



London
CANADA

Council Minutes

The 16th Meeting of City Council
September 15, 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, S. Turner, E. Pelozza, A. Kayabaga, S. Hillier

Also Present: C. Saunders, M. Schulthess, S. Spring, B. Westlake-Power
Remote Attendance: L. Livingstone, A. Anderson, A. Barbon, G. Barrett, B. Card, K. Dickins, M. Goldrup, G. Kotsifas, K. Scherr, C. Smith, S. Stafford, B. Warner, P. Yeoman
The meeting is called to order at 4:06 PM, with Mayor E. Holder in the Chair and Councillors S. Lewis, P. Squire, J. Morgan, S. Lehman, A. Hopkins and E. Pelozza present; it being noted that the following members were in remote attendance: M. van Holst, M. Salih, J. Helmer, M. Cassidy, P. Van Meerbergen, S. Turner, A. Kayabaga, S. Hillier.

1. Disclosures of Pecuniary Interest

Councillor S. Turner discloses a pecuniary interest in Item 9 (5.2) of the 10th Report of the Community and Protective Services Committee, having to do with backyard fires on private property, by indicating that his employer, the Middlesex London Health Unit (MLHU) provides advice on this matter.

2. Recognitions

2.1 His Worship the Mayor recognizes, in absentia, the 2020 Queen Elizabeth Scholarships recipients: Mohamed Goha from Saunders Secondary School (average 99.50%) and Lily Spoozak from Catholic Central High School (average 99.50%).

3. Review of Confidential Matters to be Considered in Public

None.

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

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. 255, being a by-law to confirm the proceedings of the Council Meeting held on the 15th Day of September, 2020, which will be considered, prior to Stage 14 – Adjournment; and
- b) Stage 9 – Added Reports –Item 9.1 - 14th Report of Council, In Closed Session be considered after Stage 4 – Council, In Closed Session.

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

Motion made by: P. Van Meerbergen

Seconded by: S. Lewis

That the Minutes of the 15th Meeting held on August 25, 2020, 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)

6. Communications and Petitions

None.

7. Motions of Which Notice is Given

None.

8. Reports

8.1 14th Meeting of the Corporate Services Committee

Motion made by: A. Kayabaga

That the 14th Report of the Corporate Services Committee 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)

1. Disclosures of Pecuniary Interest

Motion made by: A. Kayabaga

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.3) Corporate Asset Management Plan 2020 Review

Motion made by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and on the advice of the Manager III, Corporate Asset Management, the staff report dated September 8, 2020 with respect to Corporate Asset Management Plan 2020 Review BE RECEIVED for information.

Motion Passed

3. (2.4) Corporate Human Rights and Code of Conduct Inquiries, Requests, Complaints and Related Training Initiatives January 1, 2019 - February 29, 2020

Motion made by: A. Kayabaga

That, on the recommendation of the Director, People Services and the concurrence of the City Manager, the staff report regarding

Corporate Human Rights and Code of Conduct inquiries, requests and training initiatives BE RECEIVED for information purposes.

Motion Passed

4. (2.5) Property Acquisition - 595 Adelaide Street North (Relates to Bill No. 265)

Motion made by: A. Kayabaga

That, on the recommendation of the Assistant City Solicitor, the proposed by-law appended to the staff report dated September 8, 2020 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to appoint a Director of 1220109 Ontario Inc.

Motion Passed

5. (2.6) Declare Surplus and Transfer - Part of 640 Adelaide Street North -Adelaide Street North / CPR Grade Separation Project

Motion made by: A. Kayabaga

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 closed portion of road publicly described as 640 Adelaide Street, located on the east side of Adelaide Street north, more specifically shown as Blocks A, B and C, Plan 449(3RD), and Part Block C, Plan 386 (3RD) as in GD24607, and Part Block G, and Part Lots 1, 2 and 3, Plan 386(3RD) as in 711193, City of London, being Part of PIN 082790121 (LT), containing an area of approximately 178 square metres (0.043 acres), the following actions be taken:

- a) the subject property BE DECLARED SURPLUS; and
- b) the subject property BE TRANSFERRED to Canadian Pacific Railway.

Motion Passed

6. (2.1) Capital Asset Renewal and Replacement Reserve Fund Rationalization Report (Relates to Bill No. 256)

Motion made by: A. Kayabaga

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

- a) the Capital Asset Renewal and Replacement Reserve Funds by-law appended to the staff report dated September 8, 2020 as Appendix C, which includes the establishment and continuance of the reserve funds listed in Schedule A of the by-law, BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to establish the Capital Asset Renewal and Replacement Reserve Funds By-law, and govern the administration and management of said funds, and to repeal the following by-laws as provided for in Schedule B of the by-law:

- Capital Infrastructure Gap A.-7513-68
- City Facilities A.-5993-508
- Courts Administration Repairs and Maintenance A.-6004-519
- Dearness Home Capital A.-6258-296
- Fire Vehicles and Equipment Replacement F.-144-552
- Golf Course A.-5550-202
- Library Facilities, Vehicle and Equipment A.-5995-510
- Material Recovery A.-6968-184
- Parking Facilities A.-6970-186
- Police Vehicle and Equipment Replacement A.-7195-351
- Public Art Acquisition A.-6306-34
- Public Art Maintenance A.-6305-33
- Public Housing Major Upgrades A.-6003-518
- RBC Place London A.-7730-218
- Sanitary Landfill Site A.-5174-97
- Social Housing Major Repairs, Upgrades and Stabilization A.-7519-79
- Technology Services A.-6967-183
- Vehicle and Equipment Replacement A.-5994-509
- Woodland Acquisition and Management A.-7526-93
- Sewage Treatment Plant Capacity A.-6068-32
- Sewage Works A.-5353-265
- New Capital Water A.-5477-267; and,

b) the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer BE AUTHORIZED to take all actions necessary to implement the changes to the City's reserve funds outlined in the above-noted report.

Motion Passed

7. (2.2) 2020 Reserve Fund Housekeeping Report (Relates to Bill No.'s 257, 258, 259, 260, 261, 262, 263 and 264)

Motion made by: A. Kayabaga

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

a) the following proposed by-laws appended as Appendix A to the above-noted staff report BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020:

- i) A by-law to establish the Building Permit Revenue Stabilization Reserve Fund;
- ii) A by-law to establish the Dearness Home Gift Reserve
- iii) A by-law to establish the Municipal Election Reserve Fund;
- iv) A by-law to establish the Official Plan Reserve Fund;
- v) A by-law to establish the Tree Bank Reserve Fund; and,
- vi) A by-law to establish the Unfunded Liability Reserve Fund; and,

b) the proposed by-law appended to the staff report dated September 8, 2020 as Appendix B BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to establish a reserve fund by-law in accordance with the January 12, 2016 Council approved Red Light Camera Program Implementation.

Motion Passed

8. (4.1) Application - Issuance of Proclamation - Respiratory Therapy Week

Motion made by: A. Kayabaga

That based on the application dated August 25, 2020, from the Canadian Society of Respiratory Therapists, the week of October 25 - 31, 2020 BE PROCLAIMED as Respiratory Therapy Week.

Motion Passed

- 8.2 13th Report of the Planning and Environment Committee

Motion made by: M. Cassidy

That the 13th Report of the Planning and Environment Committee BE APPROVED, excluding Item 10 (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)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Application - 3740 Southbridge Avenue (P-9232)

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 Sifton Properties Limited, to exempt Block 130, Plan 33M-785 from Part-Lot Control:

- a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 130, Plan 33M-785 from the Part-Lot Control provisions of subsection 50(5) of the said Act; it being noted that these lands are subject to registered subdivision agreements and are zoned holding Residential R4 Special Provision (h*h-100 R4-6(8)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 7.0m;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 130, Plan 33M-785 as noted in clause a) above:
 - i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii) the applicant submit a draft reference plan to the Development

Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;

iii) the applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;

iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;

v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;

vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;

vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;

viii) the applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;

ix) the applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;

x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;

xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;

xii) the applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 1, 3, 4, 9, 10, 11, 14, 15, 19, 20, 22, 23, 24, 29, 30 and 31 by parts 2, 5, 6, 7, 8, 12, 13, 16, 17, 18, 21, 25, 26, 27, 28 and 32; and,

xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

Motion Passed

3. (2.2) Application - 3620 Southbridge Avenue 33M-785, Block 124 (P-9231)

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 Sifton Properties Limited, to exempt Block 124, Plan 33M-785 from Part-Lot Control:

a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 124, Plan 33M-785 from the Part-Lot Control provisions of subsection 50(5) of the said Act; it being noted that these lands are subject to registered subdivision agreements and are zoned holding Residential R4 Special Provision (h*h-100 R4-6(8)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 7.0m;

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 124, Plan 33M-785 as noted in clause a) above:

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

ii) the applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;

iii) the applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;

iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;

v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;

vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;

vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;

viii) the applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;

ix) the applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;

x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;

xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;

- xii) the applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 2, 3, 4, 7, 11, 12, 15, 16, 18, 19, 20, 23, 27, 28, 29, 32, 33, 34, 37, 41, 42, 45 and 46 by parts 1, 5, 6, 8, 9, 10, 13, 14, 17, 21, 22, 24, 25, 26, 30, 31, 35, 36, 38, 39, 40, 43 and 44; and,
- xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

Motion Passed

4. (2.3) Application - 2805 Asima Drive (P-9220)

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 Rockwood Homes, to exempt Block 49, Plan 33M-699 from Part-Lot Control:

- a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 49, Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the said Act; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 49, Plan 33M-699 as noted in clause a) above:
 - i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii) the applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - iii) the applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
 - v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
 - vii) the applicant shall agree to construct all services, including

private drain connections and water services, in accordance with the approved final design of the lots;

- viii) the applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix) the applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
- xii) the applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 2, 5, 7, 9, and 11 by parts 1, 3, 4, 6, 8 and 10; and,
- xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

Motion Passed

5. (2.5) Application - 1160 Wharncliffe Road South (P-9238)

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 Goldfield Ltd., to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from Part-Lot Control:

- a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from the Part-Lot Control provisions of subsection 50(5) of the said Act; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-4(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 6.7m, a minimum exterior and interior side yard depth of 1.2m and maximum lot coverage of 45%;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 2, 3, 4, 5 and 7, Plan 33M-786 as noted in clause a) above:
 - i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii) the applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;

- iii) the applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
- iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
- v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
- vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
- vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii) the applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix) the applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
- xii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

Motion Passed

6. (2.6) Application - 1830 Finley Crescent (P-9096) (Relates to Bill No. 269)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Kenmore Homes (London) Inc., the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to exempt Block 98, Plan 33M-733 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act, R.S.O. 1990, c. P.13*, for a period not exceeding three (3) years.

Motion Passed

7. (2.7) Application - 1860 Finley Crescent (P-9095) (Relates to Bill No. 270)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Kenmore Homes (London) Inc., the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to exempt Block 97, Plan 33M-733 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act, R.S.O. 1990, c. P.13*, for a period not exceeding three (3) years.

Motion Passed

8. (2.4) Application - 230 North Centre Road (H-9234) (Relates to Bill No. 272)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Tricar Properties Limited, relating to the property located at 230 North Centre Road, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R9 Special Provision Bonus (h-183/R9-7/B55) Zone TO a Residential R9 Special Provision Bonus (R9-7/B55) Zone to remove the "h-183" holding provision.

Motion Passed

9. (3.1) Application - 1176, 1200, 1230 Hyde Park Road and Portion of 1150 Gainsbrough Road 39T-19502 (Z-9040) (Relates to Bill No. 273)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken regarding the application by Northwest Crossing London Limited, relating to the property located at 1176, 1200, 1230 Hyde Park Road and a portion of 1150 Gainsborough Road:

- a) the proposed revised, attached, by-law BE INTRODUCED at the Municipal Council meeting to be held on September 15, 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 Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/ RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone and Open Space (OS1) Zone TO a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(*)*B(*)), a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(**)*B(*)), a Holding Residential Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*) Zone, a Holding Residential Special Provision (h*h-100*R5-7(**)/R6-

5(**)/R7(**)*H12/R8-4(**) Zone, a Holding Residential Special Provision (h*h-100*h-18*R5-7(***)/R6-5(***)/R7(***)*H12/R8-4(***)) Zone, an Open Space Special Provision (OS1(*)) Zone and an Open Space Special Provision (OS5(*)) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate the development of high quality mixed-use apartment buildings and standalone apartment buildings with a maximum height of 22 metres (6-storeys), which substantively implements the site-specific “Design Criteria”;

Design Criteria:

Site Development

- Building Sitting:

- o buildings shall be located along the majority of the Hyde Park Road and Street ‘A’ frontages to provide for a built edge along the street; and,

- o all service and loading facilities associated with building shall be located within and/or behind buildings away from amenity areas and not visible from the public street;

- Pedestrian Connectivity:

- o mid-block walkway connections from Hyde Park Road through Block 1 shall be provided between buildings fronting Hyde Park Road, leading to internal parking area and to walkways behind buildings leading to sidewalks along the northern and southern portions of Street ‘A’; and,

- o walkway connections from the sidewalk along Hyde Park Road shall be provided from both ends of the building for Block 2, with a further connection to the sidewalk along Street ‘A’;

- Access and Parking:

- o vehicular access for both Blocks 1 and 2 shall be provided from Street ‘A’;

- o no parking or vehicular drive isles shall be located between buildings and the Hyde Park road frontage; and,

- o low masonry walls (max. 0.75m), complimentary in design to the buildings, shall be provided with a combination of landscaping to screen any parking located along the edge of Street ‘A’;

- Common Outdoor Amenity Areas:

- o outdoor common amenity areas shall be provided for each building, alternatively these spaces can be combined into one, centrally located common outdoor amenity space per Block;

- o these spaces shall be an appropriate size to provide adequate amenity for the proposed number of residents and provide the opportunity for passive and/or active recreation;

- o these spaces shall be located within close proximity to a building entrance/exit. Alternatively a safe, appropriately sized, and conveniently aligned walkway connection(s) will be provided from the nearest building entrance/exit. If the spaces are combined into one centrally located space provide for walkways from each building to the space;

- o enhanced landscaping shall be provided along the Hyde Park Road frontage in the form of small amenity areas and trees between buildings. Efforts will be made to provide opportunities for additional amenity space through site and building design, with the intention of providing spaces for residents and visitors to enjoy the outdoors and animating street frontages to facilitate pedestrian oriented environments;

Built form

- All buildings:
 - o the development shall feature contemporary building designs with a mix and articulation of building materials including brick, metal panels, concrete, wood veneer and vision and spandrel glass; and,
 - o buildings shall be designed in a way that breaks up the structures horizontally and vertically through articulation, architectural details, and an appropriate proportion and rhythm of windows and balconies;

- Buildings along Hyde Park frontage:
 - o the design for buildings facing Hyde Park Road shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building;
 - o buildings shall include active commercial uses along the Hyde Park Road frontage, and all main floor commercial unit entrances shall be oriented towards Hyde Park Road;
 - o the ground-floor street façade shall be primarily comprised of vision glazing for views into and out of the building. Where vision glazing is not used, alternative urban design measures that contribute to an animated streetscape shall be required; and,
 - o overhead protection from natural elements shall be provided above the first floor in locations such as pedestrian entrances where appropriate to architecturally differentiate the building base from the upper levels;

- Buildings along the Street 'A' frontage:
 - o the development shall provide street-oriented features for residential buildings, including individual entrances to ground-floor residential units with operable and lockable doors, and pedestrian-scale features such as lighting and weather protection. Private amenity areas shall also be provided and may include enclosed courtyards with a combination of planters and low decorative fencing; and,
 - o the design for buildings facing Street 'A' shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building;

- b) the Approval Authority BE ADVISED that issues were raised at the public meeting with respect to affordable housing as it relates to the application for draft plan of subdivision of Northwest Crossing London Limited relating to a property located at 1176, 1200, 1230 Hyde Park Road and a Portion of 1150 Gainsborough Road; and

- c) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Northwest Crossing London Limited (File No. 39T-19502), prepared by MHBC Planning, Project No. 16-200, dated March 18, 2020, which shows two (2) mixed-use residential blocks, two (2) medium density residential blocks, three (3) open space blocks, one (1) road widening block and two (2) 0.3 m reserve blocks, all served by one (1) local/neighbourhood streets (Street A), SUBJECT TO the conditions contained in Appendix "B" appended to the staff report dated September 8, 2020;

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

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

- the proposed and recommended amendments are consistent with the Provincial Policy Statement, 2020 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods, Shopping Area and Green Space Place Type;
- the proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Policies for Specific Areas 10.1.3, c)lxii); and,
- the proposed and recommended zoning amendments will facilitate an appropriate form of mixed-use and medium density residential development that conforms to The London Plan and the (1989) Official Plan.

Motion Passed

11. (3.3) Removing References to 1989 Official Plan from Zoning By-law Z.-1 (Z-8909) (Relates to Bill No. 275)

Motion made by: M. Cassidy

That, on the recommendation of the Director, City Planning and City Planner, the proposed by-law appended to the staff report dated September 8, 2020 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to amend Zoning By-law No. Z.-1 by deleting certain references to policy sections, land use designations, and map schedules of the 1989 Official Plan and by adding references to policies of the London Plan as required;

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.

Motion Passed

12. (4.1) 5th Report of the London Advisory Committee on Heritage

Motion made by: M. Cassidy

That the following actions be taken with respect to the 5th Report of the London Advisory Committee on Heritage from its meeting held on August 12, 2020:

- a) that the following actions be taken with respect to the Notice of Planning Application, dated May 19, 2020, from L. Davies Snyder, Planner II, related to Official Plan and Zoning By-law Amendments with respect to the properties located at 1153-1155 Dundas Street:
 - i) L. Davies Snyder, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is in support of the preliminary research and findings of the Heritage Impact

Assessment, dated March 16, 2020, from Zelinka Priamo Ltd.; it being noted that the LACH believes the smokestacks on the property to be a significant heritage attribute and supports incorporation and retention of the structure in the adaptive reuse of this heritage listed property; and,

ii) the above-noted Notice of Application BE RECEIVED;

b) that the following actions be taken with respect to the staff report dated July 13, 2020, with respect to Implementing Additional Residential Units Requirements of the Planning Act (Bill 108):

i) the Heritage Planners BE REQUESTED to review existing Heritage Conservation District plans and applicable planning policies to identify how additional residential units are addressed and report back at a future meeting of the London Advisory Committee on Heritage; and,

ii) the above-noted report BE RECEIVED;

c) that, on the recommendation of the Director, Development Services, with the advice of the Heritage Planner, the following actions be taken with respect to the request to demolish the building on the heritage designated property at 120 York Street, within the Downtown Heritage Conservation District:

i) the above-noted request for demolition BE PERMITTED;

ii) the Chief Building Official BE ADVISED of Municipal Council's intention in this matter;

iii) the applicant BE REQUIRED to obtain final Site Plan Approval for the property; and,

iv) the Heritage Planner BE REQUESTED to confirm and implement the appropriate mitigation measures with the property's owner and heritage consultant, in writing, in advance of the demolition of the building located at 120 York Street, in order to protect the adjacent heritage designated properties;

it being noted that the London Advisory Committee on Heritage does not believe that surface parking supports the heritage character of the Downtown Heritage Conservation District;

d) the staff report, dated August 12, 2020, with respect to a Heritage Alteration Permit Application by S. MacLeod, for the property located at 59 Wortley Road in the Wortley Village-Old South Heritage Conservation District, BE DEFERRED to a future meeting of the London Advisory Committee on Heritage;

e) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking retroactive approval and approval for alterations to the property located at 70 Rogers Avenue, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the window replacements occur within one year of Municipal Council's decision;
- the sash windows feature the applied mullion detail (simulated divided light) on the exterior of the windows to replicate the fenestration pattern of the original windows; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

f) on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking approval for the proposed alterations to the property located at 512 English

Street, within the Old East Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the voussoirs consist of salvaged buff brick that matches the brick of the dwelling;
- the space in between the two windows be clad with salvaged buff brick;
- the sills of the new window openings consist of matching materials consistent with the remaining window openings on the dwelling; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

g) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking retroactive approval for alterations to property located at 784 Hellmuth Avenue, within the Bishop Hellmuth Heritage Conservation District, BE REFUSED; it being noted that the London Advisory Committee on Heritage encourages the applicant to engage with the Heritage Planners to identify a solution; and,

h) clauses 1.1, 3.1 to 3.4, inclusive, BE RECEIVED for information.

Motion Passed

13. (5.1) Deferred Matters List

Motion made by: M. Cassidy

That the Managing Director, Planning and City Planner and the Managing Director, Development and Compliance Services & Chief Building Official BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration, with the exception of Item 4, Inclusionary Zoning.

Motion Passed

10. (3.2) Application - 3557 Colonel Talbot Road (Z-9003) (Relates to Bill No. 274)

At 4:38 PM, His Worship the Mayor leaves the Chair to take a seat at the Council Board and Councillor J. Morgan takes the Chair.

At 4:40 PM, His Worship the Mayor resumes the Chair and Councillor J. Morgan takes a seat at the Council Board.

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, the following actions be taken based on the application by 1423197 Ontario Inc. (Royal Premier Homes), relating to the property located at 3557 Colonel Talbot Road:

a) the proposed ~~attached~~, revised, by-law BE INTRODUCED at the Municipal Council meeting to be held on September 15, 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 Urban Reserve (UR4) Zone and Open Space (OS4) Zone TO a Residential R5 Special Provision (R5-6(_)) Zone, Open Space Special Provision (OS4(_)) Zone and an Open Space Special Provision (OS5(_)) Zone; it being noted that the provision of

enhanced screening/privacy along the northern property line, including boundary landscaping along the north and west property boundaries, was raised during the application review process as a matter to be addressed at the Site Plan Approval Stage; it being further noted that the H-5 holding provision allows for a public participation meeting during site plan stage;

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

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

- the recommended amendment is consistent with the PPS, 2020 because it encourages the development of an underutilized parcel within the settlement area and provides for an appropriate range of uses and opportunities for development;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Neighbourhoods Place Type and the Open Space Place Type;
- the recommended amendment confirms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation;
- the recommended amendment is consistent with the Southwest Area Secondary Plan, including the Lambeth Neighbourhood policies; and,
- the recommended amendment facilitates the development of an underutilized site within the Urban Growth Boundary with an appropriate form of infill development.

Yeas: (14): 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

Nays: (1): Mayor E. Holder

Motion Passed (14 to 1)

8.3 10th Report of the Community Protective Services Committee

Motion made by: S. Lewis

That the 10th Report of the Community and Protective Services Committee, BE APPROVED, excluding Item 9 (5.2).

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)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lewis

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) White Oaks Park - Pavilion Donation Agreement (Relates to Bill No. 266)

Motion made by: S. Lewis

That, on the recommendation of the Managing Director, Parks and Recreation, the proposed by-law, as appended to the staff report dated September 9, 2020, BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020, to:

- a) approve the attached revised Agreement between The Corporation of the City of London and York Developments (London) Inc. for the construction and donation of a pavilion in White Oaks Park; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2020-L04A)

Motion Passed

3. (2.2) Canadian Medical Association (CMA) Foundation Gift Agreement (Relates to Bill No. 267)

Motion made by: S. Lewis

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 September 9, 2020, BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020, to:

- a) authorize and approve the Gift Agreement, as appended to the above-noted by-law, between the CMA Foundation and The Corporation of the City of London; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Gift Agreement. (2020-L04A)

Motion Passed

4. (2.3) Award Recommendation for Research Into Labour Market Participation Rates in the London Economic Region - Request for Proposal 20-24

Motion made by: S. Lewis

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home and concurrence of the Director of Financial Services, the following actions be taken with respect to the staff report dated September 9, 2020, related to the award of the Request for Proposal (RFP20-24) Research Services for Primary Research into Labour Market Participation Rates in the London Economic Region:

- a) the Request for Proposal (RFP20-24) BE AWARDED to Pricewaterhouse Coopers LLP for a total one-time funding amount of \$115,101 (exclusive of applicable taxes), for the delivery of the labour market research project; it being noted that the proposal submitted by the Successful Proponent meets the City's requirements and is in compliance with the City's Procurement of Goods and Services Policy;

- b) the proposal submitted by Pricewaterhouse Coopers LLP for the design and delivery of the Labour Market Research BE ACCEPTED in accordance with the Procurement of Goods and Services Policy;
- c) the Civic Administration BE AUTHORIZED to undertake all administrative actions which are necessary in relation to this project;
- d) the above-noted approval BE CONDITIONAL upon The Corporation of the City of London negotiating satisfactory terms and conditions with Pricewaterhouse Coopers LLP, to the satisfaction of the Managing Director, Housing, Social Services and Dearness Home, the Acting Managing Director, Housing, Social Services and Dearness Home, or written designate;
- e) the above-noted approval 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 this approval; and,
- f) the Civic Administration BE DIRECTED to provide an update to Municipal Council on the outcomes, findings and final report of the Labour Market Research. (2020-M11)

Motion Passed

- 5. (3.1) 2020 Parkland Dedication By-law CP-9 Update (Relates to Bill No. 268)

Motion made by: S. Lewis

That, on the recommendation of the Managing Director, Parks and Recreation, the following actions be taken with respect to the 2020 Parkland Dedication By-law CP-9 Update:

- a) that the proposed by-law, as appended to the staff report dated September 9, 2020, BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020, to amend By-law CP-9, Parkland Conveyance and Levy By-law, in conformity with the Official Plan to change to the parkland dedication fee rates; and,
- b) the Civic Administration BE DIRECTED to undertake the next bi-annual Parkland Conveyance and Levy By-law CP-9 for January 1, 2022;

it being pointed out that at the public participation meeting associated with this matter, the individual indicated on the attached public participation meeting record made an oral submission regarding this matter. (2020-M02)

Motion Passed

- 6. (3.2) London for All: A Roadmap to End Poverty

Motion made by: S. Lewis

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services and the Acting Director, Housing, Social Services and Dearness Home, the staff report dated September 9, 2020, with respect to London For All: A Roadmap to End Poverty Implementation Update as well as the

London For All: A Roadmap to End Poverty Impact Assessment Report, dated July 2020, BE RECEIVED; it being noted that a verbal delegation from K. Ziegner, United Way Elgin-Middlesex, was received with respect to this matter. (2020-S04)

Motion Passed

7. (4.1) Taxi Licensing Fees

Motion made by: S. Lewis

That the following actions be taken with respect to the communication, dated August 20, 2020, from H. Savehilaghi, Yellow London Taxi Inc. related to a request for delegation status to speak to renewal fees pertaining to the taxi industry:

a) the above-noted delegation request BE APPROVED to be heard at this meeting; and,

b) the above-noted delegation BE RECEIVED; it being noted that the Community and Protective Services Committee heard a verbal delegation from H. Savehilaghi with respect to this matter. (2020-P09A)

Motion Passed

8. (5.1) Deferred Matters List

Motion made by: S. Lewis

That the Deferred Matters List for the Community and Protective Services Committee, as at August 31, 2020, BE RECEIVED.

Motion Passed

9. (5.2) Backyard Fires on Private Property Objection

Motion made by: S. Lewis

That NO ACTION BE TAKEN with respect to the communication dated August 26, 2020, from H. Kaplan, related to an objection to backyard fires on private property; it being noted that a representative of the Fire Department previously responded to the concerns raised by the individual in the above-noted communication. (2020-P01)

Yeas: (11): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, and S. Hillier

Nays: (3): M. Cassidy, E. Peloza, and A. Kayabaga

Recuse: (1): S. Turner

Motion Passed (11 to 3)

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

None.

13. By-laws

Motion made by: S. Turner

Seconded by: M. Cassidy

That Introduction and First Reading of Bill No.'s 256 to 275, excluding Bill No. 274, 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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: S. Lewis

Seconded by: S. Hillier

That Second Reading of Bill No.'s 256 to 275, excluding Bill No. 274, 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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: S. Lehman

Seconded by: P. Van Meerbergen

That Third Reading and Enactment of Bill No.'s 256 to 275, excluding Bill No. 274, 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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: A. Hopkins

Seconded by: S. Turner

That Introduction and First Reading of Bill No. 274 BE APPROVED.

Yeas: (14): 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, and S. Hillier

Nays: (1): Mayor E. Holder

Motion Passed (14 to 1)

Motion made by: S. Lewis

Seconded by: M. Cassidy

That Second Reading of Bill No. 274 BE APPROVED.

Yeas: (14): 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, and S. Hillier

Nays: (1): Mayor E. Holder

Motion Passed (14 to 1)

Motion made by: A. Hopkins

Seconded by: E. Pelozo

That Third Reading and Enactment of Bill No. 274 BE APPROVED.

Yeas: (14): 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, and S. Hillier

Nays: (1): Mayor E. Holder

Motion Passed (14 to 1)

4. Council, In Closed Session

Motion made by: P. Van Meerbergen

Seconded by: S. Lehman

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

4.1. Land Disposition / Solicitor-Client Privileged Advice / 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. (6.1/14/CSC)

4.2 Solicitor-Client Privileged Advice/Litigation or Potential Litigation

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

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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

The Council convenes, In Closed Session, at 5:09 PM, with Mayor E. Holder in the Chair and all Members participating.

At 5:25 PM, the Council resumes in public session, with Mayor E. Holder in the Chair and all Members participating.

9. Added Reports

9.1 14th Report of Council on Closed Session

Motion made by: J. Morgan
Seconded by: J. Helmer

1. Property Acquisition – Part of 1985 Gore Road for Natural Heritage Open Space

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 property municipally known as part of 1985 Gore Road, located on the south side of Gore Road west of Veteran’s Memorial Parkway, as shown on the attached location map, further described as Part of Part of Lot 2, Concession A designated as Parts 1, 2, 3, and 4, Plan 33R-9149, except Parts 2 and 3, Plan 33R-12797 and secondly: being Part Lot 1, Concession A, designated as Part 1, Plan 33R-12797, being Part of PIN 081320167, containing an area of approximately 17.98 acres, for the purpose of a park acquisition to protect natural heritage features and to the allow the City to implement part of the City’s Cycling Master Plan, the following actions be taken:

- a) the offer submitted by Dancor Phase III Oxford Inc. (the “Vendor”), attached as Schedule “A”, to sell the subject property to the City, for the sum of \$219,321.00 BE ACCEPTED, subject to the following conditions:
 - i) the City to satisfy itself in its sole and absolute discretion as to the soil; geotechnical, archaeological and environmental condition of the property;
 - ii) the Vendor agreeing, at its expense, to complete a reference plan; and describing the property; and
- b) the attached Source of Financing for this acquisition BE APPROVED, it being noted that future assessment growth funding will be requested to support the future operating costs of these new lands.

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)

13. By-laws (Continued)

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

That Introduction and First Reading of Bill No. 255 and the Added Bill No. 276, 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)

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

That Second Reading of Bill No. 255 and the Added Bill No. 276, 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)

Motion made by: P. Van Meerbergen
Seconded by: S. Turner

That Third Reading and Enactment of Bill No. 255 and the Added Bill No. 276, 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)

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

Bill	By-law
Bill No. 255	By-law No. A.-8009-183 - A by-law to confirm the proceedings of the Council Meeting held on the 15th day of September, 2020. (City Clerk)
Bill No. 256	By-law No. A.-8010-184 - A by-law to establish the Capital Asset Renewal and Replacement Reserve Funds By-law and to govern the administration and management of said funds. (2.1/14/CSC)
Bill No. 257	By-law No. A.-8011-185 - A by-law to establish the Animal Welfare Reserve Fund. (2.2a/14/CSC)
Bill No. 258	By-law No. A.-8012-186 - A by-law to establish the Building Permit Revenue Stabilization Reserve Fund. (2.2a/14/CSC)
Bill No. 259	By-law No. A.-8013-187 - A by-law to establish the Dearness Home Gift Reserve Fund. (2.2a/14/CSC)
Bill No. 260	By-law No. A.-8014-188 - A by-law to establish the Municipal Election Reserve Fund. (2.2a/14/CSC)
Bill No. 261	By-law No. A.-8015-189 - A by-law to establish the Official Plan Reserve Fund. (2.2a/14/CSC)
Bill No. 262	By-law No. A.-8016-190 - A by-law to establish the Tree Bank Reserve Fund. (2.2a/14/CSC)
Bill No. 263	By-law No. A.-8017-191 - A by-law to establish the Unfunded Liability Reserve Fund. (2.2a/14/CSC)
Bill No. 264	By-law No. A.-8018-192 - A by-law to establish the Red Light Camera Program Reserve Fund. (2.2b/14/CSC)
Bill No. 265	By-law No. A.-8019-193 - A by-law to appoint a director of 1220109 Ontario Inc. (2.5/14/CSC)
Bill No. 266	By-law No. A.-8020-194 - A by-law to authorize an Agreement between The Corporation of the City of London and York Developments Inc.; and to authorize the Mayor and City Clerk to execute the Agreement. (2.1/10/CPSC)

Bill No. 267	By-law No. A.-8021-195 - A by-law to approve the CMA Foundation Gift Agreement with the CMA Foundation; and, to delegate authority to execute the Agreement. (2.2/10/CPSC)
Bill No. 268	By-law No. CP-9-20006 - A by-law to amend By-law CP-9 entitled "A by-law to provide for the conveyance of land and cash in lieu thereof for park and other purposes". (3.1/10/CPSC)
Bill No. 269	By-law No. C.P.-1549-196 - A by-law to exempt from Part-Lot Control, lands located at 1830 Finley Crescent legally described as Block 98 in Registered Plan 33M-733. (2.6/13/PEC)
Bill No. 270	By-law No. C.P.-1550-197 - A by-law to exempt from Part-Lot Control, lands located at 1860 Finley Crescent legally described as Block 97 in Registered Plan 33M-733. (2.7/13/PEC)
Bill No. 271	By-law No. W.-5667-198 - A by-law to authorize the Huron Industrial Lands Stormwater Management Facility (SWMF) (Project No. ID2095A). (2.11/10/CWC)
Bill No. 272	By-law No. Z.-1-202868 - A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 230 North Centre Road. (2.4/13/PEC)
Bill No. 273	By-law No. Z.-1-202869 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road. (3.1/13/PEC)
Bill No. 274	By-law No. Z.-1-202870 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3557 Colonel Talbot Road. (3.2/13/PEC)
Bill No. 275	By-law No. Z.-1-202871 - A by-law to amend By-law No. Z.-1 to remove references to 1989 Official Plan and add references to The London Plan. (3.3/13/PEC)
Bill No. 276	(ADDED) By-law No. A.-8022-199 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Dancor Phase III Oxford Inc., to sell to the City part of 1985 Gore Road, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/14/CSC)

14. Adjournment

Motion made by: P. Van Meerbergen

Seconded by: P. Squire

That the meeting adjourn.

Motion Passed

The meeting adjourned at 5:32 PM.

Ed Holder, Mayor

Catharine Saunders, City Clerk



Council Minutes

The 15th Meeting of City Council
August 25, 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, S. Turner, E. Pelozza, A. Kayabaga, S. Hillier

Also Present: M. Schulthess, J. Taylor, B. Westlake-Power
Remote Attendance: L. Livingstone, A. Barbon, G. Barrett, B. Card, S. Corman, K. Dickins, M. Feldberg, A. Hagan, G. Kotsifas, D. Popadic, K. Scherr, C. Smith, S. Stafford, M. Tomazincic, B. Warner, J. Wills
The meeting is called to order at 4:02 PM, with Deputy Mayor J. Helmer in the Chair and Councillors S. Lewis, P. Squire, J. Morgan and S. Lehman present; it being noted that the following members were in remote attendance: Mayor E. Holder; Councillors M. van Holst, M. Salih, M. Cassidy, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga, S. Hillier.

1. Disclosures of Pecuniary Interest

Mayor E. Holder discloses a pecuniary interest in clause 5 of the 13th Report of Council, In Closed Session, having to do with the Execution of the Collective Agreement for London Professional Fire Fighters Association (LPFFA), by indicating that his son-in-law is a member of the LPFFA.

Motion made by: P. Van Meerbergen
Seconded by: S. Hillier

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. 233, being a by-law to confirm the proceedings of the Council Meeting held on the 25th Day of August, 2020, which will be considered, prior to Stage 14 – Adjournment; and
- b) Stage 9 – Added Reports –Item 9.1 - 13th Report of Council, In Closed Session be considered after Stage 4 – Council, In Closed Session.

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. 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 14th Meeting held on July 21, 2020

Motion made by: S. Lewis

Seconded by: M. Cassidy

That the Minutes of the 14th Meeting held on July 21, 2020, 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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

6. Communications and Petitions

Motion made by: M. Cassidy

Seconded by: Mayor E. Holder

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

6.1 Application – 2040 River Road (Z-9133)

1. R. Zelinka, Zelinka Priamo Ltd.;
2. V. DaSliva, Global Waste Disposal

6.2 (ADDED) – Single Source Procurement – Vehicle Exhaust Capture Systems

1. Councillor M. van Holst

6.3 (ADDED) – Sidewalk Installation – Silverleaf Community Request

1. P. Lombardi, Siskinds.

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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

7. Motions of Which Notice is Given

7.1 A Film Office for London Ontario - Councillor M. van Holst

Motion made by: M. van Holst

Seconded by: S. Hillier

Approve that pursuant to section 11.3 of the Council Procedure By-law, leave be given for the introduction of a motion related to opportunities for the City of London in the film industry.

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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: M. van Holst

Seconded by: S. Hillier

That the following actions be taken with respect to the opportunities for the film industry, in the City of London:

- a) that \$1M from Council's community investment reserve fund BE COMMITTED to establish and operate a film office through 2023; and,

b) subject to the success of the office noted in part a) above, permanent funding for the film office BE REFERRED to the 2024-2027 multi-year budget process;

it being noted that the current COVID-19 global situation presents the potential for the City of London to establish itself in film and TV production industry.

Motion made by: S. Lewis

Seconded by: S. Lehman

That the communication dated August 18, 2020, and accompanying supporting documentation, from Councillor M. van Holst with respect to the establishment of a City of London Film Office through 2023, BE REFERRED to the Civic Administration for consideration in conjunction with previous Council direction for a report related to the film industry in London, with a report back to the Community and Protective Services Committee; it being noted that the communications were received from the following, with respect to this matter:

- J. Morris, Sighthound Studio;
- G.A. Sager, Matchbox Pictures;
- G. Hart;
- K. Peckham, Wide Eye Television Inc.;
- T. Raimi;
- D. Downs, Forest City Film Festival;
- D. Abboud;
- R. Carver, Fanshawe College;
- L. Kirk, Open Entertainment Inc.;
- R. Schroeyens, Music City Canada.

Yeas: (13): Mayor E. Holder, 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

Nays: (2): M. van Holst, and E. Pelosa

Motion Passed (13 to 2)

8. Reports

8.1 10th Report of the Civic Works Committee

Motion made by: S. Lehman

That the 10th Report of the Civic Works Committee BE APPROVED, excluding Items 11, 12 and 13, clauses 2.1, 2.5 and 2.6, respectively.

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)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lehman

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.2) Mud Creek Remediation - Phase 1A Tunnel Contract Award and Consultant Contract Increase

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 award of contract for the Mud Creek Remediation – Phase 1a Tunnel Construction project and additional Consultant contract increase:

- a) the bid submitted by Ward and Burke Microtunnelling, at its tendered price of \$7,488,280.00, including contingency (excluding HST), BE ACCEPTED; it being noted that the bid submitted by Ward and Burke Microtunnelling, was the lowest of two bids received from the two pre-qualified contractors;
- b) the engineering fees for CH2M Hill Canada Limited Consulting BE INCREASED to recognize the additional scope of work during design and to authorize the resident inspection and contract administration for the said project in accordance with the estimates, on file, to an upset amount of \$920,501.00 (excluding HST), from \$1,130,497.00 to a total of \$2,050,998.00, in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- c) the allowance of the mandated Canadian National Railway (CN) flagging personnel during the construction of the Mud Creek Remediation Phase 1a per the anticipated CN flagging requirements BE APPROVED for the Mud Creek Remediation project, with an estimated fee of \$281,632.00 (excluding HST);
- d) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated August 11, 2020;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- f) 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 No. RFT20-79); and,
- g) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2020-E03)

Motion Passed

3. (2.3) Request for Contract Increase - Dingman Creek Pumping Station Forcemain Installation Contract #2

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 Contract 2 for the Dingman Creek Pumping Station Forcemain construction project:

- a) an increase of the contract price with Bre-Ex Construction Inc. by \$200,000.00 (excluding HST), to a new total contract price of \$5,112,985.47 (excluding HST), BE APPROVED;
- b) the financing for these projects BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated August 11, 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, if required, to give effect to these recommendations. (2020-F01)

Motion Passed

4. (2.4) Award of Consulting Engineering Services for the South and West London Water Servicing Study RFP 20-36

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 award of consulting engineering services for RFP 20-36 South and West London Servicing Study (EW3313):

- a) the proposal submitted by C3 Water Inc., 350 Woolwich Street South, Breslau, ON N0B 1M0, in the amount of \$339,658.16, including \$50,000 contingency and \$89,713.30 in provisional items (excluding H.S.T.), BE AWARDED in accordance with Section 15.2 (e) of the City of London's 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 August 11, 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, if required, to effect these recommendations. (2020-E05)

Motion Passed

5. (2.7) New Traffic, Pedestrian and Cyclist Signals

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 planned signal installations:

- a) the installation of the traffic signal at Pack Road at Colonel Talbot Road BE APPROVED;

b) the installation of the following pedestrian signals BE APPROVED:

- i) Hamilton Road at Inkerman Street;
- ii) Hamilton Road at Pine Lane Avenue; and,
- iii) Southdale Road East at Millbank Drive (west leg);

c) the installation of the following pedestrian and cyclist signals BE APPROVED:

- i) Oxford Street East at William Street; and,
- ii) Riverside Drive at Wilson Avenue. (2020-T03)

Motion Passed

6. (2.8) Replacement of Highway 401 / Dingman Drive Bridge Memorandum of Understanding for the Design and Construction of Provisions to Accommodate Future Widening of Dingman Drive (Relates to Bill No. 235)

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 execution of the Memorandum of Understanding with the Ministry of Transportation:

a) the proposed by-law, as appended to the staff report dated August 11, 2020, BE INTRODUCED at the Municipal Council meeting on August 25, 2020 to:

i) approve the Memorandum of Understanding between The Corporation of the City of London and the Minister of Transportation for the design and construction of provisions to accommodate a future widening of Dingman Drive in the City of London; and,

ii) authorize the Mayor and the City Clerk to sign the agreement; and,

b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project. (2020-T05)

Motion Passed

7. (2.9) Contract Price Increase: Tender T19-18 - Traffic Signal Reconstruction Southdale Road at Wharncliffe Road South

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 Southdale Road and Wharncliffe Road South intersection reconstruction project:

a) the Tender T19-18 construction contract value with KWS Electric Services Inc. BE INCREASED by \$95,000.00 to \$1,288,542.43 (excluding HST), in accordance with Section 20.3 (e) of 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 August 11, 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, if required, to give effect to these recommendations. (2020-T07)

Motion Passed

8. (2.10) Strategic Plan Progress Variance

Motion made by: S. Lehman

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the report on the Strategic Plan Progress Variance, dated August 11, 2020, BE RECEIVED for information. (2020-C08)

Motion Passed

9. (2.11) Contract Award: Tender No. RFT20-35 - Huron Industrial Lands Stormwater Management Facility and Consultant Appointment

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the award of contract for the Huron Industrial Lands Stormwater Management Facility project:

- a) the bid submitted by Bre-Ex Construction Inc., at its tendered price of \$5,339,369.49 (excluding HST) BE ACCEPTED; it being noted that the bid submitted by Bre-Ex Construction Inc. was the lowest of three (3) bids received;
- b) Stantec Consulting Ltd. BE AUTHORIZED to carry out and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$454,529.35, including contingency (excluding HST), in accordance with Section 15.2(g) of the City of London's Procurement of Goods and Services Policy, noting that this firm completed the engineering design for this project;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated August 11, 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 No. RFT20-35); 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. (2020-E03)

Motion Passed

10. (2.12) Irregular Results Request for Contractor Appointment: Powell Drain Culvert Replacement and Natural Channel Rehabilitation (RFT20-97)

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 request for tender RFT20-97:

- a) the submission by J-AAR Excavating Limited to carry out contractor services for \$1,083,371.25 (excluding HST) BE ACCEPTED as an irregular result in accordance with Section 8.10 (b) of the City of London's Procurement of Goods and Services Policy; it being noted that the bid submitted by J-AAR Excavating Limited was the only submission and meets all City requirements and qualifications;
- b) the financing for this work BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated August 11, 2020; and,
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary to give effect to these recommendations. (2020-E03)

Motion Passed

14. (5.1) Deferred Matters List

Motion made by: S. Lehman

That the Deferred Matters List, as of July 31, 2020, BE RECEIVED.

Motion Passed

11. (2.1) Kilally South, East Basin Municipal Class Environmental Assessment: Notice of Completion

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 Kilally South, East Basin Municipal Class Environmental Assessment:

- a) the Kilally South, East Basin Municipal Class Assessment Executive Summary, as appended to the staff report dated August 11, 2020, BE ACCEPTED;
- b) a Notice of Completion BE FILED with the Municipal Clerk;
- c) the Project File for the Kilally South, East Basin Municipal Class Environmental Assessment BE PLACED on public record for a 30-day review period; and,

d) the Civic Administration BE DIRECTED to initiate an Official Plan amendment and Zoning By-law amendment to implement the recommendations of the Subject Lands Status Report and EIS for the Kilally South, East Basin Municipal Class Environmental Assessment. (2020-E05)

Amendment:

Motion made by: A. Hopkins

Seconded by: M. Cassidy

That clause 2.1 of the 10th Report of the Civic Works Committee BE AMENDED by adding the following new part e), as follows:

“e) the Civic Administration BE DIRECTED to initiate a review of combined environmental impacts related to the Clarke Road bridge rehabilitation and the proposed stormwater management projects to ensure a comprehensive assessment of environmental sustainability is completed, prior to construction of municipal projects, based on the finding of the Subject Lands Status Report and EIS for the Kilally South, East Basin Municipal Class Environmental Assessment.”

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)

Motion made by: S. Lehman

Seconded by: A. Hopkins

That clause 2.1, as amended, 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)

Clause 11, as amended, reads as follows:

That, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the Kilally South, East Basin Municipal Class Environmental Assessment:

a) the Kilally South, East Basin Municipal Class Assessment Executive Summary, as appended to the staff report dated August 11, 2020, BE ACCEPTED;

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

c) the Project File for the Kilally South, East Basin Municipal Class Environmental Assessment BE PLACED on public record for a 30-day review period; and,

d) the Civic Administration BE DIRECTED to initiate an Official Plan amendment and Zoning By-law amendment to implement the recommendations of the Subject Lands Status Report and EIS for the Kilally South, East Basin Municipal Class Environmental Assessment; and,

e) the Civic Administration BE DIRECTED to initiate a review of combined environmental impacts related to the Clarke Road bridge rehabilitation and the proposed stormwater management projects to ensure a comprehensive assessment of environmental sustainability is completed, prior to construction of municipal projects, based on the finding of the Subject Lands Status Report and EIS for the Kilally South, East Basin Municipal Class Environmental Assessment.

12. (2.5) Wellington Gateway Transit and Municipal Infrastructure Improvements - Appointment of Consulting Engineer

Motion made by: S. Lehman

That items 12 and 13, clauses 2.5 and 2.6 BE APPROVED.

12. (2.5) Wellington Gateway Transit and Municipal Infrastructure Improvements - Appointment of Consulting Engineer

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 Wellington Gateway Transit and Infrastructure Improvements:

a) AECOM Consulting Ltd. BE APPOINTED Consulting Engineer for the Transit and Infrastructure improvements of the Wellington Gateway project at an upset amount of \$6,490,902.00, including contingency (excluding HST), in accordance with Section 15.2 (e) of the Procurement of Goods and Services policy;

b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated August 11, 2020;

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

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

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2020-T03)

13. (2.6) East London Link Transit and Municipal Infrastructure Improvements Appointment of Consulting Engineer

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 East London Link Transit and Municipal Infrastructure Improvements:

a) DILLON Consulting Limited BE APPOINTED Consulting Engineers for the East London Link Transit and Municipal Infrastructure Improvements at an upset amount of \$6,113,853.00, including contingency (excluding HST), in accordance with Section 15.2 (e) of the Procurement of Goods and Services policy;

b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report, as appended to the staff report dated August 11, 2020;

- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with tis appointment;
- d) the approvals, given herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents if required, to give effect to these recommendations. (2020-T03).

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

Motion Passed (13 to 2)

8.2 12th Report of the Planning and Environment Committee

Motion made by: M. Cassidy

That the 12th Report of the Planning and Environment Committee BE APPROVED, excluding items 15, 17 and 20, clauses 3.4, 3.6 and 4.3, respectively.

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)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that Mayor E. Holder disclosed a pecuniary interest in clause 4.1 of this Report, having to do with the property located at 745-747 Waterloo Street, by indicating that his wife and daughter own the bakery and chocolate shops at that location.

Motion Passed

2. (2.1) Application - 3087 White Oak Road Whiterock Subdivision - Special Provisions 39T-18505

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Planning, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Whiterock Village Inc., for the subdivision of land legally described as Adams St PL 643 London; Reserve PL 643 London; PT LT 31 CON 2 London; PT LT 5 PL 643 London; PT Reserve B PL 643 London PT 1, 2, 3, 4, 5, 6, 7, 33R3762, situated on the west side of White Oaks Road and South of Southdale Road, known municipally as 3087 White Oak Road:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Whiterock Village Inc., for the Whiterock Subdivision, (39T-18505)

appended to the staff report dated August 10, 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 August 10, 2020 as Appendix “B”;

c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated August 10, 2020 as Appendix “C”; and,

d) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions.

Motion Passed

3. (2.2) Application - 536 and 542 Windermere Road (H-9219)
(Relates to Bill No. 244)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by 2492222 Ontario Inc., relating to the property located at 536 and 542 Windermere Road, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a holding Residential R5 Special Provision (h-5*h-225*R5-5(3)) Zone TO Residential R5 Special Provision (R5-5(3)) Zone to remove the “h-5” and “h-225” holding provisions.

Motion Passed

4. (2.3) Application - 1339-1347 Commissioners Road West (H-9179)
(Relates to Bill No. 245)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Milan Starcevic, relating to the property located at 1339-1347 Commissioners Road West, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a holding Residential R8 Bonus (h-5*R8-4*B-63) Zone TO Residential R8 Bonus (R8-4*B-63) Zone to remove the holding provision.

Motion Passed

5. (2.4) Application - 3030 Singleton Avenue (H-9212) (Relates to Bill No. 246)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Schlegel Villages Inc., relating to the property located at 3030 Singleton Avenue, the

proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R5/R6/R7 (h-53*R5-4/R6-5/R7/D100/H30) Zone TO a Residential R5/R6/R7 (R5-4/R6-5/R7/D100/H30) Zone to remove the “h-53” holding provision.

Motion Passed

6. (2.5) Argyle Area Regeneration Study

Motion made by: M. Cassidy

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated August 10, 2020 entitled "Argyle Regeneration Study Update" BE RECEIVED for the purpose of providing Municipal Council with an update on the progress of the Argyle Regeneration Study; it being noted that City Planning staff will continue to work with the Argyle Business Improvement Area (BIA) and community stakeholders and groups, to provide support and education regarding the planning process and the framework for community regeneration and development.

Motion Passed

7. (2.7) Application - 1160 Wharnccliffe Road South (H-9217) (Relates to Bill No. 247)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by Goldfield Ltd., relating to the property located at 1160 Wharnccliffe Road South, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R4 Special Provision (h*h-100*h-104*h-155*R4-4(2)) Zone TO a Residential R4 Special Provision (R4-4(2)) Zone to remove the “h, h-100, h-104 and h-155” holding provisions.

Motion Passed

8. (2.8) Application - 6990 Clayton Walk (H-9054) (Relates to Bill No. 248)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, based on the application by 2219008 Ontario Ltd. (York Developments), relating to the property located at 6990 Clayton Walk, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R6 Special Provision (h*h-100*h-198*R6-5(44)) Zone TO a Residential R6

Special Provision (R6-5(44)) Zone to remove the “h, h-100 and h-198)” holding provisions.

Motion Passed

9. (2.9) Strategic Plan Progress Variance

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Development and Compliance Services, the staff report dated August 10, 2020 entitled "Strategic Plan Progress Variance" BE RECEIVED for information.

Motion Passed

10. (2.10) Building Division Monthly Report for June 2020

Motion made by: M. Cassidy

That the Building Division Monthly Report for the month of June, 2020 BE RECEIVED for information. (2020-A23)

Motion Passed

11. (2.6) Protected Major Transit Area Information Report (O-9208)

Motion made by: M. Cassidy

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the application by The Corporation of the City of London relating to Protected Major Transit Station Areas (PMTSAs):

a) the staff report dated August 10, 2020 entitled "Protected Major Transit Station Areas Information Report" BE RECEIVED for information; and,

b) the above-noted report with draft PMTSA policies BE CIRCULATED to stakeholders and the general public for comments;

it being noted that an Official Plan Amendment to add PMTSA policies to the London Plan will be considered at a future public participation meeting of the Planning and Environment Committee.

Motion Passed

12. (3.1) Remove References to 1989 Official Plan form Zoning By-law Z.-1 (Z-8909)

Motion made by: M. Cassidy

That consideration of removing references to the 1989 Official Plan from Zoning By-law No. Z.-1 BE POSTPONED to a public participation meeting at the September 8, 2020 Planning and Environment Committee meeting;

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.

Motion Passed

13. (3.2) 3635 Southbridge Avenue - Draft Plan of Vacant Land Condominium 39CD-20506

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 Sifton Properties Limited, relating to the property located at 3635 Southbridge Avenue:

- a) the Approval Authority BE ADVISED that no the issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3635 Southbridge Avenue; and,
- b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3635 Southbridge Avenue;

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.

Motion Passed

14. (3.3) 3575 Southbridge Avenue - Draft Plan of Vacant Land Condominium 39CD-20507

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 Sifton Properties Limited, relating to the property located at 3575 Southbridge Avenue:

- a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3575 Southbridge Avenue; and,
- b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3575 Southbridge Avenue;

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.

Motion Passed

16. (3.5) Draft Plan of Vacant Land Condominium - 965 Upperpoint Avenue 39CD-20508

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 Sifton Properties Limited, relating to the property located at 965 Upperpoint Avenue:

a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 965 Upperpoint Avenue; and,

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 965 Upperpoint Avenue;

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.

Motion Passed

18. (4.1) Request for Council Resolution, under section 45(1.4) of the Planning Act. R.SO. 1990 c.P.13 - 745-747 Waterloo Street

Motion made by: M. Cassidy

That, the following actions be taken with respect to the property located at 745-747 Waterloo Street:

a) on the recommendation of the City Clerk, the report dated August 10, 2020 and entitled "Request for Council Resolution, under section 45(1.4) of the Planning Act, 1990, c. P.13 - 745 - 747 Waterloo Street" BE RECEIVED for information; and,

b) the request to accept a Minor Variance application relating to the property located at 745-747 Waterloo Street BE DENIED;

it being noted that the Planning and Environment Committee heard a verbal delegation from M. Doornbosch, Brock Development Group, with respect to this matter.

Motion Passed

19. (4.2) Request to Waive Fees for City Wide Planning Application

Motion made by: M. Cassidy

The Civic Administration BE DIRECTED to initiate the requested City-wide application on behalf of the London Food Bank, with respect to the removal of barriers to growing food; it being noted that the Planning and Environment Committee reviewed and received a communication dated July 30, 2020, with respect to this matter. (2020-D09)

Motion Passed

15. (3.4) Application - 221 Queens Avenue (Relates to Bill No. 249)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Planning and City Planner, based on the application by Sifton Properties Limited, relating to the property located at 221 Queens Avenue, the proposed by-law appended to the staff report dated August 10, 2020 BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to extend the Temporary Use (T-69) Zone for a period not exceeding three (3) years;

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

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

- the proposed amendment is consistent with the PPS, 2020 in that it ensures that sufficient parking is provided in the Downtown which promotes economic development by supporting existing economic activities and businesses that currently rely on this parking supply for workers;
- the proposed amendment conforms to the 1989 Official Plan, including but not limited to section 4.1.10 which supports the provision of adequate and well-located off-street parking facilities that are sufficient to meet the demand generated by existing and proposed land uses in the Downtown; and,
- the proposed amendment conforms to the in-force policies of The London Plan, including but not limited to the Downtown Place Type and the Temporary Use Provisions policies of the London Plan.

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, A. Kayabaga, and S. Hillier
Nays: (2): S. Turner, and E. Peloza

Motion Passed (13 to 2)

17. (3.6) Application - 2040 River Road (Z-9133) (Relates to Bill No. 250)

At 6:03 PM Deputy Mayor J. Helmer places Councillor S. Lehman in the Chair and takes a seat at the Council Board.

At 6:06 PM, Deputy Mayor J. Helmer resumes the Chair and Councillor S. Lehman takes his seat at the Council Board.

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 Global Waste Disposal London Ltd, relating to the property located at 2040 River Road:

- a) the proposed, revised, ~~attached~~ by-law BE INTRODUCED at the Municipal Council meeting to be held on August 25, 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 holding

General Industrial (h*GI2) Zone and a Light Industrial/General Industrial (LI6/GI2) Zone TO an Open Space Special Provision (OS5(_)) and a holding Light Industrial Special Provision/General Industrial Special Provision (h-47*LI6(_)/GI2(_)) Zone; and,

b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a holding General Industrial (h*GI2) Zone and a Light Industrial/General Industrial (LI6/GI2) Zone TO a Light Industrial/General Industrial Special Provision (LI6/GI2(_)) Zone, BE REFUSED as there is inadequate protection for the long-term preservation of the area of re-naturalization, and an Open Space Special Provision (OS5(_)) Zone is appropriate to clearly delineate the area to be protected and ensure the undisturbed future viability of this re-naturalized area;

it being noted that the following site plan matter was raised during the application review process: to restore an area of disrupted natural heritage feature with an accepted restoration plan;

it being further noted that the Planning and Environment Committee reviewed and received a communication dated July 29, 2020 from T. Annett, Manager, Environmental Planning and Regulations, Upper Thames River Conservation Authority, with respect to this matter;

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

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

- the proposed new use of the site is consistent with the Provincial Policy Statement 2020, as it maintains the function and economic contribution of the employment lands and restores a natural heritage area;
- the recommended amendment conforms to the in-force policies of The London Plan including but not limited to the policies of the Heavy Industrial Place Type;
- the proposed industrial use is appropriate for the subject site and conforms to the in-force policies of the 1989 Official Plan including but not limited to the General Industrial policies of Chapter 7;
- the recommended amendment will ensure the continued operation and viability of the industrial area for current and future uses; and,
- the enhancement and restoration area to be zoned for the long-term protection of the feature conforms to the in-force policies of the 1989 Official Plan including but not limited to Chapter 15, and the in-force and effect policies of The London Plan including, but not limited to the Environmental Policies. (2020-D13)

Motion made by: P. Van Meerbergen
Seconded by: S. Lewis

That the application for 2040 River Road (Z-9133) BE REFERRED back to the Civic Administration for additional work and review, and further information to be provided to the Planning and Environment Committee.

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

Motion Failed (3 to 12)

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

That a fifteen minute recess 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)

The Council recesses at 6:17 PM, and resumes at 6:34 PM with
Deputy Mayor J. Helmer in the Chair and all Members present
except Councillor M. Salih.

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

That Item 17, clause 3.6 BE AMENDED, by deleting part a), and
replacing with the following new part a):

"a) the proposed, revised, attached by-law BE INTRODUCED at
the Municipal Council meeting to be held on August 25, 2020, to
amend Zoning By-law No. A-1 (in conformity with the Official Plan),
to change the zoning of the subject property FROM a holding
General Industrial (h*G12) Zone and a Light Industrial/General
Industrial (L16/G12) Zond TO an Open Space Special Provision
(OS5(_)) and a holding Light Industrial Special Provision/General
Industrial Special Provision (h-47*L16(_)/G12(_)) Zone;

it being noted that the following was added to the above noted
revised by-law at the end of the Definition for "Waste Transfer
Station and Recycling Depot" in part 2) a) i), "and includes a
construction and demolition recycling facility, and a specialized
recycling facility but does not include any other organic wastes." of
the revised, attached by-law

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

Motion Passed (13 to 1)

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

Item 17, clause 3.6, as amended BE APPROVED.

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

Motion Passed (13 to 1)

Clause 3.6, as amended, reads as follows:

Clause 3.6, as amended, reads as follows:

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Global Waste Disposal London Ltd, relating to the property located at 2040 River Road:

a) the proposed, revised, attached by-law BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020, to amend Zoning By-law No. A-1 (in conformity with the Official Plan), to change the zoning of the subject property FROM a holding General Industrial (h*G12) Zone and a Light Industrial/General Industrial (L16/G12) Zone TO an Open Space Special Provision (OS5(_)) and a holding Light Industrial Special Provision/General Industrial Special Provision (h-47*L16(_)/G12(_)) Zone; it being noted that the following was added to the above noted revised by-law at the end of the Definition for "Waste Transfer Station and Recycling Depot" in part 2) a) i), "and includes a construction and demolition recycling facility, and a specialized recycling facility but does not include any other organic wastes." of the revised, attached By-law;

b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property FROM a holding General Industrial (h*G12) Zone and a Light Industrial/General Industrial (L16/G12) Zone TO a Light Industrial/General Industrial Special Provision (L16/G12(_)) Zone, BE REFUSED as there is inadequate protection for the long-term preservation of the area of re-naturalization, and an Open Space Special Provision (OS5(_)) Zone is appropriate to clearly delineate the area to be protected and ensure the undisturbed future viability of this re-naturalized area;

it being noted that the following site plan matter was raised during the application review process: to restore an area of disrupted natural heritage feature with an accepted restoration plan;

it being further noted that the Planning and Environment Committee reviewed and received a communication dated July 29, 2020 from T. Annett, Manager, Environmental Planning and Regulations, Upper Thames River Conservation Authority, with respect to this matter;

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

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

- the proposed new use of the site is consistent with the Provincial Policy Statement 2020, as it maintains the function and economic contribution of the employment lands and restores a natural heritage area;
- the recommended amendment conforms to the in-force policies of The London Plan including but not limited to the policies of the

Heavy Industrial Place Type;

- the proposed industrial use is appropriate for the subject site and conforms to the in-force policies of the 1989 Official Plan including but not limited to the General Industrial policies of Chapter 7;
- the recommended amendment will ensure the continued operation and viability of the industrial area for current and future uses; and,
- the enhancement and restoration area to be zoned for the long-term protection of the feature conforms to the in-force policies of the 1989 Official Plan including but not limited to Chapter 15, and the in-force and effect policies of The London Plan including, but not limited to the Environmental Policies. (2020-D13)

20. (4.3) Sidewalk Installation - Silverleaf Community Request

At 6:50 PM, Councillor M. Salih enters the meeting.

Motion made by: M. Cassidy

That the following actions be taken with respect to the communication from “The Silverleaf Community” and subsequent request for delegation from the “Residents of Silverleaf” with respect to safety concerns related to Silverleaf Chase and Silver Creek streets:

- a) the Civic Administration BE DIRECTED to review the concerns outlined in the above-noted communication regarding “safety, road mobility, unfettered access to roads by residents and clear access for service, transportation and emergency vehicles” and to report back addressing the concerns raised;
- b) the request for delegation BE GRANTED for a representative of the “Residents of Silverleaf” to speak at a future meeting of the Planning and Environment Committee when the staff report noted in a) above is brought forward for consideration; and,
- c) the communications and the delegation request from the residents of Silverleaf community BE RECEIVED. (2020-T04)

Motion made by: M. Cassidy

Motion to approve Parts a) and c):

That the following actions be taken with respect to the communication from “The Silverleaf Community” and subsequent request for delegation from the “Residents of Silverleaf” with respect to safety concerns related to Silverleaf Chase and Silver Creek streets:

- a) the Civic Administration BE DIRECTED to review the concerns outlined in the above-noted communication regarding “safety, road mobility, unfettered access to roads by residents and clear access for service, transportation and emergency vehicles” and to report back addressing the concerns raised;
- c) the communications and the delegation request from the residents of Silverleaf community BE RECEIVED. (2020-T04)

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. Pelozo, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: M. Cassidy

Motion to approve Part b):

b) the request for delegation BE GRANTED for a representative of the "Residents of Silverleaf" to speak at a future meeting of the Planning and Environment Committee when the staff report noted in a) above is brought forward for consideration; and,

Yeas: (12): 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, and S. Hillier

Nays: (3): S. Turner, E. Pelozo, and A. Kayabaga

Motion Passed (12 to 3)

8.3 9th Report of the Community and Protective Services Committee

At 7:17 PM, Councillor M. Salih leaves the meeting.

Motion made by: S. Lewis

That the 9th Report of the Community and Protective Services Committee BE APPROVED, excluding Item 5, clause 2.1.

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

Absent: (1): M. Salih

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lewis

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.2) Contract Award Recommendations for Skills Advance Ontario (SAO) - Employment Services for the Manufacturing Sector in London (Relates to Bill No. 236)

Motion made by: S. Lewis

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, with the concurrence of the Director, Financial Services, the following actions be taken with respect to the contract award recommendations for SkillsAdvance Ontario (SAO) for employment services for the manufacturing sector in London:

a) the Request for Proposal 20-46 BE AWARDED to Fanshawe College of Applied Arts and Technology for a total funding amount of \$334,141.84 (excluding applicable taxes), for the pilot project contract term of seven (7) months: it being noted that the proposal submitted by the successful proponent meets the City's requirements and is in compliance with the City's Procurement of Goods and Services Policy;

b) the above-noted approval BE CONDITIONAL upon The Corporation of the City of London entering into a SkillsAdvance Ontario (SAO) Service Provider Contract with Fanshawe College of Applied Arts and Technology and having a Purchasing Order (PO) relating to the subject matter of this approval;

c) the proposed by-law, as appended to the staff report dated August 12, 2020, BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020, to:

i) authorize and approve the revised template SkillsAdvance Ontario (SAO) Service Provider Contract, as appended to the above-noted by-law, between The Corporation of the City of London and a Service Provider;

ii) delegate to the Managing Director, Housing, Social Services and Dearness Home, and the Acting Managing Director, Housing, Social Services and Dearness Home, or their written delegate, the power to insert the details of the Contract, including the name of the Service Provider and dates into the above-noted Contract and execute the above-noted Contract; and,

iii) delegate to the Managing Director, Housing, Social Services and Dearness Home, and the Acting Managing Director, Housing, Social Services and Dearness Home, the power to approve and execute any further Amendments to the above-noted Contract if the Amendments are consistent with the requirements in the Contract, and do not require additional funding or are provided for in the City's current budget, and that do not increase the indebtedness or contingent liabilities of The Corporation of the City of London; and,

d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project. (2020-S12)

Motion Passed

3. (2.3) Strategic Plan Progress Variance

Motion made by: S. Lewis

That, on the recommendation of the City Manager, the Managing Director of Neighbourhood, Children and Fire Services, and the Acting Managing Director, Housing, Social Services and Dearness Home, the staff report dated August 12, 2020, with respect to the Strategic Plan Progress Variance BE RECEIVED. (2020-C08)

Motion Passed

4. (2.4) Capital Repair and Improvement Program - Approval of Loan Agreement (Relates to Bill No. 237)

Motion made by: S. Lewis

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 August 12, 2020, BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020, to:

a) approve the Capital Repair and Improvement Loan Agreement, as appended to the above-noted by-law, and

satisfactory to the City Solicitor, between The Corporation of the City of London and eligible housing providers; and,

b) authorize the Acting Managing Director, Housing, Social Services and Dearness Home or designate, to execute the above-noted Capital Repair and Improvement Loan Agreement. (2020-F11A)

Motion Passed

6. (5.1) Deferred Matters List

Motion made by: S. Lewis

That the Deferred Matters List for the Community and Protective Services Committee, as at July 31, 2020, BE RECEIVED.

Motion Passed

5. (2.1) Single Source Procurement - Vehicle Exhaust Capture Systems (VECS) in City of London Fire Stations

Motion made by: S. Lewis

That consideration of the single source procurement of a vehicle exhaust capture system in City of London fire stations BE REFERRED to the next meeting of the Community and Protective Services Committee, to be held September 9, 2020, in order for staff to investigate additional options. (2020-V08)

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

Motion Failed (0 to 14)

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

That, on the recommendation of the Managing Director of Neighbourhood, Children and Fire Services the following actions be taken with respect to Vehicle Exhaust Capture Systems (VECS) in City of London Fire Stations:

a) in accordance with sections 14.4 d. of the Procurement of Good and Services Policy, the Civic Administration BE AUTHORIZED to enter into negotiations with Nederman Holding AB, Sydhamngatan 2, SE-251 06 Helsingborg, Sweden for pricing for a single source contract for three (3) years, with the option to renew for an additional two (2) years, for the provision of Vehicle Exhaust Capture Systems (VECS) I in all City of London Fire Department fire stations;

b) the approval a) above, BE CONDITIONAL upon The Corporation of the City of London negotiating satisfactory prices, terms, conditions and entering into a contract with Nederman Holding AB to the satisfaction of the City Treasurer to provide Vehicle Exhaust Capture Systems (VECS) in City of London Fire Stations; and,

c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection the authorization set out in parts a) and b) above.;

it being noted that funding for this project is contained in the approved lifecycle renewal budget for Fire Services.

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

Motion Passed (14 to 0)

8.4 13th Report of the Corporate Services Committee

Motion made by: A. Kayabaga

That the 13th Report of the Corporate Services Committee BE APPROVED, excluding Item 7, clause 4.1.

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

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. (2.1) Lorne Avenue Public School Redevelopment Summary

Motion made by: A. Kayabaga

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated August 10, 2020 entitled "Lorne Avenue Public School Redevelopment Summary" BE RECEIVED.

Motion Passed

3. (2.2) Strategic Plan Progress Variance

Motion made by: A. Kayabaga

That, on the recommendation of the City Manager and the Managing Director of Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated August 10, 2020 on the Strategic Plan Progress Variance BE RECEIVED for information.

Motion Passed

4. (2.3) Declare Surplus and Transfer - Part of Purser Street

Motion made by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, the following actions be taken with respect to the closed portion of road publicly described as Purser Street, located north of Benjamin Drive, more specifically shown as Part 6 and Part 7, Reference Plan 33R-17289, containing an area of approximately 5,685 square feet (528.2 square metres) together with the reserve being Block 60 on Plan 33M-443:

- a) the above-noted subject property BE DECLARED surplus; and
- b) the subject property BE TRANSFERRED to Drewlo Holdings Inc.

Motion Passed

5. (2.4) Consent for Name Registration - Middlesex London Paramedic Service

Motion made by: A. Kayabaga

That, on the recommendation of the City Clerk, the Mayor and the City Clerk BE AUTHORIZED to execute the consent for registration of "Middlesex London Paramedic Service" under the Business Names Act, R.S.O. 1990, c. B17, as appended to the staff report dated August 10, 2020.

Motion Passed

6. (3.1) Council Procedure By-law (Relates to Bill No.'s 234 and 238)

Motion made by: A. Kayabaga

That, on the recommendation of the City Clerk, the following actions be taken with respect to Council Procedure By-law:

- a) the proposed by-law appended to the staff report dated August 10, 2020 as Appendix "A" being "A by-law to amend By-law A-50, as amended, being "A by-law to provide for the Rules of Order and Procedure for the Council of The Corporation of the City of London" to facilitate Members of Council electronic participation in meetings and to amend the Terms of Reference from the Strategic Priorities and Policy Committee to include "anti-racism, diversity, inclusion and anti-oppression" in the Committee's mandate, BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020; and
- b) subject to the approval of a) above, the proposed by-law appended to the staff report dated August 10, 2020 as Appendix "B" being a by-law to enact a Council Policy entitled "Electronic Participation of Council Members at Council and Standing Committee meetings" BE INTRODUCED at the Municipal Council meeting to be held on August 25, 2020;

it being noted that no individuals spoke at the Public Participation Meeting held with respect to this matter.

Motion Passed

8. (4.2) Application - Issuance of Proclamation - Terry Fox Run London

Motion made by: A. Kayabaga

That based on the application dated July 7, 2020, from Terry Fox Run London, the week of September 13 - 20, 2020 BE PROCLAIMED as Terry Fox Week.

Motion Passed

9. (4.3) Application - Issuance of Proclamation - World Patient Safety Day

Motion made by: A. Kayabaga

That based on the application dated July 28, 2020, from Patients for Patient Safety Canada, the day of September 17, 2020 BE PROCLAIMED as World Patient Safety Day.

Motion Passed

10. (4.4) Application - Issuance of Proclamation - Mitochondrial Disease Awareness Week

Motion made by: A. Kayabaga

That based on the application dated July 30, 2020, from MitoCanada, the week of September 13 - 19, 2020 BE PROCLAIMED as Mitochondrial Disease Awareness Week.

Motion Passed

11. (5.1) Corporate Services Committee Deferred Matters List

Motion made by: A. Kayabaga

That the Corporate Services Committee Deferred Matters List, as of July 31, 2020 BE RECEIVED.

Motion Passed

7. (4.1) Representation on the Municipal Service Board for the Provision of Land Ambulance Services

Motion made by: A. Kayabaga

That the following actions be taken with respect to the Middlesex-London Service Board for the Provision of Land Ambulance:

a) the County of Middlesex BE REQUESTED to provide for a voting representative of the City of London Council, on the Municipal Service Board for the Provision of Land Ambulance Services, Middlesex-London; and,

b) the City of London Council indicate at its meeting to be held on August 25, 2020, a candidate for the above-noted representative;

it being noted that the Corporate Services Committee received a communication dated July 17, 2020 from C. Burghardt-Jesson, Warden, Middlesex County with respect to the request from the City of London for parity on the MLPS Authority Board.

Amendment:

Motion made by: J. Morgan

Seconded by: M. van Holst

That Item 7, clause 4.1, part b) BE AMENDED to read as follows:

b) Councillor S. Turner BE APPOINTED to the above-noted voting representative position for the City of London;

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

Motion Passed (14 to 0)

Motion made by: A. Kayabaga

Seconded by: E. Pelozo

That Clause 4.1, as amended, BE APPROVED.

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

Motion Passed (13 to 1)

Clause 4.1, as amended, reads as follows:

That the following actions be taken with respect to the Middlesex-London Service Board for the Provision of Land Ambulance:

a) the County of Middlesex BE REQUESTED to provide for a voting representative of the City of London Council, on the Municipal Service Board for the Provision of Land Ambulance Services, Middlesex-London; and,

b) Councillor S. Turner BE APPOINTED to the above-noted voting representative position for the City of London;

it being noted that the Corporate Services Committee received a communication dated July 17, 2020 from C. Burghardt-Jesson, Warden, Middlesex County with respect to the request from the City of London for parity on the MLPS Authority Board.

8.5 15th Report of the Strategic Priorities and Policy Committee

Motion made by: P. Squire

That the 15th Report of the Strategic Priorities and Policy Committee BE APPROVED, excluding Item 6, clause 4.2.

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

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: P. Squire

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Municipal Accommodation Tax - Required Annual Report

Motion made by: P. Squire

That, on the recommendation of the Managing Director, Parks and Recreation, Tourism's London annual report on the expenditure of Municipal Accommodation Tax revenues BE RECEIVED for information.

Motion Passed

3. (2.3) Strategic Plan Progress Variance

Motion made by: P. Squire

That, on the recommendation of the Managing Director, Development and Compliance Services, the staff report on the Strategic Plan Progress Variance BE RECEIVED for information.

Motion Passed

4. (2.2) Climate Emergency Action Plan Update

Motion made by: P. Squire

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Development and Compliance Services and Chief Building Official, the staff report dated August 11, 2020 with respect to the City's Climate Emergency Action Plan BE RECEIVED for information.

Motion Passed

5. (4.1) Request for Third Term Appointment to the Greater London International Airport Authority Board of Directors

Motion made by: P. Squire

That Bill Graham BE APPOINTED for a third and final term to the Greater London International Airport Authority Board of Directors for the term ending July 31, 2023; it being noted that the Strategic Priorities and Policy Committee received a communication dated July 10, 2020 from Michelle T. Faysal, Chair, Board of Directors, Greater London International Airport Authority with respect to this matter.

Motion Passed

7. (5.1) Confirmation of Appointment to the Middlesex-London Food Policy Council

Motion made by: P. Squire

That Councillor M. van Holst BE APPOINTED to the Middlesex-London Food Policy Council for the term ending November 15, 2022.

Motion Passed

6. (4.2) London Community Grants Program Allocations

At 7:40 PM, Councillor M. Salih enters the meeting.

At 8:03 PM, Deputy Mayor J. Helmer places Councillor S. Lewis in the Chair and takes a seat at the Council Board.

At 8:06 PM, Deputy Mayor J. Helmer resumes the Chair and Councillor S. Lewis takes his seat at the Council Board.

Motion made by: P. Squire

That the following actions be taken with respect to the London Community Grants Program, related Council Policy and funding allocation:

a) for the Multi-Year Funding Allocation for the period 2024-2027, the Civic Administration BE DIRECTED to provide for a minimum of 25% (\$500,000) of the total funding available to be allocated to applications whose proposals would support anti-Black racism, anti-Indigenous racism, anti-oppression, diversity, inclusion and equity; it being noted that if no applications are received that would support these initiatives, the funding may be allocated to those applications that meet the "London Community Grants Program Policy";

b) the Civic Administration BE DIRECTED to bring forward any necessary amendments to the "London Community Grants Policy" to implement a) above and to provide for applications that support the initiatives listed in a) above, to be eligible under the annual Innovation and Capital Funding Stream allocations; it being noted that such applications would be subject the community panel review process as provided for in the Policy; and,

c) the Civic Administration BE DIRECTED to remove any barriers that racialized and marginalized groups may face applying to the London Community Grants Program

Motion made by: P. Squire

Motion to approve part a):

That the following actions be taken with respect to the London Community Grants Program, related Council Policy and funding allocation:

a) for the Multi-Year Funding Allocation for the period 2024-2027, the Civic Administration BE DIRECTED to provide for a minimum of 25% (\$500,000) of the total funding available to be

allocated to applications whose proposals would support anti-Black racism, anti-Indigenous racism, anti-oppression, diversity, inclusion and equity; it being noted that if no applications are received that would support these initiatives, the funding may be allocated to those applications that meet the “London Community Grants Program Policy”;

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
Nays: (1): S. Turner

Motion Passed (14 to 1)

Motion to approve parts b) and c):

b) the Civic Administration BE DIRECTED to bring forward any necessary amendments to the “London Community Grants Policy” to implement a) above and to provide for applications that support the initiatives listed in a) above, to be eligible under the annual Innovation and Capital Funding Stream allocations; it being noted that such applications would be subject the community panel review process as provided for in the Policy; and,

c) the Civic Administration BE DIRECTED to remove any barriers that racialized and marginalized groups may face applying to the London Community Grants Program

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)

10. Deferred Matters

None.

11. Enquiries

Councillor M. van Holst inquires with respect to the restructuring report for London Hydro. The City Manager advised that the report is on track to be submitted to committee in October 2020.

12. Emergent Motions

None.

13. By-laws

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

That Introduction and First Reading of Bill No.’s 234 to 249, inclusive, 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)

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

That Second Reading of Bill No.'s 234 to 249, inclusive, BE APPROVED.

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

Motion Passed (14 to 0)

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

That Third Reading and Enactment of Bill No.'s 234 to 249, inclusive, BE APPROVED.

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

Motion Passed (14 to 0)

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

That Introduction and First Reading of revised Bill No. 250 BE APPROVED.

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

Motion Passed (13 to 1)

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

That Second Reading of revised Bill No. 250 BE APPROVED.

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

Motion Passed (13 to 1)

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

That Third Reading and Enactment of revised Bill No. 250 BE APPROVED.

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

4. Council, In Closed Session

At 8:15 PM, Councillor M. Salih leaves the meeting.

Motion made by: S. Lehman

Seconded by: M. van Holst

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

4.1. Personal Matters / Identifiable Individual

A matter pertaining to personal matters about an identifiable individual, including municipal or local board employees, with respect to the Awarding of the 2020 Queen Elizabeth Scholarships. (6.1/9/CPSC)

4.2. 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 Lions Community Centre. (6.2/9/CPSC)

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.1/13/CSC)

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.2/13/CSC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.3/13/CSC)

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

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's unions and advice which is subject to solicitor-client privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation. (6.4/13/CSC)

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

A matter pertaining to reports, advice and recommendations of officers and employees of the Corporation concerning labour relations and employee negotiations in regard to one of the Corporation's associations or unions and advice which is subject to solicitor-client privilege and communications necessary for that purpose and for the purpose of providing directions to officers and employees of the Corporation. (6.5/13/CSC)

4.8 Solicitor-Client Privileged Advice

A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to litigation with respect to various personal injury and property damage claims against the City. (6.6/13/CSC)

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

Absent: (1): M. Salih

Motion Passed (14 to 0)

The Council convenes, In Closed Session, at 8:18 PM with Deputy Mayor J. Helmer in the Chair and all Members present except Councillor M. Salih.

At 8:50 PM Mayor E. Holder leaves the meeting.

At 8:52 PM Mayor E. Holder enters the meeting.

At 9:14 PM the Council resumes in public session with Deputy Mayor J. Helmer in the Chair and all Members present except Councillors M. Salih, S. Turner and A. Kayabaga.

9. Added Reports

9.1 13th Report of Council in Closed Session

Motion made by: Mayor E. Holder

Seconded by: A. Hopkins

1. Offer to Purchase – Industrial Land – 2311643 Ontario Inc. – Innovation Park, Phase I and II

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to the City-owned industrial land located in Innovation Park, Phase I and II, containing an area of approximately 8 acres, located on the west side of Innovation Drive, and being composed of Firstly: Part of Block 3 in Plan 33M-544 and more specifically shown as Part 4 and Part 5 in 33R-20743 and being part of PIN 08197-0292 and Secondly: Part of Block 17 in Plan 33M-544 and more specifically shown as Part 6 in Plan 33R-20743 being Part of PIN 08197-0125 and Thirdly: Part of Concept Drive (as closed by By-Law No. S-5696-7 registered as Ins. ER963777) in Plan 33M-544 and more specifically shown as Part 18 in Plan 33R-20743 and being Part of PIN 08197-0134 and Fourthly: Part of Block 16 in 33M-544 and shown more specifically as Part 10 in Plan 33R-20743 and being part of PIN 08197-0124 and Fifthly: Part of Block 1 in Plan 33M-592 and shown more specifically as Part 17 in Plan 33R-20743 and being part of PIN 08197-0143 and Sixthly: Part of Block 1 in Plan 33M-592 being part of PIN 08197-0143, the Agreement of Purchase and Sale (the "Agreement" attached as Appendix "B") submitted by 2311643 Ontario Inc. (the "Purchaser") to purchase eight (8) acres of the subject property from the City, at a purchase price of \$560,000.00, (reflecting a sale price of \$70,000.00 per acre), BE ACCEPTED subject to the following conditions:

- a) the Purchaser be allowed ninety (90) days from the date of acceptance of this Agreement to examine title at the Purchaser's own expense;
- b) the Purchaser be allowed ninety (90) days from the date of acceptance of this Agreement to carry out soil tests as it might reasonably require;
- c) the Purchaser be allowed ninety (90) days from the date of acceptance of this Agreement to conduct environmental inspections and investigations of the property;
- d) the Purchaser satisfying itself, within ninety (90) days from the acceptance, of the geotechnical condition of the property;
- e) the City agreeing to prepare and deposit on title, on or before closing and at its expense, a reference plan describing the property; and
- f) the City shall have ninety (90) days from the date of acceptance of this Agreement to terminate the existing Farmland Lease Agreement with the farm tenant.

2. Property Disposition – Request for Proposal 20-02723 – Lorne Avenue Development

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, City Planning and City Planner, on the advice of the Manager of Realty Services, with respect to the subject City-owned property being part of 723 Lorne Avenue, further described as Parts 2, 3, and 4, Reference Plan 33R-20314, containing an area of approximately 1.83 acres, the Request for Proposal 20-02 (RFP20-02) to Habitat for Humanity, under the corporate name Habitat for Humanity Heartland Ontario Inc., and the offer submitted by Habitat for Humanity Heartland Ontario Inc. (the "Purchaser") to purchase the subject property from the City, for the sum of \$595,000.00, BE ACCEPTED subject to the following conditions:

- a) the Purchaser acknowledges that the property is being purchased on an "as-is" basis;
- b) the Purchaser shall be allowed until February 19, 2021 to examine the title to the property;
- c) the Purchaser shall have a period of 180 days from the date of acceptance of this offer to satisfy itself in its absolute discretion as to the geotechnical, soil and environmental condition of the property;
- d) the Purchaser agrees to accept the title to the property subject to any easements in favour of utilities required to supply services including gas, telephone, water, steam energy, storm and sanitary sewers and any other easements registered on title;
- e) this offer shall be completed by no later than 4:00 p.m. on March 19, 2021;
- f) the City agreeing to prepare and deposit on title, on or before closing and at its expense, a reference plan describing the public road as referenced in Provision 9 of the offer;
- g) the Purchaser acknowledges that prior to the issuance of a development agreement, the Purchaser shall be subject to plan of subdivision and permitting process which may include but not be limited to an approval for the location of entrance(s) to the site, granting municipal easements, verifying servicing requirements, obtaining approvals and satisfying requirements with respect to height and density restrictions, zoning, and obtaining, if necessary, any permits or agreements required

from the Upper Thames River Conservation Authority (UTRCA) and any other approvals deemed necessary by the City; and

h) the Purchaser shall be responsible for obtaining all building permits, at the Purchaser's expense, within 18 months from the closing date. The subject site is to be completely developed (the "Development Project") within 60 months from closing date;

it being noted that proceeds from this sale will be allocated to replenish the Land Acquisition Reserve Fund in the amount of \$325,397 and the remaining proceeds from this sale will be allocated to the Operating Budget Contingency Reserve which served as a source of funding for the school demolition.

3. Property Acquisition – Settlement Agreement – 100 Stanley Street – Wharncliffe Road South Improvements Project

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Roads and Transportation and the Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, the following actions be taken with respect to the property located at 100 Stanley Street, further described as Part of Lots 17 and 18, Plan 427(4th) in the City of London, County of Middlesex, described as Parts 1 and 2 on Expropriation Plan ER1291120, subject to a right of way over Part 2 on Plan ER1291120, being all of PIN 08324-0002(LT), as shown on the location map attached as Appendix "B", for the purpose of future road improvements to accommodate the Wharncliffe Road South Improvements Project:

a) the Settlement Agreement submitted by Nancy Ellen Duff Finlayson, as full and final compensation, including the City of London's Section 25 Offer of Compensation, market value of the land, disturbance damages and statutory interest, for the expropriation of the entire subject property located at 100 Stanley Street, for the sum of \$500,000.00, BE ACCEPTED, subject to the additional conditions as outlined in the Settlement Agreement attached as Appendix "E", summarized as follows:

i) the City agrees pay to the Owner disturbance damages in the amount of \$7,500.00 pursuant to Section 13 of the Expropriations Act. This disturbance damage in the amount of \$7,500.00 is conditional on the Owner providing vacant possession no later than November 1, 2020;

ii) in accordance with Section 18 of the Expropriations Act, the City shall pay to the Owner an allowance of 5 per cent of the compensation payable in respect of the market value of the lands, reflecting an amount of \$25,000.00 for disturbance, including moving expenses and other costs to relocate to a suitable replacement property;

iii) the City agreeing to pay the Owner's reasonable legal, appraisal costs, including fees, disbursements and applicable taxes, as incurred to complete this transaction;

iv) the City agreeing to pay compensation to the Owner for any bonus legally payable and for any loss incurred by reason of a difference in interest rates, pertaining to the existing mortgage;

v) the City agreeing to pay to the Owner reasonable legal and other non-recoverable expenditures incurred by the Owner in acquiring a similar replacement property, providing a claim is made within one and one half years of the date of possession;

vi) a Right of First Refusal in favour of the Owner, if the dwelling is relocated by the City and the City offers the relocated dwelling for sale to a third party. The City agrees to give the Owner thirty (30) calendar days to match the offer from a third party for the relocated dwelling on the same

terms and conditions as were offered by the third party. If the Owner does not accept the offer within the thirty (30) calendar day period, the City shall be free to accept the third party offer and complete the transaction;

vii) if the City does not relocate the dwelling for any reason, the Owner shall have the opportunity to remove and salvage those articles set out in Schedule "C", of the Settlement Agreement subject to such terms and conditions as may be specified by Council and subject to any terms and conditions of any requirements under the Ontario Heritage Act, RSO 1990, Chapter O.18, relating to the cultural heritage value or interest of the property. The Purchaser shall allow the Owner a maximum of sixty (60) calendar days to remove any those items set out in Schedule "C" in the Settlement Agreement, at the sole expense of the Owner, provided such items meet the terms and conditions, if any, specified by Council;

viii) if the City does not proceed with the Wharncliffe Road South Improvements Project, in whole or in part for any reason, and such action results in the dwelling not being required to be relocated or to be removed, the Parties agree that the City shall give the Owner thirty (30) calendar days to decide on whether to repurchase the dwelling for the same consideration set out in this Offer. Upon the expiry of the thirty (30) calendar days the City shall be at liberty to sell the dwelling to a third party; and

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

4. Execution of Collective Agreement for Unifor Local 302 – July 1, 2019 to June 30, 2022

That, on the recommendation of the Director, People Services, with the concurrence of the City Manager, the Civic Administration BE DIRECTED to undertake all administrative acts that are necessary in order for the Mayor and the City Clerk to obtain the necessary authorization to execute the Collective Agreement for the years 2019 to 2022, appended as Schedule "C" to the staff report dated August 10, 2020, pursuant to the Memorandum of Agreement dated September 11, 2019 (Schedule "A"), and incorporating the "Agreed To Items" dated July 16 and 17, 2019 and September 11, 2019 (Schedules "A" and "B"), between The Corporation of the City of London and Unifor Local 302.

6. Awarding of the 2020 Queen Elizabeth Scholarships

That, on the recommendation of the City Clerk and in recognition of achieving the highest scholastic achievement in their graduating year, the following students BE AWARDED the 2020 Queen Elizabeth Scholarships, in the amounts shown:

Mohammed Goha Saunders Secondary School 99.50% \$2,000
Lily Spoozak Catholic Central High School 99.33% \$2,000

Motion made by: J. Morgan

Seconded by: S. Lehman

5. Execution of Collective Agreement for London Professional Fire Fighters Association – January 1, 2020 to December 31, 2024

That, as a procedural matter pursuant to Section 239 (6) of the *Municipal Act, 2001*, the following recommendation be forwarded to Council, In Closed Session, for the purpose of considering whether the recommendation should be forwarded to Council for deliberation and a vote in public session:

That, on the recommendation of the Director, People Services, and with the concurrence of the City Manager, the Civic Administration BE DIRECTED to undertake all administrative acts that are necessary in order for the Mayor and the City Clerk to obtain the necessary authorization to execute the Collective Agreement for the years 2020 to 2024, appended as Schedule "B" to the staff report dated August 10, 2020, pursuant to the Memorandum of Agreement dated June 20, 2019 (Schedule "A"), between The Corporation of the City of London and the London Professional Fire Fighters Association (LPFFA).

Yeas: (11): M. van Holst, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozza, and S. Hillier

Recuse: (1): Mayor E. Holder

Absent: (3): M. Salih, S. Turner, and A. Kayabaga

Motion Passed (11 to 0)

Motion made by: S. Lewis

Seconded by: A. Hopkins

That Introduction and First Reading of Bill No. 233 and the Added Bill No.'s 251, 252 and 253, BE APPROVED.

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

Absent: (3): M. Salih, S. Turner, and A. Kayabaga

Motion Passed (12 to 0)

Motion made by: S. Lewis

Seconded by: S. Hillier

That Second Reading of Bill No. 233 and the Added Bill No.'s 251, 252 and 253, BE APPROVED.

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

Absent: (3): M. Salih, S. Turner, and A. Kayabaga

Motion Passed (12 to 0)

Motion made by: S. Lehman

Seconded by: S. Lewis

That Third Reading and Enactment of Bill No. 233 and the Added Bill No.'s 251, 252 and 253, BE APPROVED.

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

Absent: (3): M. Salih, S. Turner, and A. Kayabaga

Motion Passed (12 to 0)

Motion made by: S. Lewis

Seconded by: S. Hillier

That Introduction and First Reading of Added Bill No. 254 BE APPROVED.

Yeas: (11): M. van Holst, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozza, and S. Hillier

Recuse: (1): Mayor E. Holder

Absent: (3): M. Salih, S. Turner, and A. Kayabaga

Motion Passed (11 to 0)

Motion made by: A. Hopkins

Seconded by: S. Lewis

That Second Reading of Added Bill No. 254 BE APPROVED.

Yeas: (11): M. van Holst, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozza, and S. Hillier

Recuse: (1): Mayor E. Holder

Absent: (3): M. Salih, S. Turner, and A. Kayabaga

Motion Passed (11 to 0)

Motion made by: S. Lewis

Seconded by: S. Hillier

That Third Reading and Enactment of Added Bill No. 254 BE APPROVED.

Yeas: (11): M. van Holst, S. Lewis, J. Helmer, M. Cassidy, P. Squire, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozza, and S. Hillier

Recuse: (1): Mayor E. Holder

Absent: (3): M. Salih, S. Turner, and A. Kayabaga

Motion Passed (11 to 0)

14. Adjournment

The meeting adjourned at 9:29 PM.

Motion made by: A. Hopkins

Seconded by: J. Helmer

That the meeting adjourn at 9:29 PM.

Motion Passed

Ed Holder, Mayor

Catharine Saunders, City Clerk

Bill No. 250
2020

By-law No. Z.-1-202867

A by-law to amend By-law No. Z.-1 to rezone
an area of land located at 2040 River Road.

WHEREAS Global Waste Disposal London Ltd has applied to rezone an area of land located at 2040 River 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 2040 River Road, as shown on the attached map comprising part of Key Map No. A113 from a holding General Industrial (h*GI2) Zone and a Light Industrial/General Industrial (LI6/GI2) Zone to an Open Space Special Provision (OS5(15)) Zone and a Light Industrial Special Provision/General Industrial Special Provision (h-47*LI6(23)/GI2(3)) Zone.

2. Section Number 36.4 of the Open Space Zone (OS5) Zone is amended by adding the following Special Provision:

- OS5(15) 2040 River Road
- a) Regulations
- i) No minimum lot frontage requirement
- ii) No minimum lot area requirement

3. Section Number 40.4 of the Light Industrial (LI6) Zone is amended by adding the following Special Provision:

- LI6(23) 2040 River Road
- a) Regulations
- i) Rear and Interior Side Yard 0m (0ft) Depth
 abutting an Open Space
 (OS5) Zone Variation
 (Minimum)
- ii) Lands within the Open Space (OS5) Zone Variation may be
 used in the calculation for landscaped open space.

4. Section Number 41.4 of the General Industrial (GI2) Zone is amended by adding the following Special Provision:

- GI2(3) 2040 River Road
- a) Additional Permitted Use
- i) Waste Transfer Station and Recycling Depot
- ii) Definition: "Waste Transfer Station and Recycling Depot"
 means a type of waste disposal site as defined in the
 Environmental Protection Act (EPA), for non-hazardous solid
 wastes and liquids, including transferring, separation,
 processing and recycling of such wastes, and includes a
 construction and demolition recycling facility, and a
 specialized recycling facility but does not include any other
 organic wastes.

- b) Regulations
 - i) Frontage (Minimum) 30m (98.4ft)
 - ii) Open storage shall not be permitted in any required exterior side yard
 - iii) Front Yard Depth for open storage (Minimum) 20m (65.6ft)
 - iv) Rear and Interior Side Yard abutting an Open Space (OS5) Zone Variation (Minimum) 0m (0ft) Depth
 - v) Lands within the Open Space (OS5) Zone Variation may be used in the calculation for landscaped open space.

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.

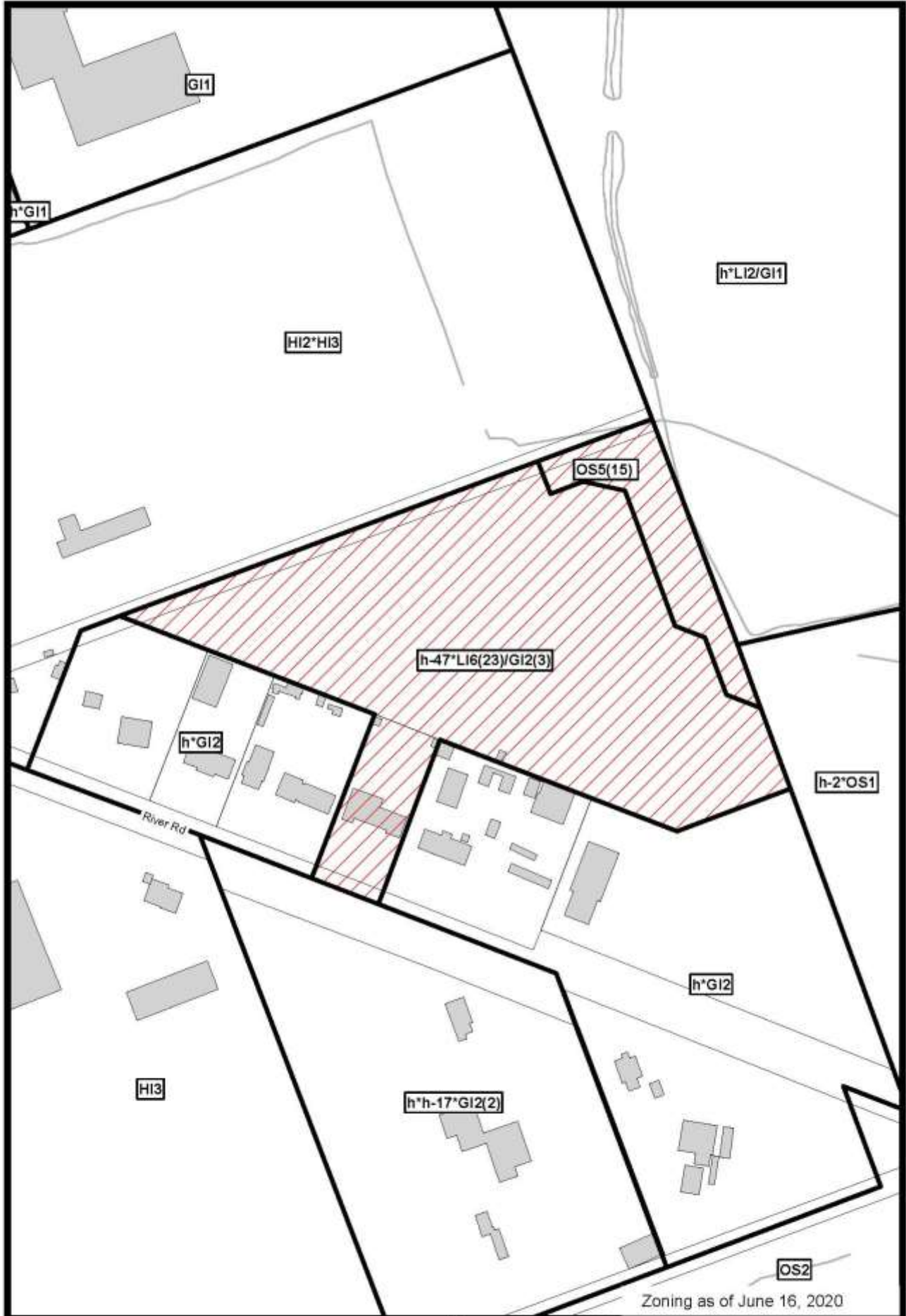
PASSED in Open Council on August 25, 2020.

Jesse Helmer
Deputy Mayor

Barb Westlake-Power
Deputy City Clerk

First Reading – August 25, 2020
Second Reading – August 25, 2020
Third Reading – August 25, 2020

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



File Number: Z-9133

Planner: SW

Date Prepared: 2020/07/10

Technician: RC

By-Law No: Z.-1-202867

SUBJECT SITE



1:2,000

0 10 20 40 60 80
Meters



APPENDIX "B"

Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON

PAGE 1

CLASS 1 SALE

THIS INDENTURE dated the _____ day of _____, 2020.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON

hereinafter called the **VENDOR**

- and -

2311643 ONTARIO INC.

Address: 27 Broadfield Drive, Etobicoke, Ontario, Canada M9C 1L4

hereinafter called the **PURCHASER**

The Purchaser, having inspected the lands and premises hereinafter described, hereby offers to purchase from the Vendor the lands and premises situated in Innovation Park, Phase I and Phase II, in the City of London, in the County of Middlesex, in the City of London, in the County of Middlesex, containing approximately eight (8) acres, more or less subject to final survey, located on the west side of Innovation Drive, and being composed of **Firstly:** Part of Block 3 in Plan 33M-544 and more specifically shown as Part 4 and Part 5 in 33R-20743 and being part of PIN 08197-0292 and **Secondly:** Part of Block 17 in Plan 33M-544 and more specifically shown as Part 6 in Plan 33R-20743 being Part of PIN 08197-0125 and **Thirdly:** Part of Concept Drive (as closed by By-Law No. S-5696-7 registered as Ins. ER963777) in Plan 33M-544 and more specifically shown as Part 18 in Plan 33R-20743 and being Part of PIN 08197-0134 and **Fourthly:** Part of Block 16 in 33M-544 and shown more specifically as Part 10 in Plan 33R-20743 and being part of PIN 08197-0124 and **Fifthly:** Part of Block 1 in Plan 33M-592 and shown more specifically as Part 17 in Plan 33R-20743 and being part of PIN 08197-0143 and **Sixthly:** Part of Block 1 in Plan 33M-592 being part of PIN 08197-0143 and shown outlined in red on the plan attached hereto as Schedule "C" to this Agreement, for the price of approximately

Five Hundred and Sixty Thousand Dollars **(\$560,000.00)**
of lawful money of Canada calculated at the rate of

Seventy Thousand Dollars **(\$70,000.00)**
per acre, with normal municipal services available in the road allowance.

The Purchaser submits
Fifty Six Thousand Dollars **(\$56,000.00)**
cash (or bank draft or certified cheque) payable to the City Treasurer, City of London, as deposit to be held by the Vendor pending completion or other termination of the agreement arising from the acceptance of this Agreement and to be credited towards the purchase price on completion, and the balance of the purchase price to be paid on the date of completion.

2. Provided the title to the property is good and free from all encumbrances, except as otherwise expressly provided herein, and except as to any registered easements, restrictions or covenants that run with the land, or municipal by-laws, or other governmental enactments, providing that such are complied with.

3. The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title except as may be in the possession or control of the Vendor, unless otherwise provided herein.

4. The Purchaser is to be allowed 90 days from the date of acceptance of this Agreement to examine the title at his own expense. If within that time any valid objection to title is made in writing to the Vendor which the Vendor is unable or unwilling to remove, remedy or satisfy and which the Purchaser will not waive, this Agreement, notwithstanding any intermediate acts or negotiations in respect of such objection shall be at an end, and all monies theretofore paid shall be returned to the Purchaser without interest or deduction, and the Vendor shall not be liable for any costs or damages. Except as to any valid objection so made within such time, and except for any objection going to the root of the title, the Purchaser shall be conclusively deemed to have accepted the Vendor's title to the property.

5. The Purchaser is to be allowed 90 days from the date of acceptance of this Agreement to carry out soil tests as it might reasonably require. Any such testing shall first be approved by the City Engineer and shall be at the sole risk and expense of the Purchaser. If such tests are carried out, the Purchaser agrees

APPENDIX "B"

Agreement of Purchase and Sale Cont'd

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON

PAGE 2

to restore the property to its original condition. If the property is not so restored, the vendor may carry out required restoration and without limiting the rights of the Vendor, the cost thereof may be recovered from the deposit. If, within that time, any valid objection to soil conditions is made in writing to the Vendor, which the Vendor is unable or unwilling to remove, remedy or satisfy, and which the Purchaser will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objection, shall be at an end and all monies theretofore paid shall be repaid or returned to the Purchaser without interest or deduction and the Vendor shall not be liable for any costs or damages. Except as to any valid objection so made within such time, the Purchaser shall be conclusively deemed to have accepted the soil conditions on the property.

6. The transaction of purchase and sale to be completed within 120 days from the acceptance of this Agreement. Vacant possession of the property shall be given to the Purchaser on the date of completion, unless otherwise provided herein.

7. This Agreement, when accepted, shall constitute a binding contract of purchase and sale between the Purchaser and Vendor and time shall, in all respects, be of the essence thereof, provided that the time for the doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing, signed by the Vendor and the Purchaser or by their respective solicitors who are hereby expressly appointed in this regard. It is agreed that there is no condition, expressed or implied, representation, warranty, or collateral agreement affecting this Agreement or the property or supported hereby, except as expressed herein in writing.

8. The Deed or transfer shall be prepared in registerable form at the expense of the Vendor by its solicitor. Each party shall pay the cost of registration and taxes on his own documents.

9. Planning Act: This Agreement shall be effective to create an interest in the property only if the subdivision control provisions of the Planning Act are complied with.

10. Provided that, notwithstanding any terms or conditions outlined in the printed wording herein, any provisions written into the Agreement at the time of the signing of the Agreement by the Purchaser shall be the true terms and shall supersede the printed portion in respect of the parts affected thereby. This Agreement and its acceptance shall be read with all changes of gender or number required by the context and shall be binding upon the parties hereto, their respective heirs, executors, administrators, successors and assigns, as the case may be.

11. As a condition of this Agreement, the Purchaser hereby agrees to submit a declaration of intent which outlines the proposed uses of the property. This declaration is attached hereto as Schedule "A" and forms part of the Agreement.

12. As a condition of this Agreement, the Purchaser hereby agrees to be bound by the Policy of The Corporation of the City of London with respect to the sale and/or transfer of City-owned, serviced, industrial land, which Policy is attached hereto as Schedule "B" to this Agreement, it being the intent of the parties hereto that the provisions of the said "Policy" shall survive the closing of this transaction to such extent as may be required to give effect to the said Policy. As a further condition of this Agreement, the Purchaser agrees to accept a Deed with respect to the land herein described in a form sufficient to give effect to the said Policy.

13. Any tender of documents or money desired hereunder may be made upon the solicitor acting for the Vendor or Purchaser, and it shall be sufficient that a Bank Draft or Certified Cheque may be tendered instead of cash.

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

APPENDIX "B"

Agreement of Purchase and Sale Cont'd

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON

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15. This Agreement shall be irrevocable and open for acceptance until 11:59 p.m. (local time) on the 30th day of August, 2020, after which time, if not accepted, this Agreement shall be null and void and the deposit shall be repaid to the Purchaser without interest or deduction.

IN WITNESS WHEREOF the Purchaser, if a person, has hereunto set his hand and seal or, if a corporation, has hereunto affixed its Corporate Seal duly attested to by its proper signing Officers this _____ day of Jul 27, 2020, 2020.

SIGNED, SEALED & DELIVERED

) 2311643 ONTARIO INC.

in the presence of

) Purchaser

)

)

)

) Leeanne Murray

Leeanne Murray (Jul 27, 2020 12:07 EDT)

Witness:

) Signature of Signing Officer

) Name: Leeanne Murray

) Title: Owner

) I have authority to bind the Corporation

ACCEPTANCE

The Vendor accepts the above Agreement.

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

NOTE: Schedule "A" attached - "Purchaser's Declaration of Intent"
Schedule "B" attached - "City-owned Serviced Land Sale Policy"
Schedule "C" attached - "Sketch Outlining Property in Red"
Schedule "D" attached - "Additional Conditions for the Purchaser's Benefit"

REALTOR: Michael Yull, Vice President, Advisory & Brokerage Services
Cushman and Wakefield Brokerage
1 Prologis Boulevard, Suite 300
Mississauga, ON L5W 0G2

APPENDIX "B"

Agreement of Purchase and Sale Cont'd

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON

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SCHEDULE "A"

PURCHASER'S DECLARATION OF INTENT TO DEVELOP AND PROPERLY UTILIZE THE PROPERTY, WHICH DECLARATION FORMS PART OF THE AGREEMENT OF PURCHASE AND SALE

The Purchaser hereby declares, and it is understood and agreed between both parties, that the property will be used for the following purposes; and the Purchaser undertakes to take all reasonable steps to fulfil these commitments; which undertaking shall survive and not merge in the closing of the transaction.

INFORMATION REQUIRED FROM PURCHASER BEFORE AGREEMENT SUBMITTED FOR APPROVAL

Industrial Park Name & Phase & Section:	Innovation Park, Phase I and II
Lot & Conc./Part No./Block, etc.; Acres:	Part of Block 3 in Plan 33M-Part of Block 17 in Plan 33M-544 Part of Concept Drive (as closed by By-Law No. S-5696-7 registered as Ins. ER963777) in Plan 33M-544, Part of Block 16 in 33M-544, Part of Block 1 in Plan 33M-592, Part of Block 1 in Plan 33M-59 (8 Acres)
Name, Address, Postal Code of Purchaser:	2311643 ONTARIO INC.
Local Company: Yes <u>No</u>	
Intended Use of Building - (Describe):	Fabric/Geotextile Conversion. Manufacturing of lawn, garden and safety construction products, ancillary office and warehouse use.
Major Industrial Classification of User:	Manufacturing
List of Products Manufactured/Handled:	Plastic fence for garden, snow and safety uses, including caution tape.
Number of Employees Anticipated:	50 (Full Time)
Number of Square Feet of Building Proposed:	60,000+ square feet
Number of Square Feet in Property Purchase:	348,480 square feet
Proposed Building Coverage as % of Lot Area:	17.2 percent (17.2 %)
Mandatory Building Coverage Starting 1st Year:	15 percent (15%)
Future Building(s) Proposed (if any) Details:	TBD
Proposed Building Material for this Project:	TBD
Development of the Lot will be subject to:	Site Plan & Architectural Control
Proposed Commencement Date of Construction:	One Year from Date of Deed
Mandatory Commencement Date of Construction:	One Year from Date of Deed
Purchaser's Lawyer - Name, and Address:	Michael McBride McBride Wallace Laurent & Cord LLP Barristers & Solicitors 5464 Dundas Street West, Suite 200 Toronto, Ontario, M9B 1B4
Telephone:	416-231-6555 x 235
Purchaser's Executive Completing this Form: <u>Leeanne Murray</u> <u>Owner</u> 2311643 ONTARIO INC.	<u>Leeanne Murray</u> <small>Leeanne Murray (Jul 27, 2020 15:07 EDT)</small> _____ (signature) I have authority to bind the Corporation

Ed Holder, Mayor

Catharine Saunders, City Clerk

APPENDIX "B"

Agreement of Purchase and Sale Cont'd

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON

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SCHEDULE "B"

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

Disposal of Industrial Land Procedures

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

CLASS 1 SALE

4. A class 1 sale is a sale of a land for the purpose of the construction thereon of a building or structure for a detached industrial use.
5. A class 1 sale shall be subject to the following conditions:
 - (a) The purchaser shall commence construction within one year of the registration of the deed or transfer and shall diligently complete construction of the building or structure, in default of which the purchaser shall in the sole discretion of the City reconvey the land to the City in accordance with Section 19 of this policy and free and clear of all encumbrances, easements, restrictions or covenants except as to those originally assumed by the purchaser from the City.
 - (b) The minimum coverage of the building or structure shall be 15 per cent, provided however that, where the maximum coverage permitted under the applicable zoning by-law is 15 percent or less, the maximum coverage under the zoning by-law shall be deemed to be the minimum coverage required by this condition.
 - (c) The purchaser shall not within 10 years of the registration of the deed or transfer convey any vacant part of the land by deed, transfer, grant, assignment, appointment, mortgage, charge, lease or sub-lease (Planning Act, R.S.O. 1990, Chapter P .13), without first notifying the City and, where it has been so notified, the City may either grant its consent (which shall not be unreasonably withheld) to the conveyance or application or may in its sole discretion require the purchaser to reconvey the vacant part to the City in accordance with Section 19 of this policy and free and clear of all encumbrances, easements, restrictions or covenants except as to those originally assumed by the purchaser from the City.
 - (d) The purchaser shall pay local improvement charges and any other special levies assessed at any time against the land on and after completion of the purchase.
6. The Manager of Realty Services may grant one or more extensions (which in total shall not exceed two years) of the time set out in paragraph 5 (a) of Section 5 of this policy within which construction of a building or structure is to be commenced provided the purchaser has filed a written request with the Manager of Realty Services for the extension.
7. A purchaser wishing to notify the City under condition 5 (c) of this policy shall file a written request with the Manager of Realty Services who shall submit a recommendation thereon to Council through the Corporate Services Committee.

APPENDIX "B"

Agreement of Purchase and Sale Cont'd

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON

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CLASS 2 SALE

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

CLASS 3 SALE

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

GENERAL

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

APPENDIX "B"

Agreement of Purchase and Sale Cont'd

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON

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SCHEDULE "C"
SUBJECT PROPERTY 8 ACRES



SUBJECT TO FINAL SURVEY

APPENDIX "B"

Agreement of Purchase and Sale Cont'd

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON

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SCHEDULE "D"

Additional Terms and Conditions

HEADINGS

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

Paramouncy of Schedule "D"

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

Assignment of Agreement

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

Municipal Services and Roadway Easements

Subject to the Purchaser's right of review of the Vendor's easement requirements during the 'due diligence' period, following the closing of this transaction, the Purchaser will grant to the Vendor, for nominal consideration, servicing easements as may be required, and will be mutually acceptable to both parties. This condition shall survive and not merge on the completion of this transaction.

Development Agreement

The Purchaser acknowledges that prior to the issuance of a Development Agreement, the Purchaser shall be subject to site plan and permitting process which may include but not be limited to an approval for the location of an entrance to the site, urban design, granting municipal easements and working easements, satisfying servicing requirements, obtaining approvals and satisfying requirements by Upper Thames Conservation Authority, (UTRCA), Ministry of Environment and Climate Change (MOECC), and any other approvals deemed necessary by the City.

Purchaser Condition – Environmental

This offer is conditional upon the Buyer, at the Purchaser's expense, conducting environmental inspections and investigations of the property satisfactory to the Purchaser in the Purchaser's sole and absolute discretion. Unless the Purchaser gives notice in writing delivered to the Vendor personally or in accordance with any other provision for the delivery of notice in this Agreement of Purchase and Sale or any Schedule thereto no later than ninety (90) days from the date that this offer is accepted that this condition is fulfilled this offer shall be null and void and the deposit shall be returned to the Purchaser in full without deduction. This condition is included for the benefit of the Purchaser and may be waived at the Purchaser's sole option by notice in writing to the Vendor as aforesaid within the time period stated herein.

Purchaser Condition – Geotechnical Review

This offer is conditional upon the Purchaser, at the Purchaser's expense, conducting geotechnical inspections for the property satisfactory to the Purchaser in the Purchaser's sole and absolute discretion. Unless the Purchaser gives notice in writing delivered to the Vendor personally or in accordance with any other provision for the delivery of notice in this Agreement of Purchase and Sale or any Schedule thereto no later than ninety (90) days from the date that this offer is accepted that this condition is fulfilled this offer shall be null and void and the deposit shall be returned to the Purchaser in full without deduction. This condition is included for the benefit of the Purchaser and may be waived at the Purchaser's sole option by notice in writing to the City as aforesaid within the time period stated herein.

APPENDIX "B"

Agreement of Purchase and Sale Cont'd

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON
Reference Plan

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

Purchase Price Adjustments

The purchase price payable by the Purchaser to the Vendor for the Property is calculated at 8 acres multiplied by \$70,000 per acre. If the actual size of the Property is different than set out above at time of closing, then the Purchase Price for the Property shall be adjusted to reflect a price equal to the area of the Property multiplied by \$70,000 per acre.

London Hydro Easement

The Purchaser agrees to an existing easement benefitting London Hydro (the "London Hydro Easement") over a portion of lands described as Part 5 in Plan 33R-20743 which is registered on title as instrument ER602322. This condition shall survive and not merge on the completion of this transaction.

Testing After Acceptance

From and after the date of Vendor's Acceptance of this Agreement, and in accordance with Paragraph 5 of the Agreement of Purchase and Sale, the Vendor shall permit the Purchaser and its authorized representatives and consultants reasonable access to the property for the purpose of making soil, ground water, environmental or other tests, measurements or surveys in, on or below the property, provided that the Purchaser shall do so at its own expense and its own risk. No action taken by the Purchaser hereunder shall constitute a trespass or taking of possession.

Notwithstanding the above, the Purchaser and its authorized representatives and consultants agree to undertake best efforts to minimize crop damage resulting from accessing the lands to complete testing as it relates to paragraph 5 and Purchaser's conditions for Environmental and Geotechnical Review provided above.

Requirement for Sewage Sampling Manholes

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

Release of Information

The Vendor agrees to authorize all municipal, provincial and federal governments, boards, agencies or departments having jurisdiction to release, to the extent permitted by law, any and all information in their possession respecting the property to the Purchaser, and further agrees to authorize each of them to carry out inspections of the property upon the request of the Purchaser, at the Purchaser's expense. The Vendor agrees to execute any specific authorization pursuant to this paragraph within two (2) business days of being requested to do so by the Purchaser.

Real Estate Commission

If the name of a realtor and real estate firm is noted at the bottom of Page 3 of this Agreement, in addition to the Purchaser's signature(s), then the Vendor shall acknowledge that the real estate agent is properly involved in this Agreement of Purchase and Sale, and pay a fee to the agent upon completion of the transaction, as per Attachment "C" of By-law No. A-6151-17, Schedule A. No fee shall be payable if the purchaser is permitted to withdraw from the agreement of purchase and sale prior to the completion of the transaction.

Attachment "C" of By-law No. A-6151-17, Schedule A, entitled Real Estate Commissions for Industrial Land, states that the fee payable to real estate agents is as follows:

- (a) Transactions up to \$100,000 – 5%,
- (b) Transactions up to \$200,000 – 5% for the first \$100,000, 3% above \$100,000 to \$200,000
- (c) Transactions over \$200,000 – 5% for the first \$100,000, 3% above \$100,000 to \$200,000, and 2% above \$200,000 for remainder.

Vendor Pre-Closing Condition - Termination of Farm Lease

This Agreement is conditional upon the Vendor being able to terminate the existing Farm Lease on the Property. The Vendor shall have ninety (90) days from the date of acceptance of this Agreement to terminate the existing Farm Lease with the Farm Tenant. If, within that time, the Vendor has not given notice in writing to the Purchaser that this condition has been satisfied or waived, then this condition shall be deemed not to have been satisfied or waived, in which event this Agreement shall be null and void and of no further force or effect whatsoever and each party shall be released from all of its liabilities and obligations

APPENDIX "B"

Agreement of Purchase and Sale Cont'd

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON

PAGE 10

under this Agreement and the deposit shall be returned to the Purchaser forthwith, without interest or deduction except as otherwise provided for herein. This condition is included for the benefit of the Vendor and may be waived at the Vendor's sole option by notice in writing to the Purchaser as aforesaid within the time period stated herein.

Urban Design Guidelines for Innovation Park

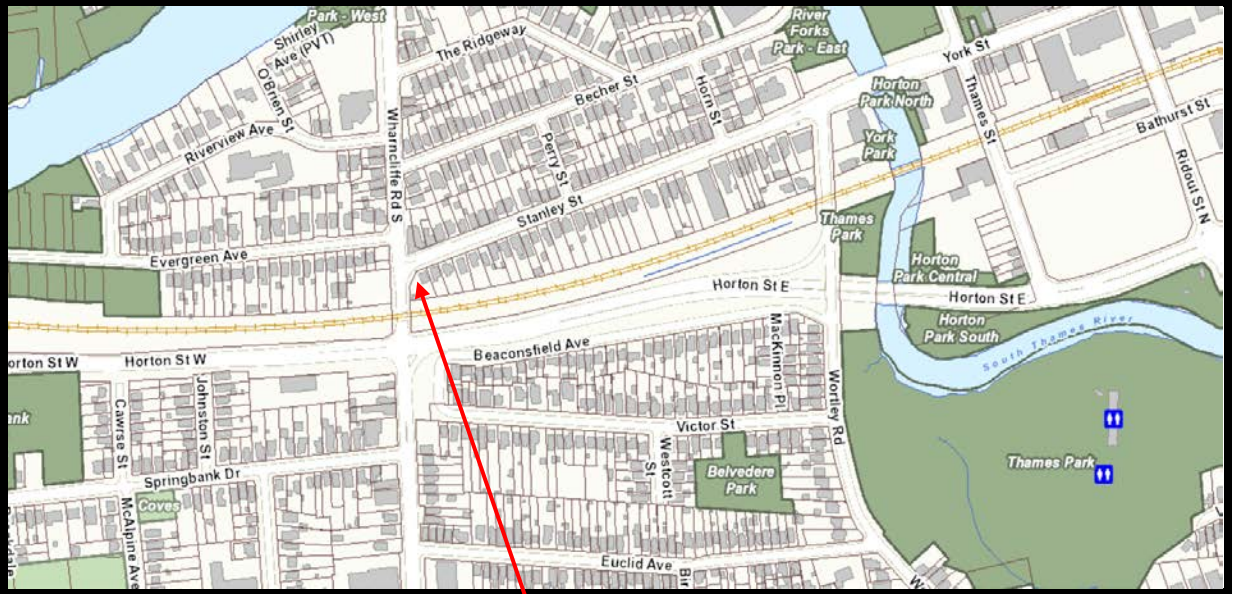
A copy of "Airport Road South Business Park Urban Design Guidelines" dated June 2004, will be provided to the purchaser under separate cover.

ADDITIONAL SCHEDULE WITH SPECIAL PROVISIONS AND URBAN DESIGN GUIDELINES

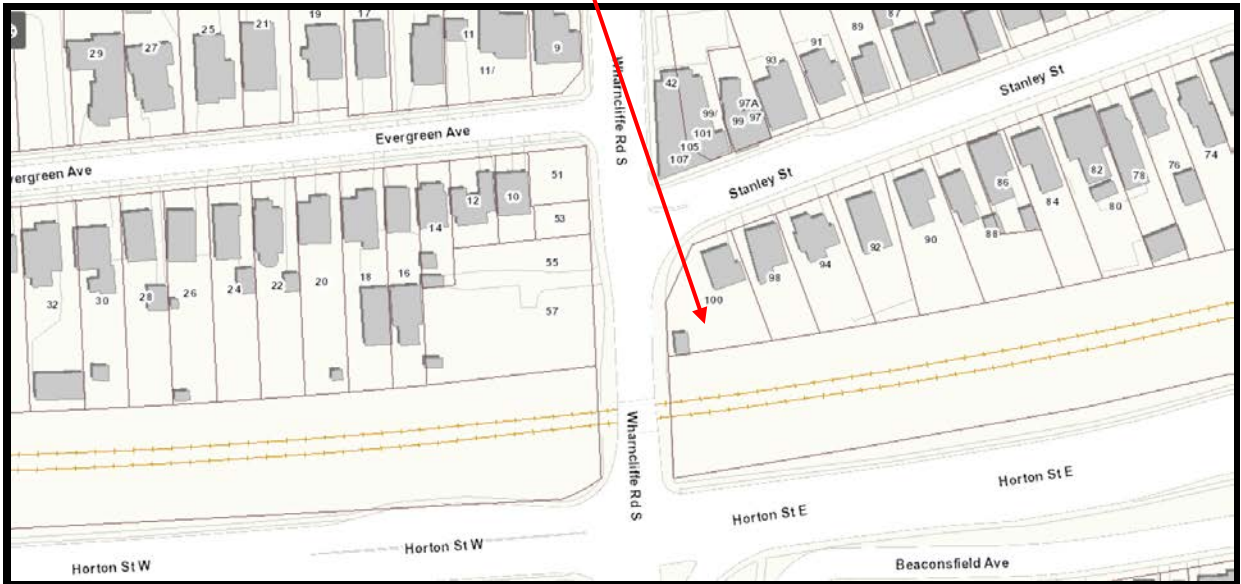
Special Provisions of Innovation Park Subdivision Agreement

1. The Municipality and the Purchaser acknowledge and agree that the Municipality shall not be deemed as making any representation or warranties to the Purchaser with respect to the site conditions of the Property.
2. The Purchaser shall be solely responsible for carrying out all appropriate site investigations and ensuring that the Property and the Development on the Property are in compliance with the City's Urban Design Guidelines, and all applicable building and environmental regulations including, without limitation, the following which are attached hereto and form part of this agreement:
 - a. the Purchaser acknowledges that the Property may have been rough-graded and filled by the Municipality;
 - b. the Purchaser accepts that there may be significant variations in bearing capacity on and throughout the Property;
 - c. the Purchaser shall be solely responsible for carrying out any necessary soils investigations of the Property to determine its load-bearing capacity and suitability for any subsequent development on the Property;
 - d. the Purchaser shall be solely responsible for determining that the Property and any proposed subsequent development on the Property will comply with all applicable building and environmental regulations; and
 - e. that the foregoing representations, as to suitability and to possible variations in soil bearing capacity, shall not be modified or varied in any manner whatsoever as a result of any oral or written communication to the Purchaser by the Municipality, its contractors, consultants, or other servants and agents. The provision of any information to the Purchaser by the Municipality, its consultants or contractors, is as a courtesy alone and in no way relieves the Purchaser of its obligation to secure adequate soils testing for its proposed Development.
3. It is agreed by the Purchaser that the Purchaser's Development of the Property will be as specified in Schedule "A" to this Agreement of Purchase and Sale, and more particularly in the Site Development Proposal which forms part of the Agreement of Purchase and Sale. Any changes to the proposed development outside of Schedule "A" must first be approved by the Municipality acting reasonably.
4. The Purchaser must adhere to the recommendations of the geotechnical engineer, and shall deliver a certificate of a geotechnical engineer to the City's Director of Building Control upon completion of the foundation on the lot that the building construction was completed in accordance with the Owner's geotechnical engineer's recommendations.
5. The Purchaser acknowledges that it may be required to construct sewage sampling manholes, built to City standards in accordance with the City's Waste Discharge By-law No. WM-2, as amended, regulating the discharge of sewage into public sewage systems. If required, the sewage sampling manholes shall be installed on both storm and sanitary private drain connections, and shall be located wholly on private property, as close as possible to the street line, or as approved otherwise by the City Engineer.

APPENDIX "B"
LOCATION MAP



100 STANLEY STREET



Appendix "E"
Settlement Agreement

THIS SETTLEMENT AGREEMENT made this ____ day of July, 2020.

B E T W E E N:

THE CORPORATION OF THE CITY OF LONDON
(hereinafter referred to as the "City")

OF THE FIRST PART

- and -

NANCY ELLEN DUFF FINLAYSON
(hereinafter referred to as the "Owner")

OF THE SECOND PART

WHEREAS the Owner is in possession of the property described in Schedule "A" hereto, subject to Section 39 of the *Expropriations Act*, R.S.O., 1990, c E.26, as amended;

AND WHEREAS the City expropriated from the Owner the lands described in Schedule "A" hereto (the "Expropriation");

AND WHEREAS Notice of Expropriation under the *Expropriations Act*, R.S.O., 1990, c E.26, as amended (the "Act"), was served by the City on the Owner on or about the 17th day of March, 2020;

AND WHEREAS the City previously offered (on a without prejudice basis) the Owner compensation in the sum of \$500,000.00;

AND WHEREAS the Owner and the City wish to resolve the compensation to which the Owner is entitled to pursuant to the provisions of the Act and arising out of the Expropriation;

WITNESSETH that in consideration of the mutual covenants and agreements herein and subject to the terms and conditions in this Agreement, the parties agree as follows:

1.00 SETTLEMENT

- 1.01 The City and the Owner agree that the recitals contained in this Agreement are true and correct in fact and in substance.
- 1.02 The City shall pay to the Owner the total sum of Five Hundred Thousand Dollars (\$500,000.00), together with any other compensation and rights set out in Schedules "B", "C" and "D" as the full, final and complete settlement of all claims of the Owner, including a section 25 offer of compensation, fair market value of the lands, injurious affection, disturbance damages, business loss and interest, as against the City arising out of or in any way connected with the Expropriation.
- 1.03 The Owner directs the City to allocate the payment of the sum of \$500,000.00 referred to in paragraph 1.02 above, together with any other compensation and rights set out in Schedules "B", "C" and "D" to the Owner.

1.04 **SCHEDULE(S)**: The following Schedules form part of this Agreement:

Schedule "A" Legal Description
Schedule "B" Additional Terms and Conditions
Schedule "C" Items to be considered for removal from dwelling, subject to Clause 11 of Schedule "B".
Schedule "D" Items available for removal from dwelling

2.00 RELEASE

2.01 The Owner hereby forever releases and discharges City for and from all actions, causes of actions, suits, claims and demands of every nature or kind arising out of or in any way related to or connected with the Expropriation including all claims for the market value of land taken, any damages attributable to disturbance, any claims for injurious affection to remaining lands, business loss, interest and any special difficulties in relocation now known or which may be known or anticipated but which may arise in the future as a result of the Expropriation with the specific exception of liability for loss or damage arising from negligent acts of the City, its officers, agents, servants, employees and contractors undertaking works on the reconstruction, installation of services and widening of Wharncliffe Road.

3.00 BINDING EFFECT

3.01 The City and the Owner agree that this Agreement shall be binding upon each of the Parties hereto and their respective heirs, executors, successors, administrators and assigns.

4.00 GOVERNING LAW

4.01 This Agreement shall be construed and interpreted in accordance with the laws of the Province of Ontario and each of the Parties hereto hereby attorn to the jurisdiction of the Courts in London.

5.00 PAYMENTS

5.01 Any payment required to be made by the City to the Owner pursuant to this Agreement shall be available to be advanced to the Owner, upon written request by the Owner, within thirty-five (35) days of the acceptance of this Agreement by Resolution of Municipal Council.

5.02 The payment(s) referred to in clause 5.01 shall be conditional upon the Owner providing the City with a release from any and all mortgagees and/or security holders, and shall be subject to adjustments.

6.00 CLOSING DATE

6.01 Notwithstanding a vacant possession date of July 31, 2020, was established in accordance with the provisions of the Expropriations Act, the parties agree to extend the possession date to November 1, 2020.

6.02 The parties agree that the extension of the possession date set out in 6.01 above, shall not result in the Owner becoming a Tenant of the City as defined in the Residential Tenancies Act.

IN WITNESS WHEREOF the Owner has duly executed this Agreement as of the 20th day of July, 2020.

Paul Lebeli
Witness:

Nancy Ellen Duff Finlayson
Nancy Ellen Duff Finlayson

The Corporation of the City of London hereby accepts the terms and conditions of this agreement and agrees to carry out and be bound by the provisions, terms and conditions herein contained, and has hereunto caused to be affixed its Corporation Seal attested by the hands of the proper signing officers pursuant to the authority pertained in By-Law No. _____ of the Council of the Corporation of the City of London passed on ____ day of _____, 2020.

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catherine Saunders, City Clerk

SCHEDULE "A"

Part of Lots 17 and 18, Plan 427(4th) in the City of London, County of Middlesex, described as Parts 1 and 2 on PLAN ER1291120, Subject to a Right of Way over Part 2 on PLAN ER1291120, being all of PIN 08324-0002(LT)

SCHEDULE "B"

1. **LEGAL COSTS:** As set out in Section 32 of the *Expropriations Act* the City agrees to pay the Owner reasonable legal and appraisal costs, including fees, disbursements and applicable taxes, to complete this transaction, subject to assessment, if necessary.
2. **REPLACEMENT PROPERTY:** The City agrees to pay reasonable legal and other non-recoverable expenditures incurred in acquiring a similar replacement property, providing a claim is made within one and one half (1½) years of the date of possession.
3. **SECTION 13 OF THE EXPROPRIATIONS ACT:** Pursuant to section 13 of the *Expropriations Act* the City agrees pay to the Owner disturbance damages in the amount of \$7,500.00. This disturbance damage in the amount of \$7,500.00 is conditional on the Owner providing vacant possession no later than November 1, 2020.
4. **SECTION 18 OF THE EXPROPRIATIONS ACT:** Pursuant to section 18 of the *Expropriations Act* the City shall pay to the Owner an allowance of 5 per cent of the compensation payable in respect of the market value of the lands herein, reflecting an amount of \$25,000 for disturbance.
5. **SECTION 20 OF THE EXPROPRIATIONS ACT:** With respect to any prepayment of mortgage, the City agrees to pay compensation for any bonus legally payable and for any loss incurred by reason of a difference in interest rates as set out in section 20 of the *Expropriations Act*.
6. **RIGHT OF INSPECTION:** The City or an agent of the City shall be entitled to enter and inspect the property including all dwellings and buildings prior to the Owner giving up vacant possession.
7. **REBATE OF LAND TRANSFER TAX:** The Owner will be responsible to apply to the Ministry of Revenue for an exemption to the payment of the Land Transfer Tax in the amount of the replacement property costs up to but not exceeding the amount of the herein purchased property.
8. **POSSESSION OF LANDS:** The Owner is responsible for the lands and the buildings and all permanent fixtures until the keys are personally turned over to the representative of the City. The Owners shall be responsible to pay those costs associated with the use of the subject lands, which costs shall include all utility charges and all other expenses that if unpaid could become an encumbrance on the lands and shall pay such costs up to the date that vacant possession is given to the City.
9. **VACANT POSSESSION:** The Owner agrees to leave the property neat and tidy, free and clear of all refuse, hazardous and other waste material, garbage or other loose or objectionable materials.
10. **RIGHT OF FIRST REFUSAL:** Provided that if the dwelling is relocated by the City, the parties agree that the City may sell the relocated dwelling to a third party, subject to a Right of First Refusal in favour of the Owner herein. The Purchaser agrees to give the Vendor thirty (30) calendar days to match the offer from a third party for the relocated dwelling on the same terms and conditions as were offered by the third party. If the Vendor does not accept the offer within the thirty (30) calendar day period, the Purchaser shall be free to accept the third party offer and complete the transaction.
11. **CONDITIONAL OPTION TO SALVAGE ITEMS:** Provided that if the Purchaser does not relocate the dwelling as provided for in clause 10 above, the Purchaser shall provide the Vendor the opportunity to remove and salvage those articles set out in Schedule "C", subject to such terms and conditions as may be specified by Council and subject to any terms and conditions of any requirements under the Ontario Heritage Act, RSO 1990, Chapter O.18, relating to the cultural heritage value or interest of the property. The Purchaser shall give the Vendor written notice of the decision not to relocate the dwelling, and included in such notice the Purchaser shall advise the Vendor of any terms and conditions relating to the removal and salvage of any of the articles set out in Schedule "C". The Purchaser shall allow the Vendor a maximum of sixty (60) calendar days to remove any those items set out in Schedule "C", at the sole expense of the Vendor, provided such items meet the terms and conditions, if any, specified by Council.
12. **REVERSION:** Provided that if the Purchaser does not proceed with the Wharnccliffe Road South widening project, in whole or in part, and such action results in the dwelling not being required to be relocated as referred to in clause 10 above, or to be removed, as referred to in clause 11 above, then the parties agree that the Purchaser shall give the Vendor thirty (30) calendar days to decide on whether to repurchase the dwelling for the same consideration set out in this offer. Upon the expiry of the thirty (30) calendar days the Purchaser shall be at liberty to sell the dwelling to a third party.

SCHEDULE "C"

The Vendor may, subject to the conditions set out in clause 11 of Schedule "B", be permitted to remove any or all of the following items, subject to such terms and conditions as may be specified by Council and subject to any terms and conditions of any requirements under the Ontario Heritage Act, RSO 1990, Chapter O.18, relating to the cultural heritage value or interest of the property.

1. The hallway and dining area lights
2. The fireplace and mantel
3. The keyhole window
4. Pocket doors and glass doors
5. Staircase and newel posts
6. Some of the window and door mouldings and some baseboards
7. 4 gas light fixtures
8. The front door
9. The stained glass windows (Note there are three)
10. The wooden doors to the closets and to the basement
11. The upstairs Oriole window
12. The Heritage Plaque
13. The three small windows on the east side of the house

SCHEDULE "D"

1. Bathtub
2. kitchen shelves
3. Mirror in bathroom
4. Bell from Italy

APPENDIX "A"
CONFIDENTIAL

Chair and Members
Corporate Services Committee

#20119
August 10, 2020
(Property Acquisition)

RE: Property Acquisition Settlement Agreement
100 Stanley Street (Subledger LD190014)
Capital Project TS1355-1 - Wharncliffe Rd. - Becher St. to Springbank Drive
Nancy Ellen Duff Finlayson

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

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

<u>ESTIMATED EXPENDITURES</u>	<u>Approved Budget</u>	<u>Committed To Date</u>	<u>This Submission</u>	<u>Balance for Future Work</u>
Engineering	\$4,600,000	\$2,421,906		\$2,178,094
Land Acquisition	4,633,750	2,046,787	592,247	1,994,716
Construction	28,312,500	354,309		27,958,191
Relocate Utilities	3,750,000	1,145,143		2,604,857
City Related Expenses	100,000			100,000
NET ESTIMATED EXPENDITURES	<u>\$41,396,250</u>	<u>\$5,968,145</u>	<u>\$592,247</u> 1)	<u>\$34,835,858</u>
SOURCE OF FINANCING				
Capital Levy	77,800	77,800		0
Debenture By-law No. W.-5569-376	3) 14,432,233	2,120,684	220,766	12,090,783
Drawdown from Industrial Oversizing R.F.	26,200	26,200		0
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2) 18,286,842	3,743,461	371,481	14,171,900
Debenture By-law No. W.-5569-376 (Serviced through City Services - Roads Reserve Fund (Development Charges))	2&3) 6,173,175			6,173,175
Other Contributions	2,400,000			2,400,000
TOTAL FINANCING	<u>\$41,396,250</u>	<u>\$5,968,145</u>	<u>\$592,247</u>	<u>\$34,835,858</u>

1) Financial Note:

	<u>TOTAL</u>
Purchase Cost	\$500,000
Add: Disturbance Allowance	32,500
Add: Land Transfer Tax	6,475
Add: Legal Fees, Appraisal, etc.	46,500
Add: HST @13%	65,000
Less: HST Rebate	(58,228)
Total Purchase Cost	<u>\$592,247</u>

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

NOTE TO CITY CLERK

3) The City Clerk be authorized to increase Debenture By-law No. W.-5569-376 as amended by By-law No. W.-5569(a)-19 by \$19,280,576 from \$1,324,832 to \$20,605,408.

lp


 Jason Davies
 Manager of Financial Planning & Policy

Corporate Services Committee

Report

14th Meeting of the Corporate Services Committee
September 8, 2020

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

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

Remote Attendance: Councillors M. Cassidy and S. Hillier; L. Livingstone, A. Barbon, B. Card, I. Collins, K. Dickins, M. Goldrup, A. Hagan, D. Mounteer, K. Murray, C. Saunders, K. Scherr, M. Schulthess, K. Shahata, B. Warner

The meeting is called to order at 12:01 PM; it being noted that the following Members were in remote attendance: Councillors M. van Holst, J. Helmer, A. Hopkins and J. Morgan.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

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

That Consent items 2.3 to 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)

2.3 Corporate Asset Management Plan 2020 Review

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

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and on the advice of the Manager III, Corporate Asset Management, the staff report dated September 8, 2020 with respect to Corporate Asset Management Plan 2020 Review BE RECEIVED for information.

Motion Passed

2.4 Corporate Human Rights and Code of Conduct Inquiries, Requests, Complaints and Related Training Initiatives January 1, 2019 - February 29, 2020

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

That, on the recommendation of the Director, People Services and the concurrence of the City Manager, the staff report regarding Corporate Human Rights and Code of Conduct inquiries, requests and training initiatives BE RECEIVED for information purposes.

Motion Passed

2.5 Property Acquisition - 595 Adelaide Street North

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

That, on the recommendation of the Assistant City Solicitor, the proposed by-law appended to the staff report dated September 8, 2020 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to appoint a Director of 1220109 Ontario Inc.

Motion Passed

2.6 Declare Surplus and Transfer - Part of 640 Adelaide Street North - Adelaide Street North / CPR Grade Separation Project

Moved by: J. Morgan
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 the closed portion of road publicly described as 640 Adelaide Street, located on the east side of Adelaide Street north, more specifically shown as Blocks A, B and C, Plan 449(3RD), and Part Block C, Plan 386 (3RD) as in GD24607, and Part Block G, and Part Lots 1, 2 and 3, Plan 386(3RD) as in 711193, City of London, being Part of PIN 082790121 (LT), containing an area of approximately 178 square metres (0.043 acres), the following actions be taken:

- a) the subject property BE DECLARED SURPLUS; and
- b) the subject property BE TRANSFERRED to Canadian Pacific Railway.

Motion Passed

2.1 Capital Asset Renewal and Replacement Reserve Fund Rationalization Report

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

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

- a) the Capital Asset Renewal and Replacement Reserve Funds by-law appended to the staff report dated September 8, 2020 as Appendix C, which includes the establishment and continuance of the reserve funds listed in Schedule A of the by-law, BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to establish the Capital Asset Renewal and Replacement Reserve Funds By-law, and govern the administration and management of said funds, and to repeal the following by-laws as provided for in Schedule B of the by-law:

- Capital Infrastructure Gap A.-7513-68
- City Facilities A.-5993-508
- Courts Administration Repairs and Maintenance A.-6004-519
- Dearness Home Capital A.-6258-296
- Fire Vehicles and Equipment Replacement F.-144-552
- Golf Course A.-5550-202

- Library Facilities, Vehicle and Equipment A.-5995-510
- Material Recovery A.-6968-184
- Parking Facilities A.-6970-186
- Police Vehicle and Equipment Replacement A.-7195-351
- Public Art Acquisition A.-6306-34
- Public Art Maintenance A.-6305-33
- Public Housing Major Upgrades A.-6003-518
- RBC Place London A.-7730-218
- Sanitary Landfill Site A.-5174-97
- Social Housing Major Repairs, Upgrades and Stabilization A.-7519-79
- Technology Services A.-6967-183
- Vehicle and Equipment Replacement A.-5994-509
- Woodland Acquisition and Management A.-7526-93
- Sewage Treatment Plant Capacity A.-6068-32
- Sewage Works A.-5353-265
- New Capital Water A.-5477-267; and,

b) the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer BE AUTHORIZED to take all actions necessary to implement the changes to the City's reserve funds outlined in the above-noted report.

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

Motion Passed (6 to 0)

2.2 2020 Reserve Fund Housekeeping 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, the following actions be taken:

a) the following proposed by-laws appended as Appendix A to the above-noted staff report BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020:

i) A by-law to establish the Building Permit Revenue Stabilization Reserve Fund;

ii) A by-law to establish the Dearness Home Gift Reserve

iii) A by-law to establish the Municipal Election Reserve Fund;

iv) A by-law to establish the Official Plan Reserve Fund;

v) A by-law to establish the Tree Bank Reserve Fund; and,

vi) A by-law to establish the Unfunded Liability Reserve Fund; and,

b) the proposed by-law appended to the staff report dated September 8, 2020 as Appendix B BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to establish a reserve fund by-law in accordance with the January 12, 2016 Council approved Red Light Camera Program Implementation.

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

Motion Passed (6 to 0)

3. Scheduled Items

None.

4. Items for Direction

4.1 Application - Issuance of Proclamation - Respiratory Therapy Week

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

That based on the application dated August 25, 2020, from the Canadian Society of Respiratory Therapists, the week of October 25 - 31, 2020 BE PROCLAIMED as Respiratory Therapy Week.

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

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

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

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.

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

Motion Passed (6 to 0)

The Corporate Services Committee convenes, In Closed Session, from 12:57 PM to 1:06 PM.

7. Adjournment

The meeting adjourned at 1:07 pm.

Planning and Environment Committee

Report

The 13th Meeting of the Planning and Environment Committee
September 8, 2020

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

ALSO PRESENT: H. Lysynski, C. Saunders and S. Spring

Remote Attendance: Councillors S. Hillier and S. Lehman; J. Adema, A. Anderson, J. Bunn, M. Corby, M. Feldberg, K. Gonyou, G. Kotsifas, T. Macbeth, J. MacKay, L. Pompili, M. Schulthess, B. Somers, M. Tomazincic, D. Turner, M. Vivian, B. Westlake-Power and P. Yeoman

The meeting is called to order at 4:01 PM, with Councillor M. Cassidy in the Chair and Councillor Hopkins present; it being noted that the following Members were in remote attendance: Mayor E. Holder; Councillors J. Helmer, S. Turner and A. Kayabaga

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: E. Holder
Seconded by: S. Turner

That Items 2.1 to 2.3, inclusive, and 2.5 to 2.7, inclusive BE APPROVED.

Yeas: (4): M. Cassidy, A. Hopkins, S. Turner, and E. Holder
Absent: (2): J. Helmer, and A. Kayabaga

Motion Passed (4 to 0)

2.1 Application - 3740 Southbridge Avenue (P-9232)

Moved by: E. Holder
Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited, to exempt Block 130, Plan 33M-785 from Part-Lot Control:

a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 130, Plan 33M-785 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to registered subdivision agreements and are zoned holding Residential R4 Special Provision (h*h-100 R4-6(8)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 7.0m;

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 130, Plan 33M-785 as noted in clause a) above:

- i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
- ii) the applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
- iii) the applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
- iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
- v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
- vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
- vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- viii) the applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix) the applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
- xii) the applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 1, 3, 4, 9, 10, 11, 14, 15, 19, 20, 22, 23, 24, 29, 30 and 31 by parts 2, 5, 6, 7, 8, 12, 13, 16, 17, 18, 21, 25, 26, 27, 28 and 32; and,
- xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

Motion Passed

2.2 Application - 3620 Southbridge Avenue 33M-785, Block 124 (P-9231)

Moved by: E. Holder

Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Sifton Properties Limited, to exempt Block 124, Plan 33M-785 from Part-Lot Control:

- a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 124, Plan 33M-785 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to registered subdivision agreements and are zoned holding Residential R4 Special Provision (h*h-100 R4-6(8)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 7.0m;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 124, Plan 33M-785 as noted in clause a) above:
 - i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii) the applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - iii) the applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
 - v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
 - vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
 - viii) the applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
 - ix) the applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
 - x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
 - xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily

completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;

xii) the applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 2, 3, 4, 7, 11, 12, 15, 16, 18, 19, 20, 23, 27, 28, 29, 32, 33, 34, 37, 41, 42, 45 and 46 by parts 1, 5, 6, 8, 9, 10, 13, 14, 17, 21, 22, 24, 25, 26, 30, 31, 35, 36, 38, 39, 40, 43 and 44; and,

xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

Motion Passed

2.3 Application - 2805 Asima Drive (P-9220)

Moved by: E. Holder

Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Rockwood Homes, to exempt Block 49, Plan 33M-699 from Part-Lot Control:

a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 49, Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings;

b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 49, Plan 33M-699 as noted in clause a) above:

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

ii) the applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;

iii) the applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;

iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;

v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;

vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;

vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;

- viii) the applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- ix) the applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
- xii) the applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 2, 5, 7, 9, and 11 by parts 1, 3, 4, 6, 8 and 10; and,
- xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question.

Motion Passed

2.5 Application - 1160 Wharncliffe Road South (P-9238)

Moved by: E. Holder

Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Goldfield Ltd., to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from Part-Lot Control:

- a) pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at a future Council meeting, to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-4(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings with a minimum lot frontage of 6.7m, a minimum exterior and interior side yard depth of 1.2m and maximum lot coverage of 45%;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 2, 3, 4, 5 and 7, Plan 33M-786 as noted in clause a) above:
 - i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii) the applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - iii) the applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;

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

Motion Passed

2.6 Application - 1830 Finley Crescent (P-9096)

Moved by: E. Holder
 Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, based on the application by Kenmore Homes (London) Inc., the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to exempt Block 98, Plan 33M-733 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act, R.S.O. 1990, c. P. 13*, for a period not exceeding three (3) years.

Motion Passed

2.7 Application - 1860 Finely Crescent (P-9095)

Moved by: E. Holder
 Seconded by: S. Turner

That, on the recommendation of the Director, Development Services, based on the application by Kenmore Homes (London) Inc., the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to exempt Block 97, Plan 33M-733 from the Part-Lot Control

provisions of Subsection 50(5) of the *Planning Act, R.S.O. 1990, c. P.13*, for a period not exceeding three (3) years.

Motion Passed

2.4 Application - 230 North Centre Road (H-9234)

Moved by: A. Hopkins

Seconded by: E. Holder

That, on the recommendation of the Director, Development Services, based on the application by Tricar Properties Limited, relating to the property located at 230 North Centre Road, the proposed by-law appended to the staff report dated September 8, 2020 BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R9 Special Provision Bonus (h-183/R9-7/B55) Zone TO a Residential R9 Special Provision Bonus (R9-7/B55) Zone to remove the “h-183” holding provision.

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

Motion Passed (5 to 0)

3. Scheduled Items

3.1 Application - 1176, 1200, 1230 Hyde Park Road and Portion of 1150 Gainsborough Road 39T-19502 (Z-9040)

Moved by: E. Holder

Seconded by: A. Kayabaga

That, on the recommendation of the Director, Development Services, the application by Northwest Crossing London Limited, relating to the property located at 1176, 1200, 1230 Hyde Park Road and a portion of 1150 Gainsborough Road, the proposed revised, attached, by-law BE INTRODUCED at the Municipal Council meeting to be held on September 15, 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 Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone and Open Space (OS1) Zone TO a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(*)*B(*)), a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(**)*B(*)), a Holding Residential Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*)) Zone, a Holding Residential Special Provision (h*h-100*R5-7(**)/R6-5(**)/R7(**)*H12/R8-4(**) Zone, a Holding Residential Special Provision (h*h-100*h-18*R5-7(***)/R6-5(***)/R7(***)*H12/R8-4(***) Zone, an Open Space Special Provision (OS1(*) Zone and an Open Space Special Provision (OS5(*) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate the development of high quality mixed-use apartment buildings and standalone apartment buildings with a maximum height of 22 metres (6-storeys), which substantively implements the site-specific “Design Criteria”;

Design Criteria:

Site Development

- Building Sitting:
 - o buildings shall be located along the majority of the Hyde Park Road and Street 'A' frontages to provide for a built edge along the street; and,
 - o all service and loading facilities associated with building shall be located within and/or behind buildings away from amenity areas and not visible from the public street;

- Pedestrian Connectivity:
 - o mid-block walkway connections from Hyde Park Road through Block 1 shall be provided between buildings fronting Hyde Park Road, leading to internal parking area and to walkways behind buildings leading to sidewalks along the northern and southern portions of Street 'A'; and,
 - o walkway connections from the sidewalk along Hyde Park Road shall be provided from both ends of the building for Block 2, with a further connection to the sidewalk along Street 'A';

- Access and Parking:
 - o vehicular access for both Blocks 1 and 2 shall be provided from Street 'A';
 - o no parking or vehicular drive isles shall be located between buildings and the Hyde Park road frontage; and,
 - o low masonry walls (max. 0.75m), complimentary in design to the buildings, shall be provided with a combination of landscaping to screen any parking located along the edge of Street 'A';

- Common Outdoor Amenity Areas:
 - o outdoor common amenity areas shall be provided for each building, alternatively these spaces can be combined into one, centrally located common outdoor amenity space per Block;
 - o these spaces shall be an appropriate size to provide adequate amenity for the proposed number of residents and provide the opportunity for passive and/or active recreation;
 - o these spaces shall be located within close proximity to a building entrance/exit. Alternatively a safe, appropriately sized, and conveniently aligned walkway connection(s) will be provided from the nearest building entrance/exit. If the spaces are combined into one centrally located space provide for walkways from each building to the space;
 - o enhanced landscaping shall be provided along the Hyde Park Road frontage in the form of small amenity areas and trees between buildings. Efforts will be made to provide opportunities for additional amenity space through site and building design, with the intention of providing spaces for residents and visitors to enjoy the outdoors and animating street frontages to facilitate pedestrian oriented environments;

Built form

- All buildings:
 - o the development shall feature contemporary building designs with a mix and articulation of building materials including brick, metal panels, concrete, wood veneer and vision and spandrel glass; and,
 - o buildings shall be designed in a way that breaks up the structures horizontally and vertically through articulation, architectural details, and an appropriate proportion and rhythm of windows and balconies;

- Buildings along Hyde Park frontage:
 - o the design for buildings facing Hyde Park Road shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back,

balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building;

o buildings shall include active commercial uses along the Hyde Park Road frontage, and all main floor commercial unit entrances shall be oriented towards Hyde Park Road;

o the ground-floor street façade shall be primarily comprised of vision glazing for views into and out of the building. Where vision glazing is not used, alternative urban design measures that contribute to an animated streetscape shall be required; and,

o overhead protection from natural elements shall be provided above the first floor in locations such as pedestrian entrances where appropriate to architecturally differentiate the building base from the upper levels;

• Buildings along the Street 'A' frontage:

o the development shall provide street-oriented features for residential buildings, including individual entrances to ground-floor residential units with operable and lockable doors, and pedestrian-scale features such as lighting and weather protection. Private amenity areas shall also be provided and may include enclosed courtyards with a combination of planters and low decorative fencing; and,

o the design for buildings facing Street 'A' shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building;

b) the Approval Authority BE ADVISED that issues were raised at the public meeting with respect to affordable housing as it relates to the application for draft plan of subdivision of Northwest Crossing London Limited relating to a property located at 1176, 1200, 1230 Hyde Park Road and a Portion of 1150 Gainsborough Road; and

c) the Approval Authority BE ADVISED that the Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Northwest Crossing London Limited (File No. 39T-19502), prepared by MHBC Planning, Project No. 16-200, dated March 18, 2020, which shows two (2) mixed-use residential blocks, two (2) medium density residential blocks, three (3) open space blocks, one (1) road widening block and two (2) 0.3 m reserve blocks, all served by one (1) local/neighbourhood streets (Street A), SUBJECT TO the conditions contained in Appendix "B" appended to the staff report dated September 8, 2020;

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

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

• the proposed and recommended amendments are consistent with the Provincial Policy Statement, 2020 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents;

• the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods, Shopping Area and Green Space Place Type;

- the proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Policies for Specific Areas 10.1.3, cxlixii); and,
- the proposed and recommended zoning amendments will facilitate an appropriate form of mixed-use and medium density residential development that conforms to The London Plan and the (1989) Official 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: S. Turner
Seconded by: A. Kayabaga

Motion to open the public participation meeting.

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

Motion Passed (5 to 0)

Moved by: A. Kayabaga
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)

3.2 Application - 3557 Colonel Talbot Road (Z-9003)

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

That, on the recommendation of the Director, Development Services, based on the application by 1423197 Ontario Inc. (Royal Premier Homes), relating to the property located at 3557 Colonel Talbot Road, the proposed attached, revised, by-law BE INTRODUCED at the Municipal Council meeting to be held on September 15, 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 Urban Reserve (UR4) Zone and Open Space (OS4) Zone TO a Residential R5 Special Provision (R5-6(_)) Zone, Open Space Special Provision (OS4(_)) Zone and an Open Space Special Provision (OS5(_)) Zone; it being noted that the provision of enhanced screening/privacy along the northern property line, including boundary landscaping along the north and west property boundaries, was raised during the application review process as a matter to be addressed at the Site Plan Approval Stage; it being further noted that the H-5 holding provision allows for a public participation meeting during site plan stage;

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

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

- the recommended amendment is consistent with the PPS, 2020 because it encourages the development of an underutilized parcel within the settlement area and provides for an appropriate range of uses and opportunities for development;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Neighbourhoods Place Type and the Open Space Place Type;
- the recommended amendment confirms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation;
- the recommended amendment is consistent with the Southwest Area Secondary Plan, including the Lambeth Neighbourhood policies; and,
- the recommended amendment facilitates the development of an underutilized site within the Urban Growth Boundary with an appropriate form of infill development.

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

Motion Passed (5 to 1)

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. Hopkins
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 Removing References to 1989 Official Plan from Zoning By-law Z.-1 (Z-8909)

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

That, on the recommendation of the Director, City Planning and City Planner, the proposed by-law appended to the staff report dated September 8, 2020 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020 to amend Zoning By-law No. Z.-1 by deleting certain references to policy sections, land use designations, and map schedules of the 1989 Official Plan and by adding references to policies of the London Plan as required;

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. Kayabaga

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: 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)

4. Items for Direction

4.1 5th Report of the London Advisory Committee on Heritage

Moved by: A. Hopkins

Seconded by: E. Holder

That the following actions be taken with respect to the 5th Report of the London Advisory Committee on Heritage from its meeting held on August 12, 2020:

a) that the following actions be taken with respect to the Notice of Planning Application, dated May 19, 2020, from L. Davies Snyder, Planner II, related to Official Plan and Zoning By-law Amendments with respect to the properties located at 1153-1155 Dundas Street:

i) L. Davies Snyder, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is in support of the preliminary research and findings of the Heritage Impact Assessment, dated March 16, 2020, from Zelinka Priamo Ltd.; it being noted that the LACH believes the smokestacks on the property to be a significant heritage attribute and supports incorporation and retention of the structure in the adaptive reuse of this heritage listed property; and,

ii) the above-noted Notice of Application BE RECEIVED;

b) that the following actions be taken with respect to the staff report dated July 13, 2020, with respect to Implementing Additional Residential Units Requirements of the *Planning Act* (Bill 108):

i) the Heritage Planners BE REQUESTED to review existing Heritage Conservation District plans and applicable planning policies to identify how additional residential units are addressed and report back at a future meeting of the London Advisory Committee on Heritage; and,

ii) the above-noted report BE RECEIVED;

c) that, on the recommendation of the Director, Development Services, with the advice of the Heritage Planner, the following actions be taken with respect to the request to demolish the building on the heritage designated property at 120 York Street, within the Downtown Heritage Conservation District:

- i) the above-noted request for demolition BE PERMITTED;
- ii) the Chief Building Official BE ADVISED of Municipal Council's intention in this matter;
- iii) the applicant BE REQUIRED to obtain final Site Plan Approval for the property; and,
- iv) the Heritage Planner BE REQUESTED to confirm and implement the appropriate mitigation measures with the property's owner and heritage consultant, in writing, in advance of the demolition of the building located at 120 York Street, in order to protect the adjacent heritage designated properties;

it being noted that the London Advisory Committee on Heritage does not believe that surface parking supports the heritage character of the Downtown Heritage Conservation District;

d) the staff report, dated August 12, 2020, with respect to a Heritage Alteration Permit Application by S. MacLeod, for the property located at 59 Wortley Road in the Wortley Village-Old South Heritage Conservation District, BE DEFERRED to a future meeting of the London Advisory Committee on Heritage;

e) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval and approval for alterations to the property located at 70 Rogers Avenue, within the Blackfriars/Petersville Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the window replacements occur within one year of Municipal Council's decision;
- the sash windows feature the applied mullion detail (simulated divided light) on the exterior of the windows to replicate the fenestration pattern of the original windows; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

f) on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking approval for the proposed alterations to the property located at 512 English Street, within the Old East Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the voussoirs consist of salvaged buff brick that matches the brick of the dwelling;
- the space in between the two windows be clad with salvaged buff brick;
- the sills of the new window openings consist of matching materials consistent with the remaining window openings on the dwelling; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

g) on the recommendation of the Managing Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the *Ontario Heritage Act* seeking retroactive approval for alterations to property located at 784 Hellmuth Avenue, within the

Bishop Hellmuth Heritage Conservation District, BE REFUSED; it being noted that the London Advisory Committee on Heritage encourages the applicant to engage with the Heritage Planners to identify a solution; and,

h) clauses 1.1, 3.1 to 3.4, inclusive, BE RECEIVED for information.

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

5.1 Deferred Matters List

Moved by: E. Holder

Seconded by: A. Kayabaga

That the Managing Director, Planning and City Planner and the Managing Director, Development and Compliance Services & Chief Building Official BE DIRECTED to update the Deferred Matters List to remove any items that have been addressed by the Civic Administration, with the exception of Item 4, Inclusionary Zoning.

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

Motion Passed (6 to 0)

6. Confidential

6.1 Solicitor-Client Privilege/Litigation or Potential Litigation

Moved by: J. Helmer

Seconded by: A. Hopkins

That the Planning and Environment Committee convene, In Closed Session, for the purpose of considering the following item:

6.1. Solicitor-Client Privilege/Litigation or Potential Litigation

This report can be considered in a meeting closed to the public as the subject matter being considered pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal ("LPAT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

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

Motion Passed (6 to 0)

The Planning and Environment Committee convenes, In Closed Session, from 5:46 PM to 6:12 PM.

7. Adjournment

The meeting adjourned at 6:13 PM.

Bill No.
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 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road.

WHEREAS Northwest Crossings Ltd. has applied to rezone an area of land located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough 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 the easterly portion of the lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone, to a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(*)*B(*) Zone and Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(**)*B(*) Zone .

2. Section Number 25.4 of the Business District Commercial (BDC2) Zone is amended by adding the following Special Provision:

BDC2(*) 1230 Hyde Park Road

a) Additional Permitted Uses:

- i) Continuum-of-Care Facility (with any or all of the other permitted uses on the first floor)
- ii) Retirement Lodge or Retirement Home (with any or all of the other permitted uses on the first floor)
- iii) Nursing Home (with any or all of the other permitted uses on the first floor)

b) Regulations:

- i) Density 175 uph (71 units per acre)
(maximum)
- ii) Interior Side Yard & Rear Yard Depth 3 metres
Abutting a Residential Zone (minimum) (9.84 feet)
- iii) Dwelling units shall be permitted on the first floor of internal apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes, this does not include apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes fronting Hyde Park Road which shall be mixed-use buildings.

3. Section Number 25.4 of the Business District Commercial (BDC2) Zone is amended by adding the following Special Provision:

BDC2(**) 1230 Hyde Park Road

a) Additional Permitted Uses:

- i) Continuum of Care Facility (with any or all of the other permitted uses on the first floor)

- ii) Retirement Lodge or Retirement Home (with any or all of the other permitted uses on the first floor)
- iii) Nursing Home (with any or all of the other permitted uses on the first floor)
- b) Regulations:
 - i) Density (maximum) 144 uph (59 units per acre)
 - ii) Interior Side Yard & Rear Yard Depth Abutting a Residential Zone (minimum) 3 metres (9.84 feet)
 - iii) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - iv) Dwelling units shall be permitted on the first floor of internal apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes, this does not include apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes fronting Hyde Park Road which shall be mixed-use buildings.

4. Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

B(*) 1230 Hyde Park Road

The Bonus Zone shall be implemented through a development agreement to facilitate the development of high quality mixed-use apartment buildings and standalone apartment buildings with a maximum height of 22 metres (6-storeys) which substantively implements the site-specific "Design Criteria".

Design Criteria

Site Development

- Building Sitting:
 - Buildings shall be located along the majority of the Hyde Park Road and Street 'A' frontages to provide for a built edge along the street;
 - All service and loading facilities associated with building shall be located within and/or behind buildings away from amenity areas and not visible from the public street.
- Pedestrian Connectivity:
 - Mid-block walkway connections from Hyde Park Road through Block 1 shall be provided between buildings fronting Hyde Park Road, leading to internal parking area and to walkways behind buildings leading to sidewalks along the northern and southern portions of Street 'A';
 - Walkway connections from the sidewalk along Hyde Park Road shall be provided from both ends of the building for Block 2, with a further connection to the sidewalk along Street 'A'.
- Access and Parking:
 - Vehicular access for both Blocks 1 and 2 shall be provided from Street 'A'.
 - No parking or vehicular drive isles shall be located between buildings and the Hyde Park road frontage.
 - Low masonry walls (max. 0.75m), complimentary in design to the buildings, shall be provided with a combination of landscaping to screen any parking located along the edge of Street 'A'.
- Common Outdoor Amenity Areas:
 - Outdoor common amenity areas shall be provided for each building, alternatively these spaces can be combined into one, centrally located common outdoor amenity space per Block.
 - These spaces shall be an appropriate size to provide adequate amenity for the proposed number of residents and provide the

- o opportunity for passive and/or active recreation.
- o These spaces shall be located within close proximity to a building entrance/exit. Alternatively a safe, appropriately sized, and conveniently aligned walkway connection(s) will be provided from the nearest building entrance/exit. If the spaces are combined into one centrally located space provide for walkways from each building to the space.
- o Enhanced landscaping shall be provided along the Hyde Park Road frontage in the form of small amenity areas and trees between buildings. Efforts will be made to provide opportunities for additional amenity space through site and building design, with the intention of providing spaces for residents and visitors to enjoy the outdoors and animating street frontages to facilitate pedestrian oriented environments

Built form

- All buildings:
 - o The development shall feature contemporary building designs with a mix and articulation of building materials including brick, metal panels, concrete, wood veneer and vision and spandrel glass;
 - o Buildings shall be designed in a way that breaks up the structures horizontally and vertically through articulation, architectural details, and an appropriate proportion and rhythm of windows and balconies
 - Buildings along Hyde Park frontage:
 - o The design for buildings facing Hyde Park Road shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.
 - o Buildings shall include active commercial uses along the Hyde Park Road frontage, and all main floor commercial unit entrances shall be oriented towards Hyde Park Road.
 - o The ground-floor street façade shall be primarily comprised of vision glazing for views into and out of the building. Where vision glazing is not used, alternative urban design measures that contribute to an animated streetscape shall be required.”;
 - o Overhead protection from natural elements shall be provided above the first floor in locations such as pedestrian entrances where appropriate to architecturally differentiate the building base from the upper levels;
 - Buildings along the Street ‘A’ frontage:
 - o The development shall provide street-oriented features for residential buildings, including individual entrances to ground-floor residential units with operable and lockable doors, and pedestrian-scale features such as lighting and weather protection. Private amenity areas shall also be provided and may include enclosed courtyards with a combination of planters and low decorative fencing.
 - o The design for buildings facing Street ‘A’ shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.
- a) Regulations:
- | | | |
|-----|----------------------------------|------------------------------------|
| i) | Height
(maximum) | 22 metres (72 feet)
(6-storeys) |
| ii) | Ground Floor Height
(minimum) | 4.5 metres (14.76 feet) |

- iii) Dwelling units shall be permitted on the first floor of internal apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes, this does not include apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes fronting Hyde Park Road which shall be mixed-use buildings.

5. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the middle portion of the lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone to a Holding Residential Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*)) Zone and from an Open Space (OS1) Zone to a Holding Residential Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*)) Zone.

6. Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

R5-7(*)	1200 & 1230 Hyde Park Road	
a)	Regulation[s]	
i)	Net Density (maximum)	35 uph (based on total land area within the zone)
ii)	Height (maximum)	14 metres (45.9 feet)
iii)	Front & Exterior side Yard Depth (minimum)	3 metres (9.84 feet)
iv)	Setback from Railway Right of Way (minimum)	30 metres (98.4 feet)
v)	The front face and primary entrance of dwellings shall be oriented to adjacent streets	

7. Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

R6-5(*)	1200 & 1230 Hyde Park Road	
a)	Regulation[s]	
i)	Net Density (maximum)	35 uph (based on total land area within the zone)
ii)	Height (maximum)	14 metres (45.9 feet) (4 storeys)
iii)	Front & Exterior side Yard Depth	3 metres (minimum) (9.84 feet)
iv)	Setback from Railway Way (minimum)	30 metres Right of (98.4 feet)
v)	The front face and primary entrance of dwellings shall be oriented to adjacent streets	

8. Section Number 11.4 of the Residential R7 (R7) Zone is amended by adding the following Special Provision:

R7(*)	1200 & 1230 Hyde Park Road	
a)	Regulation[s]	

- i) Net Density (maximum) 35 uph (based on total land area within the zone)
- ii) Height (maximum) 14 metres (45.9 feet), 4-storeys
- iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
- iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
- v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

9. Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

R8-4(*) 1200 & 1230 Hyde Park Road

- a) Regulation[s]
 - i) Net Density (maximum) 35 uph (based on total land area within the zone)
 - ii) Height (maximum) 14 metres (45.9 feet), 4-storeys
 - iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

10. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the westerly portion of lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) an Open Space (OS1) Zone, to a Holding Residential Special Provision (h*h-100*R5-7(**)/R6-5(**)/R7(**)*H12/R8-4(**) Zone.

11. Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

R5-7(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road

- a) Regulation[s]
 - i) Density (maximum) 100uph (41 units per acre)
 - ii) Front & Exterior side Yard Depth (minimum) 3 metres (9.84 feet)
 - iii) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - iv) The front face and primary entrance of dwellings shall be oriented to adjacent streets

12. Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

- R6-5(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 100 uph (41 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Front & Exterior side Yard Depth (minimum) 3 metres (9.84 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

14. Section Number 11.4 of the Residential R7 (R7) Zone is amended by adding the following Special Provision:

- R7(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 100uph (41 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

15. Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

- R8-4(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 100uph (41 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

16. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the westerly portion of lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) an Open Space (OS1) Zone, to a Holding Residential Special Provision (h*h-100*h-18*R5-7(***)/R6-5(***)/R7(***)*H12/R8-4(***) Zone.

17. Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

- R5-7(***) 1176 & 1200 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 90uph (37 units per acre)
 - ii) Lot Frontage (maximum) 10 metres (32.8 feet)
 - iii) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)

18. Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

- R6-5(***) 1176 & 1200 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 90uph (37 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Lot Frontage (minimum) 10 metres (32.8 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)

19. Section Number 11.4 of the Residential R7 (R7) Zone is amended by adding the following Special Provision:

- R7(***) 1176 & 1200 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 90uph (37 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Lot Frontage (minimum) 10 metres (32.8 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)

20. Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

- R8-4(***) 1176 & 1200 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 90uph (37 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Lot Frontage (minimum) 10 metres (32.8 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)

PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – 1175, 1200, 1230 Hyde Park Road and Portion of 1150 Gainsborough Road 39T-19502 (Z-9040)

- Councillor Cassidy: Are there any technical questions? Councillor Turner.
- Councillor Turner: Thanks, Madam Chair, and through you to Mr. Corby, thanks for the report. The report mentions a couple times about affordable housing, it speaks to the London Plan components and general policies. In this, it describes that this allows for opportunities for affordable housing due to various unit sizes, but is there anything that compels that unit type to meet the actual definition of affordable housing rather than just various levels of affordability?
- Councillor Cassidy: Mr. Corby.
- Michael Corby, Senior Planner, Development Services: Through you, Madam Chair - there's nothing to compel them to meet the definition of affordable housing as it is just large blocks in the planned subdivision. It's a little more difficult to ensure we receive affordable housing as we do through bonusing or through site specific amendments. The policies are obviously in the Official Plan when they come through site plan that we will seek to achieve these affordable housing goals. We also did encourage them to speak to the HDC throughout this process but nothing came of that.
- Councillor Cassidy: Councillor Turner.
- Councillor Turner: Through you, Madam Chair - so would we typically leave this to site plan to get to that level in terms of the zoning application, or would this not be something that's considered at the time of the Zoning By-law and Official Plan amendments? It speaks to the Official Plan policies but doesn't realize the Official Plan policies - that's my concern here.
- Councillor Cassidy: Mr. Corby.
- Michael Corby: Through you, Madam Chair - it's difficult through the planned subdivision process to have a mechanism, I guess, to tie them down to affordable housing outside the bonus zone, so that's the difficulty we face here. And in this reference, they're not actually achieving higher densities than what's permitted; they are increasing the two stories in height through the bonus zone, so that could have been somewhere where we could have required affordable housing, but we felt the design criteria was substantial enough to achieve the bonusing on the front of that site.
- Paul Yeoman, Director, Development Services: Through you, Madam Chair, if I could - it's Mr. Yeoman.
- Councillor Cassidy: Go ahead.
- Paul Yeoman: Thank you very much. I just want to add too, though, that it's important to recognize that there aren't any low density zones that are recommended as part of the subdivision as well. So on the spectrum of affordability, recognizing that it won't be regulated affordability through market rents that are tied to a bonus zone, it is inherently a more affordable development than a number of other developments we have in the City.

- Councillor Cassidy: Councillor Turner, any other questions?
- Councillor Turner: No, thanks, I'll leave the rest for comments.
- Councillor Cassidy: Thank you. Any other technical questions on this application? Seeing none, I will go to the committee rooms to see if the applicant is present and would the applicant care to make a comment? If you could state your name and then you have five minutes to address the committee.
- Hannah Shirliff, Planner, MBPC: Thank you. I hope you can hear me through the mask. Good afternoon, my name is Hannah Shirliff and I'm a planner with Monteith Brown Planning Consultants, and I'm here today with Jay McGuffin, the Vice President and principal planner for Monteith Brown, as well as our client, Jim Bujouves of Farhi Holdings. We'd like to thank staff for their work on the report and their work on this project to date. We really appreciate the opportunity to review everything in advance, and we agree with staff's recommendation, and we are available to answer any questions that Council and members of the public may have. Thank you.
- Councillor Cassidy: Thank you very much. Now I'll go to the committee rooms to see if there are any members of the public who would like to comment on this application. I'm not seeing any members of the public who would like to comment on this, so I will look for a motion to close the PPM.

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 3557
Colonel Talbot Road.

WHEREAS 1423197 Ontario Inc. (Royal Premier Homes) has applied to
rezone an area of land located at 3557 Colonel Talbot 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 3557 Colonel Talbot Road, as shown on the attached map
comprising part of Key Map No. A110, from an Urban Reserve (UR4) Zone and
Open Space (OS4) Zone to a Holding Residential R5 Special Provision (h-5*R5-
6(_)) Zone, Open Space Special Provision (OS4(_)) Zone and an Open Space
Special Provision (OS5(_)) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-6) Zone is amended by adding the
following Special Provision:
 -) R5-6() 3557 Colonel Talbot Road
 - a) Regulation[s]
 - i) Front Yard Depth (min) 2.0 metres
 - ii) Rear Yard Depth (min) 0.7 metres
(From OS4(_)) Zone
 - iii) South Interior Side 3.1m
Yard Depth (min)
 - iv) Density (max) 51 uph
 - v) Deck 0.0m
Encroachment (max)
(From OS4(_)) Zone
- 3) Section Number 36.4 of the Open Space (OS4) Zone is amended by adding the
following Special Provision:
 -) OS4() 3557 Colonel Talbot Road
 - a) Additional Permitted Uses:
 - i) One accessory structure
 - b) Regulation[s]
 - i) Lot Area (min) 1,056m²
 - ii) Lot Frontage (min) 14.0m
- 4) Section Number 36.4 of the Open Space (OS5) Zone is amended by adding the
following Special Provision:

-) OS5() 3557 Colonel Talbot Road
 - a) Regulation[s]
 - i) Lot Area (min) 2,860m²

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 September 15, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

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



PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – 3557 Colonel Talbot Road (Z-9003)

- Councillor Cassidy: Any technical questions? Councillor Turner.
- Councillor Turner: Yes, just really quickly – on the concept plan it shows the delineation on 3.2, the requested amendment shows the lands to be zoned open space OS-4. those are rather rectangular lines for typically what's used to delineate a natural hazard. So is that rectilinear delineation one that's supported by UTRCA?
- Councillor Cassidy: Ms. Vivian.
- Melanie Vivian, Site Development Planner, Development Services: Through you, Madam Chair - through the rezoning process, the UTRCA was involved with this quite closely, and I can get James MacKay to speak more directly on how that line came to be, but essentially it was almost the limit of that flood line. And, James, please correct me if I'm wrong on that one, but UTRCA has agreed to that OS-4 special provision zone boundary line along with that development limit.
- Councillor Turner: Thank you. As Mr. MacKay chimes in here, it's just...if it's supposed to be a flood limit, water tends to follow a little bit more of a curvilinear pattern rather than straight lines, so that's the only thing that concerns me with this, is that it might not actually accurately reflect what that potential flood limit might be.
- James MacKay, Ecologist, Development Services: Through you, Madam Chair - to address that issue, probably the UTRCA is best to answer it since they worked on that flood plain issue. But I can speak to the fact that it is a cut-and-fill procedure here, so those rectangular lines will represent what the flood plain is in that area based on the works that will be required to address that issue. So it should be satisfactory, and the UTRCA was on board with this overall layout and what's happened here.
- Councillor Turner: That makes sense, thank you.
- Councillor Cassidy: Thank you, Councillor. Any other technical questions, or did you have something to add, Mr. MacKay?
- James MacKay: Through you, Madam Chair – no, that's great, thank you.
- Councillor Cassidy: Thank you. I'm not seeing any other technical questions, so are the applicants present and would they like to address the committee? Please state your name and you have five minutes.
- Matt Campbell, Senior Planner, Zelinka Priamo Ltd.: Thank you very much and good afternoon, Madam Chair, committee members. My name is Matt Campbell, I'm here with Zelinka Priamo. We have the whole crew here with us today; so myself, I'm the planner on the file from the private consultants side; we have Farhad Noory from Royal Premier Homes; we have development engineering; and Mike and Carolyn, the landscape architects that worked on this file. So everyone's here to answer any questions that may come up. Just to back up a little bit - there's been quite a lot of history with this file. We started off on this project way back in 2018. The original proposal has changed quite a bit as a result of the flood lines that were set out as part of the Dingman Creek

environmental assessment, so there were some issues with the original plan. As James mentioned, there is a cut-fill analysis that was done that has been accepted by the conservation authority, and to Councillor Turner's comment - that's why we have that kind of odd angle in there. You're absolutely right - that's not representative of a natural flood line; that is an engineered solution to this problem here, so that's exactly why you see that. So the proposal is twenty-one townhouse units arranged perpendicular to Colonel Talbot Road. There are some improvements to Colonel Talbot Road that are going to be required, and we have submitted for site plan approval right now, and we're working through a lot of the technical issues. We worked very well with staff on this application to come to the zone that we're all satisfied with. I understand that there are a number of concerns from the public; we've done our best to address those right off the bat. I'm happy to answer any questions that may arise at this meeting and again, as I mentioned, we have everyone from our development team here that may be able to answer any questions. A couple of things I would like to point out: when we're looking at the zoning for this site, the density kind of jumps out a little bit as fifty one units per hectare, and there's been some commentary from the public to that effect. I just want to point out that that number is a little bit misleading, just because of the zone boundaries that we're working with on this site. The density is taken by the zone - the area that is zoned - and not the property. So the density is actually numerically a little bit higher than you would normally expect on this site, but it's nothing to cause anyone any sort of alarm, it's just the results of where these zone lines are lying. Just another item - there was some comments about stormwater management. We are proposing what's called a 'bioswale' on this site, so stormwater that's coming off of the driveway and parking area would flow to the rear of the site and enter what's called the bioswale - that is a depressed area that has some vegetation coming up into it, so that provides some quality and quantity control for the water before it goes into the Dingman Creek sub-watershed. So I think that's a good summary of what we're dealing with here in front of us today. Again, my name's Matt Campbell with Zelinka Priamo. If anyone has any questions, again we have everyone from the development team here to answer any questions that may come up. Thank you very much.

- Councillor Cassidy: Thank you. Now I understand there are members of the public in committee room number five that may wish to address the committee. So I'll go to committee room number five, and if you could come to the microphone and state your name, you will have five minutes to address the committee.
- Ian Campbell: Hello, my name is Ian Campbell. I'm at 3637 Colonel Talbot Road, the property directly south of the property we're looking at today. I had actually sent some information into Melanie Vivian on March 29th; I'm not sure if that's made its way into the committee's hands or not, I know that was in the middle of a lot of commotion. So I just wanted to address that email that I sent with a number of items on it. Three items that are of specific concern both to me and I think to some other folks that are here in the room as well. The first one, understanding that there is a fair slope on that land from north to south moving down into the creek...I couldn't hear, Matt, what you were saying with regard to how you're going to be managing some of the water that hits impervious surfaces, but as it goes down to the creek it actually passes over about twenty meters of my property. So all well and good, but the plan is that it's going to go off your property into the 'OR' whatever it was, I don't know, OR-4 zone. But then from the OR-4 zone, it then has to pass another twenty feet across my property to actually get to the creek, and that is of some concern to me. The second item is that I don't believe anybody has really contemplated any kind of elevation to take decks into account. If you put decks on the backs of the North

properties, those decks, which I presume would be at least four feet in width, would literally look down on the properties that are directly north of this property. There's a number of residents here who actually own houses that actually back up to this property, and I think certainly some kind of privacy or some kind of a setback to make sure that people sitting on their decks are not staring into peoples' pools or bedrooms or living rooms is something that everyone should have some level of concern about. Third item - you talked a little bit about 'the math isn't really right' - I have to disagree with that. The math isn't right simply because you have a setback because you have the OR zone, the flood zone...that doesn't mean you can just sort of take that out of the math equation and say the math isn't right. When you look at the by-laws or the City Plan that was not put together by me, it was put together by your predecessors putting together best practices for the City of London and development – the zone as it currently stands, which is an R5-6, goes all the way from twenty five units all the way to sixty units, which is a big window. But the nice thing is that your predecessors put some language in there - if you have twenty five units, that is specifically for areas adjoining or adjacent to low density areas, which is what this is - twenty five. When you go to the other stream, sixty one - that is specifically for inner city areas and locations near major activity centers, which this is not. So now you've gone from twenty five to sixty one – you would imagine that this proposal is maybe twenty five or twenty seven or twenty eight? No, it's at fifty one, which is all the way to the other end of the scale which is in and around the inner city areas and locations near major activity centers, which this development is not. So frankly I am shocked this committee is recommending an approval of this application.

- Councillor Cassidy: Are there other members of the public in committee room five? Please state your name, sir, and you have five minutes.
- Ibrahim Semhat: My name is Ibrahim Semhat, I'm living at 6961 Clayton Walk just north of the property, and I wanted to say that what Ian mentioned represents a bunch of us here in the room that you can't probably see on the camera. So maybe we can raise our hands and agree on that, but there's a bunch of us here, so I just wanted to make that known. Thank you.
- Councilor Cassidy: Thank you, sir. And just so the community knows, we have received emails and correspondence from members of the community on this file. I'll just check one last time with the clerk to see if there are other members of the public who would like to comment? Okay great, come to the microphone, state your name, and you have five minutes.
- Heidi Smith: Hi, I'm Heidi Smith and I am at 3600 Isaac Court, so my property borders on the West side; this is on the East side of my property. We've had quite a lot of rain lately and what my husband and I have noticed is the water that runs along the swale on the back of our property and stays away from the cedar hedge – about a forty or fifty year old cedar hedge that borders between the back of our property and the property being developed. And we don't...we're not experts, but we were concerned about looking at the diagram, the snow kind of looks like it's being piled right up at the end of their driveway against the cedar hedge and how that was going to affect that hedge and whether it would survive or whether it would drown from the melting snow and water flow there. That was a big concern of ours. It's about...I don't know how high it is, but without the cedar hedge we have absolutely no privacy between the back of our property and the property being developed. So I just wanted to express our concerns; were not here with a group and I'm not familiar with the people in room four – hello.

- Councillor Cassidy: Thank you, Ms. Smith. Anyone else in committee room four? I'm not seeing any speakers from the public coming forward, so I will go to the committee to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Removing References to 1989 Official Plan from Zoning By-law Z.-1

- Councillor Cassidy: Are there any technical questions from the committee? Okay, then I see in committee room five that Mr. Wallace is at the microphone so I'll go to you, sir.
- Mike Wallace, Executive Director, London Development Institute: Thank you, Madam Chair, members of committee, Mr. Mayor. First of all let me say it's Mike Wallace from LDI and our office is at 562 Wellington Road here just up the street, suite 203. Let me start out with a number of thank you's - first of all I want to thank you for postponing the last public meeting until today so that it gave me an opportunity to meet with our planners and our lawyer, and talk about what was actually happening in this report. I want to also thank staff who, immediately after the last public meeting, contacted us about getting together and having a chat about what was actually involved in this report that had come forward in August. And finally, in terms of thank you's, I wanted to thank you for incorporating the minor suggestions that we came up with as an industry (from LDI) to improve the report. The final two comments I'll make are simple. We do really appreciate the communication that we had. I think, fundamentally, what happened was that the report...like this was a technical report as staff would tell you, it's making technical changes...and the report in front of it had other issues involved in it. I think, in part, to try to make sure that the committee members understood what was surrounding these changes in terms of where we were with the London Plan and so on. And so some of the comments were probably open to interpretation in the report, and the actual thing, the piece that staff were asking you to approve we really didn't have any issue with; we just had some wording changes. The final thing I want to say is that, related to what Mr. Macbeth had just said, I think the most feedback that I got from our members at LDI was that 'is this not, like, premature'? Could we not have done this all together when we do the Rethink, the zoning process? It makes them nervous that maybe they're taking little bits and pieces in coming forward, and I assured them that's not really the case here, and actually they don't disagree that it provides more flexibility with these changes, and we actually agree with staff on that. It's just that they felt that, you know, we've been working on this, we started the work before the Covid issue on the Rethink Zoning, and that possibly it could have all the been wrapped in together instead of what they consider a one off. But other than that, we want to thank you very much for holding this meeting, and for postponing the last one to this one so we had a chance to review it. Thank you to staff for meeting with us, and again thank you for implementing the very minor changes that we recommended you implement, and I'm happy to answer any questions if you have any.
- Councillor Cassidy: Thank you, Mr. Wallace. In committee room five, is there anybody else that wants to address the committee? Awesome. If they could come forward and state their name, and they have five minutes.
- Jennifer Hewitt: Hi, my name is Jennifer Hewitt and I live at 1857 Fanshawe Park Road. Just a few things – number one, I do not support these changes and oppose them as they affect our property rights. Number two, I did not receive sufficient notice of these changes, especially during Covid times. We received nothing in the mail even though three specific zoning terminology changes affect our property rights and our neighbours' property rights, specifically section 5.1, section 47.1 and section 48.1. And as far as sending a letter, there's only ten homes in these rural settlements, so it would have been really easy to send out

ten letters to us all. Number three, the purpose given for these changes is that it is going to help allow development. These changes will have the exact opposite effect. We require those references to rural settlement as it helps protect our property rights and our neighbours' property rights, as we live in an area designated rural settlement. These changes certainly do not provide clarity in our case, which is the second supposed reason for the change. Removing references to the rural settlement do not provide clarity; it makes things very unclear and cloudy. And the third reason given for the changes is to provide flexibility. How does it provide flexibility for a resident of the rural settlement when you remove reference to that rural settlement in the Zoning By-law? It doesn't make any sense. So, in conclusion: number one, again I oppose these changes, number two, I wasn't sufficiently notified, and number three, these changes are not going to help me and are affecting our zoning rights. Thank you.

- Councillor Cassidy: Thank you, Ms. Hewitt. Are there any others? Okay, state your name and you have 5 minutes, sir.
- Robert Hewitt: Hi, I'm Robert Hewitt, her husband. And if you look at section 47.1 where the changes are going in, where they're going to remove the reference to the rural settlement designation and references to the policies and the sections there, actually those are the things that prove our rights to have that ability to develop those lands that way. It's really...when you think of what my wife mentioned earlier about 'clarity' or that this is going to help for development or anything, there's been no explanation as to how that helps for anything in the rural settlement. Like, what is the specific issue of why this change is being done in the rural settlement commercial zone? And also, with reference to the other section where they're changing it at is...this one section, is .51, referring to R1-14, R1-15 and R1-16 zone variations, and how they're applied in rural settlement designations. Removing that from the zoning actually makes things hard. We found when the City annexed the area, we had Gregg Barrett, we dealt a lot with Gregg with our zoning, and we had the whole community come down and get certain zoning rights put into our properties. And since then, we've had nothing but trouble when we come to the City later - the residents in that area, they want to do this and they want to do that - they don't recognize any of the things that were done. They don't...if the terminology isn't there, they broaden it out in a way that you can't fit in the box anymore. For example, the London Plan talks about having, about supporting in-fill housing in the rural settlements. The old Plan talked about supporting housing, in-fill housing in the rural settlements. We currently have put forth a Plan to have some in-fill housing on our property and the City's not supporting it all. So even when it's in the London Plan, even when it's in the old Plan, we still don't win. So any changes to any references to any sort of zoning rate that we have in that area we strongly oppose, because we are not even getting the zoning rights we currently have. So currently we're zoned R-14 in rural settlement, which has specific lot sizes. The City agrees that we meet the lot sizes; the City says the London Plan supports in-fill housing; the old Plan supports in-fill housing; but of course they're not going to approve it in any way. So our whole rural settlement in our area actually has about forty acres of land that is completely undeveloped. It's right up, abuts right up to the sewers and the water lines, the Copps subdivision. We have traffic that is crazy there, but we have forty acres of land that's got maybe ten houses on it. It's totally unutilized, it's not agricultural land, it's not farms - but because it's set outside of that urban growth boundary, all these different things keep holding us back in that territory from having any sort of rights. We don't have sidewalks, we don't have high speed internet, we don't have street lights; we have an eighty mile...eighty kilometer per hour speed limit that goes past us that's dangerous, but we keep getting pigeonholed. And no one's looking at our exact experience that we have

there. I've sent emails, I've been fighting with the City I don't know how long. I had to fight to get the rights in the first place because they were actually going to zone us in the farms originally...so you're going to have a two acre farm or a four acre farm on Fanshawe Road right by Copps lumber. So, when we see changes happening again, in a very specific, small way, there's got to be a reason behind this change, and the reasons that are given for these changes don't match anything of our history and what development are they referring to they're going to make it easier for in the rural settlement. There's been no consultation with us in any way, shape or form. I'm perfectly willing to meet with Gregg Barrett, as I originally dealt with him in the first place, and the community is willing to meet with him as well. She wants to explain these things but I...we just don't understand why they would be changing –

- Councillor Cassidy: You're coming up on your five minutes, sir.
- Robert Hewitt: Okay, that's the best I can do in five minutes.
- Councillor Cassidy: Thank you, sir. So I do just want to mention that the Official Plan of the City of London is in transition, so the London Plan will be the new official plan of the City of London, and it has been approved by Council and by the Ministry. So I'll just go to Ms. Bunn to see if there's anybody else that would like to address this committee? No. So with no other members of the public, I will look to committee to close the public participation meeting.

Community and Protective Services Committee

Report

The 10th Meeting of the Community and Protective Services Committee
September 9, 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,
T. Fowler, O. Katolyk, G. Kotsifas, H. Lysynski, A. Macpherson,
L. Marshall, B. Page, C. Saunders, J. Smit, C. Smith, S. Stafford,
D. Turner and B. Westlake-Power

The meeting was called to order at 4:00 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: S. Hillier
Seconded by: P. Squire

That Items 2.1 to 2.3 BE APPROVED.

Yeas: (5): S. Lewis, M. van Holst, M. Salih, P. Squire, and S. Hillier
Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 White Oaks Park - Pavilion Donation Agreement

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

That, on the recommendation of the Managing Director, Parks and
Recreation, the proposed by-law, as appended to the staff report dated
September 9, 2020, BE INTRODUCED at the Municipal Council meeting
to be held on September 15, 2020, to:

- a) approve the attached revised Agreement between The Corporation
of the City of London and York Developments (London) Inc. for the
construction and donation of a pavilion in White Oaks Park; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted
Agreement. (2020-L04A)

Motion Passed

2.2 Canadian Medical Association (CMA) Foundation Gift Agreement

Moved by: S. Hillier

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 September 9, 2020, BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020, to:

- a) authorize and approve the Gift Agreement, as appended to the above-noted by-law, between the CMA Foundation and The Corporation of the City of London; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Gift Agreement. (2020-L04A)

Motion Passed

2.3 Award Recommendation for Research Into Labour Market Participation Rates in the London Economic Region - Request for Proposal 20-24

Moved by: S. Hillier

Seconded by: P. Squire

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home and concurrence of the Director of Financial Services, the following actions be taken with respect to the staff report dated September 9, 2020, related to the award of the Request for Proposal (RFP20-24) Research Services for Primary Research into Labour Market Participation Rates in the London Economic Region:

- a) the Request for Proposal (RFP20-24) BE AWARDED to Pricewaterhouse Coopers LLP for a total one-time funding amount of \$115,101 (exclusive of applicable taxes), for the delivery of the labour market research project; it being noted that the proposal submitted by the Successful Proponent meets the City's requirements and is in compliance with the City's Procurement of Goods and Services Policy;
- b) the proposal submitted by Pricewaterhouse Coopers LLP for the design and delivery of the Labour Market Research BE ACCEPTED in accordance with the Procurement of Goods and Services Policy;
- c) the Civic Administration BE AUTHORIZED to undertake all administrative actions which are necessary in relation to this project;
- d) the above-noted approval BE CONDITIONAL upon The Corporation of the City of London negotiating satisfactory terms and conditions with Pricewaterhouse Coopers LLP, to the satisfaction of the Managing Director, Housing, Social Services and Dearness Home, the Acting Managing Director, Housing, Social Services and Dearness Home, or written designate;
- e) the above-noted approval 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 this approval; and,
- f) the Civic Administration BE DIRECTED to provide an update to Municipal Council on the outcomes, findings and final report of the Labour Market Research. (2020-M11)

Motion Passed

3. Scheduled Items

3.1 2020 Parkland Dedication By-law CP-9 Update

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

That, on the recommendation of the Managing Director, Parks and Recreation, the following actions be taken with respect to the 2020 Parkland Dedication By-law CP-9 Update:

- a) that the proposed by-law, as appended to the staff report dated September 9, 2020, BE INTRODUCED at the Municipal Council meeting to be held on September 15, 2020, to amend By-law CP-9, Parkland Conveyance and Levy By-law, in conformity with the Official Plan to change to the parkland dedication fee rates; and,
- b) the Civic Administration BE DIRECTED to undertake the next bi-annual Parkland Conveyance and Levy By-law CP-9 for January 1, 2022; it being pointed out that at the public participation meeting associated with this matter, the individual indicated on the attached public participation meeting record made an oral submission regarding this matter. (2020-M02)

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

Motion Passed (6 to 0)

Voting Record:

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

Motion to open the public participation meeting.

Yeas: (5): S. Lewis, M. van Holst, M. Salih, P. Squire, and S. Hillier
Absent: (1): E. Holder

Motion Passed (5 to 0)

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

Motion to close the public participation meeting.

Yeas: (5): S. Lewis, M. van Holst, M. Salih, P. Squire, and S. Hillier
Absent: (1): E. Holder

Motion Passed (5 to 0)

3.2 London for All: A Roadmap to End Poverty

Moved by: P. Squire
Seconded by: E. Holder

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services and the Acting Director, Housing, Social Services and Deerness Home, the staff report dated September 9, 2020, with respect to London For All: A Roadmap to End Poverty Implementation Update as well as the London For All: A Roadmap to End Poverty Impact Assessment Report, dated July 2020, BE RECEIVED; it being noted that a verbal delegation from K. Ziegner, United Way Elgin-Middlesex, was received with respect to this matter. (2020-S04)

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

Motion Passed (6 to 0)

4. Items for Direction

4.1 Taxi Licensing Fees - Hasan Savehilaghi, Yellow London Taxi Inc. - Request for Delegation Status

That the following actions be taken with respect to the communication, dated August 20, 2020, from H. Savehilaghi, Yellow London Taxi Inc. related to a request for delegation status to speak to renewal fees pertaining to the taxi industry:

- a) the above-noted delegation request BE APPROVED to be heard at this meeting; and,
- b) the above-noted delegation BE RECEIVED; it being noted that the Community and Protective Services Committee heard a verbal delegation from H. Savehilaghi with respect to this matter. (2020-P09A)

Motion Passed

Voting Record:

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

Motion to approve the request for delegation status by H. Savehilaghi, Yellow London Taxi Inc.

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

Motion Passed (6 to 0)

Moved by: E. Holder
Seconded by: P. Squire

Motion to approve the verbal delegation by H. Savehilaghi, Yellow London Taxi Inc.

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: P. Squire
Seconded by: E. Holder

That the Deferred Matters List for the Community and Protective Services Committee, as at August 31, 2020, BE RECEIVED.

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

Motion Passed (6 to 0)

5.2 (ADDED) Backyard Fires on Private Property Objection - H. Kaplan

Moved by: P. Squire

Seconded by: M. van Holst

That NO ACTION BE TAKEN with respect to the communication dated August 26, 2020, from H. Kaplan, related to an objection to backyard fires on private property; it being noted that a representative of the Fire Department previously responded to the concerns raised by the individual in the above-noted communication. (2020-P01)

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

Motion Passed (6 to 0)

7. Adjournment

The meeting adjourned at 6:03 PM.

SCHEDULE "A"

THIS AGREEMENT made in duplicate this day of , 2020

B E T W E E N:

YORK DEVELOPMENTS (LONDON) INC.
hereinafter called "York"

-and-

THE CORPORATION OF THE CITY OF LONDON
hereinafter called the "City"

WHEREAS subsection 10(1) of the *Municipal Act, 2001*, as amended, authorizes the City to provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, as amended, provides that the City may pass by-laws respecting matters that are for the economic, social and environmental well-being of the municipality;

AND WHEREAS the City has established a park known as White Oaks Park located municipally at 560 Bradley Avenue in the City of London (hereinafter called "White Oaks Park") for the social and environmental well-being of the municipality;

AND WHEREAS York has proposed to the City that an outdoor pavilion be established for the purpose of staging events for the community and the City (hereinafter called the "Pavilion");

AND WHEREAS the City considers it desirable for the public and in the public interest that the Pavilion be established and maintained in White Oaks Park;

AND WHEREAS York desires to donate materials and services for the purpose of establishing the Pavilion;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual promises, covenants and agreements hereinafter, the parties agree as follows:

1. The parties agree that the Pavilion shall be located in White Oaks Park, and the location being more particularly described in Appendix "1" attached hereto.
2. The parties agree that the final layout and design of the Pavilion shall be approved by the City of London in writing.
3. The parties agree that this agreement does not confer any interest to any person in the property of the City including but not limited to White Oaks Park, the Pavilion and all associated improvements and fixtures. The parties further agree that the Pavilion is available to the community for use.
4. York agrees that the Pavilion shall be constructed and installed at the sole risk and expense of York, including but not limited to:
 - a) design and construction of the new Pavilion structure;
 - b) construction of all new hardscape surfaces beneath and around the Pavilion, blending into the existing hard surface plaza;
 - c) restoration of site within the Work Area (dashed line on Appendix 1) that has been disturbed by construction, or damaged for access to the site;
 - d) all site works to change the orientation of the existing ball diamond, in accordance with City Standard Detail Baseball Diamond Detail SPO 11.1 and associated topsoil & seeding specifications. Re-orientation of the ball diamond (in order to accommodate the Pavilion) also includes but is not limited to

- removal and re-install existing fencing, benches, gravel infield, grading and turf restoration;
- e) extension of existing electrical power source from existing box to service the Pavilion to the City's satisfaction (see Appendix "1" for location);
- f) acting as project manager for site construction and ensuring all applicable Health and Safety requirements are met as per Ontario H&S Act, and;
- g) obtaining all necessary permits and approvals, including but not limited to a Building Permit for the Pavilion structure.

5. York agrees that it shall complete the installation of the Pavilion by no later than June 5th, 2021 (the 'outside date'). York is not entitled to make any modifications to the Pavilion by way of alterations or enhancements unless it first obtains written approval to do so from the Managing Director of Parks and Recreation or their designate.

6. The City agrees that it shall install signage, at the City's own expense with design mutually agreed upon by the City and York on the site that recognizes the contributions of York and their partners.

7. York agrees that it shall indemnify and keep the City indemnified against all actions, suits, claims, liens including any liens under the *Construction Act*, R.S.O. 1990, c. C.30, as amended, and demands which may be brought against or made upon the City and from all loss, costs, damages, charges, liens or expenses which may be incurred, sustained or paid by the City in consequence of the installation and maintenance of the Pavilion as permitted by this Agreement or otherwise by reason of this exercise by the City of the permission hereby granted. York grants to the City full power and authority to settle any such actions, suits, claims and demands on such reasonable terms as the City may deem advisable and hereby covenants and agrees with the City to pay the City on demand all monies paid by the City in pursuance of such settlement and also such sum as shall represent the reasonable costs of the City or its solicitor in defending or settling any such actions, suits, claims or demands and this Agreement shall not be alleged as a defence by York in any action by any person for actual damage suffered by reason of the permission hereby granted to maintain the encroachment hereby permitted as aforesaid over the road allowance. The City agrees to give to York written notice of any such actions, suits, claims, liens and demands promptly upon receipt thereof.

8. In the event, from time to time, that any lien including a claim for lien by a lien claimant and any certificate of action, all within the meaning of the *Construction Act*, R.S.O. 1990, c. C.30, as amended, are given to the Clerk and preserved or perfected in respect of any works or services in connection with the Pavilion, constructed and installed by or on behalf of York, York after having been given notice by any person or of becoming aware of the existence of any such preserved or perfected lien, within the time provided for, and following the procedures set out and prescribed in the *Construction Act*, shall forthwith discharge (or have vacated) any preserved or perfected claim for lien made in respect of any works or services in connection with the Pavilion, constructed and installed by or on behalf of York.

9. York shall take out and maintain with an insurer licensed to carry on business in Ontario, a commercial third party liability insurance acceptable to the City providing insurance coverage in an amount of not less than TWO MILLION DOLLARS (\$2,000,000.00) for any act or omission on the part of York, its employees, guests, invitees and agents arising in any way. Such policy shall include the City as an additional insured thereunder. Further, York shall take out and maintain with an insurer licensed to carry on business on Ontario, Standard Form Automobile Liability Insurance that complies with all requirements of the current legislation of the Province of Ontario, having an inclusive limit of not less than \$ 2,000,000 per occurrence for Third Party Liability, in respect of the use or operation of vehicles owned, operated or leased by the Contractor. York agrees not to commence work until satisfactory evidence of insurance has been filed with the City's Manager of Risk Management, a completed Certificate of Insurance form 0788. This insurance will not be cancelled or permitted to lapse unless the insurer notifies the City in writing at least thirty (30) days prior to the effective date of cancellation or expiry. The City reserves the right to request such higher limits of insurance or other types of policies appropriate to the work as the City may reasonably require.

APPENDIX "1"

Location of Pavilion and Defined Work Area



PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – 2020 Parkland Dedication By-law CP-9 Update

- Mike Wallace, Executive Director, London Development Institute: Thank you, Mr. Chair, and thank you, Councillors, for having this public meeting on this item. We are, as it says in the report, fully supportive of the report. We want to thank you, first of all, for...normally this change every two years happens mid-year – June, July – and because of the issues that we've been facing as an industry and as a city, country, province, we really appreciate the six months deferral for this to change. And we understand that the process will start up again right after that in the new year. And we are satisfied with the evaluation of the value of land that is being used in these calculations, including that for non-developable land - that is natural...you just can't build on it - so we're happy that that's done. One little thing that has nothing to do with your committee but we're certainly willing to talk to the City about lands that are developable that are being used for, like, stormwater management and so on. But that is not your area and it's not in this, so we really appreciate all the work that Mr. Page did with us in terms of providing us input early on in the process so that we could evaluate the study and make sure it was accurate, and it was. So overall we are very happy with the report, agree with the numbers, and are supportive of the bi-annual review starting up to get back in its regular schedule. And we do prefer and we do like that that change, when it does happen, will be happening at the beginning of the calendar year. Hopefully that will continue for years forward because there are a number of other policy changes that happen at the beginning of the year in terms of cost, and that's good for our industry in terms of being able to plan for changes in fees that they need to get ready for on an annual basis. With that I'd be happy to take any questions. One little thing that's got nothing to do with this is that I'm looking forward, also, to the price Waterhouse study because my daughter and son-in-law – both 30 and 31, he's an Ivey grad, they live in Manhattan, and I want to get them back to London, so I want to find out how to get them back here to work. So good luck with that study and I look forward to the results of that. But I'd be happy to take any comments or any questions on LDI's position on today's report.

Location Map



Note: General location shown, not to scale.

SCHEDULE "A"

Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE

PURCHASER: THE CORPORATION OF THE CITY OF LONDON

VENDOR: DANCOR PHASE III OXFORD INC.

REAL PROPERTY:

Address Part of 1985 GORE ROAD, LONDON, ONTARIO

Location SOUTH SIDE OF GORE ROAD AND WEST OF VETERANS MEMORIAL PARKWAY

Measurements PART 4 IRREGULAR (17.40 ACRES) & PART 5 IRREGULAR (0.58 ACRES) Subject to Final Survey.

Legal Description: Firstly: Part of Lot 2 Concession A Designated as Parts 1, 2, 3 & 4 on Plan 33R-9149, Except Parts 2 & 3 on Plan 33R-12797 & Secondly: Being Part Lot 1 Concession A Designated as Part 1 on Plan 33R-12797 and being Part of PIN 081320167 and further shown highlighted in red as Part 4 and Part 5 in the plan attached (subject to final survey) in Schedule "A" ("the Property") of this agreement.in the City of London, County of Middlesex.

1. **OFFER TO PURCHASE:** The Purchaser agrees to purchase the Property from the Vendor in accordance with the terms and conditions as set out in this Agreement.
2. **SALE PRICE:** The purchase price shall be TWO HUNDRED AND NINETEEN THOUSAND THREE HUNDRED AND TWENTY ONE DOLLARS CDN (\$219,321) payable as follows:
 - a) Deposit amount of Ten Thousand Dollars CDN (\$10,000.00) payable to the Vendor's Solicitor In Trust;
 - b) the balance of the sale price, subject to adjustments, in cash or by cheque on completion of this Agreement.
3. **ADJUSTMENTS:** Any unearned fire insurance premiums, rents, mortgage interest, realty taxes including local improvements rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to the Purchaser.
4. **SCHEDULE(S):** The following Schedule(s) form(s) part of this Agreement:
 - Schedule "A" Description of the Property
 - Schedule "B" Additional Terms and Conditions
5. **IRREVOCABILITY:** This Offer shall be irrevocable by the Vendor until considered by the Council of the Corporation of the City of London at a meeting to be held no later than **September 30th, 2020**, after which date, if not accepted, this Offer shall be null and void and the deposit shall be returned to the Purchaser in full without interest or deduction.
6. **TITLE SEARCH:** The Purchaser shall be allowed until 4:30 p.m. on **October 30th 2020** (Requisition Date) to examine the title to the Property and at its own expense and to satisfy itself that there are no outstanding work orders or deficiency notices affecting the Property, that its present use may be lawfully continued and that the principal building may be insured against risk of fire.
7. **COMPLETION DATE:** This Agreement shall be completed by no later than 4:30 p.m. on **November 16th 2020**. Upon completion, vacant possession of the Property shall be given to the Purchaser unless otherwise provided for in this Agreement.
8. **NOTICES:** Any notice relating to or provided for in this Agreement shall be in writing.
9. **HST:** If this transaction is subject to Harmonized Sales Tax (HST) then such HST shall be in addition to and not included in the sale price, and HST shall be collected and remitted in accordance with applicable legislation. If this transaction is not subject to HST, the Vendor agrees to provide, on or before completion, to the Purchaser's solicitor, a certificate in a form satisfactory to the Purchaser's solicitor certifying that the transaction is not subject to HST.
10. **FUTURE USE:** Vendor and the Purchaser agree that there is no representation or warranty of any kind that the future intended use of the Property by the Purchaser is or will be lawful except as may be specifically provided for in this Agreement.
11. **TITLE:** Provided that the title to the Property is good and free from all encumbrances. If within the specified times referred to in paragraph 6 any valid objection to title or to any outstanding work order or deficiency notice, or to the fact the said present use may not lawfully be continued, or that the principal building may not be insured against risk of fire is made in writing to the Vendor and which Vendor is unable or unwilling to remove,

SCHEDULE "A" Cont'd

Agreement of Purchase and Sale

remedy or satisfy and which the Purchaser will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end and any deposit paid shall be returned without interest or deduction and Vendor shall not be liable for any costs or damages. Save as to any valid objection so made by such day and except for any objection going to the root of the title, the Purchaser shall be conclusively deemed to have accepted Vendor's title to the Property .

12. **DOCUMENTS AND DISCHARGE:** The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title to the Property except such as are in the possession or control of Vendor. If requested by the Purchaser, Vendor will deliver any sketch or survey of the Property within Vendor's control to the Purchaser as soon as possible and prior to the Requisition Date. If a discharge of any Charge/Mortgage held by a corporation incorporated pursuant to the Loan Companies Act (Canada), Chartered Bank, Trust Company, Credit Union, Caisse Populaire or Insurance Company and which is not to be assumed by the Purchaser on completion, is not available in registerable form on completion, the Purchaser agrees to accept Vendor's lawyer's personal undertaking to obtain, out of the closing funds, a discharge in registerable form and to register same on title within a reasonable period of time after completion, provided that on or before completion Vendor shall provide to the Purchaser a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, together with a direction executed by Vendor directing payment to the mortgagee of the amount required to obtain the discharge out of the balance due on completion.
13. **DOCUMENT PREPARATION:** The Transfer/Deed shall, save for the Land Transfer Tax Affidavit, be prepared in registerable form at the expense of the Vendor.
14. **RESIDENCY:** The Purchaser shall be credited towards the Purchase Price with the amount, if any, necessary for the Purchaser to pay to the Minister of National Revenue to satisfy the Purchaser's liability in respect of tax payable by Vendor under the non-resident provisions of the Income Tax Act by reason of this sale. The Purchaser shall not claim such credit if Vendor delivers on completion the prescribed certificate or a statutory declaration that Vendor is not a non-resident of Canada.
15. **TIME LIMITS:** Time shall in all respects be of the essence hereof provided that the time for doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by Vendor and the Purchaser or their respective lawyers who are hereby specifically authorized in that regard.
16. **TENDER:** Any tender of documents or money hereunder may be made upon Vendor or the Purchaser or their respective solicitors on the day set for completion. Money may be tendered by bank draft or cheque by a Chartered Bank, Trust Company, Province of Ontario Savings Office, Credit Union or Caisse Populaire.
17. **FAMILY LAW ACT:** Vendor warrants that spousal consent is not necessary to this transaction under the provisions of the *Family Law Act*, R.S.O. 1990 unless Vendor's spouse has executed the consent provided.
18. **PLANNING ACT:** This Agreement shall be effective to create an interest in the property only if the subdivision control provisions of the Planning Act are complied with.
19. **CLOSING ARRANGEMENTS:** Where each of the Vendor and Purchaser retain a lawyer to complete the Agreement of Purchase and Sale of the property, and where the transaction will be completed by electronic registration pursuant to Part III of the Land Registration Reform Act, R.S.O. , Chapter L4, and any amendments thereto, the Vendor and Purchaser acknowledge and agree that the delivery of documents and the release thereof to the Vendor and Purchaser may, at the lawyer's discretion: (a) not occur contemporaneously with the registration of the Transfer/Deed (and other registerable documentation) and (b) be subject to conditions whereby the lawyer receiving documents and/or money will be required to hold them in trust and not release them except in accordance with the terms of a written agreement between the lawyers..
20. **AGREEMENT IN WRITING:** This Agreement, including any Schedule attached, shall constitute the entire Agreement between the Purchaser and Vendor. There is no representation, warranty, collateral agreement or condition, which affects this Agreement other than as expressed herein. This Agreement shall be read with all changes of gender or number required by the context..
21. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein.

The Corporation of the City of London hereby accepts the above Agreement of Purchase and Sale and agrees to carry out the same on the terms and conditions herein contained.

SCHEDULE "A" Cont'd

Agreement of Purchase and Sale

IN WITNESS WHEREOF The Corporation of the City of London hereto has hereunto caused to be affixed its Corporate Seal attested by the hands of its proper signing officers pursuant to the authority contained in By-law No. _____ of the Council of The Corporation of the City of London

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

GIVEN UNDER MY/OUR HAND AND SEAL, (OR, IN WITNESS WHEREOF THE VENDOR HERETO HAS HEREUNTO CAUSED TO BE AFFIXED ITS CORPORATE SEAL ATTESTED BY THE HANDS OF ITS PROPER SIGNING OFFICERS, as the case may be) this 14 day of AUGUST, 2020.

SIGNED, SEALED AND DELIVERED
In the Presence of

DANCOR PHASE III OXFORD INC.

Per: 

Name: Sean Ford

Title: A.S.O.

I/We Have the Authority to Bind the Corporation

VENDOR'S LAWYER: Rigobon & Carl - Barristers & Solicitors (Cindy M Aulicino) 3700 Steeles Ave., W. Ste 401 Woodbridge, Ontario L4L 8K8 Phone: 905-850-5060

PURCHASER'S LAWYER: David G. Mounteer, Solicitor, 519-661-2489 (CITY) Ext. 4709 Fax: 519-661-0082

SCHEDULE "A" Cont'd

Agreement of Purchase and Sale

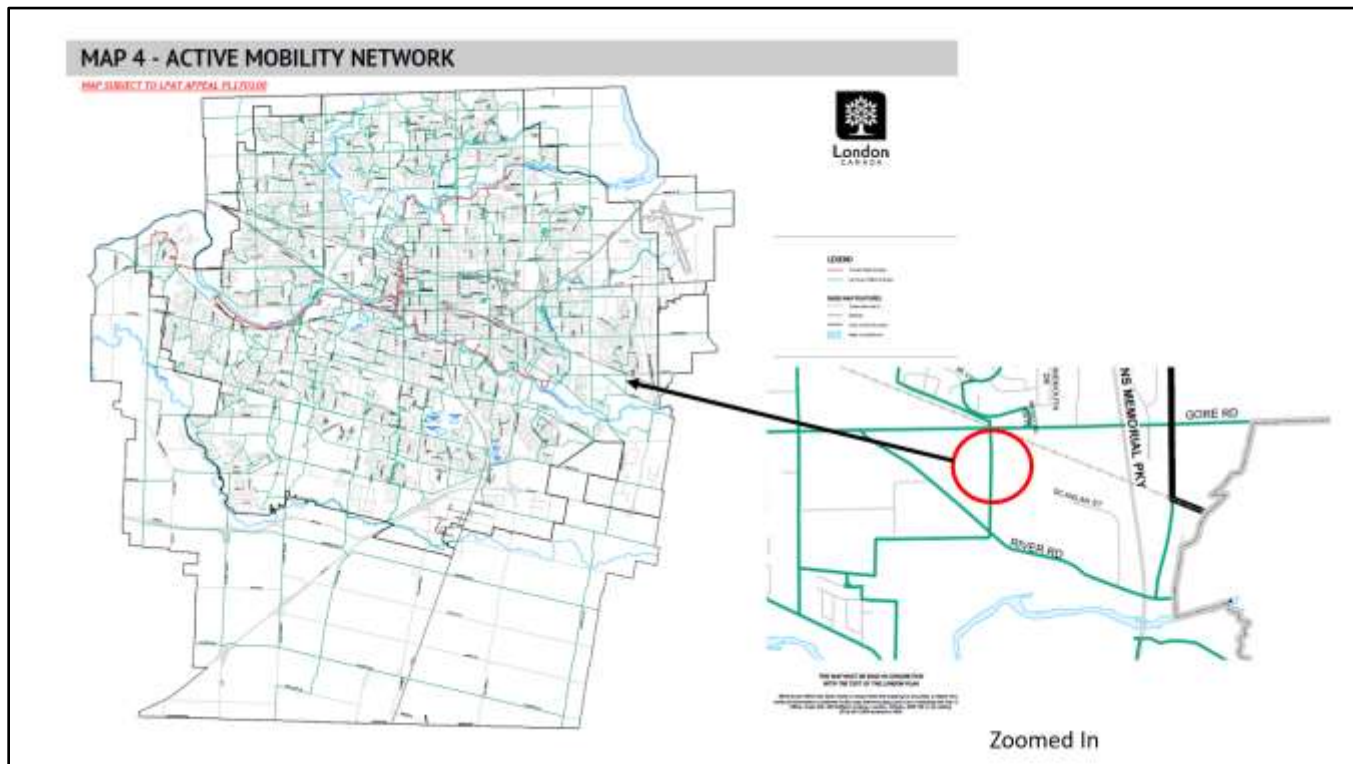
SCHEDULE "B" ADDITIONAL CONDITIONS

1. **SOIL, GEOTECHNICAL, ARCHEOLOGICAL, AND ENVIRONMENTAL TESTS:** The Purchaser shall have until **4:00PM on October 30th 2020** to satisfy itself in its sole and absolute discretion as to the soil, geotechnical, archeological and environmental condition of the Property. The Purchaser may enter on the Property and have soil, geotechnical, archeological and environmental tests conducted using qualified agents or servants. The Purchaser agrees that all such tests shall be conducted using reasonable care and that the Property shall be restored to a condition as close as reasonably possible to its condition prior to entry. The Purchaser agrees to indemnify and save harmless the Vendor from and against all claims, demands, costs, including reasonable legal costs, damages, expenses and liabilities whatsoever arising out of its entry on the Property and the conducting of such test.

If the results of the soil, geotechnical, archeological, and environmental tests are not satisfactory to the Purchaser in its sole and absolute discretion, it shall within the time limited deliver written notice to that effect to the Vendor and the Agreement shall be terminated and the deposit immediately returned to the Purchaser without interest or deduction; failing delivery of written notice, the condition shall be deemed to have been waived. This condition is inserted for the benefit of the Purchaser and may be waived by it at any time during the time limited period.

2. **REFERENCE PLAN:** The Vendor agrees to prepare and deposit on title, on or before closing and at its expense, a reference plan describing the Property.
3. **VENDOR TO RELEASE CAUTION-LAND ON TITLE:** As a condition of this transaction, the Vendor acknowledges and agrees, at the Vendor's expense, to get a full and final release of the caution of land encumbrance registered on title as instrument ER1176691 (the "Caution-Land Encumbrance") prior to the closing of this transaction. The Vendor further agrees that the Purchaser shall at no point be liable for any costs, demands, claims, litigation(s), charges, penalties or fees associated with the Caution-Land Encumbrance as a direct or indirect result of this transaction.
4. **AS IS, WHERE IS:** The Purchaser acknowledges that pursuant to the terms hereof it will have an opportunity to complete such inspections of the condition of the Property as it deems appropriate to be satisfied with regard to same. No representation, warranty or condition is expressed or can be implied as to title, zoning or building by-law compliance, encumbrance, description, fitness for purpose, the existence or non-existence of contaminants, hazardous materials, environmental compliance, condition, or in respect of any other matter or thing whatsoever concerning the Property, save and except as expressly provided for in the Agreement."

SCHEDULE "B"
CYCLING MASTER PLAN
(Map 4 – London Plan)



APPENDIX "A"
CONFIDENTIAL

Chair and Members
Corporate Services Committee

#20130
September 8, 2020
(Property Acquisition)

**RE: Property Acquisition - Part of 1985 Gore Road for Natural Heritage Open Space
(Subledger LD200024)
Capital Project PK275520 - Woodland Property Acquisition
Capital Project PK273520 - Parkland Acquisition**

FINANCE & CORPORATE SERVICES REPORT ON THE SOURCES OF FINANCING:

Finance & Corporate Services confirms that the cost of this project cannot be accommodated within the financing available for it in the Capital Works Budget and that, subject to the recommendations of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the detailed source of financing for this project is:

ESTIMATED EXPENDITURES	Approved Budget	Additional Funding	Revised Budget	Committed To Date	This Submission
<u>PK275520 - Woodland Property Acquisition</u>					
Land Acquisition	\$0	\$217,299	\$217,299	\$0	\$217,299
<u>PK273520 - Parkland Acquisition</u>					
Land Acquisition	35,055	29,655	64,710	65,055	29,655
City Related Expenses	30,000		30,000		
	<u>65,055</u>	<u>29,655</u>	<u>94,710</u>	<u>65,055</u>	<u>29,655</u>
NET ESTIMATED EXPENDITURES	<u>\$65,055</u>	<u>\$246,954</u>	<u>\$312,009</u>	<u>\$65,055</u> 1)	<u>\$246,954</u>

SOURCE OF FINANCING

PK275520 - Woodland Property Acquisition

Drawdown from Woodland Acquisition and Management Reserve Fund 2) align="right">\$0 align="right">\$217,299 align="right">\$217,299 align="right">\$0 align="right">\$217,299

PK273520 - Parkland Acquisition

Drawdown from Parkland R.F. 2) align="right">65,055 align="right">29,655 align="right">94,710 align="right">65,055 align="right">29,655

TOTAL FINANCING align="right">**\$65,055** align="right">**\$246,954** align="right">**\$312,009** align="right">**\$65,055** align="right">**\$246,954**

1) **Financial Note:**

	PK275520	PK273520	Total
Purchase Cost	\$190,321	\$29,000	\$219,321
Add: Land Transfer Tax	1,628	145	1,773
Add: Due Diligence & Other Costs	22,000		
Add: HST @13%	24,742	3,770	28,512
Less: HST Rebate	(21,392)	(3,260)	(24,652)
Total Purchase Cost	<u>\$217,299</u>	<u>\$29,655</u>	<u>\$246,954</u>

- 2) The additional funding is available as separate drawdowns from the Woodland Acquisition and Management Reserve Fund and the Parkland Reserve Fund. The uncommitted balances in the Woodland Acquisition and Management Reserve Fund and the Parkland Reserve Fund will be approximately \$2.7 million and \$3.1 million respectively with the approval of this project.
- 3) Future assessment growth funding will be requested to support the future operating costs of these new lands.

ms


 Kyle Murray
 Director, Financial Planning & Business Support

Bill No. 255
2020

By-law No. A.-_____ - ____

A by-law to confirm the proceedings of the
Council Meeting held on the 15th day of
September, 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 September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 256
2020

By-law No. A.-_____

A by-law to establish the Capital Asset
Renewal and Replacement Reserve Funds By-
law and to govern the administration and
management of said funds

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

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

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001 C.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS it is desirable to establish reserve funds to provide for the lifecycle renewal and replacement costs of infrastructure assets directly-owned by The Corporation of the City of London and its Agencies, Boards and Commissions, as required;

AND WHEREAS it is desirable to establish a consolidated bylaw governing the management and administration of capital asset renewal and replacement reserve funds;

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

SHORT TITLE
CAPITAL ASSET RENEWAL AND REPLACEMENT (CARR) RESERVE FUNDS BY-LAW

1. By-law Statement

1.1 A by-law governing the management and administration of CARR reserve funds.

2. Capital Asset Renewal and Replacement Funds

a. The bylaws establishing reserve funds listed in Schedule B are hereby repealed.

b. The reserve funds listed in Schedule A are hereby established or continued.

3. Definitions

In this by-law,

“**budget**” means an estimated financial plan of revenue and expenditure for a set period of time.

“**By-law**” means the Capital Asset Renewal and Replacement Reserve Funds By-law

“CARR reserve funds” means the Capital Asset Renewal and Replacement Reserve Funds listed in Schedule A and defined as a category of reserve funds established to provide funding for the lifecycle renewal (major repair and maintenance) and replacement (including disposition) of existing and newly acquired City assets to ensure city-owned assets do not deteriorate over time.

“City” means The Corporation of the City of London

“Corporate Asset Management Plan” means the City’s multi-disciplinary management techniques (technical and financial) over the lifecycle of municipal infrastructure assets to provide a specific level of service in the most cost effective manner and manage risks associated with municipal infrastructure assets. This typically includes plans to invest, design, construct, acquire, operate, maintain, renew, replace, and decommission assets.

“Council” means the Municipal Council of The Corporation of the City of London

“infrastructure asset” means all or part of physical structures and associated facilities that form the foundation of development, and by or through which a public service is provided, such as roadways, bridges, bicycle paths, drinking water systems, social housing, parks, recreation facilities and community centres as well as any other thing by or through which a public service is provided.

“level of service” means the statement that describes the output or objectives the City intends to deliver to its customers.

“lifecycle renewal” means capital expenditures pertaining to the maintenance, renewal and replacement of the City’s existing and newly acquired assets.

“Municipal Act, 2001” means the *Municipal Act, 2001*, S.O. 2001 c. 25 as may be amended.

4. Applicability

- 4.1 The By-law applies to all CARR reserve funds administered by the City, including those established for any of the City’s Agencies, Boards and Commissions (ABC).
- 4.2 Furthermore, the By-law applies to all City employees who are responsible for the establishment, monitoring, administration and management of the City’s reserve funds.

5. Purpose of CARR Reserve Funds

- 5.1 The general purpose of CARR reserve funds shall be:
 - a) To fund lifecycle renewal (major repair and maintenance) and replacement (including disposition) costs of existing and newly acquired City-owned infrastructure assets contained within the Corporate Asset Management Plan, to ensure these infrastructure assets do not deteriorate over time and continue to meet the level of service specified; and
 - b) To fund lifecycle renewal (repair and maintenance) and replacement (including disposition) costs of existing and newly acquired ABC infrastructure assets, to ensure these infrastructure assets do not deteriorate over time and continue to meet the level of service specified; it being noted that ABC infrastructure assets are not contained within the City’s Corporate Asset Management Plan.
- 5.2 The individual purpose of each CARR reserve fund is set out in Schedule A.

6. Contributions

- 6.1 The following contributions shall be deposited into the CARR reserve funds by the City Treasurer or their designate:
 - a) Council approved tax/rate supported multi-year budget contributions;
 - b) Other tax supported contributions per Council approved policies;

- c) City Treasurer approved tax supported Assessment Growth contributions; and
- d) Other non-tax/non-rate supported contributions as approved by Council, or ABC board.

7. Drawdowns

- 7.1 Before any monies are expended from the CARR reserve funds for the purposes outlined in section 5 of the By-law, approval shall be given by:
- a) Council for City-owned infrastructure assets through the multi-year budget process, or by separate approval of Council; and/or
 - b) ABC Boards' for ABC-owned infrastructure assets through the multi-year budget process, or by other Board approved report(s), subject to the approval of the City Treasurer or their designate.

8. Investment of Reserve Fund Balances

- 8.1 The City Treasurer or their designate, may invest the monies standing in any CARR reserve fund in such securities as are permitted under subsection 418(1), of the *Municipal Act, 2001*, and in so doing, may consolidate the monies standing in a CARR reserve fund with other funds that the City may hold from time to time provided that any earnings derived from the monies standing in the CARR reserve fund shall be accrued to and form part of the CARR reserve fund as permitted under sections 418(3) and 418(4) of the *Municipal Act, 2001*.

9. Maintenance of Reserve Funds

- 9.1 Notwithstanding that provision may not be made by the Council in the budget estimates of the current or any subsequent year for contributions, or drawdowns to the CARR reserve funds, they shall continue and be maintained, and the Council shall always be taken as considering the CARR reserve funds as necessary so long as this By-law continues in force.

10. Administration

- 10.1 The administration of this By-law, including the establishment of CARR reserve funds, is delegated to the City Treasurer or their designate.

This By-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

SCHEDULE “A” – CARR Reserve Funds

CARR Reserve Fund Name	Purpose
Capital Infrastructure Gap	To mitigate growth in the infrastructure gap as identified in the CAM Plan and to provide a buffer against unforeseen lifecycle renewal capital expenditures.
City Facilities Renewal	To provide for renewal and replacement expenditures of all City facility assets such as corporate facilities, culture facilities, etc.
Public Art Renewal	To provide for renewal and replacement expenditures of public art in accordance with the Public Art Program.
Dearness Home Renewal	To provide for renewal and replacement expenditures of the Dearness Home and associated equipment.
Recreation Renewal	To provide for renewal and replacement expenditures of recreation assets, such as arenas, aquatics, community centers, attractions, recreation sites, senior centres, etc., excluding golf.
Parking Facilities Renewal	To provide for renewal and replacement expenditures of parking infrastructure assets such as pay stations, parking meters and surface lots, etc.
Fire Facilities, Vehicle and Equipment Renewal	To provide for renewal and replacement expenditures of fire assets such as fire stations and facilities, vehicles and equipment, etc.
Material Recovery Facility Renewal	To provide for renewal and replacement expenditures of the City’s material recovery facility and associated equipment.
Solid Waste Renewal	To provide for renewal and replacement expenditures of solid waste assets, excluding the material recovery facility.
Information Technology (IT) Renewal	To provide for renewal and replacement expenditures of IT assets such as applications and software, end user devices and applications, etc. in accordance with the City of London Information Technology Strategy.
Fleet Vehicle and Equipment Renewal	To provide for renewal and replacement expenditures of fleet assets such as vehicles and equipment, refueling stations, fuel storage tanks, etc.
Transportation Renewal	To provide for renewal and replacement expenditures of transportation assets such as roadways, sidewalks, bike lanes, structures, traffic signals, street lights, etc.
Parks Renewal	To provide for renewal and replacement expenditures of parks assets such as Thames Valley Parkway (including footbridges), play structures, sport fields and courts, parks facilities, etc.
Corporate Security & Emergency Management Renewal	To provide for renewal and replacement expenditures of corporate security and emergency management assets such as communication system infrastructure and equipment, emergency equipment, etc.

CARR Reserve Fund Name	Purpose
Urban Forestry Renewal	To provide for renewal and replacement expenditures of Urban Forestry assets such as street trees, park trees, woodlands, etc.
Library Facilities, Vehicle And Equipment Renewal	To provide for renewal and replacement expenditures of London Public Library assets such as facilities, vehicles and equipment, etc.
RBC Place London Renewal	To provide for renewal and replacement expenditures of RBC Place London assets such as facilities, equipment, etc.
Police Facilities, Vehicle and Equipment Renewal	To provide for renewal and replacement expenditures of London Police Service assets such as facilities, vehicles and equipment, etc.
Public Housing Renewal	To provide for renewal and replacement expenditures of London Middlesex Community Housing assets such as facilities, equipment, etc.
Sewage Works Renewal	To provide for renewal and replacement expenditures of wastewater sanitary and stormwater assets such as sewers, pollution treatment plants, equipment, stormwater management facilities, etc.
Water Works Renewal	To provide for renewal and replacement expenditures of water assets such as watermains, pumping stations, reservoirs, meters, equipment, etc.

SCHEDULE "B" – Existing CARR Reserve Fund By-Laws to be Repealed

Capital Asset Renewal & Replacement	By-Law #
Capital Infrastructure Gap	A.-7513-68
City Facilities	A.-5993-508
Courts Administration Repairs and Maintenance	A.-6004-519
Dearness Home Capital	A.-6258-296
Fire Vehicles and Equipment Replacement	F.-144-552
Golf Course	A.-5550-202
Library Facilities, Vehicle and Equipment	A.-5995-510
Material Recovery	A.-6968-184
Parking Facilities	A.-6970-186
Police Vehicle and Equipment Replacement	A.-7195-351
Public Art Acquisition	A.-6306-34
Public Art Maintenance	A.-6305-33
Public Housing Major Upgrades	A.-6003-518
RBC Place London	A.-7730-218
Sanitary Landfill Site	A.-5174-97
Social Housing Major Repairs, Upgrades and Stabilization	A.-7519-79
Technology Services	A.-6967-183
Vehicle and Equipment Replacement	A.-5994-509
Woodland Acquisition and Management	A.-7526-93
Sewage Treatment Plant Capacity	A.-6068-32
Sewage Works	A.-5353-265
New Capital Water	A.-5477-267

Bill No. 257
2020

By-law No. A.- _____

A by-law to establish the Animal Welfare
Reserve Fund.

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

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

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001 C.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS it is desirable to establish a reserve fund to provide for Animal Care and Control Program initiatives, as required;

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

1. A reserve fund is hereby established entitled the "Animal Welfare Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by The Corporation of the City of London to provide for the cost of Animal Care and Control Program initiatives for the protection of the public and the welfare of domestic animals in the community.
3. Contributions to the Fund shall be deposited by the City Treasurer or designate and consist of:
 - i. Municipal Council approved tax supported multi-year budget contributions;
 - ii. Municipal Council approved annual surplus contributions, if any;
 - iii. City Treasurer approved tax supported Assessment Growth contributions; and
 - iv. Other non-tax supported contributions as approved by Municipal Council.
4. Before any monies are expended from the Fund for the purposes outlined in section 2 of this by-law, the approval of the City Treasurer or designate shall be given for expenses less than \$100,000 and the approval of Municipal Council shall be given for expenses equal to or greater than \$100,000.
5. The City Treasurer or designate may deposit the monies standing in the Fund into a special bank account or into a consolidated bank account into which are deposited the monies raised for other reserve funds, and the earnings derived from the monies so deposited shall accrue to and form part of the Fund.
6. The City Treasurer or designate may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1), of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, and in so doing, may consolidate the monies

standing in the Fund with other funds that the City may hold from time to time provided that any earnings derived from the monies standing in the Fund shall be accrued to and form part of the Fund as permitted under sections 418(3) and 418(4) of the Municipal Act, 2001, S.O. 2001, C.25, as amended.

7. Notwithstanding that provision may not be made by the Municipal Council in the budget estimates of the current or any subsequent year for contributions or drawdowns to the Fund, it shall continue and be maintained, and the Municipal Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.

8. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 258
2020

By-law No. A.- _____

A by-law to establish the Building Permit
Revenue Stabilization Reserve Fund.

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

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

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001 C.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS it is desirable to establish a reserve fund to provide for building code administration and enforcement costs in excess of building permit revenue, as required;

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

1. A reserve fund is hereby established entitled the "Building Permit Revenue Stabilization Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by The Corporation of the City of London to provide for the cost of building code administration and enforcement costs in excess of building permit revenue.
3. Contributions to the Fund shall be deposited by the City Treasurer or designate and consist of:
 - i. Annual building permit net revenues, if any; and
 - ii. Other tax and/or non-tax supported contributions as approved by Municipal Council.
4. Before any monies are expended from the Fund for the purposes outlined in section 2 of this by-law, the approval of the City Treasurer or designate shall be given, and the drawdown shall be reported to Municipal Council through both the budget monitoring and building permit fees monitoring processes.
5. The City Treasurer or designate may deposit the monies standing in the Fund into a special bank account or into a consolidated bank account into which are deposited the monies raised for other funds, and the earnings derived from the monies so deposited shall accrue to and form part of the Fund.
6. The City Treasurer or designate may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1), of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, and in so doing, may consolidate the monies

standing in the Fund with other funds that the City may hold from time to time provided that any earnings derived from the monies standing in the Fund shall be accrued to and form part of the Fund as permitted under sections 418(3) and 418(4) of the Municipal Act, 2001, S.O. 2001, C.25, as amended.

7. Notwithstanding that provision may not be made by the Municipal Council in the budget estimates of the current or any subsequent year for contributions or drawdowns to the Fund, it shall continue and be maintained, and the Municipal Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.

8. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 259
2020

By-law No. A.- _____

A by-law to establish the Dearness Home Gift Reserve Fund.

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

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

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001 C.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS it is desirable to establish a reserve fund to provide for donations from external parties in support of Dearness Home operations and residents, as required;

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

1. A reserve fund is hereby established entitled the "Dearness Home Gift Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by The Corporation of the City of London to provide for the cost of Dearness Home operations, or as otherwise stipulated by donor agreements.
3. Contributions to the Fund shall be deposited by the City Treasurer or designate and consist of:
 - i. Third party donations; and
 - ii. Other tax and/or non-tax supported contributions as approved by Municipal Council.
4. Before any monies are expended from the Fund for the purposes outlined in section 2 of this by-law, the approval of the Managing Director, Housing, Social Services and Dearness Home or designate shall be given.
5. The City Treasurer or designate may deposit the monies standing in the Fund into a special bank account or into a consolidated bank account into which are deposited the monies raised for other funds, and the earnings derived from the monies so deposited shall accrue to and form part of the Fund.
6. The City Treasurer or designate may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1), of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, and in so doing, may consolidate the monies standing in the Fund with other funds that the City may hold from time to time provided

that any earnings derived from the monies standing in the Fund shall be accrued to and form part of the Fund as permitted under sections 418(3) and 418(4) of the Municipal Act, 2001, S.O. 2001, C.25, as amended.

7. Notwithstanding that provision may not be made by the Municipal Council in the budget estimates of the current or any subsequent year for contributions or drawdowns to the Fund, it shall continue and be maintained, and the Municipal Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.

8. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 260
2020

By-law No. A.- _____

A by-law to establish the Municipal Election Reserve Fund.

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

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

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001 C.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS it is desirable to establish a reserve fund to provide for municipal election costs, as required;

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

1. A reserve fund is hereby established entitled the "Municipal Election Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by The Corporation of the City of London to provide for the cost of municipal elections.
3. Contributions to the Fund shall be deposited by the City Treasurer or designate and consist of:
 - i. Municipal Council approved tax supported multi-year budget contributions;
 - ii. Municipal Council approved annual surplus contributions, if any;
 - iii. City Treasurer approved tax supported Assessment Growth contributions; and
 - iv. Other non-tax supported contributions as approved by Municipal Council.
4. Before any monies are expended from the Fund for the purposes outlined in section 2 of this by-law, the approval of the City Treasurer or designate shall be given for expenses less than \$100,000 and the approval of Municipal Council shall be given for expenses equal to or greater than \$100,000.
5. The City Treasurer or designate may deposit the monies standing in the Fund into a special bank account or into a consolidated bank account into which are deposited the monies raised for other funds, and the earnings derived from the monies so deposited shall accrue to and form part of the Fund.
6. The City Treasurer or designate may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1), of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, and in so doing, may consolidate the monies standing in the Fund with other funds that the City may hold from time to time provided

that any earnings derived from the monies standing in the Fund shall be accrued to and form part of the Fund as permitted under sections 418(3) and 418(4) of the Municipal Act, 2001, S.O. 2001, C.25, as amended.

7. Notwithstanding that provision may not be made by the Municipal Council in the budget estimates of the current or any subsequent year for contributions or drawdowns to the Fund, it shall continue and be maintained, and the Municipal Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.

8. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 261
2020

By-law No. A.- _____

A by-law to establish the Official Plan Reserve Fund.

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

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

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001 C.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS it is desirable to establish a reserve fund to provide for costs associated with growth planning projects, as required;

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

1. A reserve fund is hereby established entitled the "Official Plan Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by The Corporation of the City of London to provide for the cost of the Official Plan and other planning projects contained in each iteration of the Development Charges Background Study, and serves the purpose of smoothing the cyclical expenditures. The Fund shall primarily support consulting costs, but may be used for other relevant expenditures.
3. Contributions to the Fund shall be deposited by the City Treasurer or designate and consist of:
 - i. Municipal Council approved tax supported multi-year budget contributions;
 - ii. Municipal Council approved annual surplus contributions, if any;
 - iii. City Treasurer approved tax supported Assessment Growth contributions; and
 - iv. Other non-tax supported contributions as approved by Municipal Council.
4. Before any monies are expended from the Fund for the purposes outlined in section 2 of this by-law, the approval of the City Treasurer or designate shall be given for expenses less than \$100,000 and the approval of Municipal Council shall be given for expenses equal to or greater than \$100,000.
5. The City Treasurer or designate may deposit the monies standing in the Fund into a special bank account or into a consolidated bank account into which are deposited the monies raised for other funds, and the earnings derived from the monies so deposited shall accrue to and form part of the Fund.

6. The City Treasurer or designate may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1), of the Municipal Act, 2001, S.O. 2001, C.25, as amended, and in so doing, may consolidate the monies standing in the Fund with other funds that the City may hold from time to time provided that any earnings derived from the monies standing in the Fund shall be accrued to and form part of the Fund as permitted under sections 418(3) and 418(4) of the Municipal Act, 2001, S.O. 2001, C.25, as amended.

7. Notwithstanding that provision may not be made by the Municipal Council in the budget estimates of the current or any subsequent year for contributions or drawdowns to the Fund, it shall continue and be maintained, and the Municipal Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.

8. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 262
2020

By-law No. A.- _____

A by-law to establish the Tree Bank Reserve Fund.

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

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

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001 C.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS it is desirable to establish a reserve fund to provide for the cost of grants approved as part of The Corporation of the City of London's Tree Bank program, as required;

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

1. A reserve fund is hereby established entitled the "Tree Bank Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by The Corporation of the City of London to provide for the cost of the Tree Bank program, which plants new trees on private and public lands through tree planting that involves community and business collaboration.
3. Contributions to the Fund shall be deposited by the City Treasurer or designate and consist of:
 - i. Municipal Council approved tax supported multi-year budget contributions;
 - ii. Municipal Council approved annual surplus contributions, if any;
 - iii. City Treasurer approved tax supported Assessment Growth contributions; and
 - iv. Other non-tax supported contributions as approved by Municipal Council.
4. Before any monies are expended from the Fund for the purposes outlined in section 2 of this by-law, the approval of the City Treasurer or designate shall be given.
5. The City Treasurer or designate may deposit the monies standing in the Fund into a special bank account or into a consolidated bank account into which are deposited the monies raised for other funds, and the earnings derived from the monies so deposited shall accrue to and form part of the Fund.
6. The City Treasurer, or designate may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1), of the *Municipal Act*,

2001, S.O. 2001, C.25, as amended, and in so doing, may consolidate the monies standing in the Fund with other funds that the City may hold from time to time provided that any earnings derived from the monies standing in the Fund shall be accrued to and form part of the Fund as permitted under sections 418(3) and 418(4) of the Municipal Act, 2001, S.O. 2001, C.25, as amended.

7. Notwithstanding that provision may not be made by the Municipal Council in the budget estimates of the current or any subsequent year for contributions or drawdowns to the Fund, it shall continue and be maintained, and the Municipal Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.

8. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 263
2020

By-law No. A.- _____

A by-law to establish the Unfunded Liability
Reserve Fund.

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

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

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001 C.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS it is desirable to establish a reserve fund to provide for liabilities recognized on The Corporation of the City of London annual consolidated financial statements for which no other permanent and/or temporary source of financing exists, as required;

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

1. A reserve fund is hereby established entitled the "Unfunded Liability Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by The Corporation of the City of London to provide for the employee benefits payable excluding WSIB claims in excess of \$250,000.00, landfill closure and post-closure liabilities, and other liabilities for which there is no identified source of financing as reported in the annual consolidated financial statements.
3. Contributions to the Fund shall be deposited by the City Treasurer or designate and consist of:
 - i. Municipal Council approved tax and/or rate supported multi-year budget contributions;
 - ii. City Treasurer approved tax and/or rate supported annual surplus contributions; and
 - iii. Other non-tax and/or non-rate supported contributions as approved by Municipal Council.
4. Before any monies are expended from the Fund for the purposes outlined in section 2 of this by-law, the approval of the City Treasurer or designate shall be given.
5. The City Treasurer or designate may deposit the monies standing in the Fund into a special bank account or into a consolidated bank account into which are

deposited the monies raised for other funds, and the earnings derived from the monies so deposited shall accrue to and form part of the Fund.

6. The City Treasurer or designate may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1), of the Municipal Act, 2001, S.O. 2001, C.25, as amended, and in so doing, may consolidate the monies standing in the Fund with other funds that the City may hold from time to time provided that any earnings derived from the monies standing in the Fund shall be accrued to and form part of the Fund as permitted under sections 418(3) and 418(4) of the Municipal Act, 2001, S.O. 2001, C.25, as amended.

7. Notwithstanding that provision may not be made by the Municipal Council in the budget estimates of the current or any subsequent year for contributions or drawdowns to the Fund, it shall continue and be maintained, and the Municipal Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.

8. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 264
2020

By-law No. A.- _____

A by-law to establish the Red Light Camera
Program Reserve Fund.

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

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

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001*, S.O. 2001 C.25, as amended, provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipality may pass by-laws respecting the financial management of the municipality (paragraph 3) and services or things that the municipality is authorized to provide under subsection 10(1) (paragraph 7);

AND WHEREAS it is desirable to establish a reserve fund to provide for Red Light Camera Program and other road safety initiative costs, as required;

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

1. A reserve fund is hereby established entitled the "Red Light Camera Program Reserve Fund" (hereinafter called the "Fund").
2. The monies standing in the Fund shall be used by The Corporation of the City of London to provide for the cost of the Red Light Camera Program and other road safety initiatives.
3. Contributions to the Fund shall be deposited by the City Treasurer or designate and consist of:
 - i. Annual net Red Light Camera Program revenues; and
 - ii. Other tax and/or non-tax supported contributions as approved by Municipal Council.
4. Before any monies are expended from the Fund for the purposes outlined in section 2 of this by-law, the approval of the Managing Director, Environmental and Engineering Services and City Engineer or designate, and City Treasurer or designate shall be given.
5. The City Treasurer or designate may deposit the monies standing in the Fund into a special bank account or into a consolidated bank account into which are deposited the monies raised for other funds, and the earnings derived from the monies so deposited shall accrue to and form part of the Fund.
6. The City Treasurer or designate may invest the monies standing in the Fund in such securities as are permitted under subsection 418(1), of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, and in so doing, may consolidate the monies standing in the Fund with other funds that the City may hold from time to time provided

that any earnings derived from the monies standing in the Fund shall be accrued to and form part of the Fund as permitted under sections 418(3) and 418(4) of the Municipal Act, 2001, S.O. 2001, C.25, as amended.

7. Notwithstanding that provision may not be made by the Municipal Council in the budget estimates of the current or any subsequent year for contributions or drawdowns to the Fund, it shall continue and be maintained, and the Municipal Council shall always be taken as considering the Fund as necessary so long as this by-law continues in force.

8. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 265
2020

By-law No. A.- _____ -_____

A by-law to appoint a director of 1220109
Ontario Inc.

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

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

AND WHEREAS by virtue of share purchase agreement dated the 16th day of January, 2020 and completed on February 28, 2020 The Corporation of the City of London became the sole shareholder of 1220109 Ontario Inc.;

AND WHEREAS it is deemed expedient for The Corporation of the City of London to appoint a director of 1220109 Ontario Inc.;

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

1. The following individual be appointed as director of 1220109 Ontario Limited:

Bill Warner

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

PASSED in Open Council September 15, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – September 15, 2020
Second reading – September 15, 2020
Third reading – September 15, 2020

Bill No. 266
2020

By-law No. A.-_____ - ____

A by-law to authorize an Agreement between The Corporation of the City of London and York Developments Inc.; and to authorize the Mayor and City Clerk to execute the Agreement.

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

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

AND WHEREAS it is deemed expedient for The Corporation of the City of London (the "Corporation") to enter into an Agreement with the York Developments (London) Inc. for the construction and donation of a pavilion in White Oaks Park (the "Agreement");

AND WHEREAS it is appropriate to authorize the Mayor and City Clerk to execute the Agreement on behalf of the Corporation;

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

1. The Agreement attached as Schedule "A" to this by-law, being an Agreement between the Corporation of the City of London and York Developments (London) Inc. for the construction and donation of a pavilion in White Oaks Park is approved.
2. The Mayor and the City Clerk are authorized to execute the above-noted Agreement authorized and approved 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 September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – September 15, 2020
Second reading – September 15, 2020
Third reading – September 15, 2020

SCHEDULE "A"

THIS AGREEMENT made in duplicate this day of , 2020

B E T W E E N:

YORK DEVELOPMENTS (LONDON) INC.
hereinafter called "York"

-and-

THE CORPORATION OF THE CITY OF LONDON
hereinafter called the "City"

WHEREAS subsection 10(1) of the *Municipal Act, 2001*, as amended, authorizes the City to provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001*, as amended, provides that the City may pass by-laws respecting matters that are for the economic, social and environmental well-being of the municipality;

AND WHEREAS the City has established a park known as White Oaks Park located municipally at 560 Bradley Avenue in the City of London (hereinafter called "White Oaks Park") for the social and environmental well-being of the municipality;

AND WHEREAS York has proposed to the City that an outdoor pavilion be established for the purpose of staging events for the community and the City (hereinafter called the "Pavilion");

AND WHEREAS the City considers it desirable for the public and in the public interest that the Pavilion be established and maintained in White Oaks Park;

AND WHEREAS York desires to donate materials and services for the purpose of establishing the Pavilion;

NOW THEREFORE THIS AGREEMENT WITNESSETH THAT in consideration of the mutual promises, covenants and agreements hereinafter, the parties agree as follows:

1. The parties agree that the Pavilion shall be located in White Oaks Park, and the location being more particularly described in Appendix "1" attached hereto.
2. The parties agree that the final layout and design of the Pavilion shall be approved by the City of London in writing.
3. The parties agree that this agreement does not confer any interest to any person in the property of the City including but not limited to White Oaks Park, the Pavilion and all associated improvements and fixtures. The parties further agree that the Pavilion is available to the community for use.
4. York agrees that the Pavilion shall be constructed and installed at the sole risk and expense of York, including but not limited to:
 - a) design and construction of the new Pavilion structure;
 - b) construction of all new hardscape surfaces beneath and around the Pavilion, blending into the existing hard surface plaza;
 - c) restoration of site within the Work Area (dashed line on Appendix 1) that has been disturbed by construction, or damaged for access to the site;
 - d) all site works to change the orientation of the existing ball diamond, in accordance with City Standard Detail Baseball Diamond Detail SPO 11.1 and associated topsoil & seeding specifications. Re-orientation of the ball diamond (in order to accommodate

- the Pavilion) also includes but is not limited to removal and re-install existing fencing, benches, gravel infield, grading and turf restoration;
- e) extension of existing electrical power source from existing box to service the Pavilion to the City's satisfaction (see Appendix "1" for location);
 - f) acting as project manager for site construction and ensuring all applicable Health and Safety requirements are met as per Ontario H&S Act, and;
 - g) obtaining all necessary permits and approvals, including but not limited to a Building Permit for the Pavilion structure.

5. York agrees that it shall complete the installation of the Pavilion by no later than June 5th, 2021 (the 'outside date'). York is not entitled to make any modifications to the Pavilion by way of alterations or enhancements unless it first obtains written approval to do so from the Managing Director of Parks and Recreation or their designate.

6. The City agrees that it shall install signage, at the City's own expense with design mutually agreed upon by the City and York on the site that recognizes the contributions of York and their partners.

7. York agrees that it shall indemnify and keep the City indemnified against all actions, suits, claims, liens including any liens under the *Construction Act*, R.S.O. 1990, c. C.30, as amended, and demands which may be brought against or made upon the City and from all loss, costs, damages, charges, liens or expenses which may be incurred, sustained or paid by the City in consequence of the installation and maintenance of the Pavilion as permitted by this Agreement or otherwise by reason of this exercise by the City of the permission hereby granted. York grants to the City full power and authority to settle any such actions, suits, claims and demands on such reasonable terms as the City may deem advisable and hereby covenants and agrees with the City to pay the City on demand all monies paid by the City in pursuance of such settlement and also such sum as shall represent the reasonable costs of the City or its solicitor in defending or settling any such actions, suits, claims or demands and this Agreement shall not be alleged as a defence by York in any action by any person for actual damage suffered by reason of the permission hereby granted to maintain the encroachment hereby permitted as aforesaid over the road allowance. The City agrees to give to York written notice of any such actions, suits, claims, liens and demands promptly upon receipt thereof.

8. In the event, from time to time, that any lien including a claim for lien by a lien claimant and any certificate of action, all within the meaning of the *Construction Act*, R.S.O. 1990, c. C.30, as amended, are given to the Clerk and preserved or perfected in respect of any works or services in connection with the Pavilion, constructed and installed by or on behalf of York, York after having been given notice by any person or of becoming aware of the existence of any such preserved or perfected lien, within the time provided for, and following the procedures set out and prescribed in the *Construction Act*, shall forthwith discharge (or have vacated) any preserved or perfected claim for lien made in respect of any works or services in connection with the Pavilion, constructed and installed by or on behalf of York.

9. York shall take out and maintain with an insurer licensed to carry on business in Ontario, a commercial third party liability insurance acceptable to the City providing insurance coverage in an amount of not less than TWO MILLION DOLLARS (\$2,000,000.00) for any act or omission on the part of York, its employees, guests, invitees and agents arising in any way. Such policy shall include the City as an additional insured thereunder. Further, York shall take out and maintain with an insurer licensed to carry on business on Ontario, Standard Form Automobile Liability Insurance that complies with all requirements of the current legislation of the Province of Ontario, having an inclusive limit of not less than \$ 2,000,000 per occurrence for Third Party Liability, in respect of the use or operation of vehicles owned, operated or leased by the Contractor. York agrees not to commence work until satisfactory evidence of insurance has been filed with the City's Manager of Risk Management, a completed Certificate of Insurance form 0788. This insurance will not be cancelled or permitted to lapse unless the insurer notifies the City in writing at least thirty (30) days prior to the effective date of cancellation or expiry. The City reserves the right to request such higher limits of insurance or other types of policies appropriate to the work as the City may reasonably require.

APPENDIX "1"

Location of Pavilion and Defined Work Area



Bill No. 267
2020

By-law No. A.-_____ -_____

A by-law to approve the CMA Foundation Gift Agreement with the CMA Foundation; and, to delegate authority to execute the Agreement.

WHEREAS section 2 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that municipalities are created by the Province of Ontario to be responsible and accountable governments with respect to matters within their jurisdiction and each municipality is given powers and duties under this Act and many other Acts for the purpose of providing good government with respect to those matters;

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

AND WHEREAS the City is the service manager under the *Housing Services Act* for the geographic service area of the City of London and County of Middlesex, and shall, in accordance with its housing and homelessness plan, carry out measures to meet the objectives and targets relating to housing needs within the service manager's service area;

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. CMA Foundation Gift Agreement, between the CMA Foundation, and The Corporation of the City of London, substantially in the form attached as Schedule 1 to this by-law, (the "Funding Agreement"), is authorized and approved.
2. The Mayor and City Clerk are authorized to execute the Funding Agreement approved in subsection 1.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020



**CMA FOUNDATION COVID-19 COMMUNITY RESPONSE FUND FOR
VULNERABLE POPULATIONS GRANT INITIATIVE**

Community Gift Agreement

This **GIFT AGREEMENT** ("**Agreement**") is entered into as of the _____ day of _____, 2020 (the "**Effective Date**") by and between:

CMA FOUNDATION, a registered charity having its head office located at Suite 500, 1410 Blair Place, Ottawa, Ontario (Charitable No. 820429678 RR 0001) (the "**CMAF**")

and

THE CORPORATION OF THE CITY OF LONDON, a Qualified Donee having its head office located at 300 Dufferin Avenue, London Ontario (the "**RECIPIENT**")

(collectively referred to as the "**Parties**", or each a "**Party**")

WHEREAS, the CMAF is a registered charity under the *Income Tax Act* (Canada) that gifts money to qualified donees to further excellence in healthcare;

AND WHEREAS, the RECIPIENT is a Canadian municipality which qualifies as a qualified donee as defined under the *Income Tax Act* (Canada) ("**Qualified Donee**");

AND WHEREAS, the CMAF wishes to provide a gift to the RECIPIENT in support of vulnerable populations within their community affected by COVID-19 as part of its **CMA Foundation COVID-19 Community Response Fund for Vulnerable Populations** pursuant to the terms and conditions of this Agreement;

The Parties hereby agree as follows:

The Gift

1. Subject to the terms and conditions of this Agreement, the CMAF agrees to make a gift to the RECIPIENT in the amount of \$50,000.00 (CDN) (the "**Gift**"). The Gift will be made according to the following schedule:

Installment	Payment Amount	Date
One-Time Gift	\$50,000.00	Upon receipt of: (a) signed Agreement, and (b) all banking information required to process the payment to the satisfaction of the CMAF.

The CMAF may add to or accelerate the completion of the Gift at its discretion.

The Term

- The term of the Agreement shall begin on the Effective Date and end on March 31, 2021, unless terminated earlier in accordance with the terms of this Agreement (the "Term").

Purpose of the Gift

- The RECIPIENT shall use the Gift for Eligible Expenses related to Eligible Activities, as defined in **Schedule A**, which: (a) support community-level emergency response to COVID-19 through interventions that address urgent gaps in ensuring the health and well-being of vulnerable populations in the RECIPIENT's community, and (b) contribute to the short- and long-term resiliency of community-level supports for vulnerable populations, including community health supports (the "Purpose").
- If, at some future time, it becomes impossible or impractical to use the Gift for the Purpose, or if this Agreement is determined to be in conflict with any federal, provincial, or local law, regulation, or ordinance, the RECIPIENT's governing body (such as Municipal Council or like body), in consultation with the CMAF, or its designate, will re-direct the use of the Gift in the best interest of the RECIPIENT and in a manner as close as possible to the original intent of the CMAF, as expressed in this Agreement.

Reporting

- The RECIPIENT shall provide the reports described in **Schedule B** to this Agreement to the CMAF, or its designate, and shall make its representative(s) reasonably available to the CMAF, or its designate, to answer questions related to the reports required under this Agreement.
- Copyright in all reports, documents and deliverables prepared in connection with this Agreement and listed in the Schedules of this Agreement (the "Reports") will be the exclusive property of, and all ownership rights shall vest in the RECIPIENT.
- The RECIPIENT hereby grants to the CMAF an irrevocable, perpetual, worldwide, royalty-free license to use, publish, make improvements to, sub-license, translate and copy the Reports or portions thereof. This license shall survive the expiration or termination of this Agreement.

Representations and Warranties

8. The RECIPIENT represents and warrants to the CMAF (and acknowledges that the CMAF is relying on such representations and warranties in entering into this Agreement) that: (a) it has the full power and authority to enter into and perform its obligations under this Agreement; (b) it has taken all necessary actions to authorize the execution of this Agreement; and (c) it is and will continue to be a Qualified Donee throughout the Term of this Agreement.

Publicity

9. The RECIPIENT agrees that all communications, publicity and / or public notices to third parties related to the Gift and / or the activities funded by the Gift shall be aligned to, and consistent with, the terms of this Agreement and the information provided to the RECIPIENT by the CMAF, or its designate. The RECIPIENT agrees to keep the CMAF, or its designate, informed of any and all significant public notices, significant media pitches/coverage or significant publicity to third parties related to the Gift and / or the activities funded by the Gift.
10. The RECIPIENT agrees to reference the CMAF in all communications, public announcements, signage, media coverage and other forms of publicity relating to the activities funded by the Gift.
11. During the Term, the CMAF hereby grants to the RECIPIENT a non-exclusive, non-assignable, non-transferable, royalty-free, limited license to use its trademarks and logos (the "Trademarks") solely for the purpose of publicity relating to the Gift, activities supported by the Gift and fulfilling its obligations under this Agreement. Prior to use of the Trademarks, the RECIPIENT must submit to the CMAF for review and approval its actual proposed use of the Trademarks. The RECIPIENT agrees that it must not alter the Trademarks in any manner whatsoever beyond what is electronically provided by the CMAF including, without limitation, the appearance and size of such Trademarks.

Right of Audit and Records

12. The CMAF or its designate may at any time during the Term of this Agreement or for a period of three years following the end of the Term, audit and inspect accounts, records, receipts, vouchers, and other documents of the RECIPIENT relating to the Gift and its use ("Records") and shall have the right to make copies and take extracts of the Records. The RECIPIENT agrees to provide reasonable co-operation to assist with any such audit during such period and shall retain the Records for at least three years from the end of the Term. Records shall be treated as Confidential Information (see Section 13, below).

Confidentiality

13. The Parties acknowledge that the terms of this Gift Agreement (subject to Sections 9-10 - Publicity) and any oral or proprietary or confidential information exchanged between the Parties (whether marked as confidential information or not) in connection with the preparation

and performance this Agreement shall be regarded as confidential information (“**Confidential Information**”). Each Party shall maintain confidentiality of all such Confidential Information, and without obtaining the prior written consent of the other Party, it shall not disclose any relevant Confidential Information to any third Parties. Notwithstanding the foregoing, (a) the CMAF may disclose Confidential Information to staff and employees of its sole member, the Canadian Medical Association (the “**CMA**”) and the CMA’s direct and indirect subsidiaries (“**CMA Affiliates**”), and (b) the Parties may disclose Confidential Information to any consultants and / or contractors engaged by the Party (or, in the case of the CMAF, engaged by the CMAF, the CMA or a CMA Affiliate) provided that such individuals shall be bound by confidentiality obligations similar to those set forth in this Section.

“Confidential Information” excludes information that: (a) is or will be in the public domain (other than through the receiving Party’s unauthorized disclosure); (b) is under the obligation to be disclosed pursuant to the applicable laws or regulations, or orders of the court or other government authorities; or (c) is required to be disclosed by any Party to its members, directors, officers, relevant employees, legal counsel or financial advisors provided that such individuals shall be bound by the confidentiality obligations similar to those set forth in this Section. Disclosure of any Confidential Information by staff members, contractors or consultants permitted under this Agreement shall be deemed disclosure of such Confidential Information by such Party, which Party shall be held liable for breach of this Agreement. This Section shall survive the termination of this Agreement for any reason.

Indemnity

14. The RECIPIENT shall indemnify and save the CMAF, its affiliates (comprised of the CMA and CMA Affiliates) and the Federation of Canadian Municipalities, and each of their respective members, officers, directors, employees, volunteers and agents (collectively the “**Indemnified Parties**”), harmless from and against all claims, actions, losses, expenses, costs or damages of every nature and kind that the Indemnified Parties may suffer, caused or alleged to be caused by any willful or negligent act, omission or delay on the part of the RECIPIENT or its officers, directors, employees, volunteers, contractors or agents, in connection with this Gift Agreement or the activities funded thereby.

Termination

15. This Agreement shall be terminated automatically and with immediate effect if at any time:
 - a. The RECIPIENT loses its status as a Qualified Donee;
 - b. An event takes place that, in the CMAF’s reasonable opinion, affects the reputation and good standing of the RECIPIENT; or
 - c. There is a material breach of any term of this Agreement.
16. Upon termination, any portion of the Gift that may be held by the CMAF and/or any unspent portion of the Gift that may be held by RECIPIENT at the time of termination shall be returned to the CMAF and distributed to such other Qualified Donee as may be selected by the CMAF.

General Provisions

17. Amendment. This Agreement may be amended in writing by the mutual consent of the Parties or their legal representatives.
18. Policies. This Agreement is subject to the policies of the CMAF, as may be amended from time to time.
19. Relationship between the Parties. This Agreement does not create a partnership, franchise, joint venture, agency, fiduciary or employment relationship between the Parties.
20. Notice. Unless otherwise provided, all notices, consents, requests, demands and other communications hereunder shall be in writing, and are deemed to have been duly given or made: (i) when delivered in person; (ii) three days after deposit in the Canada Post, first class postage prepaid certified mail, return receipt requested; (iii) overnight courier service, upon delivery by the overnight courier service with payment provided for; or (iv) in the case of fax or email, when acknowledged by the recipient; in each case addressed as follows:

a. **RECIPIENT**

Contact: Kate Green, Manager
Address: 300 Dufferin Avenue
London ON N6A 4L9
Email: kgreen@london.ca

b. **CMAF**

Contact: Allison Seymour, President
Address: Suite 500, 1410 Blair Towers Place
Ottawa ON K1J 9B9
Email: cmafoundation@cma.ca
Copy to: legal@cma.ca

(With a reference to the COVID-Contract # noted in footer of this Agreement, if applicable.)

Either Party may give notice under this section of a change of address.

21. Dispute Resolution. In the event a dispute arises out of or in connection with this Agreement and is not resolved in private meetings between the Parties, then such dispute or controversy shall be settled by a process of dispute resolution as follows to the exclusion of such persons instituting a law suit or legal action: (a) the dispute shall be settled by arbitration before a single arbitrator, in accordance with the Arbitration Act, 1991 (Ontario) or as otherwise agreed upon by the Parties to the dispute. The arbitration shall be held in Ottawa, Ontario. All proceedings relating to arbitration shall be kept confidential, and there shall be no disclosure of any kind. The decision of the arbitrator shall be final and binding and shall not be subject

- to appeal on a question of fact, law or mixed fact and law; and (b) all costs of the arbitrator shall be borne by such Parties as may be determined by the arbitrator.
22. Governing Law. This Agreement shall be governed and construed in accordance with the laws of the Province of Ontario and the Federal laws of Canada applicable therein.
23. Entire Agreement. This Agreement constitutes the entire agreement and full understanding among the Parties hereto with respect to all of the matters herein and it supersedes any prior negotiations, agreement or understandings among them, oral or written, with respect to the matters addressed herein, all of which are hereby cancelled.
24. Severability. Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.
25. Waiver. Failure by either Party to exercise any of its rights, powers or remedies shall not constitute a waiver of those rights, powers or remedies.
26. Survival. Sections 7 (Reporting), 12 (Right of Audit and Records), 13 (Confidentiality), 14 (Indemnity), 15-16 (Termination) and 17-31 (General) herein shall survive such expiration or other termination of this Agreement to the extent necessary to carry out the intentions of the Parties under this Agreement.
27. Circumstances Beyond the Control of Either Party. Neither Party shall be responsible for damage caused by delay or failure to perform under the terms of this agreement resulting from matters beyond the control of the Parties including strike, lockout or any other action arising from a labour dispute, fire, flood, pandemic, act of God, war, riot or other insurrection, lawful act of public authority, or delay or default caused by a common carrier that cannot be reasonably foreseen or provided against.
28. Language. The Parties agree that this Agreement and related documents be drawn up in the English language only. Les parties conviennent que cette entente et les documents connexes soient rédigés en langue anglaise seulement.
29. Counterparts. This Agreement may be executed in counterparts with the same effect as if all Parties had signed the same document. A digital signature on this Agreement shall be sufficient and binding.
30. Further Assurances. Each of the Parties hereto will promptly do, make, execute or deliver, or cause to be done, made, executed or delivered, all such further acts, documents and things as the other Parties hereto may reasonably require from time to time for the purpose of giving effect to this Agreement.
31. Effective Date. This Agreement shall be deemed effective as Effective Date.

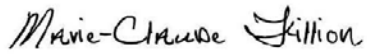
CMA FOUNDATION



By: _____
Allison Seymour, President

THE CORPORATION OF THE CITY OF LONDON

By: _____
Ed Holder, Mayor



By: _____
Marie-Claude Fillion, Chief Financial Officer
We have the authority to bind the CMAF.

By: _____
Catherine Saunders, City Clerk
We have the authority to bind the RECIPIENT.

SCHEDULE A – ELIGIBLE ACTIVITIES and ELIGIBLE EXPENSES

CMA Foundation COVID-19 Community Response Fund for Vulnerable Populations

The following are **Eligible Activities** under this Agreement:

1. Health and medical services

This could include, but is not limited to, the purchase of personal hygiene products and personal protective equipment for staff and vulnerable individuals; providing general health or medical services (including counselling and substance use support); and the hiring of medical and other professionals to provide those services.

2. Daytime services and facilities

Many physical spaces (e.g. libraries, malls, community centres, etc.) and services (e.g. drop-in programs, food programs, etc.) that people experiencing homelessness use during the day are closed. This is leading to isolation protocols being breached even for those who have secured isolated housing. This could include, but is not limited to, the re-opening and/or repurposing, and staffing, of dedicated spaces for people experiencing homelessness (including municipal facilities), and the creation and / or expansion of permanent or temporary community hygiene facilities.

3. Client support services

Generally, client support services include individualized services to help improve integration and connectedness to support structures, such as treatment services. This could also include, but not be limited to, the procurement of emergency shelter beds and barriers to separate beds; and increased frequency or nature of cleaning of shelters and related facilities.

4. Coordination of resources and data collection

This could be used for, but not limited to, developing and supporting partnerships with community agencies who can assist vulnerable populations; disseminating information; and public relations activities.

5. Prevention and shelter diversion

Prevention includes activities aimed at preventing homelessness by supporting individuals and families at imminent risk of homelessness before a crisis occurs. Generally, this includes, but is not limited to, discharge planning from public systems and institutions, landlord intervention and emergency rental assistance. This could also include, but is not limited to, short-term financial assistance for rental arrears; landlord-tenant mediation addressing unpaid rent; delivery of non-housing financial support, such as groceries, personal hygiene products, etc., to offset housing costs; and assistance ensuring individuals exiting institutions immediately secure housing so that they do not access shelters.

6. Housing services

Housing services are those that help an individual or family transition into safe, stable housing. Generally, this includes, but is not limited to, assistance finding housing, funding to secure housing (deposit), and funding and support to furnish housing. This could also include, but is not limited to, measures to ensure physical distance or isolation, such as by placing and paying for individuals to live in temporary, transitional, or permanent housing accommodations (including, but not limited to, hotels, rooming houses, community buildings, etc.).

7. Capital investments

Generally, capital investments support the acquisition, construction or repair/rehabilitation of housing, including transitional and supportive housing. This could also include, but not be limited to, the purchase or repurpose of existing properties for temporary housing or renovation of existing facilities to create spaces for self-isolation and greater physical distance.

8. Other

Activities other than those listed above may be considered eligible if: (i) they contribute directly to the Purpose of the Gift, and (ii) they are approved in advance by the CMAF, or its designate, in writing.

Eligible Expenses

The following Eligible Expenses are direct expenses related to Eligible Activities:

- a) **Personnel** – Funding can be used to pay new or temporary personnel that are hired/contracted specifically for Eligible Activities. Personnel already paid from other sources via salaries, grants or other means should not be compensated with CMAF funds.
- b) **Supplies and services** – Supplies and services that are immediately used to carry out Eligible Activities.
- c) **Equipment and technology** – Funding may be used to purchase essential equipment or develop new equipment/technologies that are required for Eligible Activities. Funding may also be used to rent/lease major equipment or buildings.
- d) **Financing** – Funding may be used to rent, reopen or refurbish buildings or shelters. If warranted, funding may also be used for short-term financial assistance for housing or living expenses.

The following expenses are not Eligible Expenses for the purposes of this Agreement:

- (a) General overhead expenditures incurred in the RECIPIENT's regular course of business, including salaries and other employment benefits of any employees,
- (b) Any direct or indirect operating or administrative costs of the RECIPIENT, and
- (c) Expenses for any other activities normally carried by the RECIPIENT.

The Gift is not intended to replace or displace existing sources of funding that may be provided by the provincial/territorial or federal governments. In particular, these funds are intended to complement funding provided through the Reaching Home program as part of the federal government's COVID-19 response plan.

SCHEDULE B – REPORTING OBLIGATIONS

The RECIPIENT shall deliver the following reports to the CMAF, or its designate, in a form satisfactory to the CMAF on the due dates set out below.

REPORT	DUE DATE	MINIMUM REQUIREMENTS
Use of Funds and Target Outcomes (Interim Report)	On or before August 6, 2020	<ul style="list-style-type: none">• At a minimum, completed Tables 1 and 2 as set out in Schedule B.1, in a form satisfactory to the CMAF, including but not limited to, testimonials from one or more local residents receiving support through the Eligible Activity and photos, if appropriate and where possible.
Final Impact Report	On or before February 2, 2021	<ul style="list-style-type: none">• At a minimum, completed Tables 1 and 2 as set out in Schedule B.1, in a form satisfactory to the CMAF, including but not limited to, testimonials from one or more local residents receiving support through the Eligible Activity and photos, if appropriate and where possible.

Please see Table 1 and Table 2 provided for indicative purposes in Schedule B.1. Reporting templates will be sent to the Recipient by June 30, 2020.

SCHEDULE B.1

FOR ILLUSTRATIVE PURPOSES ONLY

Reporting templates with more detailed guidelines will be provided on or before June 30, 2020.

Municipality / Recipient	The Corporation of the City of London
Project Title	Housing Stability Services
Project Description	Providing support for individuals and families experiencing homelessness to transition into safe, stable housing.
Date	
CMAF Contract Reference #	CMAF-COVID-Contract# 2020-00360
Recipient Reporting Contact	Kate Green

Table 1. Expenditures by Eligible Activity

Interim Report – Fill in the description of the activity, population supported, project timeframe and associated expenses. Reference any additional funding support directed toward this activity.

Final Report – Reflect on the funded activities and actual expenses.

EXPENDITURES BY ELIGIBLE ACTIVITY						
Eligible Activity	Interim Report					Final Report
	Name of Activity	Description of Activity	Population Supported	Activity Timeframe (MM/YY – MM/YY)	Eligible Expense (\$)	Actual Expenses (\$)
Health and medical services						
Daytime services and facilities						
Client support services						
Coordination of resources and data collection						
Housing services						
Prevention and shelter diversion						
Capital investments						
Other*						
Total Expenditure (\$)					\$	\$

*Only if approved by the CMAF in accordance with Schedule A of the Agreement.

CMAF-COVID-Contract# 2020-00360

Table 2. Outcomes by Eligible Activity

Interim Report – Fill in the description of the activity, target outcome or output and target indicator.

Final Report – Reflect on the funded activities and report the actual impact. Provide comments regarding successes, challenges faced, remaining gaps or lessons learned.

Outcome: The change(s) in technology, systems, practices or behaviors the donation seeks to achieve.

Output: The products, services, or deliverables produced during the activity timeframe.

Indicator: The outcome metric(s) tracked to demonstrate impact of the donation, e.g. number of people supported or other relevant measure.

OUTCOMES BY ELIGIBLE ACTIVITY						
Eligible Activity	Interim Report				Final Report	
	Name of Activity	Description of Activity	Target Outcome or Output	Target Indicator (# people supported)	Actual (# people supported)	Comments
Health and medical services						
Daytime services and facilities						
Client support services						
Coordination of resources and data collection						
Housing services						
Prevention and shelter diversion						
Capital investments						
Other*						

*Only if approved by the CMAF in accordance with Schedule A of the Agreement.

Bill No. 268
2020

By-law No. CP-9-20_____

A by-law to amend By-law CP-9 entitled "A by-law to provide for the conveyance of land and cash in lieu thereof for park and other purposes".

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

1. Section 2.1 of Part 2 of By-law CP-9 is repealed and the following new section 2.1 is enacted in its place:

2.1 Land - for park purposes - conveyance - calculation

As a condition of development or redevelopment for residential purposes of any land within the City of London, the Owner of such land shall, at the request of the Corporation, convey to it for use for park or other public recreational purposes as follows:

- 1) In the case of land proposed for residential development land in the amount of five (5%) percent of the land within the development application;
- 2) In the case of land proposed for development or redevelopment for commercial purposes, land in the amount of two percent (2%) of the land within the development application to be developed or redeveloped;
- 3) In the case of land proposed for development or redevelopment for Industrial purposes, parkland dedication requirements will be waived;
- 4) In the case of land proposed for development for use other than those referred in 2.1 1) and 2.1 2), land in the amount of five per cent (5%) of the land within the development application to be developed or redeveloped; and
- 5) Where a development or redevelopment application contains defined hazard or environmentally constrained open space lands, these lands will be excluded from the calculation of parkland dedication as set out in Section 2.1 provided the said lands, are in some form, dedicated to the Corporation.

2. Section 2.2 of Part 2 of By-law CP-9 is repealed and the following new section 2.2 is enacted in its place:

2.2 Cash - in lieu of land - prior to permit

Where the Corporation does not request the Owner to convey land, the Owner shall pay money to the Corporation in lieu of such conveyance to the prevailing value of the land otherwise required to be conveyed under section 2.1 of this by-law before the issuance of the building permit or, if more than one building permit is required for the development or redevelopment, before the issuance of the first permit.

3. Section 2.3 of Part 2 of By-law CP-9 is repealed and the following new section 2.3 is enacted in its place:

2.3 Land – value – per residential dwelling type – Table 1

The prevailing value of land otherwise required to be conveyed under section 2.1 of this by-law for the twelve month period commencing January 1, 2021 and then every twenty-four months thereafter, may be determined by multiplying the value per dwelling unit in Column II of Table 1 for the corresponding type of residential dwelling unit in Column I by the number of that type of dwelling unit proposed on the land, and then adding all of the values for each type of dwelling unit to arrive at the prevailing land value.

Table 1	
Column I	Column II
Average Value of Land	\$457,145/hectare (\$185,000/acre)
Residential Detached Units	
Up to 11.99m lot frontage	\$ 1100.00
12m -14.99m lot frontage	\$1400.00
15m -17.99m lot frontage	\$1650.00
18m or greater lot frontage	\$2000.00
**Where lot frontage is defined under Zoning By-law Z.-1	
Cluster detached / Semi-detached / duplex	\$ 1100.00
Attached Rowhousing	\$ 1150.00
Attached Apartments	\$ 800.00
Value of Land for Alternative Rate Calculations	
Singles/Semi-detached/Duplex	\$457,145/hectare (\$185,000/acre)
Row Housing (Medium Density)	\$1,235,500/hectare (\$500,000/acre)
Apartments (High Density)	\$2,223,900/hectare (\$900,000/acre)
Value of Parkland	
Hazard land	\$16,928/hectare (\$6,851/acre)
Open space land	\$28,570/hectare (\$11,562/acre)
Ratio of hazard Land to table land	27 to 1
Ratio of open space land to table land	16 to 1
Table land to be purchased by the Corporation for parkland use	\$457,145/hectare (\$185,000/acre)

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*, on January 1, 2021.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No.
2020

By-law No. C.P.-_____ - ____

A by-law to exempt from Part-Lot Control, lands located at 1830 Finley Crescent legally described as Block 98 in Registered Plan 33M-733.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Kenmore Homes(London) Inc., it is expedient to exempt lands located at 1830 Finley Crescent legally described as Block 98 in Registered Plan 33M-733, from Part-Lot Control;

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

1. Block 98 in Registered Plan 33M-733, located 1830 Finley Crescent, is hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended, for a period not to exceed three (3) years.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 270
2020

By-law No. C.P.-_____ - _____

A by-law to exempt from Part-Lot Control, lands located at 1860 Finley Crescent legally described as Block 97 in Registered Plan 33M-733.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P. 13*, as amended, and pursuant to the request from Kenmore Homes(London) Inc., it is expedient to exempt lands located at 1860 Finley Crescent legally described as Block 97 in Registered Plan 33M-733, from Part-Lot Control;

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

1. Block 97 in Registered Plan 33M-733, located 1860 Finley Crescent, is hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P. 13*, as amended, for a period not to exceed three (3) years.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 271
2020

By-law No. W.- _____ - ____

A by-law to authorize the Huron Industrial
Lands Stormwater Management Facility
(SWMF) (Project No. ID2095A).

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

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

1. The “Huron Industrial Lands Stormwater Management Facility (SWMF) (Project No. ID2095A)” is hereby authorized.
2. The net cost of this project shall be met by the issue of debentures in an amount not to exceed \$4,311,209.00.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

Bill No. 272
2020

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

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 230 North Centre Road.

WHEREAS Tricar Properties Limited has applied to remove the holding provisions from the zoning for the lands located at 230 North Centre 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 provisions from the zoning of the said lands;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 230 North Centre Road, as shown on the attached map comprising part of Key Map No. 102, to remove the h-183 holding provision so that the zoning of the lands as a Residential R9 Special Provision Bonus (R9-7/B55) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

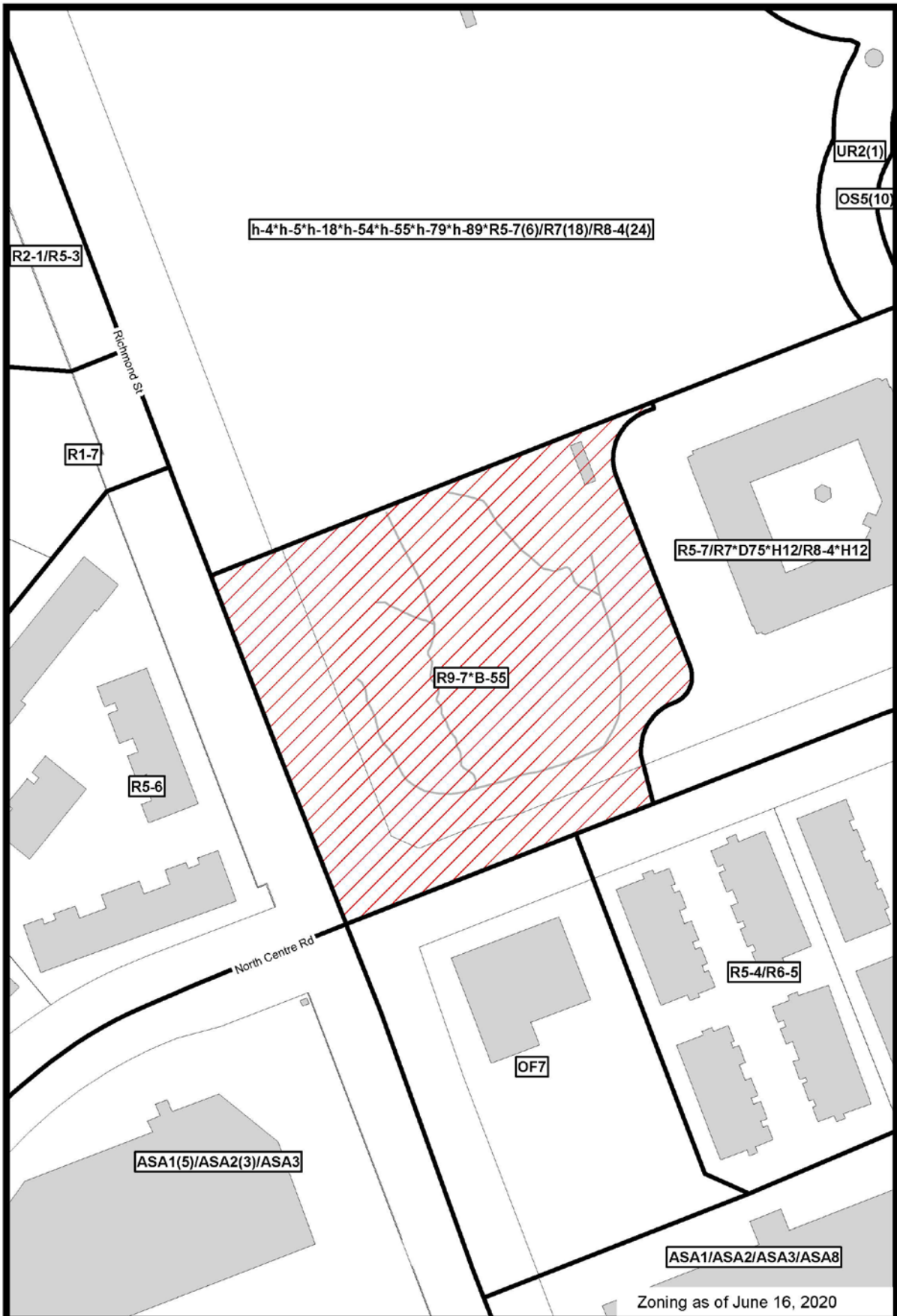
PASSED in Open Council on September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

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



File Number: H-9234

Planner: SM

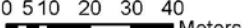
Date Prepared: 2020/07/06

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40
 Meters



Bill No. 273
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 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road.

WHEREAS Northwest Crossings Ltd. has applied to rezone an area of land located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough 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 the easterly portion of the lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone, to a Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(*)*B(*)) Zone and Holding Business District Commercial Special Provision Bonus (h*h-100*BDC2(**)*B(*)) Zone .

2. Section Number 25.4 of the Business District Commercial (BDC2) Zone is amended by adding the following Special Provision:

BDC2(*) 1230 Hyde Park Road

a) Additional Permitted Uses:

- i) Continuum-of-Care Facility (with any or all of the other permitted uses on the first floor)
- ii) Retirement Lodge or Retirement Home (with any or all of the other permitted uses on the first floor)
- iii) Nursing Home (with any or all of the other permitted uses on the first floor)

b) Regulations:

- i) Density 175 uph (71 units per acre)
(maximum)
- ii) Interior Side Yard & Rear Yard Depth 3 metres
Abutting a Residential Zone (minimum) (9.84 feet)
- iii) Dwelling units shall be permitted on the first floor of internal apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes, this does not include apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes fronting Hyde Park Road which shall be mixed-use buildings.

3. Section Number 25.4 of the Business District Commercial (BDC2) Zone is amended by adding the following Special Provision:

BDC2(**) 1230 Hyde Park Road

a) Additional Permitted Uses:

- i) Continuum of Care Facility (with any or all of the other permitted uses on the first floor)

- ii) Retirement Lodge or Retirement Home (with any or all of the other permitted uses on the first floor)
- iii) Nursing Home (with any or all of the other permitted uses on the first floor)
- b) Regulations:
 - i) Density (maximum) 144 uph (59 units per acre)
 - ii) Interior Side Yard & Rear Yard Depth Abutting a Residential Zone (minimum) 3 metres (9.84 feet)
 - iii) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - iv) Dwelling units shall be permitted on the first floor of internal apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes, this does not include apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes fronting Hyde Park Road which shall be mixed-use buildings.

4. Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

B(*) 1230 Hyde Park Road

The Bonus Zone shall be implemented through a development agreement to facilitate the development of high quality mixed-use apartment buildings and standalone apartment buildings with a maximum height of 22 metres (6-storeys) which substantively implements the site-specific "Design Criteria".

Design Criteria

Site Development

- Building Sitting:
 - Buildings shall be located along the majority of the Hyde Park Road and Street 'A' frontages to provide for a built edge along the street;
 - All service and loading facilities associated with building shall be located within and/or behind buildings away from amenity areas and not visible from the public street.
- Pedestrian Connectivity:
 - Mid-block walkway connections from Hyde Park Road through Block 1 shall be provided between buildings fronting Hyde Park Road, leading to internal parking area and to walkways behind buildings leading to sidewalks along the northern and southern portions of Street 'A';
 - Walkway connections from the sidewalk along Hyde Park Road shall be provided from both ends of the building for Block 2, with a further connection to the sidewalk along Street 'A'.
- Access and Parking:
 - Vehicular access for both Blocks 1 and 2 shall be provided from Street 'A'.
 - No parking or vehicular drive isles shall be located between buildings and the Hyde Park road frontage.
 - Low masonry walls (max. 0.75m), complimentary in design to the buildings, shall be provided with a combination of landscaping to screen any parking located along the edge of Street 'A'.
- Common Outdoor Amenity Areas:
 - Outdoor common amenity areas shall be provided for each building, alternatively these spaces can be combined into one, centrally located common outdoor amenity space per Block.
 - These spaces shall be an appropriate size to provide adequate amenity for the proposed number of residents and provide the

- o opportunity for passive and/or active recreation.
- o These spaces shall be located within close proximity to a building entrance/exit. Alternatively a safe, appropriately sized, and conveniently aligned walkway connection(s) will be provided from the nearest building entrance/exit. If the spaces are combined into one centrally located space provide for walkways from each building to the space.
- o Enhanced landscaping shall be provided along the Hyde Park Road frontage in the form of small amenity areas and trees between buildings. Efforts will be made to provide opportunities for additional amenity space through site and building design, with the intention of providing spaces for residents and visitors to enjoy the outdoors and animating street frontages to facilitate pedestrian oriented environments

Built form

- All buildings:
 - o The development shall feature contemporary building designs with a mix and articulation of building materials including brick, metal panels, concrete, wood veneer and vision and spandrel glass;
 - o Buildings shall be designed in a way that breaks up the structures horizontally and vertically through articulation, architectural details, and an appropriate proportion and rhythm of windows and balconies
- Buildings along Hyde Park frontage:
 - o The design for buildings facing Hyde Park Road shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.
 - o Buildings shall include active commercial uses along the Hyde Park Road frontage, and all main floor commercial unit entrances shall be oriented towards Hyde Park Road.
 - o The ground-floor street façade shall be primarily comprised of vision glazing for views into and out of the building. Where vision glazing is not used, alternative urban design measures that contribute to an animated streetscape shall be required.”;
 - o Overhead protection from natural elements shall be provided above the first floor in locations such as pedestrian entrances where appropriate to architecturally differentiate the building base from the upper levels;
- Buildings along the Street ‘A’ frontage:
 - o The development shall provide street-oriented features for residential buildings, including individual entrances to ground-floor residential units with operable and lockable doors, and pedestrian-scale features such as lighting and weather protection. Private amenity areas shall also be provided and may include enclosed courtyards with a combination of planters and low decorative fencing.
 - o The design for buildings facing Street ‘A’ shall be defined by complementary changes in building articulation and design above the 4th floor that will contribute to the provision of a human-scaled environment along the street. Potential design solutions may include a step-back, balconies or outdoor areas, which would provide proportionate step-backs from the front face of the building.
- a) Regulations:

i)	Height (maximum)	22 metres (72 feet) (6-storeys)
ii)	Ground Floor Height (minimum)	4.5 metres (14.76 feet)

- iii) Dwelling units shall be permitted on the first floor of internal apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes, this does not include apartment buildings, continuum-of-care facilities, retirement lodge or retirement homes and nursing homes fronting Hyde Park Road which shall be mixed-use buildings.

5. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the middle portion of the lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) Zone to a Holding Residential Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*)) Zone and from an Open Space (OS1) Zone to a Holding Residential Special Provision (h*h-100*R5-7(*)/R6-5(*)/R7(*)*H14/R8-4(*)) Zone.

6. Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

R5-7(*)	1200 & 1230 Hyde Park Road	
a)	Regulation[s]	
i)	Net Density (maximum)	35 uph (based on total land area within the zone)
ii)	Height (maximum)	14 metres (45.9 feet)
iii)	Front & Exterior side Yard Depth (minimum)	3 metres (9.84 feet)
iv)	Setback from Railway Right of Way (minimum)	30 metres (98.4 feet)
v)	The front face and primary entrance of dwellings shall be oriented to adjacent streets	

7. Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

R6-5(*)	1200 & 1230 Hyde Park Road	
a)	Regulation[s]	
i)	Net Density (maximum)	35 uph (based on total land area within the zone)
ii)	Height (maximum)	14 metres (45.9 feet) (4 storeys)
iii)	Front & Exterior side Yard Depth	3 metres (minimum) (9.84 feet)
iv)	Setback from Railway Way (minimum)	30 metres Right of (98.4 feet)
v)	The front face and primary entrance of dwellings shall be oriented to adjacent streets	

8. Section Number 11.4 of the Residential R7 (R7) Zone is amended by adding the following Special Provision:

- R7(*) 1200 & 1230 Hyde Park Road
- a) Regulation[s]
- i) Net Density (maximum) 35 uph (based on total land area within the zone)
 - ii) Height (maximum) 14 metres (45.9 feet), 4-storeys
 - iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

9. Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

- R8-4(*) 1200 & 1230 Hyde Park Road
- a) Regulation[s]
- i) Net Density (maximum) 35 uph (based on total land area within the zone)
 - ii) Height (maximum) 14 metres (45.9 feet), 4-storeys
 - iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

10. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the westerly portion of lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) an Open Space (OS1) Zone, to a Holding Residential Special Provision (h*h-100*R5-7(**)/R6-5(**)/R7(**)*H12/R8-4(**)) Zone.

11. Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

- R5-7(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 100uph (41 units per acre)
 - ii) Front & Exterior side Yard Depth (minimum) 3 metres (9.84 feet)
 - iii) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - iv) The front face and primary entrance of dwellings shall be oriented to adjacent streets

12. Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

- R6-5(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 100 uph (41 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Front & Exterior side Yard Depth (minimum) 3 metres (9.84 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

14. Section Number 11.4 of the Residential R7 (R7) Zone is amended by adding the following Special Provision:

- R7(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 100uph (41 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

15. Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

- R8-4(**) 1176, 1200 & 1230 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 100uph (41 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Front & Exterior Yard Depth (minimum) 3 metres (9.84 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

16. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the westerly portion of lands located at 1176, 1200, 1230 Hyde Park Road and portion of 1150 Gainsborough Road, as shown on the attached map comprising part of Key Map No. A.101, from a Holding Restricted Service Commercial Special Provision (h*RSC1(13)/RSC2(9)/RSC3(11)/RSC4(8)/RSC5(6)/RSC6(4)) an Open Space (OS1) Zone, to a Holding Residential Special Provision (h*h-100*h-18*R5-7(***)/R6-5(***)/R7(***)*H12/R8-4(***)) Zone.

17. Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:

- R5-7(***) 1176 & 1200 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 90uph (37 units per acre)
 - ii) Lot Frontage (maximum) 10 metres (32.8 feet)
 - iii) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)

18. Section Number 10.4 of the Residential R6 (R6-5) Zone is amended by adding the following Special Provision:

- R6-5(***) 1176 & 1200 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 90uph (37 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Lot Frontage (minimum) 10 metres (32.8 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)

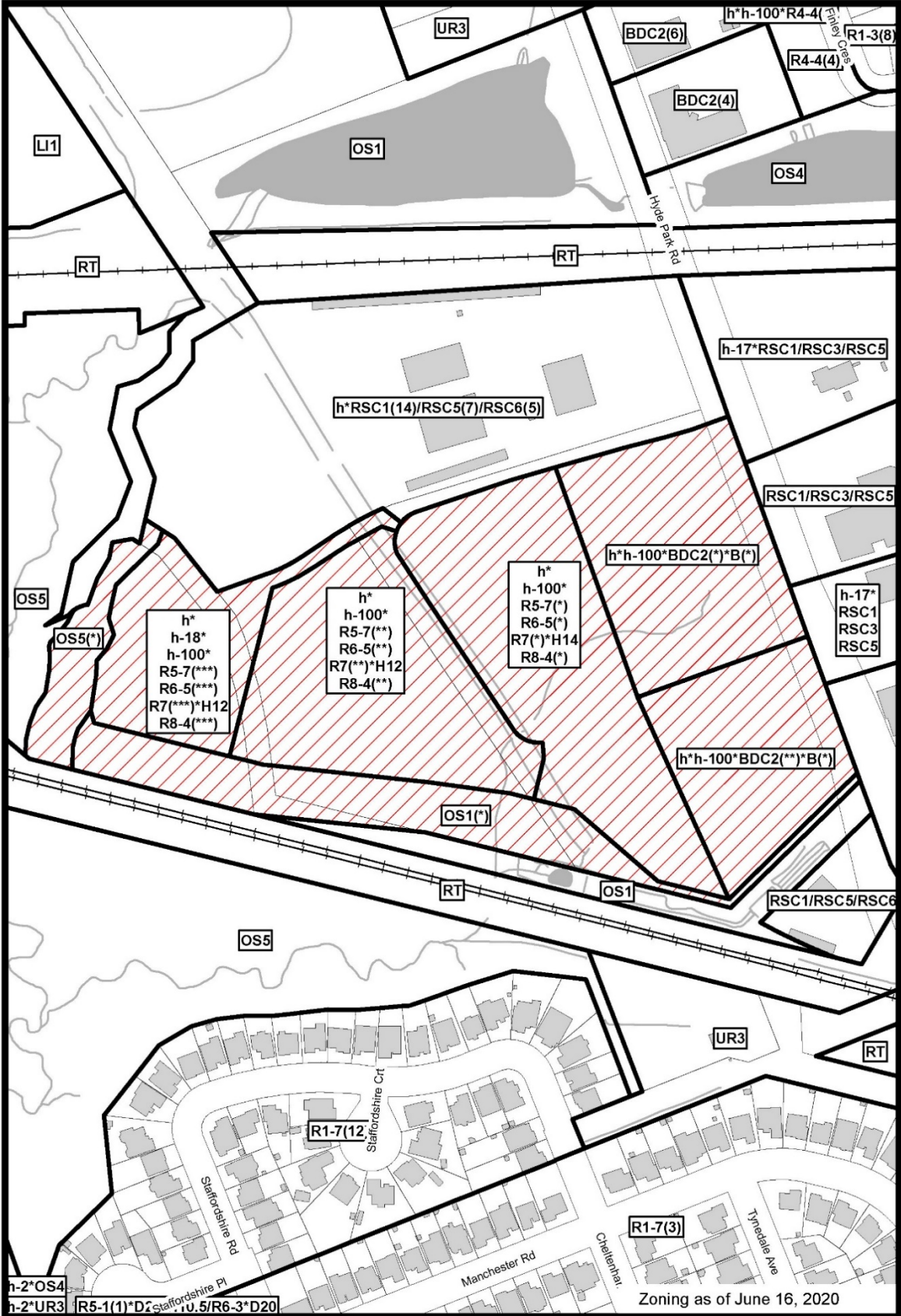
19. Section Number 11.4 of the Residential R7 (R7) Zone is amended by adding the following Special Provision:

- R7(***) 1176 & 1200 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 90uph (37 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Lot Frontage (minimum) 10 metres (32.8 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)

20. Section Number 12.4 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

- R8-4(***) 1176 & 1200 Hyde Park Road and a portion of 1150 Gainsborough Road
- a) Regulation[s]
- i) Density (maximum) 90uph (37 units per acre)
 - ii) Height 3 storey (maximum)
 - iii) Lot Frontage (minimum) 10 metres (32.8 feet)
 - iv) Setback from Railway Right of Way (minimum) 30 metres (98.4 feet)

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



File Number: 39T-19502/Z-9040
 Planner: MC
 Date Prepared: 2020/08/20
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters



Bill No. 274
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 3557 Colonel Talbot Road.

WHEREAS 1423197 Ontario Inc. (Royal Premier Homes) has applied to rezone an area of land located at 3557 Colonel Talbot 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 3557 Colonel Talbot Road, as shown on the attached map comprising part of Key Map No. A110, from an Urban Reserve (UR4) Zone and Open Space (OS4) Zone to a Holding Residential R5 Special Provision (h-5*R5-6(_)) Zone, Open Space Special Provision (OS4(_)) Zone and an Open Space Special Provision (OS5(_)) Zone.

2. Section Number 9.4 of the Residential R5 (R5-6) Zone is amended by adding the following Special Provision:

R5-6()	3557 Colonel Talbot Road.
a)	Regulation[s]
i)	Front Yard Depth (min) 2.0 metres
ii)	Rear Yard Depth (min) 0.7 metres (From OS4(_) Zone)
iii)	South Interior Side Yard Depth (min) 3.1m
iv)	Density (max) 51 uph
v)	Deck Encroachment (max) 0.0m (From OS4(_) Zone)

3. Section Number 36.4 of the Open Space (OS4) Zone is amended by adding the following Special Provision:

OS4()	3557 Colonel Talbot Road
a)	Additional Permitted Uses:
i)	One accessory structure
b)	Regulation[s]
i)	Lot Area (min) 1,056m ²
ii)	Lot Frontage (min) 14.0m

4. Section Number 36.4 of the Open Space (OS5) Zone is amended by adding the following Special Provision:

OS5() 3557 Colonel Talbot Road

a) Regulation[s]

i) Lot Area (min) 2,860m²

5. 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.

6. 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 September 15, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020

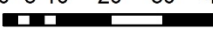
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9003
Planner: MV
Date Prepared: 2020/09/09
Technician: DM
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40
 Meters



Bill No. 275
2020

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

A by-law to amend By-law No. Z.-1 to remove references to 1989 Official Plan and add references to *The London Plan*.

WHEREAS the February 7, 2020 decision of the Local Planning Appeal Tribunal has brought the majority of *The London Plan* policies into force and effect;

AND WHEREAS the City of London has applied to amend various sections of Zoning By-law Z.-1 to remove references to the 1989 Official Plan and add references to *The London Plan*;

AND WHEREAS this rezoning conforms to the *London Plan*;

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

1. Section 3.8.2, Holding “h” Zones, Holding Zone Provisions to By-law No. Z.-1 is amended by making changes as follows:

i. The h-2 section is deleted and replaced as follows:

h-2 Purpose: To determine the extent to which development will be permitted and ensure that development will not have a negative impact on relevant components of the Natural Heritage System of the Official Plan, an agreement shall be entered into specifying appropriate development conditions and boundaries, based on an Environmental Impact Study or Subject Lands Status Report that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the "h-2" symbol. (Z.-1-051390)

2. Section 3.8.2, Holding “h” Zones, Holding Zone Provisions to By-law No. Z.-1 is amended by making changes as follows:

i. The h-4 section is deleted and replaced as follows:

h-4 Purpose: To refine the One Hundred Year Erosion Limit of the Official Plan, assess the potential impacts of development and identify measures to avoid or address potential erosion/slope instability hazards, an agreement shall be entered into specifying appropriate development conditions and boundaries, based on a geotechnical study that has been prepared in accordance with the provisions of the Official Plan and to the satisfaction of the City of London, prior to removal of the "h-4" symbol. (Z.-1-051390)

3. Section 3.8.2, Holding “h” Zones, Holding Zone Provisions to By-law No. Z.-1 is amended by making changes as follows:

i. The h-14 section is deleted and replaced as follows:

h-14 Purpose: To ensure the orderly development of lands for access to an arterial road, the "h-14" symbol shall not be deleted until vehicle access is provided to an arterially designated road across lands planned for use as a regional facility.

4. Section 3.8.2, Holding “h” Zones, Holding Zone Provisions to By-law No. Z.-1 is amended by making changes as follows:

i. The h-66 section is deleted and replaced as follows:

h-66 Purpose: To encourage high quality urban design for new infill residential development, satisfactory compliance with Council approved site specific design guidelines, adopted under the Official Plan, will be

assessed during the site plan approval/review process. A site plan application; including the site plan, building elevations and landscaping plan; will be submitted in conformity with these site specific urban design guidelines and a development agreement drafted acceptable to the City of London prior to the removal of the "h-66" symbol. (Z.-1-061479)

5. Section 3.11 Map Details, to By-law Z.-1 is amended by making changes as follows:

i. The section is deleted and replaced as follows:

Any street or other names, property boundaries, municipal numbers or physical features on key map grid patterns shown on the maps are for reference purposes only. The shaded areas contained on the base maps of Schedule "A" Zone Maps are for reference purposes only, to assist property owners in knowing if their lands are affected by the Conservation Authorities Act or are identified as extractive industrial areas or aggregate resource areas. The lands in the Byron Gravel Pits area shaded on Key Maps 126 and 127 have been identified as areas containing aggregate resources that are presently licensed or that may be licensed for future aggregate extraction. Policies pertaining to the extraction of aggregate resources in the City of London are contained in the Natural Resources Chapter of the Official Plan. The lands so shaded on all other key maps lie within the flood fringe of the Thames River and at a minimum may require floodproofing and/or safe access before any development or redevelopment may occur. Approvals pursuant to the Conservation Authorities Act, will be required. (Z.-1-94236) (Z.-1-021019)

6. Section 4.8, Group Homes, to By-law Z.-1, is amended by making changes as follows:

i. The first paragraph is deleted and replaced as follows:

Notwithstanding any other provision of this By-law to the contrary, a Group Home Type 1 is permitted to occupy the whole of an individual dwelling unit, other than dwelling units located within farmland areas, including a single detached dwelling, a semi-detached dwelling, a duplex dwelling, and a triplex dwelling provided the total number of residents within the building structure does not exceed eight, The dwelling must have 20.0 square metres (216 sq. ft.) of gross floor area per person residing within the unit.

7. Section 5.1, General Purpose of the R1 Zone to By-law No. Z.-1 is amended by making changes to the second paragraph:

i. The second paragraph is deleted and replaced as follows:

The R1-14, R1-15 and R1-16 Zone variations are generally applied to existing residential lots on individual services in rural areas. The R1-17 Zone variation is typically applied to large existing lots in these rural areas. (O.M.B. File #R910387 - Appeal #9008 June 4, 1993) (Z.-1-00759) (Z.-1-051318) (Z.-1-051390)

8. Section 17.1, General Purpose of the OC Zone to By-law No. Z.-1 is amended by making changes to the second paragraph:

i. The second paragraph is deleted and replaced as follows:

The OC1, OC2 and OC3 Zones accommodate office conversions in the areas where the Official Plan policies require that a residential component be maintained in the structure by requiring the retention of at least one dwelling unit in the existing residential building. The OC4, OC5 and OC6 Zone variations provide for a choice of uses in existing buildings. The OC7 and OC8 zone variations permit an even broader range of uses in existing buildings and are restricted in their application to the Talbot Neighbourhood, as directed by the "Talbot Mixed-Use Area" policies in the Neighbourhoods policies of The London Plan.

9. Section 18.1, General Purpose of the RO Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

This Zone provides for and regulates new office uses outside of the Downtown area in small-scale office buildings. The range of office uses and secondary uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts.

There are different RO Zone variations to accommodate a range of office uses. An expanded range of uses and/or more intensive use of a site may be permitted at appropriate locations through the use of zone variations. The RO3 Zone variation is limited in its application to the Talbot Neighbourhood, as directed by the "Talbot Mixed-Use Area" policies in the Neighbourhoods policies of The London Plan.

10. Section 19.1 General Purpose of the OF Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted and replaced as follows:

This Zone provides for and regulates new office uses outside of the Downtown area in small to medium scale office buildings. The range of office uses and secondary uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts.

11. Section 21.1, General Purpose of the Regional Shopping Area Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

The RSA Zone primarily recognizes lands planned for use as enclosed regional shopping centres. The RSA Zone provides for and regulates a wide range of regional-scale, specialized, comparison shopping retail and personal service uses, as well as some office, commercial recreation and community facilities uses, which are suited to a location within an enclosed shopping centre building. Limits are placed on the amount of office and entertainment space. Other shopping centre and stand-alone buildings are allowed on a limited basis normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen large surface parking lots. The permitted uses are the same for all RSA Zone variations, however, variations of the zone occur based on maximum permitted gross leasable floor area.

12. Section 22.1, General Purpose of the CSA Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted.
- ii. The second paragraph is deleted and replaced as follows:

The CSA zone is typically applied to community-scale commercial lands. CSA zone provides for and regulates a wide range of community-scale retail and personal service uses, as well as some office, commercial recreation, community facilities and commercial school uses, which serve the needs of the community or a number of neighbourhoods located within convenient walking and/or driving distance. Either enclosed or unenclosed shopping centres are the permitted form of development. Stand-alone buildings which are not part of a shopping centre may also be permitted at appropriate locations normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen large surface parking lots. The CSA6 Zone variation is used for this purpose. The permitted uses are the same for all CSA Zone variations; however, variations of the zone are differentiated based on maximum permitted

gross leasable floor area. High density intensity residential uses may also be permitted by applying a Residential R8 or Residential R9 Zone.

13. Section 23.1, General Purpose of the NSA Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted.
- ii. The second paragraph is deleted and replaced as follows:

The NSA Zone is typically applied to neighbourhood-scale commercial lands. The NSA zone provides for and regulates a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents. Zone variations of the zone are differentiated based on uses and maximum permitted gross leasable floor area for certain defined uses. Shopping centres are the permitted form of development; however, stand-alone buildings may also be permitted at appropriate locations normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen parking lots. The NSA5 Zone variation is used for this purpose. A limited range of automotive uses may be permitted by using the Automobile Service Station (SS) Zone. High density and medium density residential uses may also be permitted by applying the appropriate zone.

14. Section 24.1, General Purpose of the ASA Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted.
- ii. A new final paragraph (second paragraph) is added as follows:

The variations generally group uses as follows: in the ASA1 (retail/convenience/personal service), ASA2 (retail/semi light industrial), ASA3 (offices), ASA4 (community facilities), ASA5 (automotive), ASA6 (large traffic generating uses), ASA7 (theatres) and ASA8 (large format retail) Zone variations.

15. Section 25.1, General Purpose of the BDC Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted and replaced as follows:

The BDC Zone is typically applied to corridors with a main street character. This Zone provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses located along pedestrian-oriented business districts in older parts of the City and in hamlets or small business areas in rural areas. Normally buildings are located near the street line with parking to the rear. The uses in this zone, which are intended to provide for the shopping needs of nearby residents, and cater to certain specialty shopping needs, have been differentiated on the basis of their function, intensity and potential impacts. (Z-1-051390)

16. Section 26.1, General Purpose of the AC Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first sentence of the first paragraph is deleted, so that the first paragraph is as follows:

This Zone provides for and regulates a mix of small scale retail, office, personal service and automotive uses located along arterial roads which serve both vehicular and pedestrian trade. This zone tends to be applied in older areas of the City where auto-orientated uses have existed for some time and in areas along arterial roads that serve both a local and broad market area. The uses of this zone, which reflect the nature of existing development in an area, have been differentiated on the basis of their function, intensity and potential impacts.

17. Section 27.1, General Purpose of the HS Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first sentence of the first paragraph is deleted, so that the first paragraph is as follows:

This Zone provides for and regulates a range of commercial and service uses which cater to the needs of the travelling public. They tend to be located on major arterial roads with high traffic volumes at major entrances to the City. Offices are not generally permitted.

18. Section 28.1, General Purpose of the RSC Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first sentence of the first paragraph is deleted, so that the first paragraph is as follows:

This Zone provides for and regulates a range of moderate intensity commercial uses, and trade service uses, which may require significant amounts of land for outdoor storage or interior building space and a location on major streets.

19. Section 36.1, General Purpose of the OS Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The third paragraph is deleted and replaced as follows:

The OS5 Zone variation applies to important natural features and functions that have been recognized by Council as being of City-wide, regional, or provincial significance and identified as components of the Natural Heritage System of the Official Plan. In order to protect the identified features and functions, permitted activity is limited to a range of low-impact uses associated with passive recreation, conservation and ecosystem management. Development and site alteration is permitted only if it has been demonstrated through an appropriate study that there will be no negative impacts on the features and functions for which the area has been identified. (Z.-1-94236) (Z-1-051390)

20. Section 37.1, General Purpose of the ER Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

This Zone applies to Environmental Review areas of the Official Plan which are intended to remain in a natural condition until their significance is determined through the completion of more detailed environmental studies. In order to protect the potentially significant features and functions of Environmental Review areas of the Official Plan, permitted activity is limited to a range of uses associated with passive recreation, conservation and sustainable forest management. The ER Zone permits a range of low-impact uses that are similar to those permitted under the Open Space (OS5) Zone variation. In some instances Environmental Review lands of the Official Plan abut stream corridors for which floodplain mapping has not been completed. Much of this land is used for agricultural purposes and the Official Plan permits agriculture in Environmental Review lands. If necessary, existing uses and associated development regulations will be recognized on a site specific basis through the use of Special Provisions.

21. Section 40.1, General Purpose of the LI Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

This Zone provides for and regulates a range of industrial and associated secondary uses. In addition to the uses permitted in the LI1 Zone variation, an expanded range of industrial and complementary uses may be permitted, at appropriate locations, through other zone variations. A limited range of convenience, medical/dental and automotive uses may be

permitted in association with industrial uses or by compounding with the Convenience Commercial (CC) and/or Automotive Service Station (SS) Zones. The LI10 zone variation will be applied to permit Self-storage Establishments where an approved secondary plan of the City of London indicates that the Light Industrial area is intended to transition out of industrial use. (Z.-1-132230)

22. Section 45.1, General Purpose of the AG Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph is deleted and replaced as follows:

The Agricultural Zone is intended to be applied to agricultural and farmland areas. The creation of properties less than 40 ha (98.8 ac) in size is not permitted. The AG1 Zone variation permits a wide range of non-intensive agricultural uses whereas the AG2 Zone variation permits intensive and non-intensive agricultural uses. The AG3 Zone variation is intended to be compounded with other AG Zone variations where appropriate to permit secondary farm occupations. The AG4 Zone variation recognizes existing single detached dwellings in the rural area which may or may not have agricultural uses associated with them. The intent is that no new AG4 Zone variations will be created. The AG5 Zone variation is intended to be compounded with other AG Zone variations where appropriate to permit secondary farm dwellings.

23. Section 47.1, General Purpose of the RRC Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

This zone provides for a limited range of commercial uses that serve the surrounding rural area. This zone can be combined with the Neighbourhood Facility (NF) Zone to also permit a limited range of small-scale facility uses. Lot area and lot frontage requirements are higher because in the short term no public services will be available and private sewer septic systems will be required. Yard requirements are also higher and combined with site plan control will minimize any impacts.

24. Section 48.1, General Purpose of the TGS Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The first paragraph and second paragraph are deleted and replaced as follows:

This zone provides for and regulates garden suites on a temporary basis in accordance with Section 39 (Temporary Use Provisions) of the Planning Act and the Official Plan. This zone permits garden suites for a specified period of time after which the Temporary Garden Suite (TGS) Zone symbol is removed and reverts back to the compound zone(s). This zone must be compounded with another zone. Extensions are provided for in the Planning Act.

Garden suites are subject to the regulations contained in Zoning By-law Section 45.3.3 (Secondary Farm Occupations) and require an agreement, through Section 207.2 of the Municipal Act, with the City dealing with such issues as number of residents, servicing details, removal of unit etc.

25. Section 50.1, General Purpose of the T Zone to By-law No. Z.-1 is amended by making changes as follows:

- i. The section is deleted and replaced as follows:

This zone provides for and regulates temporary uses in accordance with Section 39 of the Planning Act. This zone permits temporary uses for a specified period of time after which the Temporary (T-____) Zone symbol and text are removed and revert back to the main zone. It is not intended that a temporary zone will permanently establish a use on a property. The

establishment of a temporary use permanently on a property can only occur by way of a zoning by-law amendment under Section 34 of the Planning Act. In the event of a conflict between the provisions of this Section and the provisions of the main zone, the provisions of this Section shall apply. (Z.-1-93214)

26. Section 51.1, General Purpose of the WRM Zone to By-law No. Z.-1 is amended by making changes as follows:

i. The section is deleted and replaced as follows:

The Waste and Resource Management Zone is intended to be applied to lands within the rural area of the City of London, which are planned for use as waste management resource recovery area. This Zone provides for and regulates a range of waste management and resource recovery uses which shall be permitted by site specific zoning, subject to the criteria in the Plan. Farm dwellings and secondary farm dwellings shall not be permitted within this area.

27. 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 September 15, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – September 15, 2020
Second Reading – September 15, 2020
Third Reading – September 15, 2020