



London  
CANADA

## Council Minutes

19th Meeting of City Council  
November 6, 2018, 4:00 PM

Present: Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, J. Zaifman  
Absent: B. Armstrong, M. Salih  
Also Present: M. Hayward, A. Barbon, G. Belch, J. Burt, B. Card, B. Coxhead, S. Datars Bere, K. Dawtrey, J. Fleming, A. Hagan, G. Kotsifas, L. Livingstone, P. McKague, D. O'Brien, D. Popadic, M. Ribera, C. Saunders, K. Scherr, M. Schulthess, S. Spring, S. Stafford, B. Warner, B. Westlake-Power, J. Wills and G. Zhang.

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

### 1. Disclosures of Pecuniary Interest

Councillor S. Turner discloses a pecuniary interest in clause 4.1 of the 14th Report of the Civic Works Committee, having to do with a request for delegation related to Safe Water London, by indicating that the matter relates to fluoridation which has a connection to his employer, the Middlesex London Health Unit.

Councillor J. Zaifman discloses a pecuniary interest in clause 2.5 of the 16th Report of the Planning and Environment Committee, having to do with 660 Sunningdale Road East, Stormwater Management Facility, by indicating that his family formerly owned property in the area.

### 2. Recognitions

None.

### 3. Review of Confidential Matters to be Considered in Public

None.

At 4:06 PM, Councillor J. Zaifman enters the meeting.

### 4. Council, In Closed Session

Motion made by: M. van Holst

Seconded by: H. Usher

That the Council convene in closed session for the purpose of considering the following matters:

#### 4.1 Labour Relations/Employee Negotiations/Solicitor-Client Privileged Advice

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's associations or unions and advice which is subject to solicitor-client privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation. (6.1/19/CSC)

#### 4.2 Solicitor-Client Privileged Advice/Litigation/Potential Litigation

A matter that pertains to litigation or potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for the purpose

and directions and instructions to officers and employees or agents of the municipality regarding the Delay Claim regarding the Green Valley Road reconstruction project.(6.1/14/CWC)

4.3 Solicitor-Client Privileged Advice/Litigation/Potential Litigation

A matter that pertains to litigation or potential litigation with respect to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with 459 Second Street - Pottersburg Creek Erosion Repair Works; and for giving direction to employees or agents of the municipality with respect to this matter.(6.2/14/CWC)

4.4 Solicitor-Client Privileged Advice/Litigation/Potential Litigation

A matter that pertains to litigation or potential litigation with respect to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the work done on 267, 271 and 275 Ridgewood Crescent and future proposed remedial working including matters before administrative tribunals, affecting the municipality or local board with respect to slope failures. (6.3/14/CWC)

4.5 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. (6.1/16/PEC)

Yeas: (13): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, 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. Salih

**Motion Passed (13 to 0)**

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

The Council, In Closed Session, rises at 4:43 PM and Council reconvenes at 4:46 PM, with Mayor M. Brown in the Chair and all Members present except Councillors B. Armstrong and M. Salih.

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

5.1 18th Meeting held on October 16, 2018

Motion made by: H. Usher

Seconded by: T. Park

That the Minutes of the 18th Meeting held on October 16, 2018 BE APPROVED.

Yeas: (13): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, 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. Salih

**Motion Passed (13 to 0)**

**6. Communications and Petitions**

6.1 J. Grainger, Architectural Conservancy Ontario - Affordable Housing - Planning Tools to Support the Development of Affordable Housing

Motion made by: J. Zaifman  
Seconded by: V. Ridley

That the communication from J. Grainger, Architectural Conservancy Ontario, BE REFERRED to the Planning and Environment Stage for consideration with clause 2.1 of the 16th Report of the Planning and Environment Committee, as noted on the public Agenda.

Yeas: (13): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, 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. Salih

**Motion Passed (13 to 0)**

**7. Motions of Which Notice is Given**

None.

**8. Reports**

8.1 19th Report of the Corporate Services Committee

Motion made by: J. Helmer

That the 19th Report of the Corporate Services Committee BE APPROVED.

Yeas: (13): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, 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. Salih

**Motion Passed (13 to 0)**

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

That it BE NOTED that no pecuniary interests were declared.

**Motion Passed**

2. (2.1) City of London Days at the Budweiser Gardens - Day 2 Knight Events/Meals on Wheels London

Motion made by: J. Helmer

That, on the recommendation of the City Clerk, the request from Day 2 Knight Events/Meals on Wheels London to host the Seniors Prom 2019 on October 3, 2019, BE APPROVED as a City of London Day at the Budweiser Gardens; it being noted that only one other request has been received for 2019.

**Motion Passed**

3. (2.2) City of London Days at the Budweiser Gardens - Parkinson Society Southwestern Ontario

Motion made by: J. Helmer

That, on the recommendation of the City Clerk, notwithstanding Council Policy – City of London Days at the Budweiser Gardens, which restricts a group from having more than two event days over a five year consecutive period, the request from the Parkinson Society Southwestern Ontario to host a Charity Lunch Event featuring local restaurants on June 3, 2019, BE APPROVED as a City of London Day at the Budweiser Gardens; it being noted that only one other request has been received to-date for 2019.

**Motion Passed**

4. (2.4) Annual Report Risk Management Services

Motion made by: J. Helmer

That, on the recommendation of the Manager III, Risk Management and Managing Director, Corporate Services & City Solicitor, the staff report dated October 30, 2018 and the revised Appendix A regarding the annual report for Risk Management Services, BE RECEIVED for information.

**Motion Passed**

5. (2.5) City of London's Credit Rating

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the City of London's Credit Rating Report, providing a summary of Moody's Investors Service Credit Opinion of the City of London, BE RECEIVED for information.

**Motion Passed**

6. (2.6) Pre-Authorized Tax Payment Plan By-law and Collection of Property Taxes By-law (Relates to Bill No.s 602 and 603)

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer, the following actions be taken with respect to property taxation for 2019:

a) a by-law to amend By-law A-5505-497, "a by-law to authorize the implementation of a pre-authorized payment plan" so that the calculation of pre-authorized payments is based on the previous year's taxes increased by the average increase in total property tax rates in the residential class in the previous year (Appendix "A" to the staff report dated October 30, 2018) BE INTRODUCED at the Council meeting on November 6, 2018; and

b) a by-law to amend By-law A-8, "a by-law to provide for the collection of property taxes" so that the calculation of the interim tax levy will be set at a percentage of 40.52% of the previous year's taxes (Appendix "B" to the staff report dated October 30, 2018) BE INTRODUCED at the Council meeting on November 6, 2018.

**Motion Passed**

7. (2.7) Association of Municipalities of Ontario (AMO) Board Meeting Update - City of Toronto, ON - September 27-28, 2018

Motion made by: J. Helmer

The communication dated October 18, 2018, from Councillor A. Hopkins, regarding the Association of Municipalities of Ontario (AMO) Board meeting held September 27-28, 2018 in Toronto, Ontario BE RECEIVED for information.

**Motion Passed**

8. (2.3) Land Allocation - Fire Station No. 15 - Innovation Drive

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Fire Chief and the Managing Director, Neighbourhood, Children and Fire Services, on the advice of the Manager of Realty Services, with respect to a portion of the City-owned land located between 2395 - 2455 Innovation Drive, described as Part Block 3, Plan 33M-544, designated as Parts 1 and 5, Plan 33R-18258, containing an area of approximately 1.68 acres (6,800 square meters), as shown on Schedule "A" appended to the staff report dated October 30, 2018, the following actions be taken:

- a) the subject land BE ALLOCATED for use as a future fire station; and
- b) the financing for this allocation BE APPROVED as set out in the Source of Financing Report appended to the staff report dated October 30, 2018 as Appendix "A".

**Motion Passed**

9. (3.1) Amendments to the Council Procedure By-law Striking Committee (Relates to Bill No. 604)

Motion made by: J. Helmer

That the following actions be taken with respect to proposed amendments to the Council Procedure By-law:

- a) on the recommendation of the City Clerk, proposed by-law appended to the staff report dated October 30, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018, to amend By-law No. A-50, "Council Procedure By-law", to update Part 3, section 23.2 "Striking Committee – composition"; and,
- b) the communication dated October 19, 2018, from S. Levin, with respect to Advisory Committee vacancies, BE REFERRED to the City Clerk for consideration;

it being pointed out that no members of the public made presentations at the public participation meeting with respect to this matter.

**Motion Passed**

8.2 14th Report of the Civic Works Committee

Motion made by: V. Ridley

That the 14th Report of the Civic Works Committee BE APPROVED, excluding Item 9 (4.1).

Yeas: (13): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, 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. Salih

**Motion Passed (13 to 0)**

1. Disclosures of Pecuniary Interest

Motion made by: V. Ridley

That it BE NOTED that no pecuniary interests were disclosed

**Motion Passed**

2. (2.1) 10th Report of Cycling Advisory Committee

Motion made by: V. Ridley

That it BE NOTED that the 10 Report of the Cycling Advisory Committee, from its meeting held on October 17th, 2018, was received.

**Motion Passed**

3. (2.2) Amendments to the Traffic and Parking By-law (Relates to Bill No. 607)

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law as appended to the staff report dated October 30, 2018 BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018, for the purpose of amending the Traffic and Parking By-law (PS-113). (2018-T08/C01)

**Motion Passed**

4. (2.3) Rehabilitation of Wenige Expressway Bridge and Highbury Avenue South Preliminary, Detailed Design and Tendering - Appointment of Consulting Engineer

Motion made by: V. Ridley

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 Rehabilitation of the Wenige Expressway Bridge and Highbury Avenue from Hamilton Road to Highway 401 (4-BR-14):

- a) Parsons Inc. BE APPOINTED Consulting Engineers to complete the Preliminary Design, Detailed Design, and Tendering Services in the amount of \$537,028.50 (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 revised Sources of Financing Report as appended to the revised staff report;
- 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**

- 5. (2.4) Construction Partnership with The Municipality of Central Elgin - 2018 Road Improvements Program Webber Bourne Reconstruction

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the reconstruction of Webber Bourne:

- (a) the City of London estimated contribution of \$620,653.32 (excluding HST), representing 50% of the Municipality of Central Elgin total project cost of \$1,241,306.63, BE APPROVED; it being noted that the work is on a boundary road where the actual costs are shared equally between the two municipalities, it is included in an approved City budget and the method of purchase is in accordance with the Procurement of Goods and Services Policy 14.4 g), h) and i), covering purchases with another public body;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated October 30, 2018; and,
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this approval.(2018-T04/D27)

**Motion Passed**

- 6. (2.5) William Street Storm Sewer Outfall Municipal Class Environmental Assessment - Notice of Completion

Motion made by: V. Ridley

That, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the William Street Storm Sewer Outfall Environmental Assessment:

- a) the preferred outfall improvement alternative, executive summary as appended to the staff report dated October 30, 2018, BE ACCEPTED in accordance with the Schedule 'B' Municipal Class Environmental Assessment process requirements;
- b) a Notice of Completion BE FILED with the Municipal Clerk; and,
- c) the Municipal Class Environmental Assessment Schedule 'B' project file for the William Street Storm Sewer Outfall BE PLACED on public record for a 30-day review period. (2018-E05)

**Motion Passed**

7. (2.6) Short-Term Contract Amendment for Recycling Services

Motion made by: V. Ridley

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer and with the support of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the provision of curbside collection and Material Recovery Facility operations services provided by Miller Waste Systems Inc.:

- a) the action taken by the Managing Director, Environmental and Engineering Services and City Engineer in accordance with Procurement of Goods and Services Policy, Section 4.3 d. BE RECOGNIZED; it being noted that the action taken is in the best financial interest of the Corporation of the City of London;
- b) the extension of the contracts with Miller Waste Systems Inc. for the collection of recyclables in London and the collection of garbage and yard materials in the southwest portion of the city, including Lambeth, Riverbend, Settlement Trail, and Material Recovery Facility operations, for four (4) months plus two (2), one month extensions at the sole discretion of the City, from October 30, 2019 to April 30, 2020, in accordance with Procurement of Goods and Services Policy, Section 20.3 e)i. BE APPROVED; and,
- c) the Civic Administration BE AUTHORIZED to undertake final negotiations on the increased monthly service fee, all administrative acts that are necessary in connection with this matter and the Agreements referenced herein. (2018-E07)

**Motion Passed**

8. (3.1) 7th and 8th Reports of the Transportation Advisory Committee

Motion made by: V. Ridley

That the following actions be taken with respect to the Transportation Advisory Committee:

- a) the following actions be taken to the 7th Report of the Transportation Advisory Committee, from its meeting held on September 25, 2018;
  - i) the 2018 Work Plan BE APPROVED,
  - ii) the remaining clauses 1.1-4.1, 5.1 to 5.6 BE RECEIVED; and,



b) the 8th Report of the Transportation Advisory Committee, from its meeting held on October 23, 2018, BE RECEIVED;

it being noted that the Civic Works Committee did not receive a delegation from D. Foster.

**Motion Passed**

10. (4.2) Sanitary and Stormwater Flooding

Motion made by: V. Ridley

The City Solicitor BE REQUESTED to provide the Civic Works Committee with an opinion as to the appropriated ownership of the Pine Valley Condominium, sewer taking into consideration the previous decision to divest the sewer back to the Condominium Corporation and the properties previous history of flooding; it being noted that the communication from P. McLaughlin dated October 15, 2018 with respect to Middlesex Condo Corporation MCC122, and the response from S. Mathers, Director Water and Wastewater, dated October 29, 2018, were received.

**Motion Passed**

11. (5.1) Deferred Matters List

Motion made by: V. Ridley

That the Civic Works Committee Updated Deferred Matters List, as of October 29, 2018, BE RECEIVED.

**Motion Passed**

9. (4.1) Safe Water London

Motion made by: V. Ridley

That the request for delegation from K. Miller and C. Gupta with respect to Safe Water London BE REFERRED to incoming council for consideration. (2018-E13)

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

Recuse: (1): S. Turner

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

**Motion Passed (12 to 0)**

8.3 16th Report of the Planning and Environment Committee

Motion made by: S. Turner

That the 16th Report of the Planning and Advisory Committee BE APPROVED, excluding items 6 (2.5), 11(3.4) and 13(3.6).

Yeas: (13): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, 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. Salih

**Motion Passed (13 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) Affordable Housing - Planning Tools to Support Development of Affordable Housing (18 AFF)

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 planning tools to support the development of Affordable Housing:

a) the staff report dated October 29, 2018, entitled "Affordable Housing – Planning Tools to Support the Development of Affordable Housing" BE RECEIVED for information; and,

b) the Civic Administration BE DIRECTED to initiate an Affordable Housing Development Strategy to coordinate the various tools that support the development of affordable housing units; it being noted that the Strategy will also evaluate the potential opportunities, costs, and benefits of introducing additional tools to support the development of affordable housing. (2018-S11)

**Motion Passed**

3. (2.2) Application - 1284 and 1388 Sunningdale Road West - Foxhollow North Kent Subdivision - Phase 3 (39T-0510-3)

Motion made by: S. Turner

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the subdivision of land over Part of Lot 23, Concession 5, (Geographic Township of London), City of London, County of Middlesex, situated on the south side of Sunningdale Road West, between Wonderland Road North and Hyde Park Road, and on the north side of the Heard Drain, municipally known as 1284 and 1388 Sunningdale Road West:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the Foxhollow North Kent Subdivision, Phase 3 (39T-04510-3) appended to the staff report dated October 29, 2018 as Appendix "A", BE APPROVED;

b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated October 29, 2018 as Appendix “B”;

c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated October 29, 2018 as Appendix “C”; and,

d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfil its conditions. (2018-D09)

**Motion Passed**

4. (2.3) Application - 1284 and 1388 Sunningdale Road West - Foxhollow North Kent South Subdivision - Phase 4 (39T-04510-4)

Motion made by: S. Turner

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the subdivision of land over Part of Lot 23, Concession 5, (Geographic Township of London), City of London, County of Middlesex, situated on the south side of Sunningdale Road West, between Wonderland Road North and Hyde Park Road, and on the north side of the Heard Drain, municipally known as 1284 and 1388 Sunningdale Road West:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc. for the Foxhollow North Kent Subdivision, Phase 4 (39T-04510-4) appended to the staff report dated October 29, 2018 as Appendix “A”, BE APPROVED;

b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated October 29, 2018 as Appendix “B”; and,

c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfil its conditions. (2018-D09/D12)

**Motion Passed**

5. (2.4) Application - 1311 Wharnccliffe Road South - Westbury Subdivision - Disposition of School Site (33M-641)

Motion made by: S. Turner

That, on the recommendation of the Manager, Development Planning, the owner, (1967172 Ontario Inc.), of the potential school

site located on the east side of Singleton Avenue, south of Southdale Road East, municipally know as 3400 Singleton Avenue and legally described as Block 86, on Plan 33M-641 BE ADVISED that the City has no interest in acquiring the said property for municipal purposes. (2018-D12)

**Motion Passed**

7. (2.6) Application - 2674 Asima Drive (33M-699, Block 55) (P-8963)

Motion made by: S. Turner

That, on the recommendation of the Planner II, Development Services, the following actions be taken with respect to the application by Rockwood Homes c/o Andrea McCreery, Stantec Consulting Ltd. to exempt lands from Part-Lot Control:

- a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law appended to the staff report dated October 29, 2018 BE INTRODUCED at a future Municipal Council meeting, to exempt part of Block 55 in Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the Planning Act, R.S.O. 1990, c. P.13, for a period not to exceed three (3) years; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z.-1, which zoning permits street townhouse dwellings with a garage front yard depth of 5.5m, an exterior side yard depth for the main building minimum of 3.0m and an interior side yard depth minimum of 1.5m;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control Bylaw for Blocks 55, Plan 33M-699 as noted in clause a) above:
  - i) the applicant be advised that the costs of registration of the said by-law is to be borne by the applicant in accordance with City Policy;
  - ii) the applicant submit a draft reference plan to Development Services for review and approval to ensure the proposed part-lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
  - iii) the applicant submit to Development Services a digital copy, together with a hard copy, of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
  - iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
  - v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office, any revised lot grading and servicing plans in

accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;

- vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
- vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii) the applicant shall obtain confirmation from Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix) the applicant shall obtain approval from Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan; and,
- xii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the by-law affecting the Lots/Block in question;

c) the Approval Authority (Municipal Council) BE REQUESTED to approve the by-law as noted in clause a) above; and,

d) the Applicant BE ADVISED that the cost of registration of the by-law, as noted in clause a) above, is to be borne by the applicant in accordance with City policy. (2018-D12)

**Motion Passed**

8. (3.1) 11th Report of the Environmental and Ecological Planning Advisory Committee

Motion made by: S. Turner

That the following actions be taken with respect to the 11th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on October 18, 2018:

a) the proposed "Is Your Cat Safe Outdoors" brochure BE REFERRED to the Manager, Licensing and Municipal By-law Enforcement, for implementation; and,

b) clauses 1.1, 2.1, 3.1 to 3.3, 4.1, 5.1 and 5.2 BE RECEIVED for information.

### Motion Passed

9. (3.2) Application - 1331 Hyde Park Road (O-8927/Z-8928) (Relates to Bill No.s 606 and 609)

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 1331 Hyde Park Holdings Inc. and The Corporation of the City of London, relating to the property located at 1331 Hyde Park Road:

a) the proposed by-law appended to the staff report dated October 29, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018 to amend the Official Plan BY ADDING a policy to Section 10.1.3 – Policies for Specific Areas; and,

b) the proposed by-law appended to the staff report dated October 29, 2018 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Business District Commercial Special Provision (BDC2(4)) Zone TO a Business District Commercial Special Provision (BDC2(\_)) Zone;

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 Official Plan Amendment is intended to bring the policies of the 1989 Official Plan in-line with The London Plan for the subject site, allowing for an expanded range of permitted uses. This is intended to contribute to the further development of Hyde Park Road as a main street; and,
- the recommended Zoning By-law Amendment is also expected to contribute to the development of Hyde Park Road as a main street, allowing for a new retail use to occupy a vacant site. The Automobile Sales Boutique is a unique form of retail, similar to a standard storefront, which would be fully enclosed. A small area for the service and repair of vehicles would support this use, however requirements to limit the size, limit its use to the service and repair of motorcycles, and ensure full enclosure are intended to allow flexibility for the needs of the user while not detracting from the vibrancy of the main street or creating negative impacts on adjacent residential uses. The requested continuation of an existing special provision that would allow for no maximum front yard setback is not recommended to continue to be included in the Zoning By-law provisions for the subject site. This provision is contrary to policies in the 1989 Official Plan and The London Plan that encourage reduced front yard setbacks on main streets to encourage pedestrian-oriented development. (2018-D09)

**Motion Passed**

10. (3.3) Application - 537 Crestwood Drive (Z-8915)

Motion made by: S. Turner

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Star Homes Ltd., relating to the property located at 537 Crestwood Drive, the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM an Urban Reserve (UR1) Zone and a Residential R6 Special Provision (R6-2(13)) Zone TO a Residential R6 Special Provision (R6-2(\*)) Zone, BE REFUSED for the following reasons:

- a) the requested amendment to permit the residential development of the westerly portion of the subject lands is not consistent with the 2014 Provincial Policy Statement;
- b) the requested amendment to permit the residential development of the westerly portion of the subject lands does not conform to the 1989 Official Plan nor The London Plan; and,
- c) the requested amendment is premature, and the Urban Reserve (UR1) Zone should remain on the westerly portion of the subject lands until such time as a rehabilitation plan and site restoration have been completed for the adjacent aggregate resource extraction area;

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

- the ~~attached~~ communication dated October 28, 2018 from L. Connell and N. Ensley, 537-1 Crestwood Drive; and,
- the ~~attached~~ communication dated October 29, 2018 from J. McGuffin, Vice President/Principal Planner, Monteith Brown Planning Consultants;

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-D12)

**Motion Passed**

12. (3.5) Application - 1395 Riverbend Road - Application for Zoning By-law Amendment (Z-8924)

Motion made by: S. Turner

That, the application by Sifton Properties Limited, relating to the lands located at 1395 Riverbend Road BE REFERRED to the Civic Administration to work with the applicant to increase the density of units to the senior's apartments and the retirement suites;

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**

14. (4.1) 10th Report of the London Advisory Committee on Heritage

Motion made by: S. Turner

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

a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act to construct a new, detached garage on the property located at 550 Dufferin Avenue, within the East Woodfield Heritage Conservation District, BE PERMITTED as submitted in the drawings appended to the staff report dated October 10, 2018, with the following terms and conditions:

- only one driveway be permitted;
- the existing driveway and curb cut for the property off of Dufferin Avenue be closed and the driveway be removed and the area be restored with sod/grass; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the presentation appended to the 10th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, with respect to this matter, was received; and,

b) clauses 1.1, 2.1, 2.2, 3.1 to 3.5, inclusive, 5.2, 6.1 and 7.1, BE RECEIVED for information.

**Motion Passed**

15. (4.2) Section 37 - Planning Act (Bonusing) Revisions and Additional Opportunities for Implementation

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 Section 37 of the Planning Act (Bonusing) revisions and additional opportunities for implementation:

a) the staff report dated October 29, 2018 entitled "Section 37 of the Planning Act (Bonusing) Revisions and Additional Opportunities for Implementation" RECEIVED for information; and,



- b) the Civic Administration BE DIRECTED to research and review best practices for the implementation of Section 37 (Bonusing) of the Planning Act, review City needs and priorities and report back on findings and recommendations. (2018-D09)

**Motion Passed**

- 6. (2.5) Application - 660 Sunningdale Road East - Stormwater Management (SWM) Facility

Motion made by: S. Turner

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into an Agreement between The Corporation of the City of London and Peter Sergautis, for the subdivision of land over Part of Lot 13, Concession 6, (Geographic Township of London), City of London, County of Middlesex, situated on the west side of Adelaide Street North, between Sunningdale Road East and the City limits, municipally known as 660 Sunningdale Road East:

- a) the Agreement between The Corporation of the City of London and Peter Sergautis (39T-09501) appended to the staff report dated October 29, 2018 as Appendix "A", BE APPROVED;
- b) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated October 29, 2018 as Appendix "B"; and,
- c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfil its conditions. (2018-D12)

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

Recuse: (1): J. Zaifman

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

**Motion Passed (12 to 0)**

- 11. (3.4) Application - 324 York Street (TZ-8917) (Relates to Bill No. 610)

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 Bradel Properties Ltd., relating to the property located at 324 York Street:

- a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property by extending the Temporary Use (T-71) Zone for a temporary period of three (3) years, BE REFUSED for the following reasons:
  - i) the request is not consistent with the policies of the Provincial Policy Statement, 2014;
  - ii) the request does not conform to the newly established policies of the 1989 Official Plan or The London Plan regarding temporary commercial parking lots;

- iii) the request does not implement the goals of Our Move Forward: London's Downtown Plan; and,
- iv) the request does not implement the recommendations of the Downtown Parking Strategy;
- b) the proposed by-law appended to the staff report dated October 29, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), by extending the Temporary Use (T-71) Zone for a period not exceeding six (6) months;

it being noted that the purpose of the recommended short-term six (6) month extension of the temporary zone is to allow users of the surface commercial parking lot to find alternative parking arrangements;

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 the extension of the Temporary Use (T-71) Zone for a period not to exceed six (6) months for the following reason:

- the request to extend the temporary zone for a period of three (3) years, representing the maximum extension permitted, does not encourage long-term redevelopment of the site. The recommended six (6) month extension is a balanced approach that would allow existing users of the surface commercial parking lot to make alternative parking arrangements while encouraging long-term redevelopment of the site to a more intense, transit-supportive use that is consistent with the policies of the Provincial Policy Statement and is in conformity with the 1989 Official Plan and The London Plan. (2018-D09)

Motion made by: S. Turner

The motion to approve part a) is put:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Bradel Properties Ltd., relating to the property located at 324 York Street:

- a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property by extending the Temporary Use (T-71) Zone for a temporary period of three (3) years, BE REFUSED for the following reasons:
  - i) the request is not consistent with the policies of the Provincial Policy Statement, 2014;
  - ii) the request does not conform to the newly established policies of the 1989 Official Plan or The London Plan regarding temporary commercial parking lots;
  - iii) the request does not implement the goals of Our Move Forward: London's Downtown Plan; and,
  - iv) the request does not implement the recommendations of the Downtown Parking Strategy;

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

Nays: (2): M. van Holst, and P. Hubert

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

**Motion Passed (11 to 2)**

Motion made by: S. Turner

The motion to approve part b) is put.

b) the proposed by-law appended to the staff report dated October 29, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), by extending the Temporary Use (T-71) Zone for a period not exceeding six (6) months;

it being noted that the purpose of the recommended short-term six (6) month extension of the temporary zone is to allow users of the surface commercial parking lot to find alternative parking arrangements;

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 the extension of the Temporary Use (T-71) Zone for a period not to exceed six (6) months for the following reason:

- the request to extend the temporary zone for a period of three (3) years, representing the maximum extension permitted, does not encourage long-term redevelopment of the site. The recommended six (6) month extension is a balanced approach that would allow existing users of the surface commercial parking lot to make alternative parking arrangements while encouraging long-term redevelopment of the site to a more intense, transit-supportive use that is consistent with the policies of the Provincial Policy Statement and is in conformity with the 1989 Official Plan and The London Plan. (2018-D09)

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

Nays: (2): J. Helmer, and T. Park

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

**Motion Passed (11 to 2)**

13. (3.6) Byron Valley Nature Trail Planning Process

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 Byron Valley Nature Trail Planning process:

- a) the staff report entitled "Byron Valley Nature Trail Planning Process" BE RECEIVED for information;
- b) members of the Trails Advisory Group, and Byron Participation House staff and residents BE THANKED for meeting onsite and providing suggestions to improve the Plan that were successfully integrated into the revised Byron Valley Nature Trail Concept Plan, in accordance with the Council approved Trails Advisory Group process.; and,
- c) the proposed final plan BE PRESENTED at a community meeting to be held in Bryon with all interested parties being invited to the community meeting;

it being noted that the Planning and Environment Committee heard verbal presentations from D. Park and S. Sutton, on behalf of D. Sutherland, Participation House Support Services;

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

- a communication dated September 4, 2018 from D. German, #12-1337 Commissioners Road West;
- the ~~attached~~ presentation from D. Park, 1288 Halls Mill Place;
- the ~~attached~~ communication dated October 25, 2018 from A. Santin;
- the ~~attached~~ communication dated October 22, 2018 from M. Santin, Iona Station;
- the ~~attached~~ communication dated October 22, 2018 from S. Santin, Iona Station;
- the ~~attached~~ communication dated October 18, 2018 from S. and D. Hersey, by e-mail;
- the ~~attached~~ communication dated October 15, 2018 from G. Smith, 1331 Commissioners Road West;
- the ~~attached~~ communication dated October 25, 2018 from M. Santin, Edmonton, Alberta;
- the ~~attached~~ communication dated October 25, 2018 from M. Minshall;
- the ~~attached~~ communication dated October 28, 2018 from O. Santin;
- the ~~attached~~ communication dated October 28, 2018 from O. Camboia;
- the ~~attached~~ communication from A. Park and J. Titizian, 219 Halls Mills Road;
- a petition signed by approximately 116 individuals. (2018-D09)

**Amendment:**

Motion made by: A. Hopkins  
 Seconded by: P. Squire

That Item 13 (3.6) BE AMENDED to read as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Byron Valley Nature Trail Planning process:

- a) the staff report entitled "Byron Valley Nature Trail Planning Process" BE RECEIVED for information;
- b) members of the Trails Advisory Group, and Byron Participation House staff and residents BE THANKED for meeting onsite and providing suggestions to improve the Plan that were successfully integrated into the revised Byron Valley Nature Trail Concept Plan, in accordance with the Council approved Trails Advisory Group process.;
- c) the proposed Plan appended to the staff report noted in a) above, BE REFERRED to the Civic Administration to present at a community meeting to be held in Bryon with all interested parties being invited to the community meeting and report back with the comments provided at the community meeting;
- d) the Upper Thames River Conservation Authority and the Ministry of Natural Resources BE INVITED as delegations at a future meeting of the Planning and Environment Committee when the Civic Administration reports back on c) above, to provide comments regarding the Byron Valley Nature Trail Planning Process;

it being noted that the Planning and Environment Committee heard verbal presentations from D. Park and S. Sutton, on behalf of D. Sutherland, Participation House Support Services;

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

Nays: (5): Mayor M. Brown, J. Helmer, M. Cassidy, S. Turner, and J. Zaifman

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

**Motion Passed (8 to 5)**

**Amendment:**

Motion made by: S. Turner

Seconded by: A. Hopkins

Motion to Approve Item 13 (3.6), as amended.

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

Nays: (2): J. Helmer, and S. Turner

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

**Motion Passed (11 to 2)**

Item 13 (3.6), as amended, reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Byron Valley Nature Trail Planning process:

- a) the staff report entitled "Byron Valley Nature Trail Planning Process" BE RECEIVED for information;

b) members of the Trails Advisory Group, and Byron Participation House staff and residents BE THANKED for meeting onsite and providing suggestions to improve the Plan that were successfully integrated into the revised Byron Valley Nature Trail Concept Plan, in accordance with the Council approved Trails Advisory Group process;

c) the proposed Plan appended to the staff report noted in a) above, BE REFERRED to the Civic Administration to present at a community meeting to be held in Bryon with all interested parties being invited to the community meeting and report back with the comments provided at the community meeting; and,

d) the Upper Thames River Conservation Authority and the Ministry of Natural Resources BE INVITED as delegations at a future meeting of the Planning and Environment Committee when the Civic Administration reports back on c) above, to provide comments regarding the Byron Valley Nature Trail Planning Process;

it being noted that the Planning and Environment Committee heard verbal presentations from D. Park and S. Sutton, on behalf of D. Sutherland, Participation House Support Services;

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

- a communication dated September 4, 2018 from D. German, #12-1337 Commissioners Road West;
- the attached presentation from D. Park, 1288 Halls Mill Place;
- the attached communication dated October 25, 2018 from A. Santin;
- the attached communication dated October 22, 2018 from M. Santin, Iona Station;
- the attached communication dated October 22, 2018 from S. Santin, Iona Station;
- the attached communication dated October 18, 2018 from S. and D. Hersey, by e-mail;
- the attached communication dated October 15, 2018 from G. Smith, 1331 Commissioners Road West;
- the attached communication dated October 25, 2018 from M. Santin, Edmonton, Alberta;
- the attached communication dated October 25, 2018 from M. Minshall;
- the attached communication dated October 28, 2018 from O. Santin;
- the attached communication dated October 28, 2018 from O. Camboia;
- the attached communication from A. Park and J. Titizian, 219 Halls Mills Road;
- a petition signed by approximately 116 individuals. (2018-D09)

## 9. Added Reports

### 9.1 19th Report of Council in Closed Session

Present: Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Hubert, A. Hopkins, V. Ridley, S. Turner, H. Usher, T. Park, and J. Zaifman

Also Present: M. Hayward, A. Barbon, G. Belch, B. Card, B. Coxhead, K. Dawtrey, A. Hagan, L. Livingstone, D. Mounteer, D. Popadic, C. Saunders, K. Scherr, M. Schulthess, B. Warner, B. Westlake-Power and G. Zhang.

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

1. Execution of Collective Agreement for London Professional Fire Fighters Association - January 1, 2011 to December 31, 2019

That, on the recommendation of the Managing Director, Corporate Services and Chief Human Resources Officer, the Civic Administration BE DIRECTED to undertake all administrative acts that are necessary in order for the Mayor and the City Clerk to obtain the necessary authorization to execute the Collective Agreement for the years 2011 to 2019, appended as Appendix "B" to the staff report dated October 30, 2018, pursuant to the Memorandum of Agreement dated April 12, 2017, between The Corporation of the City of London and the London Professional Fire Fighters Association.

Yeas: (13): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, 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. Salih

**Motion Passed (13 to 0)**

**10. Deferred Matters**

None.

**11. Enquiries**

None.

**12. Emergent Motions**

None.

**13. By-laws**

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

That Introduction and First Reading of Bill No.'s 601 to 609, and Added Bill No. 611, BE APPROVED.

Yeas: (13): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, 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. Salih

**Motion Passed (13 to 0)**

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

That Second Reading of Bill No.'s 601 to 609, and Added Bill No. 611, BE APPROVED.

Yeas: (13): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, 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. Salih

**Motion Passed (13 to 0)**

Motion made by: H. Usher

Seconded by: T. Park

That Third Reading and Enactment of 601 to 609, and Added Bill No. 611, BE APPROVED.

Yeas: (13): Mayor M. Brown, M. van Holst, J. Helmer, M. Cassidy, 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. Salih

**Motion Passed (13 to 0)**

Motion made by: H. Usher

Seconded by: V. Ridley

That Introduction and First Reading of Bill No. 610 BE APPROVED.

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

Nays: (2): J. Helmer, and T. Park

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

**Motion Passed (11 to 2)**

Motion made by: H. Usher

Seconded by: V. Ridley

That Second Reading of Bill No. 610 BE APPROVED.

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

Nays: (2): J. Helmer, and T. Park

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

**Motion Passed (11 to 2)**

Motion made by: M. Cassidy

Seconded by: J. Zaifman

That Third Reading and Enactment of Bill No. 610 BE APPROVED.

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

Nays: (2): J. Helmer, and T. Park

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



**Motion Passed (11 to 2)**

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

Bill No. 601 By-law No. A.-7789-504	A by-law to confirm the proceeding of the Council Meeting held on the 6 th day of November, 2018. (City Clerk)
Bill No. 602 By-law No. A.-5505(r)-505	A by-law to amend By-law No. A.-5505-497 entitled, “A by-law to authorize the implementation of a pre-authorized tax payment plan for The Corporation of the City of London”. (2.6a/19/CSC)
Bill No. 603 By-law No. A-8-18025	A by-law to amend By-law No. A-8, the “Property Tax Collection By-law”. (2.6b/19/CSC)
Bill No. 604 By-law No. A-50-18005	A by-law to amend By-law No. A-50, as amended, being, “A by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London” by updating Part 3, section 23 - Striking Committee. (3.1/19/CSC)
Bill No. 605 By-law No. CPOL.-381-506	A by-law to repeal By-law No. CPOL.-59-291 being “General Policy for Advisory Committees”, and all amendments thereto and to enact a new Council Policy, “General Policy for Advisory Committees”. (5.2/10/SPPC)
Bill No. 606 By-law No. C.P.-1284(ue)-507	A by-law to amend the Official Plan for the City of London, 1989 relating to 1331 Hyde Park Road. (3.2a/16/PEC)
Bill No. 607 By-law No. PS-113-18028	A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London.” (2.2/14/CWC)
Bill No. 608 By-law No. S.-5958-508	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Wavell Street between Spruce Street and Merlin Crescent) (City Surveyor - for the purposes of establishing the Lands as public highway)
Bill No. 609 By-law No. Z.-1-182702	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1331 Hyde Park Road. (3.2b/16/PEC)
Bill No. 610 By-law No. Z.-1-182703	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 324 York Street. (3.4b/16/PEC)
Bill No. 611 By-law No. A.-7790-509	A by-law to authorize the Mayor and City Clerk to execute the Collective Agreement between The Corporation of the City of London and The London Professional Fire Fighters Association. (6.1/19/CSC)

**14. Adjournment**

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

That the meeting adjourn.

**Motion Passed**

The meeting adjourns at 5:39 PM.

---

Matt Brown, Mayor

---

Catharine Saunders, City Clerk



## 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 73,000m<sup>2</sup> 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.

**Motion Passed**

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

**APPENDIX "A"**  
**CONFIDENTIAL- Released in**  
**Public**

#18164  
 October 9, 2018  
 (Property Acquisition)

Chair and Members  
 Corporate Services Committee

**RE: Property Acquisition - Portion of 3544 Dingman Drive**  
**New Dingman Creek Pumping Station Facility**  
**(Subledger LD180063)**  
**Capital Project ES6066 - Dingman Pumping Station Header Reconfiguration**  
**Portion of 3544 Dingman Drive**

**FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:**

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

<b><u>ESTIMATED EXPENDITURES</u></b>	<b><u>Approved Budget</u></b>	<b><u>Revised Budget</u></b>	<b><u>Committed To Date</u></b>	<b><u>This Submission</u></b>	<b><u>Balance For Future Work</u></b>
Engineering	\$53,113	\$54,840	\$54,840		\$0
Land Acquisition		328,907		328,907	0
Construction	446,887	115,972			115,972
City Related Expenses		281	281		0
<b>NET ESTIMATED EXPENDITURES</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$55,121</b>	<b>\$328,907</b>	<b>\$115,972</b>
<b>SOURCE OF FINANCING</b>					
Drawdown from Sewage Works Reserve Fund	\$500,000	\$500,000	\$55,121	\$328,907	\$115,972
<b>TOTAL FINANCING</b>	<b>\$500,000</b>	<b>\$500,000</b>	<b>\$55,121</b>	<b>\$328,907</b>	<b>\$115,972</b>

1) **Financial Note:**

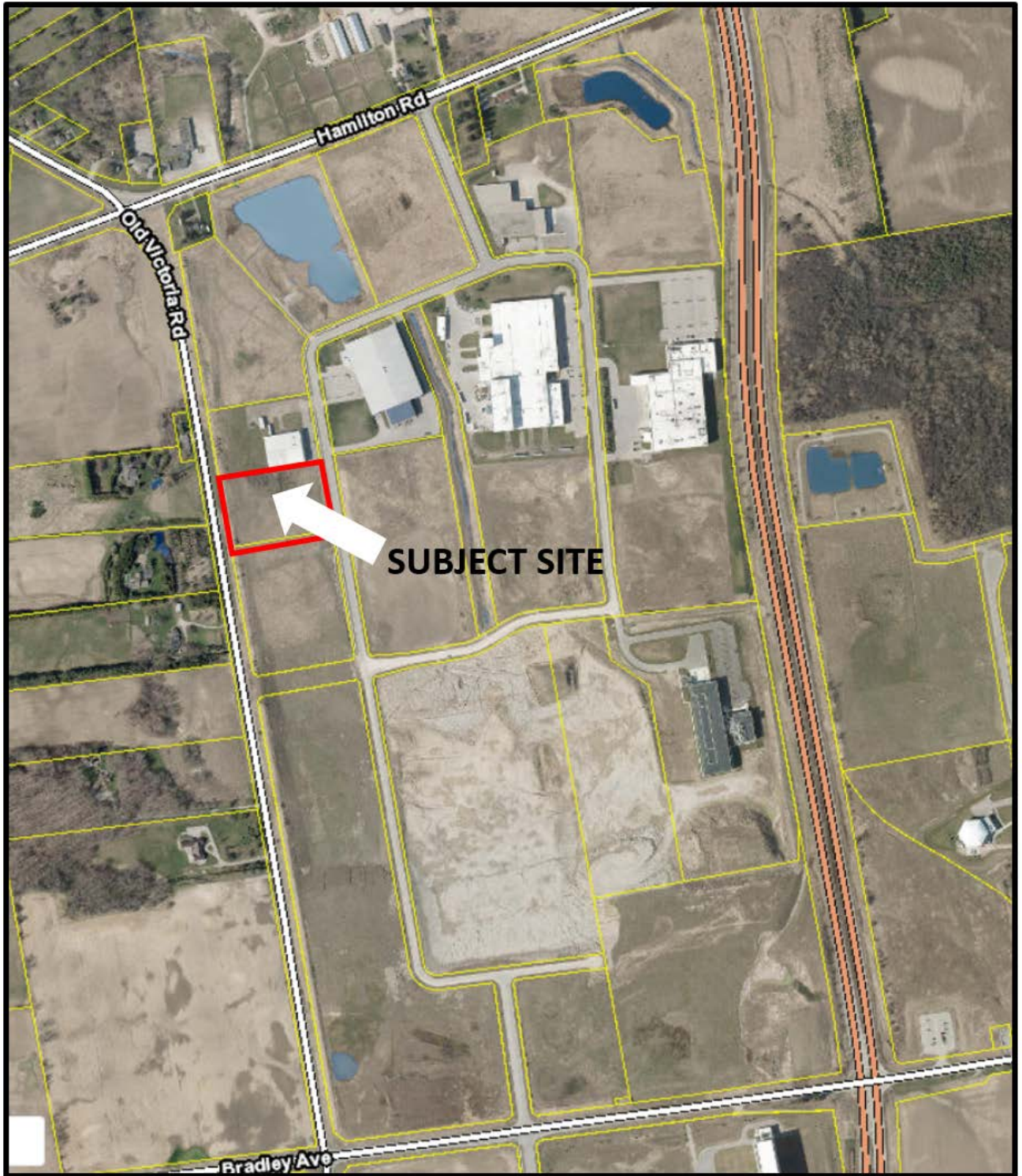
Purchase Cost	\$320,000
Add: Land Transfer Tax	3,275
Add: HST @13%	41,600
Less: HST Rebate	(35,968)
<b>Total Purchase Cost</b>	<b>\$328,907</b>

JG

  
 Jason Davies  
 Manager of Financial Planning & Policy

**SCHEDULE "A"**

**PART 1 & PART 2, PLAN 33R-18405  
AND BEING PART OF PART 4 & PART OF PART 8, PLAN 33R-18258  
INNOVATION PARK PHASE I**



**APPENDIX "B"**  
**OPTION TO PURCHASE AGREEMENT**

OPTION AGREEMENT  
CORPORATION OF THE CITY OF LONDON

PAGE 1

**OPTION TO PURCHASE AGREEMENT – DANCOR PHASE III OXFORD INC.**

This Option Agreement dated the 20<sup>TH</sup> day of September, 2018.

Between:

**THE CORPORATION OF THE CITY OF LONDON,**  
a municipal Corporation incorporated under the laws of Ontario,  
hereinafter called "the Optionor"  
- OF THE FIRST PART -

and

**DANCOR PHASE III OXFORD INC.**  
hereinafter called "the Optionee"  
- OF THE SECOND PART -

WHEREAS the Optionor is the registered owner of an estate in fee simple in the lands hereinafter referred to;

AND WHEREAS the Optionee wishes to acquire title in fee simple, free and clear of all liens, claims, charges or encumbrances to the lands of the Optionor described as the northerly 10.15 acres, more or less, located on the west side of Robin's Hill Road, and being composed of the southerly portion of Part 8, 9, 10 and 11 of Plan 33R-19050 in the City of London, County of Middlesex and shown outlined in red on the plan attached hereto as Schedule "A" hereinafter referred to as the Lands;

AND WHEREAS the Optionor has agreed to grant to the Optionee an Option to Purchase the Lands upon the terms and conditions hereinafter set forth;

NOW THEREFORE this agreement witnesseth that in consideration of these presents, and in consideration of the payment or payments made or to be made to the Optionor by the Optionee in accordance with the provisions of the agreement, the Optionor agrees to grant to the Optionee an Option to Purchase the Lands upon the terms and subject to the conditions hereinafter set forth in respect of which the Optionor and the Optionee respectively covenant and Agree as follows:

1. The Optionee shall have the right at any time prior to **October 31, 2019** (the "Expiry Date") to deliver a notice to the Optionor specifying a date for completion of the transaction of purchase and sale contemplated hereby. The date for completion ("Closing") specified in such notice from the Optionee to the Optionor shall be no less than 30 days and no more than 60 days after the date of such notice. If the Optionee does not give such a notice prior to the Expiry Date then this Agreement shall terminate and neither the Optionor nor the Optionee shall have any further obligations hereunder.
2. The purchase price for the Lands shall be **Six Hundred and Fifty-Nine Thousand Seven Hundred and Fifty Dollars (\$659,750.00)**, representing \$65,000.00 per acre. The purchase price shall be paid by cash or certified cheque of lawful money of Canada as follows:
  - (a) Ten Thousand Dollars (\$10,000.00) to be paid within ten (10) days of the date of execution of this agreement by the Optionee as a non-refundable deposit on account of the purchase price, the receipt of which is hereby acknowledged by the OPTIONOR;
  - (b) a further deposit of Fifty-Five Thousand Nine Hundred and Seventy-Five Dollars (\$55,975.00) to be paid on account of the purchase price by the Optionee upon delivery of the notice referred to in paragraph 1 of this agreement;
  - (c) the balance of the purchase price shall be paid by the Optionee on Closing, less the amount of deposits made under paragraphs 2(a) and 2(b) of this agreement.
3. The Optionor shall on Closing execute and deliver to the Optionee a good and valid deed or Transfer (the "Conveyance") of the Lands in appropriate form for registration in the land registration office where the Lands are recorded in order to enable the Optionee to be registered

as owner in fee simple of such Lands and the Optionor covenants with the Optionee that it will execute such further assurances of the Lands as may be requisite. The Optionee agrees to be bound by the Policy of the Corporation of the City of London with respect to the sale and / or transfer of City-owned industrial land, which Policy is attached hereto as Schedule "B" to this Option, it being the intent of the parties hereto that the provisions of the said "Policy" shall survive closing of this transaction to such extent as may be required to give effect to the said Policy. As a condition of this Option, the Optionee agrees to accept a Deed with respect to the land herein described in a form sufficient to give effect to the said Policy.

4. The Optionor covenants, represents and warrants that title to the Lands is, and on Closing will be, good and free from all encumbrances. If prior to Closing any valid objection to title or to the fact that the proposed use of the Lands by the Optionee may not lawfully be undertaken is made in writing to the Optionor and which the Optionor is unable or unwilling to remove, remedy or satisfy and which the Optionee will not waive, this agreement, notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end and, notwithstanding the provisions of paragraph 2 of this agreement, all monies therefore paid shall be returned to the Optionee without interest or deduction and the Optionor shall not be liable for any costs or damages.

5. The Optionor covenants to the Optionee that it has the right to convey the Lands to the Optionee notwithstanding any act of the Optionor and that the Optionee shall have quiet possession of the lands free from all encumbrances from and after Closing.

6. Notwithstanding the standard terms and conditions set out in this Agreement, the Optionor agrees to sell to the Optionee and the Optionee agrees to purchase from the Optionor the Lands upon the additional terms set out in the Schedule C and Schedule D.

7. The Lands and any other things being purchased shall be and remain until Closing at the risk of the Optionor.

8. The Optionee acknowledges and understands that should the Optionor receive at any time prior to the Expiry Date, a bona fide unconditional offer to purchase the Lands, for a sum in cash exceeding the amount as set out in paragraph 2 of this agreement, the Optionee shall have the right to:

- (a) within thirty (30) days of the date of receipt of notice from the Optionor of a higher offer to increase the purchase price payable under paragraph 2 of this agreement to match the higher offer and upon exercising this right, this agreement shall continue in full force at the new purchase price;
- (b) within thirty (30) days of the receipt of notice from the Optionor of a higher offer to forthwith deliver notice to the Optionor pursuant to paragraph one (1) of this agreement specifying the date of completion of the transaction of purchase and sale contemplated by this agreement, or;
- (c) within thirty (30) days of the receipt of notice from the Optionor of a higher offer to forthwith delivery notice to the Optionor that it does not intend to exercise its right under Subparagraphs 8 (a) or 8 (b). Upon receipt of such notice the Optionor shall be free to enter into an agreement of purchase and sale with a person submitting the bona fide unconditional offer. This agreement shall terminate upon the completion of the sale as provided for in the agreement of purchase and sale except that if an agreement of purchase is not entered into or the sale as provided for in the agreement of purchase and sale is not completed, then this agreement shall continue in full force and the purchase price shall remain the same as the purchase price in effect prior to the bona fide offer.

The Optionor shall enclose a copy of the bona fide unconditional offer with notice to be given by it to the Optionee pursuant to Subsection 8(a), (b) and (c).

9. The Optionor represents that it is a public service body as defined in Section 123(1) of the Excise Tax Act. The sale of the property subject to this agreement is an exempt supply except when the purchaser is an individual or an unincorporated business enterprise. All Harmonized Sales Tax (HST), if any, which may be payable in connection with this transaction shall be in addition to and not included in the Purchase Price. The Optionee is a HST Registrant and will account for its HST liability, if any, in accordance with applicable legislation.

10. The Optionor shall pay all charges including, without limitation, taxes (including local

improvements) levied against the Lands up to and including Closing and the Optionee shall pay all said taxes after that date.

11. The parties hereto acknowledge each with the other that neither execution or registration of the Conveyance, nor the issuance of title to the Optionee, shall supersede, cancel or in any way render unenforceable any of the provisions of this agreement.

12. The Optionor represents and warrants that it has done no act to encumber the Lands and the Optionor covenants that it will do no act to encumber the Lands.

13. All notices required or permitted to be given hereunder shall be in writing and may be given by either (i) delivering the same to the other party, or (ii) if postal service is fully operative, by mailing same by registered mail postage prepaid:

in case of the Optionor to:

The Corporation of the City of London  
Realty Services Division  
300 Dufferin Avenue, 9<sup>th</sup> floor  
London, ON N6A 4L9  
Attention: Manager of Realty Services

and in the case of the Optionee to:

Dancor Phase III Oxford Inc.  
16 Melanie Drive, Suite 101  
Brampton, ON L6T 4K9  
Attention: Sean Ford A.S.O.


or to such other address as the Optionee and the Optionor respectively may from time to time designate in writing and any such notice shall be deemed to have been given to and received by the addressee on the date on which it was delivered or if mailed shall be deemed to have been given to and received by the addressee on the fifth business day following the date on which it was deposited in the mail, except in the event of interruption of mail service after mailing, in which event it shall be deemed to have been given when actually received.

14. Schedules A, B,C and D attached hereto form part of this Agreement

IN WITNESS WHEREOF the Purchaser, if a person, has hereunto set his hand and seal or, if a corporation, has hereunto affixed its Corporate Seal duly attested to by its proper signing Officers this 25 day of SEPTEMBER, 2018.

SIGNED, SEALED & DELIVERED

in the presence of

  
\_\_\_\_\_  
Witness:

\_\_\_\_\_  
Witness:

)  
) DANCOR PHASE III OXFORD INC.  
)  
)  
)   
\_\_\_\_\_  
) Signature of Signing Officer  
) Name: Sean Ford  
) Title: A.S.O.  
) I have authority to bind the Corporation  
)  
)  
\_\_\_\_\_  
) Signature of Signing Officer  
) Name & Title:  
)  
)  
) I/We have authority to bind the Corporation

**ACCEPTANCE**

The Optionor accepts the above Agreement.

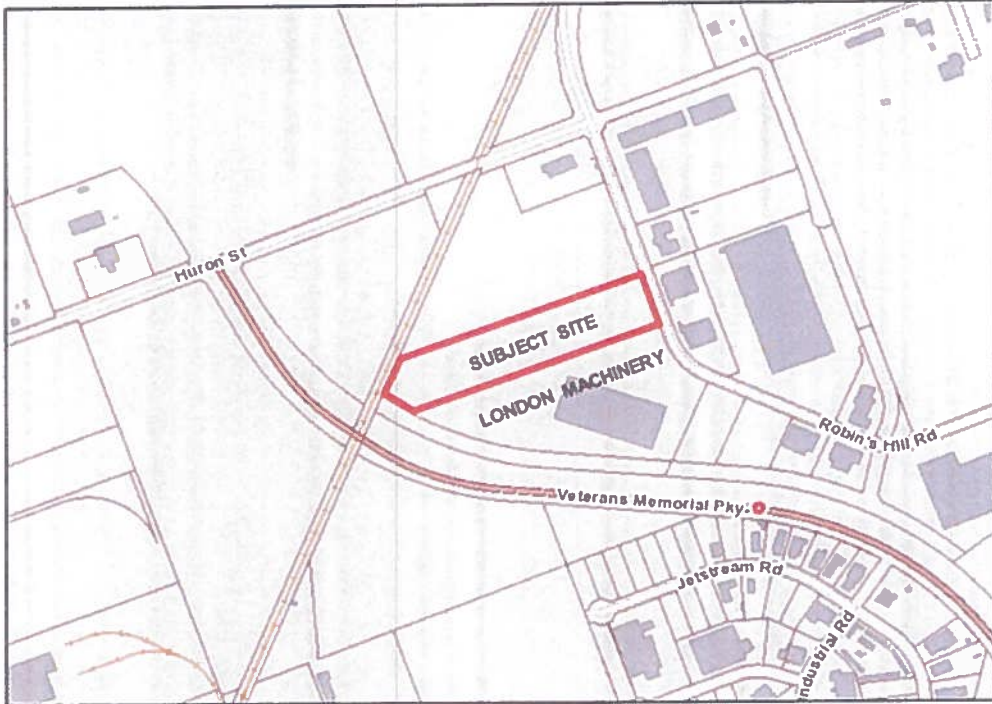
**THE CORPORATION OF THE CITY OF LONDON**

\_\_\_\_\_  
Matt Brown, Mayor

\_\_\_\_\_  
Catharine Saunders, City Clerk



Schedule "A"



SCHEDULE "B"

Excerpt from By-law No. A.-6151-17, Schedule A, Attachment A entitled "Disposal of Industrial Land Procedures"

Disposal of Industrial Land Procedures

1. The purpose of this policy is to establish the terms upon which City-owned serviced industrial land is to be sold and transferred.
2. This policy is to be read and applied fairly and beneficially with such variations as circumstances or the nature of the subject matter require provided the general purpose, intent, meaning and spirit of the policy are maintained.
3. In this policy,
  - (a) Commencement of construction means the date upon which a building permit is issued by the City;
  - (b) Completion of construction is reached when the building or structure or a substantial part thereof is ready for use or is being used for the purpose intended, and;
  - (c) Coverage has the meaning ascribed to it under the applicable zoning by-law.

CLASS 1 SALE

4. A class 1 sale is a sale of a land for the purpose of the construction thereon of a building or structure for a detached industrial use.
5. A class 1 sale shall be subject to the following conditions:
  - (a) The purchaser shall commence construction within one year of the registration of the deed or transfer and shall diligently complete construction of the building or structure, in default of which the purchaser shall in the sole discretion of the City reconvey the land to the City in accordance with Section 18 of this policy and free and clear of all encumbrances, easements, restrictions or covenants except as to those originally assumed by the purchaser from the City.
  - (b) The minimum coverage of the building or structure shall be 15 per cent, provided however that, where the maximum coverage permitted under the applicable zoning by-law is 15 percent or less, the maximum coverage under the zoning by-law shall be deemed to be the minimum coverage required by this condition.
  - (c) The purchaser shall not within 10 years of the registration of the deed or transfer convey any vacant part of the land by deed, transfer, grant, assignment, appointment, mortgage, charge, lease or sub-lease (Planning Act, R.S.O. 1990, Chapter P .13), without first notifying the City and, where it has been so notified, the City may either grant its consent (which shall not be unreasonably withheld) to the conveyance or application or may in its sole discretion require the purchaser to reconvey the vacant part to the City in accordance with Section 18 of this policy and free and clear of all encumbrances, easements, restrictions or covenants except as to those originally assumed by the purchaser from the City.
  - (d) The purchaser shall pay local improvement charges and any other special levies assessed at any time against the land on and after completion of the purchase.
6. The Manager of Realty Services may grant one or more extensions (which in total shall not exceed two years) of the time set out in paragraph 5 (a) of Section 5 of this policy within which construction of a building or structure is to be commenced provided the purchaser has filed a written request with the Manager of Realty Services for the extension.
7. A purchaser wishing to notify the City under condition 5 (c) of this policy shall file a written request with the Manager of Realty Services who shall submit a recommendation thereon to Council through the Corporate Services Committee.

CLASS 2 SALE

8. A class 2 sale is a sale of a land for the purpose of the extension or enlargement of a building or structure erected or to be erected upon land of the purchaser abutting the land.
9. A class 2 sale shall be subject to conditions (c) and (d) of Section 5 of this policy and the further condition that the land shall not be used for any purpose other than the extension or enlargement of a building or structure erected or to be erected upon lands of the purchaser abutting the land.

CLASS 3 SALE

10. A class 3 sale is a sale that is not a class 1 or class 2 sale and that is a sale of a land for the purpose of a use ancillary to a building or structure erected or to be erected upon land of the purchaser abutting the parcel.
11. A class 3 sale shall be subject to conditions (c) and (d) of Section 5 of this policy and the further condition that the land shall not be used for any purpose other than a use ancillary to a building or structure erected or to be erected upon land of the purchaser abutting the parcel.

GENERAL

12. At least annually, the Manager of Realty Services shall review the pricing of industrial land and if a change in pricing is recommended, shall make a recommendation to Board of Control as to the price per acre at which land should be offered for sale during the ensuing year.
13. Pending receipt of an offer to purchase from a prospective purchaser, land may be reserved for a period of 30 days, provided however that, if during the reserve period the City receives an offer to purchase the same land in accordance with this policy from another prospective purchaser, the first prospective purchaser shall be allowed 5 days after notification within which to submit an offer to purchase at the same price and on the same terms; otherwise the City shall be at liberty to accept the second offer to purchase.
14. A prospective purchaser shall complete and execute an offer to purchase in the form provided by the City accompanied by a deposit payable to the City Treasurer by cash or certified cheque equal to 10 per cent of the total purchase price, and the balance shall be payable subject to usual adjustments upon completion of the transaction.
15. The Manager of Realty Services may submit an offer to purchase for acceptance by the City.
16. The transaction shall be completed within 90 days of the passing of the by-law accepting the offer to purchase or within such further period as may be agreed to between the City Solicitor and the purchaser's solicitor in the best interests of the City.
17. Where, in the City's opinion, land is properly sold through a real estate agent, the City shall pay a fee to the agent not exceeding the scale established by the City upon completion of the transaction but no fee shall be payable if the purchaser is permitted to withdraw from the agreement of purchase and sale prior to the completion of the transaction.
18. Where the whole or any part of land is reconveyed by the purchaser to the City pursuant to a condition of sale or otherwise, the amount payable upon the reconveyance shall be 90 per cent of either the original purchase price (exclusive of interest thereon), if the whole land is reconveyed, or the portion thereof that is in the same ratio as the area of the reconveyed part is to the whole land, subject to adjustments as of the date of reconveyance for taxes, local improvements and other rates and subject, where the City considers necessary, to the City's withholding until a new purchaser is found, an amount sufficient to compensate the City for the cost of restoring the land to its original condition if so required by the new purchaser.
19. The development of the property will be subject to the requirements of the Architectural Control Guidelines as published by the City of London from time to time and the purchaser acknowledges the contents thereof and agrees to conform to those Guidelines.
20. The cost of service connections from the main to the property line is the responsibility of the purchaser.
21. The purchaser accepts the current condition of the site and the cost of removal of topsoil from the site if required is the responsibility of the purchaser.

SCHEDULE "C"

ADDITIONAL TERMS AND CONDITIONS

1. Headings

The headings in this agreement are for convenience of reference only and shall not define or limit the provisions of the agreement.

2. Paramountcy of Schedule "C"

The provisions of this Schedule "C" are in addition to, and not in substitution for the standard provisions contained in the body of the Option Agreement and in Schedule "B" thereto, provided that if the provisions of this Schedule "D" conflict or are inconsistent in any respect with such standard provisions, By-Law No. A-6151-17 or any policy of The Corporation of the City of London, the provisions of this Schedule "D" shall prevail and the aforesaid By-Laws and Policies shall be read with the corresponding amendments. Unless the context otherwise requires, the term "this Agreement" as used in the Option Agreement and Schedules thereto shall mean the said Option Agreement and all Schedules thereto.

3. Class 2 Sale Provisions

The Optionee shall commence construction within ten (10) years of the registration of the deed or transfer and shall diligently complete construction of the building or structure, in default of which the purchaser shall, in the sole discretion of the Optionor, reconvey the land to the Optionor in accordance with the following paragraph, and free and clear of all encumbrances, easements, restrictions or covenants except as to those originally assumed by the purchaser from the Optionor.

Where the whole or any part of land is reconveyed by the purchaser to the Optionor pursuant to a condition of sale or otherwise, the amount payable upon the reconveyance shall be 90 per cent of either the original purchase price (exclusive of interest thereon), if the whole land is reconveyed, or the portion thereof that is in the same ratio as the area of the reconveyed part is to the whole land, subject to adjustments as of the date of reconveyance for taxes, local improvements and other rates and subject, where the Optionor considers necessary, to the Optionor's withholding until a new purchaser is found, an amount sufficient to compensate the Optionor for the cost of restoring the land to its original condition if so required by the new purchaser.

4. Minimum Building Coverage Variance

The Optionor shall permit a minimum building coverage of 13.57 percent (13.57%) in place of the required minimum building coverage of 15 percent (15%), as is stated in paragraph 5(b) of Schedule B (attached).

5. Base Grading

The Optionor shall base grade the Property at its expense, as approved by the City Engineer and in general conformance to the grading plan shown in Schedule "D" (the "Grading Plan"). The Grading Plan will be completed using existing stockpile material on site.

The Optionor will notify the Optionee in writing within ten (10) business days upon completion of the Base Grading (the "Notice of Grading Completion"). Unless otherwise stated in this agreement, the transaction of the purchase and sale is to be completed within ninety (90) days after waiver of the title and soils conditions.

6. Requirement for Sewage Sampling Manholes

The Optionee may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.

7. Quality and Quantity of Storm Water Management

The Optionor represents and warrants to the Optionee that the Optionor's existing storm water management pond is sized appropriately for the storm water to be generated from the Property, provided that the stormwater flows emanating for the Property are in conformance with the accepted Stormwater Management Report(s) and Design(s) for the Skyway Industrial subdivision and Skyway Industrial Stormwater Management Facility which may include on site quantity and quality controls. This representation and warranty shall survive and not merge on the completion of this transaction.

8. Proposed Commencement Date of Construction

The Optionee agrees that the Proposed Commencement Date of Construction may be up to Ten (10) years from the date of Transfer. Notwithstanding other provisions in this Agreement, from and after the 2<sup>nd</sup> anniversary date of the Transfer, the Optionee shall meet with the Manager of Realty Services every year on or about the anniversary date of the Transfer to provide an update on the status of Optionee's client's expansion requirements. This condition shall survive and not merge on the completion of this transaction.

9. Connection to Existing Services

The Optionor represents and warrants to the Optionee that all of the existing municipal services, which may include stormwater, water and sanitary, as documented in the as-constructed drawings, are currently located in the road allowance and the Optionee acknowledges that connections to existing services is the responsibility of the Optionee. This representation and warranty shall survive and not merge on the completion of this transaction.

10. Development Agreement

The Optionee acknowledges that prior to the issuance of a Development Agreement, the Optionee shall be subject to site plan and building permitting process which may include but not be limited to an approval for the location of an entrance to the site, urban design, granting municipal easements and working easements, satisfying servicing requirements, obtaining, if necessary, any permits or agreements required from approval authorities which include, but are not limited to, Ministry of Environment and Climate Change (MOECC), Sun-Canadian, and any other approvals deemed necessary.

11. Canadian National (CN) Railway Conditions

Prior to a submission of a site plan application and/or an application, should any building be within 75 metres of the CN railway right-of-way, the Optionee shall submit a noise and vibration report prepared by a qualified consultant. A certificate of compliance for the implementation of the report recommendations shall be included in the site plan/building permit application.

12. Assignment of Agreement

At any time prior to closing the Optionee may assign this Agreement to an affiliated corporation of the Optionee, as defined in the Ontario or Canada Business Corporations Act, and upon delivery to the Optionor of a notice of such assignment and a covenant by the assignee in favour of the Optionor pursuant to which the assignee agrees to assume all covenants and agreements to be kept, observed and performed by the Optionee pursuant to this Agreement, the assignee shall be entitled to and bound by, and the Optionee shall cease to be entitled to and shall be released from, all of the benefits and obligations of the Optionee pursuant to this Agreement.

13. Reference Plan

The Optionor agrees to prepare and deposit on title, on or before closing and at its expense, a reference plan describing the Property.

14. Purchase Price Adjustment

The purchase price payable by the Optionee to the Optionor for the Property is calculated at 10.15 acres, which includes access to municipal services in the road allowance, multiplied by \$65,000 per acre. If the actual size of the property is different than as set out above at time of closing, then the purchase price for the property shall be adjusted to reflect a price equal to the area of the property multiplied by \$65,000 per acre.

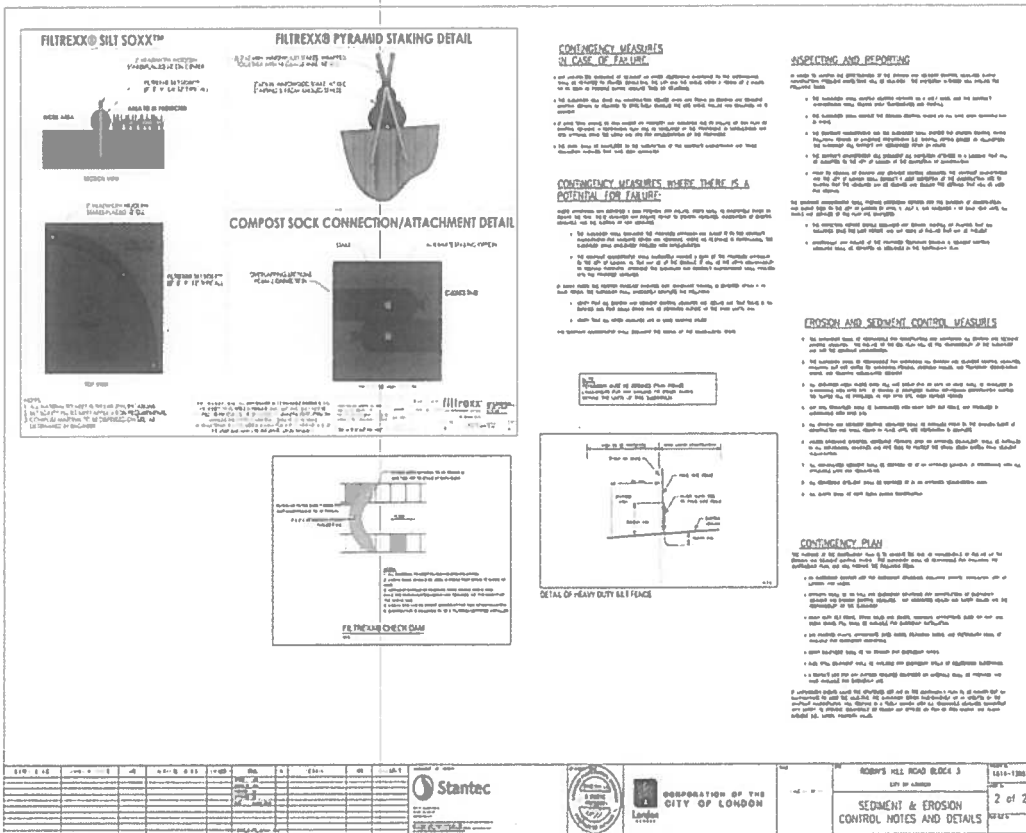
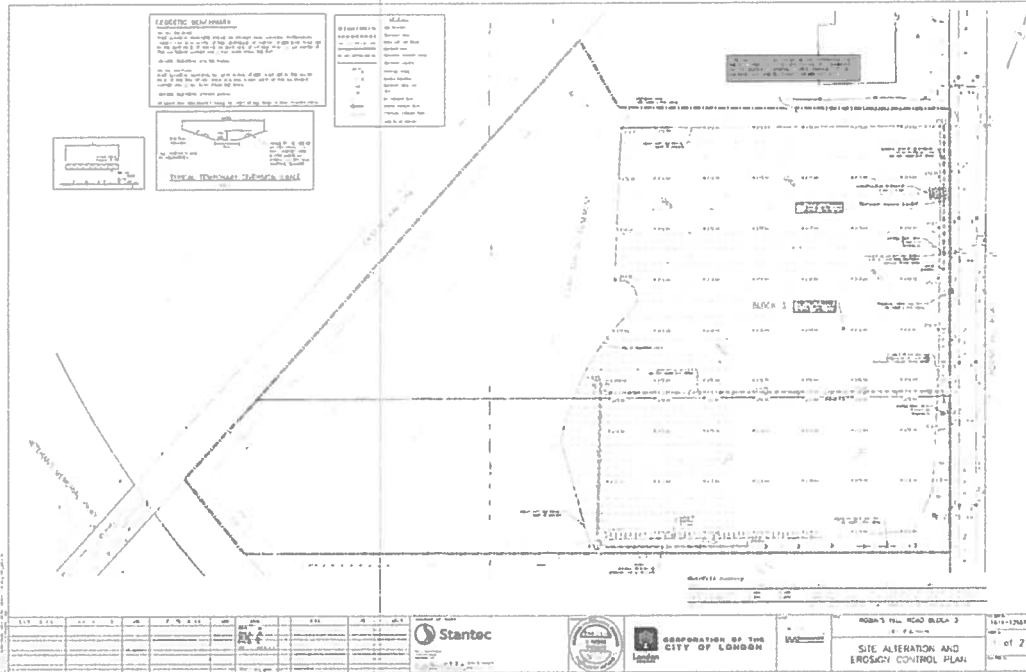
15. Vegetation Maintenance of Property

The Optionee acknowledges and agrees that the Optionee shall following completion of the transaction contemplated in this Agreement, at the Optionee's sole expense, cut and maintain the Property to prevent vegetation from growing on the property which may include but not be limited to trees, brush, tall grasses, and weeds (the "Vegetation Management") from the date of Transfer to the date of the Proposed Commencement Date of Construction. This requirement is for the purpose of preventing Species at Risk (SAR) and the establishment and spread of Invasive Species from forming on the property and shall survive and not merge on title.

16. Survival of Conditions

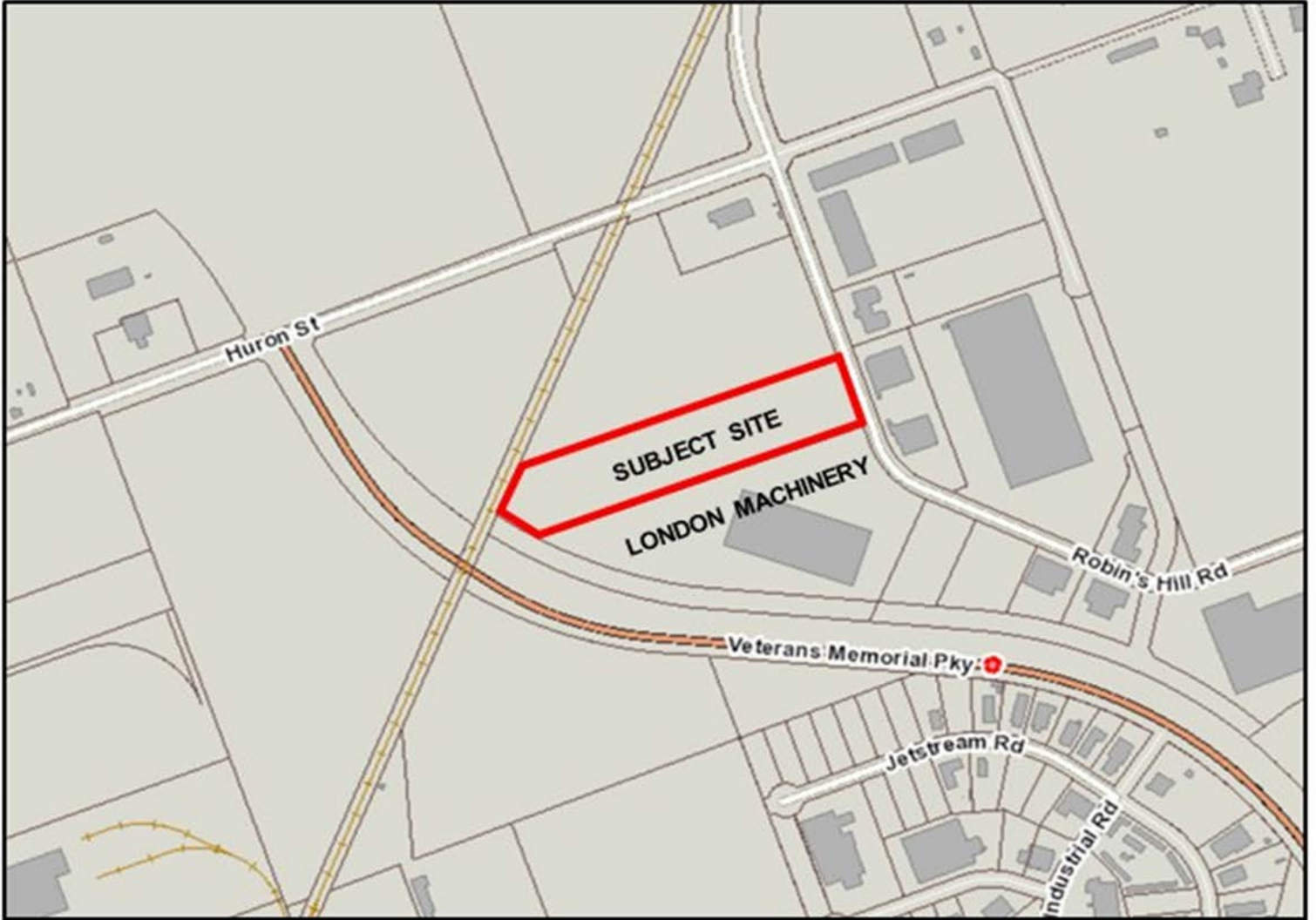
The obligations of Optionee contained in Schedule "C" shall survive and not merge on the completion of this transaction.

Schedule "D"



APPENDIX "A"

Location Map



SCHEDULE A

**MEMORANDUM OF AGREEMENT**

BETWEEN:

**THE CORPORATION OF THE CITY OF LONDON**

(The "Corporation")

AND

**LOCAL UNION NO. 101**

(Canadian Union of Public Employees, London, Ontario)

(The "Union")

The representatives of the Corporation and the Union have accepted and agreed to recommend to their respective principals for ratification, terms of settlement per the following. It is recognized that all changes (including benefit changes) unless otherwise specified, shall come into effect January 1, 2019. In the event that this Memorandum is ratified by the Parties, the representatives will meet to finalize the renewed Collective Agreement, subject to review by the Legal Counsel of both Parties and proper execution of the Collective Agreement.

1 The Parties agree that the terms of this Memorandum of Agreement constitute the full and final settlement of all matters in dispute between them with respect to a renewal collective agreement and that there are no representations (written, oral or otherwise) that either party has relied upon that have not been recorded herein. All proposals, written and/or verbal, not resolved herein are withdrawn on a without prejudice basis.

2 The Parties agree that the renewed Collective Agreement shall include the terms and conditions of the Previous Collective Agreement which expires December 31, 2018 except as amended, deleted from or added to by virtue of this Memorandum.

3 Notwithstanding Article 29.1 of the Collective Agreement, the parties agree to waive all notice requirements relating to the parties' Intent to bargain with a view to the renewal of the Collective Agreement.



4 Final acceptance of the Memorandum of Agreement is subject to a majority vote in the affirmative by the membership of the Union and the elected Council of The Corporation of the City of London.

Signed this 26<sup>th</sup> day of September, 2018

For the Corporation:

\_\_\_\_\_

*Ullrich*

\_\_\_\_\_

*[Signature]*

\_\_\_\_\_

*[Signature]*

\_\_\_\_\_

*John Miller*

\_\_\_\_\_

*[Signature]*

\_\_\_\_\_

For the Union:

*[Signature]*

\_\_\_\_\_

*[Signature]*

\_\_\_\_\_

*Lidia P. [Signature]*

\_\_\_\_\_

*Kandy*

\_\_\_\_\_

*[Signature]*

\_\_\_\_\_

## 1. ARTICLE 2 – UNION SECURITY AND CHECK-OFF

- Amend Article 2.4 and 2.6 as follows:

2.4 All sums deducted pursuant to this Article shall be remitted by the Corporation to the Treasurer of the Union once each month together with a list of names of all employees from whose remuneration Union dues and assessments were so deducted. **The list of names shall also indicate the amount of Union dues deducted for each employee, employees' annual salary in their base classification for full time employees, and employees' bi-weekly earnings for the applicable month for part time employees.** The Corporation shall notify the Union of terminations of employment and of newly hired employees in the pay period following the pay period in which the status of employment changed.

2.6 The Corporation will inform affected employees of the provisions in this article and give all permanent employees and all temporary employees hired for more than twelve (12) weeks a copy of the Collective Agreement. During the first day at work the employees noted above will be introduced by a Manager to the Union Steward **and the Worker Health and Safety Representative, and shall be allowed fifteen (15) minutes to meet with each.**

## 2. ARTICLE 5 – UNION REPRESENTATION

- Amend 5.1 as follows

(f) *The Joint Health and Safety Committee - Market Tower Citi Plaza* shall consist of ~~four (4)~~ **six (6)** Union and ~~four (4)~~ **six (6)** Management representatives for the purpose of performing the duties prescribed by the *Occupational Health and Safety Act*, R.S.O. 1990, Chapter 0.1, and as further outlined in the Terms of Reference, jointly agreed to by the parties.

(g) *The Joint Health and Safety Committee – Satellite Centres* shall consist of ~~three (3)~~ **four (4)** Union and ~~three (3)~~ **four (4)** Management representatives for the purpose of performing the duties prescribed by the *Occupational Health and Safety Act*, R.S.O. 1990, Chapter 0.1, and as further outlined in the Terms of Reference, jointly agreed to by the parties.

(j). *The Return To Work Committee* shall consist of ~~three (3)~~ **up to four (4)** Union and ~~three (3)~~ **up to four (4)** Management representatives for the purpose of returning those employees from the bargaining unit with occupational or non- occupational disabilities or diminished capacity to gainful employment, with the main objective to return those employees to their regular predisability work.

- Amend 5.7 as follows

All agendas of the City Council ~~and the Board of Control~~ are to be sent to the Union at the same time they are sent to the members of the said Council ~~and Board~~. All minutes, if any, of the meetings of the Council are to be similarly sent to the Union, provided that the Union shall not be entitled to receive any minutes concerning or relating to meetings of the said Council which are held in camera.

### 3. ARTICLE 8 – STAFF CHANGES, ADDITIONS AND PROMOTIONS

- Amend 8.2 as follows:

The Corporation will notify the Union **in writing** if the most senior applicant will not be appointed to any such vacancy.

### 4. ARTICLE 9 – REMUNERATION AND INTERVIEW

- Amend 9.3 as follows:

When employees are assigned on a temporary basis for more than five (5) consecutive working days to perform the duties of a job in a higher classification, they will be paid the next higher of the two rates for the replacement period retroactive to the first day of such replacement. However, if the next higher rate is not at least ~~seven hundred and twenty five dollars (\$725.00); effective July 22, 2015~~, eight hundred dollars (\$800.00), higher than their annual rate, their annual rate shall be adjusted by a minimum of ~~seven hundred and twenty five dollars (\$725.00); effective July 22, 2015~~, eight hundred dollars (\$800.00). No temporary assignment shall be utilized to deprive employees with seniority of the opportunity of appointment to a position per the provision of Article 6 or Article 8.

- Amend 9.4 as follows:

(a) When employees are promoted from one job classification to another, they shall be paid the next higher rate as provided in Schedule "A".

However, if the next higher salary rate does not result in at least ~~seven hundred and twenty five dollars (\$725.00); effective July 22, 2015~~, eight hundred dollars (\$800.00) increase, their salary shall be adjusted by an amount of a minimum of ~~seven hundred and twenty five dollars (\$725.00); effective July 22, 2015~~, eight hundred dollars (\$800.00). The adjustment may result in the employee receiving a salary which does not appear in Schedule "A". Future salary increases shall be in accordance with Schedule "A".

## 5. ARTICLE 12 – VACATIONS

- Amend 12.9 as follows:

Each person who has been employed by the Corporation on a temporary basis shall be paid vacation pay in accordance with the ~~The~~ *Employment Standards Act, 2000* unless the Collective Agreement provides a greater benefit for temporary employees. **In accordance with subsection 36(3) of the *Employment Standards Act, 2000* (as may be amended from time to time), the parties agree that the Corporation shall pay vacation pay for temporary employees that accrues during each pay period on the pay day for that period.**

- ARTICLE 23 – TEMPORARY ASSIGNMENT

23.8 During the first thirty (30) weeks of employment in a temporary assignment, a temporary employee shall be paid in accordance with Schedule "A", and have the protection of Articles 2, 10, 11 and 17.4 of the Collective Agreement except as noted in sub-article 23.10. No other Article of the Collective Agreement applies. A temporary employee shall not be entitled to a lieu day holiday and shall, as a condition for other paid holidays, have worked the last working day before the holiday and the first regular working day after the holiday.

**Temporary employees shall be paid vacation pay in accordance with the *Employment Standards Act, 2000* and in accordance with subsection 36(3) of the *Employment Standards Act, 2000*, (as may be amended from time to time), the parties agree that the Corporation shall pay vacation pay for temporary employees that accrues during each pay period on the pay day for that period.**

6. ARTICLE 13 – HOSPITAL, MEDICAL, SICK LEAVE, PENSIONS, GROUP INSURANCE

- Housekeeping – change all references to Liberty Health to Manulife
- Amend 13.1 (a) as follows:
  - (a) The Corporation will pay 100% of the premiums for the said health plans, as set out below:
    - The Ontario Health Insurance Plan.
    - The Liberty Health Supplementary (or equivalent coverage) to the Ontario Health Insurance Plan maximum prescription dispensing fee ~~seven dollars and fifty cents (\$7.50)~~ **ten (10) dollars** (unless maximum ODB dispensing fee is greater, and provide for voluntary generic substitution except on express instruction of physician).
    - Liberty Health Extended Health Care Benefits Plan, or equivalent coverage, which will include coverage for prescribed CPAP machines, no deductible will apply for single or family coverage. The plan will include the Deluxe Travel Plan.
- Amend 13.1 (a) to provide for the following:
  - Chiropractic, Osteopath, Naturopath, Podiatrist, Physiotherapist, Speech Pathologist, Masseur, Chiropodist, **Social Worker** and Psychologist coverage for a total of ~~one thousand, four hundred dollars (\$1,400.00) per year~~, **one thousand, five hundred dollars (\$1,500) per year.**
- Amend 13.1 (c) as follows:
  - (i) The Corporation will pay one hundred percent (100%) of the premiums for a Vision Care Plan in conjunction with the Extended Health Care Plan providing for a benefit of ~~three hundred dollars (\$300.00)~~ **three hundred and fifty dollars (\$350.00)** in twenty-four (24) months with a twelve (12) month prescription rider plus loss or breakage replacement up to the maximum dollar amount. ~~Effective August 21, 2015,~~ The Vision Care Plan benefit of ~~three hundred dollars (\$300.00)~~ **three**

**hundred and fifty dollars (\$350.00)** in 24 months inclusive of laser eye surgery. Employees shall pay fifty percent (50%) of the premium of such plan; the five twelfths (5/12ths) portion of the E.I. premium reduction rebate for employees (respecting wage loss programs) shall be paid to the employer and shall be deemed to cover the **employees'** cost of this benefit, whether same is actually more or less than the rebate.

(ii) An eye exam once every twenty-four (24) consecutive months up to a maximum amount of ninety dollars (\$90.00) per exam for employees and eligible dependants.

- Amend 13.2 (j) as follows:

(i) Whenever employees, formerly employed by another **Ontario** municipality or local board which had established a sick leave credit plan under the provisions of the *Municipal Act*, or any private Act of the Corporation of the City of London, become employees of the Council of the Corporation of the City of London, without interruption of employment by another employer, the Chief Human Resources Officer shall ascertain, in writing, the extent of the sick leave credits, if any, standing to their credit in the plan of the **Ontario** municipality or local board formerly employing the employee, ....

- delete Article 13.5 as follows:

~~**13.5 An employee shall retire from the employ of the Corporation no later than the end of the month in which the employee's sixty-fifth birthday occurs.**~~

## 7. ARTICLE 14 REHABILITATIVE ASSIGNMENTS AND WORKPLACE SAFETY AND INSURANCE

- Add New 14.7

**When an employee, due to disability, is placed in a position carrying a lower wage rate on a permanent basis, his or her existing wage rate shall be red-circled for a period of one (1) year from date of transfer. At the completion of this first year in the lower paid classification, his or her hourly rate shall be reduced by 3% and by a further 3% at subsequent six (6) month intervals. This retrogression shall proceed until the reduced wage rate and the wage rate of his or her new classification are the same. Upon reaching the rate of the lower**

paid classification, the employee concerned shall be granted negotiated increases for that classification.

If a lower rated position is not available and an employee, due to disability, is placed in a position carrying a higher wage rate of pay, the terms of Articles 9.5(a) and 9.4(a) shall apply.

## 8. ARTICLE 15 – GRIEVANCE PROCEDURE

### Step No.2

If the complaint is not settled within and not after five (5) working days of the date of discussing the complaint with the employee's appropriate Management Supervisor (or if no decision is received from the employee's appropriate Management Supervisor within five (5) working days after such decision ought to have been given), the complaint shall be reduced to a written grievance and the aggrieved employee, and one member of the Union Grievance Committee, may formally submit the grievance to the Chief Human Resources Officer or designate. The Chief Human Resources Officer or designate, who may have the assistance of the employee's Managing Director, or their nominee as required, shall take the matter up with the Grievor and the Union Grievance Committee member within ten (10) working days after the date ~~of the presentation of~~ the grievance is formally submitted to the Chief Human Resources Officer or designate. **The Chief Human Resources Officer or designate, within ten (10) working days of meeting with the Grievor and the Union Grievance Committee member, shall advise the Union in writing of the Employer's response.** If the grievance is not settled ~~within that period of time within ten (10) working days from the date of the meeting,~~ the Union may, within and not after twenty (20) working days after ~~that~~ the date it receives the Employer's written response (or if no written response from the Chief Human Resources Officer or designate is received within ten (10) working days, within and not after twenty (20) working days after such response ought to have been given), refer the grievance to Arbitration under Article 16.

## 9. ARTICLE 31 – TERM OF AGREEMENT

This Agreement shall be for a term of forty ~~one (41)~~ **eight (48)** months, commencing on the ~~22<sup>nd</sup> day of July~~ **1st day of January, 2019**, and ending the 31<sup>st</sup> day of December, ~~2018~~ **2022**, and thereafter in each succeeding year, subject to changes and amendments agreed to by both Parties in Writing.

## 10. Schedule "A" Position Classification and Salary Schedule

- Amend Schedule "A" to reflect the following increases:
  - Effective January 1, 2019 – 1.75%
  - Effective January 1, 2020 – 1.75%
  - Effective January 1, 2021 – 1.85%
  - Effective January 1, 2022 – 2%
- Parties agree to update Schedule "A" to reflect any changes resulting from job evaluation and correct any typos related to position titles.

## APPENDIX B - LONG TERM DISABILITY DETAILS

Housekeeping as follows:

- **ELIGIBILITY** All full time active employees. New employees upon completion of probationary period.

10. Agreeable to meet with the Union one month following the release of the Rubin Thomlinson report to review and consider entering into an LOU regarding harassment discrimination, violence in the workplace and domestic violence.

## LETTERS OF UNDERSTANDING

Effective January 1, 2019, the following Letters of Understanding shall be renewed and form part of the Collective Agreement.

### Subject

- LEAVES OF ABSENCE
- ONTARIO WORKS PROGRAM



- REDUCED HOURS OF OPERATION (HOLIDAY CLOSURE)
- TESTING
- FLEXIBLE WORK SCHEDULE PROGRAM AND COMPENSATORY TIME GUIDELINES
- CONVENTION SERVICING
- TERMS OF DEDICATED PRESIDENCY FOR LOCAL 101
- MUNICIPAL LAW ENFORCEMENT OFFICER II
- JOB SHARING
- CALL IN & STAND-BY –REMOTE ACCESS
- EXCESS HOURS OF WORK AGREEMENT – **Add to the LOU the following classifications as agreed to by the parties in the November 8, 2017 Agreement:**
  - Inventory Control Clerk, Senior Supply Services Representative, and Supply Services Representative**
- UNITED WAY SPONSORED EMPLOYEE PROGRAM
- HIGH SCHOOL CO-OP PLACEMENT
- ~~LICENSING ENFORCEMENT OFFICER (FULL TIME)~~
- ~~LICENSING ENFORCEMENT OFFICER (PART TIME)~~
- SEASONAL TOURISM COUNSELLOR/PAID LUNCH UNDER ARTICLE 10
- REFERRAL TO ARBITRATION OF A JOB EVALUATION MATTER
- EMPLOYEES HIRED ON OR BEFORE JULY 22, 2015 – JOB POSTING AND “BUMPING”

## 11. APPENDIX AGREEMENTS

- Renew Agreement “1” EMPLOYEES TRANSFERRED FROM THE FORMER PUBLIC UTILITIES COMMISSION – **update employee names as applicable**
- Renew Agreement “2” FORMER TOWN OF WESTMINSTER EMPLOYEES BENEFITS – **update employee names as applicable**
- Renew Agreement “3” FORMER MIDDLESEX COUNTY EMPLOYEES BENEFITS – **update employee names as applicable**
- **DELETE** - Agreement “4” Various Provisions

13. Housekeeping – correct spelling errors, delete past effective dates and typos as applicable.



Architectural Conservancy Ontario – London Region Branch  
Grosvenor Lodge  
1017 Western Road  
London, ON N6G 1G5

Wednesday, October 31, 2018

Members of London City Council:

**Re: Affordable Housing – Planning Tools to Support Development of Affordable Housing  
(Item 2.1, 16th Meeting of the Planning and Environment Committee, Oct. 29, 2018)**

Dear Councillors:

Architectural Conservancy Ontario – London Region Branch (ACO London) applauds the above report from City Planner John Fleming on the development of tools to promote affordable housing and regenerate city neighbourhoods. ACO would, however, like to see more emphasis placed on the preservation of existing housing stock. Preserving our older homes, instead of demolishing them, provides significant environmental, cultural and economic benefits to the city and its neighbourhoods.

Sincerely,

Jennifer Grainger  
President, London Region Branch  
Architectural Conservancy Ontario

CC: John Fleming - Managing Director, Planning and City Planner

# Corporate Services Committee

## Report

19th Meeting of the Corporate Services Committee  
October 30, 2018

PRESENT: Councillors J. Helmer (Chair), J. Morgan, P. Hubert, M. van Holst, J. Zaifman  
ABSENT: Mayor M. Brown  
ALSO PRESENT: A.L. Barbon, B. Card, I. Collins, B. Coxhead, M. Galczynski, L. Hamer, L. Livingstone, J. Logan, K. Murray, M. Schulthess, S. Spring, B. Warner, J. Wills and B. Westlake-Power

The meeting is called to order at 12:31 PM.

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were declared.

### 2. Consent

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

That Items 2.1 to 2.7, excluding 2.3, BE APPROVED.

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

Absent: (1): Mayor M. Brown

**Motion Passed (5 to 0)**

#### 2.1 City of London Days at the Budweiser Gardens - Day 2 Knight Events/Meals on Wheels London

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

That, on the recommendation of the City Clerk, the request from Day 2 Knight Events/Meals on Wheels London to host the Seniors Prom 2019 on October 3, 2019, BE APPROVED as a City of London Day at the Budweiser Gardens; it being noted that only one other request has been received for 2019.

**Motion Passed**

#### 2.2 City of London Days at the Budweiser Gardens - Parkinson Society Southwestern Ontario

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

That, on the recommendation of the City Clerk, notwithstanding Council Policy – City of London Days at the Budweiser Gardens, which restricts a group from having more than two event days over a five year consecutive period, the request from the Parkinson Society Southwestern Ontario to host a Charity Lunch Event featuring local restaurants on June 3, 2019, BE APPROVED as a City of London Day at the Budweiser Gardens; it being noted that only one other request has been received to-date for 2019.

**Motion Passed**

2.4 Annual Report Risk Management Services

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

That, on the recommendation of the Manager III, Risk Management and Managing Director, Corporate Services & City Solicitor, the staff report dated October 30, 2018 and the revised Appendix A regarding the annual report for Risk Management Services, BE RECEIVED for information.

**Motion Passed**

2.5 City of London's Credit Rating

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

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the City of London's Credit Rating Report, providing a summary of Moody's Investors Service Credit Opinion of the City of London, BE RECEIVED for information.

**Motion Passed**

2.6 Pre-Authorized Tax Payment Plan By-law and Collection of Property Taxes By-law

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

That, on the recommendation of the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer, the following actions be taken with respect to property taxation for 2019:

a) a by-law to amend By-law A-5505-497, "a by-law to authorize the implementation of a pre-authorized payment plan" so that the calculation of pre-authorized payments is based on the previous year's taxes increased by the average increase in total property tax rates in the residential class in the previous year (Appendix "A" to the staff report dated October 30, 2018) BE INTRODUCED at the Council meeting on November 6, 2018; and

b) a by-law to amend By-law A-8, "a by-law to provide for the collection of property taxes" so that the calculation of the interim tax levy will be set at a percentage of 40.52% of the previous year's taxes (Appendix "B" to the staff report dated October 30, 2018) BE INTRODUCED at the Council meeting on November 6, 2018.

**Motion Passed**

2.7 Association of Municipalities of Ontario (AMO) Board Meeting Update - City of Toronto, ON - September 27-28, 2018

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

The communication dated October 18, 2018, from Councillor A. Hopkins, regarding the Association of Municipalities of Ontario (AMO) Board meeting held September 27-28, 2018 in Toronto, Ontario BE RECEIVED for information.

**Motion Passed**

### 2.3 Land Allocation - Fire Station No. 15 - Innovation Drive

Moved by: P. Hubert  
Seconded by: J. Zaifman

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Fire Chief and the Managing Director, Neighbourhood, Children and Fire Services, on the advice of the Manager of Realty Services, with respect to a portion of the City-owned land located between 2395 - 2455 Innovation Drive, described as Part Block 3, Plan 33M-544, designated as Parts 1 and 5, Plan 33R-18258, containing an area of approximately 1.68 acres (6,800 square meters), as shown on Schedule "A" appended to the staff report dated October 30, 2018, the following actions be taken:

- a) the subject land BE ALLOCATED for use as a future fire station; and
- b) the financing for this allocation BE APPROVED as set out in the Source of Financing Report appended to the staff report dated October 30, 2018 as Appendix "A".

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

Absent: (1): Mayor M. Brown

**Motion Passed (5 to 0)**

## 3. Scheduled Items

### 3.1 Amendments to the Council Procedure By-law Striking Committee

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

That the following actions be taken with respect to proposed amendments to the Council Procedure By-law:

- a) on the recommendation of the City Clerk, proposed by-law appended to the staff report dated October 30, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018, to amend By-law No. A-50, "Council Procedure By-law", to update Part 3, section 23.2 "Striking Committee – composition"; and,
- b) the communication dated October 19, 2018, from S. Levin, with respect to Advisory Committee vacancies, BE REFERRED to the City Clerk for consideration;

it being pointed out that no members of the public made presentations at the public participation meeting with respect to this matter.

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

Absent: (1): Mayor M. Brown

**Motion Passed (5 to 0)**

Voting Record:

Moved by: J. Zaifman  
Seconded by: P. Hubert

Motion to open the Public Participation Meeting.

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

Absent: (1): Mayor M. Brown

**Motion Passed (5 to 0)**

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

Motion to close the Public Participation Meeting.

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

Absent: (1): Mayor M. Brown

**Motion Passed (5 to 0)**

**4. Items for Direction**

None.

**5. Deferred Matters/Additional Business**

None.

**6. Confidential (Enclosed for Members only.)**

**6.1 Labour Relations/Employee Negotiations/Solicitor-Client Privileged Advice**

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

That the Corporate Services Committee convene In Closed Session at 12:53 PM, for consideration of a matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's associations or unions and advice which is subject to solicitor-client privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation.

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

Absent: (1): Mayor M. Brown

**Motion Passed (5 to 0)**

The Corporate Services Committee convened in closed session from 12:53 PM to 1:01 PM.

**7. Adjournment**

The meeting adjourned at 1:02 PM.

# Civic Works Committee

## Report

14th Meeting of the Civic Works Committee  
October 30, 2018

PRESENT: Councillors V. Ridley, P. Hubert, P. Squire, H. Usher  
ABSENT: T. Park, Mayor M. Brown  
ALSO PRESENT: Councillors J. Helmer and M. van Holst, G. Belch, T. Copeland,  
D. MacRae, S. Mathers, D. Popadic, K. Scherr, P. Shack, S.  
Spring, J. Stanford, B. Westlake-Power and G. Zhang

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Consent

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

That items 2.1 to 2.6 BE APPROVED.

Yeas: (4): V. Ridley, P. Hubert, P. Squire, and H. Usher

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

#### 2.1 10th Report of Cycling Advisory Committee

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

That it BE NOTED that the 10 Report of the Cycling Advisory Committee, from its meeting held on October 17th, 2018, was received.

**Motion Passed**

#### 2.2 Amendments to the Traffic and Parking By-law

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

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 October 30, 2018 BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018, for the purpose of amending the Traffic and Parking By-law (PS-113). (2018-T08/C01)

**Motion Passed**

#### 2.3 Rehabilitation of Wenige Expressway Bridge and Highbury Avenue South Preliminary, Detailed Design and Tendering - Appointment of Consulting Engineer

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



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 Rehabilitation of the Wenige Expressway Bridge and Highbury Avenue from Hamilton Road to Highway 401 (4-BR-14):

- a) Parsons Inc. BE APPOINTED Consulting Engineers to complete the Preliminary Design, Detailed Design, and Tendering Services in the amount of \$537,028.50 (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 revised Sources of Financing Report as appended to the revised staff report;
- 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**

2.4 Construction Partnership with The Municipality of Central Elgin - 2018 Road Improvements Program Webber Bourne Reconstruction

Moved by: H. Usher

Seconded by: P. Squire

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the reconstruction of Webber Bourne:

- (a) the City of London estimated contribution of \$620,653.32 (excluding HST), representing 50% of the Municipality of Central Elgin total project cost of \$1,241,306.63, BE APPROVED; it being noted that the work is on a boundary road where the actual costs are shared equally between the two municipalities, it is included in an approved City budget and the method of purchase is in accordance with the Procurement of Goods and Services Policy 14.4 g), h) and i), covering purchases with another public body;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated October 30, 2018; and,
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this approval.(2018-T04/D27)

**Motion Passed**

2.5 William Street Storm Sewer Outfall Municipal Class Environmental Assessment - Notice of Completion

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

That, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the William Street Storm Sewer Outfall Environmental Assessment:

- a) the preferred outfall improvement alternative, executive summary as appended to the staff report dated October 30, 2018, BE ACCEPTED in accordance with the Schedule 'B' Municipal Class Environmental Assessment process requirements;
- b) a Notice of Completion BE FILED with the Municipal Clerk; and,
- c) the Municipal Class Environmental Assessment Schedule 'B' project file for the William Street Storm Sewer Outfall BE PLACED on public record for a 30-day review period. (2018-E05)

**Motion Passed**

2.6 Short-Term Contract Amendment for Recycling Services

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

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer and with the support of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the provision of curbside collection and Material Recovery Facility operations services provided by Miller Waste Systems Inc.:

- a) the action taken by the Managing Director, Environmental and Engineering Services and City Engineer in accordance with Procurement of Goods and Services Policy, Section 4.3 d. BE RECOGNIZED; it being noted that the action taken is in the best financial interest of the Corporation of the City of London;
- b) the extension of the contracts with Miller Waste Systems Inc. for the collection of recyclables in London and the collection of garbage and yard materials in the southwest portion of the city, including Lambeth, Riverbend, Settlement Trail, and Material Recovery Facility operations, for four (4) months plus two (2), one month extensions at the sole discretion of the City, from October 30, 2019 to April 30, 2020, in accordance with Procurement of Goods and Services Policy, Section 20.3 e)i. BE APPROVED; and,
- c) the Civic Administration BE AUTHORIZED to undertake final negotiations on the increased monthly service fee, all administrative acts that are necessary in connection with this matter and the Agreements referenced herein. (2018-E07)

**Motion Passed**

### 3. Scheduled Items

#### 3.1 7th and 8th Reports of the Transportation Advisory Committee

Moved by: P. Hubert

Seconded by: H. Usher

That the following actions be taken with respect to the Transportation Advisory Committee:

a) the following actions be taken to the 7th Report of the Transportation Advisory Committee, from its meeting held on September 25, 2018;

i) the 2018 Work Plan BE APPROVED,

ii) the remaining clauses 1.1-4.1, 5.1 to 5.6 BE RECEIVED; and,

b) the 8th Report of the Transportation Advisory Committee, from its meeting held on October 23, 2018, BE RECEIVED;

it being noted that the Civic Works Committee did not receive a delegation from D. Foster.

Yeas: (4): V. Ridley, P. Hubert, P. Squire, and H. Usher

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

### 4. Items for Direction

#### 4.1 Request for Delegation - K. Miller and C. Gupta, Safe Water London

Moved by: P. Hubert

Seconded by: H. Usher

That the request for delegation from K. Miller and C. Gupta with respect to Safe Water London BE REFERRED to incoming council for consideration. (2018-E13)

Yeas: (4): V. Ridley, P. Hubert, P. Squire, and H. Usher

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

#### 4.2 Sanitary and Stormwater Flooding

Moved by: V. Ridley

Seconded by: H. Usher

The City Solicitor **BE REQUESTED** to provide the Civic Works Committee with an opinion as to the appropriated ownership of the Pine Valley Condominium, sewer taking into consideration the previous decision to divest the sewer back to the Condominium Corporation and the properties previous history of flooding; it being noted that the communication from P. McLaughlin dated October 15, 2018 with respect to Middlesex Condo Corporation MCC122, and the response from S. Mathers, Director Water and Wastewater, dated October 29, 2018, were received.

Yeas: (4): V. Ridley, P. Hubert, P. Squire, and H. Usher

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

**5. Deferred Matters/Additional Business**

5.1 Deferred Matters List

Moved by: P. Squire  
Seconded by: P. Hubert

That the Civic Works Committee Updated Deferred Matters List, as of October 29, 2018, BE RECEIVED.

Yeas: (4): V. Ridley, P. Hubert, P. Squire, and H. Usher

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

**6. Confidential Appendix (enclosed for Members only)**

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

That the Civic Works Committee convene in closed session at 4:25 PM., with respect to the following matters:

6.1 A matter that pertains to litigation or potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for the purpose and directions and instructions to officers and employees or agents of the municipality regarding the Delay Claim Green Valley Road reconstruction project.

6.2 A matter that pertains to litigation or potential litigation with respect to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with 459 Second Street - Pottersburg Creek Erosion Repair Works; and for giving direction to employees or agents of the municipality with respect to this matter.

6.3 A matter that pertains to litigation or potential litigation with respect to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the work done on 267, 271 and 275 Ridgewood Crescent and future proposed remedial working including matters before administrative tribunals, affecting the municipality or local board with respect to slope failures

Yeas: (4): V. Ridley, P. Hubert, P. Squire, and H. Usher

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

The Civic Works Committee convened in Closed Session from 4:25 PM to 5:45 PM.

**7. Adjournment**

The meeting adjourned at 5:46 PM.

# Planning and Environment Committee

## Report

16th Meeting of the Planning and Environment Committee  
October 29, 2018

PRESENT: Councillors S. Turner (Chair), A. Hopkins, M. Cassidy, J. Helmer  
ABSENT: T. Park, Mayor M. Brown  
ALSO PRESENT: Councillors J. Morgan and M. van Holst; I. Abushehada, M. Campbell, M. Elmadhoon, J.M. Fleming, G. Kotsifas, C. Lowery, H. Lysynski, T. Macbeth, A. Macpherson, L. McDougall, H. McNeely, L. Mottram, B. O'Hagan, M. Pease, L. Pompili, C. Saunders, S. Spring, M. Stone, M. Tomazincic, and P. Yeoman

The meeting was called to order at 4:00 PM

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

### 2. Consent

Moved by: A. Hopkins  
Seconded by: J. Helmer

That Items 2.1 to 2.6, inclusive, BE APPROVED.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

#### 2.1 Affordable Housing - Planning Tools to Support Development of Affordable Housing (18 AFF)

Moved by: A. Hopkins  
Seconded by: J. Helmer

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to planning tools to support the development of Affordable Housing:

- a) the staff report dated October 29, 2018, entitled "Affordable Housing – Planning Tools to Support the Development of Affordable Housing" BE RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to initiate an Affordable Housing Development Strategy to coordinate the various tools that support the development of affordable housing units; it being noted that the Strategy will also evaluate the potential opportunities, costs, and benefits of introducing additional tools to support the development of affordable housing. (2018-S11)

**Motion Passed**

2.2 Application - 1284 and 1388 Sunningdale Road West - Foxhollow North Kent South Subdivision - Phase 3 (39T-04510-3)

Moved by: A. Hopkins  
Seconded by: J. Helmer

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the subdivision of land over Part of Lot 23, Concession 5, (Geographic Township of London), City of London, County of Middlesex, situated on the south side of Sunningdale Road West, between Wonderland Road North and Hyde Park Road, and on the north side of the Heard Drain, municipally known as 1284 and 1388 Sunningdale Road West:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the Foxhollow North Kent Subdivision, Phase 3 (39T-04510-3) appended to the staff report dated October 29, 2018 as Appendix "A", BE APPROVED;
- b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated October 29, 2018 as Appendix "B";
- c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated October 29, 2018 as Appendix "C"; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfil its conditions. (2018-D09)

**Motion Passed**

2.3 Application - 1284 and 1388 Sunningdale Road West - Foxhollow North Kent South Subdivision - Phase 4 (39T-04510-4)

Moved by: A. Hopkins  
Seconded by: J. Helmer

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into a subdivision agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc., for the subdivision of land over Part of Lot 23, Concession 5, (Geographic Township of London), City of London, County of Middlesex, situated on the south side of Sunningdale Road West, between Wonderland Road North and Hyde Park Road, and on the north side of the Heard Drain, municipally known as 1284 and 1388 Sunningdale Road West:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Foxhollow North Kent Developments Inc. for the Foxhollow North Kent Subdivision, Phase 4 (39T-04510-4) appended to the staff report dated October 29, 2018 as Appendix "A", BE APPROVED;

b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated October 29, 2018 as Appendix “B”; and,

c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfil its conditions. (2018-D09/D12)

**Motion Passed**

2.4 Application - 1311 Wharncliffe Road South - Westbury Subdivision - Disposition of School Site (33M-641)

Moved by: A. Hopkins  
Seconded by: J. Helmer

That, on the recommendation of the Manager, Development Planning, the owner, (1967172 Ontario Inc.), of the potential school site located on the east side of Singleton Avenue, south of Southdale Road East, municipally know as 3400 Singleton Avenue and legally described as Block 86, on Plan 33M-641 BE ADVISED that the City has no interest in acquiring the said property for municipal purposes. (2018-D12)

**Motion Passed**

2.5 Application - 660 Sunningdale Road East - Stormwater Management (SWM) Facility

Moved by: A. Hopkins  
Seconded by: J. Helmer

That, on the recommendation of the Manager, Development Planning, the following actions be taken with respect to entering into an Agreement between The Corporation of the City of London and Peter Sergautis, for the subdivision of land over Part of Lot 13, Concession 6, (Geographic Township of London), City of London, County of Middlesex, situated on the west side of Adelaide Street North, between Sunningdale Road East and the City limits, municipally known as 660 Sunningdale Road East:

a) the Agreement between The Corporation of the City of London and Peter Sergautis (39T-09501) appended to the staff report dated October 29, 2018 as Appendix “A”, BE APPROVED;

b) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated October 29, 2018 as Appendix “B”; and,

c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfil its conditions. (2018-D12)

**Motion Passed**

2.6 Application - 2674 Asima Drive (33M-699, Block 55) (P-8963)

Moved by: A. Hopkins

Seconded by: J. Helmer

That, on the recommendation of the Planner II, Development Services, the following actions be taken with respect to the application by Rockwood Homes c/o Andrea McCreery, Stantec Consulting Ltd. to exempt lands from Part-Lot Control:

- a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated October 29, 2018 BE INTRODUCED at a future Municipal Council meeting, to exempt part of Block 55 in Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the *Planning Act, R.S.O. 1990, c. P.13*, for a period not to exceed three (3) years; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z.-1, which zoning permits street townhouse dwellings with a garage front yard depth of 5.5m, an exterior side yard depth for the main building minimum of 3.0m and an interior side yard depth minimum of 1.5m;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control Bylaw for Blocks 55, Plan 33M-699 as noted in clause a) above:
  - i) the applicant be advised that the costs of registration of the said by-law is to be borne by the applicant in accordance with City Policy;
  - ii) the applicant submit a draft reference plan to Development Services for review and approval to ensure the proposed part-lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
  - iii) the applicant submit to Development Services a digital copy, together with a hard copy, of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
  - iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
  - v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office, any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
  - vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
  - vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
  - viii) the applicant shall obtain confirmation from Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
  - ix) the applicant shall obtain approval from Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
  - x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;



- xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan; and,
- xii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the by-law affecting the Lots/Block in question;
- c) the Approval Authority (Municipal Council) BE REQUESTED to approve the by-law as noted in clause a) above; and,
- d) the Applicant BE ADVISED that the cost of registration of the by-law, as noted in clause a) above, is to be borne by the applicant in accordance with City policy. (2018-D12)

**Motion Passed**

### **3. Scheduled Items**

- 3.1 Delegation - S. Levin, Chair, A. Boyer and S. Hall, Environmental and Ecological Planning Advisory Committee - 11th Report of the Environmental and Ecological Planning Advisory Committee

Moved by: A. Hopkins

Seconded by: M. Cassidy

That the following actions be taken with respect to the 11th Report of the Environmental and Ecological Planning Advisory Committee from its meeting held on October 18, 2018:

- a) the proposed "Is Your Cat Safe Outdoors" brochure BE REFERRED to the Manager, Licensing and Municipal By-law Enforcement, for implementation; and,
- b) clauses 1.1, 2.1, 3.1 to 3.3, 4.1, 5.1 and 5.2 BE RECEIVED for information.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

- 3.2 Public Participation Meeting - Application - 1331 Hyde Park Road (O-8927/Z-8928)

Moved by: J. Helmer

Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 1331 Hyde Park Holdings Inc. and The Corporation of the City of London, relating to the property located at 1331 Hyde Park Road:

- a) the proposed by-law appended to the staff report dated October 29, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018 to amend the Official Plan BY ADDING a policy to Section 10.1.3 – Policies for Specific Areas; and,

b) the proposed by-law appended to the staff report dated October 29, 2018 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Business District Commercial Special Provision (BDC2(4)) Zone TO a Business District Commercial Special Provision (BDC2(\_)) Zone;

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 Official Plan Amendment is intended to bring the policies of the 1989 Official Plan in-line with The London Plan for the subject site, allowing for an expanded range of permitted uses. This is intended to contribute to the further development of Hyde Park Road as a main street; and,
- the recommended Zoning By-law Amendment is also expected to contribute to the development of Hyde Park Road as a main street, allowing for a new retail use to occupy a vacant site. The Automobile Sales Boutique is a unique form of retail, similar to a standard storefront, which would be fully enclosed. A small area for the service and repair of vehicles would support this use, however requirements to limit the size, limit its use to the service and repair of motorcycles, and ensure full enclosure are intended to allow flexibility for the needs of the user while not detracting from the vibrancy of the main street or creating negative impacts on adjacent residential uses. The requested continuation of an existing special provision that would allow for no maximum front yard setback is not recommended to continue to be included in the Zoning By-law provisions for the subject site. This provision is contrary to policies in the 1989 Official Plan and The London Plan that encourage reduced front yard setbacks on main streets to encourage pedestrian-oriented development. (2018-D09)

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

Additional Votes:

Moved by: M. Cassidy

Seconded by: J. Helmer

Motion to open the public participation meeting.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

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

Motion to close the public participation meeting.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

### 3.3 Public Participation Meeting - Application - 537 Crestwood Drive (Z-8915)

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

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Star Homes Ltd., relating to the property located at 537 Crestwood Drive, the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM an Urban Reserve (UR1) Zone and a Residential R6 Special Provision (R6-2(13)) Zone TO a Residential R6 Special Provision (R6-2(\*)) Zone, BE REFUSED for the following reasons:

- a) the requested amendment to permit the residential development of the westerly portion of the subject lands is not consistent with the 2014 Provincial Policy Statement;
- b) the requested amendment to permit the residential development of the westerly portion of the subject lands does not conform to the 1989 Official Plan nor The London Plan; and,
- c) the requested amendment is premature, and the Urban Reserve (UR1) Zone should remain on the westerly portion of the subject lands until such time as a rehabilitation plan and site restoration have been completed for the adjacent aggregate resource extraction area;

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

- the attached communication dated October 28, 2018 from L. Connell and N. Ensley, 537-1 Crestwood Drive; and,
- the attached communication dated October 29, 2018 from J. McGuffin, Vice President/Principal Planner, Monteith Brown Planning Consultants;

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-D12)

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

Additional Votes:

Moved by: J. Helmer

Seconded by: M. Cassidy

Motion to open the public participation meeting.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

Moved by: A. Hopkins

Seconded by: M. Cassidy

Motion to close the public participation meeting.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

#### 3.4 Public Participation Meeting - Application - 324 York Street (TZ-8917)

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Bradel Properties Ltd., relating to the property located at 324 York Street:

a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property by extending the Temporary Use (T-71) Zone for a temporary period of three (3) years, BE REFUSED for the following reasons:

i) the request is not consistent with the policies of the Provincial Policy Statement, 2014;

ii) the request does not conform to the newly established policies of the 1989 Official Plan or The London Plan regarding temporary commercial parking lots;

iii) the request does not implement the goals of Our Move Forward: London's Downtown Plan; and,

iv) the request does not implement the recommendations of the Downtown Parking Strategy;

b) the proposed by-law appended to the staff report dated October 29, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), by extending the Temporary Use (T-71) Zone for a period not exceeding six (6) months;

it being noted that the purpose of the recommended short-term six (6) month extension of the temporary zone is to allow users of the surface commercial parking lot to find alternative parking arrangements;

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 the extension of the Temporary Use (T-71) Zone for a period not to exceed six (6) months for the following reason:

- the request to extend the temporary zone for a period of three (3) years, representing the maximum extension permitted, does not encourage long-term redevelopment of the site. The recommended six (6) month extension is a balanced approach that would allow existing users of the surface commercial parking lot to make alternative parking arrangements while encouraging long-term redevelopment of the site to a more intense, transit-supportive use that is consistent with the policies of the Provincial Policy Statement and is in conformity with the 1989 Official Plan and The London Plan. (2018-D09)

**Motion Passed**

Additional Votes:

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

Motion to open the public participation meeting.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

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

Motion to close the public participation meeting.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

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

Motion to approve part b), which reads as follows:

b) the proposed by-law appended to the staff report dated October 29, 2018 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 6, 2018 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), by extending the Temporary Use (T-71) Zone for a period not exceeding six (6) months;

it being noted that the purpose of the recommended short-term six (6) month extension of the temporary zone is to allow users of the surface commercial parking lot to find alternative parking arrangements;

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 the extension of the Temporary Use (T-71) Zone for a period not to exceed six (6) months for the following reason:

- the request to extend the temporary zone for a period of three (3) years, representing the maximum extension permitted, does not encourage long-term redevelopment of the site. The recommended six (6) month extension is a balanced approach that would allow existing users of the surface commercial parking lot to make alternative parking arrangements while encouraging long-term redevelopment of the site to a more intense, transit-supportive use that is consistent with the policies of the Provincial Policy Statement and is in conformity with the 1989 Official Plan and The London Plan. (2018-D09)

Yeas: (3): S. Turner, A. Hopkins, and M. Cassidy

Nays: (1): J. Helmer

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (3 to 1)**

Moved by: M. Cassidy

Seconded by: A. Hopkins

Motion to approve part a) which reads as follows:

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Bradel Properties Ltd., relating to the property located at 324 York Street:

a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property by extending the Temporary Use (T-71) Zone for a temporary period of three (3) years, BE REFUSED for the following reasons:

- i) the request is not consistent with the policies of the Provincial Policy Statement, 2014;
- ii) the request does not conform to the newly established policies of the 1989 Official Plan or The London Plan regarding temporary commercial parking lots;
- iii) the request does not implement the goals of Our Move Forward: London's Downtown Plan; and,
- iv) the request does not implement the recommendations of the Downtown Parking Strategy;

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

3.5 Public Participation Meeting - Application - 1395 Riverbend Road - Application for Zoning By-law Amendment (Z-8924)

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

That, the application by Sifton Properties Limited, relating to the lands located at 1395 Riverbend Road BE REFERRED to the Civic Administration to work with the applicant to increase the density of units to the senior's apartments and the retirement suites;

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

Additional Votes:

Moved by: A. Hopkins  
Seconded by: J. Helmer

Motion to open the public participation meeting.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

Moved by: A. Hopkins  
Seconded by: J. Helmer

Motion to close the public participation meeting.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

3.6 Delegation - D. Park, L. Black, C. Morrison, E. Washburn, J. Santin and M. Laliberte - Byron Valley Nature Trail Planning Process

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

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the Byron Valley Nature Trail Planning process:

a) the staff report entitled "Byron Valley Nature Trail Planning Process" BE RECEIVED for information;

b) members of the Trails Advisory Group, and Byron Participation House staff and residents BE THANKED for meeting onsite and providing suggestions to improve the Plan that were successfully integrated into the

revised Byron Valley Nature Trail Concept Plan, in accordance with the Council approved Trails Advisory Group process.; and,

c) the proposed final plan BE PRESENTED at a community meeting to be held in Bryon with all interested parties being invited to the community meeting;

it being noted that the Planning and Environment Committee heard verbal presentations from D. Park and S. Sutton, on behalf of D. Sutherland, Participation House Support Services;

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

- a communication dated September 4, 2018 from D. German, #12-1337 Commissioners Road West;
- the attached presentation from D. Park, 1288 Halls Mill Place;
- the attached communication dated October 25, 2018 from A. Santin;
- the attached communication dated October 22, 2018 from M. Santin, Iona Station;
- the attached communication dated October 22, 2018 from S. Santin, Iona Station;
- the attached communication dated October 18, 2018 from S. and D. Hersey, by e-mail;
- the attached communication dated October 15, 2018 from G. Smith, 1331 Commissioners Road West;
- the attached communication dated October 25, 2018 from M. Santin, Edmonton, Alberta;
- the attached communication dated October 25, 2018 from M. Minshall;
- the attached communication dated October 28, 2018 from O. Santin;
- the attached communication dated October 28, 2018 from O. Camboia;
- the attached communication from A. Park and J. Titizian, 219 Halls Mills Road;
- a petition signed by approximately 116 individuals. (2018-D09)

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

Nays: (1): A. Hopkins

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (3 to 1)**

Additional Votes:

Moved by: A. Hopkins

Seconded by: M. Cassidy

That S. Sutton and D. Sutherland BE GRANTED delegation status with respect to this matter.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**



Moved by: A. Hopkins  
Seconded by: J. Helmer

That D. Park, et. al. BE GRANTED an additional three minutes for their delegation.

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed**

#### **4. Items for Direction**

##### **4.1 10th Report of the London Advisory Committee on Heritage**

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

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

a) on the recommendation of the Managing Director, Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act to construct a new, detached garage on the property located at 550 Dufferin Avenue, within the East Woodfield Heritage Conservation District, BE PERMITTED as submitted in the drawings appended to the staff report dated October 10, 2018, with the following terms and conditions:

- only one driveway be permitted;
- the existing driveway and curb cut for the property off of Dufferin Avenue be closed and the driveway be removed and the area be restored with sod/grass; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that the presentation appended to the 10th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, with respect to this matter, was received; and,

b) clauses 1.1, 2.1, 2.2, 3.1 to 3.5, inclusive, 5.2, 6.1 and 7.1, BE RECEIVED for information.

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

4.2 Section 37 - Planning Act (Bonusing) Revisions and Additional Opportunities for Implementation

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

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to Section 37 of the Planning Act (Bonusing) revisions and additional opportunities for implementation:

- a) the staff report dated October 29, 2018 entitled "Section 37 of the Planning Act (Bonusing) Revisions and Additional Opportunities for Implementation" RECEIVED for information; and,
- b) the Civic Administration BE DIRECTED to research and review best practices for the implementation of Section 37 (Bonusing) of the Planning Act, review City needs and priorities and report back on findings and recommendations. (2018-D09)

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

**5. Deferred Matters/Additional Business**

None.

**6. Confidential Appendix (Enclosed for Members only.)**

6.1 Personal Matters/Identifiable Individual

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

(Confidential Appendix enclosed for Members only.)

The Planning and Environment Committee convened in camera from 7:24 PM to 7:27 PM after having passed a motion to do so, with respect to the following matter:

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

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

Absent: (2): T. Park, and Mayor M. Brown

**Motion Passed (4 to 0)**

**7. Adjournment**

The meeting adjourned at 7:28 PM.

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.2 PUBLIC PARTICIPATION MEETING – Application – 1331 Hyde Park Road (O-8927/Z-8929)

- *(Councillor M. van Holst indicating that south of this property seems to be an access to a gravel pit; wondering if there is contemplated a roadway into the proposed subdivision just south of this or not.);* Mr. M. Tomazincic, Manager, Current Planning, responding that confirming that they are talking about the Hyde Park application and not Crestwood because it seems that that question might relate to that one; *Councillor M. van Holst will look at that one to see if it is the case but this is the one right at Hyde Park Road and the train tracks and it seems that just between this property and the stormwater management pond is a little roadway that goes into, I guess it is not a gravel pit, looking at Google maps which looks like something dug up here; do we plan to see a road access just south of South Carriage Road, south of the property, north of the tracks.);* Mr. M. Tomazincic, Manager, Current Planning, responding that they will confirm that in a minute but he believes that, if anything, it is an access to the stormwater management pond, but they will confirm that.
- *(Councillor J. Morgan indicating that he is not an expert, he is not staff but he has been out in that area and there is a pathway adjacent to the stormwater management pond that is a walking path that connects to the path across the road to the south and he thinks that that is what is referred to on the map; it looks like a gravel pit because a subdivision is being constructed and it is currently under construction.)*
- *(Councillor S. Turner enquiring about the zoning that would be allowed here would be carried further so the parts about the automotive repair specifically for the motorcycles limited to that floor plate, is there any opportunity then later, should the usage change, to expand that, or is it in perpetuity that it is somewhat restricted in its size.);* Mr. M. Tomazincic, Manager, Current Planning, responding that as part of the zoning amendment they included that fifty square metres as part of the amendment.
- L. Kirkness, Kirkness Consulting, on behalf of 1331 Hyde Park Inc. – advising that he has one of the principles with him, Mr. Mark Minnie; noting that he is the motorcycle dealer both BMW and Indian; indicating the “L” shaped building, the building is approximately 16,000 square feet, 8,000 would be this motorcycle retail store; pointing out that out of 8,000 square feet, about 500 would be for this service, it is almost accessory, incidental across the board, but in fact, the Planning Division, in their thoroughness, of course, provided it to be permitted especially when the definition says you can so that is the right thing to do; thanking staff for their support and they hope that the Planning and Environment Committee take it on to Council and adopt what staff is recommending, which is adding this automobile sales boutique to the permitted uses; thinking there was a Fiat dealer in that Hyde Park shopping a few years ago and he is not sure if it is still there near the large furniture store at Hyde Park Road and Fanshawe Park Road and maybe that is where it started up but, in fact, this is a whole new way of retailing motorcycles, there is very little service; reiterating only 500 square feet out of 8,000 square feet, one thirteenth; indicating that there are other partners in this; thinking you might know the Abruzzi restaurant downtown and those partners would be using 4,000 square feet for another restaurant of a similar line and there is also an office tenant as well; stating that, in terms of trying to fill the objectives of the main street in Hyde Park, and they are at the base of it, they think that, with the building design up to the street and up against the multi-use pathway as well to the south that takes you into the open space area at the back with a stormwater management facility called 1B1, this building will contribute what it has to making Hyde Park a nice street to walk along and look in windows; believing they have met those objectives; reiterating that they appreciate the Planning staff’s support; indicating that there has not been any

public response but if there is, they would appreciate the opportunity to respond if it is relevant.

Larry Connell & Nancy Ensley  
537-1 Crestwood Drive,  
London, ON, N6K 1Y1

Melissa Campbell  
Planning Services, City of London  
206 Dundas St.  
London, ON, N6A 1G7  
[mecampbell@london.ca](mailto:mecampbell@london.ca)  
October 28, 2018

Dear Ms. Campbell:

**Re: Zoning Bylaw Amendment Application – 537 Crestwood Drive  
File Z-8915  
Public Participation Meeting Scheduled for October 29th**

I am writing in follow-up to our letter of June 25<sup>th</sup> regarding our support for the zoning by-law amendment application – 537 Crestwood Drive (File Z-8915) made by Star Homes Ltd. To the City of London.

As indicated previously we live in Unit 1 at 537 Crestwood Drive and this morning I had the opportunity to review the Report to Planning and Environment Committee prepared by Mr. Fleming of the City Planning Department that was posted on the city's website in preparation for the Public Participation Meeting scheduled for October 29<sup>th</sup>. Unfortunately, I am not able to attend in person due to a medical appointment at St Joseph's Hospital that has been scheduled since last May.

Our review of these materials clarified the City's recommendation but raised some questions that I would ask you to raise at the public participation meeting on our behalf; specifically, as follows:

- 1) In the information provided by Lafarge Canada they indicate that they are planning to extract additional material from the section of the quarry adjacent to pit wall that abuts the properties at 537 Crestwood Drive. The material also suggests that before these zoning constraints can be addressed that additional studies should be carried out regarding erosion control and geotechnical slope stability. Obviously further extraction of material from the foot of this pit wall can only adversely impact future slope stability and potential for erosion. Yet the City is moving forward with an environmental assessment of the Commissioners Road West re-alignment. How can you complete an environmental assessment of any re-alignment option along this slope of the quarry without these issues or slope stability and erosion control addressed? Do you not need to have these studies and the full rehabilitation/reclamation plan for this portion of the quarry complete before you can assess the potential environmental impact of re-aligning Commissioners Road along this slope? How are you addressing these concerns in your EA? Do you have a timeline for when Lafarge Canada will complete these studies? Without these issues being addressed are you not wasting money on proceeding with the EA?
- 2) When we purchased our home in 2016 we were never made aware of these constraints on the property. We have never had any contact from Lafarge Canada advising us of any activities that could impact not only our home but our one third interest in the common driveway that goes

right up to the western boundary of the quarry. I need to be clear we moved in fully aware of the presence of the quarry and we have had no issues with noise or dust from Lafarge Canada's ongoing operations. They seem to operate in a professional manner. Prior to retirement I spent a long career as a mining engineer working for some of Canada's largest mining companies and associated engineering consulting companies. I spent the last 10 years of my career in mining reclamation planning and environmental assessment and understand geotechnical slope stability and erosion control issues. I also understand the value of mining companies doing public outreach when it comes to reclamation planning and this seems to be missing here. We have never heard anything from Lafarge Canada regarding slope stability, erosion control, reclamation/rehabilitation planning and now we hear that there may be slope stability and erosion control issues that could impact our continued safe use of the common driveway to our home. Is there really an issue with slope stability or are these constraints put forward in an abundance of caution? Are we safe in our home? Is there really a potential stability issue or are both Lafarge Canada and the City acting to manage future potential liability. If so we were never made aware of these risks before purchasing our home and its third interest in the common land condominium plan that contains our driveway.

In our opinion you (meaning both the City and Lafarge Canada) owe the gentleman who wants to build his retirement home on this lot a timeline on when these outstanding issues (reclamation/rehabilitation planning including slope stability assessment and erosion control measures) will be completed so that these zoning constraints can be removed or need to be permanently put in place. It is very unfair to leave him hanging forever. This is a real person who wants to build his retirement home for him and his family to occupy and enjoy. He also wants safety for his family but don't just leave him hanging by deferring a decision without some clear timeline of when these constraints can be addressed. Remember human lives are involved.

We hope that you will think on our concerns and can provide us with some answers. We would also ask that we be kept informed on the status of the Commissioners Road West re-alignment EA as it proceeds. We would also ask Canada Lafarge to keep its neighbors informed of activities that could impact their neighbors. I am not complaining about their activities, but outreach goes a long way to keeping good relations with your neighbors.

Thank you for keeping us informed and commend you on the ease of access through the City website. Our contact information is as follows:

Regards

Larry Connell & Nancy Ensley

Sent by email

cc: Lafarge Canada Inc. – by mail to Mr. Luke McLeod, 6509 Airport Road, Mississauga, ON, L4V 1S7



610 PRINCESS AVENUE  
LONDON, ON N6B 2B9  
TEL: (519) 686-1300  
FAX: (519) 681-1690  
E-MAIL: mbpc@mbpc.ca

October 29, 2018

Our File: 10-1500

Planning and Environment Committee  
City of London  
206 Dundas Street.  
London, Ontario  
N6A 1G7

Attention: Chair and Members of the Planning and Environment Committee,

**Reference: Application for Zoning By-Law Amendment Z-8915  
537 Crestwood Drive**

---

MBPC has been retained Star Homes to represent their application for Zoning By-Law Amendment (Z-8915) for the lands located at 537 Crestwood Drive. We have just had an opportunity to review planning staff's report released at the end of last week with our client and we **OBJECT** to the recommendation for refusal.

On behalf of our client we request that the property be zoned for residential development as requested and that **holding provisions** be applied to address the requirement for additional Slope Stability and Noise and Vibration Studies to enable our client the ability to work with LaFarge to finalize updated technical studies.

There is an extensive history on this property which dates back many years prior to our initial involvement in 2010. Several technical studies have been prepared for the subject lands which facilitated earlier development on the property, save and except for the last lot within this infill vacant land of condominium.

On March 13, 2018 we attended a pre-consultation meeting with the applicant and City Planning staff to review and discuss the requirements and studies to be submitted with the application for which are listed below.

At the time, our client had received information that indicated that extraction of the Byron pit, which lies adjacent to the subject lands had ceased or was ceasing, the Commissioner's Road EA had concluded and confirmed that no part of the subject lands would be required for that re-alignment and that a Secondary Plan for redevelopment in the pit, which the City was advertising as being predominantly open space, had begun.

As a result of that pre-consultation, our client was required to provide the following Studies, Reports, Background or Information to be completed and submitted with the application form:

1. Zoning By-Law Amendment Application and fee
2. Planning Justification Report
3. Map of active pit licences
4. Conceptual Site Plan
5. Zoning Data Sheet
6. Electronic copies of all supporting background information

*Continued.....*

The application for Zoning By-Law Amendment was submitted on May 10, 2018 which contained all of the above reports listed. It wasn't until later that planning staff returned to identify the need for additional technical studies relating to pit activities.

Over the last 10 years, the application has been working with the City to develop this small land holding for cluster single detached dwellings. The current Urban Reserve UR1 zone along the westerly edge of the subject lands was planned for a third residential unit for the applicant to retire in. The technical studies prepared in 2012 supported the development of two existing units on the subject lands and the third unit is proposed roughly 3m west of the existing dwellings with services already in the ground anticipating a third unit.

RWDI has been monitoring and preparing Noise Studies for the adjacent developments since 2003 for Drewlo, Highland Ridge and the Hampton Group and again in 2011 for the subject lands and determined the noise levels to be acceptable in those areas. Noise clauses were recommended for extraordinary events. (Noise Impact Assessment, prepared by RWDI, July 2011) Additional review of noise was prepared in December 2012 once Lafarge removed its berm from within an easement on the subject lands and concluded that previous *studies in the Byron Pit area showed noise compliance at locations closer to aggregate operations than the 537 Crestwood property.*

Exp Services Inc. prepared a Slope Stability Assessment in June 2011 and established the Erosion Hazard Limit of the upper slope of the gravel pit is located roughly on the west property limits of the subject lands therefore the Stable Slope does not influence the subject lands.

The Byron gravel pit has reduced the amount of extraction in the pit and rehabilitation of the northeast corner has started in areas. The realignment of Commissioners Road West is planned between the subject lands and the Byron gravel pit and our correspondence with the City's transportation division indicated the planned preferred realignment of the future road will have no effect on the subject lands with respect to land encroachments or area needed for grading the slope to construct the future 36m wide Right of Way.

The Commissioners Road West Municipal Class Environmental Assessment was completed by CIMA+ in September 2018 and illustrates the preferred road alignment as a 3D representation below.



Source: Excerpt from Commissioners Road West EA, Page 16.

The study shows the realignment and grading of the slope along the west edge is well beyond the limits of the subject lands and that a large amount of fill is needed west of the lands subject to the application to provide the designed road grades. A lower elevation of the proposed road reduces potential traffic noise and provides a buffer between the proposed residential infill development and the extraction area to the west.



A Noise Impact Study was prepared for the EA and proposes acoustic barriers along the east limits of Commissioners Road adjacent to existing residential development. Acoustic Barriers are a minimum height of 2.44m and considered if the residential backyard is facing the new Commissioners Road West alignment.

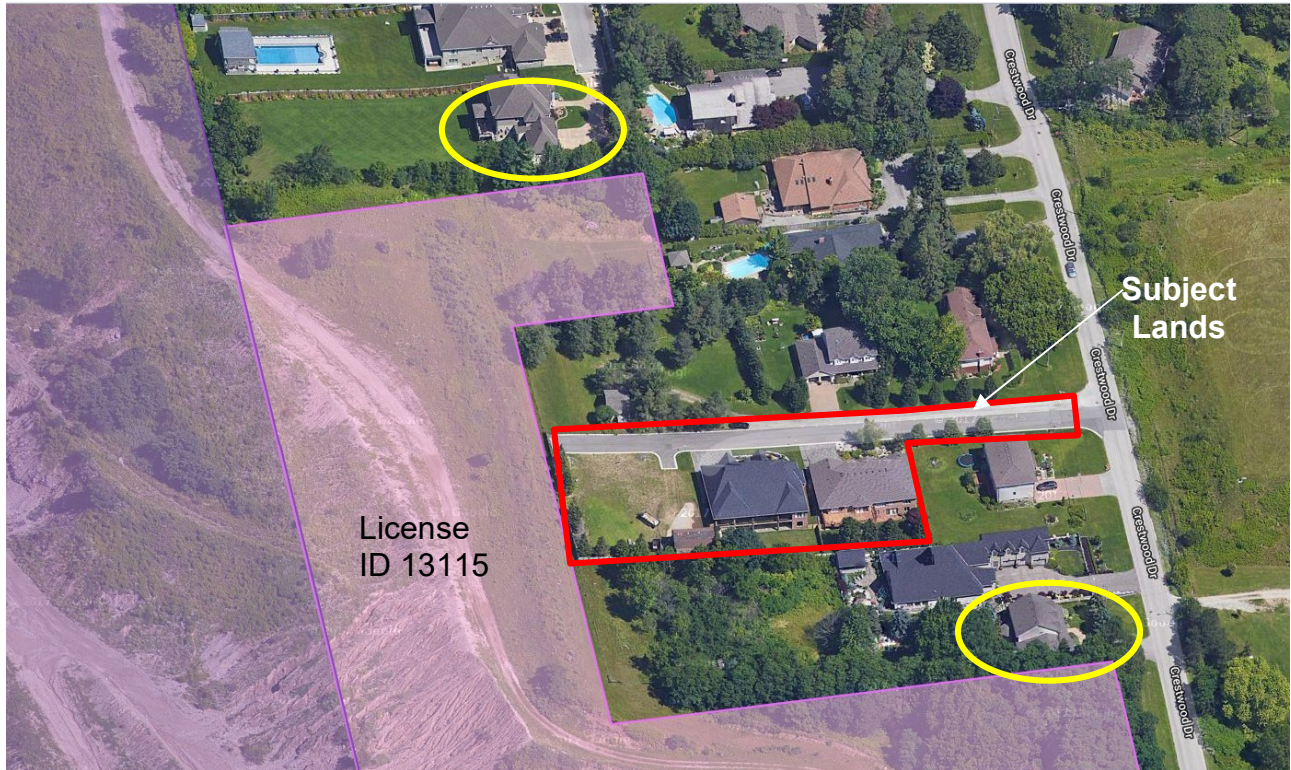


Source: Excerpt from Commissioners Road West EA, Figure 3. Proposed and Potential Acoustic Barriers (Page 77)

Completion of the road is not expected for the next 5 to 10 years with the section of alignment adjacent to the subject lands included in the last phase (Stage 3) of construction in order to get the engineered fill to the areas needed and compact the soil in advance of construction.

LaFarge is the controller of the license for pit extraction ID 13115 immediately adjacent to the subject lands and has indicated through written correspondence that the applicant should revisit the noise, dust and slope stability analysis based on confirmed limit of extraction. Prior to the application submission, we struggled with LaFarge to provide any details to confirm the limits of extraction and to date no specifics have been provided. The only information that LaFarge will provide is that their licence allows extraction within 15m of the license boundary. However, during the public consultation process for the Commissioners Road West realignment EA Lafarge staff were present without mention of further extraction plans within the EA study area on their lands. Further extraction from this area would result in more engineered fill being needed for the preferred realignment of Commissioners Road West or else alternative options be sought.

Building setbacks from limits of extraction or licensed boundary have brought questions forward on how other existing dwellings on Crestwood Drive were established with the same policy. The figures on the next page illustrate the limits of licensed boundary in purple acquired from MNRF dates with yellow ovals identifying where dwellings are located within meters of the licensed boundary.



Source: Excerpt from Ontario.ca / Environment and Energy / find pits and quarries.

It is further noted that the entirety of the subject lands were re-designated from Urban Reserve to Low Density Residential in 2011 consistent with the land use designation established in the previous Area Plan affecting these lands. Through the 2011 planning approvals, the westerly edge of the subject lands were not yet placed into a holding provision, similar to that part of the subject lands where Unit #2 was constructed, as the results of the Commissioners Road realignment EA had not been started and it was unknown if any portion of the rear of the subject lands would be required for that alignment.

As identified above and in the staff report, the Commissioners Road EA is now complete, and it confirms that it does not require any of the subject lands for development. As such, it is now appropriate to re-zone the subject lands for residential development consistent with the zone of the adjacent lands with holding provisions to address refinements to the technical studies prior to development.

As such, on behalf of our client, we request that the holding provisions that formerly applied to the previously developed portion of the subject lands in 2011 be **reapplied in addition to rezoning from UR1 to R6-2(\*)**. The westerly limit of the subject lands consistent with the low density residential designation in the Official Plan.

The requested Holding Provision are 'h-145' and 'h-146' and would allow the applicant to have the studies prepared and reviewed by the City before a decision is made on the application.

*h-145 Purpose: To ensure there will be no conflicts between the existing aggregate resource extraction use and the proposed residential uses, the h-145 shall not be deleted until a geotechnical report is prepared which confirms the Erosion Hazard Limit and addresses potential erosion hazards based on the proposed development, layout and site grading, to the satisfaction of the City of London,*

*h-146 Purpose: To ensure there will be no conflicts between existing aggregate resource extraction use and the proposed residential uses, the h-146 shall not be deleted until a noise impact assessment is prepared which confirms that noise levels at 537 Crestwood Drive are within MOE guidelines, to the satisfaction of the City of London*

**No other zone would be appropriate** for the westerly portion of this other than the R6-2(\*) zone which recognizes the subject lands are designated low density residential and included in a vacant land condominium recognizing a reduced frontage.

We trust that the enclosed information is satisfactory to address our request for the rezoning of the lands with the addition of the above noted holding provisions in order to have technical studies prepared. I will be present at Committee to discuss these matters in greater detail.

Respectfully Submitted,

**MONTEITH BROWN PLANNING CONSULTANTS**

  
\_\_\_\_\_  
Jay McGuffin, MCIP, RPP  
Vice President / Principal Planner

jmcguffin@mbpc.ca

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.3 PUBLIC PARTICIPATION MEETING – Application – 537 Crestwood Drive (Z-8915)

- *(Councillor S. Turner enquires, with respect to holding provisions, the land is designated as Urban Reserve which would then contemplate development at some point and if held as Reserve, thinking it needs to be evaluated at some point is what the Reserve piece is but it would be at some point site suitable for residential development or some form of development once the remediation activities had occurred at the aggregate site; the holding provisions that Ms. M. Campbell, Planner II, talked about it not being suitable at this point and that changes would need to be on the basis of studies in order to grant exemption from those separation distances; think we have used holding provisions in the past where minimum distance separations were required; thinking of things in agricultural minimum distance separations where a holding provision was put in place and that holding provision removal was contingent upon the minimum distance separation no longer being a factor in the development, this would have been along Woodhull Road or Westdel Bourne in the farm piece that they went through a couple of times when he was here; how is that dissimilar in this circumstance, does using a minimum distance separation and the provisions in this case, once those are satisfied, the holding provision can be removed or once a satisfactory study on slope stability is no longer a concern being provided to you, that at that point they would seek removal of the holding provision rather than outright refusal of the application.);* Mr. M. Tomazincic, Manager, Current Planning, responding that he believes that in that case the use has been deemed appropriate should the minimum distance separation issues go away; in this case he thinks it gets a little bit more complex because they are talking about the stability of the site and presuming that this site will be able to accommodate the proposed use and they just do not know that yet in terms of stability and noise and dust and the limits of the development as well; perhaps through a rezoning process, the setbacks they put in are not appropriate and the zoning will create a development envelope that might not be appropriate, where in the previous example, the development envelope was appropriate as soon as minimum distance separation issues go away; *(Councillor S. Turner indicating that the use of Urban Reserve for that parcel of land versus, for example, Environmental Review, and he would think Environmental Review would consider site hazards versus Urban Reserve which would contemplate at some point that gets converted to developable use could you talk a little bit about why it is parsed that way.);* Ms. M. Campbell, Planner II, responding that the intent for the Urban Reserve Zone is to allow for the comprehensive review of development potential in the future for these lands; in terms of the Environmental Review, that typically deals with natural features and natural hazards, in this case the slope stability hazard, which is one piece of this application, is actually not a natural hazard, but one that is created by the aggregate resource extraction that is happening adjacent to the lands so in this case the subject lands as well as the lands that are used as aggregate resource extraction are lands that would be developed through a future comprehensive review through a secondary plan process and at that time, it may be appropriate to put those lands into a zone that would permit development, it could be that these lands would go to an Open Space zone to recognize if there are hazards associated with it; the issue here is that they really do not have the studies to demonstrate how this particular subject lands will interact with the lands adjacent to it and how to mitigate any impacts from that aggregate resource extraction activity at this point in time.
- *(Councillor A. Hopkins indicating that there is the Byron Pit Secondary Plan; would these lands be taken into account through that process.);* Mr. M. Tomazincic, Manager, Current Planning, responding that he does not believe that to be the case and he does not think that it necessarily has to be the case; the

Secondary Plan for the Pits could think about the long-term vision for that site and a future site specific application on this site could think about how it integrates with that once they know what the future of the lands are; at this point, LaFarge still has a licence for that area and they are willing to continue to use that licence and have not given staff a reason to believe that they are not going to give up that licence any time soon so they have to proceed with it; that is a long way of saying that this site does not have to be part of the Secondary Plan but once they know what that Secondary Plan is they can start planning for the use of the site on a site specific basis.

- *Councillor M. van Holst enquires about once the neighbouring site is no longer being used for aggregate resources then those studies are no longer required, is that correct.*); Ms. M. Campbell, Planner II, responding that the site specific policies that would currently pertain to the subject lands may not then apply if there are not active resource extraction areas in proximity to the subject lands so it is one of those site specific policies that direct them to look at the impacts of noise and vibration where there is a resource extraction area or resource extraction operation in proximity to the subject lands.
- *(Councillor S. Turner indicating that he thinks that slope stability would still be an issue.)*; Ms. M. Campbell, Planner II, indicating that slope stability came out of the 2012 application and that was a concern that is not specifically identified by the site specific policy but was an outcome or an issue of the 2012 application that dealt with the easterly portion of the subject lands.
- *(Councillor M. van Holst indicating that seems to be the biggest issue; anyone purchasing this property and if they did not do it sight unseen they would have a pretty good idea that it might be dusty and noisy just from seeing the gravel pit right beside them but the fact that the slope may be unstable, of course, that could produce cracking or problems with the house, if they were to allow this to go forward and damage were to be done to the property because of the instability of the slopes would we be liable in a way for that decision.)*; Mr. M. Tomazincic, Manager, Current Planning, does not believe that they are qualified to answer that question but perhaps if Legal can provide an opinion on that, that would probably be more helpful; *(Councillor S. Turner indicating that he does not see Legal here right now and he imagines that would be a question that they can hold until a subsequent time.)*
- Jay McGuffin, Vice-President, Principle Planner, Monteith Brown Planning Consultants – advising that, further to the correspondence that he circulated earlier this afternoon on behalf of the applicant who is here with him this evening, Mr. Starcevic, he is the owner of the remaining portion of the property and this is the lot that he is looking to construct his retirement dwelling onto so further to the Councillors last comments with regards to being aware of the existing situations he can assure the Committee that Mr. Starcevic is very actively aware of the situation; as mentioned, the request is to rezone the property from Urban Reserve 1 to R6-2 Special Zone and that is the same zone that applies to the remainder of this particular vacant land condominium so that includes all the lands to the east that are included in this proposed three unit condominium development; indicating that, as a result of recent conversations with City Staff, they have proposed the same two holding provisions that were recently applied to those lands to the east of this particular site being units 1 and 2, and that is the H-145 and H-146 dealing with the requirements for geotechnical reports and noise studies to be completed to ensure that the site is appropriate for development; advising that what was not mentioned was the pre-consultation meeting that was held back in March, they had a pre-consultation meeting with a different Planner and kudos to Ms. M. Campbell, Planner II, she has come on to a rather lengthy planning process so she is fairly new to what has gone on and she has developed a very comprehensive report based on the previous happenings of this development application since it first started in their court in 2010 but actually predates that by many years as well; stating that there has been a lot of work underway and their client has been patiently waiting for events

that are occurring within the Byron Gravel Pit to subside to such a point that he is able to proceed; advising that what is important about the March meeting was anecdotally, their client had learned or had been told, informed by others that there had been a sale of the Pit lands to a third party and that as part of Secondary Plan work that the City was undertaking, that the Pit operations were ceasing; in attempts to clarify that and get commentary, he contacted representatives from LaFarge; noting that his first point of contact was a representative from the actual Pit and he was informed that what was occurring on the site had, in fact, started to ramp down and that activities had proceeded away from the subject lands but in terms of an official report, he would have to speak to someone higher up; advising that they did have conversations via e-mail and telephone with another gentleman, whose last name escapes him, his first name is Luke, he is the same individual who has made correspondence on behalf of LaFarge to the City and identified that the only information that he could provide him was the licence for the Pit includes extraction within fifteen meters of the boundary of the licence; of interest to that, he has provided some aerial photography that shows various areas around the various Pits that are licenced within the Byron Gravel Pit that identify numerous developments that are within fifteen meters of the limit of the Pit so clearly, there are areas of the Pit where development has been permitted historically to occur within close proximity to what would be a fifteen meter distance from the Pit; with regard to their previous studies, the most difficult component was identifying for their noise consultants where the active area of the Pit was and this was the area that the noise consultants were looking for in terms of being able to define their acoustic study to understand what the limits of noise exposure would be to effectively provide for recommendations on mitigation; advising that that information has never been made available to them; they have spent since 2010, numerous times trying to get information from the Ministry of Natural Resources, LaFarge and City staff to no avail, they have been provided copies of a remediation plan that were prepared as part of the former Area Plan which identified the remediation into essentially grassed slopes, a large recreational lake and that was it, that was the only documentation that he is aware of their office receiving based on those enquiries; indicating that, back in March, they met with Planning staff, it was Mr. M. Corby, Senior Planner, at the time who had carriage of the pre-consultation and there was no request for them to provide any additional studies other than those that had been prepared for previous applications on the property; noting that was a positive outcome, they were; however, asked to provide mapping of any of the active Pit licences within the area; noting that that mapping was provided and it was not until sometime in the summer that they were contacted by Planning staff to indicate that it would be required that they would have to do additional study or that they could contemplate a holding provision; stating that the purpose of the planning study had contacted them was that prior to processing the application they wanted to give the applicant the opportunity to withdraw the application and save his application fees; giving that the applicant is looking at retiring in this location he was desirous of proceeding on the basis of providing holding provisions similar to the first application round that was approved in 2012; one of the other things of significance that had occurred was when those first decisions were made in 2012, there was a berm that was situated on his clients' property at the west end in the location where the proposed dwelling is to occur; that berm was under an easement in favour of LaFarge and that easement expired and several years ago was removed by LaFarge; presumably, any noise attenuation that was provided by that berm was no longer required as part of the activities occurring within the Pit because that berm has been removed and is no longer in existence; that additional information together with the information that Mr. Starcevic had heard through the community led him to believe that there was now opportunity to construct; still they were not able to get any specific information to undertake any technical studies to support the application at this point because they still do not know where active extraction

is occurring and, as a result, what they have requested is they apply the same two holding provisions that were applied to the lands of Lots 1 and 2 previously to be applied to Lot 3; pointing out the difference now, as compared to back in 2011 and 2012 is that when planning staff were considering the redesignation of the property and the rezoning of the property as a whole, they redesignated the entirety of the subject property residential but they only zoned the front two lots for residential leaving the westerly lot in Urban Reserve; their understanding at that time was that was because there was a Commissioners Road Realignment Study that was about to begin and was going to determine whether or not the westerly portion of their clients' land was going to be required for part of that realignment so Mr. Starcevic parked his application and waited until the completion of that Environmental Assessment work was done; indicating that you will see in the reporting that he submitted this afternoon an excerpt from that report that identifies the conclusions from the Environmental Assessment that illustrates the location of that preferred design solution for the Commissioners Road Realignment and that it does not actually affect any of Mr. Starcevic's lands; with that information they believe that the application of the holding provisions is consistent with the Provincial Policy Statement, does serve to protect the aggregate resource and extraction, does conform to the policies of the Official Plan and is consistent with the general intent and nature of the Zoning By-law and they would ask that the application be approved with holding provisions.

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.4 PUBLIC PARTICIPATION MEETING – Application – 324 York Street (TZ-8917)

- P. Clancy, McKenzie Lake Lawyers, on behalf of Bradel Properties Ltd. - advising that this application came through in December, 2017; indicating that they were granted a six month extension to permit the 2004 site plan improvements to be made; acknowledging that while these improvements should have been done previously, had it been made clear to them that there would be amendments to the Official Plan, the London Plan and the Downtown Plan, that would implement criteria to militate against the extension of the temporary zoning designation, their client likely would not have undertaken such works which has now made the parking lot more permanent; stating that the Planning report, in support of the December, 2017 Planning and Environment Committee meeting, which he previously referenced, was supported heavily by the rapid transit plan as justification for declining their three year extension; advising that there is no mention of this rapid transit plan in the Planning report for this Committee meeting but is largely reliant on the new criteria enacted to consider these temporary commercial parking lots; indicating that he is not aware of the current status of the rapid transit plan; stating that the lot immediately to the west of their clients lands is also a commercial surface area parking lot that is owned by the City, the temporary zoning of the City property expired in January, 2010 and it does not appear to be receiving the same scrutiny that their clients property is receiving.



## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.5 PUBLIC PARTICIPATION MEETING – Application – 1395 Riverbend Road (Z-8924)

- Mr. P. Yeoman, Director, Development Services - clarifying the recommendation that is before the Planning and Environment Committee, Ms. M. Zunti and the representatives from Sifton Properties Limited are going to be requesting a referral of this application at this time, there have been some challenges in details that have been provided related to this application late last week, she will speak to that but the recommendation will be coming back to the Committee along these lines with the changes that will be before the Committee.
- M. Zunti, Sifton Properties Limited – thanking staff for processing this application quite quickly, they really appreciate that; ironically, they are going to be requesting a deferral on this decision because something came to light about a week to ten days ago that they are going to be submitting a revision to the application; talking about that in a little more detail after their architect makes a presentation; advising that they held an informal public meeting with people in the neighbourhood on August 21, 2018, prior to this meeting because they wanted to get comments and concerns and as noted in Mr. L. Mottram, Senior Planner's, report, the primary issue that came up was the issue of the traffic on Shore Road, which they do not believe that they will be contributing to in any major amount; asking Mr. Richard Hammond from Cornerstone Architecture to provide the Committee with a brief overview of the proposed development and then she is going to speak to what they are going to look at in terms of changes so the Committee is aware of that but they still want to have the meeting proceed and then they can respond to any comments or concerns on this application; presuming there will be a second public meeting that will be required as part of their revisions that will be coming in; advising that they have recently been made aware that with new construction techniques, it would be possible to add some additional units to both the seniors apartment and the retirement suites so they will be revising the application to increase the number of units for both of those units and that will require a change to the density that is associated with the R-7; advising that they will not be requesting a change to any of the other special provisions, the height and the setbacks will all remain the same but because of how they are doing the construction and how the floors work and so on, they are actually going to be able to get another floor in there because the number of units would increase by approximately seventeen units for the apartment building and approximately twenty retirement suites; noting that she is not an architect so she cannot explain it; indicating that they will be coming back with a revised application just to change the density but not to change anything else in the proposed Zoning By-law.
- R. Hammond, Cornerstone Architecture – highlighting a couple of things to show the Planning and Environment Committee how they arrived at the current proposal; advising that they started with the overall Master Plan for West 5 that shows these two “L” shaped buildings here in this location and as they began the design process, they realized that that configuration was quite constraining for this type of use, it limits the amount of open space and also, because of the building mass along Shore Road has a significant impact on the street space so looking at all those factors together, they developed the “U” shaped plan that you have seen to accommodate the residential units in Phase 1 as apartments, Phase 2 as retirement homes so that they have more separation from one another; also, to open up more amenity space on the main floor and permit drop off on the site rather than on the street that would have been necessary under the original scheme; advising that, to do that, they have moved the dining room up to the top floor; noting that has a number of advantages including adding a little bit of interest to the profile of the building, making a lovely place for dining, the view should be great from there, you should be able to see the River to the

north and allow more circulation and amenity space at grade on the site; showing a 3-D model of the view looking from Shore Road, you can see the drop off area in front, the six storey wings on the side and you can just see the seventh storey dining room on the roof so they think that really adds some interest to the building and makes for better quality residential units on the first few floors and the dining space on the top floor; showing a view from Shore Road, showing the building set back as opposed to the original idea which would be set out all the way along to the street; showing some quick images from the shadow study; noting they compared the footprint from the original proposed configuration and the shadows that it would cast to the proposed design and the overall outline of the shadows are very similar but the shadows are lessened along the center of the site simply because that mass of the building, that higher proportion is back further; hoping that provides a little context. (See attached presentation.)



SIFTON PROPERTIES LIMITED  
CITY OF LONDON PUBLIC MEETING

# RETIREMENT LIVING BUILDINGS BB1 & BB2

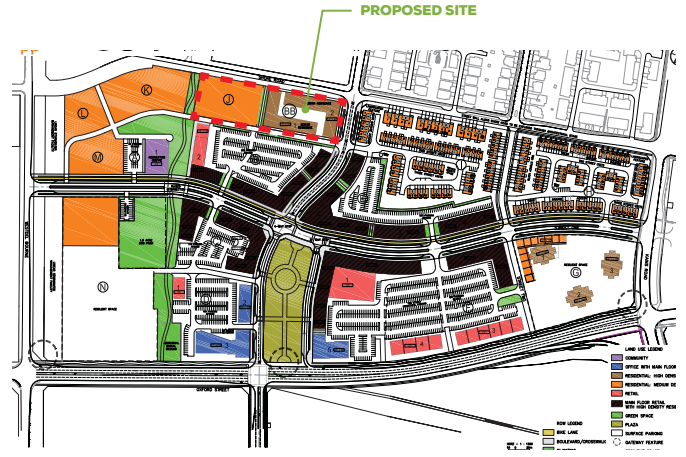
Presentation  
29 October 2018

Primary Contact  
Richard Hammond OAA MRAIC LEED AP BD-C CQP  
rhammond@cornerstonearchitecture.ca

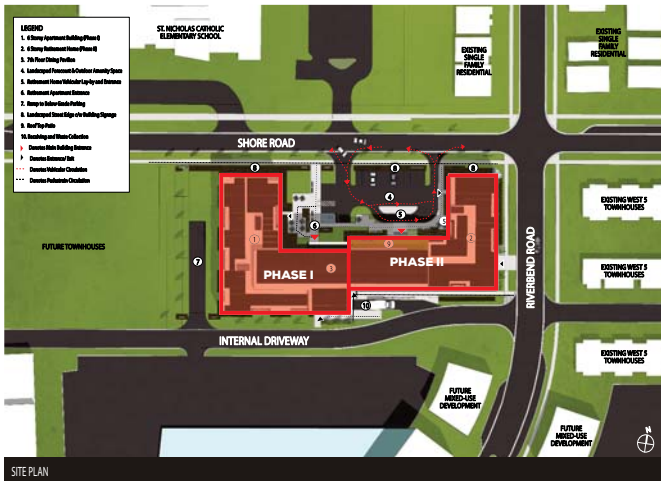
CORNERSTONE  
ARCHITECTURE

11700 Richmond Ave. Suite 102  
Richmond, BC V6V 1Y7  
rhammond@cornerstonearchitecture.ca

## PROJECT SITE.



## PROJECT SITE.



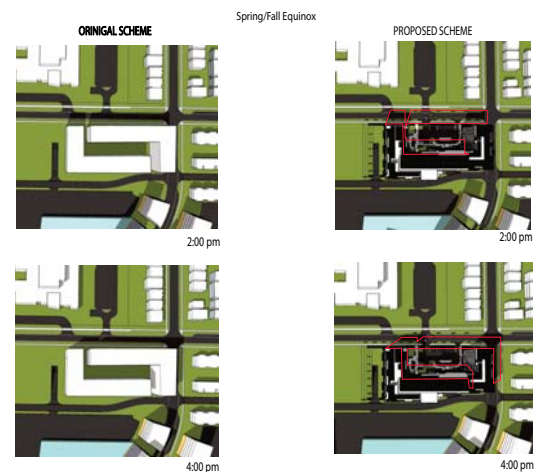
## PROJECT SITE.



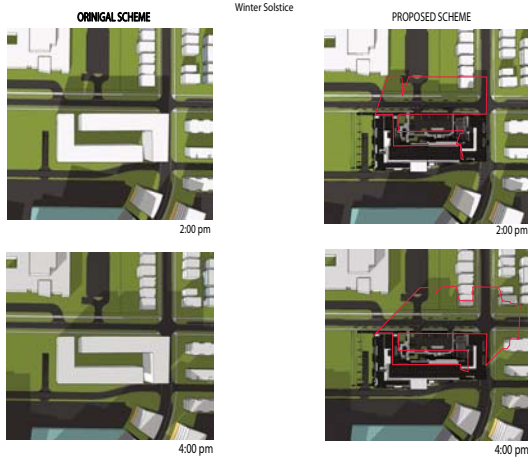
## RENDERING.



## SHADOW STUDY - SPRING/FALL.



# SHADOW STUDY - WINTER.



## PROJECT STATISTICS.

### EXISTING ZONING:

- h\*H-206\*R5-6(10)/R6-5(42)/R7\*D75\*H18/R8-4(29)
- Would permit up to 326 bed Retirement Lodge on site if no Seniors' Apartment

### PROPOSED ZONING:

- h\*H-206\*R5-6(10)/R7(\_\_\_\_)\*D100\*H30

### REASONS FOR REVISIONS:

- Additional density to address Zoning By-Law definitions / interpretation
- To permit up to 100 Seniors' Apartments and 125 Bed Retirement Lodge
- Additional height to accommodate partial 7th-floor Dining Pavilion
- Special provisions to accommodate urban design preferences for setbacks and parking
- Permit Townhouses on remainder of site

## PROJECT STATISTICS.

### PROPOSED SPECIAL PROVISIONS:

- R7(\_\_\_\_)\*D100H30
  - (a) Permitted Uses
    - Seniors Apartment Building - Maximum 100 Units
    - Retirement Lodge - Maximum 125 Beds
  - (b) Regulations
    - i) Front and Exterior Side Yard Depth to Main Building (Minimum): 3.0 metres
    - ii) Front and Exterior Side Yard Depth to Sight Triangle (Minimum): 0.8 metres
    - iii) Lot Coverage (Maximum): 40%
    - iv) Required Parking (Minimum): 120 spaces

I would like to thank you for for accepting our delegation request and allowing us to speak today.

My name is Debbie Park and I live at 1288 Halls Mill Place

Overwhelming opposition to the Byron Valley Nature Trail has been voiced at 2 separate meetings

On November 2017, due to this opposition, City Council directed the Environmental and Parks Planning Services, to have a public participation meeting in Byron to present the plan for the Byron Valley Nature Trail.

At this meeting, held on March 8, 2018 it was revealed that this plan could be whatever the community wanted. Approximately 80 people attended the meeting and all but a few, turned down the entire project, wanting the ESA left untouched.

It was assumed that the city would not proceed. But they have!

This trail would cause an irreversible environmental damage to this area

This is a tiny ESA surrounded by private property so cannot become part of another trail system.

This ESA is the ONLY waterfront property not on... private land, or part of a multi-use park... from the forks of the Thames to the ESA

This ESA is a documented habitat of the Eastern Hognose Snake with photos and site location registered with the Ministry of Natural Resource.

The Eastern Hognose Snake is listed as, Threatened under the Ontario Endangered Species Act and, the Federal Species at Risk Act, and designated a Specially Protected Reptile under the Ontario Fish and Wildlife Conservation Act.

It's habitat is further protected in Ontario, by the Provincial Policy Statement which, protects the habitat of threatened and endangered species and, prohibits SITE ALTERATIONS to their habitat.

Section 6 of the Provincial Planning Act for Species at Risk states, that a wildlife habitat is defined as "an entire area on which a species depends directly or indirectly"

" areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space needed to sustain".

Which, is exactly what this ESA does.

It's important to note that, the most significant threat to the Eastern Hognose snake is...habitat loss, habitat fragmentation and people.

This ESA is a recognized habitat, aquatic corridor and vital feeding ground for the endangered Eastern Spiny Softshell Turtle. The Parks's department have acknowledged this is a Spiny

Softshell corridor and stated that they “nest across the river “ from the proposed Nature Trail and Lookout.

According to the Endangered Species Act, human recreation is identified as a huge negative factor in blocking access to nesting, feeding, hibernation and basking sites for the extremely shy Spiny Softshell.

So putting a lookout and pathway in an endangered species habitat should not be considered.

Freshwater Mussels are the most endangered organisms in North America.

9 Freshwater mussels species were picked up along the shore in this ESA

1 is considered extremely rare and endangered,

2 are considered very rare

4 are considered rare

Easy public access and parking would provide an area to put kayaks and canoes into the water, damaging this endangered shoreline habitat.

This tiny ESA is the nesting site for Snapping Turtles which are listed as Special Concern by the Endangered Species Act and... is home to many other species including, the river otter and wild mink who have a specific habitat component of limited human contact... critical to their survival.

To realize how small this ESA is and how intrusive this trail would be, it is 800 meters from the gate entrance, to the large storm sewer outlet.

The hill past the storm sewer is too steep and wet to walk and leads to private property.

The distance along the river, from the proposed lookout to Halls Mill Road is a 4 minute stroll

The wheelchair accessible loop takes 3 minutes to walk and is 200 meters

It would involve considerable site alterations

It takes 2 minutes to walk from the beginning of the trail at the top of the hill, to the sewage pumping station.

The hill is extremely steep so the site plan calls for making a bench cut trail into the hill. This would involve considerable site alterations.

To walk the loop from the berm to the lookout and the accessible trail back to the berm takes 4 minutes.

To walk down the hill and around the 2 proposed trail loops take approximately 9 minutes.

This is a nothing trail around a very smelly sewage pumping station which will have an upgrade in 2023 which will triple its capacity.

EEPAC has made no recommendation for this proposed nature trail.

The community feels this Nature Trail is not needed due to the number of trails, parks and pathways already in the immediate area

It is a 4 minute walk from the proposed Commissioners Road access point and from Byron Northview Public School to the paved pathway leading directly into Springbank Park. Byron Northview DOES NOT endorse the Byron Valley Nature Trail.

Participation House is a 1 minute walk to the same pathway leading directly into Springbank Park which has 30 km of paved pathways,

Warble Woods is a 4 minute drive and has 3.9 km of trails,

Kains Woods is a 7 minute drive and has 5.8 km of trails and multi-use pathways.

The Sifton Bog is a 6 minute drive and has 2.7 km of Boardwalk

In closing ...The community has voiced their complete opposition to the Byron Valley Nature Trail...TWICE

This ESA is home to at least 3 endangered and threatened species which must... by law, be protected and is too small to accommodate pathways.

The walking trail loops take 7 minutes and there are already wonderful accessible pathways and nature trails in the immediate area

The existing informal trails identified on the maps are actually well used animal trails which demonstrate that this area is an important year round animal corridor and habitat.

Please consider the concerns of the community and halt any plans for this tiny ESA habitat.

Thank you for allowing us to voice these very serious concerns today

Alysha Santin  
London, Ontario

October 25, 2018

To Whom it May Concern:

I grew up on Halls Mill Road and lived there for 18 years.

When I heard the idea of putting a public walking trail, that would disturb the ecosystem that exists, I was confused. There are multiple walking paths nearby, many with access to the Thames River. Springbank Park (less than a 3-minute walk and fully accessible), Sifton bog, St. Anthony's Park, Hazelden Park, Warbler Woods, Riverbend Park, Komoka Provincial Park, etc. The addition of another public walking trail would serve no purpose other than to disturb the forest and its already at-risk inhabitants.

There is absolutely no need to disturb this small environmentally sensitive area.

Sincerely,



Alysha Santin



or  
2.1.1

October 22, 2018

To Whom It May Concern:

Members of my family have lived on Halls Mill Road for over 20 years. I have been down to this location many times and I know it is an undisturbed area that has at risk and endangered species within it. Most of the public are unaware this area even exists, which is good and critical to the wildlife. It is imperative that this public trail not be put into place. I know that when more people are introduced to an area such as this, inevitably the wildlife suffers. The area is also surrounded by many other parks and trails so please leave this safe haven for this endangered wildlife as it is.

Yours truly,



Marilyn Santin

Iona Station, Ontario

October 22, 2018

To Whom It May Concern:

Members of my family have lived on Halls Mill Road for over 20 years. I have been down to this location many times and I know it is an undisturbed area that has at risk and endangered species within it. Most of the public are unaware this area even exists, which is good and critical to the wildlife. It is imperative that this public trail not be put into place. I know that when more people are introduced to an area such as this, inevitably the wildlife suffers. The area is also surrounded by many other parks and trails so please leave this safe haven for this endangered wildlife as it is.

Yours truly,

A handwritten signature in blue ink, appearing to read "Steve Santin". The signature is fluid and cursive, with a large initial "S" and a long horizontal stroke at the end.

Steve Santin

Iona Station, Ontario

From: **Sandra Hersey**  
Subject: Re Trail  
Date: October 18, 2018 at 4:30 PM  
To:

---

Hi Debbie

Please speak on our behalf at the meeting for the Byron Trail. Both my husband David and I are against this trail.

Thanking you in advance

David and Sandy Hersey

14-1331 Commissioners Rd W N6K1E2

519-471-9548

Sent from my iPad

**From:** Graham  
**Subject:** The Byron Trail Project  
**Date:** Yesterday at 9:38 PM  
**To:**  
**Cc:** etta etta e

---

Hi Debbie,

As requested by Etta Washburn, here is the email I sent to Anna Hopkins expressing my concerns and views on this issue.

Kind Regards

Graham Smith

---

**Sent:** Monday, October 15, 2018 8:29 PM

**To:** '[ahopkins@london.ca](mailto:ahopkins@london.ca)'

**Subject:** The Byron Trail Project

Anna Hopkins, Councillor Ward 9

Dear Madam Councillor,

A meeting was arranged last March 8<sup>th</sup> by the Parks Department at Byron Public Library for the locally affected residents. The purpose, supposedly, was for the Parks Dept to outline their proposal for the Trail Project and to get feedback from those local residents. I attended that meeting, as did you Madam Councillor, and you will recall that after much discussion of the proposal and concern voiced by the residents, the Moderator of the meeting from Parks Dept himself suggested and offered to accept a vote from those present as to whether we approved or disapproved of the proposed project. You yourself will recall, I am sure, that the overwhelming majority (if not in fact unanimous) was a resounding rejection – a democratically recorded “No” vote.

Following that “No” vote the Moderator confirmed to us, after being pressed by us, that the “No” vote actually was recognized and that the proposed Trail Plan would be cancelled. I am sure you, too, will recall this development at the conclusion of the back and forth discussion. I myself spoke up and actually wanted it confirmed that this plan was cancelled in its entirety for now and in the future, and not just the design currently under consideration. In other words, any Trail Plan would not be resurrected in the future.

It now seems we were taken for a ride on all this as it appears the Plan is going ahead as proposed. Why did you waste taxpayers' money on a meeting that had no intention of listening to

nor abiding by the majority vote, in spite of what we were told? The worst of it is we were all lied to from the outset, including the reason for the meeting, the resulting vote and the confirmation that the project would now be scrapped. It seems that Parks had never had any intention of scrapping the project and we were just paid lip service. It was to go ahead all along. Whatever happened to integrity and democracy from the people that you have put in charge of various City Departments?

There is a meeting at City Hall on Monday 29<sup>th</sup> October when the Byron Trail project will be on the agenda. Please advise your position on this now, bearing in mind the promises resulting from the previous meeting.

Attached is a circular I received advising all the local residents of the current situation. Your input and comments would be greatly appreciated.

Yours Sincerely

Graham Smith  
1331 Commissioners Rd West, London.

October 25, 2018

To Whom It May Concern:

We have known about this small area with rare and endangered species for decades, as we have family living on Halls Mill Road. With all the other parks and paths in the immediate area, this delicate area should be left alone. Introducing more people to this small area will most likely spell certain extinction for these endangered and at risk animals in this area.

Yours truly,

A handwritten signature in black ink, appearing to read "Michael Santin". The signature is fluid and cursive, with a prominent initial "M".

Michael Santin

Edmonton, Alberta

Matthew Minshall  
London, Ontario

October 25, 2018

To Whom It May Concern:

I have only known of this area for approximately five years since becoming friends with people who live on Halls Mill Road. In this time I have seen the wildlife there that you just don't see in most parts of the city. I have also been informed that there are several species that are endangered or at risk.

Putting a public walking trail through such an area should not happen. It serves no purpose when there are many walking trails close by already. Why disturb this small environmentally sensitive area when you don't need to?

Yours truly,



Matthew Minshall

Otilia Santin  
217 Halls Mill Road  
London, Ontario  
N6K 2L3

October 28, 2018

To Whom It May Concern:

I am opposed to the Byron Nature Trail.

This trail was discussed at the original Planning Committee Meeting. At that time it was recommended that due to public response that was opposed to the trail, there would be a public meeting held in Byron. At that public meeting held in Byron the public response again that the trail was not wanted.

The proposed Byron Nature Trail would be part of an environmentally sensitive area (ESA) by the Thames River, which is the only trail free area west of downtown London. Trails then pick up again at the Oxford Street extension. This small inlet cannot be part of any continuous trail system as it is surrounded by private land and to the west of hill is too steep to continue any trail.

In all of my years living on Halls Mill Road (20+ years) I have seen the wildlife. There are several species that are endangered or at risk. Putting in the Byron Nature Trail puts all this at risk, when the public has stated that they don't want it.

I have run in Springbank Park for two decades, it's three minutes away. There are many other trails close by, let's leave this little area for the wildlife.

Sincerely,



Otilia Santin





Otilia Camboia  
London, Ontario

October 28, 2018

To Whom It May Concern:

My daughter has lived on Halls Mill Road for over 20 years. I have seen the wildlife there that you just don't see in most parts of the city. I have also been informed that there are several species that are endangered or at risk.

Putting a public walking trail through such an area should not happen. It serves no purpose when there are many walking trails close by already; Springbank Park is only minutes away, when I come to visit my daughter that's where we walk. Why disturb this small environmentally sensitive area when you don't need to?

Yours truly,



Otilia Camboia

# **STOP!**

**BYRON VALLEY NATURE TRAIL!**

**STOP ALL PLANS FOR PUBLIC WALKWAYS ALONG THE THAMES RIVER**

**TRAILS WILL BE DETRIMENTAL TO OUR WILDLIFE PRESENCE**

**OPPORTUNITIES FOR CRIME ON AND NEAR THE PROPERTY OF RESIDENTS**

**PLEASE HELP KEEP OUR BYRON VALLEY ENVIRONMENTALLY SOUND AND SAFE FOR OUR COMMUNITY**

**WE THE UNDERSIGNED RESIDENTS OF BYRON ARE OPPOSED TO THE PROPOSED "NATURE VALLEY TRAIL" ALONG THE THAMES RIVER IN BYRON WITH ACCESS FROM HALLS MILLS ROAD AND 1355 COMMISSIONERS ROAD WEST.**

Bill No. 601  
2018

By-law No. A.-\_\_\_\_-\_\_\_\_

A by-law to confirm the proceedings of the  
Council Meeting held on the 6<sup>th</sup> day of  
November, 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 November 6, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 6, 2018  
Second Reading – November 6, 2018  
Third Reading – November 6, 2018

Bill No. 602  
2018

By-law No. A.-5505( )-\_\_\_\_\_

A by-law to amend By-law No. A.-5505-497 entitled, "A by-law to authorize the implementation of a pre-authorized tax payment plan for The Corporation of the City of London".

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

1. Schedule "A" of By-law No. A.-5505-497 is amended by repealing paragraph 10 therein and by enacting the following new paragraph 10 in its place:

"10. For 2019 the amount of the pre-authorized payment for the period January to May shall be calculated as the most recently available assessments consistent with the previous year's assessment valuations multiplied by the total tax rates applicable to the property in the previous year plus or minus any cap adjustment of the previous year and then multiplied by 1.013 and then increased by any local improvement or similar charge applicable to the property in 2019 and then divided by 10 and rounded to the nearest dollar."

2. This by-law comes into force and effect on January 1, 2019

PASSED in Open Council on November 6, 2018

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 6, 2018  
Second Reading – November 6, 2018  
Third Reading – November 6, 2018

Bill No. 603  
2018

By-law No. A-8-18\_\_\_\_

A by-law to amend By-law No. A-8, being the  
“Property Tax Collection By-law”.

WHEREAS section 317 of the *Municipal Act, 2001* provides for the passing of by-laws for the levying of interim rates of taxation;

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

1. Part 1 of By-law A-8, the Property and Business Tax Collection By-law, is hereby amended by deleting section 1.8 and 1.9 and replacing those sections with the following:

“1.8 Interim Levy – calculation

For the year 2019 the interim levy for a property shall be calculated as 40.52% of the total amount of taxes for municipal and school purposes levied on the property for the previous year.”

“1.9 Interim Levy – calculation

Notwithstanding section 1.8 where assessment was added to the collector’s roll during the previous year, paragraph 3 of Section 317(3) of the *Municipal Act, 2001* shall apply in calculating the interim levy.”

2. This by-law comes into force and effect on January 1, 2019.

PASSED in Open Council on November 6, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 6, 2018  
Second Reading – November 6, 2018  
Third Reading – November 6, 2018

Bill No. 604  
2018

By-law No. A.-50-18\_\_\_\_\_

A by-law to amend By-law No. A-50, as amended, being, “A by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London” by updating Part 3, section 23.2 “Striking Committee – composition”.

WHEREAS subsection 5(3) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Municipal Council enacted the Council Procedure By-law, By-law No. A-50, on May 31, 2016, to provide for the rules of order and procedure for the Council of The Corporation of the City of London;

AND WHEREAS the Municipal Council wishes to amend the Council Procedure By-law, By-law No. A-50, as amended, to update the references to Part 3, section 23 - Striking Committee;

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

1. Section 23.2 “Striking Committee – composition” is hereby amended by deleting it in its entirety and by replacing it with the following new definition:

“Striking Committee - composition  
The striking committee shall be composed of those members identified in the General Policy for Advisory Committees.”

2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on November 6, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 6, 2018  
Second Reading – November 6, 2018  
Third Reading – November 6, 2018

Bill No. 605  
2018

By-law No. CPOL.- \_\_\_\_ - \_\_

A by-law to repeal By-law No. CPOL.-59-291 being “General Policy for Advisory Committees”, and all amendments thereto and to enact a new Council Policy, “General Policy for Advisory Committees”.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-59-291 being “General Policy for Advisory Committees” and all amendments thereto, and replace it with a new Council Policy entitled “General Policy for Advisory Committees” to reflect changes to the Striking Committee;

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

1. By-law No. CPOL.-59-291 being “General Policy for Advisory Committees” and all amendments thereto, is hereby repealed.
2. The policy entitled “General Policy for Advisory Committees”, attached hereto as Schedule ‘A’, is hereby enacted.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on November 6, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 6, 2018  
Second Reading – November 6, 2018  
Third Reading – November 6, 2018

## Schedule “A”

**Policy Name:** General Policy for Advisory Committees

**Legislative History:** Adopted August 22, 2017 (By-law No. CPOL.-59-291); Amended July 24, 2018 (By-law No. CPOL.-59(a)-401)

**Last Review Date:** September 17, 2018

**Service Area Lead:** City Clerk

### 1. Policy Statement

- 1.1 This policy establishes the various expectations and protocols for City Council’s Advisory Committees.

### 2. Definitions

- 2.1 Not applicable.

### 3. Applicability

- 3.1 This policy applies to any Advisory Committee of the City Council.

### 4. The Policy

#### 4.1 Role of Advisory Committees

While it is the legislative mandate of the Municipal Council to make the final decision on all matters that affect the Municipality, the role of an Advisory Committee is to provide recommendations, advice and information to the Municipal Council on those specialized matters which relate to the purpose of the Advisory Committee, to facilitate public input to City Council on programs and ideas and to assist in enhancing the quality of life of the community, in keeping with the Municipal Council’s Strategic Plan principles. Advisory committees shall not give direction to the Civic Administration or to any local board or commission, nor shall Advisory Committees request, without the approval of the Municipal Council, the preparation of any administrative reports, research or work assignments. This does not preclude Advisory Committees from directly asking the Civic Administration for information and data when, in the opinion of the Civic Administration, such requests can be reasonably accommodated within existing workloads and priorities, and do not place an unreasonable demand on available resources.

#### 4.2 Ongoing Review of Advisory Committees

The terms of reference for each Advisory Committee shall be reviewed on an ongoing basis by its parent Standing Committee in order to ensure that the terms of reference, the need and the role of each Advisory Committee remains relevant and appropriate. The results of such reviews shall be reported to the Strategic Priorities and Policy Committee, together with any recommendations that a Standing Committee might have with respect to changes in the Council’s Advisory Committee structure, or to the terms of reference of individual advisory committees.

#### 4.3 Resignations and Appointments

Advisory Committee members wishing to resign their appointment mid-term shall submit their resignation in writing to the City Clerk. When the resignation is accepted by the City Clerk, the City Clerk shall also consider the need to replace the Advisory Committee member, having regard to the remaining composition of the Advisory Committee, the current workload of the advisory committee and the length of time remaining in the Council term. If the City Clerk deems it advisable to replace the Advisory Committee member, then vacancies for citizen-at-large or sectoral Advisory Committee members shall be publicly advertised and residents of the Municipality shall be invited to apply to fill the vacancy. Vacancies for Advisory Committee members who represent a particular organization/agency



shall be nominated by that organization/agency and the City Clerk shall have the delegated authority to confirm those appointments on behalf of the Municipal Council. All Advisory Committee appointments occurring mid-term shall be recommended by the committee mandated with that task by the Municipal Council, for consideration by the Municipal Council, with the exception of those appointments otherwise delegated to the City Clerk. Individuals who are unsuccessful in being appointed to an Advisory Committee at the beginning of a Council term shall be notified by the City Clerk of any vacancies that arise on the Advisory Committee to which they applied during that term, and be given an opportunity to re-apply for the vacancy.

The City Clerk shall, in the month of September immediately preceding a new Council term, invite applications for a Striking Committee being established by the Municipal Council to nominate appointments to Advisory Committees at the beginning of each new Council term.

The Striking Committee shall be comprised of the following voting members and will be provided secretariat support by a Committee Secretary designated by the City Clerk:

- 1 Past Member of the Diversity, Inclusion and Anti-Oppression Advisory Committee
- 1 Representative of Pillar Non-Profit Network
- 1 Representative of the Urban League of London
- 1 Representative of the London and District Labour Council
- 1 Representative of the London Chamber of Commerce
- 5 Citizens-at-Large selected by the outgoing Municipal Council

The Strategic Priorities and Policy Committee shall meet in advance of the last Council meeting of a Council term to review the applications for Striking Committee and nominate appointees for the Municipal Council's consideration by no later than the last regular Council meeting of the Council term.

Vacancies for citizen-at-large and sectoral Advisory Committee members shall be publicly advertised. All Advisory Committee appointments to be made at the commencement of a Council term shall be recommended by the Striking Committee for consideration by the Strategic Priorities and Policy Committee and recommendation to the Municipal Council, with the exception of Advisory Committee members who represent a particular organization/agency. Advisory Committee members who represent a particular organization/agency shall be confirmed by the City Clerk, on behalf of the Municipal Council. The Striking Committee may, at its discretion, liaise with the outgoing Advisory Committee chairs with respect to the qualifications of any returning citizen-at-large and sectoral applicants. The City Clerk shall advise the Striking Committee of any considerations with respect to the attendance history of applicants, and any other relevant information that may assist the Striking Committee in its review of the applicants. All applications shall be sought and handled in keeping with the Council Policy established to set the guidelines for same and where a Provincial Statute prescribes the type of appointments to be made by the City to an Advisory Committee, the Statute shall be complied with.

#### 4.4 Eligibility for Appointment

Council Members and individuals from the Civic Administration shall not be appointed as voting members to Advisory Committees, nor shall any residents who are not of legal voting age in the Province of Ontario. Advisory Committee members who represent a particular organization or agency shall be nominated by the organization or agency of which they are a member. No member of the Striking Committee noted in part 4.3 shall be eligible for appointment to an Advisory Committee or City Agency, Board or Commission, for the term for which that Striking Committee is recommending appointments.

#### 4.5 Term of Appointment

Appointments to Advisory Committees shall be for a four-year term, commencing March 1 of the first year of a Council term and ending on February 28 or, in the case of a leap year, February 29 of the first year of the following Council term.

#### 4.6 Maximum Length of Service

Advisory Committee members shall serve on the same Advisory Committee no longer than two consecutive full terms plus, if applicable, one preceding partial term in those cases where Advisory Committee members are initially appointed mid-term to fill a vacancy.

#### 4.7 Remuneration

Advisory Committee members shall serve without remuneration.

#### 4.8 Orientation Sessions

Following the Advisory Committee appointment process at the beginning of each Council term, the City Clerk's Office shall conduct an orientation session for new Advisory Committee members and shall provide training on parliamentary procedure for the Advisory Committee. The City Clerk's Office shall also conduct orientation sessions for new replacement members during the term. An orientation manual will be provided to each member of the Advisory Committee.

#### 4.9 Bus Tickets and Parking at City Hall

Advisory Committee members shall be provided with either free parking in the Civic Square Parking Garage or with two free L.T.C. bus tickets when attending Advisory Committee meetings or when conducting Advisory Committee-related work at City Hall. In the event of a public transit stoppage, appointed members of City of London Advisory Committees who face financial barriers in securing alternative transportation when attending Advisory Committee meetings, or when conducting Advisory Committee-related work at City Hall, may be eligible for full reimbursement of those alternative transportation costs. Reimbursement of alternative transportation costs is subject to the submission of detailed receipts to the City Clerk, including supporting documentation providing information as to origin, destination, date, time, method and purpose of any travel for which they are seeking reimbursement. The City Clerk shall review such requests for reimbursement and may grant full or partial reimbursement based upon the information submitted and subject to budget availability.

#### 4.10 Staff Support

Advisory Committee meetings shall be attended by staff representatives of the appropriate civic departments to provide resource support and general liaison. However, in order to ensure optimum use of staff resources, particular staff shall not be required to attend an Advisory Committee meeting which does not have matters falling within that staff's purview on the agenda. The affected Managing Director shall determine the representative from their Service Area who shall attend particular Advisory Committee meetings. Staff representatives shall not vote at Advisory Committee meetings. The day-to-day support of Advisory Committees (such as the co-ordination of meeting schedules, the preparation of Advisory Committee agendas and reports and the communication of Advisory Committee actions) shall be provided by the City Clerk's Office.

#### 4.11 Expenditures by Advisory Committees

- a) Any annual budget allocation to an Advisory Committee shall be at the sole discretion of the Municipal Council and subject to the Municipal Council's annual budget deliberations, taking into consideration the requests of the advisory committees.

- b) All expenditures by an Advisory Committee must relate to matters directly within its mandate.
- c) Each Advisory Committee shall provide an annual report to the Municipal Council, through the appropriate Standing Committee, detailing all expenses incurred against its annual budget allocation and in a format established by the City Clerk.
- d) All Advisory Committee expense information is considered to be public information and shall be made available upon request to the City Clerk.
- e) Authorization for expenditures shall be as follows:
  - i) the City Clerk, or their designate, shall have the authority to process all payments for standard items within the Advisory Committee's mandate, subject to budget availability, such as costs associated with Council-approved events (e.g. speaker's gifts, mailing costs, room rentals, refreshments, etc. for open houses and workshops), costs associated with workshops and conferences attended by members of an Advisory Committee which are relevant to that Advisory Committee's mandate, plaques issued by the London Advisory Committee on Heritage, communication supports for persons with disabilities, and purchase of publications to assist in carrying out the Advisory Committee's mandate;
  - ii) expenses associated with communication and/or promotional efforts being undertaken by an Advisory Committee, within its mandate, are to be approved by Communications for consistency in messaging and proper branding, via the Committee Secretary, prior to those expenses being incurred. If Communications approves the content of those items, then the City Clerk, or their designate, shall have the authority to process those expenses, subject to budget availability. Expenses associated with communication and/or promotional efforts that are not to the satisfaction of Communications, shall require the approval of the Municipal Council, via the appropriate Standing Committee; and
  - iii) financial grants/contributions or awards to third party individuals, organizations or groups shall be directed to the appropriate service area to be addressed through the approval and reporting processes already established by the Municipal Council for those situations, unless that authority is explicitly provided for by the Municipal Council in an Advisory Committee's mandate. If that authority has been explicitly provided for in an Advisory Committee's mandate, then the City Clerk, or their designate, shall have the authority to process those particular expenditures.

#### 4.12 Election of Chair and Vice Chair

The presiding officer of all Advisory Committees shall be referred to as "Chair". Advisory Committees shall elect, from among their voting members, a Chair and a Vice Chair at their first meeting each year. An Advisory Committee member shall not serve as a Chair or as a Vice Chair for more than two consecutive years unless approved, on an exception basis, by the Municipal Council.

#### 4.13 Sub-Committees/Working Groups

Advisory Committees may form sub-committees or working groups as may be necessary. Meetings of working groups that have been formed by the Advisory Committee may meet at any time and at any location but shall meet on different dates than the Advisory Committee. Staff support, including a recording secretary from the City Clerk's Office, shall not be provided to such sub-committees or working groups unless otherwise approved by the appropriate Managing Director.

#### 4.14 Schedule and Location of Meetings

Advisory Committees shall meet at a frequency determined by the Municipal Council as part of the Advisory Committee's mandate. However, if there is a time-sensitive matter that must be attended to in the opinion of the Chair and the

Committee Secretary, a special meeting of the Advisory Committee may be called to deal with the time-sensitive matter. Advisory Committee meetings shall be held at City Hall and shall be open to the public, except during closed sessions which may be held in accordance with the Council Procedure By-law. Advisory Committee meetings may, with the approval of the Municipal Council, be held away from City Hall for a specific purpose.

#### 4.15 Parliamentary Procedures

The parliamentary rules outlined in the Council Procedure By-law shall be observed, as far as applicable, by each Advisory Committee; however, Advisory Committee members should recognize that many individuals feel more comfortable when exchanging views with their peers in an informal atmosphere where they have an opportunity to appreciate the abilities and knowledge of other Advisory Committee members.

#### 4.16 Attendance at Meetings

Advisory Committee members, including members-at-large and agency representatives, shall be deemed to have resigned their appointments if they are absent from 25% of their regular Advisory Committee meetings, without the prior consent of the Municipal Council, unless they are absent for health reasons, in which case the continuation of their appointment shall be determined by the City Clerk, in consultation with the Advisory Committee Chair. While alternate members are encouraged to regularly attend meetings so as to remain current with the Advisory Committee's business, the 25% attendance rule shall only apply to absences from those meetings for which they have been requested to attend as a voting member, but have not done so.

The City Clerk shall be required to give written notice to any member who has exceeded the above absence threshold and shall invite the absentee to provide a written explanation for the absences, on the understanding that such written explanation will be reviewed with the Advisory Committee Chair before a decision is made by the City Clerk.

Advisory Committee members shall inform their committee's recording secretary of any anticipated absences from upcoming meetings and such advance notice shall be recorded in the Advisory Committee's report.

#### 4.17 Advisory Committee Agendas

Advisory Committee agendas shall be prepared by the committee's recording secretary. Agendas shall be distributed electronically to Advisory Committee members at least five business days in advance of a meeting. Agendas shall be based on the written communications that relate to matters within the mandate of the Advisory Committee. Agenda material that is received after the agenda has been prepared and mailed (but before the meeting) shall be placed on the agenda for the next following meeting.

Advisory Committees shall not consider a matter that is not listed on its agenda, unless such a matter is deemed, by the Advisory Committee, to be a matter of legitimate urgency. Such matters that are not considered urgent by the Advisory Committee shall be listed on the next agenda for the next following meeting.

#### 4.18 Advisory Committee Reports

Reports of Advisory Committee meetings shall be prepared by the Committee's Recording Secretary in a format which is consistent with the reports of the Council's Standing Committees. Advisory Committee reports shall be forwarded exclusively to the standing committee to which the Advisory Committee reports for its consideration/information save and except where the Municipal Council may, from time to time, determine it would like there to be a mutual exchange of advisory committee reports between specific Advisory Committees. Advisory Committee reports shall also be listed on the respective Advisory Committee's next agenda for information purposes. Any request of staff included in an Advisory

Committee report shall be directed through the appropriate Service Area head.

An Advisory Committee chair, or their designate, may be requested by the Standing Committee to which it reports to be a delegation at the Standing Committee's meeting in order to provide further information or clarification with respect to matters coming forward from the Advisory Committee. The above does not preclude an Advisory Committee chair, or their designate, from initiating their own request for delegation status at the Standing Committee to which the Advisory Committee reports, if the Advisory Committee wishes them to do so. On the rare occasion where there is a matter that falls within the mandate of an Advisory Committee that does not fall within the mandate of the Standing Committee to which it reports, the Advisory Committee, through a motion adopted by a majority of its members, may recommend to its Standing Committee that the Advisory Committee's recommendation be referred to the Standing Committee having responsibility for the matter by virtue of its mandate. Similarly, if there is a public meeting being held by another Standing Committee, which is relevant to the mandate of a particular Advisory Committee, the Advisory Committee may, through a motion adopted by a majority of its members, direct the Chair or his/her designate to make representation, on behalf of the Advisory Committee, to the appropriate Standing Committee in order to provide the position of the Advisory Committee on matters falling within the Advisory Committee's jurisdiction. In these instances, the City Clerk will determine the appropriate Standing Committee for a matter, based on the jurisdictions outlined in the Council Procedure By-law.

The Advisory Committee chair, or their designate, shall accurately represent the views of the Advisory Committee as a whole, when presenting on an Advisory Committee's behalf.

#### 4.19 Reporting Time Frames for Matters Referred to Advisory Committees

- a) Reporting time frames for matters referred to Council-appointed Advisory Committees where such matters involve development or business-related applications or initiatives being processed by the City of London for various types of required approvals (hereinafter referred to as "a matter") shall be as follows:
  - i) when a matter has been listed on the agenda of an Advisory Committee for which advice is being sought from the Advisory Committee, that Advisory Committee will provide its written advice to the requestor or requesting body by no later than 35 days after the matter has been first listed on the agenda of the Advisory Committee, unless the requestor or requesting body has identified a different deadline date in its referral request to the Advisory Committee for exceptional situations;
  - ii) when an Advisory Committee deems it necessary to refer a matter to one of its sub-committees or working groups for consideration, that particular sub-committee or working group will be expected to complete its review and to report back to its parent Advisory Committee in time for the Advisory Committee to meet the 35 day deadline or any different specified deadline date;
  - iii) when it appears to an Advisory Committee that it will be unable to meet the 35 day deadline or a different specified deadline date for providing advice on a matter referred to it:
    - A) the Advisory Committee may ask the requestor or the requesting body for an extension of the 35 day deadline or of the different specified deadline date, to a date to be suggested by the Advisory Committee; however, the decision of the requestor or of the requesting body with respect to agreeing to such extension will be final; and
    - B) the Advisory Committee, failing the acceptability of the process outlined in section (i) above, may give its Chair (or designate) the power to act with respect to providing a response on the matter by the 35 day deadline or by a different specified deadline date, to the requestor or the requesting body;

- iv) when requestors or requesting bodies are transmitting matters to Advisory Committees for their advice, the requestors and requesting bodies will be mindful of the established monthly meeting dates or such other regular meeting dates of the particular Advisory Committee with a view to maximizing the time available to an Advisory Committee to provide its written advice to a requestor or requesting body; and
- v) when an Advisory Committee had not responded to the requestor or the requesting body by the 35 day deadline or by the different deadline date, the requestor or the requesting body may proceed with the processing of the matter in the absence of advice from the Advisory Committee.

#### 4.20 Annual Report and Work Plan

Advisory Committees shall submit an annual report to its parent Standing Committee outlining the previous year's accomplishments and a work plan for the upcoming year, for Municipal Council approval. The work plan shall set out proposed initiatives to be undertaken that are directly linked to the mandate of the Advisory Committees and the priorities as set out in the City of London's Strategic Plan. The work plan shall include any work required under their mandate and applicable legislation.

#### 4.21 Committee Conduct

This Committee Conduct Policy applies to all members of Advisory Committees, special committees or task forces (hereinafter referred to as "committee(s)") who are not Municipal Council members or employees of The Corporation of the City of London.

Committees are established to provide informed advice and guidance and to facilitate public input to City Council on programs and ideas.

Council recognizes the value of the impartial and objective advice received from committee members and the challenges and inherent restrictions facing committee members in assessing and recommending various options in a conscientious and ethical manner.

The following Committee Conduct Policy is provided as a general standard for all committees and shall be applicable to all City of London committees.

##### *General Conduct*

Advisory committees, when carrying out their committee responsibilities, are expected to:

- a) abide by the provisions of the Ontario Human Rights Code, City of London policies and any other applicable related statutes and, in doing so, shall treat every person, including other committee members, corporate employees, individuals providing services on a contract for service, students on placements, and the public, with dignity, understanding and respect for the right to equality and the right to an environment that is safe and free from harassment and discrimination;
- b) act in the best interest of The Corporation of the City of London;
- c) seek to advance the common good of the community which they serve; and
- d) truly, faithfully and impartially exercise their duties to the best of their knowledge and ability.

##### *Definitions*

"Relative" means a person's spouse, common-law spouse, same-sex partner, child, parents, siblings or a spouse of any of the forgoing. "Child", "parent", "spouse" shall have the meanings ascribed to them in the Municipal Conflict of Interest Act.

## Specific Conduct

- a) Advisory committee members shall, when conducting committee business, preparing written correspondence, interacting with Members of Council, the media, the public or staff, act in a manner that:
  - i) fulfills the mandate of the committee;
  - ii) respects due process and the authority of the Chair, Vice-Chair or Presiding Officer;
  - iii) demonstrates respect for all fellow committee members, Council, the public and staff;
  - iv) respects and gives fair consideration to diverse and opposing viewpoints;
  - v) demonstrates due diligence in preparing for meetings, special occasions, or other committee related events;
  - vi) demonstrates professionalism, transparency, accountability and timeliness in completing any tasks or projects undertaken by the committee;
  - vii) conforms to relevant legislation, by-laws, policies and guidelines; and
  - viii) contributes in a meaningful manner, offering constructive comments to Council, staff and fellow committee members.
- b) In the performance of his or her duties, a committee member shall not:
  - i) place him or herself in a position where a member is under obligation to any person who might benefit from special consideration or favour or who might seek preferential treatment in any way;
  - ii) accord preferential treatment to relatives or to organizations in which the member, his or her child, parent or spouse, have an interest, financial or otherwise;
  - iii) deal with an application to the City for a grant, award, contract, permit or other benefit involving the member or his or her immediate relative;
  - iv) place his or herself in a position where the member could derive any direct benefit or interest from any matter about which he/she can influence decisions; and
  - v) benefit from the use of information acquired during the course of his or her official duties which is not generally available to the public.
- c) Where an Advisory Committee member believes he or she has a conflict of interest in a particular matter, he or she shall:
  - i) prior to any consideration of the matter, disclose his or her interest and the general nature thereof;
  - ii) remove themselves from the table for the duration of time that the matter is being considered and during in-closed session, remove themselves from the room;
  - iii) not take part in the discussion or the vote on any question or recommendation in respect of the matter; and
  - iv) not attempt in any way whether before, during or after the meeting to influence the voting on any such question or recommendation.
- d) Where the number of members who by reason of conflict are disqualified from participating in a meeting is such that the remaining members are not of sufficient number to constitute a quorum, then the remaining members shall be deemed to constitute a quorum provided such number is not less than two.
- e) A request for an investigation of a complaint that a member of an Advisory Committee has contravened the Conduct Policy shall be:
  - i) made in writing, setting out reasonable and probable grounds for the allegation that a member has contravened the Conduct Policy and signed by an identifiable individual (which includes the authorized signing officer of an organization);

- ii) filed with the City Clerk, who, in the case of a complaint not involving an employee of the Corporation, shall investigate the matter and present the findings to Council in a closed meeting of Council or, in the case of a complaint involving an employee of the Corporation, the City Clerk shall forward the information subject to the complaint to the Corporation's Intake Administrator, who, in the event mediation or other informal attempts to resolve the complaint as provided for in the applicable policy are not appropriate or prove ineffective and where Human Resources determines that further inquiry is warranted, will conduct an investigation in accordance with the applicable policy and the Corporation's Formal Investigation Process. Upon the conclusion of the investigation, any positive findings will be provided to the City Clerk, who shall make a determination on the application of this Committee Conduct Policy. The findings of the City Clerk shall be reported to City Council as per the normal procedure respecting such matters.
- f) Council, may determine:
  - i) that there has been no contravention of the Conduct Policy;
  - ii) that a contravention occurred although the member took all reasonable measures to prevent it;
  - iii) that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith; or
  - iv) that the member has contravened the Conduct Policy and take any corrective actions, including removal from the Advisory Committee.

#### 4.22 Recognition

The Municipal Council shall host an annual reception, subject to budget availability, to honour those members-at-large and those agency representatives who have served the Municipal Council, without remuneration by the Municipality, as a voting member of one or more of its Advisory Committees and whose attendance has been in keeping with set policy.

#### 4.23 Other Acts, Regulations, By-laws and Policies

Advisory Committees shall, at all times, conduct themselves in accordance with the provisions of other applicable Acts and Regulations (e.g. *Municipal Freedom of Information and Protection of Privacy Act*, *Ontario Human Rights Code*, etc.), as well other by-laws or policies that the Municipal Council may establish from time to time (e.g. *City of London Procurement of Goods and Services Policy*, etc.).



Bill No. 606  
2018

By-law No. C.P.-1284(\_\_\_\_)-\_\_\_\_

A by-law to amend the Official Plan for the City of London, 1989 relating to 1331 Hyde Park Road.

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

1. Amendment No. \_\_\_\_ to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on November 6, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 6, 2018  
Second Reading – November 6, 2018  
Third Reading – November 6, 2018

**AMENDMENT NO. \_\_\_\_**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to add a policy to Section 10.1.3 of the Official Plan for the City of London to allow broad range of residential, retail, service and office uses.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 1331 Hyde Park Road in the City of London.

**C. BASIS OF THE AMENDMENT**

The recommended amendment is consistent with the *Provincial Policy Statement, 2014* and implements the policy for an expanded range of uses that would be permitted in the Main Street Place Type in The London Plan and are compatible with surrounding land uses. The recommended amendment will contribute to a diversity of retail uses in creative formats and the continued development of Hyde Park Road as a main street.

**D. THE AMENDMENT**

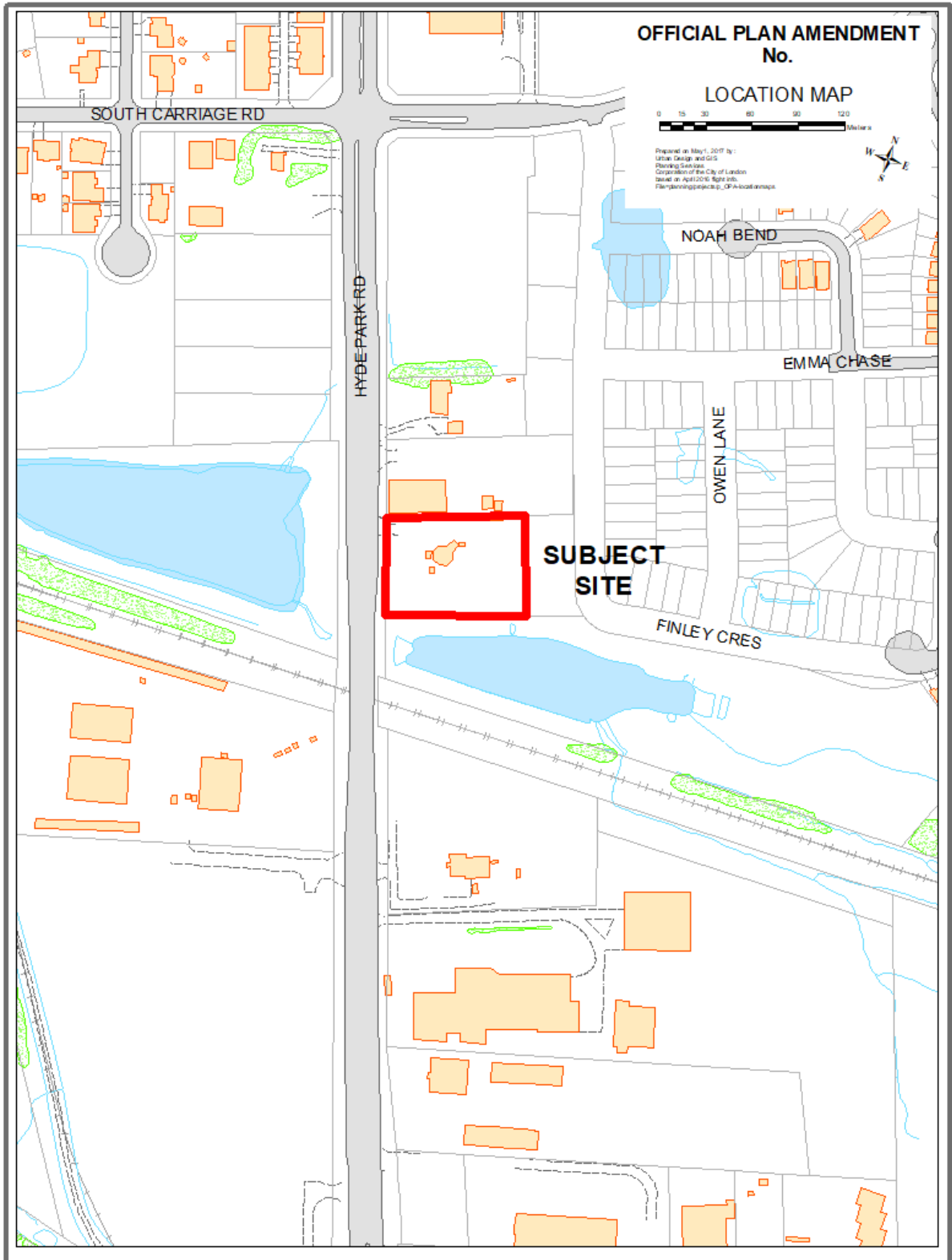
The Official Plan for the City of London is hereby amended as follows:

1. Section 10.3.1 of the Official Plan for the City of London is amended by adding the following:

1331 Hyde Park Road

In the Main Street Commercial Corridor designation at 1331 Hyde Park Road, a broad range of residential, retail, service and office uses including Automobile Sales Boutiques may be permitted.

# LOCATION MAP



Bill No. 607  
2018

By-law No. PS-113-\_\_\_\_\_

A by-law to amend By-law PS-113 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London."

WHEREAS subsection 10(2) paragraph 7. Of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

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

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

1. **No Stopping**

Schedule 1 (No Stopping) of the By-law PS-113 is hereby amended by **deleting** the following row:

Wychwood Park	North	Annadale Drive	A point 40 m east of Scarlett Avenue	Anytime
---------------	-------	----------------	--------------------------------------	---------

2. **No Parking**

Schedule 2 (No Parking) of the By-law PS-113 is hereby amended by **deleting** the following rows:

Lyle Street	East	Dundas Street	King Street	Anytime
North Centre Road	Both	A point 115 m north of Fanshawe Park Road E (east intersection)	Sunnyside Drive	Anytime

North Centre Road	Both	A point 55 m west of Richmond Street	A point 80 m East of Said Street	Anytime
-------------------	------	--------------------------------------	----------------------------------	---------

Schedule 2 (No Parking) of the By-law PS-113 is hereby amended by **adding** the following rows:

Blackwell Boulevard	South	A point 66 m west of Sandridge Lane	A point 39 m west of Sandridge Lane	Anytime
---------------------	-------	-------------------------------------	-------------------------------------	---------

Blackwell Boulevard	South	A point 13 m west of Sandridge Lane	A point 15 m east of Sandridge Lane	Anytime
---------------------	-------	-------------------------------------	-------------------------------------	---------

Blackwell Boulevard	South	A point 80 m east of Sandridge Lane	A point 105 m east of Sandridge Lane	Anytime
Blackwell Boulevard	South	A point 15 m west of Sandridge Avenue	A point 40 m east of Sandridge Avenue	Anytime
Lyle Street	East	A point 53 m south of Dundas Street	Dundas Street	Anytime
North Centre Road	Both	A point 124 m north of Fanshawe Park Road E (east intersection)	Sunnyside Drive	Anytime
North Centre Road	East	A point 162 m north of Fanshawe Park Road E	A point 212 m north of Fanshawe Park Road E	Anytime
North Centre Road	North	A point 55 m west of Richmond Street	A point 122 m East of Richmond Street	Anytime
North Centre Road	North	A point 241 m east of Richmond St	A point 291 m east of Richmond St	Anytime
North Centre Road	North	A point 306 m east of Richmond St	A point 356 m east of Richmond St	Anytime
North Centre Road	South	A point 55 m west of Richmond Street	A point 122 m east of Richmond Street	Anytime
North Centre Road	South	A point 133 m east of Richmond Street	A point 183 m east of Richmond Street	Anytime
North Centre Road	South	A point 243 m east of Richmond Street	A point 293 m east of Richmond Street	Anytime
North Centre Road	South	A point 308 m east of Richmond Street	A point 358 m east of Richmond Street	Anytime
Steeplechase Drive	East	A point 129 m south of Fox Mill Place	A point 35 m south of Fox Mill Place	8:00 a.m. to 9:00 a.m. 3:00 p.m. to 4:00 p.m. Monday to Friday September 1 <sup>st</sup> to June 30 <sup>th</sup>

3. **Bus Stops**

Schedule 3 (Bus Stops) of the By-law PS-113 is hereby amended by **deleting** the following row:

Richmond Street	East	Hyman Street	37 m south
-----------------	------	--------------	------------

Schedule 3 (Bus Stops) of the By-law PS-113 is hereby amended by **adding** the following row:

Richmond Street	East	A point 32 m north of Central Avenue	A point 74 m north of Central Avenue
-----------------	------	--------------------------------------	--------------------------------------

4. **Loading Zones**

Schedule 5 (Loading Zones) of the By-law PS-113 is hereby amended by **deleting** the following row:

Richmond Street	East	From a point 37m south of Hyman Street to a point 32 m north of Central Avenue
-----------------	------	--

Schedule 5 (Loading Zones) of the By-law PS-113 is hereby amended by **adding** the following row:

Richmond Street	East	From a point 74 m south of Hyman Street to a point 20 m south of Hyman Street
-----------------	------	---

5. **Limited Parking**

Schedule 6 (Limited Parking) of the By-law PS-113 is hereby amended by **deleting** the following row:

Chalmers Street	North	Colborne Street to 115m east of Colborne Street	8:00 a.m. to 4:00 p.m.	2 Hours Except Saturdays
-----------------	-------	---	------------------------	--------------------------

Schedule 6 (Limited Parking) of the By-law PS-113 is hereby amended by **adding** the following rows:

Chalmers Street	North	Colborne Street to Maitland Street	8:00 a.m. to 6:00 p.m.	2 Hours Except Saturdays
-----------------	-------	------------------------------------	------------------------	--------------------------

6. **Designated Lane Movements**

Schedule 9 (Designated Lane Movements) of the PS-113 By-law is hereby amended by **adding** the following rows:

Dundas Street	Wellington Street	1 <sup>st</sup> lane from north	Anytime	Westbound (Except buses)
Oxford Street W	Wonderland Road N	1 <sup>st</sup> lane from north	Anytime	Westbound (Except buses)
Queens Avenue	Richmond Street	1 <sup>st</sup> lane from north	Anytime	Westbound (Except buses)
Queens Avenue	Talbot Street	1 <sup>st</sup> lane from north	Anytime	Westbound (Except buses)

7. **Stop Signs**

Schedule 10 (Stop Signs) of the PS-113 By-law is hereby amended by **adding** the following rows:

Eastbound & Westbound	Edna Street	Josephine Street
Northbound & Southbound	Josephine Street	Edna Street
Southbound	Reilly Walk	Cedarpark Drive

8. **Yield Signs**

Schedule 11 (Yield Signs) of the PS-113 By-law is hereby amended by **adding** the following rows:

Westbound	Aukett Drive	Cedarpark Drive
Northbound	Canvas Way	Zaifman Circle
Eastbound	Clayton Walk	Isaac Court
Westbound	Clayton Walk	Isaac Drive
Westbound	Guinness Way	Aukett Drive
Northbound	Isaac Court	Clayton Walk
Southbound	Isaac Drive	Clayton Walk
Eastbound	O'Hanlan Cross	Aukett Drive
Westbound	O'Hanlan Cross	Cedarpark Drive
Eastbound	O'Hanlan Lane	Aukett Drive
Westbound	O'Hanlan Lane	Cedarpark Drive
Southbound	Maddex Way	Superior Drive
Northbound	Maddex Way	Zaifman Circle
Northbound	Reilly Walk	Guinness Way
Southbound	Zenia Green	Superior Drive
Northbound	Zenia Green	Zaifman Circle

9. **Through Highways**

Schedule 13 (Through Highways) of the PS-113 By-law is hereby amended by **deleting** the following row:

Josephine Street	Ada Street	Maud Street
------------------	------------	-------------

Schedule 13 (Through Highways) of the PS-113 By-law is hereby amended by **adding** the following row:

Josephine Street	Ada Street	Edna Street
------------------	------------	-------------

10. **School Bus Loading Zones**

Schedule 16 (School Bus Loading Zones) of the By-law PS-113 is hereby amended by **deleting** the following row:

Wychwood Park	North	A point 12m east of Annadale Drive	Scarlett Avenue
---------------	-------	------------------------------------	-----------------

11. **Higher Speed Limits**

Schedule 17 (Higher Speed Limit) of the PS-113 By-law is hereby amended by **deleting** the following rows:

Wilton Grove Road	A point 200 m north of Roxburgh Road	A point 30 m east of Highbury Ave S	70 km/h
Wilton Grove Road	A point 30 m east of Highbury Ave S	East City limit	80 km/h

Schedule 17 (Higher Speed Limit) of the PS-113 By-law is hereby amended by **adding** the following rows:

Wilton Grove Road	A point 200 m north of Roxburgh Road	Commerce Road	70 km/h
Wilton Grove Road	Commerce Road	East City limit	80 m/h

12. **Lower Speed Limits**

Schedule 17.1 (Lower Speed Limit) of the PS-113 By-law is hereby amended by **adding** the following row:

Limberlost Road	Lawson Road	Fairfax Court	40 km/h
-----------------	-------------	---------------	---------

13. **30 Minute Metered Zones**

Schedule 18 (30 Minute Metered Zones) of the PS-113 By-law is hereby amended by **deleting** the following row:

Wellington Street	West	A point 53 m South of Dundas Street	A point 65m south of said street	8:00 a.m. to 6:00 p.m.
-------------------	------	-------------------------------------	----------------------------------	------------------------

14. **2 Hour Metered Zones (Old East Village Business Improvement Area)**

Schedule 19 (2 Hour Metered Zones (Old East Village Business Improvement Area) of the PS-113 By-law is hereby amended by **deleting** the following rows:

Both	Adelaide Street N	Rectory Street	8:00 a.m. to 6:00 p.m.
West	Dundas Street	King Street	8:00 a.m. to 6:00 p.m.



Schedule 19 (2 Hour Metered Zones (Old East Village Business Improvement Area) of the PS-113 By-law is hereby amended by **adding** the following rows:

Dundas Street	Both	Adelaide Street N	Rectory Street	8:00 a.m. to 6:00 p.m.
Lyle Street	Both	Dundas Street	King Street	8:00 a.m. to 6:00 p.m.

15. **2 Hour Metered Zones**

Schedule 20 (2 Hour Metered Zones) of the PS-113 By-law is hereby amended by **adding** the following row:

Wellington Street	West	A point 53 m South of Dundas Street	A point 65m south of Dundas Street	8:00 a.m. to 6:00 p.m.
-------------------	------	---	--	---------------------------

16. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on November 6, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

Bill No. 608  
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 part of Wavell Street between Spruce Street and Merlin Crescent)

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 part of Wavell Street between Spruce Street and Merlin Crescent, namely:

“All of the three foot reserve on Registered Plan 477(C), in the Geographic Township of London, now 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 November 6, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 6, 2018  
Second Reading – November 6, 2018  
Third Reading – November 6, 2018

# LOCATION MAP



 SUBJECT LANDS

Bill No. 609  
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 1331 Hyde Park Road.

WHEREAS 1331 Hyde Park Holdings Inc. has applied to rezone an area of land located at 1331 Hyde Park Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number \_\_\_\_\_ this rezoning will conform to the Official Plan;

NOW 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 1331 Hyde Park Road, as shown on the attached map comprising part of Key Map No. A101, from a Business District Commercial Special Provision (BDC2(4)) Zone to a Business District Commercial Special Provision (BDC2(\_)) Zone.
- 2) Section Number 25.4 of the Business District Commercial (BDC2) Zone is amended by adding the following Special Provision:  

BDC2(_)	1331 Hyde Park Road
a)	Additional Permitted Use:
i)	Automobile Sales Boutique
b)	Regulations:
i)	The repair and service of vehicles may be permitted as an accessory use to an Automobile Sales Boutique provided it is limited in size to a maximum area of 50 square metres, is fully enclosed, and is used exclusively for the service of motorcycles.
- 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.

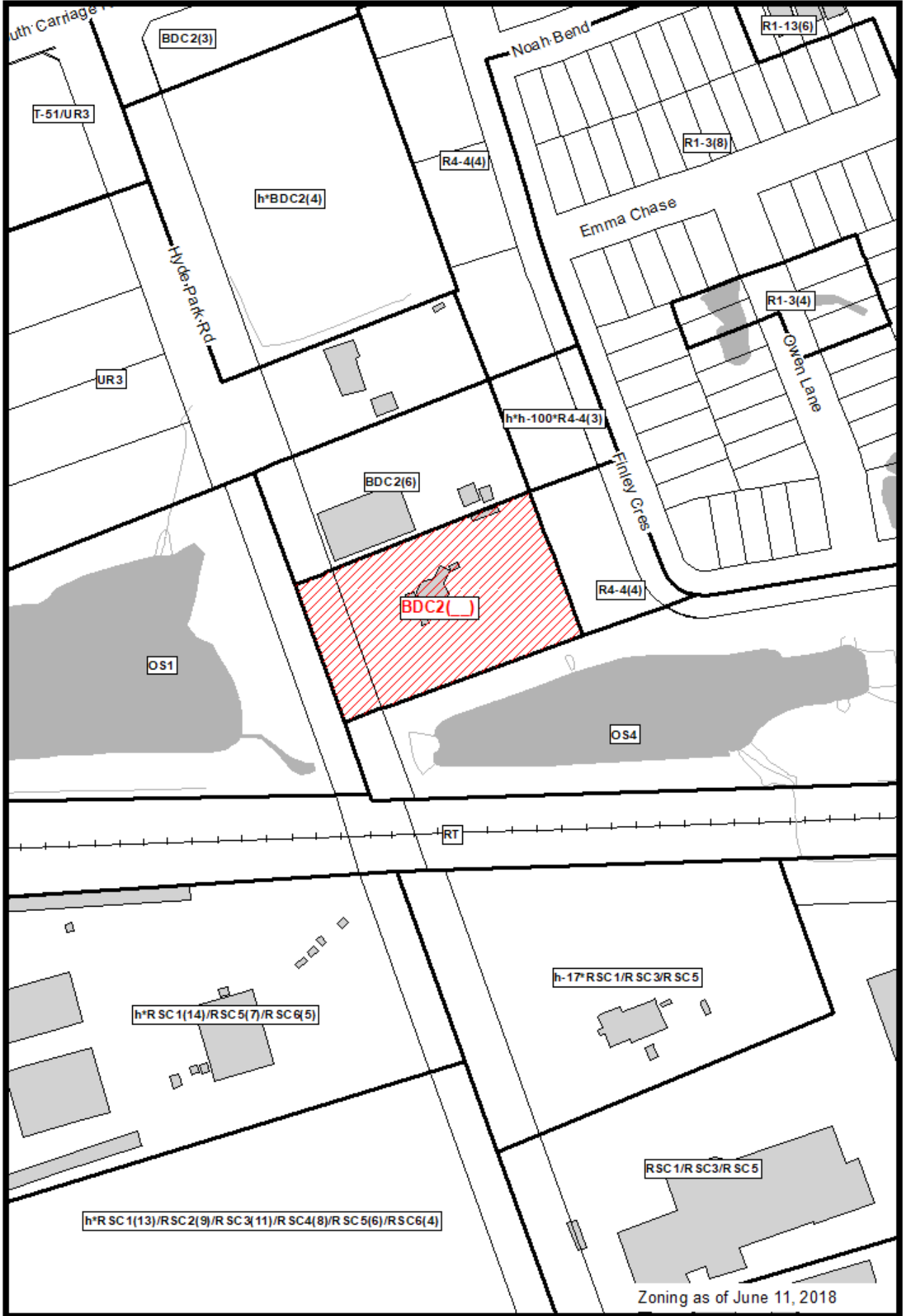
PASSED in Open Council on November 6, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk


First Reading – November 6, 2018  
Second Reading – November 6, 2018  
Third Reading – November 6, 2018

SCHEDULE "A"



Zoning as of June 11, 2018

File Number: O-8927/Z-8928  
 Planner: MK  
 Date Prepared: 2018/10/01  
 Technician: MB  
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Bill No. 610  
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 324 York Street.

WHEREAS Bradel Properties Ltd. has applied to extend the Temporary Use (T-71) as it applies to lands located at 324 York Street for a period not exceeding three (3) years;

AND WHEREAS the Municipal Council of the Corporation of the City of London, by by-law No. Z.-1-182635 approved the Temporary Use for 324 York Street for a period not exceeding six (6) months expiring June 12, 2018;

AND WHEREAS the Municipal Council of the Corporation of the City of London deems it advisable to extend the Temporary Use for the said property for a period not exceeding six (6) months;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Section Number 50.2 (71) of the Temporary (T) zone is amended by revising the following subsection for the property known municipally as 324 York Street:

T-71 324 York Street

Lands located at 324 York Street, as shown on the map attached hereto, comprising part of Key Map No. A107, may be used as a surface commercial parking lot for a temporary period not exceeding six (6) months expiring on May 6, 2019.

2) 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.

3) 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 November 6, 2018.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – November 6, 2018  
Second Reading – November 6, 2018  
Third Reading – November 6, 2018