



Council Agenda Including Addeds

The 14th Meeting of City Council

July 21, 2020, 4:00 PM

Virtual Meeting - during the COVID-19 Emergency

City Hall is open to the public, with reduced capacity and physical distancing requirements.

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Pages

1. Disclosures of Pecuniary Interest

2. Recognitions

3. Review of Confidential Matters to be Considered in Public

4. Council, In Closed Session

4.1 Solicitor-Client Privilege / Litigation / Potential Litigation

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, litigation and potential litigation and directions and instructions to officers and employees or agents of the municipality with respect to the construction contract and construction of the East London Community Centre. (6.1/8/CPSC)

4.2 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. (6.1/12/CSC)

4.3 Solicitor- Client Privileged Advice

A matter pertaining to advice that is subject to solicitor-client privilege, as it relates to potential additional legislative measures to prevent the spread of COVID-19. (6.1/13/SPPC)

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

5.1 13th Meeting held on June 29, 2020

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	5. (2.6) Summerside Phase 12B - Stage 3 Subdivision - Special Provisions	
	6. (2.7) Building Division Monthly Report for May 2020	
	7. (2.3) Conservation Master Plan for Meadowlily Woods Environmentally Significant Area	
	8. (2.4) Environmental Studies, Private Land & Eastern Meadowlark Habitat	
	9. (3.1) Application - 442 Third Street (Z-9158) (Relates to Bill No. 227)	
	10. (3.2) Demolition Request for Heritage Listed Properties at 74 Wellington Road and 78 Wellington Road	
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(SPA19-116)

12. (3.4) Application - 536-542 Windermere Road (SPA19-098)

8.2 11th Report of the Planning and Environment Committee 56

1. Disclosures of Pecuniary Interest
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3. (3.1) London Plan Housekeeping Amendment (O-9173) (Relates to Bill No. 223)
4. (3.2) Amend Section 4.11 (Household Sales) in Zoning By-law Z-1 (Z-9166) (Relates to Bill No. 228)
5. (3.3) Part of 65 Brisbin Street (Z-9195) (Relates to Bill No. 229)
6. (3.4) 1146-1156 Byron Baseline Road (Z-9172) (Relates to Bill No. 230)
7. (3.5) 307 Fanshawe Park Road East (SPA20-029)
8. (4.1) Silverleaf Subdivision Sidewalk Installation

8.3 8th Report of the Community and Protective Services Committee 82

1. Disclosures of Pecuniary Interest
2. (2.1) Housing Quarterly Report
3. (2.2) 2019-2022 Multi-Sector Service Accountability Agreement - Dearness Home Adult Day Program and the South West Local Health Integration Network - Declaration of Compliance - April 1, 2019-March 31, 2020
4. (2.3) Urgent Transitional and Modular Supported Housing Development
5. (2.4) Long Term Care Service Agreement with Lifelabs for the Provision of Laboratory Services at the Dearness Home (Relates to Bill No. 222)
6. (4.1) Joan's Place New Addition Campaign
7. (4.2) Residential Video Surveillance By-law
8. (5.1) Deferred Matters List

8.4 12th Report of the Corporate Services Committee 86

1. Disclosures of Pecuniary Interest
2. (2.1) Postponement - Annual Retirement Dinner and 25-Year Club Reception
3. (2.2) RFP 20-22 Sharepoint Online Migration
4. (2.4) Business Improvement Areas - Financial Measures to

Respond to COVID-19

5. (2.5) Elimination of Vacant and Excess Land Subclasses Tax Reductions (Relates to Bill No. 220)
6. (2.7) Declare Surplus - Portion of City-Owned Land -124 Cavendish Crescent
7. (2.3) 2019 Investment Report
8. (2.6) Industrial Land Development Strategy - Annual Monitoring and Pricing Report - City-Owned Industrial Land
9. (2.8) Employee Absenteeism 2019
10. (5.1) Remuneration for Elected Officials and Appointed Citizens
11. (5.2) Declaration of Mutual Commitment and Friendship with Ontario Federation of Indigenous Friendship Centres

8.5 9th Report of the Civic Works Committee

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1. Disclosures of Pecuniary Interest
2. (2.1) Upper Thames River Conservation Authority and City of London Flood Protection Projects: West London Dyke Phase 7
3. (2.2) Appointment of Consulting Engineers - Infrastructure Renewal Program
4. (2.3) Contract for the Operation of the City's Materials Recovery Facility - Single Source (Relates to Bill No. 221)
5. (2.5) Pilot Project Technology for Air and Odour Monitoring in South London - Request to Negotiate a Single Source Agreement
6. (2.4) Dundas Place - Thames Valley Parkway Active Transportation Connection - Appointment of Consulting Engineer
7. (2.6) Contract Award: Tender No. 20-87 Dundas Street Cycle Track
8. (4.1) Contract Award: RFT 20-59 - 2020 Infrastructure Renewal Program Contract 12 - Highway Avenue and Lambeth Avenue
9. (4.2) MADD Canada Memorial Sign Request
10. (5.1) Deferred Matters List

8.6 13th Report of the Strategic Priorities and Policy Committee

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1. Disclosures of Pecuniary Interest
2. (2.1) Core Area Action Plan - 2020 Progress Update
3. (2.2) London Community Recovery Network
4. (2.3) London Economic Development Corporation (LEDC) Activity Update 2019

5. (2.4) 2nd Report of the Rapid Transit Implementation Working Group
6. (3.1) 2021 Development Charges Update Covering Report and Proposed By-law
7. (4.1) Resignation from Eldon House Board of Directors
8. (4.2) Argyle Business Improvement Association
9. (5.1) Making Anti-Racism a Strategic Priority
10. (5.2) Additional Legislative Measures to Prevent the Spread of COVID-19

9. Added Reports

- 9.1 12th Report of Council in Closed Session

10. Deferred Matters

11. Enquiries

12. Emergent Motions

13. By-laws

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

- | | | |
|------|--|-----|
| 13.1 | Bill No. 219 By-law No. A.- _____ - _____

A by-law to confirm the proceedings of the Council Meeting held on the 21st day of July, 2020. (City Clerk) | 106 |
| 13.2 | Bill No. 220 By-law No. A.- _____ - _____

A by-law to eliminate the subclass tax reduction in accordance with subsection 313 (1.3) of the Municipal Act, 2001, as amended, for vacant and excess land in the commercial and industrial property classes for 2020 and subsequent years. (2.5/12/CSC) | 107 |
| 13.3 | Bill No. 221 By-law No. A.- _____ - _____

A by-law to approve an Agreement to operate and maintain the City's Materials Recovery Facility and market the recyclable materials; and to authorize the Mayor and the City Clerk to execute the Agreement. (2.3/9/CWC) | 108 |
| 13.4 | Bill No. 222 By-law No. A.- _____ - _____

A by-law to approve a Long-Term Care Service Agreement between The Corporation of the City of London and LifeLabs. (2.4/8/CPSC) | 133 |
| 13.5 | Bill No. 223 By-law No. C.P.-1512(____)- _____

A by-law for a housekeeping amendment to The London Plan for the City of London, 2016. (3.1/11/PEC) | 142 |
| 13.6 | Bill No. 224 By-law No. S.- _____ - _____

A by-law to lay out, constitute, establish and assume certain reserves in | 157 |

the City of London as public highway. (as part of Eagletrace Drive).
(Chief Surveyor - requires 0.3m Reserves on the abutting Plan, being
33M-539, to be dedicated as public highway for unobstructed legal
access throughout the Subdivision)

- | | | |
|-------|---|-----|
| 13.7 | Bill No. 225 By-law No. W.-5600(____)-_____ | 159 |
| | A by-law to amend By-law No. W.-5600-57, as amended, entitled, "A by-law to authorize the Adelaide Street Grade Separation CPR Tracks. (Project No. TS1306)." (6.1/11/CSC) | |
| 13.8 | Bill No. 226 By-law No. Z.-1-20 _____ | 160 |
| | A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning from lands located at 8447-8473 Longwoods Road. (2.5/10/PEC) | |
| 13.9 | Bill No. 227 By-law No. Z.-1-20 _____ | 162 |
| | A by-law to amend By-law No. Z.-1 to rezone an area of land located at 442 Third Street. (3.1/10/PEC) | |
| 13.10 | Bill No. 228 By-law No. Z.-1-20 _____ | 164 |
| | A by-law to amend Section 4.11 of By-law No. Z.-1 to allow residents to allow residents to sell agricultural products grown on properties up to 20 times per year. (3.2/11/PEC) | |
| 13.11 | Bill No. 229 By-law No. Z.-1-20 _____ | 165 |
| | A by-law to amend By-law No. Z.-1 to rezone an area of land located at a part of 65 Brisbin Street. (3.3/11/PEC) | |
| 13.12 | Bill No. 230 By-law No. Z.-1-20 _____ | 167 |
| | A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1146-1156 Byron Baseline Road. (3.4/11/PEC) | |

14. Adjournment



Council Minutes

The 13th Meeting of City Council
June 29, 2020, 4:00 PM

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

Absent: S. Turner

Also Present: C. Saunders, J. Taylor and B. Westlake-Power
The following were in remote attendance: L. Livingstone, A.L. Barbon, G. Belch, B. Card, S. Corman, K. Dickins, G. Kotsifas, K. Scherr, C. Smith, S. Stafford, M. Tomazincic and B. Warner.
The meeting was called to order at 4:03 PM, with Mayor E. Holder in the Chair, with all Members participating except Councillor S. Turner and A. Kayabaga; it being noted that the following were in remote attendance: Councillor M. van Holst, M. Salih, J. Helmer, M. Cassidy, A. Hopkins, P. Van Meerbergen, E. Pelozza, A. Kayabaga and S. Hillier.

1. Disclosures of Pecuniary Interest

Councillor J. Helmer discloses a pecuniary interest in Item 4 (clause 2.3) of the 12th Report of the Strategic Priorities and Policy Committee, having to do with COVID-19 Financial Impacts, specific to item #10 of Table 3 - Additional Proposed Service Adjustments - related to the proposed closure of River Road Golf Course for the 2020 season, by indicating that his father is employed by the National Golf Course Owners Association, of which River Road is a member.

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

That pursuant to section 6.5 of the Council Procedure By-law, the following changes in order BE APPROVED:

- a) Stage 4 – Council, In Closed Session be considered after Stage 13- By-laws, with the exception of Bill No. 203, being a by-law to confirm the proceedings of the Council Meeting held on the 29th Day of June, 2020, which will be considered, prior to Stage 14 – Adjournment; and
- b) Stage 9 – Added Reports –Item 9.1 - 10th Report of Council, In Closed Session be considered after Stage 4 – Council, In Closed Session.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozza, and S. Hillier
Absent: (2): S. Turner, and A. Kayabaga

Motion Passed (13 to 0)

At 4:08 PM, Councillor A. Kayabaga enters the meeting remotely.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

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

5.1 12th Meeting held on June 16, 2020

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

That the Minutes of the 12th Meeting held on June 16, 2020, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Peloza, A. Kayabaga, and S. Hillier
Absent: (1): S. Turner

Motion Passed (14 to 0)

6. Communications and Petitions

None.

7. Motions of Which Notice is Given

None.

8. Reports

8.1 8th Report of the Civic Works Committee

Motion made by: S. Lehman

That the 8th Report of the Civic Works Committee BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Peloza, A. Kayabaga, and S. Hillier
Absent: (1): S. Turner

Motion Passed (14 to 0)

At 4:10 PM, His Worship Mayor E. Holder, places Councillor J. Helmer in the Chair and takes a seat at the Council Board.

At 4:12 PM, His Worship Mayor E. Holder, resumes the Chair and Councillor J. Helmer takes a seat at the Council Board.

1. Disclosures of Pecuniary Interest

Motion made by: S. Lehman

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Notification of Expenditure - Environmental Spills Response

Motion made 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 addressing an environmental spill that occurred on Wilton Grove Road:

a) the action taken by the Managing Director, Environmental and Engineering Services and City Engineer, in accordance with the

Procurement of Goods and Services Policy (Section 4.3 d “Triggering Event”) BE RECOGNIZED; it being noted that immediate actions were taken to comply with direction of the Ministry of Environment, Conservation and Parks (MECP); and,

b) the financing for this environmental spill cleanup BE PROVIDED by the Council-approved 2020 Sewer Operations Division operating budget. (2020-E05)

Motion Passed

3. (2.2) Dingman Drive East of Wellington Road to the Highway 401 Overpass and Area Intersection Improvements - Environmental Study Report

Motion made 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 Dingman Drive East of Wellington Road to the Highway 401 Overpass and Area Intersection Improvements Environmental Study Report:

a) the Dingman Drive Improvements Schedule “C” Municipal Class Environmental Assessment Study BE ACCEPTED;

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

c) the Environmental Study Report BE PLACED on the public record for a 30 day review period. (2020-E05)

Motion Passed

4. (2.3) Implementation of Environmental Assessment Recommendations (Deferred Matters Item)

Motion made 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 implementation of Environmental Assessment recommendations:

a) the staff report, dated June 23, 2020 BE RECEIVED for information; and,

b) the corresponding item BE REMOVED from the Civic Works Committee Deferred Matters list (Environmental Assessment – Item #3, as of April 6, 2020 on the CWC Deferred Matters list). (2020-E05)

Motion Passed

5. (2.4) Single Source Procurement - Additional Sidewalk Sweeper

Motion made 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 single source procurement of an additional sidewalk sweeper:

- a) the Civic Administration BE AUTHORIZED to enter into a single source agreement for the procurement of an additional articulating sidewalk sweeper, as per Section 14.4(d)(e) of the Procurement of Goods and Services Policy;
- b) the submission from Cubex Ltd., 189 Garden Ave., Brantford, Ontario, N3S 0A7 BE ACCEPTED for the supply and delivery of one (1) 2019 Mathieu MC110 Sidewalk Sweeper at a total purchase price of \$121,100 (excluding HST);
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase;
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and,
- e) the funding for this purchase BE APPROVED as set out in the Source of Financing Report, as appended to the staff report dated June 23, 2020. (2020-T06)

Motion Passed

6. (4.1) Active Transportation Manager

Motion made by: S. Lehman

That the following actions be taken with respect to the upcoming review of the City's Cycling Master Plan in 2021:

- a) the Civic Administration BE DIRECTED to develop a plan for the creation of an Active Transportation Manager under Environmental and Engineering Services and the City Engineer, including options to offset the costs for such a position through the reallocation of resources including but not limited to the redeployment of unfilled positions in the "Smart Cities" area;
- b) the Civic Administration BE DIRECTED to report back to the Civic Works Committee by the end of Q3 2020 with an update on progress made with regard to this initiative; it being noted and understood that the City of London is currently in a hiring freeze and hiring would occur once this has concluded; and,
- c) the Civic Administration BE DIRECTED to investigate opportunities to address the immediate need of residents for secure bicycle parking in key locations as existing budget opportunities allow; it being noted that providing secure bike parking in the Core Area relates to several council approved components of the Core Area Action Plan;

it being further noted that the Civic Works Committee received a communication from Councillors E. Pelozo and S. Lewis, dated June 19, 2020, with respect to this matter.

Motion Passed

7. (4.2) Removal of Trees on Lambeth Avenue

Motion made by: S. Lehman

That the request for delegation status made by H. Sanderson, dated June 22, 2020, with respect to the Lambeth Avenue

infrastructure renewal project and associated tree removal, BE APPROVED for the July 14, 2020 Civic Works Committee meeting.

Motion Passed

8. (5.1) Deferred Matters List

Motion made by: S. Lehman

That the Deferred Matters List, as at June 15, 2020, BE RECEIVED.

Motion Passed

8.2 11th Report of the Corporate Services Committee

Motion made by: A. Kayabaga

That the 11th Report of the Corporate Services Committee BE APPROVED, excluding Items 5(4.1), 6(4.2) and 8 (5.2).

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Peloza, A. Kayabaga, and S. Hillier
Absent: (1): S. Turner

Motion Passed (14 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. (2.2) Microwave Backhaul Replacement RFP 20-19 Microwave Radio Backhaul Replacement and SS 20-16 Single Source Procurement for Router Replacement and Configuration for Microwave Radio Backhaul Project

Motion made by: A. Kayabaga

That, on the recommendation of the City Manager, the following actions be taken, with respect to the Microwave Backhaul Replacement Project;

a) the proposal submitted by Broadnet Telecom (Broadnet), 9464 Henri Bourassa West, VilleSaint-Laurent, Montreal, Quebec H4S 1N8, BE ACCEPTED for the design, implementation, installation and one year service of a microwave radio backhaul system including decommissioning of legacy equipment, for the pricing of one time implementation fee of \$809,223.00 (HST excluded), and subsequent five year(s) of an annual Service Level Agreement (SLA_ fee of \$6,250.00 (HST excluded);

b) the financing for the microwave radio backhaul and decommissioning of legacy equipment noted above, BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated June 22, 2020 hereto as

Appendix "A";

c) the approval given herein in a) above, BE CONDITIONAL upon The Corporation of the City of London negotiating satisfactory terms and conditions with Broadnet to the satisfaction of the City Manager;

d) in accordance with sections 14.d. and e. of the Procurement of Goods and Services Policy, the proposal from L3Harris Canada Systems to supply, install and configure MLPS routers BE ACCEPTED as the sole source provider at the quoted purchase value of \$257,857.71 (HST excluded);

e) the financing for the supply, install, and configure of routers noted above, BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated June 22, 2020 hereto as Appendix "B";

f) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with parts a) and d) above; and,

g) the approval hereby given BE CONDITIONAL upon The Corporation of the City of London entering into a formal contract, agreement or having a purchase order relating to the subject matter of the approval set out d) above.

Motion Passed

3. (2.3) Delegation of Authority for Building Permit Applications (Relates to Bill No. 204)

Motion made by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated June 22, 2020 as Appendix "A", being "A by-law to delegate authority to the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer or designate, to apply through the City's Building Division for any necessary permits with respect to Council approved Capital Works Project BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020.

Motion Passed

4. (2.1) Council Policy - General Policy for Advisory Committees (Relates to Bill No. 205)

Motion made by: A. Kayabaga

That, on the recommendation of the City Clerk, the proposed by-law attached as Appendix "A" to the staff report dated June 22, 2020, to amend the "General Policy for Advisory Committees" to provide for electronic meeting participation, BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020.

Motion Passed

7. (5.1) Standing Committee Meetings and Annual Meeting Calendar

Motion made by: A. Kayabaga

That, on the recommendation of the City Clerk, the annual meeting calendar for the period December 1, 2020 to December 31, 2021, as appended to the staff report dated June 22, 2020 as Appendix "A", BE APPROVED; it being understood that adjustments to the calendar may be required from time to time in order to accommodate special/additional meetings or changes to governing legislation.

Motion Passed

5. (4.1) Application - Issuance of Proclamation - Ontario FASD Action Network -London Branch

Motion made by: A. Kayabaga

That based on the application dated May 29, 2020, from the Ontario FASD Action Network - London Branch, the day of September 9, 2020 BE PROCLAIMED as FASD Awareness Day in London.

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

Nays: (1): P. Squire

Absent: (1): S. Turner

Motion Passed (13 to 1)

At 4:21 PM, His Worship Mayor E. Holder places Councillor J. Helmer in the Chair, and takes a seat at the Council Board.

At 4:23 PM, His Worship Mayor E. Holder resumes the Chair and Councillor J. Helmer takes a seat at the Council Board.

6. (4.2) Application - Issuance of Proclamation - The Institute for the Research of Genocide Canada

Motion made by: A. Kayabaga

That based on the application dated June 13, 2020, from the Institute for Research of Genocide Canada, the day July 11, 2020 BE PROCLAIMED 25. Commemoration of the Srebrenica Genocide in London.

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

Nays: (2): Mayor E. Holder, and P. Squire

Absent: (1): S. Turner

Motion Passed (12 to 2)

8. (5.2) 2nd Report of the County/City Liaison Committee

Motion made by: A. Kayabaga

That the 2nd Report of the County/City Liaison Committee, from its meeting held on June 17, 2020, BE RECEIVED.

Amendment:

Motion made by: J. Morgan
Seconded by: Mayor E. Holder

Amend by added the following additional part to the clause:

That the County of Middlesex BE REQUESTED to provide for the equal voting representation from the County of Middlesex and the City of London on the Municipal Service Board for the Provision of Land Ambulance Services.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozo, A. Kayabaga, and S. Hillier
Absent: (1): S. Turner

Motion Passed (14 to 0)

Motion made by: A. Kayabaga
Seconded by: J. Morgan

Item 8 (5.2), as amended BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozo, A. Kayabaga, and S. Hillier
Absent: (1): S. Turner

Motion Passed (14 to 0)

Item 8 (5.2), as amended, reads as follows:

The following actions be taken with respect to the 2nd Report of the County/City Liaison Committee:

- a) the 2nd Report of the County/City Liaison Committee, from its meeting held on June 17, 2020, BE RECEIVED; and,
- b) the County of Middlesex BE REQUESTED to provide for the equal voting representation from the County of Middlesex and the City of London on the Municipal Service Board for the Provision of Land Ambulance Services.

At 4:27 PM, Councillor P. Squire leaves the meeting.

8.3 9th Report of the Planning and Environment Committee

Motion made by: M. Cassidy

That the 9th Report of the Planning and Environment Committee Meeting BE APPROVED, excluding Item 10 (clause 3.5).

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozo, A. Kayabaga, and S. Hillier
Absent: (2): P. Squire, and S. Turner

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. (2.2) City of London Boulevard Cafe Grant Program (Relates to Bill No. 208)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Planning and City Planner, the following actions be taken with respect to implementing program guidelines for a Boulevard Café Grant Program:

a) the proposed by-law appended to the staff report dated June 22, 2020 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020 to amend By-law C.P.-1467-175, as amended, being a by-law to establish financial incentives for the Downtown Community Improvement Project Areas, to adopt the Boulevard Café Grant Program as Schedule 3; and,

b) the Civic Administration BE DIRECTED to supplement the Core Area Action Plan funding approved through the 2020-2023 Multi-Year Budget with the Small Scale Downtown Projects Fund, approved through the 2015-2019 Multi-Year Budget to support the Boulevard Café Grant Program and other small-scale projects that assist with the economic recovery of the downtown as a result of the COVID-19 pandemic;

it being noted that this initial Grant Program is being adopted under the existing Downtown Community Improvement Plan until such a time as a Core Area Community Improvement Plan is developed and approved, which would extend this Program to the entire Core Area as identified in the Core Area Action Plan.

Motion Passed

3. (2.3) (Revised) Application - 184 Exeter Road - Removal of Holding Provision (H-9168) (Relates to Bill No. 212)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Southbridge Health Care G.P. Inc., relating to the property located at 184 Exeter Road the proposed by-law appended to the staff report dated June 22, 2020 BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning for a portion of 184 Exeter Road FROM a Holding Residential R5 Special Provision/R6 Special Provision/Residential R7 Special Provision (h-100*R5-4(22)/R6-5(50)/R7(21).D45.H17) Zone TO a Residential R5 Special Provision/R6 Special Provision/Residential R7 Special Provision (R5-4(22)/R6-5(50)/R7(21).D45.H17) Zone to remove the "h-100" holding provision.

Motion Passed

4. (2.4) Building Division Monthly Report for April 2020

Motion made by: M. Cassidy

That the Building Division Monthly Report for the month of April, 2020 BE RECEIVED for information.

Motion Passed

5. (2.1) ReThink Zoning Phase One Update

Motion made by: M. Cassidy

That the staff report dated June 22, 2020 entitled "ReThink Zoning Phase One Update" BE REFERRED back to the Civic Administration to report back at a future Planning and Environment Committee meeting.

Motion Passed

6. (3.1) Application - 1919 and 1929 Oxford Street West (Z-9115)
(Relates to Bill No. 213)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Oxford Westdel Centre Inc., relating to the properties located at 1919 and 1929 Oxford Street West, the proposed by-law appended to the staff report dated June 22, 2020 BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R1 (R1-14) Zone and a holding Convenience Commercial (h-17*CC3) Zone TO a holding Residential R1 (h-94*R1-14) Zone and a holding Community Shopping Area Special Provision (h-17*CSA1(_)) Zone;

it being noted that the following site plan matters have been raised during the public meeting process:

- i) restrict the access along Oxford Street West to right-out only; and,
- ii) locate garbage facilities away from the Oxford Street West frontage;

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 Amendment is consistent with the Provincial Policy Statement (PPS), 2020, 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 not limited to, the Shopping Area Place Type, Our City, Our Strategy, and all other applicable London Plan policies;
- the recommended amendment permits an appropriate range of commercial and automotive uses that conform to the in-force policies of the (1989) Official Plan, including but not limited to the Community Commercial Node designation; and,

- the recommended Zoning By-law Amendment permits development that is appropriate for the site and compatible with the surrounding land uses.

Motion Passed

7. (3.2) Application - 584 and 588 Wonderland Road North (OZ-9114)
(Relates to Bill No.'s 206, 209 and 214)

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 Wasan Holdings Ltd relating to the property located at 584 and 588 Wonderland Road North:

- a) the proposed by-law appended to the staff report dated June 22, 2020 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020 to amend the Official Plan by ADDING a specific policy to permit office, medical/dental office, and pharmacy uses;
- b) the proposed by-law appended to the staff report dated June 22, 2020 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020 to add a new policy to the Specific Policies for the Neighbourhoods Place Type and amend Map 7 – Specific Policy Areas – of The London Plan by adding the subject site to the list of Specific Policy Areas;
- c) the proposed by-law appended to the staff report dated June 22, 2020 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on June 29 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in the above-mentioned parts a) and b)), to change the zoning of the subject property FROM a Residential R1 (R1-9) Zone TO a Restricted Office Special Provision (RO1(_)) Zone;

it being noted that the following site plan matter was raised during the public meeting process:

- to consider removing the fencing in the exterior side yard of 584 Wonderland Road North to improve sightlines for motorists;

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 these applications for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020 which promotes an appropriate range and mix of uses in a settlement area;
- the recommended specific policy to The London Plan conforms to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate the development of a building with a greater floor area than contemplated in the Neighbourhoods Place Type;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to, Chapter 10 – Policies for Specific Areas, which allows Council to apply specific policies where the change in land use is site specific and located in

an area where Council wishes to maintain the existing land use designation while allowing for a site specific use; and,

- the recommended Zoning By-law Amendment implements an appropriate use and intensity for the site which is compatible with the surrounding area.

Motion Passed

8. (3.3) Application - 944 Hamilton Road (Z-9151) (Relates to Bill No. 215)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by York Developments, relating to the property located at 944 Hamilton Road:

a) consistent with Policy 19.1.1. of the Official Plan, the subject lands, representing a portion of 944 Hamilton Road, BE INTERPRETED to be located in the Community Commercial Node designation; and,

b) the proposed by-law appended to the staff report dated June 22, 2020 BE INTRODUCED at the Municipal Council meeting to be held on June 29th, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Convenience Commercial/Service Station (CC/SS1) Zone and a Residential R1 (R1-6) Zone TO an Associated Shopping Area Commercial Special Provision (ASA1(_)/ASA2(_)/ASA3(_)) 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 amendment is consistent with the Provincial Policy Statement 2020;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to, Policy 253_, Policy 926_ and Policy 932_;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan policies, including but not limited to, Section 4.3.7.1., Section 4.3.7.2., Section 4.3.7.3., Section 4.3.7.4., Section 4.3.7.5. and Section 19.1.1i;
- the recommended amendment provides additional uses that are appropriate and compatible with the surrounding area and provides an increased opportunity to effectively utilize the existing building; and,
- the existing and proposed built form and on-site parking is capable of supporting the requested commercial uses without resulting in any negative impacts on the abutting lands.

Motion Passed

9. (3.4) Application - 754-760 Baseline Road (OZ-9148) (Relates to Bill No.'s 207, 210 and 216)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Canadian Commercial Management Inc. relating to the property located at 754-760 Base Line Road East:

- a) the proposed by-law appended to the staff report dated June 22, 2020 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020 to amend the Official Plan by ADDING a policy to section 10.1.3 – Policies for Specific Areas;
- b) the proposed by-law appended to the staff report dated June 22, 2020 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020 to amend The London Plan by AMENDING Policy 1101_ in the Specific Policies for the Institutional Place Type;

it being noted that the amendments will come into full force and effect concurrently with Map 1 and Map 7 of The London Plan;

- c) the proposed by-law appended to the staff report dated June 22, 2020 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in the above-noted parts a) and b) above), to change the zoning of the subject property FROM an Office (OF2) Zone TO a Residential R8 Bonus/Office (R8-4*B-_ /OF2) Zone;

the Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high quality residential apartment building, with a maximum height of 4-storeys, 28 dwelling units and a maximum density of 165 units per hectare, which substantively implements the Site Plan and Elevations appended to the staff report dated June 22, 2020 as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

- i) Exceptional Building Design

The building design shown in the various illustrations contained in Schedule "1" to the amending by-law is being bonused for features which serve to support the City's objective of promoting a high standard of design including:

- A) a building located along the street frontage with reduced front and exterior side yard setbacks;
- B) providing for appropriate scale/rhythm/materials/fenestration; and,
- C) enhanced landscaping and amenity area at grade;

- ii) Provision of Affordable Housing

The development shall provide for the following:

- A) one, one-bedroom barrier-free affordable rental unit;
- B) rent not exceeding 85% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy; and,
- C) the duration of affordability shall be set at 25 years from the point of initial occupancy of the unit;

- d) the Civic Administration BE REQUESTED to consider the following during the Site Plan process:

- i) an alternate location for the garbage location away from the residential units; and,
- ii) the privacy fence height be increased to 7 feet (2.1 meters);

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

- a communication dated June 9, 2020 from R. and J. Robinson, 347 Fairview Avenue; and,
- a communication dated June 15, 2020 from B. and E. May, 749 Rowntree Avenue;

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 these applications for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement (PPS), 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Institutional Place Type;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the criteria for a Chapter 10 Specific Area Policy;
- the recommended amendment facilitates the development of a vacant, underutilized site within the Built-Area Boundary and Primary Transit Area with an appropriate form of development.

Motion Passed

At 4:41 PM, Councillor P. Squire enters the meeting.

At 4:46 PM, His Worship Mayor E. Holder places Councillor J. Helmer in the Chair, and takes a seat at the Council Board.

At 4:48 PM, His Worship Mayor E. Holder resumes the Chair and Councillor J. Helmer takes a Chair at the Council Board.

10. (3.5) Application - 1992 Fanshawe Park Road West (TZ-9177)

Motion made by: M. Cassidy

Seconded by: J. Morgan

That, on the recommendation of the Director, Development Services, based on the application by Southside Construction Management Limited, relating to the property located at 1992 Fanshawe Park Road West, the ~~attached~~ proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on June 29, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to extend the Temporary Use (T-45) Zone to permit a golf driving range and accessory uses for an additional three (3) year period;

it being pointed out that the Planning and Environment Committee reviewed and received a communication dated June 11, 2020 from C. Butler, 863 Waterloo Street, with respect to this matter;

it being further 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; and,

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

- the proposed amendment is consistent with the Provincial Policy Statement (PPS), 2020;
- the proposed amendment conforms to the in-force policies of The London Plan;
- the proposed amendment conforms to the in-force policies of the 1989 Official Plan; and,
- the portion of the subject property used for the golf driving range can be reverted back to agricultural use should the lands be required for that purpose.

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

Nays: (1): A. Hopkins

Absent: (1): S. Turner

Motion Passed (13 to 1)

8.4 12th Report of the Strategic Priorities and Planning Committee

Motion made by: J. Helmer

That the 12th Report of the Strategic Priorities and Policy Committee BE APPROVED, excluding Item 4 (2.3) and Item 5 (2.4).

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

Councillor J. Helmer discloses a pecuniary interest in Item 2.3 - COVID-19 Financial Impacts, specific to item #10 of Table 3 - Additional Proposed Service Adjustments - having to do with the proposed closure of River Road Golf Course for the 2020 season, by indicating that his father is employed by National Golf Course Owners Association of which River Road is a member.

Motion Passed

2. (2.1) COVID-19 - City of London Services

Motion made by: J. Helmer

That, on the recommendation of the City Manager, the staff report dated June 23, 2020 entitled "Covid-19 – City of London Services", BE RECEIVED for information.

Motion Passed

3. (2.2) Strategic Plan: Semi-Annual Progress Report

Motion made by: J. Helmer

That, on the recommendation of the City Manager, the staff report dated June 23, 2020, entitled "Strategic Plan: Semi-Annual Progress Report", BE RECEIVED for information.

Motion Passed

6. (3.1) Federal/Provincial Advocacy Efforts Related to COVID-19 - Verbal Update - City Manager

Motion made by: J. Helmer

That it BE NOTED that the Strategic Priorities and Policy Committee heard a verbal update from the City Manager with respect to Federal/Provincial advocacy efforts, related to COVID-19.

Motion Passed

7. (5.1) Community Recovery Plan

Motion made by: J. Helmer

That the Civic Administration BE DIRECTED to develop and report back as soon as possible with a proposed model to bring together community partners in the development of a community recovery plan in response to the COVID-19 crisis, included therein the ability for such a model to capture short term community needs as well as a longer-term strategy for London's economic and social recovery.

Motion Passed

4. (2.3) COVID-19 Financial Impacts - Update

That the following actions be taken with respect to the staff report dated June 23, 2020, related to an update on COVID-19 Financial Impacts:

a) the overview of projected financial impacts of COVID-19 on The Corporation of the City of London and the measures taken to date to address these pressures BE RECEIVED for information;

b) the actions below BE APPROVED to further mitigate the financial pressures caused by COVID-19:

i) additional operating service adjustments identified in Table 3 in the staff report dated June 23, 2020, excluding Item 10 – Golf, be approved, noting the anticipated service impacts associated with these actions;

ii) item 10 - Golf operating service adjustments identified in the above-noted Table 3, noting the anticipated service impacts associated with these actions;

iii) deferral of capital projects totaling \$3,539,000, it being noted that there are anticipated service impacts associated with these

deferrals;

- c) the Civic Administration BE AUTHORIZED to take the necessary actions to adjust the 2020 capital budgets and associated funding sources referenced in part b)ii), above;
- d) deferral of 2020 additional investments approved during the 2020-2023 Multi-Year Budget totaling \$1,345,000 BE APPROVED; it being noted that there are anticipated service impacts associated with these deferrals;
- e) the measures being taken by the City's Agencies, Boards and Commissions and other funded organizations to mitigate their financial challenges BE RECEIVED for information;
- f) a one-year deferral of the annual loan repayment for RBC Place BE APPROVED;
- g) the extension of the waiver of late payment charges for unpaid water & wastewater billings through July 2020 BE ENDORSED; it being noted that this is consistent with London Hydro's approach for electricity late payment charges;
- h) the Civic Administration BE AUTHORIZED to take the actions necessary to waive the applicable fees associated with permits and encroachments to assist London businesses with reopening items such as temporary restaurant patios, curbside pick-ups, vending stands and other applicable business practices;
- i) the proposed approach for the 2021 Annual Budget Update outlined in the report dated June 23, 2020, BE ENDORSED;
- j) the Civic Administration BE AUTHORIZED to further extend the deferral period, on Community Improvement Plan loan repayments, on an interest-free basis for a further period of 90 days, being June, July and August 2020, where the applicant has requested a further deferral in writing; it being noted that the September loan repayments will be cashed as planned; and,
- k) the Civic Administration BE AUTHORIZED to further extend the deferral period for the loan payments on the interest-free loan to the London Community Players until January 2021; it being noted that the January loan repayments will be cashed as planned; it being noted that the Strategic Priorities and Policy Committee received a presentation from the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and a communication dated June 18, 2020 from C. Butler with respect to this matter.

Motion made by: J. Helmer

That Item 4 (2.3), excluding part b)ii) BE APPROVED:

That the following actions be taken with respect to the staff report dated June 23, 2020, related to an update on COVID-19 Financial Impacts:

- a) the overview of projected financial impacts of COVID-19 on The Corporation of the City of London and the measures taken to date to address these pressures BE RECEIVED for information;
- b) the actions below BE APPROVED to further mitigate the financial pressures caused by COVID-19:

- i) additional operating service adjustments identified in Table 3 in the staff report dated June 23, 2020, excluding Item 10 – Golf, be approved, noting the anticipated service impacts associated with these actions;
- iii) deferral of capital projects totaling \$3,539,000, it being noted that there are anticipated service impacts associated with these deferrals;
- c) the Civic Administration BE AUTHORIZED to take the necessary actions to adjust the 2020 capital budgets and associated funding sources referenced in part b)ii), above;
- d) deferral of 2020 additional investments approved during the 2020-2023 Multi-Year Budget totaling \$1,345,000 BE APPROVED; it being noted that there are anticipated service impacts associated with these deferrals;
- e) the measures being taken by the City's Agencies, Boards and Commissions and other funded organizations to mitigate their financial challenges BE RECEIVED for information;
- f) a one-year deferral of the annual loan repayment for RBC Place BE APPROVED;
- g) the extension of the waiver of late payment charges for unpaid water & wastewater billings through July 2020 BE ENDORSED; it being noted that this is consistent with London Hydro's approach for electricity late payment charges;
- h) the Civic Administration BE AUTHORIZED to take the actions necessary to waive the applicable fees associated with permits and encroachments to assist London businesses with reopening items such as temporary restaurant patios, curbside pick-ups, vending stands and other applicable business practices;
- i) the proposed approach for the 2021 Annual Budget Update outlined in the report dated June 23, 2020, BE ENDORSED;
- j) the Civic Administration BE AUTHORIZED to further extend the deferral period, on Community Improvement Plan loan repayments, on an interest-free basis for a further period of 90 days, being June, July and August 2020, where the applicant has requested a further deferral in writing; it being noted that the September loan repayments will be cashed as planned; and,
- k) the Civic Administration BE AUTHORIZED to further extend the deferral period for the loan payments on the interest-free loan to the London Community Players until January 2021; it being noted that the January loan repayments will be cashed as planned; it being noted that the Strategic Priorities and Policy Committee received a presentation from the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and a communication dated June 18, 2020 from C. Butler with respect to this matter.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Peloza, A. Kayabaga, and S. Hillier
 Absent: (1): S. Turner

Motion Passed (14 to 0)

Motion made by: S. Lewis

That part b)ii) of Item 4 (2.3) BE APPROVED:

ii) item 10 - Golf operating service adjustments identified in the above-noted Table 3, noting the anticipated service impacts associated with these actions;

Yeas: (9): Mayor E. Holder, S. Lewis, M. Salih, M. Cassidy, P.

Squire, J. Morgan, A. Hopkins, E. Pelozza, and A. Kayabaga

Nays: (4): M. van Holst, S. Lehman, P. Van Meerbergen, and S. Hillier

Recuse: (1): J. Helmer

Absent: (1): S. Turner

Motion Passed (9 to 4)

5. (2.4) 2020 Assessment Growth Funding Allocation

That the following actions be taken with respect the 2020 Assessment Growth Funding Allocation:

a) the report of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, dated June 23, 2020, entitled "2020 Assessment Growth Funding Allocation" BE RECEIVED for information; it being noted that approved assessment growth requests are only being partially funded at this time as a result of the projected financial impacts of COVID-19, and that the remaining 2020 assessment growth funding may be used to offset COVID-19 financial impacts on a one-time basis if Federal or Provincial support is not received; and

b) notwithstanding Council's Assessment Growth Policy, for 2020, the following actions be taken:

i) recognizing that the London Police Services Board has voted to defer three police positions provided for in its original 2020 Assessment Growth Business Case #12 request, the funding for the three positions that is currently allocated to the assessment growth request from the London Police Services Board BE DEFERRED; and,

ii) subject to the approval of part b)i) above, the proposed 2020 funding for the three positions BE REALLOCATED to support the 2020 Assessment Growth Business Case #13 Homeless Prevention - Homeless Prevention Allowances.

Motion made by: J. Helmer

That part b) i) of Item 5 (2.4) BE APPROVED:

b) notwithstanding Council's Assessment Growth Policy, for 2020, the following actions be taken:

i) recognizing that the London Police Services Board has voted to defer three police positions provided for in its original 2020 Assessment Growth Business Case #12 request, the funding for the three positions that is currently allocated to the assessment growth request from the London Police Services Board BE DEFERRED; and,

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, E. Pelozza, A. Kayabaga, and S. Hillier
Nays: (1): P. Van Meerbergen
Absent: (1): S. Turner

Motion Passed (13 to 1)

Motion made by: J. Helmer

That parts a) and b)ii) of Item 5(2.4) BE APPROVED:

That the following actions be taken with respect the 2020 Assessment Growth Funding Allocation:

a) the report of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, dated June 23, 2020, entitled "2020 Assessment Growth Funding Allocation" BE RECEIVED for information; it being noted that approved assessment growth requests are only being partially funded at this time as a result of the projected financial impacts of COVID-19, and that the remaining 2020 assessment growth funding may be used to offset COVID-19 financial impacts on a one-time basis if Federal or Provincial support is not received; and

b) notwithstanding Council's Assessment Growth Policy, for 202, the following actions be taken:

ii) subject to the approval of part b)i) above, the proposed 2020 funding for the three positions BE REALLOCATED to support the 2020 Assessment Growth Business Case #13 Homeless Prevention - Homeless Prevention Allowances.

Yeas: (14): Mayor E. Holder, M. van Holst, 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
Absent: (1): S. Turner

Motion Passed (14 to 0)

8.5 2nd Report of the Audit Committee

Motion made by: J. Helmer

That the 2nd Report of the Audit Committee BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, 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
Absent: (1): S. Turner

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (4.1) Internal and External Audit Services - Contract Extensions

Motion made by: J. Helmer

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

- a) pursuant to section 13.3 of the Council Procedural By-law the decision of Municipal Council from the meeting held on March 24, 2020 with respect to clause 4.9 of the 1st Report of the Audit Committee, having to do with undertaking a Request for Proposal (RFP) process for the internal audit services, BE RECONSIDERED;
- b) consistent with RFP16-36 and the terms set out in the contract with Deloitte LLP for internal audit services, the internal audit services by Deloitte LPP BE RENEWED for one (1) additional one (1) year term;
- c) approval noted in b) above, hereby BE GIVEN to extend the current contract for a one (1) year period;
- d) the Civic Administration BE DIRECTED to enter into negotiations with KPMG LLP, 1400-140 Fullarton Street, London, Ontario N6A 5P2 for external audit services to extend the existing contract for two (2) more years;
- e) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with contracts to implement c) and d), above; and
- f) the approval hereby given BE CONDITIONAL upon The Corporation of the City of London entering into negotiations for satisfactory prices, terms and conditions with Deloitte LLP and KPMG LLP, to the satisfaction of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer.

Motion Passed

3. (4.2) Internal Audit Summary Update - Dashboard - Observation Summary

Motion made by: J. Helmer

That the following actions be taken with regards to the Internal Audit submission from Deloitte dated June 15, 2020:

- a) the Internal Audit Summary Update, Internal Audit Dashboard Report, the General Internal Audit Consideration in Response to COVID-19 and the Audit Observation Status Summary of High and Medium Priority Observations, BE RECEIVED; and
- b) the Civic Administration BE DIRECTED to work with Deloitte and report back at a future meeting of the Audit Committee regarding a revised Audit Plan.

Motion Passed

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

None.

13. By-laws

Motion made by: A. Hopkins

Seconded by: E. Peloza

That Introduction and First Reading of Bill No.'s 204 to 216, inclusive, BE APPROVED.

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

Motion made by: S. Lewis

Seconded by: S. Hillier

That Second Reading of Bill No.'s 204 to 216, inclusive, BE APPROVED.

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

Motion made by: S. Lehman

Seconded by: S. Lewis

That Third Reading and Enactment of Bill No.'s 204 to 216, inclusive, BE APPROVED.

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

4. Council, In Closed Session

Motion made by: E. Peloza

Seconded by: A. Hopkins

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

4.1 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. (6.1/11/CSC)

4.2 Litigation/Potential Litigation / Matters Before Administrative Tribunals / Solicitor-Client Privileged Advice

A matter pertaining to litigation with respect to the full expropriation of property located at 69 Wharnccliffe Road South, including matters before administrative tribunals, affecting the municipality or local board; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with the expropriation of property located at 69 Wharnccliffe Road South; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the expropriation of a property located at 69 Wharnccliffe Road South. (6.2/11/CSC)

4.3 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. (6.1/12/SPPC)

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelosa, A. Kayabaga, and S. Hillier
Absent: (1): S. Turner

Motion Passed (14 to 0)

The Council convenes In Closed Session at 5:13 PM, with Mayor E. Holder in the Chair and all Members participating, except Councillor S. Turner; it being noted that Councillors M. van Holst, M. Salih, J. Helmer, M. Cassidy, A. Hopkins, P. Van Meerbergen, A. Kayabaga and S. Hillier were in remote attendance.

The Council reconvenes in public session at 5:34 PM, with Mayor E. Holder in the Chair and all Members participating, except Councillor S. Turner; it being noted that Councillors M. van Holst, M. Salih, J. Helmer, M. Cassidy, A. Hopkins, P. Van Meerbergen, A. Kayabaga and S. Hillier were in remote attendance.

9. Added Reports

9.1 11th Report of Council in Closed Session

Motion made by: M. van Holst
Seconded by: S. Lehman

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 the Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, with respect to the property located at 589 Adelaide Street North, further described as Part of Lot 1, Plan 194 (E), being Part of PIN 08277-0035 (LT), as shown on the location map attached, for the purpose of a future road improvement to accommodate the Adelaide Street CP Rail Grade Separation Project, the following actions be taken:

a) the Tenant Settlement Agreement submitted by North End Body Shop Limited (the Tenant) to surrender the commercial lease and give vacant possession, BE ACCEPTED, as follows:

i) to the City over that portion of the subject property known

municipally as 589 Adelaide Street North, and designated as Part 6, Plan 33R-20556 (the Property);

ii) to the owner, Stingray Holdings Limited, over that remaining portion of the property known municipally as 589 Adelaide Street North; for the sum of \$130,000.00, subject to the following conditions:

A. the Tenant, North End Body Shop Limited, granting the City vacant possession over that portion of 589 Adelaide Street North designated as Part 6 on Plan 33R-20556 and granting Stingray Holdings Limited, vacant possession to the remaining portion of the property known municipally as 589 Adelaide Street North;

B. the City agreeing to pay the Tenant, upon vacant possession, an additional sum of \$25,000.00 for Disturbance Damages pursuant to Sections 18(2) and Section 19(1) of the Expropriations Act;

C. the City agreeing to reimburse the Tenant for its reasonable actual incurred costs to terminate its current employees, in compliance with the Employment Standards Act, as a holdback provision;

D. the City agreeing to pay the Tenant's reasonable legal costs, including fees, disbursements, and applicable taxes, to complete this transaction, subject to assessment; and

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

Yeas: (14): Mayor E. Holder, M. van Holst, 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
Absent: (1): S. Turner

Motion Passed (14 to 0)

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

That Introduction and First Reading of Bill No. 203 and Added Bill No. 217, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, 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
Absent: (1): S. Turner

Motion Passed (14 to 0)

Motion made by: E. Pelozza
Seconded by: J. Helmer

That Second Reading of Bill No. 203 and Added Bill No. 217, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, 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
Absent: (1): S. Turner

Motion Passed (14 to 0)

Motion made by: A. Hopkins
Seconded by: M. Cassidy

That Third Reading and Enactment of Bill No. 203 and Added Bill No. 217,
BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer,
M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van
Meerbergen, E. Pelozo, A. Kayabaga, and S. Hillier
Absent: (1): S. Turner

Motion Passed (14 to 0)

Motion made by: J. Morgan
Seconded by: S. Lewis

That Introduction and First Reading of Added Bill No. 218, BE
APPROVED.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer,
M. Cassidy, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, E.
Pelozo, A. Kayabaga, and S. Hillier
Nays: (1): A. Hopkins
Absent: (1): S. Turner

Motion Passed (13 to 1)

Motion made by: S. Lewis
Seconded by: E. Pelozo

That Second Reading of Bill No. 218, BE APPROVED.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer,
M. Cassidy, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, E.
Pelozo, A. Kayabaga, and S. Hillier
Nays: (1): A. Hopkins
Absent: (1): S. Turner

Motion Passed (13 to 1)

Motion made by: J. Morgan
Seconded by: S. Lewis

That Third Reading and Enactment of Added Bill No. 218, BE
APPROVED.

Yeas: (13): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer,
M. Cassidy, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, E.
Pelozo, A. Kayabaga, and S. Hillier
Nays: (1): A. Hopkins
Absent: (1): S. Turner

Motion Passed (13 to 1)

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

Bill	By-law
Bill No. 203	By-law No. A.-7994-151 - A by-law to confirm the proceedings of the Council Meeting held on the 29th day of June, 2020. (City Clerk)
Bill No. 204	By-law No. A.-7995-152 - A by-law to delegate authority to the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, or designate, to apply through the City's Building Division for any necessary permits with respect to Council approved Capital Works Projects. (2.3/11/CSC)
Bill No. 205	By-law No. CPOL.-381(a)-153 - A by-law to amend By-law No. CPOL.-381-506, as it relates to a "General Policy for Advisory Committees" to provide for electronic meeting participation. (2.1/11/CSC)
Bill No. 206	By-law No. C.P.-1284(vj)-154 - A by-law to amend the Official Plan for the City of London, 1989 relating to 584 and 588 Wonderland Road North. (3.2a/9/PEC)
Bill No. 207	By-law No. C.P.-1284(vk)-155 - A by-law to amend the Official Plan for the City of London, 1989 relating to 754-760 Base Line Road East. (3.4a/9/PEC)
Bill No. 208	By-law No. C.P.-1467(h)-156 - A by-law to amend C.P.-1467-175, as amended, being "A By-law to establish financial incentives for the Downtown Community Improvement Project Areas". (2.2/9/PEC)
Bill No. 209	By-law No. C.P.-1512(s)-157 - A by-law to amend The London Plan for the City of London, 2016 relating to 584 and 588 Wonderland Road North. (3.2b/9/PEC)
Bill No. 210	By-law No. C.P.-1512(t)-158 - A by-law to amend The London Plan for the City of London, 2016 relating to 754-760 Base Line Road East. (3.4b/9/PEC)
Bill No. 211	By-law No. S.-6067-159 - A by-law to repeal By-law No. S.-3504-365 entitled "A by-law to permit Anna Zivkovic to maintain and use an encroachment upon the road allowance for Grey Street; City of London". (Chief Surveyor)
Bill No. 212	By-law No. Z.-1-202849 - A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning from lands located at 184 Exeter Road. (2.3/9/PEC)
Bill No. 213	By-law No. Z.-1-202850 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1919 and 1929 Oxford Street West. (3.1/9/PEC)

Bill No. 214	By-law No. Z.-1-202851 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 584 and 588 Wonderland Road North. (3.2c/9/PEC)
Bill No. 215	By-law No. Z.-1-202852 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 944 Hamilton Road. (3.3b/9/PEC)
Bill No. 216	By-law No. Z.-1-202853 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 754-760 Base Line Road East. (3.4c/9/PEC)
Bill No. 217	(ADDED) By-law No. A.-7996-160 - A by-law to authorize and approve a Tenant Settlement Agreement between North End Body Shop Limited and The Corporation of the City of London, for the surrender of lease, including compensation for the loss of business, pertaining to the leased property at 589 Adelaide Street North, in the City of London, for the CP Rail Adelaide Street North Grade Separation Project and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/11/CSC)
Bill No. 218	(ADDED) By-law No. Z.-1-202854 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1992 Fanshawe Park Road West. (3.5/9/PEC)

14. Adjournment

Motion made by: M. van Holst
 Seconded by: S. Lehman

That the Meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 5:46 PM.

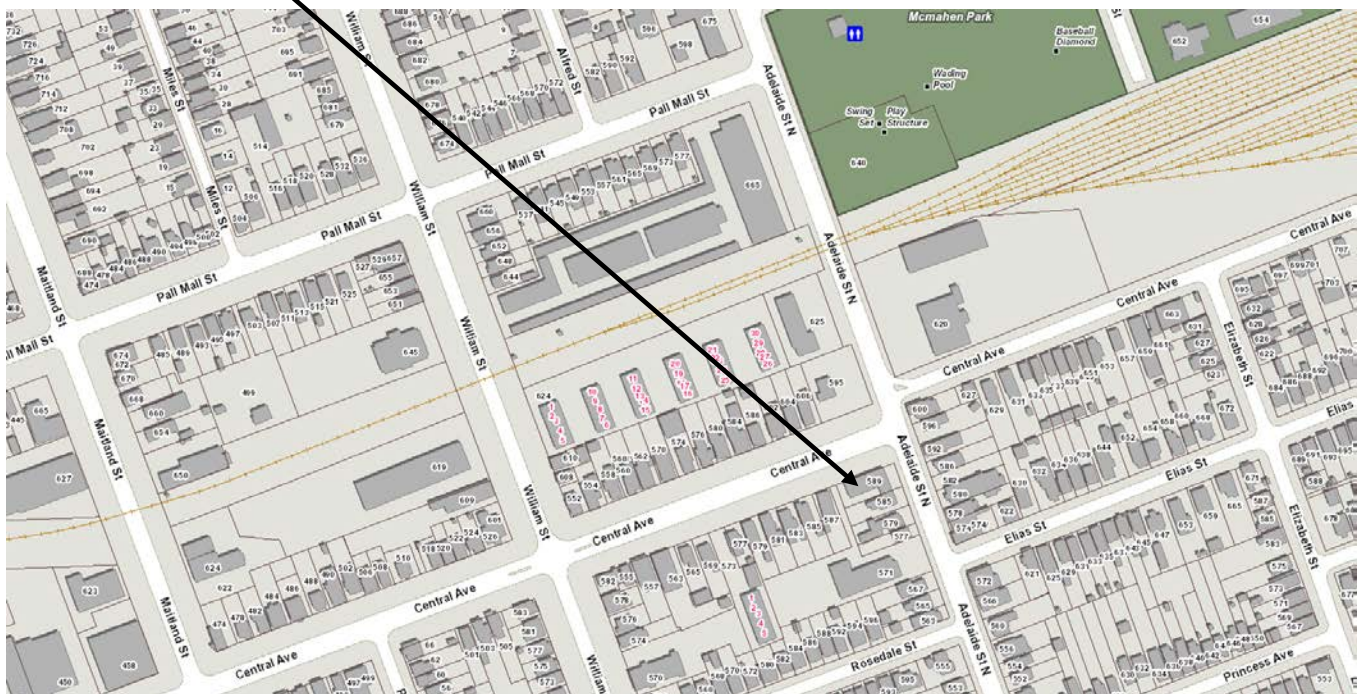
Ed Holder, Mayor

Catharine Saunders, City Clerk

Location Map



589 Adelaide Street



APPENDIX "A"
CONFIDENTIAL

Chair and Members
Corporate Services Committee

#20083
June 16, 2020
(Tenant Settlement Agreement)

RE: Tenant Settlement Agreement - 589 Adelaide St N
Adelaide Street CP Rail Grade Separation Project
(Subledger LD180097)
Capital Project TS1306 - Adelaide St Grade Separation CPR Tracks
North End Body Shop Limited

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this project can be accommodated within the financing available for it in the Capital Works Budget and that, subject to the approval of the City Solicitor, on the advice of the Manager of Realty Services, the detailed source of financing for this project is:

<u>ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed To Date</u>	<u>This Submission</u>	<u>Balance for Future Work</u>
Engineering	\$5,532,920	\$3,033,389		\$2,499,531
Land Acquisition	11,417,080	7,975,890	183,000	3,258,190
Construction	16,525,200	4,485,901		12,039,299
Relocate Utilities	5,800,000	464,495		5,335,505
City Related Expenses	100,000	424		99,576
NET ESTIMATED EXPENDITURES	<u>\$39,375,200</u>	<u>\$15,960,099</u>	<u>\$183,000</u> 1)	<u>\$23,232,101</u>
<u>SOURCE OF FINANCING</u>				
Debenture By-law No. W.-5600-57	\$22,714,638	\$11,474,811	\$131,571	\$11,108,256
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) 11,065,664	4,485,288	51,429	6,528,947
Other Contributions	5,594,898			5,594,898
TOTAL FINANCING	<u>\$39,375,200</u>	<u>\$15,960,099</u>	<u>\$183,000</u>	<u>\$23,232,101</u>

1) **Financial Note:**

Fair Market Value of Business	\$130,000
Add: Disturbance Damages, Employee Severance, Legal Fees	53,000
Total Settlement	<u>\$183,000</u>

- 2) Development charges have been utilized in accordance with the underlying legislation and the Development Charges Background Studies completed in 2019.
- 3) The property was purchased from Stingray Holdings Limited at the February 3, 2020 CSC Meeting (SOF #20012).

Note to City Clerk:

- 4) The City Clerk be authorized to increase Debenture By-law No. W.-5600-57 by \$18,369,738 from \$4,344,900 to \$22,714,638.

lp


 Jason Davies
 Manager of Financial Planning & Policy

From: Dini

Sent: Monday, July 13, 2020 1:28 PM

To: Lowery, Catherine <clowery@london.ca>

Cc: Hopkins, Anna <ahopkins@london.ca>

Subject: [EXTERNAL] 1146-1156 Byron Baseline Road / File. Z-9172

Hello,

We live directly next to this property on the east side at 1142 and although there have been some adjustment made to the size of the proposed building, we still feel the building is too high and does not suit the neighbourhood.

Now that we may not be able to attend the meeting on Wednesday, we like to know if there is a proposal for the landscaping available since all 3 property lines have a green/tree barrier.

We appreciate if you could address our concerns, thank you..

Sincerely,

Roland and Dini Dobler

1142 Byron Baseline Road

From: Terry Wisniewski

Sent: Wednesday, July 15, 2020 10:37 AM

To: Lowery, Catherine <clowery@london.ca>

Subject: [EXTERNAL] file Z-9172 amendment meeting July 15 2020.

Catherine, my husband Vic and I will not be attending the public meeting on July 15th with regards to the requested change due to COVID 19. We do wish to register this email in our place to strongly state our opposition to the newest attempt to swamp the site in multi stacked units.

We find it rather suspect that during these troubled times the builder continued on while we concerned citizens were left in the dark. On this notice that we received last week it states that we were supposedly received a notice of application on Feb. 12, 2020--which we DID NOT. Once again our concerns are about the over crowding with the units over taking the single family homes adjacent and across the street. As we are all aware the builder has a tendency to over state the forestation of the lot as anyone who has bothered to visit the site can attest. The supposed thick cedar hedge is a myth, the other trees are scraggy at best.

The location of garbage storage in serious doubt. Parking lot is of concern with the removal of snow in the winter. Traffic exiting and entering the site off of Baseline is still a concern. The road continues to backup now with stop and go traffic at the stop signs. Thank you for taking our concerns to the meeting.

Vic and Terry Wisniewski

From: Angela Robinet

Sent: Wednesday, July 15, 2020 4:17 PM

To: Lowery, Catherine <clowery@london.ca>; Hopkins, Anna <ahopkins@london.ca>

Subject: [EXTERNAL] Zoning By-Law Amendment for 1146-1156 Byron Baseline Road

Hello Councillor Hopkins and Ms. Lowery;

We live on Byron Baseline Road and would like to state our disappointment with the revised proposal to develop the plot near Byron Baseline and Griffith. The number of units is simply too large for the space, the infrastructure, and the composition of the neighbouring families.

As with the previous proposal, the main issue is not about "fit with the neighbourhood homes" - as has been mentioned numerous times. That is a very superficial argument. My family (and other residents) are concerned about the traffic safety on an already busy road. This proposal would increase the traffic in this particular area exponentially.

I invite both of you to stand at the corner of Byron Baseline and Griffith Street for one hour during the day (even 15 minutes will suffice) to witness the number of traffic violations that take place at this busy intersection managed by a 4-way stop. I rarely see police presence in this area, so these violations would go unrecorded, and therefore not be referenced in the decision-making. More traffic from this significant increase in residents will lead to even more dangerous conditions on this road and at this intersection. If this proposal goes forward, will the city be installing traffic lights?

Furthermore, is the city aware that most of the households near this part of Byron Baseline Road have very young children? This further highlights the traffic safety issue. There are children who walk or bus to school, and this many units crammed into this tiny plot will make this zone unsafe.

I will be very surprised if the city approves such a proposal. Please consider our request to reduce the number of units to something more reasonable. I understand that the city prioritizes tax revenue but in this case safety should be prioritized. Councillor Hopkins, I recall that you were supportive of residents' concerns last time, and I hope that you will continue to show that support.

Lastly, I am hoping that the Planning and Environment Committee will recognize that due to the pandemic, participants at the meeting this evening will likely be fewer than during normal circumstances. As I mentioned previously, many residents have children and will likely not attend such a public gathering.

Thank you for your time and consideration.

Sincerely,

Angela Robinet

From: Shauna K. Powell
Sent: Wednesday, July 15, 2020 10:02 AM
To: Squire, Phil <psquire@london.ca>; CPSC <cpsc@london.ca>
Subject: [EXTERNAL] Surveillance cameras on neighbouring properties
Importance: High

Dear Phil,

I hope this email finds you well.

<https://www.cbc.ca/news/canada/london/london-camera-backyard-surveillance-1.5649350>

I read this article in the CBC today and I want to express my support for the by-law to be changed at the City to allow for enforcement of privacy breaches by neighbours' security cameras. This is a growing problem in our neighbourhoods, and often times the security camera is placed as a means of intimidation and harassment to a neighbour, rather than the stated goal of "protection of property". This is particularly so when the camera can capture and record activities in a neighbouring back yard, rather than monitoring one's own front porch or steps. If the police can not do anything to enforce privacy, the City must. People have a fundamental right to privacy and enjoyment of their property, and should be free from cameras watching them, and possibly filming them. This is particularly so when you have children living in the home and playing in the back yard. In this article, the screen shot demonstrates that not only is the neighbour watching and possibly filming a number of other properties/backyards, the surveillance lens also captures the gentleman's kitchen windows to his backyard, which raises a very significant concern that his activities inside the home can be recorded as well.

Please let me know what further steps I should take to add my voice to this gentleman's concerns and ask for a change to be made by the City.

Thank you, Shauna Powell

Old North resident

July 15, 2020

Members of London City Council
300 Dufferin Ave.
London, Ontario
N6A 4L9

Re: Motion regarding MADD Canada Memorial Road Signs

Dear Councillors:

MADD Canada's mission is to stop impaired driving and to support victims of this violent crime. As you know, impaired driving related crashes remain the leading criminal cause of death in Canada. An average of four people are killed every day in crashes where there is the presence of alcohol and/or drugs and 60,000 Canadians are injured every year. One of the ways MADD Canada honours victims and their families and educates the public about the dangers of impaired driving is through our Memorial Road Sign Program. In 2007, we signed an MOU with the Province of Ontario regarding Memorial Road Signs on provincial highways where someone was killed as a result of an impaired driving crash. We have similar agreements with Manitoba, Saskatchewan and Alberta and are working on programs in several other provinces.

MADD London is pleased that the Civic Works Committee passed a motion by Councillor Elizabeth Pelosa to direct staff to discuss the development of an MOU regarding MADD Canada Memorial Road Signs and to look at the location to install a Memorial to impaired driving victims. As you know, the motion was promoted by a request from Dave and Shauna Andrews to install a Memorial Road Sign in honour of their son Cody who was killed in London in 2016. We encourage all City Councillors to support the motion next Tuesday.

As you know, impaired driving is a serious problem in our city. Last year, police reported a double-digit increase in the number of charges of impaired driving. We believe the Memorial Road Signs have the ability to raise awareness of the risks of impaired driving and the human cost of this kind of criminal behaviour.

We are aware of some of the concerns about the signs raised during the discussion at the Committee. The agreement with Ontario has strict criteria for approval of the installation of signs, namely there has to be a conviction for impaired driving. Since 2016, there have not been many convictions for impaired driving causing death in London. Furthermore, there is no evidence the signs are a distraction and there have been no issues reported in any of the jurisdictions where signs have been installed.

Once again, we encourage all Councillors to support the motion and we look forward to work with the city to raise awareness about the risks of impaired driving and honour those killed in impaired driving crashes. If you have specific questions about the MADD Canada Memorial Sign Program, please contact Steve Sullivan, Director of Victim Services, at 866-876-5224 or ssullivan@madd.ca.

Sincerely,

Leidy Ochoa
MADD London Chapter President

Planning and Environment Committee

Report

The 10th Meeting of the Planning and Environment Committee
July 13, 2020

PRESENT: Councillor M. Cassidy (Chair), J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, Mayor E. Holder

ALSO PRESENT: H. Lysynski, J.W. Taylor and B. Westlake-Power

Remote Attendance: Councillors S. Hillier, S. Lewis and E. Peloza; I. Abushehada, J. Adema, G. Barrett, J. Bunn, M. Campbell, M. Fabro, K. Gonyou, P. Kokkoros, G. Kotsifas, T. Macbeth, L. Maitland, L. McDougall, H. McNeely, L. McNiven, S. Meksula, C. Parker, M. Pease, L. Pompilii, D. Popadic, M. Schulthess, E. Skalski, B. Somers, M. Tomazincic, D. Turner and E. Williamson

The meeting is called to order at 4:02 PM, with Councillor M. Cassidy in the Chair; it being noted that the following Members were in remote attendance: Mayor E. Holder; Councillors J. Helmer, A. Hopkins, S. Turner and A. Kayabaga

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

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

That Items 2.1 and 2.2, inclusive, and Items 2.5 to 2.7, inclusive, BE APPROVED.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

2.1 Affordable Housing Development Toolkit: Update Report

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

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated July 13, 2020 entitled "Affordable Housing Development Toolkit: Update Report" BE RECEIVED for information.

Motion Passed

2.2 Implementing Additional Residential Units Requirements of the Planning Act (Bill 108) - Information Report

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

That, on the recommendation of the Director, City Planning and City Planner, with respect to the Official Plan and Zoning By-law review

initiated by The Corporation of the City of London, relating to all lands within the City of London, and involving Official Plan Amendments to revise policies related to additional residential units and Zoning By-law Amendments to revise regulations related to additional residential units, the staff report dated July 13, 2020 entitled "Implementing Additional Residential Units Requirements of the *Planning Act* (Bill 108) - Information Report City-wide/City of London" and draft London Plan, 1989 Official Plan and Zoning By-law amendments to implement Provincial Planning Act (Bill 108 - More Homes, More Choices Act.) changes BE CIRCULATED for public review in advance of the Public Participation Meeting to be held at a future date.

Motion Passed

2.5 8447-8473 Longwoods Road (H-9184)

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

That, on the recommendation of the Director, Development Services, based on the application by Adriano and Francesca Monopoli, relating to the property located at 8447-8473 Longwoods Road, the proposed by-law appended to the staff report dated July 13, 2020 BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning for a portion of the subject lands FROM a Holding Residential R1 (h-195*R1-14) Zone TO a Residential R1 (R1-14) Zone to remove the "h-195" holding provision.

Motion Passed

2.6 Summerside Phase 12B - Stage 3 Subdivision - Special Provisions

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

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 Lots 13 and 14, Concession 1, (Geographic Township of Westminster), situated on the northeast corner of Bradley Avenue and Meadowgate Boulevard:

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 3 (39T-07508) appended to the staff report dated July 13, 2020 as Appendix "A", BE APPROVED;

b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated July 13, 2020 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.

Motion Passed

2.7 Building Division Monthly Report for May 2020

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

That the Building Division Monthly Report for the month of May, 2020 BE RECEIVED for information.

Motion Passed

2.3 Conservation Master Plan for Meadowlily Woods Environmentally Significant Area

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

That, on the recommendation of the Director, Planning and City Planner, the following actions be taken with respect to the Conservation Master Plan for the Meadowlily Woods Environmentally Significant Area:

- a) the Conservation Master Plan for the Meadowlily Woods Environmentally Significant Area appended to the staff report dated July 13, 2020, BE RECEIVED for information; and,
- b) the members of the Environmental and Ecological Planning Advisory Committee and the community BE THANKED for their work in the review and comments on the document;

it being noted that staff will initiate an Official Plan Amendment and Zoning By-law amendment to adopt the Conservation Master Plan for the Meadowlily Woods Environmentally Significant Area and to amend the updated Environmentally Significant Area boundary identified in the Conservation Master Plan; and,

it being further noted that the Planning and Environment Committee reviewed and received a communication dated July 9, 2020 from G. Smith, Friends of Meadowlily Woods with respect to this matter.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

2.4 Environmental Studies, Private Land & Eastern Meadowlark Habitat

Moved by: J. Helmer
Seconded by: S. Turner

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated July 13, 2020 entitled "Environmental Studies, Private Land and Eastern Meadowlark", responding to the Municipal Council resolution adopted on November 13, 2019, with respect to these matters BE RECEIVED for information.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

3. Scheduled Items

3.1 Application - 442 Third Street (Z-9158)

Moved by: J. Helmer

Seconded by: A. Hopkins

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Forever Homes, relating to the property located at 442 Third Street:

a) the proposed, revised, attached by-law BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R2 (R2-3) Zone TO a Residential R6 Special Provision (R6-5(_)) Zone; and,

b) pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the changes are minor in nature;

it being noted that the following Site Plan matters pertaining to 442 Third Street have been identified during the review of the application:

i) construction of a wood, board on-board privacy fencing for the extent of the north, east and south perimeter, with a minimum height of 2.13m (7ft);

ii) interior garbage storage if possible, or appropriately located and enhanced screening for outdoor garbage storage;

iii) the provision outdoor lighting fixtures within parking areas that will minimize light trespass onto adjacent properties;

iv) maximize tree preservation and retention on the subject lands; and,

v) orient Unit 1 to Third Street by encouraging the principle building entrance and front porch to face the street;

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 policies of the Provincial Policy Statement 2014 which promote infill and the efficient use of land;
- the recommended amendment is in conformity with the in-force polices of The London Plan, including but not limited to, the Our City policies;
- the recommended amendment is in conformity with the in-force polices of the 1989 Official Plan, including but not limited to, the Low Density Residential designation policies; and,
- the recommended amendment facilitates the development of an underutilized site with an appropriate form of development.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: A. Hopkins
Seconded by: A. Kayabaga

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga,
and E. Holder

Motion Passed (6 to 0)

Moved by: A. Kayabaga
Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga,
and E. Holder

Motion Passed (6 to 0)

3.2 Demolition Request for Heritage Listed Properties at 74 Wellington Road
and 78 Wellington Road

Moved by: A. Hopkins
Seconded by: E. Holder

That, on the recommendation of the Director, City Planning and City
Planner, with the advice of the Heritage Planner, the properties located at
74 Wellington Road and 78 Wellington Road BE REMOVED from the
Register of Cultural Heritage Resources;

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.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga,
and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: E. Holder
Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga,
and E. Holder

Motion Passed (6 to 0)

Moved by: A. Kayabaga
Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga,
and E. Holder

Motion Passed (6 to 0)

3.3 Application - 1339-1347 Commissioners Road West (SPA19-116)

Moved by: A. Hopkins
Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Milan Starcevic, relating to the property located at 1339-1347 Commissioners Road West:

- a) the Approval Authority BE ADVISED that no issues were raised at the public participation meeting with respect to the application for Site Plan Approval to permit the construction of a five storey, 34 unit apartment building for the properties located at 1339-1347 Commissioners Road West relating to the proposed property;
- b) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan Application SUBJECT TO the following:
 - i) review the lighting and the wattage of the lighting by the underground parking and any potential impacts on the neighbouring condominium development; and,
 - ii) temporary shielding of the light while the trees are growing in;

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

- a presentation from H. Froussios, Zelinka Priamo Ltd.; and,
- a communication dated July 8, 2020 from E. Hopkins, B. Nuttall and S. Squires, on behalf of the Condominium Board 1337 Commissioners Road West;

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.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: A. Hopkins
Seconded by: A. Kayabaga

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Moved by: J. Helmer
Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

3.4 Application - 536-542 Windermere Road (SPA19-098)

Moved by: E. Holder

Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, the following actions BE TAKEN with respect to the application of 2492222 Ontario Inc, relating to the property located at 536-542 Windermere Commissioners Road West:

a) the Approval Authority BE ADVISED that no issues were raised at the public participation meeting with respect to the application for Site Plan Approval to permit the construction of two back-to-back townhouse buildings each with six-units, relating to lands located at 536 to 542 Windermere Road; and,

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

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

- a communication dated July 3, 2020 from W. Fisher;
- a communication dated July 3, 2020 from D. Leckie, 138 Orkney Crescent;
- a communication dated July 3, 2020 from F. Rodger, 131 Orkney Crescent;
- a communication dated July 3, 2020 from J. Levy, 147 Orkney Crescent; and,
- a communication dated July 7, 2020 from M. Lewis, 47 Orkney Crescent;

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

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: A. Hopkins

Seconded by: J. Helmer

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Moved by: A. Hopkins

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 5:46 PM.

Appendix A

Bill No. (number to be inserted by Clerk's Office)
(2020)

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 442 Third Street.

WHEREAS Forever Homes has applied to rezone an area of land located at 442 Third Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 442 Third Street, as shown on the attached map comprising part of Key Map No. 108, from a Residential R2 (R2-3) Zone, to a Residential R6 Special Provision (R6-5(_)) Zone.
- 2) Section Number 10.4 e) of the Residential R6 (R6) Zone is amended by adding the following Special Provision:
 -) R6-5(_) 442 Third Street
 - a) Regulations
 - i) Front Yard Depth (Maximum) 3.5 metres (11.5 feet)
 - ii) North Interior Side Yard Depth (Minimum) 3.0 metres (9.8 feet)
 - iii) Height (Maximum) 10.5m (34.5ft)

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.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

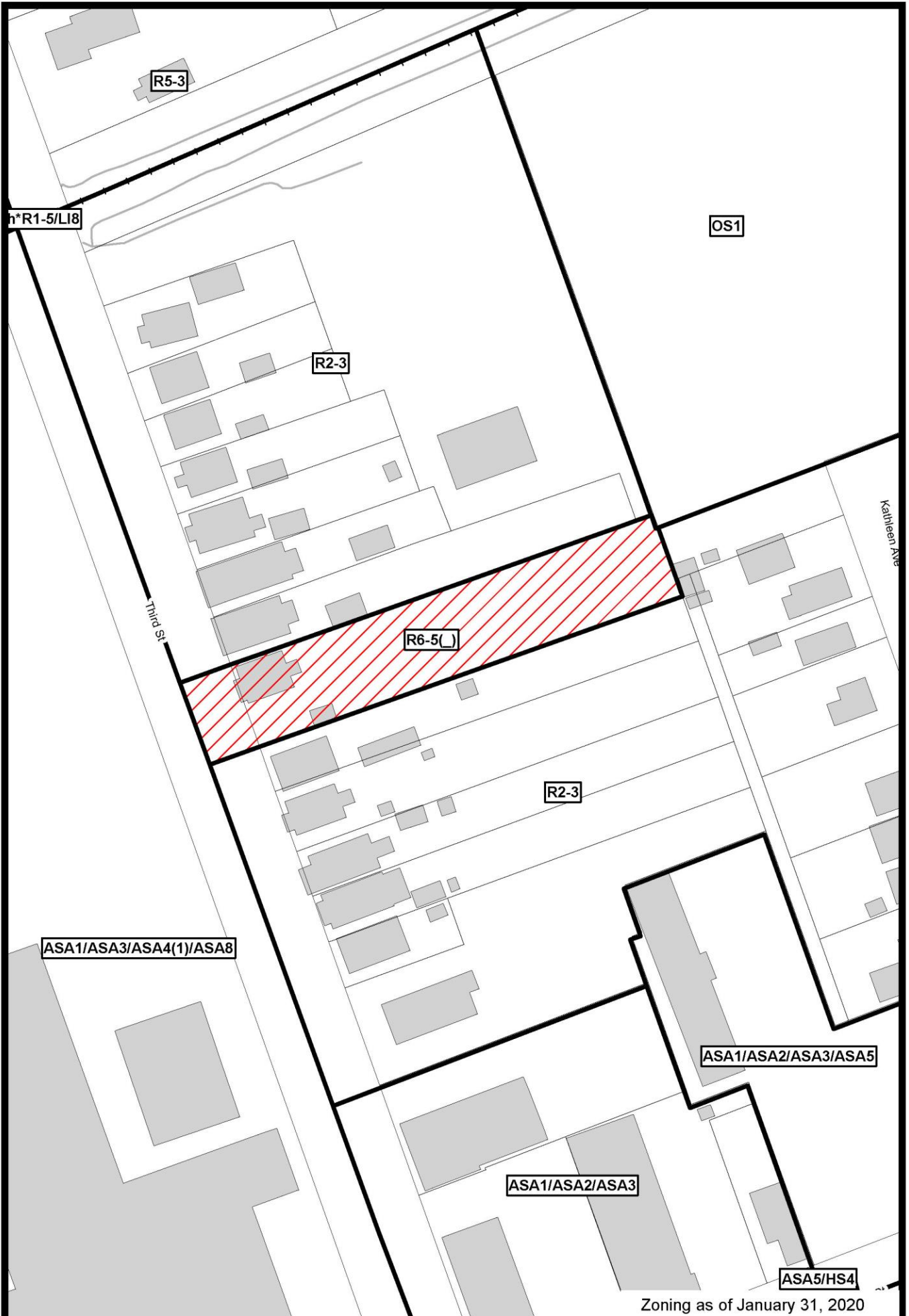
PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9158

Planner: SM

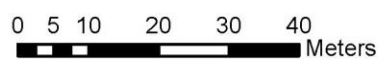
Date Prepared: 2020/2/11

Technician: rc

By-Law No: Z.-1-

SUBJECT SITE 

1:1,000



PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – 442 Third Street (Z-9158)

- Councillor Cassidy: Thank you Mr. Meksula. Are there any technical questions for the Planner for that? Not seeing any. Is the applicant present and would the applicant care to speak?
- Paul Hinde, Tanfield Consulting and I am representing the applicant, Forever Homes: Thank you very much Madam Chair. We are in support and agreement with the staff report that was prepared, we thank staff for their diligence in preparing this in these trying times and barring no other comments or questions from, that may be raised from the public, I would like to thank staff and we support the staff recommendation. Thank you.
- Councillor Cassidy: Thank you Mr. Hinde. Are there any members of the public in the Committee Room that would like to speak about this matter? Ask questions? Come to the microphone, state your name and you have a maximum of five minutes.
- Stephen Shoemaker, 436 Third Street: A resident to the south of 442 Third Street, I'm at 436. My biggest concern is that there is going to be a lot more pedestrian traffic, a lot more infrastructure as far as waste like washrooms and stuff like that to the City's infrastructure and a lot of hard surfaces that are going to be running water off onto my property. There is also a strip of land in there that, according to my lot survey, is that has been surveyed into 442 that should not have been surveyed into 442 because I have been maintaining it for over thirty years so I was wondering how they have room to do the buildings that they are looking at doing because they say in the report that I found online that it is not going to be student housing and then later on it is student housing. I mean there are two common areas, a kitchen and a living room and then in the front building they are looking at putting up there is a total of ten units with ten washrooms so there is a lot of extra stuff going on there that doesn't seem to make sense to me and it's nowhere close to looking like any of the buildings in the neighbourhood. The building right now is currently a storey and a half and they are looking at putting a two storey up which is going to look right down into my backyard and they want to put just straight hedges up which is not very much privacy and if they get all this extra land, I lose all my access to my backyard. That's, I guess, where I am at. Thank you.
- Councillor Cassidy: Thank you Mr. Shoemaker and I heard a couple of questions in there. Once we finish with the public participation portion, we will go to staff to see if they can address some of your questions or concerns. Are there any other members of the public that would like to speak to this? I'm not seeing any.
- Jerri Bunn, Committee Clerk: I don't have any more people in Committee Room 1 and 2 for this item.
- Councillor Cassidy: Thank you Ms. Bunn. Now I need a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – Demolition Request for Heritage Listed Properties at 74 Wellington Road and 78 Wellington Road

- Councillor Cassidy: Thank you Mr. Gonyou. Are there any members of the public who are here for this item?
- Jerri Bunn, Committee Clerk: I have a member in Committee Room 1 and 2.
- Councillor Cassidy: Thank you Ms. Bunn. If you would like to come to the microphone and state your name and you have five minutes to address the Committee.
- Arlene Jones, 88 Wellington Road: Good afternoon. I am here with Andy Jones. The one house that is beside the two houses that are proposed to be demolished. We are the third house from Watson Street. Demolishing these two houses would make us exposed completely, where at Wellington Road and Watson Road, we would be completely exposed. We already regular and frequent visits from people in the neighbourhood in our property, in our backyard. We've been broken into last June which almost completely destroyed us mentally. That Watson Street goes into the park and there's a lot of people and, unsavory types, and I am not talking about homeless people but I am talking about people that are doing break and enters. Since this pandemic we have seen a lot on Wellington Road. It would also expose the people, the older couple that are on Watson Street so they wouldn't have a side fence anymore as well as us not having a side fence. We've been watching the property closely, we have been in contact with Garda who has been hired by the City of London to protect those two properties and we have asked the City to put motion lights and we had an agreement with the, I think that he is the City Manager of Owned Properties. He had the lights up for a short period of time and, without notice, he came and undid the hydro and took out the meters exposing it now to Wellington Road as vacant. We are constantly having to ask for the lawn to be cut but we are on it. I am here to represent ourselves and the older people on Watson Street that would not have, these fences would be gone and we would be wide open for anybody coming down Watson or Wellington Road which they do at 2:00, 3:00 or 4:00 in the morning in our backyards. We're really concerned about it and somebody had just mentioned something about a meeting at March 11. We were to attend a meeting, I believe, on March 11 that was cancelled so I do not know about another meeting that went on, we were told that it was cancelled due to Covid so I'm a little concerned about that, too, because we planned on being at that last meeting that was cancelled. Anyways, we are very concerned. We know that the rapid transit is coming down Wellington. I have a friend who is an Engineer and she's pretty much explaining to me that the City wants the property so that the Contractor can place their heavy equipment there. The project isn't supposed to start for two to three years leaving us completely vulnerable for the next two to three years for no good reason so thank you.
- Councillor Cassidy: Thank you ma'am and we will have staff address some of your questions and concerns at the end. Are there any technical questions from the Committee? Seeing none. Are there any other members of the public? Just making sure there's nobody else that would like to speak to this before I close the public participation meeting. I'm not seeing anybody jump up so I will look for a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Application - 1339-1347 Commissioners Road West (SPA19-116)

- Councillor Cassidy: Thank you Mr. Maitland. Is the applicant in the Committee Room?
- Bridgette Somers, Manager, Corporate Records: Yes, we have the applicant here.
- Councillor Cassidy: Go ahead.
- Harry Froussios, Zelinka Priamo Ltd.: Good Evening Madam Chair and Members of the Committee. It's nice to see Planning Committee back up and running again albeit under some very unique circumstances. I don't have much to add tonight. Actually, I just wanted to thank staff for obviously their efforts in processing this application and bringing a recommendation forward this evening and I also want to thank the members of the Condominium Board for 1337 Commissioners Road and thank them for their comments and acknowledging that we have addressed the majority of their comments. As you just heard from Mr. Maitland, there really is only one item left and that is the agreement for the affordable housing. That is something that we will undertake subsequent to this meeting. I have prepared a slide presentation just really for the benefit of those who may not have seen the site plan. I understand it's in your package this evening so what I will do is I will leave it to your discretion if you want to hear a brief presentation or I can answer any questions that you might have specific to this site plan. Otherwise Madam Chair, I am here to answer any questions that you might have. Thank you.
- Councillor Cassidy: Are there any other members of the public in the Committee Room that would like to speak to this? I see someone standing. Ms. Bunn, is that someone who would like to speak to this application?
- Jerri Bunn, Committee Clerk: This gentleman is for another item.
- Councillor Cassidy: Great. Thank you. Ok, so I am not seeing any members of the public. I will look to Committee if you would like to hear Mr. Froussios's presentation or if you have any questions for the applicant. I'm not seeing anybody raise their hand so thank you Mr. Froussios, I don't think we need the presentation today. Ok. Since we have no members of the public I need a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – Application – 536 – 542 Windermere Road (SPA19-098)

- Councillor Cassidy: Thank you Mr. Maitland. Is the applicant here?
- Matt Campbell, Zelinka Priamo Ltd., here on behalf of the applicant: First of all, thanks for having this meeting this way. I know some of us may be a little bit anxious about going out in public and there is no one else in the room so this is a little bit of a departure from the last time this application came to Planning and Environment Committee so it's nice to see those public comments that people are still participating in the process. Thanks to Mr. Maitland for providing his comments. There are a couple of items I just want to provide some additional on. First of all, the amenity space. We have revised the drawings so there is no more lowered or sunken amenity space. The amenity space is now at grade. In lieu of the sunken amenity space we are just going to have window wells for the, like standard window wells for the lower floor of the building and that is going to allow that space to function a little bit better and allow a little bit more space and allow that landscaping to breathe a little bit more. The second point was the windows on the easterly elevation. We have provided plans to staff in advance of a complete third submission that do show a number of windows on the east elevation and we were just in contact with staff earlier today and we will be revising those elevations a little bit more to hopefully provide a little bit more fenestration on that elevation. There was the comment about adding additional trees, unfortunately, given the easement, that's not possible at this time although we wish it was the case that we could add some more trees in there but unfortunately the reality is that trees and watermains don't really mix. There is the outstanding Engineering concerns and issues and our Engineer is working with City Engineering staff in order to come to a conclusion on that. We think we are very close to reaching an agreement. The servicing issue has been resolved and we have those Engineering plans now. We are very thankful to staff. Staff has been excellent in moving this project forward and we're hoping that we can get in the ground soon and get this project done by Spring of next year. If you have any other questions I am happy to answer. Thank you.
- Councillor Cassidy: Thank you Mr. Campbell. Are there any members of the public here for this application? It looks like you are the only one in that room but. I am not seeing anyone in Committee Room 1 and 2. Oh, there you are Ms. Bunn.
- Jerri Bunn, Committee Clerk: There aren't any other people in Committee Room 1 and 2.
- Councillor Cassidy: Thank you very much. I will look for a motion to close the public participation meeting.

Planning and Environment Committee

Report

The 11th Special Meeting of the Planning and Environment Committee
July 15, 2020

PRESENT: Councillor M. Cassidy (Chair), J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, Mayor E. Holder

ALSO PRESENT: H. Lysynski, M. Schulthess, S. Spring and J.W. Taylor

Remote Attendance: I. Abushehada, J. Adema, A. Anderson, G. Barrett, J. Bunn, E. Copeland (Captioner), M. Feldberg, D. Hahn, P. Kokkoros, G. Kotsifas, J. Lee, C. Lowery, H. McNeely, L. McNiven, C. Parker, J. Raycroft, E. Skalski, B. Somers, M. Sundercock, M. Tomazincic, D. Turner and B. Westlake-Power

The meeting is called to order at 4:03 PM, with Councillor M. Cassidy in the Chair; it being noted that the following Members were in remote attendance: Mayor E. Holder; Councillors J. Helmer, A. Hopkins, S. Turner and A. Kayabaga

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor M. Cassidy disclosed a pecuniary interest in clauses 2.1 and 3.5 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

2.1 Request for Council Resolution, under section 45(1.4) of the Planning Act, R.S.O. 1990, c. P.13 - 307 Fanshawe Park Road East

Moved by: J. Helmer

Seconded by: A. Hopkins

That, the following actions be taken with respect to the property located at 307 Fanshawe Park Road East:

a) on the recommendation of the City Clerk, the report dated July 15, 2020 and entitled "Request for Council Resolution, under section 45(1.4) of the *Planning Act, 1990, c. P.13 - 307 Fanshawe Park Road East*" BE RECEIVED for information; and,

b) the Managing Director, Development and Compliance Services and Chief Building Official BE AUTHORIZED to accept a Minor Variance application for the purpose of amending the definition of Stacked Townhouse relating to the property located at 307 Fanshawe Park Road East.

Yeas: (5): J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Recuse: (1): M. Cassidy

Motion Passed (5 to 0)

Additional Vote:

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

That D. Hannam, Zelinka Priamo Ltd., BE GRANTED delegation status relating to the request for a minor variance application for the property located at 307 Fanshawe Park Road East.

Yeas: (5): J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder
Recuse: (1): M. Cassidy

Motion Passed (5 to 0)

3. Scheduled Items

3.1 London Plan Housekeeping Amendment (O-9173)

Moved by: J. Helmer
Seconded by: S. Turner

That, on the recommendation of the Director, City Planning and City Planner, with respect to the proposed amendment to The London Plan to correct errors and omissions and to add Council-approved, in-force amendments to the 1989 Official Plan to The London Plan, the proposed by-law appended to the staff report dated July 15, 2020 BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020 to amend various policies of The London Plan to correct errors and omissions and to add Council-approved amendments to the 1989 Official Plan to The London Plan;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

it being further noted that the Municipal Council approves this application as the purpose and effect of the amendment is to improve clarity and consistency in policies and mapping throughout The London Plan. It will further recognize planning decisions that have been made since the approval of The London Plan but have not been implemented in the Plan due to the status of appeals, which did not allow City Council the ability to make amendments to appealed portions of the Plan.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: A. Hopkins
Seconded by: S. Turner

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

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

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

3.2 Amend Section 4.11 (Household Sales) in Zoning By-law Z-1 (Z-9166)

Moved by: A. Hopkins

Seconded by: A. Kayabaga

That, on the recommendation of the Director, City Planning and City Planner, based on the application by The Corporation of the City of London, relating to a City-wide review to permit the sale of agricultural products grown on a premises, the proposed by-law appended to the staff report dated July 15, 2020 BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to amend Section 4.11(Household Sales) to permit the sale of agricultural products;

it being noted that no individuals spoke at the public participation meeting associated with this matter;

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

- the recommended amendment to Zoning By-law Z.-1 is consistent with the Provincial Policy Statement (2014);
- the recommended amendment to Zoning By-law Z.1 conforms to the 1989 Official Plan and to The London Plan, including the policies of the Food Systems chapter, and provides for appropriate uses on these sites;
- the recommended amendment to Zoning By-law Z-1 will allow sales of agricultural products from premises that have a dwelling unit;
- the zoning by-law amendment helps implement one of the goals of the Urban Agriculture Strategy to make fresh produce more available to the general public; and,
- the recommended amendment to Zoning By-law Z.-1 will allow the sale of agricultural products grown on properties located within the Urban Growth Boundary to be sold by residents on the property.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: A. Kayabaga

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Moved by: A. Kayabaga

Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

3.3 Part of 65 Brisbin Street (Z-9195)

Moved by: S. Turner

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by The Corporation of the City of London, relating to a part of the property located at 65 Brisbin Street:

a) consistent with Policy 43_1 of The London Plan, the subject lands, representing a part of 65 Brisbin Street, BE INTERPRETED to be located within the Neighbourhoods Place Type; and,

b) the proposed by-law appended to the staff report dated July 15, 2020 BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Open Space (OS1) Zone TO a Residential R2 (R2-2) 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 noted that the Municipal Council approves this application for the following reasons:

- the proposed amendment is consistent with the Provincial Policy Statement, 2020;
- the proposed amendment conforms to the in-force policies of The London Plan;
- the proposed amendment conforms to the in-force policies of 1989 Official Plan;
- the proposed amendment represents good planning and removes a land use conflict between 81 Brisbin Street and 83 Brisbin Street; and,
- the proposed amendment facilitates functional improvements to the residential use at 81 Brisbin Street.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Turner

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Turner

Seconded by: A. Kayabaga

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

3.4 1146-1156 Byron Baseline Road (Z-9172)

Moved by: S. Turner

Seconded by: J. Helmer

That, on the recommendation of the Director, Development Services, based on the application by 2186121 Ontario Inc., relating to the property located at 1146-1156 Byron Baseline Road, the revised, attached, proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Residential R1 (R1-7) Zone TO a Holding Residential R5 Special Provision (h-5*h-183*R5-7(_)) Zone;

it being noted that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:

- i) enhanced provision of boundary landscaping along the east, west, and south property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities;
- ii) location of a deep well waste storage system outside of the easement area;
- iii) building orientation towards Byron Baseline Road;
- iv) parking lot design, including landscape islands and generous separation between the parking lot and easterly property line;
- v) provision of an adequately-sized outdoor amenity area in a central location; and,
- vi) the retention of as many trees on the property as possible;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
 - the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Neighbourhoods Place Type;
 - the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation; and,
-
- the recommended amendment facilitates the development of a vacant, underutilized site within the Built-Area Boundary with an appropriate form of infill development.

Yeas: (5): M. Cassidy, J. Helmer, S. Turner, A. Kayabaga, and E. Holder
Nays: (1): A. Hopkins

Motion Passed (5 to 1)

Additional Votes:

Moved by: S. Turner

Seconded by: A. Hopkins

Motion to open the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Moved by: E. Holder

Seconded by: S. Turner

Motion to close the public participation meeting.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

Moved by: A. Hopkins

Seconded by: E. Holder

Motion to change the order of business pursuant to Section 27.6 of the Council Procedure By-law to deal with Item 4.1 prior to Item 3.5.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

3.5 307 Fanshawe Park Road East (SPA20-029)

Moved by: A. Hopkins

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by 1423197 Ontario Inc., relating to the property located at 307 Fanshawe Park Road East:

a) the Approval Authority BE ADVISED that the following issues were raised at the public participation meeting with respect to the application for Site Plan Approval to facilitate the construction of the proposed residential development:

- i) tree and hedge preservation;
- ii) concerns relating to the lack of privacy;
- iii) the size and location of the proposed snow storage sheds;
- iv) the proposed central amenity space;
- v) the location and number of parking spots;
- vi) the mass, setbacks and form of the proposed development;
- vii) water runoff onto neighbouring properties;
- viii) sewage being diverted to Camden Place instead of Fanshawe Park Road East;
- ix) encroachments to the setbacks;
- x) lighting concerns;
- xi) fencing inquiries;

xii) a request for a board-on-board fence around the entire development; and,
xiii) vehicular access to the site;

b) the Approval Authority BE ADVISED that Municipal Council supports the Site Plan Application SUBJECT TO the trees 6, 14, 21, 31, 36 and 60 specifically being retained;

it being noted that the development, as proposed, conforms to the requirements of the Council resolution dated October 2, 2019, specifically the requirement for the protection and preservation of the trees; and,

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

- a presentation from D. Hannam, Zelinka Priamo Ltd.;
- a presentation from the Old Stoneybrook Community Association; and,
- a communication dated June 30, 2020 from G. McGinn-McTeer;

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

Yeas: (5): J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder
Absent: (1): M. Cassidy

Motion Passed (5 to 0)

Additional Votes:

Motion to add a new part c) which reads as follows:

"c) a special provision BE INCLUDED in the Development Agreement to deal with the removal of the snow onsite to lessen the effect of the spring thaw;"

Yeas: (2): A. Hopkins, and E. Holder
Nays: (3): J. Helmer, S. Turner, and A. Kayabaga
Absent: (1): M. Cassidy

Motion Failed (2 to 3)

Moved by: A. Hopkins
Seconded by: A. Kayabaga

Motion to open the public participation meeting.

Yeas: (5): J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder
Recuse: (1): M. Cassidy

Motion Passed (5 to 0)

Moved by: E. Holder
Seconded by: A. Hopkins

Motion to close the public participation meeting.

Yeas: (5): J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Absent: (1): M. Cassidy

Motion Passed (5 to 0)

4. Items for Direction

None.

4.1 (ADDED) Silverleaf Subdivision Sidewalk Installation

Moved by: S. Turner

Seconded by: A. Kayabaga

That the communication from R. Galizia, with respect to the proposed sidewalks in the Silverleaf subdivision BE RECEIVED and no further action be taken; it being noted that a petition signed by approximately 41 individuals is on file in the City Clerk's Office, with respect to this matter.

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

Kayabaga

Nays: (1): E. Holder

Motion Passed (5 to 1)

Additional Vote:

Moved by: A. Hopkins

Seconded by: E. Holder

That R. Galizia BE GRANTED delegation status with respect to the proposed sidewalks to be installed in Silverleaf subdivision.

Yeas: (6): M. Cassidy, J. Helmer, A. Hopkins, S. Turner, A. Kayabaga, and E. Holder

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 7:52 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Part of 65 Brisbin Street (Z-9195)

- Councillor Cassidy: Thank you Mr. Hahn. Any technical questions for the Planner? Councillor Hopkins.
- Councillor Hopkins: Yes, thank you Madam Chair, I just want to confirm that I understand where the fence is. Is the fence just on the south side and it's just along the boundary between the two neighbours. Just want to confirm that I'm reading that right.
- Councillor Cassidy: Mr. Hahn?
- Daniel Hahn, Planner I: Through the Chair, the fence would be located at the southern limits of the requested, of the new zone boundary and the new property boundary so that would be, that would be in between the City-owned lands and the new zoning area so it wouldn't be in between the property lines of 81 and 83 Brisbin Street if that was the question.
- Councillor Cassidy: Thank you. Are there any members of the public here for this item? Come to the microphone, state your name and then you have five minutes.
- Bridgette Somers, Manager, Corporate Records: Yes, we have one speaker here in Committee Room 1.
- Ron Humphries, 81 Brisbin Street: Thank you. I thank the members of the Planning and Environment Committee for this opportunity to speak to the application, and although I'm standing here by myself, my lawyer, Marshall Mayne, put the application together and is actually viewing on your YouTube channel and is available on Zoom call if I need to make a phone call to him if you have some real difficult questions for me. In January 2016, I retired and my wife and I moved to London. I remember the first time we went through the house at 81 Brisbin, it had been all set up. We sat down in the house - my wife in the living room, I in the kitchen - and we said, "We'd love to live here". We met our neighbor who lived at 83 Brisbin, living at the other side of the driveway and we had an interesting visit with her, and we noticed the homes on Brisbin seemed to be well cared for. Only later did we discover the added bonus of the nearby Thames River, the walking trails and the Vauxhall and St. Julian parks. The house itself had been owned for several decades by the previous owner and it became necessary for him to move to a long term care home, the house was sold, the new owners completely renovated, and then sold the house to us one year later. Our new neighbor and I worked on several mutual projects, including replacing the fence at the bottom of the present driveway. She paid for the materials and I did the work. Sometime during our first summer in our new home, she pointed to a post in the driveway. Apparently, our neighbour's father who used to live there still owned the home and he had since passed away. He had put the post into the ground to indicate the property line. Even though the position of the post suggested that they owned almost two thirds of the front of the driveway, I was not too concerned as we were both just parking as if it was a normal side-by-side driveway. After about a year and a half, in September of 2018, she got a car for her niece who also lives with her, and now she had two cars to park in her driveway. She told me that I was only allowed to park at the entrance end of my driveway, and I insisted I bought the whole driveway and would park where I chose. She insisted that I only park with her permission. She then got the boundary line staked by a surveyor, and we hired a survey of our

land and it showed that, indeed, there was a problem in the driveway. It seems that in the early 1950's, two brothers bought the last two lots at the end of Brisbin on the West side. They built their houses with little concern as to the actual boundary line. Now the survey shows the houses were not built perpendicular to the street but on a slight angle. This leads 81 Brisbin, now my home, having only about a six and a half foot wide driveway at the entrance and almost nine feet wide at the fence. I then went to City Hall and spoke to Mark Conley at the City's Realty Services to ask about purchasing the vacant City land adjacent to the South of my home. On January of this year, we signed a conditional offer agreement with the City of London to purchase the land. This re-zoning is one of those conditions; the other condition has already been mentioned - the archaeological assessment and the 'R' plan have already been completed, and the final condition is the erecting of the one point five meter high fence, which will be completed after paving for the driveway has been done. I believe the fence will be along the South side and then at the back end of the property as well. I've already gotten a quote from London Paving to create a double driveway on the land, and another group - M. L. C. London Fencing - to install a fence along the new boundary. It's interesting to note that when the water and sewer lines on our street were marked last year, at least a couple of empty lots South of my house were marked as having service. At one time, there was a plan in place to use this land as residential. I want to conclude my remarks with a public thank you. Over the past year, I have visited, called and emailed several departments in City Hall. Every staff person I spoke with was professional, considerate and even caring about my situation. They went beyond what I had expected of them. Never did they simply say, "That's not my department". Instead, they listened to my concerns and then helped me to understand what department to speak to and what to expect from them. In one instance, the staff person even called several others on my behalf while I waited. I have felt that every person took their time to understand my situation and to help me towards a viable solution. I also want to thank Daniel Hahn for the extensive report he has prepared for you this afternoon. Thank you for taking the time to reconsider this re-zoning request, and I would be happy to answer any questions or give any further details as to the steps that I and my lawyers are taking to get us to this point in finding a resolution to the need for an accessible driveway.

- Councillor Cassidy: Thank you, Mr. Humphries. Are there any questions for the applicant? I'm not seeing any. Are there any other members of the public who would like to speak to this matter? Any other members of the public for the Brisbin Street matter? I'm not seeing any, so I'll look for a motion to close the public participation meeting.

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1146-
1156 Byron Baseline Road.

WHEREAS 2186121 Ontario Inc. has applied to rezone an area of land
located at 1146-1156 Byron Baseline Road, 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 1146-1156 Byron Baseline Road, as shown on the attached map
comprising part of Key Map No. A106, from a Residential R1 (R1-7) Zone to a
Holding Residential R5 Special Provision (h-5*h-183*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() 1146-1156 Byron Baseline Road
 - a) Regulations
 - i) Building Height 12 metres (39.37 feet)
for a Lot Depth of
35 metres (114.8 feet)
(Maximum)
 - ii) Building Height 8 metres (26.2 feet)
For a Lot Depth Beyond
35 metres (114.8 feet)
(Maximum)
 - iii) Parking Area Setback 7.5 metres (24.6 feet)
From the Ultimate Road
Allowance (Minimum)

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.

This By-law shall come into force and be deemed to come into force in accordance with
Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage
of this by-law or as otherwise provided by the said section.

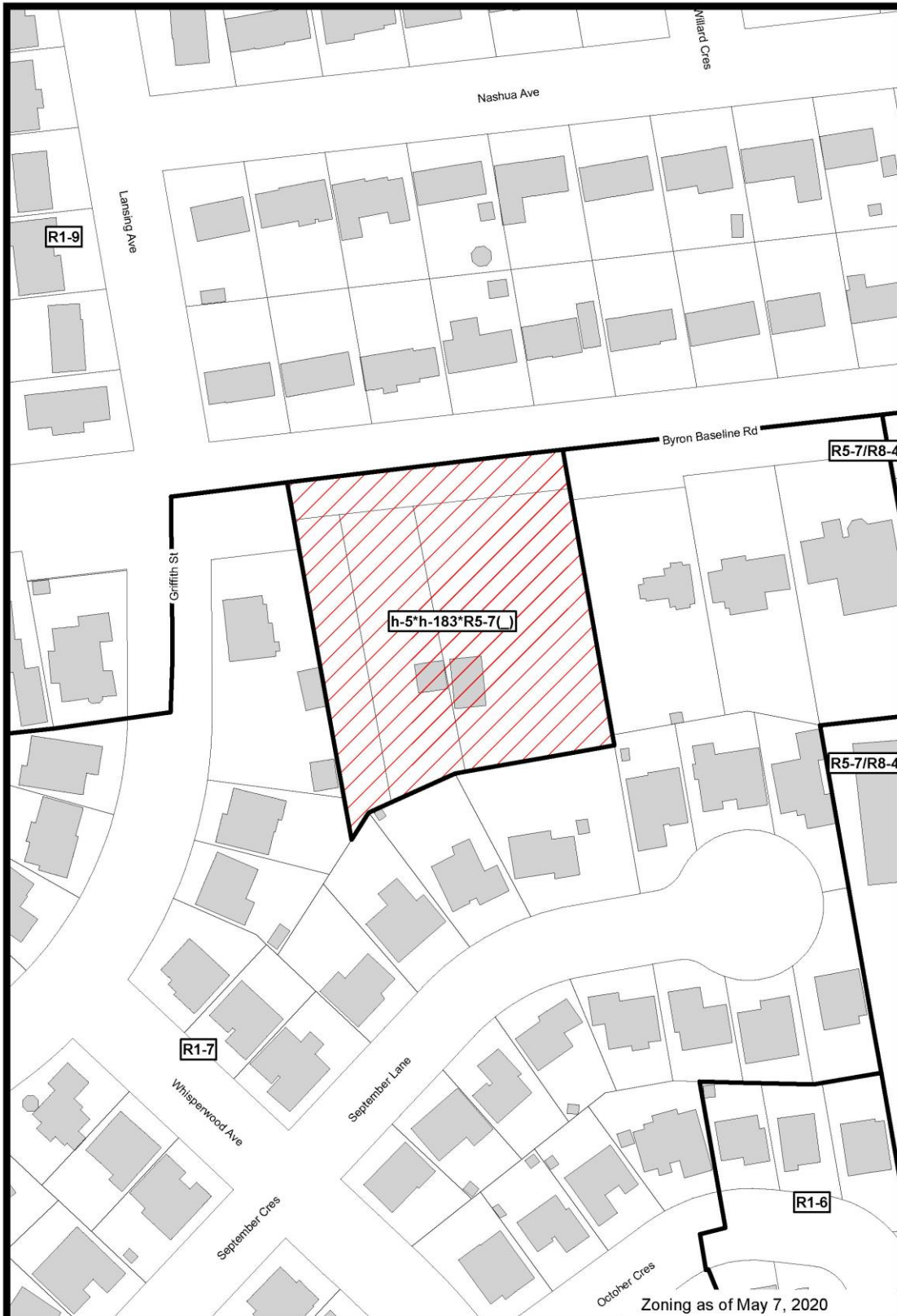
PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9172
 Planner: CL
 Date Prepared: 2020/06/01
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40 Meters 



Geodatabase

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – 1146-1156 Byron Baseline Road (Z-9172)

- Councillor Cassidy: Thank you Ms. Lowery. Is the applicant here and would the applicant like to address the Committee?
- Ali Briani: I'm joined today by Karla and Ahmed Briani and we're here, obviously for the proposal of the development at 1145-1156 Byron Baseline Road. First off I would just like to thank everyone for coming and I'd like to thank the City of London for being able to make such a safe and easy environment for us to be able to meet and discuss, and it's such a fast way as well. I'd also like to thank, most notably, Jerzy and Catherine for helping us, maybe for, it's been about a year now, especially with Jerzy, with urban design, and Catherine for the last five or six months, in really guiding us to where we've gotten now. We wouldn't have been able to do any of this without you guys. Catherine basically hit the nail on everything so I'll keep it nice and short. I'll just tell you about most of our objectives for this project. We just really want to improve the aesthetics of Byron Baseline Road and to create a better and more positive streetscape image. We also want to eliminate the vacant aspect of land, not only for us, but also for the city and also for the neighbourhood. We have a strong desire to keep the natural cedar hedge on the perimeter of the property and we've actually just discussed over the last year, with your engineers and surveyors, of how we could do this, and mainly it would be through the use of a retaining wall to make sure that, during the construction and after the development would be built, that the vegetation would stay intact and you could see that in our planning report. Most importantly, we want to ensure the privacy of all the abutting properties as well because we are keen on, you know, creating privacy. At the end of the day these will be town homes that will be sold and we would want privacy for that development as well as all the neighbours. We have done our best to ensure, in terms of design that it matches and it fits with the neighbourhood. We understand that obviously new construction won't necessarily conform to mid-century style homes but we've done our best to make sure that it seems like a best fit for the neighbourhood. Lastly, we understand the sensitivity around infill residential construction and intensification and we've tried to make this as timid intensification as we could and we've worked really hard alongside Catherine and Jerzy to make sure that we followed whatever they recommended, as for the London Plan. That's it from us, we'll try to keep it short, so I'll now pass the baton to whoever's next. Thank you.
- Councillor Cassidy: Thank you. So, I see we have a number of people in the gallery. There's somebody in committee room four. Are you here to speak to this issue as well? Okay, can you state your name and then you have five minutes.
- Greg Thurston, 18 September Lane: 18 September Lane is immediately behind the site of the proposed buildings. As we've heard in 2017, the same developer brought a proposal forward that the city did not feel was a good fit for our neighborhood. The developer took the proposal to LPAT where it was also seen as a bad fit. Now developers brought forth a new proposal, which in my mind, is very similar to the original one with one glaring exception. They essentially took a floor off the four-storey apartment building and put it on the ground. When the developer presented the original proposals to the Peer Panel Review on December 20, 2017, these comments were made: need to look at reducing the height or townhouse model, needs to better relate to the street, consider different built-form reflective patterning in the neighbourhood, too big, too tall, footprint too large. Although they call the building in the front of the lot a three-storey cluster townhouse, it is, in fact, very similar in shape and size to the original four storey apartment building. The new proposal does not address these recommendations. In fact, the one that drew my attention was the one that stated that the footprint was too large. A footprint

takes up space on the ground, by definition. This new proposal has a bigger footprint than the original proposal. Looking at the ruling from the LPAT hearing issued on January 23, 2019, the following are quotes: "The city witnesses indicated that staff may be willing to consider and potentially recommend a more modest intensification proposal for the subject property, such as a townhouse development." The core issue is one of compatibility with the character of the neighborhood. The proposed development 1) should employ innovative and creative urban design techniques to ensure maintenance of the neighborhood's character and compatibility; 2) overpowers its neighbouring uses; 3) represents over-development of the subject property, as reflected by the substantially reduced front yard setback, parking layout and driveway proposed to be located within a municipal servicing easement; 4) which is not located at an intersection and is located among single detached dwellings would appear drastically out of character with the surrounding area; 5) in no way reflects the character of the surrounding primarily single detached residential neighborhoods." The report went on to say that both the height and front yard setback are out of character for this neighborhood and are not compatible. The front yard setback represents a dramatic shift from the existing setbacks on Byron Baseline Road and is not a good fit for this neighborhood. The unique height and form of the corner heritage listed property, next to the subject property, creates an identifiable landmark in the community and that the reduced side yard setback and location of the proposed building blocks views to this landmark building. The proposal makes no attempt to protect the privacy of adjacent properties, and in particular, those to the rear of the subject property on September Lane. Although all these comments relate to the original proposal from 2017, in my opinion they still ring true. The original proposal and what was discussed today has talked about and put a lot of stock in the cedar shed that separates the subject land with the homes immediately behind it. I commissioned a certified arborist to take a look at this hedge. First and foremost, it's not a hedge, it is a row of individual trees, as reflected in this statement: "the definition of a tree is defined as an erect woody plant reaching over four metres in height with a distinct crown and with the trunk measuring at least 7.5 centimetres in diameter, measured 1.4 metres from the natural ground level." The white cedar trees meet all the requirements of a tree. The white cedar trees have never had any maintenance, pruning or shaping during the entire time of their life-cycle. For cedar trees to be classified as a hedge, they would have to have been trimmed and pruned early in their life-cycle and had continuous pruning to encourage growth and creating a thickness to them which would create privacy. By allowing these trees to grow wild, they are now classified as trees and not a hedge. They provide less than 30% privacy to the backyards and houses located on September Lane. The report goes on to state: "any excavation, digging or destruction to the soil within 3.6 metres of the tree will cause significant damage to the roots and will result and die-back and potentially the death of the cedar trees, which will then have to be removed." As the recommendation therefore states, I recommended no digging or disturbances, such as compaction from equipment, driving on the roots be done within 3.6 metres of the cedar trees as this will cause significant damage to the roots, which will result in significant decline or death to the cedar trees. *(Councillor Cassidy: You have about fifteen seconds Mr. Thurston.);* The 3.6 metre distance is taken from the London Street Protection By-law. I spoke at length about a lot of things, what does it mean? I believe, and many of my neighbors believe the same way, that this proposal is not significantly different than the original proposal and that the city should not be granting the zoning by-law. Thank you.

- Councillor Cassidy: Thank you. Are there any members of the public in a committee room or in the gallery who would like to speak to this? I'll go to committee room one first. If they would just make their way to the microphone, state your name and then you'll have five minutes.

- Patty Landry, 1147 Byron Baseline Road: Right across the street from the proposed amendment. My husband Doug and I live across the street. We had already provided our comments and concerns in an email to the city, including our Council representative, Anna Hopkins, back in early March. I'm here speaking today to encourage each and every committee member to seriously consider the impact that this proposed application will have on our neighborhood. In a CBC radio interview yesterday, our Council representative Anna Hopkins said it is all about finding the right balance. We couldn't agree more, however, I'm here today to say this is not the right balance. It may be our community, but this is also our neighborhood, it's our front yards and our backyards. We understand a great number of people have come forward to oppose this proposed infill. This, in itself, should not go unnoticed by this Committee, especially our Council representative Anna Hopkins. We have reviewed the application as well as the applicant's reports and drawings, both original and revised, and are not confident that at the end of the day that what has been applied for will actually be built. Given that, in the conceptual rendering notes and the notice of the planning application, it says that the above images represent the applicant's proposal as submitted and may change. This raises red flags for us. In their prior zoning by-law request a couple years ago, we found the applicant to be non-compliant with requests and were not being honest in their fact full documents presented. We felt many inconsistencies and inaccuracies were presented. The reports did not accurately reflect or represent the community and our neighborhood. The R5-7 zoning that is being requested now, and has noted, allows for maximum density of sixty units per hectare, it says the proposed development will be fifty-two, again, we are not confident that this applicant will keep this build to a twenty unit townhouse units. They are also trying to cheat more units by stacking the townhouses. This land, with its slopes, and neighbouring properties, is more suited for one or two storey units, not their proposed three storey units. In addition, the allocated parking spots in the proposal just meet the minimum allowance. Come winter time they will have far less parking spaces available. Where will they park? Where will their visitors park? There is no parking allowed on our street. I can almost guarantee, I see it now, regardless of any enforcement, they will stop on the street and park on the street. This will create further headaches and block the bike lanes. We are not opposed to development or intensification in our neighbourhood, however, we do not believe the proposed application suits our vibrant community, or more importantly, our neighbourhood. In conclusion, once again we're urging this Committee to recommend to Council that this zoning application be denied. We are encouraging the Committee to review the comments and feedback received to date from our concerned neighbours. A tremendous amount of people have written in and there should not be ignored. Before I conclude I just want to add a couple things. I noticed that Catherine, in her initial intro, said that there's two garages on the property not in use. They are absolutely in use, they are used every day. These are storage units they use for their business, so they're in and out of there constantly throughout the day and on the weekend. I just can't believe that planning is trying to recommend going through with this amendment given even Greg's comments that it's not much different than the original one. I don't feel their objectives are sincere. It just comes down to the almighty desires. *(Councillor Cassidy: Can I just interrupt you there? You made a couple of comments that accuse the developer of being dishonest and now insincere I just want to caution you, please, that we don't ascribe nefarious or dishonest motives, we'll be respectful, please just be respectful.)*; I'm just going back on some of the notes that even city hall and made with respect to some of the things that happened in the last one, so yeah, those are probably not chosen words. That's basically it. I just want to thank you for your time and consideration.

- Councillor Cassidy: Thanks very much. I'm just going let Mr. Schulthess speak.

- Michael Schulthess: Thank you and sorry for the interruption. Through the chair, the transcriptionist services are no longer required. Thank you very much for your time today.
- Councillor Cassidy: I just want to say, I apologize, I keep going to the members of that are here in the gallery. We don't have microphones here in the gallery, so obviously people that have chosen to sit in the gallery are people that don't wish to address the Committee and if I'm wrong about that and you want to speak to the Committee, somebody will take you back to one of the committee rooms where you can speak into a microphone so it will be heard on the record. So now go to committee room one, if you want to state your name and you have five minutes.
- John McLay, 14 September Lane: My backyard bordered on the proposed building site. My first thought of the proposal is my disappointment in the lack of community involvement in building that Briani Group has demonstrated in building the proposal. This leaves the community no choice but to voice our concerns in this public forum. On page four of their planning justification report Briani Group states a neighbourhood meeting is anticipated to occur in the latter part of 2019 or in the early part of 2020. This has not happened. We all understand that actions speak louder than words. This is equally true for non-actions. Non-actions in any community involvement demonstrate the statement as shallow words that do not stand the test of time. This is the second time we have dealt with Briani on the proposal for the same site. For the first proposal we hosted community meetings and invited Briani to speak at those meetings. No dialogue has occurred on this new proposal. When I attended the Planning and Environment Committee meeting in August 2018, when the City reviewed the previous Briani proposal, we sat through many other builder proposals, including a sensitive SOHO development plan. In all other cases that evening, the builder not only involved the community in their proposals, but the community was at the meeting to share their support for the proposal. It seems all right that this lack of discussion with Briani Group leads us to a lack of transparency and, therefore, the distrust. I have asked Ms. Lowery about twelve questions about the site. Many of the answers just finally came back that that is something that would be determined at the site planning level and I worry that we will continue to not have a voice at that table, if it gets processed. On page ten of the urban design brief there's a statement: "the natural site vegetation/cedar hedge provides as a screen and buffer for the two storey townhomes at the back of the site." As Greg pointed out, this is a row of cedar trees, not a hedge. As such, it does not meet the privacy statements claimed the urban design brief as cedar trees do not provide privacy at the desired eye level, let's call that zero to ten feet. If the trees survived the construction the privacy benefits of the trees do not come down, they only go up. If the proposal proceeds, there is planting required on the north side of the cedar trees to obtain the privacy screen buffer the proposal describes. I would now like to talk about the footprint. I find it impossible to believe this proposal is not too big for the property. Why else would three zoning provisions be required, one for the height of the first row of townhomes, one for the height of the second row townhomes, and the third for the parking area setback. So, in other words, we want to build the first building taller than the rules allow, we want to build our second building taller than the rules allow and, subsequently, we have so many people on the site that we can't park there without stretching the parking boundaries. It is clearly too big. I request of you that you do not approve this rezoning, decline this request, and Briani Group to develop a new proposal in conjunction with the community that allows intensification without building code allowances. Thank you.
- Councillor Cassidy: Thank you Mr. McLay. Are there other members of the public who would like to speak to this? In committee room five. Come to the microphone state your name and you have five minutes.

- Julie Lee: Good afternoon Madam Chair, your Worship, Council Members and Committee Members. I live in the heritage designated home directly abutting on the west side of the proposed development. I want to make it clear that I adopt all of the submissions that have been made by my neighbours with respect to concerns regarding this proposal. I'm not going to repeat the concerns but I do want to emphasize a couple of things. One, I'm glad to hear some discussion with respect to the geological integrity of our well. That well is well over a hundred years old and is many feet down into the ground. We depend on that for our day to day water. We do not want to be in a situation where we're forced to redress some harm to that well and we will hold all of the city and the developer accountable if that does happen. The difficulty here is, and we've heard this theme, the difficulty here is that we're not sure that our concerns are being heard or being responded to, which puts us in a very, I would say, opposing kind of relationship with the developer which is very unfortunate. Our neighbourhood supports infill, it supports the expansion of the availability of housing to Londoners and welcoming new Londoners, but the relationship with this developer has been extraordinarily poor. What I see that is different today is that it appears that the young Biranis, and it was nice to hear from them today, have developed a good relationship with the City. That's an improvement over the first go at the development but they have failed to similarly develop relationships with the neighbours. So we have to fight about things, as to what the definition of a tree is as compared to a hedge, because there's not truth telling about the fact that the privacy that they're relying on in the existing cedar trees will be enough to respond to the community. What is not happening here is an open, frank discussion with the neighbours about what's a tree and what's not a tree, what's a hedge, how do you propose to keep our privacy? So what I'm asking for is to recognize that there is, procedurally, a difference between the input at site planning and at this point. I think that the flaw, at this point, is, as set out by my friends and my neighbours, and in particular what we have to be mindful of, is much more open in the consultation process. For those reasons, I'm requesting that the Committee at least adjourn this decision until that that kind of consultation has occurred. Alternatively, to deny the request. Those are my respectful submissions. Thank you for hearing me.

- Councillor Cassidy: Thank you Ms. Lee. Are there any other members of the public who would like to address the Committee? In any of the committee rooms, anyone wish to speak? So nobody in number five? No members of the public who would still like to speak to this application? I'm seeing none. I see no movement. I will look to the Committee, then, to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.5 PUBLIC PARTICIPATION MEETING – 307 Fanshawe Park Road East (SPA20-029)

- Councillor Turner: Thank you Ms. Sundercock. So I will look to the Committee for any questions of a technical nature. Ok, seeing none at this point, I will go to a representative of the applicant. I'm not sure which Committee Room we are looking to, perhaps Committee Room 1 I think. If you'd like to speak you have 5 minutes.

- Dave Hannam, Planning Consultant for Royal Premier Homes. Also speaking as part of our delegation is Mike Leonard who is the principal Landscape Architect for Leonard and Associates and also Kevin Moniz, principal Engineer with Strik Baldinelli Moniz, the majority of the time will be taken up by Mike talking about tree preservation and then Kevin will speak at the end with regards to the stormwater management. Obviously there is a bit to go through within five minutes so hopefully there is a little bit of flexibility in terms of timing while people come up and down. As you know, we provided, as part of the agenda package, as part of the agenda package, we provided some graphics that the delegates may be refer to on pages 201 to 203 of the agenda. In terms of the SPA, we acknowledge that this is a collaborative process and there are some refinements to make as we move forward to making our third submission. We hope that all parties that you hear from tonight will acknowledge that the applicant has been willing to work with and meet and listen to the comments raised by staff, by the Urban Design Peer Review Panel and particularly the local residents and we'll continue to do so as well. So, I'll hand it over to Mike who will talk about tree preservation.

- Mike Leonard, Leonard and Associates: Thank you and good evening. Being Irish Catholic three minutes usually doesn't even get me past hello, I'll try for better tonight. Once again an interesting file so to speak quickly, our guiding principles, not all trades are, are created equal, both within species and across species. They're like us, they are composed of an awful lot of water and an awful lot of actively divided tissues, like us they don't live forever. From time to time in fact they tend to develop characteristics and they can fall into the category of hazard trees and we have several on this site. Just a partial correction, in one of the reports before you from staff there was a figure cited that four trees are being kept, that's not the case. Of the forty-seven trees within the client's site we're keeping, we're keeping sixty percent of those and, of course, consistent with City site plan guidelines, adding twenty new ones. The matter at hand that I will dwell on in my remaining time, there were six trees of concern to the residents, the staff and, I'm sure, the Councillors. Of those six trees of concern we're keeping four of them, removing one of them and the fifth tree is still subject to a decision; the reason for that being when myself and our consulting Arborist who peer reviews all of our work disagree we usually bring in a third party, another consulting Arborist to cast the deciding vote. Very briefly, you will see, I think, in your graphics package the tree retention plan. There is a Sugar Maple, nice large sized Sugar Maple on a neighbouring property. We will be specifying a program of best practices and committed to protecting that tree. Further to the south and these are both on the east side of the property, there is a large Silver Maple, tree number fourteen in the old less politically correct age we used to call those widow makers. This tree is a hazard in our view and in the view of our consulting Arborist; however, the owner that our client shares ownership with does want to retain that tree. Consequently by law we're, we're bound to do that. I mean it is possible to litigate because of its hazards but our client has decided not to. We'll be accepting some risk, and in fact, I will say great risk. (*Councillor Turner: about thirty seconds left.*) There is two beautiful burls on the site, one on

the city road allowance, a beautiful one at the south end of the site, the special drainage techniques will be used and the only tree definitely for removal is a huge large old Silver Maple that has to be one hundred years old that met its best date decades ago, and actually has a huge limb extending fully over the neighboring property to the south that is an absolute catastrophe that is just waiting to happen; *(Councillor Turner: so that's about five minutes there; how much, we've got one more person speak, about how long are you speaking sir?)*

- Kevin Moniz, Strik Baldinelli Moniz: I should be able to wrap this up in about thirty seconds I hope; *(Councillor Turner: That would be wonderful. Thank you.)*; Thank you Committee. I'm Kevin Moniz of Strik Baldinelli Moniz, the Site Servicing Engineer and Grading Engineer and Stormwater Manager Engineer for this project. Speaking specifically about the concerns related to stormwater management and snow storage as it relates, I think, to drainage and stormwater management. Firstly, stormwater management, I'll second Meg's comments there that and thank you Meg, we are currently meeting all of the City requirements for stormwater management, no it's not accepted yet because site plan approval is not accepted yet. We've received second submission SPA comments and we're down to two minor clarification items which we will be addressing with our third submission so we are conforming to City requirements on stormwater management and regarding the snow storage there are two areas on both the east and west sides of the property designated for snow storage. On the site plan there was concerns that runoff may melt and flood neighboring properties. The snow storage area on the west side of the property is located on top of a six inch deep conveyance swale with the intention of containing that drainage and directing it to a catch basin on property for stormwater management quantity controls. The area on the east was noted that snow storage is not on a surface swale and although that is correct it has about a five percent slope inwards towards our site onto the parking lot where again, so it will drain onto the parking, our internal parking surface and again to catch basins and to our stormwater management quantity and quality controls. Thank you very much.

- Councillor Turner: Thank you Mr Moniz. I look to the committee for any questions of the applicants of a technical nature. Seeing none at this time so I will go to the community. There are members I believe in Committee Rooms five and one potentially right now. I'll start with Committee Room five. Just as a as a parameters for public participation we limit comments to five minutes. I will try to give you a one minute warning as you approach the five minutes edge there. Also a reminder that this is for comments specific to the site plan so the zoning itself has been approved and has moved forward so this is, this is, really if you can scope your comments specifically to that the site and the site plan that would be very helpful and then that would help us in providing directions to the Site Plan Approval Authority. So, also, as you come forward if you can give your name and address for the Committee and, and we'll go with that so I look to Committee Room five. I have a gentleman standing right in front of the camera ready to go. So over to you sir.

- Michael Crawford, Camden Place: *(Councillor Turner: We'll try that again, I guess. When you are ready Mr. Crawford, I don't hear any feedback at this point so you might be good.)*; Can you hear me now? *(Councillor Turner: Yes.)* Mr chair, your honor and Councillors thank you very much for the opportunity to speak. We have sequenced our presentations together to save some time and you can see the slides starting in your package on page 204. I'm going to be talking a little bit about the historical perspective just to remind you that the community is indeed very supportive of infill development and the opportunity to intensify particularly with regard to improving diversity and aging in place and, to this end, we were pleased when Council approved rezoning with

an amendment and the amendment was a critical consideration because the intensity proposed was extreme for the size and shape of the lot. There are some really difficult constraints not the least of which is that eighty-three percent of the perimeter of this property are embedded in R-1 single resident dwelling only seventeen percent on Fanshawe and what, what Council, City Council, requested was that the Planning Approval Authority work hard to preserve trees and hedges and privacy buffer essentially for the residents and in addition to send the plan to a UDPRP again for analysis. When this work came under debate in City Council, Councillor Turner, thank you very much, asked for clarification and asked if Planning staff would read the recommendation as a directive or as, as directive in nature, considerative of and the response from Paul Yeoman, Mr. Paul Yeoman, who's the Director of Development Services was that it would be considered as a requirement of Council. In further of clarification, Councillor Turner queried the parking lot maximum is the applicant compelled to use fifty-three parking spots and again Mr Yeoman responded that it was to, they were merely establishing maximum. In other words, to quote again it was a cap on the number of spaces. So on page 210 of your document there is a of picture of the revised site plan that sort of illustrates what the complexity of the situation is because the site plan has changed in a fundamental way in so far as a new storage shed has been added and a central amenity space has been added to what was already a very packed configuration and what this means is that it's hard to accommodate the buildings, the mass and form of which we approve, the size of the parking lot, fifty-three, which is really large and the Tree Preservation Plan, so basically something has to give. One of the things that has given in the first iteration of the plan submitted as part of this post City Council amendment was all the trees were being removed, nothing had changed. That's beginning to improve and we're grateful to Meg Sundercock for insisting on preservation of trees but another thing that has changed is that the snow storage space has been diminished and divided in two and one of them sits on top of an area that has no swale so for us the big problem is that there are these extras being added that occupy a footprint that is denigrating or degrading the capacity for adequate snow storage and also what we, what we consider to be appropriate, some tree preservation. So this, this involves the new storage shed, the central amenity area and the tree preservation. Let me just sort of encapsulate the issue here, it's been improved to a preservation of seventeen from fifteen trees originally. The majority of these are on neighbor's property okay, so the numbers sound impressive but really they're saying we're not going to damage neighbour's trees (*Councillor Turner: About a minute left.*) but in order to sort of fit all of the stuff in there have been issues with regarding, regarding encroachments so the setbacks not respecting the front building setback not respected with regard to the storage shed which I infer from comments just made may have been taken into account in previous issue with the zoning amendment and I'm going to stop there and hand over to the next speaker. Thank you very much.

- Councillor Turner: Thank you. We'll take your name and address for the committee. Welcome.

- Claudia Clausius, 21 Camden Place: I think it's become clear that the trees are the issue about this development and it's obvious why. Privacy will be enhanced if the trees are preserved, invasive lighting will be mitigated, the danger of flooding will be significantly reduced; we don't want another wetter incident and there is an added bonus, the quality of life for the future residents of the development will be enhanced; they, too, will have the benefit from the privacy, coolness and fresher air that the trees will offer. We are very worried now with all the talk about which trees are suitable to save and which not. City Council's resolution regarding the Tree Preservation Plan does not specifically stipulate what kind of trees ought to be saved, in fact, we already have a caution

in the City's landscape comments that the developer's demolition of the old house did not respect trees or their roots. It's clear then that the trees are in danger of being destroyed if we do not put specific constraints in place. I would also like to challenge the invasive tree argument for the removal of trees such as, and I'm just taking this as an example, the Norway Maple. The Norway Maple was introduced in 1756; this is from Reforest London so it predates Confederation. "The trees were specifically selected by London and elsewhere because they are fast growing, provide good shade and survive well in the harsh city environments." This site is right beside Fanshawe Park Road so it's a very suitable tree for the site. For the urban resilience Norway Maples are also London's most popular boulevard and park tree. Other examples of invasive species are Spruce, Scotch Pine, Silver Birch, Weeping Willow, many of which people buy from nurseries. As a comic aside, tomatoes and garlic are also an invasive species. More seriously, fifty-two percent of London trees are native, forty-eight percent are invasive and no one would argue that we would want to cut down half of the London trees. London's urban forest affects model, otherwise known as UFOR, is an exhaustive report demonstrating how also invasive trees are critical to London's air quality, its carbon saturation and its water absorption. I'm going to quote from page two of the UFOR report "Management of the urban forest must establish green infrastructure as a primary step in urban design and development standards." So Council's requirement that the trees be preserved directly reflects this Policy. Here are statistics from the UFOR report with regard to the Norway Maple and again, I'm just taking this as an example, in a comparison of all London tree species the total structural value of Norway Maple is nine percent second only to the Silver Maple at twelve percent. Annual carbon storage of Northern Norway Maple is 7.8, second only to Sugar Maple at eight percent, another tree the developer wishes to cut down. Now here is a sobering statistic, a full one quarter of all carbon sequestration in London is accounted for by four species of large shade trees, Norway Maple is second on that list and perhaps more importantly Norway Maples are celebrated for soaking up excess amounts of water and in the case here of a very large parking lot, excess water and snow melt will be absorbed by these trees. The current plan preserves only three trees just within the sites boundary, the so called preserved trees belong to the neighbors, ten trees are on the neighbor's property (*Councillor Turner: Just about a minute.*) on this one tree and there are three trees that are shared. In short, Council's tree preservation resolution is not reflected in the current plan. I would just like to mention, very briefly, privacy and buffering. There's the plan, development uses eighteen foot poles with a maximum brightness of twilight, the fence around the property is seven feet high so there will be no proper darkness on and surrounding this site, not for the neighbours and not for the future residents. Twilight is not darkness and public health officials frequently discuss the importance of circadian rhythms and sleeping patterns as necessary for good health. Luckily there are many modern light options, waist high pole lights with LED lighting would be safe and only cast light where it is needed and not shine into people's residences. Thank you for your attention.

- Councillor Turner: Thank you. So I would look to see if and we do and now in Committee Room one if this is a continuation it seems that everybody is very well timed and so I might dispense with giving you the one minute warning so I don't interrupt you but I will flag it at five minutes. Welcome. Please state your name for the Committee and address and I will start your five minutes. Thank you.

- Deborah Beverley, 25 Camden Place: I'd like to begin my portion just by saying thank you very much for allowing us to speak and for the open dialogue, both with the City and the developer and all the people working on this development site. I want to begin by just talking about some of the

inconsistencies and changes that have repeatedly been occurring that make it very difficult to debate - let alone consider approving - this plan. Starting with something that was already addressed earlier tonight, which we are grateful to hear about but is still concerning that it had to come to light in this way, and that is the original setback for Building 'A', which was four point nine meters. It was supposed to have been six meters but was approved for four point nine during a re-zoning phase, and I promise I'm not discussing re-zoning. The issue though was that the building that was submitted for site plan actually had an encroachment - not at the main level where it did adhere to the four point nine meters, but at subsequent levels of the building. It is concerning to watch the City and/or residents having to point these things out as opposed to them just being adhered to. It may be an oversight, and we appreciate there's lots of details, but it's concerning to us to have to notice these things. The same building - Building 'A', which fronts on Fanshawe Street - is very close to the Western property line of the neighbours that surround it, and the original submission during zoning - the October 1st, 2019 minutes - the submission that was considered for zoning showed transom windows at the three and a half story level, and this would have protected privacy for the residents on the Western side - something that they deserve to have. The submission that's now before you with the site plan actually shows full size windows, and these rooms that the full size windows exist on at this level are living rooms, dining rooms and kitchens. The rooms are going to be very frequently occupied and therefore afford no privacy for the residents on the Western edge who might want to enjoy their backyards in the summertime. Continuing on the theme of privacy and another inconsistency, the plan...there is a fence that runs along the West or the Easterly edge of the property from Fanshawe, and it goes across two properties on the Southern edge. That's shown in the City submission documents on the website, but when you look for that same board-on-board privacy fence in your submission - I believe it's in your agenda package - it appears that it goes all the way around the property, so we're just wondering, which is it? And we urge you and ask you to mandate that it be the board-on-board property fence around the entire circumference of the development. We talked a little bit about the snow storage and the lack of swale, so it sounds like that's already open for me to discuss. Snow storage, if that's to remain on-site in these two small spaces where it has gone from, previously, a twenty-two foot by thirteen foot area space to, now, a small space on the inside of the driveway, the incoming driveway of the property and on the Westerly edge of the property right by the amenity space - this is very, very small. We're concerned that meters high of snow, or anything like this past snowstorm winter - it's going to be excessive. Even with the five percent grade, there is still a slope - not just into the parking lot as we've been told, but there's also one going down into the neighbours' Easterly side. Water is going to run off; it is going to impact and flood basements; and as much as we're grateful for assurances, assurances aren't going to help us when peoples' basements, pools, and vegetation are all damaged and there's higher insurance premiums and repairs that need to be made. If snow is to be removed, which we know is something that was actually discussed informally, we would be grateful for that to happen, we would appreciate that happening. But because of the history and the changes and the inconsistencies, we would be concerned to understand how this would be enforced. How do we ensure that future owners would be accountable for the same requirements? What are the repercussions for neighbours if it's not removed regularly? And what does a regular basis look like - snow build up for one day, five days, three weeks? Again, the same kind of issues can happen with runoff and snowmelt if we have inconsistent weather patterns, so all of these things need to be discussed, and we urge that they be very clearly detailed, outlined and mandated, and the ability to address any lack of adherence to this, that we have a very formal, strict process for addressing it and protecting the neighbourhoods. And when I say neighbourhood, we're including the residents of the site that's being developed, not just the people

surrounding. We're all going to be neighbours together and we're all looking to have a good strong community together. One other thing I wanted to point out that helps to outline why we want to be so diligent and to ask for the strictness in adherence to whatever is decided here today, and that is that earlier this week, some of the members, the developer and an arborist I believe, came out to one of our neighbour's sites to discuss this tree you've already heard about - this beautiful boundary tree that the neighbours do not want to have removed. During that discussion, the neighbour said, "I do not want to have it cut down", and I'm paraphrasing but, "I do not want to have the tree cut down, but I need to have assurance that you're going to protect the roots of this tree so that it will stay strong as it has for many, many years". The response to that, instead of, "We will do our best" or "We will ensure..." was "Whatever happens after we finish construction, we are not accountable for, and it comes down to you as a neighbor - you are liable and you may be subject to lawsuits". This was very likely not intended the way it came across, but it did sound like a scare tactic and bullying, and was not well-received or something that neighbours ought to have encountered. So again, it just makes us very fearful and nervous about strict guidance on this development and any decisions that are made. *(Councillor Turner: Great – I've given you about a minute extra there...are you pretty much done?);* I would just love to wrap up by reminding you, as my colleagues pointed out, that, you know, staff have been echoing many of our concerns about the tree preservations. And we do appreciate the discussion that's been happening back and forth, and look forward to continuing to be involved because the plan does not seem to be final at this point, so we ask and urge that all parties - neighbours included - be involved in discussions until it is final.

- Councillor Turner: Thanks very much. Are there further speakers? Back to committee room 5 as someone approaches. Good day, sir, and welcome - just need your name for the committee and your five minutes starts now, sir.

- Ron McDougall, 41 Camden Place: I'm addressing the needs for a minor variance to the zoning because Building 'B' is not in compliance. The zoning granted allows only two units to be stacked; the building has three units stacked. And as it stands under the current zoning, this would mean that six of the eighteen units would need to be eliminated. *(Councillor Turner: Sir, if I could just pause you there for a second. Specific to the minor variance itself, this committee has already granted leave for the applicant to go to the Committee of Adjustment, and that's where that would be heard so we won't be able to influence that process at this point. So if your comments are of another nature please focus there, but with respect to the minor variance, that won't be the purview of this committee – just...if that helps you with your time, sir.);* Well, I'll try to be very brief but does that mean that we will have an opportunity to speak? *(Councillor Turner: Yes, sir – the Committee of Adjustment has a public process, and you're able, when those go forward...there's a notification process similar to the zoning process, as well as the ability to submit comments or present to the Committee of Adjustment.);* Well, I'll just bring up one other point then - that we have some great concerns about the sewage line that is proposed that would empty into Camden Place. This is a very, very old line and it could very easily be overwhelmed if the project finishes with considerably more occupants than they projected. We feel the sewage lines must be directed to Fanshawe Park Road, and this should be done at the time of construction - not when an existing line fails. I know that this is still under study, but I would just like to make the point that we consider it a serious issue that has to be...it just...an old line like that cannot withstand, and the hundred and one occupants is, I think, somewhat lighter than what might end up in this property. That's all I have to say, thank you very much.

- Councillor Turner: Thank you, Mr. McDougall. I'll look for any further comments. Committee room 5 - we have another. Welcome, sir - don't worry, the sanitization process does not encroach into your time.

- Rick Giroux: I and my wife are the property owners of 1269 Hastings Drive, backing onto the subject property of 307 (Fanshawe). The original concern was my apprehension about the applicant electing to pursue removal of the hedges at the back of our property, replacing them with six-foot-high wooden fences. We've now been informed, after meeting with the applicant a few days ago, that the hedges will be retained and, after completion of the project, lightly trimmed to promote growth along the sides of the hedges. This eliminates my concern relative to hedge removal but does not address the East/West parking lot that will be adjacent to the backyard of 1269 Hastings or 1265 Hastings - my neighbour to the North - and about ten feet of the Northeast corner of my lot. Based on the latest site and landscape plan, the area in question will include a common area, the snow storage area, and a parking lot for approximately seventeen cars and trucks. The ten-foot section of the back of my yard is the location of a pergola which we use to relax in the evenings and entertain family and friends. Please envision a daily traffic of vehicles entering and exiting the parking lot, the glare of headlights, the slamming of car doors, the potential of noise emanating from the common area, and the backup signal of trucks pushing snow, notwithstanding the possible moisture problems with the snow storage area. Even with retention of hedges, this section is somewhat thin at the lower level, and it's my belief that the benefit of the hedges should be supplemented by a fence along the parking lot area which is structured to provide both light and noise abatement characteristics. I urge you to take this into consideration as it will retain the shelter and integrity of my backyard and negate the effects of backing onto a parking lot. Thank you for the opportunity to address you.

- Councillor Turner: Thank you, Mr. Giroux. I'll look for further speakers. We'll go to committee room one – welcome, sir.

- Piotr Nowakowski, 1273 Hastings Drive: Hello, good evening. Thank you for allowing me to speak. *(Councillor Turner: Mr. Nowakowski, could you speak a little bit louder? It's a little quiet, maybe a step forward or two. Wonderful, thank you.)*; I live at 1273 Hastings Drive, together with my wife and my son. I would like to bring another issue that I've been thinking about - and I addressed it at the previous meeting where we had the opportunity to speak - and that is safety of Fanshawe Park Road and safety of the future neighbours of that development. What I'm speaking about is how limited the access to that property is from Fanshawe Park Road. It's proposed that it is going to be a 'right in, right out' access. Also, the proposal mentioned that it will be allowed - or currently it is not illegal - to take a U-turn on Fanshawe and Hastings Drive, and then make a right turn into that property. Now, I've done some studies and calculations, and it appears to me that you have about four seconds time to make the U-turn, after which you accelerate fast to make sure that you don't create a hazard for the oncoming traffic, and then you have to brake immediately so you've got to slow down to access 307 Fanshawe Park Road. So, what to me seems necessary is another lane being built beside Fanshawe Park Road for those people that choose to turn, to access the property, to turn on Fanshawe and slow down and get out of the way of oncoming traffic - to slow down and then access the property. So it seems like a third lane would be necessary to build, in my opinion. And I realize this even more now, after driving from church last week on Richmond Street where I pass by 12- I believe it's 1235 Richmond Street. This is that tall apartment building that was built there, and somehow city staffers missed the necessity of having an area of the street widened there to allow for service trucks and taxis to be able to park in front of the building. I'm not sure if people here are aware of this, but right now there's construction going on to correct that

unsafe situation there, and I believe it will be the same scenario with this property where something will need to be done along Fanshawe Park Road to provide a safe access, and I would like just to make a point here, on the record, that perhaps something of that nature should be reflected on the site plan. Thank you very much.

- Councillor Turner: Thank you, sir. And looking into the committee rooms, I'm not seeing many people moving right now...are there any further speakers on this matter? I'll make a second call – to the staff members in committee rooms, does it seem that there's anyone else that wishes to speak at this time?

- Jeannie Raycroft, Manager, Licensing and Elections: Nobody in committee room 5 wishes to speak at this time.

- Councillor Turner: Thank you very much.

- Bridgette Somers, Manager, Corporate Records: No one in committee room 1.

- Councillor Turner: Wonderful, thank you. I'm seeing no further speakers; I will take a motion to close the public participation meeting.

Community and Protective Services Committee

Report

The 8th Meeting of the Community and Protective Services Committee
July 15, 2020

PRESENT: Councillors S. Lewis (Chair), M. van Holst, M. Salih, P. Squire, S. Hillier, Mayor E. Holder

ALSO PRESENT: J.Bunn, M. Schulthess and J. Taylor

Remote attendance: Councillor E. Pelozza; C. Cooper, K. Dickins, L. Hancock, O. Katolyk, D. Popadic, D. Purdy, C. Smith and B. Somers

The meeting was called to order at 12:00 PM; it being noted that the following Members were in remote attendance: Mayor E. Holder, Councillors S. Hillier, M. Salih and M. van Holst

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: M. van Holst

Seconded by: P. Squire

That Items 2.1 to 2.4 BE APPROVED.

Yeas: (6): S. Lewis, M. van Holst, M. Salih, P. Squire, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.1 Housing Quarterly Report

Moved by: M. van Holst

Seconded by: P. Squire

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Deerness Home, that the following actions be taken with respect to the Housing Quarterly Report:

a) the staff report dated July 15, 2020 BE CIRCULATED to stakeholders, agencies, and community groups including, but not limited to: Middlesex County, London Housing Advisory Committee, and the London Homeless Coalition; and,

b) the above-noted report BE RECEIVED. (2020-S11)

Motion Passed

2.2 2019-2022 Multi-Sector Service Accountability Agreement - Deerness Home Adult Day Program and the South West Local Health Integration Network - Declaration of Compliance - April 1, 2019-March 31, 2020

Moved by: M. van Holst

Seconded by: P. Squire

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Deerness Home, the Acting Managing Director,

Housing, Social Services and Dearness Home BE AUTHORIZED to execute the Declaration of Compliance, as appended to the staff report dated July 15, 2020, for the reporting period April 1, 2019 to March 31, 2020 with respect to compliance with the terms of the 2019-2022 Multi-Sector Service Accountability Agreement for the Dearness Home Adult Day Program. (2020-S12)

Motion Passed

2.3 Urgent Transitional and Modular Supported Housing Development

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

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the staff report dated July 15, 2020 to support a strategy to secure and develop up to 26 temporary transitional supportive units and up to 150 supported affordable housing units:

- a) the Civic Administration BE AUTHORIZED to implement the short term temporary transitional supportive elements of the strategy; it being noted that these activities will be funded within existing approved Community Homeless Prevention Initiative (CHPI) funding; and,
- b) the Civic Administration BE DIRECTED to continue preliminary investigation of the modular and stick build supportive housing development strategy including discussions with other levels of government about potential funding support. (2020-S11)

Motion Passed

2.4 Long Term Care Service Agreement with Lifelabs for the Provision of Laboratory Services at the Dearness Home

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

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the proposed by-law, as appended to the staff report dated July 15, 2020, BE INTRODUCED at the Municipal Council meeting to be held on July 21, 2020, to:

- a) approve the Long-Term Care Services Agreement, as appended to the above-noted by-law, to be entered into between The Corporation of the City of London and Lifelabs regarding services to be provided to the residents of the Dearness Home;
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement; and,
- c) authorize the Civic Administration to undertake all administrative acts in connection with the above-noted Agreement. (2020-S03)

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

- 4.1 Joan's Place New Addition Campaign - S. Cordes, Youth Opportunities Unlimited - Request for Council Endorsement

Moved by: P. Squire
Seconded by: S. Hillier

That the Mayor BE REQUESTED to advocate the capital campaign of the Youth Opportunities Unlimited Joan's Place New Addition to the Provincial and Federal governments; it being noted that the communication from S. Cordes, Youth Opportunities Unlimited, dated June 23, 2020, with respect to this matter, was received. (2020-S11)

Yeas: (6): S. Lewis, M. van Holst, M. Salih, P. Squire, S. Hillier, and E. Holder

Motion Passed (6 to 0)

- 4.2 Residential Video Surveillance By-law - D. Johnstone - Request for Delegation Status

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

That the communication, dated July 2020, from D. Johnstone, with respect to a by-law to protect individuals being video recorded in their own private residential backyards BE REFERRED to the Civic Administration for review and a report back at a future meeting of the Community and Protective Services Committee with a delegation from D. Johnstone at that time. (2020-P00)

Yeas: (6): S. Lewis, M. van Holst, M. Salih, P. Squire, S. Hillier, and E. Holder

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

- 5.1 Deferred Matters List

Moved by: S. Lewis
Seconded by: M. van Holst

That the following actions be taken with respect to the Deferred Matters List, as at June 23, 2020:

- a) item number 10, with respect to Tow Truck Operator Licence – Business Licence By-law L.131-16, BE UPDATED to reflect a report back to the Community and Protective Services Committee in Q4 of 2020; and,
- b) the above-noted Deferred Matters List BE RECEIVED.

Yeas: (6): S. Lewis, M. van Holst, M. Salih, P. Squire, S. Hillier, and E. Holder

Motion Passed (6 to 0)

6. Confidential

Moved by: E. Holder
Seconded by: M. van Holst

That the Community and Protective Services Committee convene In Closed Session for the purpose of considering the following:

6.1. Solicitor-Client Privilege / Litigation / Potential Litigation

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, litigation and potential litigation and directions and instructions to officers and employees or agents of the municipality with respect to the construction contract and construction of the East London Community Centre.

Yeas: (6): S. Lewis, M. van Holst, M. Salih, P. Squire, S. Hillier, and E. Holder

Motion Passed (6 to 0)

The Community and Protective Services Committee convened In Closed Session from 12:27 PM to 12:50 PM.

7. Adjournment

The meeting adjourned at 12:52 PM.

Corporate Services Committee

Report

12th Meeting of the Corporate Services Committee
July 13, 2020

PRESENT: Councillors A. Kayabaga (Chair), M. van Holst, J. Helmer , J. Morgan, A. Hopkins, Mayor E. Holder

ALSO PRESENT: J. Taylor, B. Westlake-Power

Remote Attendance: Councillors M. Cassidy, S. Hillier, S. Lewis; L. Livingstone, A. Anderson, A. Barbon, G. Bridge, I. Collins, M. Daley, K. Dickins, A. Dunbar, M. Galczynski, M. Goldrup, J. Logan, K. Murray, K. Scherr, M. Schulthess, C. Smith, B. Somers, J. Stanford, B. Warner

The meeting is called to order at 12:02 PM; it being noted that the following Members were in remote attendance: Mayor E. Holder, M. van Holst, J. Helmer, J. Morgan, A. Hopkins

1. Disclosures of Pecuniary Interest

Councillor A. Hopkins discloses a pecuniary interest in item 2.8, having to do with the Employee Absenteeism 2019 Report, by indicating that her son is an employee of the City of London and a member of CUPE 107.

2. Consent

Moved by: A. Hopkins
Seconded by: E. Holder

That items 2.1 to 2.7, excluding items 2.3 and 2.6, BE APPROVED.

Yeas: (6): A. Kayabaga, M. van Holst, J. Helmer, J. Morgan, A. Hopkins, and E. Holder

Motion Passed (6 to 0)

2.1 Postponement - Annual Retirement Dinner and 25-Year Club Reception

Moved by: A. Hopkins
Seconded by: E. Holder

That, on the recommendation of the City Manager, the following actions be taken with respect to the Annual Retirement Dinner and 25-Year Club Reception:

- a) the staff report dated July 13, 2020 entitled "Postponement – Annual Retirement Dinner and 25-Year Club Reception, BE RECEIVED; and
- b) notwithstanding Council Policy "Receptions and Dinners for Retirement, 25-Year Club and Other Civic Occasions", the Civic Administration BE DIRECTED to reschedule the 2020 Annual Retirement Dinner and 25-Year Club Reception in 2021 when the Medical Officer of Health and the Province of Ontario have lifted restrictions to provide for the event to be safely held.

Motion Passed

2.2 RFP 20-22 Sharepoint Online Migration

Moved by: A. Hopkins
Seconded by: E. Holder

That, on the recommendation of the Director, Information Technology Services, City Manager's Office, and with the concurrence of the City Clerk, Legal and Corporate Services, the following actions be taken with respect to the SharePoint Online Migration:

- a) the proposal submitted by Elantis Solutions, 10123 – 99 Street, Suite 400, Edmonton, Alberta, J5J 3H1, for the SharePoint Online Migration BE ACCEPTED in accordance with the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the staff report dated July 13, 2020, hereto, as Appendix A;
- c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this purchase: and,
- d) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract, agreement or having a purchase order relating to the subject matter of this approval.

Motion Passed

2.4 Business Improvement Areas - Financial Measures to Respond to COVID-19

Moved by: A. Hopkins
Seconded by: E. Holder

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated July 13, 2020 regarding Business Improvement Areas - Financial Measures to Respond to COVID-19 BE RECEIVED for information.

Motion Passed

2.5 Elimination of Vacant and Excess Land Subclasses Tax Reductions

Moved by: A. Hopkins
Seconded by: E. Holder

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer and Chief Financial Officer, the following actions be taken with respect to the elimination of vacant and excess land subclasses tax reductions:

- a) the staff report dated July 13, 2020 entitled "Elimination of Vacant and Excess Land Subclasses Tax Reductions", BE RECEIVED; and,
- b) the City Clerk BE DIRECTED to bring forward for Municipal Council's consideration the proposed by-law, as appended to the staff report as Appendix "A" being "A by-law to eliminate the subclass tax reduction in accordance with subsection 313 (1.3) of the *Municipal Act, 2001*, as amended, for vacant and excess land in the commercial and industrial property classes for 2020 and subsequent years at such time as the Provincial Regulation related to this matter, is in effect.

Motion Passed

2.7 Declare Surplus - Portion of City-Owned Land -124 Cavendish Crescent

Moved by: A. Hopkins
Seconded by: E. Holder

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 a portion of City-owned land located on south side of Cavendish Crescent, abutting the west side of 124 Cavendish Crescent, described as Part of Lot 16, Part Lots 15, 14 and 13, Plan 308 (W), as in W10912; Part Lot 15, Plan 308(W), as in ED38082, being part of PIN 080770394, as shown on Schedule "A" of the staff report (the "Property"), the following actions be taken:

- a) the subject property BE DECLARED SURPLUS; and,
- b) the subject property ("Surplus Lands") BE TRANSFERRED to the abutting property owner at 124 Cavendish Crescent, in accordance with the City's Sale and Other Disposition of Land Policy.

Motion Passed

2.3 2019 Investment Report

Moved by: J. Helmer
Seconded by: E. Holder

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

- a) the 2019 Investment Report, providing a summary of the performance of the City of London's investment portfolio, BE RECEIVED for information; and,
- b) the Investment Policy attached as Appendix "B" to the staff report dated July 13, 2020 BE RECEIVED for information; it being noted that the Civic Administration is not recommending any revisions to the policy at this time.

Yeas: (6): A. Kayabaga, M. van Holst, J. Helmer, J. Morgan, A. Hopkins, and E. Holder

Motion Passed (6 to 0)

2.6 Industrial Land Development Strategy - Annual Monitoring and Pricing Report - City-Owned Industrial Land

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

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services with respect to the City of London's Industrial Land Development Strategy, the following actions be taken with respect to the annual monitoring and pricing of City-owned industrial lands:

- a) the staff report dated July 13, 2020 entitled "Industrial Land Development Strategy Annual Monitoring and Pricing Report – City-Owned Industrial Land", BE RECEIVED and;
- b) NO ACTION BE TAKEN at this time to adjust the current pricing of the City-owned industrial land from the following prices that were established October 1, 2018:

Pricing for serviced industrial land in Innovation Park, Skyway Industrial Park, River Road Industrial Park and Cuddy Boulevard Parcels:

- Lots up to 3.99 acres \$80,000.00 per acre
- 4.00 acres and up \$70,000.00 per acre

Pricing for serviced industrial land in Trafalgar Industrial Park:

- All Lot sizes - \$ 65,000.00 per acre.

Yeas: (6): A. Kayabaga, M. van Holst, J. Helmer, J. Morgan, A. Hopkins, and E. Holder

Motion Passed (6 to 0)

2.8 Employee Absenteeism 2019

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

That, on the recommendation of the Director of People Services, that the staff report dated July 13, 2020 regarding Employee Absenteeism 2019 BE RECEIVED for information purposes.

Yeas: (5): A. Kayabaga, M. van Holst, J. Helmer, J. Morgan, and E. Holder
Recuse: (1): A. Hopkins

Motion Passed (5 to 0)

3. Scheduled Items

None.

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 (ADDED) Remuneration for Elected Officials and Appointed Citizens

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

That, notwithstanding the provisions of the Council Policy "Remuneration for Elected Officials and Appointed Citizen Members", the remuneration for elected officials and appointed citizens, NO INCREASE to remuneration for elected officials for appointed citizens be made for 2020.

Yeas: (6): A. Kayabaga, M. van Holst, J. Helmer, J. Morgan, A. Hopkins, and E. Holder

Motion Passed (6 to 0)

5.2 (ADDED) Declaration of Mutual Commitment and Friendship with Ontario Federation of Indigenous Friendship Centres

Moved by: E. Holder
Seconded by: A. Hopkins

WHEREAS London is working with the N’Amerind Friendship Centre;

WHEREAS the N’Amerind Friendship Centre has been an active contributor to the well being of residents in the community;

WHEREAS London has a good and ongoing relationship with the N’Amerind Friendship Centre and wants to set a leading example in the area of Indigenous relations by demonstrating overlapping community interest and work;

WHEREAS the City of London and the N’Amerind Friendship Centre have signed a Memo of Understanding to formally strengthen the relationship between the administrations of N’Amerind and the City of London and to achieve greater impact in the lives of urban Indigenous people in the City of London through strategically partnering resources and sharing expertise when possible;

WHEREAS the Association of Municipalities of Ontario (AMO) and the Ontario Federation of Indigenous Friendship Centres (OFIFC) Declaration of Mutual Commitment and Friendship reflects the municipality’s understanding of and working relationship with Indigenous people in the community;

WHEREAS the N’Amerind Friendship Centre is contemplating the signing of this declaration and participation in related concurrent activities during the virtual AMO Conference in August of 2020;

THEREFORE IT BE RESOLVED THAT London City Council authorizes the Mayor to sign in conjunction with the N’Amerind Friendship Centre the joint AMO-OFIFC Declaration of Mutual Commitment and Friendship on behalf of the municipality and participate it related concurrent activities during the AMO 2020 Conference;

AND THAT Council direct staff to work with AMO in order to coordinate the declaration signing and related concurrent activities in advance of the AMO 2020 Conference.

Yeas: (6): A. Kayabaga, M. van Holst, J. Helmer, J. Morgan, A. Hopkins, and E. Holder

Motion Passed (6 to 0)

6. Confidential (Enclosed for Members only.)

Moved by: J. Helmer

Seconded by: J. Morgan

That the Corporate Services Committee convene, In Closed Session, for the purpose of considering 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.

The Corporate Services Committee convenes, In Closed Session, from 1:01 PM to 1:18 PM, with respect to 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.

7. Adjournment

The meeting adjourned at 1:19 PM.

Civic Works Committee

Report

The 9th Meeting of the Civic Works Committee
July 14, 2020

PRESENT: Councillors S. Lehman (Chair), S. Lewis, M. Cassidy, P. Van Meerbergen, E. Peloza, Mayor E. Holder

ALSO PRESENT: S. Spring, D. Turner, and B. Westlake-Power

Remote attendance: Councillors J. Helmer and S. Hillier; M. Butlin, M. Feldberg, D. MacRae, S. Mathers, A. Salton, K. Scherr, J. Stanford, and J. Raycroft

The meeting was called to order at 12:04 PM; it being noted that the following Members were in remote attendance: Councillors M. Cassidy, P. Van Meerbergen, and Mayor E. Holder

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: E. Peloza

Seconded by: M. Cassidy

That items 2.1 to 2.3, and 2.5 BE APPROVED.

Yeas: (5): S. Lehman, S. Lewis, M. Cassidy, P. Van Meerbergen, and E. Peloza

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 Upper Thames River Conservation Authority and City of London Flood Protection Projects: West London Dyke Phase 7

Moved by: E. Peloza

Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the City of London's contribution to infrastructure:

a) the Upper Thames River Conservation Authority BE AUTHORIZED to carry out the following projects, with the City share in the total amount of \$2,070,704, including contingency (excluding HST); it being noted that the requirements of this provincial funding program are unique, in that only conservation authorities can apply, requiring 14.3.a) of the Procurement of Goods and Services Policy:

i) West London Dyke Phase 7 Reconstruction; and,

ii) West London Dyke Phase 7 UTRCA Project Management Fees;

b) the financing for this work BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated July 14, 2020; and,

c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary to give effect to these recommendations. (2020-E21)

Motion Passed

2.2 Appointment of Consulting Engineers - Infrastructure Renewal Program

Moved by: E. Pelosa

Seconded by: M. Cassidy

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 consulting engineers for the Infrastructure Renewal Program:

a) the following consulting engineers BE APPOINTED to carry out consulting services for the identified 2021 Infrastructure Renewal Program funded projects, at the upset amounts identified below, in accordance with the estimates on file, and in accordance with Section 15.2(e) of the City of London's Procurement of Goods and Services Policy:

i) Stantec Consulting Limited BE APPOINTED consulting engineers to complete the pre-design, detailed design and construction administration of the 2021 Infrastructure Renewal Program Assignment A, Mornington Pond Expansion, in the total amount of \$633,183.39, including contingency (excluding HST);

ii) AECOM Canada Limited BE APPOINTED consulting engineers to complete the pre-design and detailed design of 2021 Infrastructure Renewal Program Assignment B, Burlington Street Reconstruction, Burlington Crescent to Scenic Drive and Paymaster Avenue, all, in the total amount of \$199,991.00, including contingency (excluding HST);

iii) Archibald, Gray and McKay Engineering Limited BE APPOINTED consulting engineers to complete the pre-design, detailed design construction administration of 2021 Infrastructure Renewal Program Assignment C, Brydges Street from Egerton Street to Highbury Avenue, Swinyard Street (all) and Muir Street (all) reconstruction, in the total amount of \$559,900.00, including contingency (excluding HST);

iv) Development Engineering (London) Limited BE APPOINTED consulting engineers to complete the pre-design, detailed design and construction administration of 2021 Infrastructure Renewal Program Assignment D, Foster Avenue from Riverside Drive to Upper Avenue and Upper Avenue from Riverside Drive to Foster Avenue reconstruction, in the total amount of \$253,600.99, including contingency (excluding HST);

v) Archibald, Gray and McKay Engineering Limited BE APPOINTED consulting engineers to complete the pre-design, detailed design and construction administration of 2021 Infrastructure Renewal Program Assignment E, Wortley Road from Briscoe Street to Devonshire Avenue reconstruction in the total amount of \$361,982.50, including contingency (excluding HST);

vi) Spriet Associates (London) Ltd BE APPOINTED consulting engineers to complete the pre-design, detailed design and construction administration of 2021 Infrastructure Renewal Program Assignment F, Calgary Street from Churchill Avenue to Dundas Street reconstruction in the total amount of \$375,910.70, including contingency (excluding HST);

b) the financing for the projects identified in a) above BE APPROVED in accordance with the Sources of Financing Report, as appended to the staff report dated July 14, 2020;

- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this work;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with each consultant for the respective 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. (2020-D19)

Motion Passed

2.3 Contract for the Operation of the City's Materials Recovery Facility - Single Source

Moved by: E. Pelosa
 Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the provision of Material Recovery Facility (MRF) Operations services:

- a) the proposed by-law, as appended to the staff report dated July 14, 2020, BE INTRODUCED at the Municipal Council meeting on July 21, 2020 to:
 - i) approve an Agreement between The Corporation of the City of London and Miller Waste Systems Inc., 8050 Woodbine Avenue Markham, ON, L3R 2N8, to operate and maintain the City's Materials Recovery Facility and market the recyclable materials; and,
 - ii) authorize the Mayor and the City Clerk to execute the above-noted Agreement;
- b) the single source negotiated price BE ACCEPTED to hire Miller Waste Systems Inc., to remove the existing cyclone and plastic container perforator and replace them with a new glass breaker and plastic container perforator at a total estimated price of \$609,679.57 (plus HST);
- c) the financing for the project BE APPROVED in accordance with the Source of Financing Report, as appended to the staff report dated July 14, 2020;
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this purchase; and,
- e) the approval, hereby given, BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval. (2020-E03)

Motion Passed

2.5 Pilot Project Technology for Air and Odour Monitoring in South London - Request to Negotiate a Single Source Agreement

Moved by: E. Pelosa
 Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the Civic Administration BE DIRECTED to negotiate a single source agreement for the procurement of

air and odour monitoring equipment and technical reporting services, as per Section 14.4(e) of the Procurement of Goods and Services Policy, with EnviroSuite Limited for a term of up to three years, with two one-year extension options at the sole discretion of the City; it being noted that the final contract will be subject to approval by the Municipal Council, and that the Civic Administration will report back on:

- a) the outcome of the negotiation with EnviroSuite Limited;
- b) the final details and costs of the Pilot Project, including how the City will be participating and the potential benefits to the community; and,
- c) the benefits of the Pilot Project and its role in addressing elements of the Environmental Assessment for the Expansion of the W12A Landfill, current landfill operations and future operations. (2020-E05)

Motion Passed

2.4 Dundas Place - Thames Valley Parkway Active Transportation Connection
- Appointment of Consulting Engineer

Moved by: E. Pelozza

Seconded by: S. Lewis

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 construction administration of Dundas Place - Thames Valley Parkway Active Transportation Connection project:

- a) IBI Group Professional Services (Canada) Inc. BE AUTHORIZED to carry out the construction inspection and contract administration for this project in the amount of \$323,190.00 (excluding HST), in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED in accordance with the Sources of Financing Report, as appended to the staff report dated July 14, 2020;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, as required, to give effect to these recommendations. (2020-T03)

Yeas: (4): S. Lehman, S. Lewis, M. Cassidy, and E. Pelozza

Nays: (1): P. Van Meerbergen

Absent: (1): E. Holder

Motion Passed (4 to 1)

2.6 (ADDED) Contract Award: Tender No. 20-87 Dundas Street Cycle Track

Moved by: S. Lewis

Seconded by: M. Cassidy

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of Dundas Street Cycle Track construction contract:

- a) the bid submitted by Dufferin Construction Company, A division of CRH Canada Group Inc., at its tendered price of \$3,683,709.53 (excluding HST), BE ACCEPTED; it being noted that the bid submitted by Dufferin

Construction Company, A division of CRH Canada Group Inc. was the lowest of two bids received and meets the City's specifications and requirements in all areas;

b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated July 14, 2020;

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

d) the approval, given herein, BE CONDITIONAL upon the Corporation entering into a formal contract for the material to be supplied and the work to be done relating to this project (Tender 20-87); 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. (2020-T03)

Yeas: (4): S. Lehman, S. Lewis, M. Cassidy, and E. Pelozza

Nays: (1): P. Van Meerbergen

Absent: (1): E. Holder

Motion Passed (4 to 1)

3. Scheduled Items

None.

4. Items for Direction

4.1 Contract Award: RFT 20-59 - 2020 Infrastructure Renewal Program
Contract 12 - Highway Avenue and Lambeth Avenue

Moved by: M. Cassidy

Seconded by: E. Pelozza

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the award of contracts for the 2020 Infrastructure Renewal Program, Contract 12 – Highway Avenue and Lambeth Avenue:

a) the bid submitted by 2044970 Ontario Inc. (All Seasons Excavating), at its tendered price of \$3,292,000.00 (excluding HST) for the above-noted contract, BE ACCEPTED; it being noted that the bid submitted by 2044970 Ontario Inc. was the lowest of six bids received and meets the City's specifications and requirements in all areas;

b) Spriet Associates Ltd. BE AUTHORIZED to carry out the resident inspection and contract administration for this project, in accordance with the estimate on file, at an upset amount of \$292,545.00 (excluding HST), in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;

c) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated July 14, 2020;

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

e) the approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, or issuing a purchase order for the material to be supplied and the work to be done, relating to this project (Tender 20-31); and,

f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations;

it being noted that City of London staff have agreed to work with the residents of Lambeth Avenue and the third party arborist hired by these homeowners in order to mitigate tree removal due to infrastructure work, where possible;

it being further noted that a verbal delegation from H. Sanderson and C. McCallum with respect to this matter was received. (2020-D19)

Yeas: (5): S. Lehman, S. Lewis, M. Cassidy, P. Van Meerbergen, and E. Pelozza

Absent: (1): E. Holder

Motion Passed (5 to 0)

4.2 MADD Canada Memorial Sign Request

Moved by: E. Pelozza

Seconded by: E. Holder

That the following actions be taken with respect to the memorial sign request submitted by Shauna and David Andrews, dated June 1, 2020, and supported by Mothers Against Drunk Driving (MADD) Canada:

a) the Civic Administration BE DIRECTED to engage in discussions with MADD Canada regarding MADD Canada Memorial Signs and bring forward a proposed Memorandum of Understanding with MADD Canada for Council's approval;

it being noted that MADD will cover all sign manufacturing and installation costs;

it being further noted that the Ministry of Transportation and MADD have set out in this Memorandum of Understanding ("MOU") the terms and conditions for the placement of memorial signs on provincial highways which is not applicable to municipal roads;

it being further noted that MADD provides messages consistent with the London Road Safety Strategy; and,

b) the Civic Administration BE DIRECTED to work with MADD Canada to find a single permanent location in London for the purpose of memorials. (2020-M00)

Yeas: (6): S. Lehman, S. Lewis, M. Cassidy, P. Van Meerbergen, E. Pelozza, and E. Holder

Motion Passed (6 to 0)

Voting Record:

That, pursuant to Section 27.6 of the Council Procedure By-law, the order of business BE CHANGED to allow for consideration of item 4.2 at the beginning of the meeting.

Motion Passed

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: S. Lewis
Seconded by: E. Pelosa

That the deferred matters list, as at July 6, 2020, BE RECEIVED.

Yeas: (5): S. Lehman, S. Lewis, M. Cassidy, P. Van Meerbergen, and E. Pelosa

Absent: (1): E. Holder

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 12:56 PM.

Strategic Priorities and Policy Committee

Report

13th Meeting of the Strategic Priorities and Policy Committee
July 14, 2020

PRESENT: Mayor E. Holder (Chair), Councillors M. van Holst, 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, S. Hillier

ALSO PRESENT: M. Schulthess, S. Spring, B. Westlake-Power

Remote Attendance: L. Livingstone, A. Anderson, A.L. Barbon, S. Corman, G. Barrett, K. Dickins, K. Edwards, G. Kotsifas, S. Mathers, A. Macpherson, D. MacRae, J.P. McGonigal, J. Raycroft, K. Scherr, C. Smith, P. Yeoman

The meeting is called to order at 4:04 PM; it being noted that the following Members were in remote attendance: M. van Holst, M. Salih, M. Cassidy, A. Hopkins, P. Van Meerbergen, S. Turner, A. Kayabaga, S. Hillier

1. Disclosures of Pecuniary Interest

Councillor S. Turner discloses a pecuniary interest in the added item 5.2, having to do with potential additional legislative actions to prevent the spread of COVID-19, by indicating that the matter concerns the Medical Officer of Health, Middlesex-London Health Unit, which is his employer. Councillor S. Turner further discloses a pecuniary in item 2.1 having to do with the Core Area Action Plan 2020 Progress Update, specifically related to those components having to do with the Middlesex-London Health Unit (MLHU), because he is an employee of the MLHU.

Councillor J. Morgan discloses a pecuniary interest in item 2.4 - 2nd Report of the Rapid Transit Implementation Working Group, specific to item 3.2 - North Corridor, by indicating that he is an employee of Western University, which will be impacted by this.

Councillor J. Helmer discloses a pecuniary interest in item 2.4 - 2nd Report of the Rapid Transit Implementation Working Group, specific to item 3.2 - North Corridor, by indicating that he anticipates being an employee of Western University, which will be impacted by this.

Councillor S. Lehman discloses a pecuniary interest in item 2.4 - 2nd Report of the Rapid Transit Implementation Working Group, specific to item 3.2 - North Corridor, by indicating that he owns a business on Richmond Row.

2. Consent

2.1 Core Area Action Plan - 2020 Progress Update

That the following actions be taken with respect to the Core Area Action Plan:

- a) the staff report dated July 14, 2020 BE RECEIVED for the purpose of providing Municipal Council with an update on the progress of the implementation of the Core Area Action Plan; and,

b) the modified operating budget for 2020 components of the Core Area Action Plan 2020-2023 Additional Investment business case, as identified in the staff report dated July 14, 2020, BE APPROVED.

Motion Passed

Voting Record:

Moved by: S. Turner

Seconded by: A. Hopkins

That the following actions be taken with respect to the Core Area Action Plan:

a) the staff report dated July 14, 2020 BE RECEIVED for the purpose of providing Municipal Council with an update on the progress of the implementation of the Core Area Action Plan; and,

b) the modified operating budget for 2020 components of the Core Area Action Plan 2020-2023 Additional Investment business case, excluding Item 45 "Activate spaces and places with bistro chairs and tables" in the amount of (\$50,000), BE APPROVED.

Yeas: (15): Mayor E. Holder, M. van Holst, 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

Motion Passed (15 to 0)

Moved by: J. Morgan

Seconded by: S. Lewis

That Item 45 of the 2020 Modified Operating Budget for the Core Action Plan, Activate Spaces and Places with bistro chairs and tables, BE APPROVED.

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

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

Motion Passed (12 to 3)

2.2 London Community Recovery Network

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the City Manager, the following actions be taken regarding the London Community Recovery Network:

a) the London Community Recovery Network (LCRN) BE ENDORSED as a model to coordinate London's community recovery from COVID-19, including Council membership on the sector/issue/theme discussion tables;

b) the Civic Administration BE DIRECTED to work with the Mayor and Council to constitute the LCRN as soon as possible to begin London's community recovery efforts; and,

c) the staff report on the London Community Recovery Network BE RECEIVED.

Yeas: (15): Mayor E. Holder, M. van Holst, 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

Motion Passed (15 to 0)

2.3 London Economic Development Corporation (LEDC) Activity Update 2019

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

That the London Economic Development Corporation Activity Update 2019 BE RECEIVED for information.

Yeas: (15): Mayor E. Holder, M. van Holst, 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

Motion Passed (15 to 0)

2.4 2nd Report of the Rapid Transit Implementation Working Group

That the 2nd Report of the Rapid Transit Implementation Working Group BE APPROVED.

Motion Passed

Voting Record:

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

The 2nd Report of the Rapid Transit Implementation Working Group meeting held on June 30, 2020 BE RECEIVED, excluding Clause 3.2.

Yeas: (15): Mayor E. Holder, M. van Holst, 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

Motion Passed (15 to 0)

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

That clause 3.2 of the 2nd Report of the Rapid Transit Implementation Working Group BE APPROVED.

Yeas: (12): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, P. Squire, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, and S. Hillier
Recuse: (3): J. Helmer, J. Morgan, and S. Lehman

Motion Passed (12 to 0)

3. Scheduled Items

3.1 2021 Development Charges Update Covering Report and Proposed By-law

Moved by: M. Cassidy

Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Corporate Services & City Treasurer, Chief Financial Officer, the 2021 Development Charges Background Study Update and the proposed 2021 Development Charges By-law BE RECEIVED;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions regarding this matter:

- Mike Wallace, London Development Institute – 100% support of the staff report under consideration; noting that Bill 197 means that there is more work to be done; advising that they are happy with the discussion and that staff have been helpful; noting that the organization may have additional comments as this continues to evolve.
- Anna Maria Valastro, 133 John Street, Unit 1 – expressing concern related to Bills 108 and 197, in the ability to undercut local controls and requirements related environmental needs and community benefits; asking about rationalization of development charges and community benefit charges include means to off-set negative impacts of intensification, and require the support for city initiatives such as the urban forest strategy, climate change strategy, etc. and suggesting that the public-at-large be considered an active stake-holder in the process.

Yeas: (15): Mayor E. Holder, M. van Holst, 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

Motion Passed (15 to 0)

Voting Record:

Moved by: A. Hopkins

Seconded by: S. Turner

Motion to open the Public Participation Meeting.

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

Absent: (1): E. Pelozza

Motion Passed (14 to 0)

Moved by: S. Turner

Seconded by: P. Van Meerbergen

Motion to close the Public Participation Meeting.

Yeas: (15): Mayor E. Holder, M. van Holst, 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

Motion Passed (15 to 0)

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

That a Recess of the Committee BE APPROVED.

Motion Passed

The Strategic Priorities and Policy Committees recesses from 6:45 PM to 6:54 PM.

4. Items for Direction

4.1 Resignation from Eldon House Board of Directors

That the following actions be taken with respect to the Eldon House Board of Directors:

- a) the communication dated June 17, 2020 from Mark Tovey from Eldon House BE ACCEPTED; and,
- b) the civic administration BE DIRECTED to consult with the current Eldon House Board, with respect to potential membership requirements and undertake candidate recruitment for consideration accordingly.

Motion Passed

Voting Record:

Moved by: E. Pelosa
Seconded by: J. Helmer

That the communication dated June 17, 2020 from Mark Tovey from Eldon House BE ACCEPTED.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Moved by: E. Pelosa
Seconded by: S. Lewis

That staff BE DIRECTED to consult with the current Eldon House Board, with respect to potential membership requirements and undertake candidate recruitment for consideration accordingly.

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

4.2 Argyle Business Improvement Association

Moved by: S. Lewis
Seconded by: A. Hopkins

That the following actions be taken with respect to Argyle Business Improvement Association:

- a) the resignation of Erik Lasch BE ACCEPTED; and,
- b) Dan Eminger and Frank Boutzis BE APPOINTED for the term ending November 15, 2022.

Yeas: (15): Mayor E. Holder, M. van Holst, 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

Motion Passed (15 to 0)

5. Deferred Matters/Additional Business

5.1 (ADDED) Making Anti-Racism a Strategic Priority

Moved by: A. Kayabaga

Seconded by: M. Salih

That the following actions be taken with respect to making anti-racism a strategic priority:

- a) the mandate of the Strategic Priorities and Policy Committee BE AMENDED to include “Anti-racism, diversity, inclusion and anti-oppression” as a new bullet point under Strategic Initiatives;
- b) the terms of reference for the Diversity, Inclusion and Anti-Oppression Advisory Committee (DIAAC) be amended to replace “Community and Protective Services Committee” with “Strategic Priorities and Policy Committee”; and,
- c) the Civic Administration BE ENCOURAGED to bring forward initial reports by service area responding to the Municipal Council resolution on 16 June 2020 related to the implementation of the equity and inclusion lens to the most relevant standing committee for each service area (e.g. Development and Compliance Services would report to Planning and Environment Committee; Engineering and Environmental Services would report to Civic Works Committee, and so on).

Yeas: (15): Mayor E. Holder, M. van Holst, 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

Motion Passed (15 to 0)

5.2 Additional Legislative Measures to Prevent the Spread of COVID-19

That the following actions be taken with respect to additional legislative measures to prevent the spread of COVID-19:

- a) the Civic Administration, including the City Solicitor, BE DIRECTED to consult with the County of Middlesex and the Medical Officer of Health, Dr. Chris Mackie, and to bring forward, for consideration at the earliest opportunity by Municipal Council, any legislative measures that the Medical Officer of Health recommends the City of London should enact to reduce the risk of further COVID-19 infections within the City of London, including the possibility of a temporary municipal bylaw requiring the wearing of masks or face coverings in enclosed public spaces; and,
- b) the Medical Officer of Health, Dr. Chris Mackie, BE REQUESTED to attend the standing committee meeting(s), to provide advice and answer questions about any advice or actions that may result from part a) above.

Motion Passed

Voting Record:

Moved by: Mayor E. Holder

Seconded by: M. Cassidy

The Civic Administration, including the City Solicitor, BE DIRECTED to consult with the Medical Officer of Health, Dr. Chris Mackie, and to bring forward, for consideration at the earliest opportunity by Municipal Council, any legislative measures that the Medical Officer of Health recommends the City of London should enact to reduce the risk of further COVID-19 infections within the City of London, including the possibility of a temporary municipal bylaw requiring the wearing of masks or face coverings in enclosed public spaces.

Moved by: J. Morgan

Seconded by: M. Salih

That the motion BE AMENDED to add a new part b), as follows:

b) the Medical Officer of Health, Dr. Chris Mackie, BE REQUESTED to attend the standing committee meeting(s), to provide advice and answer questions about any advice or actions that may result from part a) above.

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

Moved by: A. Hopkins

Seconded by: J. Helmer

That the motion, as amended, BE APPROVED; the motion reads as follows:

That the following actions be taken with respect to additional legislative measures to prevent the spread of COVID-19:

a) the Civic Administration, including the City Solicitor, BE DIRECTED to consult with the County of Middlesex and the Medical Officer of Health, Dr. Chris Mackie, and to bring forward, for consideration at the earliest opportunity by Municipal Council, any legislative measures that the Medical Officer of Health recommends the City of London should enact to reduce the risk of further COVID-19 infections within the City of London, including the possibility of a temporary municipal bylaw requiring the wearing of masks or face coverings in enclosed public spaces; and,

b) the Medical Officer of Health, Dr. Chris Mackie, BE REQUESTED to attend the standing committee meeting(s), to provide advice and answer questions about any advice or actions that may result from part a) above.

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

6. (ADDED) Confidential

6.1 (ADDED) Solicitor-Client Privileged Advice

Moved by: M. van Holst

Seconded by: P. Squire

That the SPPC convene, In Closed Session, in order to receive advice subject to solicitor-client privilege, as relates to potential additional legislative measures to prevent the spread of COVID-19.

Motion Passed

The Strategic Priorities and Policy Committee convenes, In Closed Session, from 7:35 PM to 8:06 PM, with respect to a matter pertaining to advice subject to solicitor-client privilege, as it relates to additional legislative measures to prevent the spread of COVID-19.

7. Adjournment

The meeting adjourns at 8:43 PM.

Bill No. 219
2020

By-law No. A.-_____ - ____

A by-law to confirm the proceedings of the
Council Meeting held on the 21st day of July,
2020.

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 July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

Bill No. 220
2020

By-law No. A.-_____ - ____

A by-law to eliminate the subclass tax reduction in accordance with subsection 313 (1.3) of the *Municipal Act, 2001*, as amended, for vacant and excess land in the commercial and industrial property classes for 2020 and subsequent years.

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 307 of the *Municipal Act, 2001*, as amended, provides for the passing of by-laws for the levying of rates of taxation;

AND WHEREAS section 313(1.3) of the *Municipal Act, 2001*, as amended, provides that despite subsection (1), a municipality, other than a lower-tier municipality, may, if authorized by the regulations, pass a by-law providing that a tax rate reduction in paragraph 1, 2, 3, 4 or 5 of subsection (1) does not apply. 2016, c. 37, Sched. 15, s. 4; 2017, c. 8, Sched. 19, s. 3 (4);

AND WHEREAS the Province of Ontario has amended Ontario Regulation 580/17 Tax Matters – Vacant and Excess Land Subclasses, Tax Reductions;

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

1. For all taxation years beginning 2020, the tax rate reductions in paragraphs 2, 3, 4, or 5 of subsection 313(1) of the *Municipal Act, 2001*, as amended, do not apply.
2. The administration of this by-law is assigned to the City Treasurer who is hereby authorized and directed to do such things as may be necessary or advisable to carry out fully the provisions of this by-law.
3. This by-law comes into force on the day it is passed.

PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

Bill No. 221
2020

By-law No. A.-_____ - ____

A by-law to approve an Agreement to operate and maintain the City's Materials Recovery Facility and market the recyclable materials; and to authorize the Mayor and the City Clerk to execute the Agreement.

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

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

AND WHEREAS subsection 10 of the *Municipal Act, 2001*, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public, and may pass by-laws respecting same, and respecting economic, social and environmental well-being of the City, and the health, safety and well-being of persons;

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

1. The Agreement to operate and maintain the City's Materials Recovery Facility and market the recyclable materials between The Corporation of the City of London and Miller Waste Systems Inc., dated August 30, 2020, attached hereto as Schedule 'A', is hereby approved.
2. The Mayor and the City Clerk are hereby authorized to execute the Agreement 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 July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – July 21, 2020
Second reading – July 21, 2020
Third reading – July 21, 2020

Schedule A

THIS AGREEMENT made as of the 30th day of August, 2020

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON
(hereinafter called the "Corporation")
OF THE FIRST PART

-AND-

MILLER WASTE SYSTEMS INC.,
(hereinafter called "Miller Waste")
OF THE SECOND PART

WHEREAS the Corporation issued Request for Proposal 08-03 on February 4, 2008 for Design Construction and Operation of a Materials Recovery Facility;

WHEREAS Miller Waste submitted a proposal in writing dated June 13, 2008 to provide services for Design Construction and Operation of a Materials Recovery Facility, (the "Proposal");

AND WHEREAS the Corporation requested Miller Waste to provide services for Design Construction and Operation of the Materials Recovery Facility;

AND WHEREAS the Corporation and Miller Waste entered into a Design-Build Agreement for the Work related to the Design and Construction of the Materials Recovery Facility on the 24th day of March 2010 ("Build-Agreement");

AND WHEREAS the Build-Agreement between the Corporation and Miller Waste does not in any way limit the Work as contemplated in Request for Proposal 08-03 that relates to the Operation of the Materials Recovery Facility;

AND WHEREAS the Corporation and Miller Waste entered into an agreement for Operation of the Materials Recovery Facility effective July 8th 2011 ("Original Operating Agreement");

AND WHEREAS the Corporation and Miller Waste entered into to an Amending Agreement amending the Original Operating Agreement ("Amended Operating Agreement") on August 1, 2014;

AND WHEREAS the Corporation and Miller Waste agreed to extensions of the Amended Operating Agreement for the period of October 30, 2019 to August 30, 2020;

AND WHEREAS the Corporation and Miller Waste have negotiated in good faith to come to terms for continued Operation of the Materials Recovery Facility through this Agreement, which restates and revises the Original Operating Agreement as amended;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants herein contained, the parties hereto covenant and agree, each with the other, as follows:

DEFINITIONS

Capitalized words used and not otherwise defined in this Agreement shall have the meaning given to them in the Request for Proposal 08-03 and the Addenda thereto.

- (a) "Business Day" means any day other than a Saturday, a Sunday or a statutory holiday in the Province of Ontario or any other day which is observed by the Corporation as a Holiday.
- (b) "Commodity Index Prices" means the prices as listed in the Fast Markets (RISI) Pulp and Paper Week monthly publication for the applicable month for

Recoverable Fibre Materials; and shall mean the prices as obtained/realized by a grouping of at least three but no more than five comparable Municipalities, for the applicable month, for Recoverable Container materials. The Corporation at its sole discretion shall determine which Municipalities are used in the grouping. In the event that the Fast markets (RISI) Pulp and Paper Week cease to be published an alternate Recovered Material commodity index for Recoverable Fibre Materials shall be agreed upon as a substitute by the Corporation and Miller Waste.

- (c) "Contract Documents" means those documents identified in Section 1.0.2 of this Agreement.
- (d) "Cross Contamination" means Recyclable Material(s) that are delivered to the Materials Recovery Facility in the incorrect Recyclable Material Processing stream (i.e. Fibres mixed with Containers and Containers mixed with Fibres)
- (e) "Laws" means the common law and any and all laws, statutes, enactments, bylaws, regulations, rules, orders, directives, policies, permits, licenses, codes and rulings of any government, regulatory or administrative authority, agency, commission, utility or board (federal, provincial, municipal or local, domestic or foreign) having jurisdiction or judicial, administrative or arbitral court, authority, tribunal or commission having jurisdiction.
- (f) "Recoverable" means all Recyclable Material(s) excluding Recyclable Material Not Practical to Recover and Cross Contamination in the Residue as determined in accordance with Schedule B.
- (g) "Recyclable Material Not Practical to Recover" means any of the following items:
 - (i) plastic grocery bags and program bags (e.g. clear plastic bags and translucent plastic bags) used to contain recyclables;
 - (ii) glass less than 64mm (2 1/2") in length and width at its longest/widest points;
 - (iii) Fibres less than 150mm (6") in length and width at their longest/widest points;
 - (iv) Containers less than 64mm (2 1/2") in length and width at their longest/widest points;
 - (v) individual materials compounded together (i.e. separate Recyclable Materials that have become entwined/bound together and as a result causes them to act as one physical object);
 - (vi) waxed boxes (e.g. frozen food boxes) or paper;
 - (vii) foil coated boxes (e.g. dishwasher detergent boxes) or paper;
 - (viii) dark coloured or construction paper;
 - (ix) metallic foil wrapping paper; and
 - (x) Containers containing product (i.e. bottles, tubs and jugs that contain at least 10% (by volume of the container) retained product).
- (h) "Residue" means a combination of the following items:
 - (i) Non-Recyclable Material(s);
 - (ii) Recyclable Material that is not Processed into Recovered Material(s);
 - (iii) Recyclable Material Not Practical to Recover; and
 - (iv) Cross Contamination not transferred into the correct Processing stream in accordance with Section 3.0.6.
- (i) "Term" means the Initial Term and any extension periods as may be exercised in accordance with Section 2.0.2.

1.0 SERVICES

- 1.0.1 The Corporation hereby retains Miller Waste to provide Materials Recovery Facility operation and Recovered Materials Marketing services (the “Work”) and Miller Waste agrees to provide the aforementioned services in accordance with the Contract Documents, which are outlined below and shall be deemed to form part of this Agreement.
- 1.0.2 The Contract Documents are complementary, and what is required by any one shall be as binding as if required by all. The intention of the Contract Documents is to provide for labour, products, material, equipment and services necessary to perform the Work related to the Operation of a Materials Recovery Facility and the Marketing of Recovered Materials. The following are the Contract Documents, and in case of any inconsistency or conflict between the provisions of the Contract Documents, the provisions of such documents shall take precedence in the following order:
- a) This Agreement
 - b) Amended Operating Agreement (August 2014)
 - c) Original Operating Agreement (2011)
 - d) Addenda to Request for Proposal 08-03 (April 2008)
 - e) Request for Proposal 08-03 (February 2008)
 - f) The Proposal (June 2008)

In the event of ambiguity, reference may be made to the negotiations, and the historical agreements and covenants between the Parties (including the Amended Operating Agreement, and the Original Operating Agreement) to the extent that they may assist to interpret the Party’s respective obligations under the Contract Documents.

2.0 TERM

2.0.1 Initial Term:

The Initial Term of the Contract will be for a period of two (2) years and four (4) months, commencing September 1, 2020 and ending December 31, 2022.

2.0.2 Optional Extensions Renewal:

The City at its absolute sole discretion has the option to extend the Contract for three (3) additional one (1) year periods.

In determining whether to exercise the optional extensions, the City will consider, but not be limited to price, service, quality of work and change of law.

3.0 SCOPE OF SERVICE

3.0.1 Miller Waste agrees to provide Materials Recovery Facility operation and Recovered Fibre and Container Material Marketing services in accordance with the Contract Documents and as outlined below;

3.0.2 Materials to be Processed:

The list of materials to be processed is provided in Schedule A.

The Corporation and Miller Waste agree to negotiate in good faith to address changes (addition or removal of materials) to the list of materials provided in Schedule A as a result of potential changes to the Provincial Blue Box Program Plan.

3.0 SCOPE OF SERVICE...cont'd

3.0.3 Required Recovery Rates:

Required Recovery Rates shall be the following:

- a) 98% of all Recoverable Fibre Materials as determined in accordance with Schedule B on a monthly average basis;
- b) 94% of all Recoverable Container Materials excluding glass materials as determined in accordance with Schedule B on a monthly average basis;
- c) 95% of all Recoverable glass materials as determined in accordance with Schedule B on a monthly average basis.

3.0.4 Recovered Materials Marketing Services:

Miller Waste agrees to provide Recovered Materials Marketing services in accordance with the following:

- a) Miller Waste shall be responsible for performing all the Work associated with Marketing the Recovered Materials which shall include but not be limited to finding and supplying End Markets for the Recovered Materials, arranging for and coordinating of transportation of the Recovered Materials to End Markets;
- b) Notwithstanding clause 3.0.4 a), the Corporation reserves the right at its sole discretion to approve the End Markets for Recovered Materials. In the event the Corporation disapproves of an End Market and/or End Markets for Recovered Materials, the Corporation reserves the right to direct Recovered Materials to End Markets acceptable to the Corporation. Miller Waste shall remain entitled to receive fees for Marketing services in accordance with clause 4.0.2 of this Agreement for all Recovered Materials directed to End Markets by the Corporation provided that if the revenue generated by the sale of the Recovered Materials to the End Markets selected by the Corporation is less than the revenue that would have been generated by the sale of the Recovered Materials to the End Markets identified by Miller Waste, then Miller Waste shall be entitled to fees for Marketing services equivalent to the percentages set out in Section 4.0.2 calculated on the Commodity Index Price of the Recovered Materials and not on generated revenue.

3.0.5 Audit Procedures:

The audit procedures attached as Schedule B to this Agreement shall prevail.

3.0.6 Cross Contamination Received at Materials Recovery Facility:

Cross Contamination received at the Materials Recovery Facility for Processing shall contribute to the establishment of the Non-Recyclable Material level when determining the per-tonne Processing fees in accordance with clause 4.0.1 of this Agreement. This notwithstanding Miller Waste shall make every reasonable effort to transfer the Cross Contamination into the correct Processing stream and once in the correct Processing stream the Cross Contamination shall be subject to the Required Recovery Rates.

3.0.7 Recyclable Material Not Practical to Recover Not Applicable in Determining the Non-Recyclable Material Level or the Required Recovery Rates:

Recyclable Material Not Practical to Recover as determined in accordance with the audit procedures in Schedule B shall not be included in calculating Non-Recyclable Material levels when determining the per-tonne Processing fees payable in accordance with clause 4.0.1 of this Agreement or the determination of whether Miller has met the Required Recovery Rates in accordance with clause 3.0.3 of this Agreement.

3.0 SCOPE OF SERVICE...Cont'd

3.0.8 Odour, Litter and Nuisance

Miller Waste acknowledges that any odour, litter and other nuisance complaints are a matter of serious concern to the Corporation. Miller Waste shall notify the Corporation forthwith in the event of any of the following:

- a) The initiation of any investigation by the Ontario Ministry of Environment, Conservation and Parks (MECP) concerning odours, litter or other nuisance at the Materials Recovery Facility;
- b) Any order or directive received from the MECP with respect to odour, litter or other nuisance at the Materials Recovery Facility;
- c) Any complaint by any third party with respect to the odour, litter or other nuisance from the Materials Recovery Facility.

3.0.9 Occupational Health and Safety

Miller Waste acknowledges that any matter concerning occupational health and safety is of serious concern to the Corporation. Miller Waste shall notify the Corporation forthwith in the event of any of the following:

- a) The initiation of any investigation by the Ontario Ministry of Labour concerning any matter for which it has jurisdiction at the Materials Recovery Facility;
- b) Any order or directive received from the Ontario Ministry of Labour with respect to any matter for which it has jurisdiction at the Materials Recovery Facility;
- c) Any complaint by any third party with respect to occupational health and safety at the Materials Recovery Facility.

3.0.10 Storm Water Management Ponds

Miller Waste shall be responsible for operating and maintaining the storm water management ponds for the Materials Recovery Facility in accordance with all approvals thereof and good operating practice.

3.0.13 Mixed Container Glass Market Specification

In the event, shipped Mixed Container Glass is downgraded or rejected by an End Market solely as a result of contamination by material that is considered in accordance with the audit procedures in Schedule B to be Recyclable Material Not Practical to Recover, Miller Waste shall not be responsible for costs that are directly associated with the downgrade of Mixed Container Glass by an End Market or with the rejection of Mixed Container Glass by an End Market. The aforementioned directly associated costs shall include, reduced revenue from the sale of Mixed Container Glass, and/or haul costs from the original End Market to a new location.

3.0 SCOPE OF SERVICE...Cont'd

3.0.14 Facility Repairs and Maintenance

Miller Waste shall be responsible for all maintenance and repairs required to perform the Work up to a threshold value of \$40,000.00. For clarity, the threshold value is not a deductible; Miller is responsible for the cost of any maintenance or repair occurrence with a total cost less than the threshold value, and the City is responsible for the total cost of each occurrence over the threshold value. The threshold value shall be adjusted annually for inflation on the anniversary of the commencement date of the start of the contract in accordance with the calculation set out in section 5.0.2. Miller Waste acknowledges that maintenance and repair costs that are the responsibility of the Corporation are subject to the Corporation's Procurement of Goods and Services Policy that is subject to change from time to time. Miller Waste shall supply to the Corporation on a quarterly basis state of repair reports for all the equipment, structures and associated appurtenances that are required to perform the Work. The reports shall also include forecasts for when maintenance and repairs will be required to continue to perform the Work.

3.0.15 Promotion and Education Funding

Miller Waste will provide up to \$5,000 per year towards the promotion and education off the Corporation's Blue Box program, which contribution may be monetary or services in kind of equivalent value.

3.0.16 Hefty Energy Bag Pilot Project

Miller Waste shall continue to support the Hefty Energy Bag Pilot Project at no cost until the end of October 2021. In the event the Corporation elects to officially implement a Hefty Energy Bag Program the parties agree to negotiate in good faith to establish a mutually agreeable handling fee.

4.0 PRICING

4.0.1 Materials Recovery Facility Operation Services:

Miller Waste agrees to provide Materials Recovery Facility operation services in accordance with the Contract Documents for the per-tonne Processing fees listed in the pricing sheets attached as Schedule C. Subject to clause 6.0.1 (Changes in Law General) and any other terms of this Agreement, the per-tonne Processing fees listed in the pricing sheets are inclusive of all applicable taxes and charges of any kind, other than the Harmonized Sales Tax.

In addition to the per-tonne Processing fees listed in the pricing sheets attached as Schedule C, Miller Waste shall be entitled to a monthly lump sum payment of \$72,176.08. Subject to clause 6.0.1 (Changes in Law General) and any other terms of this Agreement, the monthly lump sum payment is inclusive of all applicable taxes and charges of any kind, other than the Harmonized Sales Tax.

The parties acknowledge and agree that the Corporation permits Recovered Materials to be contained in plastic grocery bags and program bags.

4.0 PRICING...Cont'd

4.0.2 Recovered Fibre and Container Marketing Services:

Miller Waste agrees to provide Recovered Fibre and Container Marketing services in accordance with the following:

Miller Waste shall receive a Marketing service fee calculated as 10% of net revenue generated from the sale of Recovered Materials.

Subject to clause 6.0.1 (Changes in Law General) the Marketing service fee noted above is inclusive of all applicable taxes and charges of any kind, other than the Harmonized Sales Tax and is interpreted as applying to all Recovered Materials being marketed as F.O.B. from the Materials Recovery Facility.

4.0.3 Air Cyclone Replacement

Miller Waste will remove the existing Air Cyclone and replace it with the equipment in accordance with the terms of the proposal contained in Schedule D

5.0 TERMS & CONDITIONS

5.0.1 Processing Fee Payment:

Miller Waste shall invoice the Corporation on a monthly basis, for Processing fees and Marketing service fees.

5.0.2 Processing Fee Annual CPI Adjustment:

The Processing fees set out in Schedule C and the monthly lump sum payment noted in clause 4.0.1 shall be adjusted annually during the Term based on the percentage change (increase or decrease) in the Consumer Price Index (CPI) for Ontario All-items as published by Statistics Canada for the previous twelve (12) month period ending August of the contract year. The first such adjustment will occur on September 1, 2021.

5.0.3 Marketed Recovered Material Commodity Index Prices:

Miller Waste shall at all times endeavor to market the Recovered Materials for the best possible price. For comparison and monitoring purposes the prices achieved for the Recovered Materials shall be compared to their respective Commodity Index Prices for Recovered Fibre and Recovered Container Materials on a monthly basis. In the event that Miller Waste does not obtain prices for Recovered Materials that are equivalent to or greater than the respective Commodity Index Prices, Miller Waste shall provide, upon request, a written summary to the Corporation outlining the occurrences that have resulted in achieving prices less than the Respective Commodity Index Prices. The written summary shall also include a summary of the measures Miller Waste intends to implement to increase the prices achieved for Recovered Materials such that the prices achieved will be equivalent to or greater than the respective Commodity Index Prices. The Corporation acting reasonably, reserves the right to require Miller Waste to take additional measures than as outlined in the monthly written summaries in the event that the Corporation does not find them to be sufficient.

5.0.4 Disposal of Residue:

Miller Waste may dispose of Residue at the W12A landfill at no charge.

5.0 TERMS & CONDITIONS...cont'd

5.0.5 Disposal of Hazardous Waste

The Corporation shall be responsible for the appropriate and lawful removal and disposal of all Hazardous Waste contained in the loads of Recyclable Materials received at the Materials Recovery Facility for Processing. Miller Waste shall be responsible for segregating the Hazardous Waste from the Recyclable Materials and storing the segregated Hazardous Waste at the Materials Recovery Facility until such time as the Corporation makes the appropriate arrangements for the lawful removal and disposal.

5.0.6 Disposal of Other Solid or Liquid Waste

Miller Waste is responsible for the cost of lawful and appropriate disposal of any other solid or liquid waste materials that result from performing the Work in accordance with the Contract Documents except as noted in Clauses 5.0.4 and 5.0.5.

5.0.7 Additional Customers:

The Corporation reserves the right to enter into contracts with additional customer(s) for Recyclable Material Processing services, and to extend in the aforementioned contracts the per-tonne Processing fees listed in Schedule C, provided that the character and composition of the combined Recyclable Materials from the additional customer(s) and the Recyclable Materials being Processed immediately prior to the addition of the additional customer(s) when considered in aggregate is similar to the character and composition of the Recyclable Materials being Processed immediately prior to the addition of the additional customer(s) Recyclable Materials. In the event that the character and composition of the combined Recyclable Materials when considered in aggregate are different and result in a change in the labour, equipment, material or other costs ("Additional Costs") required to perform the Work in accordance with the Contract Documents from that immediately prior to the addition of the additional customer(s) Recyclable Materials, the Corporation and Miller Waste acting reasonably, shall determine and agree on the Additional Costs required to perform the Work as a result of the change in character and composition from the addition of the additional customer(s) Recyclable Materials and Miller Waste shall be made whole on the costs of same, in addition to any fees that Miller is entitled to receive for processing the Recyclable Materials in accordance with this Agreement. .

5.0.8 Compaction of Recyclable Material

Miller Waste acknowledges that Recyclable Material may be delivered compacted to the Materials Recovery Facility. The Corporation, shall to the best of its ability, limit the compaction of Container Materials delivered to the Materials Recovery Facility to a 2:1 ratio and Fibre Materials delivered to the Materials Recovery Facility to a 2.5:1 ratio. If Recyclable Material is over-compacted beyond the ratios provided herein, Miller Waste shall be compensated for the increased cost of labour arising from the over-compaction, including but not limited to any overtime for the operating personnel or the salaries of any additional operating personnel necessary as a result of the over-compaction; such compensation having been determined by Miller Waste acting reasonably and accepted by the Corporation.

5.0 TERMS & CONDITIONS...cont'd

5.0.9 Services by Miller Waste During Facility Outages Attributed to Negligence

If the Materials Recovery Facility is temporarily unable at any time to receive, Process and handle Recyclable Material beyond its approved storage capacity for reasons attributed to negligence on behalf of Miller Waste, Miller Waste shall offer reasonable temporary material recovery facility processing options at the per-tonne Processing fees in Schedule C which options shall be satisfactory to the Corporation acting reasonably. Such options shall include Miller's other material recovery facilities and other private and public sector material recovery facilities, subject to MECP approval. If such options are not acceptable to the Corporation, the Corporation may use alternative material recovery facilities during such period and so advise Miller Waste. If the Corporation incurs additional haulage and material recovery facility per-tonne Processing fee costs as a result of using the alternative material recovery facilities offered by Miller Waste, such costs shall be to Miller Waste's account, to the extent that the terms concluded by the Corporation are commercially reasonable. If the Corporation incurs additional haulage and material recovery facility per-tonne Processing fee costs as a result of using the alternative material recovery facilities selected by the Corporation having rejected a commercially reasonable alternative offered by Miller Waste, Miller Waste shall be responsible for the costs up to an amount equal to the additional costs that would have been incurred had Miller Waste's alternative been accepted by the Corporation and the remaining balance of the additional costs resulting from the Corporation's alternative shall be the responsibility of the Corporation. For greater certainty, the Corporation's acceptance of temporary alternative material recovery facility services shall be without prejudice to the Corporation's terminative rights pursuant to clause 5.0.13.

5.0.10 Nature of Relationship

- a) The parties acknowledge and agree as follows:
 - i) The relationship of Miller Waste to the Corporation is that of independent contractor;
 - ii) Miller Waste is not an employee or agent of the Corporation; and
 - iii) The Corporation and Miller Waste are not partners or joint venturers with each other.
 - iv) Nothing herein shall be construed so as:
 - (1) To make the Corporation and Miller Waste partners or joint venturers;
 - (2) To make Miller Waste an employee or agent of the Corporation; or
 - (3) To impose any liability as partner, joint venture, employer or employee or principal or agent on the Corporation or Miller Waste.
- b) Without limiting the generality of the foregoing, neither of the parties shall have the authority to act, or to hold itself out, as agent of the other party or to bind the other party to perform any obligations to any third party. Each of the parties shall so inform all third parties with whom it deals in the performance of its obligations under the Contract Documents.

5.0.11 Designated Representatives and Dispute Resolution

Promptly after its execution of the Agreement, and in any case not more than five Business Days thereafter, the Corporation shall give written notice to Miller Waste designating two (2) Corporation representatives, for the purposes of the Agreement.

5.0 TERMS & CONDITIONS...cont'd

Promptly after its execution of the Agreement, and in any case not more than five Business Days thereafter, Miller Waste shall give written notice to the Corporation designating two (2) Miller Waste representatives, for the purposes of the Agreement.

A party may change its representative(s) by giving written notice to the other party of the new representative(s).

If there is any dispute regarding the interpretation, performance, or any alleged breach, of the Agreement, either party may give written notice of the dispute to the other party and at least one Miller Waste representative and at least one Corporation representative shall meet within three Business Days after the notice of dispute is given and shall attempt in good faith, and using reasonable efforts, to resolve the matter equitably to the satisfaction of both parties. If the parties' representatives cannot resolve the dispute within 14 Business Days after they first meet, it shall be referred for arbitration by a single arbitrator appointed and acting under the Arbitration Act, 1991, and the arbitrator shall issue a final decision regarding the dispute within 30 days after his or her appointment, subject to extension of that time by agreement of the parties.

5.0.12 Report on Contractor Performance

In January of each year, and at the end of the Term of this Agreement (whether extended or not), the Corporation will prepare a Contractor Performance Report covering the Work completed in the previous year (or part thereof). The Corporation reserves the right to make the Contractor Performance Report a public document either through submission to a Committee of Council or directly released upon request. Alternatively, or in addition, ongoing contractor performance reports and discussions will occur should issues arise.

5.0.13 Cancellation of the Agreement

Except in the case of a Force Majeure Event (as defined in Section 8.0), the Corporation reserves the right to cancel the Agreement with fourteen (14) Business Days written notice, without penalty or any liability to Miller Waste or its agents, suppliers or subcontractors, in the event of Miller Waste's default under the Contract Documents as determined by the Corporation which default shall include, but not be limited to matters: of insufficient insurance coverage; failure to provide statements; failure to enforce approved standards of sanitation; quality of service remaining unsatisfactory to the Corporation after issuance within ten (10) Business Days of written notice to correct; or failure to operate the Materials Recovery Facility in compliance with all operating approvals for a period of five (5) consecutive days, provided that Miller Waste has not commenced remedial action of the default that is satisfactory to the Corporation within the fourteen (14) Business Day notice period.

5.0.14 Performance Bond

Miller Waste shall be required to submit to the Corporation and maintain and renew on an annual basis, a renewable and irrevocable Performance Bond in a form that is acceptable to the Corporation. The Performance Bond shall be in the amount of 50% of the first year annual operating fee calculated based on the Schedule C Per-Tonne processing fee that is listed under the Received materials column, (row 2,700 to 2,999 tonnes/month) and the Non-Recyclable Material Level Column >8% up to 9% and assuming 36,000 tonnes on an annual basis.

5.0.15 Insurance and Indemnification

Miller Waste shall at its own expense obtain and maintain until the termination of the Agreement, and provide the Corporation with evidence of:

5.0 TERMS & CONDITIONS...cont'd

- a) Comprehensive general liability insurance on an occurrence basis for an amount not less than Ten Million (\$10,000,000.) dollars and shall include the Corporation as an additional insured with respect to the Miller Waste's operations, acts and omissions relating to its obligations under this Agreement and the Contract Documents, such policy to include non-owned automobile liability, personal injury, broad form property damage, contractual liability, owners' and proponent's protective, products and completed operations, contingent employers liability, cross liability and severability of interest clauses;
- b) Automobile liability insurance for an amount not less than two Million (\$2,000,000.) dollars on forms meeting statutory requirements covering all vehicles used in any manner in connection with the performance of the terms of this Agreement and the Contract Documents.
- c) Environmental impairment liability insurance covering the Work and services described in this Agreement and the Contract Documents including coverage for loss or claims arising from contamination to third party property or bodily injury during transit. Such policy shall provide coverage for an amount not less than Two Million (\$2,000,000.) dollars and shall remain in force for twelve (12) months following completion of Work.
- e) The policies shown above will not be cancelled or permitted to lapse unless the insurer notifies the Corporation in writing at least thirty (30) days prior to the effective date of cancellation or expiry. The Corporation reserves the right to request such higher limits of insurance or other types of policies appropriate to the Work as the Corporation may reasonably require.
- f) Miller Waste shall not commence Work until such time as evidence of insurance in a form approved by the Corporation from insurers licensed to operate in Canada has been filed with and approved by Risk Management for the Corporation. Miller Waste shall further ensure that evidence of the continuance of said insurance is filed at each policy renewal date for the duration of the Agreement.
- g) Miller Waste shall indemnify and hold the Corporation harmless from and against any liability, loss, claims, demands, costs and expenses, including reasonable legal fees, occasioned wholly or in part by any acts or omissions either in negligence or in nuisance whether wilful or otherwise by Miller Waste, its agents, officers, employees or other persons for whom Miller Waste is legally responsible.

5.0.16 Insurance Coverage to Be Provided by The Corporation

The Corporation shall be responsible for providing the following insurance coverage until the termination of the Agreement.

- a) All Risk Property (including flood and earthquake) on the Material Recovery Facility, equipment and tools.
- b) Broad form boiler and machinery insurance on a blanket repair and replacement basis with the limits for each accident in an amount off at least the replacement cost of the MRF and equipment.

5.0.17 Workplace Safety and Insurance Board

- a) Miller Waste shall furnish a WSIB Clearance Certificate indicating their WSIB firm number, account number and that their account is in good standing. This form must be furnished prior to commencement of Work. Miller Waste further agrees to maintain their WSIB account in good standing throughout the Agreement period.
- b) The Corporation will require Miller Waste to produce a Clearance Certificate from WSIB from time to time during the Agreement on request and/or prior to final payment.

5.0 TERMS & CONDITIONS...cont'd

5.0.18 Assignment

Miller Waste shall not, without written consent of an authorized representative of the Corporation make any assignment or any subcontract for the execution of any service covered under this Agreement.

6.0 COMPLIANCE WITH LAW

6.0.1 Changes in Law General

The parties acknowledge that performance of the obligations required hereunder may be affected by changes in applicable Laws. In the event of a change in applicable Laws that results in a material impact on the performance of any act required by this Agreement and the Contract Documents, including Miller Waste's costs of performing the Work, the Parties shall renegotiate the provisions of this Agreement in good faith to achieve mutually acceptable terms for the performance of acts or payment of fees for Work required hereunder. If the Parties are unable to agree on the revised terms and conditions either Party may submit the dispute to arbitration in accordance with the provisions of the Arbitration Act S.O. 1991, C. 17.

6.0.2 Changes in Law Specific to the Waste Free Ontario Act, 2016 and the Provincial Blue Box Program Plan

The Corporation and Miller Waste acknowledge that Ontario Municipalities are subject to the *Waste-Free Ontario Act, 2016* and Provincial Blue Box Program Plan (BBPP) that are outside the control of the City. Repeal, replacement and/or amendment to the BBPP may change the Work sufficiently to be classified, as determined by the Corporation acting reasonably, as a "Force Majeure" event. The parties hereby further acknowledge and understand that the *Waste-Free Ontario Act, 2016* (WFOA) received Royal Assent in June, 2016 and enacted the *Resource Recovery and Circular Economy Act, 2016* and the *Waste Diversion Transition Act, 2016* and repealed the *Waste Diversion Act, 2002* all of which along with associated regulations, when implemented may alter and/or change the scope of the Work to the extent that such alteration or change may be classified by the Corporation, acting reasonably, as a "Force Majeure" event. In such event the Corporation reserves the exclusive right to a) continue with the contract as written for the remainder of the Term, b) negotiate with Miller Waste to amend the contract and determine the fees payable to the Miller Waste under an amended contract, or c) terminate the contract entirely on 90 days written notice to Miller.

7.0 NOTICE

Any notice or communication required or permitted to be given under the Agreement shall be in writing and served personally, delivered by courier or sent by registered mail, addressed to the other party:

To the Corporation:

The Corporation of the City of London
Attention: Division Manager,
Solid Waste Management
300 Dufferin Ave PO Box 5035
London, ON N6A 4L9

To Miller Waste:

Miller Waste Systems Inc.
8050 Woodbine Avenue
Markham, ON L3R 2N8

Attn: President
With a copy to: General Counsel

8.0 FORCE MAJEURE

Notwithstanding any other provision contained herein, in the event that either party is delayed or prevented from the performance of any act required hereunder by reason of any event beyond the control of the party, including but not limited to decrees of federal or provincial government, fire, flood, earthquake, element of nature, explosion, acts of God, acts of war, terrorism, riots, pandemic, civil or public disorders or disobedience, strikes, lockouts, labour disputes, acts of vandalism, sabotage or other unlawful acts (a "Force Majeure Event") then performance of such act shall be postponed for a period of time equivalent to the time lost by such delay.

8.0.1 COVID-19

Notwithstanding anything in this Agreement to the contrary, the COVID-19 epidemic, any states of emergency or other measures declared or enacted (whether on or prior to or after the date hereof) by any governmental authority, agency, tribunal or commission of any kind in response thereto or as a result thereof, and any other circumstances beyond a party's reasonable control arising out of the COVID-19 pandemic that affect such party's ability to perform its obligations under this Agreement shall be considered an event of Force Majeure notwithstanding that any such circumstance was reasonably foreseeable as at the date of this Agreement or otherwise.

In the event that the Covid-19 impacts either party's ability to perform its obligations under this Agreement, the impacted party will immediately give the other party notice of the impact of Covid-19 on their ability to perform its obligations, and, where appropriate, their proposed solution to mitigate the impacts of same for both parties. Where reasonably possible, the parties shall forthwith enter into negotiations in good faith with a view to agreeing on appropriate adjustments to the Work to mitigate the impacts of Covid-19 on the continuity of the Work ("Covid-19 Changes"), with priority given to protecting the health and safety of employees and the public, as well as consideration for the other business impacts the Covid-19 Changes may have on Miller Waste.

In the event that the parties agree on Covid-19 Changes, the parties shall forthwith enter into negotiations, in good faith, with a view to agreeing on an appropriate adjustment to the Processing Fees payable to Miller to reflect the increase or decrease in costs arising out of the Covid-19 Changes. If the parties have been unable to agree on an appropriate adjustment to the Fees necessitated by the change of Work within 15 days of the commencement of negotiations, either party may refer the matter of the amount of such adjustment, not to exceed the increase or decrease in costs incurred by Miller Waste in relation to Covid-19 Changes, for resolution pursuant to the Dispute Resolution paragraph of the Agreement. As a matter of principle, in the event of Covid-19 Changes or Covid-19 Force Majeure, Miller Waste shall be "made whole" on their fixed costs.

9.0 SEVERABILITY

If any term or provision of this Agreement and the Contract Documents or the application thereof to any person or circumstance shall to any extent or for any reason be invalid or unenforceable, the remainder of this Agreement and the Contract Documents and the application of such term or provision to any person or circumstance other than those as to which it is held invalid or unenforceable shall not be affected thereby, and each remaining term and provision of this Agreement and the Contract Documents shall be valid and enforceable to the fullest extent permitted by law.

10.0 AMENDMENTS

All provisions of this Agreement and the Contract Documents shall remain in effect throughout the term thereof unless the parties agree, in a written document signed by both parties, to amend, add or delete any provision. This Agreement and the Contract Documents contains all agreements of the parties with respect to matters covered herein, superseding any prior agreements and may not be changed other than by an agreement in writing signed by the parties hereto.

11.0 GOVERNING LAW

This Agreement shall be governed by and interpreted in accordance with Ontario law, and shall ensure to and be binding on the parties and their respective successors and assigns.

12.0 ENUREMENT

This Agreement shall enure to the benefit of and be binding upon the parties and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have entered into the Agreement as of the date first signed or the first day of the Term, whichever is sooner.

THE CORPORATION OF THE CITY OF LONDON

By: _____
Ed Holder, Mayor

By: _____
Catharine Saunders, City Clerk

MILLER WASTE SYSTEMS INC.

By: _____
Denis Goulet, (President)
I have the authority to bind the Corporation

SCHEDULE "A"

Materials to be Processed

Fibre Material	Description
newsprint	includes all newspaper, and inserts, flyers, magazines, catalogues and telephone directories which may be bound with glue or stapled along the spine.
mixed household paper	includes envelopes, flyers, printer and writing paper, white and coloured paper, padded paper, letterhead, reports, business forms, copy paper and scratch pads, advertising mail, books, kraft paper, other clean paper packaging and books with hard cover removed.
OCC	old corrugated cardboard (OCC) includes any paper board product which consists of a rippled paper insert with paper liners bonded to the outside of the product.
boxboard	includes single layer paperboard packaging such as cereal and shoe boxes, including moulded pulp and excluding waxed paperboard, moulded pulped paper (e.g., paper egg cartons), paper cores.

Container Material	Description
aluminium	liquid, food or beverage containers and empty aerosol cans.
aluminium foil	includes rigid foil containers (e.g., pie plates).
PET (#1) plastic	Polyethylene Terephthalate plastic bottles, jugs and tubs (SPI code 1), liquid, food and beverage containers; rigid clamshell containers, and rigid blister packaging (rigid plastic around toys, hardware products).
HDPE (#2) plastic	High Density Polyethylene (SPI code 2) liquid, food and beverage containers; plant pots and trays; up to 10 litres in size.
mixed (#3 to #7) plastic	liquid, food and beverage containers; plant pots and trays; up to 10 litres in size, including: P.V.C. SPI code 3 - Plastic Containers / Rigids means clean Polyvinyl chloride food and beverage containers LDPE SPI code 4 - Plastic Containers / Rigids means Low Density Polyethylene plastic food and beverage containers PP SPI code 4 - Plastic Bottles, Jugs & Tubs means clean Polypropylene plastic bottles, jugs and tubs P.S. SPI code 6 Plastic Containers / Rigids means clean polystyrene plastic or foam materials such as those used for cups, plates, food trays and packaging other SPI Code 7 Plastic Containers / Rigids means any layered plastic food or beverage container.
oversized (#1 to #7) plastic	Plastic tubs, pails, jugs household containers, including plant pots and trays.
mixed glass	Clear and coloured glass bottles & jars including all glass food and beverage bottles and jars. This will include Beer Store and Liquor Control Board of Ontario (L.C.B.O.) glass.
polycoated paperboard containers	Containers made primarily of paperboard and coated with low density polyethylene and/or aluminum, and used for food and beverages. Includes Gable Top Containers (e.g., milk and juice containers), Aseptic Containers multi-layered beverage and food box containers, hot and cold beverage cups, ice cream containers and frozen microwave meal containers.

Container Material	Description
steel	Liquid, food or beverage containers; empty paint cans; empty aerosol cans; composite (cardboard or spiral wound) cans with a single wrap rigid body involving several layers of materials (including paper, foil and plastics) with at least one steel end (e.g., frozen juice containers).
film plastic	Limited to plastic bags used to contain Recyclable Material.

SCHEDULE "B"

Auditing Protocol for Material Recovery Facility

Overview

1. Miller Waste Systems Limited ("Miller Waste") will conduct and the City will witness audits on a regular basis to determine the facilities capture rate of recyclables and the overall contamination rate of incoming material.

The City, when conducting a full audit to determine the capture rate of recyclables and contamination rate, will request the audit date giving sufficient notice for Miller Waste to prepare.

The City, when conducting an audit to only determine the capture rate of recyclables, is not required to give any notice to Miller Waste. An audit to determine the capture rate of recyclables only requires an audit of the residue and excludes collecting cross contamination that is normally placed directly into the correct material bunker or processing line (Sections 18 and 19).

2. The audit dates will be chosen during relatively "dry" times so as to not introduce moisture issues.
3. Miller Waste and the City warrant that the Residue samples chosen for the monthly audits shall be accepted as representative, in both nature and composition, of the Residue generated at the Materials Recovery Facility that month.
4. Miller Waste or the City may ask for an additional audit to replace one of the mandatory audits if the percentage of Residue on the audit day(s) or during the collection of the sample is significantly higher or lower than normal. A new audit would likely be required if the difference in the Residue between the audit sample and normal operations is more than 15%. For example, if the Residue rate is typically 8 % and the Residue rate during the audit was 10%, a new audit may be required. Each additional audit will be at the expense of the party that requested the additional audit.
5. The City may conduct additional audits to confirm the composition of the Residue.
6. During normal operations:
 - cross-contamination captured, placed in bins and sent to the tipping floor for reprocessing is weighed (primarily from the pre-sort room)
 - all residue sent for disposal is weighed
 - cross-contamination captured and placed directly into the correct material bunker or processing line is not weighed (primarily from the container and fiber sort rooms)

Residue Audit Objectives

7. Confirm:
 - the Recoverable Fibre Materials Required Recovery Rate of 98% is met;
 - the Recoverable Container Materials Required Recovery Rate of 94% is met; and
 - the Recoverable Glass Materials Required Recovery Rate of 95% is met.
 - See the Agreement for the list of materials making up each of the three (3) material categories identified above.
8. Determine the % Non-Recyclable Material (including Cross-Contamination) and % Recyclable Material Not Practical to Recover level applicable for the month.

Residue Auditing Methodology

Audit Sample Size and Source

9. In the case of Fibres,
 - It is assumed 100% of paper fiber products are captured because all paper fibres are negatively sorted into bunkers.
 - Non-recyclables will be positively sorted and placed on the residue conveyor
 - Cross-contamination (recyclable containers) captured and normally placed directly into the correct material bunker or processing line will be placed into large pails (lined with clear plastic bags). When a pail becomes full, the bag of recyclable containers will be removed from the pail and taken to the audit area for identification and weighing. Spare pails/bags should be available at each positive Residue sort station to minimize disruption to processing.

10. In the case of Mixed Containers,
 - Cross-contamination (recyclable fibres) normally captured and placed directly into the correct material bunker or processing line will be placed into large pails (lined with clear plastic bags). When a pail becomes full, the bag of recyclable fibres will be removed from the pail and taken to the audit area for identification and weighing. Spare pails/bags should be available at each positive Residue sort station to minimize disruption to processing.
 - Mixed containers are a combination of positive sorted items and negative sorted material.
 - It is assumed 100% of glass is captured because glass is negatively sorted into bunkers.
 - Residue from the container line, which includes missed recyclables, non-recyclables and cross-contamination that was not captured, is negatively sorted and will accumulate in a dedicated compactor bin.
 - The residue compactor bin is to be empty at the start of the audit day. After the audit day is complete, the Residue bin is to be weighed again (the bin is to be tared so that the total Residue sample weight is determined). The contents of the bin are then discharged onto a suitable, clean floor area and, using a loader, a representative sample of the total Residue is isolated for auditing. The size of this representative sample shall be such that the total Residue sample for auditing, including positive sorted items, is approximately 200 kg.

Recyclable Material Not Practical to Recover

11. The following items are considered Recyclable Materials Not Practical to Recover:
 - program bags used to contain recyclables (e.g., clear plastic bags, translucent plastic bags and grocery sacs)
 - glass less than 64 mm (2 ½") in length and width at its longest/widest points
 - fibre products less than 150 mm (6") in length and width at their longest/widest points
 - containers less than 64 mm (2 ½") in length and width at their longest/widest points
 - individual materials compounded together (i.e., separate recyclable materials that have become entwined/bound together and as a result causes them to act as one physical object)
 - waxed boxes (e.g. frozen food boxes) or paper
 - foil coated boxes (e.g., dishwasher detergent boxes) or paper
 - dark coloured or construction paper
 - metallic foil wrapping paper
 - Containers containing product (i.e., bottles, tubs and jugs that contain at least 10% (by volume of the container) retained product)

12. Recyclable Material Not Practical to Recover shall not be included in the determination of the % Recyclable or % Non-Recyclable Material each month. The weight of these items is to be included in any throughput calculations.

Determination of Residue Component Weights

13. All weigh scales intended to be used for the audits will be checked prior to the audit to confirm accuracy.

14. Each audit sample will be spread out onto a clean, open floor area at the MRF and

separated into the following components:

- Missed Recyclables (limited to Mixed Containers as any paper fibres are assumed to be cross contamination)
- Non-Recyclable Material
- Recyclable Material Not Practical to Recover
- Cross Contamination (limited to Fibres as any containers are assumed to be missed recyclables)

15. Miller Waste is to provide audit sort staff to sort the Residue into the above components.

16. Each of the above components will be collected in clear plastic bags then weighed (using the 1.5m x 1.5m weigh scale) and recorded directly into an audit details spreadsheet. The clear plastic bags containing materials should be set aside until the audit spreadsheet is confirmed to have correct/accurate entries. The clear plastic bags make for easy identification of materials by those doing spreadsheet weight entries and also easy re-weighing if necessary.

17. With each audit the following information will be recorded into the audit details spreadsheet:

- the weight of audit sample;
- the weight of missed Recoverable Containers in the audit sample;
- the weight of Cross Contamination (Fibers) in the audit sample;
- the weight of Recyclable Material Not Practical to Recover in the audit sample; and
- the weight of Non-Recyclable Material in the audit sample.

18. The audit data will be used to determine the weight of missed Recoverable Containers, Cross Contamination (Fibers), RNPR and Non-Recyclable Material in the Residue for the month as follows;

- Missed Recoverable Containers = (weight of missed Recoverable Containers in the audit sample/ weight of audit sample) X weigh of Residue for the month
- Cross Contamination (Fibers) = (weight of missed Cross Contamination (Fibers) in the audit sample/ weight of audit sample) X weigh of Residue for the month
- RMNRP = (weight of RMNRP in the audit sample/ weight of audit sample) X weigh of Residue for the month
- Non-Recyclable Material = (weight of missed Non-Recyclable Material in the audit sample/ weight of audit sample) X weigh of Residue for the month

Determination of Cross-Contamination Weight Cross-Contamination Captured Placed Directly into the Correct Material Bunker or Processing Line

19. With each audit the following information will be recorded into the audit details spreadsheet:

- the weight of the container cross-contamination (recyclable containers in the fiber stream) captured and be placed into large pails (lined with clear plastic bags);
- the weight of the fiber cross-contamination (recyclable fibers in the container stream) captured and be placed into large pails (lined with clear plastic bags);

20. The audit data will be used to determine the weight of cross-contamination captured and placed directly into the correct material bunker or processing line for the month as follows:

- *Container Cross-contamination Placed Directly into the Correct Material Bunker or Processing Line = (weight of the container cross-contamination during the audit/ weight of material processed during the audit) X Material Processed during the month*
- *Fiber Cross-contamination Placed Directly into the Correct Material Bunker or Processing Line = (weight of the fiber cross-contamination during the audit/ weight of material processed during the audit) X Material Processed during the month*

Determination of Recovery Rates

21. Required Recovery Rates will be assessed based on the recovery rates achieved during the audits only. Each material category's recovery rate achieved will be determined based on the following formula (expressed as a percentage):

- Recovery rate of all fibres = 100%
- Recovery rate of mixed glass = 100%
- Recovery rate of mixed containers (excluding glass) = $\frac{\text{Quantity of Recovered Material shipped for the month}}{(\text{Quantity of Recovered Material shipped for the month category} + \text{quantity of missed Recoverable Containers for the month})}$

Determination of % Contamination

22. The % Contamination for the month will be determined based on the following formula (expressed as a percentage):

- $\frac{(\text{Weight of Non-Recyclable Material in the Residue} + \text{Weight of Cross Contamination in the Residue} + \text{Weight of Cross-contamination (Fiber and Container) Placed Directly into the Correct Material Bunker or Processing Line} + \text{Weight of Cross-contamination Captured and Sent to the Tipping Floor for Reprocessing})}{\text{Total Weight of Shipped Material}}$

Reporting

23. Miller Waste is to prepare an Audit Summary Report outlining the audit results with all spreadsheets and other supporting material appended.

**SCHEDULE “C”
Pricing Sheets**

**Pricing Sheet 1: Pre-Cyclone Removal
Eliminating the Request for Proposal Requirement of PET/HDPE Colour Sorting**

Received Materials	Per Tonne Processing Fees (Excluding HST)												
	up to 3%	>3% up to 4%	>4% up to 5%	>5% up to 6%	>6% up to 7%	>7% up to 8%	>8% up to 9%	>9% up to 10%	>10% up to 11%	>11% up to 12%	>12% up to 13%	>13% up to 14%	>14%
2,100 - 2,399 tonnes/month	\$93.60	\$103.08	\$106.90	\$109.48	\$112.84	\$116.62	\$117.88	\$119.15	\$120.43	\$121.73	\$123.03	\$124.36	\$125.69
2,400 - 2,699 tonnes/month	\$82.31	\$91.42	\$94.96	\$98.60	\$102.15	\$107.95	\$109.12	\$110.30	\$111.49	\$112.70	\$113.92	\$115.15	\$116.39
2,700 - 2,999 tonnes/month	\$73.76	\$80.86	\$84.92	\$87.81	\$90.60	\$94.84	\$95.88	\$96.93	\$97.99	\$99.07	\$100.15	\$101.24	\$102.34
3,000 - 3,299 tonnes/month	\$68.41	\$75.80	\$79.58	\$83.20	\$87.36	\$91.90	\$92.91	\$93.93	\$94.96	\$96.00	\$97.05	\$98.11	\$99.19
3,300 - 3,599 tonnes/month	\$65.26	\$72.27	\$76.31	\$80.23	\$83.44	\$88.64	\$89.62	\$90.61	\$91.60	\$92.61	\$93.63	\$94.66	\$95.70
3,600 - 3,899 tonnes/month	\$65.14	\$72.15	\$75.54	\$79.90	\$83.26	\$88.31	\$89.28	\$90.27	\$91.26	\$92.27	\$93.28	\$94.30	\$95.34
3,900 - 4,199 tonnes/month	\$64.19	\$71.08	\$74.88	\$79.90	\$83.26	\$88.31	\$89.28	\$90.27	\$91.26	\$92.27	\$93.28	\$94.30	\$95.34
4,200 - 4,499 tonnes/month	\$63.24	\$69.97	\$74.88	\$79.90	\$83.26	\$88.01	\$88.98	\$89.96	\$90.96	\$91.96	\$92.97	\$93.99	\$95.02
4,500 - 4,799 tonnes/month	\$63.24	\$69.97	\$74.88	\$79.90	\$83.26	\$88.01	\$88.98	\$89.96	\$90.96	\$91.96	\$92.97	\$93.99	\$95.02
4,800 - 5,099 tonnes/month	\$63.03	\$69.78	\$74.77	\$79.46	\$82.84	\$87.89	\$88.86	\$89.84	\$90.83	\$91.83	\$92.84	\$93.86	\$94.89
5,100 - 5,399 tonnes/month	\$63.03	\$69.78	\$74.77	\$79.46	\$82.84	\$87.89	\$88.86	\$89.84	\$90.83	\$91.83	\$92.84	\$93.86	\$94.89
5,400 - 5,699 tonnes/month	\$62.99	\$69.72	\$74.59	\$79.22	\$82.67	\$87.77	\$88.74	\$89.72	\$90.71	\$91.71	\$92.72	\$93.74	\$94.77
5,700 - 5,999 tonnes/month	\$62.73	\$69.72	\$74.59	\$79.22	\$82.67	\$87.77	\$88.74	\$89.72	\$90.71	\$91.71	\$92.72	\$93.74	\$94.77
6,000 - 6,299 tonnes/month	\$62.55	\$69.10	\$74.59	\$79.04	\$82.49	\$85.96	\$86.91	\$87.87	\$88.84	\$89.82	\$90.81	\$91.81	\$92.82

**Pricing Sheet 2: Post-Cyclone Removal
Eliminating the Request for Proposal Requirement of PET/HDPE Colour Sorting**

Received Materials	Per Tonne Processing Fees (Excluding HST)												
	<i>Non-Recyclable Material Level</i>	up to 3%	>3% up to 4%	>4% up to 5%	>5% up to 6%	>6% up to 7%	>7% up to 8%	>8% up to 9%	>9% up to 10%	>10% up to 11%	>11% up to 12%	>12% up to 13%	>13% up to 14%
2,100 - 2,399 tonnes/month	\$90.45	\$99.93	\$103.75	\$106.33	\$109.69	\$113.47	\$114.73	\$116.00	\$117.28	\$118.58	\$119.88	\$121.21	\$122.54
2,400 - 2,699 tonnes/month	\$79.16	\$88.27	\$91.81	\$95.45	\$99.00	\$104.80	\$105.97	\$107.15	\$108.34	\$109.55	\$110.77	\$112.00	\$113.24
2,700 - 2,999 tonnes/month	\$70.61	\$77.71	\$81.77	\$84.66	\$87.45	\$91.69	\$92.73	\$93.78	\$94.84	\$95.92	\$97.00	\$98.09	\$99.19
3,000 - 3,299 tonnes/month	\$65.26	\$72.65	\$76.43	\$80.05	\$84.21	\$88.75	\$89.76	\$90.78	\$91.81	\$92.85	\$93.90	\$94.96	\$96.04
3,300 - 3,599 tonnes/month	\$62.11	\$69.12	\$73.16	\$77.08	\$80.29	\$85.49	\$86.47	\$87.46	\$88.45	\$89.46	\$90.48	\$91.51	\$92.55
3,600 - 3,899 tonnes/month	\$61.99	\$69.00	\$72.39	\$76.75	\$80.11	\$85.16	\$86.13	\$87.12	\$88.11	\$89.12	\$90.13	\$91.15	\$92.19
3,900 - 4,199 tonnes/month	\$61.04	\$67.93	\$71.73	\$76.75	\$80.11	\$85.16	\$86.13	\$87.12	\$88.11	\$89.12	\$90.13	\$91.15	\$92.19
4,200 - 4,499 tonnes/month	\$60.09	\$66.82	\$71.73	\$76.75	\$80.11	\$84.86	\$85.83	\$86.81	\$87.81	\$88.81	\$89.82	\$90.84	\$91.87
4,500 - 4,799 tonnes/month	\$60.09	\$66.82	\$71.73	\$76.75	\$80.11	\$84.86	\$85.83	\$86.81	\$87.81	\$88.81	\$89.82	\$90.84	\$91.87
4,800 - 5,099 tonnes/month	\$59.88	\$66.63	\$71.62	\$76.31	\$79.69	\$84.74	\$85.71	\$86.69	\$87.68	\$88.68	\$89.69	\$90.71	\$91.74
5,100 - 5,399 tonnes/month	\$59.88	\$66.63	\$71.62	\$76.31	\$79.69	\$84.74	\$85.71	\$86.69	\$87.68	\$88.68	\$89.69	\$90.71	\$91.74
5,400 - 5,699 tonnes/month	\$59.84	\$66.57	\$71.44	\$76.07	\$79.52	\$84.62	\$85.59	\$86.57	\$87.56	\$88.56	\$89.57	\$90.59	\$91.62
5,700 - 5,999 tonnes/month	\$59.58	\$66.57	\$71.44	\$76.07	\$79.52	\$84.62	\$85.59	\$86.57	\$87.56	\$88.56	\$89.57	\$90.59	\$91.62
6,000 - 6,299 tonnes/month	\$59.40	\$65.95	\$71.44	\$75.89	\$79.34	\$82.81	\$83.76	\$84.72	\$85.69	\$86.67	\$87.66	\$88.66	\$89.67

SCHEDULE "D"

Miller Waste Proposal Cyclone Retrofit



Please see the attached proposal from Machinex Industries. The Machinex proposal includes a list of equipment to be removed in section 3 (see below as well)

EQUIPMENT TO BE REMOVED							
ITEM #	DESCRIPTION	MODEL	HP	K	VF	WIDT	LENG
S-8	Fines screen [DS-182L]		--	--	-	--	--
C-9	Air sort feeder conveyor [SA-080L]		--	--	-	--	--
AS-10	Heavy light separator [SA-080L]		--	--	-	--	--
PP-11	Plastic perforator [EP-044L]		--	--	-	--	--
S-12	Fines screen [DS-183L]		--	--	-	--	--

The listed equipment will be replaced with the following equipment which is also itemized in section 3 of the Machinex Proposal

EQUIPMENT LIST - NEW EQUIPMENT							
ITEM #	DESCRIPTION	MODEL	HP	K	VF	WIDT	LENG
S-9	Glass breaker screen (New) (DECK #1)	GBS-60	5	--	X	--	--
"	Glass breaker screen (New) (DECK #2)	"	5	--	X	--	--
"	Glass breaker screen (New) (SPEED SHAFT)	"	5	--	X	--	--
C-10	Containers transfer conveyor (New)	SLIDER BED	3	--	-	36"	13' 4"
PP-11	Plastic perforator (New) (DRUM #1)	MEP-2436-2S	5	--	-	--	--
"	Plastic perforator (New) (DRUM #2)	"	5	--	-	--	--
"	Plastic perforator (New) (DRUM #3)	"	5	--	-	--	--
"	Plastic perforator (New) (DRUM #4)	"	5	--	-	--	--
S-12	Fines screen (Motor)	48" wide X 6 shafts	5	--	X	--	--

Please see the Table of Contents listed on Page 2 of the Machinex Proposal for a complete outline of the Scope of Work

Machinex Proposal = \$579,767.97 plus HST

The proposed upgrades of the City of London's Material Recovery Facility do not take into consideration all costs associated with this retrofit. The additional costs have been itemized below for your consideration. Should you require additional information or justifications regarding this proposal please don't hesitate to contact me at your earliest convenience.

Additional costs

- Sprinkler work = \$3,000.00
- Main electrical = \$3,000.00
- Project management fee @ 10% = \$57,976.80
- Project management fee waived = \$(57,976.80)
- Additional labour and overtime costs pre and post retrofit = \$23,911.60

Total Additional costs = \$29,911.60 plus HST

Total costs associated with this upgrade = \$609,679.57 plus HST

Bill No. 222
2020

By-law No. A.-_____ - ____

A by-law to approve a Long-Term Care Service Agreement between The Corporation of the City of London and LifeLabs.

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 Corporation of the City of London (the “City”) has established and maintains a municipal long-term care home under the *Long-Term Care Homes Act, 2007*, S.O. 2007, c.8, known as the “Dearness Home”;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001* 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. The Long-Term Care Service Agreement to be entered into between The Corporation of the City of London and LifeLabs regarding services to be provided to the residents of Dearness Home attached as Schedule 1 to this by-law, is approved.
2. The Mayor and the City Clerk are authorized to execute the agreement approved under section 1 above.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on July 21, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – July 21, 2020
Second reading – July 21, 2020
Third reading – July 21, 2020

Schedule 1

LTC SERVICE AGREEMENT

This Agreement made as of the first day of July, 2020

BETWEEN the Corporation of the City of London

(herein after referred to as “**Facility** ”) and LifeLabs LP (“LifeLabs”)

ARTICLE 1- - BACKGROUND

- 1.1.1 The Facility through the John Dearness Home Long Term Care, is engaged in the provision of long term residential health care and support services to Residents residing in the Facility through funding received from the Ministry of Health and Long Term Care for the Province of Ontario.
- 1.1.2 In order to provide such long term residential health care and support services, the Facility wishes to contract for certain Services to be provided to its Residents.
- 1.3 LifeLabs shall provide the Service set out in Schedule A to the Residents of the Facility and the Facility shall pay LifeLabs the Fees as set out in Schedule B.

BUSINESS TERMS AND CONDITIONS

The Parties agree as follows:

ARTICLE 2 - DEFINITIONS AND INTERPRETATIONS

- 2.1 The following words and phrases shall have the meanings set out below:
 - (a) “Agreement” means this Agreement, including any schedules, as amended in writing;
 - (b) “Business Day” means any day, other than a Saturday, Sunday or Statutory Holiday;
 - (c) “Business Hours” means Monday to Friday;
 - (d) “Confidential Information” means all information, knowledge or data furnished by one Party to the other Party of an intellectual, technical, scientific, commercial, financial or industrial nature including all medical and patient records and records of personal health information as defined in Ontario’s *Personal Health Information Protection Act*;
 - (e) “Confirmation Fax-On Site Laboratory Form” (“Confirmation Fax”) means the LifeLabs Requisition for On Site Laboratory Services form as attached as Schedule D;
 - (f) “Fees” means the Fees set out in Schedule B;
 - (g) “including” means including without limitation;
 - (h) “LifeLabs Personnel” means an employee, independent contractor or Subcontractor of LifeLabs providing Services ;
 - (i) “Ministry” and “MOH” means the Ministry of Health and Long Term Care;) “Ministry Requisition” means the Ministry’s Laboratory Requisition form that will be completed by the requisitioning physician for Service to be provided to a Resident as attached as Schedule E;
 - (j) “MLPT” means a certified Mobile Laboratory Patient Technician who attends at the Facility to provide Service to a Resident;
 - (k) “Notice” has the meaning set out in Section 15.1;
 - (l) “Parties” means the Facility and LifeLabs collectively, and “Party” means either individually;
 - (m) “Patient” referred to in Schedule D is the same as the term Resident in this Agreement;

Schedule 1

- (n) “Personal Health Information” shall have the meaning given in Section 4(1) of Ontario’s Personal Health Information Protection Act, 2004;
- (o) “Resident” or “Residents” means the individual determined by the Facility to require Service from LifeLabs;
- (p) “Service” means those services as set out in Schedule A;
- (q) “Service Day” means those services as set out in schedule G
- (r) “Statutory Holiday” means New Year’s Day, Family Day, Good Friday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day, and Boxing Day; and
- (s) “Term” is defined in Section 3.1.

2.2 The following are schedules to this Agreement;

Schedule A: Services

Schedule B: Fees

Schedule C: Requirements for Long Term Care Facilities

Schedule D: Confirmation Fax-On Site Laboratory Form

Schedule E: MOH Requisition Form and Instructions

Schedule F: LifeLabs Community Protocol for the Reporting of All Test Results

Schedule G: Facility, Locations, Current Services Dates

ARTICLE 3- TERM

3.1 **Term.** The term of this Agreement shall commence as of the date first above written and shall continue for a period of 3 year(s), subject to earlier termination pursuant to Article 6 (the “Term”).

3.2 **Service Day.** LifeLabs will provide Service to Residents on the Service Day agreed to by Facility and LifeLabs.

ARTICLE 4- SERVICES AND REPORTING

4.1 As set out in greater detail in Schedule A, LifeLabs shall:

- (a) Attend at the Facility during regular Business Hours on the Service Day to provide Service to Residents at the Facility;
- (b) Provide transportation and testing with respect to the specimens collected;
- (c) Provide timely reporting of test results as set out in Schedule F;
- (d) Provide a contact to the Facility with respect to any matters pertaining to this Agreement; and
- (e) Pick up samples for testing at the Facility outside of the Service Day, only if it is possible to accommodate the request, subject to additional charges for unscheduled courier services as set out in Schedule B.

4.2 The Facility shall:

- (a) Ensure that the Confirmation Fax and corresponding MOH Requisition Forms are completed prior to LifeLabs’s scheduled visit and left in one central location; a registered Facility staff member will greet the LifeLabs Personnel on the Service Day and respond to questions as required.
- (b) 24-48 hours prior to the Service Day fax to LifeLabs the Confirmation Fax Form which lists the Residents’ name, test and special requirements. Facility will request or schedule up to the maximum number of Residents to receive Service that will be within the “+ or - 5” rule based on the previously established maximum threshold per Service Day
- (c) Schedule any additional Residents in excess of the established maximum threshold for the next Service Day;
- (d) Ensure that the Requirements attached as Schedule C are followed;

Schedule 1

- (e) provide LifeLabs with a contact at the Facility for any matters pertaining to Service; and
- (f) Provide parking for LifeLabs' Personnel and couriers at no cost to LifeLabs; If the above requirements are not met by Facility, the Resident(s) will receive Service on the next Service Day; to reduce the risk of errors

4.3 **Exclusivity.** There will be no redirection, in whole or in part, of the Services by the Facility to an alternate provider except as mutually agreed by LifeLabs and the Facility, for example, in case of emergency.

ARTICLE 5- FEES

- 5.1 The Facility will pay to LifeLabs the applicable fees set out in Schedule B only for those Services that have been performed by LifeLabs.
- 5.2 LifeLabs shall submit invoices to the Facility by the 15th day of the month which follows the month in which the Service was performed.
- 5.3 The Facility shall pay all invoices promptly upon receipt.

LEGAL TERMS AND CONDITIONS

ARTICLE 6- TERMINATION

- 6.1 **Termination.** Notwithstanding any other provision of this Agreement, this Agreement may be terminated prior to the expiration of the Term, only as follows:
- (a) immediately by one Party (the Terminating Party”) upon a material breach of this Agreement by the other Party (the “Breaching Party”) where such material breach is not remedied to the reasonable satisfaction of the Terminating Party within thirty (30) days after Notice of such breach has been given by the Terminating Party to the Breaching Party;
 - (b) on ninety (90) days’ Notice in the event of enactment of legislative changes, decisions or directive of the Ministry or regulatory body having jurisdiction that:
 - (i) requires termination of this Agreement; or
 - (ii) results in the closure of all or a substantial portion of the Facility.
 - (c) on ninety (90) days’ Notice by Facility for any reason
- 6.2 **Effects of Termination.** In the event of termination of this Agreement, the Facility shall promptly pay to LifeLabs any Fees and other amounts owing with respect to Service provided up to and including the effective date of termination. The Facility shall promptly return to LifeLabs any materials, supplies and equipment belonging to LifeLabs. Each Party shall provide reasonable cooperation and assistance in the orderly transfer of the Service in the event of termination.

ARTICLE 7- STANDARDS AND LICENSING

- 7.1 LifeLabs has posted on its website, www.lifelabs.com, its Quality Management Program and will ensure that the standards of quality meet the standards established by the Ministry in the Quality Management Program Laboratory Services (“QMP-LS”).
- 7.2 LifeLabs shall maintain all approvals and licenses required to provide the Service throughout the Term.

Schedule 1

ARTICLE 8- EMPLOYEES OF LIFELABS

- 8.1 LifeLabs confirms that the LifeLabs Personnel who provide Service are duly qualified in accordance with the regulations of the Laboratory and Specimens Collection Centre Licensing Act, R.S.O. 1990, c. L.1 and are capable of delivering the Service in accordance with the terms and conditions of this Agreement.
- 8.2 All LifeLabs Personnel must present photo identification bearing LifeLabs' name before providing Service to Residents.
- 8.3 LifeLabs confirms that LifeLabs Personnel receive ongoing annual flu shots. LifeLabs confirms that LifeLabs Personnel follow the LifeLabs immunization policy. At the time of hire LifeLabs screens new LifeLabs Personnel for tuberculosis status, criminal reference checks and vulnerable sector screenings.
- 8.4 LifeLabs confirms that all LifeLabs Personnel will comply with all applicable Federal and Provincial statutes, regulations, guidelines and rules, including the Long-Term Care Homes Act, 2007 and its regulations, and all applicable municipal by-laws

ARTICLE 9- DISPUTE RESOLUTION

- 9.1 **First level Dispute Resolution.** All matters to be decided by the Parties under this Agreement and all disputes which may arise with respect to any matter governed by this Agreement shall first be mutually decided or resolved by LifeLabs' Manager Client Services ("Manager Client Services") and the Director of Care of the Facility or their respective delegates. One Party may send a Notice, which shall detail the nature of the dispute and any section of this Agreement that is alleged to be in default, to the Manager Client Services or the Director of Care of the Facility, or their respective delegates, as the case may be, requiring that such individuals meet within thirty (30) days under this section 9.1.
- 9.2 **Reference to Senior Management.** If the Manager Client Services and the Director of Care of the Facility are unable to resolve any dispute referred to them within thirty (30) days of such referral, the matter shall be referred by a Notice sent to the Administrator of the Facility and LifeLabs Client Service Director or their respective delegates.

ARTICLE 10- ENVIRONMENTAL

- 10.1 LifeLabs acknowledges that it is responsible for the disposal of biohazardous waste products it uses in providing the Service in accordance with applicable environmental laws and regulations.

ARTICLE 11 INDEMNITY

- 11.1 LifeLabs and Facility as "Indemnitor" will each defend and indemnify the other party and hold the other party harmless, from and against all claims, demands, suits, losses, costs, damages and expenses that the other party may sustain or incur by reason of:
- (a) any breach of this Agreement by the Indemnitor for whom the Indemnitor is at law responsible;
 - (b) the acts or omissions of the Indemnitor, or any person for whom the Indemnitor is at law responsible including any damage to any and all persons or property, whether deliberate, accidental or through negligence, and all tickets, fines or penalties;
 - (c) any claim or finding that the Indemnitor or persons for whom the Indemnitor is at law responsible are employees of, or are in any employment relationship with, the other party or are entitled to any Employment Benefits of any kind; or,
 - (d) any liability on the part of the other party, under the Income Tax Act (Canada) or any other statute (including, without limitation, any Employment Benefits statute),

Schedule 1

to make contributions, withhold or remit any monies or make any deductions from payments, or to pay any related interest or penalties, by virtue of any of the following being considered to be an employee of the other party, from the Indemnitor Personnel, or others for whom the Indemnitor is at law responsible.

ARTICLE 12- INSURANCE

- 12.1 During the Term, both Parties will maintain the following insurance coverage, with the other Party to be named as an additional insured party under such policies. All policies will include a thirty (30) days' notice of cancellation clause, owners and contractors protective, cross-liability clause and severability of interest clause.
- 12.2 In the case of LifeLabs, commercial general liability insurance in an amount of not less than \$5,000,000 on an occurrence basis; medical malpractice and professional liability (errors and omissions) insurance in an amount of not less than \$2,000,000 on a claims made basis and automobile liability insurance with limits of not less than \$2,000,000 per accident.
- 12.3 In the case of the Facility, commercial general liability insurance in an amount of not less than \$5,000,000 on an occurrence basis; and medical malpractice and professional liability (errors and omissions) insurance in an amount of not less than \$2,000,000 on a claims made basis.
- 12.4 The policies shown above will not be cancelled unless the insurer notifies the relevant additional insured in writing at least thirty (30) days prior to the effective date of cancellation. The City reserves the right to request such higher limits of insurance or other types of policies appropriate to the work as it may reasonably require from time to time during the Term. LifeLabs shall not commence work until such time as satisfactory evidence of insurance has been filed with, and approved by the City. LifeLabs shall further provide that evidence of continuance of said insurance is filed at each policy renewal date for the Term.

ARTICLE 13- CONFIDENTIALITY AND PRIVACY

- 13.1 Subject to the *Municipal Freedom of Information and Protection of Privacy Act and the Municipal Act, 2001*, both Parties will keep the Confidential Information confidential, use the Confidential Information only as such Party is required or allowed to use the Confidential Information in connection with this Agreement, not use the Confidential Information after the termination of this Agreement for any reason and not disclose any Confidential Information to any Person in any manner whatsoever, except to a Party's employees, Municipal Council or agents who have a need to know the Confidential Information to perform their obligations under this Agreement and who are advised of the confidential nature of the Confidential Information and will be bound by these confidentiality provisions. Confidential Information shall not include information that is:
- (a) or becomes publicly available through no fault of the recipient Party;
 - (b) demonstrated as already in the rightful possession of the recipient Party prior to its receipt from the disclosing Party;
 - (c) demonstrated as independently developed by the recipient Party;
 - (d) rightfully obtained by the recipient Party from a third party;
 - (e) disclosed with the written consent of the disclosing Party; or
 - (f) disclosed pursuant to court order or other legal compulsion.
- 13.2 LifeLabs shall keep Residents' Personal Health Information and personal information (as defined in the *Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56*) confidential, and will only use any such information as is required or allowed in connection with this Agreement. LifeLabs shall not use the Personal Health Information nor the personal information after the termination of the Agreement for any

Schedule 1

reason, and during the Term shall not disclose the information to any person in any manner whatsoever except to LifeLabs Personnel or agents who have a need to know the information to perform their obligations under this Agreement and if same is in accordance with the Personal Health Information Protection Act, 2004, and except as otherwise required by law or an order of the court. LifeLabs shall have LifeLabs Personnel or agents comply with these confidentiality provisions.

13.3 The Parties acknowledge that the collection, use and disclosure of Personal Health Information pursuant to this Agreement shall be handled in accordance with Ontario's Personal Health Information Protection Act, 2004, and any other applicable laws regarding the handling of personally identifiable information. The Facility has the right to review LifeLabs' privacy and security safeguards to ensure compliance with applicable legislation.

13.4 LifeLabs acknowledges the Facility is subject to the MFIPPA.

ARTICLE 14- NON-PERFORMANCE

14.1 In the event of an inability or failure by a Party to perform any covenant, agreement or obligation in this Agreement, except any payment obligation, by reason of fire, storm, explosion, accident, strike, lockout, work stoppage or slow-down, act of god, any act of government, expropriation or any other occurrence which is beyond the reasonable control of the defaulting Party (an "Event of Force Majeure"), then such Party shall not be liable to the other Party during the period of and to the extent of such inability or failure, nor shall it be considered in default of such Party's applicable obligations. For greater certainty,

- (a) lack of funds will not constitute an Event of Force Majeure, and
- (b) the Facility will not be required to pay LifeLabs for Service to the extent that the Service was not performed as a result of an Event of Force Majeure.

ARTICLE 15- GENERAL

15.1 **Delivery of Notices.** Any notice, direction or instrument required or permitted to be given shall be given in writing (the "Notice").

The Notice shall be:

- (a) mailed postage prepaid by registered mail;
- (b) transmitted by fax; or
- (c) delivered by one Party to the other at the address of the Party set out on the cover page of this Agreement.

The Notice shall be deemed to have been given on the day on which it was delivered or faxed, or if mailed, deemed delivered on the fifth business day following the day after which it was mailed. Either Party may, from time to time, give Notice of any change of their address in the manner provided in this section.

15.2 **Successors and Assigns.** This Agreement shall enure to the benefit of and be binding upon the successors and permitted assigns of the Parties and any reference to the right or obligation of a Party shall be deemed to refer to such successors and assigns to the extent the context requires.

15.3 **Assignment.** This Agreement may not be assigned by either Party except with the prior written consent of the other Party, which consent may be unreasonably withheld.

15.4 **Severability.** Every provision of this Agreement is intended to be severable. If any term or provision is illegal or invalid for any reason whatsoever, such illegality shall not affect the validity of the remainder of this Agreement.

Schedule 1

- 15.5 **Entire Agreement.** This Agreement, together with the Schedules, constitutes the entire Agreement between the Parties with respect to the subject matter and supersedes all other agreements and understandings.
- 15.6 **No Amendment.** No amendment, change or modification to the Agreement shall be effective unless in writing and signed by both Parties.
- 15.7 **Waiver.** Any waiver of the requirements of this Agreement shall be effective only if it is in writing and signed by the Party giving it. No failure on the part of any Party to exercise, and no delay in exercising, any right under this Agreement shall operate as a waiver of such right
- 15.8 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada.
- 15.9 **Independent Contractors.** It is understood that in giving effect to this Agreement, no Party shall be or be deemed a partner, agent or employee of the other Party for any purpose and that their relationship to each other shall be that of independent contractors. Nothing in this Agreement shall constitute a partnership or a joint venture between the Parties. No Party shall have the right to enter into contracts or pledge the credit of or incur expenses or liabilities on behalf of the other Party.
- 15.10 **Not an Agreement of Employment.** LifeLabs acknowledges this Agreement shall in no way be deemed or construed to be an “Agreement of Employment”. Specifically, the Parties confirm that it is not intended by this Agreement that LifeLabs nor any person employed by or associated with LifeLabs is an employee of, or has an employment relationship of any kind with the Facility or is in any way entitled to employment benefits of any kind whatsoever from the Facility whether under internal policies and programs of the Facility, the Income Tax Act, R.S.C. 1985 c.1 (1st Supp); the Canada Pension Act, R.S.C. 1985, c.C-8; the Employment Insurance Act, S.O. 1996,c.23; the Workplace Safety and Insurance Act, 1997 S.O. 1997, c.26 (Schedule "A"); the Occupational Health and Safety Act, R.S.O. 1990, c.o.1; the Pay Equity Act, R. S. O. 1990, c.P.7; the Health Insurance Act, R.S.O. 1990, c.H.6; or any other employment related legislation, all as may be amended from time to time, or otherwise.
- 15.11 Notwithstanding paragraph 15.10 above, it is the sole and exclusive responsibility of LifeLabs to make its own determination as to its status under the acts referred to above and, in particular, to comply with the provisions of any of the aforesaid acts, and to make any payments required thereunder.

ARTICLE 16 - AODA Training

- 16.1 LifeLabs shall have all of its LifeLabs Personnel, volunteers, or agents, if they deal with members of the public under this Agreement, receive training about the provision of services to persons with disabilities, in compliance with the Accessibility for Ontarians with Disabilities Act, 2005 and its regulations.

Schedule G



Long Term Care Service Agreement

NEW

SERVICE PERIOD:

RENEWAL

FROM: July 01, 2020

TO: June 30, 2023

Name of Facility: Dearness Home

Street Address: 710 Southdale Road East

City: London Province: ON Postal Code: N6E 1R8

Facility Representative: Leslie Hancock Title: Administrator Telephone: 519-661-0400

Contract No.: 1483 No. of Beds: 243 Fax: 519-661-0446

LifeLabs Territory Name: London

Marketing Territory No.:

LifeLabs Regional Contact: Myrtle Wheeler

Location: 746 Baseline Rd. E, London

Telephone: 519-672-4642
 Fax: x21356
519-672-8384

By signing this LTC Service Agreement, the Facility and the Service Provider both understand and agree to be bound by the terms of the Long Term Service Agreement including Schedule A-F attached.

The Corporation of the City of London

LIFELABS LP by its General Partner, LIFELABS INC.

Per: _____
 Ed Holder – Mayor

Per: _____
 Signature – Elsa Cabral
 VP Client Services

Per: _____
 Catharine Saunders- City Clerks

Per: _____
 Signature – Lawrence Mahan
 Commercial, General & Advanced Diagnostics

TYPE OF FACILITY:	SERVICES TO BE PROVIDED:	
<input checked="" type="checkbox"/> Nursing Home	Lab Yes <input checked="" type="checkbox"/>	
<input type="checkbox"/> Retirement Home	No <input type="checkbox"/>	
<input type="checkbox"/> Hospital	MLPT Services Yes <input checked="" type="checkbox"/>	
<input type="checkbox"/> Other _____	No <input type="checkbox"/>	
	ECG Yes <input checked="" type="checkbox"/>	
	No <input type="checkbox"/>	
	Holter Yes <input checked="" type="checkbox"/>	
	No <input type="checkbox"/>	

Service Day: Monday Tuesday Wednesday Thursday
 Friday

Maximum threshold number of Residents per Service Day: 30

Does LifeLabs share services with another lab provider? Yes No

If "YES", provide name: _____

REGULATED: Yes No ACCREDITED: Yes No

Is this facility associated with a chain of facilities: Yes No

If "YES", provide name: _____

Name of Associated Community London Middlesex Community Care Access
 Care Access Centre: _____

Please return completed form to → Angie Furfaro, Senior Admin. Assistant, 100 International Blvd., 4th Floor
 Toronto, Ontario, M9W 6J6 or e-mail to: angie.furfaro@lifelabs.com

Bill No. 223
2020

By-law No. C.P.-1512(____)-_____

A by-law for a housekeeping amendment to
The London Plan for the City of London, 2016.

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

1. Amendment No. ____ 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 Amendment shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To correct errors and omissions identified throughout The London Plan, including typographical, grammatical, and formatting errors.
2. To incorporate official plan amendments to the 1989 Official Plan that have been approved since The London Plan's approval.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to all lands within the City of London.

C. BASIS OF THE AMENDMENT

This housekeeping amendment will refine wording, formatting, and mapping in The London Plan and will be read and implemented in conjunction with the overall policies in the Plan.

D. THE AMENDMENT

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

1. Policy 26 – Our Challenge of The London Plan for the City of London is amended by deleting the word “for” and replacing it with the word “to” as follows:

26_ While changes may be made to the Plan, any such changes shall be consistent with the policy framework that has been established to evaluate such proposals for change, the Provincial Policy Statement and provincial legislation. It is important to recognize that the Plan may be modified over time, but it is equally as important to ensure that such change does not undermine the purpose and intent of the policy framework ~~for~~ of this Plan.

2. Policy 64 – Our City of The London Plan for the City of London is amended by deleting the word “forecasted” and replacing it with the word “forecast” as follows:

64_ Our city is ~~forecasted~~ forecast to grow by more than 77,000 people and 41,000 housing units over the life of this Plan. In addition, our commercial uses, offices, institutions, and industries will all grow over the next 20 years. Our economy will expand and the number of people employed in our city will increase significantly.

3. Policy 410 – Parks and Recreation of The London Plan for the City of London is amended by adding the word “an” in existing Policy 410_9.

9. Where a school site is declared surplus by a school board the City may undertake an analysis to determine neighbourhood need and explore opportunities for acquiring the site for park and/or community facility purposes if required.

4. Policy 427 – City Building Policies of The London Plan for the City of London is amended by deleting it in its entirety and replacing it with the words “Policy Deleted”.

~~427_ All plans, planning and development applications, civic investments and by-laws shall conform with the following policies: Policy Deleted~~

5. Policy 448 – City Building Policies of The London Plan for the City of London is amended by adding periods at the end of each listed item, as follows:

448_ Infrastructure is made up of the below-ground and above-ground systems that provide important drinking water, waste disposal, drainage, and electrical services to Londoners. This infrastructure includes:

1. Sanitary sewerage – sewers, pumping stations, and wastewater treatment plants.
2. Stormwater sewerage – drainage systems, flood control systems, sewers, and stormwater management facilities.
3. Drinking water treatment and distribution.
4. Electrical services and other utilities.
5. Landfill sites and other solid waste treatment facilities.

6. Policy 762 – Green Space Place Type of The London Plan for the City of London is amended by deleting the word “will” and replacing it with the word “may” as follows:

762_ The following uses ~~will~~ may be permitted within the Green Space Place Type:

7. Policy 810 – Transit Village Place Type of The London Plan for the City of London is amended by deleting the word “commercial” in existing Policy 810_7.

7. Plan for retail and service ~~commercial~~ uses, plaza spaces and attractive outdoor seating areas, accessible to the public, located adjacent to transit stations.

8. Policy 853 – Specific-Segment Policies for Rapid Transit and Urban Corridor Place Types of The London Plan for the City of London is amended by deleting the reference to “Veterans Memorial Parkway” and replacing it with the reference to “Crumlin Sideroad” in existing Policy 853_1.

1. Dundas Street - from First Street to ~~Veterans Memorial Parkway~~ Crumlin Sideroad

9. Specific Policies for the Rapid Transit and Urban Corridor Place Types of The London Plan for the City of London are amended by adding new Policy 864D as follows:

676-700 BEAVERBROOK AVENUE AND 356 OXFORD STREET WEST

864D_ In the Rapid Transit Corridor Place Type located at 676-700 Beaverbrook Avenue and 356 Oxford Street West, a maximum height of 18 storeys (62 metres) will be permitted only in combination with the approved regulations and elevations tied to the approved bonus zone.

10. Specific Policies for the Rapid Transit and Urban Corridor Place Types of The London Plan for the City of London are amended by adding new Policy 864E as follows:

100 KELLOGG LANE AND 1063, 1080, 1097 AND 1127 DUNDAS STREET

864E_ In the Rapid Transit Corridor Place Type located at 100 Kellogg Lane and 1097 and 1127 Dundas Street, self-storage establishments may also be permitted in the basement of the existing buildings. Office uses may be permitted at 100 Kellogg Lane up to a total maximum gross floor area of 8,361m² (within the existing building) in combination with the Light Industrial Place Type portion of the site to the south. Accessory parking in favour of the uses located at 100 Kellogg Lane may be permitted at 1063, 1080, 1097 and 1127 Dundas Street.

11. Specific Policies for the Urban Corridor Place Type of The London Plan for the City of London are amended by adding new Policy 865B:

240 WATERLOO STREET AND 358 HORTON STREET EAST

865B_ In the Urban Corridor Place Type at 240 Waterloo Street and 358 Horton Street East, office uses may be permitted up to a maximum gross floor area of 3,000m² (32,291 sq. ft.).

12. Policy 877 – Shopping Area Place Type of The London Plan for the City of London is amended by deleting the word “will” and replacing it with the word “may”.

877_ The following uses ~~will~~ may be permitted within the Shopping Area Place Type:

13. Policy 908 – Main Street Place Type of The London Plan for the City of London is amended by amending existing Policy 908_1 as follows:

1. A broad range of residential, retail, service, ~~and office, and institutional~~ uses may be permitted within the Main Street Place Type.

14. Policy 1023 – Neighbourhoods Place Type of The London Plan for the City of London is amended by deleting it in its entirety and replacing it with the following:

~~1023_ Office conversions will be permitted within the area along Richmond Street, between Grosvenor Street and Oxford Street East, and along Oxford Street East, between the Thames River and Adelaide Street North. Notwithstanding the provisions of the applicable underlying place type policies, office conversions will not be permitted in any other area of the neighbourhood. Office conversions will be permitted within the St. George/Grosvenor Neighbourhood.~~

15. Specific Policy 1034 for the Neighbourhoods Place Type of The London Plan for the City of London is amended by adding the following:

7. 470 Colborne Street.

16. The Woodfield Neighbourhood Specific Policies of The London Plan for the City of London are amended by adding new Policy 1038A immediately after Policy 1038 and renumbering existing Policy 1038A to Policy 1038C immediately after new policy 1038B (17) as follows:

1038A_ In addition to the uses permitted in the Neighbourhoods Place Type, new office uses may be permitted within the existing building at 470 Colborne Street, provided there is little alteration to the external residential character of the original residential structure and at least one above-grade residential dwelling unit is provided and maintained within the building. These new office uses may be established with other permitted uses in a mixed-use format. Residential intensification and conversions to non-residential uses shall be permitted only where it is compatible with the character, scale and intensity of the surrounding low-rise residential neighbourhood and where the intent of the Near-Campus Neighbourhoods policies is met. Site-specific zoning regulations such as, but not limited to, maximum number of converted dwelling units, maximum number of parking spaces, minimum landscaped open space and limiting the range and mix of uses within the building such that they do not exceed the available parking may be applied to ensure that the future re-use of the existing structure meets this objective.

175-199 ANN STREET AND 84-86 ST. GEORGE STREET

~~1038A-C~~ In the Neighbourhoods Place Type at 175-199 Ann Street and 84-86 St. George Street, the lands located within the High Density Residential Overlay (from 1989 Official Plan) are appropriate for a greater intensity of development. Heights in excess of 12 storeys may be permitted on these lands through a

bonus zone, where the Evaluation Criteria for Planning and Development Applications and the Bonus Zoning policies of this Plan can be met. Development along the St. George Street frontage will include a significant step back to provide a low-rise character that is consistent with the streetscape.

17. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London are amended by adding new Policy 1038B immediately before Policy 1038C (16) as follows:

1448 ADELAIDE STREET NORTH

1038B_ In the Neighbourhoods Place Type at 1448 Adelaide Street North, in addition to the uses permitted in the Neighbourhoods Place Type, a personal service establishment may also be permitted within the existing building.

18. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London are amended by adding new Policy 1039A as follows:

633, 635, 637, 645, 649, 651 AND 655 BASE LINE ROAD EAST

1039A_ In the Neighbourhoods Place Type at 633, 635, 637, 645, 649, 651 and 655 Base Line Road East, the proposed continuum of care facility may have a building height of 8 storeys (38.5m) as implemented through a bonus zone.

19. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London is amended by adding Policy 1041A, as following:

3725 BOSTWICK ROAD

1041A_ In the Neighbourhoods Place Type at the north-easterly quadrant of the lands at 3725 Bostwick Road, a church use on a lot comprising approximately 12 hectares, and on a private septic system may also be permitted until such time as municipal sanitary and storm water services are available to the subject property, at which time the church use will be required to connect to municipal services.

20. Policy 1045 – Neighbourhoods Place Type of The London Plan for the City of London is amended by deleting it in its entirety and replacing it with the following:

~~3924 COLONEL TALBOT ROAD~~

~~1045_ In the Neighbourhoods Place Type at the north-easterly quadrant of the lands described as 3924 Colonel Talbot Road Pt. Lt. 73, a church use on a lot comprising approximately 12 hectares, and on a private septic system may also be permitted until such time as municipal sanitary and storm water services are available to the subject property, at which time the church use will be required to connect to municipal services. Policy Deleted~~

21. Policy 1061 – Neighbourhoods Place Type of The London Plan for the City of London is amended by adding a period at the end of the policy.

1061_ In the Neighbourhoods Place Type applied to the lands located at 1192 Highbury Avenue and 3 Mark Street, retail and services uses may be permitted.

22. Specific Policies for the Neighbourhoods Place Types of The London Plan for the City of London are amended by adding new Policy 1062A as follows:

1176, 1200 AND 1230 HYDE PARK ROAD

1062A_ In the Neighbourhoods Place Type located greater than 100 metres from the widened Hyde Park Road right-of-way and east of the westerly limit of the new public street and south of the southerly limit of the new public street, staked townhouses, triplexes, fourplexes and low-rise apartments will be permitted fronting onto a Neighbourhood Street up to 4-storeys in height.

In the Neighbourhoods Place Type located west of the westerly limit of the new public street and north of the northerly limit of the new public street, stacked townhouses, triplexes, fourplexes, and low-rise apartments will be permitted fronting onto a Neighbourhood Street up to 3-storeys in height.

Development shall not be permitted in the Neighbourhoods Place Type unless through a zoning by-law amendment and/or plan of subdivision:

1. An environmental impact study, geotechnical report, and hydrogeological assessment have demonstrated that the permitted land uses and form of development will not have a negative impact on adjacent natural hazards and natural heritage features and their functions to the satisfaction of the City of London and the UTRCA.
2. A noise and vibration study has demonstrated that railway corridors will not have an adverse impact on new sensitive land uses, or mitigative measures provided, to the satisfaction of the City of London.
3. A compatibility study has demonstrated that Ministry of the Environment and Climate Change D-6 Guidelines: Compatibility Between Industrial Facilities and Sensitive Land Uses can be met, or mitigative measures provided, to the satisfaction of the City of London.
4. A new public street is created west of Hyde Park Road.

23. Specific Policies for the Neighbourhoods Place Types of The London Plan for the City of London are amended by adding new Policy 1063A as follows:

335 AND 353 KELLOGG LANE

1063A_ In the Neighbourhoods Place Type located at 335 and 353 Kellogg Lane, accessory parking in favour of the uses at 100 Kellogg Lane will be permitted.

24. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London are amended by adding new Policy 1070A as follows:

335-385 SASKATOON STREET

1070A_ In the Neighbourhoods Place Type at 335-385 Saskatoon Street, automobile repair garages, charitable organization offices, and support offices may be permitted in the existing buildings.

25. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London are amended by adding new Policy 1070B as follows:

340-390 SASKATOON STREET

1070B_ In the Neighbourhoods Place Type at 340-390 Saskatoon Street, support offices, studios, and warehouse establishments may be permitted in the existing buildings.

26. Specific Policy 1072 for the Neighbourhoods Place Type of The London Plan for the City of London is amended by amending existing Policy 1072_1 as follows:

1. High density residential development may be permitted in this area that can accommodate increased height and densities which provide a transition from the residential uses to the Thames Valley Corridor. ~~While providing for e~~Enhanced recreational uses and ~~providing~~ areas for community activities along the Thames Valley Corridor will be provided through the application of Urban Design principles approved for the SoHo Community Improvement Plan and as provided for in the City Design chapter and the Our Tools part of this Plan.

27. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London are amended by adding new Policy 1073A as follows:

379 SUNNINGDALE ROAD WEST

1073A_ The following policies apply to the lands at 379 Sunningdale Road West, Blocks 1-6 which form part of the Sunningdale Subdivision (39T-16504).

1. Blocks 1, 2 and 6 may be permitted to develop at a maximum density of 35 units per hectare.
2. Blocks 3 and 4 may be permitted to develop at a maximum density of 150 units per hectare and a maximum height of 10 storeys.
3. Street-oriented development will be encouraged in order to provide a strong street edge and to eliminate the need for continuous noise walls in this area.
4. A graduated “step down” of building height will be encouraged between any proposed buildings on Block 3 that implement the maximum height provision of policy 2 above and the interface of Sunningdale Road.
5. Surface parking will be discouraged along the Sunningdale Road street frontages in order to establish a strong building/street interface in this area. Should surface parking be considered necessary, the parking area must be appropriately screened from the street.
6. Holding provisions will be applied to all zones in this area to guide site layout and building form.

28. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London are amended by adding new Policy 1073B as follows:

585 THIRD STREET

1073B_ In the Neighbourhoods Place Type at 585 Third Street, in addition to the uses permitted in the Neighbourhoods Place Type, 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.

29. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London is amended by adding new Policy 1076A as follows:

21 WHARNCLIFFE ROAD SOUTH

1076A_ In the Neighbourhoods Place Type at 21 Wharncliffe Road South, the existing building may be entirely adaptively re-used for an office conversion up to a maximum gross floor area of 2,750m² (29,596 sq. ft.). New construction shall be compliant with the relevant policies.

30. Policy 1114 – Industrial Place Type of The London Plan for the City of London is amended by deleting the word “commercial” in existing Policy 1114_10.f as follows:

10.f. To provide convenient services to those who work in the Heavy Industrial Place Type, small-scale retail and service ~~commercial~~ uses that will not detract from the industrial operations of the surrounding lands may be permitted, up to 1,000m².

31. Policy 1115 – Industrial Place Type of The London Plan for the City of London is amended by amending existing Policy 1115_10.c; adding new Policy 1115.12; and renumbering existing Policy 1115_12 to Policy 1115_13 as follows:

10.c. To provide convenient services to those who work in the Light Industrial Place Type, small-scale retail and service ~~commercial~~ uses that will not detract from the industrial operations of the surrounding lands may be permitted, up to 1,000m². Uses within these categories that generate high automobile traffic will not be permitted.

12. Outdoor patios in association with craft brewery and artisan workshop establishments may be permitted subject to a minor variance, provided they meet the following criteria:

- a. A craft brewery or artisan workshop establishment is permitted through zoning.
- b. The location and operation of the proposed outdoor patio will not impose inappropriate impacts on the industrial operations or residential uses in the surrounding area. Where necessary, conditions of the minor variance will be required to mitigate impacts.
- c. The outdoor patio capacity, location with respect to residential uses, outdoor lighting, loading, and parking criteria outlined in Section 4.18 of the *Zoning By-law* are addressed.
- d. Site-specific issues relating to the context and site layout of the outdoor patio are addressed.

4213. The full range of uses described above will not necessarily be permitted on all sites within the Light Industrial Place Type.

32. Policy 1116 – Industrial Place Type of The London Plan for the City of London is amended by deleting the word “commercial” in existing Policy 1116_3 as follows:

3. Small amounts of retail and service ~~commercial~~ development may be permitted to serve the employees of these parks, provided these uses do not generate high automobile traffic.

33. Specific Policies for the Light Industrial Place Type of The London Plan for the City of London are amended by adding new Policy 1132A.

100 KELLOGG LANE AND 1151 YORK STREET

1132A_ In the Light Industrial Place Type located at 100 Kellogg Lane, self-storage establishments and offices (within the existing building) will also be permitted. Office uses within the existing building may be permitted up to a total maximum gross floor area of 8,361m² in combination with the Rapid Transit Corridor Place Type portion of the site to the north. Accessory parking in favour of the uses at 100 Kellogg Lane may be permitted at 1151 York Street.

34. Specific Policies for the Light Industrial Place Type of The London Plan for the City of London are amended by adding new Policy 1132B as follows:

2150 OXFORD STREET EAST

1132B_ In the Light Industrial Place Type at 2150 Oxford Street East, in addition to the uses permitted in the Light Industrial Place Type, offices will be permitted in Phase 2 of the development up to a maximum gross floor area of 2,200m² (23,680.6 sq. ft.).

35. Specific Policies for the Light Industrial Place Type of The London Plan for the City of London is amended by adding new Policy 1134A as follows:

1577 AND 1687 WILTON GROVE ROAD

1134A_ In the Light Industrial Place Type at 1577 and 1687 Wilton Grove Road, in addition to the uses permitted in the Light Industrial Place Type, food, tobacco, and beverage processing industries may also be permitted.

36. Policy 1137 – Industrial Place Type of The London Plan for the City of London is replacing the single reference to “contractor’s shops” with the plural reference to “contractors’ shops”.

1137_ [...] These may include such uses as warehousing, research and communication facilities; laboratories; printing and publishing establishments; warehouse and wholesale outlets; technical, professional and business services

such as architectural, engineering, survey or business machine companies; commercial recreation establishments; private clubs; private parks; restaurants; hotels and motels; service trades; and ~~contractor's shops~~ contractors' shops that do not involve open storage.

37. Specific Policies for the Light Industrial Place Type of The London Plan for the City of London are amended by adding new Policy 1140A as follows:

> BRYDGES STREET AREA

1140A_ Within the Brydges Street Area, as shown on Map 7, a limited amount of commercial uses may be permitted, through a site-specific zoning by-law amendment provided the following conditions can be met:

1. The commercial use is located within an existing building.
2. Additions to or enlargement of the building to accommodate commercial uses will be discouraged. Substantial additions or alterations to existing buildings to accommodate commercial uses will not be permitted.
3. The commercial use does not fit well within the Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, Shopping Area or Main Street Place Type due to its planning impacts.
4. The commercial use may generate noise, vibration or emission impacts.
5. The commercial use may generate large volumes of truck traffic.
6. The commercial use may require large storage and/or display space.
7. Minor variances to accommodate additional parking or minor variances that could have an impact on the industrial operations in the area will be discouraged.
8. The commercial use would not prevent the future re-use of the building for industrial uses.
9. The commercial use does not generate significant additional traffic that will interfere with the industrial uses or operations in the area.
10. The commercial use does not constitute a sensitive land use which would have an impact on, or would impair or interfere with the existing or planned industrial use of the area.

38. Farmland Place Type of The London Plan for the City of London is amended by amending existing Policies 1206 and 1206_4 as follows:

1206_ Green ~~S~~space uses may include public or private outdoor recreational activities, golf courses and conservation areas, as well as associated ancillary facilities, consistent with the *Provincial Policy Statement* and in conformity with the Green Space Place Type policies of this Plan, as well as the following: [...]

4. Green space and conservation uses ~~S~~shall only be permitted through an amendment to this Plan.

39. Natural and Human-made Hazards of The London Plan for the City of London is amended by amending existing Policy 1451 as follows:

1451_ Detailed flood line mapping studies have been completed for most of the tributaries in the Upper Thames and Kettle Creek watersheds. Due to limited development pressure in ~~these areas~~ the Lower Thames Valley Conservation Authority area of jurisdiction within the City of London, studies have not been completed. ~~For the Kettle Creek and Lower Thames Valley Conservation Authority areas of jurisdiction within the City of London.~~ The approximate boundaries of the flood plain, which contain those lands below the Regulatory Flood Standard, are identified on Map 6.

40. Policy 1452 – Natural and Human-made Hazards of The London Plan for the City of London is amended by deleting the words “Kettle/Dodd Creek or” and the letter “s” at the end of the word “subwatersheds” in existing Policy 1452_3 as follows:

3. Flood plain mapping has not been prepared for the ~~Kettle/Dodd Creek or Sharon Creek~~ subwatersheds. Any proposal for development within, or partly within, regulated areas in the ~~Kettle/Dodd Creek or Sharon Creek~~ subwatersheds, as identified on Map 6, will be required to fulfill the requirements of the conservation authority having jurisdiction and applicants may be required to undertake studies necessary to delineate flood prone lands.

41. Policy 1565 – Secondary Plans of The London Plan for the City of London is amended by adding a new secondary plan as follows:

6. Beaufort/Irwin/Gunn/Saunby (BIGS) Neighbourhood Secondary Plan

42. Policy 1587 – Our Tools of The London Plan for the City of London is amended by deleting the words “that will” and adding the word “to” as follows:

1587_ A Planning and Design Report shall be required ~~that will~~ to address the Evaluation Criteria for Planning and Development Application policies in the Our Tools part of this Plan. Such reports will clearly articulate and address matters relating to the use, intensity and form of the proposal.

43. Policy 1611 – Our Tools of The London Plan for the City of London is amended by replacing the reference to “Municipal Staff” with the reference to “City Staff”.

1611_ City Council may, by by-law, require a Pre-application Consultation Meeting. The purpose of the Consultation Meeting is to allow the applicant to discuss with ~~Municipal Staff~~ City Staff matters pertaining to the application. Through these discussions, ~~Municipal Staff~~ City Staff will have the opportunity, in consultation with the applicant, to outline the information and materials that the applicant will be required to submit concurrently with the application. [...]

44. Policy 1614A – Our Tools of The London Plan for the City of London is amended by adding the following:

STRATEGY FOR CONSULTING WITH THE PUBLIC

1614A_ For any application for an official plan amendment or zoning by-law amendment, a proposed strategy for consulting with the public with respect to the application may be required as part of a complete application.

45. Our Tools of The London Plan for The City of London is amended by adding new Policy 1673A as follows:

1673A_ For lands within the Downtown Place Type, the following criteria will be used to evaluate both applications for temporary zoning to permit surface commercial parking lots and applications for extensions to temporary zoning to permit surface commercial parking lots, in the Downtown:

1. The demonstrated need for surface parking in the area surrounding the subject site. Utilization rates for sub-areas of the Downtown may be used to evaluate this need.
2. The importance of any pedestrian streetscapes that are impacted by the surface commercial parking lot and the degree to which these streetscapes are impacted.
3. The size of the parking lot, recognizing a goal of avoiding the underutilization of Downtown lands.
4. The length of time that the surface commercial parking lot has been in place, recognizing it is not intended that temporary uses will be permitted on a long-term basis.

5. Applicable guideline documents may be used to provide further, more detailed, guidance in applying these policies.
6. Site plan approval will be required for all temporary surface commercial parking lots in the Downtown.
7. Where Council does not wish to extend the temporary zoning for a surface commercial parking lot a short-term extension of the temporary zone may be permitted for the purpose of allowing users of the lot to find alternative parking arrangements.

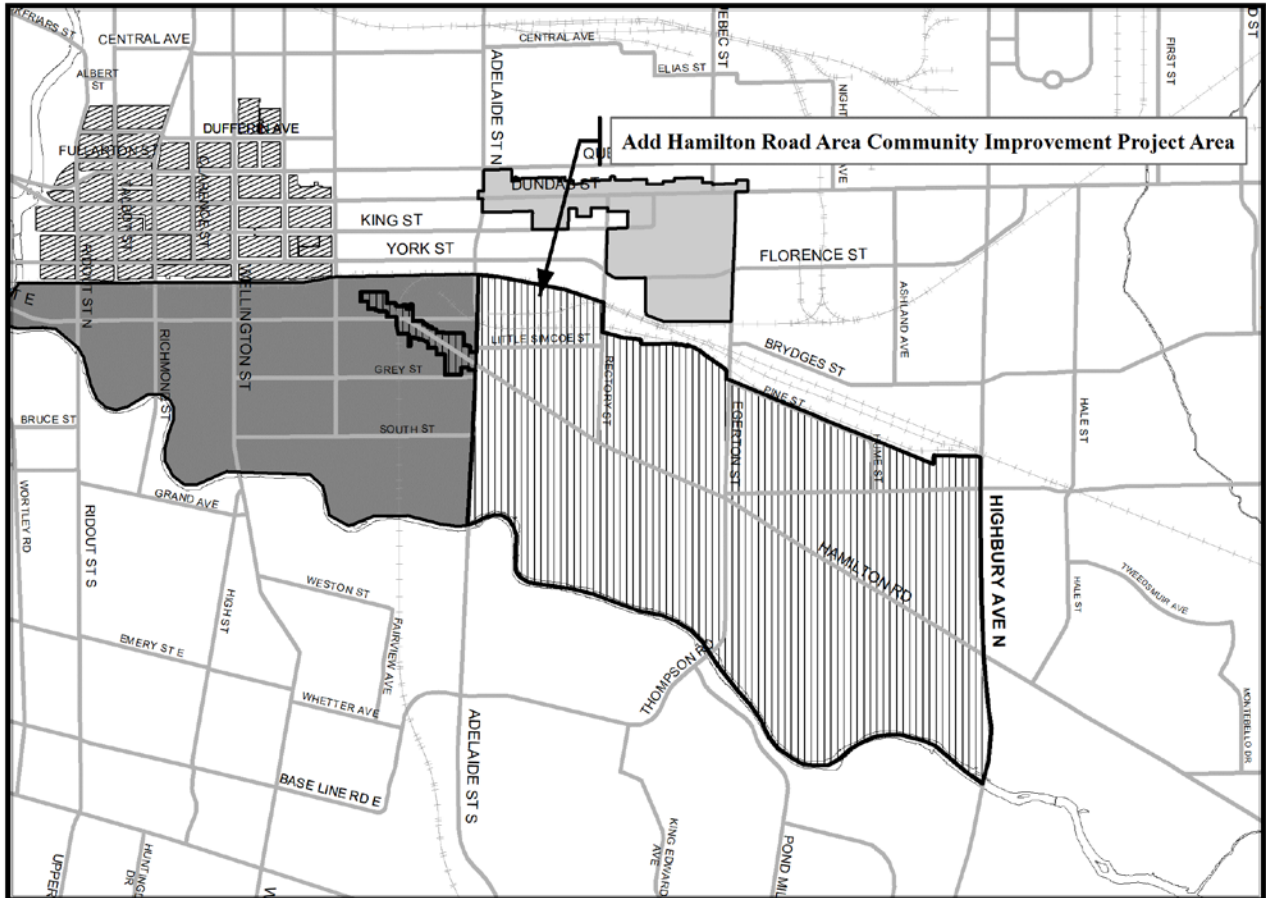
46. Policy 1721_1 – Our Tools of The London Plan for the City of London is amended by deleting it in its entirety and replacing it with the reference to “Archaeological Management Plan” as follows:

1. ~~Archaeological Master Plan~~ Archaeological Management Plan

47. Map 8 – Community Improvement Project Areas, to The London Plan for the City of London Planning Area is amended, as indicated on “Schedule 1” attached hereto, by:

- 1) Adding the Hamilton Road Area Community Improvement Project Area;
- 2) Revising the existing boundary of the Downtown Community Improvement Project Area; and
- 3) Adding the Lambeth Community Improvement Project Area.

48. Figure 3 – of The London Plan for the City of London Planning Area is amended by adding a water layer feature, as indicated on “Schedule 2” attached hereto.



LEGEND

- Airport Community Improvement Project Area
- Downtown Community Improvement Project Area
- Old East Village Community Improvement Project Area
- SoHo Community Improvement Project Area
- Hamilton Road Area Community Improvement Project Area

NOTE: The Brownfields CIP, Heritage CIP, and Industrial CIP Project Areas include all lands within the municipal boundary

This is an excerpt from the Planning Division's working consolidation of Map 8 - Community Improvement Project Areas of the London Plan, with added notations.

BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

**SCHEDULE 1
TO
THE LONDON PLAN
AMENDMENT NO. 674**

PREPARED BY: Planning Services



Scale 1:30,000

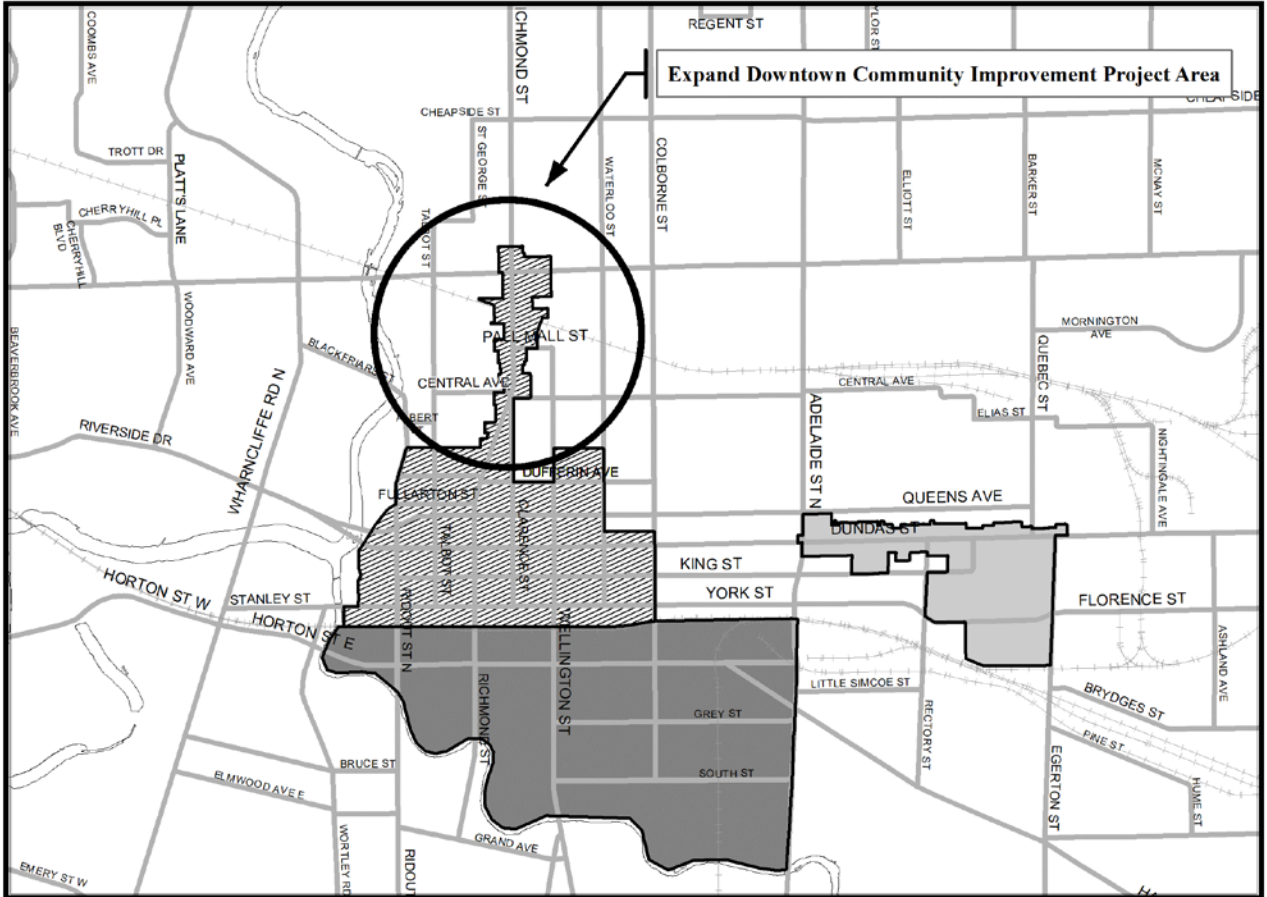


FILE NUMBER: O-8866

PLANNER: JL

TECHNICIAN: MB

DATE: 2/26/2020



LEGEND

- Airport Community Improvement Project Area
- Downtown Community Improvement Project Area
- Old East Village Community Improvement Project Area
- SoHo Community Improvement Project Area

NOTE: The Brownfields CIP, Heritage CIP, and Industrial CIP Areas include all lands within the municipal boundary

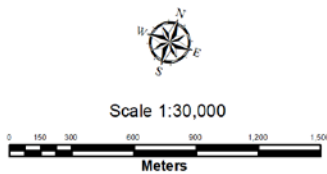
BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 8 - Community Improvement Project Areas of the London Plan, with added notations.

**SCHEDULE 1
TO
THE LONDON PLAN
AMENDMENT NO. 683**

PREPARED BY: Planning Services

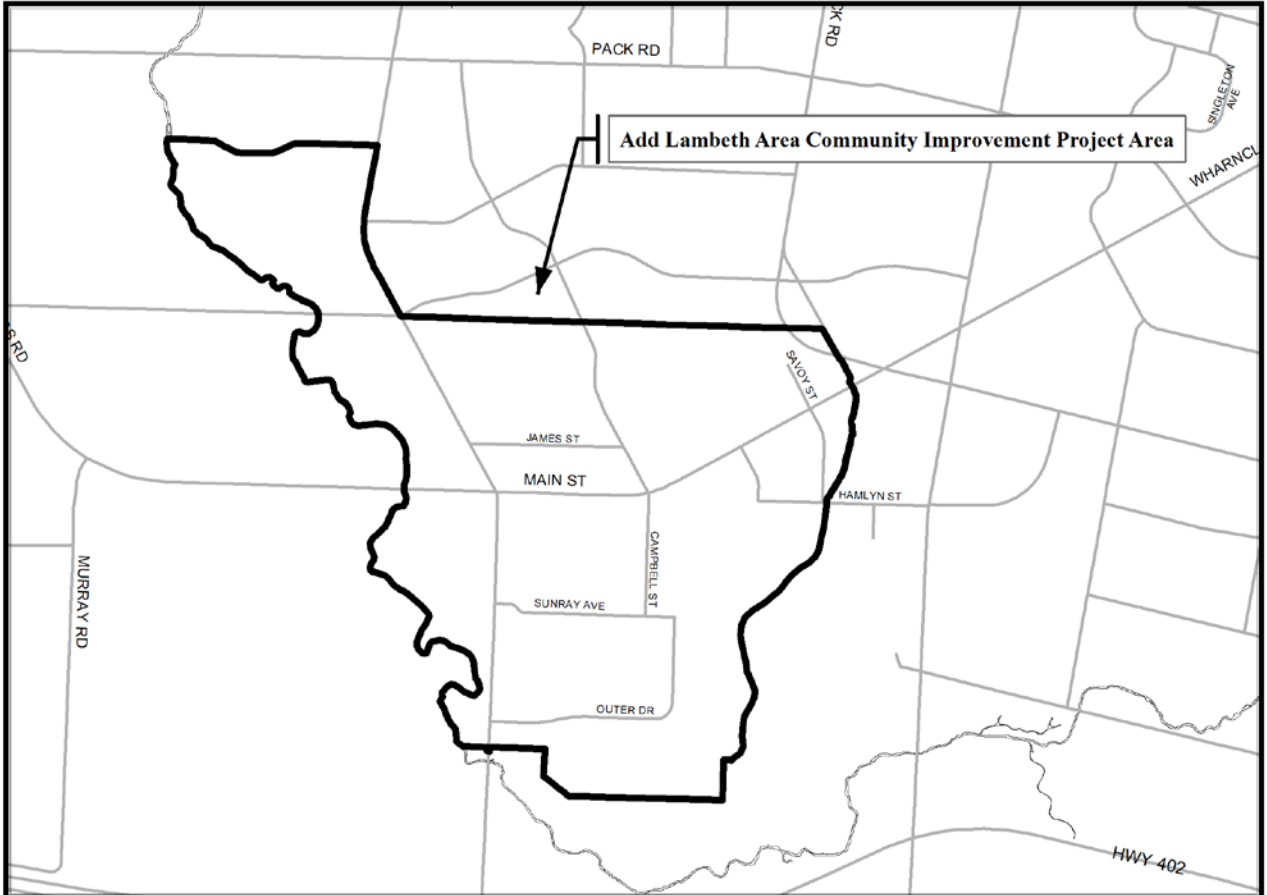


FILE NUMBER: O-8788

PLANNER: JL

TECHNICIAN: MB

DATE: 2/26/2020







LEGEND

-  Airport Community Improvement Project Area
-  Downtown Community Improvement Project Area
-  Old East Village Community Improvement Project Area
-  SoHo Community Improvement Project Area
-  Lambeth Community Improvement Project Area

NOTE: The Brownfields CIP, Heritage CIP, and Industrial CIP Project Areas include all lands within the municipal boundary

This is an excerpt from the Planning Division's working consolidation of Map 8 - Community Improvement Project Areas of the London Plan, with added notations.

BASE MAP FEATURES

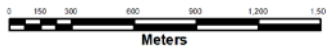
-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

**SCHEDULE 1
TO
THE LONDON PLAN
AMENDMENT NO. 703**

PREPARED BY: Planning Services



Scale 1:30,000



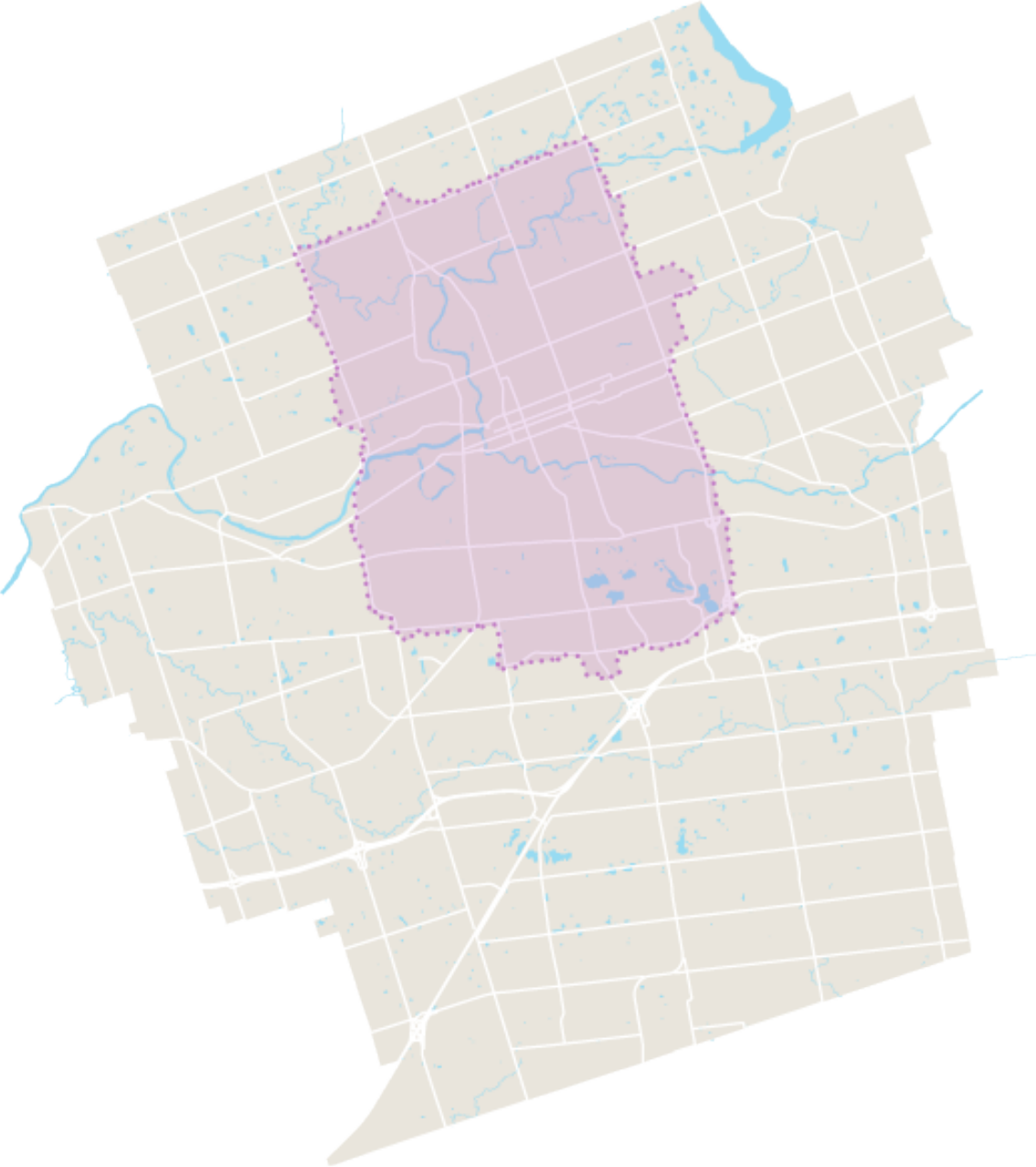
FILE NUMBER: O-9044

PLANNER: LS

TECHNICIAN: MB

DATE: 2/26/2020

SCHEDULE 2



Bill No. 224
2020

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 Eagletrace 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 part of Eagletrace Drive, namely:

“All of Blocks 114 and 115 on Registered Plan 33M-539 in the City of London.”

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

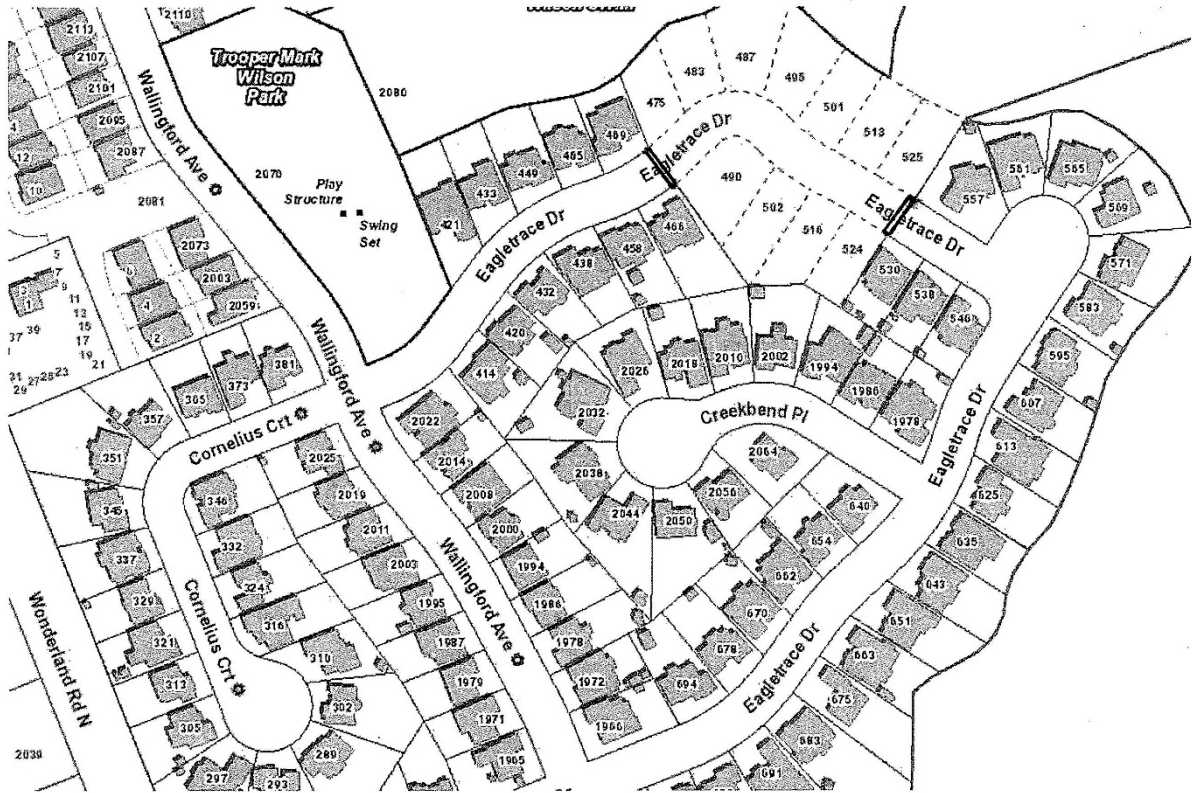
PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

LOCATION MAP



 SUBJECT LANDS

Bill No. 225
2020

By-law No. W.-5600(__)-_____

A by-law to amend By-law No. W.-5600-57, as amended, entitled, "A by-law to authorize the Adelaide Street Grade Separation CPR Tracks. (Project No. TS1306)."

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs and Housing in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

AND WHEREAS it has been deemed expedient to amend By-law No. W.-5600-57, as amended, to authorize an increase in the net amount of monies to be debentured for the "Adelaide Street Grade Separation CRP Tracks (Project No. TS1306).";

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

1. The net cost of this project shall be met by the increase in the issue of debentures by \$18,369,738.00 from \$4,344,900.00 to \$22,714,638.00
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

Bill No. 226
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning from lands located at 8447-8473 Longwoods Road.

WHEREAS Adriano and Francesca Monopoli have applied to remove the holding provision from the zoning for lands located at 8447-8473 Longwoods Road as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said land;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 8447-8473 Longwoods Road, as shown on the attached map, to remove the h-195 holding provision so that the zoning of the lands as Residential R1 (R1-14) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

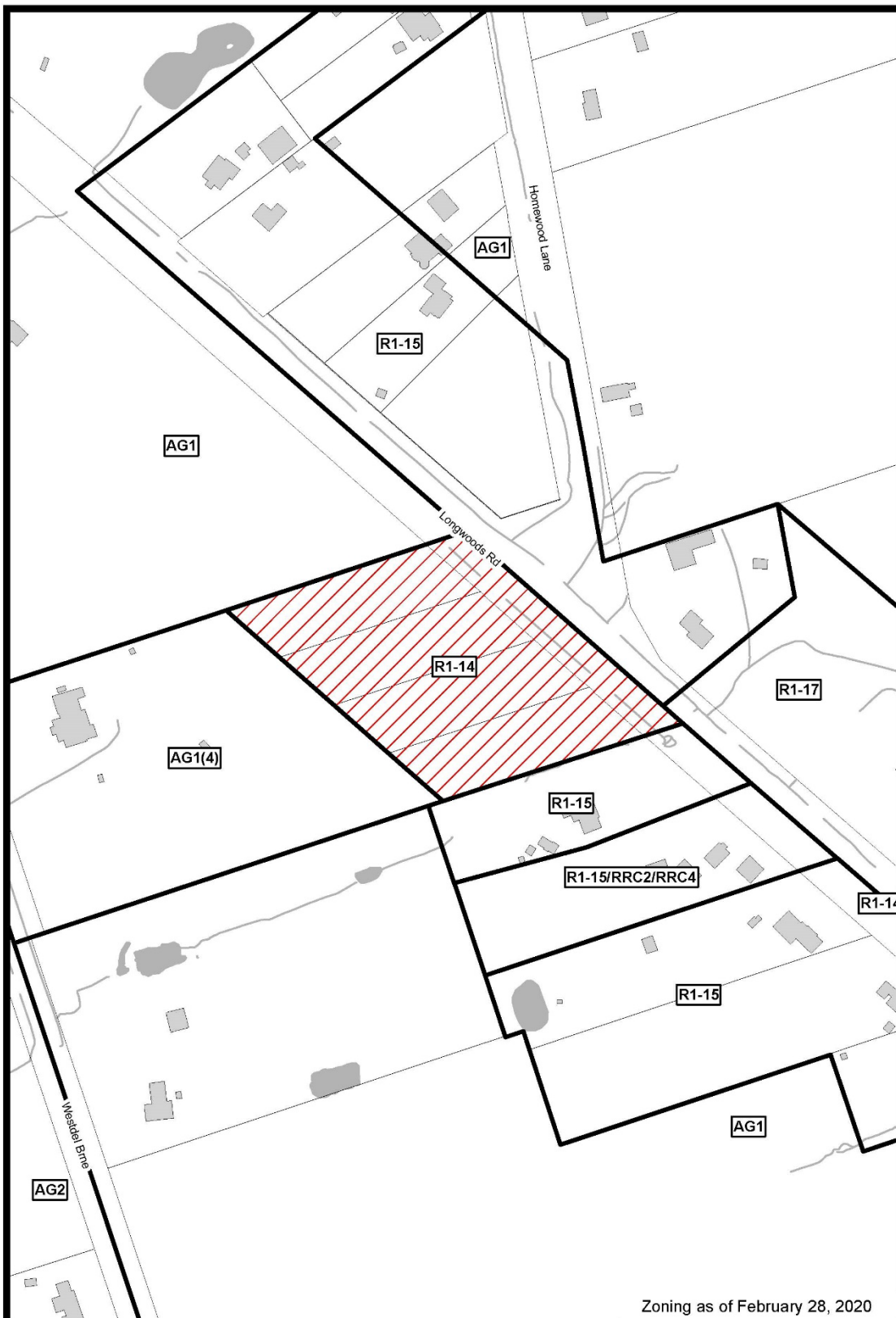
PASSED in Open Council on July 21, 2020.




Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



<p>File Number: H-9184 Planner: AR Date Prepared: 2020/03/11 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters </p> <p></p>
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Geodatabase

Bill No. 227
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to rezone
an area of land located at 442 Third Street.

WHEREAS Forever Homes has applied to rezone an area of land located
at 442 Third Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning
applicable to lands located at 442 Third Street, as shown on the attached map
comprising part of Key Map No. 108, from a Residential R2 (R2-3) Zone, to a
Residential R6 Special Provision (R6-5(__)) Zone.

2. Section Number 10.4 e) of the Residential R6 (R6) Zone is amended by
adding the following Special Provision:

R6-5(__)	442 Third Street	
a)	Regulations	
i)	Front Yard Depth (Maximum)	3.5 metres (11.5 feet)
ii)	North Interior Side Yard Depth (Minimum)	3.0 metres (9.8 feet) when the end wall of a unit contains no windows to habitable rooms
iii)	Height (Maximum)	10.5m (34.5ft)

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. P13*, either upon the
date of the passage of this by-law or as otherwise provided by the said section.

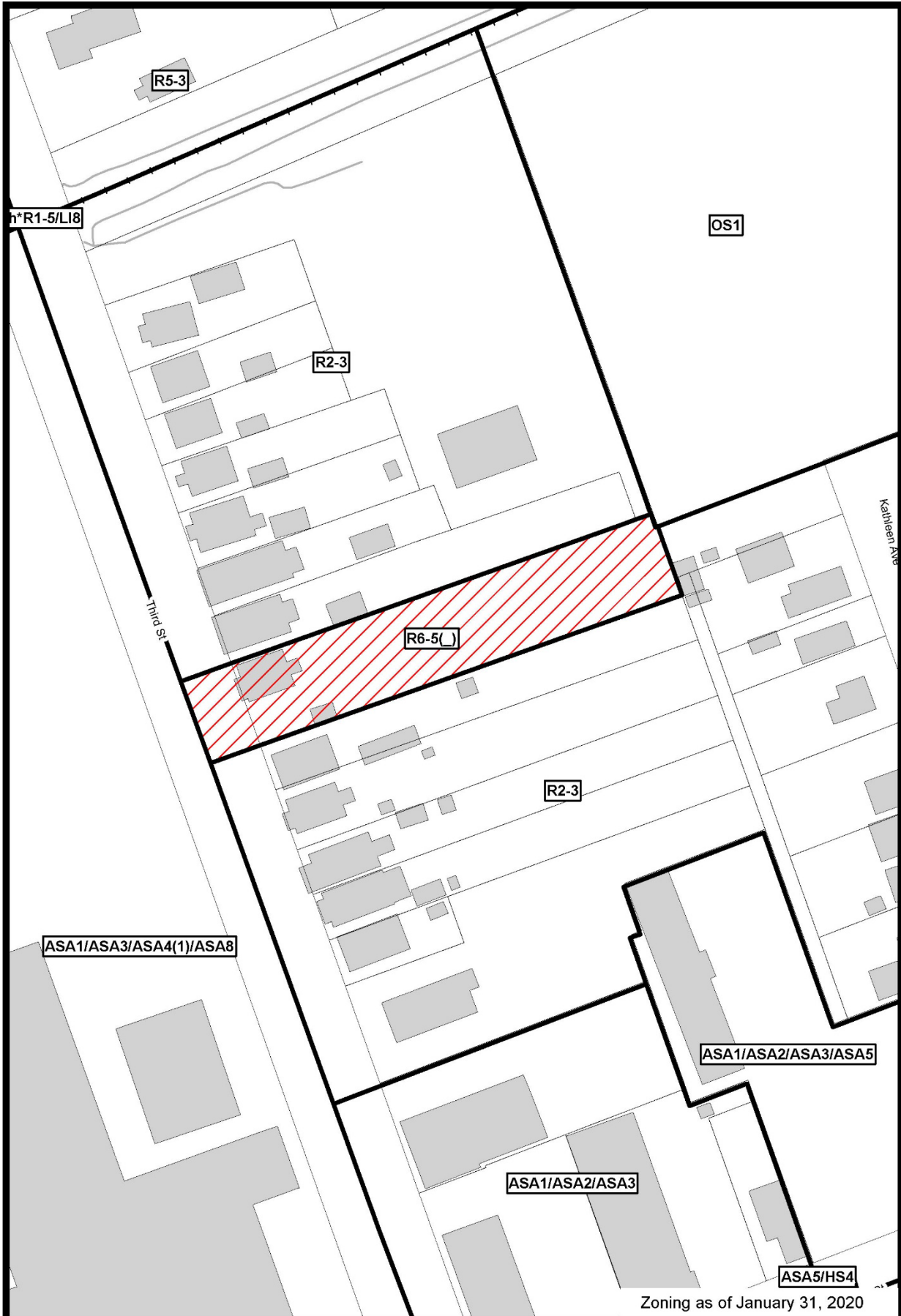
PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)




File Number: Z-9158
 Planner: SM
 Date Prepared: 2020/2/11
 Technician: rc
 By-Law No: Z-1-

SUBJECT SITE 

1:1,000

0 5 10 20 30 40 Meters 



Bill No. 228
2020

By-law No. Z.-1-20_____

A by-law to amend Section 4.11 of By-law No. Z.-1 to allow residents to allow residents to sell agricultural products grown on properties up to 20 times per year.

WHEREAS the Corporation of the City of London has applied to rezone the entire City, 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. Section 4.11 (Household Sales) of the General Provisions is amended by deleting the existing Section and replacing it with the following:

No household sale shall be permitted except where a premises has a dwelling unit, and there shall not be more than two household sales per annum at one location and no such sale shall exceed two consecutive days in duration. The sale of agricultural products grown on the premises shall be permitted where the premises has a dwelling unit and there shall be not more than 20 household sales per annum at one location and no such sale shall exceed two consecutive days in duration.

2. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

Bill No. 229
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at a part of 65 Brisbin Street.

WHEREAS the Corporation of the City of London has applied to rezone an area of land located at a part of 65 Brisbin Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at a part of 65 Brisbin Street, as shown on the attached map comprising part of Key Map No. A108, from an Open Space (OS1) Zone to a Residential R2 (R2-2) Zone.
2. The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.
3. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of June 16, 2020

<p>File Number: Z-9195 Planner: DH Date Prepared: 2020/07/02 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:600</p> <p> Meters</p> <p></p>
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Geodatabase

Bill No. 230
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1146-1156 Byron Baseline Road.

WHEREAS 2186121 Ontario Inc. has applied to rezone an area of land located at 1146-1156 Byron Baseline Road, 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 1146-1156 Byron Baseline Road, as shown on the attached map comprising part of Key Map No. A106, from a Residential R1 (R1-7) Zone to a Holding Residential R5 Special Provision (h-5*h-183*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()	1146-1156 Byron Baseline Road
a)	Regulations
i)	Building Height for a Lot Depth of 35 metres (114.8 feet) (Maximum) 12 metres (39.37 feet)
ii)	Building Height for a Lot Depth Beyond 35 metres (114.8 feet) (Maximum) 8 metres (26.2 feet)
iii)	Parking Area Setback from the ultimate road allowance (Minimum) 7.5 metres (24.6 feet)

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. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

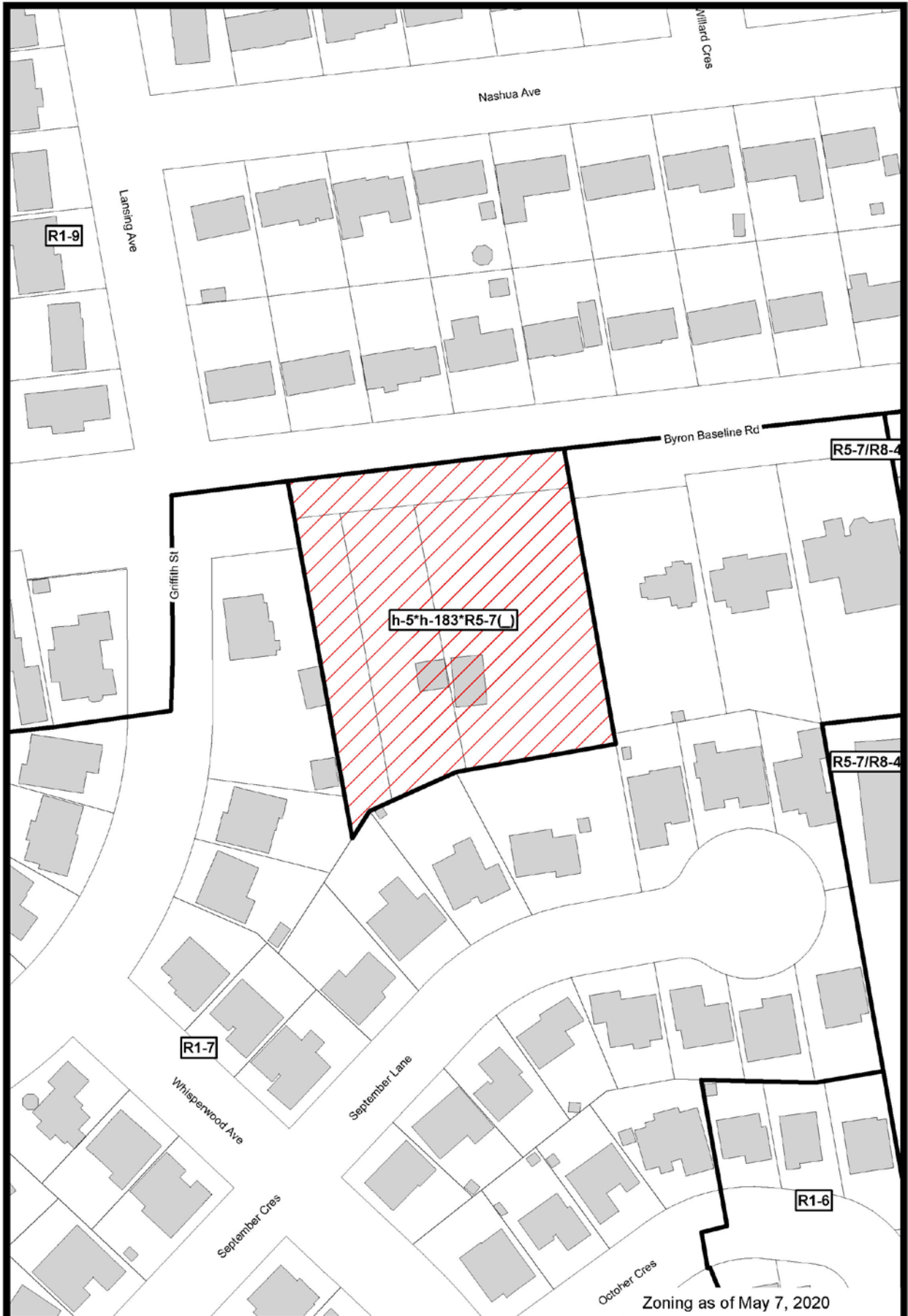
PASSED in Open Council on July 21, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – July 21, 2020
Second Reading – July 21, 2020
Third Reading – July 21, 2020

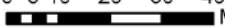
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)



File Number: Z-9172
Planner: CL
Date Prepared: 2020/06/01
Technician: rc
By-Law No: Z-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40
 Meters

