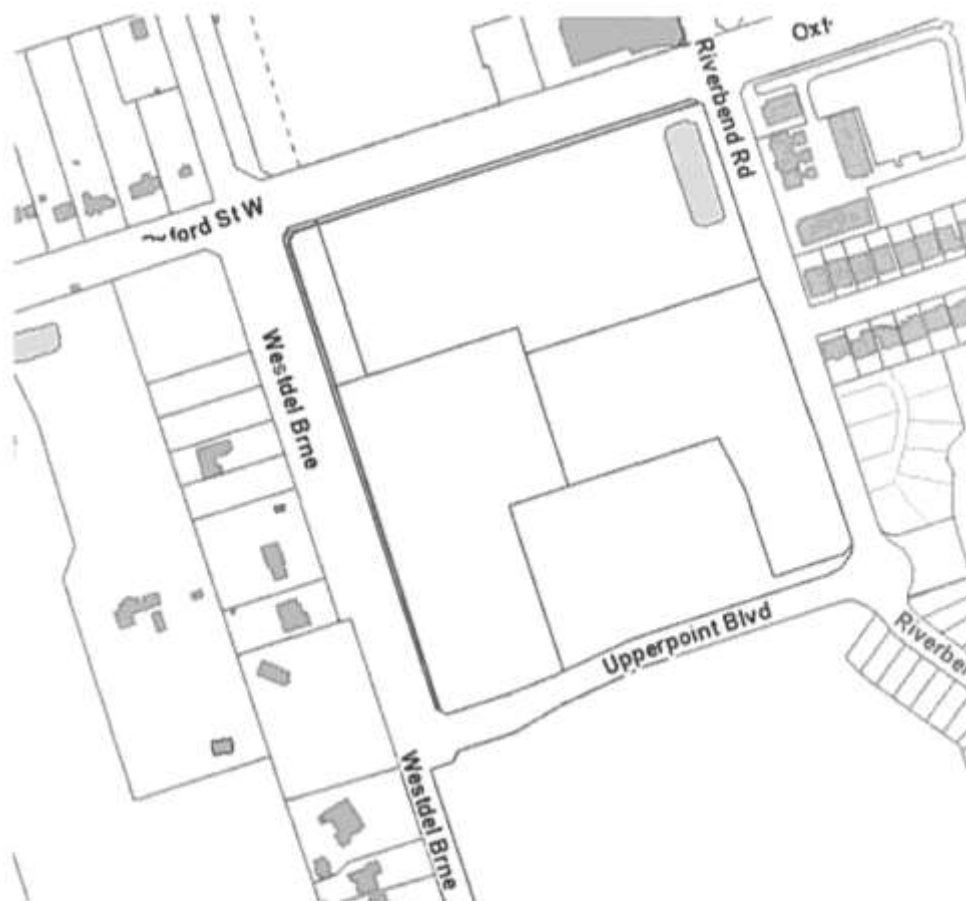
PASSED in Open Council on October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

LOCATION MAP



 SUBJECT LANDS

Bill No. 590
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the land located at 2900 Tokala Trail.

WHEREAS Foxwood Developments (London) Inc. has applied to remove the holding provisions from the zoning for the land located at 2900 Tokala Trail, 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 2900 Tokala Trail, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R5 (R5-7) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

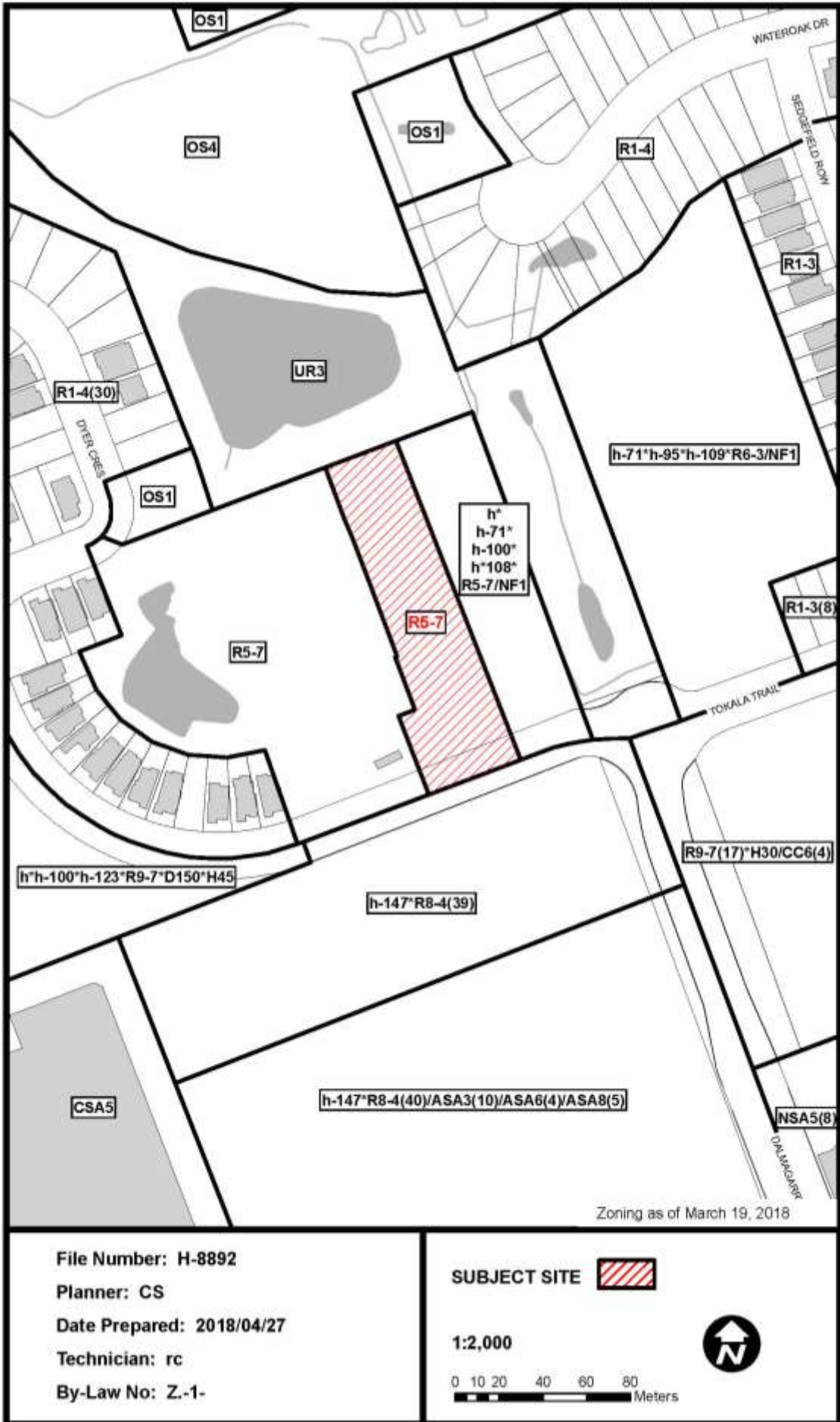
PASSED in Open Council on October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

SCHEDULE "A"



0000001.kaw

Bill No. 591
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning of the land located at 3804 South Winds Drive.

WHEREAS Mimadala Holdings Inc. has applied to remove the holding provisions from the zoning for the land located at 3804 South Winds 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 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 3804 South Winds Drive, as shown on the attached map to remove the holding provisions so that the zoning of the lands as a Residential R1 Special Provision (R1-14 (3)) Zone comes into effect.
2. This By-law shall come into force and effect on the day it is passed.

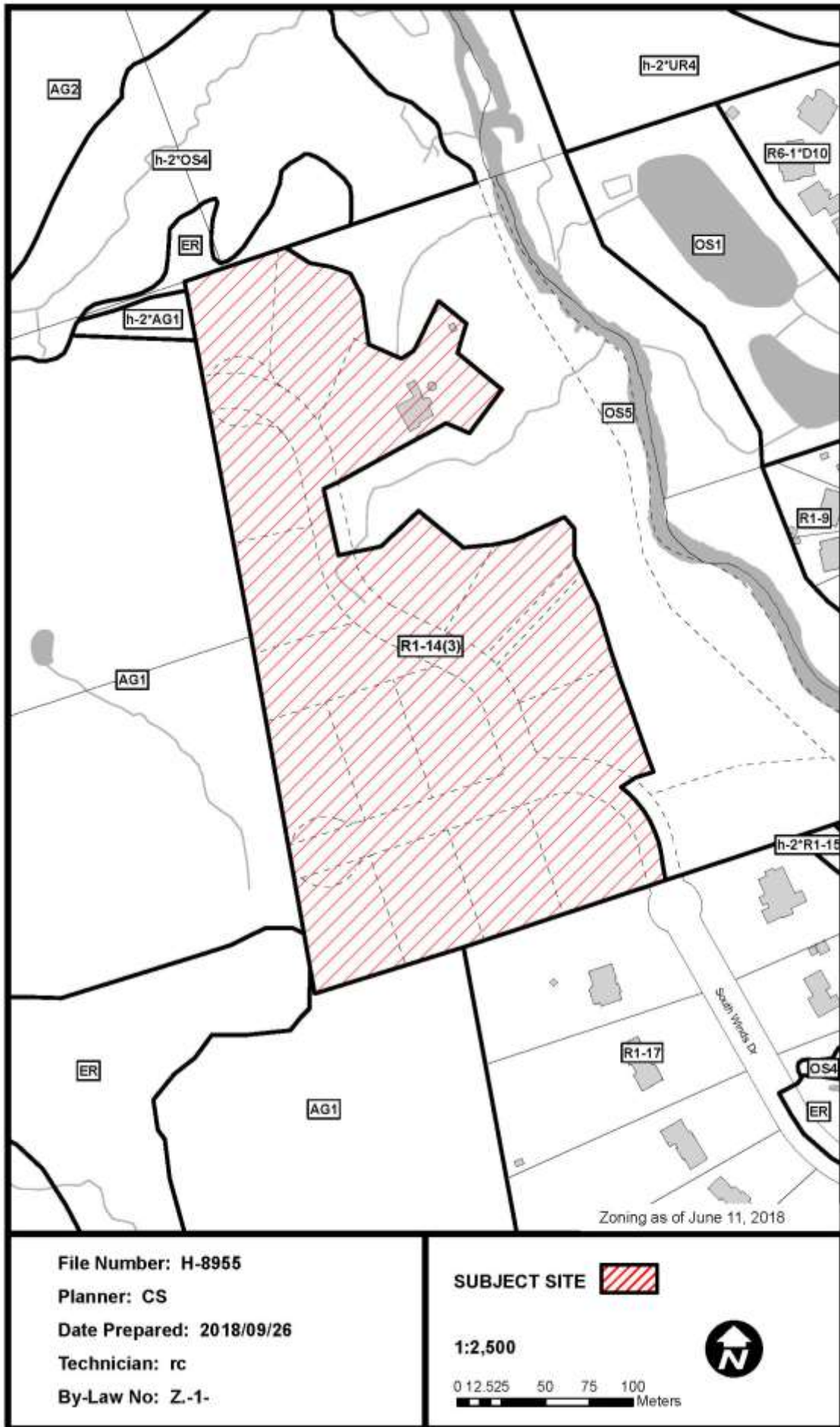
PASSED in Open Council on October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

SCHEDULE "A"



Bill No. 592
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 within the Riverbend South Subdivision – Phase 2 (formerly 1826 and 1854 Oxford Street West).

WHEREAS Sifton Properties Limited has applied to remove the holding provision from the zoning for the lands located within the Riverbend South Subdivision – Phase 2 (formerly 1826 and 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 provision from the zoning of the said lands;

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

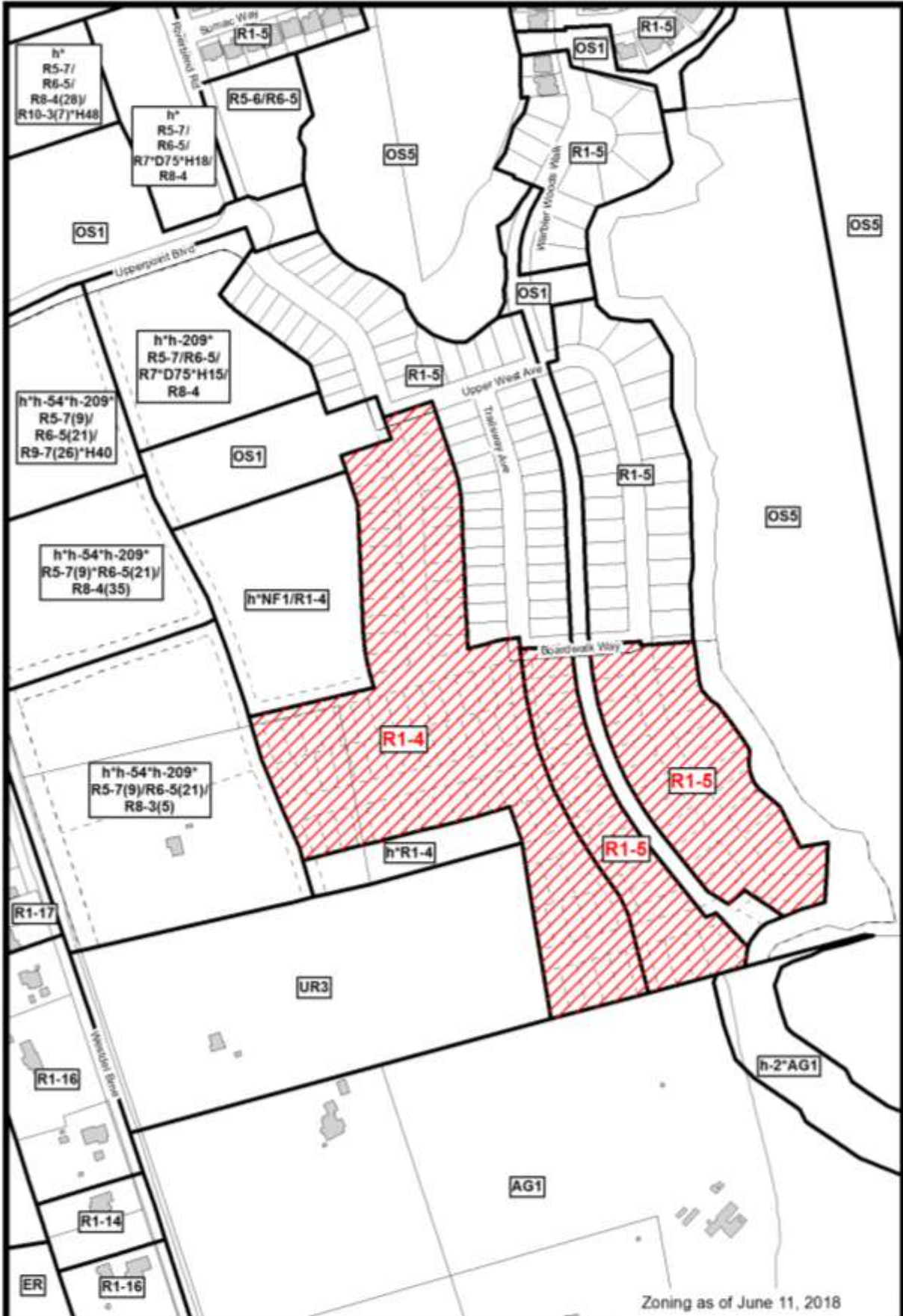
1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located within the Riverbend South Subdivision – Phase 2 (formerly 1826 and 1854 Oxford Street West), as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Residential R1 (R1-4) Zone and a Residential R1 (R1-5) 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 October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

SCHEDULE "A"



Zoning as of June 11, 2018

File Number: H-8880
 Planner: LM
 Date Prepared: September 21, 2018
 Technician: DT
 By-Law No: Z-1-

SUBJECT SITE 

1:4,000

0 20 40 80 120 160 Meters



Bill No. 593
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 147-149 Wellington Street and 253-257 Grey Street.

WHEREAS JAM Properties Inc. has applied to rezone an area of land located at 147-149 Wellington Street and 253-257 Grey 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 147-149 Wellington Street and 253-257 Grey Street, as shown on the attached map comprising part of Key Map No. A.107, from a Business District Commercial Special Provision (BDC(8)) Zone and Business District Commercial Special Provision (BDC(4)) Zone to a Business District Commercial Special Provision Bonus (BDC(8))*B() Zone and Business District Commercial Special Provision Bonus (BDC(4))*B() Zone.

2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

B() 147-149 Wellington Street and 253-257 Grey Street

The Bonus Zone shall be implemented through a development agreement to facilitate the development of a high quality apartment building with a maximum of 18 storeys, 246 dwelling units and density of 560 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law; and

i) Transit Station

The financial contribution of funding to the future Transit Station at Wellington Street and Grey Street in the amount of \$200,000, for the provision of public art or other station enhancements to be provided at the time of site plan approval or construction of the station, whichever occurs first.

ii) Provision of Affordable Housing

The provision of 10 affordable housing units, established by agreement at 95% of average market rent for a period of 20 years. An agreement shall be entered into with the Corporation of the City of London, to secure those units for this 20 year term.

iii) 2 levels of underground parking

iv) The construction of a civic space provided at the main pedestrian entrance to the building and enhanced landscaping along Wellington Street, consistent with the conceptual site plan and renderings shown in Schedule 1 of the amending by-law.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

- a) Regulations:
- | | | |
|-------|--|---|
| i) | Density
(Maximum): | 560 units per hectare
(226 units per acre) |
| ii) | Height
(Maximum): | 63 metres
(206.7 feet) |
| iii) | Parking
(Minimum): | 197 Parking Spaces |
| iv) | Interior Side Yard Depth
(Minimum): | 1.6 metres (5.25ft)
for floors 1-4 |
| v) | Interior Side Yard Depth
(Minimum): | 6.0 metres (19.7ft)
for floors 5-8 |
| vi) | Interior Side Yard Depth
(Minimum): | 11.5 metres (37.7ft)
for floors 9-18 |
| vii) | Lot Coverage | 31% |
| viii) | Dwelling units are permitted on the first floor. | |

3) 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.

4) 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. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

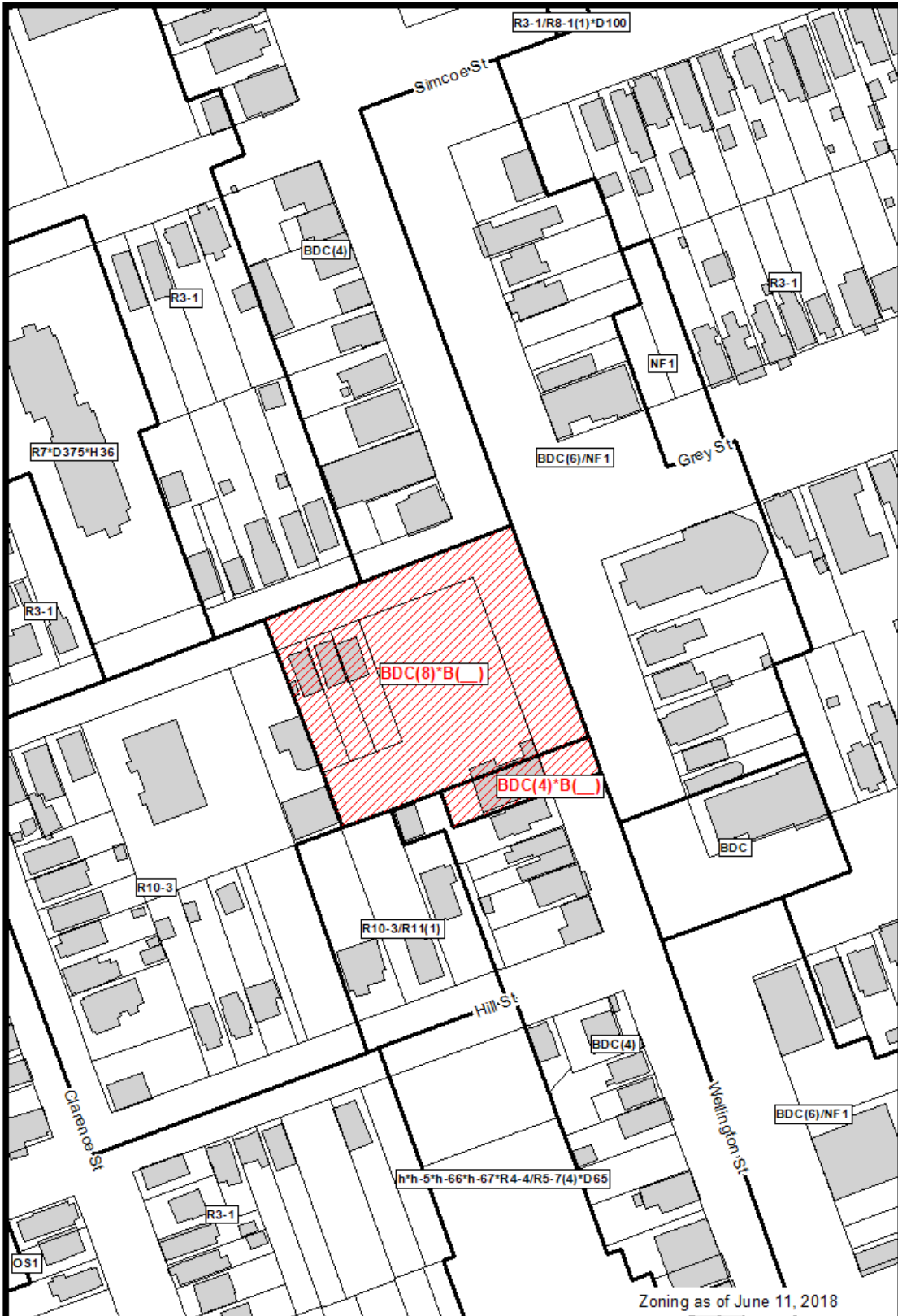
PASSED in Open Council on October 16, 2018.

Matt Brown
Mayor


Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018

SCHEDULE "A"



File Number: Z-8905
Planner: MC
Date Prepared: 2018/09/21
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40
Meters



SCHEDULE "1"

	Bed/Bdr	1 Bed	1 Bed + Den	2 Bed	2 Bed + Den	3 Bed	Total:
18TH:	1			1		1	3
17TH:	1	3	2	2	1	2	9
16TH:	1	4	3	3	1	1	10
15TH:	1	4	3	3	1	1	10
14TH:	1	4	3	3	1	1	10
13TH:	1	4	3	3	1	1	10
12TH:	1	4	3	3	1	1	10
11TH:	1	4	3	3	1	1	10
10TH:	1	4	3	3	1	1	10
9TH:	1	4	2	2	1	1	9
8TH:	3	14	1				20
7TH:	3	14	1	1	1		20
6TH:	3	13	2	1			20
5TH:	3	14	3				21
4TH:	1	17	2	2			22
3RD:	1	17	2	2			22
2ND:	1	17	2	2			22
1ST:	24	142	15	34	11	20	246

18TH:	6,030 sf	(560 sq.m.)
17TH:	10,940 sf	(1,016 sq.m.)
16TH:	11,260 sf	(1,046 sq.m.)
15TH:	11,260 sf	(1,046 sq.m.)
14TH:	11,260 sf	(1,046 sq.m.)
13TH:	11,260 sf	(1,046 sq.m.)
12TH:	11,260 sf	(1,046 sq.m.)
11TH:	11,260 sf	(1,046 sq.m.)
10TH:	11,110 sf	(1,032 sq.m.)
9TH:	11,110 sf	(1,032 sq.m.)
8TH:	19,480 sf	(1,810 sq.m.)
7TH:	19,480 sf	(1,810 sq.m.)
6TH:	19,480 sf	(1,810 sq.m.)
5TH:	19,480 sf	(1,810 sq.m.)
4TH:	24,470 sf	(2,273 sq.m.)
3RD:	24,470 sf	(2,273 sq.m.)
2ND:	24,470 sf	(2,273 sq.m.)
1ST:	14,670 sf	(1,363 sq.m.)
	272,750 sf	(25,339 sq.m.)

Parking Calculations

Total Below Ground for Residences

Total Surface for Residences

Total Surface for Visitors

Total Surface

Total Overall

Total Bike Storage

Total Gross Area for Parking

Site Stats

Building Height:

Building Footprint:

Lot Area:

Lot Coverage:

Landscape Open Space:

164 Spaces (2 BF)

8 Spaces (5 BF)

25 Spaces

33 Spaces

197 Spaces

1,660 SF (154 sq.m.)

74,900 SF (6,958 sq.m.)

204' (62.2 m) [18 Storeys]

14,670sf (1,363 sq.m.)

47,584sf (4,421 sq.m.)

31%

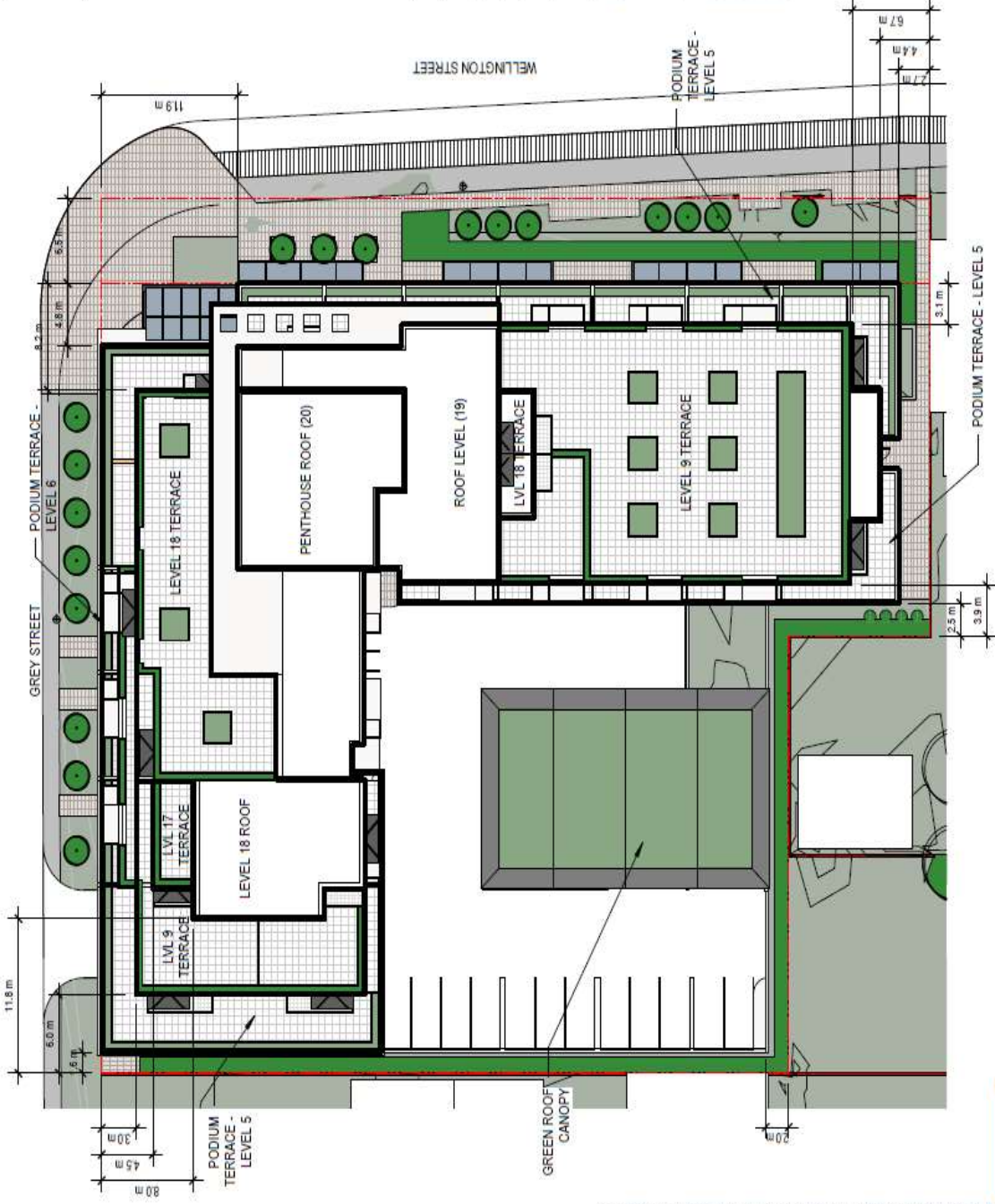
17% (8,150 SF [757 sq.m.])

(1 + 3% of parking) 7 Required

(1 per 10 units) 25 Required

(Area 2 = 1 per unit) 246 Req.

(0.75 per unit) 185 Req.



17-019

ONE FORTY SEVEN

Jam Properties Inc.

Site - Roof Plan

SEPT 26, 2018

Sk-07



zedd

ARCHITECTURE

380 Toronto Street West, Toronto, Ontario M5H 1B5, Canada
 Phone: 416-593-8888
 www.zeddarchitects.com

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17-019

ONE FORTY SEVEN

Jam Properties Inc.

Elevation

SK-21

ARCHITECTURE

zedd

- METAL SIDING
- WINDOW WALL - CLEAR GLASS, CHARCOAL MILLIONS, WHITE SPANDREL PANELS
- MIXED BRICK - DARK
- TEXTURED CONCRETE PANEL - ORANGE TINT
- SPANDREL PANEL - CHARCOAL + WHITE
- GLAZING SYSTEM - CHARCOAL MILLIONS
- FRONTED GLASS GUARD w/ CHARCOAL RAILING
- UPP - WHITE PRECAST CONCRETE
- MIXED BRICK - DARK
- PAISED CONCRETE NUMBER
- EXTERIOR LIGHT FIXTURE - PROGRAMMABLE
- POWDER COATED BLACK STEEL CORNER FRAME
- MIXED BRICK - LIGHT AND STOREFRONT GLAZING AT ENTRANCE
- MIXED BRICK - DARK
- TEXTURED CONCRETE - ORANGE TINT
- FRONTED GLASS GUARD w/ CHARCOAL RAILING
- SAVED TEXTURED FINISHED CONCRETE
- TEXTURED CONCRETE - ORANGE TINT

WELLINGTON STREET ELEVATION

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METAL SIDING

WINDOW WALL - CLEAR
GLASS, CHARTRONAL
MULLIONS, WHITE
SPANDREL PANELS

SMOOTH TEXTURED FINISHED
CONCRETE

MIXED BRICK - DARK

FROSTED GLASS GLAZING
w/ CHARTRONAL BALUNING

TEXTURED CONCRETE -
ORANGE TINT

POWDER COATED BLACK
STEEL CANOPY FRAME
GLASS CANOPY

WINDOW WALL - CLEAR
GLASS, CHARTRONAL
MULLIONS, WHITE
SPANDREL PANELS

MIXED BRICK - DARK

TEXTURED CONCRETE
PANEL - ORANGE TINT

SPANDREL PANEL -
CHARTRONAL + WHITE

FROSTED GLASS GLAZING
w/ CHARTRONAL BALUNING
OFF-WHITE PRECAST
CORNER

SPANDREL PANEL - CHARTRONAL

EXTERIOR LIGHT FIXTURE
UPDOWN SOURCE

MIXED BRICK - DARK

MIXED BRICK - LIGHT AND
STOBEREIGHT BLAZING LIGHT
GRASS

zedd

ARCHITECTURE

SK-20

SEPT. 10, 2018

Elevation

Jam Properties Inc.

17-019 ONE FORTY SEVEN



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METAL GLAZING

FRONTED GLASS GLAZO
w/ CHARCOAL PAILING

TEXTURED CONCRETE -
ORANGE TINT

SAND TEXTURED/HAIR
CONCRETE

MIXED BRICK - DARK

MIXED BRICK - DARK

TEXTURED CONCRETE
PANEL - ORANGE TINT

TEXTURED CONCRETE
PANEL - ORANGE TINT

FRONTED GLASS GLAZO
w/ CHARCOAL PAILING

OFF-WHITE FRESH-PAINT COATING

MIXED BRICK - DARK

1" = 30'0"

WEST ELEVATION

17-019 ONE FORTY SEVEN

Jam Properties Inc.

Elevation

12/11/2016

SK-22

zedd

ARCHITECTURE

1188 W. 10TH AVE. SUITE 100
VANCOUVER, BC V6H 2Y6
TEL: 604.681.1111

Bill No. 594

By-law No. A.-____-____

A by-law to appoint deputies to the City Treasurer of The Corporation of the City of London.

WHEREAS subsection 286(1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, which permits a municipality to appoint deputy treasurers who shall have all the powers and duties of the treasurer under this and any other Act. 2001, c.25, s. 286 (2) provides that a municipal power shall be exercised by by-law;

AND WHEREAS subsection 286(2) provides that the municipality may appoint deputy treasurers who shall have all the powers and duties of the treasurer under this and any other Act. 2001, c. 25, s. 286 (2);

AND WHEREAS subsection 286(6) the treasurer may continue to exercise the delegated powers and duties, despite the delegation. 2002, c. 17, Sched. A, s. 47;

AND WHEREAS section 10 of the *Municipal Act, 2001*, provides that the City may provide any service or thing that the City considers necessary or desirable for the public, and may pass by-laws respecting same, and respecting financial management of the municipality;

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

1. Ian Collins is hereby appointed as a Deputy Treasurer for the City of London under the *Municipal Act, 2001*, as amended, subject to the direction of the City Treasurer, who shall have all the powers of the City Treasurer under the *Municipal Act, 2001* and any other Act.
2. Kyle Murray is hereby appointed as a Deputy Treasurer for the City of London under the *Municipal Act, 2001*, as amended, subject to the direction of the City Treasurer, who shall have all the powers of the City Treasurer under the *Municipal Act, 2001* and any other Act.
3. Jim Logan is hereby appointed as a Deputy Treasurer for the City of London under the *Municipal Act, 2001*, as amended, subject to the direction of the City Treasurer, who shall have all the powers of the City Treasurer under the *Municipal Act, 2001* and any other Act.
4. By-law No. A.-7597-264, being, "A by-law to appoint deputies to the City Treasurer." passed in Council on July 25, 2017, is hereby repealed.
5. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on October 16, 2018.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – October 16, 2018
Second Reading – October 16, 2018
Third Reading – October 16, 2018