



## Council Minutes

The 18th Meeting of City Council  
October 1, 2019, 4:00 PM

Present: Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, S. Hillier

Absent: M. van Holst

Also Present: M. Hayward, A. Barbon, G. Barrett, M. Bushby, B. Card, B. Coxhead, K. Dickins, M. Geudens, S. King, L. Livingstone, S. Maguire, S. Mathers, P. McKague, M. Ribera, C. Saunders, M. Schulthess, S. Stafford, J. Stanford, B. Warner, B. Westlake-Power, J. Wills and P. Yeoman.

The meeting is called to order at 4:02 PM, with all Members present except Councillors M. van Holst, P. Van Meerbergen and S. Turner.

### 1. Disclosures of Pecuniary Interest

Councillor M. Cassidy discloses a pecuniary interest in Item 6.1 and clause 3.3 (Item 8) of the 16th Report of the Planning and Environment Committee, both having to do with the application related to 307 Fanshawe Park Road East, by indicating that her family owns property in the notification zone.

His Worship Mayor E. Holder discloses a pecuniary interest in Item 4 of the 17th Report of the Council In Closed Session, having to do with the appointment of a Managing Director, Neighbourhood, Children and Fire Services, by indicating that his son-in-law is a firefighter.

### 2. Recognitions

None.

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

None.

### 4. Council, In Closed Session

Motion made by: E. Pelozza

Seconded by: S. Lehman

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

#### 4.1 Labour Relations/Employee Negotiations

A matter pertaining to labour relations or employee negotiations, including communications for that purpose. (6.1/13/CWC)

#### 4.2 Position, Plan, Procedure, Criteria or Instruction for Negotiation Purposes

A matter pertaining to a position, plan, procedure, criteria or instruction to be applied to negotiations carried on by the municipality, including communications for that purpose. (6.2/13/CWC)

#### 4.3 Personal Matters/Identifiable Individual

A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2020 Mayor's New Year's Honour List.  
(6.1/16/PEC)

4.4 Land Disposition / Solicitor-Client Privileged Advice / Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.  
(6.1/18/CSC)

4.5 Land Disposition / Solicitor-Client Privileged Advice / Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.  
(6.2/18/CSC)

4.6 Land Acquisition / Solicitor-Client Privileged Advice / Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.3/18/CSC)

4.7 Personal Matters/Identifiable Individual

A matter pertaining to personal matters, including information regarding an identifiable individual, with respect to employment-related matters; advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.4/18/CSC)

Yeas: (12): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, E. Pelosa, A. Kayabaga, and S. Hillier

Absent: (3): M. van Holst, P. Van Meerbergen, and S. Turner

**Motion Passed (12 to 0)**

The Council rises and convenes, In Closed Session, at 4:08 PM, with Mayor E. Holder in the Chair and all Members present except Councillors M. van Holst, P. Van Meerbergen and S. Turner.

At 4:09 PM, Councillor P. Van Meerbergen enters the meeting.

At 4:12 PM, Councillor S. Turner enters the meeting.

At 4:20 PM, His Worship the Mayor places Councillor J. Morgan in the Chair and leaves the meeting.

The Council, In Closed Session, rises at 4:23 PM and Council reconvenes at 4:28 PM, with all members present except Councillor M. van Holst.

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

Motion made by: P. Van Meerbergen

Seconded by: S. Hillier

That the Minutes of the 17th Meeting, held on September 17, 2019, BE APPROVED.

Yeas: (14): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, A. Kayabaga, and S. Hillier

Absent: (1): M. van Holst

**Motion Passed (14 to 0)**

## **6. Communications and Petitions**

Motion made by: M. Salih

Seconded by: E. Pelozo

That the following communications BE RECEIVED and BE REFERRED, as noted on the Added Council Agenda:

### 6.1 Application - 307 Fanshawe Park Road East

1. Dr. C. Clausius
2. M. Crawford, 21 Camden Place
3. J. Howitt and A. MacDougall, 1281 Hastings Drive
4. (ADDED) B. Downe, 35 Hammond Crescent
5. (ADDED) B. Day, 1277 Hastings Drive
6. (ADDED) M. J. Crawford, 21 Camden Place
7. (ADDED) J. and J. Goldrick, 1261 Hastings Drive
8. (ADDED) D. Beverley, 25 Camden Place
9. (ADDED) R. Muhlbock, 64 Robinson Lane
10. (ADDED) J. Howitt and A. MacDougall, 1281 Hastings Drive
11. (ADDED) M. Lacey, 37 Camden Place
12. (ADDED) K. Traill

### 6.2 Proposed new City of London Tree Protection By-law

1. A.M. Valastro, 133 John Street
2. S. Olivastri, 141 Central Avenue

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, A. Kayabaga, and S. Hillier

Recuse: (1): M. Cassidy

Absent: (1): M. van Holst

**Motion Passed (13 to 0)**

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

None.

## **8. Reports**

8.1 13th Report of the Civic Works Committee

Motion made by: P. Squire

That the 13th Report of the Civic Works Committee BE APPROVED, excluding items 2.6 (14), 3.2 (16) and 4.1(17).

Yeas: (14): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (1): M. van Holst

**Motion Passed (14 to 0)**

1. Disclosures of Pecuniary Interest

Motion made by: P. Squire

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

2. (2.1) 8th Report of the Transportation Advisory Committee

Motion made by: P. Squire

That the 8th Report of the Transportation Advisory Committee, from its meeting held on August 27, 2019, BE RECEIVED.

**Motion Passed**

3. (2.2) Amendments to the Traffic and Parking By-law (Relates to Bill No. 376)

Motion made 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 September 24, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, for the purpose of amending the Traffic and Parking By-law (PS-113). (2019-T08)

**Motion Passed**

4. (2.3) Update on the Environmental Assessment for the Proposed Expansion of the W12A Landfill

Motion made by: P. Squire

That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the staff report dated September 24, 2019, with respect to an update on the Environmental Assessment for the Proposed Expansion of the W12A Landfill, BE RECEIVED. (2019-E07A)

**Motion Passed**

5. (2.5) Wastewater Treatment Operations Environmental Assessment – Master Plan Study Initiation

Motion made by: P. Squire

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report, dated September 24, 2019, with respect to the initiation of the Wastewater Treatment Operations Environmental Assessment Master Plan Study, BE RECEIVED. (2019-E03)

**Motion Passed**

6. (2.7) Award of Contract (RFP 19-29) – Sixteen (16) Tandem Axle Trucks with Dump Boxes and Plow Equipment

Motion made by: P. Squire

That, on the recommendation of the Managing Director, Environmental and Engineering Services & City Engineer, the following actions be taken with respect to the award of contract (RFP 19-29):

- a) the submission from Team Truck Centers Inc., 795 Wilton Grove Road London, Ont. N6N 1N7, BE ACCEPTED for the supply and delivery of sixteen (16) tandem axle dump trucks and plow equipment at a total purchase price of \$3,753,430 (\$234,589.38 per unit), excluding HST;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- c) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and,
- d) the funding for this purchase BE APPROVED as set out in the Source of Financing Report appended to the staff report dated September 24, 2019. (2019-L04)

**Motion Passed**

7. (2.8) Appointment of Consulting Engineer – Upgrading of Powell Drain (Northbrook Valley) and Upland North Outlet Culverts (RFP 19-46)

Motion made 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 Upgrading of Powell Drain (Northbrook Valley) and Upland North Outlet Culverts (RFP 19-46):

- a) Ecosystem Recovery Inc. BE APPOINTED Consulting Engineers to complete detailed design and construction administration for remediation works to Powell Drain and the Upland North Outlet Culverts in accordance with the estimate, on file, at an upset amount of \$244,677.54, including 10% contingency (excluding HST), in accordance with Section 15.2(d) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report" appended to the staff report dated September 24, 2019;

- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-E03)

**Motion Passed**

8. (2.9) Construction Partnership with the Ministry of Transportation – Old Victoria Road Resurfacing

Motion made 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 Old Victoria Road resurfacing project:

- a) the City of London financial contribution of \$78,650.00 (excluding HST), representing the estimated cost for repaving a portion of Old Victoria Road north and south of the bridge over Hwy 401, as part of an Ontario Ministry of Transportation project, BE APPROVED; it being noted that it is included in an approved City budget and the method of procurement is in accordance with the Procurement of Goods and Services Policy 14.4 (g) 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 appended to the staff report dated September 24, 2019; and,
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this approval. (2019-T05)

**Motion Passed**

9. (2.10) Dundas Street Cycle Track Design – Appointment of Consulting Engineer

Motion made 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 Cycle Track Design of Dundas Street from Wellington Street to Adelaide Street, and William Street from Dundas Street to Queens Avenue:

- a) WSP Canada Group Limited BE APPOINTED Consulting Engineers to carry out consulting services in the amount of \$532,742.41 (excluding HST), in accordance with Section 15.2(d) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this appointment BE APPROVED in accordance with the Sources of Financing Report appended to the staff report dated September 24, 2019;
- 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 project; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-T05)

**Motion Passed**

10. (2.11) Agreement Extension with Trojan Technologies for the Use of the Decommissioned Westminster Wastewater Plant (Relates to Bill No. 370)

Motion made 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 September 24, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, to:

- a) authorize and approve the Agreement between The Corporation of the City of London and Trojan Technologies Group ULC; and,  
b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2019-E03)

**Motion Passed**

11. (2.12) All Terrain, Turf and Golf Utility Vehicles – Contract Award Based on Irregular Tender Result

Motion made 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 a contract award based on irregular tender results for All Terrain, Turf and Golf utility vehicles:

- a) the Civic Administration BE AUTHORIZED to engage in a single source contract negotiation as per the Procurement of Goods and Services Policy Section 19.4 c) with Hyde Park Equipment, 2034 Mallard Rd, London, Ont. N6J 1G4, for the supply and delivery of three (3) All-Terrain Utility Vehicles (Kubota model RTV-X1100C) at a total purchase price of \$87,561.39 (\$29,187 per unit) excluding HST;  
b) the Civic Administration BE AUTHORIZED to engage in a single source contract as per the Procurement of Goods and Services Policy Section 19.4 c) with Podolinski Equipment Ltd. 6057 Petrolia Line, Petrolia Ont. NON 1RO, the supply and delivery of two (2) Turf Utility Vehicles (John Deere ProGator model 2030A) at a total purchase price of \$73,190 (\$36,595 per unit) excluding HST; and the supply and delivery of five (5) Golf Utility Vehicles (John Deere Turf Gator) at a total purchase price of \$57,995 (\$11,599 per unit) excluding HST;  
c) the Civic Administration BE AUTHORIZED to utilize this tender result and single source approval to engage these vendors directly for future replacements of vehicles in these classifications for a contract period of two (2) years with two (2) additional option years, subject to performance and pricing;  
d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;

- e) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and,
- f) the funding for this purchase BE APPROVED as set out in the Source of Financing Report appended to the staff report dated September 24, 2019. (2019-R05D)

**Motion Passed**

12. (2.13) Removal and Replacement of Underground Fuel and Oil Tanks

Motion made 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 and Chief Financial Officer, the following actions be taken with respect to replacing the fuel and oil storage tanks at A.J. Tyler Operations Centre and Adelaide Operations Centre:

- 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. "Triggering Event" BE RECOGNIZED; it being noted that the actions taken required immediate attention in order be in compliance with the Liquids Fuel Handling Code (2017) Technical Standards & Safety Authority (TSSA) and is in the best financial, legal and environmental interests of The Corporation of the City of London;
- b) the City of London's current fuel system maintenance and service vendor, Phoenix Petroleum Ltd., complete the required work in order that the storage tanks are in compliance with the 2017 Liquids Fuel Handling Code at an estimated price of \$970,252 which includes a 10% contingency (excluding HST), BE APPROVED in accordance with section 14.4 (d) and (e) of the Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated September 24, 2019;
- d) the Civic Administration BE AUTHORIZED to undertake any ancillary items outside of the scope identified in the project arising from unforeseen elements that may arise including: dewatering/shoring, damaged or poor condition equipment not identified, fuel sludge removal, contaminated materials; and,
- e) the Civic Administration BE AUTHORIZED to undertake any final negotiations and all administrative acts that are necessary in connection with this matter and the Agreements referenced herein. (2019-E17)

**Motion Passed**

13. (2.4) Landfill Gas (LFG) Utilization – Next Steps in the Development of a Renewable Natural Gas (RNG) Facility

Motion made by: P. Squire

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, and on the advice of the Director, Environment, Fleet and Solid Waste, the



following actions be taken with respect to potentially supplying FortisBC Energy Inc. with Renewable Natural Gas (RNG) created from landfill gas from the W12A Landfill:

- a) the Civic Administration BE AUTHORIZED to release a Request for Proposals to develop a RNG facility to convert landfill gas from the W12A Landfill to RNG; and,
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project. (2019-E07)

**Motion Passed**

15. (3.1) 8th Report of the Cycling Advisory Committee

Motion made by: P. Squire

That the 8th Report of the Cycling Advisory Committee, from its meeting held on August 21, 2019, BE RECEIVED; it being noted that a verbal delegation from C. Linton, Chair and R. Henderson, Vice-Chair, of the Cycling Advisory Committee and the ~~attached~~ presentation from R. Henderson, was received with respect to this matter.

**Motion Passed**

18. (5.1) Deferred Matters List

Motion made by: P. Squire

That the Deferred Matters List as at September 16, 2019, BE RECEIVED.

**Motion Passed**

14. (2.6) Automated Speed Enforcement Contract Award

Motion made 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 Automated Speed Enforcement Program:

- a) Redflex Traffic Systems (Canada) Limited, BE AWARDED the contract for the provision of Automated Speed Enforcement Services for a five (5) year period, starting when the contract is executed, in accordance with the terms and conditions of the Request for Approvals executed by the City of Toronto on behalf of the City of London and other participating Automated Speed Enforcement municipalities in accordance with Section 14.4 (g) of the Procurement of Goods and Services Policy, noting that there is an option to extend the contact at the discretion of the City of London for an additional five (5) years;
- b) the Civic Administration BE AUTHORIZED to enter into an agreement with the City of Toronto to undertake centralized municipal processing of Automated Speed Enforcement offence notices;
- c) the Civic Administration BE AUTHORIZED to enter into an agreement with the Ontario Ministry of Transportation related to the operation of the Automated Speed Enforcement Program;

- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this program;
- e) approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with Redflex Traffic Systems (Canada) for the work;
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;
- g) the Civic Administration BE DIRECTED to bring forward the necessary Traffic and Parking By-law amendments to designate Automated Speed Enforcement areas as Community Safety Zones;
- h) the Civic Administration BE DIRECTED to place the net revenue from the Automated Speed Enforcement Program in the automated enforcement reserve fund; noting that any revenue shortfalls will be funded from this reserve fund, if necessary; and,
- i) the above-noted Program BE IMPLEMENTED with warning notices being sent for the first thirty (30) days of the program. (2019-T08)

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Peloza, A. Kayabaga, and S. Hillier

Nays: (1): P. Van Meerbergen

Absent: (1): M. van Holst

**Motion Passed (13 to 1)**

16. (3.2) Area Speed Limit

Motion made by: P. Squire

That the staff report dated September 24, 2019, with respect to an Area Speed Limit Program, BE REFERRED back to the Civic Administration in order to consult with the London Transit Commission and report back at a future meeting of the Civic Works Committee regarding the effect a change to speed limits would have on transit service;

it being noted that the ~~attached~~ presentation from S. Maguire, Division Manager, Roadway Lighting and Traffic Control, with respect to this matter, was received;

it being pointed out that at the public participation meeting associated with this matter the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions regarding this matter. (2019-T07)

Yeas: (7): Mayor E. Holder, S. Lewis, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, and S. Hillier

Nays: (7): M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, E. Peloza, and A. Kayabaga

Absent: (1): M. van Holst

**Motion Failed (7 to 7)**

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

That the following actions be taken with respect to area speed limit:

- a) the Civic Administration BE DIRECTED to implement the Area Speed Limit program or 40 km/h default speed limit will be established on local streets and Area Speed Limit zones will also be designated Community Safety Zones;
- b) the following additional considerations BE REFERRED back to the Civic Administration in order to allow for consultation with the London Transit Commission:
  - i) consideration of the implementation of the 40 km/h speed limit on collector roads;
  - ii) consideration of the implementation of the 40 km/h speed limit also be applied to the following arterial roads, and the area they encompass, within the downtown area to reflect the high level of pedestrian and cyclist activity:
    - A. King Street from Thames Street to Colborne Street;
    - B. Pall Mall Street from Richmond Street to Wellington Street;
    - C. Queens Avenue from Colborne Street to Ridout Street North;
    - D. Richmond Street from Horton Street East to Oxford Street East; and
    - E. Wellington Street from Horton Street East to Pall Mall Street.

**Amendment:**

Motion made by: S. Turner  
Seconded by: A. Kayabaga

That part a) of the item related to the proposed area speed limit BE AMENDED to be 30 km/hr, from the proposed 40 km/hr, for local residential streets.

Yeas: (7): M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, E. Pelozza, and A. Kayabaga

Nays: (7): Mayor E. Holder, S. Lewis, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, and S. Hillier

Absent: (1): M. van Holst

**Motion Failed (7 to 7)**

At 5:48 PM, His Worship Mayor Holder places Councillor S. Lehman in the Chair, and takes a seat at the Council Board.

At 5:54 PM, His Worship Mayor Holder resumes the Chair, and Councillor S. Lehman takes his seat at the Council Board.

**Amendment:**

Motion made by: E. Pelozza  
Seconded by: A. Kayabaga

That a new part b) iii) BE ADDED to the proposed motion, as follows:

"iii) reduction of the School Zone speed limits from 40 km/hr, to 30 km/hr on local streets"

Yeas: (11): S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Pelozza, and A. Kayabaga

Nays: (3): Mayor E. Holder, P. Van Meerbergen, and S. Hillier

Absent: (1): M. van Holst

**Motion Passed (11 to 3)**

Motion made by: J. Helmer

Seconded by: M. Cassidy

The motion to approve main motion, as amended, excluding part b) iii) is put.

Yeas: (14): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (1): M. van Holst

**Motion Passed (14 to 0)**

Motion made by: J. Helmer

Seconded by: M. Cassidy

The motion to approve part b)iii) of the amended motion, is put.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Nays: (1): P. Van Meerbergen

Absent: (1): M. van Holst

**Motion Passed (13 to 1)**

Clause 3.2, as amended, reads as follows:

That the following actions be taken with respect to area speed limit:

a) the Civic Administration BE DIRECTED to implement the Area Speed Limit program or 40 km/h default speed limit will be established on local streets and Area Speed Limit zones will also be designated Community Safety Zones; and

b) the following additional considerations BE REFERRED back to the Civic Administration in order to allow for consultation with the London Transit Commission:

i) consideration of the implementation of the 40 km/h speed limit on collector roads;

ii) consideration of the implementation of the 40 km/h speed limit also be applied to the following arterial roads, and the area they encompass, within the downtown area to reflect the high level of pedestrian and cyclist activity:

A. King Street from Thames Street to Colborne Street;

B. Pall Mall Street from Richmond Street to Wellington Street;

C. Queens Avenue from Colborne Street to Ridout Street North;

D. Richmond Street from Horton Street East to Oxford Street East; and

E. Wellington Street from Horton Street East to Pall Mall Street;

iii) reduction of the School Zone speed limits from 40 km/hr, to 30 km/hr on local streets.

17. (4.1) Parking Changes

Motion made by: P. Squire

That the Civic Administration BE DIRECTED to bring forward a report to a future meeting of the Civic Works Committee with details on potential impacts and recommendations on implementing the following changes to parking restrictions:

a) the overnight parking ban program be amended to be in force from November 1st until April 30th annually;

b) the issuing of overnight parking permits during the ban period be expanded to allow residents to purchase additional passes beyond the current 15 free uses for a fee; and,

c) the current 12hr limit on occupying a specific on street non metered parking location be amended to 18hrs;

it being noted that a communication, dated September 12, 2019, from Councillor S. Lewis, was received with respect to this matter. (2019-T02)

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozza, A. Kayabaga, and S. Hillier

Nays: (1): S. Turner

Absent: (1): M. van Holst

**Motion Passed (13 to 1)**

Motion made by: M. Salih

Seconded by: A. Hopkins

That the Council session BE CONTINUED at this time, to consider Item 3.3 (8) of the 18th Report of the Planning and Environment Committee, prior to a dinner break.

Yeas: (6): M. Salih, J. Helmer, P. Squire, S. Lehman, A. Hopkins, and P. Van Meerbergen

Nays: (7): Mayor E. Holder, S. Lewis, J. Morgan, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): M. Cassidy

Absent: (1): M. van Holst

**Motion Failed (6 to 7)**

Motion made by: S. Lewis

Seconded by: M. Salih

That Council RECESS.

**Motion Passed**

The Council recesses at 6:35 PM and resumes at 7:21 PM, with all Members present except Councillors M. van Holst, M. Salih and P. Van Meerbergen.

8.2 16th Report of the Planning and Environment Committee

Motion made by: A. Hopkins

That the 16th Report of the Planning and Environment Committee BE APPROVED, excluding item 8 (3.3).

Yeas: (12): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Pelozo, A. Kayabaga, and S. Hillier

Absent: (3): M. van Holst, M. Salih, and P. Van Meerbergen

**Motion Passed (12 to 0)**

At 7:28 PM, Councillor P. Van Meerbergen enters the meeting.

1. Disclosures of Pecuniary Interest

Motion made by: A. Hopkins

That it BE NOTED that Councillor M. Cassidy disclosed a pecuniary interest in clause 3.3 of this Report, having to do with the property located at 307 Fanshawe Park Road East, by indicating that her family owns property in the area.

**Motion Passed**

2. (2.1) 8th Report of the Advisory Committee on the Environment

Motion made by: A. Hopkins

That, the following actions be taken with respect to the 8th Report of the Advisory Committee on the Environment, from its meeting held on September 4, 2019:

a) an expenditure of \$500.00 from the 2019 Advisory Committee on the Environment (ACE) budget BE APPROVED to facilitate a Waste Diversion session at the 2019 Green in the City Event to be held at the London Public Library in the fall of 2019; it being noted that the ACE has sufficient funds in its 2019 budget to cover this expense; and,

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

**Motion Passed**

3. (2.2) Application - 1912 Linkway Boulevard - Removal of Holding Provisions (H-9085) (Relates to Bill No. 383)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to a portion of the lands located at 1912 Linkway Boulevard, the proposed by-law appended to the staff report dated September 23, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Business District Commercial

Special Provision (h•h-206•BDC(31)) Zone TO a Business District Commercial Special Provision (BDC(31)) Zone to remove the h and h-206 holding provisions. (2019-D09)

**Motion Passed**

4. (2.3) Revised City of London Telecommunication Facilities Location and Public Consultation Council Policy (O-7881) (Relates to Bill No. 374)

Motion made by: A. Hopkins

That, on the recommendation of the Managing Director, Planning and City Planner, the proposed by-law appended to the staff report dated September 23, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend By-law No. CPOL.-126-378, as amended, being "A by-law to revoke and repeal Council policy related to Telecommunication Facilities Consultation Policy and replace it with a new Council policy entitled Telecommunication Facilities Consultation Policy" by renaming the Council Policy "Telecommunication Facilities Location and Public Consultation Policy", to reflect changes in the process that have occurred since the Policy was first developed. (2019-A12)

**Motion Passed**

5. (2.4) Building Division Monthly Report for July 2019

Motion made by: A. Hopkins

That the Building Division Monthly Report for the month of July, 2019 BE RECEIVED for information. (2019-A23)

**Motion Passed**

6. (3.1) Application - 585 Third Street (OZ-9028) (Relates to Bill No.'s 371 and 384)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Tricor Contracting Limited, relating to the property located at 585 Third Street:

a) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend the Official Plan by ADDING a policy to section 10.1.3 – Policies for Specific Areas;

b) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "B" BE INTRODUCED at a future Municipal Council meeting, to amend The London Plan by ADDING a policy to Specific Policies for the Neighbourhoods Place Type; by ADDING the subject lands to Map 7 – Specific Policy Areas – of The London Plan AND that three readings of the by-law enacting The London Plan amendments BE WITHHELD until such time as The London Plan is in force and effect; and,

c) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Temporary Zone (h-1/R3-2/R5-4/R8-4/RO2/T-55) Zone TO Holding Residential R3/ Residential R5/Residential R8/Restricted Office/Light Industrial Special Provision (h-1/R3-2/R5-4/R8-4/RO2/LI7(\_));

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

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

- the recommended amendments are consistent with the 2014 Provincial Policy Statement (“PPS”) which directs municipalities to maintain suitable sites for employment uses and consider the needs of existing and future businesses. The PPS also promotes appropriate development standards to facilitate compact development in settlement areas;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan which list the necessary condition(s) for approval of Policies for Specific Areas, and would augment the general policies, including but not limited to Multi-family Medium Density Residential (“MFMDR”) designation to allow the continued use of the existing non-residential building on the subject lands for existing industrial uses until the subject lands can redevelop for residential uses in accordance with the MFMDR designation;
- the recommended amendment conforms to the in-force policies of The London Plan and would augment the general policies, including but not limited to Neighbourhoods Place Type to allow the continued use of the existing non-residential building on the subject lands for existing industrial uses until the subject lands can redevelop for residential uses in accordance with the Neighbourhoods Place Type;
- the recommended amendment to Zoning By-law Z.-1 will conform to the Official Plan and The London Plan as recommended to be amended. The recommended amendment to the Zoning By-law will permit the existing industrial uses in the existing building and limit the uses to their existing size to maintain an acceptable level of compatibility with the surrounding residential uses. The recommended amendment to the Zoning By-law will regularize and permit existing site conditions which can accommodate the existing uses to continue without serious adverse impacts for surrounding residential land uses; and,
- the recommended amendment will recognize these long-standing, established uses which have achieved a measure of compatibility with the surrounding uses. (2019-D09)

**Motion Passed**

7. (3.2) Application - 115 Bessemer Road (Z-9084) (Relates to Bill No. 385)

Motion made by: A. Hopkins



That, on the recommendation of the Director, Development Services, with respect to the application by Barnim Property Holdings Inc., relating to the property located at 115 Bessemer Road, the proposed by-law appended to the staff report dated September 23, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM Light Industrial (LI2/LI7) Zone TO a Light Industrial/Light Industrial Special Provision (LI2/LI7(\_)) 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 Zoning By-law amendment is consistent with the Provincial Policy Statement, 2014;
- the recommended amendment to Zoning By-law Z.-1 conforms to the 1989 Official Plan including but not limited to the policies of the Light Industrial designation, and The London Plan including but not limited to the policies of the Light Industrial Place Type, and provides for an appropriate development of the site;
- the recommended amendment will permit an accessory automobile rental establishment in association with a permitted Automobile Repair Garage, along with increased open storage and a reduced parking rate. (2019-D09)

#### **Motion Passed**

9. (3.4) Application - 3700 Colonel Talbot Road and 3645 Bostwick Road 39T-17503 (OZ-8838) (Relates to Bill No.'s 372, 373 and 386)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by W-3 Lambeth Farms Inc., relating to the properties located at 3700 Colonel Talbot Road and 3645 Bostwick Road:

- a) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend the (1989) Official Plan to:
- i) refine and reconfigure the extent of the Low Density, Multi-Family Medium Density, and Open Space designations, by changing the designations on Schedule "A" - Land Use FROM "Low Density Residential", "Multi-Family, Medium Density Residential", and "Open Space" TO "Low Density Residential", "Multi-Family, Medium Density Residential", and "Open Space" designation;
  - ii) change the designation on Schedule "B1" – Natural Heritage Features, FROM "Unevaluated Vegetation Patch" TO "Significant Woodlands" and "Locally Significant Wetlands";
  - iii) change the designation on Schedule "C" – Transportation Corridors by amending the east-west secondary collector road to align with Street A, and by amending the north-south secondary collector road to align with Street D; and,

- iv) change Section 20.5 (Southwest Area Secondary Plan) by:
  - A) amending Schedule 2 to the Southwest Area Secondary Plan (Multi-Use Pathways and Parks) by realigning the Planned Route and adding a Neighbourhood Park;
  - B) amending Schedule 4 (Southwest Area Land Use Plan), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, “Medium Density Residential”, and “Open Space” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign two secondary collector roads;
  - C) amending Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, “Medium Density Residential”, and “Open Space” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, adding a Park, and to realign a secondary collector road; and,
  - D) amending Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, and “Medium Density Residential” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign a secondary collector road;
  
- b) the request to amend the 1989 Official Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections, BE REFUSED for the following reasons:
  - i) the Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
  - ii) the Southwest Area Secondary Plan supports sidewalks on both sides of the street, primarily to support walkability, and encourage active mobility, and to ensure planning is in accordance with the Accessibility for Ontarians with Disabilities Act, so that all of the elements of the City are accessible for everyone; and,
  - iii) the City’s Complete Streets Design Manual contemplates sidewalks on both sides of the street, to ensure a more “complete” environment that will feature high-quality pedestrian environments and integrate seamlessly with transit services, cycling networks, and automobile users. London’s streets will be designed for connectivity and support the use of active and sustainable modes of transportation;
  
- c) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, to amend The London Plan by:
  - i) changing the Place Types on Map 1 - Place Types - FROM

Neighbourhoods and Environmental Review TO Green Space, and to change the alignment of the Neighbourhood Connectors;

- ii) changing Map 3 - Street Classifications- by amending the east-west Neighbourhood Connector to align with Street A, and by amending the north-south Neighbourhood Connector to align with Street D;
- iii) changing Map 5 - Natural Heritage - FROM Unevaluated Vegetation Patch TO Significant Woodlands and Wetlands; and,
- iv) changing 1565\_5. Southwest Area Secondary Plan, Section 20.5 (Southwest Area Secondary Plan) by:

- A) amending Schedule 2 (Multi-Use Pathways and Parks) by realigning the Planned Route and adding a Neighbourhood Park;
- B) amending Schedule 4 (Southwest Area Land Use Plan), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, “Medium Density Residential”, and “Open Space” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign two secondary collector roads;
- C) amending Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, “Medium Density Residential”, and “Open Space” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, adding a Park, and to realign a secondary collector road; and,
- D) amending Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, and “Medium Density Residential” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign a secondary collector road;

it being noted that the amendments will come into full force and effect concurrently with Maps 1, 3 and 5 of The London Plan; and,

- d) the request to amend The London Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections, BE REFUSED for the following reasons:

- i) the Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- ii) the London Plan and the Southwest Area Secondary Plan support sidewalks on both sides of the street, primarily to support walkability, and encourage active mobility, and to ensure planning is in accordance with the Accessibility for Ontarians with Disabilities Act, so that all of the elements of the City are accessible for everyone; and,
- iii) the City’s Complete Streets Design Manual contemplates sidewalks on both sides of the street, to ensure a more “complete” environment that will feature high-quality pedestrian environments

and integrate seamlessly with transit services, cycling networks, and automobile users. London's streets will be designed for connectivity and support the use of active and sustainable modes of transportation;

e) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 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 an Urban Reserve (UR4) Zone and an Environmental Review (ER) Zone, TO:

- i) a Holding Residential R1 Special Provision (h\*h-100\*R1-3(\*)) Zone;
- ii) a Holding Residential R1 Special Provision (h\*h-82\*h-100\*R1-3(\*)) Zone;
- iii) a Holding Residential R1 Special Provision (h\*h-100\*R1-4(\*)) Zone;
- iv) a Holding Residential R2 Special Provision (h\*h-100\*R2-1(\*)) Zone;
- v) a Holding Residential R2 Special Provision (h\*h-100\*R2-3(\*)) Zone;
- vi) a Holding Residential R2 Special Provision/Residential R4 Special Provision (h\*h-100\*R2-1(\*)/R4-6(\*)) Zone;
- vii) a Holding Residential R2 Special Provision/Residential R4 Special Provision/ Residential R6 Special Provision/Neighbourhood Facility (h\*h-100\*R2-1(\*)/R4-6(\*)/R6-5(\*\*\*\*)/NF1) Zone;
- viii) a Holding Residential R6 Special Provision/Residential R8 Special Provision (h\*h-100\*R6-5(\*)/R8-4(\*\*)) Zone;
- ix) a Holding Residential R6 Special Provision/Residential R8 Special Provision (h\*h-100\*R6-5(\*\*)/R8-3(\*)) Zone;
- x) a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h\*h-100\*R6-5(\*\*)/R8-4(\*\*\*\*)/R9-3(\*\*)) Zone;
- xi) a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h\*h-100\*R6-5(\*\*)/R8-4(\*\*\*\*)/R9-3(\*\*)) Zone;
- xii) a Holding Residential R8 Special Provision/Convenience Commercial Special Provision (h\*h-100\*R8-4(\*)/CC6(\*)) Zone;
- xiii) a Holding Residential R8 Special Provision/Convenience Commercial Special Provision/Neighbourhood Facility Special Provision (h\*h-100\*R8-4(\*\*\*\*)/CC6(\*\*)/NF1(\*)) Zone;
- xiv) a Holding Residential R9 Special Provision/Convenience Commercial Special Provision (h\*h-100\*R9-3(\*)/CC6(\*\*\*\*)) Zone;
- xv) an Open Space (OS1) Zone;
- xvi) an Open Space (OS5) Zone;
- xvii) an Environmental Review (ER) Zone; and,
- xviii) an Urban Reserve (UR4) Zone;

f) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for draft plan of subdivision of W-3 Lambeth Farms Inc. relating to a property located at 3700 Colonel Talbot Road and 3645 Bostwick Road;

i) the approval of clause b) above relating to the request to amend the 1989 Official Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring

sidewalk construction on both sides of all street sections or on all street sections; it being noted that the Civic Administration is recommending refusal;

ii) the approval of clause d) above relating to the request to amend The London Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections; it being noted that the Civic Administration is recommending refusal; and,

iii) in clause g), below, the removal of the requirement for “one (1) future road block;

g) the Approval Authority BE ADVISED that the Municipal Council SUPPORTS the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by W-3 Lambeth Farms Inc. (File No. 39T-17503), prepared by MHBC Planning, File No. 1094 ‘U’, dated December 20, 2018, as red-line amended, which shows a draft plan of subdivision consisting of twenty-one (21) single detached/low density blocks, thirteen (13) street townhouse blocks, two (2) apartment/medium density blocks, four (4) commercial/residential mixed use blocks, two (2) cluster/low rise blocks, one (1) school block, one (1) open space block, seven (7) pathway blocks, three (3) park blocks, one (1) urban reserve/environmental review block, one (1) future road block, two (2) road widening blocks, eleven (11) 0.3 m reserve blocks, all served by two (2) secondary collector/neighbourhood connector roads (Street A and Street D), and nine (9) new local/neighbourhood streets, SUBJECT TO the conditions contained in Appendix “D” appended to the staff report dated September 23, 2019;

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 proposed and recommended amendments are consistent with the Provincial Policy Statement, 2014 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods and Green Space Place Type;
- the proposed and recommended amendments conform to the in-force policies of the (1989) Official Plan, including but not limited to the Low Density Residential designation, the Multi-Family., Medium Density Residential designation, and the Open Space designation;
- the proposed and recommended amendments conform to the policies of the Southwest Area Secondary Plan;
- the proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to The London Plan, the (1989) Official Plan, and the Southwest Area Secondary Plan;

- the proposed and recommended redlined draft plan supports a broad range of low and medium density residential development opportunities within the site including more intensive, mid-rise apartments along the Bostwick Road corridor, limited convenience commercial uses at locations along the Bostwick and Colonel Talbot frontages, and a mixed-use, community oriented development node at the intersection of the proposed secondary collector roads (neighbourhood activity node). The red lined Draft Plan has been designed to support these uses and to achieve an aesthetically-pleasing, mixed-use development that is pedestrian friendly, transit supportive and accessible to the surrounding community; and,
- the proposed amendments to The London Plan and (1989) Official Plan, clauses b) and d) above, are recommended to be refused as the Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; The London Plan and the Southwest Area Secondary Plan support sidewalks on both sides of the street, primarily to support walkability, and encourage active mobility, and to ensure planning is in accordance with the Accessibility for Ontarians with Disabilities Act, so that all of the elements of the City are accessible for everyone; and the City's Complete Streets Design Manual contemplates sidewalks on both sides of the street, to ensure a more "complete" environment that will feature high-quality pedestrian environments and integrate seamlessly with transit services, cycling networks, and automobile users. London's streets will be designed for connectivity and support the use of active and sustainable modes of transportation. (2019-D09)

**Motion Passed**

10. (3.5) Proposed New City of London Tree Protection By-law

Motion made by: A. Hopkins

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the Tree Protection By-law C.P.-1515-228:

- a) the public input provided at the September 23, 2019 Planning and Environment Committee meeting with respect to the proposed new Tree Protection By-law appended to the staff report dated September 23, 2019 BE REFERRED to the Civic Administration for consideration in the preparation of a revised Tree Protection By-law; and,
- b) the Civic Administration BE DIRECTED to provide a proposed by-law to repeal and replace the existing Tree Protection By-law C.P.-1515-228 at a future Planning and Environment Committee meeting including replacing the term "City Planner" with "City Engineer";

it being noted that the Planning and Environment Committee reviewed and received a communication dated August 30, 2019, from S. Levin, Acting President, Congregation Beth Tefilah, with respect to this matter;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the ~~attached~~ public participation meeting record made oral submissions regarding these matters. (2019-E04)

**Motion Passed**

11. (4.1) 9th Report of the London Advisory Committee on Heritage

Motion made by: A. Hopkins

That, the following actions be taken with respect to the 9th Report of the London Advisory Committee on Heritage, from its meeting held on September 11, 2019:

a) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking approval for alterations to the property located at 40 Craig Street, within the Wortley Village-Old South Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the vinyl siding cladding the front gables be removed within 1 year and the painted wood shingle imbrication be retained and restored;
- only painted wood be used for the alterations to the porch, including but not limited to the hand railings on the steps, the steps, and the porch skirt;
- all exposed wood be painted;
- the Heritage Planner be circulated on the Building Permit application drawings to verify compliance with this Heritage Alteration Permit prior to issuance of the Building Permit; 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 9th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, was received with respect to this matter;

b) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking retroactive approval for replacement of the front door at 213 King Street, within the Downtown Heritage Conservation District, BE PERMITTED with the term and condition that the former door be salvaged by the property owner for appropriate reuse elsewhere; it being noted that the presentation appended to the 9th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner and a verbal delegation from S. Caplan were received with respect to this matter;

c) the following actions be taken with respect to the Notice of Planning Application, dated July 24, 2019, with respect to Official Plan and Zoning By-law Amendments related to the properties located at 1-3 Bathurst Street and 269-281 Thames Street;

i) C. Lowery, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the conclusions of the Heritage Impact Assessment (HIA) associated with the above-noted Application; it being noted that the HIA has not

adequately addressed the following impacts to the adjacent and on-site heritage resources or attributes:

- massing impacts, particularly with respect to adjacent southerly heritage listed properties;
- design impacts, with respect to compatibility with the properties located at 1-3 Bathurst Street, in terms of building materials, colour and overall design as referenced in Section 3.3 of the above-noted HIA; and,
- glazing attributes; it being noted that the LACH recommends glazing inspired by the 19th Century Industrial style; and,

ii) the document, entitled “Comments on the HIA for 1-3 Bathurst Street and 269-281 Thames Street” from T. Jenkins appended to the 9th Report of the London Advisory Committee on Heritage, BE FORWARDED to C. Lowery, Planner II, for consideration;

d) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage is satisfied with the vision, principles and policies of the Victoria Park Secondary Plan Draft Secondary Plan; it being noted that the proposed policies for cultural heritage outlined in Section 3.5 of the above-noted Secondary Plan continue to support the objectives and policies of the West Woodfield and Downtown Heritage Conservation Districts and promotes the conservation of on-site cultural heritage resources and compatibility of new development with on-site and adjacent cultural heritage resources; and,

e) clauses 1.1, 2.1, 3.1 to 3.5, inclusive, 4.1, and 5.3, BE RECEIVED for information.

**Motion Passed**

12. (5.1) Deferred Matters List

Motion made by: A. Hopkins

That the Managing Director, Development and Compliance Services & Chief Building Official and the Managing Director, Planning and City Planner, BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration.

**Motion Passed**

8. (3.3) Application - 307 Fanshawe Park Road East (Z-9006)

Motion made by: A. Hopkins

Seconded by: P. Squire

That, the following actions be taken with respect to the application of Royal Premier Homes, relating to the property located at 307 Fanshawe Park Road East:

a) the proposed, revised, attached by-law BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Residential R1/Bonus (h-5\*h-54\*h-89\*R1-8\*B-15) Zone TO a Holding Residential R5 Special Provision (h-5\*h-54\*h-89\*R5-7(\*)) Zone; it being noted that the proposed revised by-law provides for a



reduction in the number of parking spaces required from 1.5 spaces per unit to provide for a maximum of 1.25 spaces per unit;

b) the Site Plan Approval Authority BE REQUESTED to consider the following matters:

- i) the requirement for the protection and preservation of the trees and hedges on the easterly, southerly, and westerly boundary (both shared boundary and within-boundary vegetation) on the subject property, with the exception of invasive species or hazard trees;
- ii) where hedge growth is sparse the requirement for the provision of supplementary coniferous plantings post-construction to fill the gaps;
- iii) the comments from the Urban Design Peer Review Panel (UDPRP) from their meeting held on July 17, 2019; and,
- iv) subject to iii) above, the submission of a revised site plan to the UDPRP for review;

c) pursuant to section 34(17) of the Planning Act, no further notice be given with respect to the subject application as the proposed amendments were discussed and considered at the Public Participation Meeting held with respect to this matter;

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

- a communication dated September 12, 2019 from B. Day, 1277 Hastings Drive;
- a communication from M. and D. Semotiuk, 1348 Hastings Drive;
- a communication from M. Lacey, 37 Camden Place;
- a communication from P. and D. Lincoln, 7 Camden Road;
- a communication dated September 19, 2019 from D. Beverley, President, Old Stoneybrook Community Association;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement (PPS), 2014, as it encourages healthy, livable and safe communities by accommodating an appropriate range and mix of residential uses (including affordable housing, and housing for older persons), encourages settlement areas to be the main focus of growth and development, and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- the recommended amendment conforms to the in force policies of The London Plan, including but not limited to the policies of the “Neighbourhoods” Place Type as it permits a Use, Intensity, and Form that is compatible with the abutting uses and allows for an appropriate infill development;
- the proposed amendment conforms to the policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation policies; and,
- the proposed special provisions for reduced front yard and maximum heights are supported to encourage and foster improved design for the site.

Yeas: (12): Mayor E. Holder, S. Lewis, J. Helmer, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): M. Cassidy

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 0)**

8.3 18th Report of the Corporate Services Committee

Motion made by: J. Morgan

That the 18th Report of the Corporate Services Committee BE APPROVED.

Yeas: (13): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (13 to 0)**

At 7:49 PM, His Worship Mayor Holder places Councillor J. Morgan in the Chair and takes a seat at the Council Board.

At 7:51 PM, His Worship Mayor Holder resumes the Chair and Councillor J. Morgan takes his seat at the Council Board.

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

2. (2.1) 2019 Operating Budget Mid-Year Monitoring Report - Property Tax, Water, Wastewater & Treatment Budgets

Motion made by: J. Morgan

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2019 Operating Budget Mid-Year Monitoring Report:

a) the 2019 Operating Budget Mid-Year Monitoring Report for the Property Tax Supported Budget, Water, and Wastewater & Treatment Budgets, as appended to the staff report dated September 24, 2019, BE RECEIVED for information; it being noted that an overview of the net corporate projections are outlined below, and that the year-end positions could fluctuate based on factors beyond the control of the Civic Administration;

i) Property Tax Supported Budget surplus of \$4.5 million as identified by the Civic Administration, Boards and Commissions, the projected year-end position includes the Reserve Fund contribution listed in item b), below;

ii) Water Rate Supported Budget surplus of \$2.6 million; and,

iii) Wastewater & Treatment Rate Supported Budget surplus of \$2.8 million;

b) the Civic Administration BE AUTHORIZED to contribute Information Technology Services year-end operational surplus, if

any, to the Technology Services Reserve Fund to be used to support investments in corporate systems;

c) the Civic Administration BE AUTHORIZED to allocate the year-end Property Tax Supported Budget surplus, currently projected at \$4.5 million, to the Operating Budget Contingency Reserve to be used to smooth the impact of budgetary pressures associated with Provincial funding and cost-sharing changes impacting the City of London's 2020 - 2023 Multi-Year Budget;

d) the Civic Administration BE AUTHORIZED to contribute \$925,370 resulting from the 2018 Property Tax Supported Budget Surplus to the Land Acquisition Reserve Fund, identified as a high priority tax-supported reserve fund, in accordance with direction provided as part of the 2018 Operating Budget Year-End Monitoring Report;

e) it BE NOTED that \$1,440,355 (\$1,197,194 – Property Tax Supported; \$72,788 – Water; and \$170,373 – Wastewater & Treatment) to the Efficiency, Effectiveness and Economy Reserve in 2019 was contributed.

**Motion Passed**

3. (2.2) 2019 Mid-Year Capital Monitoring Report

Motion made by: J. Morgan

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the 2019 Mid-Year Capital Monitoring Report, dated September 24, 2019, BE RECEIVED for information; it being noted that the life-to-date capital budget represents \$2.1 billion, with \$1.4 billion committed and \$0.6 billion uncommitted.

**Motion Passed**

4. (2.3) Procurement of Goods and Services Policy Revision (Relates to Bill No. 368)

Motion made by: J. Morgan

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated September 24, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend By-law No. A.-6151-17, as amended, being "A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001", by deleting Schedule "C" – Procurement of Goods and Services Policy in its entirety and by replacing it with the new Schedule "C" – Procurement of Goods and Services Policy, to update the Policy, to provide additional clarity and updates, as included in the above-noted staff report.

**Motion Passed**

5. (2.4) By-law to Delegate Tax Appeals Under Section 357(1)(d.1) to the Assessment Review Board (Relates to Bill No. 369)

Motion made by: J. Morgan

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated September 24, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, to delegate tax appeal applications under subsection 357(1)(d.1) of the Municipal Act, 2001 S.O. 2001, c.25, as amended, to the Assessment Review Board in accordance with subsection 357(11) of the Municipal Act, 2001, S.O. 2001, c.25, as amended.

**Motion Passed**

6. (2.5) Response to the Ministry of the Attorney General Joint and Several Liability Reform Consultation

Motion made by: J. Morgan

That, on the recommendation of the Managing Director Corporate Services and City Solicitor and the Manager III, Risk Management Division, with the concurrence of the City Clerk, the Civic Administration BE DIRECTED to submit a response to the Ministry of the Attorney General regarding Joint and Several Liability Reform as summarized in the staff report dated September 24, 2019, entitled "Response to the Ministry of the Attorney General Joint and Several Liability Reform".

**Motion Passed**

7. (3.1) Tax Adjustment Agenda

Motion made by: J. Morgan

That the recommendations contained in the Tax Adjustment Agenda dated September 24, 2019 BE APPROVED; it being noted that there were no members of the public in attendance to speak to the Corporate Services Committee at the public hearing associated with this matter.

**Motion Passed**

- 8.4 4th Report of the Audit Committee

Motion made by: J. Helmer

That the 4th Report of the Audit Committee BE APPROVED.

Yeas: (13): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, 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 disclosed.

**Motion Passed**

2. (4.1) Consultant Selection/Engagement and Construction Procurement Review

Motion made by: J. Helmer

That the Internal Audit Report from Deloitte with respect to the Consultant Selection/Engagement and Construction Procurement Review performed January to May 2019, issued August 2019, BE RECEIVED.

**Motion Passed**

3. (4.2) Internal Audit Summary Update

Motion made by: J. Helmer

That the memo dated August 30, 2019, from Deloitte, with respect to the internal audit summary update, BE RECEIVED.

**Motion Passed**

4. (4.3) January - December 2019 Internal Audit Dashboard as at August 30, 2019

Motion made by: J. Helmer

That the communication from Deloitte, regarding the January - December 2019 internal audit dashboard as of August 30, 2019, BE RECEIVED.

**Motion Passed**

5. (4.4) Observation Summary as at August 30, 2019

Motion made by: J. Helmer

That the Observation Summary from Deloitte, as of August 30, 2019, BE RECEIVED.

**Motion Passed**

## **9. Added Reports**

- 9.1 17th Report of Council in Closed Session

Motion made by: S. Lehman

Seconded by: S. Lewis

1. Sale of City-Owned Property – Tender 19-100 – 7109 Westminster Drive

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, and on the advice of the Manager of Realty Services, with respect to the property located at 7109 Westminster Drive, being approximately 2.87 acres, further described as Part of Lot 65, Concession West of the North Branch of the Talbot Road, shown as Part 1, Plan 33R-20467, being Part of PIN 082110039, the following actions be taken:

a) the offer submitted by Brydges Building Trusteeship (the "Purchaser") to purchase the subject property from the City, for the sum of \$268,000.00 BE ACCEPTED, subject to the following conditions:

- i) the Purchaser shall have until 4:30 p.m. on November 28, 2019 to satisfy itself in its absolute discretion as to the geotechnical, soil and environmental conditions of the property; and
- ii) the Purchaser acknowledging that the property is being purchased on an "as-is" basis.

2. Offer to Purchase Industrial Land – 1666042 Ontario Inc. – Part Lot 3, Plan 33M239 – 12 Swiftsure Court – Trafalgar Industrial Park Phase III

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to the City-owned industrial land located on the southeast side of Swiftsure Court, being composed of Part Lot 3, Plan 33M239; Parts 1, 2 and 4, Plan 33R-19904; subject to an easement over Part 2, Plan 33R-19904 in favour of Part Lot 3, Plan 33M-239, being Part 3, Plan 33R-19904 as in ER1148631, being PIN 081290192, as outlined on the sketch attached hereto as Appendix "B", the offer submitted from Huffman Innovation, under the corporate name 1666042 Ontario Inc. (the "Purchaser"), to purchase the subject property from the City, at a purchase price of \$227,500.00 (reflecting a sale price of \$65,000.00 per acre), attached hereto as Appendix "C" BE ACCEPTED; subject to the following conditions:

a) the Purchaser be allowed, within ninety (90) days from acceptance of the offer, to examine title at Purchaser's expense;

b) the Purchaser be allowed, within ninety (90) days from acceptance of the offer, to carry out soil tests as it might reasonably require;

c) the Purchaser acknowledges and accepts the property in an 'as-is' condition;

d) the Purchaser agreeing to transfer to the City a municipal services easement, for nominal consideration, over the portion of lands described as Part 4, Plan 33R-19904, which is shown highlighted in yellow on the plan attached hereto as Schedule "C" and will be mutually acceptable to both parties; it being noted that this condition shall survive and not merge on the completion of this transaction;

e) in accordance with the Trafalgar Industrial Park Phase III Subdivision Agreement, the Purchaser acknowledges and agrees that:

i) open storage, loading areas and truck idling and parking areas will not be located in yards that abut residential lands and the outdoor area devoted to employee parking are not subject to this requirement;

ii) the Purchaser will assume responsibility, in perpetuity, for the maintenance of the wooden privacy fence along their easterly boundary (the "Fence"); and,

iii) the Purchaser will maintain, in perpetuity, a 50 foot buffer zone

which includes the fence, existing landscaping and tree plantings (which collectively is referred to as the “Buffer”) from the abutting residential lands. No development is permitted within the Buffer. The Buffer is approximately 0.55 acres and shown highlighted in green in Schedule “E”; and

f) the City agreeing to complete, at its expense, a Stage I/II Archaeological Report (if required) for the property. This condition shall survive and not merge on the completion of this transaction.

Yeas: (13): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and M. Salih

### **Motion Passed (13 to 0)**

Motion made by: S. Lehman

Seconded by: A. Hopkins

#### **3. Property Acquisition – 275 Wellington Road – Wellington Gateway Project**

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, the Director, Rapid Transit, on the advice of the Manager of Realty Services, with respect to the property located at 275 Wellington Road, further described as Lot 133, Plan 452 (4th), Part Lot 132, Plan 452 (4th), being the south 2 feet 6 in; Part Lot 134, Plan 452 (4th) as in 446660 PIN 083640167, containing an area of approximately 4,801 square feet, as shown on the location map attached, for the purpose of future road improvements to accommodate the Wellington Gateway Project, the following actions be taken:

a) the offer submitted by Andrew Thomas Tarling (the “Vendor”), to sell the subject property to the City, for the sum of \$365,000.00 BE ACCEPTED, subject to the following conditions:

i) all existing appliances to be included (stoves, fridges, dishwashers, washers, dryers). Unless otherwise stated in this agreement or any schedule hereto, Vendor agrees to convey all appliances included in the purchase price free from all liens, encumbrances or claims affecting the said fixtures and chattels;

ii) the City or an agent of the City shall be entitled to enter and inspect the property including all dwellings and buildings prior to the closing of this agreement;

iii) all buildings on the property and all other things being purchased shall be and remain until completion at the risk of the Vendor. Pending completion, the Vendor shall hold all insurance policies, if any, and the proceeds thereof in trust for the parties as their interests may appear and in the event of substantial damage, the City may either terminate this agreement and have all monies paid returned without interest or deduction, or else take the proceeds of any insurance and complete the purchase. No insurance shall be transferred on completion;

iv) the Vendor agrees to leave the property neat and tidy, free and clear of all refuse, hazardous and other waste material, garbage or other loose or objectionable materials. Should this condition not be met at the time of closing, the City reserves the right to delay the closing and / or void this agreement; and

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

Yeas: (12): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Nays: (1): P. Van Meerbergen

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 1)**

Motion made by: S. Lehman

Seconded by: S. Lewis

4. Managing Director, Neighbourhood, Children and Fire Services  
That, on the recommendation of the Corporate Services Committee, on the advice of the City Manager, the following actions be taken with respect to the position of Managing Director, Neighbourhood, Children and Fire Services:

a) Cheryl Smith BE APPOINTED Managing Director, Neighbourhood, Children and Fire Services effective October 1, 2019 on a temporary basis for a period up to two years; and

b) the Civic Administration BE DIRECTED to take all actions necessary to implement the appointment, noted in part a), above.

Yeas: (12): S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): Mayor E. Holder

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 0)**

**10. Deferred Matters**

None.

**11. Enquiries**

None.

**12. Emergent Motions**

None.

**13. By-laws**

Motion made by: E. Pelozza

Seconded by: S. Lehman

That Introduction and First Reading of Bill No.'s 367 to 386, excluding Bill No. 316, and the Added Bill No's 387 to 388, BE APPROVED.

Yeas: (13): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (13 to 0)**



Motion made by: S. Hillier  
Seconded by: E. Pelozza

That Second Reading of Bill No.'s 367 to 386, excluding Bill No. 316, and the Added Bill No's 387 to 388, BE APPROVED.

Yeas: (13): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (13 to 0)**

Motion made by: S. Turner  
Seconded by: S. Hillier

That Third Reading and Enactment of Bill No.'s 367 to 386, excluding Bill No. 316, and the Added Bill No's 387 to 388, BE APPROVED.

Yeas: (13): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (13 to 0)**

Motion made by: A. Hopkins  
Seconded by: S. Turner

That Introduction and First Reading of Bill No. 389 BE APPROVED.

Yeas: (12): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Nays: (1): P. Van Meerbergen

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 1)**

Motion made by: A. Kayabaga  
Seconded by: E. Pelozza

That Second Reading of Bill No. 389 BE APPROVED.

Yeas: (12): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Nays: (1): P. Van Meerbergen

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 1)**

Motion made by: S. Lehman  
Seconded by: S. Lewis

That Third Reading and Enactment of Bill No. 389 BE APPROVED.

Yeas: (12): Mayor E. Holder, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Nays: (1): P. Van Meerbergen

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 1)**

Motion made by: J. Helmer

Seconded by: S. Lewis

That Introduction and First Reading of Bill No. 390 BE APPROVED.

Yeas: (12): S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): Mayor E. Holder

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 0)**

Motion made by: J. Helmer

Seconded by: A. Hopkins

That Second Reading of Bill No. 390 BE APPROVED.

Yeas: (12): S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): Mayor E. Holder

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 0)**

Motion made by: S. Lehman

Seconded by: P. Van Meerbergen

That Third Reading and Enactment of Bill No. 390 BE APPROVED.

Yeas: (12): S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): Mayor E. Holder

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 0)**

Motion made by: A. Hopkins

Seconded by: J. Helmer

That Introduction and First Reading of Bill No. 391 BE APPROVED.

Yeas: (12): Mayor E. Holder, S. Lewis, J. Helmer, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): M. Cassidy

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 0)**

Motion made by: J. Helmer  
Seconded by: S. Hillier

That Second Reading of Bill No. 391 BE APPROVED.

Yeas: (12): Mayor E. Holder, S. Lewis, J. Helmer, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): M. Cassidy

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 0)**

Motion made by: S. Lehman  
Seconded by: A. Kayabaga

That Third Reading and Enactment of Bill No. 391 BE APPROVED.

Yeas: (12): Mayor E. Holder, S. Lewis, J. Helmer, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): M. Cassidy

Absent: (2): M. van Holst, and M. Salih

**Motion Passed (12 to 0)**

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

Bill No. 367	By-law No. A.-7893-267 - A by-law to confirm the proceedings of the Council Meeting held on the 1st day of October, 2019. (City Clerk)
Bill No. 368	By-law No. A.-6151(y)-268 - A by-law to amend By-law No. A.-6151-17, as amended, being "A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001", by deleting Schedule "C" – Procurement of Goods and Services Policy in its entirety and by replacing it with a new Schedule "C" – Procurement of Goods and Services Policy, to update the Policy, to provide additional clarity and updates. (2.3/18/CSC)
Bill No. 369	By-law No. A.-7894-269 - A by-law to delegate tax appeal applications received under subsection 357(1)(d.1) of the Municipal Act, 2001, S.O. 2001, c.25, as amended, to the Assessment Review Board in accordance with subsection 357(11) of the Municipal Act, 2001, S.O. 2001, c.25, as amended. (2.4/18/CSC)
Bill No. 370	By-law No. A.-7895-270 - A by-law to authorize an Amending Agreement between The Corporation of the City of London and Trojan Technologies and to authorize the Mayor and City Clerk to execute the Agreement. (2.11/13/CWC)

Bill No. 371	By-law No. C.P.-1284(uz)-271 - A by-law to amend the Official Plan for the City of London, 1989 relating to 585 Third Street. (3.1a/16/PEC)
Bill No. 372	By-law No. C.P.-1284(va)-272 - A by-law to amend the Official Plan for the City of London, 1989 relating to 3700 Colonel Talbot Road and 3645 Bostwick Road. (3.4a/16/PEC)
Bill No. 373	By-law No. C.P.-1512(m)-273 - A by-law to amend The London Plan for the City of London, 2016 relating to 3700 Colonel Talbot Road and 3645 Bostwick Road. (3.4c/16/PEC)
Bill No. 374	By-law No. CPOL.-126(a)-274 - A by-law to amend By-law No. CPOL.- 126-378, as amended, being “A by-law to revoke and repeal Council policy related to Telecommunication Facilities Consultation Policy and replace it with a new Council policy entitled Telecommunication Facilities Consultation Policy” by renaming the Council Policy “Telecommunication Facilities Location and Public Consultation Policy”, to reflect changes in the process that have occurred since the Policy was first developed. (2.3/16/PEC)
Bill No. 375	By-law No. L.S.P.-3482-275 - A by-law to designate 2442 Oxford Street West to be of cultural heritage value or interest. (City Clerk)
Bill No. 376	By-law No. PS-113-19042 - 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.” (2.2/13/CWC)
Bill No. 377	By-law No. S.-2023-276 - A by-law to repeal By-law No. S.-6021-258 entitled, “A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Pond Mills Road, east of Ailsa Place)” (City Clerk)
Bill No. 378	By-law No. S.-2024-277 - A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Pond Mills Road, east of Ailsa Place) (Chief Surveyor - road widening previously acquired by the County of Middlesex, now in the City of London has never been dedicated)
Bill No. 379	By-law No. S.-2025-278 - A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Exeter Road, east of Meadowbrook Drive) (Chief Surveyor - requires the following 0.3m Reserves on Exeter Road to be dedicated at the present time)
Bill No. 380	By-law No. S.-2026-279 - A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Guinness Way) (Chief Surveyor - for unobstructed legal access throughout the Subdivision)
Bill No. 381	By-law No. S.-2027-280 - A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Road East, east of Oakside Street) (Chief Surveyor - road widening purposes on Oxford Road East that require dedication at the present time)

Bill No. 382	By-law No. S.-2028-281 - A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wharncliffe Road South, north of Euclid Avenue) (Chief Surveyor - pursuant to Consent B.007/16 and in accordance with Zoning By-law Z.-1)
Bill No. 383	By-law No. Z.-1-192787 - A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1912 Linkway Boulevard. (2.2/16/PEC)
Bill No. 384	By-law No. Z.-1-192788 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 585 Third Street. (3.1c/16/PEC)
Bill No. 385	By-law No. Z.-1-192789 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 115 Bessemer Road. (3.2/16/PEC)
Bill No. 386	By-law No. Z.-1-192790 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3700 Colonel Talbot Road and 3645 Bostwick Road. (3.4e/16/PEC)
Bill No. 387	ADDED - By-law No. A.-7896-282 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Brydges Building Trusteeship, for the sale of the City owned property described as Part of Lot 65, Concession West of the North Branch of the Talbot Road, shown as Part 1, Plan 33R-20467 attached, being Part of PIN 082110039, in the City of London, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/18/CSC)
Bill No. 388	ADDED - By-law No. A.-7897-283 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and 1666042 Ontario Inc., for the sale of the City owned industrial land, described as Part Lot 3, Plan 33M239; Parts 1, 2 and 4, Plan 33R-19904; subject to an easement over Part 2, 33R19904, in favour of Part Lot 3, Plan 33M-239, being Part 3 of 33R-19904 as in ER1148631, being PIN 081290192, being part of Trafalgar Industrial Park, Phase III and to authorize the Mayor and the City Clerk to execute the Agreement. (6.2/18/CSC)
Bill No. 389	ADDED - By-law No. A.-7898-284 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Andrew Thomas Tarling, for the acquisition of property located at 275 Wellington Road, in the City of London, for the Wellington Gateway Project and to authorize the Mayor and the City Clerk to execute the Agreement. (6.3/18/CSC)
Bill No. 390	ADDED - By-law No. A.-7899-285 - A by-law to appoint Cheryl Smith as Managing Director, Neighborhood, Children and Fire Services. (6.4/18/CSC)
Bill No. 391	ADDED - By-law No. Z.-1-192791 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 307 Fanshawe Park Road East. (3.3/16/PEC)

#### 14. Adjournment

Motion made by: A. Kayabaga

Seconded by: S. Hillier

That the Meeting BE ADJOURNED.

**Motion Passed**

The meeting adjourned at 8:14 PM.

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Ed Holder, Mayor

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Catharine Saunders, City Clerk



## Council Minutes

The 17th Meeting of City Council  
September 17, 2019, 4:00 PM

Present: Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, S. Hillier  
Absent: M. van Holst, S. Lehman  
Also Present: L. Livingstone, A. Anderson, A. Barbon, G. Barrett, B. Card, S. Corman, B. Coxhead, S. Datars Bere, G. Kotsifas, J. McGonigle, S. Miller, D. O'Brien, C. Saunders, K. Scherr, M. Schulthess, S. Stafford, J. Taylor and B. Warner.

The meeting was called to order at 4:01 PM, with Mayor E. Holder in the Chair and all Members present, except Councillors M. van Holst and S. Lehman.

### 1. Disclosures of Pecuniary Interest

Councillor S. Turner discloses a pecuniary interest in Item 3.3(16) of the 15th Report of the Planning and Environment Committee and related Bill No.'s 346 and 357, having do with the planning applications related to the properties located at 220 and 244 Adelaide Street South, by indicating that his employer, the Middlesex-London Health Unit, is assisting with the proposed dental initiative.

Councillor S. Hillier discloses a pecuniary interest in Item 4.1(14) of the 10th Report of the Community and Protective Services Committee, having to do with potential amendments to the City of London's Special Events Policies and Procedures Manual, by indicating that his family operates festivals at City of London facilities and may be impacted by any potential amendments to the Manual.

### 2. Recognitions

His Worship the Mayor recognizes the following City of London Employees who have achieved 25 years of service during 2019:

From London Police Service: D'Arcy Bruce, Brian Crossman, Ron Grasman, Rosemary Guil, Lori-Ann Kirk, Pat MacInnis, Jason McCulloch, Trevor Pitts, Bernadette Sladek, and Jeannette Veenstra.

From the City Manager's Office: Julie Gaul and Zac Machado.

From Environmental & Engineering Services: Craig Duffenais, Cory Duncan, Daniel P. Entwistle, Shawn Essey, David Scott Gee, Paul S. Howard, Jim Humphries, Trevor Johnson, Tracey Lee, Patricia Lupton, Ulises A. Neira, Charles Ormerod, Giuseppi Joe Palmeri, Tony Pawlaszyk, Wayne Piper, Rick Postma, Brent Robinson, Roy F. Scott, John A. Simon, James Somerville, John Vermeeren, Peter Vriends, and Steven W. Welch.

From Finance and Corporate Services: Keith Gilbank, Bill Haas, Cheryl Intzandt, Robin Szwec, Kendra Teeter, and Catherine Van Aarsen.

From Housing, Social Services and Dearness Home: Katherine Biskupski, Flordeliza Bulzan, Liseth D'Andrea, Jacqueline Harwood, Rosa Henriquez, Helen Martin, Dave McCormack, Mona Sankar, Justyna Sliwka, and Estela Ticman.

From Neighbourhood, Children and Fire Services: Jeff Barrett, Jeff Brewster, Michael Duncan, Randy Evans, James Foster, Randy Geene, Joe Haygarth,

Jeffrey Hoad, J. Scott Jackson, Jan Joosten, John MacDaniel, Mark Mandich, Gary Martin, Jason McLaren, Alan O'Neil, Robert Oud, Mike Padega, Keith Pugh, John Spiegelberg, Ron Vermeltfoort, and Scott Walsh.

From Parks and Recreation: Nancy Leblanc, Mike Skinner, and Dwayne Wright.

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

None.

**4. Council, In Closed Session**

Motion made by: A. Kayabaga  
Seconded by: P. Van Meerbergen

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

**4.1. Personal Matters/Identifiable Individual/Ligation or Potential Litigation/Solicitor-Client Privileged Advice**

A matter pertaining to personal matters about an identifiable individual, including municipal or local board employees, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board; and advice that is subject to solicitor-client privilege, including communications necessary for that purpose. (6.1/15/PEC)

**4.2. Litigation/Potential Litigation / Solicitor-Client Privileged Advice**

A matter pertaining to litigation or potential litigation and advice that is subject to solicitor-client privilege, including communications necessary for that purpose and directions and instructions to officers and employees or agents of the municipality. (6.2/17/CSC)

**4.3. Solicitor-Client Privileged Advice**

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.3/17/CSC)

**4.4. Land Acquisition / Solicitor-Client Privileged Advice / Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations**

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.1/17/CSC)

**4.5. Land Acquisition/Disposition/Solicitor-Client Privileged Advice/Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiation**

A matter pertaining to the proposed or pending acquisition or disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.5/17/CSC)



4.6. Personal Matters/Identifiable Individual / Solicitor-Client Privileged Advice

A matter pertaining to personal matters, including information regarding identifiable individuals, with respect to employment-related matters, advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation; and advice subject to solicitor-client privilege, including communications necessary for that purpose. (6.4/17/CSC)

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

The Council rises and goes into the Council, In Closed Session at 4:20 PM, with Mayor E. Holder in the Chair and all Members present, except Councillors M. van Holst and S. Lehman.

At 4:34 PM, Councillor S. Turner leaves the meeting.

At 4:37 PM, Councillor S. Turner enters the meeting.

The Council, In Closed Session rises at 5:37 PM and Council reconvenes at 5:40 PM, with Mayor E. Holder in the Chair and All Members present, except Councillors M. van Holst and S. Lehman

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

5.1 16th Meeting held on August 27, 2019

Motion made by: M. Cassidy

Seconded by: S. Turner

That the Minutes of the 16th Meeting held on August 27, 2019, BE APPROVED.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 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: A. Hopkins

That the 15th Report of the Planning and Environment Committee BE APPROVED, excluding Items 3.3(16) and 3.6(19).

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

1. Disclosures of Pecuniary Interest

Motion made by: A. Hopkins

That Councillor S. Turner disclosed a pecuniary interest in clause 3.3 of this Report, having to do with the properties located at 220 and 244 Adelaide Street South, by indicating that his employer, the Middlesex-London Health Unit, is assisting with the dental initiative.

**Motion Passed**

2. (2.1) 9th Report of the Environmental and Ecological Planning Advisory Committee

Motion made by: A. Hopkins

That the 9th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on August 15, 2019 BE RECEIVED for information.

**Motion Passed**

3. (2.2) Application - Exemption form Part-Lot Control - 1877 Sandy Sommerville Lane (Block 1, Plan 33M-758) (-9076)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Ltd., to exempt Block 1, Plan 33M-758 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 September 9, 2019 BE INTRODUCED at a future Municipal Council meeting, to exempt Block 1, Plan 33M-758 from the Part-Lot Control provisions of subsection 50(5) of the said Act; it being noted that these lands are subject to a registered subdivision agreement and are zoned Residential R6 Special Provision (R6-5(49)) which permits cluster single detached dwellings and also zoned Open Space (OS5) which permits conservation lands, conservation works, passive recreation uses and managed woodlots;

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 1, Plan 33M-758 as noted in clause a) above:

i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;

ii) the applicant submit a draft reference plan to the 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 submits to the 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 the 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 the 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;

xii) the applicant shall provide a draft transfer of the easements to be registered on title; and,

xiii) 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. (2019-D25)

#### **Motion Passed**

4. (2.3) Application - 447 Old Wonderland Road - Removal of Holding Provision (H-9058) (Relates to Bill No. 352)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Nest on Wonderland, relating to the lands located at 447 Old Wonderland Road, the proposed by-law appended to the staff report dated September 9, 2019 BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 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 R8 Special Provision/Restricted Office Special Provision (h-5•R8-4(45))/RO2(33) Zone TO a Residential R8 Special Provision /Restricted Office Special Provision (R8-4(45))/RO2(33) Zone to remove the h-5 holding provision for this site. (2019-D09)

**Motion Passed**

5. (2.4) Application - 180 Villagewalk Boulevard (H-9097) (Relates to Bill No. 353)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by 180 Village Walk Inc., relating to the property located at 180 Villagewalk Boulevard, the proposed by-law appended to the staff report dated September 9, 2019 BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 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 R6 Special Provision/Residential R7 Special Provision/Office Special Provision (h-5\*h-99\*h-100\*R5-5(24)/R7(11)/OF(1)) Zone TO a Residential R6 Special Provision/Residential R7 Special Provision/Office Special Provision (R5-5(24)/R7(11)/OF(1)) Zone. (2019-D09)

**Motion Passed**

6. (2.5) Application - 3400 Singleton Avenue (H-8967) (Relates to Bill No. 354)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by 1967172 Ontario Inc., relating to the property located at 3400 Singleton Avenue, the proposed by-law appended to the staff report dated September 9, 2019 BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 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 Neighbourhood Facility / Residential R5 / Residential R6 (h\*Nf1/h\*h-71\*h-100\*h-104\* h-137\*R5-4\*R6-5) Zone TO a Neighbourhood Facility / Residential R5 / Residential R6 (NF1/R5-4/R6-5) Zone to remove the “h”, “h”, “h-71”, “h-100”, “h-104”, and “h-137” holding provisions associated with the residential zones. (2019-D09)

**Motion Passed**

7. (2.7) Application - 804-860 Kleinburg Drive (H-9103) (Relates to Bill No. 355)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Applewood Developments (London) Inc., relating to the properties located from 804 to 860 Kleinburg Drive, the proposed by-law appended to the staff report

dated September 9, 2019 BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 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-100\*h-173\*R1-4(27)) Zone TO a Residential R1 Special Provision (R1-4(27)) Zone to remove the “h”, “h-100” and “h-173” holding provisions. (2019-D09)

**Motion Passed**

8. (2.8) Limiting Distance (No Build) Agreement between the Corporation of The City of London and 947563 Ontario Limited - 1648 Warbler Woods Walk (Relates to Bill No. 345)

Motion made by: A. Hopkins

That, on the recommendation of the Managing Director, Development & Compliance Services & Chief Building Official, the following actions be taken with respect to a limiting distance (no-build) agreement between The Corporation of the City of London and 947563 Ontario Limited o/a Bridlewood Homes, for the property located at 1648 Warbler Woods Walk:

a) the proposed limiting distance agreement appended to the staff report dated September 9, 2019, for the property located at 1648 Warbler Woods Walk, between The Corporation of the City of London and 947563 Ontario Limited o/a Bridlewood Homes BE APPROVED; and,

b) the proposed by-law appended to the staff report dated September 9, 2019 BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 to approve the limiting distance agreement between The Corporation of the City of London and 947563 Ontario Limited o/a Bridlewood Homes, for the property located at 1648 Warbler Woods Walk, and to delegate authority to the Managing Director, Parks and Recreation, to execute the agreement on behalf of the City of London as the adjacent property owner. (2019-D12)

**Motion Passed**

9. (2.9) Candidate Approval for the Urban Design Peer Review Panel

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, Amelia Sloan BE APPROVED for the position of Planner on the Urban Design Peer Review Panel, for the term ending December 31, 2020. (2019-D32)

**Motion Passed**

10. (2.10) Application - Summerside Subdivision Phase 12B - Stage 2 - Special Provisions - 39T-07508

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering

into a Subdivision Agreement between The Corporation of the City of London and Greengate Village Limited, for the subdivision of land over Part of Lot 14, Concession 1, (Geographic Township of Westminster), situated on the north side of Bradley Avenue between Highbury Avenue South and Jackson Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Greengate Village Limited, for the Summerside Subdivision Phase 12B – Stage 2 (39T-07508) appended to the staff report dated September 9, 2019 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 September 9, 2019 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 fulfill its conditions. (2019-D09)

**Motion Passed**

- 11. (2.11) Application - 3425 Emily Carr Lane - Emily Carr (North) Subdivision - Special Provisions - 39T-18506

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and 2557727 Ontario Inc., for the subdivision of land located at 3425 Emily Carr Lane (north portion), on the north side of the proposed Bradley Ave extension, west of the Copperfield in Longwoods residential subdivision and south of Wharncliffe Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and 2557727 Ontario Inc., for the Emily Carr (North) Subdivision (39T-18506) appended to the staff report dated September 9, 2019 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 September 9, 2019 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 fulfill its conditions. (2019-D09)

**Motion Passed**

- 12. (2.12) Application - Silverleaf Subdivisions - 3493 Colonel Talbot Road - Request for Extension of Draft Plan Approval - 39T-14504

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by 2219008 Ontario Ltd (York Developments), relating to lands located on the west side of Colonel Talbot Road and south of Park Road, legally described as

Part of Lot 75, West of the North Branch of Colonel Talbot Road (Geographic Township of Westminster), City of London, County of Middlesex, situated on the south side of Pack Road, west of Colonel Talbot Road, municipally known as 3493 Colonel Talbot Road, the Approval Authority BE REQUESTED to approve a three (3) year extension to Draft Plan Approval for the residential plan of subdivision File No. 39T-14504, SUBJECT TO the revised conditions contained in Schedule "A" 39T-14504 appended to the staff report dated September 9, 2019. (2019-D09)

**Motion Passed**

13. (2.6) Application - 1615 North Routledge Park 39T-78066

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Doman Development Inc., relating to the property located on the north side of North Routledge Park, west of Hyde Park Road (1615 North Routledge Park), the Approval Authority BE REQUESTED to approve a three (3) year extension to Draft Plan Approval for the plan of subdivision File No. 39T-78066, SUBJECT TO the conditions contained in Schedule "A" appended to the staff report dated September 9, 2019. (2019-D12)

**Motion Passed**

14. (3.1) 8th Report of the Trees and Forest Advisory Committee

Motion made by: A. Hopkins

That, the following actions be taken with respect to the 8th Report of the Trees and Forests Advisory Committee, from its meeting held on August 28, 2019:

a) the following actions be taken with respect to the draft Tree Protection By-law:

i) that the Civic Administration BE ADVISED of the following comments from the Trees and Forests Advisory Committee with respect to the draft Tree Protection By-law:

- concern the by-law is about how to remove a tree, rather than how to protect and plant more trees;
- focus on trees and future trees, without legal or political barriers;
- need to consider tree protection at a generational scale, not human scale in context of climate change, wildlife (cavity trees) and the environment;
- must protect young trees or replacement trees outside of the Tree Protection Area for future canopy;
- diameter threshold of 50 cm or greater is above attainable size for many species and does not reflect what other municipalities are doing in their by-laws (for example Toronto 12" or 30 cm);
- consensus across community that size threshold needs to be lower, acknowledging there may be budget implications and a business case may need to be put forward;
- need to define "hazardous" tree and evidence for removal;
- trees can be made hazardous by unnatural causes for example building an addition;
- photo should be part of application to remove tree;
- checklist of Arborist best practices to justify tree removal;

- education program may be less expensive than enforcing the by-law. For example, planting a replacement tree before the original tree is removed (shadow planting);
- cemeteries and golf courses should not be exempt from the by-law, and there should be a policy to require City of London golf courses to follow the spirit of the by-law;
- fines must always be higher than the total cost of fees that would have been required, or it will not work;
- provisions for on-line payments should be considered;
- tree protection required by section 9.3 of the by-law should match other specific policies;
- no need for section 7.3 of the by-law because no fee is taken until application determined;
- inconsistency in Part 2-Definitions with regards to "meter" and "m";
- leave snags on trees for housing of wildlife (for example birds of prey);

ii) that delegation status BE REQUESTED by the Chair or designate of the Trees and Forests Advisory Committee at the Planning and Environment Committee on September 9, 2019;

b) clauses 1.1, 2.1, 3.1, 5.1, 5.3 and 5.4 BE RECEIVED for information;

it being noted that the Planning and Environment Committee received the ~~attached~~ presentation from A. Cantell, Vice-Chair, Trees and Forests Advisory Committee, with respect to the above-noted matters.

**Motion Passed**

15. (3.2) Application - 915, 965, 1031 and 10959 Upperpoint Avenue - Application for Zoning By-law Amendment (Z-9057) (Relates to Bill No. 356)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to the lands located at 915, 965, 1031 and 1095 Upperpoint Avenue (Blocks 132, 133, 134 and 135 Registered Plan No. 33M-754), the proposed by-law appended to the staff report dated September 9, 2019 BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-3(5)) Zone, a Holding Residential R5/R6/R8 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R8-4(35)) Zone, and a Holding Residential R5/R6/R9 Special Provision (h•h-54•h-209•R5-7(9)/R6-5(21)/R9-7(26)•H40) Zone TO a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6( )/R5-7(9)/R6-5( )/R8-3(5)) Zone, a Holding Residential R4/R5/R6/R8 Special Provision (h•h-54•h-209•R4-6( )/R5-7(9)/R6-5( )/R8-4(35)) Zone, and a Holding Residential R4/R5/R6/R9 Special Provision (h•h-54•h-209•R4-6( )/R5-7(9)/R6-5( )/R9-7(26)•H40) Zone;

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



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

- the recommended zoning amendments are considered appropriate and consistent with the Provincial Policy Statement;
- the recommended zoning amendments conform with The London Plan, the (1989) Official Plan, and the Riverbend South Secondary Plan; and,
- zoning to permit street townhouses would be applied in conjunction with the existing compound zones to broaden the range of residential uses, and achieve objectives for providing a mix of housing types and designs. (2019-D09)

### **Motion Passed**

17. (3.4) 324 York Street (TZ-9069)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, with respect to the application by McKenzie Lake Lawyers LLP c/o Patrick Clancy, relating to the property located at 324 York Street, 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) for a 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 specific 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;

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

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

- the request to extend the temporary zone for a period of three (3) years, representing the maximum extension permitted, does not encourage the long-term redevelopment of the site. A six (6) month extension has already been granted to allow existing users of the commercial parking lot to search for alternative parking arrangements. The refusal of a three (3) year extension would further encourage the 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. (2019-D09)

**Motion Passed**

18. (3.5) 551 Knights Hill Road (Z-9062) (Relates to Bill No. 358)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, based on the application by Yasmina Balaska, relating to the property located at 551 Knights Hill Road, the proposed by-law appended to the staff report dated September 9, 2019 BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), BY AMENDING the Convenience Commercial Special Provision (CC1(9)) Zone to add two additional uses of pharmacy and professional office within the existing building and to recognize the existing parking area setback;

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 amendment is consistent with the Provincial Policy Statement, 2014, as it promotes healthy, liveable and safe communities by accommodating an appropriate range and mix of uses;
- the proposed amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to, Convenience Commercial policies in the Multi-Family, Medium Density Residential Designation;
- the proposed amendment conforms to the in-force policies of The London Plan, including but not limited to, the Key Directions that support a mix of uses in Neighbourhoods; and
- the recommended zone will facilitate additional uses that are appropriate and compatible with the surrounding area. (2019-D09)

**Motion Passed**

20. (3.7) Revise Wording of the Existing h-18 Holding Provision (Archaeological Assessment) (Z-9059) (Relates to Bill No. 360)

Motion made by: A. Hopkins

That, on the recommendation of the Managing Director, City Planning and City Planner, based on the application by The Corporation of the City of London, relating to all lands within the City of London, the proposed by-law appended to the staff report dated September 9, 2019 BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to delete the wording of the existing h-18 holding provision in Section 3.8 (2) and replace it with new wording to reflect the Archaeological Master Plan (2017) and to clarify terminology with respect to the requirement for archaeological assessments; and,

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 reason:

- to improve clarity and make it easier to interpret and implement the required Archaeological Management Plan (2007). (2019-D09/R01)

### **Motion Passed**

21. (3.8) Application - 475 and 480 Edgevalley Road (Z-9068) (Relates to Bill No. 361)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, the proposed by-law appended to the staff report dated September 9, 2019 BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to:

- a) change the zoning of the property known as 480 Edgevalley Road FROM a Holding Residential R5/R6 (h\*h-54\*R5-7/R6-5) Zone, TO a Residential R8 Special Provision (R8-4( )\*H15) Zone to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 15 metres and a maximum density of 75 units per hectare, with a special provision for reduced front, exterior side yard and rear yard depths; and,
- b) change the zoning of the property known as 475 Edgevalley Road FROM a Holding Residential R5/R6 (h\*h-54\*R5-7/R6-5) Zone to a Residential R8 Special Provision Bonus (R8-4( )\*H16\*B( )) Zone to permit apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing, senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities at a maximum height of 16 metres and a maximum density of 75 units per hectare, with a special provision for reduced front, exterior side yard and rear yard depths;

it being noted that the proposed Bonus Zone will be enabled through one or more agreements to facilitate the development of three (3) low-rise apartment buildings, with a maximum of four (4) storeys (Building A = 16m), five (5) storeys (Building B= 18m) and six (6) storeys (Building C = 22m), a total of 147 dwelling units (Building A = 39 dwelling units; Building B = 49 dwelling units; Building C = 59 dwelling units), and a density of 100 units per hectare,

it being further noted that the proposed development will provide for four (4) affordable rental housing units, established by agreement at 85% of the CMHC average market rent for a period of 15 years with an agreement being entered into with The Corporation of the City of London, to secure the above-noted affordable housing units for the 15 year term; and,

it being also noted that the following Site Plan Matters pertaining to 475 and 480 Edgevalley Road have been raised during the public participation process:

- i) additional landscaping and drive aisle on the west property line of 480 Edgevalley Road;
- ii) additional landscaping throughout the sites; and
- iii) robust fencing;

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

- a communication dated September 5, 2019, from M. and L. Hermant, 1530 Benjamin Drive; and,
- a communication dated August 13, 2019, from C. O'Brien, Land Planner, Drewlo Holdings Inc.;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement (PPS), 2014, as it promotes efficient development and land use patterns which sustain the financial well-being of the municipality; accommodate an appropriate range and mix of land uses; and promote cost-effective development standards to minimize land consumption and servicing costs;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our City, Our Strategy, and all other applicable London Plan policies;
- the recommended amendment permits a form and intensity of medium density residential development that conforms to the in-force policies of the (1989) Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation, and the Bonus Zoning policies;
- the recommended amendment will allow for an increase to height and density through a Bonus Zone which requires that the ultimate form of development be consistent with the site plan and elevations appended to the amending by-law. The recommended Bonus Zone provides for an increased density and height in return for a series of bonusable features, matters and contributions that benefit the public in accordance with Section 19.4.4 of the (1989) Official Plan;
- the recommended Zoning By-law amendment allows development that is consistent with the land use concepts and guidelines in the Kilally North Area Plan, which encourage medium density housing forms that are designed without the need for noise attenuation walls in this location and recognizes transition with existing residential development;
- the proposed use for the subject lands contributes to the range and mix of housing options in the area. The proposed use represents an efficient development and use of land; and,
- the subject lands are of a size and shape suitable to accommodate the proposal. The recommended Zoning By-law amendment provides appropriate regulations to control the use and intensity of the building and ensure a well-designed development with appropriate mitigation measures. (2019-D09)

**Motion Passed**

22. (4.1) 7th Report of the Advisory Committee on the Environment

Motion made by: A. Hopkins

That, the following actions be taken with respect to the 7th Report of the Advisory Committee on the Environment, from its meeting held on August 7, 2019:

- a) the City Clerk BE DIRECTED to forward Advisory Committee reports from the Environmental and Ecological Planning Advisory Committee, the Trees and Forests Advisory Committee and the Transportation Advisory Committee to the Advisory Committee on the Environment (ACE) for inclusion on ACE agendas; it being noted that the presentation from J. Stanford, Director, Environment, Fleet and Solid Waste with respect to an overview of Environmental and Engineering Services and an update on Advisory Committee on the Environment Work Plan items, was received; and,
- b) clauses 1.1, 2.1, 3.1 to 3.3 and 5.1 BE RECEIVED for information.

**Motion Passed**

23. (4.2) 8th Report of the London Advisory Committee on Heritage

Motion made by: A. Hopkins

That, the following actions be taken with respect to the 8th Report of the London Advisory Committee on Heritage, from its meeting held on August 15, 2019:

- a) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 33 of the Ontario Heritage Act, retroactive consent for the existing porch on the heritage designated property located at 529 Princess Avenue BE GIVEN subject to the following terms and conditions:

- the Heritage Planner be circulated on the applicant's Building Permit application drawings to verify compliance with the Heritage Alteration Permit prior to issuance of the Building Permit;
- all exposed wood be painted; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

it being noted that a verbal delegation from D. Russell and the presentation from K. Gonyou, Heritage Planner, with respect to this matter, were received;

- b) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act to alter the front façade of the building, located at 42 Albion Street, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED as submitted in the proposed alteration drawings, as appended to the staff report dated August 14, 2019, with the following terms and conditions:

- all exposed wood be painted; and,
- the Heritage Alteration Permit be displayed in a location visible

from the street until the work is completed;

it being noted that a verbal delegation from T. Roppelt and C. Roes and a presentation from K. Gonyou, Heritage Planner, with respect to this matter, were received;

c) the Municipal Council BE ADVISED of the following with respect to a potential bid to bring the Ontario Heritage Conference to the City of London:

- the London Advisory Committee on Heritage (LACH) supports a bid, to be led by W. Kinghorn, to bring the Ontario Heritage Conference to the City of London at a future date, to be determined;
- the LACH supports W. Kinghorn serving as the Chair of the Organizing Committee for this event; and,
- the LACH will provide support to the above-noted Organizing Committee in the form of committee members;

it being noted that a verbal delegation from W. Kinghorn, with respect to this matter, was received;

d) C. Parker, Senior Planner, BE ADVISED that the London Advisory Committee on Heritage recommends adding the words “,as per the London Plan” after the words “appropriate First Nations” within the by-law, as appended to the staff report dated August 14, 2019, with respect to revising the wording of the existing h-18 Holding Provision (Archaeological Assessment);

e) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the heritage designated property at 660 Sunningdale Road East:

- i) notice BE GIVEN under the provisions of Section 30.1(4) of the Ontario Heritage Act, R. S. O. 1990, c. O. 18, of Municipal Council’s intention to pass a by-law to amend the legal description of the property designated to be of cultural heritage value or interest by By-law No. L.S.P.-3476-474 as defined in Appendix B of the staff report dated August 14, 2019; and,
- ii) should no appeals be received to Municipal Council’s notice of intention to pass a by-law to amend the legal description of the property, a by-law BE INTRODUCED at a future meeting of Municipal Council immediately following the end of the appeal period;

it being noted that should an appeal to Municipal Council’s notice of intent to pass a by-law to amend the legal description of the property be received, the City Clerk will refer the appeal to the Conservation Review Board;

f) clauses 1.1, 2.4, 2.6, 3.1 to 3.6, inclusive and 5.2 BE RECEIVED for information.

### **Motion Passed**

16. (3.3) Application - 220 and 244 Adelaide Street South (Z-9061 and O-9066) (Relates to Bill No.s 346 and 357)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the applications by the Glen Cairn Community Resource Centre and The Corporation of the City of London, relating to the properties located at 220 and 244 Adelaide Street South:

a) the proposed by-law appended to the staff report dated September 9, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 to amend The London Plan to change the designation of 220 and 244 Adelaide Street South FROM the Light Industrial Place Type TO the Commercial Industrial Place Type; and,

b) the proposed by-law appended to the staff report dated September 9, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 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 244 Adelaide Street South BY AMENDING the Neighbourhood Facility Special Provision (NF1(11)) Zone;

it being noted that The London Plan amendment will come into full force and effect concurrently with Map 1 of The London Plan;

it being further noted that the following Site Plan Matters pertaining to 244 Adelaide Street South have been raised during the public participation process: the location of parking, garbage storage, tree planting, and landscaping buffering;

it being pointed out that the Planning and Environment Committee reviewed and received a communication dated September 5, 2019 from Dr. P. Thornton, 49 Carfrae Crescent, with respect to this matter;

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

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

- the proposed amendment is consistent with the Provincial Policy Statement;
- the proposed amendment conforms to the policies of the 1989 Official Plan, including but not limited to the policies of the Community Facilities designation; and,
- the proposed amendment conforms to the in-force policies of The London Plan, including but not limited to the policies of the Commercial Industrial Place Type. (2019-D09)

Yeas: (12): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, E. Pelosa, A. Kayabaga, and S. Hillier

Recuse: (1): S. Turner

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (12 to 0)**

19. (3.6) 3493 Colonel Talbot Road (OZ-9049) (Relates to Bill No.s 347 and 359)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of 2219008 Ontario Ltd, relating to the property located at 3493 Colonel Talbot Road:

a) the proposed by-law appended to the staff report dated September 9, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019 to amend section 3.6.5, vi), of the 1989 Official Plan, by ADDING the subject site to the list of Locations of Convenience Commercial and Service Station uses, to permit Service Station and Convenience Commercial Uses; and,

b) the proposed by-law appended to the staff report dated September 9, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting on September 17, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial (h\*h-100\*h-198\*R6-5(46)/R8-4(30)/CC6) Zone TO holding Residential R6 Special Provision/Residential R8 Special Provision/Convenience Commercial Special Provision/Service Station Special Provision (h\*h-100\*h-198\*R6-5(46)/R8-4(30)/CC6(\_)/SS2(\_)) 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 draft plan and zoning amendments are consistent with the Provincial Policy Statement (PPS), 2014, which encourages an appropriate range and mix of uses to meet projected requirements of current and future residents; the recommended amendment conforms to the in-force policies of The London Plan, including but limited to, the Neighbourhoods Place Type, Our City, Our Strategy, and all other applicable London Plan policies;
- the recommended amendment permits an appropriate range of secondary uses that conform to the in-force policies of the (1989) Official Plan and Southwest Area Secondary Plan, including but not limited to the Multi-Family, Medium Density Residential designation, and the Convenience Commercial and Service Station policies; and,
- the recommended Zoning By-law Amendment allows development that is compatible with the surrounding land uses and appropriately mitigates impacts. (2019-D09)

Yeas: (9): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Van Meerbergen, and S. Hillier

Nays: (4): A. Hopkins, S. Turner, E. Pelozza, and A. Kayabaga

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (9 to 4)**



At 5:47 PM, His Worship the Mayor takes a seat at the Council Board and Councillor J. Morgan assumes the Chair.

At 5:51 PM, His Worship the Mayor resumes the Chair and Councillor J. Morgan takes his seat at the Council Board.

Motion made by: J. Helmer

Seconded by: A. Hopkins

Motion to refer the application back to the Civic Administration to further consider the following:

- a) noise mitigation measures be put in place to mitigate potential noise impacts to all neighbouring properties;
- b) the siting of the proposed uses on the site to appropriately mitigate potential impact to neighbouring properties; and,
- c) pursuant to Section 34(17) of the Planning Act, no further public participation meeting required as the proposed amendments are minor in nature.

Yeas: (5): M. Cassidy, A. Hopkins, S. Turner, E. Pelozza, and A. Kayabaga

Nays: (8): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, P. Squire, J. Morgan, P. Van Meerbergen, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Failed (5 to 8)**

## 8.2 10th Report of the Community and Protective Services Committee

Motion made by: M. Cassidy

That the 10th Report of the Community and Protective Services Committee BE APPROVED, except for Items 12(2.9) and 14(4.1).

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 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) 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 August 22, 2019:

a) the following actions be taken with respect to the Notice of Planning Application, dated August 20, 2019, from L. Mottram, Senior Planner, with respect to a Zoning By-law Amendment for the property located at 1395 Riverbend Road:

i) the above-noted Notice BE RECEIVED; and,  
ii) the Civic Administration BE REQUESTED to attend a future meeting of the Accessibility Advisory Committee to explain mechanical parking systems and possible repercussions for accessibility, as it relates to the above-noted Notice;

b) the ~~attached~~ Built Environment Sub-Committee report, dated August 13, 2019, BE FORWARDED to the Civic Administration for consideration as part of the Draft Facility Accessibility Design Standards dated June 2019; and,

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

**Motion Passed**

3. (2.2) 7th Report of the Animal Welfare Advisory Committee

Motion made by: M. Cassidy

That the following actions be taken with respect to the 7th Report of the Animal Welfare Advisory Committee, from its meeting held on August 1, 2019:

a) the Civic Administration BE REQUESTED to amend the public reporting of the London Animal Control Centre to include specific numbers on each species of animal intake and outcome; it being noted that the ~~attached~~ communication from R. Oke, Animal Welfare Coordinator, with respect to this matter, was received; and,

b) clauses 1.1, 3.1, 3.2, 4.1, 5.1, 5.2 and 5.4, BE RECEIVED.

**Motion Passed**

4. (2.3) 5th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Motion made by: M. Cassidy

That the 5th Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meeting held on August 15, 2019, BE RECEIVED.

**Motion Passed**

5. (2.4) 7th Report of the London Housing Advisory Committee

Motion made by: M. Cassidy

That the 7th Report of the London Housing Advisory Committee, from its meeting held on August 14, 2019, BE RECEIVED.

**Motion Passed**

6. (2.5) London's Homeless Management Information System – Amended By-law (Relates to Bill No.s 342 and 343)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to London's Homeless Management Information System:

a) the proposed by-law, as appended to the staff report dated September 10, 2019, BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019, to amend By-law No. A-7613-327 being "A by-law to approve The Data Provision Agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Canada as represented by the Federal Minister of Employment and Social Development Canada, and to authorize the Mayor and the City Clerk to execute this Agreement", by deleting any reference to the title "Managing Director, Neighbourhood, Children and Fire Services" and by replacing it with the title "Managing Director, Housing, Social Services and Dearness Home" to reflect a change in the Service Area responsible for Homeless Prevention Initiatives; and,

b) the proposed by-law, as appended to the staff report dated September 10, 2019, BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019, to amend By-law No. A-7706-107 being "A by-law to approve the London Homeless Management Information System Hosting Agreement between The Corporation of the City of London and Homeless Serving Organization and to authorize the Managing Director, Neighbourhood, Children and Fire Services to execute this Agreement", by deleting any reference to the title "Managing Director, Neighbourhood, Children and Fire Services" and by replacing it with the title "Managing Director, Housing, Social Services and Dearness Home" to reflect a change in the Service Area responsible for Homeless Prevention Initiatives. (2019-S14)

**Motion Passed**

7. (2.6) Provincial Audit and Accountability Fund – Transfer Payment Agreement (Relates to Bill No. 344)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law, as appended to the staff report dated September 10, 2019, with respect to the provision of funding for an independent third party review of the delivery of housing services, BE INTRODUCED at the Municipal Council meeting to be held on September 17, 2019, to:

a) authorize and approve the Ontario Transfer Payment Agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing and The Corporation of the City of London, appended to the above-noted by-law; and,

b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2019-F11)

**Motion Passed**

8. (2.7) Report from Civic Administration of the Vacant Community Housing Units as a Result of Outstanding Repairs

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Housing, Social Services and Dearness Home, the staff report dated September 10, 2019, with respect to the vacant community housing units as a result of outstanding repairs, BE RECEIVED. (2019-S11)

**Motion Passed**

9. (2.11) Proposed Accessible Vehicle for Hire Incentive Program – Update

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official the following actions be taken with respect to the staff report dated September 10, 2019 related to an update on a proposed accessible vehicle for hire incentive program:

- a) the above-noted report BE RECEIVED; and,
- b) the Civic Administration BE DIRECTED to hold a public participation meeting at a future meeting of the Community and Protective Services Committee with respect to amending the Vehicle for Hire By-law to make the necessary changes to implement an incentive program for accessible vehicles for hire. (2019-T10/F11)

**Motion Passed**

10. (2.12) Investing in Canada Infrastructure Program – Community, Culture and Recreation

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager and Acting Managing Director of Neighbourhood, Children and Fire Services and the Managing Director of Parks and Recreation, the staff report dated September 10, 2019, with respect to the Investing in Canada Infrastructure Program: Community, Culture and Recreation, BE RECEIVED. (2019-T10)

**Motion Passed**

11. (2.8) Naming of New East Community Centre – 1731 Churchill Avenue

Motion made by: M. Cassidy

That, on the recommendation of the City Clerk with the concurrence of the Managing Director, Parks and Recreation and the Deputy City Manager and Acting Managing Director, Neighbourhood, Children and Fire Services, the Civic Administration BE DIRECTED to make the necessary arrangements to hold a Public Participation Meeting before the Community and Protective Services Committee

on October 8, 2019 to receive input from the public with respect to the proposed name of “The Community Centre on Wavell” for the new east community centre located at 1731 Churchill Avenue; it being noted that a communication, dated September 7, 2019, from B. Brock, was received with respect to this matter. (2019-S12)

**Motion Passed**

13. (2.10) Swimming Pool Fence By-law Review Update

Motion made by: M. Cassidy

That the following actions be taken with respect to the staff report dated September 10, 2019 related to a swimming pool fence by-law review update:

- a) the above-noted report BE RECEIVED; and,
- b) the Civic Administration BE DIRECTED to report back at a future meeting of the Community and Protective Services Committee with respect to drainage issues related to backyard pools. (2019-P15)

**Motion Passed**

15. (5.1) Deferred Matters List

Motion made by: M. Cassidy

That the Deferred Matters List for the Community and Protective Services Committee, as at August 28, 2019, BE RECEIVED.

**Motion Passed**

12. (2.9) Tow Truck Solicitation at Accident Scenes

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the staff report dated September 10, 2019 related to tow truck solicitation at accident scenes:

- a) the above-noted report BE RECEIVED;
- b) the Civic Administration BE DIRECTED to prepare an amendment to the Business Licensing By-law to include Motor Vehicle Towing as a Class of Licence and hold a public participation meeting at a future meeting of the Community and Protective Services Committee; and,
- c) the delegation request from D. Williams, 519TOW, as appended to the agenda, with respect to this matter, BE DEFERRED to the above-noted public participation meeting. (2019-T08)

Yeas: (12): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, E. Pelozza, A. Kayabaga, and S. Hillier

Nays: (1): S. Turner

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (12 to 1)**

14. (4.1) Special Events Policies and Procedures Manual – Parkjam Music Festival – Harris Park

Motion made by: M. Cassidy

That the communication dated September 6, 2019, from Councillor A. Kayabaga, with respect to the Special Events Policies and Procedures Manual, BE RECEIVED. (2019-P11)

**Amendment:**

Motion made by: A. Kayabaga

Seconded by: M. Cassidy

That the motion BE AMENDED, by adding the following new part b):

b) the Civic Administration BE DIRECTED to review the City's "Special Events Policies Manual" and report back on possible amendments to the Manual to address the following matters:

i) the disruption caused by special events being held in the evenings prior to a work and/or school day;

ii) the application of the same rules/restrictions that are in place for Victoria Park to Harris Park; and,

iii) increased fines and penalties for special events that contravene the Manual.

Yeas: (10): Mayor E. Holder, S. Lewis, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, and A. Kayabaga

Nays: (2): M. Salih, and J. Helmer

Recuse: (1): S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (10 to 2)**

Motion made by: M. Cassidy

Seconded by: A. Kayabaga

That Item 4.1(14), as amended, BE APPROVED.

Yeas: (11): Mayor E. Holder, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, and A. Kayabaga

Nays: (1): J. Helmer

Recuse: (1): S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (11 to 1)**

Item 4.1(14), as amended, reads as follows:

"That the following actions be taken with respect to the "Special Events Policies and Procedures Manual":

a) the communication dated September 6, 2019 from Councillor A. Kayabaga, with respect to the "Special Events Policies and Procedures Manual", BE RECEIVED; and,

b) the Civic Administration BE DIRECTED to review the City's "Special Events Policies and Procedures Manual" and report back on possible amendments to the Manual to address the following matters:

i) the disruption caused by special events being held in the evenings prior to a work and/or school day;

ii) the application of the same rules/restrictions that are in place for Victoria Park to Harris Park; and,

iii) increased fines and penalties for special events that contravene the Manual."

Motion made by: S. Lewis

Seconded by: E. Pelozza

That Council Recess.

Yeas: (7): Mayor E. Holder, S. Lewis, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, and E. Pelozza

Nays: (6): M. Salih, J. Helmer, P. Van Meerbergen, S. Turner, A. Kayabaga, and S. Hillier

**Motion Passed (7 to 6)**

The Council recesses at 6:57 PM and Council resumes at 7:33 PM, with Mayor E. Holder in the Chair and all Members present except Councillors M. van Holst and S. Lehman.

8.3 17th Report of the Corporate Services Committee

Motion made by: A. Kayabaga

That the 17th Report of the Corporate Services Committee BE APPROVED.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

1. Disclosures of Pecuniary Interest

Motion made by: A. Kayabaga

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

2. (2.1) Leave of Absence - Federal Election

Motion made by: A. Kayabaga

That the communication dated August 30, 2019 from Councillor M. van Holst regarding an unpaid leave of absence until October 25, 2019 BE RECEIVED.

**Motion Passed**

**9. Added Reports**

9.1 16th Report of Council in Closed Session

Motion made by: M. Salih

Seconded by: A. Kayabaga

That the following item of the 16th Report of the Council, In Closed Session, BE APPROVED:

6.1 Property Acquisition – 627 Central Avenue – Adelaide Street CP Rail Grade Separation Project

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Roads and Transportation and Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, with respect to the property located at 627 Central Avenue, further described as Part of Lot 3, east side of Adelaide Street, Plan 386 3rd), being the whole of PIN 08280-0005 (LT), as shown on the location map attached, for the purpose of future road improvement to accommodate the Adelaide Street CP Rail Grade Separation Project, the following actions be taken:

a) the offer submitted by Maria Christie Sychangco, to sell the subject property to the City, for the sum of \$439,000.00, BE ACCEPTED subject to the following conditions:

i) the City having until 4:30 p.m. on October 15, 2019 to examine title to the property;

ii) the City agreeing to reimburse on completion, any mortgage penalty discharge cost (the "Mortgage Discharge Cost") incurred by the Vendor to discharge the mortgage from the property at the time of completion in accordance with Section 20 of the Expropriations Act;

iii) the City agreeing to pay the Vendor's reasonable legal costs, including fees, disbursements, and applicable taxes, to complete this transaction, subject to assessment;

iv) the City agreeing to pay the Vendor's reasonable legal and other non-recoverable expenditures incurred in acquiring a similar replacement property, providing a claim is made within a year of the date of vacant possession;

v) the City agreeing to pay an allowance of 5% of the compensation payable in respect of the market value of the lands on completion of this transaction, in accordance with Section 18 of the Expropriations Act;

vi) the City agreeing that the Vendor may remain as a tenant at the subject property for a period of two (2) weeks at a nominal rent to cover the City's utility costs commencing from the date of closing of this transaction; and,



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

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

## 9.2 18th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Helmer

That the 18th Report of the Strategic Priorities and Policy Committee BE APPROVED, except for Item 4.1.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

### 1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

That it BE NOTED that no pecuniary interests were disclosed.

**Motion Passed**

### 2. City of London Housing Service Review: Proposed Action Plan

4.1(2) That on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the City of London Housing Service Review:

a) the staff report dated September 16, 2019, and the subsequent updated report, BE RECEIVED;

b) Option 3 identified in the reports, noted in a) above, BE APPROVED;

c) the Civic Administration BE DIRECTED to take all necessary steps to implement the above-noted Option 3;

d) the Civic Administration BE DIRECTED to report quarterly to Municipal Council with a status and progress update on the implementation of Option 3;

e) the City Clerk BE DIRECTED to make the necessary arrangements to bring forward the appropriate by-laws to implement actions identified in Option 3; and

f) the Civic Administration BE DIRECTED to report back to Corporate Services Committee on the feasibility of using the same approach taken for affordable housing to reduce the effective tax rate for London Middlesex Community Housing (LMCH) buildings to

be equivalent to the residential tax rate, including any amendments that may be necessary to the Municipal Housing Facilities By-law to do so;

it being noted that the Strategic Priorities and Policy Committee received communications dated September 12, 2019 from D. Astolfi and J. Atkinson, and received verbal delegations and the attached submissions from the Housing Development Corporation and the London & Middlesex Community Housing.

Motion made by: J. Helmer

The motion to Approve parts a) and f) of Item 4.1(2), is put.

That on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the City of London Housing Service Review:

- a) the staff report dated September 16, 2019, and the subsequent updated report, BE RECEIVED;
- f) the Civic Administration BE DIRECTED to report back to Corporate Services Committee on the feasibility of using the same approach taken for affordable housing to reduce the effective tax rate for London Middlesex Community Housing (LMCH) buildings to be equivalent to the residential tax rate, including any amendments that may be necessary to the Municipal Housing Facilities By-law to do so;

it being noted that the Strategic Priorities and Policy Committee received communications dated September 12, 2019 from D. Astolfi and J. Atkinson, and received verbal delegations and the attached submissions from the Housing Development Corporation and the London & Middlesex Community Housing.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

Motion made by: S. Lewis

The motion to Approve parts b) through e) of Item 4.1(2), is put.

- b) Option 3 identified in the reports, noted in a) above, BE APPROVED;
- c) the Civic Administration BE DIRECTED to take all necessary steps to implement the above-noted Option 3;
- d) the Civic Administration BE DIRECTED to report quarterly to Municipal Council with a status and progress update on the implementation of Option 3;
- e) the City Clerk BE DIRECTED to make the necessary arrangements to bring forward the appropriate by-laws to implement actions identified in Option 3; and

Yeas: (9): Mayor E. Holder, S. Lewis, M. Salih, P. Squire, J. Morgan, P. Van Meerbergen, E. Pelozo, A. Kayabaga, and S. Hillier

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

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (9 to 4)**

**10. Deferred Matters**

None.

**11. Enquiries**

None.

**12. Emergent Motions**

None.

**13. By-laws**

Motion made by: P. Van Meerbergen

Seconded by: M. Cassidy

That Introduction and First Reading of Bill No.'s 341 to 345, Bill No.'s 347 to 356, Bill No.'s 358 to 361, and Added Bill No. 362, BE APPROVED.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

Motion made by: J. Helmer

Seconded by: S. Lewis

That Second Reading of Bill No.'s 341 to 345, Bill No.'s 347 to 356, Bill No.'s 358 to 361, and Added Bill No. 362, BE APPROVED.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

Motion made by: S. Hillier

Seconded by: S. Turner

That Third Reading and Enactment of Bill No.'s 341 to 345, Bill No.'s 347 to 356, Bill No.'s 358 to 361, and Added Bill No. 362, BE APPROVED.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

Motion made by: M. Cassidy  
Seconded by: E. Pelozza

That Introduction and First Reading of Bill No.'s 346 and 357, BE APPROVED.

Yeas: (12): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): S. Turner

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (12 to 0)**

Motion made by: E. Pelozza  
Seconded by: M. Cassidy

That Second Reading of Bill No.'s 346 and 357, BE APPROVED.

Yeas: (12): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): S. Turner

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (12 to 0)**

Motion made by: S. Hillier  
Seconded by: A. Hopkins

That Third Reading and Enactment of Bill No.'s 346 and 357, BE APPROVED.

Yeas: (12): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, E. Pelozza, A. Kayabaga, and S. Hillier

Recuse: (1): S. Turner

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (12 to 0)**

Motion made by: S. Lewis  
Seconded by: M. Cassidy

That Introduction and First Reading of Bill No.'s 363 and 365, BE APPROVED.

Yeas: (11): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, P. Van Meerbergen, E. Pelozza, A. Kayabaga, and S. Hillier

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

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (11 to 2)**

Motion made by: E. Pelozza  
Seconded by: P. Van Meerbergen

That Second Reading of Bill No.'s 363 and 365, BE APPROVED.

Yeas: (10): Mayor E. Holder, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, P. Van Meerbergen, E. Pelozo, A. Kayabaga, and S. Hillier

Nays: (3): J. Helmer, A. Hopkins, and S. Turner

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (10 to 3)**

Motion made by: M. Cassidy

Seconded by: S. Lewis

That Third Reading and Enactment of Bill No.'s 363 and 365, BE APPROVED.

Yeas: (10): Mayor E. Holder, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, P. Van Meerbergen, E. Pelozo, A. Kayabaga, and S. Hillier

Nays: (3): J. Helmer, A. Hopkins, and S. Turner

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (10 to 3)**

Motion made by: S. Hillier

Seconded by: P. Van Meerbergen

That Introduction and First Reading of Bill No.'s 364 and 366, BE APPROVED.

Yeas: (9): Mayor E. Holder, S. Lewis, M. Salih, P. Squire, J. Morgan, P. Van Meerbergen, E. Pelozo, A. Kayabaga, and S. Hillier

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

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (9 to 4)**

Motion made by: P. Squire

Seconded by: S. Lewis

That Second Reading of Bill No.'s 364 and 366, BE APPROVED.

Yeas: (9): Mayor E. Holder, S. Lewis, M. Salih, P. Squire, J. Morgan, P. Van Meerbergen, E. Pelozo, A. Kayabaga, and S. Hillier

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

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (9 to 4)**

Motion made by: S. Lewis

Seconded by: E. Pelozo

That Third Reading and Enactment of Bill No.'s 364 and 366, BE APPROVED.

Yeas: (9): Mayor E. Holder, S. Lewis, M. Salih, P. Squire, J. Morgan, P. Van Meerbergen, E. Pelozo, A. Kayabaga, and S. Hillier

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

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (9 to 4)**

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

<p>Bill No. 341 By-law No. A.-7885-251</p>	<p>A by-law to confirm the proceedings of the Council Meeting held on the 17th day of September, 2019. (City Clerk)</p>
<p>Bill No. 342 By-law No. A.-7613(a)-252</p>	<p>A by-law to amend By-law No. A-7613-327 being "A by-law to approve The Data Provision Agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Canada as represented by the Federal Minister of Employment and Social Development Canada, and to authorize the Mayor and City Clerk to execute this Agreement", by deleting any reference to the title "Managing Director, Neighbourhood, Children and Fire Services" and by replacing it with the title "Managing Director, Housing, Social Services and Dearness Home" to reflect a change in the Service Area responsibility for Homeless Prevention Initiatives. (2.5a/10/CPSC)</p>
<p>Bill No. 343 By-law No. A-7706(a)-253</p>	<p>A by-law to amend By-law No. A-7706-107 being "A by-law to approve the London Homeless Management Information System Hosting Agreement between The Corporation of the City of London and Homeless Serving Organization" and to authorize the Managing Director, Neighbourhood, Children and Fire Services to execute this Agreement" by deleting all references to the title "Managing Director, Neighbourhood, Children and Fire Services" and by replacing it with the title "Managing Director, Housing, Social Services and Dearness Home" to reflect a change in the Service Area responsibility for Homeless Prevention Initiatives. (2.5b/10/CPSC)</p>
<p>Bill No. 344 By-law No. A.-7886-254</p>	<p>A by-law to approve the Ontario Transfer Payment Agreement between Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs and Housing and The Corporation of the City of London for the provision of funding for an independent third party review of the delivery of housing services and to authorize the Mayor and City Clerk to execute same. (2.6/10/CPSC)</p>
<p>Bill No. 345 By-law No. A.-7887-255</p>	<p>A By-law to approve a limiting distance agreement between the Corporation of the City of London and 947563 Ontario Limited o/a Bridlewood Homes for the property at 1648 Warbler Woods Walk, and to delegate authority to the Managing Director, Parks and Recreation to execute the agreement on behalf of the City of London as the adjacent property owner. (2.8/15/PEC)</p>
<p>Bill No. 346 By-law No. C.P.-1512(l)-256</p>	<p>A by-law to amend The London Plan for the City of London, 2016 relating to 220 and 244 Adelaide Street South. (3.3b/15/PEC)</p>

Bill No. 347 By-law No. C.P.1284(uy)-257	A by-law to amend the Official Plan for the City of London, 1989 relating to 3493 Colonel Talbot Road. (3.6a/15/PEC)
Bill No. 348 By-law No. S.-2021-258	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Southdale Road East west of Homeview Road) (as widening to Homeview Court and Homeview Road) (Chief Surveyor - pursuant to SPA18-114 and in accordance with Zoning By-law Z.-1)
Bill No. 349 By-law No. S.-2022-259	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Pond Mills Road, east of Ailsa Place) (Chief Surveyor - road widening previously acquired by the County of Middlesex, now in the City of London has never been dedicated)
Bill No. 350 By-law No. W.-5652-260	A by-law to authorize a New Sportspark (Capital Project PD218118). (2.7/9/CPSC)
Bill No. 351 By-law No. W.-5653-261	A by-law to authorize New Field Houses (Capital Project PD223016). (2.7/9/CPSC)
Bill No. 352 By-law No. Z.-1-192776	A by-law to amend By-law No. Z.-1 to remove a holding provision from the zoning for lands located at 447 Old Wonderland Road. (2.3/15/PEC)
Bill No. 353 By-law No. Z.-1-192777	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 180 Villagewalk Boulevard. (2.4/15/PEC)
Bill No. 354 By-law No. Z.-1-192778	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3400 Singleton Avenue. (2.5/15/PEC)
Bill No. 355 By-law No. Z.-1-192779	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 804-860 Kleinburg Drive. (2.7/15/PEC)
Bill No. 356 By-law No. Z.-1-192780	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 915, 965, 1031 and 1095 Upperpoint Avenue. (3.2/15/PEC)
Bill No. 357 By-law No. Z.-1-192781	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 244 Adelaide Street South. (3.3a/15/PEC)
Bill No. 358 By-law No. Z.-1-192782	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 551 Knights Hill Road. (3.5/15/PEC)
Bill No. 359 By-law No. Z.-1-192783	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3493 Colonel Talbot Road. (3.6b/15/PEC)



Bill No. 360 By-law No. Z.-1-192784	A by-law to amend By-law No. Z.-1 to revise the wording of the existing h-18 holding provision in Section 3. (3.7/15/PEC)
Bill No. 361 By-law No. Z.-1-192785	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 475 and 480 Edgevalley Road. (3.8/15/PEC)
Bill No. 362 By-law No. A.-7888-262	A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Maria Christie Sychangco, for the acquisition of property located at 627 Central Avenue, in the City of London, for the CPR Adelaide Street North grade separation Project and to authorize the Mayor and the City Clerk to execute the Agreement. (6/17/CSC)
Bill No. 363 By-law No. A.-7889-263	A by-law to appoint an interim director of the Housing Development Corporation, London. (4.1/18/SPPC)
Bill No. 364 By-law No. A.-7890-264	A by-law to discharge the current Board members of the Housing Development Corporation, London. (4.1/18/SPPC)
Bill No. 365 By-law No. A.-7891-265	A by-law to appoint an interim director of the London Middlesex Community Housing. (4.1/18/SPPC)
Bill No. 366 By-law No. A.-7892-266	A by-law to discharge the current Board members of the London Middlesex Community Housing. (4.1/18/SPPC)

**14. Adjournment**

Motion made by: P. Van Meerbergen

Seconded by: A. Kayabaga

That the meeting adjourn.

**Motion Passed**

The meeting adjourns at 7:58 PM.

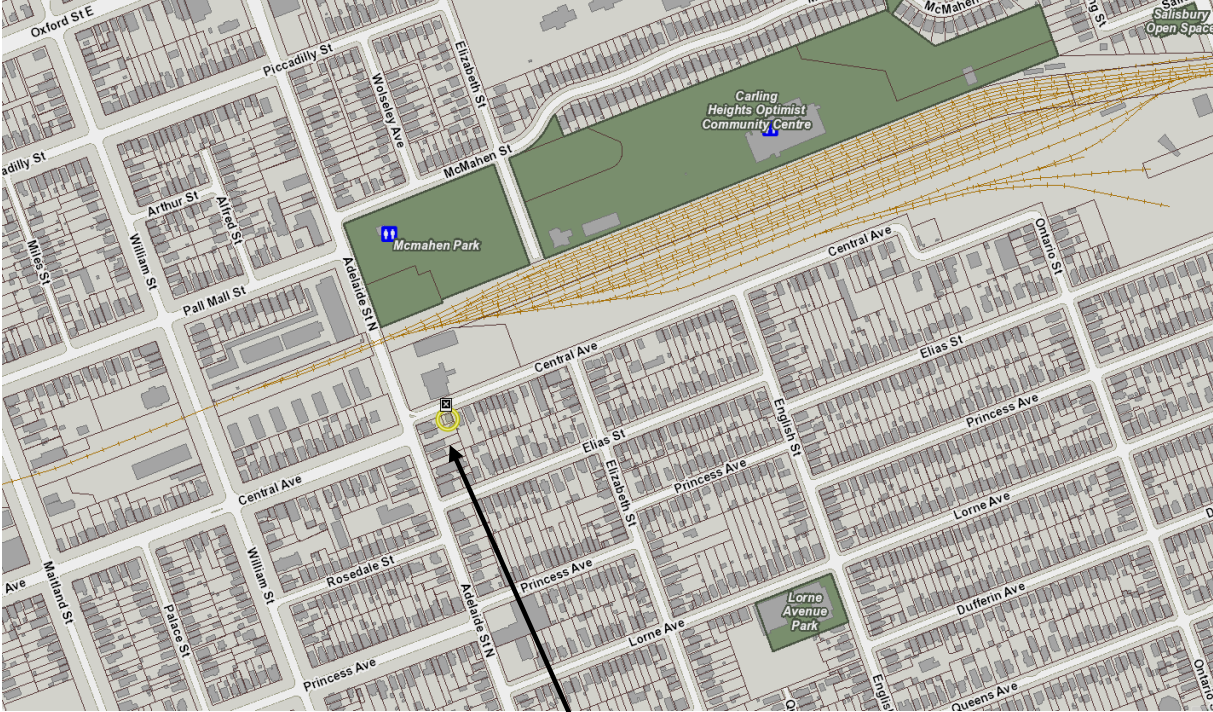
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Ed Holder, Mayor

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Catharine Saunders, City Clerk

**Location Map**



**627 Central Avenue**



**APPENDIX "A"**  
**CONFIDENTIAL**

#19132

Chair and Members  
Corporate Services Committee

September 10, 2019  
(Property Acquisition)

**RE: Property Acquisition - 627 Central Avenue**  
**Adelaide Street CP Rail Grade Separation Project**  
**(Subledger LD180092)**  
**Capital Project TS1306 - Adelaide Street Grade Separation CPR Tracks**  
**Maria Christie Sychangco**

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**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>Committed To Date</u></b>	<b><u>This Submission</u></b>	<b><u>Balance for Future Work</u></b>
Engineering	\$3,025,750	\$3,025,750		\$0
Land Acquisition	11,424,250	137,805	482,981	10,803,464
Relocate Utilities	5,800,000			5,800,000
City Related Expenses	100,000	281		99,719
<b>NET ESTIMATED EXPENDITURES</b>	<b><u>\$20,350,000</u></b>	<b><u>\$3,163,836</u></b>	<b><u>\$482,981</u></b> 1)	<b><u>\$16,703,183</u></b>
<b><u>SOURCE OF FINANCING</u></b>				
Debenture By-law No. W.-5600-57	\$11,634,500	\$2,119,761	\$323,596	\$9,191,143
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) 5,730,500	1,044,075	159,385	4,527,040
Other Contributions	2,985,000			2,985,000
<b>TOTAL FINANCING</b>	<b><u>\$20,350,000</u></b>	<b><u>\$3,163,836</u></b>	<b><u>\$482,981</u></b>	<b><u>\$16,703,183</u></b>

1) Financial Note:

Purchase Cost	\$439,000
Add: Land Transfer Tax	5,255
Add: Fees & Disbursements	31,000
Add: HST @13%	57,070
Less: HST Rebate	<u>(49,344)</u>
Total Purchase Cost	<u>\$482,981</u>

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2019.

JG

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Jason Davies  
Manager of Financial Planning & Policy

# Strategic Priorities and Policy Committee

## Report

18th Special Meeting of the Strategic Priorities and Policy Committee  
September 16, 2019

PRESENT: Mayor E. Holder (Chair), S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, S. Hillier  
ABSENT: Councillors M. van Holst, S. Lehman  
ALSO PRESENT: A. Barbon, G. Barrett, B. Card, S. Corman, B. Coxhead, S. Datars Bere, M. Johnson, G. Kotsifas, L. Livingstone, C. Saunders, M. Schulthess, and J. Taylor.

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

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Consent

None.

### 3. Scheduled Items

None.

### 4. Items for Direction

#### 4.1 City of London Housing Service Review: Proposed Action Plan

That on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the City of London Housing Service Review:

- a) the staff report dated September 16, 2019, and the subsequent updated report, BE RECEIVED;
- b) Option 3 identified in the reports, noted in a) above, BE APPROVED;
- c) the Civic Administration BE DIRECTED to take all necessary steps to implement the above-noted Option 3;
- d) the Civic Administration BE DIRECTED to report quarterly to Municipal Council with a status and progress update on the implementation of Option 3;
- e) the City Clerk BE DIRECTED to make the necessary arrangements to bring forward the appropriate by-laws to implement actions identified in Option 3; and
- f) the Civic Administration BE DIRECTED to report back to Corporate Services Committee on the feasibility of using the same approach taken for affordable housing to reduce the effective tax rate for London Middlesex Community Housing (LMCH) buildings to be equivalent to the residential tax rate, including any amendments that may be necessary to the Municipal Housing Facilities By-law to do so;

it being noted that the Strategic Priorities and Policy Committee received communications dated September 12, 2019 from D. Astolfi and J. Atkinson, and received verbal delegations and the attached submissions

from the Housing Development Corporation and the London & Middlesex Community Housing.

**Motion Passed**

Voting Record:

Moved by: Mayor E. Holder

Seconded by: S. Lewis

That on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the City of London Housing Service Review:

- a) the staff report dated September 16, 2019, and the subsequent updated report, BE RECEIVED;
- b) Option 3 identified in the reports, noted in a) above, BE APPROVED;
- c) the Civic Administration BE DIRECTED to take all necessary steps to implement the above-noted Option 3;
- d) the Civic Administration BE DIRECTED to report quarterly to Municipal Council with a status and progress update on the implementation of Option 3; and,
- e) the City Clerk BE DIRECTED to make the necessary arrangements to bring forward the appropriate by-laws to implement actions identified in Option 3.

Yeas: (7): Mayor E. Holder, S. Lewis, M. Salih, J. Morgan, P. Van Meerbergen, E. Pelozza, and S. Hillier

Nays: (6): J. Helmer, M. Cassidy, P. Squire, A. Hopkins, S. Turner, and A. Kayabaga

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (7 to 6)**

Moved by: J. Helmer

Seconded by: S. Lewis

That Civic Administration BE DIRECTED to report back to Corporate Services Committee on the feasibility of using the same approach taken for affordable housing to reduce the effective tax rate for London Middlesex Community Housing (LMCH) buildings to be equivalent to the residential tax rate, including any amendments that may be necessary to the Municipal Housing Facilities By-law to do so.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

Moved by: M. Cassidy

Seconded by: A. Kayabaga

That the communications dated September 12, 2019, from D. Astolfi, Canadian Mental Health Association Middlesex, and J. Atkinson, London Poverty Research Centre, Kings University, BE RECEIVED.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

Moved by: S. Hillier  
Seconded by: M. Salih

That the following actions be taken with respect to the delegation request from Housing Development Corporation:

- a) the communication dated September 10, 2019, from S. Giustizia, Housing Development Corporation, with respect to a request for delegation, BE RECEIVED for information;
- b) the delegation request from Housing Development Corporation BE APPROVED to be heard at this time; and
- c) that pursuant to section 36.3 of the Council Procedure By-law, the delegation from Housing Development Corporation BE PERMITTED to speak for 15 minutes with respect to the City of London Housing Service Review: Proposed Action Plan.

Yeas: (12): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (3): M. van Holst, S. Lehman, and S. Turner

**Motion Passed (12 to 0)**

Moved by: A. Kayabaga  
Seconded by: E. Pelozza

That the following actions be taken with respect to the delegation request from London & Middlesex Community Housing:

- a) the communication dated September 12, 2019, from S. Quigley, London & Middlesex Community Housing, with respect to a request for delegation, BE RECEIVED for information;
- b) the delegation request from London & Middlesex Community Housing, BE APPROVED to be heard at this time; and
- c) that pursuant to section 36.3 of the Council Procedure By-law, the delegation from London & Middlesex Community Housing BE PERMITTED to speak for 15 minutes with respect to the City of London Housing Service Review: Proposed Action Plan.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

**5. Deferred Matters/Additional Business**

None.

**6. Adjournment**

Moved by: S. Turner

Seconded by: A. Kayabaga

Motion to adjourn.

Yeas: (13): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier

Absent: (2): M. van Holst, and S. Lehman

**Motion Passed (13 to 0)**

The meeting adjourned at 6:43 PM.



**Housing Development Corporation, London (HDC)  
Board of Directors**

Mayor Holder and Members of City of London Municipal Council  
Sitting as Strategic Priorities and Policy Committee (SPPC) and as Sole Shareholder of HDC  
For the SPPC Special Meeting of September 16, 2019

City Hall, 300 Dufferin Avenue  
PO Box 5035  
London, ON N6A 4L9

Dear Mayor and Members of Municipal Council:

**REGARDING:           HDC RESPONSE TO COUNCIL (AS SOLE SHAREHOLDER) ON THE  
                              HOUSING SERVICE REVIEW**

---

Civic Administration has provided Municipal Council with a plan and options reflecting bold strategies to build a stronger municipal housing system. ("Housing Service Review - Proposed Action Plan", SPPC, Sept. 16, 2019). The Board and Staff of HDC share in the importance of this outcome.

In late 2016, Municipal Council appointed the members of the HDC Board as stewards to oversee the start-up of HDC, as a new municipal service corporation and as a progressive and focused response to helping create more new and regenerated housing units in London and Middlesex. The start-up activities of HDC were guided by the Council approved business plan that positioned HDC as an external driver and an internal partner to creating more affordable housing. In other words, HDC was established to work with the City and its many service areas and with others in the community and beyond to incubate and deliver new housing solutions as well as the tools and resources needed to make them happen.

To date, the HDC Board and Staff have been able to exceed those actions while also enabling new affordability programs and policies, including those identified in the London Plan, and those recently adopted within Council's new Strategic Plan that still require budget consideration. Since its appointment and staff recruitment, HDC has been able to deliver on its plan to be a specialized body with a focused intent to affordable housing, leveraging new funding, and supporting the creation of more housing for those in need. This includes over 80 units of market housing and 45 units of (height and density) "bonused" housing created through its unique incubation and negotiation practices. HDC also continues to advance in its mandate to activate lands and other resources toward future housing projects.

It is this "future-focus" to housing development that defines the value proposition of HDC. The future of affordable housing will rely on harnessing the combined efforts and resources of municipal services, private developers, non-profit housing providers, new funding tools, community organizations, and support service providers (across other sectors) - all working together.

...2





**Housing Development Corporation, London (HDC)  
Board of Directors**

2.

It is within this context that the HDC Board received the summary findings of the KPMG review. Disputing the KPMG report would only detract from Council's proposed directions, yet it cannot go without some redress. The report reflected measures, risks, and comments related to HDC that were misaligned with the directions, actions, impact, and value of the organization. The HDC Board met with Civic Administration on these concerns to ensure that the tools, processes, and relationships created by HDC were understood and, more importantly, can be retained within any future changes that may occur.

Subject to Council's consideration, the options proposed by Civic Administration remove the current HDC governance structure as a means to building a more responsive municipal housing system. The HDC Board and Staff share in the need for this strong housing system. HDC has participated and led discussions related to these interests and has endeavored to only work together to support these goals.

The HDC Board hopes that Council, Civic Administration, and all Londoners recognize the contributions made and importance of retaining the work of the specialized HDC body, with its highly skilled staff and resources, to further advance their work with the City and with the community. Within whatever directions emerge, the members of the HDC Board remain willing to work with Civic Administration so that the gains made, projects underway, organizational culture established, outcomes achieved, and the value gained by HDC can continue within the emerging system.

Members of the HDC Board and Staff remain available to respond to Civic Administration and Council.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dick Brouwer", is written over a light blue horizontal line.

Dick Brouwer, Chair on behalf of the Board of Directors  
Housing Development Corporation, London (HDC)



1) Leadership based on Collaboration

2) LMCH Path Forward

PRESENTATION TO SPPC • September 16, 2019

## CAPACITY

LMCH has roughly 50% of the Staff complement that Ontario Housing had for London & Middlesex pre-devolution in 2000. Our Assets are now 50 years old on average, with funding stagnant and regulations that are restrictive.



LMCH WE CARE



## PROGRESS & PROCESS

Doing more with what we have:

- Operational Plans to substantiate and provide clarity on implementation over next 4 years: Strategic Plan, Regeneration Strategy, Asset Management Plan, Tenant Engagement and Community Development Framework, Financial Plan, Strategic Resource Plan
- LEAN and Continuous Improvement
- Insite Optimization
- Key Performance Indicators
- Pilot on Pest Control
- Zero-based budgeting
- Document Management System: improving paper processes
- Enterprise Risk Management
- Project Management System
- Service Standards and Metrics
- Eviction Prevention and Housing Stabilization Strategy
- Social Procurement Policy



## PATH FORWARD

To provide the best social housing we can within financial and operational constraints

We provide homes for nearly 5000 people in London and Middlesex.

*In our 2020-2023 Multi Year Budget Request, we articulate a need for an average year over year increase of 17% on operating, and an investment of 8 times the current annual capital allotment:*

**4 year Capital Request: \$ 71.4M**

Begins to meaningfully address critical capital requirements

**4 Year Operating Request: \$69.6 M**

Brings LMCH operating budget more closely in line with average revenue for Local Housing Providers across the province.

LMCH WE CARE





## PATH FORWARD

Leadership in Housing

- 350 New Units through City of London Strategic Plan
- Regeneration strategy ready to action
- Renew and Repair CMHC funding
- Aligning and inviting other service providers into our buildings to ensure supports
- Focusing resources on the tenant experience and housing stock



## VACANCY

TURN AROUND GOAL of 60 days average

- Accounts for variety of levels of repair to create the average
- Recognizes legislative constraints in filling units from wait list



LMCH will achieve 2% vacancy by end of 2019, filling over 4,000 units.

LMCH WE CARE



Housing matters  
People matter *more*

LMCH WE CARE



## CAPITAL SPENDING

- 10.7M in capital to be spent in 2019
- 5.7M of this is Provincial dollars
- Capital reserves are held by the city and the way money flows creates a 4-6 month delay in committed, spent and actual reserves remaining
- There are clearly defined rules for Capital v. Operational expenditures
- The 2.2M annual capital allocation has not grown in over a decade while the buildings have continued to age
- The Asset Management Plan outlines critical expenditures over the next four years to address aging building infrastructure

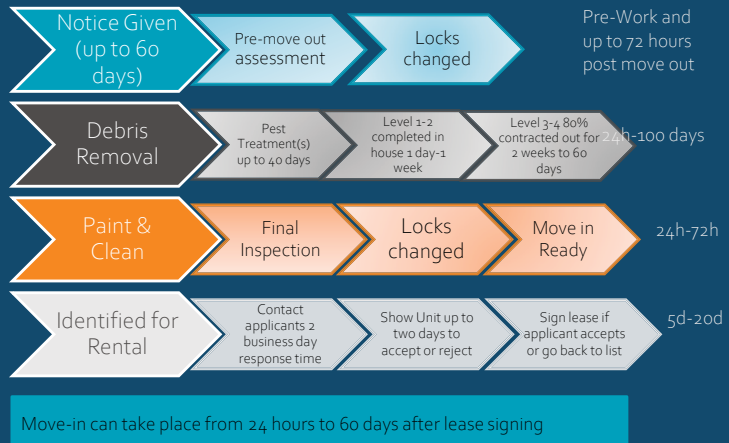


# VACANCY

WE CAN address vacancy, however, we must be realistic

- o PESTS
- o DEBRIS
- o LEVEL OF REPAIR
- o UNIT REPAIR STANDARDS
- o TENANT ONBOARDING UNDER RGI AND WAITLIST CRITERIA

all play a role in # of days to turn a unit around.



# PATH FORWARD

A noticeable step towards sustainable community housing.

What does this kind of INVESTMENT buy?

4 year Capital Request:

\$71.4M

- LIFE SAFETY SYSTEM PROJECTS
- BUILDING SYSTEM REPLACEMENTS
- UNIT HOUSING STANDARDS
- RE-CAPITALIZATION OF ASSETS
- EXTENDED SERVICE OF CURRENT HOUSING STOCK

4 Year Operating Request:

\$69.6 M

- SAFETY AND SECURITY OF SITES & TENANTS
- 300% INCREASE IN ON SITE SERVICE & SUPPORT
- SERVICE STANDARDS AND METRIC REPORTING TO DELIVER
- CAPACITY TO DELIVER CAPITAL PROJECTS & REGENERATION



# PATH FORWARD

A noticeable step towards sustainable community housing.

4 Year Operating Request: \$69.6 M

Brings LMCH operating budget more closely in line with average revenue for Local Housing Providers across the province.

- LMCH Current Operating 22.2 M
- LMCH MYB Operating 29.5 M
- Other Provincial LHC 31.9 M
- AMR - London CMA 35.9 M



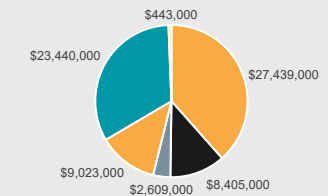
# PATH FORWARD

A noticeable step towards sustainable community housing.

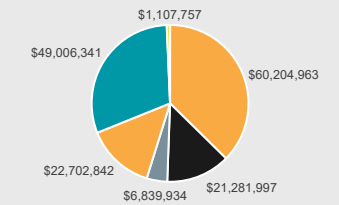
4 Year Capital Request:

\$71.4M

Four Year Capital Investment Breakdown



10 Year Capital Investment Breakdown



# PATH FORWARD

## Connecting to LMHC strategic objectives

Appendix G: KPI Framework



**"We provide and maintain homes in a safe and supportive environment to meet the needs of the people we service in our communities"**

	Organization	Finance	Tenant Services	Community Development	Property Services	Regeneration & Capital
<b>Strategic Objective</b> →	Creating a Healthy & Effective Organization	Establish long-term financial growth and stability	Engage, Support and Empower Tenants	Safe & healthy communities	Improve, Renewal and Maintain the homes we offer	Revisualizing how we manage our properties
<b>Outcome</b> →	Sustainable housing portfolio	Realizing financial and physical infrastructure sustainability	Responding to tenant needs (better service to tenants)	Creating healthier communities (safer communities)	Improving and maintaining buildings (returning the housing stock to good repair); Buildings are clean and well maintained	quality homes Tenants living in clean and well-maintained buildings
<b>Metrics</b> →	<ul style="list-style-type: none"> <li>Sick time</li> <li>Vacation time</li> <li>Incidents</li> <li>Grievances</li> <li>CARE</li> <li>Conversations % completed</li> <li>Staff turnover;</li> <li>New Hires</li> </ul>	<ul style="list-style-type: none"> <li>Manageable Costs</li> <li>Rent Arrears; Rent Arrears %; Rent Surplus/(Deficit)</li> <li>Average Days Monthly Closed</li> </ul>	<ul style="list-style-type: none"> <li>Complaints</li> <li>Referrals Calls Answered; Calls Dropped</li> <li>Housed</li> <li>Walk-ins</li> <li>Managed Arrears</li> <li>Move-outs</li> <li>Evictions</li> <li>Average Time to Lease</li> </ul>	<ul style="list-style-type: none"> <li>Average length of tenancy (% by number of years)</li> <li>Community partners meetings</li> <li>Tenant Group Meetings</li> <li>Tenant Run Activities</li> </ul>	<ul style="list-style-type: none"> <li>Work orders</li> <li>Average WO Response Time</li> <li>Vacancy Rate</li> <li>Vacancy Loss</li> <li>Average Unit Turnover Time</li> <li>Building Audit</li> <li>Average Days Vacant</li> <li>Inactive Units</li> </ul>	<ul style="list-style-type: none"> <li>FCI – NT (% of Building in Range)</li> <li>% Capital Spent vs Approved</li> <li>% of projects started - BL</li> <li>% of projects completed</li> <li># Total of projects<sup>1</sup></li> </ul>



**From:** Claudia Clausius  
**Sent:** Friday, September 20, 2019 2:43 PM  
**To:** Lysynski, Heather <[hlysynsk@London.ca](mailto:hlysynsk@London.ca)>  
**Subject:** 307 Fanshawe Park East Development Z - 9006

Dear Ms. Lysynski,

I am writing today in regards to the 307 Fanshawe Park Road East development that is being proposed by Premier Homes.

This process has been to PEC once before; PEC had concerns with the proposal and sent it to City Council, who also had questions, and asked that it be reviewed by the Urban Design Peer Review Panel who voiced almost identical concerns as the other two committees.

On Monday this proposal will once again appear before PEC, again with the endorsement of the City Planners. What I find surprising and not a little discouraging is the fact that the "new" proposal is almost identical to the earlier proposal.

What is even more alarming is that the specific concerns voiced by all three committees, but specially also the UDPRP, have not only not been addressed, but in some cases are now worse!

Please allow me to be specific:

1. One of the main issues with PEC, City Council, and UDPRP was the loss of trees and the total lack of green space. The new plan preserves FEWER trees than the original plan. Indeed, laughably, the trees that are designated to be preserved are those of neighbouring properties. There is still no landscape plan. And there is no plan to replace the mature trees that will be removed. I would like to underline the fact that the 307 lot is an officially designated TREE PRESERVATION ZONE. In view of all the global talk of preserving trees in order to keep cities healthy, it seems an obsolete and short-sighted move to remove all the mature trees on this lot for the sole purpose of installing a large parking lot.
2. The density that the City Planners are recommending reflect an R8 zoning. Premier Homes' FIRST proposal was for an R5. In view of the many violations to the two City Plans that the R5 required, the City Planner suggested the developer ask for an R8 zone. This R8 rezoning request did not go through and the proposal returned to R5. However, the density that is now being recommended **openly** refers to an R8 rezoning to justify the hyper intensification that an R5 would not permit. We are discussing an R5 rezoning and the density therefore must be commensurate with R5 and not R8.
3. The proposal also has makes no provision for sensible snow removal. It would seem that snow removal cannot be accomplished to the designated areas along the periphery if there are cars in the parking lot!
4. Several speakers on both PEC and City Council - as well as two arms-length experts speaking at UDPRP - expressed strong concerns regarding the size of the parking lot: 63 spots. In order to accommodate this many parking spots, the trees must go, there cannot be any green space for the future residents; the noise and light buffering that trees would ensure is now also destroyed. One option expressed at UDPRP was to put the parking underground. This would solve many problems: save the trees, provide more green space, create set backs that reflect the By-Laws. The developer has refused to consider the underground parking option.
5. The set backs are still notably less than those required by the By-Laws. The very narrow set backs currently in place push the buildings close to the neighbours, invading their privacy, and making noise and light pollution inevitable. In fact, one of the changes in the current proposal is to replace a wall of valance with full

height windows! This only exacerbates the loss of privacy. This is neither fair nor respectful.

We have said from the start that we are keen to see this empty lot developed. We have been active in making suggestions; we have agreed to the footprint of the buildings; we have met with the City Planners on numerous occasions and been assured that we are being 'heard.' Indeed, some of the red flags we alerted people to regarding drainage problems have now also been noted by the City Planners.

It is completely bewildering - not to mention rude and a waste of everyone's time - that the proposal before us now seems to have willfully ignored the specific issues that PEC, City Council, and the UDPRP have pointed out. It is no longer just the neighbourhood association whose concerns are being ignored, but the very voices in City Hall.

I fervently request that this version of the proposal be denied and that Premier Homes be asked to resubmit plans that address the specific problems that have already been noted.

With sincere respect,

C. Clausius

Dr. Claudia Clausius  
Associate Professor  
Department of English, French, and Writing  
Coordinator: Foundations/King's Scholar  
King's University College at Western University  
<https://www.kings.uwo.ca/academics/english/people/dr-claudia-clausius/>

**From:** Michael J Crawford

**Sent:** Friday, September 20, 2019 1:37 PM

**To:** Smith, Craig <[crsmith@London.ca](mailto:crsmith@London.ca)>

**Cc:** Yeoman, Paul <[pyeoman@london.ca](mailto:pyeoman@london.ca)>; Tomazincic, Michael <[mtomazin@London.ca](mailto:mtomazin@London.ca)>; Kotsifas, George <[gkotsifa@London.ca](mailto:gkotsifa@London.ca)>; Deb Beverley; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Lysynski, Heather <[hlysynsk@London.ca](mailto:hlysynsk@London.ca)>

**Subject:** 307 Fanshawe E Z-9006

Dear Mr. Smith,

I am writing to register my disappointment and bewilderment regarding the decision and reason given by City Planning for the support of the development at 307 Fanshawe. It is sad to be put in the position of once again having to respond to ask minute changes to the posted plans and the recommendation of City Planning. Please ensure that my comments are registered on record.

It is clear that there were fundamental doubts regarding the fit and advisability of the proposal last May, and City Council overwhelmingly referred the application back to City Staff with a specific remit:

1. Urban Planning Peer Review Panel assessment
2. Tree Protection
3. Elevation
4. Density
5. Site Grading

With regard to the above:

1. UDPRP asked for the applicants to return with more fulsome designs, and this has not happened.
2. The Tree Protection Plan now preserves fewer trees than before (14 versus 20, and none within the exclusive jurisdiction of the developer). Re-planting and landscaping have been deferred to the Site Plan stage.
3. The elevations now demonstrate LESS privacy for the neighbour west of the main block (full sized windows all the way up despite a set-back reduction).
4. Density is acknowledged in your document normally to be a maximum of 60 units per hectare for R5, but a former application of R8 is used to justify a density of R8: in point of fact the applicant had originally applied for R5 in May, City Planning briefly advised a change to R8, but what was brought to PEC and City Council was R5. I interpret this to mean that City Planning seems set on pushing a maximum intensity without regard for the parts of the City Plan and Bylaws that would dictate greater respect for adverse consequences for neighbours. If suburban expansion has put the City in the position of having to max out intensity in infill intensification, is it fair that infill neighbours pay the cost for prior bad priorities and decisions on the part of City Planning?
5. Site grading, formerly endorsed by City Planning to slough water off to the periphery (and potentially neighbours), now seems to collect much of the water centrally for controlled release via swales to a single catch basin easement. Not addressed practically is the thorny issue of snow storage: the area proposed would only be accessible if no cars were in the parking lot. As a consequence, the only spaces left for plows to deposit snow will be at the ends of the two parking lots where stored snow will inevitably threaten neighbouring properties.

The recommendations and analysis of UDPRP did indeed accept the general mass and density of the proposal, but there were CRITICAL qualifying issues they raised that are now being ignored in the endorsement by City Planning. In the open words by one of the architects at UDPRP: "That's a lot of parking lot". Sensitivity to buffering, the lack of a landscaping plan, the poor elaboration of a tree plan, the lack of common green amenity space for future residents, and a suggestion to put parking underground have not been adequately addressed. The developer counters that amenity space meets requirements (swales qualify as usable space?), and that underground parking is too expensive to install. Landscaping etc is deferred to Site Planning phase. The City's own panel of arm's length experts seem to be siding with the Community Association, nevertheless City Planning is endorsing this contextually inappropriate and insensitive re-zoning application. If the City Plan and Bylaws were to be respected in a context-specific manner, the developer would have only two options: bury the parking, or reduce the number of parking spots and thereby reduce density. Why is City Planning not suggesting either? City Planning's support for re-zoning at 420 Fanshawe included underground parking



and generous set backs. Why is that not being pursued here where the size and shape of the lot is particularly awkward and the adverse impact on neighbours is likely to be more extreme?

In addition, I note that the plan offers no accessible housing, no electrical outlets for electric cars, no bicycle parking, and improper parking lot design (three areas impinge into the bylaw-required 3 m buffer zone, and headlights for many cars will be directed onto neighbours' properties).

Given that the neighbourhood has been explicit in its support of intensification (20 units), voiced acceptance of the footprint size of the buildings, this recommendation with its even worse acknowledgement and address of buffering is both disappointing and disturbing.

Sincerely,

Michael Crawford  
21 Camden Place

**From:** John Howitt

**Sent:** Friday, September 20, 2019 3:14 PM

**To:** Smith, Craig <[crsmith@London.ca](mailto:crsmith@London.ca)>

**Cc:** Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Deb Beverley FRED CULL; Anne MacDougall

**Subject:** Re-Zoning Application Z-9006: Old Stoneybrook Community Response

This email is to let you know that my wife and I fully support the very thoughtful and detailed response of the Old Stoneybrook Community Association and share the concerns that are expressed in that response. I urge everyone to read this response as it represents the interests of the taxpayers of our community.

I have attended the meetings at city hall regarding this proposal and listened to both objections and responses and I am baffled at how little attention seems to have been paid to the suggestions of the Urban Design Peer Review Committee. Tree preservation is not addressed. A now rather green space dotted with trees will be covered with concrete and pavement and create drainage issues for many neighbours in times of heavy rainfall or snowfall. In short the project is just a little too big for the space when one takes into consideration the elevation change and the proximity of neighbourhood homes.

We support reasonable intensification that contributes to the neighbourhood.

*John Howitt and Anne MacDougall  
1281 Hastings Drive*

**From:** Bret Downe

**Sent:** Thursday, September 26, 2019 3:53 PM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>

**Subject:** [EXTERNAL] Fw: 307 Fanshawe Park Rd East, concerns with the proposed site plan

Dear Mayor,

I hope that you are all well.

Thank you, in advance, for your time and effort to make the outcome something that is as stress free as can be.

I understand that we are doing what we can, now, to increase the population density in the city in order to mitigate the loss of more land being used for agricultural and other purposes. Looking back, this was of no concern, 50 years ago when the Stoneybrook neighbourhood was created.

I spoke with neighbours of the property, and we've had good discussions.

Some of the problems we discussed, and others are being raised in the newsletter circulated by the Old Stoneybrook Community Association.

It's my impression that

1. the character of the perimeter of the property that is adjacent to neighbours needs to be maintained and, given the development proposal, improved upon; the landscaped space, trees and vegetation act as a physical barrier, both buffering noise and allowing some privacy that is beneficial for all people living there.

Given that the Urban Design Peer Review Panel (UDPRP) was approached and a request was made for recommendations, it's my impression that to contradict or ignore those recommendations would be to undermine and de-legitimize the process.

2. the proposed development has yet to address the anticipated negative effect of snow storage and melt run-off along the boundaries shared with neighbours. Herein lies a chronic by-law infraction waiting to happen, that is best dealt with proactively, for the benefit of all.

3. the proposed method of draining run-off by way of a pipe located in an easement would result in maximum disruption to neighbouring property if construction is necessary.

Is it absolutely necessary to go this route and can the development make use of the existing drainage infrastructure available on Fanshawe Park Road?

4. It's unclear if the developer is attempting to do an end run around both the process and the neighbours.

If they are, in fact, or even if they appear to be, and things are allowed to proceed, what is going to be the anticipated reaction and recourse?

I think that we are learning as we go, with this process, and it's my impression that it is best to maintain and improve the integrity of the system and the process while moving carefully in the direction of the pursuit of policies by which we have agreed to be governed by.

Best Regards,

Bret Downe

35 Hammond Crescent N5X 1A5

Bill Day  
1277 Hastings Drive  
London, ON  
N5X 2H8

Sept. 12<sup>th</sup>, 2019

Dear Mr. Holder

Re: 307 Fanshawe Park Road East – possible zoning change

As you will recall, City Council referred the original application for a zoning change back to City Planning and the Planning and Environment Committee (PEC) by a vote of 12 to 2. There were concerns at Council regarding fit, character, sanitary and storm water management, buffering, removal of trees and density. As a result, the developer was asked to undertake the extraordinary step of outlining their proposal to the Urban Design Peer Review Panel (UDPRP).

On Sept. 23<sup>rd</sup>, the developer's proposal will again be discussed and voted on by the Planning and Environment Committee. It is of great concern to us that few, if any, of the recommendations made by the UDPRP seem to be reflected in the revised proposal. For example:

- ❖ no modification to reduce the footprint of the parking lot (put it underground).
- ❖ no provision of useful green amenity space for development residents.
- ❖ no change of parking plan to facilitate garbage pickup and ameliorate parking traffic issue.
- ❖ no change of building block 2 position.
- ❖ no provision of a full and revised tree plan and landscaping - buffering that was deemed sensitive and critical by UDPRP. In fact, it appears as though even fewer mature trees will be saved, with swales built around most of the lot.

Additionally, the traffic issues raised have not been addressed. The proposed snow storage plan would require the parking lot to be empty for the snow to be piled where proposed. And, while the sanitary and waste water flow rates proposed are deemed adequate, they are based on the time of construction in 1972, with infrastructure that is 47 years old.

It seems like the proposal supports the provisions for maximum density allowable by the London and Official Plans and bylaws, but ignores directions in those same documents regarding buffering, parking lot design, privacy, green amenity space, accessibility, and sensitivity to avoid adverse impacts on neighbouring properties. Moreover, when these issues are raised, we are told they are a matter for the Site Planning process once rezoning has been accomplished. Once the rezoning is approved, if the maximum density is allowed, it will be very hard to make any effective changes during the site plan proposal phase. We then also must rely on enforcement by the city, and every indication is that this will not likely be the case. In fact, we have been told that the city will not be liable should the builder cause problems for our existing homes.

Please give serious consideration to modifying the proposed zoning changes to reduce the density and size of the project. All of us know that something will be built at 307 Fanshawe Park Road East and it is not our intention to try to stop that. We understand the developer's desire for making a profit on an expensive piece of land. We understand the city policies regarding the infill of similar lots. But we also believe it is crucial that whatever is built does not unduly change the character of the neighbourhood and does not lead to damage and headaches for the people who live around the lot, in many cases for 40 years or more. We suggest that the zoning for this property ensure that a smaller development is built.

Sincerely  
Bill Day

**From:** Bill Day  
**Sent:** Thursday, September 26, 2019 9:27 AM  
**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>  
**Cc:** Linda Day  
**Subject:** [EXTERNAL] 307 Fanshawe Park Road East

Mr. Holder,

The rezoning proposal for the property at 307 Fanshawe Park Road East comes to the full council on October 1st, once again without a recommendation from the Planning Committee.

Please consider the following when making your decision.

- While all who have looked at this proposal seem to indicate the size is acceptable, most also feel the amount of parking is not. Therefore, it would seem there would be three options for the developer: reduce the size to reduce the parking, reduce the parking spaces as suggested by Mr. Helmer, or build an underground parking garage. If the developer is not in favour of the parking changes, then council should rezone only for 20 units, which would fit the R5 designation.

- The proposal to get the property of trees, especially the beautiful hedge which already provides much of the needed privacy and separation between the existing homes and the new development goes against all policies of a "forest city". Most Londoners do not believe the city is doing a good job protecting trees; here is a great opportunity to do so. Make this a protected tree environment and keep as many trees as possible. This again speaks to the need to reduce the amount of parking space.

Thank you once again for taking the time to listen to our community.

Bill Day  
1277 Hastings Drive

--

**From:** Michael J Crawford

**Sent:** Wednesday, September 25, 2019 7:31 PM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>

**Subject:** [EXTERNAL] Developer unwilling to compromise to community, to City Council, to UDPRP

Dear Mayor Holder,

I am writing as a neighbour fated to reside beside a prospective development at 307 Fanshawe. The lot has a footprint with only 17% of its border on Fanshawe. It is long and narrow, and the remaining 83% is enclosed by single family residential homes of one third to half the proposed height. The narrowness of the lot makes its development a challenge. The community endorses development, but not the complete stripping of trees to make way for a big parking lot.

The developer wants higher density than normally approved in high density/commercial centres (60 units per hectare), and has asked for a density of 75. Ours is not a high density designated area. This equates to 42 units in stacked townhouses, and 63 parking spaces.

As a community, the parking lot is driving most other concerns - it necessitates the removal of ALL TREES from the lot, despite it being a designated tree protection zone. Council sent the application back to Staff, and also requested UDPRP input. UDPRP made preliminary points and asked for a return with more fulsome plans. This has not occurred. In the words of the UDPRP Chair "this is a lot of parking lot!" The developer is unwilling to put parking underground, and rejected a suggestion by Councillor Helmer to install only as many parking spots as there are units (42). Apparently this is a common restriction elsewhere. This too was rejected. Councillor Squire voted against the motion to approve, we suspect for this unwillingness to accommodate or modify plans. Indeed, almost all suggestion from UDPRP have been ignored, deferred, or - one concession, better building materials and elevations - degrade privacy for neighbours further. In some respects, the developer's modified plans are worse now than in the original application rejected by Council (more trees removed, less privacy for neighbours from windows in building elevations).

At risk, the privacy, noise, sound, and visual buffering of all neighbours. In addition, there is no central green amenity space for prospective residents of the proposed complex despite recommendations by UDPRP.

I am hopeful you will either reject, or at the very least limit this application.

Many thanks for your consideration and time,

Michael Crawford  
21 Camden Place

**Sent:** Tuesday, September 24, 2019 12:39 PM

**To:** Goldrick, Jeanne Anne

**Subject:** [EXTERNAL] Traffic concerns at 307 Fanshawe Park Road

Hello, City Council and Mayor Holder,road

On September 23, the PEC met for a second time regarding an intense infill project at 307 Fanshawe Park Road East (42 units with 63 parking spaces). Some confusion arose with regard to the access to Fanshawe. Residents heading east on Fanshawe will be able to turn into the property and those who wish to head east from the property will have no difficulty. However, if you are heading west and wish access to the property, you have to make a u-turn at the light-controlled intersection of Hastings/Jennifer & Fanshawe. If you wish to exit the property to go west, you have to travel east on Fanshawe to the uncontrolled intersection of Hastings Drive (east end) and Fanshawe and make a u-turn.

This creates a very dangerous situation, not only for motorised vehicles, but also for pedestrians trying to cross a 4 plus turn lanes highway. It would be better for the development to have fewer units which in turn would reduce the number of vehicles needing to make the above decisions.

Thank you,

John Goldrick,

1261 Hastings Drive,

London



**From:** Debbie Beverley

**Sent:** Wednesday, September 25, 2019 8:51 PM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>

**Subject:** [EXTERNAL] Plea for Support: Application Z-9006, 307 Fanshawe Park Rd E.

Dear Mayor Holder:

I am writing to you today to ask you to vote 'No' to the current re-zoning application that you will be voting on at Tuesday's Full City Council meeting. The application I am referring to is 307 Fanshawe Park Rd E., file number Z-9006. You might recall that this same application came to you to consider back in June of this year. At that meeting you referred the application to an Urban Design Review Panel (UDRP). The application went to UDRP this summer and they agreed in principal with the number of units and footprint of the building, however they had a number of MAJOR concerns related to the elevation (appearance of the structure), the size of parking lot, the removal of many trees on the lot, and lack of central amenity space for the residents. While the developer made an adjustment to the appearance of the structures (and I am grateful for that), all other MAJOR concerns noted by UDRP went unanswered and the application unchanged.

One key issue at Monday's PEC meeting was parking (currently set at 63 spaces) and the developer has made no attempts to compromise at all, the offered alternatives were:

1. Reduce the number of units to 20 and parking to 30 spaces (Old Stoneybrook Community Association suggestion)
2. Retain 42 units but however put the 63 parking spaces underground (UDPRP suggestion and Old Stoneybrook Community Association concession)
3. Retain 42 units but reduce parking to 42 above ground (Councillor Helmer suggestion)
  - Personally, I would have welcomed this concession, it would have provide the 42 units the developer wishes to build, and allowed for the removal of 2 dangerous parking spots that are on the curve of the main 'in / out' road for the lot, and reduced the amount of impermeable surface allowing for better and more natural drainage, and had many other positive effects.

Another large concern I have, as I border the property in question and have a pool approximately 4 feet from the lot line, are the swales (drainage) that will surround the property. The applicant's engineers say that the swales will hold water, releasing it slowly over a 24-48 hour period until it is completely dry. However, we know from other Developments (Whether Avenue, no pun intended) where the drainage is NOT working as it should and residents have flooding in their basements and their backyards full of mosquitos that were not there prior to the development. As a Mum of two children, I am concern not just about bug bites, but West Nile virus and others that are making their way northward. Mosquitos are not just a nuisance but a health risk.

I am also very upset to learn that the developer plans on removing ALL trees on the lot (more than the application you saw in June, and more than the UDRP saw when they voiced concerns about the number of trees being removed), with the exception of those that are shared with neighbours, or on neighbouring properties. It is interesting ... tree's on neighbouring properties will remain.... However, they can't be touched, so why are we be made to feel that we should say thank you that OUR own trees will remain?

Please understand, I do welcome development, and contrary to what I might have conveyed in other correspondence, I am not against lower income families, diversity, aged, students or any other neighbours that will live at 307 Fanshawe. I simply want to push for a building size, number of units, parking spaces and amenity space that create no adverse impact on Old Stoneybrook, and can be a source of joy and appreciation for the residents who will one day live there, they deserve a lovely neighbourhood, as I do we all.

In closing, please say 'No' to this application in it's current form, file number Z-9006. You enforced tree protection, reduced parking, and good buffering at other sites (Windemere, 420 Fanshawe as examples), I ask that you do the same at 307 Fanshawe. Help use put an intensified development in place that creates more housing for London and integrates well with the surrounding neighbourhood of Old Stoneybrook.

I greatly appreciate your continued attention and consideration of this matter.

Warmly,  
Deb Beverley  
25 Camden Place

**Sent:** Wednesday, September 25, 2019 8:03 PM

**To:** van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Lehman, Steve <[slehman@london.ca](mailto:slehman@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Van Meerbergen, Paul <[pvanmeerbergen@london.ca](mailto:pvanmeerbergen@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Peloza, Elizabeth <[epeloza@london.ca](mailto:epeloza@london.ca)>; Kayabaga, Arielle <[akayabaga@london.ca](mailto:akayabaga@london.ca)>; Hillier, Steven <[shillier@london.ca](mailto:shillier@london.ca)>; City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Lewis, Shawn <[slewis@london.ca](mailto:slewis@london.ca)>

**Subject:** [EXTERNAL] re: DEVELOPMENT of 307 Fanshawe Park Road East.

Dear City Councillors and Mr. Ed Holder, Mayor,

Before you vote Tuesday October 1<sup>st</sup> on the newest proposal regarding the development of 307 Fanshawe Park E, please know that I, and others in the neighbourhood, still have concerns about the presented plan based on the following components, and we certainly hope these concerns (itemized below) will be addressed in detail by both the developer in any new application they submit as well as sincerely taken into consideration by the city before approval at your upcoming meeting:

1. Based on submissions at a meeting mediated by the city, the developer presented a tree plan that reveals an intention to build swales around most of the lot; however, now even fewer mature trees and buffering will exist than presented at the last PEC meeting in May.
2. The "revised" proposal exhibits no changes that reflect ANY of the UDPRP recommendations including
  - a. no modification to reduce the footprint of the parking lot (ie: put it underground)
  - b. no provision of useful green amenity space for development residents
  - c. no change of parking plan to facilitate garbage pickup and ameliorate parking traffic issues
  - d. no change of building block 2 position
  - e. no provision of a full and revised tree plan and landscaping despite buffering being deemed sensitive and critical by UDPRP
3. The snow storage plan would necessitate the parking lot be empty for snow to be piled where proposed—a difficult proposition given the spaces will indeed need to be used for parking.
4. Traffic issues have not been satisfactorily addressed. The developer's consultant recommended U-turns on Fanshawe, but during rush hour, these actions could lead to seriously negative consequences as drivers get impatient. U-Turns may not be illegal, but they are also not safe in large numbers.
5. While the city (and an impartial engineering advisor) deemed the sanitary and waste water flow rates proposed to be adequate, they are based upon calculations and flow rates established at the time of construction in 1972 - 47 years ago. We in the neighbourhood still request the City for more recent assessment of viability—and given climate change and the now common occurrence of mass rainfall events, this request could not be more timely and serious.

In conclusion, City Planning seems to support the provisions for maximum density allowable by the London and Official Plans and bylaws, but conversely seems to ignore suggestions and directives in those same documents regarding buffering, parking lot design, privacy, green amenity space, accessibility, and sensitivity to adverse impacts to the property, neighbourhood, and city as a whole. At best, this seems like a lack of due diligence, and at worst, a sad instance of cherry picking to suit various ends.

Additionally—and most alarmingly—I am told that the above concerns are a matter for the Site Planning process once rezoning has been accomplished; however, this seems like a case of the “the cart before

the horse”: once rezoning (and maximum density) is permitted, all the other Site Planning issues are rendered moot, and residents must take it as an article of faith that City Planning will enforce bylaws and UDPRP recommendations---essentially addressing the main concerns in this letter at a later date. This \*may\* prove true, but residents of this neighbourhood—myself included—would rather these very legitimate urban planning concerns be met—logically and legally—at the preliminary stage before ground is broken, as opposed to later as a matter of good faith.

Sincerely,

Robert Muhlbock  
64 Robinson Lane.

**From:** John Howitt

**Sent:** Thursday, September 26, 2019 9:16 AM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Lewis, Shawn <[slewis@london.ca](mailto:slewis@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Lehman, Steve <[slehman@london.ca](mailto:slehman@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Van Meerbergen, Paul <[pvanmeerbergen@london.ca](mailto:pvanmeerbergen@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Pelozo, Elizabeth <[epelozo@london.ca](mailto:epelozo@london.ca)>; Kayabaga, Arielle <[akayabaga@london.ca](mailto:akayabaga@london.ca)>; Hillier, Steven <[shillier@london.ca](mailto:shillier@london.ca)>

**Cc:** Michael J. Crawford FRED CULL Anne MacDougall Bill Day

**Subject:** [EXTERNAL] Re-Zoning Application Z-9006: Old Stoneybrook Community Response

Good morning.

Yesterday's London Free Press asked "Does London do a good job of protecting its trees?" 63% of respondents said "No". Please keep that in mind as you consider the proposal for the 307 Fanshawe site.

Another improvement to the proposal would be to reduce the number of parking spaces from 1.5 per unit to 1 per unit. This would reduce the required parking space and increase green area. There is a bus stop within 100 metres of 307 and it is only a 5 minute walk to the Masonville terminus.

Regards

*John Howitt and Anne MacDougall  
1281 Hastings Drive*

**From:** Mary Lacey

**Sent:** Thursday, September 26, 2019 10:13 AM

**To:** City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>

**Subject:** [EXTERNAL] Re-zoning application of 307 Fanshawe Pk Rd E

Dear Mayor Holder,

I again write to you to request that you reject the rezoning of 307 Fanshawe Pk Rd E when it goes to full council next week.

Develop yes but consider the concerns of the Old Stoneybrook neighbourhood when you do.

Maintain more trees and reduce the parking, there has to be a Compromise.

The loss of so many old beautiful trees would be a travesty.

I note the question of the day in the LFP yesterday was “Does London do a good job at protecting its trees ?”

Sadly, today’s answer indicates 63 % of the responses were “ NO”

Please don’t let Developers run roughshod over our Community.

Help us make this a win/win

Regards

Mary Lacey  
37 Camden Place

**From:** Catherine Traill

**Sent:** Wednesday, September 25, 2019 2:12 PM

**To:** van Holst, Michael <[mvanholst@london.ca](mailto:mvanholst@london.ca)>; Lewis, Shawn <[slewis@london.ca](mailto:slewis@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Lehman, Steve <[slehman@london.ca](mailto:slehman@london.ca)>; Van Meerbergen, Paul <[pvanmeerbergen@london.ca](mailto:pvanmeerbergen@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Pelosa, Elizabeth <[epelosa@london.ca](mailto:epelosa@london.ca)>; Kayabaga, Arielle <[akayabaga@london.ca](mailto:akayabaga@london.ca)>; Hillier, Steven <[shillier@london.ca](mailto:shillier@london.ca)>; City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>

**Cc:** Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>

**Subject:** [EXTERNAL] 307 Fanshawe Park Road East

Dear Councillors,

I am a fairly new resident to North London. I attended Western University, moved away for a job, and moved back with my young family (I have children aged 1 and 3) when we wanted to start a family. We chose this area precisely because we wanted to live in a slightly older neighbourhood with mature trees. It's a defining feature of London.

I am really disheartened by what I perceive as a lack of consideration by the developer for the existing community in Old Stoneybrook with respect to the 307 development.

**I fully support development at this site.** I know affordable housing is a real challenge in London. I am not even particularly concerned about the density at this location. The proposed 42 units is fine.

I am, however, extremely concerned about what comes with those 42 units. The size of the parking lot on this development is too large! This is a problem for several reasons:

- So many trees will need to be cut down in a tree protection zone. I do not understand the purpose of a tree protection zone if the trees aren't actually protected. New trees take such a long time to come to maturity. Trees capture water run-on, absorb carbon, provide shade, and they provide privacy for the adjacent neighbours.
- There is no space for adequate buffering with the adjacent neighbours. This necessitates cutting down border trees, and given the high differences between the buildings, there is not even canopy for neighbours to have reasonable privacy in their own back yard. The development does not respect the by-law specified set-backs, which are there for good reason.
- The snow storage plan is non-sensical. As I understand it, it works only if the parking lot is empty, which is never going to happen (and if it is empty, why did we build such a big parking lot in the first place?). So where does the snow go, and what are the consequences on adjacent neighbours?
- I am also concerned at the lack of green space and amenities in the property. I just cannot conceive of replacing all this grass and tree space with a massive asphalt parking lot given the imminent danger of climate change.

There are two other issues that merit attention. I am concerned about traffic at the intersection, since u-turns are hazardous on Fanshawe Park Road. If you drive this road regularly, you know the going speed is much closer to 80 km/hour than the posted 60. I also do not fully understand the catch basins/swales around the property, but I want to note that I am very concerned about the potential for mosquito growth.

Despite this, I'd like to see a progressive solution here. It is my understanding that parking lots are reduced from the specified allotment all the time. Why not a 1-1 ratio? 42 units and 42 car spots? Or, why not put the parking lot underground as per the UDPRP suggestion? There has to be a way to reduce the footprint of the lot.

Reducing the parking lot and/or reducing the density allows for what I think is a no-brainer compromise:

- retain more trees
- maintain more privacy for neighbours - including light buffering and sound buffering
- provide more useful green space, including moving the swales further away from the adjacent properties
- allow for a different snow storage solution

I reject the notion that these are considerations best left for the site plan stage. This proposal has felt rushed from UDPRP back to PEC for the second time and now back to City Council. We should not have to take it as a matter of faith that our objections will be met at the site planning stage, when it seems fairly clear that the developer does not want to meet them now. If they do not want to make changes now, there is no reason to think they will make them later.

I do not think that the developer should get precedence over community residents that are already here. I believe we have shown our willingness to accept the development in modified terms, so I would like to see the developer make some concessions so that everyone is happy. In some situations, this is not possible - **but the compromise seems so very obvious here!** Keep the trees and increase the buffering and privacy between the development and the neighbours, and most of the objections disappear.

Thank you for your time,  
Kate Traill  
19 Camden Road



**From:**

**Sent:** Friday, September 20, 2019 10:41 AM

**To:** [vanholst@london.ca](mailto:vanholst@london.ca); Lewis, Shawn <[slewis@london.ca](mailto:slewis@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Lehman, Steve <[slehman@london.ca](mailto:slehman@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Van Meerbergen, Paul <[pvanmeerbergen@london.ca](mailto:pvanmeerbergen@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Pelosa, Elizabeth <[epelosa@london.ca](mailto:epelosa@london.ca)>; Kayabaga, Arielle <[akayabaga@london.ca](mailto:akayabaga@london.ca)>; Hillier, Steven <[shillier@london.ca](mailto:shillier@london.ca)>; City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Saunders, Cathy <[csaunder@london.ca](mailto:csaunder@london.ca)>

**Subject:** Fwd: Update London's Tree By-law - please read

Re: Tree By-law Review

Dear Members of Council,

I am urging you to strengthen London's Tree By-law because currently it has no teeth and is failing to protect trees.

Please find attached three photographs of a recent development in my neighbourhood where the property owner removed entire backyards, felled several healthy trees to install parking. This was done legally under the current tree by-law.

The property owner declared the larger trees hazardous, a complaint was filed and staff simply investigated after the trees were cut. That is typical under the current by-law.

There is no definition of a 'hazardous' tree. The property owner can self-determine when a tree is 'hazardous' and there is no requirement for a property owner to replace trees that have been cut.

**City staff claim that requiring a replacement tree on private property would discourage the removal of a hazardous tree. This is a non-sensical argument as theoretically the removal of a hazardous tree is a safety concern. This argument would only make sense if the so-called 'hazardous' tree was in the path of an expansion, giving credence to what many already suspect - a hazardous tree definition is one convenience and has no merit.**

It is not sufficient to substitute a new tree in another area because this practice encourages the denuding of residential areas. Property owners should be required to replace a felled tree on the same property. This practice is common place in other jurisdictions.

A clear definition of what is a hazardous tree and a requirement for an arborist report (at the expense of the property owner) must to be included in the tree by-law. This practice is common place in other jurisdictions.

**There must be a lower diameter requirement before trees can be cut without a permit and an arborist report.**

Lowering the diameter size requiring a permit will protect a greater number of tree species – many of which do not reach the current 50 centimetres at maturity as well as protect younger trees.

It is imperative that young trees be protected as they are the future canopy.

**Staff insist that lowering the diameter will increase their workload.**

**This statement simply cannot be substantiated.**

Most people abide by the by-law and it is simply false to state that their work load will be strained. It is more likely that the opposite will be true as less people will likely request a permit to cut down a tree. Unless it is easy do to so, people will likely not cut down a tree.

Lowering the tree diameter that requires a permit will bring London's tree by-law in alignment with other jurisdictions.

Planting trees is the simplest action anyone can take to fight the impacts of climate change. This should be obvious to anyone that understands that the world is experiencing a climate crisis.

And I personally feel it is a test for Council in their resolve to take serious action to combat the impacts of climate change because if Council cannot endorse a strong tree by-law – which is the simplest of actions – then it will likely fail in other more complex policies.

The tree by-law should also include provision to protect wildlife habitat including snags and trees suitable as 'den' trees for den dwelling animals such as raccoons. The more trees that are protect, the more wildlife habitat that is also protected.

The world is dying.

Yesterday it was reported that 3 billion North American birds have been lost since 1970. Young people across the world are marching today frustrated at the lack of action on climate change. Today is reportedly the largest global march demanding climate action ever.

If council can't do this, people will stop listening.

Please note: the staff report referencing comments from the Tree and Forests Advisory Committee was not completely accurate. There was no agreement that lowering the tree diameter would result in a greater work load for staff.

Thank You

AnnaMaria Valastro

133 John St. Unit 1

Tree and Forestry Advisory Committee Member







**From:**

**Sent:** Saturday, September 21, 2019 7:52 AM

**To:** [vanholst@london.ca](mailto:vanholst@london.ca); Lewis, Shawn <[slewis@london.ca](mailto:slewis@london.ca)>; Salih, Mo Mohamed <[msalih@london.ca](mailto:msalih@london.ca)>; Helmer, Jesse <[jhelmer@london.ca](mailto:jhelmer@london.ca)>; Cassidy, Maureen <[mcassidy@london.ca](mailto:mcassidy@london.ca)>; Squire, Phil <[psquire@london.ca](mailto:psquire@london.ca)>; Morgan, Josh <[joshmorgan@london.ca](mailto:joshmorgan@london.ca)>; Lehman, Steve <[slehman@london.ca](mailto:slehman@london.ca)>; Hopkins, Anna <[ahopkins@london.ca](mailto:ahopkins@london.ca)>; Van Meerbergen, Paul <[pvanmeerbergen@london.ca](mailto:pvanmeerbergen@london.ca)>; Turner, Stephen <[sturner@london.ca](mailto:sturner@london.ca)>; Pelozo, Elizabeth <[epeloz@london.ca](mailto:epeloz@london.ca)>; Kayabaga, Arielle <[akayabaga@london.ca](mailto:akayabaga@london.ca)>; Hillier, Steven <[shillier@london.ca](mailto:shillier@london.ca)>; City of London, Mayor <[mayor@london.ca](mailto:mayor@london.ca)>; Saunders, Cathy <[csaunder@london.ca](mailto:csaunder@london.ca)>

**Subject:** Tree By-Laws in other jurisdictions Ontario please read

Dear Member of Council,

Please find links to Tree By-laws for other jurisdictions in Ontario. These are quick links to compare London's Tree By-law to other jurisdictions.

The City of Mississauga has the strongest Tree By-Law

Mississauga Tree By-law: <http://www.mississauga.ca/portal/residents/parks-private-tree-protection>

Toronto Tree By-law:

<https://www.toronto.ca/311/knowledgebase/kb/docs/articles/parks,-forestry-and-recreation/urban-forestry/city-wide-private-tree-by-law.html>

City of Guelph: <https://guelph.ca/wp-content/uploads/TreeBylaw.pdf>

**From:** "steve.o"

**Date:** September 21, 2019 at 3:13:47 PM EDT

**To:** [vanholst@london.ca](mailto:vanholst@london.ca), [slewis@london.ca](mailto:slewis@london.ca), [msalih@london.ca](mailto:msalih@london.ca), [jhelmer@london.ca](mailto:jhelmer@london.ca), [mcassidy@london.ca](mailto:mcassidy@london.ca), [psquire@london.ca](mailto:psquire@london.ca), [joshmorgan@london.ca](mailto:joshmorgan@london.ca), [slehman@london.ca](mailto:slehman@london.ca), [ahopkins@london.ca](mailto:ahopkins@london.ca), [pvanmeerbergen@london.ca](mailto:pvanmeerbergen@london.ca), [sturner@london.ca](mailto:sturner@london.ca), [epeloza@london.ca](mailto:epeloza@london.ca), [akayabaga@london.ca](mailto:akayabaga@london.ca), [shillier@london.ca](mailto:shillier@london.ca), [mayor@london.ca](mailto:mayor@london.ca), [csaunder@london.ca](mailto:csaunder@london.ca)

**Cc:** Louise White

**Subject: Re: Tree By-Laws in other jurisdictions Ontario please read**

I fully support this initiative for the much needed protection of trees in our "Forest City".

Steve Olivastri  
141 Central Ave

# **Civic Works Committee**

## **Report**

13th Meeting of the Civic Works Committee  
September 24, 2019

**PRESENT:** Councillors P. Squire (Chair), S. Lewis, S. Lehman, E. Pelozo  
**ABSENT:** M. van Holst, Mayor E. Holder  
**ALSO PRESENT:** Councillors J. Helmer, S. Turner; J. Bunn, M. Bushby, S. Chambers, M. Fontaine, D. MacRae, S. Maguire, S. Mathers, K. Oudekerk, M. Ridley, K. Scherr, S. Spring, J. Stanford, D. Turner, B. Westlake-Power

### **1. Disclosures of Pecuniary Interest**

That it BE NOTED that no pecuniary interests were disclosed.

### **2. Consent**

Moved by: S. Lewis  
Seconded by: S. Lehman

That consideration of Item 2.4 BE DEFERRED to later in the meeting, following In Closed Session.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelozo

Absent: (2): M. van Holst, and E. Holder

**Motion Passed (4 to 0)**

Moved by: E. Pelozo  
Seconded by: S. Lehman

That Items 2.1 to 2.3, 2.5 and 2.7 to 2.13, BE APPROVED.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelozo

Absent: (2): M. van Holst, and E. Holder

**Motion Passed (4 to 0)**

#### **2.1 8th Report of the Transportation Advisory Committee**

Moved by: E. Pelozo  
Seconded by: S. Lehman

That the 8th Report of the Transportation Advisory Committee, from its meeting held on August 27, 2019, BE RECEIVED.

**Motion Passed**



2.2 Amendments to the Traffic and Parking By-law

Moved by: E. Pelozza  
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, as appended to the staff report dated September 24, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, for the purpose of amending the Traffic and Parking By-law (PS-113). (2019-T08)

**Motion Passed**

2.3 Update on the Environmental Assessment for the Proposed Expansion of the W12A Landfill

Moved by: E. Pelozza  
Seconded by: S. Lehman

That, on the recommendation of the Director, Environment, Fleet and Solid Waste, the staff report dated September 24, 2019, with respect to an update on the Environmental Assessment for the Proposed Expansion of the W12A Landfill, BE RECEIVED. (2019-E07A)

**Motion Passed**

2.5 Wastewater Treatment Operations Environmental Assessment – Master Plan Study Initiation

Moved by: E. Pelozza  
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report, dated September 24, 2019, with respect to the initiation of the Wastewater Treatment Operations Environmental Assessment Master Plan Study, BE RECEIVED. (2019-E03)

**Motion Passed**

2.7 Award of Contract (RFP 19-29) – Sixteen (16) Tandem Axle Trucks with Dump Boxes and Plow Equipment

Moved by: E. Pelozza  
Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services & City Engineer, the following actions be taken with respect to the award of contract (RFP 19-29):

a) the submission from Team Truck Centers Inc., 795 Wilton Grove Road London, Ont. N6N 1N7, BE ACCEPTED for the supply and delivery of sixteen (16) tandem axle dump trucks and plow equipment at a total purchase price of \$3,753,430 (\$234,589.38 per unit), excluding HST;

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

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

d) the funding for this purchase BE APPROVED as set out in the Source of Financing Report appended to the staff report dated September 24, 2019. (2019-L04)

**Motion Passed**

2.8 Appointment of Consulting Engineer – Upgrading of Powell Drain (Northbrook Valley) and Upland North Outlet Culverts (RFP 19-46)

Moved by: E. Pelozza

Seconded by: S. Lehman

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 Upgrading of Powell Drain (Northbrook Valley) and Upland North Outlet Culverts (RFP 19-46):

a) Ecosystem Recovery Inc. BE APPOINTED Consulting Engineers to complete detailed design and construction administration for remediation works to Powell Drain and the Upland North Outlet Culverts in accordance with the estimate, on file, at an upset amount of \$244,677.54, including 10% contingency (excluding HST), in accordance with Section 15.2(d) of the City of London's Procurement of Goods and Services Policy;

b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report" appended to the staff report dated September 24, 2019;

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

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

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-E03)

**Motion Passed**

2.9 Construction Partnership with the Ministry of Transportation – Old Victoria Road Resurfacing

Moved by: E. Pelozza

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Old Victoria Road resurfacing project:

a) the City of London financial contribution of \$78,650.00 (excluding HST), representing the estimated cost for repaving a portion of Old Victoria Road north and south of the bridge over Hwy 401, as part of an Ontario Ministry of Transportation project, BE APPROVED; it being noted that it is included in an approved City budget and the method of procurement is in accordance with the Procurement of Goods and

Services Policy 14.4 (g) 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 appended to the staff report dated September 24, 2019; and,

c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this approval. (2019-T05)

**Motion Passed**

2.10 Dundas Street Cycle Track Design – Appointment of Consulting Engineer

Moved by: E. Pelosa

Seconded by: S. Lehman

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 Cycle Track Design of Dundas Street from Wellington Street to Adelaide Street, and William Street from Dundas Street to Queens Avenue:

a) WSP Canada Group Limited BE APPOINTED Consulting Engineers to carry out consulting services in the amount of \$532,742.41 (excluding HST), in accordance with Section 15.2(d) of the City of London's Procurement of Goods and Services Policy;

b) the financing for this appointment BE APPROVED in accordance with the Sources of Financing Report appended to the staff report dated September 24, 2019;

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 project; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2019-T05)

**Motion Passed**

2.11 Agreement Extension with Trojan Technologies for the Use of the Decommissioned Westminster Wastewater Plant

Moved by: E. Pelosa

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, as appended to the staff report dated September 24, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, to:

a) authorize and approve the Agreement between The Corporation of the City of London and Trojan Technologies Group ULC; and,

b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2019-E03)

**Motion Passed**

2.12 All Terrain, Turf and Golf Utility Vehicles – Contract Award Based on Irregular Tender Result

Moved by: E. Pelosa

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to a contract award based on irregular tender results for All Terrain, Turf and Golf utility vehicles:

- a) the Civic Administration BE AUTHORIZED to engage in a single source contract negotiation as per the Procurement of Goods and Services Policy Section 19.4 c) with Hyde Park Equipment, 2034 Mallard Rd, London, Ont. N6J 1G4, for the supply and delivery of three (3) All-Terrain Utility Vehicles (Kubota model RTV-X1100C) at a total purchase price of \$87,561.39 (\$29,187 per unit) excluding HST;
- b) the Civic Administration BE AUTHORIZED to engage in a single source contract as per the Procurement of Goods and Services Policy Section 19.4 c) with Podolinski Equipment Ltd. 6057 Petrolia Line, Petrolia Ont. NON 1R0, the supply and delivery of two (2) Turf Utility Vehicles (John Deere ProGator model 2030A) at a total purchase price of \$73,190 (\$36,595 per unit) excluding HST; and the supply and delivery of five (5) Golf Utility Vehicles (John Deere Turf Gator) at a total purchase price of \$57,995 (\$11,599 per unit) excluding HST;
- c) the Civic Administration BE AUTHORIZED to utilize this tender result and single source approval to engage these vendors directly for future replacements of vehicles in these classifications for a contract period of two (2) years with two (2) additional option years, subject to performance and pricing;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- e) approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and,
- f) the funding for this purchase BE APPROVED as set out in the Source of Financing Report appended to the staff report dated September 24, 2019. (2019-R05D)

**Motion Passed**

2.13 Removal and Replacement of Underground Fuel and Oil Tanks

Moved by: E. Pelosa

Seconded by: S. Lehman

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 and Chief Financial Officer, the following actions be taken with respect to replacing the fuel and oil storage tanks at A.J. Tyler Operations Centre and Adelaide Operations Centre:

- 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. "Triggering Event" BE RECOGNIZED; it being noted that the actions taken required immediate

attention in order to be in compliance with the Liquids Fuel Handling Code (2017) Technical Standards & Safety Authority (TSSA) and is in the best financial, legal and environmental interests of The Corporation of the City of London;

b) the City of London's current fuel system maintenance and service vendor, Phoenix Petroleum Ltd., complete the required work in order that the storage tanks are in compliance with the 2017 Liquids Fuel Handling Code at an estimated price of \$970,252 which includes a 10% contingency (excluding HST), BE APPROVED in accordance with section 14.4 (d) and (e) of the Procurement of Goods and Services Policy;

c) the financing for this project BE APPROVED as set out in the Sources of Financing Report appended to the staff report dated September 24, 2019;

d) the Civic Administration BE AUTHORIZED to undertake any ancillary items outside of the scope identified in the project arising from unforeseen elements that may arise including: dewatering/shoring, damaged or poor condition equipment not identified, fuel sludge removal, contaminated materials; and,

e) the Civic Administration BE AUTHORIZED to undertake any final negotiations and all administrative acts that are necessary in connection with this matter and the Agreements referenced herein. (2019-E17)

#### **Motion Passed**

#### 2.4 Landfill Gas (LFG) Utilization – Next Steps in the Development of a Renewable Natural Gas (RNG) Facility

Moved by: S. Lewis

Seconded by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, and on the advice of the Director, Environment, Fleet and Solid Waste, the following actions be taken with respect to potentially supplying FortisBC Energy Inc. with Renewable Natural Gas (RNG) created from landfill gas from the W12A Landfill:

a) the Civic Administration BE AUTHORIZED to release a Request for Proposals to develop a RNG facility to convert landfill gas from the W12A Landfill to RNG; and,

b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project. (2019-E07)

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

#### **Motion Passed (4 to 0)**

#### 2.6 Automated Speed Enforcement Contract Award

Moved by: S. Lewis

Seconded by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Automated Speed Enforcement Program:

a) Redflex Traffic Systems (Canada) Limited, BE AWARDED the contract for the provision of Automated Speed Enforcement Services for a

five (5) year period, starting when the contract is executed, in accordance with the terms and conditions of the Request for Approvals executed by the City of Toronto on behalf of the City of London and other participating Automated Speed Enforcement municipalities in accordance with Section 14.4 (g) of the Procurement of Goods and Services Policy, noting that there is an option to extend the contact at the discretion of the City of London for an additional five (5) years;

- b) the Civic Administration BE AUTHORIZED to enter into an agreement with the City of Toronto to undertake centralized municipal processing of Automated Speed Enforcement offence notices;
- c) the Civic Administration BE AUTHORIZED to enter into an agreement with the Ontario Ministry of Transportation related to the operation of the Automated Speed Enforcement Program;
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this program;
- e) approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract with Redflex Traffic Systems (Canada) for the work;
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;
- g) the Civic Administration BE DIRECTED to bring forward the necessary Traffic and Parking By-law amendments to designate Automated Speed Enforcement areas as Community Safety Zones;
- h) the Civic Administration BE DIRECTED to place the net revenue from the Automated Speed Enforcement Program in the automated enforcement reserve fund; noting that any revenue shortfalls will be funded from this reserve fund, if necessary; and,
- i) the above-noted Program BE IMPLEMENTED with warning notices being sent for the first thirty (30) days of the program. (2019-T08)

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

**Motion Passed (4 to 0)**

### **3. Scheduled Items**

#### **3.1 8th Report of the Cycling Advisory Committee**

Moved by: E. Pelosa

Seconded by: S. Lehman

That the 8th Report of the Cycling Advisory Committee, from its meeting held on August 21, 2019, BE RECEIVED; it being noted that a verbal delegation from C. Linton, Chair and R. Henderson, Vice-Chair, of the Cycling Advisory Committee and the attached presentation from R. Henderson, was received with respect to this matter.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

**Motion Passed (4 to 0)**

### 3.2 Area Speed Limit Program

Moved by: S. Lewis  
Seconded by: S. Lehman

That the staff report dated September 24, 2019, with respect to an Area Speed Limit Program, BE REFERRED back to the Civic Administration in order to consult with the London Transit Commission and report back at a future meeting of the Civic Works Committee regarding the effect a change to speed limits would have on transit service;

it being noted that the attached presentation from S. Maguire, Division Manager, Roadway Lighting and Traffic Control, with respect to this matter, was received;

it being pointed out that at the public participation meeting associated with this matter the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter. (2019-T07)

Yeas: (3): P. Squire, S. Lewis, and S. Lehman

Nays: (1): E. Pelosa

Absent: (2): M. van Holst, and E. Holder

**Motion Passed (3 to 1)**

Voting Record:

Moved by: E. Pelosa  
Seconded by: S. Lehman

Motion to open the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

**Motion Passed (4 to 0)**

Moved by: S. Lewis  
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

**Motion Passed (4 to 0)**

## 4. Items for Direction

### 4.1 Parking Changes – Councillor S. Lewis

Moved by: S. Lewis  
Seconded by: S. Lehman

That the Civic Administration BE DIRECTED to bring forward a report to a future meeting of the Civic Works Committee with details on potential impacts and recommendations on implementing the following changes to parking restrictions:

- a) the overnight parking ban program be amended to be in force from November 1st until April 30th annually;
- b) the issuing of overnight parking permits during the ban period be expanded to allow residents to purchase additional passes beyond the current 15 free uses for a fee; and,
- c) the current 12hr limit on occupying a specific on street non metered parking location be amended to 18hrs;

it being noted that a communication, dated September 12, 2019, from Councillor S. Lewis, was received with respect to this matter. (2019-T02)

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

**Motion Passed (4 to 0)**

Voting Record:

Moved by: S. Lewis

Seconded by: S. Lehman

Motion to approve that the Civic Administration report back with respect to the potential to repeal the by-law prohibiting homeowners from parking a vehicle in their driveway parallel to the road way.

Yeas: (2): P. Squire, and S. Lewis

Nays: (2): S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

**Motion Failed (2 to 2)**

## **5. Deferred Matters/Additional Business**

### **5.1 Deferred Matters List**

Moved by: S. Lewis

Seconded by: S. Lehman

That the Deferred Matters List as at September 16, 2019, BE RECEIVED.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

**Motion Passed (4 to 0)**

## **6. Confidential**

Moved by: E. Pelosa

Seconded by: S. Lehman

That the Civic Works Committee convene, In Closed Session, for the purpose of considering the following:

### **6.1. Labour Relations / Employee Negotiations**

A matter pertaining to labour relations or employee negotiations, including communications for that purpose.

### **6.2. Position, Plan, Procedure, Criteria or Instruction for Negotiation Purposes**



A matter pertaining to a position, plan, procedure, criteria or instruction to be applied to negotiations carried on by the municipality, including communications for that purpose.

Yeas: (4): P. Squire, S. Lewis, S. Lehman, and E. Pelosa

Absent: (2): M. van Holst, and E. Holder

**Motion Passed (4 to 0)**

The Civic Works Committee convened, In Closed Session, from 6:13 PM to 6:34 PM.

**7. Adjournment**

The meeting adjourned at 6:41 PM.

## 12 years of motorist – bicyclist collision data in London, ON (2006 - 2017)

# Motorist speed & bicyclist injury

Rebecca Henderson, MSc, PhD candidate  
 Faculty of Health Sciences, Western University  
[rhende9@uwo.ca](mailto:rhende9@uwo.ca)  
 Twitter: @rhubike

page  
01

## 12 years of motor vehicle – bicycle collision data in London, ON (2006 – 2017)

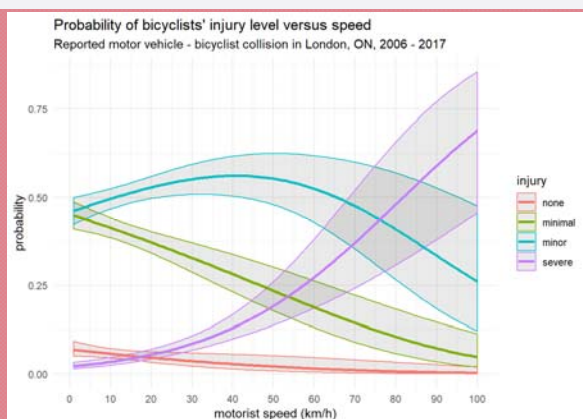


Figure 1

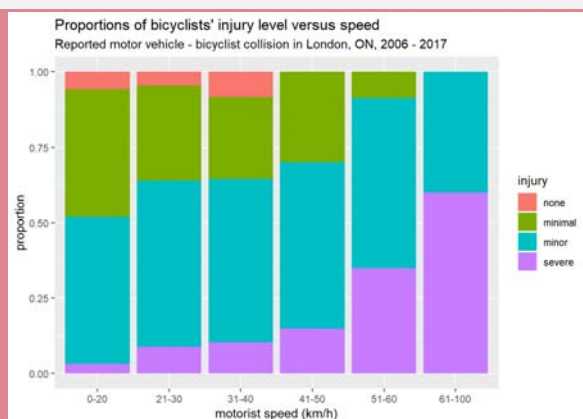
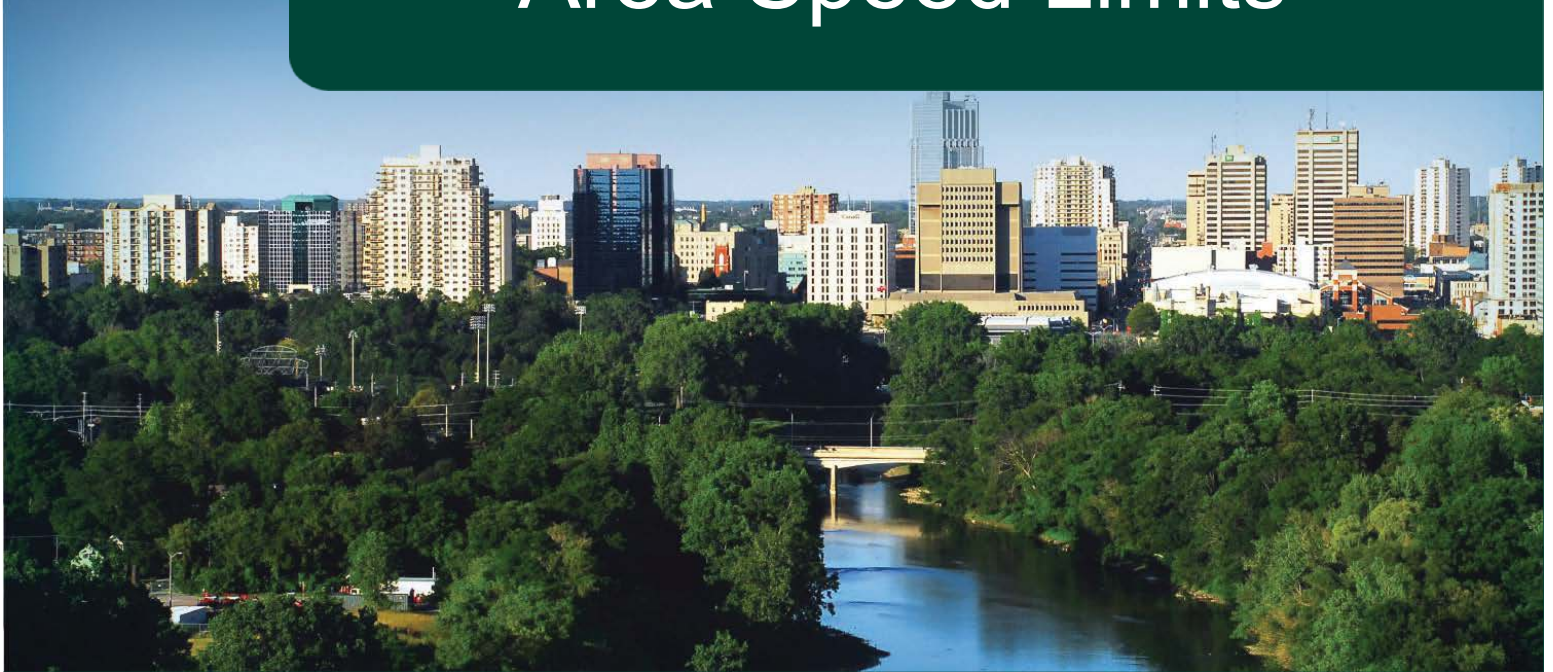


Figure 2

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02

# Area Speed Limits



Civic Works Committee – September 24, 2019



# Area Speed Limits

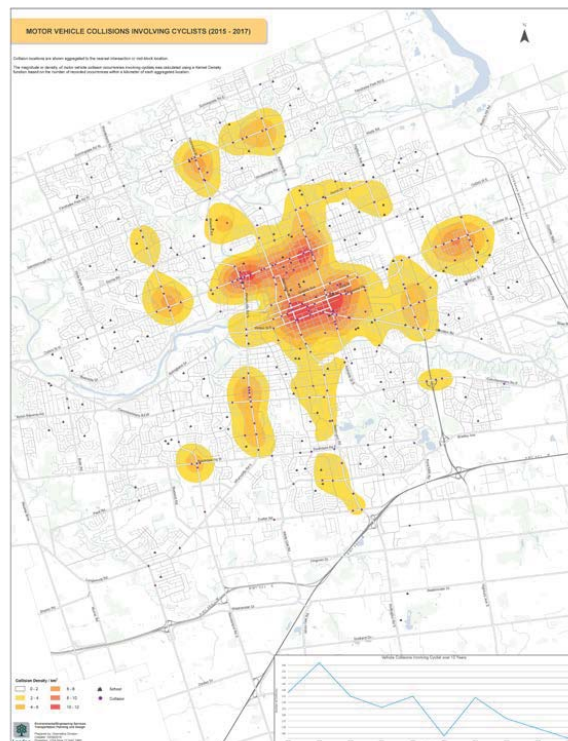
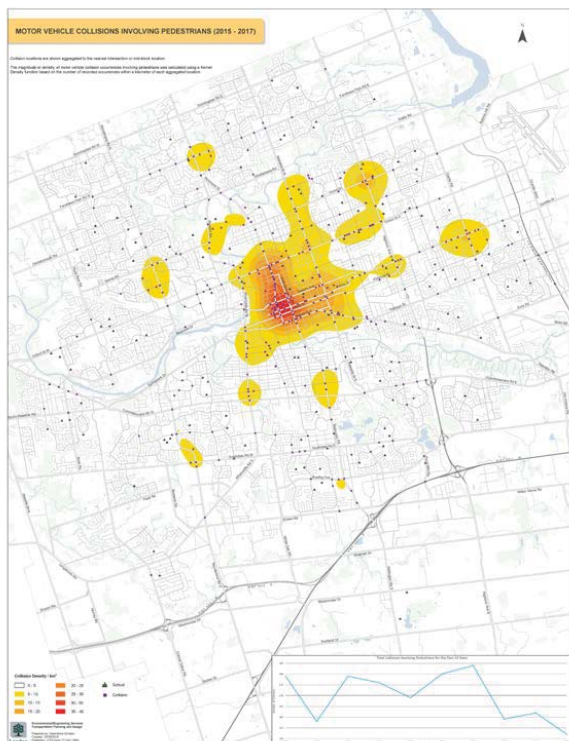
- New legislations allows municipalities to set a speed limit lower than 50 km/h for defined areas.
- Collisions involving vulnerable road users from 2015 to 2017
  - 161 on minor residential streets; and
  - 86 on major downtown roads.

## Goals

- Improve safety in residential areas and areas with high volumes of vulnerable road users; and
- Support community building by making walking and cycling more appealing.



# Pedestrian and Cyclist Collisions (2015 to 2017)



# Rate of Speed

## Factors impacting the rate of speed:

- Roadway classification (minor vs. major)
- Roadway geometry (horizontal and vertical);
- Left-turn & right-turn lanes;
- Roadway width;
- Pedestrian/cyclist volumes and facilities;
- Vehicle volumes;
- Land use;
- Intersection spacing;
- Driveway spacing; and
- On-street parking.

# Rate of Speed (cont'd)

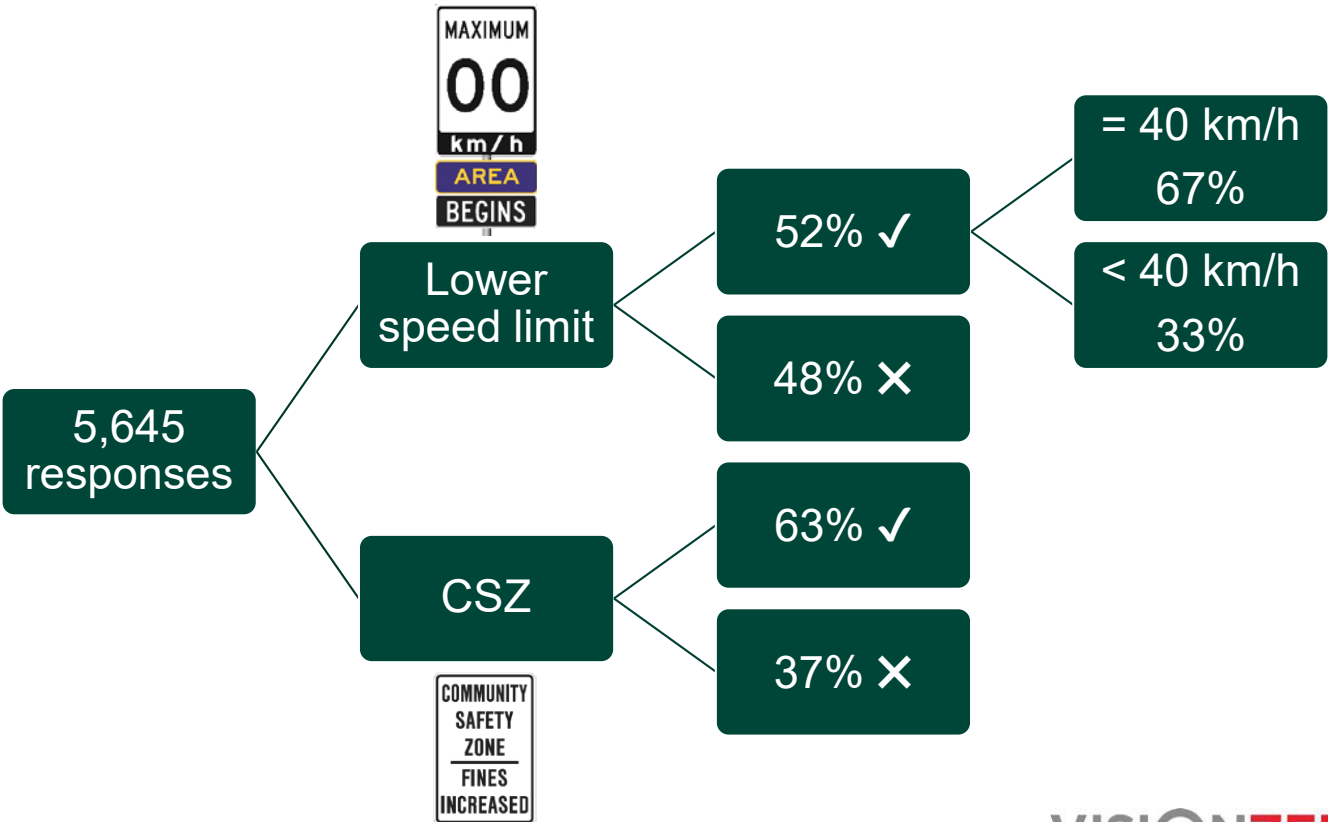
A rate of speed of 40 km/h is appropriate for residential roads and some major roads in the downtown:

- Narrow residential roads;
- Intended use of the road;
- Frequent driveways; and
- High volume of vulnerable road users.

A speed limit lower than what drivers perceive as appropriate could result in significant non-compliance, greater speed differentials and increased enforcement resources.

- Speed differentials can result in pedestrians, cyclists and other drivers misjudging the speed of approaching vehicles.

# Area Speed Limit Get Involved London Survey





# Proposed Area Speed Limit Program

1. Reduce the speed limit in residential areas and at high vulnerable user volumes in the downtown to 40 km/h by area;
2. Implement Community Safety Zones as the speed limit is reduced to 40 km/h;
3. Maintain the speed limit in school zones at 40 km/h and review the potential to reduce the speed limit to 30 km/h; and
4. Invest approximately \$1,000,000 over four years for 2,000 sets of signs to implement the above.



## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.2 Area Speed Limit Program

- R. Henderson – indicating that there are other municipalities in Ontario that have thirty kilometer speed limits, Toronto's East York committee councillors voted unanimously to reduce the speeds on residential streets to thirty, Hamilton has neighbourhood projects (different neighborhoods have voted for thirty), Ottawa has voted in neighbourhoods for thirty, there are many examples across Ontario specifically that have voted neighbourhoods or for the entire neighborhoods and residential streets.
- D. Hall, London Cycle Link – stating that he had the privilege of attending the Ontario bike summit in April, and one of the keynote speakers was a Dutch mobility expert, and he came to speak to a room full of people who want to see more bikes; indicating that he asked the speaker what can be done in North America to improve cycling and encourage more people to cycle and the response was to reduce your speed limits to thirty km/h in neighborhoods; stating that this is one of the top priorities as London Cycle Link, because it really does change the game for encouraging people to share space; indicating that on a lot of our neighborhood streets we are not going to see protected bike lanes and it does not make sense in a lot of contexts; stating that when we reduce the speed of heavy vehicles, suddenly it feels like the right speed to bike alongside and it is the right speed to let our kids play outside in the front yard; noting that there are lots of reasons why this is an important thing; indicating that we have a Cycling Master Plan that wants five percent mode share of cycling trips and we are only at 1.7% right now; stating that we need to do things to be bold in getting there and this is one of those decisions that can be bold to help us get there; noting that, with respect to the survey, he thinks it was impressive that there was that many responses to the survey, however, when asking people if they agree with forty or below forty km/hr it is really important to know who we are asking; stating that, for the most part, people experience the neighbourhood street through the windshield or behind the windshield of their car and when you drive through neighbourhood streets you feel confident and in control at fifty km/h, and especially at forty km/h and it feels slow behind the wheel of a car, but if your vantage point is on the sidewalk or your vantage point is on a bike, suddenly that forty or fifty km/h feels really fast; that that when you are walking with your kid, it feels very different, that speed, when you are beside traffic verses 'I am traffic'; stating that he would just like to ensure everybody is being surveyed; indicating that he thinks this is an important point that we have a chance to make something truly transformational in London and that this is a decision that can change the game to make our streets safer, to make it more enjoyable to use our front yards; indicating that it will reduce noise in our neighborhoods and it will reduce your inbox complaints about all the speeding you hear about; noting that signage alone will not be the answer, we cannot just put up signs and sit back and watch everyone slow down, that is not going to happen; indicating that photo radar will help but we need to also supplement that with traffic calming, and he knows that it will be the really expensive part of this but he thinks to have the goal be thirty km/h is the really important part; indicating that to say that we want traffic to be slow but let's not worry about compliance or non-compliance, let's set the right goal, and to say we want safe streets, let's have that be the goal and work toward it; stating that we know how to do it, we know how to design a road to get people to drive thirty km/h; stating that it will take some re-working, re-design and possibly some more money; indicating that we should use this opportunity in front of us and make a bold decision to make our streets safer, to encourage cycling, to encourage walking; stating that we do not have to go all at once, say thirty km/h in our whole city, we could do pilot projects, we can do thirty km/h on bike routes, there are lots of ways to implement this and test and approve before we maybe make a sweeping city-wide decision.

- T. Young – indicating that he is against the changing proposal for forty and thirty km/h; stating that he believes that the city has many issues already with traffic, the train downtown, King Street, which has gone from three lanes to now one when buses are stopped, with the new BRT certain areas are actually blocking traffic as opposed to getting off and diverting or having some sort of enclave that they can get out of the way; indicating that he believes that the city needs to move faster and more efficiently and he believes that we have lost a chance of having a ring road, that was done twenty years ago; noting that traffic, as it is right now, is not moving as efficiently as it should, and the vast majority of people are still driving, especially in winter and bicycles are not on the road as much; indicating that he drives for a living as he is a paramedic, so he sees the people who get hurt in these accidents, but he also drives around these people, and, this is anecdotal, but the people being picked up on these calls, he hates to say, but it ends up being the cyclists fault; stating that he feels that maybe education towards these cyclists might help; noting that he knows people who cycle for a living and are a part of associations would know these rules, but there is a vast majority people that drive downtown and bike downtown that are actually causing major problems and he thinks maybe too much onus is put on these drivers when a lot of it could actually be put back on the people who were in the accident in the first place.
- S. Miller, 32 Upper Avenue – indicating that she is speaking on behalf of the Oxford Park Community Association where she lives; expressing appreciation for having this important and overdue discussion on reducing speed limits in London; indicating that, like all neighbourhoods across our city, indeed, our country, increasing levels of vehicles speeding and the associated rates of injury and death is a growing public health crisis but we seem to shrug our shoulders as if the dangers associated with our car-centric lives are simply collateral damage, not something that can be avoided by thoughtful public policy and collective responsibility; stating that, in April 2018, one London Free Press article noted that the city research states that about a third of drivers in neighbourhoods speed over the limit, and the poll associated with the article asked, “Do drivers speed in your neighborhood?” and more than 90% responded ‘often’ or ‘sometimes’; noting that was more than fifteen hundred respondents; indicating that her local community association did a survey last year and 55% of the respondents in the neighborhood of over three hundred houses listed neighbourhood speeding as their number one concern; stating that this confirmed a 2017 safety audit that was done where participants also had numerous concerns regarding speeding; indicating that, despite these findings, traffic engineering staff have told their community that, according to their studies, our neighborhood does not have a speeding problem, and so, therefore, traffic calming measures are not being considered; enquiring as to why there is such a disconnect; indicating that, perhaps because speed limits are already too high for residential neighborhoods, and our roads are designed to enable – indeed, encourage – speeding, even above and beyond those limits; stating that, according to their research, London currently has no designed speed standards in its transportation design manual below sixty kilometers an hour; stating that this means that traffic engineering staff who are designing roads for fifty kilometers speed limit posting, they know that people are going to drive sixty kilometers or even faster; noting that we do not even notice it as drivers because our brains tell us that the road is designed to go that fast and that it is safe for us, when in fact we are driving a dangerous speed for neighbourhood roads; indicating that her neighborhood, Oxford Park, is going to be undergoing a long anticipated infrastructure renewal, including the water mains, new sewers and new roads and they are excited about this opportunity as it is long overdue; stating that they are really excited about addressing the root problem of speeding, which is outdated, dangerous and car-centric street design; stating that they have offered to collaborate with engineering staff and consultants on designing our new streets using progressive, safe street design as championed by organizations like the National Association of City



- Transportation Officials, the Center for Active Transportation and Love30Canada; indicating that they have offered to serve as a pilot model neighbourhood for progressive street design best practices but, unfortunately, those offers and requests have been declined; stating that they have also asked city staff to make a general presentation to residents on safe street design, but that has also been declined; indicating that they are now going to be working with a professor, Jason Gilliland, at Western University, who is going to come and speak to their association and talk to the neighbours and help educate them on what they can and should ask for when they see the city's proposed street designs later this fall; stating that the Oxford Park Community Association strongly supports reduced speed limits in residential and school areas throughout the city and they urge the Committee to adopt thirty km/h limits with enforcement using photo radar and police; indicating that thirty km/h, as other people here this evening have said, is an acknowledged safe street standard in many progressive jurisdictions around the world and, in conjunction and arguably even more importantly, they urge councillors to work with staff to ensure that all relevant road design standards and policies are updated as quickly as possible to reflect safe street design best practices; noting that these updates can begin to make effective changes on road reconstruction projects in existing residential neighborhoods and in all new subdivisions; stating that the conventional '3 Es' approach of engineering, education, and enforcement does not provide the guidance we need to design 21st century transportation and we must look beyond traditional professional disciplines across conventional boundaries to make our streets safe for everyone; noting that the new 'Es' of ethics, equity, and empathy should guide every urban designer, engineer; stating that, as citizens involved in shaping our city, we must embrace these values if we are to change the status quo and create a transportation system that is safe, efficient, equitable and sustainable; indicating that we cannot justify designs for speed and increased vehicle capacity on one hand while promising to deliver vision zero with the other.
- G. Hopcroft – stating that he would like to urge the Committee and staff to reconsider, in particular, part one of the recommendation, and that is applying the forty kilometer default speed limit on local and collector streets and residential areas throughout the city; indicating that he is prepared to agree and, he thinks most people are, that forty km/h is an appropriate speed limit in some places, and in other cases much lower depending on the number of driveways, the amount of conflicts in terms of other traffic in the area, and so on; noting that, as he reads it, this would apply to areas without driveways as well as those with driveways and he will harken back to Mr. Maguire's comment earlier, which he has heard in this Chamber and other rooms in this building many times that there needs to be acceptance of whatever rules command, there needs to be a public consensus before people will willingly comply with whatever by-laws this Committee and Council see fit to pass; stating that applying a 'one size fits all' approach is not the appropriate way to approach this, and he does not think it is a way that most Londoners would accept as an appropriate way of dealing with it; noting that there are a lot of streets where the existing speed limit – "it ain't broke, so why fix it?", fix those where speeding is a problem and where the speed limit is a problem and he would differentiate between the two; stating that an issue dealing with the speed limit enforcement issue, and in his experience, many people complaining about speeding in our neighborhoods are not complaining about the speed limit – they are complaining about people that consistently exceed the speed limit on those streets; stating that he does not belittle the fact that in some cases the speed limit is as well too high, but it is the enforcement issue which has always been an issue and the photo radar is a solution in terms of those that do not see fit to comply for other reasons; noting that he thinks it would be a huge mistake to take a cookie cutter, one size fits all approach to the streets around this city, and that this should be done on a street by street basis; noting that it is hard work, but do we want compliance and do we want to

- address the real problems, or do we want to create a regulatory environment where most Londoners don't see fit to comply because they see so many cases where the regulations are excessive; indicating that we have seen, time and time again, when they get that sense, they are more likely not to comply, not just in those areas where they are not warranted in their view, but also in those areas that they may be unfamiliar with where it is warranted; stating that if we want to promote peoples compliance on a voluntary basis, he thinks that the street by street approach and the classification of those streets is the right way to go; noting that there is a lot of data in this report and he would like to ask a few questions in terms of that that data; stating that, first of all, there has been a lot of data in here about collision statistics but there is nothing about injuries or the severity of those injuries and tying that to the speed involved in the collision or the speed limit on that street; noting that he really does not find the collision data that helpful in terms of understanding what it is we are trying to fix; noting that the second issue is that he does not see any reference in the report, and he is assuming that is because there is no reference, there has not been any consultation with emergency services; noting that he would like at least one other person in this room have some experience in the provision of emergency services, and we all know that reduced speed limits reduce ambulance response times; enquiring as to whether EMS was consulted about this and what is the impact on response times in our community; indicating that another question he has is with respect to the London Transit Commission, and he knows that they are moving into an environment where they are trying to have better compliance with route schedules and on-time performance and he sees nothing in here that is going to help them maintain what they have, what is the cost to that, and what is the impact on the routes that would be affected by the regulations that are proposed here; stating that he urges the Committee to seek the answers to those questions and to take a considered approach to this, and addressing this where it needs to be addressed, rather than applying something across the city which may not be needed.
- L. Patricio, London Cycle Link – stating that he has a couple of comments; indicating that he heard two presentations, one from Ms. Henderson and she had social, economic and health arguments to support the thirty kilometers limit, and he heard another presentation, and the main argument there is that, because drivers will not obey this limit, this will be dangerous; stating that he heard some concerns, as well, on the sense that we need to make sure that whatever regulations we have, we do have people respecting those regulations, and he thinks this is inverse logic; stating that if you do not have respect, we should not keep the speed limits high; indicating that if we know that this is the safest approach, we should make sure that those people, they will be voluntarily following the limits because this is the way our roads are designed; noting that, interestingly, we did not hear an argument about the efficiency or the health benefits if you keep our limits at forty or fifty kilometers, because the people who understand what transportation and road design is, they know that this is not the case; stating that addressing the concerns about efficiency and health, the car in any city is the most inefficient mode of transportation; stating that if you create a city where we promote and encourage cycling and walking and transit, we will have a more efficient transportation system, and we will have less injuries and fatalities.
  - C. Linton – stating that he is speaking as a public citizen, not as Chair of the Cycling Advisory Committee; indicating that he would generally support the reduction of speed limits, as proposed by staff, or even to the thirty km/h as well; indicating that a couple of the points from the people who oppose this actually kind of make the case for people who are wanting to try cycling and they are riding on the sidewalk; noting that they will feel safer if they are riding on a street where the speed limit is posted lower and traffic speed is going lower, so they feel more safe so they are going to be off the sidewalk and where they should be on the road; stating that there were a couple of points that he took out of there that were actually reasons to lower the speed

limit, not keep them where they are; indicating that, as a motorist, if we want to keep the city moving, the best thing for that is to get more people on bikes and on transit, because the fewer cars there are on the road to begin with, the better that traffic is going to flow.

- M. Moussa, 155 Thornton Avenue – stating that there is a very over-arching issue here that has not been addressed with the reduction in the speed limit, on April 23rd, 2019, this Council adopted a climate emergency by-law - or motion, where you asked for tangible ways of battling greenhouse gases and our carbon footprints; stating that this speed limit, if it is reduced from fifty to thirty km/h, you are increasing greenhouse gases; noting that it is settled in un-controverted science from Virginia Tech and European studies; indicating that he understands where you are coming from with trying to do this, but reducing the speed limit is not going to slow people down from speeding; noting that enforcement is the only way; stating that he understands that you need community safety zones in order to put the automated speed enforcement stuff in place, but if you keep it at 50 km/h and ticket everybody who does fifty-two, someone like me is going to drive forty-five; stating that the person who is going to get that ticket is going to get it regardless whether it is thirty or fifty there; noting that the gentleman who is not here right now said that the report did not show much about the severity of injuries, and I do not want to put a price or anything on safety - safety is very important -but we really need the hard statistics for this; indicating that it is a solution looking for a problem; noting that he has said that before on other issues; indicating that, in this case, we have not even addressed this increased enforcement, absolutely; noting that, with respect to the ASE's, it is putting the cart ahead of the horse, it is putting the cart ahead of an unborn horse, being that the regulations in Ontario have not even been updated to allow for that yet; referencing a pilot project in Toronto, and, if he is assuming correctly, possibly other places; indicating that we do know what PC provincial governments like to do with what has come before them; stating that one other thing he did not see in here is when all the BRT discussion was going on, there was a value of time saved that was addressed in those; noting that, in this case here, there is nothing that shows value of time lost; stating that he knows it might be grasping at straws, possibly, but this will reduce peoples time; indicating that a by-law will not remove us from a car-centric culture and if that is the intention of the by-law, it is not going to work; stating that people are still going to need to use their vehicles; noting that the main, salient point he wants to bring across here is that we are actually doing less for the environment by reducing the speed limit in this zone, in this thirty to eighty zone; stating that, ideally, for a gas engine, the ideal for the least fuel consumption is between sixty and eighty km/h; stating that he is not saying that we should increase limits to sixty km/h, but we have not even looked at this issue here and he does not think this is going to push people to walk more, bike more.

# Planning and Environment Committee Report

16th Meeting of the Planning and Environment Committee  
September 23, 2019

PRESENT: Councillors A. Hopkins (Chair), J. Helmer, M. Cassidy, P. Squire, S. Turner  
ABSENT: Mayor E. Holder  
ALSO PRESENT: I. Abushehada, J. Adema, G. Barrett, M. Elmadhoon, M. Feldberg, J.M. Fleming, P. Kokkoros, G. Kotsifas, H. Lysynski, D. MacRae, H. McNeely, C. Parker, J. Parsons, N. Pasato, M. Pease, L. Pompilii, A. Riley, S. Rowland, C. Saunders, K. Scherr, C. Smith, S. Spring, M. Tomazincic and P. Yeoman

The meeting was called to order at 4:01 PM

## 1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor M. Cassidy disclosed a pecuniary interest in clause 3.3 of this Report, having to do with the property located at 307 Fanshawe Park Road East, by indicating that her family owns property in the area.

## 2. Consent

Moved by: S. Turner  
Seconded by: J. Helmer

That Items 2.1 to 2.4, inclusive, BE APPROVED.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

### 2.1 8th Report of the Advisory Committee on the Environment

Moved by: S. Turner  
Seconded by: J. Helmer

That, the following actions be taken with respect to the 8th Report of the Advisory Committee on the Environment, from its meeting held on September 4, 2019:

- a) an expenditure of \$500.00 from the 2019 Advisory Committee on the Environment (ACE) budget BE APPROVED to facilitate a Waste Diversion session at the 2019 Green in the City Event to be held at the London Public Library in the fall of 2019; it being noted that the ACE has sufficient funds in its 2019 budget to cover this expense; and,
- b) clauses 1.1, 3.1, 5.1, 6.1 BE RECEIVED for information.

**Motion Passed**

2.2 Application - 1912 Linkway Boulevard - Removal of Holding Provisions (H-9085)

Moved by: S. Turner  
Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, based on the application by Sifton Properties Limited, relating to a portion of the lands located at 1912 Linkway Boulevard, the proposed by-law appended to the staff report dated September 23, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Business District Commercial Special Provision (h•h-206•BDC(31)) Zone TO a Business District Commercial Special Provision (BDC(31)) Zone to remove the h and h-206 holding provisions. (2019-D09)

**Motion Passed**

2.3 Revised City of London Telecommunication Facilities Location and Public Consultation Council Policy (O-7881)

Moved by: S. Turner  
Seconded by: J. Helmer

That, on the recommendation of the Managing Director, Planning and City Planner, the proposed by-law appended to the staff report dated September 23, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend By-law No. CPOL.-126-378, as amended, being "A by-law to revoke and repeal Council policy related to Telecommunication Facilities Consultation Policy and replace it with a new Council policy entitled Telecommunication Facilities Consultation Policy" by renaming the Council Policy "Telecommunication Facilities Location and Public Consultation Policy", to reflect changes in the process that have occurred since the Policy was first developed. (2019-A12)

**Motion Passed**

2.4 Building Division Monthly Report for July 2019

Moved by: S. Turner  
Seconded by: J. Helmer

That the Building Division Monthly Report for the month of July, 2019 BE RECEIVED for information. (2019-A23)

**Motion Passed**

**3. Scheduled Items**

3.1 Public Participation Meeting - Application - 585 Third Street (OZ-9028)

Moved by: S. Turner  
Seconded by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Tricor Contracting Limited, relating to the property located at 585 Third Street:

a) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend the Official Plan by ADDING a policy to section 10.1.3 – Policies for Specific Areas;

b) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "B" BE INTRODUCED at a future Municipal Council meeting, to amend The London Plan by ADDING a policy to Specific Policies for the Neighbourhoods Place Type; by ADDING the subject lands to Map 7 – Specific Policy Areas – of The London Plan AND that three readings of the by-law enacting The London Plan amendments BE WITHHELD until such time as The London Plan is in force and effect; and,

c) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Temporary Zone (h-1/R3-2/R5-4/R8-4/RO2/T-55) Zone TO Holding Residential R3/Residential R5/Residential R8/Restricted Office/Light Industrial Special Provision (h-1/R3-2/R5-4/R8-4/RO2/LI7(\_));

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

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

- the recommended amendments are consistent with the 2014 Provincial Policy Statement ("PPS") which directs municipalities to maintain suitable sites for employment uses and consider the needs of existing and future businesses. The PPS also promotes appropriate development standards to facilitate compact development in settlement areas;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan which list the necessary condition(s) for approval of Policies for Specific Areas, and would augment the general policies, including but not limited to Multi-family Medium Density Residential ("MFMDR") designation to allow the continued use of the existing non-residential building on the subject lands for existing industrial uses until the subject lands can redevelop for residential uses in accordance with the MFMDR designation;
- the recommended amendment conforms to the in-force policies of The London Plan and would augment the general policies, including but not limited to Neighbourhoods Place Type to allow the continued use of the existing non-residential building on the subject lands for existing industrial uses until the subject lands can redevelop for residential uses in accordance with the Neighbourhoods Place Type;
- the recommended amendment to Zoning By-law Z.-1 will conform to the Official Plan and The London Plan as recommended to be amended. The recommended amendment to the Zoning By-law will permit the existing industrial uses in the existing building and limit the uses to their existing size to maintain an acceptable level of compatibility with the surrounding residential uses. The recommended amendment to the Zoning By-law will regularize and permit existing site conditions which can accommodate the existing uses to continue without serious adverse impacts for surrounding residential land uses; and,

- the recommended amendment will recognize these long-standing, established uses which have achieved a measure of compatibility with the surrounding uses. (2019-D09)

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: M. Cassidy

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Moved by: M. Cassidy

Seconded by: J. Helmer

Motion to close the public participation meeting.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

### 3.2 Public Participation Meeting - Application - 115 Bessemer Road (Z-9084)

Moved by: M. Cassidy

Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, with respect to the application by Barnim Property Holdings Inc., relating to the property located at 115 Bessemer Road, the proposed by-law appended to the staff report dated September 23, 2019 BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM Light Industrial (LI2/LI7) Zone TO a Light Industrial/Light Industrial Special Provision (LI2/LI7(\_)) 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 Zoning By-law amendment is consistent with the Provincial Policy Statement, 2014;
- the recommended amendment to Zoning By-law Z.-1 conforms to the 1989 Official Plan including but not limited to the policies of the Light Industrial designation, and The London Plan including but not limited to the policies of the Light Industrial Place Type, and provides for an appropriate development of the site;

- the recommended amendment will permit an accessory automobile rental establishment in association with a permitted Automobile Repair Garage, along with increased open storage and a reduced parking rate. (2019-D09)

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: J. Helmer

Seconded by: M. Cassidy

Motion to open the public participation meeting.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Moved by: M. Cassidy

Seconded by: S. Turner

Motion to close the public participation meeting.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

### 3.3 Public Participation Meeting - Application - 307 Fanshawe Park Road East (Z-9006)

That it BE NOTED that the Planning and Environment Committee was unable to reach a majority decision with respect to the application by Royal Premier Homes, relating to the property located at 307 Fanshawe Park Road East, and pursuant to Section 19.3 of the Council Procedure By-law, the matter is hereby submitted to the Municipal Council for its disposition;

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

- a communication dated September 12, 2019 from B. Day, 1277 Hastings Drive;
- a communication from M. and D. Semotiuk, 1348 Hastings Drive;
- a communication from M. Lacey, 37 Camden Place;
- a communication from P. and D. Lincoln, 7 Camden Road;
- a communication dated September 19, 2019 from D. Beverley, President, Old Stoneybrook Community Association;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2019-D09)



Moved by: S. Turner  
Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, with respect to the application of Royal Premier Homes, relating to the property located at 307 Fanshawe Park Road East, the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on October 1, 2019 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Residential R1/ Bonus (h-5\*h-54\*h-89\*R1-8\*B-15) Zone TO a Holding Residential R5 Special Provision (h-5\*h-54\*h-89\*R5-7 (\*)) Zone.

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

Nays: (2): A. Hopkins, and P. Squire

Absent: (2): M. Cassidy, and E. Holder

**Motion Failed (2 to 2)**

Additional Votes:

Moved by: S. Turner  
Seconded by: P. Squire

Motion to open the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, P. Squire, and S. Turner

Absent: (2): M. Cassidy, and E. Holder

**Motion Passed (4 to 0)**

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

Motion to close the public participation meeting.

Yeas: (4): A. Hopkins, J. Helmer, P. Squire, and S. Turner

Absent: (2): M. Cassidy, and E. Holder

**Motion Passed (4 to 0)**

3.4 Public Participation Meeting - Application - 3700 Colonel Talbot Road and 3645 Bostwick Road 39T-17503 (OZ-8838)

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

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by W-3 Lambeth Farms Inc., relating to the properties located at 3700 Colonel Talbot Road and 3645 Bostwick Road:

a) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend the (1989) Official Plan to:

i) refine and reconfigure the extent of the Low Density, Multi-Family Medium Density, and Open Space designations, by changing the

designations on Schedule “A” - Land Use FROM “Low Density Residential”, “Multi-Family, Medium Density Residential”, and “Open Space” TO “Low Density Residential”, “Multi-Family, Medium Density Residential”, and “Open Space” designation;

ii) change the designation on Schedule “B1” – Natural Heritage Features, FROM “Unevaluated Vegetation Patch” TO “Significant Woodlands” and “Locally Significant Wetlands”;

iii) change the designation on Schedule “C” – Transportation Corridors by amending the east-west secondary collector road to align with Street A, and by amending the north-south secondary collector road to align with Street D; and,

iv) change Section 20.5 (Southwest Area Secondary Plan) by:

A) amending Schedule 2 to the Southwest Area Secondary Plan (Multi-Use Pathways and Parks) by realigning the Planned Route and adding a Neighbourhood Park;

B) amending Schedule 4 (Southwest Area Land Use Plan), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, “Medium Density Residential”, and “Open Space” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign two secondary collector roads;

C) amending Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, “Medium Density Residential”, and “Open Space” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, adding a Park, and to realign a secondary collector road; and,

D) amending Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM “Low Density Residential”, and “Medium Density Residential” TO “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign a secondary collector road;

b) the request to amend the 1989 Official Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections, BE REFUSED for the following reasons:

i) the Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;

ii) the Southwest Area Secondary Plan supports sidewalks on both sides of the street, primarily to support walkability, and encourage active mobility, and to ensure planning is in accordance with the Accessibility for Ontarians with Disabilities Act, so that all of the elements of the City are accessible for everyone; and,

iii) the City’s Complete Streets Design Manual contemplates sidewalks on both sides of the street, to ensure a more “complete” environment that will feature high-quality pedestrian environments and integrate seamlessly with transit services, cycling networks, and automobile users. London’s streets will be designed for connectivity and support the use of active and sustainable modes of transportation;

c) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, to amend The London Plan by:

- i) changing the Place Types on Map 1 - Place Types - FROM Neighbourhoods and Environmental Review TO Green Space, and to change the alignment of the Neighbourhood Connectors;
- ii) changing Map 3 - Street Classifications- by amending the east-west Neighbourhood Connector to align with Street A, and by amending the north-south Neighbourhood Connector to align with Street D;
- iii) changing Map 5 - Natural Heritage - FROM Unevaluated Vegetation Patch TO Significant Woodlands and Wetlands; and,
- iv) changing 1565\_5. Southwest Area Secondary Plan, Section 20.5 (Southwest Area Secondary Plan) by:

- A) amending Schedule 2 (Multi-Use Pathways and Parks) by realigning the Planned Route and adding a Neighbourhood Park;
- B) amending Schedule 4 (Southwest Area Land Use Plan), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM "Low Density Residential", "Medium Density Residential", and "Open Space" TO "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign two secondary collector roads;
- C) amending Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM "Low Density Residential", "Medium Density Residential", and "Open Space" TO "Low Density Residential", "Medium Density Residential", and "Open Space", adding a Park, and to realign a secondary collector road; and,
- D) amending Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, FROM "Low Density Residential", and "Medium Density Residential" TO "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign a secondary collector road;

it being noted that the amendments will come into full force and effect concurrently with Maps 1, 3 and 5 of The London Plan; and,

d) the request to amend The London Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections, BE REFUSED for the following reasons:

- i) the Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;
- ii) the London Plan and the Southwest Area Secondary Plan support sidewalks on both sides of the street, primarily to support walkability, and encourage active mobility, and to ensure planning is in accordance with the *Accessibility for Ontarians with Disabilities Act*, so that all of the elements of the City are accessible for everyone; and,
- iii) the City's Complete Streets Design Manual contemplates sidewalks on both sides of the street, to ensure a more "complete" environment that will feature high-quality pedestrian environments and integrate seamlessly

with transit services, cycling networks, and automobile users. London's streets will be designed for connectivity and support the use of active and sustainable modes of transportation;

e) the proposed by-law appended to the staff report dated September 23, 2019 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 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 an Urban Reserve (UR4) Zone and an Environmental Review (ER) Zone, TO:

- i) a Holding Residential R1 Special Provision (h\*h-100\*R1-3(\*)) Zone;
- ii) a Holding Residential R1 Special Provision (h\*h-82\*h-100\*R1-3(\*)) Zone;
- iii) a Holding Residential R1 Special Provision (h\*h-100\*R1-4(\*)) Zone;
- iv) a Holding Residential R2 Special Provision (h\*h-100\*R2-1(\*)) Zone;
- v) a Holding Residential R2 Special Provision (h\*h-100\*R2-3(\*)) Zone;
- vi) a Holding Residential R2 Special Provision/Residential R4 Special Provision (h\*h-100\*R2-1(\*)/R4-6(\*)) Zone;
- vii) a Holding Residential R2 Special Provision/Residential R4 Special Provision/ Residential R6 Special Provision/Neighbourhood Facility (h\*h-100\*R2-1(\*)/R4-6(\*)/R6-5(\*\*\*\*)/NF1) Zone;
- viii) a Holding Residential R6 Special Provision/Residential R8 Special Provision (h\*h-100\*R6-5(\*)/R8-4(\*\*)) Zone;
- ix) a Holding Residential R6 Special Provision/Residential R8 Special Provision (h\*h-100\*R6-5(\*\*)/R8-3(\*)) Zone;
- x) a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h\*h-100\*R6-5(\*\*\*)/R8-4(\*\*\*\*)/R9-3(\*\*)) Zone;
- xi) a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h\*h-100\*R6-5(\*\*\*)/R8-4(\*\*\*\*)/R9-3(\*\*\*)) Zone;
- xii) a Holding Residential R8 Special Provision/Convenience Commercial Special Provision (h\*h-100\*R8-4(\*)/CC6(\*)) Zone;
- xiii) a Holding Residential R8 Special Provision/Convenience Commercial Special Provision/Neighbourhood Facility Special Provision (h\*h-100\*R8-4(\*\*\*)/CC6(\*\*)/NF1(\*) ) Zone;
- xiv) a Holding Residential R9 Special Provision/Convenience Commercial Special Provision (h\*h-100\*R9-3(\*)/CC6(\*\*\*)) Zone;
- xv) an Open Space (OS1) Zone;
- xvi) an Open Space (OS5) Zone;
- xvii) an Environmental Review (ER) Zone; and,
- xviii) an Urban Reserve (UR4) Zone;

f) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the application for draft plan of subdivision of W-3 Lambeth Farms Inc. relating to a property located at 3700 Colonel Talbot Road and 3645 Bostwick Road:

- i) the approval of clause b) above relating to the request to amend the 1989 Official Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections; it being noted that the Civic Administration is recommending refusal;
- ii) the approval of clause d) above relating to the request to amend The London Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all

street sections or on all street sections; it being noted that the Civic Administration is recommending refusal; and,

iii) in clause g), below, the removal of the requirement for “one (1) future road block;

g) the Approval Authority BE ADVISED that the Municipal Council SUPPORTS the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by W-3 Lambeth Farms Inc. (File No. 39T-17503), prepared by MHBC Planning, File No. 1094 ‘U’, dated December 20, 2018, as red-line amended, which shows a draft plan of subdivision consisting of twenty-one (21) single detached/low density blocks, thirteen (13) street townhouse blocks, two (2) apartment/medium density blocks, four (4) commercial/residential mixed use blocks, two (2) cluster/low rise blocks, one (1) school block, one (1) open space block, seven (7) pathway blocks, three (3) park blocks, one (1) urban reserve/environmental review block, one (1) future road block, two (2) road widening blocks, eleven (11) 0.3 m reserve blocks, all served by two (2) secondary collector/neighbourhood connector roads (Street A and Street D), and nine (9) new local/neighbourhood streets, SUBJECT TO the conditions contained in Appendix “D” appended to the staff report dated September 23, 2019;

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 proposed and recommended amendments are consistent with the Provincial Policy Statement, 2014 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs and provide for a range of housing types and densities to meet projected requirements of current and future residents;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods and Green Space Place Type;
- the proposed and recommended amendments conform to the in-force policies of the (1989) Official Plan, including but not limited to the Low Density Residential designation, the Multi-Family., Medium Density Residential designation, and the Open Space designation;
- the proposed and recommended amendments conform to the policies of the Southwest Area Secondary Plan;
- the proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to The London Plan, the (1989) Official Plan, and the Southwest Area Secondary Plan;
- the proposed and recommended redlined draft plan supports a broad range of low and medium density residential development opportunities within the site including more intensive, mid-rise apartments along the Bostwick Road corridor, limited convenience commercial uses at locations along the Bostwick and Colonel Talbot frontages, and a mixed-use, community oriented development node at the intersection of the proposed secondary collector roads (neighbourhood activity node). The red lined Draft Plan has been designed to support these uses and to achieve an aesthetically-pleasing, mixed-use development that is pedestrian friendly, transit supportive and accessible to the surrounding community; and,
- the proposed amendments to The London Plan and (1989) Official Plan, clauses b) and d) above, are recommended to be refused as the Provincial Policy Statement promotes active transportation and

encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; The London Plan and the Southwest Area Secondary Plan support sidewalks on both sides of the street, primarily to support walkability, and encourage active mobility, and to ensure planning is in accordance with the *Accessibility for Ontarians with Disabilities Act*, so that all of the elements of the City are accessible for everyone; and the City's Complete Streets Design Manual contemplates sidewalks on both sides of the street, to ensure a more "complete" environment that will feature high-quality pedestrian environments and integrate seamlessly with transit services, cycling networks, and automobile users. London's streets will be designed for connectivity and support the use of active and sustainable modes of transportation. (2019-D09)

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: J. Helmer

Seconded by: S. Turner

Motion to open the public participation meeting.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to close the public participation meeting.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

3.5 Public Participation Meeting - Proposed New City of London Tree Protection By-law

Moved by: J. Helmer

Seconded by: S. Turner

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the following actions be taken with respect to the Tree Protection By-law C.P.-1515-228:

- a) the public input provided at the September 23, 2019 Planning and Environment Committee meeting with respect to the proposed new Tree Protection By-law appended to the staff report dated September 23, 2019 BE REFERRED to the Civic Administration for consideration in the preparation of a revised Tree Protection By-law; and,

b) the Civic Administration BE DIRECTED to provide a proposed by-law to repeal and replace the existing Tree Protection By-law C.P.-1515-228 at a future Planning and Environment Committee meeting including replacing the term “City Planner” with “City Engineer”;

it being noted that the Planning and Environment Committee reviewed and received a communication dated August 30, 2019, from S. Levin, Acting President, Congregation Beth Tefilah, with respect to this matter;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters. (2019-E04)

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Additional Votes:

Moved by: J. Helmer

Seconded by: M. Cassidy

Motion to open the public participation meeting.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

Moved by: S. Turner

Seconded by: M. Cassidy

Motion to close the public participation meeting.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

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

##### **4.1 9th Report of the London Advisory Committee on Heritage**

Moved by: M. Cassidy

Seconded by: S. Turner

That, the following actions be taken with respect to the 9th Report of the London Advisory Committee on Heritage, from its meeting held on September 11, 2019:

a) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for alterations to the property located at 40 Craig Street, within the Wortley Village-Old South Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the vinyl siding cladding the front gables be removed within 1 year and the painted wood shingle imbrication be retained and restored;
- only painted wood be used for the alterations to the porch, including but not limited to the hand railings on the steps, the steps, and the porch skirt;
- all exposed wood be painted;
- the Heritage Planner be circulated on the Building Permit application drawings to verify compliance with this Heritage Alteration Permit prior to issuance of the Building Permit; 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 9th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner, was received with respect to this matter;

b) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval for replacement of the front door at 213 King Street, within the Downtown Heritage Conservation District, BE PERMITTED with the term and condition that the former door be salvaged by the property owner for appropriate reuse elsewhere; it being noted that the presentation appended to the 9th Report of the London Advisory Committee on Heritage from K. Gonyou, Heritage Planner and a verbal delegation from S. Caplan were received with respect to this matter;

c) the following actions be taken with respect to the Notice of Planning Application, dated July 24, 2019, with respect to Official Plan and Zoning By-law Amendments related to the properties located at 1-3 Bathurst Street and 269-281 Thames Street:

i) C. Lowery, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the conclusions of the Heritage Impact Assessment (HIA) associated with the above-noted Application; it being noted that the HIA has not adequately addressed the following impacts to the adjacent and on-site heritage resources or attributes:

- massing impacts, particularly with respect to adjacent southerly heritage listed properties;
- design impacts, with respect to compatibility with the properties located at 1-3 Bathurst Street, in terms of building materials, colour and overall design as referenced in Section 3.3 of the above-noted HIA; and,
- glazing attributes; it being noted that the LACH recommends glazing inspired by the 19th Century Industrial style; and,

ii) the document, entitled “Comments on the HIA for 1-3 Bathurst Street and 269-281 Thames Street” from T. Jenkins appended to the 9th Report of the London Advisory Committee on Heritage, BE FORWARDED to C. Lowery, Planner II, for consideration;

d) the Civic Administration BE ADVISED that the London Advisory Committee on Heritage is satisfied with the vision, principles and policies of the Victoria Park Secondary Plan Draft Secondary Plan; it being noted that the proposed policies for cultural heritage outlined in Section 3.5 of the above-noted Secondary Plan continue to support the objectives and policies of the West Woodfield and Downtown Heritage Conservation Districts and promotes the conservation of on-site cultural heritage resources and compatibility of new development with on-site and adjacent cultural heritage resources; and,



e) clauses 1.1, 2.1, 3.1 to 3.5, inclusive, 4.1, and 5.3, BE RECEIVED for information.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

**5. Deferred Matters/Additional Business**

5.1 Deferred Matters List

Moved by: M. Cassidy

Seconded by: J. Helmer

That the Managing Director, Development and Compliance Services & Chief Building Official and the Managing Director, Planning and City Planner, BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration.

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

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

**6. Confidential**

The Planning and Environment Committee convene, In Closed Session, for the purpose of considering the following:

6.1. Personal Matters/Identifiable Individual

A personal matter pertaining to identifiable individuals, including municipal or board employees, including communications necessary for that purpose, with respect to the 2020 Mayor's New Year's Honour List.

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

**Motion Passed (5 to 0)**

The Planning and Environment Committee convened, In Closed Session, from 4:24 PM to 4:27 PM.

**7. Adjournment**

The meeting adjourned at 9:37 PM.

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.1 PUBLIC PARTICIPATION MEETING – Application – 585 Third Street (OZ-9028)

- Barbara Rosser, Planning Consultant retained by the applicant and the agent for this application – expressing support for the very fulsome staff report that would allow the business of Tricor Contracting to remain in its current location at 585 Third Street; highlighting a few matters from the report and that is that there has been no evidence of complaint or incompatibility with regards to the operation of Tricor Contracting which has been on the site since 2000; advising that the report indicates adequate parking at 35 spaces approximately available to the business; stating that the zoning that is before the Committee would specifically recognize the use or similar use within the existing building at the existing setbacks on this property only; expressing satisfaction with the report; hoping the Committee sees fit to accept the recommendation.

## Appendix A

Bill No.(number to be inserted by Clerk's Office)

2019

By-law No. Z.-1-19\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 307 Fanshawe Park Road East.

WHEREAS Royal Premier Homes has applied to rezone the lands located at 307 Fanshawe Park Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 307 Fanshawe Park Road East, as shown on the attached map, from a Holding Residential R1/ Bonus (h-5\*h-54\*h-89\*R1-8\*B-15) Zone to a Holding Residential R5 Special Provision (h-5\*h-54\*h-89\*R5-7 (\*)) Zone.

2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

- \_\_\_) R5-7 (\*)
- a) Permitted Uses:
    - i) Stacked Townhouse
  - b) Regulation[s]
    - i.) Density (maximum) 75 units per hectare
    - ii.) Front Yard Depth (minimum) 4.5 metres
    - iii.) West interior side yard for a lot depth of 30 metres 4.9 metres
    - iv.) Front Yard Setback to patio/porch (minimum) 2.3 metres
    - v.) Height For a Lot Depth of 30 metres (maximum) 12 metres
    - vi.) Height For balance of the lands. (maximum) 10 metres

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.

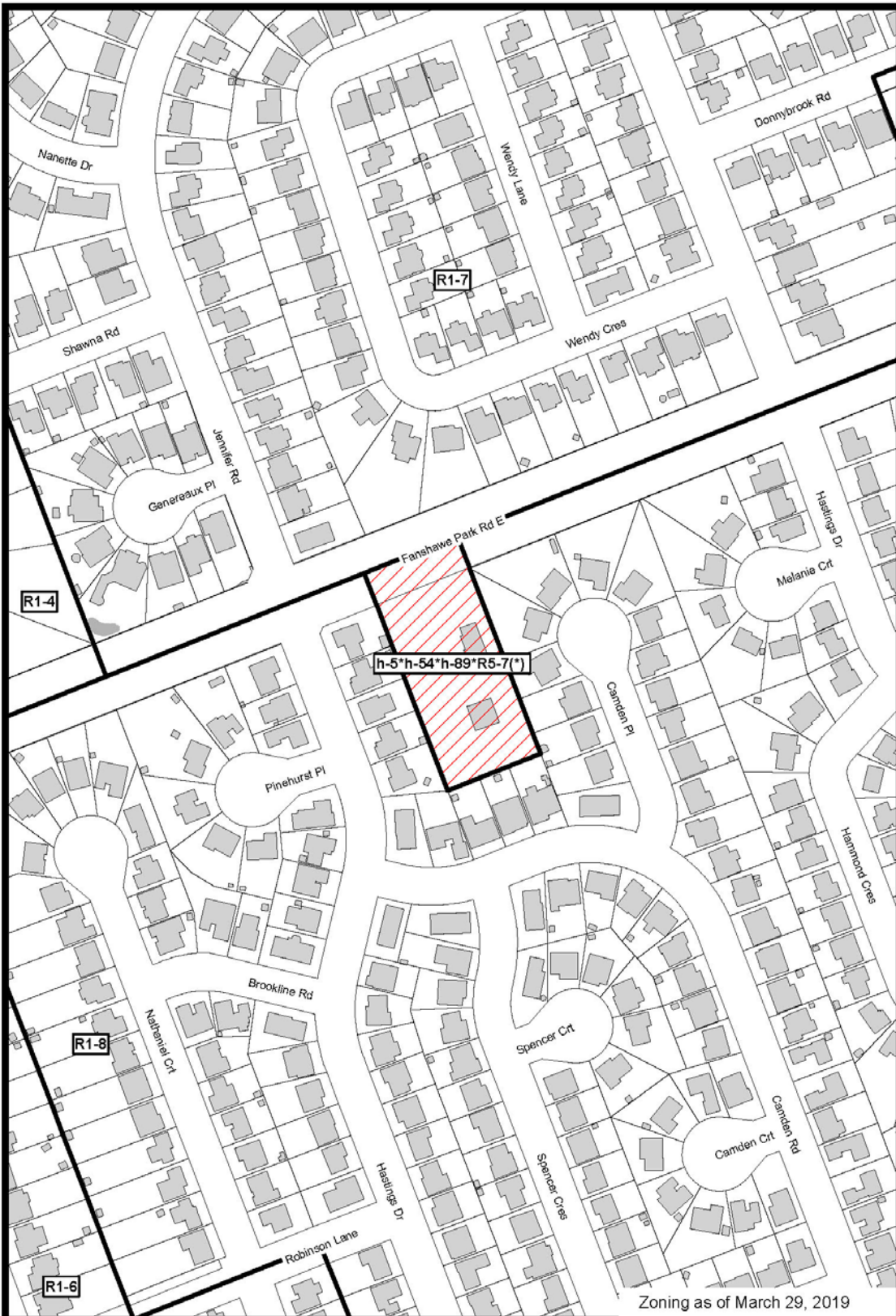
PASSED in Open Council on October 1, 2019.



Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



<p>File Number: Z-9006 Planner: CS Date Prepared: 2019/04/05 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters</p> 
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## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.2 PUBLIC PARTICIPATION MEETING – Application – 115 Bessemer Road (Z-9084)

- David Mihlik, Spriet Associates – indicating that he has Larry Martell, Barnim Property Holdings and Charlene Lampman, Enterprise Rental Car with him in the audience; advising that this is a proposed amendment to permit a rental establishment for Enterprise and their existing uses right now are limited to use as a garage of the facility so they want to add rental cars and this is the same approach that is done on a similar Enterprise location a few blocks away where they had to get a site specific zoning amendment for it and what they are asking for is the same type of use in the same type of existing zoning on the property located at 115 Bessemer Road; expressing full agreement with the Planning report prepared by the City and would support the amendment under the terms that are outlined in that petition.
- *(Councillor S. Turner pointing out that it indicates in the report that this is just with respect to the range of uses; there is some site condition components that seem like they might just be minor variances but the reason it is before them is because there is a change in use; is that correct.);* Mr. M. Tomazincic, Manager, Current Planning, responding that that is absolutely correct.

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.3 PUBLIC PARTICIPATION MEETING – Application – 307 Fanshawe Park Road East (Z-9006)

- Claudia Clausius, Executive Secretary for the Old Stoneybrook Neighbourhood Association – stating that the people behind her who will be continuing our presentation are the rest of the Executive for the Association; noting that they were duly elected in a meeting about a year ago from the general membership of the Association, many of whom are in the Gallery and we hope will speak later on; she would like to begin by reiterating that our Association has always been in favor of developing the 307 site; it is underutilized, in fact, it is an ugly lot right now and developing it offers several advantages: an opportunity to intensify, an opportunity to promote accessibility to our neighborhood and to diversify our community; guided by the two London city plans and the by-laws, we have repeatedly suggested an intensification of twenty units and more on this later; we have also accepted the footprint of the buildings; zoning is at the heart of this entire process; the highlighted zoning, as you see, demonstrates clearly the tension at the core of this proposal; the development obstinately wants more intensification than is allowable under the zoning; the request at the first proposal wanted R5 but alluded to R-6/R5/R6-7 and R8; at one point the City Planner suggested the developer request R8 since the intensification he wanted was not possible under R5, this R8 was dropped; however, even here when we are back at R5, R8 is being used to justify an intensification not allowable under R8; this development seems stubbornly fixated on a specific number of units and parking spots and cannot seem to get past that even where solutions are possible; here is the wording from the City Planner who is trying to accommodate the developers insistence on forty-two units for this lot; the recommended density of seventy-five units per hectare is required given the maximum density within the R5 zone is sixty units per hectare; however, R8 intensification is not required in R5 applications except when the developer is not satisfied with the R5 zoning limitations; the proposal already requires many waivers and allowances; other developments in London have taken the two City plans into account, more on this later; for this type and size of site precedents reflect about thirty units per hectare which means that for 307 that would be seventeen units not forty-two; please recall that we have already agreed to twenty units, a number already in excess of the precedent number; here is a brief history of the recommendations thus far; in May, the Planning and Environment Committee sent the proposal to City Council; City Council directed that the proposal and she quotes from the minutes here and the City Planner in fact quoted the same minutes “be referred back to the Civic Administration in order to undertake additional work with the applicant to address tree protection, building elevation and intensification in site planning through the Urban Design Peer Review Panel (UDPRP)”; the UDPRP recommendations were, in many instances, consistent with City Council concerns and with our Association feedback; she would like to turn now to the puzzling refusal of the proposal to address the clear and repeated requests made by both City Council and the Urban Design Review; in fact, in some cases those very concerns are now worse than in the first proposal; City Council requested additional work on tree protection; the previous proposal had twenty bordering trees retained, now only fourteen will be preserved, six additional trees will be cut down, all of these are partially owned by the neighbors; all trees within the lot will be cut down in the designated tree protection zones for building elevations there is now less privacy for neighbors; there were high private transom windows that have now been replaced with full height windows; urban peer review echo many of City Council’s concerns; in the words of one expert “that is a lot of parking lot”; because of the large parking lot, critical issues for urban peer review were the loss of privacy and buffering, the absence of any common green amenity space; they were anxious about the parking lot size also for vegetation and tree preservation plans; they also

wanted an improved plan for traffic within the parking lot; the urban review offered a solution to some of these problems by suggesting below grade parking; urban review also asked that the proposal be returned to them; (*Councillor J. Helmer indicating that Ms. Clausius is at five minutes and to please wrap up.*); the final slide will sound repetitive because, once again, we see the current proposal is entirely different to UDPRP's directions; there are fewer trees preserved than before, landscaping is deferred to site plan phase, private buffering is degraded, parking lot issues are not addressed, drainage swales are described as green amenity space for future residents, underground parking was dismissed as too costly; the proposal has not gone back to the urban peer review; this plan has disregarded all the feedback and recommendations that tried to solve specific problems; not surprisingly those problems remain. (See attached presentation).

- Debra Beverley, President, Old Stoneybrook Community Association – advising that she would like to talk to you a little bit about the adverse impacts and some alternatives and she does want to say thank you very much for your time and continuing to address this with us, to all of you as well as to the developers for working with us, we are grateful to have these opportunities and continue dialogue; she would like to start by pointing out some of the practical problems with the current zoning application as it is outlined today; the first is that the loss of all trees, as you just heard about, in this designates Tree Protection Zone, that is a really large one for us, the sewer capacity calculations which do appear to be sufficient; we recognize those are based on standards the City is currently using but they are standards from 1972, almost fifty year old products and things that are using the sewer systems have changed significantly so we do have concerns related to that; some aspects of the application are also impractical or hazardous and that would be things like the u-turns, one of the main intersections that people are likely be doing u-turns at are at Jennifer/Hastings; that changes names as it crosses over north and south right at Fanshawe and even just a week or so ago there was another accident; she knows as some of our neighbors have pointed that out to us; it is a site of repeated accidents so adding another nineteen cars leaving in the morning or twenty-five cars that come home magically at night doing u-turns to get into the property; we do have serious concerns that there may be some critical issues related to that and then just the diminishing setbacks eroding privacy and making noise and light pollution inevitable; the number of parking spaces required for the zoning application which do match the number of units that have been required to limit the landscaping and make snow removal an issue; while Zelinka Priamo Limited has tried to address this by increasing the set back of the parking lot from the eastern edge to about twenty or twenty-two feet she believes and we are grateful for that; it is, in fact, still inappropriate though because unless the lot entirely empties snow is actually going to have to be pushed, instead of into that twenty-two foot space along the eastern edge of the property into the south end of the parking lot where there is much less foot space available and the snow is likely to pile up and then may well drain into neighbours lots with flooding issues, the salt and chemical issues of the snow melting and killing vegetation there as well; what would be a better fit because she knows we are telling the Committee all the things that were not happy with; we do want to be developed, we would like to see it intensified; going from one single family home to twenty units of possibly four up to possibly eighty people, that is intensifying and that is what we are suggesting; when they were here in May, you did conclude by referring this back to City Council and we have talked about the history so she will not reiterate that but the current plan is still too intense, too intense for a lot of this size; eighty-three percent of which is bordered by our one houses; we are not talking about major thoroughfares on even two sides of the street; seventeen percent of it runs along Fanshawe Park Road, absolutely it does but the majority is set within a residential neighborhood; we need to address the zoning because this is driving the parking lot size which is causing the majority of the issues and these are issues that are going to come up at site planning once it is too late to scale back the development and that is going to leave the City and neighbourhoods in a challenging, an untenable situation; if the size the development is capped at twenty units this will



decrease the size of the parking lot to thirty spaces reducing paved and impermeable surfaces by fifty-three percent; recognizing it is expensive to do underground parking and we recognize why that may not be in the developers best interest but if we scale back the parking lot we are still mitigating the same issues; this decrease in paved surface will allow for more usable and effective amenity space, something the neighborhood and the Urban Design Peer Review Panel both recommend; it would not then have to relegate all of the green space to the periphery of the lot; where at the periphery there is no privacy for the neighbors who live in the residents or the neighbors that are surrounding noise, light pollution and lack of buffering all going to contribute, no one wants to have their barbecue three feet from my backyard when my kids are four feet away jumping in a pool and the same happens with other neighbors around the neighborhood; the space itself is just not a sizeable enough space for one hundred and one residents which is on the lower end of who will be living here, approximately one hundred one people; reducing the number of units and therefore the size of the parking lot means that less trees need to be removed in the Tree Protection Zone and allow us to honor that; a plan that was mandated by the City for good reason and as a Forest City, a title but I think most of us in London feel represents us, she can see with all of your glass signs here the forest on it, we actually lost the title Forest City for a period of time and we worked hard through various tree planting regimes to bring that back so let us help make sure that we retain that; the trees also provide for natural and effective means of drainage to manage storm water and then and reduce the impact of the swelling and catchment basins; (*Councillor J. Helmer advising Ms. Beverly that she has reached five minutes.*); asking for thirty seconds to wrap up; (*Councillor J. Helmer asking her to just wrap up.*); wanting to highlight one other on property that you have been discussing and that is the 420 Fanshawe Park Road East or also called the Poole property; there you had a lot of challenges as well but you went from six stories to four stories which was a better fit for that property and it is three times larger a lot than ours that has generous setbacks that provide protection and buffering, a lot of the trees have retained, two-thirds of the common space is green space; asking that you consider protecting the trees and enforcing the same kind of privacy buffering that you did there at the 307 Fanshawe Park Road. (See attached presentation.)

- Ron McDougall, 41 Camden Place – indicating that since the first day that this proposal was presented to our community we have made every attempt to be reasonable; we have demonstrated a willingness to accept that this is an underutilized lot; we know that development is inevitable and it would be greater than we prefer; we are willing to accept that; at the last meeting of the Planning and Environment Committee, it was said that our community had not made clear what we would be acceptable to us; this is not so, it was said on several occasions by several people that we would not object to a project of around twenty units; in May of 2019, we stated in a written submission to the Planning and Environment Committee an intensification of two twenty units would be appropriate; our objective is to work with the City to intensify the use of this property; in the process we also want to see some grass and trees remain; what we do not appreciate is a process we have been forced to contend with, we would like to see some flexibility by the developer and the City Planners, just a little recognition that our community deserves some input into how our community will change; however, our attempts to be reasonable have fallen on deaf ears; today's project is virtually unchanged from the original proposal; there have been a few minor changes but no concession to the number of units and consequently to the impact on our neighborhood; from the beginning we have asked for a project that will not remove all the trees and grass; the estimates for this project to the population of one hundred people in a small space; could it go to one hundred fifty people, one hundred sixty people, that would be only about four people per unit; where is the grass for leisure or play, it is under the parking lot; he would like to remind you of one of the requirements attached to the approval of 420 Fanshawe Park Road; he knows he is repeating but that project was ordered to set aside two-thirds of the property as Landscaped Open Space; we do not mind if there is no change to the footprint of the buildings; in a meeting with the developer at City Hall on

July of 2019, we made this clear; our issue is parking for forty-two units; if the number of units are reduced the parking area is reduced, the green space is increased, trees could be saved and there would be leisure space for the owners and tenants; all of our objections stem from the number of units, with fewer units the issues we have identified will be eliminated or reduced; currently, as estimated, this project will only meet minimum standards for storm water removal and waste water management, is this adequate and will it stand the test of time; the City and Province have made a commitment to promote accessibility for the handicapped; this project will have no handicapped access, handicapped people can park their car in designated spaces but they have nowhere to go; we agree that our community should be diversified, this should include handicapped families and empty nesters; we feel it is time the developers should make some significant concessions; we have no faith that anything meaningful can be accomplished at site planning; the developer has told us he plans to rent the units; he wants back some units for maximum rental and rental income; there is no incentive for him to make a concession unless this Committee and Council show the way; we ask that the zoning granted be R5-3 with twenty units; we would like to point out another concern about zoning requested, several times in discussions with the developer he has stated that if we do not agree with his plan he can build up to a six story building; this does not demonstrate good faith negotiating; if you grant the zoning requested we are concerned that he will use this zoning as leverage to go for the six storeys; we are asking you to reject this proposal, it is in the best interests of our community and the city to ask everyone to go back to the drawing board and work out a better plan; if this remains at forty-two units we cannot expect any concessions in site planning.

- Fred Cull, 33 Camden Place – indicating that he and his wife Cathy have lived here for forty-two years; we moved into our new home in 1977 and back then the trees on our street were quite small; in over the forty years plus those trees have grown to provide shade and coolness and beauty and added character to our neighbourhood; looking out from my backyard, we look directly onto the 307 Fanshawe Park Road property where the old original farm, the barn and the yellow brick farmhouse were located; this past January the developer had both the barn and the house torn down, now what remains is the old mature trees and hedges; taking a minute to thank Councillor Anna Hopkins for stepping up to support our group and be our representative for Ward 5 during this process; advising that Councillor A. Hopkins has been out to the property and she is quite familiar with our concerns; thanking the Councillor Phil Squire for taking the time to come out and have a look at that the lot from our backyard and Councillor P. Squire was quite concerned about the number of trees that they were going to remove; he would also like to thank the people in the gallery for coming out to support us; appreciate that; moving on the trees, in regards to the tree plan, he has suggested that all the trees and all the hedges that surround the 307 Fanshawe Park Road site on the perimeter be saved; the hedges have grown to be twenty to thirty feet in height and provide privacy for the property owners who back on to the site; the developer has planned to cut everything down on the perimeter of the lot and to replace these trees with little saplings; noting it would take several decades for the saplings to mature to replace what is there now; most of us will be dead by then so do not destroy the trees and hedges on the perimeter of the 307 Fanshawe Park Road lot that we all need for shade and privacy; advising that he has a maple tree in his backyard, it is on the border line between 307 Fanshawe Park road and his property and the developer is required by a by-law to consult him for removal of that tree; he has not consulted him, he has indicated that tree is coming down; indicating that he wants it left; moving on to the parking lot, the proposed plan by the developer is to install a huge parking lot for sixty-three cars and sixty-three cars coming and going, their plan is to have wall-to-wall paved parking; the parking lot exceeds what the City by-laws allow; headlights would be shining directly onto the adjacent properties onto their homes; the parking lot must be reduced; there is no green space provided for children to play; we need more grassy areas and less parking lot; snow storage, the developer plans to plow all the snow from the huge parking lot up against his fence line, snow melt, salt and chemicals would kill our

flower bed and our gardens and would flood our backyards and kill my maple tree; he does not want the snow from his parking lot directed onto his property, remove the snow elsewhere; talking about Widder Station, another development in Old South London and there is a problem there the neighbors have with the property, they back onto a new development there and the developer has dug a ditch there or a swale so there is standing water with infested mosquitos in that swale, the people are out there swatting the mosquitos, they cannot enjoy their backyards now; we do not want that and lastly just to sum up he would like to talk about the sanitary sewer; the plan is to use the existing six inch drain like this that was apparently installed in the ground and runs from the 307 Fanshawe Park Road property out to an eight inch drain on the Camden Place circle; that drain pipe was installed back in the early 1970's, almost fifty years ago, and the six inch drain was used for the single family who lived in the old farm house he is told; now the plan by the developer is to use that same old six inch drain pipe to service the entire population in this development; they say that the six inch drain pipe is large enough to service one hundred and one people; we do not know how many people will be living there as rental units may be one hundred, one hundred and fifty, two hundred, who knows, they could be crammed in there into this building, toilets flushing, water from sinks and showers, disposable diapers and wipes will clog the six inch drain; fifty years ago we did not have all those disposable items being flushed down our toilets and he dreads the thought of sewage backup or a leak in the pipe, it could cause spill and raw sewage into my home that is, my mom is right beside this sewer pipe in the easement; (*Councillor J. Helmer indicating that he has reached five minutes.*); just finishing up, thank you; instead of causing more problems for the people on Camden Place with construction for sanitary sewage to the Camden Place circle, run the proper size sanitary drain out to Fanshawe Park Road instead of to the Camden Place circle; thank you for listening.

- Michael Crawford, Camden Place - the *Ontario Planning Act* requires intensification but it is intensification to compensate in some measure for unbridled expansion in the rural suburbs, the subsections of the *Planning Act* require that the proposal advanced be clear enough for us to understand and it also requires an opportunity for us to, as a community, to have impact and input and also requires that the plans avoid adverse effects; many of the regulations surrounding this obviously derogate to the municipalities to look after; the London zoning by-laws and the Official Plan are all very very clear that if you have an intensification you must ensure there is no adverse impact and the Official Plan goes on to say that you need to minimize loss of privacy and you have to address the issues of traffic, noise, lighting, visual impact, loss of trees, etc.; the City Planner has quoted, there may be instances when a minor variance is warranted based on the configuration of the site or the developmental constraints associated with it; it does not say that it is intended to maximize intensity without regard to privacy, light pollution, parking buffering, etc., it is not to maximize profit for the developer and it is not to be at the detriment of residents; a minor variance singular minor we are being presented here with an inflation of density from sixty to seventy-five units per hectare and abatements or setback allowances that will invade the privacy of neighbors; what is it that is being offered to justify this this cross intensity, is it accessible parking maybe but where are the accessible residences, this is not a LEED efficient structure, there is no common amenity space for residents unless you include the swale ditches; there is no play place for children so how are we addressing diversity here if you are aged, if you are disabled, if you have little children this is not a place that you could live; there have been profound problems in just this last month and he has to acknowledge that up until then we have really enjoyed our communications with City Planning, Councillors and with the developer but this last month has been horrendously frustrating; the developers plans were mounted on the website only one week before comments were due to this Committee, that is this last Friday, and the City Planner listed his recommendation a day and a half before Friday's deadline; where is community consultation there, this is not consultative, this was rushed, this was discourteous and this was fundamentally disenfranchising; too much is being deferred at this present time to get a clear picture of what is really intended because of this being deferred to

site plan and their trust has been fundamentally eroded; bear in mind, a concrete example here that the stormwater management was endorsed initially by the City Planning and by the Engineer; it was brought to their attention by an outside consultant, a retired City Engineer, that this was not a plan it was a catastrophe waiting to happen; we militated, we flagged this for attention of City Planning and fortunately Council intervened and returned the plan to staff; major issues such a snowstorm storage have still not been addressed; the issue here is if we could not trust City Planning and the Engineer to address stormwater management in the initial iteration that they endorsed how can we put off many of these fundamental decisions to site planning now; from our perspective the size of the parking lot is driving all other considerations, the density is simply and purely not possible within the by-laws, check out the parking by-laws, unless the parking is either moved underground or the unit density is reduced; by-laws are fundamentally not being a respected and we are being asked to defer on these fundamental issues that are inextricably bound to zoning density and size, they cannot be postponed to site planning; going to conclude by asking you to consider that the City's Official Plans and the by-laws are the product of deliberation by Councillors such as yourself, they have involved a lot of community input, they have involved a lot of deliberation and votes; they need to be respected in their totality not cherry picked where convenient and ignored, these bylaws were thoughtfully put in place by previous administrations and we disrespect their work, we disrespect our neighbors and our city if we do not pay attention to them and we run roughshod over them; these documents are sensible and forward looking in their totality, we should follow them; urging the Committee to please look out for your constituents here, vote to reject this zoning application.

- Mary Lacey, 37 Camden Place – advising that she is here today as a concerned citizen regarding the rezoning application for 307 Fanshawe Park Road East; she is certainly not opposed to the development of this property; however, she is opposed to the size and scope and the resulting impact on our neighborhood and the environment; there appears to be fewer trees retained than previously listed and these are primarily on neighboring properties, removing the mature hedges surrounding several properties and replacing them with saplings may sound positive but it will take decades for these new trees to grow in order to provide any type of privacy and as previously mentioned, sadly, many of us in this neighborhood will probably not live to see these trees mature; in support of this, the comments from the Urban Design Peer Review Panel indicated buffering to the adjacent properties as critical; trees are a valuable part of our heritage and should be afforded the appropriate protection, we are responsible to preserve green space for future generations; noting that this is National Forest Week and London's slogan is "Hug a Tree, Get One Free", this at the same time the we are considering removing forty plus very old trees from my neighborhood; the increased traffic is another major concern especially with the recommendation of u-turns on the busy roadway; believing that somewhere she read that eventually Fanshawe Park road will be widened; imagine making a u-turn on a six lane road, the alternative would be to drive through the subdivisions on either side of Fanshawe Park Road with public schools on both Stonybrook Crescent and Hastings Drive; please reject the current proposal and work with the community to build something of which we can all be proud and that fits in with the neighbourhood; thank you for giving me the opportunity to voice my concerns.

- Jean-Ann Goldrick, 1261 Hastings Drive – saying good afternoon and thank you to the Committee and to all the people who have come as attendees in the gallery to support our considerations; the last time we met with this Committee she spoke about the character of our neighborhood, as far as the neighbourhood goes nothing has changed since that last meeting; my comments are still what they were at the time but the fact that the plans for the proposed development at 307 Fanshawe Park Road East have not significantly changed either with the with the exception of some cosmetic alterations, it is still too large, too big a parking lot creating too many cars and too many people; the suggestion that the builder will replace the privacy hedge with conifers will not give the degree of privacy that now exists; the current hedge

was planted by our son in 1985 and, as mentioned earlier, it has now between fifteen and thirty feet high so by the time it reaches the height it is now, she and many others will certainly no longer be able to enjoy and take advantage of the said privacy; the proposed building contravenes a by-law that states there is a setback from an adjacent property of six meters does not seem to be seen as an issue to the builder, he can just apply to have the by-law changed and make it 4.9 meters so that the lot will accommodate the size of the building that is planned; the character of this neighborhood has stood the test of time for almost forty-five years and it should be allowed to have some consideration when the development of this property occurs; it is up to you to give us that option and work to achieve suitable infill on a project that will drastically change the character of our neighborhood that we enjoy and appreciate so much.

- Cathy Cull, 33 Camden Place – advising that she and her husband Fred have owned our property and home for forty-two years; our backyard faces directly onto where the parking lot and proposed second building would be located at 307 Fanshawe Park Road East, the property at 307 Fanshawe Park Road East is a beautiful parcel of land and she is very saddened to see most of the trees which have been such a part of the character gone as well as the wild flowers, the wildlife, seeing the changes of the seasons on these trees and the change that will happen to the overall general calmness in the neighborhood; the thought of experiencing sixty-three cars in and out of the parking lot directly behind our home day and night noise, fumes, additional lights etc. is very disheartening after all these years; yes urban and infill growth is here, the Old Stoneybrook Community Association realizes that 307 Fanshawe Park Road East will be developed; however, our concern still remains with the size and the extent; Fanshawe Park Road is an extremely busy thoroughfare and u-turns approved by previous reports would you create huge problems, we fear this will cause additional accidents to an already busy area; also another major concern within our community regarding traffic is the fact that drivers will attempt short cuts, turning around in driveways, cutting through the subdivisions and yes, again, u-turns; we are a community of families and schools, this will all coincide as children will be going to school and drivers wanting to get quickly to their workplace, this is cause for alarm, please engage with your stakeholders, the London citizens, taking into consideration safety, respect for all when evaluating continuous quality improvement and innovation and advancement for London and in particular the Old Stonybrook community; a development of one storey condos according to zoning etc. with a design to accommodate and meeting needs of downsizing in our greater community with compatibility would be a welcome fit and sensitive to the character of our neighborhood with respect for one another and harmony and with listening ears; to our City Councillors on the Planning and Environment Committee, Anna Hopkins, Jesse Helmer, Phil Squire and Stephen Turner, our neighbourhood is relying upon the good will of Council to accept and implement whatever measures are acceptable for the Old Stoneybrook Community Association.

- Lindsay, 35 Camden – expressing agreement with everything that has been presented already; she does not have much more to add than that; advising that she does find it odd that trees two, five and seven and about sixty to two hundred feet of the hedges that are being preserved are one hundred percent on her property

- Adrian Graham, 39 Camden Place – indicating that he does not think that he will be as eloquent as everybody else here; again just to go on about the traffic a little bit longer he feels that it is busy there already, there was an accident last week as was stated and he feels that a tragedy is going to ensue and he thinks that is just an inevitable thing and he is afraid of that, that somebody is going to get hurt because the traffic there now is intolerable and now it is going to be increased and there are going to be these u-turns that are going to happen and he thinks that is going to cause a problem; one other item he wanted to mention, it is just a fairness and a balance that he is not seeing; thinking their Committee has addressed many issues and he does not see that coming from the developers; there's a black and a white and there is a grey and he does not think this grey area is being addressed right now; there needs to be, again, a balance, we need to be able to sit down and discuss and

plan this so that it is beneficial for both, some will be disappointed, some will be happy, we just have to reach that balance and make this a community for everybody and he just does not see that balance or that fairness right now and so he is hoping that you guys have a big decision to make and he hopes that you make the right one; thanking Councillor Anna Hopkins very much for all her hard work and Councillor Jesse Homer, thank you very much.

- John Golder, 1261 Hastings Drive - pointing out that there are a lot of concerns that have been brought up today and he thinks they are all qualified for a lot of thought; hoping that we bring some good results; our owner has had some problems since he bought this property just maintaining it to any kind of standard that is acceptable to the people around that area; talking three to four feet of weeds and shrubs, whatever; he finally had to call the City who came fairly quickly; he was surprised they cut it down no problem; his problem is, is that going to be the way this fellow is going to look after the property once he gets these units in there, snow piled up, garbage piled up, that is his concern there; advising that the roadway is his next large large concern; he has seen four people killed there, one young lady, eighteen years old, gone; when somebody tells me you can go down the road, make a u-turn on a four lane highway, which that is today, make a u-turn when you have dump trucks, ready mix trucks and transport trucks coming each way, it is okay to make a u-turn; those people in the summer have trouble stopping, in the winter rain, snow, that is how the young lady get killed, in the rain, two cars hit her and killed her; now we have lots of people there, we are going to have more and more, do we really need to take this chance on taking lives.
- Carol Hickson, 29 Spencer Crescent – indicating that she does not understand where a developer is allowed to take all these trees down when she has to pay one hundred dollars for a permit to have one tree taken from her property and the other point she wants to make is that all these people that are in this room that have lived there for many many years, including herself and have paid taxes, when it comes to any development around you it seems like it is completely disregarded by the City government; for all the years that we put into our properties and all the years we have been neighbors and all the years we have had that community it is just like we are completely disregarded.
- Etsuko Sawatsky, 1541 Hastings Drive - reaffirming the worry that she thinks that everyone who lives in the neighbourhood has about if the u-turn is not a possibility that most people will decide to drive down Hastings Drive to then turn right onto Fanshawe Park Road and turn right into the lot; right now, even though there are not one hundred extra people living in this proposed development, a lot of people do speed on Hastings Drive and because there are two schools there and lots of children walk around because it is a pretty walkable neighbourhood she thinks it will get a lot worse if there are an extra one hundred people who get frustrated by having to go the extra distance to get to their lot to go in this big circle; advising that she is worried that it is going to get even more people speeding on this road and it will be a less pleasant area to walk in; there is a lot of footpaths in the neighbourhood and it is a good thing for people to be able to walk through all the different cul-de-sacs and courtyards that there are in this neighbourhood; to her, to make this development, whatever the zoning ends up being, more accessible and just a better plan would be to have more access for pedestrians and that would mean some compromise and working with the other neighbourhoods around this lot but right now with only one entrance from Hastings if there are any children or teenagers who live in this lot they will probably find ways to cut through people's backyards to get closer to their home because that is what kids do, that is what teenagers do; noting that her neighbour's kid cuts across the court to get to their backyard, his backyard gets cut through; cannot imagine for all the people who live on Camden Place and Camden Drive that their backyards are surrounding this lot here who is going to be cutting through their backyards and jumping over fences to get into this lot that could potentially have one hundred plus people living there; perhaps there is some more compromise here and more design work to be done in terms of access from multiple points and reducing

the number of units there would also help with the amount of trespassing that may end up happening from this neighbourhood into this lot.

- Dave Hannam, Zelinka Priamo Limited – advising that they are the planning consultants for Royal Premier Homes and they have prepared a quick presentation with input from the project engineer and landscape consultant; he will just quickly go through this; since June 11 there have been some developments on the site; the applicant has done everything that has been asked of him by staff and Council, he has met with Councillor and residents associations to discuss the proposed development, he has provided draft resubmission materials to the Community Association for their consideration, he met and went to the Urban Design Review Panel; the findings of that Panel were that they were generally supportive of the proposed size, height and density of the proposed development, as well as the orientation and the siting of the buildings; the developer has provided the City with resubmission materials that are generally ESPA level in terms of increased architectural elevations, grading plans, cross sections, updated servicing reports and planting plan; the result of that additional information is that we have continued support from City staff and we are hopeful of a positive endorsement from the committee today; turning it over to the engineer; recapping, obviously with the continued support of staff, from a land use/planning point of view, it meets all the current land use/planning policies and it is on a site that has been identified for intensification, and at a density that is supported through the Official Plan; in terms of built form, we are at heights and setbacks that are compatible with what could be developed; as of right on this site, the existing zoning, exits and parking arrangements will be designed to meet City standards; at the City's request, we did a Traffic Impact Statement that looked at capacities and the serviceability of existing infrastructures; there was no need for any road improvements in that area; as we are all aware, there is a holding provision that deals with a future public site plan process where lots of these issues can be refined; at this stage what we are looking for is a positive endorsement from Council or from Committee so that we can move forward into that detailed design stage.
- Kevin Moniz, Strik-Baldinelli-Moniz – advising that they are the Civil Engineering Consultants retained by the developer for this file; as David mentioned, since the previous meeting here, we were asked to go back and meet with the Committee members once more to address some other concerns; in preparation of that, we prepared the site grading and stormwater management plan, shown up there, which basically details the perimeter or swales in place to intercept runoff and snow melt prior to it leaving the site and impacting neighbouring developments; as well, it shows the detailed areas and the volume calculation showing that sufficient storage is available on site to meet the enhanced stormwater management requirements; he knows there was one comment about it being the minimum level of stormwater management but, to be clear, a typical requirement is to store and retain the 100-Year storm event, and release it at pre-development levels, whereas this site was tasked with storing and retaining the 250-Year storm event; certainly, there are enhanced stormwater management controls on the site given the sensitivity with the neighbouring developments; once this grading plan, this stormwater management plan was prepared, we went back to the architect to provide a more realistic interpretation of the elevations and the site cross-sections, showing what that might look like, because that was one of the other concerns in the neighborhood; the grading plan allowed those to be prepared, and I will turn it over to Carolyn now. *(Councillor J. Helmer indicating that you have about ninety seconds.)*
- Carolyn Buck, Leonard & Associates in Landscapes Architecture – indicating that they have been retained on this file as well; through the process and, because we come after grading, flood management being the most important, it did affect the difference in what we initially suggested in terms of trees being removed to what it is now; on July 12 we had a meeting with the community they had actually requested that some come out; we had talked about trees, and she believe it is fourteen at the bottom center of the screen, it is a border tree and they are happy to keep it if the owner wishes to do so, that is fine; as you can see, Strik-Baldinelli-Moniz has put in

place a retaining wall to retain that tree and protect it; many of the other trees on site are hazard trees; there are some older silver maples, there are many older sugar maples with extensive cavities, and arboreal-cultural and legal standpoint, we have to stand up and say “those trees should not stay, they present a danger to the public”, so we just have to do that, it is our legal requirement; you can see, there are such small sections of hedge that we have recommended having them removed, mostly due to the fact that it is not doing well; cedars, once they are dead through and through, they do not come back, they do not regenerate like a new hedge would; in those cases, we have recommended replacing them but we are also open to planting on the inside and on the proponent side and improving the property that way for both; yes, within that you will notice there are small circles around the periphery and, right now, we are showing one hundred forty-four cedar trees to go in.

- Resident – wondering if, with respect to the six inch discharge line, is it the City planners who are responsible for confirming that capacity or designers.



Old Stoneybrook Community  
Association:  
Helping Grow Forest City

307 Fanshawe  
Application Z-9006

# Agenda

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- **Context**
- **Land Use Change - City Council & UDPRP Recommendations**
  - Claudia Clausius
- **Adverse Impacts and Alternatives**
  - Deb Beverley
- **A Call for Changes**
  - Ron McDougall
- **One Case Study**
  - Fred Cull
- **Significance of the *Official Plan, London Plan,* & Bylaws**
  - Michael Crawford

# Our Position: We Support Development

Claudia Clausius

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## Community Association Supports Development:

- Under-utilized lot
- Opportunity to intensify
- Suggested intensification to 20 UNITS  
(Submission to PEC, May 2019)
- Accept footprint of building (meeting with  
developer at City Hall, July 2019)
- Opportunity to promote accessibility
- Opportunity to diversify community

# Confused History of Proposal

---

- Original application to PEC was for **R5**
- However, the same application also mentioned **R-6-5, R6-7, R-8**
- City Planner suggested **R8** in order to address numerous Bylaw violations
- Formal Submission returned to Council **R5**
- Now an almost identical re-submission at **R5** but still invoking **R8**.

# Land Use Change

## **City Planner justifies 42 units on 307 site:**

“The recommended density of 75 units per hectare is **required** given that the maximum density within the R5 zone is 60 units per hectare”

*Official Plan (1989):*

- Section 3.2.3.8 Bylaw 9.2 Clustered Townhouses max 60 units/ha

*London Plan: density permitted is **context dependent**.*

307 is designated a “Neighborhood”, not a Transit Corridor, Urban Centre, Shopping Area, etc.

**Precedent is about 30 units/ha**

**= 17 units (not 42) = 25 parking spaces (not 63)**

# Consistent History of Response to Proposal

**PEC:** 27 May Decision Hung

**City Council:** 11 June directs the proposal “BE REFERRED back to the Civic Administration in order to undertake additional work with the applicant” [to address] (Minutes of meeting)

- Tree protection,
- Elevation,
- Intensification and Site Planning through UDPRP

**UDPRP:** July 17 recommendations consistent with Community critique re: elevation, parking lot size, loss of trees, buffering, green amenity space

# City Council Directions Not Addressed

---

## Tree protection

- Previous proposal had 20 bordering trees retained, now only 14 will be preserved.
- 6 additional trees will be cut down that are partially owned by neighbours.
- **ALL TREES WITHIN LOT WILL BE CUT DOWN in a designated Tree Protection Zone!**

## Building Elevations

- Now LESS privacy for neighbours – high, private transom windows have been replaced with full height windows.

## Intensification and Site Planning through UDPRP

- UDPRP gives preliminary direction to developer, with request to return with more information at 2nd meeting.
- City Staff rejects request for meeting due to limited resources.
- City Staff report does not faithfully address UDPRP concerns.

# UDPRP's Direction

---

- UDPRP accepts land use change with density and mass  
BUT WITH
- **CRITICAL QUALIFICATIONS:**
  - **“That’s a lot of parking lot!”**
  - “Critical” - Privacy and buffering require more careful thought .
  - Provide vegetation and tree preservation plans.
  - UDPRP suggests below grade parking.
  - Improve trafficking for garbage and parking.
  - Provision of central common green amenity space.
  - “It is requested that the application return to the Panel for review once an application has been submitted”



# Application Disregards UDPRP

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- Fewer trees preserved than before (14 vs 20).
- Landscaping deferred to site plan phase.
- Privacy buffering is degraded.
- Parking lot traffic issues not addressed.
- Claims that the drainage swales serve as green amenity space
- Underground parking dismissed as too costly.
- Proposal did not return to UDPRP.

# Adverse Impacts and Alternatives

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Deb Beverley

# Practical Problems with the Proposal

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- Loss of all trees on lot, many on shared boundary, in a **Designated Tree Preservation Zone**;
- Loss of trees = removal of natural drainage; loss of privacy; noise and light buffering;
- Sewer capacity calculations based upon 1972 sewer installation data;
- Some aspects impractical or hazardous eg: U-turns on Fanshawe at rush hour?!
- Diminished set backs erode privacy and make noise and light pollution inevitable.

# Snow Storage

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- Limited space for adequate storage of snow removed from parking lot.
- 22 foot space on east edge of lot is graded
  - Slopes down towards adjacent properties.
  - Cannot be utilized if cars parked in the lot.
- Only remaining space for snow – off the ends of the lot where there is no room for drainage other than onto neighbours' properties.
- Increase in water will impact water table, flood basements. (Provincial Planning Act 1.6.6.7)
- Salt, chemical laden melt will kill vegetation.

# What would be a better fit?

---

- 20 units for fewer or underground parking:
  - This is a zoning not a site plan issue. Have to address this now
  - 30 Parking spaces – 53% reduction in paved surface.
  - Alternatively, **underground parking**.
  - Allowing for trees to be saved in the Tree Protection Zone.
  - Create more, and more *usable* outdoor amenity space.
  - Remove need for hazardous parking i.e. East edge on curve.
- Number of parking spots drives all other issues to come out at site planning.

# 420 Fanshawe (Poole Property)

---

- Intensification
- 3 times larger
- Generous setbacks – no exceptions
- Underground parking
- 2/3 is common green amenity space

# A Call for Change

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Ron McDougall

# One Case Study

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Fred Cull



# Tree “Plan”

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- Fewer trees retained than previously listed
- Mature hedges (line of trees 15-30 ft high) removed, replaced with saplings
- Will grow to 30ft “at maturity”
- Will take decades
- Meanwhile no buffering, privacy, trees
- Majority of neighbors likely to die before then
- How is this not an adverse impact on their property?
- Cutting mature trees without consultation

# Multiple Bylaw Infractions

Set back 4.9m

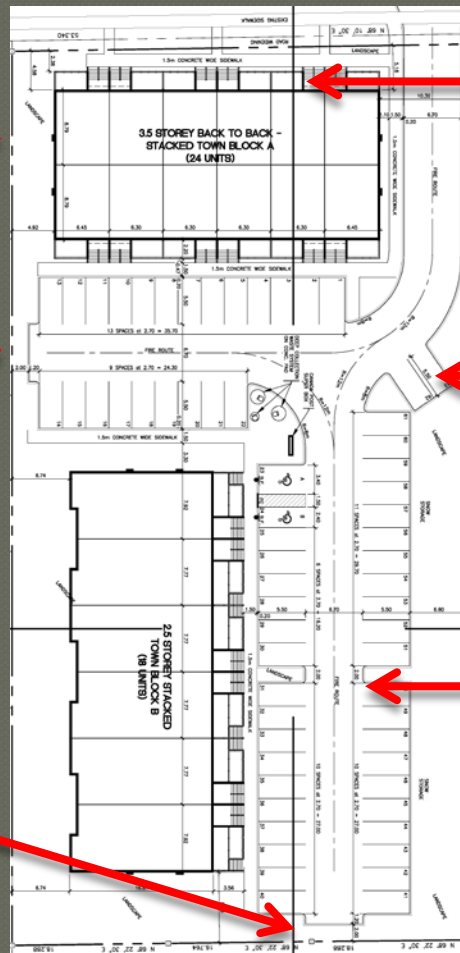
- Should be 6.0m because windows

Set back 2. m

- Should be 3.0m

Set back 2.0m

- Should be 3.0m

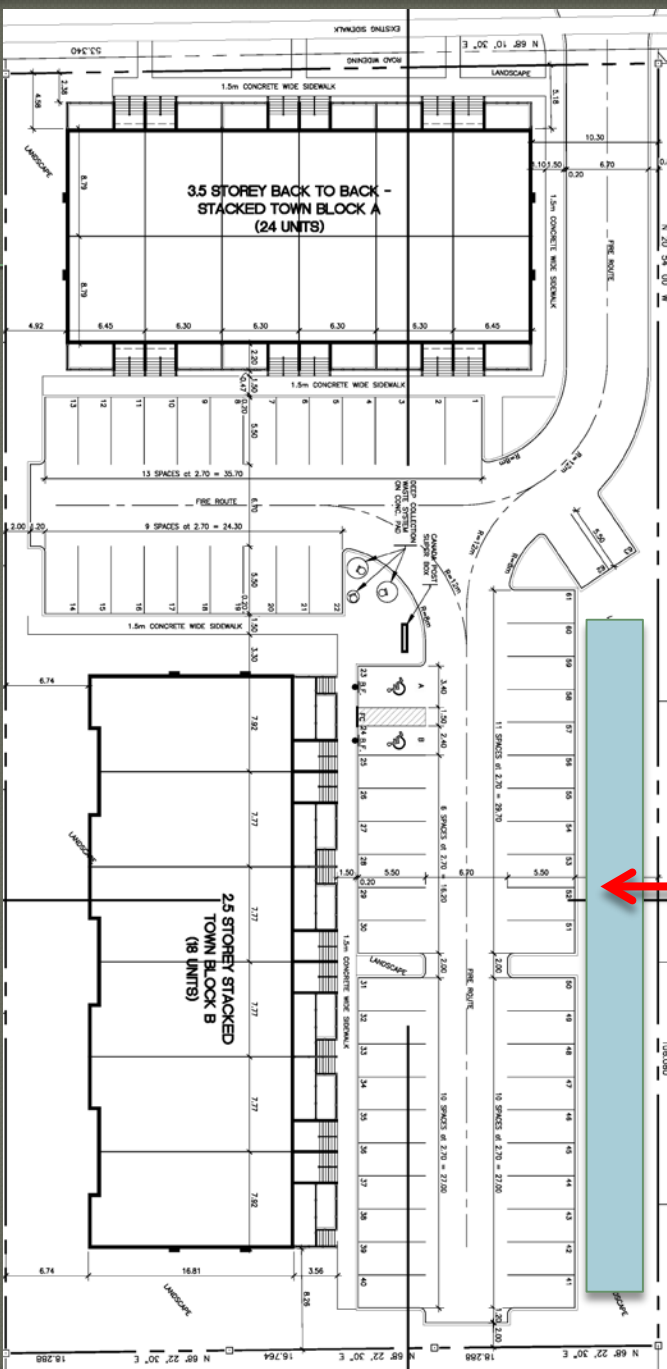


City Planning  
Accepts  
Reduced  
Setback

Set back is  
under 3. m

Parking  
oriented to  
shine onto  
neighbors

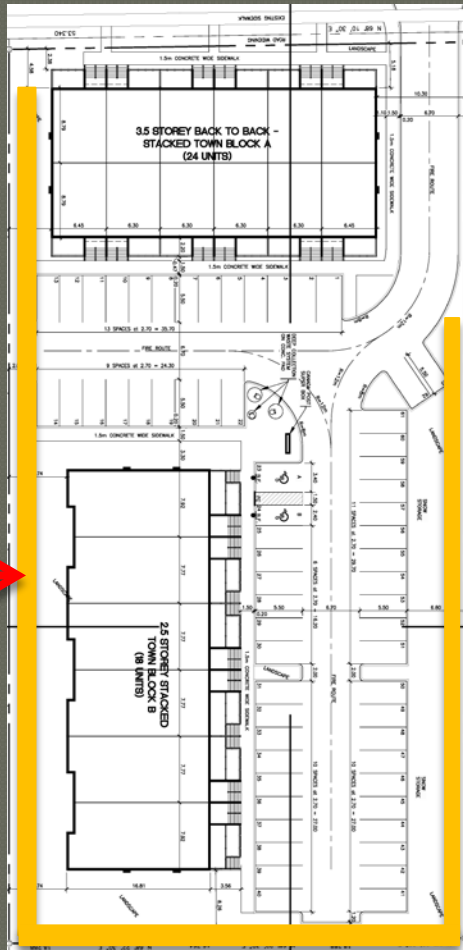
Contravenes Parking Lot Bylaws



Snow Storage???

# Whetter Swale Nightmare

Swales



I am against industrial-scale swales:

1. Swales force removal of most perimeter trees
2. Breed mosquitos
3. Can't landscape (ugly)
4. Not a green amenity space useful to residents

# Sanitary Sewer

---

- 6” pipe formerly serviced a single house
- Now proposed to service 101 people
  - BUT developer referred to “rent per room” – higher density planned for??
- Sewer quality and capacity not assessed since install in 1972
- Should empty to Fanshawe!

# Regulatory Context

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Michael Crawford

# Ontario Planning Act

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## Requires:

- Intensification
- Clear Proposal
  - Subsection 34(12), requires that “**sufficient information** and material is made available to enable the public to understand generally the zoning proposal that is being considered by council” [34(12)(a)(i).
- Opportunity for Community input
- Care to avoid adverse effects
- Derogates details to municipalities

# No Adverse Consequences?

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- London Zoning Bylaws 1989 - Section 3.1.2 – Low Density Residential Objectives: “Enhance the character and amenities of residential areas by directing higher intensity uses to locations where existing land uses are **not adversely affected.**”
- “Development of the site or area for medium density residential uses shall take into account surrounding land uses in terms of height, scale **and setbacks** and **shall not adversely impact** the amenities and character of the surrounding area.” (*Official Plan 3.3.2 i*)



# Privacy and Buffering

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*Official Plan (3.2.2.)* “development within areas designated Low Density Residential shall have a low-rise, low coverage form that **minimizes** problems of shadowing, view obstruction **and loss of privacy.**”

*London Plan (1578. 6 a, b, e, g, k, m)*

Impact of **traffic, noise, lighting, loss of privacy, visual impact, loss of trees etc.**

# Official Plan Context

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City Planner quotes the *Official Plan* (1989)  
3.2.3.8

“there may be instances when **a minor variance** is warranted based on the configuration of the site or development constraints associated with it”

- Not to maximize intensity without regard to privacy, noise, light pollution, parking buffering, etc.
- Not to maximize profit.
- Not to the detriment to future residents.

# What Justifies this Intensity?

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- Accessible parking but no accessible residences?
- Not a LEED efficient structure (Leadership in Energy and Environmental Design)
- No common amenity space for residents
- No play space for children

= lack of diversity – no aged, no families with kids, no persons with disabilities...

# Problems with Process

---

- This iteration NOT consultative
- Plans/zoning continually changing in fundamental ways.
- Too much deferred to get a clear picture.
- UDPRP and proposal at odds
- Trust in process eroded:
  - City Planning and Engineer was previously OK with storm water management.
  - Residents red flagged drainage issues in proposal endorsed by City Planners.
  - Council intervenes by returning plan to City Staff.
  - Major Issues such as snow storage are still not addressed.

# What does rezoning include?

---

- Parking is driving all other considerations.
- Density not possible within the Bylaws unless parking is moved underground and buildings are moved more centrally.
- Bylaws not being respected.
- Developer is unwilling to make concessions
- Fundamental issues such as tree preservation, parking, landscaping are inextricably connected to rezoning for this site.
- They cannot be postponed to Site Planning.

# Purposeful Bylaws

## Current Recommendation

- Not a balanced or complete interpretation of Plans and Bylaws.
- Uses *parts* of Bylaws to support proposal.
- Ignores parts that constrain the proposal.
- Cherry picks those areas favorable to this Land Use change.

## Let's consider carefully:

- Bylaws were **thoughtfully** put in place by previous Councillors and City Hall to enhance London's development.
- We disrespect their work by riding roughshod over the Bylaws and the two City plans.
- **These documents are sensible and forward-looking urban planning.**
- We should follow them.

# 307 Fanshawe Park Road East

Planning and Environment Committee Meeting

Monday, September 23<sup>rd</sup>, 2019



ROYAL PREMIER HOMES

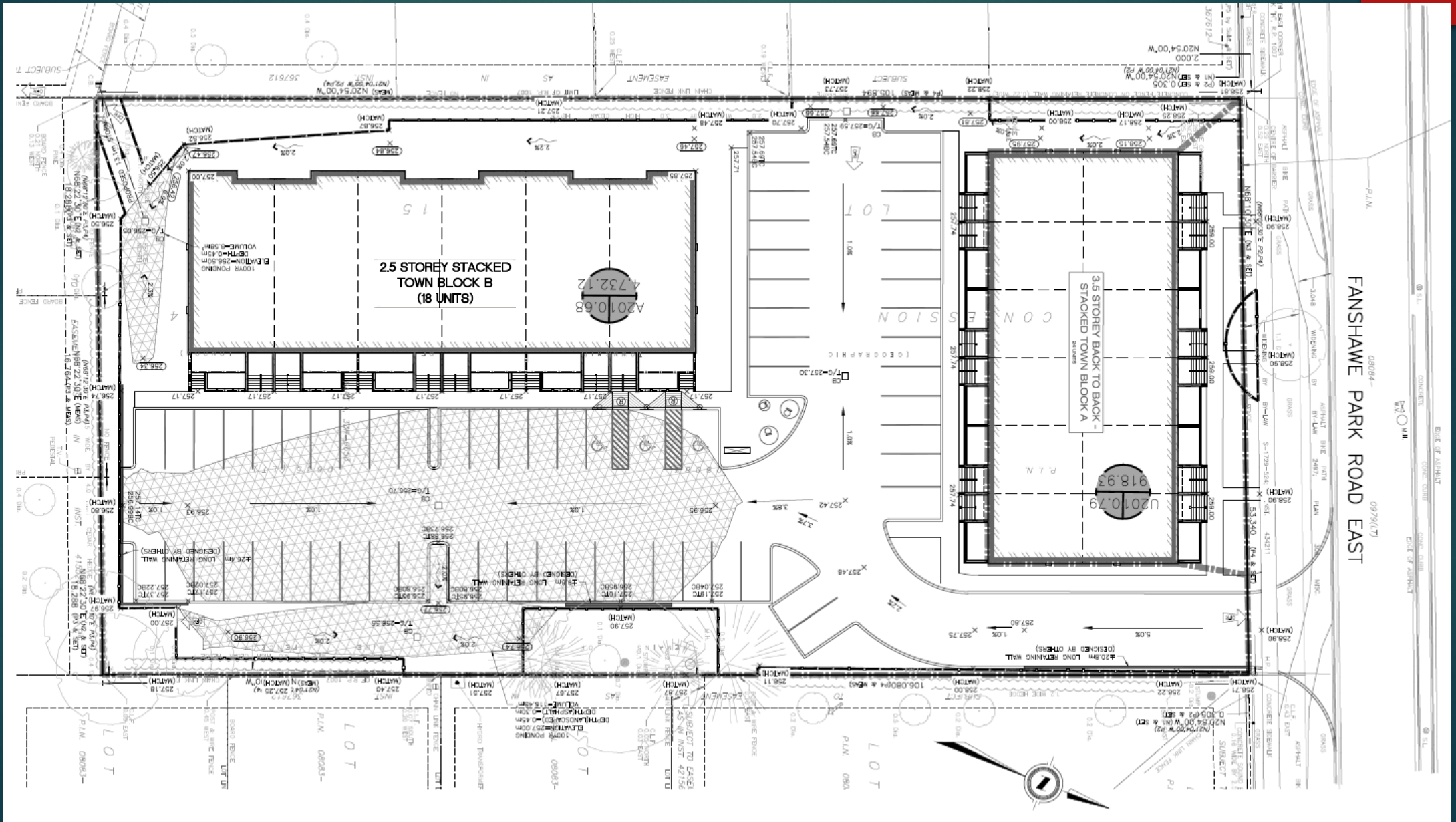
*your home. your way. with a quality you deserve.*

# Since June 11 Council Meeting

- Developer meet with Councillor Anna Hopkins and members of Old Stoneybrook Community Association to discuss the proposed development and concerns (July 12)
- Developer provided draft resubmission materials to Community Association for consideration (July 22)
- Developer attended Urban Design Peer Review Panel (July 17); comments rec. August 21. Panel supportive of the proposed size, height and density; as well as orientation of Building 1 and siting of Building 2.
- Developer provided City staff with updated architectural elevations; preliminary grading plan, cross sections + updated servicing report; and perimeter planting plan (Sept.)



# Preliminary Grading Plan



FANSHAWE PARK ROAD EAST

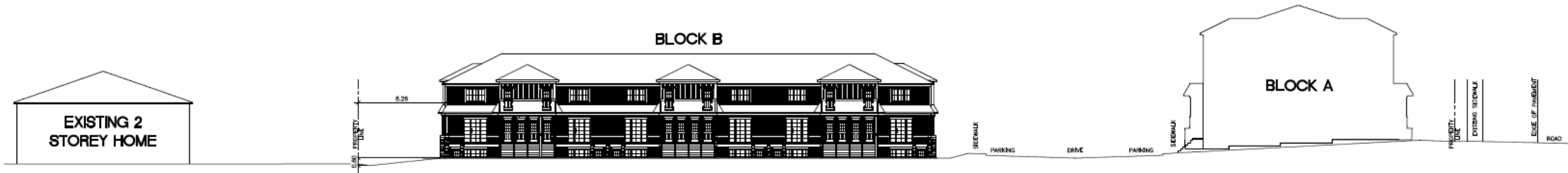
2.5 STOREY STACKED TOWN BLOCK B (18 UNITS)

3.5 STOREY BACK TO BACK - STACKED TOWN BLOCK A

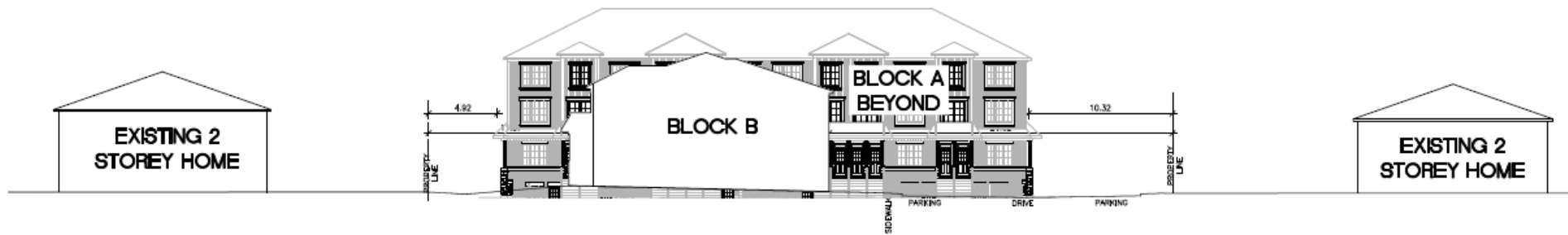


# Cross sections

4



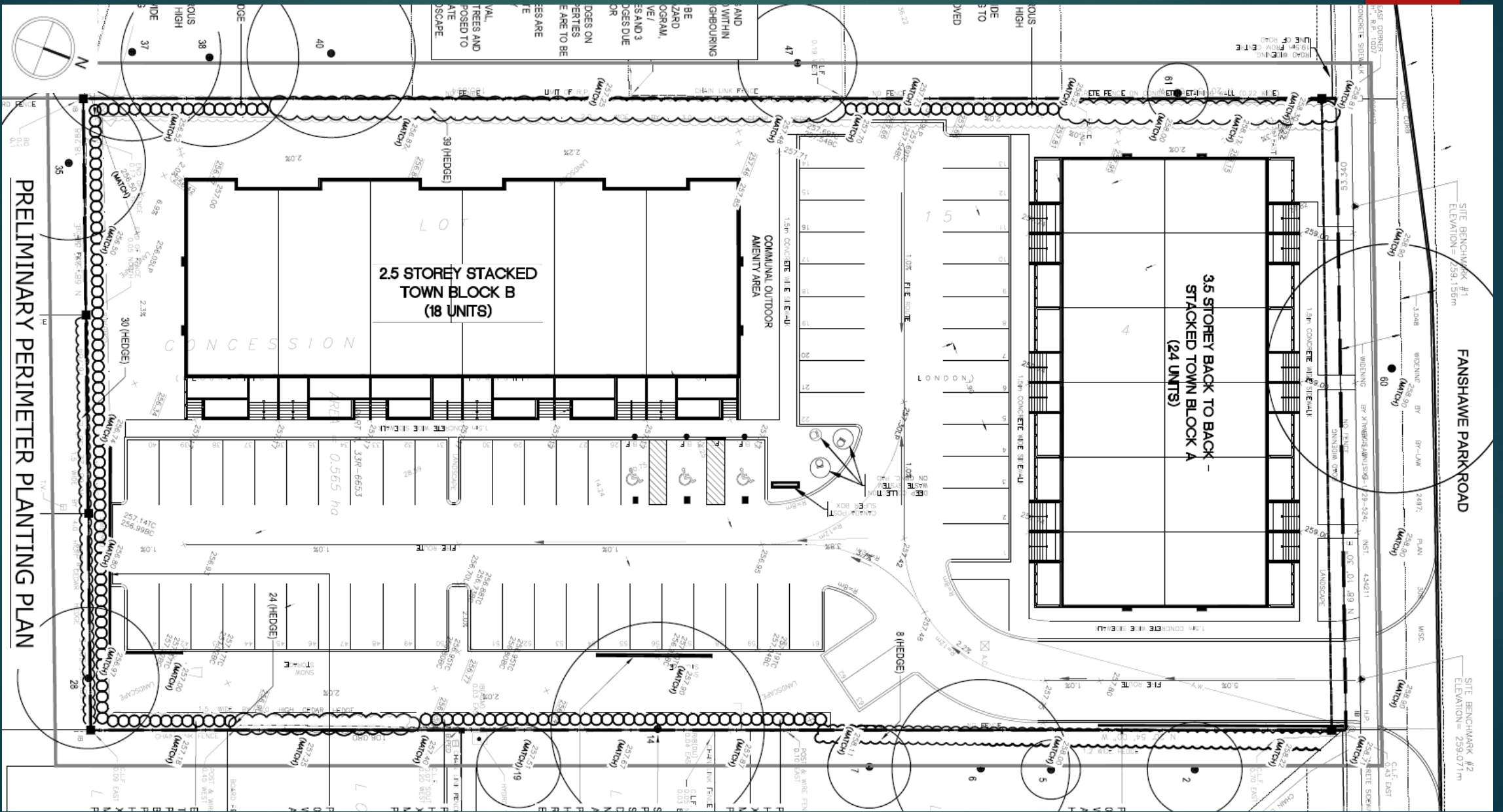
SITE CROSS SECTION 'A' (NORTH TO SOUTH)



SITE CROSS SECTION 'B' (EAST - WEST)

# Preliminary Planting Plan

5



PRELIMINARY PERIMETER PLANTING PLAN

FANSHAWE PARK ROAD

3.5 STOREY BACK TO BACK -  
STACKED TOWN BLOCK A  
(24 UNITS)

25 STOREY STACKED  
TOWN BLOCK B  
(18 UNITS)

CONCESSION

COMMUNAL OUTDOOR  
AMENITY AREA

SITE BENCHMARK #1  
ELEVATION = 259.156m

SITE BENCHMARK #2  
ELEVATION = 259.071m

# Conclusions

- The proposed development is supported and encouraged by all levels of current land use planning policies, which encourages intensification and a mix of residential uses in locations such as the subject lands, at the density proposed.
- The proposed development facilitates the appropriate intensification of an underutilized vacant residential site, located on an urban thoroughfare, in proximity to a major community node.
- The proposed building heights and setbacks are compatible with what could be developed as-of-right under existing zoning regulations; and will be set by the proposed zoning.
- Access and parking arrangements are designed to city standards. TIS confirms no impacts.
- The future public SPA process will further refine matters pertaining to architectural design, landscaping, fencing, noise, servicing etc.

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.4 PUBLIC PARTICIPATION MEETING – Application – 3700 Colonel Talbot Road and 3645 Bostwick Road 39T-17503 (OZ-8838)

- Scott Allen, MHBC Planning, on behalf of the applicant – indicating that with him today, representing York Developments are David Ailles and Ali Soufan; providing the Committee with a brief overview of the vision of the project and its design components; advising the Committee that there are two specific elements of the Development Services recommendation that they are not supportive of and those were alluded to by Ms. N. Pasato, Senior Planner; advising that the draft plan before the Committee this evening was predicated on a broad design vision to create a diverse neighbourhood integrating a mix of uses and extensive connectivity; several core objectives were also established by the project team to support this vision including to provide a range of housing to accommodate a wide variety of needs, to utilize compact development patterns to limit land consumption servicing costs to propose higher residential densities throughout the development to support appropriate intensification and to design street block layouts to support active transportation and transit to promote neighbourhood connectivity; indicating that the proposed draft plan includes several components to achieve the projects vision and its core objectives, this slide provides a summary of the diversity of uses within the subdivision including those that provide housing choice, commercial opportunities and community oriented elements; indicating that he will not go into detail on these components as Ms. N. Pasato, Senior Planner, has provided a fairly effective summary of the proposal and in the interest of time he is going to carry on; during the course of the draft plan review process, they have worked closely with city staff to refine the project design to address departmental concerns; stating that they are largely supportive of the finalized draft plan before the Committee this evening; however, there are two specific aspects of the recommended plan that they do not currently agree with; firstly, they proposed a sidewalk layout that differs from the SWAP requirement for sidewalks essentially on both sides of most streets; advising that their alternative proposal was alluded to by Ms. N. Pasato, Senior Planner, and it involves dual sidewalks and higher volume collector streets and local streets with high volumes and single sidewalks for those streets that have lower volume, local roads; stating that, in their opinion, this approach addresses pedestrian and mobility needs in the community, provides safe pedestrian connections throughout the site, considers local traffic volumes, planned trails and walkways integrated into the development, promotes efficient development by reducing construction, environmental and maintenance costs and by allowing for other opportunities including additional tree planting; advising that for the Committee's information, the proposed SWAP amendment presented on this slide was submitted as part of the York application to accommodate the proposed sidewalk arrangement; showing a slide that illustrates the alternate sidewalk arrangement in the central core area of the site; reiterating that, as noted, two sidewalks will be provided, that is in red, on collector roads as well as Street 'C' which is a higher volume local street; additionally they anticipate that local streets 'J' and 'M' in the eastern section of the draft plan which are not illustrated on this plan will also require dual sidewalks with single sidewalks required for the balance of the local streets in the development; respectfully requesting that the Committee consider this alternative sidewalk plan as an additional Official Plan Amendment to this draft plan; noting that they have also prepared an updated sidewalk layout which they can provide to City staff in support of this Official Plan Amendment request; secondly, as Ms. N. Pasato has noted, they are not supportive of the addition of Block 71 to provide a road extension from street 'J' to the adjacent Forest City Community Church lands; as outlined on this slide, they are requesting that Block 71 be removed given that, in their opinion, there is sufficient connectivity between the site and adjacent neighbourhoods as the project provides

approximately or actually thirteen vehicular and pedestrian connections throughout the development; also, in their opinion, the plan linkages achieve connectivity objectives, those objectives of the 1989 Official Plan and The London Plan and the South West Area Plan; this slide illustrates that there are several street and pathway connections planned in the vicinity of street 'J', there are also a number of additional north-south connections on the western portion of the site where the local street network of this draft plan integrates with Auburn Developments subdivision adjacent to the church; in light of these considerations, they respectfully request that the Committee remove Block 71 as a red-lined revision; concluding, they have prepared a revised recommendation that addresses both of their amendment requests which has been provided to Ms. C. Saunders, City Clerk, this afternoon. (See attached presentation).

- *(Councillor M. Cassidy enquiring about the unevaluated vegetation patch 10066 and the report says that a full assessment was done April as the patch is on adjacent lands so there is a section that staff has shown in the report that is also owned by the applicant, is this section of adjacent land also owned by this applicant.);* Ms. N. Pasato, Senior Planner, responding that no, the adjacent lands that have basically ninety percent of the vegetation patch is actually owned by a different land owner so there essentially was no ability to access this patch.
- *(Councillor S. Turner with respect to that same patch and the mentioned connectivity and possible hydrogeological connectivity between 10066 and 10069, how is that being proposed to be retained, it looks like it is fairly developed in between the two, is there a drain or some kind of hydrogeological connection.);* Ms. N. Pasato, Senior Planner, responding that as part of the design studies they are going to further refine the connection but there is a stream corridor that connects the two and it will be preserved in some manner, it will be realigned because at this point, it goes directly through the neighbourhood park which obviously will cause a problem with their park system, at this point there will be a proposed realigning of that stream corridor; *(Councillor S. Turner enquiring about whether the hydrogeological balance was measured between the two and the intent is to create post-development conditions maintained from previous.);* Ms. N. Pasato, Senior Planner, yes, as you know, there are wetland patches within the larger woodland/wetland and those need to be maintained and the hydrogeological function was reviewed and analysed as part of the application and therefore the hydrogeological function will continue to flow into those wetlands and will preserve them in the future.
- Jason Jordan, 970 Willow Drive – talking about the sidewalks, to have the sidewalks on both sides of the street is important; indicating that he lives on a street that the sidewalk is only on the one side; noting that he is lucky, he lives on the corner but if you want to go down the street a couple of houses down, you have to walk on the street or you have to cross the street and cross the street again; stating that it is not very safe for children and these streets look big enough that it would support sidewalks on both sides.
- Rick Dykstra, Dillon Consulting, on behalf of Forest City Church – expressing appreciation to staff on behalf of the church as they have met with them throughout this process and they did discuss and Ms. N. Pasato, Senior Planner, in her presentation, identified a couple of items that the church was concerned about; subsequent to their meeting with staff, they wanted to address a couple of items, one was with regards to the medium density block as proposed immediately adjacent to the church building and their concern is about the activities of the church affecting future residents, based on the staff input and response that they felt that a medium density block because it would be done through site plan development they could put some controls in place that would help with that alleviating those noise concerns; based on that, even though there are a few letters in the package that did come from Forest City at this point they are saying that they will support the medium density on that block and not oppose that; the second item was with regard to Block 71 which is a red-line amendment that is being proposed by staff for future road connection through to the property; noting that the church is not in favour of that, they have no development plans for the property and do not want to see a vacant piece of property

that may be sitting there forever and a day adjacent to the church site with development across there that will restrict unnecessary access to the property and they would request that that Block not be added to the proposal and that it be left so that they do have continuous development across that frontage there, on the north side of the Forest City Church property along that front portion; advising that those are their concerns and they appreciate the Committee's consideration of those.



**MHBC**  
PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE





# Design Direction

- **VISION:**
  - Create an inclusive/diverse neighbourhood integrating a mix of uses and a high level of connectivity
- **CORE OBJECTIVES:**
  - Provide a mixture of housing opportunities
  - Utilize efficient development patterns
  - Propose higher residential densities throughout development
  - Design street/block patterns to support active transportation and transit

# Design Components

## 1. Housing Choice

- 19 Low and medium density residential blocks
- 23 Low density residential blocks

## 2. Commercial Opportunities

- Neighbourhood central activity node (two blocks)
- Convenience commercial (two blocks)

## 3. Community-Oriented Elements

- Three park blocks (linked via multi-use pathways)
- Designated open space
- Elementary school site
- Modified grid street network

# Requested Draft Plan Revisions

## 1. Alternative Sidewalk Arrangement (OPA Request)

- SWAP generally requires sidewalks on both sides of all streets
- Alternative proposed for Draft Plan to:
  - Address pedestrian and mobility needs of the community
  - Provides safe pedestrian connections throughout the site
  - Considers local traffic volumes, future trails/walkways
  - Promotes efficient development (e.g., reduced construction, environmental and maintenance costs, additional street trees)
- Proposed Site-Specific Policy (SWAP)

“Notwithstanding Section 20.5.3.9 ii) b) to the contrary, for the lands addressed as 3700 Colonel Talbot Road and 3645 Bostwick Road an alternative sidewalk arrangement is permitted to provide safe pedestrian connections throughout the site. This sidewalk arrangement does not require sidewalk construction on both sides of all street sections or on all street sections, in recognition of the provision of other mobility infrastructure within the development.”



# Requested Draft Plan Revisions

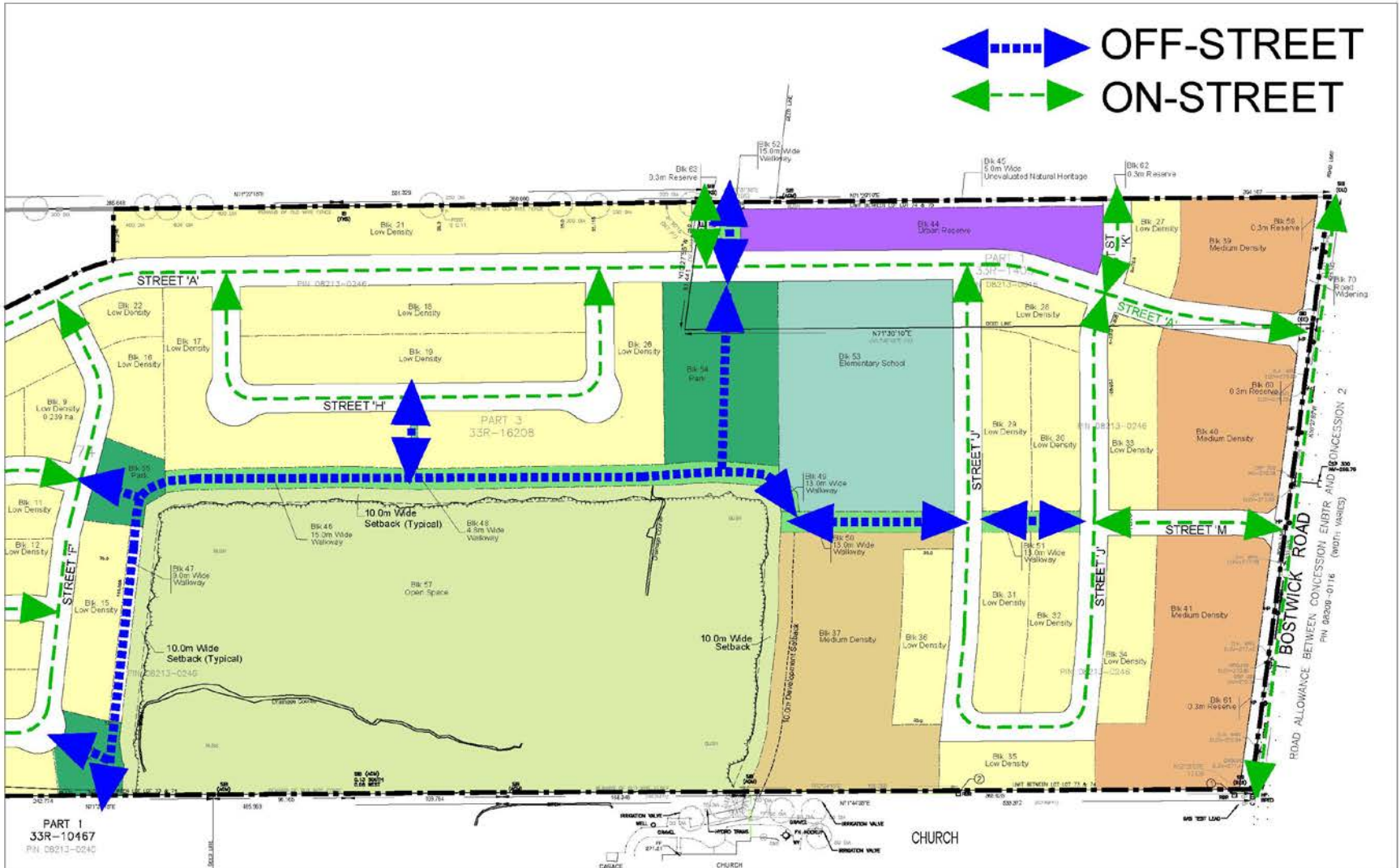
## 2. Future Road Connection (Block 71)

- Redline proposing additional street to Bostwick Road (Forest City Community Church)



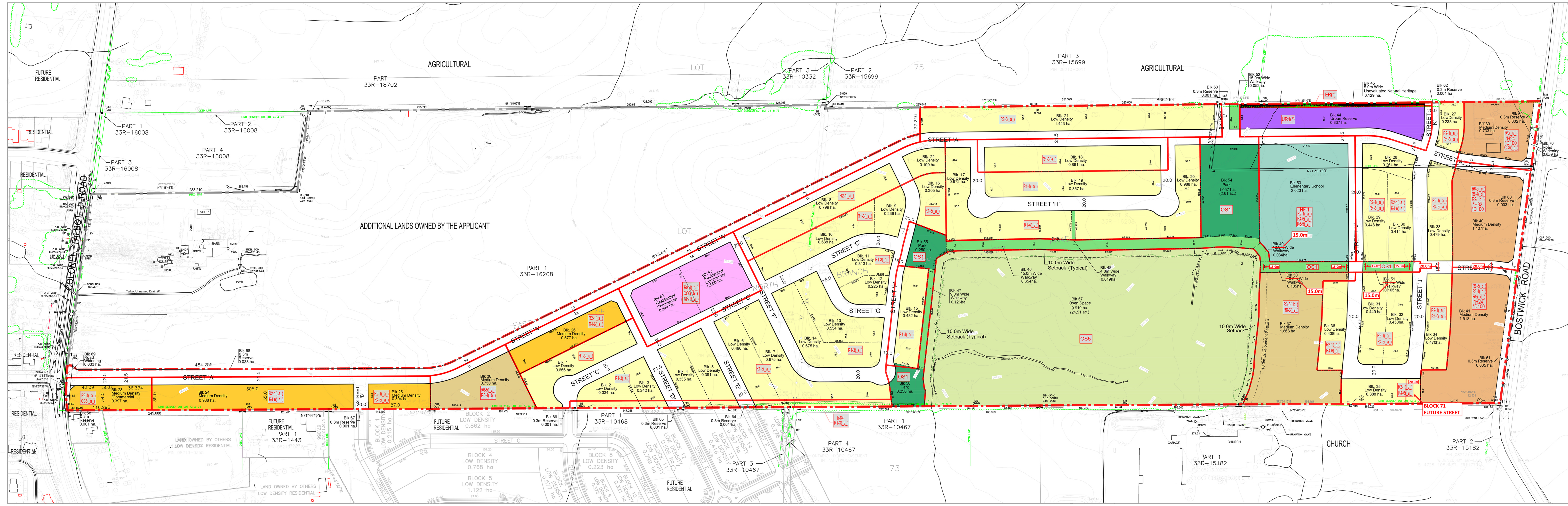
- Request removal of Block 71:
  - Sufficient connectivity between site and adjacent neighbourhoods (13 planned connections)
  - Planned linkages achieve connectivity objectives

# Connectivity Plan



THANK YOU





LOTS 74 & 75  
CONCESSION EAST OF THE  
NORTH BRANCH OF TALBOT ROAD  
(GEOGRAPHIC TOWNSHIP OF WESTMINSTER)

CITY OF LONDON  
COUNTY OF MIDDLESEX

I HEREBY AUTHORIZE MACNAUGHTON HERIMEN BRITTON CLARSON PLANNING LIMITED TO  
SUBMIT THIS PLAN FOR APPROVAL.

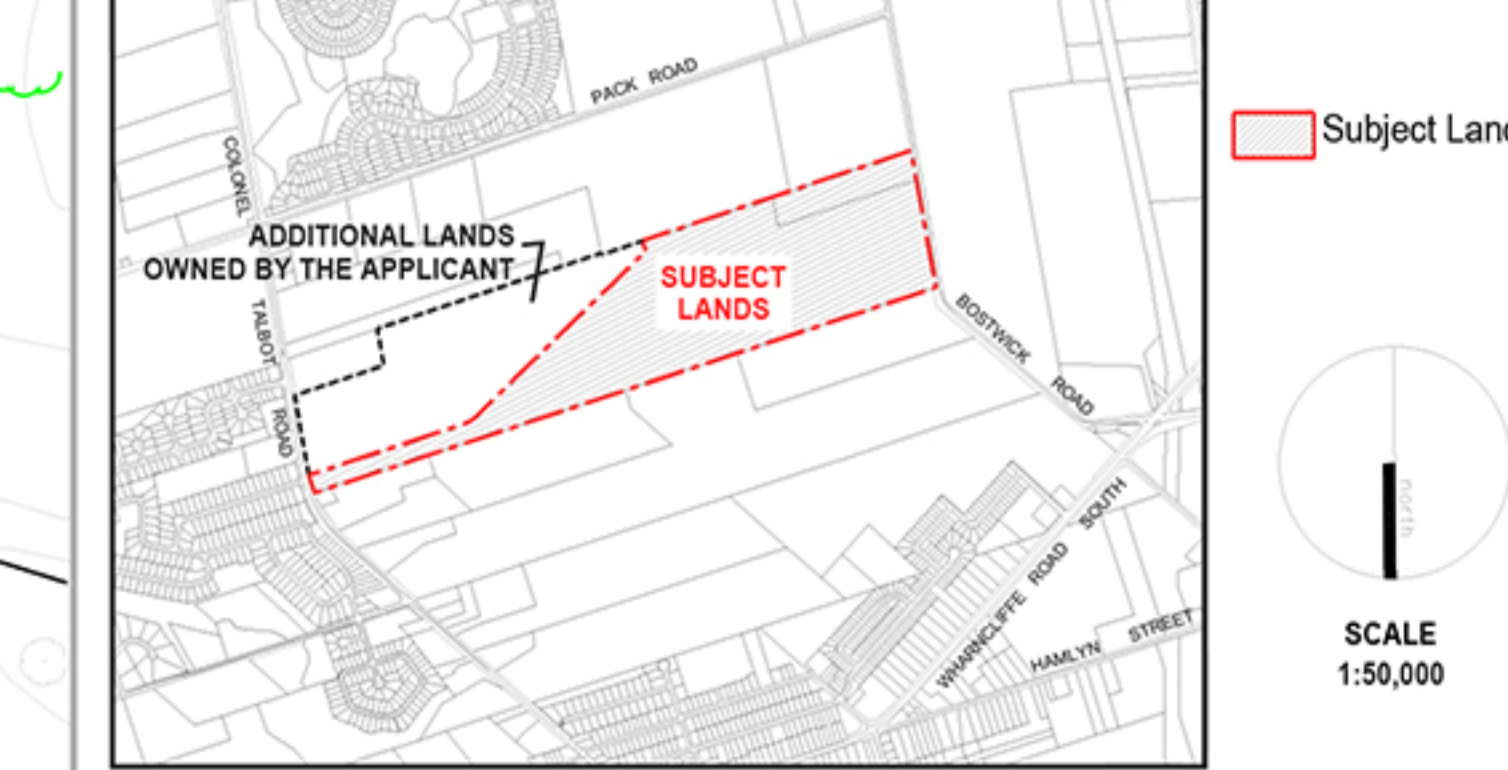
March 17, 2017

ALI SOUFAN  
WS FARMS INC.

Surveyor's Certificate  
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED ON THIS  
PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY  
SHOWN.

March 21, 2017

BRUCE BAKER  
ONTARIO LAND SURVEYOR  
AGM SURVEYING & ENGINEERING



SUBJECT TO THE CONDITIONS, IF ANY, SET FORTH IN OUR LETTER DATED \_\_\_\_\_, 2019  
THIS DRAFT PLAN IS APPROVED UNDER SECTION 51 OF THE PLANNING ACT  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019

Date	Issued / Revision	By	
7	June 21 2019	Redline	LM
6	May 03 2019	Redline	LM
5	Dec 20 2018	Redline	LM
4	Oct 30 2018	Redline	LM
3	March 22 2018	Redline	LM
2	January 23 2017	Redline	LM
1	January 08 2016	Original submission	LM

Additional Information Required Under Section 51(17) of the Planning Act R.S.O. 1990, c.P.13 as Amended

Description	As Shown	As Shown	As Shown
A. Residential/Commercial	B. As Shown	C. As Shown	
D. Residential/Commercial	E. As Shown	F. As Shown	
G. As Shown	H. Municipal Water Supply	I. Loan, Clay, Sil	
J. As Shown	J. All Services As Requested	L. As Shown	

Description	Lots/Blocks	Units	Area (ha)
Low Density Residential	1-22	327	12,970
Low & Medium Density Residential (Street Townhouses)	23-36	262	6,296
Medium Density Residential (Cluster Housing)	37-38	82/147	2,613
Medium Density Residential (Apartments)	39-41	337	3,388
Mixed Use Residential	42-43	32	1,104
Urban Reserve	44		0.837
Unvaluated Natural Heritage	45		0.129
Walkway	46-52		1,175
School	53		2,023
Park	54-56		1,557
Open Space	57		9,919
Open Space	58-68		0,055
Road Widening	69-70		0,372
Roads			10,535
Total		70	1040/1105

PLANNING  
URBAN DESIGN  
& LANDSCAPE  
ARCHITECTURE

MHBC

200-630 COLBONE STREET LONDON, ON, N6A 2V2 | P: 519 858 2777 | F: 519 858 2001 | WWW.MHBCPLAN.COM

File No. 1004 "U" Drawn By: L.M. Date: January 08, 2016

PROPOSED  
DRAFT PLAN OF SUBDIVISION

Plan Scale: 1:2000

N110541/0/Draw Plan/MHBC - PRELIM DRAFT PLAN - JUNE 21 2019.dwg



## Report to Planning and Environment Committee

**To: Chair and Members  
Planning & Environment Committee**  
**Subject: Application By: W-3 Lambeth Farms Inc.  
3700 Colonel Talbot Road and 3645 Bostwick Road**  
**Public Participation Meeting on: September 23, 2019 at 5:00 PM**

### Recommendation

That, on the recommendation of the Director, Development Services the following actions be taken with respect to the application of W-3 Lambeth Farms Inc. relating to the property located at 3700 Colonel Talbot Road and 3645 Bostwick Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on October 1, 2019 to amend the (1989) Official Plan to:
- i) to refine and reconfigure the extent of the Low Density, Multi-Family Medium Density, and Open Space designations, by changing the designations on Schedule "A" - Land Use **FROM** "Low Density Residential", "Multi-Family, Medium Density Residential", and "Open Space" **TO** "Low Density Residential", "Multi-Family, Medium Density Residential", and "Open Space" designation;
  - ii) to change the designation on Schedule "B1" – Natural Heritage Features, **FROM** "Unevaluated Vegetation Patch" **TO** "Significant Woodlands" and "Locally Significant Wetlands";
  - iii) to change the designation on Schedule "C" – Transportation Corridors by amending the east-west secondary collector road to align with Street A, and by amending the north-south secondary collector road to align with Street D; and,
  - iv) change Section 20.5 (Southwest Area Secondary Plan):
    - a. Schedule 2 to Southwest Area Secondary Plan (Multi-Use Pathways and Parks) by realigning the Planned Route and adding a Neighbourhood Park;
    - b. Schedule 4 (Southwest Area Land Use Plan), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", "Medium Density Residential", and "Open Space" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign two secondary collector roads;
    - c. Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", "Medium Density Residential", and "Open Space" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", adding a Park, and to realign a secondary collector road; and,
    - d. Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", and "Medium Density Residential" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign a secondary collector road;

- (b) the request to amend the 1989 Official Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections, **BE INTRODUCED** for the following reasons:
- i) The Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and
  - ii) The proposed amendment has regard for the policy direction and accessibility objectives of the Southwest Area Secondary Plan.
- (c) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting to be held on October 1, 2019, to amend The London Plan by:
- i) change the Place Types on Map 1 - Place Types - **FROM** Neighbourhoods and Environmental Review **TO** Green Space, and to change the alignment of the Neighbourhood Connectors;
  - ii) change Map 3 - Street Classifications- by amending the east-west Neighbourhood Connector to align with Street A, and by amending the north-south Neighbourhood Connector to align with Street D;
  - iii) change Map 5 - Natural Heritage - **FROM** Unevaluated Vegetation Patch **TO** Significant Woodlands and Wetlands; and,
  - iv) change 1565\_5. Southwest Area Secondary Plan, Section 20.5 (Southwest Area Secondary Plan):
    - a. Schedule 2 (Multi-Use Pathways and Parks) by realigning the Planned Route and adding a Neighbourhood Park;
    - b. Schedule 4 (Southwest Area Land Use Plan), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", "Medium Density Residential", and "Open Space" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign two secondary collector roads;
    - c. Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", "Medium Density Residential", and "Open Space" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", adding a Park, and to realign a secondary collector road; and,
    - d. Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations), by refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, **FROM** "Low Density Residential", and "Medium Density Residential" **TO** "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign a secondary collector road;

it being noted that the amendments will come into full force and effect concurrently with Maps 1, 3 and 5 of The London Plan; and,

(d) the request to amend The London Plan to change the Southwest Area Secondary Plan, Section 20.5.3.9 ii) b) (Urban Design), 20.5.9.1 iii) (Bostwick Residential Neighbourhood), and Section 20.5.10.1 iii) (North Lambeth Residential Neighbourhood), by adding policy to allow for alternative sidewalk arrangements and not requiring sidewalk construction on both sides of all street sections or on all street sections, **BE INTRODUCED** for the following reasons:

- i) The Provincial Policy Statement promotes active transportation and encourages land use patterns which support active transportation, and promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and
- ii) The proposed amendment has regard for the policy direction and accessibility objectives of The London Plan and the Southwest Area Secondary Plan.

(e) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on October 1, 2019 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** an Urban Reserve (UR4) Zone and an Environmental Review (ER) Zone, **TO**:

- i) a Holding Residential R1 Special Provision (h\*h-100\*R1-3(\*)) Zone;
- ii) a Holding Residential R1 Special Provision (h\*h-82\*h-100\*R1-3(\*)) Zone;
- iii) a Holding Residential R1 Special Provision (h\*h-100\*R1-4(\*)) Zone; ,
- iv) a Holding Residential R2 Special Provision (h\*h-100\*R2-1(\*)) Zone;
- v) a Holding Residential R2 Special Provision (h\*h-100\*R2-3(\*)) Zone;
- vi) a Holding Residential R2 Special Provision/Residential R4 Special Provision (h\*h-100\*R2-1(\*)/R4-6(\*)) Zone;
- vii) a Holding Residential R2 Special Provision/Residential R4 Special Provision/ Residential R6 Special Provision/Neighbourhood Facility (h\*h-100\*R2-1(\*)/R4-6(\*)/R6-5(\*\*\*)/NF1) Zone;
- viii) a Holding Residential R6 Special Provision/Residential R8 Special Provision (h\*h-100\*R6-5(\*)/R8-4(\*\*)) Zone;
- ix) a Holding Residential R6 Special Provision/Residential R8 Special Provision (h\*h-100\*R6-5(\*\*)/R8-3(\*)) Zone;
- x) a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h\*h-100\*R6-5(\*\*\*)/R8-4(\*\*\*)/R9-3(\*\*)) Zone;
- xi) a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h\*h-100\*R6-5(\*\*\*)/R8-4(\*\*\*)/R9-3(\*\*\*)) Zone;
- xii) a Holding Residential R8 Special Provision/Convenience Commercial Special Provision (h\*h-100\*R8-4(\*)/CC6(\*)) Zone;
- xiii) a Holding Residential R8 Special Provision/Convenience Commercial Special Provision/Neighbourhood Facility Special Provision (h\*h-100\*R8-4(\*\*\*)/CC6(\*\*)/NF1(\*\*)) Zone;
- xiv) a Holding Residential R9 Special Provision/Convenience Commercial Special Provision (h\*h-100\*R9-3(\*)/CC6(\*\*\*)) Zone;
- xv) an Open Space (OS1) Zone;
- xvi) an Open Space (OS5) Zone;
- xvii) an Environmental Review (ER) Zone; and
- xviii) an Urban Reserve (UR4) Zone;

(f) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for draft

plan of subdivision of W-3 Lambeth Farms Inc. relating to a property located at 3700 Colonel Talbot Road and 3645 Bostwick Road; and

- (g) Council **SUPPORTS** the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by W-3 Lambeth Farms Inc. (File No. 39T-17503), prepared by MHBC Planning, File No. 1094 'U', dated December 20, 2018, as red-line amended, which shows a draft plan of subdivision consisting of twenty-one (21) single detached/low density blocks, thirteen (13) street townhouse blocks, two (2) apartment/medium density blocks, four (4) commercial/residential mixed use blocks, two (2) cluster/low rise blocks, one (1) school block, one (1) open space block, seven (7) pathway blocks, three (3) park blocks, one (1) urban reserve/environmental review block, ~~one (1) future road block~~, two (2) road widening blocks, eleven (11) 0.3 m reserve blocks, all served by two (2) secondary collector/neighbourhood connector roads (Street A and Street D), and nine (9) new local/neighbourhood streets, **SUBJECT TO** the conditions contained in the attached Appendix "D".

## PUBLIC PARTICIPATION MEETING COMMENTS

### 3.5 PUBLIC PARTICIPATION MEETING – Proposed New City of London Tree Protection By-law

- *(Councillor P. Squire wondering, and perhaps you will not have any information on this because it is too early, but do you have any information as to whether, if the purpose of this by-law is to preserve our trees, is it working, is it having an effect, is it changing anything in terms of the number of trees in London.); Ms. S. Rowland, Urban Forestry Planner, responding that they do not have any metrics on that and they are aware that tree industry professionals often deflect what would have been an application by making it clear to their client that you are not going to get a permit so there is no point in applying so they only see the ones that are probably going to be approved; all the ones that they may have deflected from the outset, they do not have any metrics for that so it is hard for them to put a number on it; however, she does not have the information at hand but they do do a canopy loss estimate with every application that is approved and that is a figure that they could present at the next meeting if need be; (Councillor P. Squire indicating that he would find that really helpful if it was available when the by-law comes back, he is really interested in what the effect might be.).*
- *(Councillor S. Turner enquiring about the golf courses and cemeteries, recognizing that it was a bit of a struggle for a bit of time trying to figure out how to address that; exempting them altogether would lead them to not go through any level of assessment and it would leave them to decide which to remove and which not without any intervention, is that correct.); Ms. S. Rowland, Urban Forestry Planner, responding that that is correct; (Councillor S. Turner indicating that a lot of golf courses existing within Open Space 4 lands which have some level of environmental significance to them, they are typically hazard lands, they might have slope stability questions, they might have erosion control issues, they might be in floodplains, he has some reservations with allowing golf courses especially in Open Space 4 lands to have full control and autonomy over what they remove or retain, could Ms. S. Rowland, Urban Forestry Planner, speak to that a little bit.); Ms. S. Rowland, Urban Forestry Planner, indicating that this has been one of their more challenging decisions as to which side of the line they land; something that might help focus the mind is to consider what the implications of denial might be but certainly the locations of the few golf courses that exist in the city that are privately owned, she would tend to agree with the Councillor, they tend to occupy lands that may have some hazard land status and are important features for those people that live and back on to them in the cases where they are surrounded by housing but also as corridors for or conduits of wildlife; she thinks they also serve a purpose there; she works with these golf courses under the existing by-law and she does know that they are used as corridors for wildlife because she sees it when she visits, that said, they do present problems with coyotes in that at least one of the golf courses has a resident coyote population which is causing some concern to the neighbours and she hears that a number of pets have been lost; there has to be a balance as to whether you always protect the environmental wildlife concerns or whether you accept that this is a business whose business model requires a certain aesthetic and use but is kind of unique to themselves and it is very difficult for them to deny a permit when an application comes in that is based on the need, for example, a burial ground or the golf courses, the need to improve play when technology is changing, golfers are striking the ball a further distance than they used to before and all these other reasons why golf courses have to continually evolve; it is not an easy decision; having said that, they do not have the highest tree canopy tree cover of the larger landowners in the city, a lot of the land within a golf course is actually vacant open turf with no tree cover so in terms of the percentage of canopy tree that could potentially be lost, if, and she says, if, they were to cut all their trees down it is not a*

dramatic number, it would be certainly harmful but it is not a dramatic number; advising that she is not sure if she has exactly answered the Councillors question but it is a very complex issue and they have gone back and forth on it many times; inviting the Committee's thoughts as to what would be the right decision; *(Councillor S. Turner recognizing the challenges that this poses for staff insofar as a lot of the Tree Protection By-law surrounds the question of canopy and total canopy cover; Open Space 4 lands we have the question of slope stability, soil erosion and more terrestrial preservation rather than canopy coverage so she would say that this something that they should really consider carefully before contemplating that exemption; with respect to cemeteries, he cannot profess to understand how cemeteries operate other than you put people underground but he would imagine that as a cemetery is planned and contemplated, they probably identify and plot off the property itself and identify where those plots would be throughout and that some of those plots may be close to trees and many or most of them probably would not be because it would be hard to bury somebody in a tree; challenged with reading through the comments from the cemeteries talking about how they have it just in time delivery process but he would think that all of the plots have been identified so to say that they need to seek a tree permit in time to respond to a burial did not make a lot of sense to him as an industry comment; he is not sure if he is missing something in that but he would imagine that they know well in advance what plots are available for use.); (Councillor A. Hopkins wondering if that was a question or a comment.); (Councillor S. Turner clarifying the question, is that a valid concern from industry or is it more a hypothetical.); Ms. S. Rowland, Urban Forestry Planner, responding that it definitely did come up in a petition that was sent to them on behalf of two cemeteries which is in the report; there was a letter from Ron Koudys and Associates and it was clear in that that the burial plot issue is an issue; she cannot speak as to whether they are unique in that or how they would otherwise operate; she does not know; she was hoping that there might be people here today from the cemeteries that might be able to speak to that but she does not see them; it is a little bit beyond her knowledge.*

- *(Councillor M. Cassidy clarifying that the current by-law, the permit is \$100 per tree and staff is proposing to make it a \$100 flat rate regardless of the number of trees; wondering if staff could elaborate on the reasoning behind that change.); Ms. S. Rowland, Urban Forestry Planner, responding that the fees at the moment, they do vary a little bit, there is a \$1,000 flat rate fee if you are dealing with more than four trees in a tree protection area, otherwise it is \$75 per tree until you hit that threshold of how many tree and with distinctive trees it is \$100 per distinctive tree and it is unlimited as to the number of trees; when they spoke to the industry back in February, 2018, they asked them specifically was the \$100 fee a problem because obviously the cost is passed on to the homeowner and it was made clear to them at that event that it was not a problem and the overall cost of taking a tree down in someone's backyard, \$100 was not seen to be a barrier; think it is not an unreasonable amount but they do accept that there have been some issues with the \$1,000 fee for sure and the potential unlimited cost depending on how many trees you are taking down that are large; then it could get quite expensive; the \$100 was what they asked the industry for feedback on and they thought that was ok so that is why they have \$100 proposed now; (Councillor M. Cassidy enquiring that even if they are taking down one hundred trees their fee is \$100; wondering if staff can explain the point of a Tree Protection Zone.); Ms. S. Rowland, Urban Forestry Planner, indicating that the point of a Tree Protection Zone was because we are a single-tier and under the *Municipal Act*, two types of tree by-laws can be created; for upper-tier, it would be woodlands and for lower-tier it would be trees not in woodlands; as a single-tier we do both so we are trying to protect trees in woodlands and trees on their own; the Tree Protection Area became a proxy, if you like, for dealing with groups of trees together or areas of large landholding that have a significant tree component on them where every tree would be protected like it should be in a woodland; if you have a size limit in a woodland, what could potentially happen is that every tree under the size is removed and you end up with no woodland fifty years from now; the purpose of the Tree Protection Area was really to meet that need to*

protect trees and woodlands, noting that we can do that as a single-tier authority because there is potential for us to protect both types of trees and trees in woodlands; *(Councillor M. Cassidy wondering if staff have been successful at that.);* Ms. S. Rowland, Urban Forestry Planner, responding that they do not have any metrics on that and she would also point out that where large treed areas are lost it is usually for development reasons and that is out of our control, out of our hands.

- *(Councillor J. Helmer wondering how often are the judgements of city staff responsible for enforcing the by-law and the arborists diverging when you are dealing with is this tree dead and should it come down because the current system now you have staff going out to check, you have arborists advising so 86% of them there is no permit required, is there a lot of convergence between the arborists and the city staff in terms of their judgements.);* Ms. S. Rowland, Urban Forestry Planner, responding yes, they have gotten to know the tree industry in the past three years that the by-law has been in existence; you develop a level of trust with some of these groups, some of these companies where you know they are being truthful, honest, forthright and they would only come to you when they know the tree is going to get a permit; she would say that the vast majority are honest opinions and that is why they are proposing that they accept that when they say the tree is dead, that they accept that, having said that, they still propose that they will do a little sample and she is going to suggest maybe one in ten perhaps where they still go out and verify just to make sure it is not being abused and there may be some particular companies that they would do that all the time but on the whole she would say that they have been very honest and forthright with staff.

- *(Councillor A. Hopkins enquiring about the distinctive trees being fifty centimeters or more and she heard in the staff presentation that if they do reduce it, and to her, it would make sense that if they do reduce it, they save more trees but the comment about the resources that are needed and do we know what those resources look like if we reduce it to 40, 30, whatever, was that looked at or considered at all.);* Ms. S. Rowland, Urban Forestry Planner, indicating that they could get that information for the Councillor from the work that was done in 2008, for their Urban Forest Effects Model, which did break down the tree population into a range of size classes but they did this for the 20-25 centimeter class and if they did go down to the 20 or 25 centimeter threshold it would be approximately ten times as many trees potentially protected by the by-law but they do not anticipate that being a tenfold increase in their workload; more of those trees are going to be younger, healthier, not reaching the end of life so they do not expect there to be a tenfold increase in their workload but they do expect there to be about fourfold and that is an estimate but they think it is a reasonable estimate of what they would anticipate coming through the door; *(Councillor A. Hopkins wondering how this new by-law is different to dealing with dead trees to the previous by-law.);* Ms. S. Rowland, Urban Forestry Planner, responding that on the current by-law, there is a requirement for an arborist's report to be submitted; it does cost money to get arborists' reports and with the proposed by-law, an arborist's written opinion, it could be as simple as an e-mail, is required to say this tree is dead, here is a photo and please can we have a permit; they hope to avoid some of the costs that are then off-set by the homeowner that is dealing with the application process but it also frees up a lot of staff time and if they accept it at face value with the exception of possibly one in ten that they may verify, but, yes, it will free up more of their time to deal with the more contentious issues and enforcement matters that they deal with every day; *(Councillor A. Hopkins wondering about the time period to get that tree down would be a shorter period, is that fair to say.);* Ms. S. Rowland, Urban Forestry Planner, indicating that yes, that is fair to say, they impose time limits on the permits to when they expire and if it was seriously hazardous they would make that very short indeed; in fact, they also deal with property standards orders that are of a similar nature and there is a time limit on those for getting trees down but they would certainly contract the period that the permit was valid for and checking that it is being implemented and if not, there may be consequences with property standards to make sure it gets removed.

- Heather Chapman, 152 Albert Street – sharing some truly interesting, amazing facts from a book by Peter Wohlleben, he is the author of a book called “The Hidden Life of Trees What They Feel, How They Communicate: Discoveries from a Secret World” and he is a world-renowned forester, he is from Germany and he is supported by David Suzuki and a whole lot of other world class ecologists and scientists; one of the first things is that we all know that trees are great vacuums for carbon dioxide, this is a quote from page two hundred twenty-four of this book “Each summer day, every day, trees release twenty-nine pounds of oxygen in the air per square mile of forest. An average person breathes twenty pounds of oxygen per day.”; this one square mile of forest supplies ten thousand people with their daily requirements; if you look at the City of London, we have a population of 385,000 people and that means we need 770,000 pounds or 1,116 tonnes of oxygen, that is forty acres of trees is what we need; noting that is the minimum; that is not counting the people that come here for eight months of the year or who are transient; she knows that the City of London is making great efforts to reduce our carbon footprint, we are working on transit, we are making more bike lanes, we are making neighbourhoods more walkable; asking the question, when we are making all of these efforts, why are a few landlords and developers allowed to do whatever they want, cutting down our trees without any consideration for the impact that they are having; in their neighbourhood, just today, they took pictures of backyards on St. George Street, of landlords who have just cut down everything and they have even taken the fences down and they have just paved them, just paved them over to make parking spaces and it looks like a God-awful backward inner city kind of a street and they have even got big canopies there, big tents that they have brought in, big marquis and it is just going to be ugly, it is going to be more noisy for neighbours, they will not have the shade, they will not have the cooling effect, they will just have lots of cars; that is one of her questions; *(Councillor A. Hopkins asking Ms. Chapman to speak into the microphone a little bit more.);* the other thing that is really interesting about this book is that it shows that trees, like City Councils, CEO’s, Boards of Directors, they are planners, they make decisions maybe three years out, maybe the Fall before, about how many leaves they are going to allow to have on certain branches and they plan how many blossoms they are going to have in years that they are wanting more seeds; they make these decisions way, way out so you cannot really look at a tree and say it is just a dumb plant; it is not, it is part of the ecology, these are very very noble kinds of big plants like elephants are to the land or whales are to the oceans; when people just arbitrarily say oh that tree is sick or hazardous or it is sick and it needs to come down, that is not necessarily the case because trees make these decisions about what they are going to do with their branches, how many leaves they are going to produce, when they are going to shed them, they make all those decisions so you cannot just have someone arbitrarily going into a backyard or buying a house and saying I am cutting down these trees because they are old and they look like they are dying; you actually need an arborist or another scientist to go in and determine whether or not that tree is sick; *(Councillor A. Hopkins advising that Ms. H. Chapman is coming up to five minutes.);* *(Councillor A Hopkins asking Ms. H. Chapman to sum up please.);* what she really wants to say is that they really have to support this new by-law and we have to enforce it because if people are just allowed to go around and do whatever they want, then we are not going to be the Forest City, we are going to be the asphalt city.
- Vicki Van Linden, 431 Ridgewood Crescent – enquiring and expressing concern about replacing dead trees; she does not know if staff could inform them of, even in the case where a tree is dead, and of course it is lawful and advisable to remove it, is there any requirement to then replace that tree at some future time; as for the cemeteries and golf courses, she does not know enough about cemeteries to make a comment but she has walked through lots of golf courses and she has read the comments in the Agenda and she is reluctant to give an exemption to golf courses, she hopes the Committee will consider that; thinking that cemeteries and golf courses are not the same thing and do not have the same concerns; regarding the reduction of down to twenty-five centimeters, she really is in favour of that and she understands



that it would require more staff time but she pays a lot of attention as she moves about the city to when she sees trees that have been cut down and she admits that she is not an arborist but she thinks most of them can tell if the stump from a tree, whether this was a healthy tree or whether there was any kind of disease; she does see a lot of trees that are certainly far more mature than a sapling and probably are falling in this area below the fifty centimeters; she is going to start carrying a measuring tape with her from now on; often they are placed and she has tried really hard to decide, try to figure out why did that tree come down, it is maybe in the front yard, it is not near a driveway, it is not too near the sidewalk, she cannot figure out any solid reason why it would and a couple of times she has had an opportunity to talk to people who were in the yard and in the two cases where she was able to ask somebody why they took the tree down, in one case it was because they wanted more sun to come to a front window, well, that is fair enough but you know, maybe pruning could have provided that a little bit more and in the other case it was referred to that the tree was dirty, it was dropping seeds, it had to be cleaned up; thinking that those are not good enough reasons to take out trees because we all know that they provide a public good; summarizing that she hopes that maybe we would move to the twenty-five centimeters and she is really reluctant to give golf courses free reign on this.

- Sandy Levin, Congregation Beth Tefilah Orthodox Synagogue of London – showing a picture of their property from the City Map showing the city trees; indicating that he discovered when they had an invasive tree branch break, fall across the city sidewalk, having to remove it because it was basically hollow and discovered they are in the Tree Preservation Area and he heard Ms. Sara Rowland, Urban Forestry Planner talk about the qualifications for that and, as you can see, they do not meet that criteria in any way, shape or form; noting they are mainly parking lot, actually everybody uses their parking lot for the city park next door; showing a higher level picture of where they are located and where city park is located; thinking it was just a mapping error that they ended up in the Tree Protection Area; really like to ask, and he notice that this is not going to change until 2020, but that they be removed from the Tree Protection Area and frankly, if they have got to lose another tree before the by-law gets amended can they be treated as if they are not in the Tree Protection Area; thinking they have about three or four more trees that are old and they might have to come down but he is not planning on doing that; he would not have taken this invasive tree down if it did not break and show that it was time to go, it is not a problem getting the permit, it is just why are they in the Tree Protection Area. (See attached photographs.)

- Richard Zelinka, 727 Galloway Crescent – advising that he made a presentation the summer of 2016 when the current by-law was first brought into Committee for consideration and at that time he raised a concern that what the City was doing was we were moving to ensure a public good through putting costs on individual property owners and that some of the measures that were being taken were verging on draconian; appreciating some of the recent consideration of issues that has been taken by staff in this current review; he would like to add a few more elements to that consideration if he may; first of all, the definition of tree, the definition of tree which includes seedlings and saplings is much too broad to be used in all applications around the city; in established woodland areas, as you have heard, this makes a lot of ecological sense, they are protecting those seedlings and saplings because they need a regeneration of those woodlands; however, in a homeowners manicured backyard, it makes no sense at all; it is something that does not allow an owner, it requires the owner basically to allow gardens, lawns, hedges, to be destroyed by seedlings and saplings that may have come up, the by-law is being used in a manner that technically does not allow a person to cut their grass and it is fine and good to say that we would not prosecute but why would you have a by-law that says that you are doing an illegal thing to be cutting your grass because you are cutting seedlings that could grow to the size of full grown trees if allowed to do so; it is illegal to cut the grass, it is illegal to remove seedlings from your hedge, it is illegal to remove those seedlings that are infiltrating one's garden; believing there should be two types of tree

protection areas, those that are for woodlands and those that are for non-woodland areas and within those the criteria for what can be done or perhaps even the definition for tree in the second category should be different from the first, it should not prevent a homeowner from doing normal maintenance; notification, he believes that staff has said that the public is generally unaware that this by-law exists; at the 2016 meeting he raised concern that there had not been proper notification and he believes that some of the Planning Committee members at that time raised the question to staff and were told once we get this by-law in we are going to notify people, that is going to be our first task is to make sure everybody knows about this; it is his understanding that particularly people that have been designated in the by-law as Tree Protection Areas, as having Tree Protection Area on their lands have not been directly notified and yet they are being severely affected by the existing by-law and that would be carried forward here as well so he would ask that the Committee consider and staff consider actually notifying those people that have that designation being put on them; Mr. S. Levin and his Congregation, that is a prime example, they did not know, they had to fall upon the fact that they were shown as being Tree Protection; *(Councillor A. Hopkins advising Mr. R. Zelinka that he as about ten seconds left.);* he has a number of other things to say; speaking to the replacement trees and the Schedule "B" which he thinks is a great advance from the previous but there are cases of successional planting; he does it himself, successional planting is a desirable way to plan ahead for the future demise of a large tree; asking that consideration be given to having the City Engineer or the authority whoever the by-law puts this on to be given the given the authority to deem this to having been met through successional planting; he has a situation, he has a large tree and he has planted thirteen trees under it already, good size trees that he has been allowing to grow over the years so that they would be there; *(Councillor A. Hopkins asking Mr. R. Zelinka to please sum up, he mentioned that he had a number of other comments; wondering because staff are wanting to hear input if he could also pass them on to staff as well but if he could summarize.);* what he will do is point them out to staff but one additional thing is and this goes back to Mr. S. Levin's issue, the mapping, one would assume that the areas that are mapped as Tree Protection Areas have trees on them; he did a random check and he found several areas within the city where tree canopies are less than ten percent on those areas, they should not be in Tree Protection Areas if they do not have trees on them, it really calls into question the whole purpose of the by-law; asking that those be checked, the City has the resources to check those areas out and ensure that they are not including lands that have no trees on them.

- Amber Cantel – speaking as a resident; indicating she is in favour of the by-law update; she thinks it includes a number of very important improvements notably around replacement trees which she thought was very valuable; she has a main point she wants to make but she wants to touch on Councillor Turner's point first concerning golf courses; as a resident she has similar concerns about exempting golf courses; finding it easy to believe people will be slow to cut trees on properties like a golf course but she is less confident that trees will be replaced afterwards and she thinks that actually losing the replacement tree requirement from the by-law on such a large piece of land would be regrettable so if the Council decides that the Tree Protection By-law is not the appropriate way to maintain tree cover on golf courses or cemeteries she thinks it would be valuable for Civic Administration perhaps to make recommendations around other tools that are used to achieve that but the specific point she wanted to bring up tonight actually goes back to a question that was raised at a previous Planning and Environment Committee which was how much support is there for the by-law really; at the time she had not realized there was a staff report that spoke a little bit about that and she just wanted to touch on that for the Councillors; in 2014 when the Urban Forest Strategy was being prepared there was a lot of public consultation done and eighty-six percent of Londoners who participated supported the creation of a private Tree Protection By-law that led to our current 2016 by-law which divides protection into two types of trees, you have your Tree Protection Area and your distinctive trees; of these you would expect the distinctive trees would

be by far the most contentious, most Londoners do not like the idea of clear cutting woodlands and most Londoners do not own woodlands to worry about in the first place; whereas it is obviously very different to be affected by a by-law for a tree in your own yard; sometimes it is harder to think about the greater good if it feels like you are the one personally footing the bill; that is why she thinks it is very notable that in 2018 when staff started revisiting the question of how to best update the Tree Protection By-law, they did another survey and they found that eighty-seven percent of Londoners, keeping in mind that eighty-six percent supported the creation of the Tree Protection By-law, eighty-seven percent supported maintaining the distinctive tree designation at that level or better actually reducing the limit so that it would protect more trees; thinking that personally you would expect that two years after implementing a by-law if anything, now that the rubber has hit the road, you would expect a level of support for the by-law to decrease a little bit; people realize that they are actually impacted by this or I have to pay fees for this; thinking that as far as public acceptance of a by-law goes this is really as good as it gets; the fact that even more people support the by-law or would strengthen the by-law two years in is an extraordinary outcome; wanted to say that she certainly hopes that Council will continue to value, support and work with staff to improve the by-law, she thinks it is doing wonderful things for our community and she really thinks the level of support you are seeing from the public reflects that.

- Gary Brown, 35A – 59 Ridout Street South – finding it very poignant tonight that the first two public participation meetings the most common thing brought up was trees; nobody is here to talk about it but anyhow it shows how much Londoners care about their trees; he is not going to get into the folly of parking minimums and how silly that is on City Planning and its detrimental effect; wondering if there is any chance to bring up the City's presentation, he would like to look at slide number two because he has a few questions and while they are bringing that up he would just like to say that they are at a three year review of the City Tree Protection By-law and he was here the first time and the fact that we have no measurement of whether it worked or not, there is no measure of whether our tree canopy has gone up or down, how is the Committee going to make a decision on whether you should change the by-law if you do not know if the current one is working; extremely disappointed that that number is not available to us or at least a reason why it is not available, maybe it is too soon to tell, maybe it is too soon to change the by-law in that case but he thinks that some sort of measurement and some sort of reference is absolutely required before making a decision here; here we have Tree Protection Areas mapped city-wide all trees regardless of size; remembering last year or the year before standing at the Hive on Wharnccliffe Road South in the center of a Tree Protection Area that was being clear cut by a developer and that was completely legal; not quite sure what the name actually means, he is not sure if it should even exist and the developer said we will keep a few of the trees here, and they clear cut them all; advising that he was standing there and his phone was the one that rang, and now we are set to clear cut the last vestige of forest in Berkshire, it is going to be gone from the Forest City, he will remind the Committee of that; he does not think we should be calling something a Tree Protection Area unless it actually is protecting the trees because any time the Committee wants to approve a subdivision plan this gets thrown out the window and done, every time, he cannot stomach that level of hypocrisy; just remove the name because he tells you that if he looks on a map and sees a big green blob that says Tree Protection Zone silly him thinks that the trees are protected there and they are anything but and he thinks that is something that they really need to think about; asking that the slides be forwarded to where the proposed changes are made there is as thing about the cost; off the top of his head, we are talking about a shortage of resources yet they are also talking at the same time of reducing the prices for cutting down trees; apologizing, someone would need to explain the logic in this to him if it is going to cost less money to cut down trees you are going to have less resources, should not the default position just be, it is serving as a detriment, cutting down trees is not the object of this particular exercise to stop the loss of our tree canopy and increase it in the Forest City; there are just a couple of things he has been a

volunteer for ReForest London since day one and one of the most common questions he gets asked when he is looking at other volunteers is when we are planting is what used to be here, well, what used to be here was a forest and now we are replanting it and it is really hard and he is really tired and he has to keep saying that time and time again, the trees that are the most important are the ones in the ground; he would simplify the entire by-law and he would say that if you did not plant it, you do not get to cut it down, it would not be that difficult to enforce, would it.

- Jesse Wilkins – advising that her comments are more specific to the revisions that were provided; one of the things that she saw; advising that her background is a Professional Forestry and she does woodlot marking for commercial forestry; just in some of the wording of the by-law she does realize that it was actually intended to improve the fees for good forestry practices; however, when she was reviewing the language it did almost seem that if you were in a woodland situation and the trees you were looking to harvest for commercial purposes were in the distinctive tree category, that you could actually have to pay the distinctive tree over and over again even though there are multiple trees within a woodlot; if possible for that to be reviewed; she does not believe that the intent was to actually make it harder to do good forestry practices, it was just in the language; also noticed that staff is going to reduce the timing of the permit, so in the past, the 2016 by-law you had a one year interval on the return and speaking to an arborist, she is not sure if that is a good return interval; time for you as a Forester and all of the operational issues that they have upon entering a woodlot; one of the cases for her was that, at the time, it took up to sixty days for the permit to be returned which was completely fair, it was a little bit of a tricky position and after those sixty days were up, it had actually left the winter harvest season so the ground was now thawed and they were not able to return to that woodlot until ten months later so she is not sure what would happen to the fee or if that would just be a permit that could be renewed if not used but possibly the language could be included in the by-law update; in the supplement that had been provided to them beforehand it did discuss a little bit of the intricacies of when the City Foresters will act on behalf of the CFIA and that is in the case of any of the pests effects and in the supplement it definitely did say that you have the right and the ability to spray pesticides on private landowners properties without their consent and she does believe, according to the CFIA, that is law; however, if the intent of this by-law is to be clear, she thinks this is the spot that you put that if you are dealing with someone who is doing organic farming, if their kids have cancer, you should probably just put that right out there; that we are going to spray pesticides in the event of it being on your property you have no choice, it is West Nile; believes this was written with the intent of the city staff to improve the by-law and she does believe that they are actually trying to facilitate it to be as good as it can on both sides and she would really like to drive her last point home on the matter of Schedule “A” and the City is doing everything they can to play both sides of that coin and that said, if you look at any, somebody brought up successional planting, thirteen trees, not even close to how many you need to get a big tree, so Schedule “A” as provided by the City, one tree for one fifty centimeter replacement tree they could not be easier on people, they are doing everything possible to ensure compliance, to ensure participation and to ensure that the public is engaging with this by-law and that also speaks to another speakers point about why they would want to reduce the fees; she thinks that the general intent is to engage and to get compliance rather than to just go after the fees; advising that she really supports this.

- Calvin McCallum, 7024 Kerr Road – advising that he is one of the co-owners of CLC Tree Services here in London, they have been in business for thirty-two years, his Dad started the business and they are succession planning themselves; indicating that he used to be a member of the Trees and Forests Advisory Committee but due to some bureaucratic road blocks he found it better to focus his energy somewhere else; he is a firm believer that you cannot manage a by-law if you cannot manage the companies performing work in your city; the City of Oakville has changed this as far as tree permits go and now contractors have to pass a test to say that they are qualified and capable to perform tree work within that city; feeling like if you want to

manage this by-law and you want good information gathering tactics you need to work with the member companies of the industry within our area; there is a serious lack of transparency in the by-law process and quite often it comes more to personal opinions on what trees are or the shape the tree is in as opposed to well thought out inspections on trees, most inspections happen from the ground and most defects happen ten, fifteen, twenty feet up, this cost is then passed on to people that live in London to have to hire people like him to do canopy inspections, to have to provide reports that then take your costs of a \$1,500 tree removal, which most people can only afford with their discretionary income to \$2,000 and then you have your permit fees on top of that; the costs just keep going up and one of his biggest questions, back in 2018 when they had the meeting was how many fines have been issued and he still does not have an answer to how many fines have been issued; there has been talk that this by-law itself is a lose money opportunity for the city; he is a firm believer that they do need a Tree By-law, but if you can manage the companies that are here, work within the city and have the integrity and have had that integrity the entire time that they have been working in this city, you are going to get a lot better result, you are going to get a lot better care for your forest and you are going to have a lot less cost in trying to fund other people to gather that information when they may not have the ability to do that; reiterating that he is all for a tree by-law but he would encourage the Committee to look into the Oakville by-law; give them a test, we can prove that we are quality arborists and can make these decisions and they can monitor it for the City, they can give the City the information, they can tell the City they denied a tree removal because they thought it was a healthy tree so if another tree company comes along and says that tree has to be cut down, there is some conflict of interest and you have some information to go on; right now there are four or five companies in this city that he would consider professional companies; the people that you should be protecting against are, he hates to say it, but people that have three day a work week jobs and go out and do things on weekends and fly under the radar; they have been working for three years to write these permits and they are still getting six month challenges on dead trees or trees that are lifting porches; asking them to get information from construction companies and letterhead approvals from other construction companies to show that this tree is lifting this deck; believing it is not going to get better and then you fight over it for three, four, five months; they have some that are five months out right now with obvious sheds heaving; given letterheads from professional construction companies, then they ask us to go back and take pictures, get them to prove it and prove it and prove it but they are one of the companies that is not out there skipping around the by-law; advising that the other concern that he has is that there is a serious lack of enforcement and without him knowing what these fines are how does he judge whether it is worth his time to go through the by-law or not; he can go out and cut down trees all he wants if nobody is going to fine him; he made some complaints to the City of London within this department and they consistently preach that they want to fine and they want to make sure that this by-law is working but they had no reaction; they had trees that were cut down in a Tree Protection Zone and they said that if the neighbour is not going to be a witness then they cannot do anything about it; advising that he is also the Vice-President of the Ontario Commercial Arborists Association which is *(Councillor A. Hopkins advising that he has thirty seconds left.)*; it is a group of ninety companies around the Greater Toronto Area and surrounding area and they all get together once a month, figure out these headaches, talk through these things, their opinion was, in the case where this Tree Protection Zone tree was removed and he brought it forward to the managers, if they were not willing to proceed after the neighbour to be a witness then they should have fined the homeowner so that they would have to forcibly be the witness but his big question is how many fines have gone out and is this really worth our time.

- Steven Lambrick, Oxford Street West – advising that he is a professional logger; in many ways, what got me interested in forestry was carpentry and as he has gone through the years working in forestry, understanding landowners concerns, understanding loggers concerns on both sides and the impressions which are

continually implied from old practices; now he thinks the City of London, he thinks what the Tree Protection By-law trying to take it down to forty centimeters, he thinks that may be appropriate in order to obtain a diversity of species in the woodlot and the ecological benefits; an arborist that is deciding whether to remove a tree that is in a backyard is not the same thing as forestry; you have to distinguish that in somewhere in that as a lifting deck, cut the deck, go around the tree, now the problem that may exist with that is the size of the tree; trees get, many people do not understand forestry as well as the gentleman over there or the lady or your Urban Forestry Department; there are many hidden dangers in a forest that most people do not comprehend and you need to select where you want to place your large trees throughout the city based upon the root system and the damage can be caused from swaying, lifting the tree up from the roots and hidden dangers and that is what happened here; the humis layer, the root fibers hit the hole; he understands the problem that the City is facing and the communities facing with development and as he said earlier, he was a carpenter so he can appreciate a developer's point of view; he thinks they need to incorporate more of it in the land as the develop it, maintain what is there to some degree, if it is viable by a professional arborist or a registered forester or this Urban Forestry Department, it is the authentic of how you want your city to look and you are certainly losing that by stripping and recontouring the land itself and he sees that just driving by; seeing the work that has been done since he has lived in London and there are some beautiful development that has gone on; he can see where the city is going to allow future development to go on and you are going to lose the complete ascetics of it and that is going to be very unfortunate because you are losing what this conversation is about; again, as he said, you need to distinguish the difference between tree removal within city and harvesting a forest, there are two applications, two different approaches to it; there are many questions that people brought up as he was listening here and this could go on for hours; *(Councillor A. Hopkins advising him that he has about one minute left.)*; indicating that he is going to shorten it up with a quick question; being a professional forester, logger, he will not use forester because he cannot use the word management in his business, it is against the law, how will these changes affect his profession harvesting and his ability to incorporate the purpose of the by-law over all; how will it affect the peoples' property rights that own those forests if you change it; one other point he has, when it comes to harvesting in my business a hundred dollars a distinctive tree, a tree would never get harvested because that tree make would have to have a value of three or four hundred dollars then you start to create an unsafe forest because the size of the trees, to some extent, depending on the type of trees; think if you are reducing if, if you are harvesting a forest, is understandable; *(Councillor A. Hopkins asking him to please summarize.)*; as for the lady was talking about more trees per acre reduces the carbon input than one large tree so when you go to build your forest make a renewable resource we constantly have a regeneration of new growth and where you are constantly increasing the number trees per acre compared to the size of a tree which could take an acre or two.

- Mohamed Moussa, 155 Thornton Avenue – indicating that like many others here he appeared in August, 2016 in regard to this by-law; advising that he did see some issues with it at the time and it looks like three years later we are rectifying them; in regard to the fee, he mentioned at the time it should be revenue neutral, it looks to be that it is not going to be; if it does get reduced in the permit fee it will allow people to apply more readily; with respect to raising those fees or keeping the where they are at, it may not allow for compliance and this is not a money making thing, you still have to go through a permit process in order to get your approval; when he was here, the fifty centimeters was discussed; after, the proposal was for seventy-five centimeters; he thinks the double edged sword here in reducing it in that, he thinks what has happened is that people have looked at their trees and thought well let us take them down before they actually hit fifty centimeters; you reduce it further and your unintended consequence of that maybe that people will start taking their trees out even earlier; that is the reality of it; he does not have the facts to prove that or the stats to prove it but he has heard that that is what has been happening; indicating

that his biggest issue with this by-law is along the same lines of Mr. S. Levin's, how the Tree Protection Areas are set out, it's by satellite imagery, there is no standard as to how they are set; you could be encapsulating areas that are mostly buckthorn or anything else or even areas that are just between two woodlots that look to have some cover; just some clarification on that, he is not going to go through, Calvin has made some very decent points that he has brought up; the one thing he will say and he thinks that he did not get a chance to say it, just in terms of enforcement, he did make a call for three or so weeks ago, four weeks ago, about trees being clear cut; his understanding of the by-law was it was right through London but apparently it is not outside the Urban Growth Boundary and Ms. S. Roland herself had come out within forty-five minutes, very attentive and very you know on top of it but the one thing he did say three years ago is that we need to protect the trees outside of the Urban Growth Boundary as well because that is where the majority of your logging or loss of trees is going to be as people anticipate, speculators anticipate, in the future.

- Alex Morrison, 95 Tecumseh Avenue East - advising that personally he is interested in seeing the Urban Forest Strategy be successful, this is a part of that, it is the overlying structure that the Trees and Forests Advisory Committee is helping to guide which he is a part of; very much, again, interested in seeing how this would move forward effectively; indicating that he manages a business called ConservaTree which focuses on professional tree care and preservation solutions, we are locally owned and have ISA arborists; indicating that he is very much in favor of the by-law for the most part; he would say that he found the by-law to be ineffective in some ways; noting that he has heard this point of view from many people, homeowners, industry members, city staff; it is a prohibitive by-law that tries to disincentivize removals rather than incentivize proper tree care; there are lots of people out there who are happy to take care of their trees and we do need to disincentivize but we do need to further incentivize people who are interested in maintaining the urban forest; some of the reasons that this is ineffective is that is a low ability to enforce, if you cut down a tree on the weekend when there is by-law staff that are not available to enforce sometimes by the time they show up Monday morning the stump is ground and there is no evidence of anything ever happening there, there was there was clearly a tree there but there is no evidence to really enforce anything at a legal level; it protects too few trees which seems like everybody's on board with right we do not have the funds to possibly go that much lower in terms of how many trees we are going to protect under the distinctive tree designation so that is something that needs to be addressed; this by-law fails to help a lot of homeowners and landowners buy in, they are not interested in the reason that they should have to put up with the dirty, ugly, tree too close to their house for all these reasons, all the negatives, and then they have to pay for the maintenance of it, the trimming, the leaves every week, every Fall, they do not want to shoulder the burden and like he said earlier, people do want to preserve their trees already, they are willing to put their money out, trim their trees and take care of them; one of the specific issues he would like to address is that there is going to be this arborists' opinion, Mr. McCallum mentioned it that other arborists may be willing to push the line as to what could be removed in their opinion you are going to have to let us write our own tickets basically is the plan and so he has had it happen where he passed up on a tree, he said that in his opinion that one is healthy, it could use a trim and that is what he would like to do for them and six months later you drive down the road and the tree is gone; how they got it gone, it is possible that they had someone who is interested in writing that report for financial reasons, maybe they got it done by someone who just skipped the process altogether; it definitely happens; that disincentivizes arborists who are interested in conservation and tree care industry people to keep that line; why am I holding a higher standard when my competition will not and now financially I am out, why should I do that; if there was some level of incentive or support offered for those who choose to be good stewards of the environment, homeowners, tree care industry members, he believes this would lead to greater buy in from the community in general, that we are supporting arborists who want to make a difference and we really are the front line of taking care of the trees; they do a lot of the work, physical

work and they realize that it costs money from homeowners and and they are saddled with the cost of it and if this is an acceptable fee or not it is not just the fee to remove it, if you cannot remove it now you have this additional cost that every year you are spending money on this tree basically and people might choose to just not spend the money and now all of a sudden that tree gets dilapidated and that tree all of a sudden has a big break and deteriorates and now it is able to be removed so they skip the care, they skip spending the money, they skip all of that and here they are with kind of an ineffectiveness to a good intention within the by-law; (*Councillor A. Hopkins indicating that he has about thirty seconds left.*); a good example of an incentivization under the Urban Forest Strategy is the Tree Me grant, \$200,000 every year offered to private landowners to plant trees; why is there no money being offered to landowners to help maintain their trees; people who are just on the line of being able to afford to do that could really use the assistance to help take care of their trees, keep it away from their house, thin them out so that their growth is healthy so they reduce breaks and things like that; and he knows he is running short on time but he has a few more moments hopefully; (*Councillor A. Hopkins asking him to please summarize.*); summarizing that outside of basically just the homeowners and the tree care industry being supported through some sort of incentivization he just believes that that is a better way to go about dealing with this issue, do not disincentivize, incentivize, carrot versus stick, and this by-law is mostly stick so there is no carrot really; trees in urban forests are an easy win for Council members; his Council member is often seen in their community publication saying trees are good, listing the benefits, being an advocate for them and that is great; thinking it is an easy win to say yes to trees but it is more difficult to make a tough decision around a by-law like this where it needs to go further and really, why are we not all in on it, why are we, on the Urban Forest Strategy, as a larger component, not just the Tree Protection By-law that we are here today, why is there not more funding, in the Urban Forest Strategy there is all sorts of points that he could name, there are probably fifteen points in the Urban Forest Strategy where there needs to be more money and it is all falling short.





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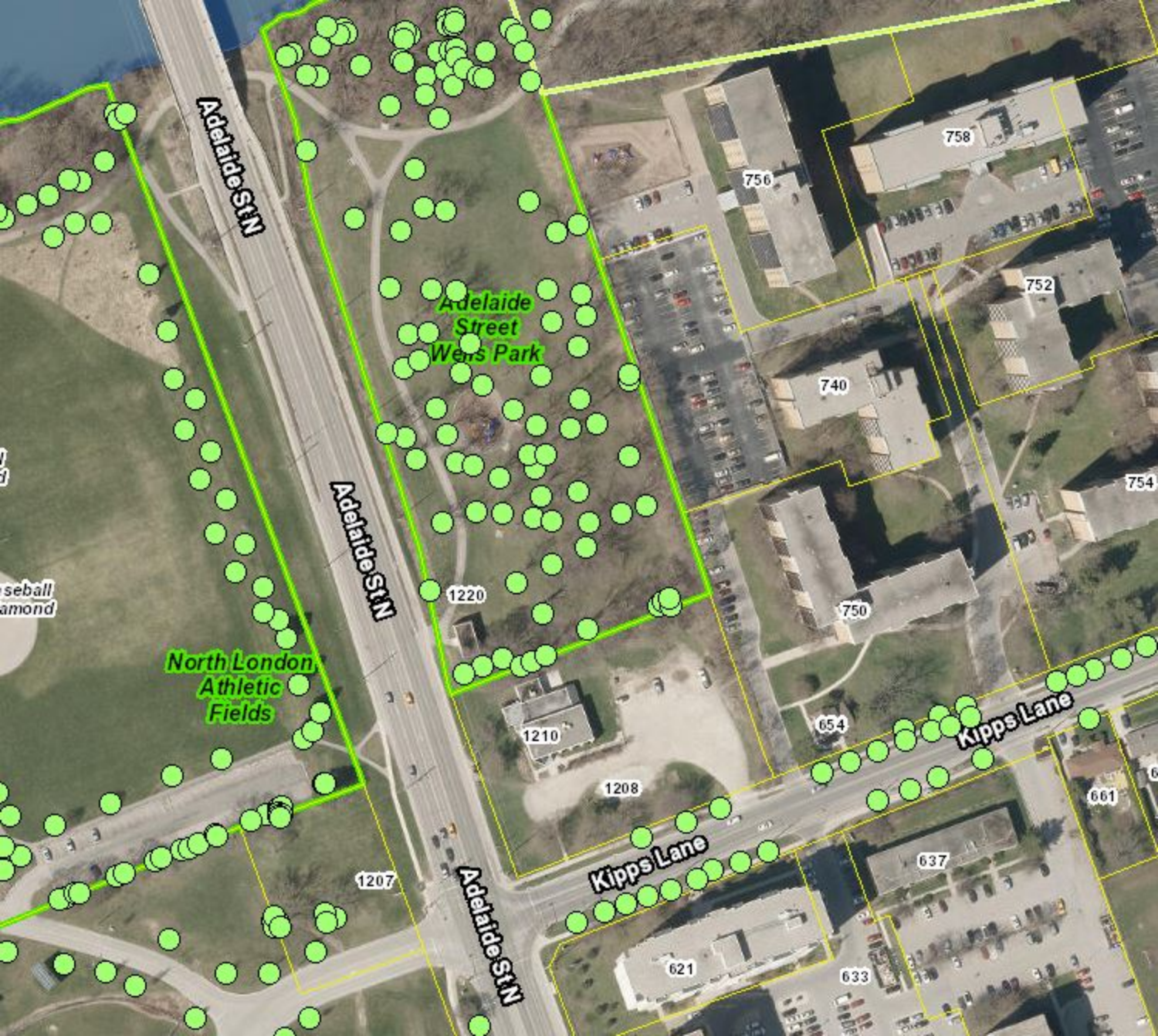
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Kippe Lane

Kippe Lane



Adelaide St N

Adelaide Street Wrens Park

North London Athletic Fields

baseball diamond

Adelaide St N

Kipps Lane

Kipps Lane

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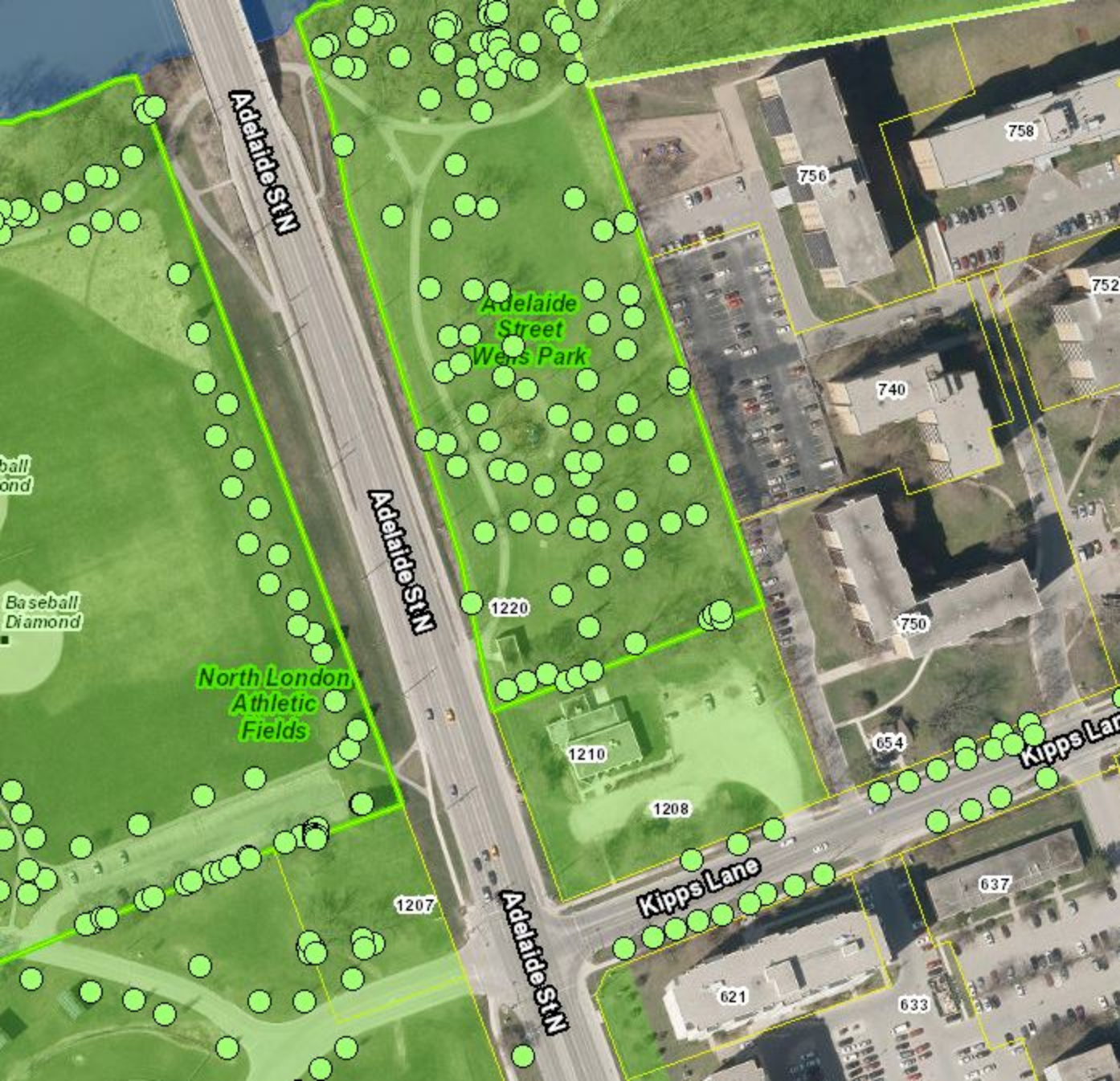
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Bill No. 391  
2019

By-law No. Z.-1-192791

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 307 Fanshawe Park Road East.

WHEREAS Royal Premier Homes has applied to rezone the lands located at 307 Fanshawe Park Road East, as shown on the map attached to this by-law, as set out below;

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. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 307 Fanshawe Park Road East, as shown on the attached map, from a Holding Residential R1/ Bonus (h-5\*h-54\*h-89\*R1-8\*B-15) Zone to a Holding Residential R5 Special Provision (h-5\*h-54\*h-89\*R5-7(10\*)) Zone.
2. Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

R5-7(10)	307 Fanshawe Park Road East	
a)	Permitted Uses:	
i)	Stacked Townhouse	
b)	Regulation[s]:	
i)	Density (Maximum):	75 units per hectare
ii)	Front yard depth (Minimum):	4.5 metres
iii)	West interior side yard for a lot depth of 30 metres	4.9 metres
iv)	Front yard setback to patio/porch (Minimum):	2.3 metres
v)	Height for a lot depth of 30 metres (Maximum):	12 metres
vi)	Height for balance of the lands (Maximum):	10 metres
vii)	Parking spaces required (Maximum):	1.25 per unit

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.

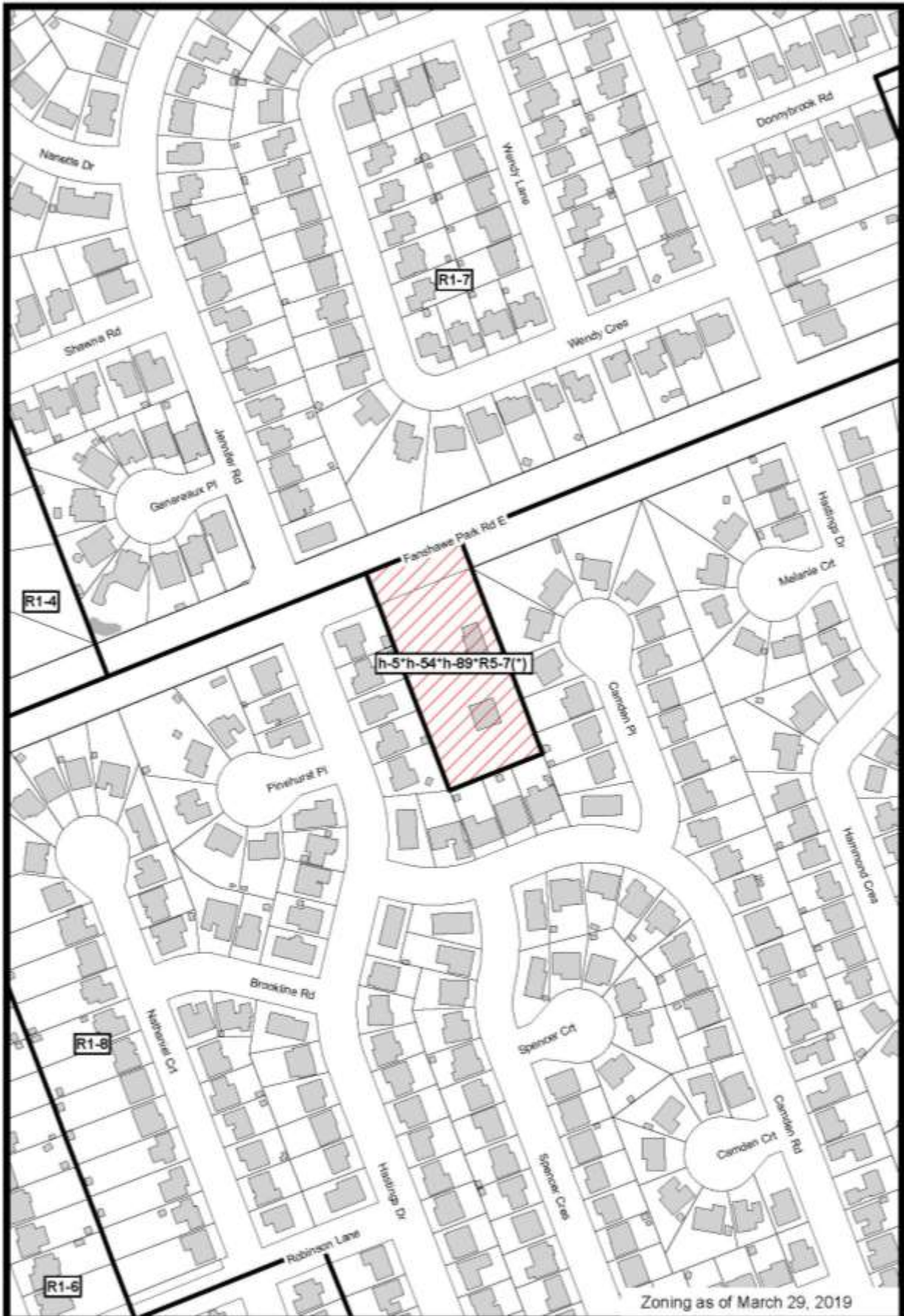
PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

Schedule "A"



File Number: Z-9006

Planner: CS

Date Prepared: 2019/04/05

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE 

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# Corporate Services Committee

## Report

18th Meeting of the Corporate Services Committee  
September 24, 2019

PRESENT: Councillors J. Morgan (Chair), J. Helmer , P. Van Meerbergen, A. Kayabaga, S. Hillier  
ABSENT: Mayor E. Holder  
ALSO PRESENT: Councillor S. Lewis; and M. Hayward, A.L. Barbon, B. Card, I. Collins, B. Coxhead, J. Davies, A. Dunbar, J. Edmonds, J. Freeman, M. Galczynski, L. Livingstone, J. Logan, K. Murray, K. Scherr, C. Smith, S. Spring, B. Warner, B. Westlake-Power and J. Wills

The meeting is called to order at 12:34 PM.

### 1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

### 2. Consent

Moved by: A. Kayabaga  
Seconded by: S. Hillier

That items 2.1 to 2.5 BE APPROVED.

Yeas: (5): J. Morgan, J. Helmer, P. Van Meerbergen, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

### Motion Passed (5 to 0)

#### 2.1 2019 Operating Budget Mid-Year Monitoring Report - Property Tax, Water, Wastewater & Treatment Budgets

Moved by: A. Kayabaga  
Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the 2019 Operating Budget Mid-Year Monitoring Report:

- a) the 2019 Operating Budget Mid-Year Monitoring Report for the Property Tax Supported Budget, Water, and Wastewater & Treatment Budgets, as appended to the staff report dated September 24, 2019, BE RECEIVED for information; it being noted that an overview of the net corporate projections are outlined below, and that the year-end positions could fluctuate based on factors beyond the control of the Civic Administration;
  - i) Property Tax Supported Budget surplus of \$4.5 million as identified by the Civic Administration, Boards and Commissions, the projected year-end position includes the Reserve Fund contribution listed in item b), below;
  - ii) Water Rate Supported Budget surplus of \$2.6 million; and,
  - iii) Wastewater & Treatment Rate Supported Budget surplus of \$2.8 million;
- b) the Civic Administration BE AUTHORIZED to contribute Information Technology Services year-end operational surplus, if any, to the

Technology Services Reserve Fund to be used to support investments in corporate systems;

c) the Civic Administration BE AUTHORIZED to allocate the year-end Property Tax Supported Budget surplus, currently projected at \$4.5 million, to the Operating Budget Contingency Reserve to be used to smooth the impact of budgetary pressures associated with Provincial funding and cost-sharing changes impacting the City of London's 2020 - 2023 Multi-Year Budget;

d) the Civic Administration BE AUTHORIZED to contribute \$925,370 resulting from the 2018 Property Tax Supported Budget Surplus to the Land Acquisition Reserve Fund, identified as a high priority tax-supported reserve fund, in accordance with direction provided as part of the 2018 Operating Budget Year-End Monitoring Report;

e) it BE NOTED that \$1,440,355 (\$1,197,194 – Property Tax Supported; \$72,788 – Water; and \$170,373 – Wastewater & Treatment) to the Efficiency, Effectiveness and Economy Reserve in 2019 was contributed.

**Motion Passed**

## 2.2 2019 Mid-Year Capital Monitoring Report

Moved by: A. Kayabaga

Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the 2019 Mid-Year Capital Monitoring Report, dated September 24, 2019, BE RECEIVED for information; it being noted that the life-to-date capital budget represents \$2.1 billion, with \$1.4 billion committed and \$0.6 billion uncommitted.

**Motion Passed**

## 2.3 Procurement of Goods and Services Policy Revision

Moved by: A. Kayabaga

Seconded by: S. Hillier

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 September 24, 2019 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019 to amend By-law No. A.-6151-17, as amended, being "A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001", by deleting Schedule "C" – Procurement of Goods and Services Policy in its entirety and by replacing it with the new Schedule "C" – Procurement of Goods and Services Policy, to update the Policy, to provide additional clarity and updates, as included in the above-noted staff report.

**Motion Passed**



2.4 By-law to Delegate Tax Appeals Under Section 357(1)(d.1) to the Assessment Review Board

Moved by: A. Kayabaga  
Seconded by: S. Hillier

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 September 24, 2019, BE INTRODUCED at the Municipal Council meeting to be held on October 1, 2019, to delegate tax appeal applications under subsection 357(1)(d.1) of the *Municipal Act, 2001* S.O. 2001, c.25, as amended, to the Assessment Review Board in accordance with subsection 357(11) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended.

**Motion Passed**

2.5 Response to the Ministry of the Attorney General Joint and Several Liability Reform Consultation

Moved by: A. Kayabaga  
Seconded by: S. Hillier

That, on the recommendation of the Managing Director Corporate Services and City Solicitor and the Manager III, Risk Management Division, with the concurrence of the City Clerk, the Civic Administration BE DIRECTED to submit a response to the Ministry of the Attorney General regarding Joint and Several Liability Reform as summarized in the staff report dated September 24, 2019, entitled "Response to the Ministry of the Attorney General Joint and Several Liability Reform".

**Motion Passed**

**3. Scheduled Items**

3.1 Not to be heard before 12:45 PM - Tax Adjustment Agenda

Moved by: J. Helmer  
Seconded by: S. Hillier

That the recommendations contained in the Tax Adjustment Agenda dated September 24, 2019 BE APPROVED; it being noted that there were no members of the public in attendance to speak to the Corporate Services Committee at the public hearing associated with this matter.

Yeas: (5): J. Morgan, J. Helmer, P. Van Meerbergen, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

**4. Items for Direction**

None.

**5. Deferred Matters/Additional Business**

None.

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

Moved by: J. Helmer

Seconded by: P. Van Meerbergen

That the Corporate Services Committee convene, In Closed Session, for the purpose of considering the following:

**6.1 Land Disposition / Solicitor-Client Privileged Advice / Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations**

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.

**6.2 Land Disposition / Solicitor-Client Privileged Advice / Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations**

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.

**6.3 Land Acquisition / Solicitor-Client Privileged Advice / Position, Plan, Procedure, Criteria or Instruction to be Applied to Any Negotiations**

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.

**6.4 Personal Matters/Identifiable Individual**

A matter pertaining to personal matters, including information regarding an identifiable individual, with respect to employment-related matters; advice or recommendations of officers and employees of the Corporation including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation.

Yeas: (5): J. Morgan, J. Helmer, P. Van Meerbergen, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

**Motion Passed (5 to 0)**

The Corporate Services Committee convened, In Closed Session, from 12:40 PM to 1:16 PM.

**7. Adjournment**

The meeting adjourned at 1:20 PM.

# Audit Committee Report

4th Meeting of the Audit Committee  
September 11, 2019

PRESENT: Deputy Mayor J. Helmer (Chair), S. Turner, L. Higgs  
ABSENT: M. van Holst, J. Morgan  
ALSO PRESENT: A. Barbon, B. Card, I. Collins, J. Freeman, J. Pryce (Deloitte), A. Ruffudeen (Deloitte), K. Scherr, M. Schulthess and J. Taylor.

The meeting was called to order at 12:10 PM.

**1. Disclosures of Pecuniary Interest**

That it BE NOTED that no pecuniary interests were disclosed.

**2. Consent**

None.

**3. Scheduled Items**

None.

**4. Items for Direction**

**4.1 Consultant Selection/Engagement and Construction Procurement Review**

That the Internal Audit Report from Deloitte with respect to the Consultant Selection/Engagement and Construction Procurement Review performed January to May 2019, issued August 2019, BE RECEIVED.

**Motion Passed**

**4.2 Internal Audit Summary Update**

That the memo dated August 30, 2019, from Deloitte, with respect to the internal audit summary update, BE RECEIVED.

**Motion Passed**

**4.3 January - December 2019 Internal Audit Dashboard as at August 30, 2019**

That the communication from Deloitte, regarding the January - December 2019 internal audit dashboard as of August 30, 2019, BE RECEIVED.

**Motion Passed**

**4.4 Observation Summary as at August 30, 2019**

That the Observation Summary from Deloitte, as of August 30, 2019, BE RECEIVED.

**Motion Passed**

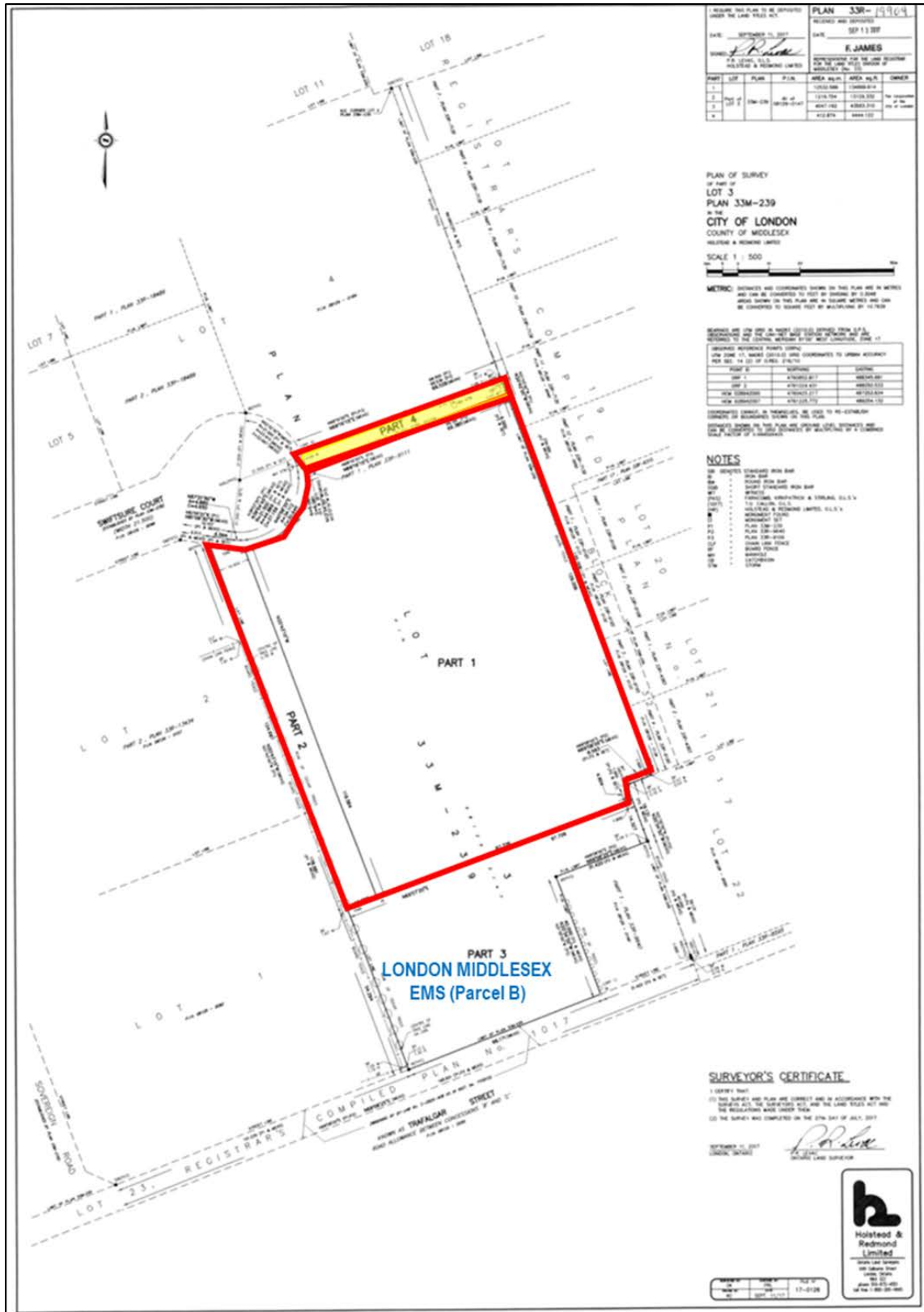
**5. Deferred Matters/Additional Business**

None.

**6. Adjournment**

The meeting adjourned at 12:28 PM.

**APPENDIX "B"**  
**PLAN 33R-19904**



**APPENDIX "C"**  
**AGREEMENT OF PURCHASE AND SALE**

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

PAGE 1

**CLASS 1 SALE**

THIS INDENTURE dated the 27 day of Aug, 2019.

BETWEEN:

**THE CORPORATION OF THE CITY OF LONDON**

hereinafter called the **VENDOR**

- and -

**1666042 ONTARIO INC.**

Address: 2065 Piper Lane, London, Ontario, N5V 3S5

hereinafter called the **PURCHASER**

1. The Purchaser, having inspected the lands and premises hereinafter described, hereby offers to purchase from the Vendor the lands and premises situated in Trafalgar Industrial Park Phase III, in the City of London, in the County of Middlesex, containing 3.5 acres, more or less subject to survey, located on the south east side of Swiftsure Court, and being composed of Part Lot 3 on Plan 33M239; Parts 1, 2 & 4 on Plan 33R19904; London subject to an easement over Part 2 33R19904 in favour of Part Lot 3 33M239 being Part 3 of 33R19904 as in ER1148631 being PIN 081290192 and shown outlined on the plan attached hereto as Schedule "C" to this Agreement, for the price of approximately

**Two Hundred and Twenty Seven Thousand Five Hundred Dollars** (\$ 227,500.00)  
of lawful money of Canada calculated at the rate of

**Sixty-Five Thousand Dollars** (\$65,000.00)  
per acre, with all normal municipal services available in the road allowance.

The Purchaser submits

**Twenty Two Thousand Seven Hundred and Fifty Dollars** (10% of purchase price) (\$22,750.00)  
cash (or bank draft or certified cheque) payable to the City Treasurer, City of London, as deposit to be held by the Vendor pending completion or other termination of the agreement arising from the acceptance of this Agreement and to be credited towards the purchase price on completion, and the balance of the purchase price to be paid on the date of completion.

2. Provided the title to the property is good and free from all encumbrances, except as otherwise expressly provided herein, and except as to any registered easements, restrictions or covenants that run with the land, or municipal by-laws, or other governmental enactments, providing that such are complied with.

3. The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title except as may be in the possession or control of the Vendor, unless otherwise provided herein.

4. The Purchaser is to be allowed 90 days from the date of acceptance of this Agreement to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor which the Vendor is unable or unwilling to remove, remedy or satisfy and which the Purchaser will not waive, this Agreement, notwithstanding any intermediate acts or negotiations in respect of such objection shall be at an end, and all monies theretofore paid shall be returned to the Purchaser without interest or deduction, and the Vendor shall not be liable for any costs or damages. Except as to any valid objection so made within such time, and except for any objection going to the root of the title, the Purchaser shall be conclusively deemed to have accepted the Vendor's title to the property.

**APPENDIX "C" Cont'd**  
**AGREEMENT OF PURCHASE AND SALE**

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

PAGE 2

5. The Purchaser is to be allowed 90 days from the date of acceptance of this Agreement to carry out soil tests as it might reasonably require. Any such testing shall first be approved by the City Engineer and shall be at the sole risk and expense of the Purchaser. If such tests are carried out, the Purchaser agrees to restore the property to its original condition. If the property is not so restored, the vendor may carry out required restoration and without limiting the rights of the Vendor, the cost thereof may be recovered from the deposit. If, within that time, any valid objection to soil conditions is made in writing to the Vendor, which the Vendor is unable or unwilling to remove, remedy or satisfy, and which the Purchaser will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objection, shall be at an end and all monies theretofore paid shall be repaid or returned to the Purchaser without interest or deduction and the Vendor shall not be liable for any costs or damages. Except as to any valid objection so made within such time, the Purchaser shall be conclusively deemed to have accepted the soil conditions on the property.
  6. The transaction of purchase and sale to be completed within 120 days from the acceptance of this Agreement. Vacant possession of the property shall be given to the Purchaser on the date of completion, unless otherwise provided herein.
  7. This Agreement, when accepted, shall constitute a binding contract of purchase and sale between the Purchaser and Vendor and time shall, in all respects, be of the essence thereof, provided that the time for the doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing, signed by the Vendor and the Purchaser or by their respective solicitors who are hereby expressly appointed in this regard. It is agreed that there is no condition, expressed or implied, representation, warranty, or collateral agreement affecting this Agreement or the property or supported hereby, except as expressed herein in writing.
  8. The Deed or transfer shall be prepared in registerable form at the expense of the Vendor by its solicitor. Each party shall pay the cost of registration and taxes on his own documents.
  9. Planning Act: This Agreement shall be effective to create an interest in the property only if the subdivision control provisions of the Planning Act are complied with.
  10. Time Limits: Time shall in all respects be of the essence hereof provided that the time for doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by Vendor and the Purchaser or their respective lawyers who are hereby specifically authorized in that regard.
  11. Provided that, notwithstanding any terms or conditions outlined in the printed wording herein, any provisions written into the Agreement at the time of the signing of the Agreement by the Purchaser shall be the true terms and shall supersede the printed portion in respect of the parts affected thereby. This Agreement and its acceptance shall be read with all changes of gender or number required by the context and shall be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns, as the case may be.
  12. As a condition of this Agreement, the Purchaser hereby agrees to submit a declaration of intent which outlines the proposed uses of the property. This declaration is attached hereto as Schedule "A" and forms part of the Agreement.
  13. As a condition of this Agreement, the Purchaser hereby 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, serviced, industrial land, which Policy is attached hereto as Schedule "B" to this Agreement, it being the intent of the parties hereto that the provisions of the said "Policy" shall survive the closing of this transaction to such extent as may be required to give effect to the said Policy. As a further condition of this Agreement, the Purchaser agrees to accept a Deed with respect to the land herein described in a form sufficient to give effect to the said Policy.
  14. Any tender of documents or money desired hereunder may be made upon the solicitor acting for the Vendor or Purchaser, and it shall be sufficient that a Bank Draft or Certified Cheque may be tendered instead of cash.
  15. Schedules A, B, C, D, and E attached hereto form part of this Agreement.
-

**APPENDIX "C" Cont'd**  
**AGREEMENT OF PURCHASE AND SALE**

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

PAGE 3

16. This Agreement shall be irrevocable and open for acceptance until 11:59 p.m. (local time) on the 4th day of October, 2019, after which time, if not accepted, this Agreement shall be null and void and the deposit shall be repaid to the Purchaser without interest or deduction.

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 27 day of Aug, 2019.

SIGNED, SEALED & DELIVERED  
in the presence of

Witness: *See in bysthere*

) 1666042 ONTARIO INC.  
) Purchaser  
)  
)  
)  
) *[Signature]*  
) Signature of Signing Officer  
) Jason Huffman, Owner  
) I have authority to bind the Corporation  
)  
)  
)

**ACCEPTANCE**

The Vendor accepts the above Agreement.

**THE CORPORATION OF THE CITY OF LONDON**

\_\_\_\_\_  
Ed Holder, Mayor

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

NOTE: Schedule "A" attached - "Purchaser's Declaration of Intent"  
Schedule "B" attached - "City-owned Serviced Land Sale Policy"  
Schedule "C" attached - "Excerpt from Plan Outlining Property in Red"  
Schedule "D" attached - "Additional Terms and Conditions"  
Schedule "E" attached - "Location Map showing Buffer"





**APPENDIX "C" Cont'd**  
**AGREEMENT OF PURCHASE AND SALE**

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON


PAGE 4

**SCHEDULE "A"**

**PURCHASER'S DECLARATION OF INTENT TO DEVELOP AND PROPERLY UTILIZE THE  
PROPERTY, WHICH DECLARATION FORMS PART OF THE AGREEMENT OF PURCHASE AND  
SALE**

The Purchaser hereby declares, and it is understood and agreed between both parties, that the property will be used for the following purposes; and the Purchaser undertakes to take all reasonable steps to fulfill these commitments; which undertaking shall survive and not merge in the closing of the transaction.

**INFORMATION REQUIRED FROM PURCHASER BEFORE AGREEMENT SUBMITTED FOR  
APPROVAL**

Industrial Park Name & Phase & Section:	Trafalgar Industrial Park, Phase III
Lot & Conc./Part No./Block, etc.; Acres:	Part Lot 3, Plan 33M-239; Parts 1, 2 & 4 on Plan 33R-19904 (3.5 Acres)
Name, Address, Postal Code of Purchaser:	1666042 Ontario Inc. 2065 Piper Lane, London, Ontario, N5V 3S5
Local Company: <b>Yes</b> <b>No</b>	
Intended Use of Building - (Describe):	Specializing in the design and manufacturing of automated machinery, assembly tooling as well as general machine shop services (No stamping)
Major Industrial Classification of User:	Manufacturing and Assembly
List of Products Manufactured/Handled:	Metal, Steel, and Aluminium
Number of Employees Anticipated:	18 - 20 (Full Time)
Number of Square Feet of Building Proposed:	23,000 sq. ft.
Number of Square Feet in Property Purchase:	152,460 sq. ft.
Proposed Building Coverage as % of Lot Area:	15 percent (15%)
Mandatory Building Coverage Starting 1st Year:	15 percent (15%)
Future Building(s) Proposed (if any) Details:	None
Proposed Building Material for this Project:	TBD
Development of the Lot will be subject to:	Site Plan & Architectural Control
Proposed Commencement Date of Construction:	One Year from Date of Deed
Mandatory Commencement Date of Construction:	One Year from Date of Deed
Purchaser's Lawyer - Name, and Address:	Brent Picard Szemenyei MacKenzie Group 376 Richmond St. London, ON N6A 3C7
Telephone:	519-433-8155 ext. 317
Purchaser's Executive Completing this Form: Jason Huffman Owner, 1666042 Ontario Inc.	 (signature) I have authority to bind the Corporation

\_\_\_\_\_  
Ed Holder, Mayor

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

**APPENDIX "C" Cont'd**  
**AGREEMENT OF PURCHASE AND SALE**

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

PAGE 5

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.

**APPENDIX "C" Cont'd**  
**AGREEMENT OF PURCHASE AND SALE**

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

PAGE 6

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

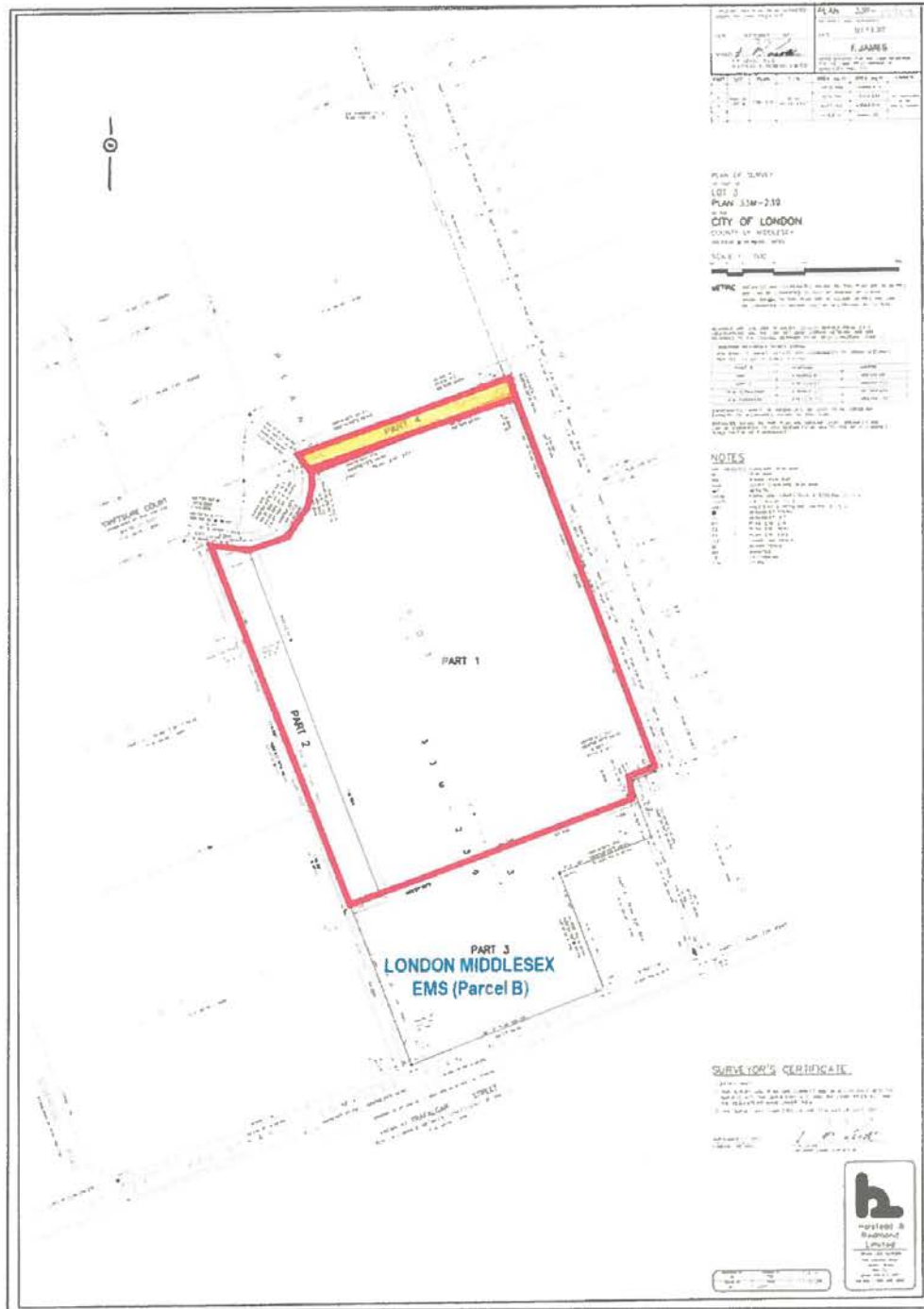
12. At least annually, the Manager of Realty Services shall review the pricing of industrial land and if a change in pricing is recommended, shall make a recommendation to Board of Control as to the price per acre at which land should be offered for sale during the ensuing year.
  13. Pending receipt 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. Planning Act: This Agreement shall be effective to create an interest in the property only if the subdivision control provisions of the Planning Act are complied with.
  19. 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.
  20. 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.
  21. The cost of service connections from the main to the property line is the responsibility of the purchaser.
  22. 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.
-

**APPENDIX "C" Cont'd**  
**AGREEMENT OF PURCHASE AND SALE**

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

PAGE 7

**SCHEDULE "C"**  
**Plan 33R - 19904**



**APPENDIX "C" Cont'd**  
**AGREEMENT OF PURCHASE AND SALE**

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

PAGE 8

**SCHEDULE "D"**

ADDITIONAL TERMS AND CONDITIONS

Paramountcy of Schedule "D"

The provisions of this Schedule "D" are in addition to and not in substitution for the standard provisions contained in the body of the Agreement of Purchase and Sale 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 Agreement of Purchase and Sale and Schedules thereto shall mean the said Agreement of Purchase and Sale and all Schedules thereto.

Assignment of Agreement

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

Requirement for Sewage Sampling Manholes

The Purchaser 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.

Development Agreement

The Purchaser acknowledges that prior to the issuance of a Development Agreement, the Purchaser shall be subject to site plan and 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 approvals and satisfying requirements by Upper Thames Conservation Authority, (UTRCA), Ministry of Environment and Climate Change (MOECC), and any other approvals deemed necessary by the City. As part of the Purchaser's due diligence, the Purchaser shall satisfy itself at its sole risk and cost as to the total developable area available on the property.

Testing After Acceptance

From and after the date of Vendor's Acceptance of this Agreement, and in accordance with Paragraph 5 of the Agreement of Purchase and Sale, the Vendor shall permit the Purchaser and its authorized representatives and consultants reasonable access to the property for the purpose of making soil, ground water, environmental or other tests, measurements or surveys in, on or below the property, provided that the Purchaser shall do so at its own expense and its own risk. No action taken by the Purchaser hereunder shall constitute a trespass or taking of possession.

Municipal Services and Roadway Easement

The Purchaser agrees to transfer to the Vendor a municipal services easement, for nominal consideration, over the portion of lands described as Part 4 in Plan 33R – 19904 which is shown highlighted in yellow on the plan attached hereto as Schedule "C" and will be mutually acceptable to both parties. This condition shall survive and not merge on the completion of this transaction.

Trafalgar Industrial Park Subdivision Agreement Conditions

In accordance with the Trafalgar Industrial Park Phase III Subdivision Agreement, the Purchaser acknowledges and agrees that (a) open storage, loading areas and truck idling and parking areas will not be located in yards that abut residential lands. Outdoor area devoted to employee parking are not subject to this requirement (b) Purchaser will assume responsibility, in perpetuity, for the maintenance of the wooden privacy fence along their easterly boundary (the "Fence") (c) the Purchaser will maintain, in perpetuity, a 50 foot buffer zone which includes the Fence, existing landscaping and tree plantings (which collectively is referred to as the "Buffer") from the abutting residential lands. No development is permitted within the Buffer. The Buffer is approximately 0.55 acres and shown highlighted in green in schedule "E".

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**APPENDIX "C" Cont'd**  
**AGREEMENT OF PURCHASE AND SALE**

AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

PAGE 9

Notwithstanding this provision above, the Purchaser shall be subject to the standard site plan and permitting process by the City which may include, but not limited to, approvals through UTRCA, MOECC, and other approval deemed necessary and zoning regulations. The Purchaser acknowledges and agrees to accept the property "as is".

Archaeological Study

The Vendor agrees to complete, at the Vendor's expense, a Stage I/II Archaeological Report (if required) for the Property. This condition shall survive and not merge on the completion of this transaction.

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**APPENDIX "C" Cont'd**  
**AGREEMENT OF PURCHASE AND SALE**

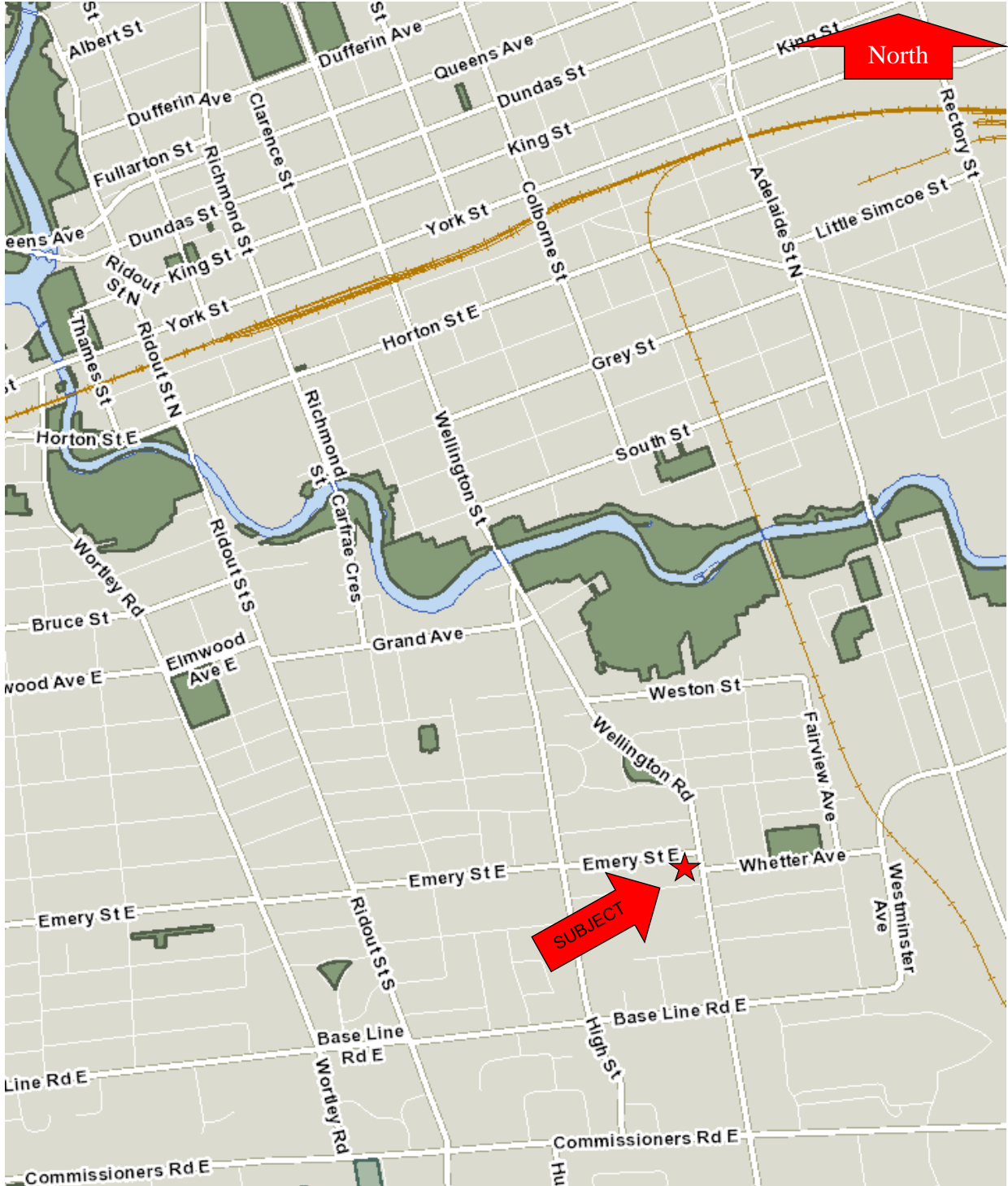
AGREEMENT OF PURCHASE AND SALE  
CORPORATION OF THE CITY OF LONDON

PAGE

**Schedule "E"**  
**Location Map Showing Buffer**



## Location Map





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

#19139

Chair and Members  
Corporate Services Committee

September 24, 2019  
(Property Acquisition)

**RE: Property Acquisition - Wellington Gateway Project**  
**(Subledger LD180003)**  
**Capital Project TS1430-1 - RT1: Wellington Rd - Bradley Ave to Horton St. South Leg Widening**  
**275 Wellington Road**

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**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>Committed To Date</u></b>	<b><u>This Submission</u></b>	<b><u>Balance for Future Work</u></b>
Engineering	\$2,823,899	\$2,231,973		\$591,926
Land Acquisition	7,840,500	2,703,910	375,199	4,761,391
Construction	204,004	76,330		127,674
Relocate Utilities	2,000,000	2,248		1,997,752
City Related Expenses	1,092,829	683,726		409,103
<b>NET ESTIMATED EXPENDITURES</b>	<b><u>\$13,961,232</u></b>	<b><u>\$5,698,187</u></b>	<b><u>\$375,199</u></b> 1)	<b><u>\$7,887,846</u></b>
<b><u>SOURCE OF FINANCING</u></b>				
Capital Levy	\$441,032	\$402,803	\$32,682	\$5,547
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) 4,746,100	4,221,507	342,517	182,076
PTIF (Public Transit Infrastructure Fund)	5,137,891	1,073,877		4,064,014
Senior Government	3,636,209			3,636,209
<b>TOTAL FINANCING</b>	<b><u>\$13,961,232</u></b>	<b><u>\$5,698,187</u></b>	<b><u>\$375,199</u></b>	<b><u>\$7,887,846</u></b>

1) Financial Note:

Purchase Cost	\$365,000
Add: Land Transfer Tax	3,775
Add: HST @13%	47,450
Less: HST Rebate	<u>(41,026)</u>
Total Purchase Cost	<u><u>\$375,199</u></u>

2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2019.

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Jason Davies  
Manager of Financial Planning & Policy

Bill No. 367  
2019

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

A by-law to confirm the proceedings of the  
Council Meeting held on the 1<sup>st</sup> day of October,  
2019.

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 Local Planning Appeal Tribunal is required and where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
2. The Mayor and the proper civic employees of the City of London are hereby authorized and directed to execute and deliver all documents as are required to give effect to the decisions, motions and resolutions taken at the meeting at which this by-law is passed.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

Bill No. 368  
2019

By-law No. A.-6151( )-\_\_\_\_\_

A by-law to amend By-law No. A.-6151-17, as amended, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*”, by deleting Schedule “C” – Procurement of Goods and Services Policy in its entirety and by replacing it with a new Schedule “C” – Procurement of Goods and Services Policy, to update the Policy, to provide additional clarity and updates.

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 on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*”;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. A.-6151-17, as amended, by deleting Schedule “C” – Procurement of Goods and Services Policy in its entirety and by replacing it with a new Schedule “C” – Procurement of Goods and Services Policy, to update the Policy to provide additional clarity, and updates;

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

1. By-law No. A.-6151-17, as amended, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*”, is hereby amended by deleting Schedule “C” – Procurement of Goods and Services Policy in its entirety and by replacing it with a new Schedule “C” – Procurement of Goods and Services Policy attached as Schedule “A” to this by-law.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

**Schedule "A"**

**Schedule "C"**  
**Procurement of Goods and Services**  
**Policy**

**The Corporation of the City of**  
**London**

Revised: October 1, 2019



## **Table of Contents**

1.0	Procurement Goals and Objectives .....	3
2.0	General Provisions .....	8
3.0	Definitions.....	11
4.0	Responsibilities .....	17
5.0	Conflict of Interest .....	19
6.0	Prohibitions.....	20
7.0	Procurement Documentation.....	22
8.0	Approval Authority and Reporting Requirements .....	23
9.0	Low Dollar Value Procurements (up to \$15,000) – as per Schedule “A” .....	26
10.0	Informal Request For Quotation (IRFQ) (Greater than \$15,000 to \$50,000) – as per Schedule “A” .....	26
11.0	Request For Quotation (RFQ) (\$50,000 to \$100,000) – As Per Schedule “A” ..	27
12.0	Request for Proposal (RFP) – As Per Schedule “A” .....	28
13.0	Request for Tender (RFT) (Greater than \$100,000) – As Per Schedule “A” ....	30
14.0	Non-Competitive Purchases (Emergency, Sole Source, Single Source) .....	31
15.0	Appointment of Professional Consulting Services.....	34
16.0	Blanket Purchase Contracts.....	37
17.0	Requirement for Approved Funds .....	37
18.0	Purchasing Cards.....	38
19.0	Bid Administration .....	42
20.0	Contract Administration.....	45
21.0	General .....	48
	SCHEDULE “A” – Levels of Contract Approval Authority .....	51
	SCHEDULE “B” – Goods and/or Services NOT Subject to this Policy .....	54
	SCHEDULE “C” – Irregularities Contained in Bids .....	57
	SCHEDULE “D” - Statement of Ethics for Public Purchasers.....	59
	SCHEDULE “E” – Materials Management Guidelines.....	60

## 1.0 Procurement Goals and Objectives

### **Mission:**

To obtain the right goods and/or services when needed while achieving best value through a transparent, fair and competitive process with a high focus on Customer Service.

- 1.1 This Policy outlines the processes to be followed in order to obtain the best value when purchasing goods, or contracting services for the Corporation of the City of London (herein after known as 'City').
- 1.2 The guiding principle is that procurement decisions will be made using a competitive process that is open, transparent and fair.
- 1.3 The City encourages innovation and the use of technology which meets City specifications and industry standards in order to ensure the utilization of the most efficient and effective procurement processes and practices.
- 1.4 The City will consider the total costs, including, but not limited to, acquisition, operating, training, maintenance, quality, warranty, payment terms, disposal value and disposal costs in evaluating competitive bids from responsive and responsible bidders. Where costs are submitted for more than one year, the net present value of the annual costs will be used to evaluate the costs at a discount value concurred by the City Treasurer.

The Purchasing and Supply function fully embraces the philosophy of continuous improvement and will continue to be a leader in advanced public procurement solutions that are quality focused and consider the 'Total Cost of Ownership' where possible.

The City encourages its supply chain partners to have similar quality considerations with their procurement of goods and services.

### 1.5 Sustainable Purchasing

*Sustainable Purchasing* is a framework for procurement decision-making that will contribute to the City of London's procurement objective to achieve best value for the City by considering the full life cycle of products and their complete economic, environmental and social costs and benefits.

The City of London recognizes that through its procurement function it has the power to bring about environmental and social improvements both locally and globally while maximizing economic benefits. The City is committed to maximizing sustainability benefits by engaging with the public marketplace and increasing the efficiency of procurement procedures and practice.

### Sustainable Purchasing Purpose

The purpose is to:

- Embed environmental and ethical criteria into the City's procurement procedures and supply chain management processes and ensure cost effectiveness and competitive pricing.
- Set specifications for goods and services that achieve environmental benefits such as waste reduction, water conservation, energy conservation, and pollution prevention and increase the development and awareness of environmentally sound procurement, efficient and durable products, reusable products and products that contain post-consumer, recyclable, non-toxic, and/or nonpetroleum content.
- Ensure safe and healthy workplaces for the people who produce goods or supply services to the City of London by requiring suppliers to adhere to minimum performance standards with respect to fair labour practices and human rights, based on core labour conventions of the International Labour Organization (ILO), Canadian laws and other applicable environmental and ethical standards as defined in the City's Supplier Code of Conduct.
- Evaluate, as appropriate, products and services based on a full life cycle or total cost of ownership perspective that considers their complete economic, environmental and social costs and benefits.
- Evaluate, as appropriate, the sustainability performance of suppliers' internal operations and rewarding leadership and innovation among Suppliers who contribute to healthy, fair and safe workplaces and practice environmental stewardship.
- Strive to reduce the overall consumption of goods and services, where possible, through more efficient procurement procedures and practices.
- Enhance procurement practices to align with existing City sustainability initiatives, such as Leadership in Energy and Environmental Design (LEED) green building design and E3 Fleets.
- Advance a corporate culture at the City that recognizes and places a priority on sustainability.
- Adhere to the principles of public procurement by continuing to support a process that is open, fair, transparent and competitive and complying with all applicable trade agreements such as The Canadian Free Trade Agreement (CFTA).

## Scope

This applies to the procurement of goods, services and construction by all Service Areas. Full implementation of the policy will be phased in over time.

## Guidelines

### **A. Responsibilities**

**All City Service Areas, Offices and Agencies** shall identify and purchase the most environmentally and socially responsible products and services that are available for the intended purpose at a competitive price and that meet the performance requirements. Environmental and social factors that should be considered include, but are not limited to:

- Minimization of virgin material use in product or service life cycle
- Maximization of recycled products used in product or service life cycle
- Environmental cost of entire product or service life cycle
- Reuse of existing products or materials in product or service life cycle
- Recyclability of product
- Minimization of packaging
- Reduction of energy/water consumption
- Toxicity reduction or elimination
- Elimination of uncertified hardwoods in product or service life cycle
- Durability and maintenance requirements
- Ultimate disposal of the product
- Adherence to the minimum social performance standards of the *Supplier Code of Conduct*

**Purchasing & Supply staff** shall adhere to the guidelines set forth in this policy when making purchasing decisions. Purchasing & Supply will be responsible for ensuring Suppliers comply with the minimum performance standards of the *Supplier Code of Conduct* and will participate in establishing annual action plans and targets, developing relevant tools and procedures, and reporting on annual performance.

**City Service Areas** shall assist Purchasing & Supply in its implementation of this policy by supporting training, information gathering, developing of environmental specifications, and evaluation of products and services and suppliers sustainability performance. End Users shall work with Purchasing & Supply to set product and service specifications and evaluate products and services based on these specifications.

### **B. Metrics and Reporting System**

Sustainable purchasing performance indicators and annual targets will be defined. A reporting system will track performance against these indicators and report on achievement of targets.



### **C. Program Resourcing**

Adequate resourcing (e.g. human and financial) will be assessed regularly to ensure successful implementation of the Sustainable Purchasing Policy.

### **D. Phased Implementation**

Sustainable Purchasing will be phased in over time through the selection of priority products and service based on a defined set of selection criteria (e.g. cost saving potential, sustainability impacts, market availability).

#### **1.6 Supplier Code of Conduct**

The Supplier Code of Conduct sets the minimum performance standards for Suppliers and their subcontractors and supports the City of London's Sustainable Purchasing. The goal of the Supplier Code of Conduct is to ensure safe and healthy workplaces for the people who make goods, services and construction for the City, where human and civil rights conditions meet internationally agreed upon standards.

The Supplier Code of Conduct will ensure that Suppliers are in compliance with the International Labour Standards (i.e. core labour conventions) of the International Labour Organization (ILO), Canadian laws and other applicable environmental and ethical standards. The City will apply the Supplier Code of Conduct as one of the criteria used in its selection of Suppliers. It is a requirement that City Suppliers and their sub-contractors follow this code.

#### **Compliance Requirements**

City Suppliers and their sub-contractors must strive to comply with all national and other applicable laws of the country(ies) of operations or applicable to the manufacturing of goods or delivery of services, including, but not limited to those laws relating to working conditions, human rights, health and safety and the environment. For goods and services produced in Canada, Canadian laws will apply. For goods and services produced outside of Canada, and where foreign national laws and the Supplier Code of Conduct address the same issue, the standard that is most stringent will apply, thereby ensuring that all Suppliers, regardless of their place of operation, are meeting a consistent set of minimum performance standards related to human rights and fair workplace practices. The application of the Supplier Code of Conduct will be phased in over time.

#### **Minimum Performance Standards**

The following nine standards are based on the ILO International Labour Standards (i.e. labour conventions) that directly support the Universal Declaration of Human Rights and address the worst forms of child and forced labour. These core conventions set out reasonably achievable minimum standards for working conditions in manufacturing facilities and factories internationally. The ILO International Labour Standards are available online at: <http://www.ilo.org>

**a. Freely Chosen Employment**

The Supplier shall employ workers who choose to be employed by the Supplier's company. The Supplier shall not use any forced, bonded or indentured labour or involuntary prison labour. All work shall be voluntary, and workers shall be free to leave upon reasonable notice.

**b. Child Labour**

The Supplier shall commit to a zero-tolerance policy toward the use of child labour in any stage of manufacturing. The term "child" refers to any person under the age of 15 (or 14 where the law of the country of manufacture allows). Workers under the age of 18 shall not perform work that is likely to jeopardize the health or safety of young workers. The use of legitimate workplace apprenticeship programs, which comply with all laws and regulations, is permitted.

**c. Non-discrimination and Diversity**

The Supplier shall promote cooperation, individual responsibility and acceptance of diversity among its employees. The Supplier and its employees shall not engage in discrimination based on race, colour, age, gender, sexual orientation, ethnicity, disability, place of origin, ancestry, source of income, pregnancy, religion, political affiliation, union membership, family status or marital status in hiring and employment practices such as promotions, rewards, and access to training. In addition, workers or potential workers should not be subjected to medical tests that could be unlawfully used in a discriminatory way.

**d. Health and Safety**

Workers will be provided with a safe and healthy work environment. Conditions in all work and residential facilities shall be safe, clean, and consistent with all applicable laws and regulations regarding occupational health and safety. The Supplier shall adequately inform employees of their health and safety guidelines in terms of equipment, training, management, and work practices.

**e. Employee Treatment, Harassment and Abuse**

The Supplier's employees shall be treated with respect and dignity and Supplier's disciplinary policies and procedures shall be clearly defined and communicated to employees before application. There shall be no harsh and inhumane treatment, including any physical, sexual, psychological, verbal harassment or abuse, or corporal punishment; nor is there to be the threat of any such treatment.

**f. Freedom of Association and Collective Bargaining**

The Supplier shall work directly with employees to find solutions to any outstanding legal and employment issues while at all times respecting worker rights to obtain representation, join labour unions, and/or bargain collectively. Workers shall be able to

communicate openly with management regarding working conditions without fear of reprisal, intimidation or harassment.

**g. Wages and Benefits**

Compensation paid to workers shall comply with all applicable wage laws, including those relating to minimum wages, overtime hours and legally mandated benefits. Employees shall be compensated for overtime hours at such premium rate as is legally required in the country of manufacture or, in those countries where such laws do not exist, at a rate at least equal to their regular hourly compensation rate. Deductions from wages as a disciplinary manner is not permitted and payment shall occur in a timely manner with record of payment (e.g. pay stub).

**h. Hours of Work**

The Supplier shall ensure regular working hours do not exceed forty eight (48) hours per week, and that the combination of regular hours and required overtime hours do not exceed sixty (60) hours per week except in emergency circumstances.

**i. Environmental Responsibility**

Suppliers shall take responsibility to reduce the environmental impact of their products and services as well as their overall operations or 'in-house' practices (e.g. energy conservation in their buildings). Suppliers must not be in violation of any national environmental regulations and should be striving to meet third-party standards.

**2.0 General Provisions**

- 2.1 Unless otherwise provided in accordance with this Policy, the Manager of Purchasing and Supply and the authorized employees of Purchasing and Supply shall act for the City, for the purchase and disposal of all goods and/or services and shall be responsible for providing necessary advice and services required for such purchases and/or disposals in accordance with the method of purchase authorized by this Policy.
- 2.2 No purchase of goods and/or services shall be authorized unless it is in compliance with this Policy. Goods and/or services that are obtained without following the provisions of this Policy will not be accepted, and any invoices received may not be processed for payment.
- 2.3 Unless otherwise provided in accordance with this Policy, the purchase of all goods and/or services shall be authorized in accordance with the provisions of Schedule "A" to this Policy.
- 2.4 Requisitions or purchase orders shall not be arbitrarily structured to alter the relationship of the price to the preauthorized expenditure limit.

- 2.5 The procedures prescribed in this Policy shall be followed to make an award or to make a recommendation of an award to Committee and City Council.
- 2.6 Wherever possible, it should be the intent of the client service areas to procure goods and/or services of like nature as a combined effort in order to benefit from economies of scale.
- 2.7 During the public procurement process, internal City bids will not be considered as the analysis of in-house versus out-source (procurement) will be made prior to any such process.
- 2.8 Definitions specific to this Policy are documented in Section 3.
- 2.9 The City recognizes that mistakes and misunderstandings may occur; bidders may feel aggrieved and may seek to dispute the recommendation of an award of a contract. To maintain the integrity of the process, bidders who believe they have been treated unfairly can make this known by contacting the Manager of Purchasing and Supply prior to the award of the contract. The bidder must file the formal dispute for an appeal in writing within two (2) City of London business days of notification to the bidder by the City that their bid is not acceptable and request a hearing meeting with the Manager of Purchasing and Supply (or delegate). This meeting must be held within seven (7) City of London business days of notification. If the bidder disagrees with the decision of the hearing meeting the next step is to formally appeal to the City Treasurer (or delegate) in writing within seven (7) City of London business days. If the bidder disagrees with the decision of the City Treasurer, the next step is to formally appeal in writing to the City Clerk within seven (7) City of London business days. The Corporate Services Committee will hear the appeal and make a recommendation to Council regarding the dispute. City Council's decision on the Committee's recommendation is final.

The City may, in its absolute sole discretion, reject any other bids submitted if the bidder, or any officer or Managing Director of the bidder is or has been engaged, either directly or indirectly through another Corporation or personally, in/or during a dispute appeal of decision for the contract award action against the City.

In determining whether or not to reject a bid under this clause, the City will consider delays in awards of this or subsequent City contracts and whether the dispute or appeal is likely to affect the bidder's ability to work with the City, its consultants and representatives, and whether the City's experience with the bidder indicates that the City is likely to incur increased staff and legal costs in the administration of the contract if it is awarded to the bidder. The City will also consider delays in awards of subsequent City contracts with other contractors and the potential for those additional costs resulting in delays associated with this dispute/appeal.

There are strict time limits to file a dispute appeal. If the bidder is unsure of the deadline for appeal, they must seek direction from the Manager of Purchasing and Supply. Failure to seek and follow these directions will result in the appeal being dismissed.

- 2.10 This Policy will be reviewed and revised on a periodic basis. It is anticipated that reviews will be conducted every five (5) years or more frequently as required.
- 2.11 Goods and/or services NOT subject to this Policy are listed in Schedule "B". The final determination of whether goods and/or services qualify for exemption under Schedule "B" shall be determined by the City Treasurer (or delegate).
- 2.12 Additional information on the administration of the procurement process can be found in Schedule "E" entitled Materials Management Guidelines.
- 2.13 Where a Service Area does not involve the complete utilization of the City's Purchasing and Supply Division as the procurement agent (e.g., small value contracting, or call-ups under the standing offer agreement, or user-administered tenders) then the Service Area is responsible for: Disclosing designated substances; Including designated substance and asbestos clauses in the tender/contract documents (Refer to Asbestos Management Program Appendices), and providing Pre-Demolition, Alteration or Renovation surveys to include pre-existing designated substance information.
- 2.14 In accordance with Ontario Regulation 191/11 under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA) as amended, the City of London shall consider accessibility criteria and features when procuring or acquiring goods, services, or facilities, except where it is not practicable to do so. In which case, an explanation will be provided upon request.
- 2.15 No purchase of goods and services associated with computer software, hardware and/or telecommunications equipment will be authorized without the completion of appropriate Information Technology reviews as determined by Information Technology Services and the authorization, in writing, of the Director, Information Technology Services (or delegate).
- 2.16 When Grants or Stimulus Funding are received by the City, the use of that funding for Procurements is subject to the Procurement of Goods and Services Policy, notwithstanding any specific conditions placed by the provider.

### 3.0 Definitions

In this Policy, unless a contrary intention appears,

**'Acting'** means the formal delegation of approval authority by the person in the position of authority to the person acting in that role on a temporary basis.

**'Addendum' (Addenda)** means the form of a document used to officially change, add and/or delete information contained within a Competitive Bid. By issuing an Addendum, the Competitive Bid itself changes to incorporate the Addendum.

**'Agreement'** means a formal written legal agreement or contract for the supply of goods, services, equipment or construction.

**'Award'** means a bid is formally accepted by the City and has obtained the required approval as defined in Section 8.5 and Schedule "A". An award may be executed by the issuance of a Purchase Order, Contract Record or formal Agreement.

**'Best Value'** means the optimal balance of performance and cost determined in accordance with a pre-defined evaluation plan. Best value may include a time horizon that reflects the overall life cycle of a given asset.

**'Bid'** means a response to a competitive bid issued by the City.

**'Bidder'** means a person, corporation or other entity that responds, or intends to respond to a competitive bid.

**'Bid Deposit'** means currencies, certified cheques, bid bond issued by a surety company licensed to operate by the Government of Canada or the Province of Ontario or another form of negotiable instrument acceptable to the City to compensate the City if the successful bidder does not enter into a contract.

**'Blanket Purchase Contract'** means any contract for the purchase of goods and/or services which will be required frequently or repetitively but where the exact quantity of goods and/or services required may not be precisely known or the time period during which the goods and/or services are to be delivered may not be precisely determined.

**'City'** means The Corporation of the City of London.

**'City Manager'** means a person, or person 'acting' in this capacity serving as the head of Civic Administration. The City Manager may also exercise the approval authority of a Managing Director.

**'City Treasurer'** means a person, or person 'acting' in this capacity with chief responsibility for Corporate Finances at the City (Managing Director, Corporate Services and City Treasurer, Chief Financial Officer).

**'Certificate of Clearance'** from the Workplace Safety and Insurance Board means a certificate issued by an authorized official of the Workplace Safety and Insurance Board

certifying that the Board waives its rights under Subsection 141(10) of the Workplace Safety and Insurance Act, R.S.O. 1997, as amended.

**'Committee'** means the authorizing body (as amended by City Council) that provides initial approval prior to seeking Council approval

**'Competitive Bid'** means REOI, RFI, RFQUAL, RFP, IRFQ, RFQ or RFT as further defined in this section.

**'Consultant'** means an external subject matter expert that provides advisory services and/or direction to City Staff when the City requires competency and/or capacity for a particular procurement that is not available in-house, excluding legal, employment and labour relations services.

**'Contract'** means any formal or deliberate written agreement for the purchase of goods, services, equipment or construction including but not limited to Purchase Order and Agreement. Standard contracts are used for the acquisition of goods and/or services for a specific requirement. Corporate contracts are used for the acquisition of goods and/or services for a group of specific requirements.

**'Contracting'** means any formal or deliberate written agreement for the purchase of goods, services, equipment or construction including but not limited to Purchase Order and Agreement. Standard contracts are used for the acquisition of goods and/or services for a specific requirement. Corporate contracts are used for the acquisition of goods and/or services for a group of specific requirements.

**'Conflict of Interest'** means a situation in which the personal interests of Managing Directors, officers and key staff member come into conflict, or appear to come into conflict, with the interests of the City.

**'Contract Record'** means a document which summarizes the goods and/or services to be purchased.

**'Declaration Respecting Workers' Compensation Act, R.S.O. 1990/Corporations Tax Act'** means a declaration that the bidder has paid all assessments or compensation payable and has otherwise complied with all requirements of the Workplace Safety and Insurance Board and that the bidder has paid all taxes and/or penalties imposed on it pursuant to the Corporations Tax Act, R.S.O. 1990, CHAPTER C.40, as amended.

**'Delegate'** means a person who has been delegated approval authority by a position with authority under this Policy (Section 8.7).

**'Delegation of Approval Authority'** means the formal delegation of authority to perform a specific task or approval by a person in a position with authority under this Policy (Section 8.7), resulting in a 'delegate'.

**‘Delegation of Approval Authority List’** means a list prepared by the Managing Director granting the formal delegation of authority to perform a task or approval (Section 8.7).

**‘Dispute Committee’** means a committee comprised of the Manager of Purchasing and Supply (or delegate), the City Treasurer (or delegate), the City Manager (or delegate), and the Managing Director of the client service area involved.

**‘Elected Official’** means a member of (London) City Council.

**‘Emergency’** means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.

**‘Employee - Employer Relationship’** means a worker agrees to work for the City, on a full-time or part-time basis, for a specified or indeterminate period of time, in return for wages or a salary. The City has the right to decide where, when and how the work is to be done.

**‘Executed Agreement’** means a formal agreement, either incorporated in the bid documents or prepared by the City or its agents, to be executed by the successful bidder and the City.

**‘Fairness Advisor’** means an external resource who focuses on the procurement process and the case law for a procurement, but is also required to have a business perspective and may provide advice to the City.

**‘Fairness Commissioner’** means an external resource who works concurrently with the City’s procurement process to proactively make the process fairer and certifies the work at the conclusion. The Commissioner will provide direction to the City as required.

**‘Fairness Monitor’** means an external resource who oversees a procurements’ procedural fairness, transparency and adherence, particularly as it relates to the procurement process and provides feedback to the City.

**‘Goods and/or Services’** means supplies, services, materials and equipment of every kind required to be used to carry out the operations of a service area.

**‘Informal Request for Quotation’ or ‘IRFQ’** means a request for prices on specific goods and/or services from selected suppliers which are submitted in writing, or as specified in the Informal Request for Quotation.

**‘Insurance Documents’** means official original documents issued by an insurance company acceptable to the City and, preferably, licensed to operate by the Government of Canada or the Province of Ontario certifying that the bidder is insured in accordance with the City’s insurance requirements and completed on the City standard insurance form (s); as contained in the bid document.



**'Irregular Result'** is defined in Section 8.10.

**'Irregularities Contained in Bids'** is defined in Schedule "C" and includes the appropriate response to those irregularities.

**'Irrevocable Letter of Credit'** means an irrevocable letter on the financial institution's standard form containing a request that the party to whom it is addressed pay the bearer or a person named therein money as a result of failure to perform or fulfill all the covenants, undertakings, terms, conditions and agreements contained in a contract.

**'Labour and Material Bond'** means a bond issued by a surety company on the City standard Form of Bond to ensure that the contractor will fulfill its obligations to its employees, subcontractors and suppliers and thereby protects the City.

**'Letter of Agreement to Bond'** means a letter or other form issued by a surety company licensed to operate by the Government of Canada or the Province of Ontario advising that, if the bidder is successful the bonding agency will issue the required bonds.

**'Manager of Purchasing and Supply'** means a person responsible for the Purchasing and Supply section at the City. For the purposes of this Policy, when 'Manager of Purchasing and Supply' appears it does not include staff that has been delegated approval authority by the 'Manager of Purchasing and Supply', unless otherwise noted.

**'Managing Director'** means a person, or person 'acting' in this capacity responsible for a service area at the City.

**'Obsolete'** means City assets that are no longer current or have no functional use due to being replaced by newer assets and still may have some economic value.

**'Pecuniary Interest'** means the opportunity, directly or indirectly, to profit or share in any profit derived from a competitive bid or agreement.

**'Performance Bond'** means a bond issued by a surety company on the City standard Form of Bond executed in connection with a contract and which secures the performance and fulfillment of the undertakings, covenants, terms, conditions and agreements contained in the contracts. These may also be in the form of 'renewable performance bonds'.

**'Professional Consulting Services'** means a consulting firm, engineer or architect providing professional knowledge or construction design or technical expertise.

**'Program Administrator'** means a person who has been given the responsibility to maintain and monitor the purchasing card program at the City.

**'Proponent'** means the respondent to a Request for Proposal (RFP).

**'Purchase Order'** means the standard City procurement document issued by Purchasing and Supply to formalize a purchasing transaction with a supplier.

**‘Purchasing Card’** means a credit card provided by the City’s Finance area and its use is bound by the provisions of the Procurement of Goods and Services Policy.

**‘Purchase Requisition’** means a duly authorized written or electronically produced request in an approved format to obtain goods or services.

**‘Request for Expression of Interest’ or ‘REOI’** means a focused market research tool used to determine supplier interest in a proposed procurement. It may be issued simultaneously with a Request for Qualifications (RFQUAL) when the proposed procurement is well defined and the purchaser has clear expectations for the procurement.

**‘Request for Information’ or ‘RFI’** means a general market research tool to determine which products and services are available, scope out business requirements, and/or estimate project costs which may be used prior to issuing another type of competitive bid.

**‘Request for Proposal’ or ‘RFP’** means a process where a need is identified, but the method by which it will be achieved is not prescribed at the outset. This process allows prospective suppliers to propose solutions or methods to arrive at the desired result.

**‘Request for Qualifications’ or ‘RFQUAL’** means a request for list of qualified suppliers and firms who have an interest in providing services to the City, typically through a two-stage process.

**‘Request for Quotation’ or ‘RFQ’** means a request for prices on specific goods and/or services as specified in the Request for Quotation.

**‘Request for Tender’ or ‘RFT’** means a request for sealed bids which contain an offer in writing to execute some specified services, or to supply certain specific goods, at a certain price, in response to a publicly advertised request for bids.

**‘Scrap’** means City assets that no longer have the ability to function for their original design in their current state and have minimal economic value other than primarily for recycling value.

**‘Sealed Bid’** means a formal sealed response received as a part of a competitive bid.

**‘Single Source’** means that there is more than one source of supply in the open market, but only one source is recommended due to predetermined and approved specifications. Further qualifications appear in the definition in Section 14.4.

**‘Sole Source’** means that the goods and/or services are available from only one supplier. Further qualifications appear in the definition in Section 14.3.

**‘Substantive Objection’** means an unsuccessful bidder requests moving to the third stage of dispute resolution as prescribed in Section 2.9.

**'Supplier'** means any individual or organization providing goods or services to the City including but not limited to contractors, consultants, suppliers, service organizations etc.

**'Surplus'** means City assets that exceed the portion that is utilized by the City, may be current, may have functional use and still have some economic value.

**'Tender'** means a sealed bid which contains an offer in writing to execute some specified services, or to supply certain specified goods, at a certain price, in response to a publicly advertised request for bids.

**'Triggering Event'** means an occurrence resulting from an unforeseen action or consequence of an unforeseen event, which must be remedied on a time sensitive basis to avoid a material financial risk to the City or serious or prolonged risk to persons or property.

**'Value Analysis'** means a life cycle costing approach to valuing a given alternative, which calculates the long term expected impacts of implementing the particular option.

## **4.0 Responsibilities**

### **4.1. General Responsibilities**

- a. All City staff delegated with approval authority (Section 8.7) shall follow the guidelines as set out in Schedule "D" 'A Statement of Ethics for Public Purchasers' established by the Ontario Public Buyers' Association, as well as the City's Conflict of Interest Policy, and Section 5 below.
- b. Procurement activities shall be subject to all applicable City policies and by-laws, any specific provisions of the Municipal Act, and all other applicable Federal and Provincial legislation.
- c. Failure to adhere to the requirements outlined in this Policy may lead to disciplinary action up to and including termination of employment.
- d. No provision of this Policy precludes a Managing Director or the Manager of Purchasing and Supply with the concurrence of the City Manager from recommending an award to Committee and City Council where:
  - i. in the opinion of a Managing Director, it is in the best interest of the City to do so; or;
  - ii. it is a matter of procurement procedure and, in the opinion of the Manager of Purchasing and Supply, it is in the best interest of the City to do so.

### **4.2. City Manager**

The City Manager has the authority to instruct the Managing Directors not to award contracts and to submit recommendations to Committee and City Council for approval and may provide additional restrictions concerning procurement where such action is considered necessary and in the best interest of the City.

### **4.3. Managing Directors**

- a. Have responsibility for all procurement activities within their service areas and are accountable for achieving best value while following the Procurement of Goods and Services Policy;
- b. Have the authority to delegate approval authority to staff at the appropriate levels within their service areas (Section 8.7);
- c. The Managing Directors have the authority to award contracts in the circumstances specified in this Policy provided that the delegated power is exercised within the limits prescribed in Schedule "A" and the requirements of this Policy are met; and

- d. When the Managing Director is of the opinion that a Triggering Event has occurred, the Managing Director may authorize the purchase of such goods and/or services as is considered necessary to remedy the situation without regard to the requirement for a competitive bid and may approve the necessary contract amendment. The relevant details surrounding the Triggering Event shall be included in a report and submitted to Committee as soon as possible.

4.4. City Treasurer

The City Treasurer is responsible for:

- a. Overseeing the Purchasing and Supply function;
- b. Maintaining ownership over the Procurement of Goods and Services Policy; and
- c. Approval authority as outlined in Schedule "A" and 8.5.

4.5. Manager of Purchasing and Supply

The Manager of Purchasing and Supply is responsible for:

- a. The integrity of the procurement process with the exception of those items listed in Schedule "B";
- b. Providing professional procurement advice and service to City staff.
- c. Awards within the authority of the Managing Director (or delegate) for which the Manager of Purchasing and Supply may award a contract on behalf of these positions provided that Purchasing and Supply is in receipt of a funded requisition and the requirements of this Policy are met;
- d. Monitoring compliance with this Policy;
- e. Notifying the Senior Management Team, in advance if possible, of non-compliance with this Policy;
- f. Rejecting any Purchase Requisitions for services where the services could result in the establishment of an employee – employer relationship; and
- g. Creating and revising administrative procedures and directions respecting:
  - i. the preparation and development of specifications;
  - ii. the requirements and form of bid deposits;
  - iii. other securities and documentation required or advisable for sealed bids;
  - iv. procedures for the opening, evaluation and recommendation of bid documents; and
  - v. such other matters of an ancillary or incidental nature to more fully carry out the intent and purpose of this Policy.

#### 4.6. Committee and City Council Approval

Despite any other provision of this Policy, the following contracts are subject to Committee and City Council approval:

- a. Any contract requiring approval from the Ontario Municipal Board;
- b. Any contract prescribed by Statute to be made by City Council;
- c. Where a recommendation is being made to amend the total value of a contract in excess of the original bid (plus contingency), and;
  - i. it is an amount greater than \$50,000; or
  - ii. in the opinion of the City Treasurer, funds are not available for the additional expenditure.
- d. Where a Substantive Objection (see definition in Section 3), emanating from the competitive bid has been filed with the City Treasurer prior to award of the contract;
- e. Where there is an irregular result (see Section 8.10); and
- f. Where authority to approve has not been expressly delegated.

#### 5.0 Conflict of Interest

- 5.1 No elected official, appointed officer or employee of the City shall have any pecuniary or controlling interest either direct or indirect in any competitive bid or contract for the supply of goods or services to the City, unless such pecuniary interest is disclosed by the contractor, bidder or person submitting a quotation, as the case may be, or unless such pecuniary interest would be exempt under the Municipal Conflict of Interest Act.
- 5.2 Competitive bid documents shall include a section that requires and provides for the disclosure of any pecuniary interest prior to submission of the bid. Should a conflict of interest arise after the award of a contract, the conflict shall immediately be disclosed in writing to the Manager of Purchasing and Supply. Further, all competitive bid documents and agreements shall provide that in the event that a contract is awarded to a person who has not, during the bidding or contracting process, disclosed the pecuniary interest of an elected official, appointed officer or employee of the City in the contract, the contract may be cancelled at any time by the City in its entire discretion without damages or penalty.
- 5.3 In this section, 'controlling interest' means the interest that a person has in a corporation when the person beneficially owns, directly or indirectly, or exercises control or direction over, equity shares of the corporation carrying more than ten

percent (10%) of the voting rights attached to all equity shares of the corporation for the time being outstanding;

- 5.4 For the purposes of this section, a person has an indirect pecuniary interest in any competitive bid or agreement entered into by a corporation, if:
- a. The person or his or her nominee is a shareholder in or a Managing Director or senior officer of a corporation that does not offer in securities to the public.
  - b. Has a controlling interest in or is a Managing Director or senior officer of a corporation that offers securities to the public.
- 5.5 For the purposes of this section, an elected official, appointed officer or employee of the City has an indirect pecuniary interest if the person is a partner of a person or is in the employment of a person or body that has entered into a tender, proposal, quotation or contract with the City.
- 5.6 For the purposes of this section, the pecuniary interest in a Tender, Proposal, Quotation or contract of a parent or spouse or any child of an elected official, appointed officer or employee shall, if known to the person, be deemed to be also the pecuniary interest of the elected official, appointed officer or employee as the case may be.

## **6.0 Prohibitions**

### 6.1 Division of Contracts

No employee of the City shall divide a purchase or a contract to avoid the requirements of the Tender, Proposal, Quotation or Purchasing Card procedures. Nor shall purchases be split in order to circumvent prescribed spending authority dollar limits as outlined in this Policy

### 6.2 Interference in the Procurement Process

- a. Elected officials, appointed officers and employees shall not knowingly cause or permit anything to be done or communicated to anyone in a manner which is likely to cause any potential supplier to have an unfair advantage or disadvantage in obtaining a contract for the supply of goods and/or services to the City. This also includes a contract with any other municipality, local board or public body involved in the purchase of goods and/or services either jointly or in cooperation with the City.
- b. Elected officials shall separate themselves from the procurement process and have no involvement whatsoever in specific procurements. Elected officials should not see any documents or receive any information related to a particular procurement while the procurement process is ongoing. Elected officials who

receive inquiries from suppliers related to any specific procurement shall immediately direct those inquiries to the Manager of Purchasing and Supply, or the City Treasurer.

- c. The only exception to the above relates to selection of external auditors or an integrity commissioner whereby elected officials are specifically part of the evaluation team.

### 6.3 Official Point of Purchasing Contract and Lobbying Prohibition

- a. The City is committed to the highest standards of integrity with respect to the purchase of goods and/or services and managing the processes by which goods and/or services are acquired. The official point of purchasing contact shall be a member of the Purchasing and Supply Team. Should it be necessary or desirable to have a contact person to respond to technical issues that person shall be named in the competitive bid documents. All communications will be made by these individuals and during the procurement process, no bidder or person acting on behalf of the bidder or group of bidders shall contact any elected official, consultant or any employee of the City to attempt to seek information or to influence the award of the contract. Any activity designed to influence the decision process, including, but not limited to, contacting any elected official, consultant or employee of the City for such purposes as meetings of introduction, social events, meals or meetings related to the selection process, shall result in disqualification of the bidder for the project to which the influential activity is deemed to be directed.

Notwithstanding the foregoing, this prohibition does not apply to meetings specifically scheduled by the City Purchasing and Supply group for presentations or negotiations. Any bidder found to be in breach of this Policy shall be subject to immediate disqualification from the procurement process and may be prohibited from future opportunities at the discretion of City Council.

- b. In addition, no bidder who has been awarded the contract shall engage in any contact or activities in an attempt to influence any elected official or any employee of the City with respect to the purchase of additional enhancements, options, or modules. However, a contractor may communicate with the appropriate member of the Purchasing and Supply Team, the Manager of Purchasing and Supply or the City Treasurer for purposes of administration of the contract during the term of the contract.
- c. The determination of what constitutes influential activity is in the sole discretion of the Manager of Purchasing and Supply, acting reasonably, and not subject to appeal.
- d. Contract award decisions shall be based on clear, transparent and objective criteria that is applied free from political considerations or political interference.



## **7.0 Procurement Documentation**

- 7.1 In order to maintain consistency, Purchasing and Supply shall provide guidelines to the City Manager and/or Managing Director on procurement policies and procedures and on the structure, format and general content of procurement documentation.
- 7.2 Purchasing and Supply shall review proposed procurement documentation to ensure clarity, reasonableness and quality and shall advise the City Manager and/or Managing Director of suggested improvements.
- 7.3 Procurement documentation shall avoid use of specific products or brand names.
- 7.4 Notwithstanding Section 7.3, a Managing Director (or delegate) may specify a specific product, brand name or approved equal for essential functionality purposes (with consideration for operating and maintenance costs) to avoid unacceptable risk or for some other valid purpose. In such instances, the Managing Director (or delegate) and Purchasing and Supply shall manage the procurement to achieve a competitive situation whenever possible.
- 7.5 The use of standards in procurement documentation that have been certified, evaluated, qualified, registered or verified by independent nationally recognized and industry-supported organizations such as, but not limited to, the Standards Council of Canada, shall be preferred.
- 7.6 Managing Directors (or delegate) shall:
  - a. Give consideration to Value Analysis, Sustainable Purchasing and Supplier Code of Conduct;
  - b. Ensure that adequate Value Analysis comparisons are conducted to provide assurance that the specification(s) will provide best value;
  - c. Forward the Value Analysis to Purchasing and Supply for documentation in the procurement file; and
  - d. Ensure specification(s) are set to allow for an open competitive process.
- 7.7 All substantive changes to standard clauses in competitive bid documents and standard agreements shall be reviewed and approved by the City Solicitor (or delegate).
- 7.8 Unless otherwise noted in this Policy, the Manager of Purchasing and Supply (or delegate) in conjunction with the Managing Director (or delegate) shall issue bid documents for goods and/or services. Purchasing and Supply shall give notice of the issuance of a competitive bid electronically via the internet as well as any other means as appropriate.

7.9 Internal Auditor shall review compliance with the Procurement or Goods and Services Policy, and report to the Audit Committee as set out in their audit plan.

## **8.0 Approval Authority and Reporting Requirements**

- 8.1 Any person delegated approval authority pursuant to this Policy shall ensure that an approved budget, as described in Section 17 of this Policy, exists for the proposed procurement and that such procurement does not violate any City policies or any applicable law. Any such procurement shall also satisfy any applicable audit and documentation requirements of the City.
- 8.2 All applicable taxes, duties and shipping shall be excluded in determining the procurement limit of authorized delegates and the type of procurement process to be followed.
- 8.3 The dollar values identified in this section represent the annual estimated procurement value for a good and/or service to be procured. The annual estimated procurement value is the cumulative value spent over a twelve (12) month period for a particular good and/or service.
- 8.4 In the case of multi-year supply and/or service contracts, the preauthorized expenditure limit shall refer to the estimated annual expenditure under the contract.
- 8.5 The following body and persons shall have the respective approval authority as set out below (see summary in Schedule "A"). All dollar values are based on annual amounts and must be within pre-approved budgeted limits.
- a. **Committee and City Council** must approve the following awards:
    - i. RFP greater than \$100,000;
    - ii. RFT greater than \$3,000,000;
    - iii. RFQ, RFP and RFT with an irregular result greater than \$100,000 (section 8.10);
    - iv. Sole Source or Single Source greater than \$50,000;
    - v. Contract extensions greater than \$3,000,000 (section 20.2); and
    - vi. Appointment of Professional Consulting Services (Section 15) greater than \$100,000.
  - b. **Managing Directors or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)** are authorized to approve the following awards:

- i. RFQ (formal quotations) greater than \$50,000 but not exceeding \$100,000; and
- ii. RFP up to \$100,000;
- iii. RFT up to \$3,000,000;
- iv. Sole Source or Single Source up to \$50,000;
- v. Contract extensions up to \$3,000,000, for Council approved agreements that have clearly defined options to extend (Section 20.2).

c. **Managing Directors or any employee exercising delegated authority approval** are authorized to approve the following awards;

- i. Informal quotations up to \$50,000; and,
- ii. Appointment of Professional Consulting Services not exceeding \$100,000 (Section 15).

8.6 Section 8.5 approvals may be overridden in the case of an 'emergency' as defined in Section 14.2 of this Policy.

8.7 Delegation of Approval Authority

'Delegation of Approval Authority' means the formal delegation of authority to perform a task or approval by a person in a position with authority under this Policy, resulting in a 'delegate'.

- a. The method for the Managing Directors delegating approval authority is as follows:
  - i. The Managing Directors shall prepare a 'delegation of approval authority list' within their respective areas;
  - ii. The list will provide evidence that the staff listed have been delegated approval authority by the Managing Director;
  - iii. The list at minimum, shall include the staff person's name, title and approval limit, the list will also include any acting roles;
  - iv. The list shall be updated immediately upon any change in staff or position;
  - v. A copy of the list shall be sent to the Manager of Purchasing and Supply each time there is a revision;
  - vi. The Manager of Purchasing and Supply will ensure the delegation of approval authority lists are available to all Purchasing and Supply Staff; and

- vii. Purchasing and Supply staff will review the list prior to completing tasks that require approval.
  - b. The Managing Directors and Manager of Purchasing and Supply shall develop a 'delegation of approval authority list' for the approvals and tasks they are responsible for under this Policy.
- 8.8 Only the Managing Directors may further delegate approval authority to their staff at the procurement values deemed appropriate. Staff that has been delegated approval authority from the Managing Directors to approve procurements shall have no authority to delegate this approval authority to any other person.
- 8.9 City Council may explicitly delegate further approval authority as it considers necessary from time to time, including but not limited to, any extended time periods during which City Council does not meet.

#### 8.10 Irregular Result

The client Service Area, in conjunction with Purchasing and Supply, shall submit a report to Committee and City Council and receive their approval for the award of a competitive bid greater than \$100,000 if any of the following conditions apply (if the award is less than \$100,000, the Managing Director with the concurrence of the Manager of Purchasing and Supply (or delegate) may approve the award):

- a. The value of the lowest compliant bid is in excess of the City Council approved budget including any contingency allowance;
  - b. The specifications of a competitive bid cannot be met by two (2) or more suppliers;
  - c. The award is not being made to a compliant bidder(s) offering the Best Value to the City;
  - d. Where a Substantive Objection has been filed with the City Treasurer prior to award of a competitive bid; or
  - e. Where in the opinion of the Manager of Purchasing and Supply, the client Service Area award recommendation is not in the best interest of the City.
- 8.11 Reporting to Committee and City Council
- a. The Managing Directors shall submit an informational report on an annual basis, no later than March 1 to the Manager of Purchasing and Supply containing the details of the contract awards made under Section 8.5.c for their respective Service Areas.
  - b. The Manager of Purchasing and Supply shall coordinate data collection and prepare an annual report for submission to City Council including the awards made under section 8.5 b and 8.5 c, no later than April 30. The report will only

include awards that were not processed through Purchasing and Supply, unless otherwise directed by Council. Purchasing and Supply shall certify that the awards are in compliance with this Policy and where non-conformances are identified, corrective action will be taken.

- c. Where a supplier has invoiced the City a cumulative total value of \$100,000 or more in a calendar year, total payments relative to the supplier shall be included in an annual information report to Committee and City Council. The Manager of Purchasing and Supply (or delegate) shall prepare a report of all Civic Administratively Awarded Tenders for the reporting year.

#### **9.0 Low Dollar Value Procurements (up to \$15,000) – as per Schedule “A”**

- 9.1 Procurements up to \$15,000 shall be considered low dollar value procurements
- 9.2 All low dollar value procurements shall utilize applicable City contracts and shall otherwise be in accordance with this Policy.
- 9.3 A corporate Purchasing Card may be used for low dollar value procurements provided the user complies with Section 18 of this Policy.
- 9.4 The Managing Directors may delegate approval authority to their staff for low dollar value procurements and it is their responsibility to ensure that this Policy is adhered to.
- 9.5 All information on low dollar value procurements must be documented and maintained on file.
- 9.6 Low dollar value procurements do not require an RFQ, RFP or RFT. Obtaining competitive quotes is considered a good business practice and should be obtained. An authorized Purchase Requisition submitted to Purchasing and Supply is the preferred method.

#### **10.0 Informal Request For Quotation (IRFQ) (Greater than \$15,000 to \$50,000) – as per Schedule “A”**

- 10.1 Procurements greater than \$15,000 but not exceeding \$50,000 are eligible to be completed through an Informal Quotation process. The Managing Director or any employee exercising delegated authority is authorized to award the contract.
- 10.2 All Informal Quotations shall utilize standard applicable Service Area contracts and/or corporate contracts and shall otherwise be in accordance with the Procurement of Goods and Services Policy.

- 10.3 For procurements where there are no applicable Service Area contracts or corporate contracts, informal quotations shall be obtained by the client Service Area in the following manner:
- a. Three (3) written (use of the electronic bidding system is encouraged) bids obtained from three (3) separate potential suppliers;
  - b. A 'No Bid' response shall not be considered as a valid bid;
  - c. All suppliers shall receive the same informal quotation written information;
  - d. The informal quotation shall be awarded to the lowest compliant bid; and
  - e. Documentation on all bids, including but not limited to the prospective bidders list, bid document, bid responses and decision making rationale shall be retained in the client Service Area files in accordance with City Council approved by-laws for records retention, or a minimum of two (2) years.
- 10.4 Staff is encouraged to seek three (3) bids to ensure a more competitive process. If staff has exhausted all efforts to obtain three (3) bids and can support this with documented evidence under Section 10.3 e., a minimum of two (2) written bids is acceptable.
- 10.5 Purchasing and Supply shall assist as requested by the client Service Area, or when deemed necessary, with the Informal Quotation process. Purchasing and Supply may also conduct reviews to ensure the requirements of this section and all other applicable sections of this Policy have been met.
- 10.6 When a client Service Area requires an RFP in lieu of an Informal Quotation, the RFP shall be issued by Purchasing and Supply in the same manner as for RFP's in Section 12 and subject to the approval authority in Section 8.5.b.
- 10.7 Since the informal quotation process does not necessarily go through Purchasing and Supply, the City's standard insurance form must be completed and forwarded by the client Service Area to Insurance and Risk Management for review and input into the Insurance Program. WSIB Certificates of Clearance must be submitted to Accounts Payable at the commencement of the project and periodically as the work is completed and before final payment is released.
- 10.8 An authorized Purchase Requisition is to be sent to Purchasing and Supply and include copies of the bids received. A Purchase Order, Contract Record or Agreement will be issued to formalize the contract with selected supplier.

**11.0 Request For Quotation (RFQ) (\$50,000 to \$100,000) – As Per Schedule "A"**

- 11.1 RFQ procedures shall be used where:

- a. The item is greater than \$50,000 but not exceeding \$100,000;
  - b. The requirement can be fully defined; and
  - c. Best value for the City will be achieved by an award selection made on the basis of the total lifecycle cost that meets all terms, conditions and specifications.
- 11.2 The Managing Director or any employee exercising delegated authority approval and the Manager of Purchasing and Supply must jointly approve this award.
- 11.3 The Managing Director or any employee exercising delegated authority approval shall provide to Purchasing and Supply a purchase request in writing containing the relevant specifications, budget authorization, approval authority and terms and conditions for the purchase of goods, services or construction.
- 11.4 The client Service Area shall be responsible to review the competitive bid and verify that all terms, conditions and specifications of the bid are met.
- 11.5 Purchasing and Supply shall forward to the Managing Director (or delegate) a summary of the bids and recommend the award of contract to the lowest compliant bid subject to review by the Managing Director (or delegate) regarding specifications and contractor performance.
- 11.6 When a client Service Area requires the issuance of an RFP in lieu of a RFQ, the RFP shall be issued by Purchasing and Supply as described in Section 12 of this Policy and subject to the approval authority in Section 8.5.b.
- 11.7 The City reserves the right in its absolute sole discretion to accept or reject any submission.

**12.0 Request for Proposal (RFP) – As Per Schedule “A”**

- 12.1 The RFP procedure shall be used where:
- a. The requirement is best described in a general performance specification;
  - b. Innovative solutions are sought; and
  - c. To achieve best value, the award selection will be made on an evaluated point per item or other method involving a combination of mandatory and desirable requirements.
- 12.2 Awards under the RFP process require the following approval:
- a. The Managing Director or any employee exercising delegated authority approval and the Manager of Purchasing and Supply must jointly approve an RFP award for purchases up to \$100,000;

- b. Committee and City Council must approve an RFP award for purchases greater than \$100,000;
  - c. Committee and City Council must approve an RFP award with an irregular result greater than \$15,000.
- 12.3 The RFP process is a competitive method of procurement that may or may not include supplier pre-qualification.
- 12.4 An RFI, REOI or RFQUAL may be issued in advance of a RFP to assist in the development of a more definitive set of terms and conditions, scope of work/service and the selection of qualified suppliers.
- 12.5 An RFI, REOI and RFQUAL shall follow the same award approvals as an RFP, if applicable.
- 12.6 Purchasing and Supply shall maintain a list of suggested evaluation criteria for assistance in formulating an evaluation method for use in an RFP. This may include but not be limited to factors such as qualifications and experience, strategy, approach, methodology, scheduling and past performance, facilities, equipment, pricing, life cycle costing, standardization of product, and aspects that would support environmental procurement. Also see sections 1.5 and 1.6.
- 12.7 Managing Directors or any employee exercising delegated authority approval shall identify appropriate evaluation criteria from the list maintained by Purchasing and Supply for use in a RFP but are not limited to criteria from the list. Cost will always be included as a factor, as best value includes but is not limited to quality and cost.
- 12.8 The Managing Director or any employee exercising delegated authority approval shall provide Purchasing and Supply with a written purchase request in a form acceptable to the Manager of Purchasing and Supply containing the budget authorization, approval authority, terms of reference and evaluation criteria to be applied in evaluating the proposals submitted.
- 12.9 A representative from Purchasing and Supply will be the lead in the RFP process. A selection committee will be formed with a minimum of three evaluators and be comprised of at least one representative from the client Service Area and one representative from Purchasing and Supply. The evaluators shall review all compliant proposals against the established criteria, reach consensus on the final rating results, and ensure that the final rating results with supporting documents, are kept in the procurement file. The Purchasing and Supply representative may or may not participate in the scoring of the proposals.
- 12.10 During the proposal process all communication with proponents shall be through Purchasing and Supply.



- 12.11 Purchasing and Supply shall forward to the Managing Director (or delegate) an evaluation summary of the procurement, as well as the evaluation committee's recommendation for award of contract to the proponent meeting all mandatory requirements and providing best value as stipulated in the RFP. The representative from Purchasing and Supply is responsible for documenting the determination of best value. The criteria and analysis to determine best value will be included (if applicable) in the report to Committee and City Council.
- 12.12 With respect to all reports initiated for RFP, a report on the sources of financing, and other financial commentary as considered appropriate, shall be prepared.
- 12.13 Reporting will not include financial summaries of bids as this information will remain confidential. Any disclosure of information shall be made by the appropriate officer in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended.
- 12.14 Unsuccessful proponents may, upon their request, attend a debriefing session with a Purchasing and Supply representative to review their competitive bid. Any discussions relating to any submissions other than that of the proponent present will be strictly prohibited. This debriefing session is intended to provide general feedback regarding the proponent's rating on various criteria in order to allow the proponent to understand where future improvements might be available.
- 12.15 The City reserves the right in its absolute sole discretion to accept or reject any submission.

### **13.0 Request for Tender (RFT) (Greater than \$100,000) – As Per Schedule "A"**

- 13.1 RFT procedures shall be used where:
  - a. The total cost is expected to be greater than \$100,000;
  - b. The requirement can be fully defined; and
  - c. Best value for the City can be achieved by an award selection made on the basis of the lowest bid that meets all terms, conditions and specifications.
- 13.2 Awards under the RFT process require the following approval:
  - a. Committee and City Council must approve award of tenders greater than \$3,000,000;
  - b. Committee and City Council must approve award of contracts when a tender result is irregular as per Section 8.10 of this Policy.
  - c. Results from \$100,000 to \$3,000,000 that do NOT have an Irregular Result may be awarded administratively.

- 13.3 The Managing Director (or delegate) shall provide to Purchasing and Supply a purchase request in writing containing the relevant specifications, budget authorization, approval authority and terms and conditions for the purchase of goods, services or construction. Specifications may include certain brands of product in order to facilitate standardization of the City's inventory as per Section 7.4 of this Policy.
- 13.4 The Manager of Purchasing and Supply shall be responsible for arranging for the public disclosure of bid submissions at the time and date specified by the bid call.
- 13.5 Purchasing and Supply shall forward to the Managing Director (or delegate) a summary of the bids and recommend award of the contract to the lowest compliant bidder.
- 13.6 With respect to all reports initiated for tenders, there shall be a recommendation report to Committee and City Council containing the sources of financing, and other financial commentary as considered appropriate.

The City reserves the right in its absolute sole discretion to accept or reject any submission.

#### **14.0 Non-Competitive Purchases (Emergency, Sole Source, Single Source)**

- 14.1 The requirement for a competitive bid process for the selection of a supplier for goods, services and construction (except for Emergencies – see 14.2) may be waived under authority of the City Manager and replaced with direct negotiations by the Managing Director (or delegate) and Manager of Purchasing and Supply (or delegate) under the following circumstances.
- a. The procurement qualifies as 'Sole Source' as defined in Section 14.3;
  - b. The procurement qualifies as a 'Single Source' as defined in Section 14.4.

#### **14.2 Procurement in Emergencies**

For the purposes of this section, "Emergency" means an event or occurrence that the City Manager or Managing Director deem as an immediate threat to:

- Public health;
- The maintenance of essential City services; or
- The welfare and protection of persons, property, or the environment; and the event or occurrence necessitates the immediate need for goods or services to mitigate the emergency and time does not permit for a competitive procurement process.

In the event of an Emergency the City Manager or Managing Director and their respective delegates, Fire Chief or a Deputy Fire Chief, or Chief Building Official or Deputy Chief Building Official, are authorized to enter into a purchase agreement without the requirement for a formal competitive process.

A list of pre-qualified suppliers will be used to select the suppliers, whenever possible.

Where the procurement cost to mitigate the Emergency is anticipated to exceed \$50,000, there must be a notification sent (e-mail contact is acceptable) to the Manager of Purchasing and Supply (or delegate). The steps taken to mitigate the Emergency must always be clearly documented regardless of amount and where the aggregate costs for a single supplier are in excess of \$50,000, the emergency procurement shall be reported by the responsible Managing Director to Committee and City Council (including the source of financing) at the next scheduled meeting following the event. The Managing Director responsible for the area leading the emergency procurement must forward the appropriate purchase requisition(s) to the Manager of Purchasing and Supply within five (5) business days after the mitigation activities associated with the emergency event have been terminated.

#### 14.3 Sole Source

The procurement may be conducted using a Sole Source process if the goods and/or services are available from only one supplier by reason of:

- a. Statutory or market based monopoly;
- b. Competition is precluded due to the application of any Act or legislation or because of the existence of patent rights, copyrights, license, technical secrets or controls of raw material; or
- c. The complete item, service, or system is unique to one supplier and no alternative or substitute exists

#### 14.4 Single Source

Single Source means that there is more than one source of supply in the open market, but only one source is recommended due to predetermined and approved specifications.

The procurement may be conducted using a Single Source process if the goods and/or services are available from more than one source, but there are valid and sufficient reasons for selecting one supplier in particular, as follows:

- a. An attempt to acquire the required goods and/or services by soliciting competitive bids has been made in good faith, but has failed to identify more than one willing and compliant supplier;
- b. The confidential nature of the requirement is such that it would not be in the public interest to solicit competitive bids;

- c. Construction, renovations, repairs, maintenance etc. in respect of a building leased by the City may only be done by the lessor of the building, in accordance with a lease agreement;
- d. There is a need for compatibility with goods and/or services previously acquired or the required goods and/or services will be additional to similar goods and/or services being supplied under an existing contract (i.e. contract extension or renewal);
- e. The required goods and/or services are to be supplied by a particular supplier(s) having special knowledge, skills, expertise or experience;
- f. The goods are purchased under circumstances which are exceptionally advantageous to the City, such as in the case of a bankruptcy or receivership;
- g. It is advantageous to the City to acquire the goods or services from a supplier pursuant to the procurement process conducted by another public body;
- h. It is advantageous to the City to acquire the goods or services directly from another public body or public service body;
- i. Another organization is funding or substantially funding the acquisition and has determined the supplier, and the terms and conditions of the commitment into which the City will enter are acceptable to the City;
- j. The acquisition is for a particular brand of goods or services that are intended solely for resale to the public and no other brand is desirable and the brand is not available from any other source; or
- k. Where due to abnormal market conditions, the goods, services or construction required are in short supply.

14.5 Sole Source and Single Source – Approval and Reporting

- a. Awards which qualify to be considered as a Single Source or Sole Source process require the following approval:
  - i. the Managing Director and Manager of Purchasing and Supply, must jointly approve an award not exceeding \$50,000;
  - ii. Committee and City Council must approve an award greater than \$50,000, unless otherwise permitted by this Policy.
- b. For awards under Section 14.5.a.ii, the Managing Director is responsible for submitting a report to Committee and City Council detailing the rationale supporting their decision.

## **15.0 Appointment of Professional Consulting Services**

### **15.1 General**

- a. Senior management staff will be involved in the selection process for Professional Consulting Services. Specifically, Division Managers are to be involved with all projects, and Managing Directors and the City Manager, as appropriate for high-profile projects of increasing complexity or expense.
- b. Under no circumstances shall an extension or expansion of a consulting engagement preclude the required approvals. This includes splitting the project or scope of work into multiple phases or sections. City Council has sole authority to approve and award contracts greater than \$100,000.
- c. If a consulting engagement that has been awarded administratively then exceeds the approval threshold of \$100,000, the Managing Director shall immediately prepare a report to City Council providing a status update and requesting approval to proceed (if applicable).
- d. The Managing Director shall be responsible for ensuring that any substantive clause changes to the standard consulting services agreement are reviewed by the City Solicitor (or delegate) and the agreement is executed by the Mayor and Clerk.
- e. The Managing Director shall be responsible for obtaining and submitting the appropriate insurance and WSIB documents to Risk Management.
- f. The Managing Director shall be responsible for ensuring that all proposal responses and decision making rationale are retained in the client Service Area files in accordance with City Council approved by-laws for records retention, or a minimum of two (2) years.
- g. The Managing Directors shall provide the Manager of Purchasing and Supply, on an annual basis, no later than March 1, administrative awards made in their area to any Professional Consulting Service firms (Sections 15.2 and 15.3) with an aggregate total greater than \$100,000. The Manager of Purchasing and Supply shall coordinate data collection and prepare an annual Appointment of Professional Consulting Services report for submission to City Council, no later than April 30.

### **15.2 Consulting Engineers, Architects, Landscape Architects and Environmental Consultants**

The selection of Professional Consulting Services will follow the requirements of Section 15.1 and;

- a. The City's appointment of Consulting Engineers, Architects, Landscape Architects and Environmental Consultants Policy is adapted from the National

Best Practice for Consultant Selection as described in more detail in the current council adopted City of London Grouped Consultant Selection Process.

- b. A list of pre-approved firms (Consulting Engineers, Architects, Landscape Architects and Environmental Consultants) that provide professional consulting services shall be established by the Managing Director for their respective areas. This candidate firm list shall be supplied to the Manager of Purchasing and Supply on an annual basis, no later than March 1.
- c. Assignments for projects which have estimated fees of less than \$100,000 shall be awarded by the Managing Director to listed candidate firms based on an evaluation of the firm's competency, expertise, costs, past performance on City projects, available capacity, and the size of their operation and the particulars of the work to be done.
- d. Assignments for projects which are more complex in nature but which are within the capability of firms included on the above-mentioned pre-approved list and have estimated fees between \$100,000 and the CETA threshold for goods and services limit as amended, shall be assigned on the basis of a proposal submitted by a minimum of three (3) qualified firms from the list stating their approach to the proposed project and their experience and knowledge of projects of a similar nature. Grouped Consultant Selection process may be undertaken for more than one project if the projects are similar in nature, the consultants possess the skills necessary to undertake this type of work and efficiencies are realized by the City. The process for undertaking grouped consultant selections is further described in the latest version of the council adopted City of London Grouped Consultant Selection Process.
- e. Assignments for complex projects, or projects with estimated consulting fees greater than the CETA threshold for goods and services limit as amended, shall be awarded based on a two (2) stage process with the first stage being an open, publicly advertised expression of interest/pre-qualification stage (REOI/RFQUAL), and the second being a RFP of the short-listed firms, of which there shall be a minimum of three (3) qualified firms stating their approach to the proposed project and their experience and knowledge of projects similar in nature.
- f. The assignments outlined in parts d) and e) above and their related budget shall be subject to the approval of City Council. Prior to award by City Council, City staff will negotiate with the recommended consultant to establish estimated personnel costs and other charges required for these assignments. It is anticipated that an upset fee will be established for the first phase of the project as directed by the Managing Director. City Council approval will be for the entire project noting that the consultant shall obtain the approval of the appropriate

Managing Director to proceed with subsequent phases to upset limits as appropriate to the work within the limit of the budget.

- g. A consulting firm which has satisfactorily partially completed a project may be recommended for award of the balance of a project without competition subject to satisfying all financial, reporting and other conditions contained within this Policy. This should be to the financial advantage of the City due to the fact that such a consultant has specific knowledge of the project and has undertaken work for which duplication would be required if another firm were to be selected.

### 15.3 Other Professional Consulting Services

The selection of Professional Consulting Services which are not included under Section 15.2 will follow the requirements of Section 15.1 and;

- a. Projects which have estimated fees of less than \$100,000 may be awarded by the Managing Director in consultation with the Manager of Purchasing and Supply under the following circumstances:
  - i. the project requires special knowledge, skills, expertise or experience; or
  - ii. another organization is funding or substantially funding the project and has already selected a preferred firm and/or strict timelines have been placed on the funding; or
  - iii. the confidential nature of the project is such that it would not be in the public interest to solicit competitive bids; or
  - iv. the preferred firm has already been selected through a formal procurement process by another public body to provide same or similar services; or
  - v. the project requirement meets the definition of Sole Source, Section 14.3.
- b. The Managing Director is responsible for detailing the rationale supporting their decision to award the recommended firm.
- c. Under this section, all professional consultant proposals must include, at minimum:
  - i. Schedule of fees; and
  - ii. Methodology and timeline to complete project; and
  - iii. Demonstrated experience and qualifications required to perform project; and
  - iv. List of personnel who will be directly involved in the completion of the project.

- d. All requirements for Other Professional Consulting Services (section 15.3) not meeting the selection requirements of section 15.3 a. shall follow the RFP process outlined in section 12.0.

## **16.0 Blanket Purchase Contracts**

- 16.1 A Request for a Blanket Purchase Contract may be used where:
  - a. One (1) or more clients repetitively order the same goods or services and the actual demand is not known in advance; and
  - b. A need is anticipated for a range of goods and/or services for a specific purpose, but the actual demand is not known at the outset, and delivery is to be made when a requirement arises.
- 16.2 Purchasing and Supply shall establish and maintain Blanket Purchase Contracts that define source and price with selected suppliers for all frequently used goods or services.
- 16.3 To establish prices and select sources, Purchasing and Supply shall employ the provisions contained in this Policy for the acquisition of goods and/or services and construction labour and materials.
- 16.4 More than one (1) supplier may be selected for the supply of goods or services where it is in the best interests of the City.
- 16.5 Where procurement action is initiated by a Service Area for frequently used goods or services, it is to be made with the supplier or suppliers listed in the Blanket Purchase Contract.
- 16.6 In a Request for Blanket Purchase Contract, the expected quantity of the specified goods or services to be purchased over the time period of the agreement will be as accurate an estimate as practical and be based, to the extent possible, on previous usage adjusted for any known factors that may change usage.

## **17.0 Requirement for Approved Funds**

- 17.1 The exercise of authority to award a contract is subject to the identification and availability of sufficient funds in appropriate accounts within City Council approved budget.
- 17.2 Where goods and/or services are routinely purchased or leased on a multi-year basis, the exercise of authority to award a contract is subject to:



- a. The identification and availability of sufficient funds in appropriate accounts for the current year within City Council approved budget;
- b. The requirement for the goods or services will continue to exist in subsequent years and, in the opinion of the City Treasurer, the required funding can reasonably be expected to be made available; and
- c. The contract containing a provision that the supply of goods or services in subsequent years is subject to the approval by Committee and City Council of the Service Area estimates to meet the proposed expenditures.

### 17.3 Construction Tender Call Before and After Approvals

- a. Following the adoption of the capital budget by City Council, the Manager of Purchasing and Supply is authorized to call tenders for municipal construction projects and the acquisition of equipment.
- b. Notwithstanding Section 17.3.a, the Manager of Purchasing and Supply is authorized to obtain, prior to the adoption of the capital budget by City Council, sealed bids for material construction projects and equipment, provided that the documents include a clause specifically stating that the acceptance of a bid and placing of the order is subject to budget approval by Committee and City Council and the items specified are subject to change in quantity and/or deletion.

## 18.0 Purchasing Cards

### 18.1 General

- a. Service Area approved employees will be issued Purchasing Cards to use for low-dollar purchases of goods and/or services in support of sound business practices. Purchasing Card provision is based on the need to purchase goods and services for the City and the card may be revoked based on change of assignment or location. The provision of a Purchasing Card is not an entitlement nor reflective of title or position. Cardholders should be mindful that the Purchasing Card is a credit card and the transactions charged to it are ultimately paid for with public funds.
- b. Benefits of the Corporate Purchasing Card program accrue at the Corporate Finance level by reducing the number of invoices and cheques processed at the supplier level by reducing their invoicing to the City, and the turnaround time for payment.
- c. No employee shall use a Purchasing Card to purchase goods and/or services unless appointed and authorized by the employee's Managing Director (or delegate). Any use of a Purchasing Card shall be in accordance with the

Procurement of Goods and Services Policy and all other applicable City by-laws and policies. The requirements for low dollar purchases are specifically covered under Section 9 of the Procurement of Goods and Services Policy. Managing Directors are ultimately responsible for ensuring that purchases within their Service Area are made in accordance with the applicable by-laws and policies.

- d. A Purchasing Card will be issued once the employee has read, signed and submitted the Cardholder Responsibility-Acknowledgement Form to the Program Administrator, which sets out in writing the employee's responsibilities and restrictions regarding the use of the Purchasing Card.
- e. All Purchasing Cards issued will have a predetermined 'single transaction limit', a 'monthly credit limit' and 'blocked commodities' as determined and authorized by the applicable Managing Director (or delegate) and the City Treasurer. All Purchasing Cards will be blocked from obtaining cash advances. (Cash advances may be permitted in the event of an emergency as deemed necessary and pre-approved by the Cardholder's Managing Director).
- f. The dollar limit for individual purchases and monthly spending limit for each employee will be determined by the Managing Director (or delegate) of their Service Area based on their expected level of procurement and type of procurement. Cardholder limits for single or monthly transactions exceeding the low dollar procurement threshold set out in section 9 of this policy must be approved in writing by the Manager of Purchasing and Supply and fall within a predetermined limit structure.
- g. Suppliers will not be rejected for refusing to accept the Purchasing Card.
- h. The City assumes liability for all authorized charges on the Purchasing Cards, not the individual cardholder.

#### 18.2 Program Administration, Audit and Monthly Reconciliation

- a. Oversight and administration of the Purchasing Card program is the responsibility of Financial Services and a Program Administrator has been identified in this area. The Program Administrator will maintain a master list of all Purchasing Cards and their limits. In addition, the Program Administrator will establish reporting mechanisms for monthly reconciliation of accounts.
- b. All transactions are subject to review by internal and/or external audit groups. Quarterly reviews to ensure compliance with the Procurement of Goods and Services Policy will be performed by the Manager of Purchasing and Supply. Periodic reviews to ensure compliance with other approved Council by-laws and policies will be performed by Financial Services. All serious compliance issues will be reported to the City Treasurer and Internal Auditor. Less significant

compliance issues will be directed to the cardholder's supervisor/manager. A record of all compliance issues will be maintained by the Program Administrator.

- c. All requests for Purchasing Cards, maintenance forms and other documents are to be submitted to the Program Administrator for review and processing. Cardholder or cardholder representatives are not permitted to submit forms directly to the bank. All original cardholder agreements and other cardholder maintenance forms are to be maintained by the Program Administrator.
- d. Payment will automatically be withdrawn from the General Operating Bank Account following the monthly statement date. If individual cards have not been reconciled and approved for payment by the deadline each month, expenditures will be charged directly to the default cost center attached to the card. The Cardholder, with the assistance of Service Area representatives; are responsible to ensure that the statement is submitted and the expenditures are allocated to the correct general ledger accounts.
- e. Reconciled and authorized monthly statements are to be submitted to Corporate Finance no later than the last working day of the month. Each transaction must include an explanation or purpose of the expenditure. Prior to approval, the Cardholder is responsible for detecting and addressing merchant errors or fraudulent activity appearing on the monthly statement.
- f. Cardholders shall provide original detailed and itemized receipts for each transaction with the monthly cardholder statement. If circumstances arise where a detailed receipt cannot be obtained, a Declaration Form may be submitted in place of a detailed receipt. Declaration Form limits and procedures shall be determined by the City Treasurer (or delegate).

### 18.3 Responsibilities and Restrictions

- a. The Purchasing Card shall not be used:
  - i. for any purchase of goods and/or services that are prohibited under the Procurement of Goods and Services Policy any other City by-law or policy;
  - ii. for personal use other than incidental personal use as part of a business expense, which must be reimbursed at the time of the monthly reconciliation;
  - iii. when the total purchase price exceeds the single purchase limit on the card;
  - iv. when an exclusive contract with another supplier is in effect for the goods and/or service (unless pre-authorized in writing by the Manager of Purchasing and Supply);

- v. for items which are stocked at Supply Services except under extenuating circumstances;
  - vi. for any computer software, hardware and/or telecommunications equipment such as telephones, cellular phones, tablets and mobile radios except by designated staff in Information Technology Division authorized by the Director, Information Technology Services (or delegate); and,
  - vii. for the purchase of services involving contractors.
- b. The following items require pre-authorized written approval by the cardholder's Managing Director:
- i. The purchase of prepaid gift cards, prepaid gift certificates, prepaid grocery cards, or any other prepaid merchant cards; or,
  - ii. The purchase of alcohol while on City business, team building, employee appreciation, or otherwise. Note: alcohol purchased for resale to the public at City facilities (e.g. Golf Courses) is exempted from this specific restriction.

A copy of the written approval must be included with the monthly statement when submitted to Financial Services.

- c. Individual transactions are not to be subject to splitting or stringing, which is the practice of committing multiple purchasing card transactions to circumvent delegated authority levels and thus bypassing the City's competitive bidding process, nor are Purchasing Cards to be used on a repetitive basis to circumvent prescribed approval authority limits. With the appropriate approvals, cardholder limits may be increased either temporarily or permanently based on need by contacting the Program Administrator or submitting an authorized Cardholder Maintenance Form.
- d. All refunds and credits must be applied to the original Purchasing Card. Where supplier return policies allow, cardholders are not to return products for refunds in the form of cash, gift cards or other prepaid cards.
- e. Permanent full-time employment status is required to obtain a Purchasing Card. Students, contractors, consultants or seasonal employees will not be granted a card except under special circumstances and approved in writing by the City Manager.
- f. The Purchasing Card is user-specific and therefore no employee shall attempt to purchase an item using a card issued to another employee. Delegation of authority is not permitted in making transactions.

- g. The cardholder's supervisor/manager is responsible for notifying the Program Administrator immediately upon any change in the cardholder's employment status. This includes, but is not limited to termination, layoff, leave of absence and long term disability. If applicable, the plastic card should also be returned to the Program Administrator.
- h. Employees will adhere to the Corporation's Code of Conduct, An example of prohibited behaviour includes using one's position with the Corporation to secure advantage, benefit, favour, additional compensation and/or service for including but not limited to, oneself, relatives, friends or associates. This includes the selection of a supplier based upon 'air miles' or 'reward points' that reward customers for purchases.
- i. When a Purchasing Card is used to procure goods and/or services (including meals or items that would be considered personal in nature) and two (2) or more City employees are present, the most senior person in organizational authority must pay for the expenditure and prepare the respective monthly cardholder statement. If this is not feasible, the cardholder statement listing the expenditure shall be approved by the manager or Expense Review Officer, as outlined in the Corporate Travel and Business Expense Policy of the most senior person in authority present.

#### 18.4 Purchasing Card Security and PIN

Cardholders must protect and maintain security on the Purchasing Card by:

- a. safeguarding the Purchasing Card and PIN
- b. not sharing the Purchasing Card with another individual
- c. not leaving the Purchasing Card information with merchants unless authorized by the Manager of Purchasing and Supply
- d. not referencing Purchasing Card account numbers and expiry dates in emails

#### 18.5 Misuse and/or Failure to Meet Cardholder's Responsibilities

Misuse of the Purchasing Card and/or failure to meet any of the Cardholder's responsibilities may result in cancellation of the employee's authority to use a Purchasing Card and/or further disciplinary action up to and including termination of employment.

### 19 Bid Administration

#### 19.1 Submission of Bids

The City uses an electronic bidding system. The bidding rules are contained within the system.

#### 19.2 Bid Irregularities

Where a bid is received that includes irregularities, the City will follow the protocol as appropriate for the particular irregularity. The protocol for bid irregularities and their associated responses are detailed in Schedule "C". Mandatory Requirements MUST be met or there will be an Automatic rejection.

#### 19.3 No Acceptable or Equal Bids

- a. Where bids are received that exceed budget, are not responsive to the requirement, or do not represent fair market value, a revised competitive bid shall be issued in an effort to obtain an acceptable bid unless Section 19.3.b applies.
- b. The Managing Director and the Manager of Purchasing and Supply jointly may waive the need for a revised competitive bid and enter into negotiations with the lowest responsive bidder, emanating from a competitive bid, under the following circumstances:
  - i. the total cost of the lowest responsive bid is in excess of the funds appropriated by City Council for the project; and,
  - ii. the Managing Director and the Manager of Purchasing and Supply agree that the changes required to achieve an acceptable bid will not change the general nature of the requirement described in the competitive bid.
- c. The method of negotiation shall be those accepted as standard negotiating procedures that employ ethical public procurement practices in consultation with the Manager of Purchasing and Supply.
- d. In the case of building construction contracts, where the total cost of the lowest responsive bid is in excess of the appropriation made by City Council, negotiations shall be made in accordance with the guidelines established by the Canadian Construction Documents Committee and in consultation with the Manager of Purchasing and Supply.
- e. The City reserves the right in its absolute and sole discretion to cease negotiations and reject any offer.
- f. In the unlikely event that two (2) or more compliant equal bids are submitted during a competitive bid process, Purchasing and Supply will offer an opportunity for bidders to re-bid. Should a tie persist, the following factors will be considered:
  - i. payment discount;

- ii. when delivery is an important factor, the bidder offering the best delivery date is given preference;
- iii. a bidder in a position to offer better after sales service, with a good record in this regard shall be given preference;
- iv. a bidder with an overall satisfactory performance record shall be given preference over a bidder known to have an unsatisfactory performance record or no previous experience with the City; and,
- v. if the considerations above do not break the tie, equal bidders shall draw straws in no preferential order held by the Manager of Purchasing and Supply (or delegate) and witnessed by a member of the Purchasing and Supply Team. The bidder who draws the longest straw will be the winner, and thus breaking the tie.

#### 19.4 Only One Bid Received

- a. In the event only one bid is received in response to a competitive bid, the Manager of Purchasing and Supply may return the unopened bid to the bidder when, in the opinion of the Managing Director (or delegate) and the Manager of Purchasing and Supply, using criteria, based on the number of bids which might reasonably be expected on a given type of bid, additional bids could be secured. In returning the unopened bid, the Manager of Purchasing and Supply shall inform the bidder that the City may be re-issuing the competitive bid at a later date
- b. In the event that only one bid is received in response to a request for competitive bid, the bid may be opened and evaluated in accordance with the City's usual procedures when, in the opinion of the Managing Director (or delegate) and the Manager of Purchasing and Supply, the bid should be considered by the City. If, after evaluation by the Managing Director (or delegate) and the Manager of Purchasing and Supply, the bid is found not to be acceptable, they may follow the procedures set out in Section 19.3.a., with necessary modifications
- c. In the event that the bid received is found acceptable, it will be awarded as an Irregular Result under Schedule "A" of this Policy.

#### 19.5 Exclusion of Bidders Due to Poor Performance

- a. The City Treasurer may, in consultation with the City Solicitor, prohibit unsatisfactory suppliers and contractors from bidding on any future competitive bids for a time period appropriate with the results of the performance evaluation process as outlined in Section 20.5.
- b. Suppliers may also be prohibited from bidding on any future contract if they maintain officers, Managing Directors, or employees who are also officers, Managing Directors, or employers of suppliers who have already been prohibited

from bidding based on the results of the performance evaluation process as outlined in Section 20.5 of this Policy.

**19.6 Exclusion of Bidders in Litigation and disputes or appeals of contract awards**

- a. The City may, in its absolute sole discretion, reject a bid submitted if the bidder, or any officer or Managing Director of the bidder is or has been engaged, either directly or indirectly through another Corporation or personally, in a legal action against the City, its elected or appointed officers and employees in relation to:
  - i. any other contract or services; or,
  - ii. any matter arising from the City's exercise of its powers, duties, or functions; or,
  - iii. a dispute and/or an appeal of contract awards as per section 2.9
- b. In determining whether or not to reject a bid under this clause, the City will consider whether the litigation is likely to affect the bidder's ability to work with the City, its consultants and representatives, and whether the City's experience with the bidder indicates that the City is likely to incur increased staff and legal costs in the administration of the contract if it is awarded to the bidder.

**20 Contract Administration**

**20.1 Contractual Agreement**

- a. The award of a contract may be made by way of an Agreement, Contract Record or Purchase Order.
- b. A Purchase Order or Contract Record is to be used when the resulting contract is straightforward and will contain the City's standard terms and conditions.
- c. Agreement is to be used when the resulting contract is complex and will contain terms and conditions other than the City's standard terms and conditions.
- d. It shall be the responsibility of the Managing Director (or delegate) with the Manager of Purchasing and Supply and/or the City Solicitor to determine if it is in the best interest of the City to establish an agreement with the supplier.
- e. Where it is determined that Section 20.1.d is to apply, the agreement shall be reviewed for execution by the City Solicitor.
- f. Where an agreement is required, as a result of the award of a contract by delegated authority, the Mayor and City Clerk shall execute the agreement in the name of the City.
- g. Where an agreement is issued, Purchasing and Supply may issue a Purchase Order or Contract Record incorporating the formal agreement.



- h. Where an agreement is not required, Purchasing and Supply shall issue an authorized Purchase Order or Contract Record incorporating the terms and conditions relevant to the award of contract.

#### 20.2 Exercise of Contract Renewal Options

- a. Where a contract contains an option for renewal, the Managing Director may authorize Purchasing and Supply to exercise such option provided that all of the following apply:
  - i. the supplier's performance in supplying the goods and/or services or construction is considered to have met the requirements of the contract;
  - ii. any price increases are consistent with the prevailing market conditions for the goods or services being purchased;
  - iii. the facts justifying the decision to award this supplier previously are still relevant at the time of contract renewal
  - iv. funds are available or will be available in appropriate accounts within City Council approved budget, including authorized revisions, to meet the proposed expenditure;
  - v. The Committee report, if applicable, clearly identified the options to extend;
  - vi. the Managing Director and the Manager of Purchasing and Supply agree that the exercise of the option is in the best interest of the City; and,
  - vii. compliance with Sections i) through v) is documented, authorized by the Managing Director and forwarded to Purchasing and Supply.
- b. Approval for contract renewals and extensions shall be governed by Section 8.5 and Schedule "A".

#### 20.3 Contract Amendments

- a. No amendment to a contract shall be made unless the amendment is in the best interest of the City.
- b. No amendment that changes the price of a contract shall be agreed to without a corresponding change in requirement or scope of work.
- c. Amendments to contracts are subject to the identification and availability of sufficient funds in appropriate accounts within City Council approved budgets including authorized amendments.
- d. Managing Directors may authorize amendments when:

- i. the total amended value of the contract (original contract plus amendment) is within the approval limit as noted in Schedule "A"; or
  - ii. the contract amendment will not exceed the Council approved source of financing by an amount greater than \$50,000 or 3% of contract value, whichever is greater, and there are funds available.
- e. City Council must authorize contract amendments when:
  - i. the total amended value of the contract will be greater than the administrative (Managing Director) approval threshold; or
  - ii. the total amended value of the contract will exceed the Council approved source of financing by an amount greater than \$50,000 or 3% of contract value, whichever is greater, and there are funds available.

#### 20.4 Execution and Custody of Documents

- a. The Mayor and City Clerk are authorized as per By-law A-1 or resolution by Council to execute formal agreements in the name of the City for which the award was made by delegated authority.
- b. Purchasing and Supply shall have the authority to execute Purchase Orders and/or Contract Records issued in accordance with this Policy.
- c. Purchasing and Supply shall be responsible for the safeguarding of all original procurement and contract documents/records for the contracting of goods, services or construction for which the award is made by delegated authority.
- d. Managing Directors are responsible for executing and retaining all documents in accordance with Section 10.3.e of this Policy.

#### 20.5 Performance Evaluation

- a. At the outset of a project, the client Service Area manager shall institute a performance evaluation process in contracts where the Manager and/or Purchasing and Supply determine that a performance evaluation would be appropriate
- b. The performance evaluation shall rate the performance of the supplier, contractor or consultant on standard criteria adopted from time to time (i.e. failure to meet contract specifications, terms and conditions, health and safety violations, etc.). A copy of the introductory letter and performance evaluations shall be provided to the supplier, contractor or consultant in advance of the contract, and shall remain constant for the duration of the contract. Performance issues must be noted in writing with a copy to the supplier, Purchasing and Supply and a copy to the Service Area project file. Performance issues must also be noted in any project meeting minutes

- c. On completion of the project, the client Service Area manager will meet with Purchasing and Supply to review the evaluation. All supporting documents pertaining to any substandard performance and comments must be attached to the evaluation document. Purchasing and Supply will forward a copy of the completed evaluation to the supplier, contractor or consultant for their records. The supplier, contractor or consultant may request a meeting with the client Service Area manager and a representative from Purchasing and Supply to discuss the evaluation and shall have twenty (20) calendar days following delivery of the evaluation to request an appeal. This appeal shall be forwarded to Purchasing and Supply.
- d. The appeal shall be conducted by a dispute committee which will hear from both City staff or its consultants and the supplier at a time and place appointed in writing by the Committee. The decision of the Dispute Committee shall be in writing and it shall be final.
- e. The performance evaluation shall determine whether a supplier, contractor or consultant will:
  - i. be allowed to renew a contract with the City;
  - ii. be placed on a probationary list for a minimum of two (2) years during which time they shall be permitted to bid or propose work for the City with the understanding that the work will be closely monitored; or
  - iii. be prohibited from bidding on any contracts with the City during a three (3) year period, followed by a one (1) year probationary period after reinstatement as provided for in Section 19.5.
- f. In reaching a decision, the Dispute Committee shall rely upon the evaluation criteria determined in advance of the project and the results of prior performance evaluations relating to other contracts performed by the same supplier.
- g. No tender, proposal or quotation will be accepted from any supplier during the term of the suspension.

## **21 General**

### **21.1 Cooperative Purchasing**

- a. The City may participate with other government agencies or public authorities in cooperative purchasing where it is in the best interests of the City to do so.
- b. The decision to participate in cooperative purchasing agreements will be made by the Manager of Purchasing and Supply

- c. The individual policies of the government agencies or public authorities participating in the cooperative competitive bid are to be the accepted by-law for that particular competitive bid.

#### 21.2 Direct Solicitation

- a. Unsolicited proposals received by the City shall be referred to the Manager of Purchasing and Supply for review.
- b. Any procurement activity resulting from the receipt of an unsolicited proposal shall comply with the provisions of this Policy.
- c. A contract resulting from an unsolicited proposal shall be awarded on a non-competitive basis only when the procurement complies with the requirements of a non-competitive procurement, as detailed in Section 14.

#### 21.3 Resolution of Questions

Any question involving the meaning or application of this Policy is to be submitted to the City Treasurer who will resolve the question.

#### 21.4 Access to Information

- a. The disclosure of information received relevant to the issue of competitive bids or the award of contracts emanating from competitive bids shall be made by the appropriate officers in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, as amended.
- b. All records and information pertaining to competitive bids, which reveal a trade secret or scientific, technical, commercial, financial or other labour relations information, supplied in confidence implicitly or explicitly, shall remain confidential if the disclosure could reasonably be expected to:
  - i. significantly prejudice the competitive position or significantly interfere with the contractual or other negotiations of a person, corporation or other entity that responds, or intends to respond to a request for bids;
  - ii. result in similar information no longer being supplied to the City where it is in the public interest that similar information continues to be so supplied;
  - iii. result in undue loss or gain to any person, group, committee or financial institution or agency; or,
  - iv. result in information whose disclosure could reasonably be expected to be injurious to the financial interests of the City.

#### 21.5 Local or Geographical Preference

The City shall not give any local or geographical preference during the competitive bid process. The City may mandate certain bona fide on-site response time requirements for specific situations.

#### 21.6 Terms and Conditions

All standard City Terms and Conditions for all procurement activities will govern unless there is written approval for the proposed changes from the Client Managing Director and the City Solicitor

#### 21.7 Receipt of Goods

- a. Managing Directors or any employee exercising delegated authority approval shall:
  - i. arrange for the prompt inspection of goods on receipt to confirm conformance with the terms of the contract; and
  - ii. inform Purchasing and Supply of discrepancies immediately.
- b. Purchasing and Supply shall coordinate an appropriate course of action with the Managing Director for any non-performance or discrepancies.

#### 21.8 City of London Regional Water Supply Division

This Policy will apply to all City of London Regional Water Supply Division procurement up to the approvals required by Committee and City Council. Approvals beyond these dollar value thresholds will be made by the Joint Boards of Management for the Lake Huron and Elgin Area Water Supply Systems.

#### 21.9 Application of Trade Agreements

This Policy is subject to applicable Trade Agreements.

**SCHEDULE “A” – Levels of Contract Approval Authority**

Sales taxes, excise taxes, goods and service taxes and duties shall be excluded in determining the price of a contract for the supply of goods or services for the purpose of the relationship of the price to the preauthorized expenditure limit. In the case of multi-year supply and/or service contracts, the preauthorized expenditure limit shall refer to the estimated annual expenditure under the contract. Emergencies as defined in Section 14.2 are exempt from this Approval Authority.

<b>Dollar Value (excluding taxes, duty or shipping)</b>	<b>Tool / Procurement Process</b>	<b>Approval Authority</b>	<b>Policy Section</b>
Under \$15,000	Purchasing Card or Purchase Order	Managing Director or any employee exercising delegated authority approval	9
Greater than \$15,000 to \$50,000	IRFQ (Informal Request for Quotation) – three written quotes.  <b>Note:</b> A copy of the quotes must be provided to Purchasing and Supply for their records.	Managing Director or any employee exercising delegated authority approval	10
Greater than \$50,000 to \$100,000	RFQ	Managing Director or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)	11
Up to \$100,000	RFP – note that Irregular Results greater than \$15,000 require Committee and City Council Approval.	Managing Director or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)	12
Greater than \$100,000 to \$3,000,000	RFT without an Irregular Result	Managing Director or any employee exercising delegated authority approval and Manager of Purchasing and Supply (jointly)	13

Dollar Value (excluding taxes, duty or shipping)	Tool / Procurement Process	Approval Authority	Policy Section
Greater than \$3,000,000	RFT	Committee and City Council	13
Greater than \$100,000	All RFQ and RFT with an Irregular Result	Committee and City Council	11,12,13 & 8.10
Up to \$50,000	Single Source or Sole Source	Managing Director and Manager of Purchasing and Supply (jointly) – requires documented rationale	14.3 & 14.4
Greater than \$50,000	Single Source or Sole Source	Committee and City Council	14.3 & 14.4
Less than \$3,000,000	Contract Extensions – previously approved by City Council	Managing Director and Manager of Purchasing and Supply (jointly) – requires documented rationale	20.2
Greater than \$3,000,000	Contract Extensions – previously approved by City Council	Committee and City Council	20.2
Up to \$50,000 or 3% of the Contract Value	Contract Amendments – subject to availability of sufficient funds in appropriate accounts and budget	Managing Director or any employee exercising delegated authority approval OR Committee and City Council	20.3

**Note:** The City Manager may also exercise the approval authority of a Managing Director.

**Note:** For all IRFQ, RFQ, RFP, RFT as outlined under policy sections 8.10,10, 11, 12, and 13, the criteria and analysis to determine best value must be clearly documented if not the lowest bid.

**SCHEDULE “A” – Levels of Contract Approval Authority [Continued]**

**For the Appointment of Professional Consulting Services:**

<b>Dollar Value (excluding taxes, duty or shipping)</b>	<b>Tool / Procurement Process</b>	<b>Approval Authority</b>	<b>Policy Section</b>
Less than \$100,000	Appointment from Pre-approved List	Managing Director	15
\$100,000 to \$365,700	Proposals invited from 3 Firms on Pre-approved List	City Council	15
Greater than \$365,700	Two stages: REOI/RFQUAL and RFP	City Council	15

**Note:** The City Manager may also exercise the approval authority of a Managing Director.



**SCHEDULE “B” – Goods and/or Services NOT Subject to this Policy**

1. Training and Education including:
  - i. Conferences, Seminars, Courses and Conventions ii Magazines, Subscriptions, Periodicals
  - ii. Memberships
  - iii. Staff Development
  - iv. Staff Workshops
  - v. Staff Relations
2. Refundable Employee Expenses in accordance with the Travel and Business Expense Policy.
3. Corporate General Expenses including:
  - i. Payroll and Payroll Deductions
  - ii. Medicals
  - iii. Insurance Premiums, Claim Settlements and Adjuster Services
  - iv. Tax Remittances, GST/HST Cost Recovery Reviews and WSIB Remittances
  - v. Charges to and from Other Government Agencies
  - vi. Development Charges
  - vii. Postage
  - viii. Advertising as required by the Municipal Act
  - ix. Retirement Recognition Awards
  - x. Investment Management Services
  - xi. Employee Group Benefits, Compensation, Programs, Consulting and Reviews
4. Licenses, certificates and other approvals required.
5. Election materials - The City Clerk has the authority to purchase goods, services and equipment considered necessary or advisable to carry out the requirements of the Municipal Elections Act, R.S.O. 1996, as amended. The City Clerk shall wherever possible be guided by the provisions of this Policy.
6. Ongoing maintenance and actions to maintain present functionality of existing computer hardware and software. All requests for purchases of computer

systems (hardware and software that will be connected to the corporate network) must be reviewed by Information Technology Services and expressly authorized, in writing, by the Director, Information Technology Services (or delegate).

7. Professional and skilled services provided to individuals as part of approved programs within Corporate or Community Services including but not limited to medical services, home care services, counseling services and child care.
8. Professional and special services up to \$100,000, or defined more specifically in another City by- law or Council Policy, including, but not limited to:
  - i. Additional Non-recurring Accounting and Auditing Services
  - ii. Public Debenture Sales
  - iii. Realty Services for Lease, Acquisition, Demolition, Sale and Appraisal of Land and Property, including Appraisal and Consulting Services relating to matters of Expropriation
  - iv. Performance / Artist's Fees
  - v. Property Tax Bill Printing and Mailing Services
  - vi. Integrity Commissioner Services

Professional and special services exceeding \$100,000 must follow the approval process outlined on Schedule "A".

9. Utilities - Water and Waste Water, Electricity, Electrical Inspection Services, Phone and Natural Gas.
10. Construction work completed by Railways (CN and CP) and billed to the City.
11. Urgent Facilities Maintenance/Repairs/Renovations as deemed appropriate by the City Treasurer and/or City Engineer with the concurrence of the City Manager.
12. Legal Services and Labour Relations Services as deemed appropriate by the City Solicitor and/or the Chief Human Resources Officer up to \$ 250,000.
13. Construction relocations as approved by the City Utilities Co-ordination Committee.
14. Services provided for City construction projects within a railway right-of-way as required by the rail authority having jurisdiction.
15. Revenue Generation Services provided to or by the City of London with the intent to generate revenue for the City.
16. Planning and Development or Re-development Projects to purchase, sell or repurpose property or other City assets.

17. Banking Services where covered by agreements and provided either directly by the City's contracted Banking Services provider or by one of the contracted Banking Services provider's strategic partners, affiliates or holdings as deemed appropriate by the City Treasurer and with the concurrence of the City Manager.
18. Acquisition, Lease or Sale/Disposal of Real Property are not subject to this Policy. Existing council policies; Real Property Acquisitions Policy, Lease Financing Policy, and Sale and Other Disposition of Land Policy are in place to guide these processes.
19. Grant Funding, given or paid out by the City as per current Council approved Policies for Grants and/or agreements entered into by Council provides the criteria for how City of London Grant funding is provided. Grants not covered by these Policies or agreements must be approved by Council

**SCHEDULE “C” – Irregularities Contained in Bids**

<b>Irregularity</b>	<b>Response</b>
1. Late bids.	Automatic rejection
2. Insufficient financial security (no bid deposit or insufficient bid deposit).	Automatic rejection
3. Failure to insert the name of the bonding company in the space provided for in the bid documents.	Automatic rejection
4. Failure to provide a letter of agreement to bond/ letter of guarantee where required.	Automatic rejection
5. Incomplete, illegible or obscure bids or bids which contain additions not called for, erasures, alterations, errors or irregularities of any kind.	May be rejected as informal – Mandatory Requirements must be met or Automatic rejection
6. Documents, in which all addenda have not been acknowledged.	Automatic rejection
7. Failure to attend mandatory site visit.	Automatic rejection
8. Bids received on documents other than those provided by the City.	Automatic rejection
9. Failure to insert the bidder's business name in one of the two spaces provided in the bid documents.	Automatic rejection
10. Conditions placed by the bidder on the total contract price.	Automatic rejection

<p>11. Bids containing minor mathematical errors</p>	<ul style="list-style-type: none"> <li>a) If the amount bid for a unit price item does not agree with the extension of the estimated quantity and the bid unit price, or if the extension has not been made, the unit price shall govern and the total price shall be corrected accordingly.</li> <li>b) If both the unit price and the total price are left blank, then both shall be considered as zero.</li> <li>c) If the unit price is left blank but a total price is shown for the item, the unit price shall be established by dividing the total price by the estimated quantity.</li> <li>d) If the total price is left blank for a lump sum item, it shall be considered as zero.</li> <li>e) If the bid documents contain an error in addition and/or subtraction and/or transcription in the approved competitive bid documentation format requested (i.e. not the additional supporting documentation supplied), the error shall be corrected and the corrected total contract price shall govern.</li> <li>f) Bid documents containing prices which appear to be so unbalanced as to likely affect the interests of the City adversely may be rejected.</li> </ul>
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## **SCHEDULE “D” - Statement of Ethics for Public Purchasers**

The Ontario Public Buyers Association's Code of Ethics is based upon the following tenets and all employees who are authorized to purchase goods and/or services on behalf of the City are to adhere to the following.

1. Open and Honest Dealings with Everyone who is Involved in the Purchasing Process. This includes all businesses with which this City contracts or from which it purchases goods and/or services, as well as all members of our staff and of the public who utilize the services of the Purchasing and Supply Team.
2. Fair and Impartial Award Recommendations for All Contracts and Tenders. This means that we do not extend preferential treatment to any supplier, including local companies. Not only is it against the law, it is not good business practice, since it limits fair and open competition for all potential suppliers and is therefore a detriment to obtaining the best possible value for each tax dollar.
3. An Irreproachable Standard of Personal Integrity on the Part of All Those Delegated as Purchasing Representatives for This City. Absolutely no gifts or favours are accepted by the purchasing representatives of this City in return for business or the consideration of business. Also, the purchasing representatives of this City do not publicly endorse one company in order to give that company an advantage over others.
4. Cooperation with Other Public Agencies in Order to Obtain the Best Possible Value for Every Tax Dollar. The City is a member of a cooperative purchasing group. Made up of several public agencies, this group pools its expertise and resources in order to practice good Value Analysis and to purchase goods and/or services in volume and save tax dollars.
5. Continuous Development of Purchasing Skills and Knowledge. All members of the Purchasing and Supply Team take advantage of the many opportunities provided by the Ontario Public Buyers Association to further their knowledge of good public purchasing principles and to maintain excellent skills.

## **SCHEDULE “E” – Materials Management Guidelines**

### **1. Materials Management and Inventory Control**

The Manager of Purchasing and Supply (or delegate) shall be solely responsible for the Supply Services of all inventory and warehouse operations at Greenway Pollution Control Plant, A.J. Tyler and Exeter Road Operations centers. A system of materials management and inventory control methods shall be used to maintain an adequate level of commodities to support and supply all Service Areas.

### **2. Inventory Control System**

- a. A physical inventory of stock items shall be taken on a periodic basis.
- b. An adequate allowance for inventory obsolescence shall be maintained.

### **3. Control of Goods in Use**

The Manager of Purchasing and Supply (or delegate) may periodically perform a physical count and inventory of all goods that are not in inventory but are used and stored by various Service Areas. The Managing Director shall provide any necessary assistance required. As a result of such a review, goods may be placed into inventory, transferred, declared surplus or otherwise disposed.

### **4. No Separate Procurement of Commodities in Inventory**

Commodities which are available from Supply Services inventory and which are suitable for the intended end use shall not be requisitioned or purchased on a direct charge basis.

### **5. Disposal of Materials and Equipment Considered to be Obsolete and/or Surplus**

- a. All Service Areas shall notify the Manager of Purchasing and Supply (or delegate) when items become obsolete or surplus to their requirements. Options to allow for trade-in allowance will be considered when purchasing new equipment.
- b. The Manager of Purchasing and Supply shall be responsible for ascertaining if the items can be of use to another civic Service Area rather than disposed of.
- c. Items that are not claimed for use by another Service Area may be offered for sealed bids, public auction or other public sale, depending in the opinion of the Manager of Purchasing and Supply on which method is most suitable for the equipment or material involved.
- d. Auctions are held as required dependent upon individual circumstances such as delivery of replacement items and storage capacity.

- e. The revenue from the sale of obsolete material shall be credited to the appropriate account(s).

**6. Periodic Bids for Auctioneer Services**

The Manager of Purchasing and Supply is authorized to obtain sealed bids for auctioneer services on a periodic basis from qualified auctioneers.

**7. Disposal of Materials and Equipment Considered to be Scrap**

- a. Where scrap material is available for disposal, the relevant area Manager shall inform the Manager of Purchasing and Supply who shall be responsible for the disposal of all scrap material belonging to the City.
- b. The Manager of Purchasing and Supply, after determining the value and possible alternate uses of the scrap material, may dispose of the material by:
  - i. general advertising to secure sealed bids;
  - ii. direct contact with the appropriate dealers to view the scrap and submit offers to purchase;
  - iii. public auction; or
  - iv. other methods as deemed appropriate.
- c. The revenue from the sale of scrap material shall be credited to the appropriate account(s).



Bill No. 369  
2019

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

A by-law to delegate tax appeal applications received under subsection 357(1)(d.1) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, to the Assessment Review Board in accordance with subsection 357(11) of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended.

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 subsection 357(1)(d.1) of the *Municipal Act, 2001*, as amended, provides that upon application to the treasurer of a local municipality made in accordance with subsection 357(11) of the *Municipal Act, 2001*, as amended, the local municipality may cancel, reduce or refund all or part of taxes levied on land in the year of which application is made where the applicant is unable to pay taxes because of sickness or extreme poverty;

AND WHEREAS subsection 357(11) of the *Municipal Act, 2001*, as amended, provides that a council may pass a by-law authorizing the Assessment Review Board to exercise the powers and functions of the council under subsections 357(1) and (5) with respect to applications made under subsection 357(1) and subsections 357(6), (7), (8) (9) and (10) do not apply to these applications;

AND WHEREAS the Municipal Council of The Corporation of the City of London deems it appropriate to pass a by-law in accordance with subsection 357(1)(d.1) and subsection 357(11) of the *Municipal Act, 2001*, as amended;

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

1. The Assessment Review Board shall exercise the powers and functions of the Municipal Council of The Corporation of the City of London under subsection 357(1)(d.1) of the *Municipal Act, 2001* in respect of an application for the cancellation, reduction or refund of taxes where the applicant is unable to pay taxes because of sickness or extreme poverty.
2. This by-law comes into force on the day it is passed.

PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

Bill No. 370  
2019

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

A by-law to authorize an Amending Agreement between The Corporation of the City of London and Trojan Technologies and to authorize the Mayor and City Clerk to execute the Agreement.

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

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

AND WHEREAS it is deemed expedient for The Corporation of the City of London (the "City") to amend an agreement with Trojan Technologies Group ULC (the "Agreement");

AND WHEREAS it is appropriate to authorize the Mayor and City Clerk to execute the Agreement on behalf of the City;

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

1. The Agreement attached as Schedule "A" to this By-law, being an Agreement between the City and Trojan Technologies Group ULC. is hereby AUTHORIZED AND APPROVED.
2. The Mayor and City Clerk are authorized to execute the Agreement authorized and approved under section 1 of this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on October 1, 2019

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First reading – October 1, 2019  
Second reading – October 1, 2019  
Third reading – October 1, 2019

**Schedule A**

THIS AMENDING AGREEMENT made this \_\_\_\_ day of \_\_\_\_\_.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON  
(hereinafter the "City")

-and-

TROJAN TECHNOLOGIES  
(hereinafter "Trojan")

WHEREAS the City owns and operates a water pollution control plant at Westminster Pollution Control Plant (the "Westminster PCP") located at 3225 Dingman Drive, London, Ontario.

AND WHEREAS Trojan has requested permission to maintain an ultra-violet testing facility at Westminster PCP (the "W-Facility") for the purposes of conducting research and development projects within the Westminster PCP and the City is agreeable to permitting Trojan to operate the W-Facility as set out herein rent-free, provided Trojan agrees to pay the utility and other costs associated with the operation;

AND WHEREAS the City and Trojan entered into an Agreement on August 31, 2011 ("Agreement") for a term of ten (10) years;

AND WHEREAS the parties wish to amend the Agreement to extend the term of the Agreement;

NOW THEREFORE THE AMENDING AGREEMENT WITNESSETH THAT in consideration of the mutual covenants and agreements set forth, the parties covenant and agree, to and with each other, as follows:

1. Sub article 1(b) of the Agreement is deleted and replaced with the following:

"Permit Trojan to operate the W-Facility at Westminster PCP for a term of twenty (20) years, commencing upon execution of this agreement (the "Term"). Trojan shall have unfettered discretion to cease operating the W-Facility any time prior to the expiration of the Term if it so chooses, in which case this agreement shall be terminated and all rights and obligations relating thereto shall be as if the said term had expired;"

IN WITNESS OF WHICH the parties have executed this agreement the day and year first above written.

The Corporation of the City of London

Trojan Technologies

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
I have the authority to bind the Corporation

\_\_\_\_\_  
City Clerk

Bill No. 371  
2019

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

A by-law to amend the Official Plan for the City of London, 1989 relating to 585 Third Street.

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

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

PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

**Amendment No. #**  
**to the**  
**Official Plan for the City of London**

**A. Purpose of this Amendment**

The purpose of this Amendment is to add a policy in Section 10.1.3 – “Policies for Specific Areas” to the Official Plan for the City of London to permit existing industrial uses in existing buildings.

**B. Location of this Amendment**

This Amendment applies to lands located at 585 Third Street in the City of London.

**C. Basis Of The Amendment**

Chapter 10 – “Policies for Specific Areas” of the Official Plan allows Council to consider policies for specific areas where one of four criteria apply. One of these criteria is “the change in land use is site-specific and is located in an area where Council wishes to maintain the existing land use designation, while allowing for a site specific use” (Section 10.1.1 II).

The recommended amendment will recognize and permit the existing industrial land uses in the existing buildings until such time as the subject lands can be redeveloped for residential land uses as intended in the Low Density Residential designation.

**D. The Amendment**

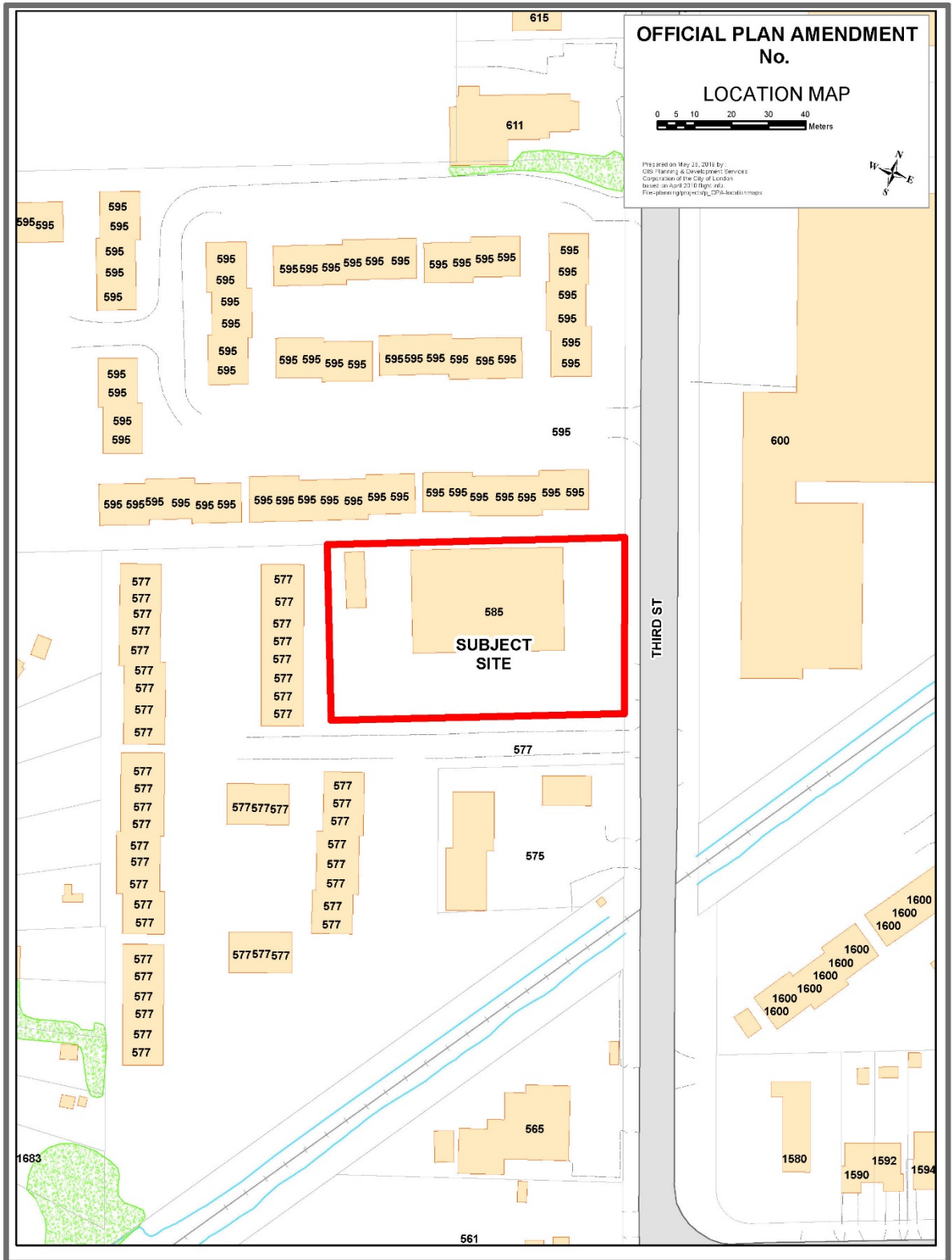
The Official Plan for the City of London is hereby amended as follows:

1. Section 10.1.3 – “Policies for Specific Areas” of the Official Plan for the City of London is amended by adding the following:

585 Third Street

In addition to the uses permitted in the Multi-Family, Medium Density Residential Designation, a Building or Contracting Establishment, Service Trade, and Support Office may be permitted as well as a Warehouse in association with a permitted use with no outdoor storage for the permitted uses.

# Location Map



Bill No. 372  
2019

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

A by-law to amend the Official Plan for the City of London, 1989 relating to 3700 Colonel Talbot Road and 3645 Bostwick 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(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

**Amendment No.**  
**to the**  
**Official Plan for the City of London**

**A. Purpose of this Amendment**

The purpose of this Amendment is:

1. To change the designation of certain lands described herein by refining and reconfiguring the extent of the designations from “Low Density Residential”, and “Multi-Family, Medium Density Residential” to “Low Density Residential”, “Multi-Family, Medium Density Residential” and “Open Space” on Schedule “A”, Land Use, to the Official Plan for the City of London.
2. To change the designation from “Unevaluated Vegetation Patch” to “Significant Woodlands” and “Locally Significant Wetlands” on Schedule “B1”, Natural Heritage Features, to the Official Plan for the City of London.
3. To change the east-west “Proposed Secondary” to align with Street A, and to change the north-south “Proposed Secondary” to align with Street on Schedule “C”, Transportation Corridors, of the Official Plan for the City of London.
4. To amend Section 20.5. Southwest Area Secondary Plan by amending the following:
  - i) Realigning the Planned Route and adding a Neighbourhood Park on Schedule 2 to Southwest Area Secondary Plan - Multi-Use Pathways and Parks,
  - ii) Refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, by changing the designation from “Low Density Residential”, “Medium Density Residential”, and “Open Space” to “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign Street A and D (secondary collectors) on Schedule 4 (Southwest Area Land Use Plan),
  - iii) Refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, by changing the designation from “Low Density Residential”, “Medium Density Residential”, and “Open Space” to “Low Density Residential”, “Medium Density Residential”, and “Open Space”, adding a Park, and to realign Street A (secondary collector) on Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations),
  - iv) Refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, by changing the designation from “Low Density Residential”, and “Medium Density Residential” to “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign Street A and D (secondary collectors) on Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations).

**B. Location of this Amendment**

This Amendment applies to lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road in the City of London.



### **C. Basis of the Amendment**

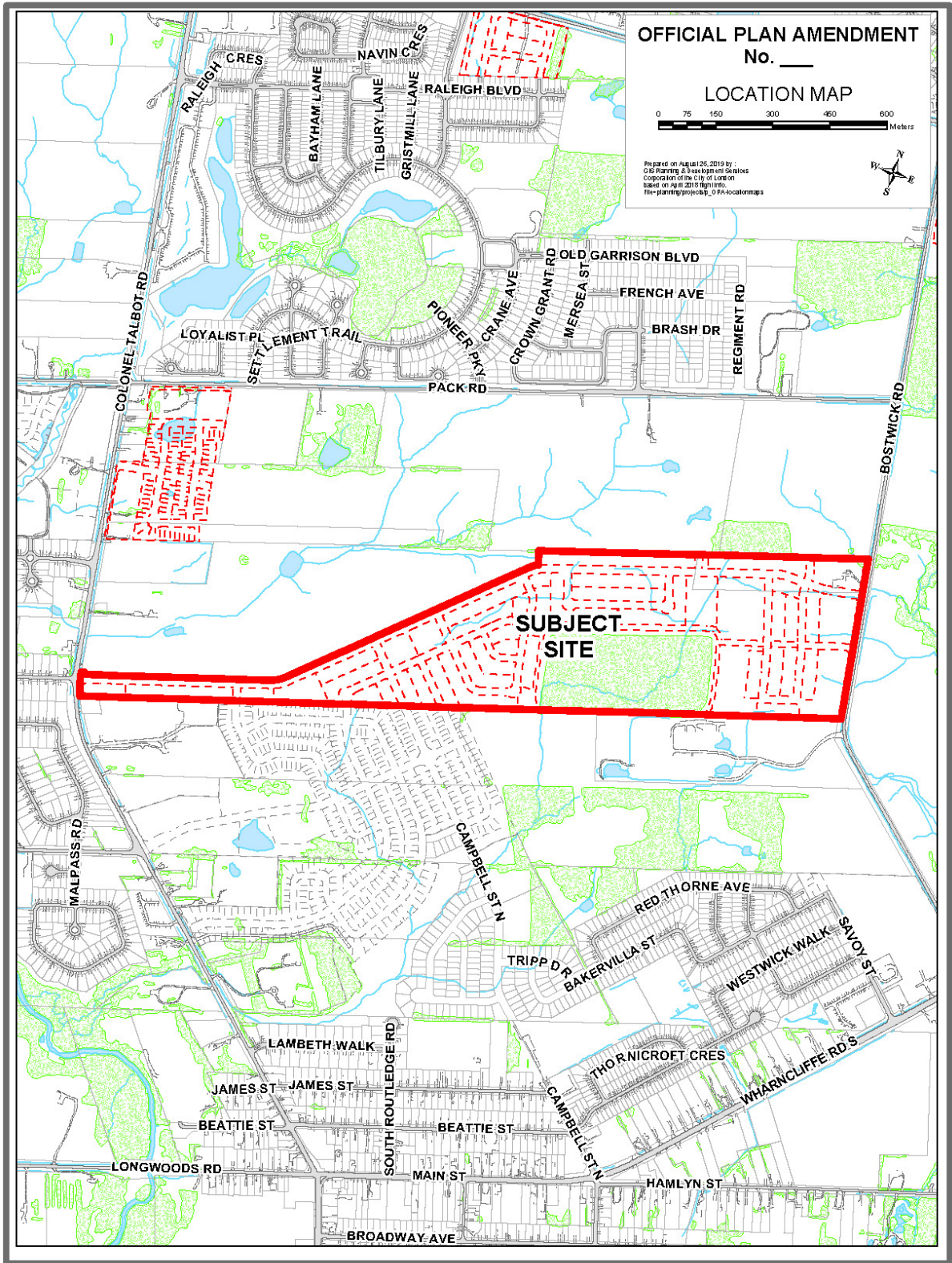
This amendment will correct land uses and facilitate the protection of a natural heritage feature, as well as facilitate additional residential development.

### **D. The Amendment**

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

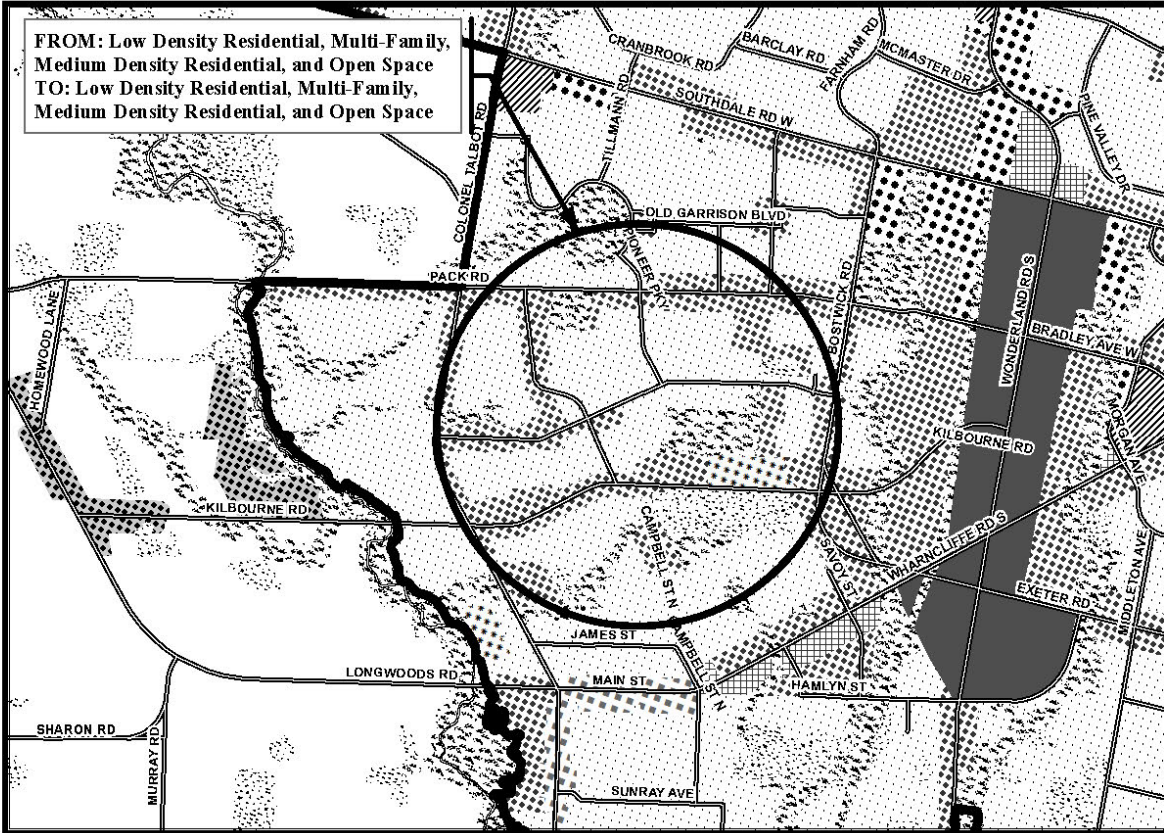
1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road in the City of London, as indicated on "Schedule 1" attached hereto, by refining and reconfiguring the designations from "Low Density Residential", and "Multi-Family, Medium Density Residential" to "Low Density Residential", "Multi-Family, Medium Density Residential" and "Open Space".
2. Schedule "B1", Natural Heritage Features to the Official Plan for the City of London Planning Area is amended by designating those lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road in the City of London, as indicated on "Schedule 2" attached hereto by changing the designation from "Unevaluated Vegetation Patch" to "Significant Woodlands" and "Locally Significant Wetlands".
3. Schedule "C", Transportation Corridors to the Official Plan for the City of London Planning Area is amended by designating those lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road in the City of London, as indicated on "Schedule 3" attached hereto by changing the east-west "Proposed Secondary" to align with Street A, and to change the north-south "Proposed Secondary" to align with Street D.
4. Section 20.5. Southwest Area Secondary Plan to the Official Plan for the City of London Planning Area is amended by designating those lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road in the City of London by changing the following:
  - i) Schedule 2 to Southwest Area Secondary Plan (Multi-Use Pathways and Parks) - Realigning the Planned Route and adding a Neighbourhood Park;
  - ii) Schedule 4 to Southwest Area Secondary Plan (Southwest Area Land Use Plan) - Refining and reconfiguring the extent of the designations, from "Low Density Residential", "Medium Density Residential", and "Open Space" to "Low Density Residential", "Medium Density Residential", and "Open Space";
  - iii) Schedule 8 to Southwest Area Secondary Plan (Bostwick Residential Neighbourhood Land Use Designations) - Refining and reconfiguring the extent of the designations, from "Low Density Residential", "Medium Density Residential", and "Open Space" to "Low Density Residential", "Medium Density Residential", and "Open Space", adding a Park, and to realign Street A (secondary collector), and,
  - iv) Schedule 9 to Southwest Area Secondary Plan (North Lambeth Residential Neighbourhood Land Use Designations) - Refining and reconfiguring the extent of the designations, from "Low Density Residential", and "Medium Density Residential" to "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign Street A and D (secondary collectors).

# Location Map



# Schedule "1"

AMENDMENT NO:



## Legend

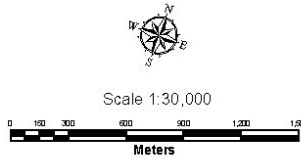
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

*This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.*

## SCHEDULE 1 TO OFFICIAL PLAN

AMENDMENT NO. \_\_\_\_\_

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8838 & 39T-17503

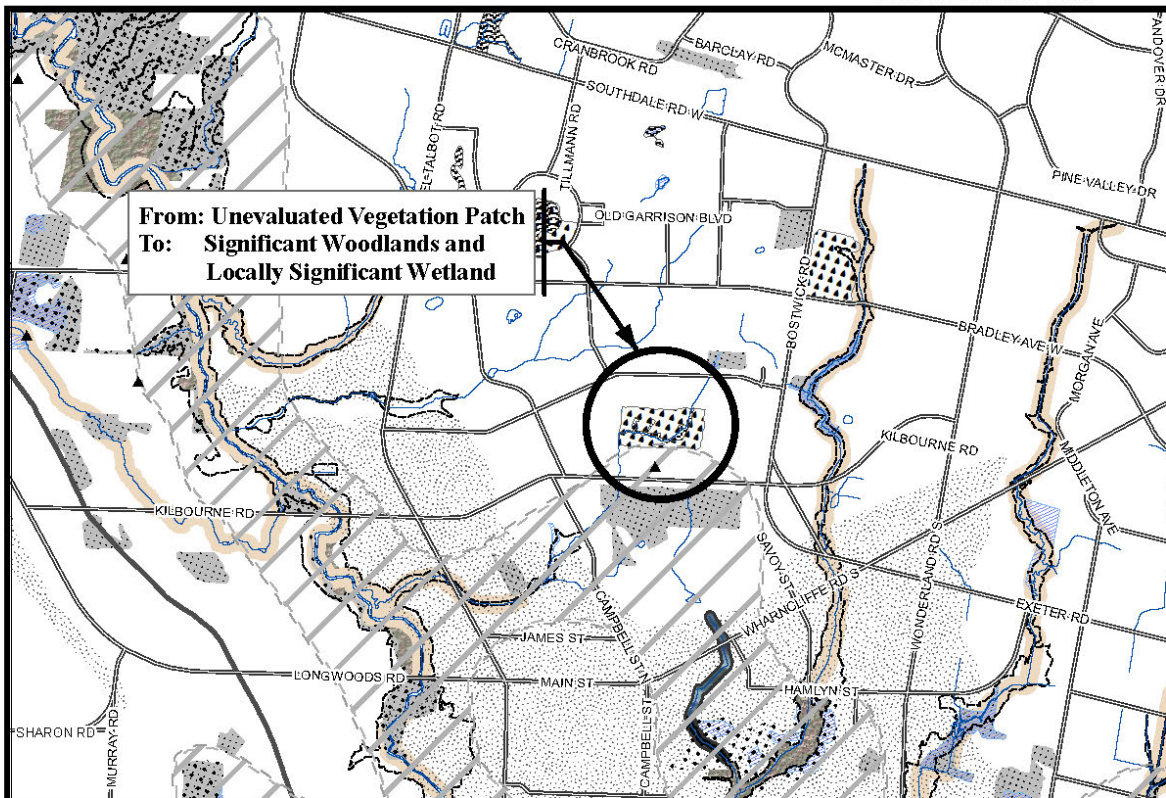
PLANNER: NP

TECHNICIAN: RC

DATE: 2019/09/03

Schedule "2"

AMENDMENT NO:



**From: Unevaluated Vegetation Patch  
To: Significant Woodlands and  
Locally Significant Wetland**

**NATURAL HERITAGE SYSTEM**

- ESAs
- Potential ESAs
- Significant Woodlands
- Woodlands
- Unevaluated Vegetation Patches
- Significant River, Stream, and Ravine Corridors
- Unevaluated Stream and Ravine Corridors
- Provincially Significant Wetlands
- Locally Significant Wetlands
- Unevaluated Wetlands
- Potential Naturalization Areas
- Potential Upland Corridors
- Ground Water Recharge Areas

**NATURAL HAZARDS**

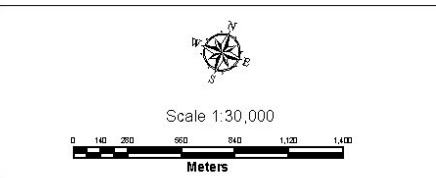
- Maximum Hazard Line  
*NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.*  
*NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.*

**Base Map Features**

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Big Picture Meta-Cores and Meta-Corridors

*This is an excerpt from the Planning Division's working consolidation of Schedule B1 to the City of London Official Plan, with added notations.*

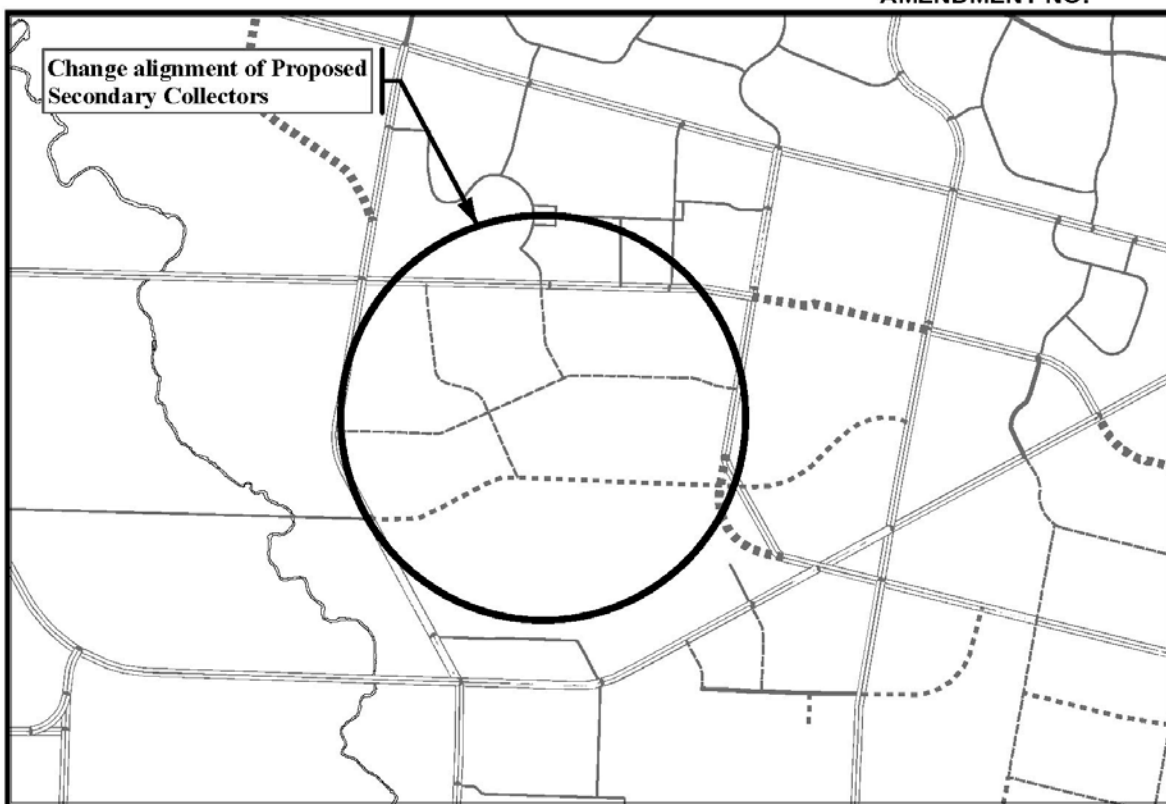
**SCHEDULE 2  
TO  
OFFICIAL PLAN**  
AMENDMENT NO. \_\_\_\_\_  
PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8838 & 39T-17503  
PLANNER: NP  
TECHNICIAN: RC  
DATE: 2019/09/03

# Schedule "3"

AMENDMENT NO:









## Legend



### ROAD CLASSIFICATION

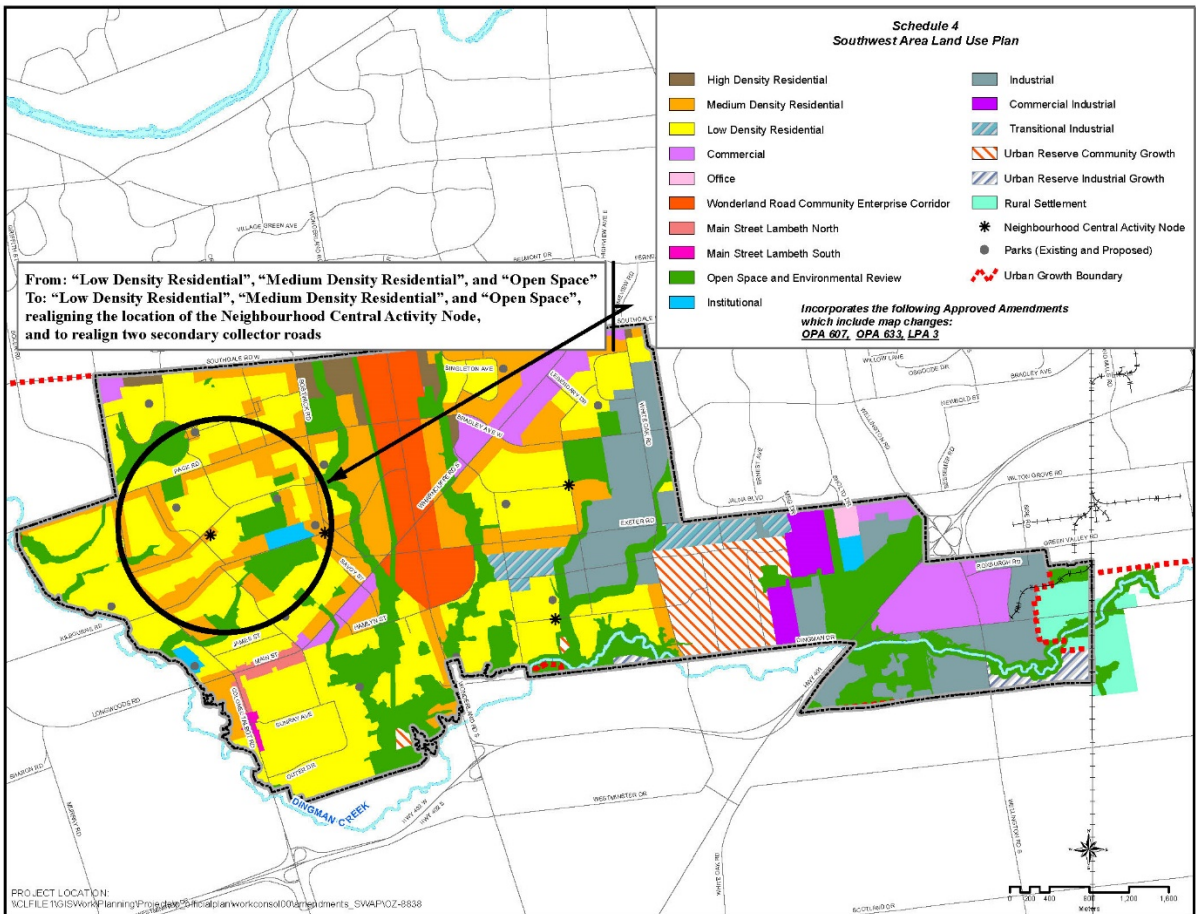
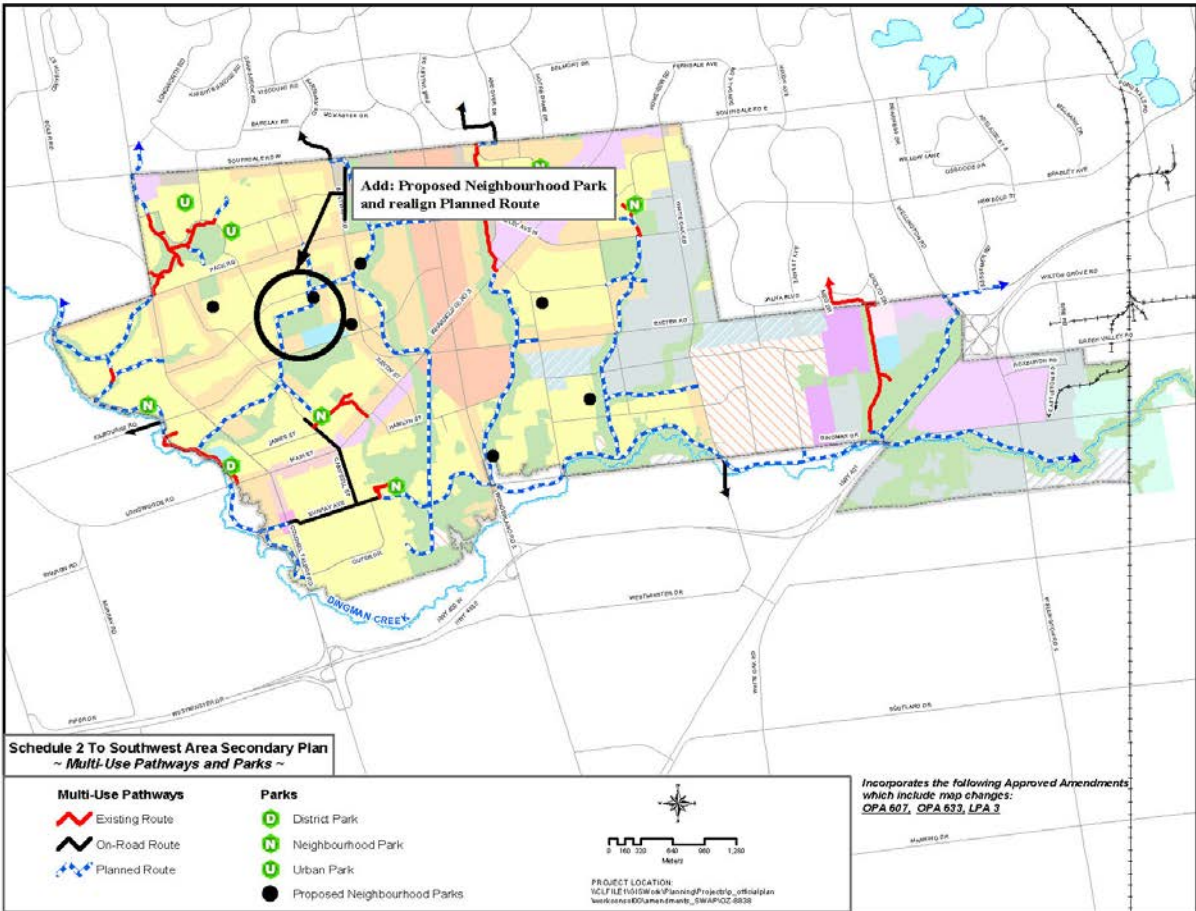
-  Secondary Collector
-  Primary Collector
-  Arterial
-  Freeway
-  Expressway

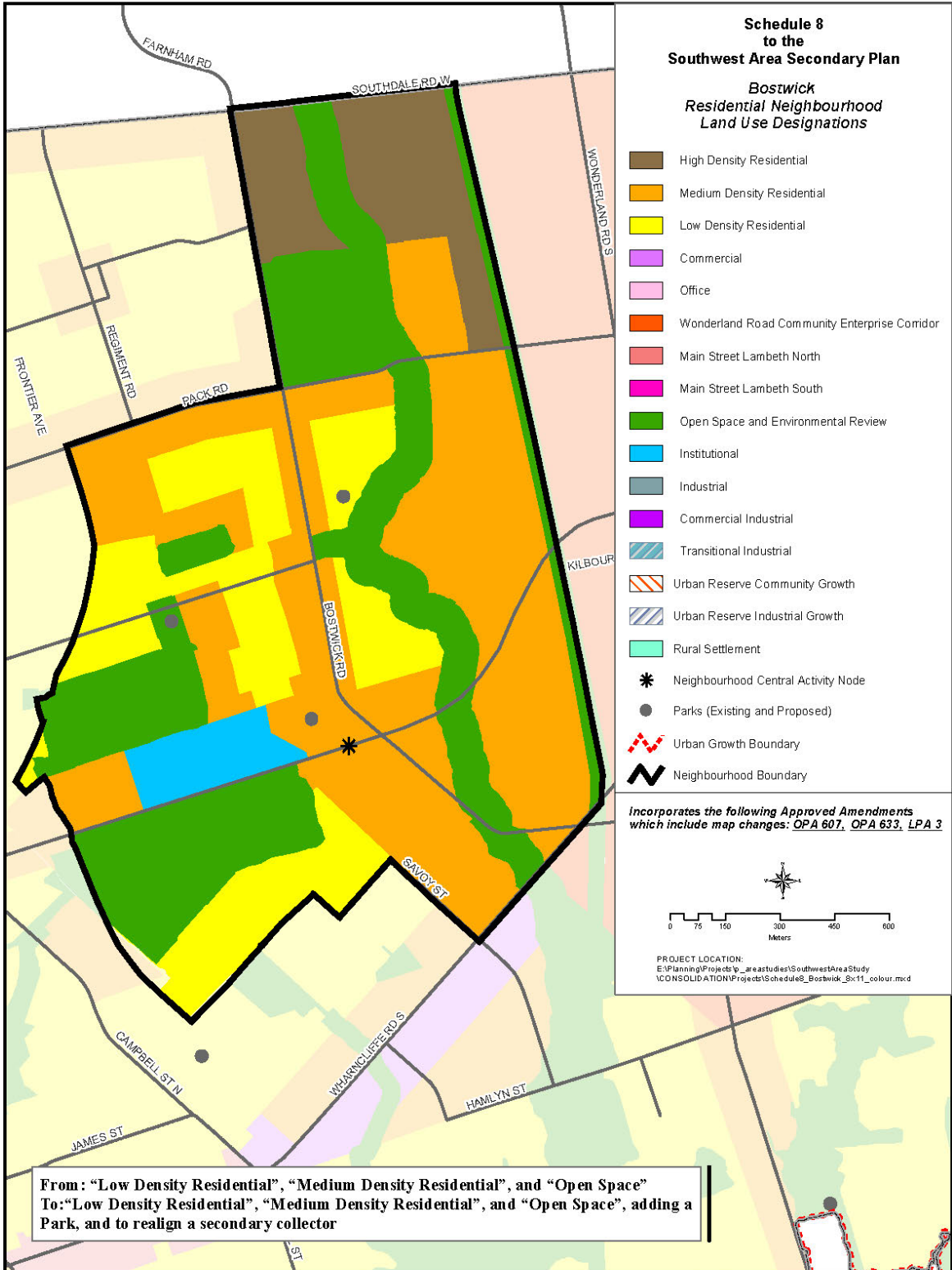
### PROPOSED ROAD CORRIDOR

-  Proposed Secondary Collector
-  Proposed Primary Collector
-  Proposed Arterial
-  Proposed Freeway
-  Proposed Expressway
-  Proposed Interchange

THIS IS AN EXCERPT FROM THE PLANNING DIVISION'S WORKING CONSOLIDATION OF SCHEDULE C TO THE CITY OF LONDON OFFICIAL PLAN, WITH ADDED NOTATIONS

<p align="center"><b>SCHEDULE 3 TO OFFICIAL PLAN</b></p> <p>AMENDMENT NO. _____</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p align="center">                   Scale 1:30,000                    Meters             </p>	<p><b>FILE NUMBER:</b> OZ-8838 &amp; 39T-17503</p> <p><b>PLANNER:</b> NP</p> <p><b>TECHNICIAN:</b> RC</p> <p><b>DATE:</b> 2019/09/03</p>
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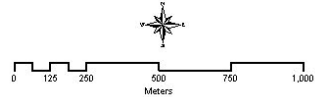




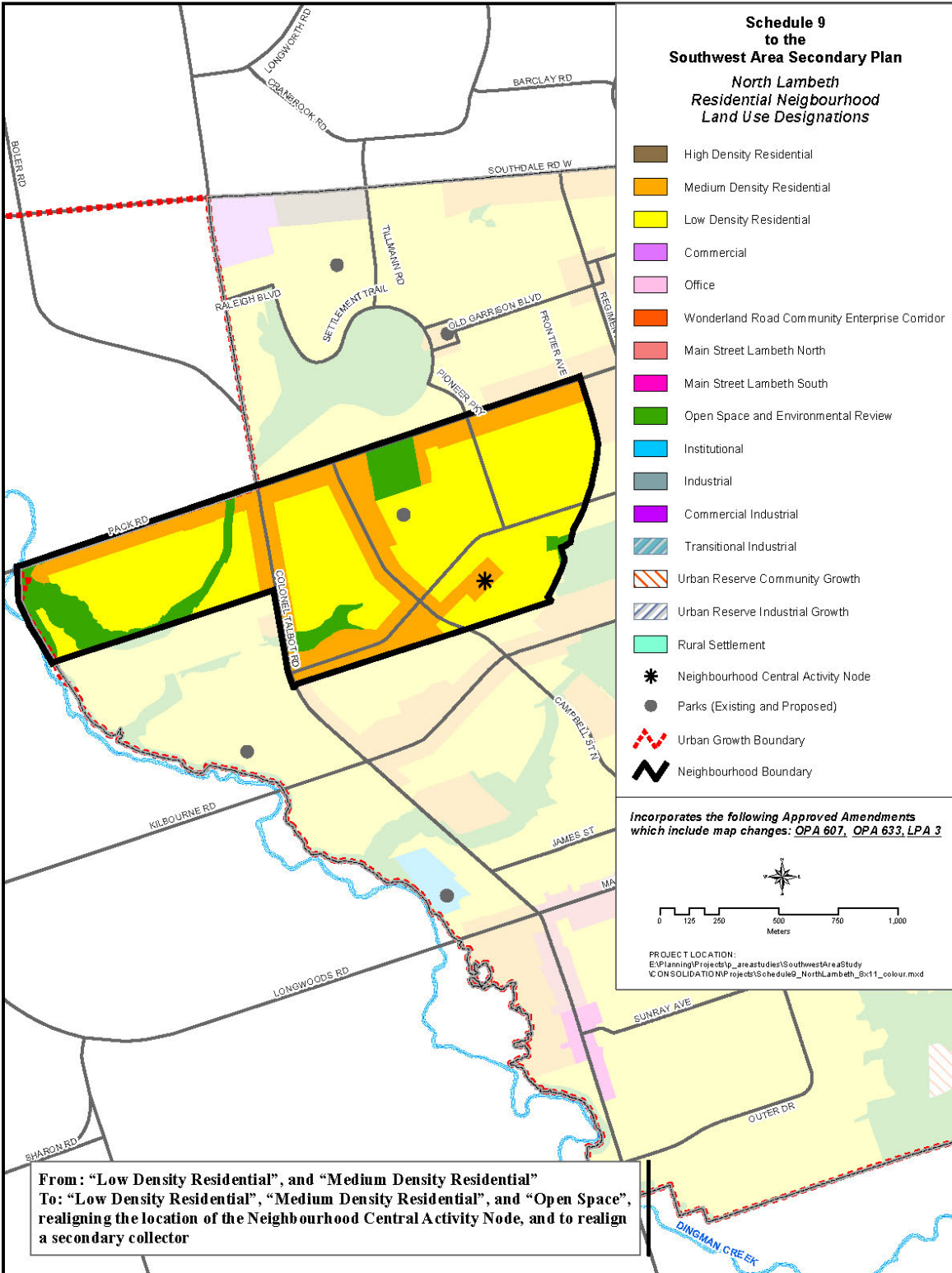
**Schedule 9  
to the  
Southwest Area Secondary Plan  
North Lambeth  
Residential Neighbourhood  
Land Use Designations**

-  High Density Residential
-  Medium Density Residential
-  Low Density Residential
-  Commercial
-  Office
-  Wonderland Road Community Enterprise Corridor
-  Main Street Lambeth North
-  Main Street Lambeth South
-  Open Space and Environmental Review
-  Institutional
-  Industrial
-  Commercial Industrial
-  Transitional Industrial
-  Urban Reserve Community Growth
-  Urban Reserve Industrial Growth
-  Rural Settlement
-  Neighbourhood Central Activity Node
-  Parks (Existing and Proposed)
-  Urban Growth Boundary
-  Neighbourhood Boundary

**Incorporates the following Approved Amendments  
which include map changes: OPA 607, OPA 633, LPA 3**



PROJECT LOCATION:  
E:\Planning\Projects\by\_area\studies\SouthwestAreaStudy  
V:\CONSOLIDATION\Projects\Schedule9\_NorthLambeth\_Sv11\_colour.mxd



**From: "Low Density Residential", and "Medium Density Residential"  
To: "Low Density Residential", "Medium Density Residential", and "Open Space",  
realigning the location of the Neighbourhood Central Activity Node, and to realign  
a secondary collector**



Bill No. 373  
2019

By-law No. C.P.-1512(\_)-\_\_

A by-law to amend The London Plan for the  
City of London, 2016 relating to 3700 Colonel  
Talbot Road and 3645 Bostwick Road.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, 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(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on October 1, 2019

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

**Amendment No. #**  
**to the**  
**The London Plan for the City of London**

**A. Purpose of this Amendment**

1. To change the Place Types from Neighbourhoods and Environmental Review to Green Space, and to change the alignment of the Neighbourhood Connectors on Map 1 - Place Types.
2. To change the east-west Neighbourhood Connector to align with Street A, and to change the north-south Neighbourhood Connector to align with Street D on Map 3 - Street Classifications.
3. To change the designation from Unevaluated Vegetation Patch to Significant Woodlands and Wetlands on Map 5 - Natural Heritage.
4. To change Policy 1565\_ List of Secondary Plans, 5. Southwest Area Secondary Plan, Section 20.5 (Southwest Area Secondary Plan), by amending the following:
  - i) Realigning the Planned Route and adding a Neighbourhood Park on Schedule 2 to Southwest Area Secondary Plan - Multi-Use Pathways and Parks,
  - ii) Refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, by changing the designation from “Low Density Residential”, “Medium Density Residential”, and “Open Space” to “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign Street A and D (secondary collectors) on Schedule 4 (Southwest Area Land Use Plan),
  - iii) Refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, by changing the designation from “Low Density Residential”, “Medium Density Residential”, and “Open Space” to “Low Density Residential”, “Medium Density Residential”, and “Open Space”, adding a Park, and to realign Street A (secondary collector) on Schedule 8 (Bostwick Residential Neighbourhood Land Use Designations),
  - iv) Refining and reconfiguring the extent of the Low Density, Medium Density, and Open Space designations, by changing the designation from “Low Density Residential”, and “Medium Density Residential” to “Low Density Residential”, “Medium Density Residential”, and “Open Space”, realigning the location of the Neighbourhood Central Activity Node, and to realign Street A and D (secondary collectors) on Schedule 9 (North Lambeth Residential Neighbourhood Land Use Designations).

**B. Location of this Amendment**

This Amendment applies to lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road in the City of London.

**C. Basis of the Amendment**

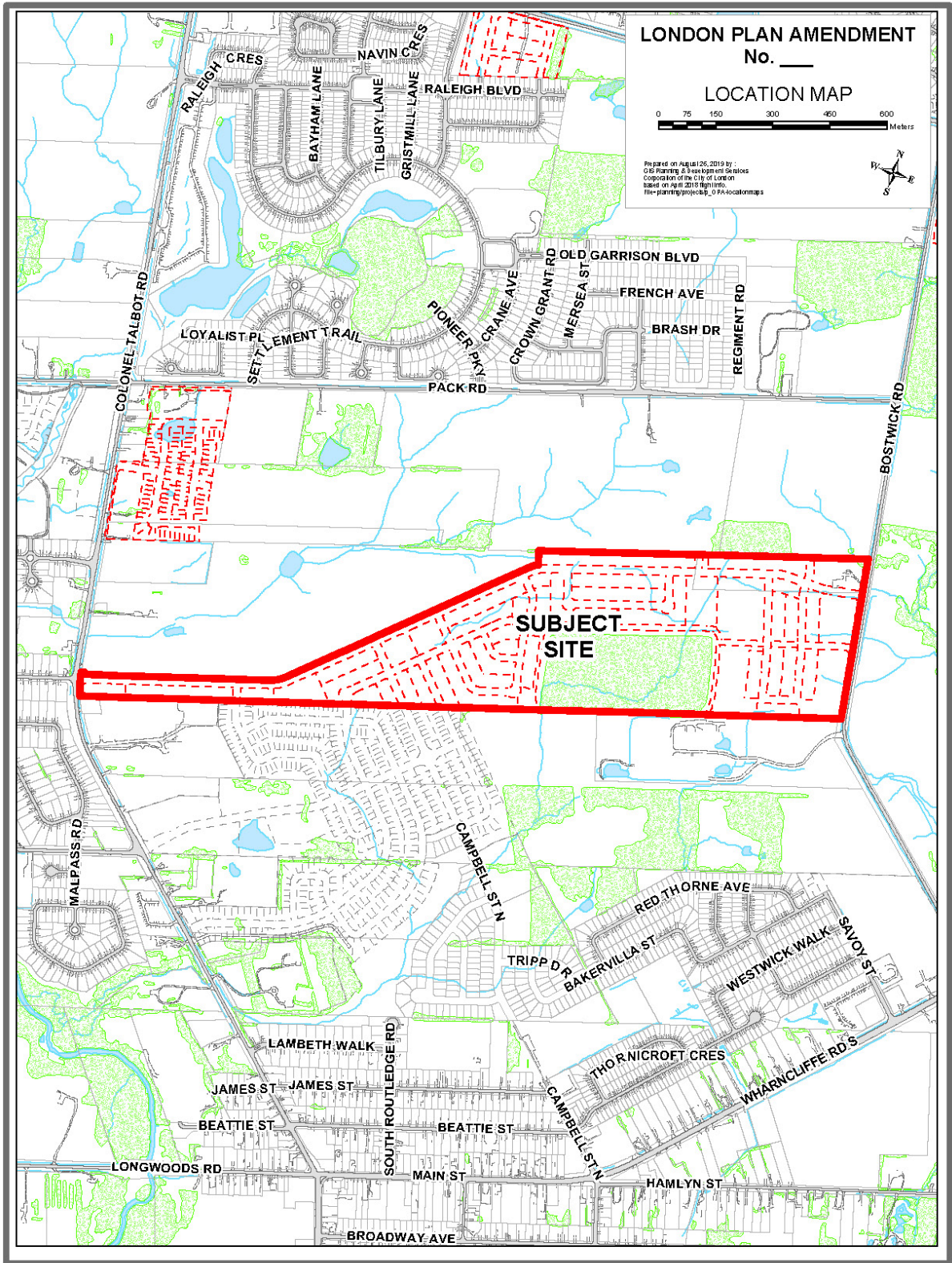
This amendment will correct land uses and facilitate the protection of a natural heritage feature, as well as facilitate additional residential development.

## D. The Amendment

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

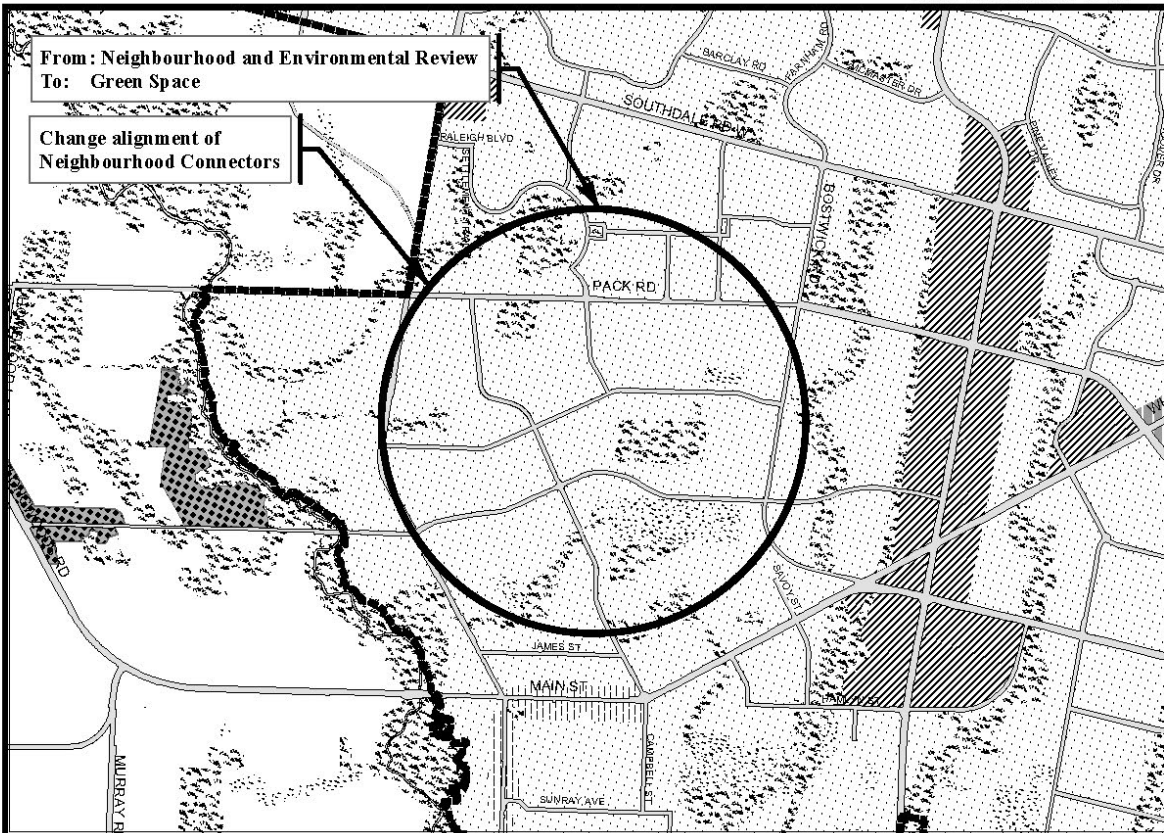
1. Map 1 - Place Types, to the London Plan for the City of London Planning Area is amended by designating those lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road in the City of London, as indicated on "Schedule 1" attached hereto from Neighbourhoods and Environmental Review to Green Space, and to change the alignment of the Neighbourhood Connectors.
2. Map 3 - Street Classifications, to the London Plan for the City of London Planning Area is amended by designating those lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road in the City of London, as indicated on "Schedule 2" attached hereto to change the east-west Neighbourhood Connector to align with Street A, and to change the north-south Neighbourhood Connector to align with Street D.
3. Map 5 - Natural Heritage, to the London Plan for the City of London Planning Area is amended by designating those lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road in the City of London, as indicated on "Schedule 3" attached hereto to change the designation from Unevaluated Vegetation Patch to Significant Woodlands and Wetlands.
4. To change Policy 1535\_5. Southwest Area Secondary Plan to the London Plan for the City of London Planning Area is amended for those lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road in the City of London, by changing the following:
  - i) Schedule 2 to Southwest Area Secondary Plan (Multi-Use Pathways and Parks) - Realigning the Planned Route and adding a Neighbourhood Park;
  - ii) Schedule 4 to Southwest Area Secondary Plan (Southwest Area Land Use Plan) - Refining and reconfiguring the extent of the designations, from "Low Density Residential", "Medium Density Residential", and "Open Space" to "Low Density Residential", "Medium Density Residential", and "Open Space";
  - iii) Schedule 8 to Southwest Area Secondary Plan (Bostwick Residential Neighbourhood Land Use Designations) - Refining and reconfiguring the extent of the designations, from "Low Density Residential", "Medium Density Residential", and "Open Space" to "Low Density Residential", "Medium Density Residential", and "Open Space", adding a Park, and to realign Street A (secondary collector), and,
  - iv) Schedule 9 to Southwest Area Secondary Plan (North Lambeth Residential Neighbourhood Land Use Designations) - Refining and reconfiguring the extent of the designations, from "Low Density Residential", and "Medium Density Residential" to "Low Density Residential", "Medium Density Residential", and "Open Space", realigning the location of the Neighbourhood Central Activity Node, and to realign Street A and D (secondary collectors).

# Location Map



# Schedule "1"

AMENDMENT NO:



### Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

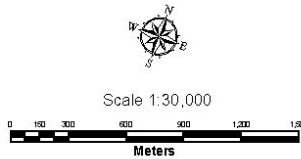
*This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

## SCHEDULE 1 TO THE LONDON PLAN

AMENDMENT NO. \_\_\_\_\_

PREPARED BY: Planning Services



FILE NUMBER: OZ-8838 & 39T-17503

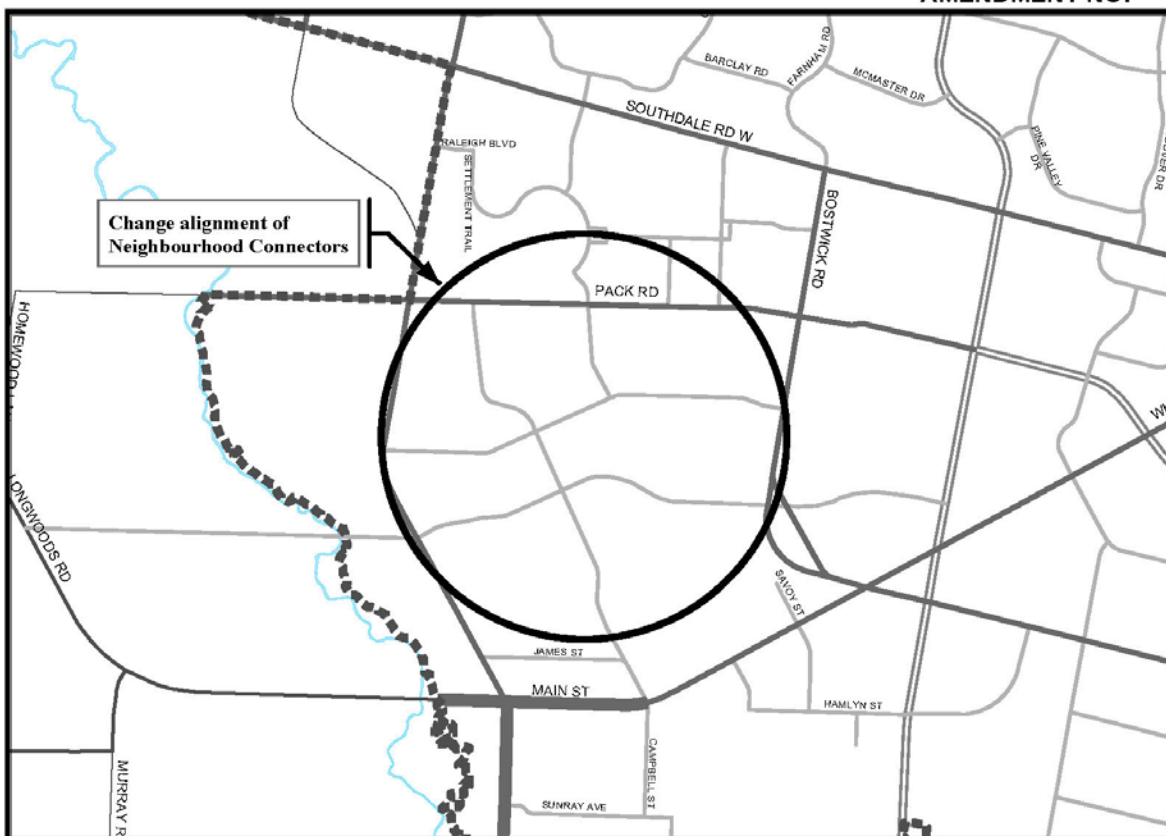
PLANNER: NP

TECHNICIAN: RC

DATE: 9/3/2019

# Schedule "2"

AMENDMENT NO: \_\_\_\_\_



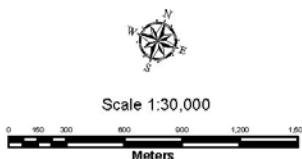
### Legend

- |  |                         |  |                         |  |                        |
|--|-------------------------|--|-------------------------|--|------------------------|
|  | Provincial Highway      |  | Main Street             |  | Interchanges           |
|  | Expressway              |  | Neighbourhood Connector |  | Rapid Transit Stations |
|  | Urban Thoroughfare      |  | Rural Thoroughfare      |  | Urban Growth Boundary  |
|  | Rapid Transit Boulevard |  | Rural Connector         |  |                        |
|  | Civic Boulevard         |  |                         |  |                        |

*This is an excerpt from the Planning Division's working consolidation of Map 3 - Street Classifications of the London Plan, with added notations. At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Boulevards and Urban Thoroughfares to recognize potential alignments. These Street Classifications will be modified to align with the results of the EA process for the final version of The London Plan.*

**SCHEDULE 2  
TO  
THE LONDON PLAN**  
AMENDMENT NO. \_\_\_\_\_

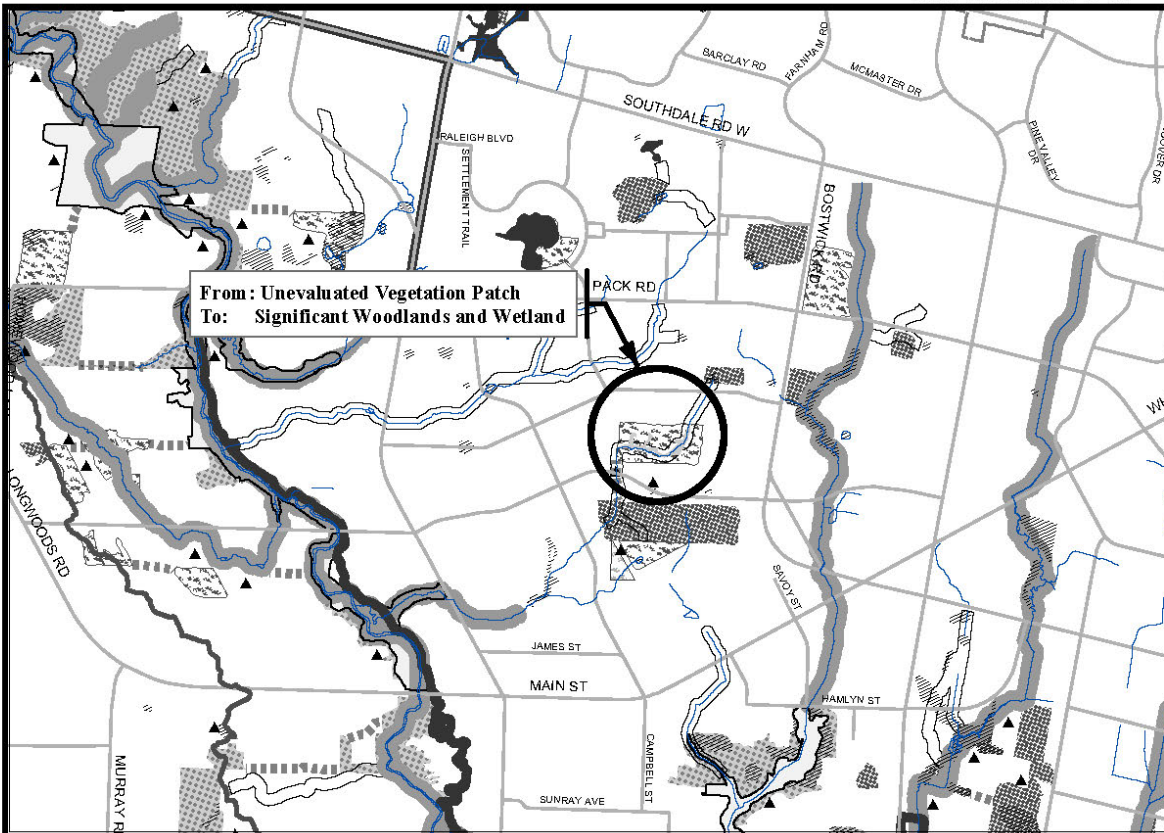
PREPARED BY: Planning Services
















**FILE NUMBER:** OZ-8838 & 39T-17503  
**PLANNER:** NP  
**TECHNICIAN:** RC  
**DATE:** 9/3/2019

# Schedule "3"






AMENDMENT NO:



### NATURAL HERITAGE SYSTEM

-  Provincially Significant Wetlands
-  Wetlands
-  Unevaluated Wetlands
-  Significant Woodlands
-  Woodlands
-  Significant Valley Lands
-  Valley Lands
-  Areas of Natural and Scientific Interest
-  Environmentally Significant Areas (ESA)
-  Potential ESAs
-  Upland Corridors
-  Potential Naturalization Areas
-  Unevaluated Vegetation Patches

### Base Map Features

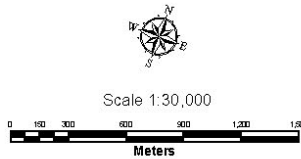
-  Railways
-  Water Courses/Ponds
-  Streets (see Map 3)
-  Conservation Authority Boundary
-  Subwatershed Boundary

*This is an excerpt from the Planning Division's working consolidation of Map 5 - Natural Heritage of the London Plan, with added notations.*

## SCHEDULE 3 TO THE LONDON PLAN

AMENDMENT NO. \_\_\_\_\_

PREPARED BY: Planning Services

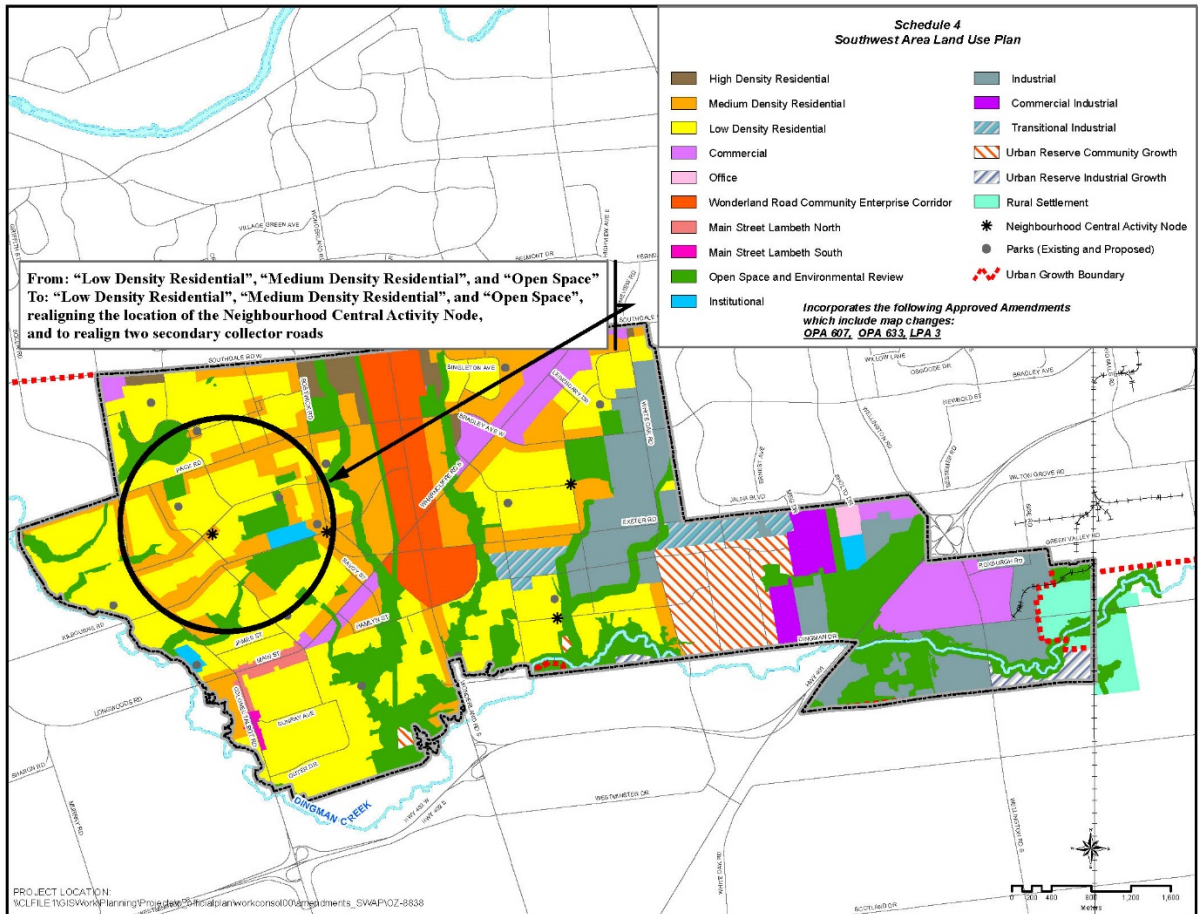
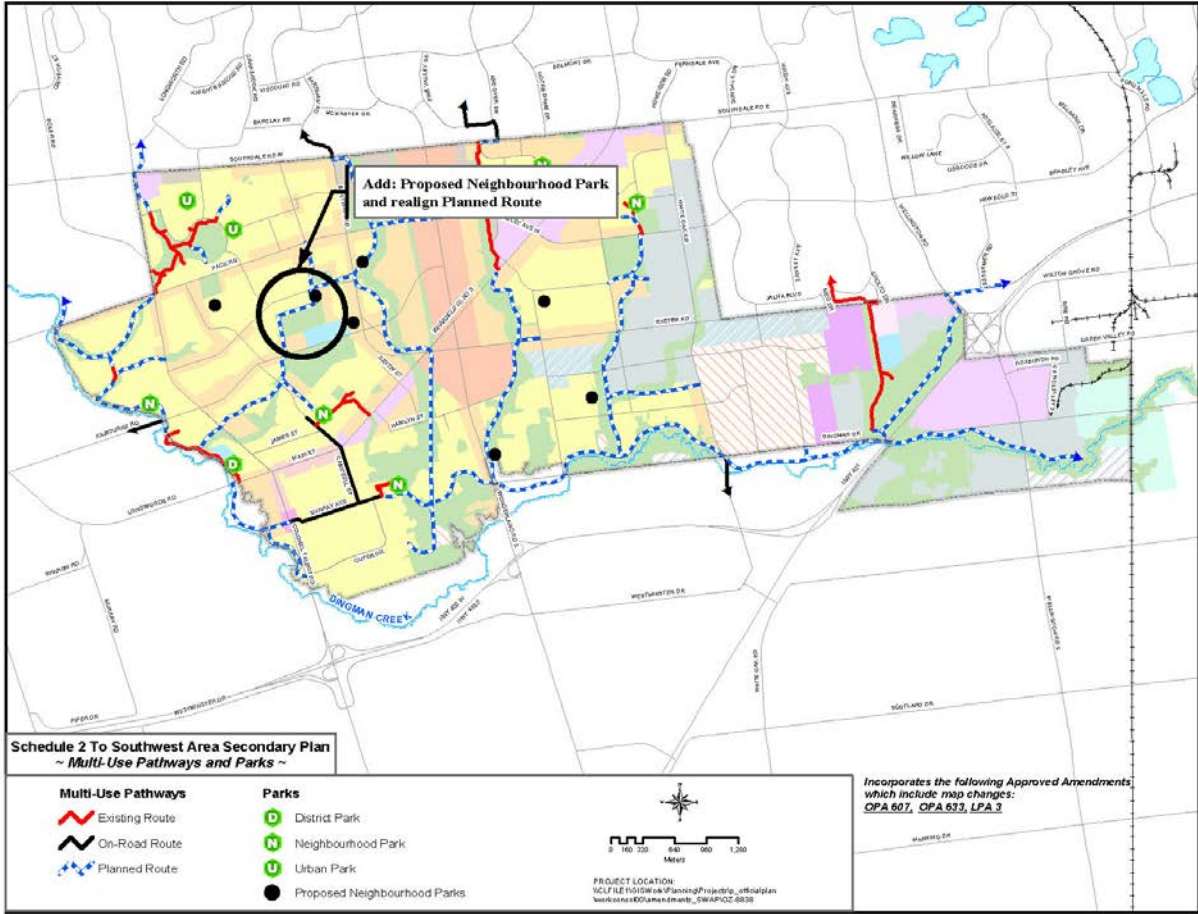


FILE NUMBER: OZ-8838 & 39T-17503

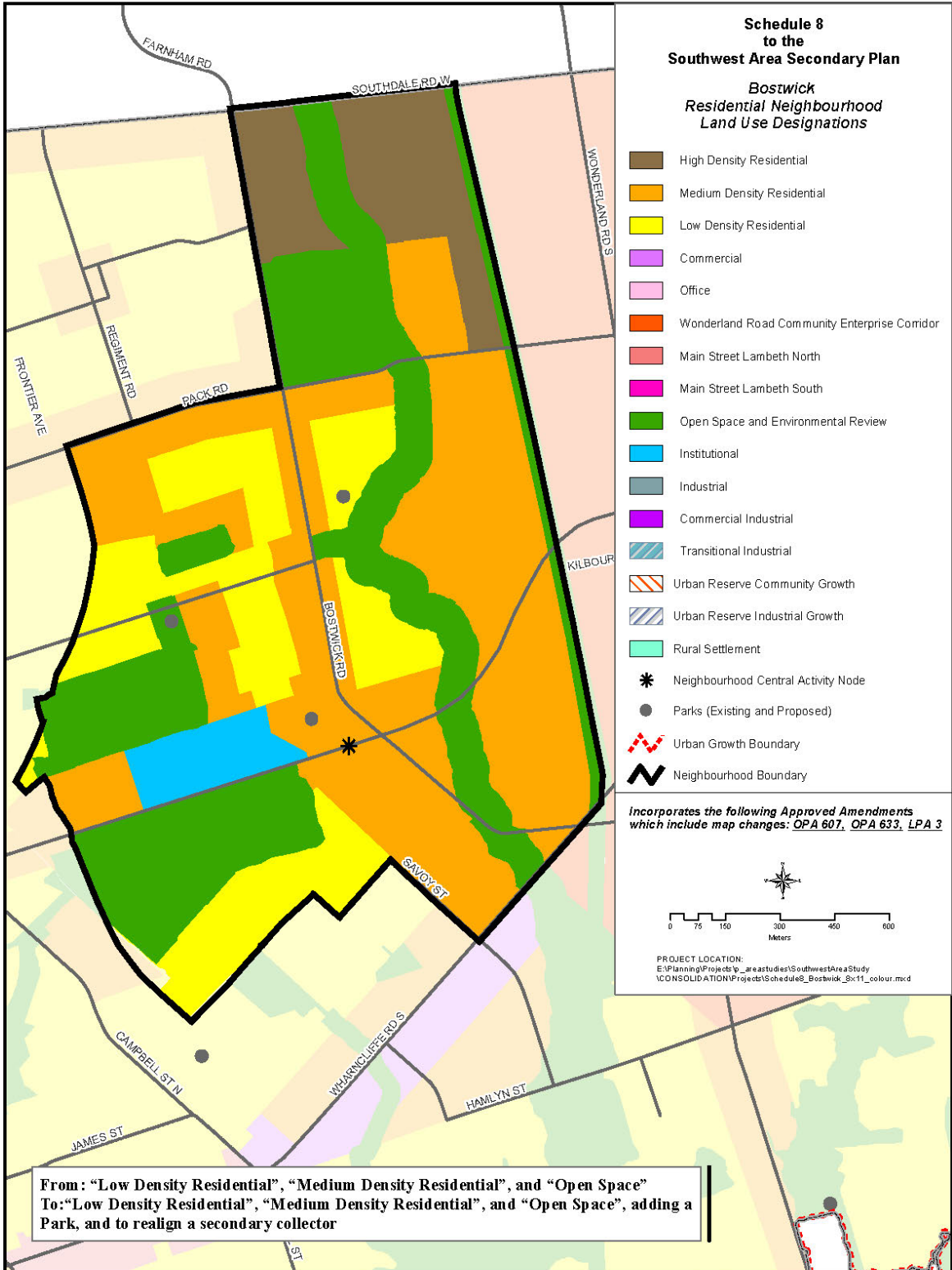
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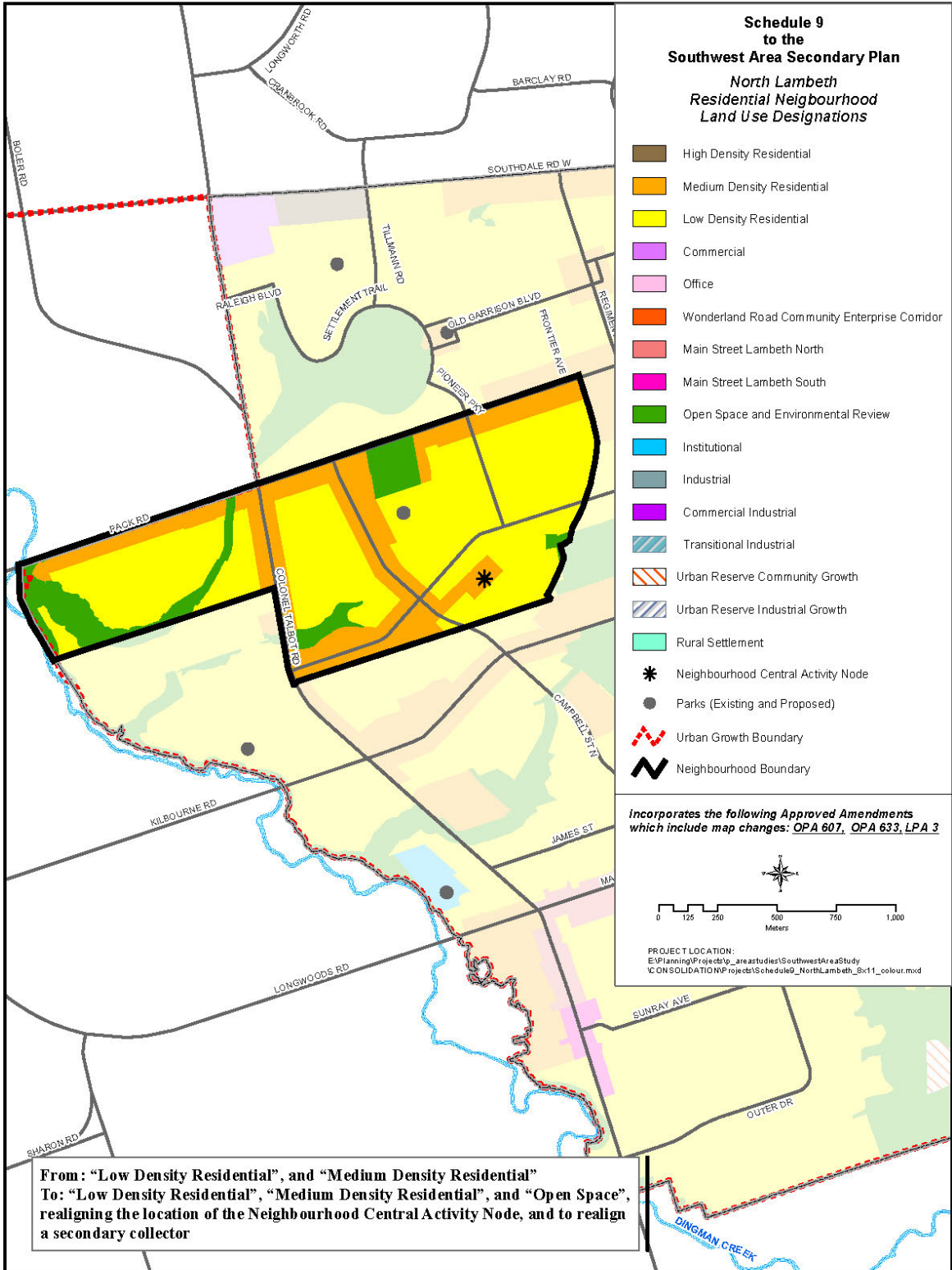
TECHNICIAN: RC

DATE: 9/9/2019









Bill No. 374  
2019

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

A by-law to amend By-law No. CPOL.- 126-378, as amended, being “A by-law to revoke and repeal Council policy related to Telecommunication Facilities Consultation Policy and replace it with a new Council policy entitled Telecommunication Facilities Consultation Policy” by renaming the Council Policy “Telecommunication Facilities Location and Public Consultation Policy”, to reflect changes in the process that have occurred since the Policy was first developed.

WHEREAS subsection 5(3) of the *Municipal Act*, 2001, S.O. 2001. C25, as amended, provides that a municipal power shall be exercised by by-law;

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

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-126-378, as amended, being “A by-law to revoke and repeal Council policy related to Telecommunication Facilities Consultation Policy and replace it with a new Council policy entitled Telecommunication Facilities Consultation Policy” by renaming the Council Policy “Telecommunication Facilities Location and Public Consultation Policy”, to reflect changes in the process that have occurred since the Policy was first developed;

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

1. By-law No. CPOL.-126-378, as amended, being “A by-law to revoke and repeal Council policy related to Telecommunication Facilities Consultation Policy and replace it with a new Council policy entitled “Telecommunication Facilities Consultation Policy” is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into effect on the day it is passed.

PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

## SCHEDULE “A”

### Telecommunication Facilities Location and Public Consultation Policy

**Policy Name:** Telecommunications Facilities Location and Public Consultation Policy

**Legislative History:** Enacted September 17, 2017 (By-law No. CPOL.-126-378); Amended June 26, 2019 (By-law No. CPOL.-327-318)

**Last Review Date:** September 23, 2019

**Service Area Lead:** City Planning- Long Range Planning and Sustainability

#### 1. Policy Statement

The purpose of this policy is to provide guidelines to be considered by applicants for all facilities to which Industry Canada’s CPC-2-0-03 is applicable within the City of London. Industry Canada is responsible for approving and licensing radiocommunication facilities. As part of the approval process, Industry Canada requires applicants of significant antenna structures to confer with the local land use authority prior to the issuance of a license. The City of London’s Telecommunication Facilities Location and Public Consultation Policy institutes a consultation procedure between telecommunication carriers and the City which provides an opportunity for public consultation in the site selection process. These procedures are intended to provide opportunities for public feedback regarding the location of telecommunication facilities.

The Policy also identifies the City’s preferred locations for new telecommunication towers and other criteria to be considered in their placement and design. Any variations in meeting the tower location guidelines included in this policy may also be noted in the letter of concurrence for Industry Canada’s consideration in their review process.

The City will provide applicants for new telecommunication towers, subject to the application review process, with a Letter of Concurrence within 45 days of a complete application being submitted and accepted if the City is satisfied that its telecommunication public consultation process has been followed.

The participation of the City of London or the public in the consultation process does not convey the right to prevent the location of a telecommunications facility. Local By-laws cannot prevent a telecommunication facility from being built since Industry Canada has the final authority provided to them under the *Radiocommunication Act*. This procedure is intended to identify sensitive locations, promote appropriate design, and promote co-located facilities to be located in areas away from residential neighbourhoods where possible. The decision to grant a license for a telecommunications facility ultimately rests with Industry Canada. Industry Canada only intervenes i.e. makes a decision if the condition requiring concurrence cannot be met. As such, issuance may be delayed for a period of time to or the licenses may not be issued for the wireless facility.

##### 1.1 Objectives

- i.) To facilitate, coordinate and influence the planning and site selection process for telecommunication facilities in the City;
- ii.) To encourage consultation between the City and telecommunication carriers on all applications, and to expedite the review process on applications for new telecommunications tower sites;
- iii.) To provide a process for public consultation as specified by this policy on all applications; and,
- iv.) To inform applicants and the public about the City guidelines for the location and design of telecommunication facilities.

#### 2. Definitions

- i.) Amateur Radio Service – means a radiocommunication service in which radio apparatus are used for the purpose of self-training, intercommunication or technical investigation by individuals who are interested in radio technique solely with a personal aim and without pecuniary interest.

- ii.) Antenna – An exterior supporting structure upon which receiving and transmitting antennas are mounted, and also include towers, supporting cables, guy wires, small buildings containing antenna switching gear and other radio frequency circuitry. These antennas are designed for various uses such as cell phones, radio, and satellite television communications by sending and/or receiving radio signals. Example include whip, omnidirectional, microwave, and panel antennas.
- iii.) Antenna System – means all the components and equipment required on a site, including an antenna and, if required, it's supporting tower and an equipment shelter, for the operation of a wireless communication network, but does not include a residential use antenna system.
- iv.) Broadcasting - means any radiocommunication in which the transmissions are intended for direct reception by the general public.
- v.) Carrier - A company, organization or person which offers, provides or operates wireless communication services to the general public and includes, but is not limited to companies which have a radio authorization from Industry Canada. Examples include Bell Mobility, Aliant, Rogers Telecom, and TELUS.
- vi.) Co-location - The placement of multiple telecommunications antenna systems or other platforms on a building, structure or tower by two or more proponents.
- vii.) Equipment Shelters - A shelter containing electronic equipment such as radios, electronic and other equipment necessary to support the operation of the communications site to receive or transmit signals and which is not staffed on a permanent basis and only requires periodic maintenance.
- viii.) Height – means the vertical distance between the grade at the base of the tower, or if the installation is located on a building or structure, the average grade abutting the building or structure, to the installations highest point including any antenna, lighting, lightning rod or other attached device.
- ix.) Industry Canada - Is the Federal Department, which is responsible for radio frequency spectrum management. Information outlining the federal process relating to the location of telecommunication and broadcasting antenna systems is available at: [www.ic.gc.ca/antenna](http://www.ic.gc.ca/antenna)
- x.) London Advisory Committee on Heritage (LACH) - Is an advisory committee to London City Council, responsible for recommending the designation of individual heritage features such as structures, spaces, archaeological sites, and natural elements, which together form a significant type of heritage form, distinctive from that of its basic elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods and neighbourhood, cemeteries, trailways, and industrial complexes of cultural heritage value. (PPS, 2005).
- xi.) Radiocommunication or Radio - means any transmission, emission or reception of signs, signals, writing, images, sounds or intelligence of any nature by means of electromagnetic waves of frequencies lower than 3000 GHz propagated in space without artificial guide.
- xii.) Stealth Design – the blending in or hiding of an antenna system within surrounding buildings, structures or landscaping such as camouflaging antenna systems within church steeples, clock towers, flagpoles or lighting standards.
- xiii.) Telecommunication Tower - A structure used to support one or more antenna systems or other platform for the purpose of radio telecommunications and which may include, but is not limited to guyed towers, self-support towers, monopole towers, poles, masts or other structures which are used to support telecommunication facilities and which may be located at ground level or on the roof of a building.

### 3. Applicability

This policy applies to:

- i) New antenna systems that are located on a new, purpose-built tower or structure that is greater than 16.6 metres (54.5 feet) above ground level;
- ii) New antenna systems that are located on a property designated under Part IV or Part V of the *Ontario Heritage Act*;
- iii) Rooftop structures, such as antennas or related equipment, on buildings where the structure is more than 25% of the height of the building or the greater of 16.6 metres (54.5 feet) in height
- iv) Antenna systems or platforms co-located on existing towers where the overall height of the structure is increased by more than 25%; and,
- v) Any modification (e.g. increasing the height) to existing structures greater than 16.6 metres (54.5 feet) above ground level in residential areas or is located less than 120 metres (394 feet) from a residential dwelling, residential zone or lands designated as Residential in the Official Plan.

Industry Canada's CPC-2-0-03, Section 1.2 states "*The requirements of this document apply to anyone regardless of the type of installation or service. This includes, amongst others, Personal Communications Services (PCS) and cellular, fixed wireless, broadcasting, land-mobile, licence-exempt and amateur radio from other radiocommunication antenna structures, and as such the exclusion criteria outlined in Section 6 of the CPC-2-0-03 applies to amateurs as well.*

### 4. The Policy

#### 4.1 Submission Requirements (Applicant/Proponent)

- i.) The Applicant/Proponent shall submit a completed Application form and fee.
- ii.) If the proposal requires public consultation, the Applicant/Proponent shall be responsible for the cost associated with the public consultation process, ie. maps, labels, lists of residents or any other public information required..
- iii.) The Applicant/Proponent shall provide a written explanation of the telecommunications tower proposal. The Applicant/Proponent shall provide a Site Selection/Justification Report which includes all of the material required to review the site. The Applicant/Proponent shall demonstrate the steps taken to investigate all non-tower and co-location options in the vicinity of the proposed site, and reasons why this tower option is the only feasible alternative in that location. A description of the design elements proposed to minimize the visual impact of the support structure is also required.
- iv.) The Applicant/Proponent shall provide a survey of the subject property (or leased portion of the property) drawn to a metric scale showing the location of the tower, site grading, location of existing property lines, existing or proposed buildings, fences, existing and proposed landscaping, access, and the type and height of the proposed tower structure.
- v.) The Applicant/Proponent shall provide a location map showing the horizontal distance between the proposed support structure installation and the nearest residential dwelling, residential zone or area designated for current or future residential uses; school; public road or right-of-way, including pathways, walkways and bicycle paths at an appropriate scale to show the context of the facility location and the surrounding area.
- vi.) The Applicant/Proponent shall investigate if a building permit is required. A building permit is required for:
  - a. Equipment shelters that exceed 10 square metres (108 square feet) of gross floor area.

- b. A tower and/or equipment building attached to or constructed on an existing building that is greater than 10 square metres (108 square feet).
- c. Towers that exceed 16.6 metres (54.5 feet) above ground level where they are not used for federally regulated broadcasting and telecommunications undertakings

## 4.2 Consultation

### 4.2.1 Pre-consultation with the City of London

- i) Pre-consultation with the City Planning staff is recommended to identify potential issues and constraints related to the proposed location of the telecommunications tower.
- ii) Pre-consultation with Building Division staff is recommended where accessory structures are contemplated or for rooftop locations.

### 4.2.2 Public Consultation Process

While the City of London recognizes that Industry Canada is the final approval authority for telecommunication facilities, it is also recognized that Industry Canada directs telecommunication providers to consult with the local municipality prior to erecting any non-exempt telecommunication towers.

### 4.2.3 Exemptions from the Public Consultation Process

In an attempt to simplify approvals, the following proposals will be exempt from the City's Telecommunications Facilities Location and Public Consultation Policy:

- i) Maintenance of an existing telecommunication facility, including painting or lighting in order to comply with Transport Canada's requirements;
- ii) Maintenance of existing radio apparatus including the antenna system, transmission line, mast, tower or other antenna-supporting structure;
- iii) Proposals for the addition to, reconstruction of, or modification of an antenna systems provided that addition, reconstruction or modification does not result in an overall height increase above the existing antenna of 25% or more of its original height;
- iv) Proposals of temporary antennas that are portable or mobile and used for public uses, public demonstration or public education purposes, and not exceeding a 3 months duration;
- v) Proposals for new ground mounted antenna systems including masts, towers or other antenna-supporting structure, with a height less than 16.6 metres (54.5 feet) above ground level;
- vi) Ground supported towers less than 16.6 metres (54.5 feet) in height above ground level within industrially-designated lands, excluding designated Secondary Plan areas in the City's Official Plan, and located greater than 300 metres (984 feet) from residentially-designated lands in the Official Plan;
- vii) Antenna systems on the rooftops of non-residentially zoned buildings that do not exceed 25% of the original height of the building or structure, excluding properties designated under the *Ontario Heritage Act*, and,
- viii) Amateur radio antenna support structures in residential areas provided:
  - a. They are strictly for personal use;
  - b. The antenna boom or other appurtenances attached to the antenna are more than 1 metre (3.3 feet) from any property line;
  - c. No structure is placed in a front yard; and,
  - d. The antenna and associated equipment is less than 16.6 metres (54.5 ft) in height.
- ix) Temporary towers used for special events or emergency operations provided they are removed within 3 months from erection.

If the proposal meets the requirements for public consultation exemptions, the Applicant/Proponent of new telecommunications installations are requested to provide the City of London with information on the installation for information purposes only. This will provide staff with the ability to provide information to residents and the Ward Councillor, if any questions or concerns emerge as a result of the installation. This information should include:

- The proposed location of the telecommunication tower(s) on the subject site,
- A description of the proposed telecommunication structure including its height, dimension, type, design, and colour.
- A letter demonstrating compliance with exclusion criteria identified in Industry Canada's CPC-2-0-03 or in this procedure.
- Site plan showing the tower.
- Supporting drawings.

#### 4.2.4 Applications requiring Public Consultation

The public consultation process for applications which are not exempt consists of providing public notice through individual letter and newspaper notice and arranging a public information meeting. Public consultation will be required and Applicants/Proponents will be required to demonstrate that they have complied with this Policy. This will ensure that the public is made aware of the proposal and are given opportunity to provide their opinions and concerns.

Public consultation is required for:

- i) New antennas systems that are located on a new, purpose-built tower or structure that is greater than 16.6 metres (54.5 feet) above ground level;
- ii) New antenna systems that are located on a property designated under Part IV or Part V of the *Ontario Heritage Act*;
- iii) Antenna systems or platforms co-located on existing towers where the overall height of the structure is increased by more than 25%; and,
- iv) Any modification (e.g. increasing the height) to existing structures greater than 16.6 metres (54.5 feet) above ground level in residential areas or is located less than 120 metres (394 feet) from a residential dwelling, residential zone or lands designated as Residential in the Official Plan.

#### 4.2.5 Requirements for Public Notice

For applications that are not exempt from the requirements identified in Section 4.2.3 of this Policy, the Applicant/Proponent shall provide to the City, concurrently with submission requirements, the package that will be provided to the public for the public consultation process containing the following information:

- i.) The proposed location of the telecommunication tower(s) on the subject site;
- ii.) A survey plan which shows the location of the tower and any associated structures, and a map showing the site within the required circulation area;
- iii.) The purpose of the proposed telecommunication structure, the reasons why an existing telecommunication structure or other infrastructure cannot be used, a list of other telecommunication structures that were considered unsuitable and future co-location possibilities for the proposed telecommunication structure;
- iv.) Physical details of the tower (e.g. height, colour, type, design and lighting);
- v.) Transport Canada's and Navigation Canada's aeronautical obstruction marking requirement if applicable;
- vi.) Written confirmation that the proposed structure will be in compliance with Health Canada's Safety Code 6 including combined effects within the local environment at all times;
- vii.) Notice that general information relating to antenna systems is available on Industry Canada's Spectrum Management and Telecommunications



website (<http://strategis.ic.gc.ca/antenna>); and,

- viii.) A statement from a communications specialist or an engineer specializing in propagation patterns indicating the need for proposed height and location.

Note: The Applicant/Proponent shall provide a copy of the public information package to the City for comment and review, prior to public circulation.

The Applicant/Proponent shall provide notice of both the application and the time and date of the Public Information Meeting, by regular mail to all property owners located within a radius of three times the tower height, measured from the base or the outside perimeter of the supporting structure, or 120 metres (394 feet) from the property boundary, whichever is greater. The City may consider alternative notification distances for locations proposed in rural areas. The Applicant/Proponent shall also provide notice to the Ward Councillor, Neighbourhood Association(s) (if existing), the Urban League and Industry Canada. In the letter the Applicant/Proponent will provide the names and telephone numbers of contact persons employed by the Carrier and the City of London;

The Applicant/Proponent shall provide notice, at their expense, in the local newspaper (The Londoner), where the proposed antenna system is:

- i.) to be 16.6 metres (54.7 feet) or more in height;
- ii.) after an addition, the facility will measure 16.6 metres (54.7 feet) or more in height; or,
- iii.) is expected to contain medium or high with intensity lighting for the purpose of satisfying Transport Canada requirements,

This notice shall be in accordance with the requirements of Industry Canada's CPC-2-0-03. This notice shall also provide the time, date, and location of the Public Information Meeting. The newspaper notice shall be published a minimum of 10 days before the Public Information Meeting is to be held.

#### 4.2.6 Public Information Meeting and Review

The Public Information Meeting shall occur no sooner than 10 days or no more than 30 days from the date that notices are mailed to area residents. The Applicant/Proponent shall conduct the Public Information Meeting and maintain the minutes of the Meeting and assemble a record of names, addresses and phone numbers of all participants in accordance with the *Municipal Freedom of Information and Protection of Privacy Act*.

In addition to the application details provided in the notice, the Applicant/Proponent shall also make available at the Public Information Meeting, the drawings and diagrams required in a display sized format.

Following the Public Information Meeting, the Applicant/Proponent shall provide a follow-up letter to the City to indicate their formal response to the concerns raised during the Public Information Meeting. If any modifications to the proposed structure or mitigation measures arise from the consultation, then further details (e.g. revised plans or drawings) shall be provided to the City.

#### 4.3 Completion of Review

- i.) Following the completion of the application review and the public consultation process, the City Planner shall provide a Letter of Concurrence, conditional concurrence or non-concurrence to the Applicant/Proponent within 30 days of the Public Information Meeting to advise whether adequate public consultation has been conducted by the Applicant/Proponent and to indicate conformity with the City's preferred new telecommunication tower location guidelines (see Section 5 for criteria). The letter of concurrence may contain a summary of the location and design criteria not met by the new tower proposal.

For applications that, in the opinion of the City, are not appropriate based on probable land use impacts, an information report will be prepared for

the Planning and Environment Committee (PEC). Comments and concerns from the Planning and Environment Committee (PEC) will be added to the City's Letter of Concurrence to the Applicant/Proponent for Industry Canada's consideration.

- ii.) Where an application affects a property designated under the *Ontario Heritage Act*, staff will notify the City's Heritage Planner and the London Advisory Committee on Heritage (LACH), and will inform the Applicant/Proponent of LACH's comments or concerns. Under this circumstance, a Letter of Concurrence shall be provided by the City Planner within 45 days of the Public Information Meeting
- iii.) Following the completion of public consultation process, the City shall provide a copy of the City's Letter of Concurrence to interested parties, Neighbourhood Associations and Ward Councillors on request.
- iv.) The entire process will not take longer than 120 days from application acceptance to complete, as described in Industry Canada's publication CPC-2-0-03 ("Telecommunication and Broadcasting Antenna Systems", June 2007). Applicant/Proponent initiated delays are not included within the 120 day review period. Applications that do not require public consultation are anticipated to be completed in less than 45 days.

#### 4.4 Extensions

Industry Canada CPC-2-0-03 indicates that any new telecommunication towers are required to be constructed within 3 years of the end of the public consultation period or the new proposal will be recirculated for public comment. Extensions may be permitted provided the City has no concerns. The City will provide for an extension in writing, including a specific time period for the extension.

The City of London Telecommunications Facilities Location and Public Consultation Policy includes criteria identifying the City's preferred locations and aesthetic measures for new telecommunication facilities. These criteria include;

### 5. Telecommunication Tower Location Guidelines

#### 5.1 Locational Criteria

- i.) The preferred location of new towers within the City is in Industrial and Farmland Place Types and zones which are away from existing or future residential uses/developments. Shopping Area Place Types and commercial zones may also be considered for locating new telecommunication towers. New telecommunication towers located on agricultural land shall use the smallest area of land permitted by the structure type, and must have access to a public road for maintenance.
- ii.) The location of new telecommunication towers close to existing residential uses or on lands designated and zoned for residential uses in the City of London Official Plan and Zoning By-law will be discouraged.
- iii.) New telecommunication towers or antennas are discouraged within 120 metres (394 feet) of any existing residential dwelling, Neighbourhood Place Type or zone or schools, unless required for engineering or network purposes. If a new tower or antenna is planned to be located within 120 metres (394 feet), of the above-noted areas, a detailed rationale for the necessity of this location is to be provided in the justification report of the submission requirements in Section 4.1.
- iv.) Towers should be located a minimum three times the tower height away from any public road or right-of-way, including pathways, walkways, and bicycle paths.
- v.) Proposed sites within designated Heritage Conservation Districts and properties within the Natural Heritage System or an Environmentally Significant Area identified in the London Official Plan, should be avoided.
- vi.) The City may consider permitting private telecommunication facilities on

City-owned lands that are not designated as parkland or components of the Natural Heritage System. All requests for the installation of telecommunication equipment on City lands shall be submitted to the Realty Services Division.

## 5.2 Aesthetic Criteria

- i.) Applicant/Proponents of towers are encouraged to protect the natural and cultural landscape at all times. Where appropriate, landscaping at the tower site to enhance the character of the surroundings is recommended
- ii.) The development or redevelopment of telecommunication towers and equipment shelters should be of a colour and design that diminishes the visual impact and avoids disturbance of significant natural features. Towers and accessory structures are to reflect the context of the surrounding area. Tower designs that mimic other characteristics normally found in the area surroundings, such as stealth (camouflage) towers or monopole designs are encouraged where suitable.
- iii.) Lighting on a telecommunication structure is discouraged except when required by Transport Canada, Navigation Canada, or for the health and safety of the proponents' employees. Where Transport Canada requires a telecommunication antenna structure to be lit, the lighting should be limited to the minimum number of lights and the lowest illumination allowable. Any required strobe lighting should be set to the maximum strobe interval allowed by Transport Canada.
- iv.) Towers shall accommodate only communication antennas. Signs or other material not directly related to this equipment or required by Industry Canada shall not be permitted on the site.

## 5.3 Other Criteria

Proposed locations of towers should be selected so to reduce the necessity to construct new telecommunication towers in the City. Locating towers on existing structures or buildings or co-location on an existing telecommunications tower are encouraged. Options to integrate an antenna into the design of a new building or structure are to be explored by the Applicant/Proponent. Support for the construction of a new telecommunication tower will be supported only when other alternatives to accommodate the telecommunication tower are not feasible.

Bill No. 375  
2019

By-law No. L.S.P.- \_\_\_\_\_ - \_\_\_\_\_

A by-law to designate 2442 Oxford Street West  
to be of cultural heritage value or interest.

WHEREAS pursuant to the *Ontario Heritage Act, R.S.O. 1990, c. 0.18*, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of cultural heritage value or interest;

AND WHEREAS notice of intention to so designate the property known as 2442 Oxford Street West has been duly published and served and no notice of objection to such designation has been received;

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

1. The real property at 2442 Oxford Street West, more particularly described in Schedule "A" attached hereto, is designated as being of cultural heritage value or interest for the reasons set out in Schedule "B" attached hereto.
2. The City Clerk is authorized to cause a copy of this by-law to be registered upon the title to the property described in Schedule "A" hereto in the proper Land Registry Office.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Trust and to cause notice of this by-law to be published once in a newspaper of general circulation in The City of London, to the satisfaction of the City Clerk, and to enter the description of the aforesaid property, the name and address of its registered owner, and designation statement explaining the cultural heritage value or interest of the property and a description of the heritage attributes of the property in the Register of all properties designated under the *Ontario Heritage Act*.
4. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

**SCHEDULE “A”**  
**To By-law No. L.S.P.- \_\_\_\_\_ - \_\_\_\_\_**

**Legal Description**

Firstly: Lot 45 and Part Lot 12, RCP 429, Parts 2, 3, 4, 5, 6, 34R-1104, Delaware Twp, and Secondly: Lot 11, RCP 429, Delaware Twp

**SCHEDULE “B”**  
**To By-law No. L.S.P.- \_\_\_\_\_ - \_\_\_\_\_**

**Statement for Designation**

**Description of Property**

The Kilworth United Church is a modest, vernacular stone church built in 1850-1851 with Gothic Revival stylistic details located at 2442 Oxford Street West at the west edge of the City of London. The structure is located to the southwest corner of the lot approximately 32.5m (106') from Oxford Street West with a lawn. The property is bounded on three sides by the Komoka Provincial Park and on the north by Oxford Street West.

**Statement of Cultural Heritage Value or Interest**

Kilworth United Church is of significant cultural heritage value because of its physical/design values, historical/associative values, and contextual values.

Kilworth United Church, built in 1850-1851, is an example of a rare and early modest, vernacular stone church with Gothic Revival stylistic elements. It is a single storey building with a simple rectangular plan and gable roof with belfry. The Sanctuary of Kilworth United Church is constructed of locally-sourced, multi-coloured granite field stones that have been split to provide a flat exterior face and are arranged in loose courses with hand-hewn porous limestone quoins, which are attributed to a quarry in the Wishing Well Falls area. The use of stone is rare because timber or brick were more common and accessible building materials and stone is a rare building material in the London area. The Gothic Revival style is evident in pointed stained glass windows, which were installed in 1876 to replace what were believed to be the original clear-glass rectangular frames in the Sanctuary. Within the City of London, only the St. Paul's Anglican Cathedral building (472 Richmond Street, built in 1845) is older than the Kilworth United Church Sanctuary.

The stone Sanctuary of Kilworth United Church is the only room in the original structure. Two frame extensions have been added to the rear of the building; the first in 1890 for use as a Sunday School hall also has stained glass windows complementary, but slightly different, with those found in the Sanctuary, and the second in the 1970s added a kitchen. A vestibule (front entrance) of matching granite stone was added to Kilworth United Church in 1939.

Kilworth United Church (originally the Kilworth Episcopal Methodist Church) has directly historical associations with Methodism, which is significant in Canada. As the second Methodist church in the village of Kilworth, it contributes to our understanding of the popularity and development of Methodism in Ontario. Kilworth United Church also has directly associated with early pioneer families including (but not limited to) the Kilbourne, Uptigrove, and Woodhull families who made significant contributions to the settlement and development of the former Delaware Township. Members of these families are among the first trustees of Kilworth United Church and are listed as donors for the installation of the existing windows in 1876 as well as subsequent donations, including the bell installed (and since replaced) in the belfry in 1976 in memory of M. Mae Woodhull Doan.

As the only remaining community building, Kilworth United Church is integral in defining, maintaining, and supporting the character of Kilworth as an historic settlement that is now part of the City of London. While it has been isolated from its surroundings by the Komoka Provincial Park, the Kilworth United Church is historically linked to its surroundings and is a relic of Kilworth's pioneer history. Kilworth United Church

provides a tangible link to the history and evolution of the village of Kilworth. Kilworth United Church is considered by the community to be a landmark.

### **Heritage Attributes**

Heritage attributes which support and contribute to the cultural heritage value or interest of this property include:

- Form, scale, and massing of the building, including: vestibule, Sanctuary
- Location of the building on the property, which is set back from Oxford Street West with a lawn directly in front of the building
- Stone construction of the building including locally-sourced, multi-coloured granite field stones that have been split to provide a flat exterior face and are arranged in loose courses on the exterior walls of the vestibule and Sanctuary and the hand-hewn porous limestone quoins, which are attributed to a quarry in the Wishing Well Falls area
- Stained glass windows including: eight pointed sash windows in the Sanctuary (three on east wall, three on west wall, two on north wall), and one pointed transom on the north side above the main door
- Simple gable roof with belfry and bell

The Sunday School hall, annex added to the rear of the Sunday School hall in the 1970s, and parking area to the east of the Kilworth United Church building are not considered to be heritage attributes.

Bill No. 376  
2019

By-law No. PS-113-19\_\_\_\_\_

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. Loading Zones**

Schedule 5 (Loading Zones) of the PS-113 By-law is hereby amended by **adding** the following row:

Talbot Street	East	A point 40 m south of King Street
---------------	------	-----------------------------------

**2. Reserved Lane**

Schedule 9.1 (Reserved Lanes) of the PS-113 By-law is hereby amended by **adding** the following rows:

Windermere Road	Adelaide Street N to Richmond Street	1 <sup>st</sup> Lane from north	Anytime	Westbound	Bicycle
Windermere Road	Richmond Street to Adelaide Street N	1 <sup>st</sup> Lane from south	Anytime	Eastbound	Bicycle

**3. Stop Signs**

Schedule 10 (Stop Signs) of the PS-113 By-law is hereby amended by **adding** the following rows:

Westbound	Dissing Crescent (north & south intersections)	Prince of Wales Gate
Westbound	Hayes Street (west intersection)	Yvonne Crescent
Northbound & Southbound	Prince of Wales Gate (south intersection)	South Carriage Road
Westbound	Sophia Crescent (north and south intersections)	Coronation Drive
Southbound	Yvonne Crescent (east intersection)	Hayes Street

**4. Yield Signs**

Schedule 11 (Yield Signs) of the PS-113 By-law is hereby amended by **deleting** the following rows:

Westbound	Dissing Crescent (north & south intersections)	Prince of Wales Gate
Northbound & Southbound	Prince of Wales Gate (south intersection)	South Carriage Road
Eastbound	South Carriage Road (north intersection)	Prince of Wales Gate

Schedule 11 (Yield Signs) of the PS-113 By-law is hereby amended by **adding** the following rows:

Westbound & Eastbound	Emma Chase	Finley Crescent
Northbound	Finley Crescent	Coronation Drive
Northbound	Finley Crescent	South Carriage Road
Northbound & Southbound	Jessica Way	Sophia Crescent
Westbound & Eastbound	Noah Bend	Finley Crescent
Northbound & Southbound	Noah Bend	Emma Chase
Northbound & Southbound	Owen Lane	Finley Crescent
Westbound & Southbound	South Carriage Road	South Carriage Road

**5. Higher Speed Limits**

Schedule 17 (Higher Speed Limit) of the PS-113 By-law is hereby amended by **deleting** the following rows:

Colonel Talbot Road	A point 200 m north of Four Winds Road	Old Oak Lane	60 km/h
Colonel Talbot Road	Old Oak Lane	A point 100 m south of Southdale Road W	70 km/h
Colonel Talbot Road	A point 100 m south of Southdale Road W	A point 100 m north of Diane Crescent	70 km/h
Colonel Talbot Road	A point 100 m north of Diane Crescent	A point 20 m north of Lambeth Walk	60 km/h
Hyde Park Road	North City limit	A point 1000 m north of Fanshawe Park Road W	90 km/h
Hyde Park Road	A point 1000 m north of Fanshawe Park Road W	A point 150 m north of said street	70 km/h
Hyde Park Road	A point 150 m north of Fanshawe Park Road W	A point 260 m north of Rutledge Street	60 km/h



Schedule 17 (Higher Speed Limit) of the PS-113 By-law is hereby amended by **adding** the following rows:

Colonel Talbot Road	A point 200 m north of Four Winds Road	A point 20 m north of Lambeth Walk	60 km/h
Hyde Park Road	North City limit	A point 50 m north of Twilite Boulevard	90 km/h
Hyde Park Road	A point 50 m north of Twilite Boulevard	A point 260 m north of North Routledge Park	60 km/h

**6. Designated Parking Spaces**

Schedule 27 (Designated Parking Spaces) of the PS-113 By-law is hereby amended by **adding** the following row:

Queens Avenue	North	A point 23 m west of Wellington Street to a point 15 m west of Wellington Street	2 Hours
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This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on October 1, 2019

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

Bill No. 377  
2019

By-law No. S.-\_\_\_\_-\_\_\_\_

A by-law to repeal By-law No. S.-6021-258 entitled, "A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Pond Mills Road, east of Ailsa Place)"

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

1. By-law No. S.-6021-258 entitled, "A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Pond Mills Road, east of Ailsa Place)" passed by Municipal Council on September 17, 2019 is hereby repealed.
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

Bill No. 378  
2019

By-law No. S.-\_\_\_\_ - \_\_\_\_

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Pond Mills Road, east of Ailsa Place)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Pond Mills Road, east of Ailsa Place, namely:

“Part of Lots 23, 24, 29 and 30 on Registered Plan 380(C) in the City of London, as described in Instrument No’s. WU34285, WU34284, WU34276 and WU34297 respectively.”

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

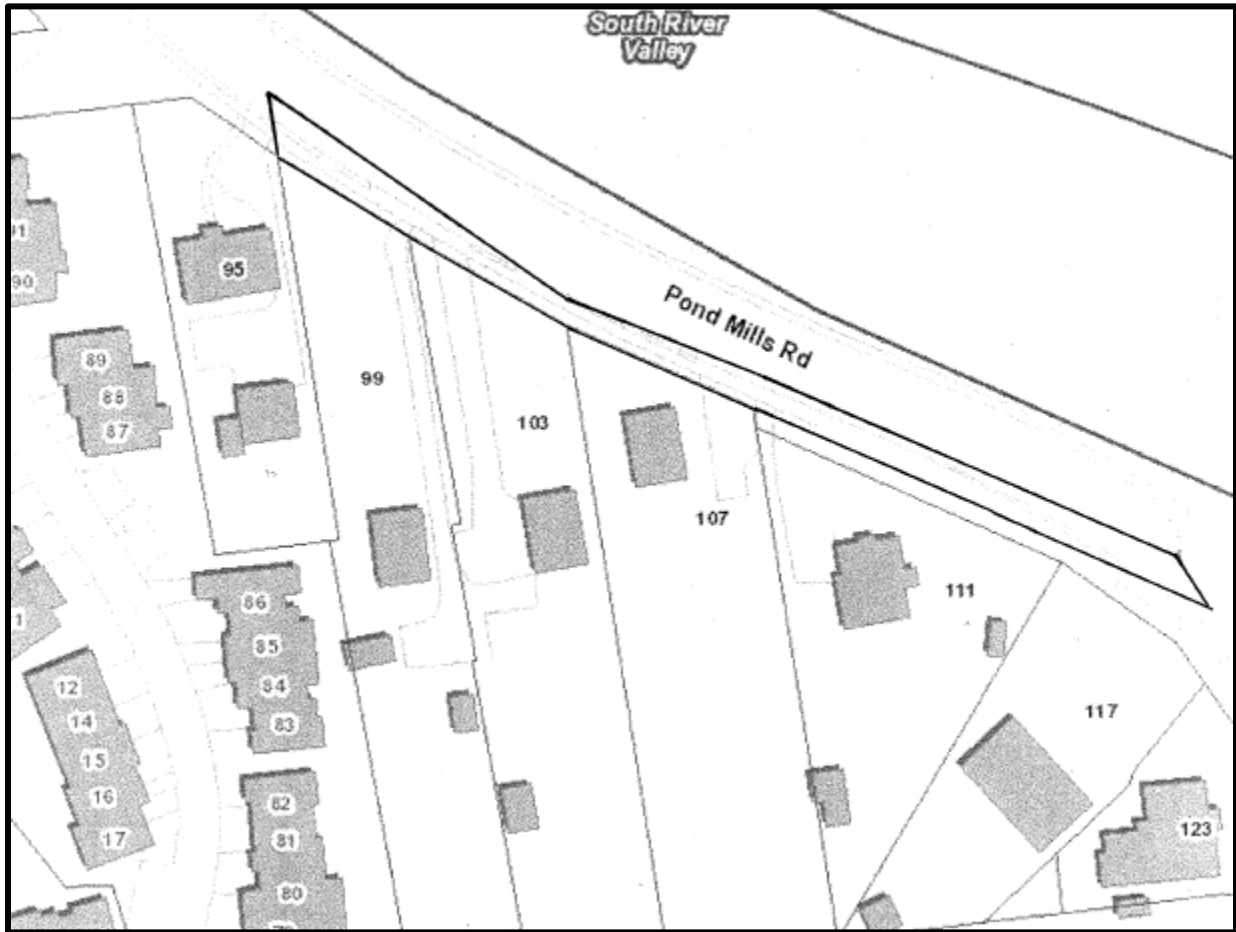
PASSED in Open Council on October 1, 2019.


Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading - October 1, 2019  
Second Reading - October 1, 2019  
Third Reading - October 1, 2019

# Location Map



 Subject Lands

Bill No. 379  
2019

By-law No. S.-\_\_\_\_-\_\_\_\_

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Exeter Road, east of Meadowbrook Drive)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Exeter Road, east of Meadowbrook Drive, namely:

“Part of Lots 33 and 34 in Concession 2, in the geographic Township of Westminster, now in the City of London and County of Middlesex, designated as Parts 27 and 28 on Reference Plan 33R-11042.”

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

PASSED in Open Council on October 1, 2019.


Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading - October 1, 2019  
Second Reading - October 1, 2019  
Third Reading - October 1, 2019

# Location Map



 Subject Lands

Bill No. 380  
2019

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 Guinness Way)

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 Guinness Way, namely:

“Block 128 on Registered Plan 33M-640 in the City of London and County of Middlesex.”

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

PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

# Location Map



☐ Subject Lands



Bill No. 381  
2019

By-law No. S.-\_\_\_\_-\_\_\_\_

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Road East, east of Oakside Street)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Oxford Road East, east of Oakside Street, namely:

“Part of Lots 1 and 2 on Registered Plan 616 in the City of London and County of Middlesex, designated as Part 1 on Reference Plan 33R-20250.”

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

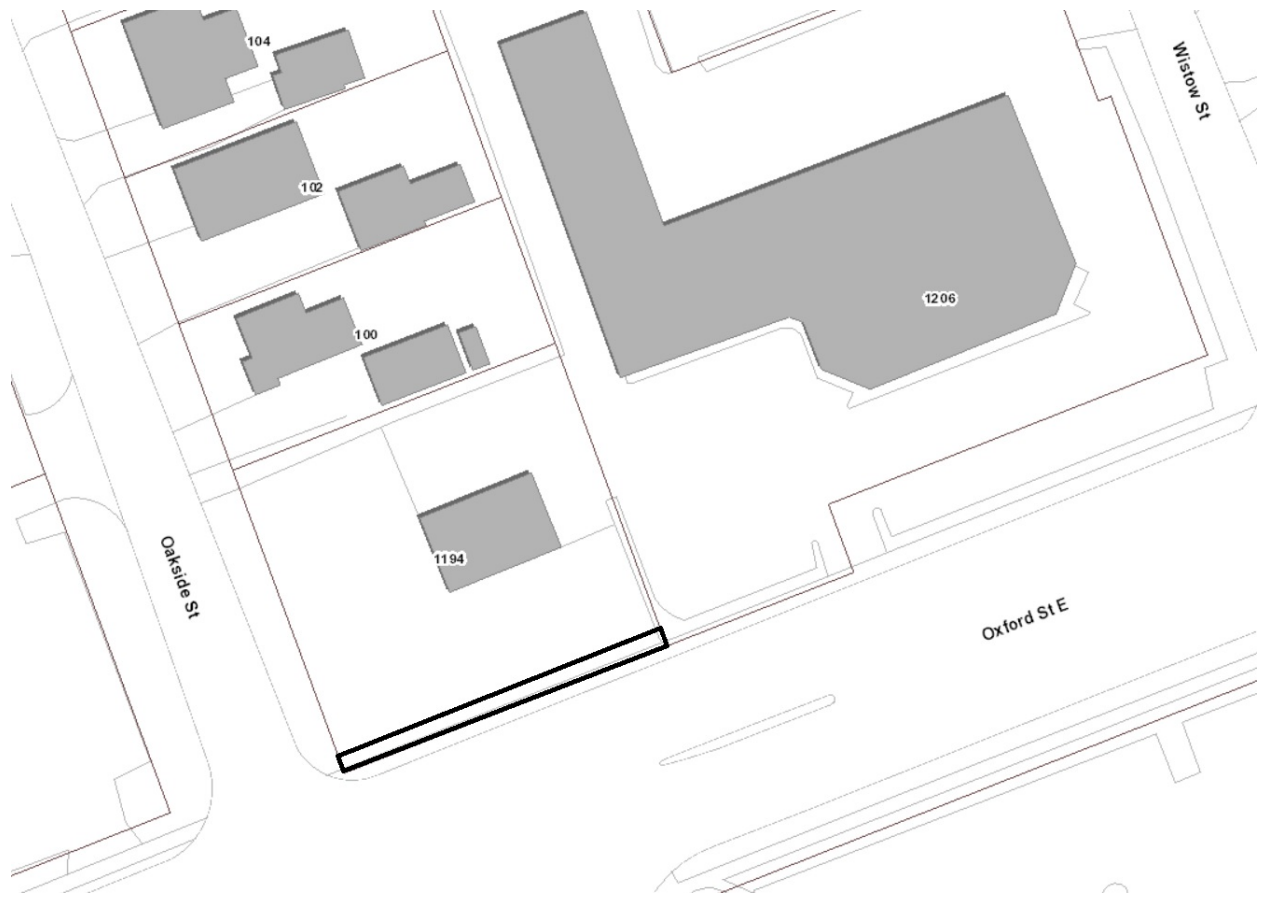
PASSED in Open Council on October 1, 2019.


Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading - October 1, 2019  
Second Reading - October 1, 2019  
Third Reading - October 1, 2019

# Location Map



 Subject Lands

Bill No. 382  
2019

By-law No. S.-\_\_\_\_-\_\_\_\_

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wharncliffe Road South, north of Euclid Avenue)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Wharncliffe Road South, north of Euclid Avenue, namely:

“Part of Lot 6 on Registered Plan 300(4) in the City of London, designated as Part 1 on Reference Plan 33R-19498.”

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

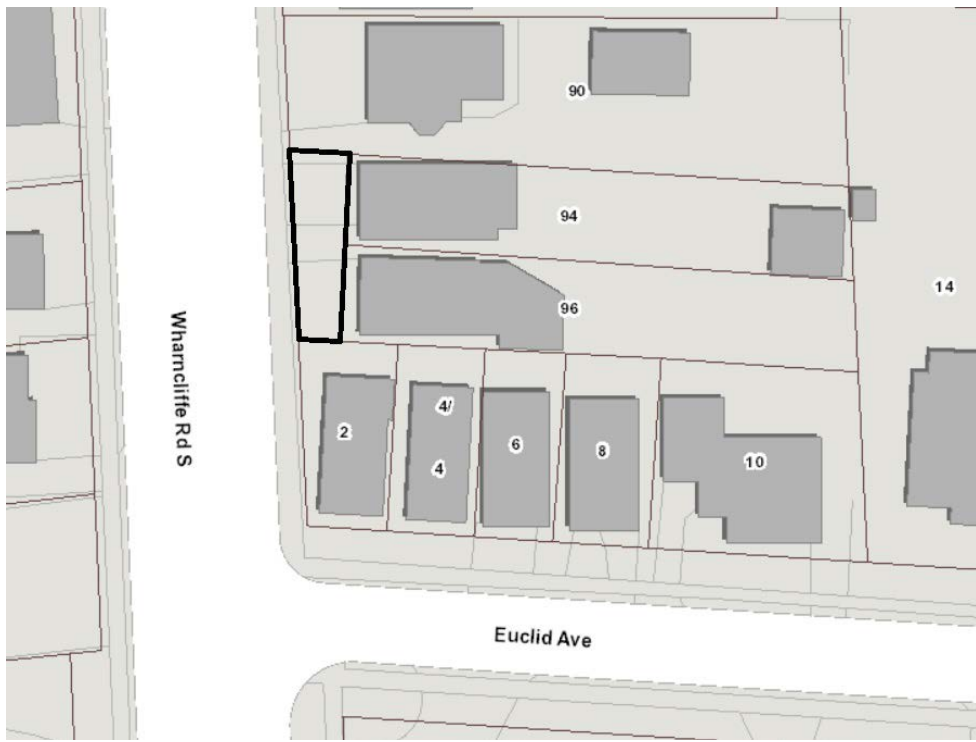
PASSED in Open Council on October 1, 2019.


Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading - October 1, 2019  
Second Reading - October 1, 2019  
Third Reading - October 1, 2019

# Location Map



 Subject Lands

Bill No. 383  
2019

By-law No. Z.-1-19\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1912 Linkway Boulevard.

WHEREAS Sifton Properties Limited have applied to remove the holding provisions from the zoning over a portion of the lands located at 1912 Linkway Boulevard, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

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 the lands located at 1912 Linkway Boulevard, as shown on the attached map, to remove the h and h-206 holding provisions so that the zoning of the lands as a Business District Commercial Special Provision (BDC(31)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

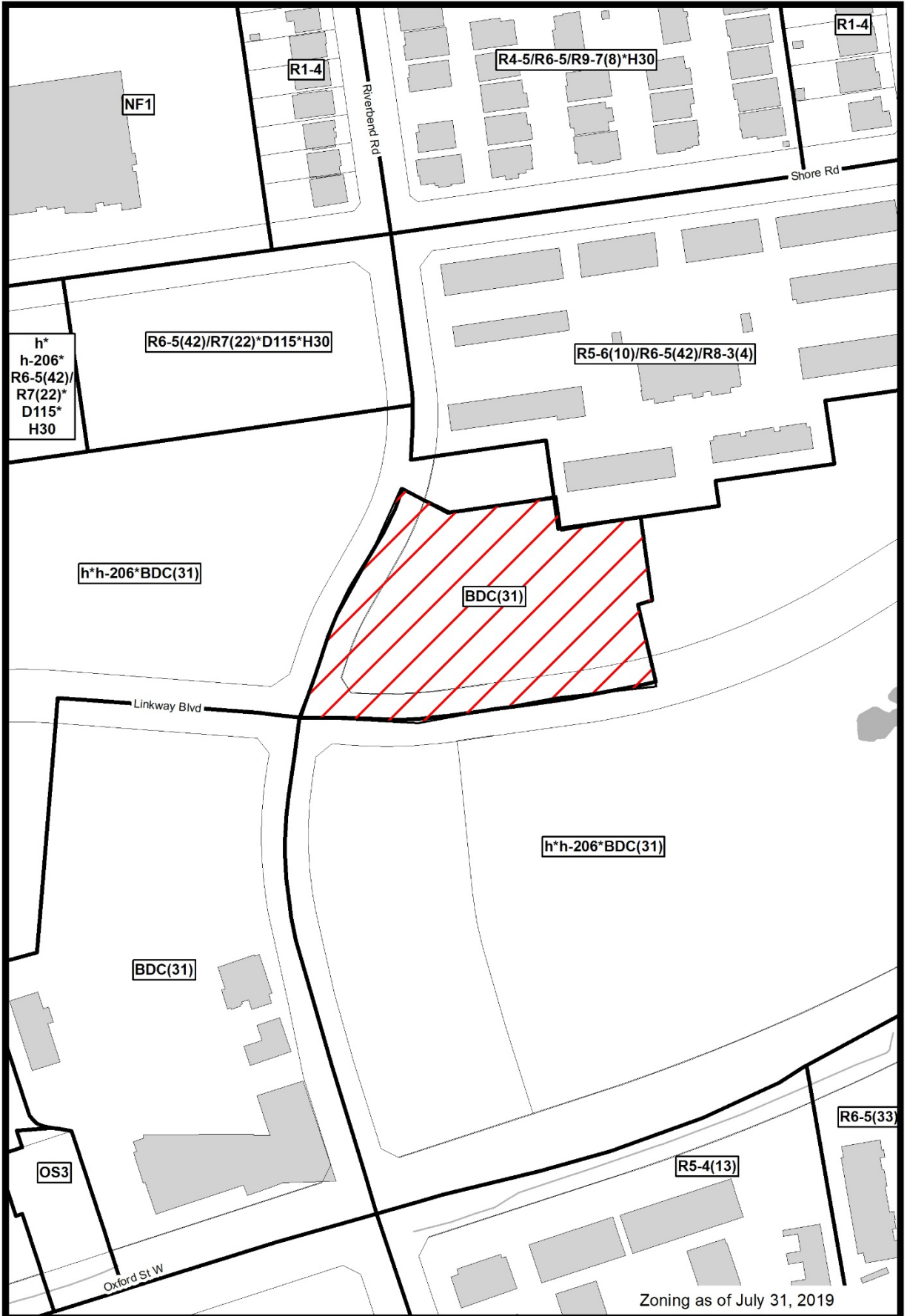
PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

Schedule "A"



File Number: H-9085  
Planner: LM  
Date Prepared: 2019/08/13  
Technician: DM  
By-Law No: Z.-1-

**SUBJECT SITE** 

1:2,000

0 10 20 40 60 80 Meters



A by-law to amend By-law No. Z.-1 to rezone an area of land located at 585 Third Street.

WHEREAS Tricor Contracting Limited has applied to rezone an area of land located at 585 Third Street, 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 585 Third Street, as shown on the attached map comprising part of Key Map No. A108, from a Holding Residential R3/Residential R5/ Residential R8/Restricted Office/Temporary Zone (h-1/R3-2/R5-4/R8-4/RO2/T-55) Zone, to a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Light Industrial Special Provision (h-1/R3-2/R5-4/R8-4/RO2/LI7(\_)) Zone.

2. Section Number 40.4 of the Light Industrial (LI7) Zone is amended by adding the following Special Provision:

LI7(_)	585 Third Street	
a)	Permitted Uses:	
i)	Building or Contracting Establishment	
ii)	Service Trade	
iii)	Support Office	
iv)	Warehouse (in association with a permitted use)	
b)	Regulation[s]:	
i)	Lot Area (Minimum):	1,900m <sup>2</sup> (20,452.6sq.ft.)
ii)	Lot Frontage:	26m (85 feet)
iii)	North Interior Side Yard Setback:	0.5m (1.6 feet)
iv)	South Interior Side Yard Setback:	18m (59 feet)
v)	Rear Yard Setback:	5.5m (18.0 feet)
vi)	Outdoor storage is prohibited	

3. The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

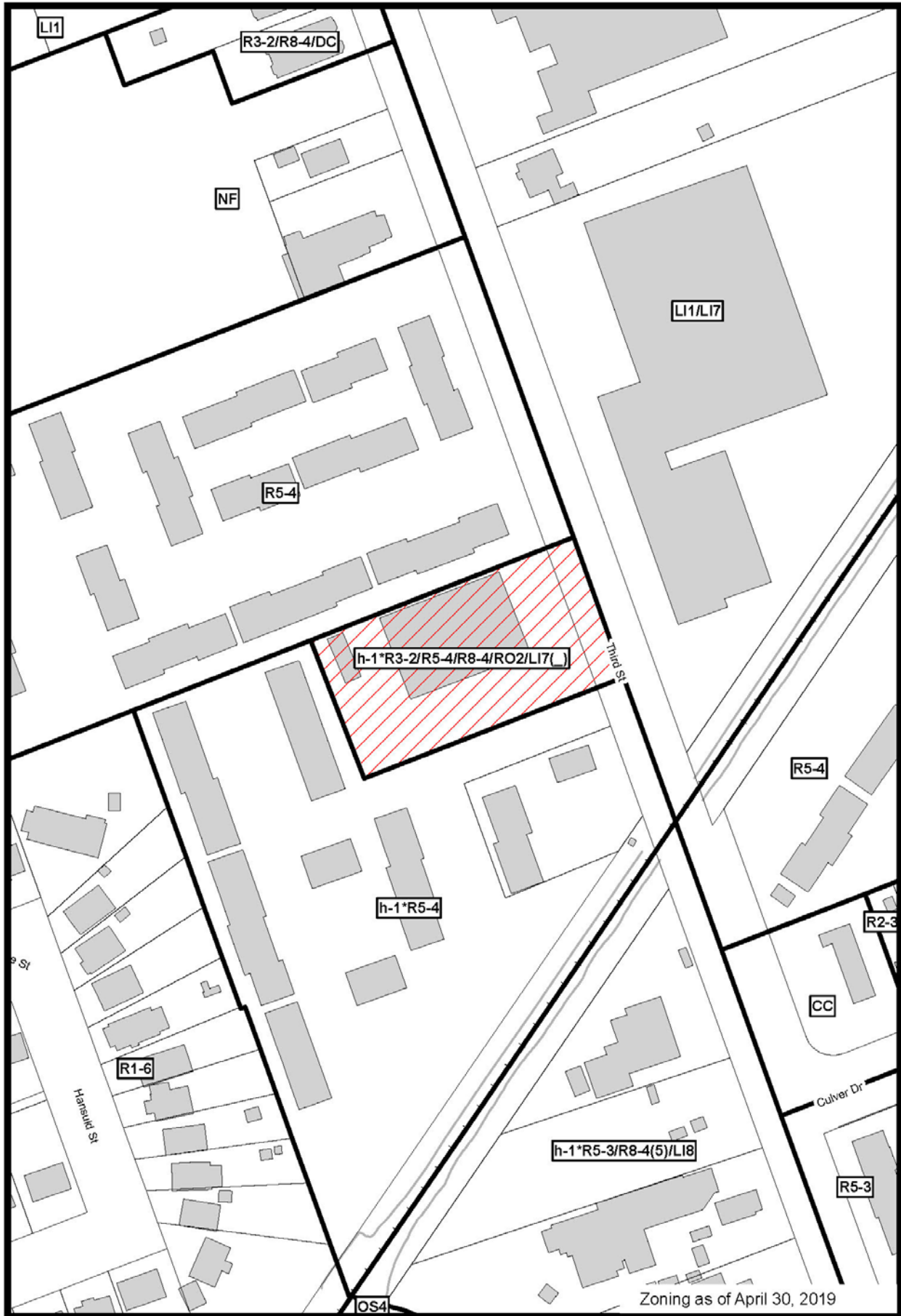
4. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

Schedule "A"



File Number: OZ-9028

Planner: SM

Date Prepared: 2019/08/22

Technician: rc

By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40  
Meters





Bill No. 385  
2019

By-law No. Z.-1-19\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone  
an area of land located at 115 Bessemer Road.

WHEREAS Barnim Property Holdings Inc. has applied to rezone 115 Bessemer Road as shown on the map attached to this by-law, as set out below;

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. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 115 Bessemer Road, as shown on the attached map, from a Light Industrial (LI2/LI7) Zone to Light Industrial/Light Industrial Special Provision (LI2/LI7(\_)) Zone.
2. Section Number 40.4 of the Light Industrial (LI7) Zone is amended by adding the following Special Provision:  

LI7( ) 115 Bessemer Road

  - a) Additional Permitted Use:
    - i) Automobile Rental Establishment within existing building in addition to Automotive Service and Repair
  - b) Regulations:
    - i) Outdoor Storage (Maximum): 30% of Lot Area
    - ii) Parking (Minimum): 1 per 20m<sup>2</sup> (699 sq ft)
3. The inclusion in this by-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.
4. This by-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, either upon the date of the passage of this by-law or as otherwise provided by the said section.

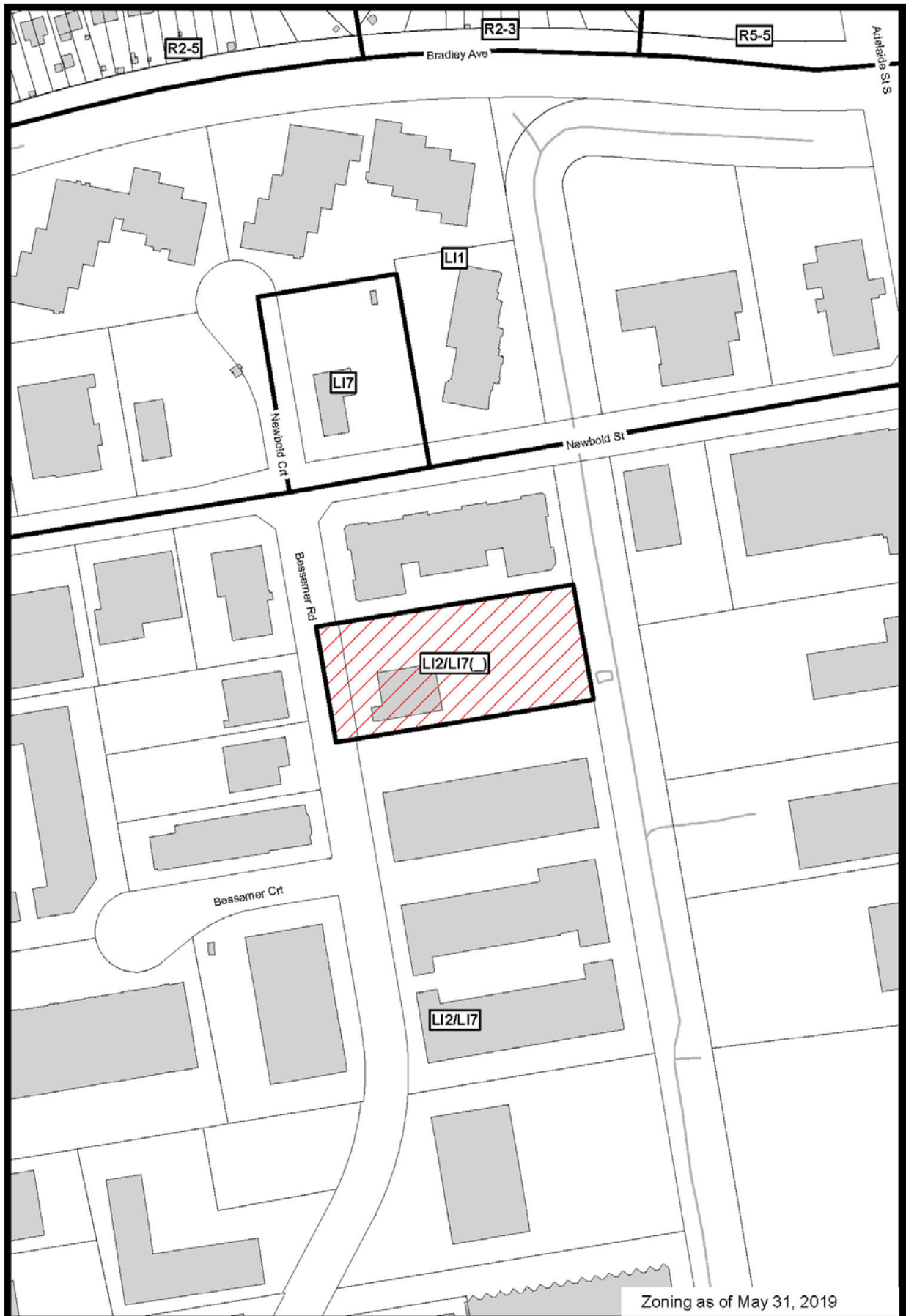
PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

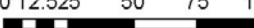
# Schedule "A"



**File Number: Z-9084**  
**Planner: AR**  
**Date Prepared: 2019/09/11**  
**Technician: RC**  
**By-Law No: Z.-1-**

**SUBJECT SITE** 

**1:2,500**

0 12.525 50 75 100  
 Meters



Bill No. 386  
2019

By-law No. Z.-1-19\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3700 Colonel Talbot Road and 3645 Bostwick Road.

WHEREAS W-3 Lambeth Farms Development Inc. have applied to rezone an area of land located at 3700 Colonel Talbot Road and 3645 Bostwick 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 3700 Colonel Talbot Road and 3645 Bostwick Road, as shown on the attached map comprising part of Key Map No. A110, from an Urban Reserve (UR4) Zone and an Environmental Review (ER) Zone to a Holding Residential R1 Special Provision (h\*h-100\*R1-3(\*)) Zone, a Holding Residential R1 Special Provision (h\*h-82\*h-100\*R1-3(\*)) Zone, a Holding Residential R1 Special Provision (h\*h-100\*R1-4(\*)) Zone, a Holding Residential R2 Special Provision (h\*h-100\*R2-1(\*)) Zone, a Holding Residential R2 Special Provision (h\*h-100\*R2-3(\*)) Zone, a Holding Residential R2 Special Provision/Residential R4 Special Provision (h\*h-100\*R2-1(\*)/R4-6(\*)) Zone, a Holding Residential R2 Special Provision/Residential R4 Special Provision/Residential R6 Special Provision/Neighbourhood Facility (h\*h-100\*R2-1(\*)/R4-6(\*)/R6-5(\*\*\*\*)/NF1) Zone, a Holding Residential R6 Special Provision/ Residential R8 Special Provision (h\*h-100\*R6-5(\*)/R8-4(\*\*)) Zone, a Holding Residential R6 Special Provision/Residential R8 Special Provision (h\*h-100\*R6-5(\*\*)/R8-3(\*)) Zone, a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h\*h-100\*R6-5(\*\*)/R8-4(\*\*\*\*)/R9-3(\*\*)) Zone, a Holding Residential R6 Special Provision/Residential R8 Special Provision/Residential R9 (h\*h-100\*R6-5(\*\*)/R8-4(\*\*\*\*)/R9-3(\*\*)) Zone, a Holding Residential R8 Special Provision/Convenience Commercial Special Provision (h\*h-100\*R8-4(\*)/CC6(\*)) Zone, a Holding Residential R8 Special Provision/Convenience Commercial Special Provision/Neighbourhood Facility Special Provision (h\*h-100\*R8-4(\*\*)/CC6(\*\*)/NF1(\*) Zone, a Holding Residential R9 Special Provision/Convenience Commercial Special Provision (h\*h-100\*R9-3(\*)/ CC6(\*\*)) Zone, an Open Space (OS1) Zone, an Open Space (OS5) Zone, an Environmental Review (ER) Zone, and an Urban Reserve (UR4) Zone.

2. Section Number 5.4 of the Residential R1 (R1) Zone is amended by adding the following Special Provision:

R1-3(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback, Main Dwelling  
(Minimum): 3 metres (9.8 feet)  
(Maximum): 4.5 metres (14.8 feet)
- ii) Front Yard Setback, Garages  
(Minimum): 6 metres (19.7 feet)
- iii) Interior Side Yard  
(Minimum): 1.2 metres (3.9 feet)

- iv) Lot Coverage (Maximum): 45%
- v) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

3. Section Number 5.4 of the Residential R1 (R1) Zone is amended by adding the following Special Provision:

R1-4(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

- a) Regulations:
  - i) Front Yard Setback, Main Dwelling
    - (Minimum): 3 metres (9.8 feet)
    - (Maximum): 4.5 metres (14.8 feet)
  - ii) Front Yard Setback, Garages
    - (Minimum): 6 metres (19.7 feet)
  - iii) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

4. Section Number 6.4 of the Residential R2 (R2) Zone is amended by adding the following Special Provision:

R2-1(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

- a) Regulations:
  - i) Front Yard Setback, Dwelling
    - (Minimum): 3 metres (9.8 feet)
    - (Maximum): 4.5 metres (14.8 feet)
  - ii) Front Yard Setback, Garages
    - (Minimum): 6 metres (19.7 feet)
  - iii) Interior Side Yard
    - (Minimum): 1.2 metres (3.9 feet)
  - iv) Lot Coverage (Maximum): 45%
  - v) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

5. Section Number 6.4 of the Residential R2 (R2) Zone is amended by adding the following Special Provision:

R2-3(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

- a) Regulations:
  - i) Front Yard Setback, Dwelling
    - (Minimum): 3 metres (9.8 feet)
    - (Maximum): 4.5 metres (14.8 feet)
  - ii) Front Yard Setback, Garages
    - (Minimum): 6 metres (19.7 feet)

- iii) Interior Side Yard (Minimum) 1.2 metres (3.9 feet)
- iv) Lot Coverage (Maximum): 45%
- v) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

6. Section Number 8.4 of the Residential R4 (R4) Zone is amended by adding the following Special Provision:

R4-6(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Lot Frontage (Minimum): 7.0 metres (23.0 feet)
- ii) Front Yard Setback, Dwelling(s) (Minimum): 3 metres (9.8 feet)  
(Maximum): 4.5 metres (14.8 feet)
- iii) Front Yard Depth, Garages (Minimum): 6 metres (19.7 feet)
- iv) Interior Side Yard (Minimum): 1.2 metres (3.9 feet)
- v) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.
- vi) Driveway widths are limited to 3.5m (11.5 feet) per lot.

7. Section Number 10.4 of the Residential R6 (R6) Zone is amended by adding the following Special Provision:

R6-5(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback, Dwelling(s) (Minimum): 3 metres (9.8 feet)  
(Maximum): 4.5 metres (14.8 feet)
- ii) Front Yard Depth, Garages (Minimum): 6 metres (19.7 feet)
- iii) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.
- iv) Density (Minimum): 30 units per hectare

8. Section Number 10.4 of the Residential R6 (R6) Zone is amended by adding the following Special Provision:

R6-5(\*\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Yard Setback (Adjacent to OS5)  
(Minimum): 10 metres (32.8 feet) from OS5 Zone
- ii) Density  
(Minimum): 30 units per hectare  
(Maximum): 65 units per hectare
- iii) Provide built form along the OS5 Zone and orient the buildings to the open space by including individual unit doors or a main building entrance facing the open space.
- iv) The 10 metre yard setback from the OS5 Zone will include increased landscaping as per the approved landscape plan through file 39T-17503 (3700 Colonel Talbot Road and 3645 Bostwick Road).
- v) No structures are permitted within the 10m yard setback from the OS5 Zone.

9. Section Number 10.4 of the Residential R6 (R6) Zone is amended by adding the following Special Provision:

R6-5(\*\*\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback, Dwelling(s)  
(Minimum): 3 metres (9.8 feet)  
(Maximum): 4.5 metres (14.8 feet)
- ii) Front Yard Depth, Garages  
(Minimum): 6 metres (19.7 feet)
- iii) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.
- iv) Density (Minimum): 30 units per hectare
- v) Development shall be oriented to Bostwick Road.

10. Section Number 10.4 of the Residential R6 (R6) Zone is amended by adding the following Special Provision:

R6-5(\*\*\*\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard Setback, Dwelling(s)  
(Minimum): 3 metres (9.8 feet)  
(Maximum): 4.5 metres (14.8 feet)
- ii) Front Yard Depth, Garages  
(Minimum): 6 metres (19.7 feet)

- iii) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.
- iv) Density
 

(Minimum):	30 units per hectare
(Maximum):	75 units per hectare
- v) Provide built form along the OS1 Zone and orient the buildings to the open space by including individual unit doors or a main building entrance facing the open space.

11. Section Number 12.4 of the Residential R8 (R8) Zone is amended by adding the following Special Provision:

R8-3(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

- a) Regulations:
  - i) Yard Setback (Adjacent to OS5)
 

(Minimum):	10 metres from OS5 Zone
------------	-------------------------
  - ii) Density
 

(Minimum):	30 units per hectare
(Maximum):	65 units per hectare
  - iii) Provide built form along the OS5 Zone and orient the buildings to the open space by including individual unit doors or a main building entrance facing the open space.
  - iv) The 10 metre yard setback from the OS5 Zone will include increased landscaping as per the approved landscape plan through file 39T-17503 (3700 Colonel Talbot Road and 3645 Bostwick Road).
  - v) No structures are permitted within the 10m yard setback from the OS5 Zone.

12. Section Number 12.4 of the Residential R8 (R8) Zone is amended by adding the following Special Provision:

R8-4(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

- a) Regulations:
  - i) Front Yard and Exterior Side Yard Depth (m)
 

(Minimum):	1.0 metres (3.3 feet)
(Maximum):	4.0 metres (13.1 feet)
  - ii) Density
 

(Minimum):	30 units per hectare
(Maximum):	75 units per hectare
  - iii) Building Orientation – The principle entrance shall be oriented to Colonel Talbot Road or at the corner of Colonel Talbot Road and future Street A.

13. Section Number 12.4 of the Residential R8 (R8) Zone is amended by adding the following Special Provision:

- R8-4(\*\*) 3700 Colonel Talbot Road and 3645 Bostwick Road
- a) Regulations:
- i) Front Yard Setback (Dwelling, or Building)  
(Minimum): 3 metres (9.8 feet)  
(Maximum): 4.5 metres (14.8 feet)
  - iii) Front Yard Depth (Dwelling)  
Garages (Minimum): 6 metres (19.7 feet)
  - iv) Interior Side Yard  
(Minimum): 1.2 metres (3.9 feet)
  - v) Density  
(Minimum): 30 units per hectare  
(Maximum): 75 units per hectare
  - vi) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

14. Section Number 12.4 of the Residential R8 (R8) Zone is amended by adding the following Special Provision:

- R8-4(\*\*\*) 3700 Colonel Talbot Road and 3645 Bostwick Road
- a) Regulations:
- i) Front Yard and Exterior Side Yard Depth (m)  
(Minimum): 1.0 metres (3.3 feet)  
(Maximum): 4.0 metres (13.1 feet)
  - ii) Density  
(Minimum) 30 units per hectare  
(Maximum) 75 units per hectare
  - iii) Height (Maximum): 4 Stories
  - iv) Building Orientation – The principle entrance shall be oriented to Street A or at the corner of Street A and Street D.

15. Section Number 12.4 of the Residential R8 (R8) Zone is amended by adding the following Special Provision:

- R8-4(\*\*\*\*) 3700 Colonel Talbot Road and 3645 Bostwick Road
- a) Regulations:
- i) Front Yard and Exterior Side Yard Depth (m)  
(Minimum): 1.0 metres (3.3 feet)  
(Maximum): 4.0 metres (13.1 feet)
  - ii) Density  
(Minimum): 30 units per hectare  
(Maximum): 100 units per hectare
  - iii) Height  
(Minimum): 2 Storeys  
(Maximum): 4 Storeys



- iv) Building Orientation – The principle entrance shall be oriented to Bostwick Road.

16. Section Number 13.4 of the Residential R9 (R9) Zone is amended by adding the following Special Provision:

R9-3(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard and Exterior Side Yard Depth (m)  
(Minimum): 1.0 metres (3.3 feet)  
(Maximum): 4.0 metres (13.1 feet)
- ii) Density  
(Minimum): 30 units per hectare  
(Maximum): 100 units per hectare
- iii) Height  
(Minimum): 2 Storeys  
(Maximum): 7 Storeys (24m)
- iv) Building Orientation – The principle entrance shall be oriented to Bostwick Road or at the corner of Bostwick Road and future Street A.

17. Section Number 13.4 of the Residential R9 (R9) Zone is amended by adding the following Special Provision:

R9-3(\*\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard and Exterior Side Yard Depth (m)  
(Minimum): 1.0 metres (3.3 feet)  
(Maximum): 4.0 metres (13.1 feet)
- ii) Density  
(Minimum): 30 units per hectare  
(Maximum): 100 units per hectare
- iii) Height  
(Minimum): 2 Storeys  
(Maximum): 9 Storeys (32m)
- iv) Building Orientation – The principle entrance shall be oriented to Bostwick Road or at the corner of Bostwick Road and future Street A.

18. Section Number 13.4 of the Residential R9 (R9) Zone is amended by adding the following Special Provision:

R9-3(\*\*\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Front Yard and Exterior Side Yard Depth (m)  
(Minimum): 1.0 metres (3.3 feet)  
(Maximum): 4.0 metres (13.1 feet)
- ii) Density  
(Minimum): 30 units per hectare  
(Maximum): 100 units per hectare

- iii) Height  
(Minimum): 2 Storeys  
(Maximum): 7 Storeys (24m)
- iv) Building Orientation – The principle entrance shall be oriented to Bostwick Road or at the corner of Bostwick Road and future Street M.

19. Section Number 29.4 of the Convenience Commercial (CC6) Zone is amended by adding the following Special Provision:

CC6(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

- a) Regulations:
  - i) Section 29.3(3) does not apply to this development.
  - ii) Dwelling Units are restricted to the 2<sup>nd</sup> floor and above, and the regulations of the R8-4(\*) Zone shall apply if dwelling units are included in the building.
  - iii) Front Yard and Exterior Side Yard Depth (m)  
(Minimum) 1.0 metres (3.3 feet)  
(Maximum) 4.0 metres (13.1 feet)
  - iv) Building Orientation – The principle entrance shall be oriented to Colonel Talbot Road or at the corner of Colonel Talbot Road and future Street A.

20. Section Number 29.4 of the Convenience Commercial (CC6) Zone is amended by adding the following Special Provision:

CC6(\*\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

- a) Permitted Uses:
  - i) Convenience service establishments without a drive-through facility;
  - ii) Convenience stores without a drive-through facility;
  - iii) Personal service establishments without a drive-through facility;
  - iv) Food stores without a drive-through facility;
  - v) Restaurants, take-out, without a drive-through facility;
  - vi) Brewing on Premises Establishment;
  - vii) Convenience business service establishments without drive-through facilities;
  - viii) Day care centres without drive-through facilities;
  - ix) Studios without drive-through facilities;
  - x) Bake shops without drive-through facilities;
  - xi) Commercial schools without drive-through facilities;
  - xii) Florist shops without drive-through facilities;
  - xiii) Pharmacies without drive-through facilities;
  - xiv) Restaurants, eat-in without drive-through facilities.
- b) Regulations:
  - i) Section 29.3(3) does not apply to this development.
  - ii) Dwelling Units are restricted to the 2<sup>nd</sup> floor and above, and the regulations of the R8-4(\*\*\*) Zone shall apply if dwelling units are included in the building.

- iii) Front Yard and Exterior Side Yard Depth (m)
 

(Minimum)	1.0 metres (3.3 feet)
(Maximum)	4.0 metres (13.1 feet)
- iv) Building Orientation – The principle entrance shall be oriented to Street A or at the corner of Street A and Street D.

21. Section Number 29.4 of the Convenience Commercial (CC6) Zone is amended by adding the following Special Provision:

CC6(\*\*\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Section 29.3(3) does not apply to this development.
- ii) Dwelling Units are restricted to the 2<sup>nd</sup> floor and above, and the regulations of the R9-3(\*) Zone shall apply if dwelling units are included in the building.
- iii) Front Yard and Exterior Side Yard Depth (m)
 

(Minimum)	1.0 metres (3.3 feet)
(Maximum)	4.0 metres (13.1 feet)
- iv) Building Orientation – The principle entrance shall be oriented to Bostwick Road or at the corner of Bostwick Road and future Street A.

22. Section Number 33.4 of the Neighbourhood Facility (NF) Zone is amended by adding the following Special Provision:

NF1(\*) 3700 Colonel Talbot Road and 3645 Bostwick Road

a) Regulations:

- i) Dwelling Units are restricted to the 2<sup>nd</sup> floor and above, and the regulations of the R8-4(\*\*\*) Zone shall apply if dwelling units are included in the building.
- ii) Front Yard and Exterior Side Yard Depth (m)
 

(Minimum):	1.0 metres (3.3 feet)
(Maximum):	4.0 metres (13.1 feet)
- iii) Building Orientation – The principle entrance shall be oriented to Street A or at the corner of Street A and Street D.

23. 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.

24. This by-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, either upon the date of the passage of this by-law or as otherwise provided by the said section.

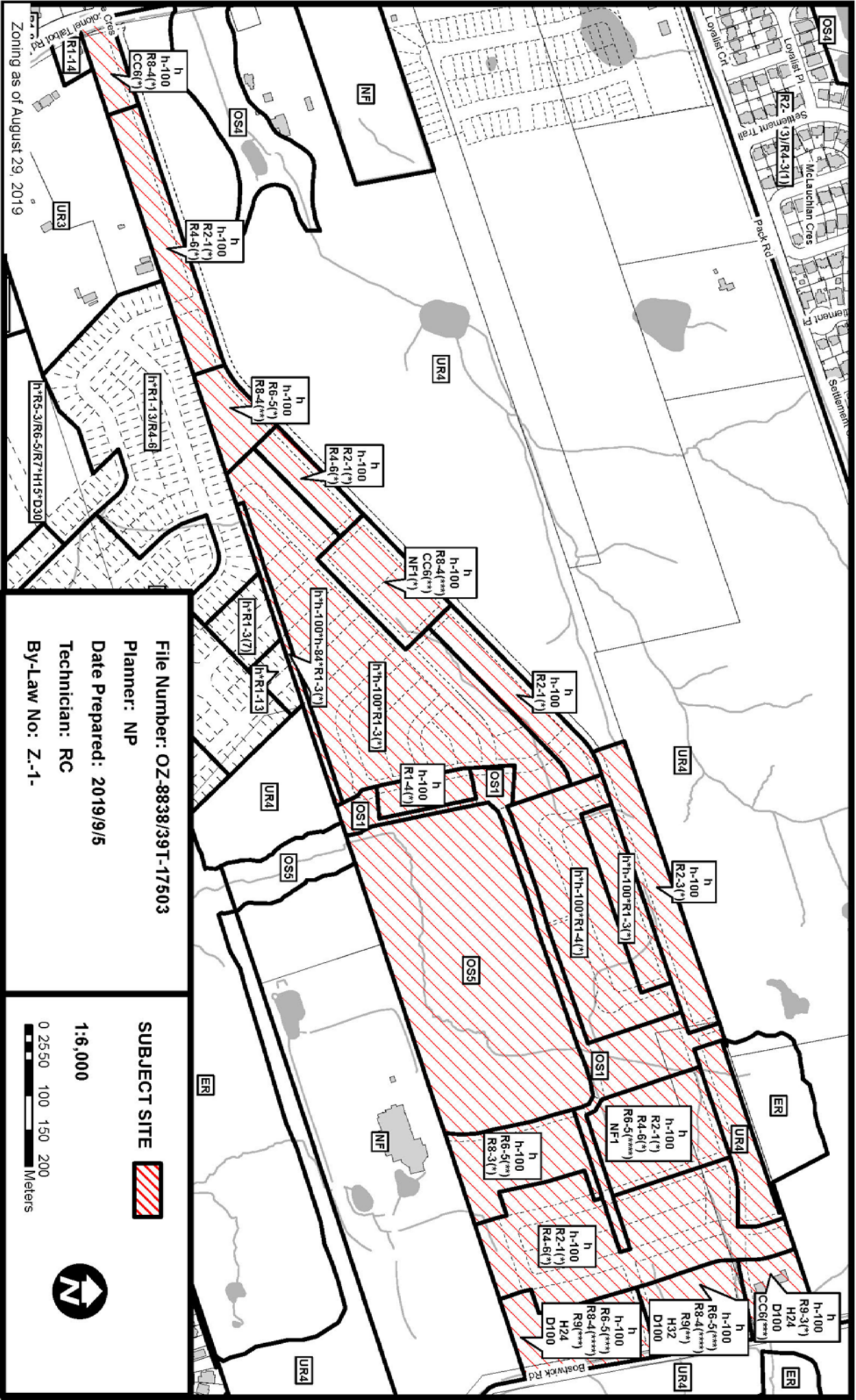
PASSED in Open Council on October 1, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – October 1, 2019  
Second Reading – October 1, 2019  
Third Reading – October 1, 2019

Schedule "A"



Zoning as of August 29, 2019