Council
Agenda

The 1st Meeting of City Council

December 8, 2020, 4:00 PM

Virtual Meeting - during the COVID-19 Emergency

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

Meetings can be viewed via live-streaming on YouTube and the City website.

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Pages

1. Disclosures of Pecuniary Interest

2. Recognitions

3. Review of Confidential Matters to be Considered in Public

4. Council, In Closed Session

4.1. 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. (6.1/19/CSC)

4.2. Personal Matters/Identifiable Individuals

A matter pertaining to labour relations or employee negotiations and pertaining to personal matters about identifiable individuals as it relates to employee benefits. (6.2/19/CSC)

4.3. Litigation/Potential Litigation / Solicitor-Client Privileged Advice

A matter pertaining to litigation with respect to The Corporation of the City of London v. Amal and Samir Samhouri in connection with a Default Judgment dated May 12, 2003 in Ontario Superior Court, file # 41525; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with Default Judgment dated May 12, 2003 in Ontario Superior Court, file # 41525; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the Default Judgment dated May 12, 20003 in Ontario Superior Court, file # 41525. (6.3/19/CSC)

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

5.1. 21st Meeting held on November 24, 2020 6

6. Communications and Petitions

6.1. Protected Major Transit Station Areas (PMTSAs) (O-9208)

(Refer to the Planning and Environment Committee Stage for Consideration with item 8 (3.3) of the 19th Report of the Planning and Environment Committee)

1. C. O'Brien, Drewlo Holdings Inc. 112

6.2. Implementing Additional Residential Units Requirements of the Planning Act (Bill 108) (OZ-9176)

(Refer to the Planning and Environment Committee Stage for Consideration with item 10 (3.5) of the 19th Report of the Planning and Environment Committee)

1. P. Williamson 114

6.3. City of London 2020-2021 Winter Response Program for Unsheltered Individuals

(Refer to the Community and Protective Services Committee Stage for Consideration with item 8 (5.2) of the 1st Report of the Community and Protective Services Committee)

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7. Motions of Which Notice is Given

8. Reports

8.1. 19th Report of the Planning and Environment Committee 117

1. Disclosures of Pecuniary Interest

2. (2.1) ReThink Zoning Update

3. (2.2) London Plan Monitoring Report

4. (2.3) Bill 108 and Regulations, Amendments to the Ontario Heritage Act - Process and Implications

5. (2.4) London Plan - Appeals and LPAT Hearing Update

6. (3.1) Application - 1284 and 1388 Sunningdale Road West - Application for Zoning By-law Amendment - Request for Revisions to the Draft Plan of Subdivisions 39T-04510 (Z-9216) (Relates to Bill No. 14)

7. (3.2) Application - 1761 Wonderland Road North (OZ-9178) (Relates to Bill No.'s 3, 5 and 15)

8. (3.3) Protected Major Transit Station Areas (PMTSAs) (O-9208) (Relates to Bill No. 6)

9. (3.4) Application - 820 Cabell Street (Z-9196) (Relates to Bill No. 16)

10. (3.5) Implementing Additional Residential Units Requirements of the Planning Act (Bill 108) (OZ-9176) (Relates to Bill No.'s 4, 7 and 17)

11. (4.1) Phasing-Out Ontario's Gas Fired Power Plants - Request for Delegation Status

8.2. 1st Report the Community and Protective Services Committee 147

1. (1.1) Disclosures of Pecuniary Interest

2. (1.2) Election of Vice Chair for the term ending November 30, 2021

3. (2.1) 2020 Annual Emergency Management Program Update (Relates to Bill No. 2)

4. (2.2) 2019 Ontario Works Participant and Service Delivery Profile

5. (2.3) Extension of Delegated Authority in By-laws Related to Business Reopenings and Supportive Actions

6. (3.1) Proposed Amendment to the Noise/Sound By-law

7. (5.1) Deferred Matters List

8. (5.2) City of London 2020-2021 Winter Response Program for Unsheltered Individuals

8.3. 19th Report of the Corporate Services Committee 151

1. Disclosures of Pecuniary Interest

2. (2.1) Taxation of Properties Owned by London Middlesex Community Housing Inc.

3. (2.2) Report to the Federation of Canadian Municipalities Board of Directors Virtual Meeting - September 8-11, 2020

4. (4.1) Consideration of Appointment to the Accessibility Advisory Committee

5. (5.1) AMO 2021 Conference

9. Added Reports

9.1. 1st Report of Council in Closed Session

10. Deferred Matters

11. Enquiries

12. Emergent Motions

13. By-laws

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

13.1. Bill No. 1 By-law No. A.-_____-____ 155

A by-law to confirm the proceedings of the Council Meeting held on the 8th day of December, 2020. (City Clerk)

13.2. Bill No. 2 By-law No. A.- _____-____ 156

A by-law to amend By-law No. A.-7657-4, being “A by-law to repeal By-law No. A.-7495- 21 and to adopt an Emergency Management Program and Plan.” in order to repeal and replace Schedule “A” to the by-law. (2.1/1/CPSC)

13.3. Bill No. 3 By-law No. C.P.-1284(__)-____ 199

A by-law to amend the Official Plan for the City of London, 1989 relating to 1761 Wonderland Road North. (3.2a/19/PEC)

13.4. Bill No. 4 By-law No. C.P.-1284(__)-____ 202

A by-law to amend the Official Plan for the City of London, 1989 relating to implementing of Bill 108 Additional Residential Unit Policies City-wide. (3.5b/19/PEC)

13.5. Bill No. 5 By-law No. C.P.-1512(__)-____ 205

A by-law to amend the London Plan for the City of London, 2016 relating to 1761 Wonderland Road North. (3.2b/19/PEC)

13.6. Bill No. 6 By-law No. C.P.-1512(__)-____ 209

A by-law to amend The London Plan for the City of London, 2016 relating to Protected Major Transit Station Areas (PMTSAs). (3.3/19/PEC)

13.7. Bill No. 7 By-law No. C.P.-1512(__)-____ 215

A by-law to amend The London Plan for the City of London, 2016 relating to implementing of Bill 108 Additional Residential Unit Policies City-wide. (3.5a/19/PEC)

13.8. Bill No. 8 By-law No. S.-_____-___ 218

A by-law to assume certain works and services in the City of London. (Vista Woods Estates Subdivision – Phase 1A; Plan 33M-679) (City Engineer)

13.9. Bill No. 9 By-law No. S.-_____-___ 220

A by-law to lay out, constitute, establish, name, and assume lands in the City of London as public highway. (as widening to Waterwheel Road, west of Pleasantview Drive) (Chief Surveyor - pursuant to Consents B.022/19 and B.023/19)

13.10. Bill No. 10 By-law No. S.-_____-___ 222

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Sorrel Road, north of Perth Avenue) (Chief Surveyor – pursuant to Consent B.020/19 and in accordance with Zoning By-law Z.-1)

13.11. Bill No. 11 By-law No. S.-_____-___ 224

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Viscount Road,

west of Wonderland Road South) (Chief Surveyor - registered as Instrument No. ER1317452, pursuant to Site Plan SPA20-042 and in accordance with Zoning By-law Z.-1)

13.12. Bill No. 12 By-law No. S.-_____-___ 226

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Clarence Street, north of King Street) (Chief Surveyor - registered as Instrument No. ER1316663, pursuant to Site Plan SPA18-051 and in accordance with Zoning By-law Z.-1)

13.13. Bill No. 13 By-law No. S.-_____-___ 228

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Gainsborough Road, west of Hyde Park Road) (Chief Surveyor - registered as Inst. No. ER1319761, pursuant to Site Plan SPA19-091 and in accordance with Zoning By-law Z.-1)

13.14. Bill No. 14 By-law No. Z.-1-21_____ 230

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1284 Sunningdale Road West and 2804, 2808, 2812, 2816 and 2830 Tokala Trail. (3.1/19/PEC)

13.15. Bill No. 15 By-law No. Z.-1-21_____ 233

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1761 Wonderland Road North. (3.2c/19/PEC)

13.16. Bill No. 16 By-law No. Z.-1-21_____ 236

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 820 Cabell Street. (3.4/19/PEC)

13.17. Bill No. 17 By-law No. Z.-1-21_____ 238

A by-law to amend By-law No. Z.-1 to delete the existing secondary dwelling unit regulations and replace with new regulations for additional residential units (3.5c/19/PEC)

14. Adjournment

Council

Minutes

The 21st Meeting of City Council
November 24, 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. Peloza, A. Kayabaga, S. Hillier

Also Present: M. Ribera, C. Saunders, M. Schulthess, B. Westlake-Power
Remote Attendance: L. Livingstone, A. Anderson, A. Barbon, G. Barrett, B. Card, K. Dickins, G. Kotsifas, D. O'Brien, J. Raycroft, C. Smith, S. Stafford, B. Warner, R. Wilcox
The meeting was called to order at 4:02 PM, with all Members participating, except Councillors M. Cassidy and J. Morgan; it being noted that the following Members attended the meeting remotely: M. van Holst, M. Salih, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, A. Kayabaga and S. Hillier.

1. Disclosures of Pecuniary Interest

Councillor S. Turner discloses a pecuniary interest in any budgetary item regarding the Middlesex-London Health Unit, by indicating that he is an employee of that organization and any item pertaining to funding for the Early ON program as his spouse is an employee of an organization dependent on that funding, as these may be addressed in Item 4.1 - Tabling of the 2021 Budget Update.

Councillor S. Turner further discloses a pecuniary interest in Added Bill No. 372, having to do with a by-law to authorize and approve an Agreement of Purchase and Sale of the property located at 92 Wellington Road for the Wellington Gateway Project, by indicating that he owns property in close vicinity to the subject property.

2. Recognitions

2.1 Recognition, in absentia, of City of London Employees who have achieved 25 years of service during 2020

At 4:05 PM, Councillor M. Cassidy enters the meeting.

His Worship, the Mayor recognizes, in absentia, the following City of London Employees who have achieved 25 years of service during 2020:

From the City Manager’s Office: Karen Somers.

From Environmental & Engineering Services: Grace Ma Khin Than Aye, Don Bordynuik, Rob Burnard, Gary Burrows, Anthony Joseph Critch, Todd Hayter, Robert P. Jolliffe, Antonio A. Lima, Gary Medeiros, Barry Orr, Marcus Schaum, Jay Stanford, Paul Titus, Adrian Trotman, Tim Vanderbeeten, James R. Woolford, and Alan Zirul.

From Finance and Corporate Services: Rose V. Dinh, Jody Golinowski, and Joanna Wozniak.

From Housing, Social Services and Dearness Home: Kathleen Beamish, Maria Irene Chavez, Lisa Galbraith, Diane Gallant, Karyn Grealis, Candy Johnson, Shirley Locke, Melda M. Mantes (Banyai), Beth Risi, Leonor Tavares, and Heather Trevithick.

From London Fire Department, Neighbourhood, Children and Fire Services: Stephen Charles Beasley, Sean Thomas Spencer Beer, Carl Britan, Craig Brown, Jay DeCaluwe, Douglas J. Ferguson, Stephen Garrett, Andrew Joice, Richard Kerr, Greg Knight, Tim Knight, Richard J. Koning, Matthew Lane, Scott Mckenzie, Dan McNeil, Brent Moore, Jamie Nardachioni, Mark Pegg, John Peter, Paul Prowse, Stephan Rodowa, and Terri Taylor.

From London Police Service: John Scott Ashley, William Berg, Mark Boughner, Matt Garwood, Dan McCoy, Alcindor Pierre, Dionne Skelton, Ross Sutherland, Trevor Telfer, and William Tennant.

3. Review of Confidential Matters to be Considered in Public

None.

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. 358, being a by-law to confirm the proceedings of the Council Meeting held on the 24th Day of November, 2020, which will be considered, prior to Stage 14 – Adjournment; and

b) Stage 9 – Added Reports –Item 9.1 - 18th Report of Council, In Closed Session be considered after Stage 4 – Council, In Closed Session.

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

Absent: (1): J. Morgan

Motion Passed (14 to 0)

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

5.1 20th Meeting held on November 10, 2020

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

That the Minutes of the 10th Meeting held on November 10, 2020, BE APPROVED.

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

Absent: (1): J. Morgan

Motion Passed (14 to 0)

6. Communications and Petitions

6.1 New Proposed City of London Tree Protection By-law

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

That the following communications, with respect to the proposed amendments to the Tree Protection By-law, BE RECEIVED and BE REFERRED to be considered with Item 7 (3.2) of the 18th Report of the Planning and Environment Committee:

1. D. Dittmer;
2. J. Winkler; and,
3. J.A. Spence, Manager Urban Forestry

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

Absent: (1): J. Morgan

Motion Passed (14 to 0)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 18th Report of the Planning and Environment Committee

Motion made by: M. Cassidy

That the 19th Report of the Planning and Environment Committee BE APPROVED, excluding Items 7 (3.2) and 8(4.1).

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

Absent: (1): J. Morgan

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Community Improvement Plans - Performance Measures and Indicators

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 amending Community Improvement Plans to add performance measures and indicators of success:

a) the staff report dated November 16, 2020 entitled "Community Improvement Plans - Performance Measures and Indicators of Success" with respect to potential changes to the Downtown and the Old East Village Residential Development Charges Grant, Rehabilitation and Redevelopment Tax Grant, Upgrade to Building Code Loan, and Façade Improvement Loan BE RECEIVED for information; and,

b) the Civic Administration BE DIRECTED to circulate the staff report noted in part a) above for public review; it being noted that input received through the circulation will inform a recommendation on changes to the grant and loan programs that will be presented at a future meeting of the Planning and Environment Committee.

Motion Passed

3. (2.2) 2019 Minor Variance Applications Considered by the Committee of Adjustment - Information Report

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, the staff report dated November 16, 2020 entitled "2019 Minor Variance Applications Considered by the Committee of Adjustment - Information Report", relating to an overview of the nature of the 2019 Minor Variance applications received and considered in by the London Committee of Adjustment BE RECEIVED for information.

Motion Passed

4. (2.3) Application - 3620 Southbridge Avenue 33M-785, Block 124 (P-9231) (Relates to Bill No. 359)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, with respect to the application by Sifton Properties Ltd., the proposed by-law appended to the staff report dated November 16, 2020 BE INTRODUCED at the Municipal Council meeting to be held on November 24, 2020 to exempt Block 124, Plan 33M-785 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act,* for a period not exceeding three (3) years.

Motion Passed

5. (2.4) Application - 3740 Southridge Avenue 33M-785, Block 130 (P-9232) (Relates to Bill No. 360)

Motion made by: M. Cassidy

That, on the recommendation of the Director, Development Services, with respect to the application by Sifton Properties Ltd., the proposed by-law appended to the staff report dated November 16, 2020 BE INTRODUCED at the Municipal Council meeting on November 24, 2020 to exempt Block 130, Plan 33M-785 from the Part-Lot Control provisions of Subsection 50(5) of the *Planning Act*, for a period not exceeding three (3) years.

Motion Passed

6. (3.1) Application - 16035 Robins Hill Road (Z-9225) (Relates to Bill No. 367)

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 November 16, 2020 with respect to the application by Dancor Construction Ltd., relating to the property located at 16035 Robin's Hill Road, BE INTRODUCED at the Municipal Council meeting to be held on November 24, 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 General Industrial (GI1) Zone and a General Industrial/Heavy Industrial (GI1*H16/HI1*H16) Zone TO a General Industrial Special Provision (GI1) Zone and a General Industrial Special Provision/Heavy Industrial Special Provision (GI1(_)*H16/HI1(_)*H16) Zone;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement (PPS), 2020;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the policies of the General Industrial designation;
- 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; and,
- the recommended amendment will permit an appropriate use for the site which is compatible with the surrounding area and facilitates the continued operation and viability of the industrial area for current and future uses.

Motion Passed

9. (5.1) 8th Report of the London Advisory Committee on Heritage

Motion made by: M. Cassidy

That the following actions be taken with respect to the 8th Report of the London Advisory Committee on Heritage from its meeting held on November 11, 2020:

a) the following actions be taken with respect to the Stewardship Sub-Committee Report, from its meeting held on October 28, 2020:

i) the following properties BE ADDED to the Register of Cultural Heritage Resources based on the cultural heritage information presented in the Cultural Heritage Assessment Report prepared by ASI:

• 171 Adelaide Street North
• 173 Adelaide Street North
• 86 Anderson Avenue
• 143 Arundell Street
• 145 Arundell Street
• 140 Dreaney Avenue
• 144 Dreaney Avenue
• 150 Dreaney Avenue
• 154 Dreaney Avenue
• 209 Egerton Street
• 10 Elm Street
• 1 Hamilton Road
• 92-98 Hamilton Road, 511-513/ Horton Street East
• 101 Hamilton Road
• 104 Hamilton Road
• 112 Hamilton Road
• 120 Hamilton Road
• 124 Hamilton Road
• 126 Hamilton Road
• 125-127-127/ Hamilton Road
• 250 Hamilton Road
• 260 Hamilton Road
• 274 Hamilton Road
• 276 Hamilton Road
• 280 Hamilton Road
• 328 Hamilton Road
• 342 Hamilton Road
• 345 Hamilton Road
• 349 Hamilton Road
• 349/ Hamilton Road
• 355 Hamilton Road
• 357 Hamilton Road
• 363 Hamilton Road
• 364-364A-364B Hamilton Road
• 366 Hamilton Road
• 367 Hamilton Road
• 371-373 Hamilton Road
• 407 Hamilton Road
• 414 Hamilton Road (96 Rectory Street)
• 416 Hamilton Road
• 423 Hamilton Road
• 465 Hamilton Road
• 519 Hamilton Road
• 523 Hamilton Road
• 541 Hamilton Road
• 547 Hamilton Road
• 556 Hamilton Road
• 560 Hamilton Road

• 592 Hamilton Road
• 583-585 Hamilton Road
• 601 Hamilton Road
• 612 Hamilton Road
• 645 Hamilton Road
• 658 Hamilton Road
• 664 Hamilton Road
• 689 Hamilton Road
• 709 Hamilton Road
• 721-725 Hamilton Road
• 735 Hamilton Road
• 737 Hamilton Road
• 741-743 Hamilton Road
• 749 Hamilton Road
• 751 Hamilton Road
• 783-783/ Hamilton Road
• 772 Hamilton Road
• 796 Hamilton Road
• 818 Hamilton Road (formerly 15 Glenwood Avenue)
• 870 Hamilton Road
• 867 Hamilton Road
• 873 Hamilton Road
• 875-881 Hamilton Road
• 885 Hamilton Road
• 887 Hamilton Road
• 504 Horton Street East
• 506 Horton Street East
• 508 Horton Street East
• 122 Inkerman Street
• 124 Inkerman Street
• 128 Inkerman Street
• 751 Little Hill Street
• 755 Little Hill Street
• 783 Little Hill Street
• 156 Madison Avenue
• 128 Mamelon Street
• 136 Mamelon Street
• 143 Mamelon Street
• 147 Mamelon Street
• 17 Marmora Street
• 19 Marmora Street
• 971 Ormsby Street
• 134 Price Street
• 138 Price Street
• 141 Price Street
• 145 Price Street
• 28 Redan Street
• 898 Trafalgar Street
• 180 William Street
• 184 William Street
• 192 William Street

it being noted that the Stewardship Sub-Committee does not recommended that the property located at 18 Elm Street be added to the Register of Cultural Heritage Resources as it was further evaluated through the completion of a Cultural Heritage Evaluation Report, and found not to have cultural heritage value or interest; and,
ii) the remainder of the above-noted Stewardship Sub-Committee Report BE RECEIVED;

b) on the recommendation of the Director, Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to the staff report dated, November 11, 2020, related to the request for designation of the heritage listed property located at 75 Langarth Street East:

i) notice BE GIVEN under the provisions of Section 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in the Statement of Cultural Heritage Value or Interest appended to the 8th Report of the London Advisory Committee on Heritage; and,
ii) should no appeals be received to Municipal Council's notice of intention to designate, a by-law to designate the property located at 75 Langarth Street East to be of cultural heritage value or interest, for the reasons outlined in the above-noted Statement of Cultural Heritage Value or Interest, BE INTRODUCED at a future meeting of Municipal Council immediately following the end of the appeal period;

it being noted that should an appeal to Municipal Council's notice of intention to designate be received, the City Clerk will refer the appeal to the Conservation Review Board;

c) clauses 1.1, 3.1 and 3.2 BE RECEIVED for information.

Motion Passed

At 4:38 PM, Councillor J. Morgan, enters the meeting.

7. (3.2) New Proposed City of London Tree Protection By-law (Relates to Bill No. 361)

Motion made by: M. Cassidy

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

a) the proposed by-law appended to the staff report dated November 16, 2020 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on November 24, 2020 to repeal and replace Tree Protection By-law C.P.-1515 – 228 (Appendix "C") coming into effect after March 1, 2021;

b) the Civic Administration BE DIRECTED to submit as part of the 2022 update to the 2020-23 Multi-Year Budget process, a Business Case that would provide potential budgetary impacts should the Municipal Council wish to amend the definition of a Distinctive Tree as provided for in the Tree Protection By-law by reducing the size threshold from the current 50 cm diameter to 40 cm diameter; and,

c) the Civic Administration BE REQUESTED to undertake a review of the by-law and report back within five years;

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

• a communication dated November 11, 2020, from E. Gurkow, Congregation Beth Tefilah; and,
• a communication from A.M. Valastro, 1-133 John Street;

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

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

That part a) be amended to read as follows:

a) the proposed, attached revised by-law BE INTRODUCED at the Municipal Council meeting to be held on November 24, 2020 to repeal and replace Tree Protection By-law C.P.-1515 – 228 (Appendix "C") coming into effect after March 1, 2021;

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

Nays: (1): S. Hillier

Motion Passed (14 to 1)

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

That part a), as amended, and part c) BE APPROVED:

a) the proposed attached revised by-law BE INTRODUCED at the Municipal Council meeting to be held on November 24, 2020 to repeal and replace Tree Protection By-law C.P.-1515 – 228 (Appendix "C") coming into effect after March 1, 2021;

c) the Civic Administration BE REQUESTED to undertake a review of the by-law and report back within five years;

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

• a communication dated November 11, 2020, from E. Gurkow, Congregation Beth Tefilah; and,
• a communication from A.M. Valastro, 1-133 John Street;

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

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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: M. Cassidy

That part b) BE APPROVED:

b) the Civic Administration BE DIRECTED to submit as part of the 2022 update to the 2020-23 Multi-Year Budget process, a Business Case that would provide potential budgetary impacts should the Municipal Council wish to amend the definition of a Distinctive Tree as provided for in the Tree Protection By-law by reducing the size threshold from the current 50 cm diameter to 40 cm diameter; and,

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

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

Motion Failed (7 to 8)

Item 7 (3.2), as amended, read as follows:

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

a) the proposed attached revised by-law BE INTRODUCED at the Municipal Council meeting to be held on November 24, 2020 to repeal and replace Tree Protection By-law C.P.-1515 – 228 (Appendix “C”) coming into effect after March 1, 2021;

b) the Civic Administration BE REQUESTED to undertake a review of the by-law and report back within five years;

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

• a communication dated November 11, 2020, from E. Gurkow, Congregation Beth Tefilah; and,
• a communication from A.M. Valastro, 1-133 John Street;

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

8. (4.1) 7th Report of the London Advisory Committee on Heritage 183 and 197 Ann Street

Motion made by: M. Cassidy

That on the recommendation of the Director, Development Services, the following actions be taken with respect to the properties located at 183 Ann Street and 197 Ann Street:

a) pursuant to section 35.2 of the Council Procedure By-law, the resolution of the Municipal Council meeting held on October 27, 2020 regarding part a) of clause 4.1 of the 16th Report of the Planning and Environment Committee related to the 7th Report of the London Advisory Committee on Heritage regarding the properties known as 183 Ann Street and 197 Ann Street BE RECONSIDERED to change the date on which the Civic Administration is to report back on this matter from November 30, 2020 to a future meeting of the Planning and Environment Committee as the applicant is proposing to alter the building design

resulting in the need for consideration by the Civic Administration in order to bring forward recommendations with respect to proposed amendments to the Official Plan and Zoning By-law. Part a) of clause 4.1 reads as follows:

“a) clause 4.1 c) and d) of the 7th Report of the LACH BE REFERRED to the Civic Administration to report to the November 30, 2020 Planning and Environment Committee meeting relating to the properties located at 197 Ann Street and 183 Ann Street; it being noted that clause 4.1 c) and d) read as follows:

c) the resource known as 197 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the attached evaluation of the property including the Statement of Cultural Heritage Value or Interest;
it being noted that the properties located at 175, 179, 183, and 197 Ann Street and 84 and 86 St. George Street have merged;

d) the resource known as 183 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the attached evaluation of the property including the Statement of Cultural Heritage Value or Interest;

it being noted that the properties at 175, 179, 183, and 197 Ann Street and 84 and 86 St. George Street have merged;”

b) subject to the approval of a) above, the Civic Administration BE DIRECTED to report back on clause 4.1 c) and d) of the 7th Report of the London Advisory Committee on Heritage related to the properties located at 183 Ann Street and 197 Ann Street to a future meeting of the Planning and Environment Committee after the Civic Administration has had adequate time to review the submission of an altered building design by the applicant; it being noted that clause 4.1 c) and d) read as follows:

"c) the resource known as 197 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the attached evaluation of the property including the Statement of Cultural Heritage Value or Interest;
it being noted that the properties located at 175, 179, 183, and 197 Ann Street and 84 and 86 St. George Street have merged;

) the resource known as 183 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the attached evaluation of the property including the Statement of Cultural Heritage Value or Interest;

it being noted that the properties at 175, 179, 183, and 197 Ann Street and 84 and 88 St. George Street have merged;”

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

- a communication from A.M. Valastro, 1 - 133 John Street; and,
- a petition dated November 12, 2020, from the North Talbot Community Association, signed by approximately 100 individuals.

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

That the following motion to reconsider BE APPROVED:

That on the recommendation of the Director, Development Services, the following actions be taken with respect to the properties located at 183 Ann Street and 197 Ann Street:

a) pursuant to section 35.2 of the Council Procedure By-law, the resolution of the Municipal Council meeting held on October 27, 2020 regarding part a) of clause 4.1 of the 16th Report of the Planning and Environment Committee related to the 7th Report of the London Advisory Committee on Heritage regarding the properties known as 183 Ann Street and 197 Ann Street BE RECONSIDERED to change the date on which the Civic Administration is to report back on this matter from November 30, 2020 to a future meeting of the Planning and Environment Committee as the applicant is proposing to alter the building design resulting in the need for consideration by the Civic Administration in order to bring forward recommendations with respect to proposed amendments to the Official Plan and Zoning By-law. Part a) of clause 4.1 reads as follows:

“a) clause 4.1 c) and d) of the 7th Report of the LACH BE REFERRED to the Civic Administration to report to the November 30, 2020 Planning and Environment Committee meeting relating to the properties located at 197 Ann Street and 183 Ann Street; it being noted that clause 4.1 c) and d) read as follows:

c) the resource known as 197 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the attached evaluation of the property including the Statement of Cultural Heritage Value or Interest;
it being noted that the properties located at 175, 179, 183, and 197 Ann Street and 84 and 86 St. George Street have merged;

d) the resource known as 183 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the attached evaluation of the property including the Statement of Cultural Heritage Value or Interest;

it being noted that the properties at 175, 179, 183, and 197 Ann Street and 84 and 86 St. George Street have merged;”

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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: M. Cassidy

That the following motion BE APPROVED:

b) subject to the approval of a) above, the Civic Administration BE DIRECTED to report back on clause 4.1 c) and d) of the 7th Report of the London Advisory Committee on Heritage related to the properties located at 183 Ann Street and 197 Ann Street to a future meeting of the Planning and Environment Committee after the Civic Administration has had adequate time to review the submission of an altered building design by the applicant; it being noted that clause 4.1 c) and d) read as follows:

"c) the resource known as 197 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the attached evaluation of the property including the Statement of Cultural Heritage Value or Interest;
it being noted that the properties located at 175, 179, 183, and 197 Ann Street and 84 and 86 St. George Street have merged;

d) the resource known as 183 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the attached evaluation of the property including the Statement of Cultural Heritage Value or Interest;

it being noted that the properties at 175, 179, 183, and 197 Ann Street and 84 and 88 St. George Street have merged;"

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

• a communication from A.M. Valastro, 1 - 133 John Street; and,
• a petition dated November 12, 2020, from the North Talbot Community Association, signed by approximately 100 individuals.

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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Item 8 (4.1) reads as follows:

That on the the recommendation of the Director, Development Services, the Civic Administration BE DIRECTED to report back on clause 4.1 c) and d) of the 7th Report of the London Advisory Committee on Heritage related to the properties located at 183 Ann Street and 197 Ann Street to a future meeting of the Planning and Environment Committee after the Civic Administration has had adequate time to review the submission of an altered building design by the applicant; it being noted that clause 4.1 c) and d) read as follows:

"c) the resource known as 197 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the attached evaluation of the property including the Statement of Cultural Heritage Value or Interest;
it being noted that the properties located at 175, 179, 183, and 197 Ann Street and 84 and 86 St. George Street have merged;

d) the resource known as 183 Ann Street BE DESIGNATED, pursuant to Part IV of the Ontario Heritage Act, based on the attached evaluation of the property including the Statement of Cultural Heritage Value or Interest;

it being noted that the properties at 175, 179, 183, and 197 Ann Street and 84 and 88 St. George Street have merged;"

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

• a communication from A.M. Valastro, 1 - 133 John Street; and,
• a petition dated November 12, 2020, from the North Talbot Community Association, signed by approximately 100 individuals.

8.2 18th Report of the Corporate Services Committee

Motion made by: A. Kayabaga

That the 18th 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. Peloza, 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. (4.1) Consideration of Appointment for the Accessibility Advisory Committee

Motion made by: A. Kayabaga

That Alicia McGaw BE APPOINTED as a Voting Member to the Accessibility Advisory Committee for the term ending June 30, 2021.

Motion Passed

3. (4.2) Request for Delegation Status - Advisory Committees - Dharshi Lacey, Director, Equity, Inclusion and Governance, Pillar Nonprofit Network

Motion made by: A. Kayabaga

That it BE NOTED that the Corporate Services Committee received a communication dated November 5, 2020 and delegation from Dharshi Lacey, Director, Equity, Inclusion and Governance, Pillar Nonprofit Network and Shawna Lewkowitz, Urban League of London with respect to their concerns related to the City of London Advisory Committees not having regular meetings during the COVID-19 situation.

Motion Passed

4. (4.3) Request for Delegation Status - Advisory Committees - Shawna Lewkowitz, President, Urban League of London

Motion made by: A. Kayabaga

That it BE NOTED that the Corporate Services Committee received a communication dated November 5, 2020 and delegation from Dharshi Lacey, Director, Equity, Inclusion and Governance, Pillar Nonprofit Network and Shawna Lewkowitz, Urban League of London with respect to their concerns related to the City of London Advisory Committees not having regular meetings during the COVID-19 situation.

Motion Passed

8.3 13th Report of the Civic Works Committee

Motion made by: S. Lehman

That the 13th Report of the Civic Works Committee BE APPROVED, excluding Item 11(2.9).

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. Peloza, 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. (2.1) Comments on Environmental Registry of Ontario (ERO): Proposed Blue Box Regulation

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the comments outlined in the report dated November 17, 2020 BE ENDORSED and BE SUBMITTED to the Ministry of the Environment, Conservation, and Parks Environmental Registry of Ontario posting (019-2579) titled “A proposed regulation, and proposed regulatory amendments, to make producers responsible for operating Blue Box programs”; it being noted that the due date for comments is December 3, 2020. (2020-E07)

Motion Passed

3. (2.2) Updates - 60% Waste Diversion Action Plan Including Green Bin Program

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 staff report dated November 17, 2020, related to updates on the 60% Waste Diversion Action Plan Including Green Bin Program:

a) the above-noted staff report BE RECEIVED;

b) the Civic Administration BE DIRECTED to adjust the implementation schedule for the 60% Waste Diversion Action Plan, as outlined in the above-noted staff report;

c) the Civic Administration BE DIRECTED to submit the budget amendment, as appended to the above-noted staff report, to the 2021 Annual Budget Update process to adjust the funding requirements for the 2020-2023 Multi-Year Budget Business Case #1 – “60% Waste Diversion Action Plan”; and

d) the Civic Administration BE DIRECTED to:

i) continue to prioritize work activities and actions that also contribute to the work of the London Community Recovery Network; and,

ii) submit a report to the Civic Works Committee by June 2021 that outlines advantages, disadvantages, and implementation scenarios for various waste reduction and reuse initiatives, including but not limited to, reducing the container limit, examining the use of clear bags for garbage, mandatory recycling by-laws, reward and incentive systems, and additional user fees. (2020-E07)

Motion Passed

4. (2.3) Community Engagement on Green Bin Program Design

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 staff report dated November 17, 2020, related to Community Engagement on the Green Bin Program Design:

a) the above-noted staff report BE RECEIVED; and,

b) the Civic Administration BE DIRECTED to submit a report to the Civic Works Committee on February 9, 2021 and include the results of public input, staff recommendations to move forward and the proposed next steps for the program. (2020-E07)

Motion Passed

5. (2.4) Award of Contract Option Renewal (RFP 19-29) - Tandem Axle Trucks With Dump Boxes and Plow Equipment

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 staff report dated November 17, 2020, related to an award of contract option renewal (RFP 19-29) for tandem axel trucks with dump boxes and plow equipment:

a) the submission from Team Truck Centers Inc., 795 Wilton Grove Road London, ON N6N 1N7, BE ACCEPTED for four (4)

additional one (1) year option periods, beginning December 1, 2020, for the supply and delivery of tandem axle dump trucks and plow equipment, in accordance with the Procurement of Goods and Services Policy, section 20.2 a. v.;

b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these purchases;

c) the approval, hereby given, BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record, relating to the subject matter of this approval in accordance with the Procurement of Goods and Services Policy, section 12.2 (b); and,

d) the funding for this purchase BE APPROVED as set out in the "Sources of Financing Report" appended to the above-noted staff report. (2020-V01)

Motion Passed

6. (2.5) Request for Proposal 20-59 Contract Award of 2020 Cured in Place Pipe (CIPP) Sewer Lining Program

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 staff report dated November 17, 2020, related to Request for Proposal 20-59 for a contract award of the 2020 Cured in Place Pipe (CIPP) Sewer Lining Program:

a) the bid submitted by Insituform Technologies Limited, at its tendered price of $4,191,562.00 (HST excluded), BE ACCEPTED; it being noted that the bid submitted by Insituform Technologies Limited was the only bid meeting the technical criteria and meets the City's specifications and requirements in all areas;

b) the financing for this project BE APPROVED as set out in the "Sources of Financing Report" appended to the above-noted staff report;

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

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

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2020-E01)

Motion Passed

7. (2.6) West London Dyke Phase 7 and Fanshawe Dam Safety Study Request for Increase to City Share

Motion made by: S. Lehman

That, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the following action be taken with respect to the staff report dated November 17, 2020, related to the West London Dyke Phase 7 and Fanshawe Dam Safety Study Request for Increase to City Share:

a) the Upper Thames River Conservation Authority BE AUTHORIZED to carry out added works for Phase 7 of the West London Dyke reconstruction with the City, by increasing the City's share in the amount of $110,001.00, including contingency (excluding HST);

b) the Upper Thames River Conservation Authority BE AUTHORIZED to carry out the Fanshawe Dam Safety Study with the City by increasing the City's share by $44,833, including contingency (excluding HST);

c) the financing for this work BE APPROVED as set out in the "Sources of Financing Report" appended to the above-noted staff report; and,

d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary to give effect to these recommendations. (2020-E05/E21)

Motion Passed

8. (2.7) Award of Consulting Engineering Services for Detailed Design of the Springbank Reservoir 2 Replacement and Expansion - RFP 20-43

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 staff report dated November 17, 2020, related to the award of consulting engineering services for RFP 20-43, Detailed Design of the Springbank Reservoir 2 Replacement and Expansion:

a) the proposal submitted by Aecom Canada Ltd. 410-250 York Street, Citi Plaza, London, ON, N6A 6K2, in the amount of $1,558,042, including $141,640 contingency (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" appended to the above-noted staff report;

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-E08)

Motion Passed

9. (2.8) Amendments to the Traffic and Parking By-law (Relates to Bill No. 362)

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the proposed by-law, as appended to the staff report dated November 17, 2020, BE INTRODUCED at the Municipal Council meeting to be held on November 24, 2020 to amend By-law PS-113, entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London”. (2020-T02/T08)

Motion Passed

10. (2.10) Active Transportation Manager

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated November 17, 2020, with respect to the development of a new Active Transportation Manager position within the Environmental and Engineering Services area, BE RECEIVED. (2020-T08/H06)

Motion Passed

12. (3.1) Application By: The Corporation of the City of London - Street Renaming - Portion of Lismer Way Within Plan 33M-786 (Relates to Bill No. 363)

Motion made by: S. Lehman

That, on the recommendation of the Director, Development Services, the proposed by-law, as appended to the staff report dated November 17, 2020, BE INTRODUCED at the Municipal Council meeting to be held on November 24, 2020, to rename the portion of Lismer Way, lying east of Paulpeel Avenue to Part 10 of Plan 33R-20105, within Registered Plan 33M-786, to Lismer Lane; it being noted that no individuals spoke at the public participation meeting associated with this matter. (2020-T05)

Motion Passed

13. (4.1) Blue Community Project/Movement - L. Brown, Blue Community Committee - Request for Delegation Status

Motion made by: S. Lehman

That the request for delegation status from L. Brown, Blue Community Committee, with respect to the Blue Community Project/Movement BE APPROVED for a future meeting of the Civic Works Committee; it being noted that the Civic Administration will bring forward a staff report to coincide with the above-noted delegation; it being further noted that a communication from L. Brown was received with respect to this matter. (2020-E08)

Motion Passed

14. (5.1) Deferred Matters List

Motion made by: S. Lehman

That the Civic Works Committee Deferred Matters List, as at November 9, 2020, BE RECEIVED.

Motion Passed

11. (2.9) Active Transportation Infrastructure Plan

Motion made by: S. Lehman

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Parks and Recreation, the following actions be taken with respect to the staff report dated November 17, 2020, related to the Active Transportation Infrastructure Plan:

a) the summary of active transportation infrastructure projects, outlined in the above-noted staff report, that are anticipated to be eligible for submission to available federal/provincial funding programs, including but not limited to the COVID-19 Resilience Infrastructure Stream, BE RECEIVED;

b) given that the intake for the COVID-19 Resilience Infrastructure Stream is opening imminently and there is a need to act quickly to design, consult on and construct active transportation projects, the Civic Administration BE DIRECTED to submit active transportation projects totaling $5.5 million to the COVID-19 Resilience Infrastructure Stream; and,

c) the remaining identified projects BE CONSIDERED for other available federal/provincial funding programs. (2020-T08)

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

That Item 11 (2.9) of the 13th Report of the Civic Works Committee be amended by deleting part b) in its entirety and by replacing it with the following new part b); by adding the following new part c); and by renaming part c) to part d):

“b) given that the intake for the COVID-19 Resilience Infrastructure Stream (RIS) is opening imminently and there is a need to act quickly to design, consult on and construct active transportation projects and undertake recreational facility upgrade

projects, the Civic Administration BE DIRECTED to submit the following for consideration under the RIS:

i) active transportation projects totalling $3.5 million; and,
ii) recreational facilities projects totalling $2 million to upgrade aging HVAC equipment at Carling Arena and the Stronach Community Recreation Centre; it being noted that these upgrades will reduce energy costs, address climate change initiatives and maintain high levels of ventilation;

c) the Civic Administration BE DIRECTED to take the necessary steps to reallocate the $2 million of municipal funding currently budgeted for the above-noted HVAC replacement projects for use as the municipal contribution under the Public Transit Stream (PTS) for active transportation projects, resulting in funds being allocated to the above- noted projects through both funding streams; and,"

Yeas: (8): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Morgan, S. Lehman, P. Van Meerbergen, and S. Hillier

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

Motion Passed (8 to 7)

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

That Item 11 (2.9), as amended, BE APPROVED.

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

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

Motion Passed (12 to 3)

Item 11 (2.9), as amended, reads as follows:

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer and the Managing Director, Parks and Recreation, the following actions be taken with respect to the staff report dated November 17, 2020, related to the Active Transportation Infrastructure Plan:

a) the summary of active transportation infrastructure projects, outlined in the above-noted staff report, that are anticipated to be eligible for submission to available federal/provincial funding programs, including but not limited to the COVID-19 Resilience Infrastructure Stream, BE RECEIVED;

b) given the intake for the COVID-19 Resilience Infrastructure Stream (RIS) is opening imminently and there is a need to act quickly to design, consult on and construct active transportation projects and undertake recreational facility upgrade projects, the Civic Administration BE DIRECTED to submit the following for consideration under RIS:

i) active transportation projects totalling $3.5 million; and,
ii) recreational facilities projects totalling $2 million to upgrade aging HVAC equipment at Carling Arena and the Stronach Community Recreation Centre; it being noted that these upgrades

will reduce energy costs, address climate change initiatives and maintain high levels of ventilation;

c) the Civic Administration BE DIRECTED to take the necessary steps to reallocate the $2 million of municipal funding currently budgeted for the above-noted HVAC replacement projects for use as the municipal contribution under the Public Transit Stream (PTS) for active transportation projects, resulting in funds being allocated to the above- noted projects through both funding streams; and,

d) the remaining identified projects BE CONSIDERED for other available federal/provincial funding programs. (2020-T08)

At 5:32 PM, Councillor P. Van Meerbergen leaves the meeting.

8.4 18th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Helmer

That the 18th Report of the Strategic Priorities and Policy Committee BE APPROVED.

Yeas: (14): 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. Peloza, A. Kayabaga, and S. Hillier

Absent: (1): P. Van Meerbergen

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

S. Turner discloses a pecuniary interest in any budgetary item regarding the Middlesex-London Health Unit by indicating that he is an employee of that organization and any item pertaining to funding for the Early ON program as his spouse is an employee of an organization dependent on that funding, as these may be addressed in item 4.1 - Tabling of the 2021 Budget Update.

Motion Passed

2. (2.1) Master Accommodation Plan Update and Procurement Process

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer with the concurrence of the City Manager, the following actions be taken with respect to the Master Accommodation Plan Update and Procurement Process:

a) the staff report dated November 17, 2020 BE RECEIVED for information; and,

b) the consulting and design services budget no longer required of $13 Million previously approved through the 2020-2023 Multi-Year Budget BE RELEASED back to the City Facilities Renewal Reserve Fund; and,

c) it BE NOTED that the Civic Administration will proceed with a competitive procurement process after the update of the Master

Accommodation Plan (MAP) is complete and reviewed by the Municipal Council;

it being noted that the Strategic Priorities and Policy Committee received a communication dated November 15, 2020 from C. Butler with respect to this matter.

Motion Passed

3. (3.1) TechAlliance - Annual Update

Motion made by: J. Helmer

That it BE NOTED that the Strategic Priorities and Policy Committee received the Annual Update from C. Fox, CEO, TechAlliance.

Motion Passed

4. (3.2) London Small Business Centre - Annual Update

Motion made by: J. Helmer

That it BE NOTED that the Strategic Priorities and Policy Committee received the Annual Update from S. Pellarin, Executive Director, London Small Business Centre.

Motion Passed

5. (3.3) London Economic Development Corporation - Annual Update

Motion made by: J. Helmer

That it BE NOTED that the Strategic Priorities and Policy Committee received the Annual Update from K. Lakhotia, President and CEO, London Economic Development Corporation.

Motion Passed

6. (4.1) Tabling of the 2021 Budget Update

Motion made by: J. Helmer

That the following actions be taken with respect to the Draft 2021-Tax-Supported Annual Update and the Draft Water and Wastewater Treatment Budgets Annual Update:

a) the Draft Budget documents BE REFERRED to the 2020-2023 Multi-Year annual budget update process; and,

b) the overview presentation, as appended to the added agenda, by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer with respect to the 2021 Budget Update BE RECEIVED;

it being noted that the following documents were provided to the Members, and are available on the City website: Draft Tax Supported Budget, 2021 Annual Update and Draft Water and Wastewater & Treatment, 2021 Annual Update.

Motion Passed

7. (4.2) Strategic Plan 2019-2023: Semi-Annual Progress Report

Motion made by: J. Helmer

That the following actions be taken with respect to the Strategic Plan 2019-2023: Semi-Annual Progress Report:

a) the requested delegation, as identified on the public agenda from S. Yeo and D. Bartlett, LCCEWA, BE APPROVED to be heard at the December 16, 2020 Strategic Priorities and Policy Committee meeting; and,

b) that on the recommendation of the City Manager, the report dated November 17, 2020, including the Semi-Annual Progress Report, the 2020 Report to the Community BE RECEIVED for information;

it being noted that the Strategic Priorities and Policy Committee received the Report to the Community 2020 from the Director, Service, Innovation and Performance.

Motion Passed

8. (4.3) Consideration of Appointment to the Audit Committee

Motion made by: J. Helmer

That Councillor J. Helmer BE APPOINTED to the Audit Committee for the term ending November 15, 2022.

Motion Passed

9. (4.4) Resignation from the Elgin Area Primary Water Supply System Joint Board of Management

Motion made by: J. Helmer

That the resignation from Councillor S. Lewis from the Elgin Area Primary Water Supply System Joint Board of Management BE ACCEPTED.

Motion Passed

10. (4.5) Confirmation of Appointments to the Old East Village Business Improvement Area

Motion made by: J. Helmer

That the following individuals BE APPOINTED to the Old East Village Business Improvement Area Board of Management for the term ending November 15, 2022:

Maria Drangova, Board Chair - London Clay Art Centre (returning)
Henry Eastabrook, Board Vice Chair - London Intercommunity Health Centre (returning)
Rob Campbell, Board Treasurer - Property Owner (returning)
Heather Blackwell, Director - Western Fair District (returning)
John Parlow, Director - Whistling Dicks Barbershop (returning)
Jamie Sinden, Director - Love Alchemy Organic Salon (returning)
Grant Maltman, Director - Banting House National Historic Site (returning)
Liliana Sanchez, Director - Totally Unique Custom Design (returning)
Ellie Cook, Director - Property Owner (returning)
Chris Stroud, Director - Bread and Roses Books (newly elected)
Kimberly De Sousa, Director - Libro Credit Union (newly elected)
Michal Hrncir, Director - Homemade Kolache (newly elected)
Jesse Helmer, Municipally Elected Representative (returning)

it being noted that the Strategic Priorities and Policy Committee received a communication dated November 2, 2020 from J. Pastorius, General Manager, Old East Village Business Improvement Area, with respect to the above appointments.

Motion Passed

11. (4.6) Diversity, Race Relations and Inclusivity Award Nominations

Motion made by: J. Helmer

That it BE NOTED that no nominations were submitted for the 2020 Diversity, Race Relations and Inclusivity Awards, it being noted that nominations will remain open for receipt of nominations with a potential announcement at a later meeting date.

Motion Passed

12. (5.1) 2nd Report of the Governance Working Group from its meeting held on November 10, 2020

Motion made by: J. Helmer

That the following actions be taken with respect to the 2nd Report of the Governance Working Group from its meeting held on November 10, 2020:

a) the following actions be taken with respect to the Advisory Committee Review:

i) the report dated November 10, 2020 entitled "Advisory Committee Review - Interim Report III", BE RECEIVED;

ii) the City Clerk BE DIRECTED to report back to the Governance Working Group (GWG) with respect to the next steps required to implement the revised Advisory Committee Structure, as outlined in the report noted in a) above subject to the following modifications:

A) the proposed Environmental & Ecological Committee and Childcare Advisory Committee shall remain as Advisory Committees;
B) a minimum numbers of meetings will be provided for;
C) Experts Panels are to be clarified; and,
D) comments provided by the Governance Working Group with

respect to the proposed revised Advisory Committee Structure be further considered;

iii) the City Clerk BE DIRECTED to consult with the current Advisory Committees with respect to the proposals set out in the staff report subject to the modifications listed in b) above and report back to the GWG with the results of that consultation;

iv) the communication, dated November 8, 2020, from D. Wake regarding this matter BE RECEIVED;

b) the City Clerk BE DIRECTED to report back to the Governance Working Group (GWG) providing an overview of other municipalities' policies and processing with respect to the handling of unsolicited petitions, and to provide draft policies and procedures for the consideration of the GWG with respect to this matter; and,

c) clauses 1.1 and 2.1 BE RECEIVED for information.

Motion Passed

At 5:35 PM, Councillor P. Squire leaves the meeting.

10. Deferred Matters

None.

11. Enquiries

None.

12. Emergent Motions

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

That pursuant to section 20.2 of the Council Procedure By-law leave BE GIVEN to introduce the following emergent motion related to a request for support from Councillor Anna Hopkins of the November 17, 2020 resolution of the Upper Thames River Conservation Authority in response to proposed changes to the *Conservation Authorities Act, 1990* and the *Planning Act, 1990* as set out in Bill 229 – *Protect, Support and Recover from COVID-19 Act*.

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

Absent: (2): P. Squire, and P. Van Meerbergen

Motion Passed (13 to 0)

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

WHEREAS the Province of Ontario (the “Province”) has introduced Bill 229, Protect, Support and Recover from COVID-19 Act – Schedule 6 – Conservation Authorities Act, 1990 (the “Legislation”);

AND WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities’ role in regulating development, permit appeal processes and engaging in review and appeal of planning applications;

AND WHEREAS the City of London relies on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of application submitted under the Planning Act, 1990;

AND WHEREAS the proposed changes would allow the Minister to make decisions without conservation authorities' watershed data and expertise;

AND WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirement for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs;

AND WHEREAS municipalities require a longer transition time to put in place agreements with conservation authorities for non-mandatory programs;

AND WHEREAS the City of London believes that the appointment of municipal representatives on conservation authorities Boards should be a municipal decision and the Chair and Vice-Chair of the Board should be duly elected;

AND WHEREAS the changes to the 'Duty of Member' contradicts the fiduciary duty of the conservation authorities' board members to represent the best interests of the conservation authorities and their responsibilities to the watersheds;

AND WHEREAS conservation authorities have already been working with the Province development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamling Initiative;

AND WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities and their municipal partners, and potentially result in delays in the development approval process; and

AND WHEREAS the City of London values and relies on the natural habitats and water resources for the health and well-being of our residents, including the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards and to ensure safe drinking water;

IT THEREFORE BE RESOLVED that the City of London request the following with respect to the Bill 229 – Protect, Support and Recover from COVID-19 Act as it relates to the Conservation Authorities Act, 1990:

a) the Province of Ontario be requested to work with conservation authorities to address their concerns by amending the proposed changes to the Conservation Authorities Act, 1990 and the Planning Act, 1990;

b) the Province of Ontario be requested to delay enactment of proposed amendments affecting municipalities' concerns;

c) the Province of Ontario be requested to provide a longer transition period, up to December 2022, for non-mandatory programs to enable coordination of conservation authorities' municipal budget processes; and

d) the Province of Ontario be requested to respect the current conservation authorities'/municipalities' relationships; and,

e) the Province of Ontario be requested to embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed role.

At 5:36 PM, Councillor P. Van Meerbergen and Councillor P. Squire enter the meeting.

At 6:16 PM, Mayor E. Holder places Councillor J. Helmer in the Chair and takes a seat at the Council Board.

At 6:19 PM, Mayor E. Holder resumes the Chair and Councillor J. Helmer takes a seat at the Council Board.

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

That the matter of the Emergent Motion, submitted by Councillor A. Hopkins, with respect to proposed changes to the Conservation Authorities Act, 1990 and the Planning Act, 1990, BE REFERRED to the Planning and Environment Committee meeting of November 30, 2020, for consideration and a recommendation back to the Municipal Council with respect to this matter.

Yeas: (5): M. van Holst, P. Squire, S. Lehman, P. Van Meerbergen, and S. Hillier

Nays: (10): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, S. Turner, E. Peloza, and A. Kayabaga

Motion Failed (5 to 10)

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

That the following part a) BE APPROVED:

That City of London requests the following with respect to the Bill 229 – *Protect, Support and Recover from COVID-19 Act* as it relates to the *Conservation Authorities Act, 1990* and the *Planning Act, 1990*:

a) the Province of Ontario BE REQUESTED to work with conservation authorities to address their concerns by amending the proposed changes to the *Conservation Authorities Act, 1990* and the *Planning Act, 1990*;

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

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

Motion Passed (13 to 2)

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

That the following part b) BE APPROVED:

b) the Province of Ontario BE REQUESTED to delay enactment of proposed amendments affecting municipalities' concerns;

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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

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

That the following part c) BE APPROVED:

c) the Province of Ontario BE REQUESTED to provide a longer transition period, up to December 2022, for non-mandatory programs to enable coordination of conservation authorities' municipal budget processes;

Yeas: (10): S. Lewis, M. Salih, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, S. Turner, E. Peloza, A. Kayabaga, and S. Hillier

Nays: (5): Mayor E. Holder, M. van Holst, P. Squire, S. Lehman, and P. Van Meerbergen

Motion Passed (10 to 5)

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

That the following part d) BE APPROVED:

d) the Province of Ontario BE REQUESTED to respect the current conservation authorities'/municipalities' relationships; and,

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

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

Motion Passed (13 to 2)

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

That the following part e) BE APPROVED:

e) the Province of Ontario BE REQUESTED to embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed role.

Yeas: (10): S. Lewis, M. Salih, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, S. Turner, E. Peloza, A. Kayabaga, and S. Hillier

Nays: (5): Mayor E. Holder, M. van Holst, P. Squire, S. Lehman, and P. Van Meerbergen

Motion Passed (10 to 5)

The emergent motion reads as follows:

"That City of London requests the following with respect to the Bill 229 – *Protect, Support and Recover from COVID-19 Act* as it relates to the *Conservation Authorities Act, 1990* and the *Planning Act, 1990*:

a) the Province of Ontario BE REQUESTED to work with conservation authorities to address their concerns by amending the proposed changes to the *Conservation Authorities Act, 1990* and the *Planning Act, 1990*;

b) the Province of Ontario BE REQUESTED to delay enactment of proposed amendments affecting municipalities' concerns;

c) the Province of Ontario BE REQUESTED to provide a longer transition period, up to December 2022, for non-mandatory programs to enable coordination of conservation authorities' municipal budget processes;

d) the Province of Ontario BE REQUESTED to respect the current conservation authorities'/municipalities' relationships; and,

e) the Province of Ontario BE REQUESTED to embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources to they need to effectively implement their watershed role."

13. By-laws

Motion made by: E. Peloza
Seconded by: S. Lehman

That Introduction and First Reading of Bill No.'s 359 to 367, including the revised Bill No. 361, 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

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

That Second Reading of Bill No.'s 359 to 367, including the revised Bill No. 361, 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

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

That Third Reading and Enactment of Bill No.'s 359 to 367, including the revised Bill No. 361, 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

4. Council, In Closed Session

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

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

4.1 Solicitor-Client Privilege

A matter being considered pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor

and officers or employees of the Corporation; the subject matter pertains to litigation, or potential litigation with respect to an appeal at the Conservation Review Board ("CRB"), and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.1/18/PEC)

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

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

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

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

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

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

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.4/18/CSC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.5/18/CSC)

4.7 Personal Matters/Identifiable Individuals

A personal matter pertaining to identifiable individuals, including municipal employees, with respect to the 2021 Mayor's New Year's Honour List. (6.1/18/SPPC)

4.8 Personal Matters/Identifiable Individuals

A matter pertaining to personal matters about identifiable individuals, labour relations or employee negotiations, including communications necessary for that purpose and, advice and recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and direction to officers and employees of the Corporation. (6.2/18/SPPC)

Motion Passed

The Council convenes, In Closed Session, at 6:40 PM, with Mayor Holder in the Chair and all Members participating.

At 7:14 PM, the Council resumes in public session, with Mayor E. Holder in the Chair and all Members participating.

9. Added Reports

9.1 18th Report of Council In Closed Session

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

1. Property Acquisition – 92 Wellington Road – Wellington Gateway Project

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Managing Director, Environmental and Engineering Services and City Engineer, the Director, Rapid Transit, on the advice of the Manager of Realty Services, with respect to the property located at 92 Wellington Road, further described as Part Lot 25, Broken Front Concession, Geographic Township of Westminster, as in Inst. No. 926827, being all of PIN 08357-0086 (LT), containing an area of approximately 5,365 square feet, as shown on the location map attached, for the purpose of future road improvements to accommodate the Wellington Gateway Project, the following actions be taken:

a) the offer submitted by Laura Guillen-Campos Garcia (the “Vendor”), to sell the subject property to the City, for the sum of $360,000.00 BE ACCEPTED, subject to the following conditions:

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

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

iii) the Vendor agreeing that all buildings on the property and all other things being purchased shall be and remain until completion at the risk of the Vendor. Pending completion, the Vendor shall hold all insurance policies, if any, and the proceeds thereof in trust for the parties as their interests may appear and in the event of substantial damage, the City may either terminate this agreement and have all monies paid returned without

interest or deduction, or else take the proceeds of any insurance and complete the purchase. No insurance shall be transferred on completion;

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

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

2. Property Acquisition – 682-686 Adelaide Street North – Owners: Frank and Gus Pizza Inc. – Adelaide Street CP Rail Grade Separation Project

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Roads and Transportation and Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, with respect to the property located at 682, 684 and 686 Adelaide Street North, further described as Part of Lot 4, Plan 166 (3rd), being All of PIN 08279-0062 (LT), as shown on the location map attached, for the purpose of a future road improvement to accommodate the Adelaide Street CP Rail Grade Separation Project, the following actions be taken:

a) the Settlement Agreement, attached as Schedule “A”, submitted by Frank and Gus Pizza Inc., to sell the subject property to the City, for the sum of $1,195,000.00 BE ACCEPTED, subject to the following conditions:

i) the City agreeing to pay the Vendor’s reasonable legal, appraisal costs, accounting fees, including fees, disbursements and applicable taxes, as incurred to complete this transaction;

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

iii) the City agreeing to pay the Vendor, on closing, the additional sum of $530,000.00 on account of a business loss pursuant to Section 19 (1) of the Expropriations Act;

iv) the City agreeing to reimburse the Vendor for its reasonable costs incurred to terminate its current employees, in compliance with the Employment Standards Act, as a holdback provision;

v) the City agreeing to the reimburse the Vendor for reasonable legal, and other non-recoverable expenditures incurred in acquiring a similar replacement property providing a claim is made within one year of the date of possession; and,

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

3. Property Acquisition – 688 Adelaide Street North – Owners: 1887197 Ontario Inc. – Adelaide Street CP Rail Grade Separation Project

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Roads and Transportation and Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, with respect to the property located at 688 Adelaide Street North, further described as Part of Lot 4, Plan 166 (3rd), being all of PIN 08279-0381(LT) and all of PIN 08279-0382, as shown on the location map attached, for the purpose of a future road improvement to accommodate the Adelaide Street CP Rail Grade Separation Project, the following actions be taken:

a) the offers submitted by 1887197 Ontario Inc., attached as Schedule "A" and Schedule "B", to sell the subject property to the City, for the sum of $420,000.00 BE ACCEPTED, subject to the following conditions:

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

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

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

4. License Renewal Agreement – 380 Wellington Street – City and WMJ (LCC) Holdings Inc. – Corporate Security and Emergency Management Division

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the review and concurrence of the Director, Corporate Security and Emergency Management Division, on the advice of the Manager of Realty Services, the following actions be taken with respect to the License Renewal Agreement for 380 Wellington Street:

a) the License Renewal Agreement (the "License Agreement"), attached as Schedule "A", between the WMJ (LCC) Holdings Inc., (the "Licensor"), for the non-exclusive right to use a portion of the roof (the "Site") located at 380 Wellington Street, for a term of five (5) years (the "First Renewal Term"), commencing on the 1st day of January, 2021, and from thenceforth ensuing to be completed and fully ended on the 31st day of December, 2025 BE ACCEPTED;

b) the Licensee shall pay to the Licensor throughout the First Renewal Term a license fee (the "Basic Fee") as set out below, being a net license fee. Such Basic Fee shall be paid in advance, plus applicable taxes. Without any deduction, abatement or set off and without demand in equal consecutive monthly instalments of $1,833.33 on the first of each month commencing on the Effective Date. At the beginning of each contractual year during the First Renewal Term the amount of the Basic Fee payable during the previous year shall be increased by the greater of three percent (3%), or the percentile increase in the all items Consumer Price Index (CPI) over the previous year, as established by Statistics Canada for the Province of Ontario; and,

c) section 2(4) of the License Agreement "Option to Renew", shall be amended by replacing the words "two further periods of five (5) years each" with "four further periods of five (5) years each". The remainder of Section 2(4) shall remain the same and the parties acknowledge that this Renewal Agreement reflects the Licensee's exercise of the first renewal under the License Agreement.

5. Property Acquisition – 2 Saunby Street – 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 2 Saunby Street, located on the south side of Saunby Street, directly abutting west side of the Thames River, as shown on the attached location map, further described as, Part Lot 15 & All Of Lot 16 Plan 43(W) As In 672702; Except W23667, Being The Entire Pin 082470126 (LT) In The City Of London, County Of Middlesex containing an area of approximately 0.545 acres, for the purpose of a park acquisition to protect natural heritage features and to the allow the City to connect the

existing pathway systems along the Thames River, the following actions be taken:

a) the offer submitted by Ronald Alfred Falck And Richard Alexander Falck (the “Vendor”), attached as Schedule “A”, to sell the subject property to the City, for the sum of $677,000.00 BE ACCEPTED, subject to the following conditions:

i) the City shall have until January 15th, 2021 to satisfy itself in its sole and absolute discretion as to the title, soil, geotechnical, archaeological and environmental condition of the property;

ii) conditional upon the inspection of the Property by the Purchaser’s inspector(s) (the “Inspection”) at the Purchaser’s own expense, and the obtaining of a report(s) (the “Report”) satisfactory to the Purchaser in the Purchaser’s sole and absolute discretion until January 15th, 2021;

iii) the Purchaser agrees to reimburse the Vendor’s reasonable legal fees associated with the preparation and closing of this transaction which shall be up to a maximum of Two Thousand Dollars ($2,000.00) CDN (excluding tax). Upon closing, the Purchaser agrees to reimburse the Vendor’s appraisal costs as part of this transaction which shall be to a maximum of Four Thousand Five Hundred Dollars ($4,500.00) CDN (excluding tax);

iv) the agreement shall be completed no later than 4:30 p.m. on February 1st 2021; and

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

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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: S. Lehman
Seconded by: E. Peloza

That Introduction and First Reading of Bill No. 358, and the Added Bill No.’s 368 to 371 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

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

That Second Reading of Bill No. 358, and the Added Bill No.’s 368 to 371 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

Motion made by: J. Helmer
Seconded by: P. Van Meerbergen

That Third Reading and Enactment of Bill No. 358, and the Added Bill No.'s 368 to 371 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. Peloza, A. Kayabaga, and S. Hillier

Motion Passed (15 to 0)

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

That Introduction and First Reading of Bill No. 372, BE APPROVED.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Motion Passed (13 to 1)

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

That Second Reading of Bill No. 372, BE APPROVED.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Motion Passed (13 to 1)

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

That Third Reading and Enactment of Bill No. 372, BE APPROVED.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Motion Passed (13 to 1)

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

Bill	By-law
Bill No. 358	By-law No. A.-8039-249 - A by-law to confirm the proceedings of the Council Meeting held on the 24th day of November, 2020. (City Clerk)
Bill No. 359	By-law No. C.P.-1553-250 - A by-law to exempt from Part-Lot Control, lands located at 3620 Southbridge Avenue, legally described as Block 124 in Registered Plan 33M-785. (2.3/18/PEC)
Bill No. 360	By-law No. C.P.-1554-251 - A by-law to exempt from Part-Lot Control, lands located at 3740 Southbridge Avenue, legally described as Block 130 in Registered Plan 33M-785. (2.4/18/PEC)
Bill No. 361	(REVISED) By-law No. C.P.-1555-252 - A by-law to regulate the Injuring and Destruction of Trees and to encourage preservation and planting of Trees throughout the City of London. (3.2/18/PEC)
Bill No. 362	By-law No. PS-113-20057 - A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London.” (2.8/13/CWC)
Bill No. 363	By-law No. S.-6080-253 - A by-law to rename the portion of Lismer Way, from Paulpeel Avenue to Part 10 of Plan 33R-20105 within Registered Plan 33M-786, to Lismer Lane. (3.1/13/CWC)
Bill No. 364	By-law No. S.-6081-254 - A by-law to assume certain works and services in the City of London. (Riverbend West Subdivision; Plan 33M-517). (City Engineer)
Bill No. 365	By-law No. S.-6082-255 - A by-law to assume certain works and services in the City of London. (West Coronation Subdivision, Plan 33M-702). (City Engineer)
Bill No. 366	By-law No. S.-6083-256 - A by-law to assume certain works and services in the City of London. (Huron Subdivision; Plan 33M-745). (City Engineer)
Bill No. 367	By-law No. Z.-1-202892 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 16035 Robin’s Hill Road. (3.1/18/PEC)
Bill No. 368	(ADDED) By-law No. A.-8040-257 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Ronald Alfred Falck and Richard Alexander Falck, to sell to the City 2 Saunby St, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.5/18/CSC)

Bill No. 369	(ADDED) By-law No. A.-8041-258 - A by-law to authorize and approve a License Agreement between The Corporation of the City of London and WMJ (LCC) Holdings Inc. for the licensed use of a portion of the roof located at 380 Wellington Street, in the City of London, and to authorize the Mayor and the City Clerk to execute the License Agreement. (6.4/18/CSC)
Bill No. 370	(ADDED) By-law No. A.-8042-259 - A by-law to authorize and approve the Settlement Agreement and the Agreement of Purchase and Sale, between 1887197 Ontario Inc. and The Corporation of the City of London, for the purchase of all the lands and buildings, comprising of 688 Adelaide Street North, in the City of London, for the Adelaide Street CP Rail Grade Separation Project and to authorize the Mayor and the City Clerk to execute the Agreements. (6.3/18/CSC)
Bill No. 371	(ADDED) By-law No. A.-8043-260 - A by-law to authorize and approve the Settlement Agreement between Frank & Gus Pizza Inc., and The Corporation of the City of London, for the purchase of all the lands and buildings, comprising of 682, 684 and 686 Adelaide Street North, including the compensation for the loss of the business known as Frank & Gus Pizza and Express Laundromat, in the City of London, for the Adelaide Street CP Rail Grade Separation Project and to authorize the Mayor and the City Clerk to execute the Agreement. (6.2/18/CSC)
Bill No. 372	(ADDED) By-law No. A.-8044-261 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Laura Guillen-Campos Garcia, for the acquisition of the property located at 92 Wellington Road, in the City of London, for the Wellington Gateway Project and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/18/CSC)

14. Adjournment

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

That the meeting BE ADJOURNED:

Motion Passed

The meeting adjourns at 7:37 PM.

_____

Ed Holder, Mayor

_____

Catharine Saunders, City Clerk

Appendix A

Bill No.
2020

By-law No.

A by-law to regulate the Injuring and Destruction of Trees and to encourage preservation and planting of Trees throughout the City of London

WHEREAS Municipal Council has determined that it is desirable to enact a By-law to generally prohibit the Injury and Destruction of Trees within the Urban Growth Boundary that have a diameter of at least 50 cm, and all trees located within Tree Protection Areas, and to allow for the Injury and Destruction of such Trees in limited circumstances with a Permit, and to encourage preservation and planting of Trees throughout the City of London;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001,* S.O. 2001, c.25, as amended ("*Municipal Act, 2001*") 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 the *Municipal Act, 2001* or any other Act;

AND WHEREAS subsection 10(1) of the *Municipal Act, 2001* provides that a municipality may provide any service or thing that the municipality considers necessary or desirable for the public;

AND WHEREAS subsection 10(2) of the *Municipal Act, 2001* provides that a municipality may pass by-laws respecting: in paragraph 5, Economic, social and environmental well-being of the municipality, including respecting climate change; in paragraph 6, Health, safety and well-being of persons; in paragraph 7, Services and things that the municipality is authorized to provide under subsection (1); in paragraph 8, Protection of persons and property; in paragraph 9, Animals;

AND WHEREAS pursuant to subsection 135(1) of the *Municipal Act, 2001*, without limiting sections 9 and 10, a municipality may prohibit or regulate the destruction or injuring of trees;

AND WHEREAS pursuant to subsection 135(7) of the *Municipal Act, 2001*, without limiting sections 9 and 10, a municipality may require that a permit be obtained to injure or destroy trees, and impose conditions to a permit, including conditions relating to the manner in which destruction occurs and the qualifications of persons authorized to injure or destroy trees;

AND WHEREAS subsections 151(1) to (4) of the *Municipal Act, 2001* apply with necessary modifications to a system of licences with respect to any activity, matter or thing for which a by-law may be passed under sections 9 and 10 as if it were a system of licences with respect to a business;

AND WHEREAS subsection 1(1) of the *Municipal Act, 2001* defines "licence" to include a permit;

AND WHEREAS section 23.2 of the *Municipal Act, 2001* permits a municipality to delegate certain legislative and quasi-judicial powers;

AND WHEREAS the Municipal Council for The Corporation of the City of London is of the opinion that the delegation of legislative powers under this By-law to the City

Engineer and the Hearings Officer including without limitation the power to issue, revoke, suspend and impose conditions on the permit and prescribe operational standards such as the format and content of forms or documents, are powers of a minor nature having regard to the number of people, the size of geographic area and the time period affected by the exercise of the power in accordance with subsection 23.2(4) of the *Municipal Act, 2001*;

AND WHEREAS subsection 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees and charges on persons;

AND WHEREAS sections 429, 431, 444 and 445 of the *Municipal Act, 2001* provide for a system of fines and other enforcement orders;

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

Part 1 SHORT TITLE

1.1 This By-law may be cited as the "Tree Protection By-law".

Part 2 DEFINITIONS

2.1 For the purpose of this By-law:

"Applicant" means the Landowner or the Landowner's authorized representative who, pursuant to this By-law, applies for a Permit;

"Arborist" means an arborist qualified by the Ontario Ministry of Training, Colleges and Universities; a certified arborist with the International Society of Arboriculture; a consulting arborist registered with the American Society of Consulting Arborists; or a Registered Professional Forester;

"Arborist Opinion (Dead Distinctive Tree)" means a written opinion by an Arborist that contains the following:
(a) the Arborist's opinion that the Tree is a Dead Distinctive Tree as that term is defined;
(b) correct identification of the location, species and size of the Dead Distinctive Tree;
(c) a photograph or video of the Tree; and
(d) the professional accreditation of the Arborist (e.g. International Society of Arboriculture (ISA) Certification Number);

"Arborist Report" means a written report by an Arborist that contains the following:
(a) correct identification of the location, species, size and condition of Trees;
(b) states the Arborist's opinion why a Tree should be Injured or Destroyed , and whether it represents Good Arboricultural Practices or Good Forestry Practices;
(c) describes how the Tree is proposed to be Injured or Destroyed;
(d) an analysis and description of any reasonable alternatives to the Tree Injury or Destruction or an analysis and description as to why there are no reasonable alternatives to the Tree Injury or Destruction;
(e) calculation of the number of Replacement Trees based on Schedule A, and suggest the species and location, and if in a Tree Protection Area, the Trees that may be planted or established through appropriate natural regeneration, the number of Replacement Trees that can be planted on the Site;
(f) if Trees are to be Injured but not Destroyed, description of maintenance strategies and protection measures to be implemented;
(g) if requested by the City Engineer, further information such as Tree or Trees on adjacent properties that may be affected, and an aerial map representation showing the Critical Root Zone of those Trees; and
(h) the professional accreditation of the Arborist (e.g. International Society of Arboriculture (ISA) Certification Number);

"Boundary Tree" means a tree having any part of its trunk located on the boundary between adjoining lands. For the purposes of this definition, ‘trunk’ means that part of the tree from its point of growth away from its roots up to where it branches out to limbs and foliage;

“Building Permit” means a building permit issued under the *Building Code Act, 1992,* S.O. 1992, c. 23, or successor legislation;

"By-Law Enforcement Officer" means a person appointed pursuant to the *Police Services Act*, or any successor legislation, as a Municipal Law Enforcement Officer to enforce the provisions of this By-law;

"City" means The Corporation of the City of London;

“City Engineer” means the person who holds the position of City Engineer for The Corporation of the City of London or their written Designate who is authorized by the City Engineer to act on their behalf in respect of this By-law;

"Conservation Authority" has the same meaning as defined in the *Conservation Authorities Act,* R.S.O. 1990 c.C.27;

"Critical Root Zone" means the area of land within a radius of ten (10) cm from the trunk of a tree for every one (1) cm of trunk diameter;

“Dead Distinctive Tree” means a Distinctive Tree that, as a result of natural causes, is dead or, as a result of natural causes, is in advanced and irreversible decline in health or condition;

“Dead Distinctive Tree Permit” means a permit issued by the City Engineer to permit the Injury or Destruction of a Dead Distinctive Tree;

"Declared Emergency" means a situation or impending situation that has been declared an emergency under the *Emergency Management and Civil Protection Act* , R.S.O. 1990 c.E.9 or successor legislation;

"Designate" means any person acting with express authority conferred in writing by the City Engineer and may include but is not limited to City employees or Qualified Persons hired by the City;

"Destroy" means to cut down, remove, uproot, unearth, topple, burn, bury, shatter, poison, or in any way cause a Tree to die or be killed, or where the extent of Injury caused to a live Tree or disturbance of any part of its Critical Root Zone is such that it is likely to die or be killed, excepting where a Tree and/or its roots are killed by natural causes. The terms "Destroyed" and "Destruction" shall have a corresponding meaning;

"Distinctive Tree" means a Tree that has a Trunk Diameter of 50cm or greater, and that is located on a property within the Urban Growth Boundary, excluding a Tree Protection Area;

“Distinctive Tree Permit” means a permit issued by the City Engineer to permit the Injury or Destruction of a Distinctive Tree or Trees;

"Emergency Services" means the fire, police, or ambulance services when responding to an emergency event;

“Good Arboricultural Practices” means the implementation of the most recent techniques or methods of Tree management as recommended by the International Society of Arboriculture or their successor;

“Good Forestry Practices” has the same meaning as defined in the *Forestry Act* R.S.O. 1990 c. F.26;

“Hearings Officer” means a Hearings Officer appointed under the City’s Hearings Officer By-law A. 6653-121, as amended, or any successor by-law;

“Injure” means to harm, damage or impair the natural function or form of a Tree, including its roots within the Critical Root Zone, by any means excepting injury by natural causes, and includes but is not limited to carving, drilling, injection, exploding, shattering, improper Pruning that fails to meet Good Arboricultural Practices, removal of bark, deliberate introduction of decay fungi , inserting or driving foreign objects into or through the Tree or its roots, soil compaction, root excavation, suffocation, drowning, burying or poisoning. The terms “Injury”, “Injuring” and “Injured” shall have a corresponding meaning;

“Landowner” means a person having title in the land on which the Tree(s) are situated;

“Natural Ground Level” means the unaltered and original level of the soil around the base of a Tree that is supporting or did support the Tree during its early growth and establishment phase; where the ground level varies around the Tree, it shall be measured from the highest part of the soil;

“Normal Farm Practice” means a normal farm practice defined in the *Farming and Food Production Protection Act 1998,* S.O. 1998, c.1.

“Order” means an Order to Discontinue Activity or a Work Order, as the context requires;

“Permit” means a Tree Protection Area Permit or a Distinctive Tree Permit, or a Dead Distinctive Tree Permit, as the context requires;

“Permit Holder” means the Landowner to whom a Permit has been issued;

“Pest” means any thing that is injurious or potentially injurious, whether directly or indirectly, to a Tree, and includes any species that is invasive or new to Canada where the potential for harm is yet unknown or unpredictable;

“Pruning” means the removal of live or dead branches from a standing Tree. The terms “Prune” and “Pruned” shall have a corresponding meaning;

“Qualified Person” means a person who, in the opinion of the City Engineer, has satisfactory qualification, experience, education or knowledge to be an expert in the matter;

“Registered Professional Forester” means a person who is a registered and full member in good standing of the Ontario Professional Foresters Association and has the right to use the designation ‘Registered Professional Forester’ under the *Professional Foresters Act*, *2000,* S.O. 2000, *C. 1*8 or successor legislation;

“Replacement Tree” means a tree of a size and type determined by the City Engineer that is required to be planted to replace a tree Destroyed pursuant to a Permit;

“Security” means an agreement between the City and an Applicant where the Applicant arranges an irrevocable letter of credit from a financial institution to specify and lodge a sum of money as determined by the City Engineer as a condition of a Permit;

“Silvicultural Prescription” means an operational plan prepared by a Registered Professional Forester or Qualified Person that describes the existing conditions and the sustainable management objectives for Trees on a Site, and that prescribes the practice of controlling Tree establishment and the composition, growth and quality of Trees to achieve the objectives of management, the methods for managing the Trees and a series of silvicultural treatments and Good Arboricultural Practices that will be carried out to perpetuate Tree cover and establish a free-growing state for Trees that accommodates other resource, environmental and social values as may be identified;

“Site” means the general area where activities subject to this By-law are planned or executed, and in the case of a tract of land that extends over multiple landholdings, each separate landholding is a separate “Site”;

“Swimming Pool Fence Permit” means a swimming pool fence permit issued under the City’s Swimming Pool Fence By-law PS-5, or successor legislation;

“Tree” means a woody perennial plant, whether alive or dead, healthy or unhealthy, including saplings or seedlings and including the root system, where the plant has reached, could reach, or could have reached a height of at least 4.5 metres (15 feet) at physiological maturity;

“Tree Management Plan” means a written plan that sets out the scope, rationale and management intentions for managing an inventory of a Tree or Trees for a year or more. Other names for a Tree Management Plan include ‘Landscape Management Plan’, ‘Tree Protection Plan’, ‘Tree Planting Plan’, ‘Woodland Management Plan’ and ‘Forest Management Plan’;

“Tree Protection Area” means any geographic area of the City that appears as a Tree Protection Area on Schedule B of this By-law;

“Tree Protection Area Permit” means a permit issued by the City Engineer to permit the Injury or Destruction of a Tree or Trees within a Tree Protection Area;

“Trunk Diameter” means the diameter of the trunk of a Tree measured 1.4m above the Natural Ground Level;

“Urban Growth Boundary” means the Urban Growth Boundary as defined in the City’s Official Plan.

2.2. In this by-law, words importing the singular number include the plural and vice versa, unless the context requires otherwise.

Part 3 SCOPE

3.1 This By-law applies to private property in the City of London:
(a) to Trees having a trunk diameter of 50cm or greater measured 1.4m above Natural Ground Level, within the Urban Growth Boundary; and
(b) to Trees of any size within a Tree Protection Area.

Part 4 ADMINISTRATION

4.1 The administration of this By-law shall be performed by the City Engineer who shall generally perform all of the administrative functions conferred upon them by this By-law.

Part 5 EXEMPTIONS FROM BY-LAW

Exemptions from By-law

5.1 This By-law does not apply to:
(a) activities or matters undertaken by a municipality or a local board of a municipality;
(b) activities or matters undertaken under a licence issued under the *Crown Forest Sustainability Act, 1994*;
(c) the Injuring or Destruction of Trees by a person licensed under the *Surveyors Act*, to engage in the practice of cadastral surveying or his or her agent, while making a survey;
(d) the Injuring or Destruction of Trees imposed after December 31, 2002, as a condition to the approval of a site plan, a plan of subdivision or a consent under

section 41, 51 or 53, respectively, of the *Planning Act*, or as a requirement of a site plan agreement or subdivision agreement entered into under those sections;

(e) the Injuring or Destruction of Trees imposed after December 31, 2002, as a condition to a development permit or community planning permit authorized by regulation made under the *Planning Act* or as a requirement of an agreement entered into under the regulation;

(f) the Injuring or Destruction of Trees by a transmitter or distributor, as those terms are defined in section 2 of the *Electricity Act, 1998*, for the purpose of constructing and maintaining a transmission system or a distribution system, as those terms are defined in that section;

(g) the Injuring or Destruction of Trees undertaken on land described in a licence for a pit or quarry or a permit for a wayside pit or wayside quarry issued under the *Aggregate Resources Act*;

(h) the Injuring or Destruction of Trees undertaken on land in order to lawfully establish and operate or enlarge any pit or quarry on land,

  (i) that has not been designated under the *Aggregate Resources Act* or a predecessor of that Act, and

  (ii) on which a pit or quarry is a permitted land use under a By-law passed under section 34 of the *Planning Act*;

(i) the Injuring or Destruction of Trees that are a noxious weed as defined in the *Weed Control Act*, R.S.O. 1990, c. W.5 if the Injury or Destruction is being controlled by an appropriate method under the oversight or direction of a Qualified Person and no Trees other than a noxious weed are being Injured or Destroyed;

(j) the Injuring or Destruction of Trees undertaken by a Conservation Authority on its own lands or in response to a Declared Emergency;

(k) the Injuring or Destruction of Trees at the direction of Emergency Services;

(l) Pruning that is necessary to maintain the health and condition of the Tree and is carried out in accordance with Good Arboricultural Practices;

(m) Injury or Destruction of a Tree that is not a Distinctive Tree and is not located within a Tree Protection Area;

(n) Injury or Destruction of a Tree that is located within a building, a solarium, a rooftop garden or an interior courtyard;

(o) Injury or Destruction of a Tree located within an actively managed cultivated orchard, tree farm or plant nursery;

(p) Injury or Destruction of a Tree that is an immediate threat to health or safety;

(q) Injury or Destruction of the Tree that is required by a Property Standards Order issued under the *Building Code Act*;

(r) Injury or Destruction that is a Normal Farm Practice as defined in the *Farming and Food Production Protection Act, 1998,* S.O. 1998, c.1.;

(s) Injury or Destruction of a Tree that is located within a cemetery; or

(t) Injury or Destruction of a Tree that is located within an actively managed golf course.

Part 6 PROHIBITIONS

Injure or Destroy Tree – Tree Protection Area

6.1 Subject to section 5.1 and Part 8, and except under authority of a Permit, no person shall Injure or Destroy a Tree or cause or permit the Injury or Destruction of a Tree in a Tree Protection Area.

Injure or Destroy Tree – Distinctive Tree

6.2 Subject to section 5.1 and Part 8, and except under authority of a Permit, no person shall Injure or Destroy a Distinctive Tree or cause or permit the Injury or f a Distinctive Tree. This section 6.2 shall not apply to a Tree located in a Tree Protection Area and section 6.1 shall apply instead.

Injure or Destroy Tree – Not in Accordance with Permit Conditions

6.3 No Permit Holder or person acting under authority of a Permit shall Injure or Destroy a Tree or cause or permit the Injury or Destruction of a Tree unless the Injury or Destruction is carried out in accordance with all conditions of the Permit.

Fail to Protect Tree in Accordance with Permit Conditions

6.4 No Permit Holder or person acting under authority of a Permit shall fail to protect a Tree in accordance with all conditions of a Permit.

Fail to Comply with Conditions of Permit

6.5 No Permit Holder or person acting under authority of a Permit shall fail to comply with all conditions of a Permit.

Fail to Comply with Order to Discontinue Activity or Work Order

6.6 No person who has been issued an Order to Discontinue Activity or a Work Order shall fail to comply with the Order.

Part 7 APPLICATION FOR PERMITS

7.1 Applicants for a Permit should refer to Part 8 of this By-law, as Permits are only issued for the grounds set out in section 8.2 (and subject to all applicable requirements in this By-law including sufficient evidence of the grounds) for the Injury or Destruction of a Tree:

Application to City Engineer

7.2 (1) Every application for a Permit shall be made to the City Engineer in a format provided by the City Engineer.

Application – Requirements

(2) Every application for a Permit shall include the following:

- (a) the name, municipal address, email address (if available) and telephone number (if available) of the Landowner, and if not the same, the Applicant;
- (b) if the Applicant is not the Landowner, written confirmation that the Applicant is making the application as the Landowner's authorized agent;
- (c) if the Applicant or the Landowner is a corporation, the address of its head office;
- (d) the municipal address and legal description of the land, upon which the Tree or Trees are to be Injured or Destroyed;
- (e) if known, the name, municipal address, email address, and phone number of any contractor anticipated to Injure or Destroy the Tree or Trees;
- (f) for a Dead Distinctive Tree Permit, an Arborist Opinion;
- (g) for a Distinctive Tree Permit or a Tree Protection Area Permit, an Arborist Report;
- (h) for a Distinctive Tree Permit or a Tree Protection Area Permit, where any of the following grounds for the proposed Tree Injury or Destruction apply:
  - (i) an Arborist's written opinion that the Tree is unsafe;
  - (ii) an Arborist's, Professional Engineer's or Insurance Loss Adjuster's written opinion that the Tree is causing or is likely to cause structural damage to load-bearing structures or roof structures;
  - (iii) a "qualified person's" (as defined in the *Environmental Protection Act*, R.S.O. 1990, c. E.19) written opinion that Tree removal is required to remediate contaminated soil;
  - (iv) a Qualified Person's written opinion that the Tree Injury or Destruction is required to install, provide or maintain utilities, water or sanitary wastewater infrastructure required for the construction or use of a building or structure for which a Building Permit has been issued with no reasonable alternative to locating those utilities or infrastructure;
  - (v) an Arborist's written opinion that the Distinctive Tree Injury or Destruction represents Good Arboricultural Practices, or a

Registered Professional Forester's written opinion that the Injury or Destruction of a Tree within a Tree Protection Area represents Good Forestry Practices;

(vi) a copy of the Building Permit if the Tree Injury or Destruction is required for purposes of a Building Permit;

(vii) a copy of the Swimming Pool Fence Permit, where one is required, or other evidence that is satisfactory to the City Engineer that a pool is to be installed, if the Tree Injury or Destruction is required for purposes of locating a swimming pool.

Application – Additional Information May be Required

(3) In addition to the requirements in subsection (2), the City Engineer may require the Applicant to provide one or more of the following:

(a) for a Tree Protection Area Permit, an inventory, tally or estimates from sample plots of the species and size classes of all Trees to be Injured or Destroyed, including a map of the location of sample plots, to the satisfaction of the City Engineer;

(b) for a Tree Protection Area Permit, a Silvicultural Prescription that complies with Good Forestry Practices and is prepared by a Registered Professional Forester;

(c) a drawing of the Site showing any proposed development, construction, works, excavation or site alteration that may require the Tree Injury or Destruction, and a schedule for this proposed activity, including start and end dates;

(d) confirmation of any other matters (past or present Planning applications or otherwise) affecting the land upon which the Tree or Trees are to be Injured or Destroyed;

(e) a Tree Management Plan, which may be for one or more Trees, prepared by a Qualified Person;

(f) affidavits in support of an application.

Application – Further Information – Supplied within 60 days

(4) The Applicant must provide any further information requested by the City Engineer under subsection (3) to the City Engineer within 60 days of such request.

Application – Deemed Incomplete

7.3 An application that does not contain everything required in subsection 7.2(2) within 60 days of the receipt of the application by the City, or does not contain the information as further required under subsection 7.2 (3) within 60 days of the request, shall be deemed to be incomplete and will not be processed. The City Engineer shall notify the Applicant that the file has been closed for incompleteness.

Application – Permission for City to Inspect

7.4 By submitting an application, the Landowner shall be deemed to have granted permission for the City to enter on the Landowner's land for purposes of this By-law.

Boundary Tree

7.5 If the Tree to be Destroyed or Injured is a Boundary Tree, all owners of the Boundary Tree or their authorized agents would need to apply for a Permit, otherwise a Permit will not be issued. In the event that the City is an owner of a Boundary Tree (not on the City Boulevard) the written approval of the City Engineer would be required but such approval is entirely at the discretion of the City Engineer.

7.6 **Boundary Tree - City Boulevard Tree**

If one of the adjoining lands upon which the Boundary Tree is located is City-owned boulevard, then the City's Boulevard Tree By-law will apply and this By-law will not apply.

Part 8 POWERS OF THE CITY ENGINEER

8.1 The power and authority to issue a Permit, refuse to issue a Permit, to cancel, revoke or suspend a Permit, to impose terms and conditions on a Permit, including special conditions, are delegated to the City Engineer.

City Engineer – When Permit Shall Issue

8.2 The City Engineer shall issue a Permit where all of the following are satisfied:

(1) the application is complete; and

(2) the City Engineer is satisfied that there are no reasonable alternatives to the proposed Tree Injury or Destruction; and

(3) the City Engineer has determined, in their discretion, that there are no grounds for refusing to issue a Permit under section 8.3; and

(4) the City Engineer is satisfied that one or more of the following grounds for issuing a Permit apply:

(a) the Tree is a Dead Distinctive Tree;

(b) based on the opinion of an Arborist, it is necessary to remove unsafe Trees;

(c) based on the opinion of a Professional Engineer, the Tree or Trees are causing or are likely to cause structural damage to load-bearing structures or roof structures;

(d) based on the opinion of a 'qualified person' (as defined in the *Environmental Protection Act*), the Tree Injury or Destruction is required to remediate contaminated soil;

(e) based on the opinion of a Qualified Person, the Tree Injury or Destruction is required to install, provide or maintain utilities, water or sanitary wastewater infrastructure required for the construction or use of a building or structure for which a Building Permit has been issued with no reasonable alternative to locating those utilities or infrastructure;

(f) the Tree Injury or Destruction is required for purposes of a Building Permit;

(g) the Tree Injury or Destruction is required for purposes of locating a swimming pool;

(h) based on the opinion of an Arborist, the Distinctive Tree Injury or Destruction represents Good Arboricultural Practices, or based on the opinion of a Registered Professional Forester, the Injury or Destruction of a Tree within a Tree Protection Area represents Good Forestry Practices.

(5) The City Engineer shall refuse to issue a Permit if (1), (2), (3) and (4) are not satisfied.

City Engineer – May Refuse to Issue Permit, Revoke Permit, Suspend Permit, Impose Conditions on Permit

8.3 The City Engineer at their discretion may refuse to issue, may revoke, or may suspend a Permit or impose a term or condition on a Permit on any one or more of the following grounds:

(a) the species of Tree is an endangered species or threatened species as defined in the *Endangered Species Act, 2007*, S.O. 2007, c. 6, or the *Species at Risk Act*, S.C. 2002, c. 29;

(b) the Tree is designated under Part IV of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18;

(c) migratory birds are making use of the Tree, or migratory bird nests are in the Tree, as contemplated in the *Migratory Birds Convention Act, 1994*, S.C. 1994, c. 22;

(d) the protection and preservation of ecological systems and their functions, including the protection and preservation of native flora and fauna;

(e) erosion, flood control and sedimentation of watercourses;

(f) any information contained in the original application form or any other information provided to the City Engineer has ceased to be accurate and the Applicant, Landowner or Permit Holder has not provided up-to-date accurate information to allow the City Engineer to conclude that the Permit should continue;
(g) an Applicant or Permit Holder does not meet one or more of the requirements of this By-law or a condition imposed on a Permit;
(h) the Applicant or Landowner is carrying on activities that are in contravention of this By-law;
(i) there are reasonable grounds to believe that an application or other documents provided to the City Engineer by or on behalf of the Applicant or Landowner contains a false statement.

City Engineer – Additional Reasons to Revoke

8.4 In addition to section 8.3 above, the City Engineer may revoke a Permit if:
(a) the Permit was issued in error;
(b) the Landowner or Permit Holder requests, in writing, that it be revoked;
(c) the Landowner or Permit Holder fails to comply with any condition of the Permit or this By-law;
(d) the Permit Holder is no longer the owner of the land while the Permit is still valid or the owner on title to the lands has changed;
(e) the City Engineer is satisfied that there is a material change in circumstances in connection with or on the Site and the City Engineer is satisfied that the Permit needs to be revoked to avoid further Injury or Destruction of a Tree or Trees.

City Engineer – May Impose Conditions, Special Conditions

8.5 Notwithstanding any other provision of this By-law, the City Engineer may impose terms and conditions on any Permit at issuance or at any time during the term of the Permit, including special conditions, as are necessary in the opinion of the City Engineer to give effect to this By-law.

City Engineer – Permit Decisions – Refuse, Revoke, Suspend, Conditions

8.6 (1) Where the City Engineer is of the opinion that:
(a) an application for a Permit should be refused;
(b) a Permit should be revoked;
(c) a Permit should be suspended for no more than 14 days; or
(d) a term or condition of a Permit should be imposed;
the City Engineer shall make that decision.

City Engineer – Written Notice of Decision under ss. 8.6(1)

(2) Where the City Engineer has made a decision under subsection 8.6(1) of this By-law, the City Engineer shall give written notice of that decision to the Applicant or Permit Holder by electronic mail or regular mail to the last known address of that person and shall be deemed to have been given on the third day after it is mailed. Written notice to a corporation may be given by registered mail to the address of the corporation's registered head office, or by electronic mail if requested by the corporation.

Contents of Written Decision – Can Appeal

(3) The written notice to be given under subsection 8.6(1) shall:
(a) set out the grounds for the decision;
(b) give reasonable particulars of the grounds;
(c) be signed by the City Engineer; and
(d) state that the Applicant or Permit Holder is entitled to a hearing by the Hearings Officer if the Applicant or Permit Holder delivers a notice of appeal to the City Clerk, within thirty (30) days after the notice in subsection 8.6(1) is given, and the appeal fee as set out in the Fees and Charges By-law, as amended, and any successor by-law.

No Appeal – Decision Deemed Final
(4) Where no appeal is registered within the required time period, the decision of the City Engineer is deemed to be final. The provisions of the City's Hearings Officer By-law, as amended, and any successor by-law, apply to all hearings conducted by the Hearings Officer.

Permit Voluntarily Surrendered – Revoke – No Notice Required
(5) Despite subsection 8.6(2), where a Permit is voluntarily surrendered by the Permit Holder for revocation, the City Engineer may revoke the Permit without notice to the Permit Holder.

City Engineer – May Make Regulations – Forms, Documents
8.7 In addition to any other power, duty or function prescribed in this By-law, the City Engineer may make regulations under this By-law including prescribing the format and content of any forms or other documents required under this By-law.

Copy of Regulations to City Clerk – Available for Public Inspection
8.8 The City Engineer shall provide the City Clerk with copies of any regulations made under this By-law. The City Clerk shall maintain a record of all such regulations. The record of all regulations shall be available for public inspection at the office of the City Engineer and the office of the City Clerk during normal business hours.

Part 9 ISSUANCE OF PERMITS

Information on Permits
9.1 Every Permit issued under this By-law shall be in the form and manner as provided by the City Engineer and shall include on its face the following information:
- (a) the Permit number;
- (b) the name of the Permit Holder;
- (c) the date the Permit was issued and the date it expires;
- (d) the municipal address of the premises on which the Tree or Trees to be Injured or Destroyed is located;
- (e) the Tree or Trees that are permitted to be Injured or Destroyed;
- (f) the nature of the Injury or Destruction.

Permit – Automatic Conditions
9.2 Every Permit that is issued is subject to the following conditions of obtaining and continuing to hold a Permit, all of which shall be performed and observed by the Permit Holder and Landowner:
- (a) the Permit Holder shall ensure that the number of living Replacement Trees as determined by the City Engineer, and the species, or choice of species, size and location of Replacement Trees as determined by the City Engineer, are planted on the same Site by the date specified on the Permit;
- (b) where there is insufficient space on the same Site to plant all the Replacement Trees, the Permit Holder shall plant as many Replacement Trees as the City Engineer determines the Site will allow and the Permit Holder shall forthwith pay the fee as determined by the City Engineer in Schedule A with respect to the number of Replacement Trees that could not be planted due to insufficient space (Fee for Off-Site Tree Planting);
- (c) the Permit Holder or Landowner shall pay all fees related to this By-law;
- (d) the Permit Holder or Landowner shall pay all other fees and fines owed by the Permit Holder or Landowner to the City;
- (e) the Permit Holder or Landowner shall allow, at any reasonable time, the City to inspect the Site;

(f) the use of the Site is permitted or conforms with the uses permitted under the applicable zoning by-law or is a legal non-conforming use;

(g) the Permit Holder or Landowner shall meet all of the requirements of this By-law;

(h) the Permit Holder or Landowner shall ensure that it complies with applicable law including the *Migratory Birds Convention Act, 1994*, and the *Endangered Species Act, 2007*.

Permit – Additional Conditions That May be Imposed

9.3 The City Engineer may impose other conditions on a Permit, including but not limited to:

(a) the Permit Holder shall ensure that the Injury or Destruction of the Tree is carried out in accordance with Good Arboricultural Practices or Good Forestry Practices;

(b) the Permit Holder shall ensure that the Injury or Destruction of the Tree is carried out in a particular manner or at or during a particular time;

(c) the Permit Holder shall ensure that the Permit is posted in a public location for a time period before, during and after the Injury or Destruction of the Tree or Trees;

(d) the Permit Holder shall ensure that the Injury or Destruction of the Tree is to be carried out by or under the supervision of a Qualified Person;

(e) the Permit Holder shall ensure that measures are to be implemented to protect any retained Trees for the period the Permit remains valid;

(f) the Permit Holder shall ensure that the City Engineer is informed within 48 hours of a change of Landowner;

(g) the Permit Holder shall ensure that a Tree Management Plan satisfactory to the City Engineer is implemented by a required date;

(h) the Permit Holder shall ensure posting of Security that the City may draw upon in full if the By-law is contravened or if there is a failure in the proper and complete execution of a Permit and its conditions, such that restoration of all or part of the Site has to be done by the City;

(i) the Permit Holder shall ensure it complies with any requirements to protect or relocate wildlife (including bees) as determined by the City Engineer;

(j) the Permit Holder shall ensure it implements the Silvicultural Plan or Tree Management Plan submitted with the application to the satisfaction of the City Engineer within a period of time specified by the City Engineer;

(k) a condition recommended by a Qualified Person that the City Engineer determines is appropriate.

Permit – Valid For Time Issued – 6 Month Maximum

9.4 A Permit issued under this By-law shall be valid only for the period of time for which it is issued. Unless expressly stated on the face of the Permit, all Permits issued under this By-law shall expire 6 months after issuance.

Permit Issuance – Not permission to Contravene Laws

9.5 The issuance of a Permit under this By-law is not intended and shall not be construed as permission or consent by the City for the Permit Holder or Landowner to contravene or fail to observe or comply with any law of Canada, Ontario or any By-law of the City.

Permit – Owned by City – Valid only to Person and Site Named On It

9.6 Every Permit, at all times, is owned by and is the property of the City and is valid only in respect of the person and the Site named on it.

Permit – Cannot be Sold, Transferred, etc.

9.7 No Permit issued under this By-law may be sold, purchased, leased, mortgaged, charged, assigned, pledged, transferred, seized, distrained or otherwise dealt with.

Permit – Notify City Engineer if Change of Information

9.8 The Permit Holder shall notify the City Engineer of any change in their name, business, home address, Site ownership, or any other information relating to the Permit within fifteen (15) days after such change and, if the City Engineer determines it necessary, shall immediately return their Permit to the City Engineer for amendment.

Requirement to obtain all other approvals required by any level of government

9.9 A Permit issued pursuant to this By-law does not preclude the responsibility of the Applicant or Landowner or Permit Holder to obtain all other approvals which may be required by any level of government and agencies.

Part 10 APPEALS – HEARINGS BEFORE THE HEARINGS OFFICER

10.1 The power and authority to conduct hearings of appeals under this By-law are delegated to the Hearings Officer.

10.2 The provisions of the City's Hearings Officer By-law A.-6653-121, as amended, and any successor by-law, apply to all hearings conducted by the Hearings Officer.

10.3 The Hearings Officer may uphold or vary the decision of the City Engineer or make any decision that the City Engineer was entitled to make in the first instance.

10.4 The decision of the Hearings Officer is final.

Part 11 ENFORCEMENT

Enforced By

11.1 This By-law may be enforced by a By-law Enforcement Officer.

Powers of Entry

11.2 The provisions of the City’s Inspections By-law A-30, as amended, and any successor by-law, apply to Powers of Entry for the purpose of carrying out inspections.

Prohibition - Hinder or Obstruct By-law Enforcement Officer

11.3 No person shall hinder or obstruct or attempt to hinder or obstruct the By-law Enforcement Officer in the discharge of duties under this By-law.

Part 12 POWER TO MAKE ORDERS – REMEDIAL ACTION

Order to Discontinue Activity

12.1 (1) Where a By-law Enforcement Officer is satisfied that a contravention of this By-law has occurred, the By-law Enforcement Officer may make an Order to Discontinue Activity requiring the person who contravened the By-law or a person that caused or permitted a contravention of the By-law or the owner or occupier of the land on which the contravention occurred to discontinue the contravening activity.

(2) The Order to Discontinue Activity shall set out reasonable particulars of the contravention adequate to identify the contravention, the location of the land on which the contravention occurred, and the date and time by which there must be compliance with the Order to Discontinue Activity.

Work Order

12.2 (1) Where a By-law Enforcement Officer is satisfied that a contravention of this By-law has occurred, the By-law Enforcement Officer may make a Work Order requiring the person who contravened the By-law or who caused or permitted the contravention or the owner or occupier of the land on which the contravention occurred to do work to correct the contravention.

(2) A Work Order shall set out reasonable particulars of the contravention adequate to identify the contravention and the location of the land on which the contravention occurred, and the work to be done and the date by which the work must be done.

Service of Order to Discontinue Activity or Work Order

12.3 (1) An Order to Discontinue Activity or Work Order may be served personally by the By-law Enforcement Officer, may be sent by registered mail to the person contravening the By-law, or may be posted in a conspicuous place on the property where the contravention occurred.

(2) Where an Order to Discontinue Activity or Work Order under this By-law is served personally by the By-law Enforcement Officer, it shall be deemed to have been served on the date of delivery to the person or persons named.

(3) The posting of the Order to Discontinue Activity or Work Order at the Site shall be deemed to be sufficient service of the Order to Discontinue Activity on the person or corporation to whom the Order to Discontinue Activity is directed on the date it is posted.

(4) Where an Order to Discontinue Activity or Work Order issued under the By-law is sent by registered mail, it shall be sent to the last known address of one or more of the following, as applicable:

(a) the Applicant;
(b) the Permit Holder;
(c) the Landowner;
(d) the person contravening the By-law;
(e) the person or company undertaking the Injury or Destruction~~,~~

and shall be deemed to have been served on the fifth day after the Order to Discontinue Activity or Order is mailed.

12.4 **Remedial Action**

If a person is required, under a Work Order under this By-law, to do a matter or thing, then in default of it being done by the person so required to do it, the matter or thing may be done at the person's expense under the direction of a By-law Enforcement Officer.

12.5 The City may recover the costs of doing a matter or thing under section 12.4 from the person required to do it, by adding the costs to the tax roll for the subject land and collecting them in the same manner as property taxes.

12.6 The amount of the costs under section 12.4, including interest, constitutes a lien on the land upon the registration in the proper land registry office of a notice of lien.

Part 13 PESTS - INSPECTION – REMOVAL OF INFESTED TREES

Inspection for Presence of Asian Long-Horned Beetles and Other Serious Pests; Removal of Infested Trees

13.1 The City Engineer is authorized to inspect for the presence of Asian Long-Horned Beetles and other Pests that may create serious widespread economic or ecological harm, and to remove such infested trees, on all public and private property, with the consent of the property owner.

13.2 **Inspection for Pests; Right to Enter Private Property – Consent Not Required**
Where the City Engineer has been designated as an "inspector" by the President of the Canadian Food Inspection Agency under section 13 of the *Canadian Food Inspection Agency Act*, S.C. 1997, c.6 for the purposes of enforcing the *Plant Protection Act*, S.C. 1990, c.22, the City Engineer has the authority to inspect for the presence of Pests and to take action including the removal of trees on all public and private property, with or without the consent of the property owner, if it is in accordance with the *Plant Protection Act*.

Part 14 OFFENCES AND PENALTIES

Offences

14.1 Any person who contravenes any provision of this By-law, or an Order to Discontinue Activity, or a Work Order, is guilty of an offence.

14.2 A director or officer of a corporation who knowingly concurs in the contravention of any provision of this By-law is guilty of an offence.

Penalties – Minimum and Maximum

14.3 A person convicted under this By-law is liable to a minimum fine of $500.00 and a maximum fine of $100,000.00, where the fine is not a set fine.

Penalties – Continuing Offence

14.4 Contravention of an Order to Discontinue Activity or a Work Order is a continuing offence, and a person who is convicted of an offence under this By-law is liable, for each day or part of a day that the offence continues, to a minimum fine of $500 and a maximum fine of $10,000 and the total of all daily fines for the offence is not limited to $100,000.

Penalties – Special Fines

14.5 A person convicted under this By-law is liable to a special fine of maximum $200,000.00 which may be imposed in addition to the regular fine, to eliminate or reduce any economic advantage or gain from contravening the By-law.

Court Order - Additional Order to Discontinue or Remedy – s. 431 *Municipal Act, 2001*

14.6 Under section 431 of the *Municipal Act, 2001*, when this By-law is contravened and a conviction entered, in addition to any other remedy and to any penalty imposed by the By-law, the court in which the conviction has been entered and any court of competent jurisdiction thereafter may make an order~~,~~:

(a) prohibiting the continuation or repetition of the offence by the person convicted; and

(b) in the case of a by-law described in section 135 of *Municipal Act, 2001*, requiring the person convicted to correct the contravention in the manner and within the period that the court considers appropriate.

Part 15 MISCELLANEOUS

Transition

15.1 Any Permit issued under the provisions of By-law C.P.-1515-228 that has not expired or been revoked as of the date of this By-law coming into force shall be deemed to have been issued under this By-law and will be valid until such Permit is revoked, surrendered or expires.

Repeal

15.2 The Tree Protection By-law C.P.-1515-228 passed on August 30, 2016 is repealed.

Coming into force

15.3 This By-law shall come into force and effect on March 1, 2021.

Passed in Open Council on November 23, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – (Insert Council Meeting Date)
Second Reading – (Insert Council Meeting Date)
Third Reading – (Insert Council Meeting Date)

Schedule A

Calculation of Number of Distinctive Tree Replacement Trees & Calculation of Fees for Off-Site Tree Planting (insufficient space on Site to plant Replacement Trees)

1. For the purposes of subsection 9.2(a) of this By-law with respect to a Distinctive Tree Permit, the City Engineer shall determine the number of living Replacement Trees that will be required based on the chart below. The diameter of the Tree to be Destroyed under a Distinctive Tree Permit, as set out in Column 1, shall correspond to the number of Replacement Trees required, as set out in Column 2.

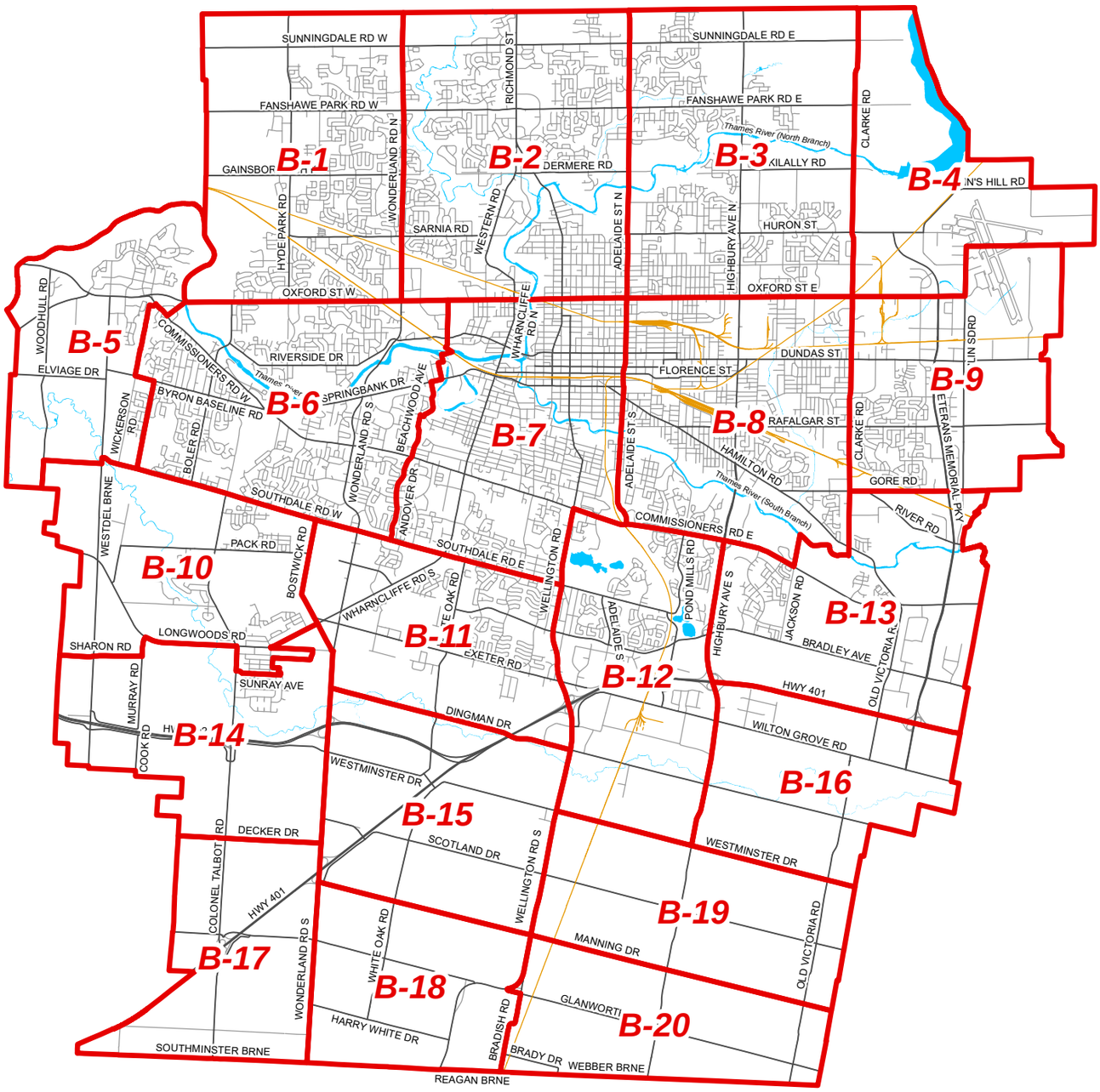
2. For the purposes of subsection 9.2(b) of this By-law with respect to a Distinctive Tree Permit, where there is insufficient space on the same Site to plant all of the number of Replacement Trees as calculated for 9.2(a) of this By-law, the Permit Holder shall plant as many Replacement Trees as the site will allow as determined by the City Engineer, and with respect to the number of Replacement Trees that could not be planted due to insufficient space, the City Engineer shall calculate the amount of the fee by multiplying the number of Replacement Trees that could not be planted on site due to insufficient space by $350 per tree. The diameter of the Tree to be Destroyed under a Distinctive Tree Permit, as set out in Column 1, shall correspond to the number of Replacement Trees, as set out in Column 2.

Column 1: Trunk Diameter of Distinctive Tree Destroyed	Column 2: Number of Replacement Trees Required
50 cm	1
51-60 cm	2
61-70 cm	3
71-80 cm	4
81-90 cm	5
91-100 cm	6
101–110 cm	7
111-120 cm	8
121-130 cm	9
131-140 cm	10
>141cm	11

*NOTE: does not apply to Dead Distinctive Tree Permit

Schedule B

Tree Protection Area (TPA) Maps insert here…….

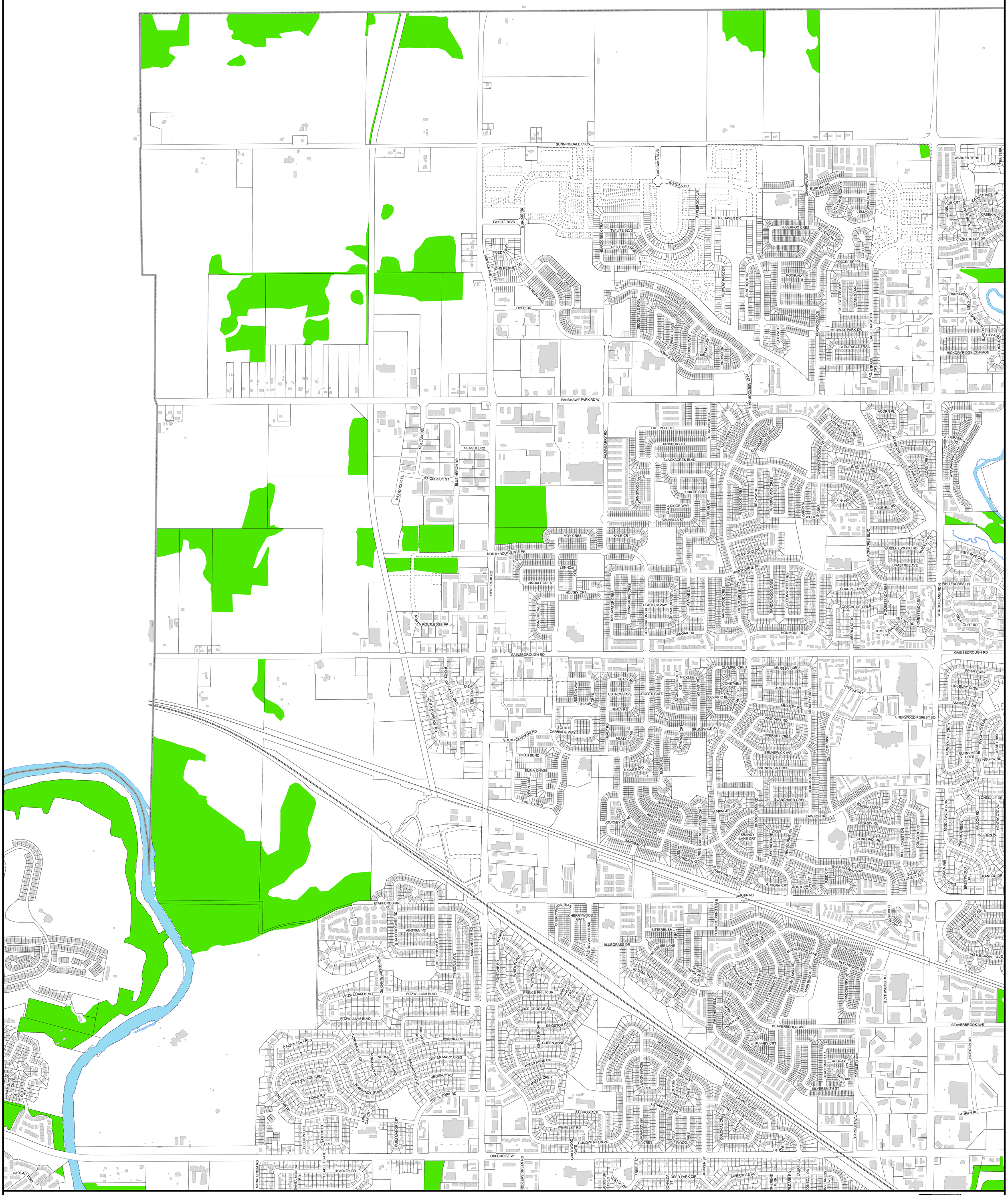


CITY OF LONDON
TREE PROTECTION BY-LAW

SCHEDULE B
INDEX MAP

London CANADA

0 0.5 1 2 3 4
Kilometers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NORTH ROUTLEDGE PK
GAINSBOROUGH RD
SARNIA RD
OXFORD ST W
BLUEGRASS DR
BEAVERBROOK AVE
FARRAH RD
CASTLEGROVE BLVD
HICKORYRIDGE COMMON
WHITEACRES DR
WONDERLAND RD N
HYDE PARK RD
DALMAGARRY RD
ALDERSBROOK GATE
MEDWAY PARK DR
FOXCREEK RD
EAGLETRACE DR
BURDOAK DR
TWILITE BLVD
DYER DR
FAIR OAKS BLVD
BRIDGEHAVEN DR
SILVERFOX CRES
GLENEAGLE TRAIL
WARNER TERR
FRANKLIN WAY
CREEKBEND PL
HENRICA AVE
JOHN KENNEY DR
FRIEDA WAY
JIM HEBB WAY
WATERDAK DR
TOKALA TRAIL
FOXWOOD AVE
MELSETTER WAY
COATES LANE
EAGLETRACE CRT
GLEN VIEW CRT
FOXHUNT DR
SILVERFOX PL
YELLOWBIRCH PL
BENVIEW AVE
APPLEROCK AVE
HEADCREEK TRAIL
RED PINE CRESS
SEDGEFIELD DRIVE
FOREDGE CRES
COLDRIDGE WAY
FOXE CRES
BROWN DR
SILVERFOX DR
MALLARD RD
SEAGULL RD
WOODCOCK ST
WOODCOCK PL
BLUE HERON DR
FREEPORT ST
TANSBURY ST
BLACKACRES BLVD
TRIBALWOOD ST
TACKSET PL
ALDERSBROOK CRES
FOX HOLLOW CRES
ACORN PL
ACORN CRES
WINDING WOODS RD
EDGEHILL CRES
EDGEHILL PL
EDGEHILL RD
YEW TREE LOOP
ALDERSBROOK RD
ATTAWANDERON RD
RINGWOOD CRES
JUBILEE CRES
JUBILEE DR
CLAY RIDGE WAY
VALHALLA ST
VENLOCK CRES
REXWAY RD
WINDING WAY CRES
SNOWWAY WOOD CRES
BLACKACRES BLVD
YARDLEY WOOD RD
YARDLEY PL
CRABTREE AVE
PITCARNE CRES
MOY CRES
KYLE CRT
GABLEWOOD CRES
HAWTHORNE RD
CHAPPLE HILL RD
SCOTCHPINE CRES
HOMESTEAD CRES
KEY RL RD
HOMESTEAD CRT
LIMBERLOST RD
MONMORE RD
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BRANTWOOD CRES
OLD WOODBRIDGE ALLEY
LENNON AVE
HOLTBY CRT
KIMBALL CRES
HANSON CRES
BAYSWATER CRES
ENNISMORE CRES
CORONATION DR
LEACOCK WAY
SEYMOUR CRES
JASMINE DR
TANOAK DR
DELACOURT RD
PRINCE OF WALES GATE
DISSING CRES
SOUTH CARRIAGE RD
JESSICA WAY
SOPHIA CRES
HEALY RD
CUTROSS AVE
ROOTS GATE
MICKLEBOROUGH CRT
MICKLEBOROUGH DR
OLYMPIC CRES
CONSTABLE CRT
CONSTABLE ST
OLYMPIC PL
ARDSLEY CRES
ARDSLEY RD
FAIRFAX CRT
INVERARY RD
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BRUNSWICK AVE
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BLANCHARD RD
BLANCHARD CRES
LIMBERLOST RD
SHERWOOD FOREST SQ
ANNADALE DR
FRIARS WAY
FINSBURY CRES
WYCHWOOD PK
ABBEY RISE
RUNNYMEDE CRES
LONGBOW RD
LAWSON RD
LONSDALE DR
MIDDLEWOODS DR
MALDON RD
MALDON PL
HEATHCOTE AVE
BRENTWOOD PL
RANSON DR
NOAH BEND
EMMA CHASE
OWEN LANE
FINLEY CRES
TUCKER CRT
ELSON RD
VICARAGE CRT
HEALY LANE
SMITHER RD
REEVES AVE
JOURNEY CRES
SANDBAR ST
QUEENSBOROUGH CRT
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ARYDALE CRES
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CHERRYWOOD TRAIL
CHERRYWOOD GATE
FONTAINE RD
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WETHERBURNE CRES
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PRINCE PHILIP CRT
KINGSTON PL
PRINCE GEORGE RD
KINGSTON AVE
KINGSTON GATE
QUEEN ANNE CIR
QUEEN ANNE CRT
LLOYD MANOR CRES
KINGSPARK CRES
NORMANDY GATE
NORMANDY PL
NORMANDY GDNS
DRIFTWOOD RD
IVANHILL RD
QUEEN MARY CRES
REGENCY RD
ROYAL YORK RD
HUNT VILLAGE CRES
HUNT CLUB DR
INDIAN RD
GREAT OAK CRT
FARM MANOR CRT
OLD HUNT RD
ROCKLIFFE CRES
HEADLEY GATE
HEADLEY DR
SANATORIUM RD
SANTA MONICA RD
THAMESRIDGE CRES
SHORE RD
CADEAU TERR
ROMEMEADOW RD
MEADOWRIDGE RD
GUILDWOOD BLVD
GUILDWOOD GATE
ST CROIX AVE
WEMBLEY RD
CEDARWOOD RD
MEADOWVIEW CRES
LAUREL CRES
LAUREL ST
COLONIAL CRES
CENTURY PL
REDOAK PLAY
REDOAK PL
BLACKSMITH ST
SILVERSMITH ST
CAPULET LANE
CAPULET WALK
FREELE ST
JUNIPER ST
DEER PARK CIR
INVERNESS AVE
LARKSPUR CRES
LUXTON DR
FOLKSTONE CRES
ROLSTON CRES
MAPLEWOOD LANE
BLYTHWOOD RD
SANDCHERRY ST
MAPLERIDGE ST
OAKCROSSING RD
KETTLERIDGE ST
FERNWOOD LANE
WHETHERFIELD ST
BAILEY ST
POPPY CRT
BUSHBY CRT
CHAPMAN CIR
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WILD ROSE LANE
REDTAIL TRAIL
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DEER RIDGE PL
FOAMCROSSING GATE
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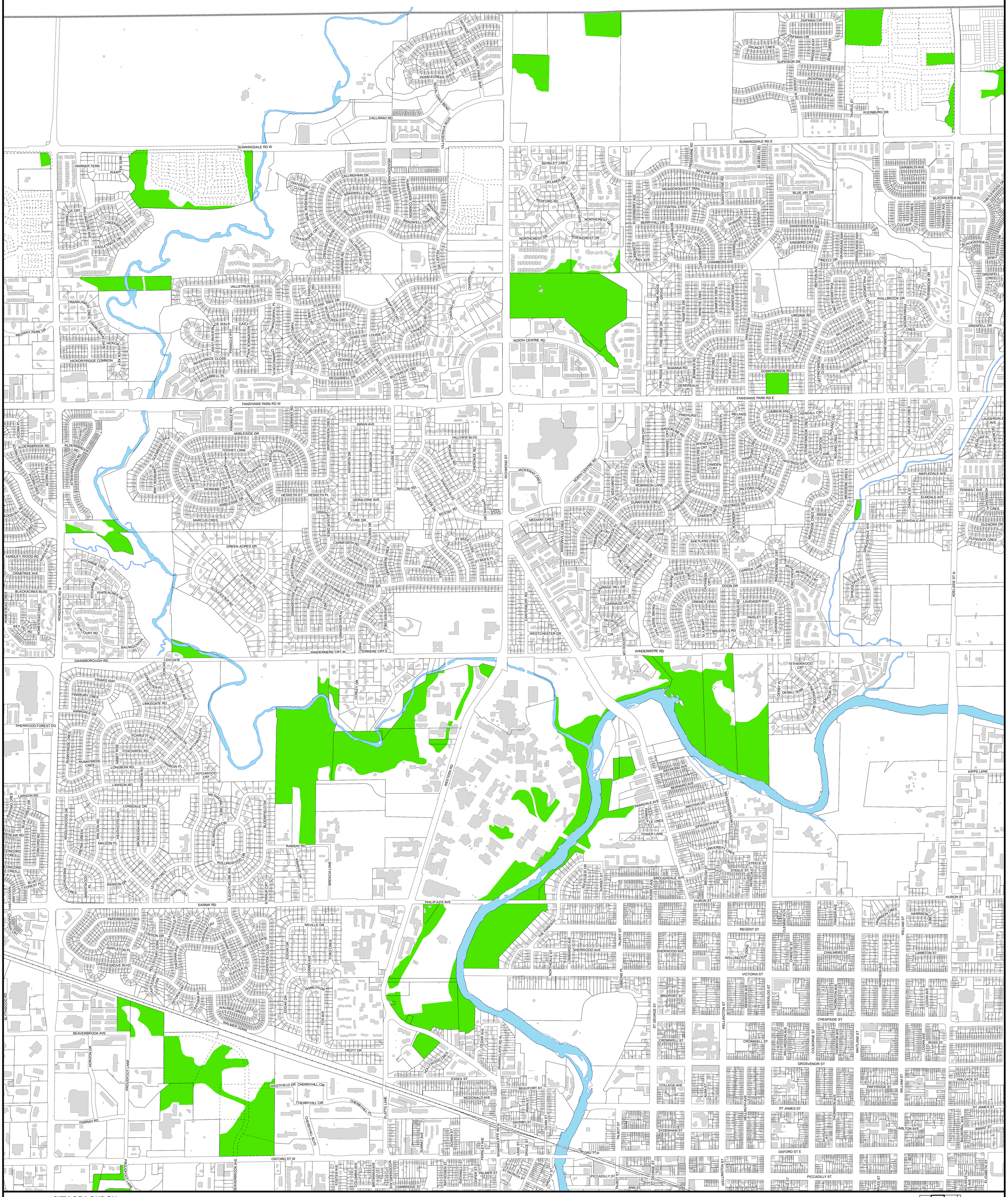

CITY OF LONDON
TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

London CANADA

Tree Protection Area

KEY MAP
B-2

1:6,500

0 100 200 400
Meters

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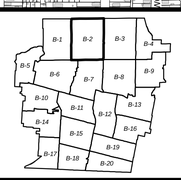

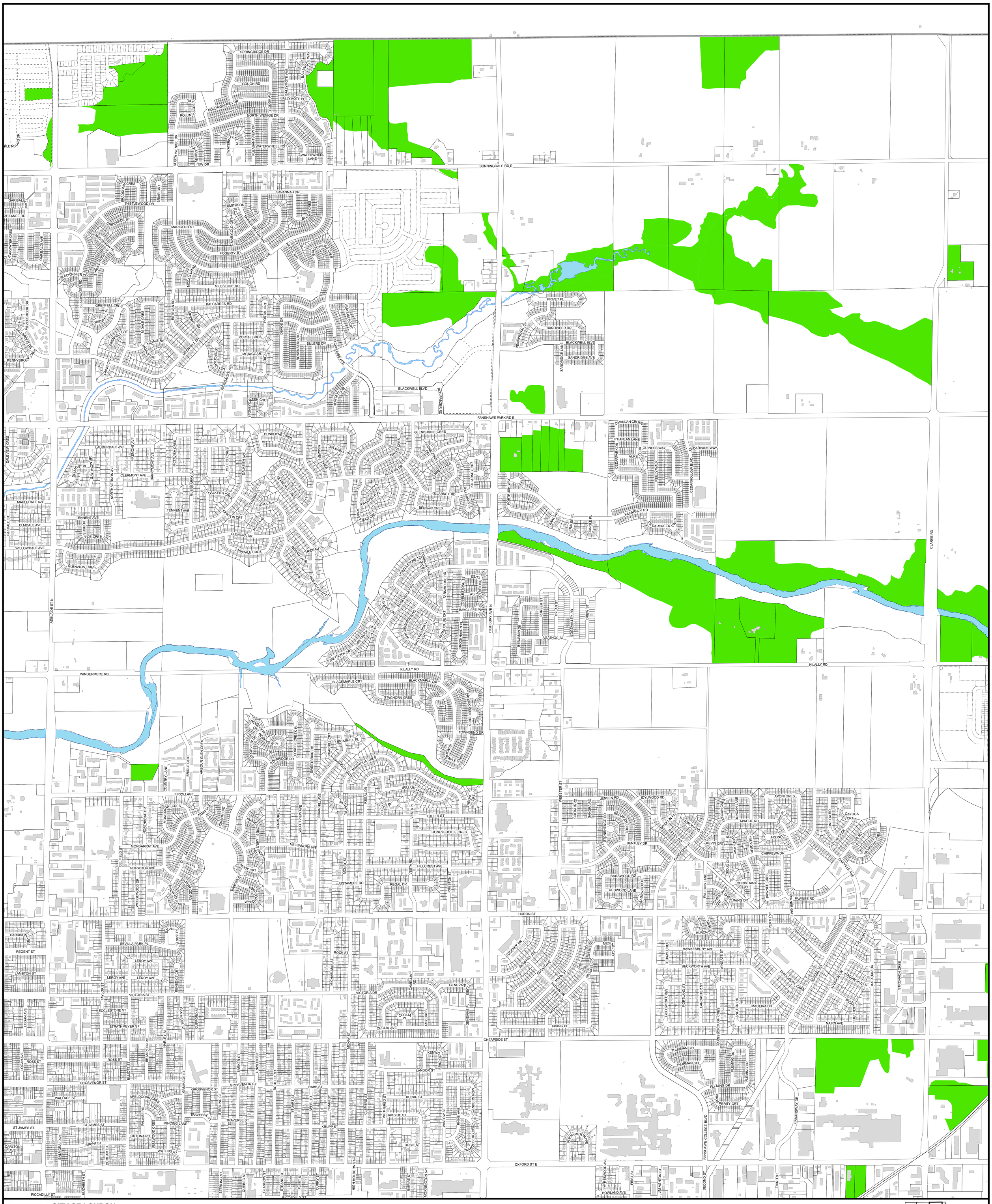

CITY OF LONDON
TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

London CANADA

Tree Protection Area

KEY MAP
B-3

1:6,500

0 100 200 400
Meters

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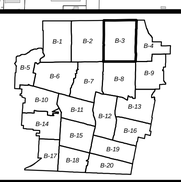

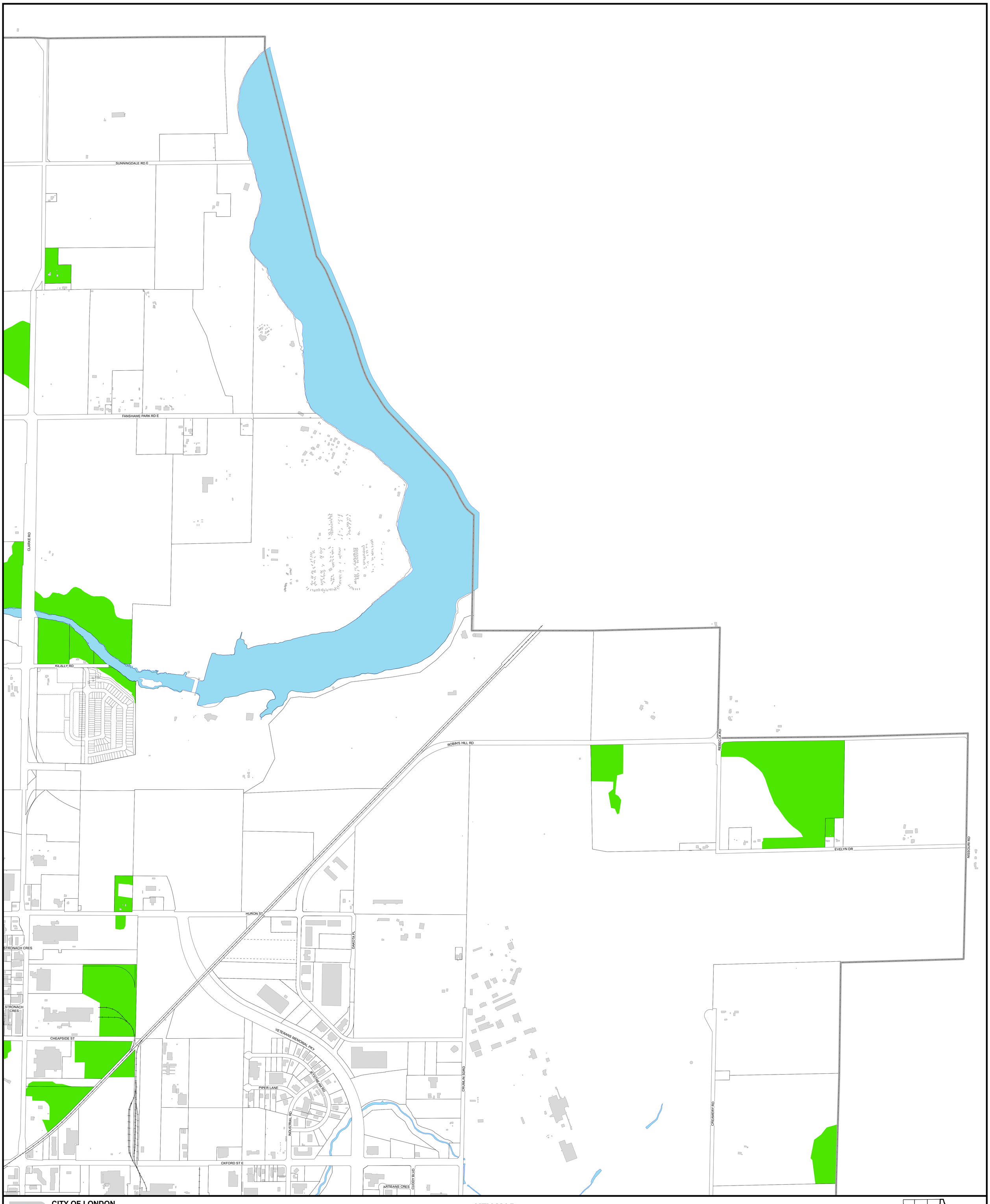

CITY OF LONDON
TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

London CANADA

Tree Protection Area

KEY MAP
B-4

1:6,500

0 100 200 400
Meters

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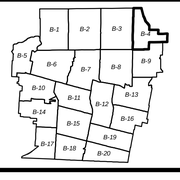

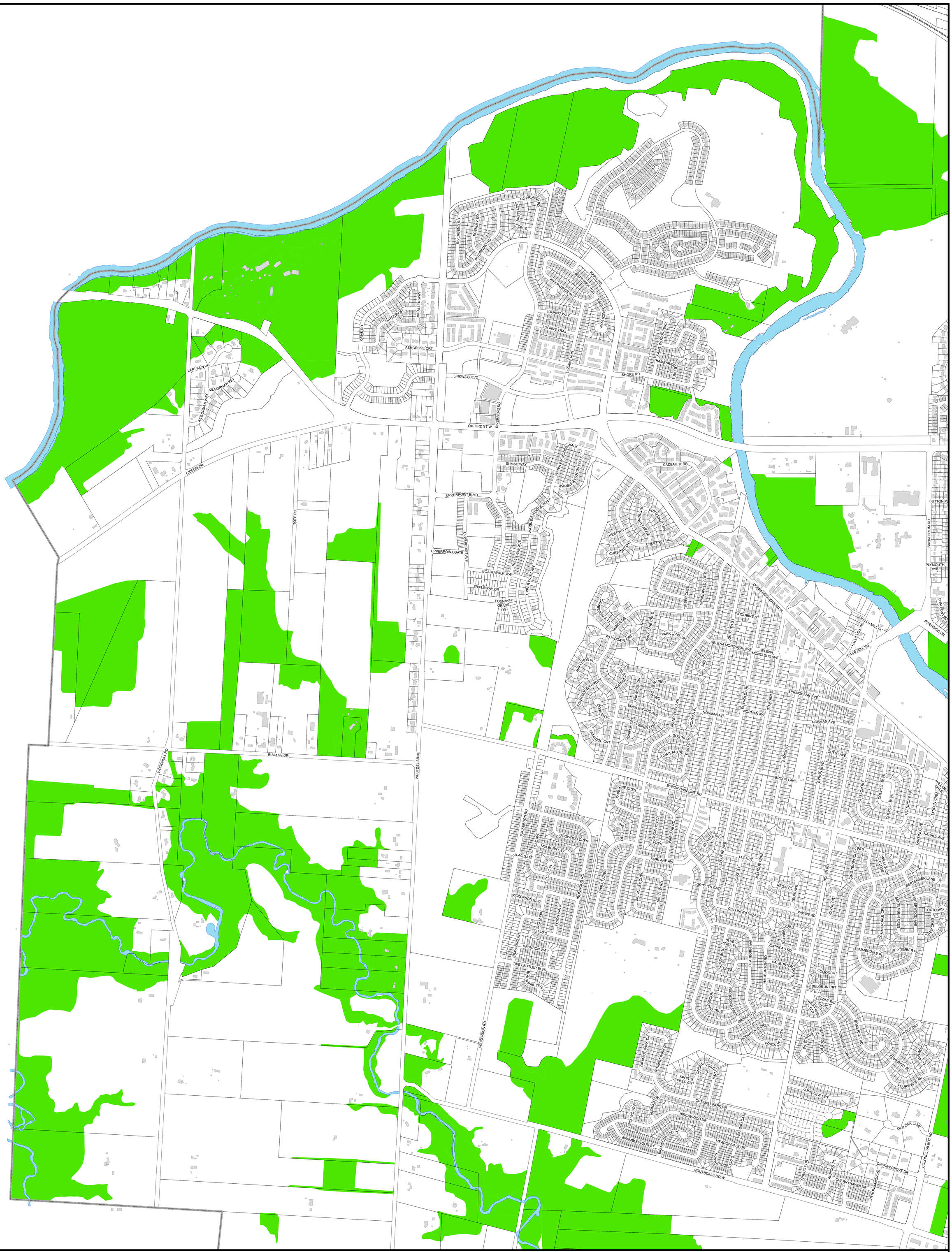

CITY OF LONDON
TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

London CANADA

Tree Protection Area

KEY MAP
B-5

1:6,500

0 100 200 400
Meters

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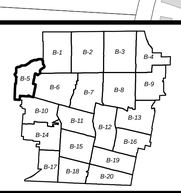

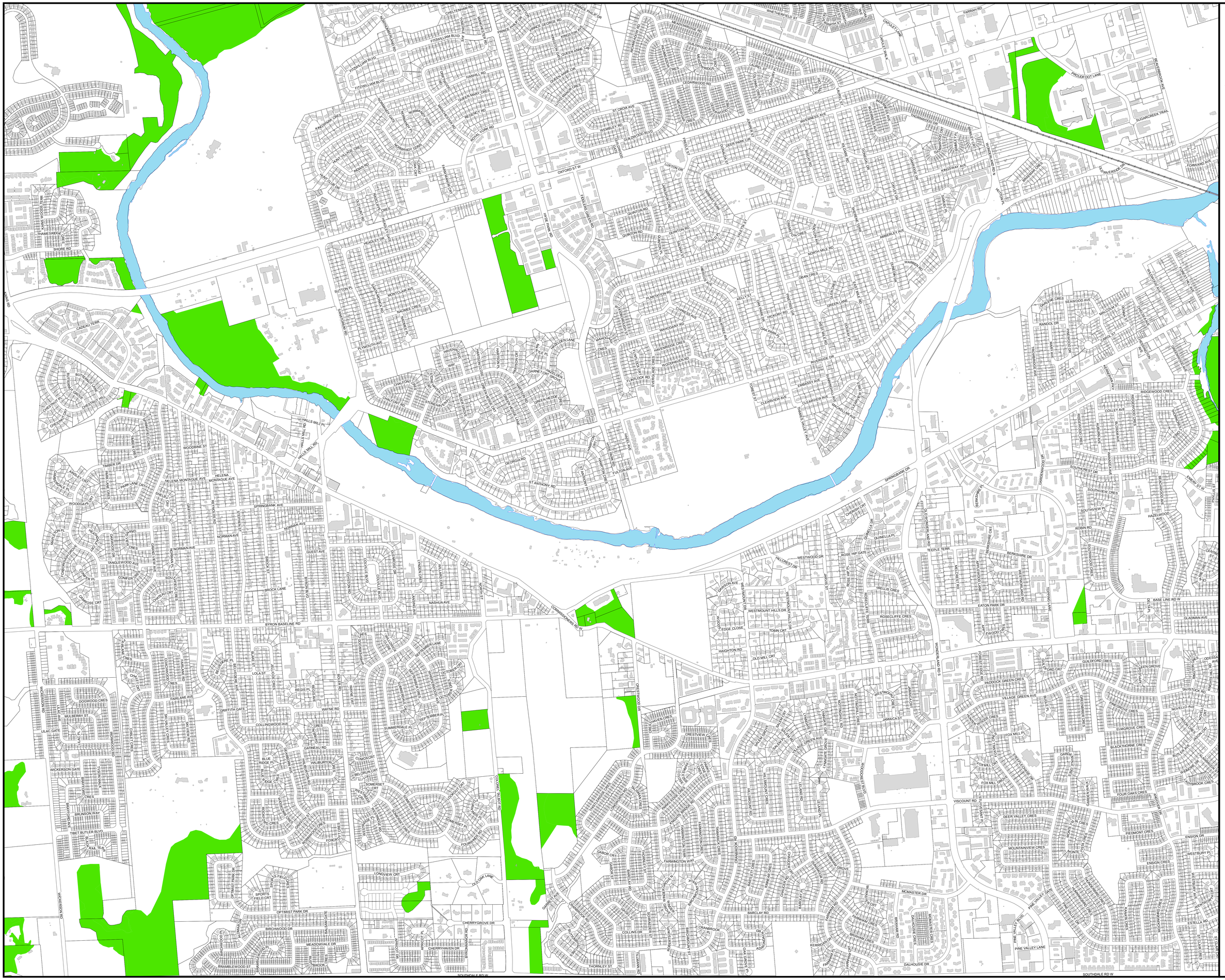
OXFORD ST W
WONDERLAND RD S
SOUTHDALE RD W
COMMISSIONERS RD W
BYRON BASELINE RD
WHITEHILLS RD
CRESTWOOD DR
COLONEL TALBOT RD
WICKERSON RD
SPRINGBANK DR
BASE LINE RD W
OLD RIVERSIDE DR
WHETHERFIELD ST
FARRAH RD
PROUDFOOT LANE
SUGARCREEK TRAIL
BEAVERBROOK AVE
FORWARD AVE
HUNTLEY DR
NORTHLAND RD W
KINGSWAY AVE
THORNWOOD DR
INVERNESS AVE
DEER PARK DR
FOULDS GREEN RD
IVE PARK RD
HEADLEY DR
BUTTON PL
MONTGOMERY AVE
NAOMEE CRES
SANDYHILL RD
PLYMOUTH AVE
CADEAU TERR
HAVENRIDGE RD
CHALFONT CRES
CHALFONT RD
STONEHAVEN PL
ALDERGROVE CRES
GARNET CRT
GREEN HEDGE CRES
GREEN HEDGE LANE
HELENA GROVE
ARDEN LANE
MAHOGANY RD
FLINTLOCK RD
FLINTLOCK CRESCENT
HAZEL AVE
FULTON AVE
GEORGIA RD
ST ANTHONY RD
ST ANTHONY PL
HALLS MILL PL
HALLS MILL RD
WOODBINE ST
TIMBER DR
HELENA MONTAGUE AVE
SPRINGBANK AVE
NORMAN AVE
GUEST AVE
BROCK LANE
TANGLEWOOD AVE
WOODGATE
PARK LANE CRT
PARK LANE CRES
CONIFER CRES
CONIFER PL
ROSE CRT
CHERRY CRT
BRUNSON WAY
TIBET BUTLER BLVD
RAIL TERR
WICKERSON GATE
MULBERRY ST
LILAC GATE
DOGWOOD CRES
FAIRLANE AVE
GRIFFITH GATE
COLLINGWOOD AVE
GATINEAU RD
HALIBURTON
COMOX CRT
MELORUN CRT
SOMERSET CRT
SOMERSET RD
FOURNIER RD
LONGVIEW CRT
OLD OAK LANE
SPORTS FIELD CRT
OPTIMIST PARK DR
BIRCHWOOD DR
MEADOWVALE DR
BRAMBLEWOOD ST
CHERRYGROVE DR
CHERRYHAVEN DR
BIRCHMANOR RD
THORNLEY ST
COLLINS DR
BARCLAY RD
CRANBROOK
FARMINGTON VIEW
FARMINGTON CRES
MANOR CRES
GRANBROOK RD
KILLARNEY RD
BELMONT CRES
LELAND RD
ELMHURST RD
VILLAGE GREEN AVE
JAMAICA ST
WESTMOUNT CRES
WESTMOUNT RD
WESTMOUNT HILLS DR
WESTWOOD DR
HILLCREST DR
ROSE HIP GATE
QUINELLA PL
TEEPLE TERR
IRELLIS CRES
ROSECLIFFE CRES
ROSECLIFFE TERR
EATON PARK DR
BERKSHIRE DR
BERKSHIRE CRT
APPLEWOOD CRES
ESTMANOR CRES
WESTMANOR CRES
DOWNING LANE
HAIGHTON RD
OLD MILL CRT
EDGE CLOSE
TOGIN CRT
OATSHOW AVE
WESTMOUNT DR
GLADMAN AVE
GUILDFORD CRES
PADDOCK GREEN CRES
VILLAGE GREEN AVE
FOX MILL PL
FOX MILL CRT
FOX MILL GROVE
FOUR OAKS CRES
VISCOUNT RD
DEER VALLEY CRES
MOUNTAINVIEW CRES
PIEDMONT CRES
ENSIGN CRES
ENSIGN DR
WESTBURY PL
ESTELLA RD
MCMASTER DR
DALHOUSIE DR
PINE VALLEY LANE
PINE VALLEY BLVD
PINE VALLEY GATE
PINE VALLEY DR
KERRIGAN CRT
FAIRHAM CRES
BRIGHAM CRES
MCMASTER CRES
BRIGHAM RD
ADELAIDE ST N
ODESSA AVE
BAYSTOCK RD
NOVELLO AVE
ELMGROVE CRES
BLACKTHORNE CRES
BUTLER AVE
WYNNE DR
LOCKBROOK CRES
ARCHER DR
GARDEN CRES
ROSEWOOD CRES
ROSEWOOD DR
ROSEWOOD AVE
ROSEWOOD CRES
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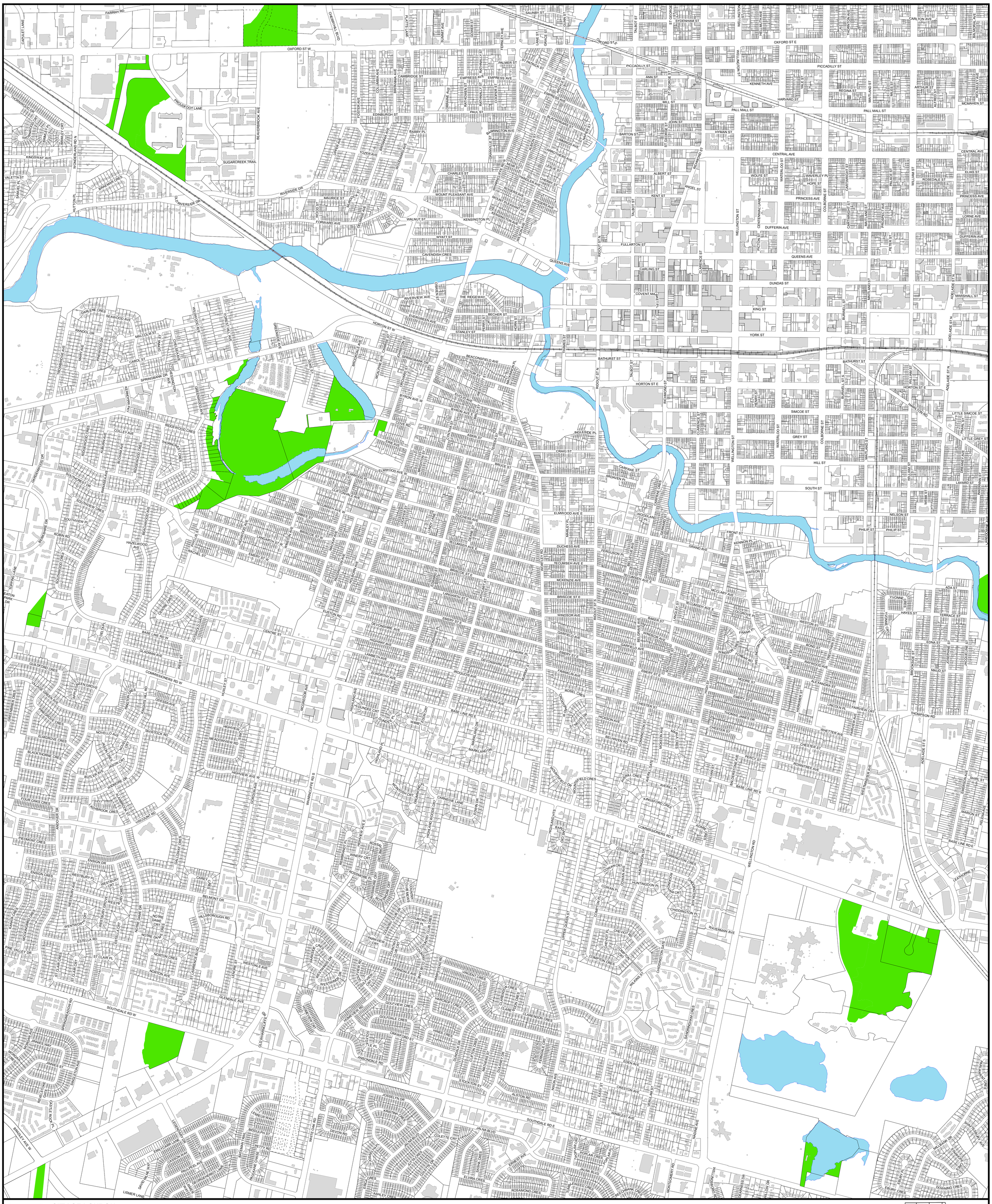
ROSEWOOD CRES
ROSEWOOD AVE
ROSEWOOD CRES
ROSEWOOD AVE



CITY OF LONDON
TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

London CANADA

Tree Protection Area

KEY MAP
B-7

1:6,500

0 100 200 400
Meters

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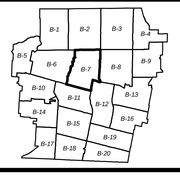

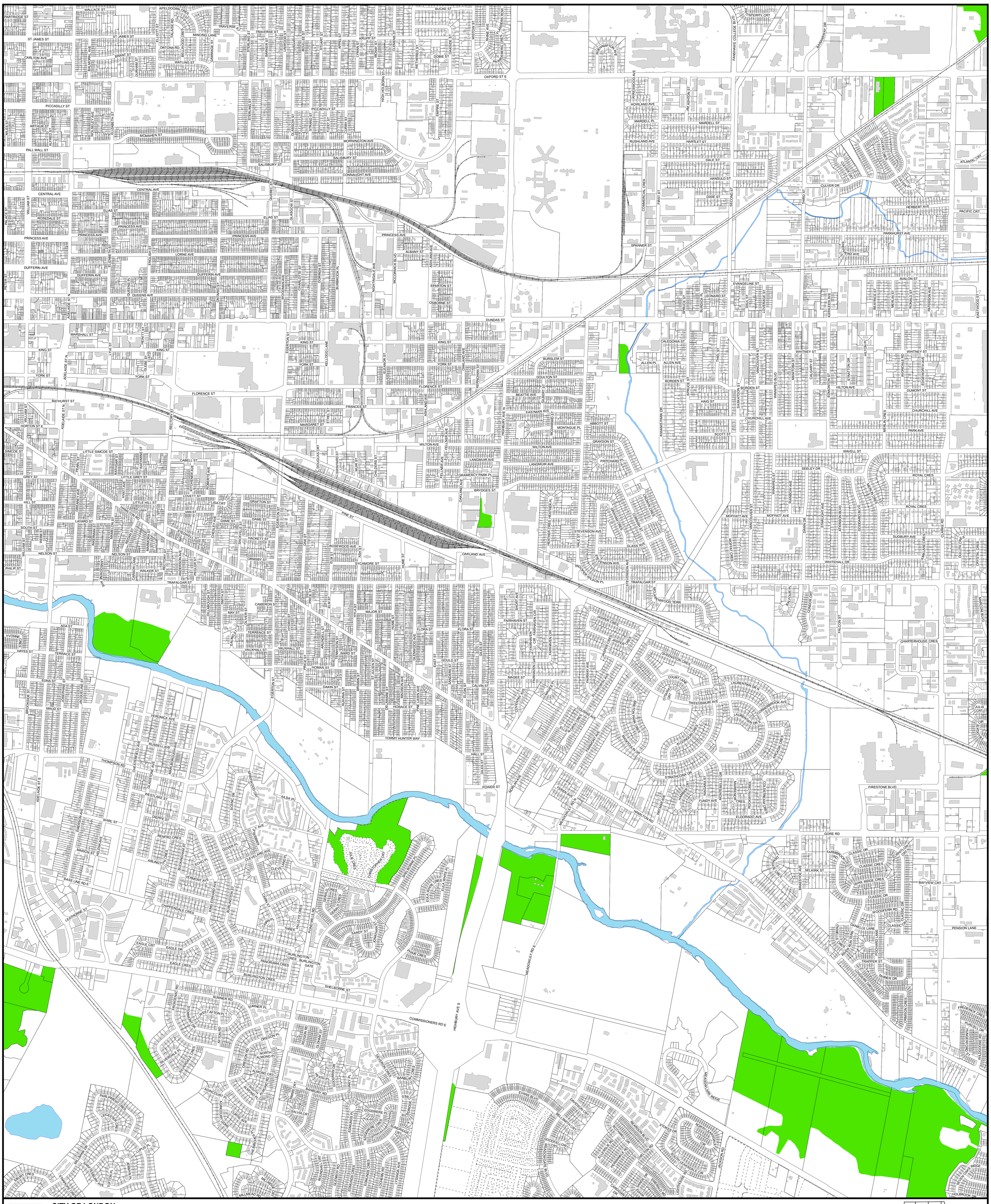

CITY OF LONDON
TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

London CANADA

Tree Protection Area

KEY MAP
B-8

1:6,500

0 100 200 400
Meters

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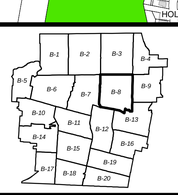

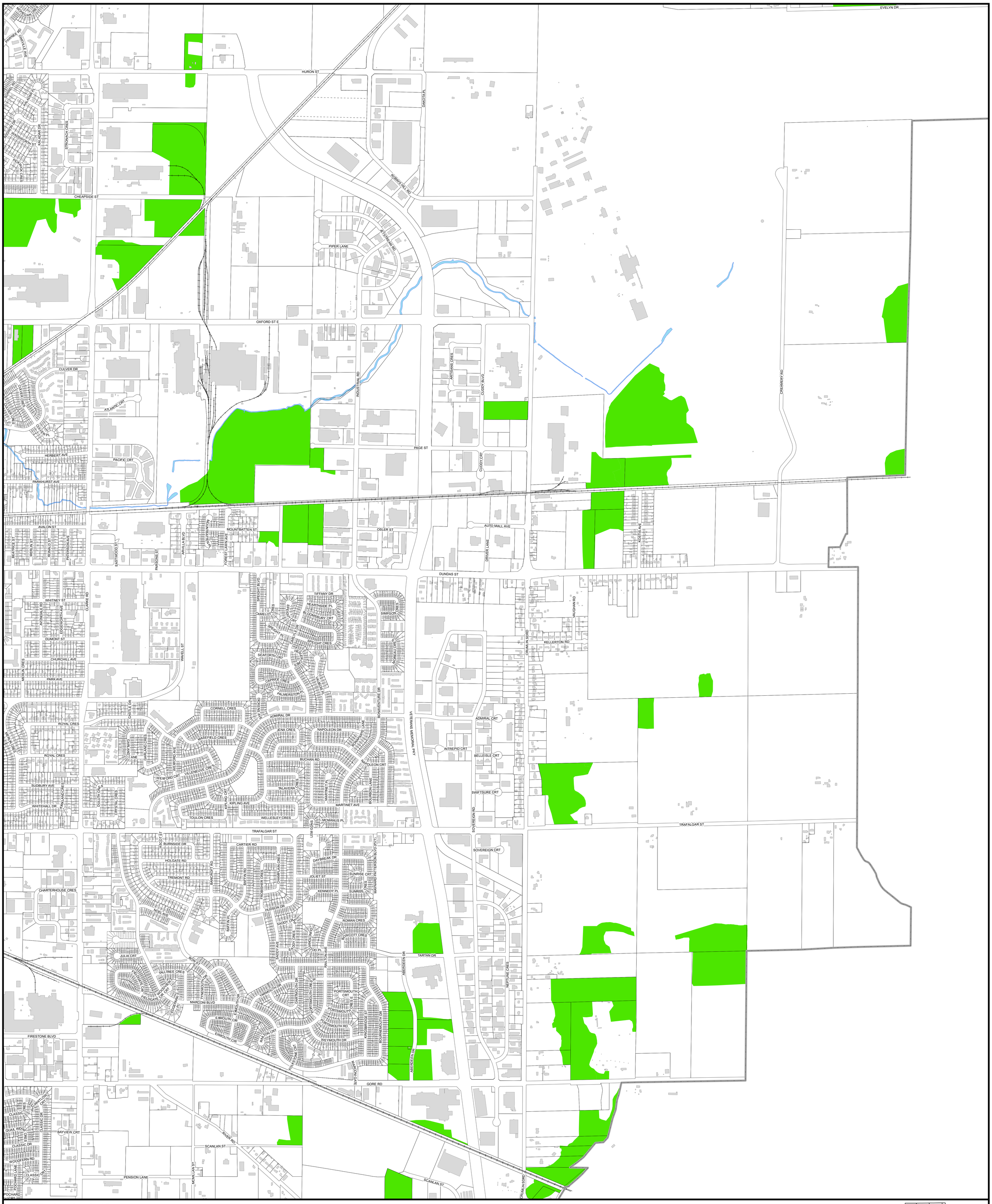

CITY OF LONDON
TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

London CANADA

Tree Protection Area

KEY MAP
B-9

1:6,500

0 100 200 400

Meters

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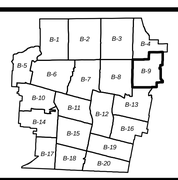

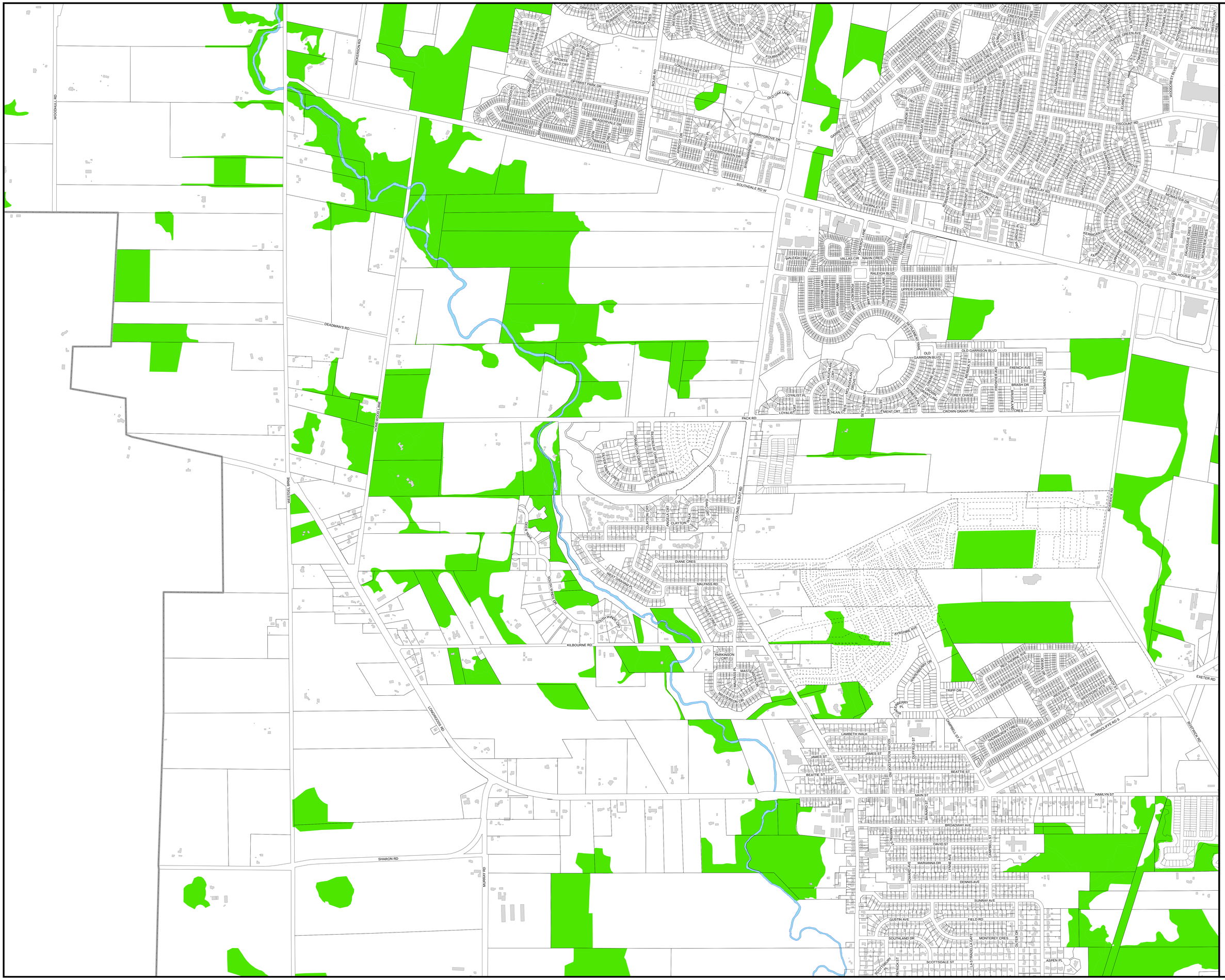

London CANADA

CITY OF LONDON TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

Tree Protection Area

KEY MAP B-10

1:6,500

0 50 100 200

Meters

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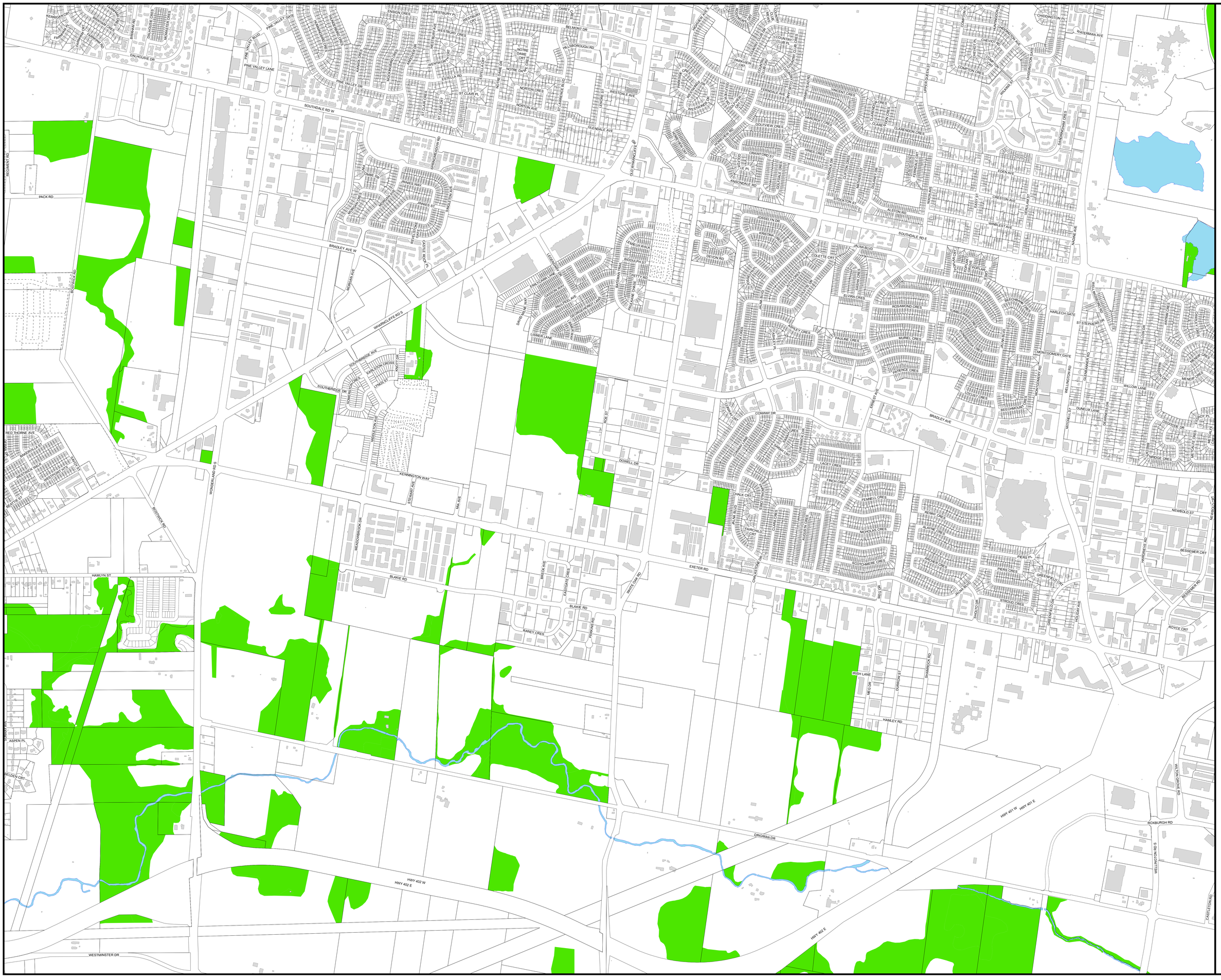
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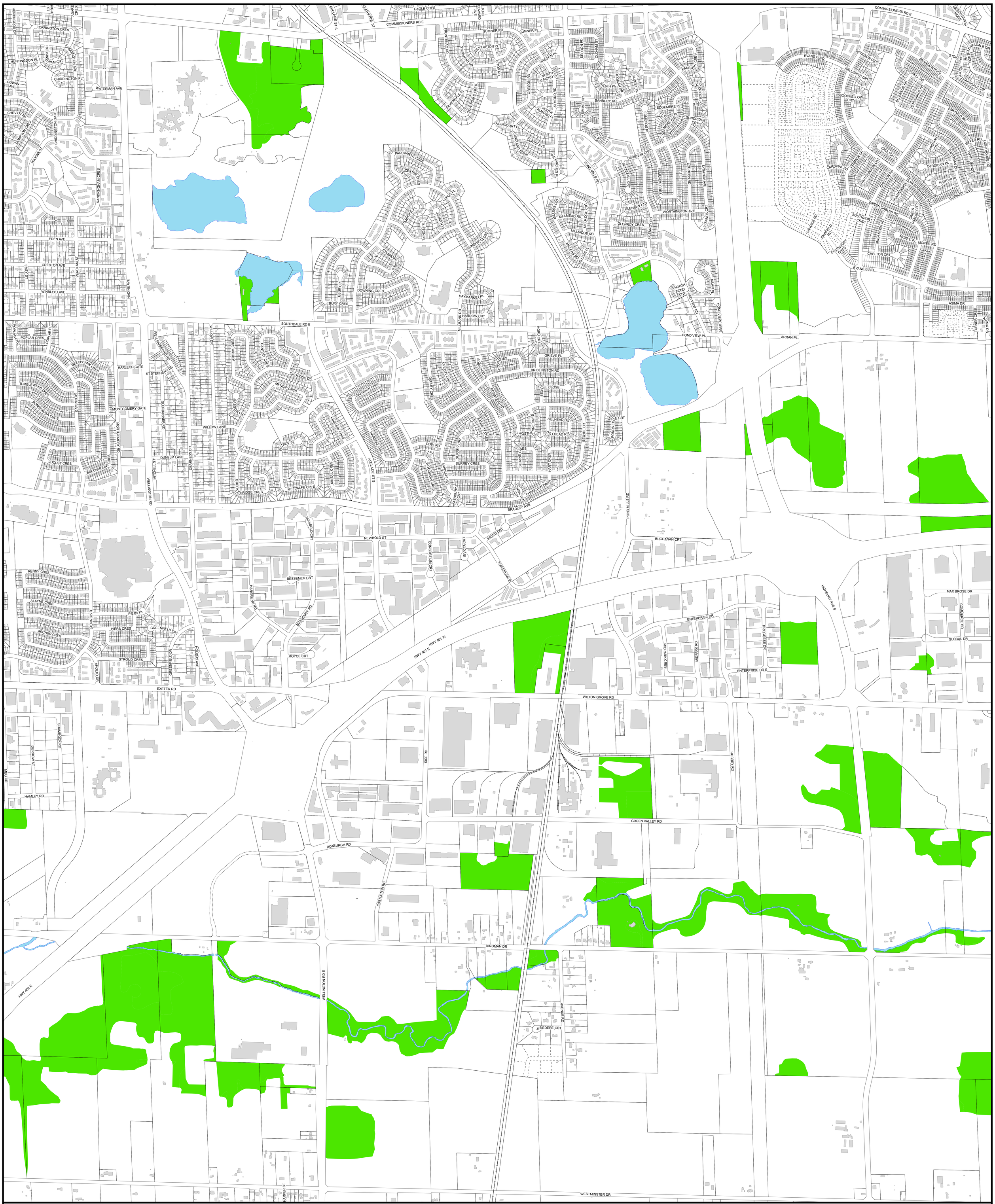
PACK RD
BRADLEY AVE W
WARNINGFIFE RD S
SOUTHBRIDGE DR
KENNINGTON WAY
DOWELL DR
EXETER RD
BLAKIE RD
HAMLYN ST
HWY 402 W
HWY 402 E
WESTMINSTER DR
DINGMAN DR
HWY 401 W
HWY 401 E
ROXBURGH RD
HAMLEY RD
IRISH LANE
SOUTHDALE RD E
BRADLEY AVE
WILLOW LANE
WATERMAN AVE
WELLINGTON RD S
CASTLETON RD
BESSEMER CRT
NEWBOLD ST
ROYCE CRT
WONDERLAND RD S
BOSTWICK RD
REGIMENT RD
PINE VALLEY BLVD
DALHOUSIE DR
PINE VALLEY LANE
PINE VALLEY GATE
PINE VALLEY DR
GLENDALE AVE
OLD WARNCLIFFE RD
MEADOWBROOK DR
WHITE OAK RD
CHALKSTONE DR
MEG DR
DURKIN ST
SHAMROCK RD
HARGRIEVE RD
MITCHELL ST
MONTGOMERY GATE
HARLECH GATE
ST STEPHENS DR
ERIEVIEW AVE
CONWAY DR
CHALK CRT
RED THORNE AVE
ASPEN PL
SELDEN CRT
RANEY CRES
PERKINS RD
BRICK AVE
EASTGATE CRES
STEWART AVE
MA AVE
ROS ST
MARGAN AVE
BRIDGE AVE
WELLINGTON RD
GLENEANER RD
DUNELM LANE
BEECHMOUND
BEECHMAN CRES
ROSAMOND CRES
PAULINE CRES
MURREL CRES
PASSAGE CRES
ELVIRA CRES
COLETTE CRT
JALNA BLVD
DEVON RD
LISMER LANE
DAVID BLUE WAY
LEGEROSE DR
EMERSON LANE
CASTLE ROCK PL
RIVERSIDE DR
SPRINGBROOK RD
ANNIE WAY
ANNIE ST
ROBERTSON AVE
MIDDLETON AVE
LYNDS ST
EARLSTON CRESCENT
SOUTHRIDGE AVE
ESTELLA RD
ST CLAIR PL
NORTON CRES
NORTON AVE
NOTRE DAME CRES
NOTRE DAME DR
WESTBURY PL
WESTBURY CRES
ENSIGN CRES
BELMONT DR
HILLSBOROUGH RD
ST LAWRENCE BLVD
WESTDALE AVE
WENTWORTH CRES
ESTELLA CRT
MOORMEADOW CRES
KAVIA CRES
TANNERSBROOK CRES
KENNICOTT CRT
FARNHAM CRES
BIRKHAM CRES
DALHOUSIE CRES
WOMSTER CRES
BRIDGEWATER RD
SAMERVILLE ST
WESTWICK WAY
WESTPORT HTS
BRISTOL ST
PARKVIEW AVE
COUNTRY CLUB PL
COUNTRY CLUB CRES
FERNDALE AVE
HAMBLETON RD
VINCENT CRES
HAUGHOT CRES
GOLDVIEW CRES
HINES CRES
RAWFORD ST
ANSONDALE RD
DUNDALK AVE
CLARENDON CRES
CLARE PL
CLARENDON PL
STOCKTON ST
ALSTON RD
EDEN AVE
CRESTON AVE
WINBLEY AVE
NIAGARA AVE
MADINE AVE
UPPER QUEEN ST
COMPTON PL
COMPTON CRES
CHEVIOT RD
CHIDDINGTON AVE
CHIDDINGTON PL
WIUNG ST
SANDRINGHAM CRES
ERIE ST
ALBERT ST
ANNIE CRES
COUNTLY CRES
WELBECK DR
MENDIP CRES
RIDGEVIEW CRES
OSBORNE DR
JOY PL
MEADOWRIDGE CRES
MEADOWLAKE CRES
MEADOWLAKE DR
ALAYNE CRES
ALAYNE BLVD
ARCHER CRES
PIERS PL
PIERS CRES
GREENFIELD CRES
GREENFIELD DR
STROUD CRES
WALTO DR
KILDAIR AVE
SCOTCHMERE CRES
NICHOLAS CRES
FENNELL CRES
READY CRES
FINCH CRES
LACEY CRES
CHERRYWOOD CRES
SAMUEL CRES
SAMUEL CRT
FAIRCHILD CRT
AUGUSTA CRES
ALLAN CRES
ALLAN BLVD
ALLAN PL
ERICA CRES
ERICA PL
JULIA CRES
JULIA BLVD
ELLEN CRES
ELLEN PL
ANNA CRES
ANNA BLVD
LOUISE PL
LOUISE BLVD
LOUISE BLVD LANE
BIDDULPH CRES
BIDDULPH WALK
LEMEHIVA WALK
BIDDULPH TRAIL
RIVERSIDE DR
GARNETT RD
CAREY RD
ROSE WAY
ROSE GARDEN
ROSE GARDEN LANE
ROSE WAY LANE
ROSE WAY CRES
ROSE WAY PL
ROSE WAY CRT
ROSE WAY WALK
ROSE WAY LANE
ROSE WAY BLVD



CITY OF LONDON
TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

London CANADA

Tree Protection Area

KEY MAP
B-12

1:6,500

0 100 200 400
Meters

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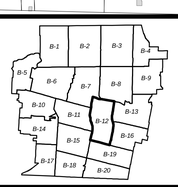

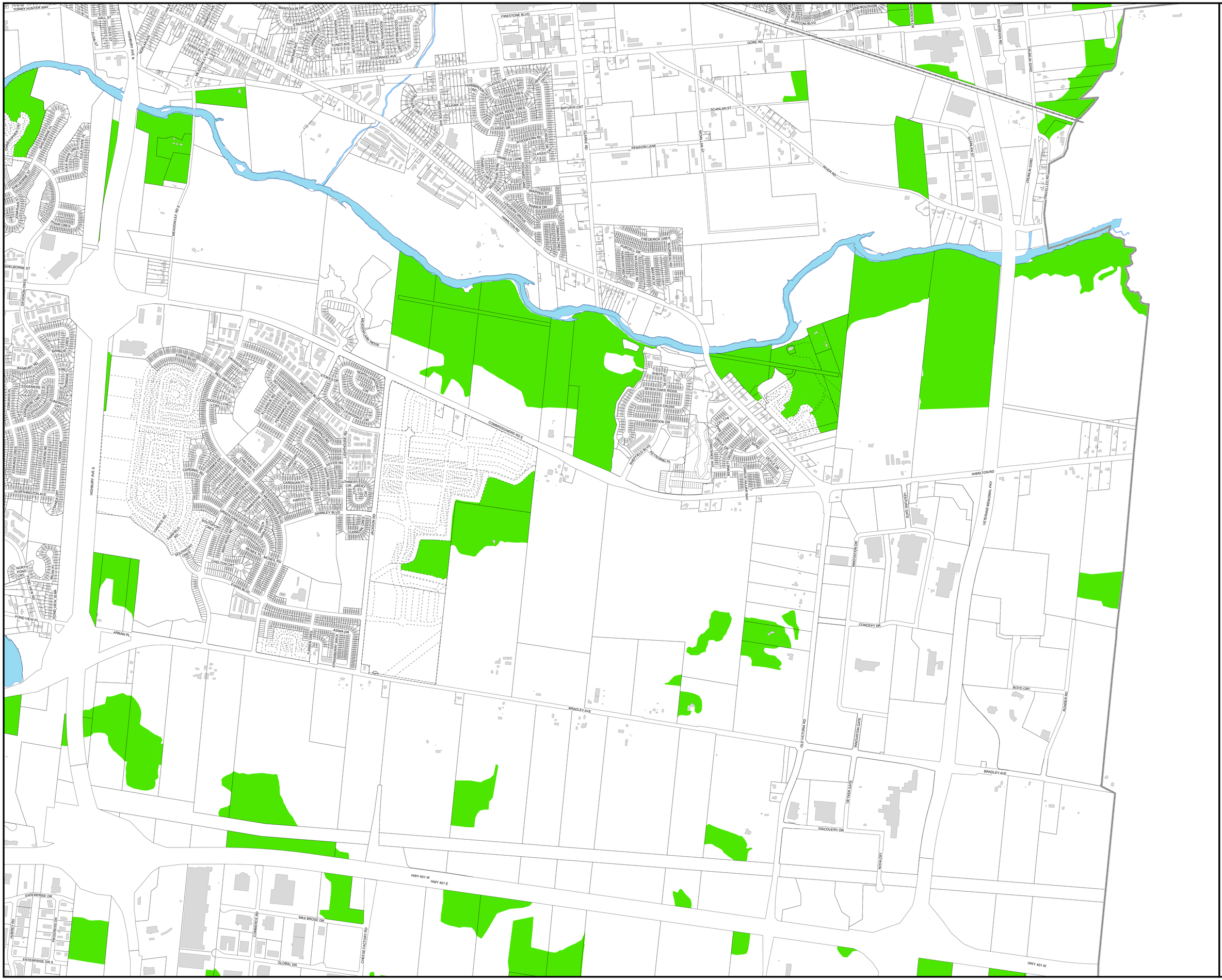

London
CANADA

CITY OF LONDON TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

Tree Protection Area

KEY MAP B-13

1:6,500

0 50 100 200
Meters

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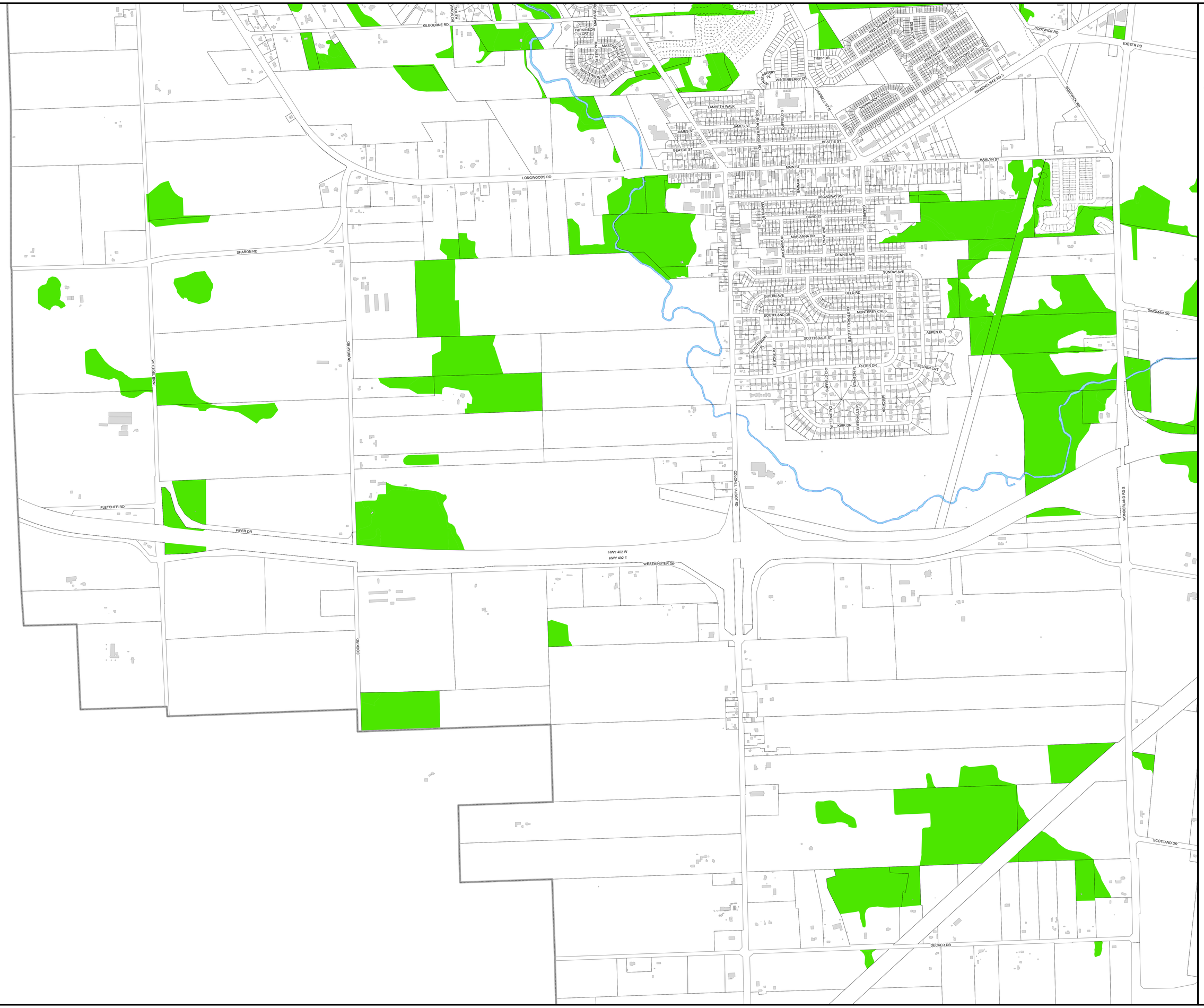

London CANADA

CITY OF LONDON TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

Tree Protection Area

KEY MAP B-14

1:6,500

0 50 100 200

Meters

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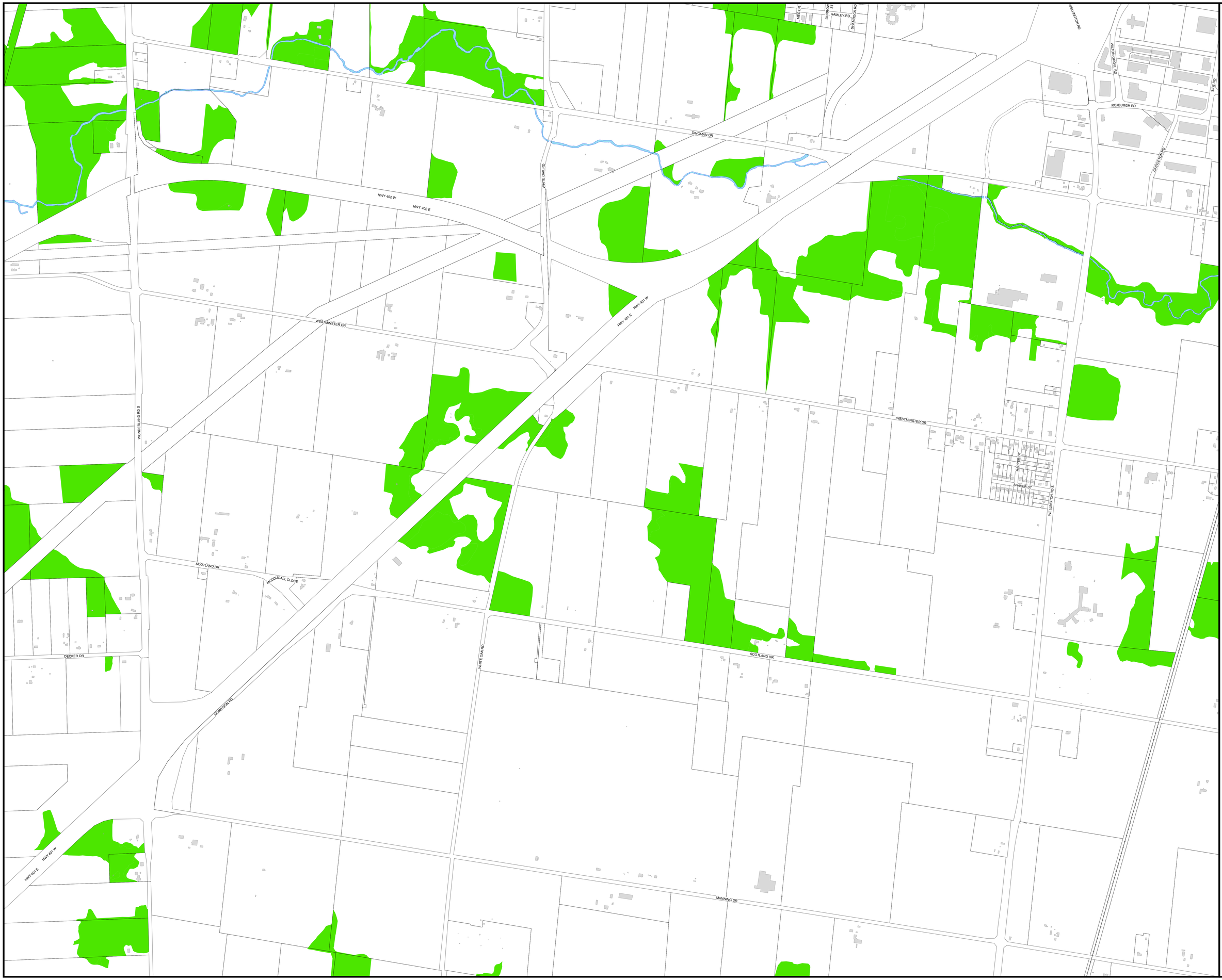

London
CANADA

CITY OF LONDON TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

Tree Protection Area

KEY MAP B-15

1:6,500

0 50 100 200
Meters

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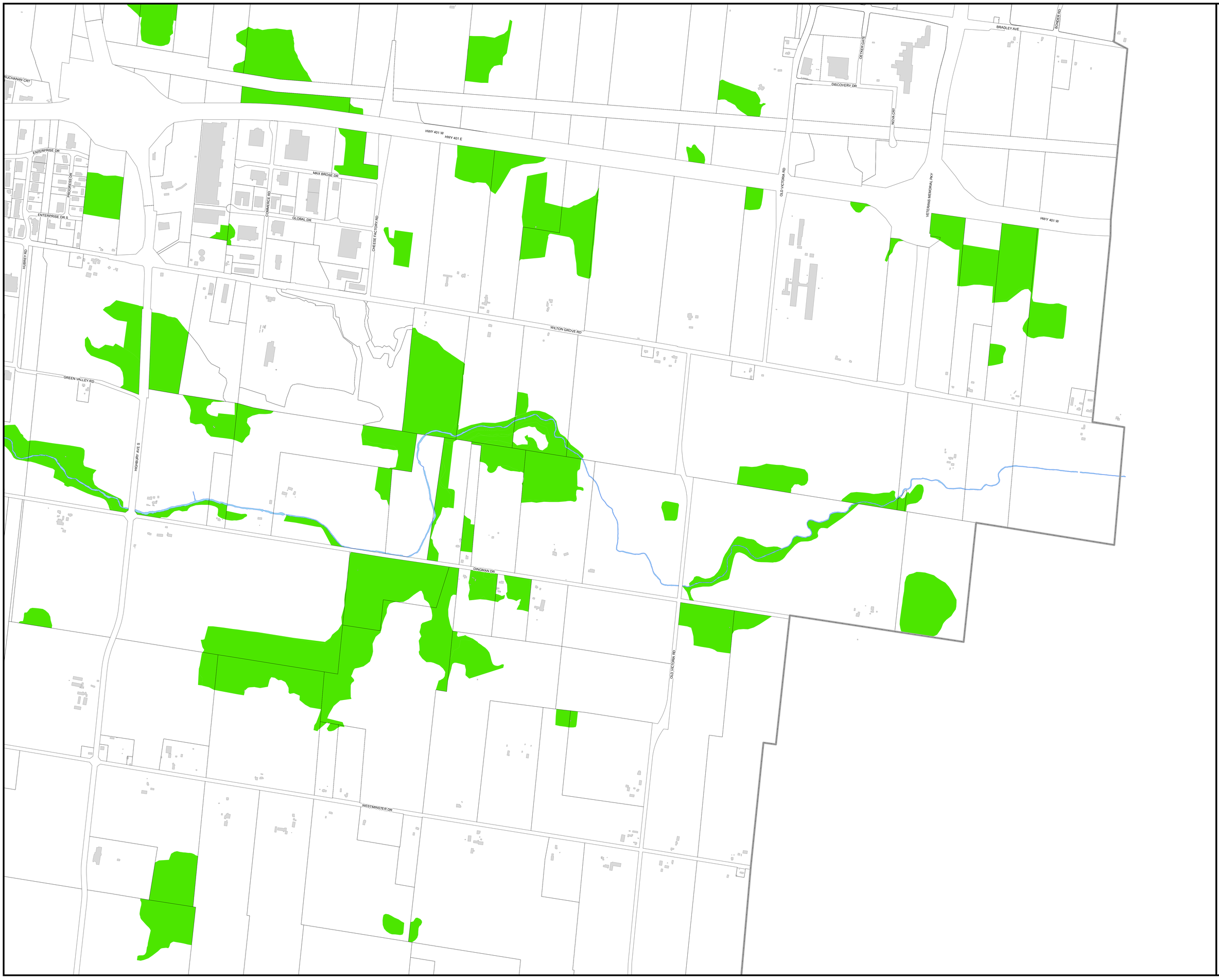

London
CANADA

CITY OF LONDON TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

Tree Protection Area

KEY MAP B-16

1:6,500

0 50 100 200
Meters

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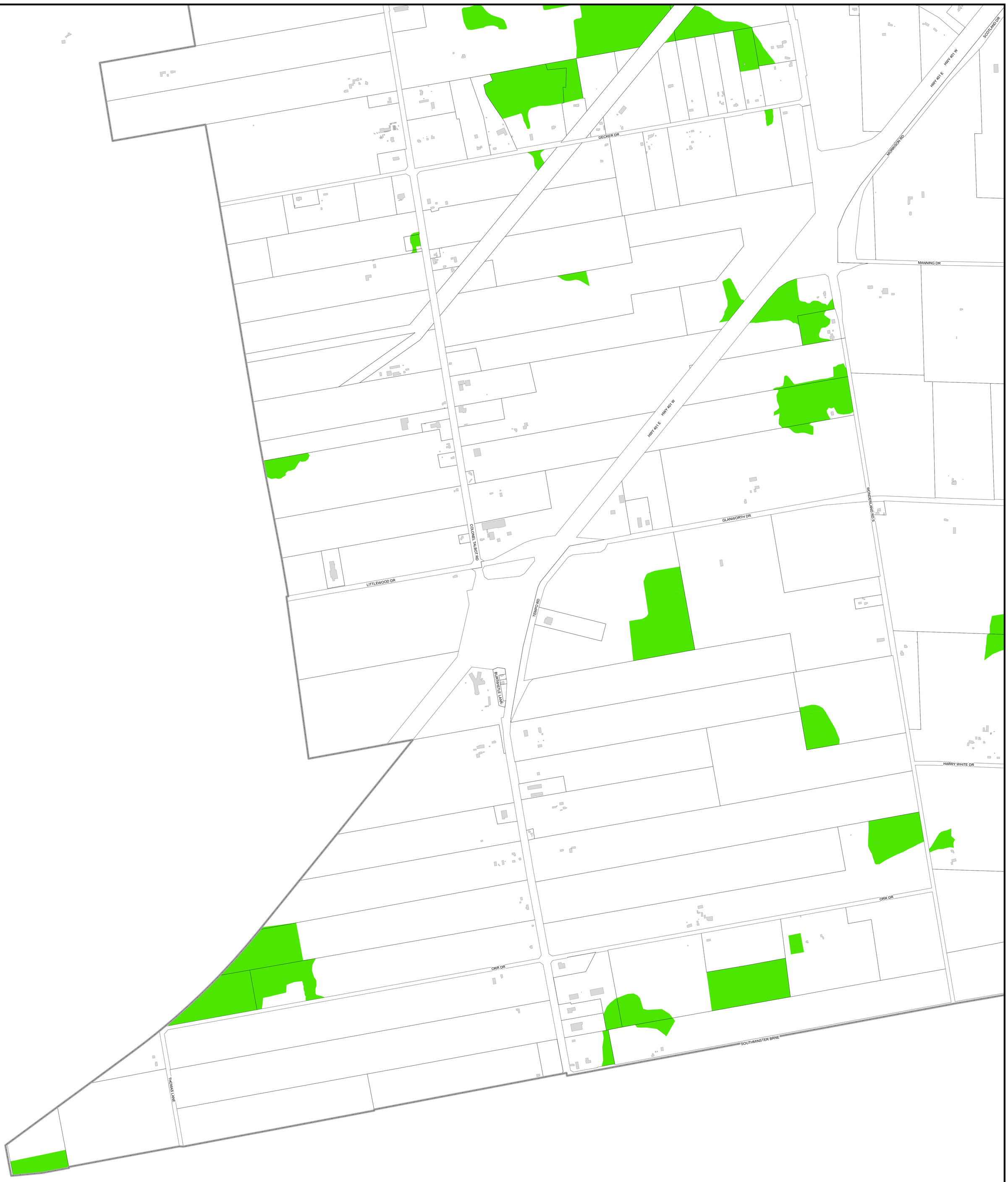

CITY OF LONDON
TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

London CANADA

Tree Protection Area

KEY MAP
B-17

1:6,500

0 100 200 400
Meters

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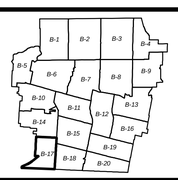

London
CANADA

CITY OF LONDON TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

Tree Protection Area

KEY MAP B-18

1:6,500

0 50 100 200
Meters

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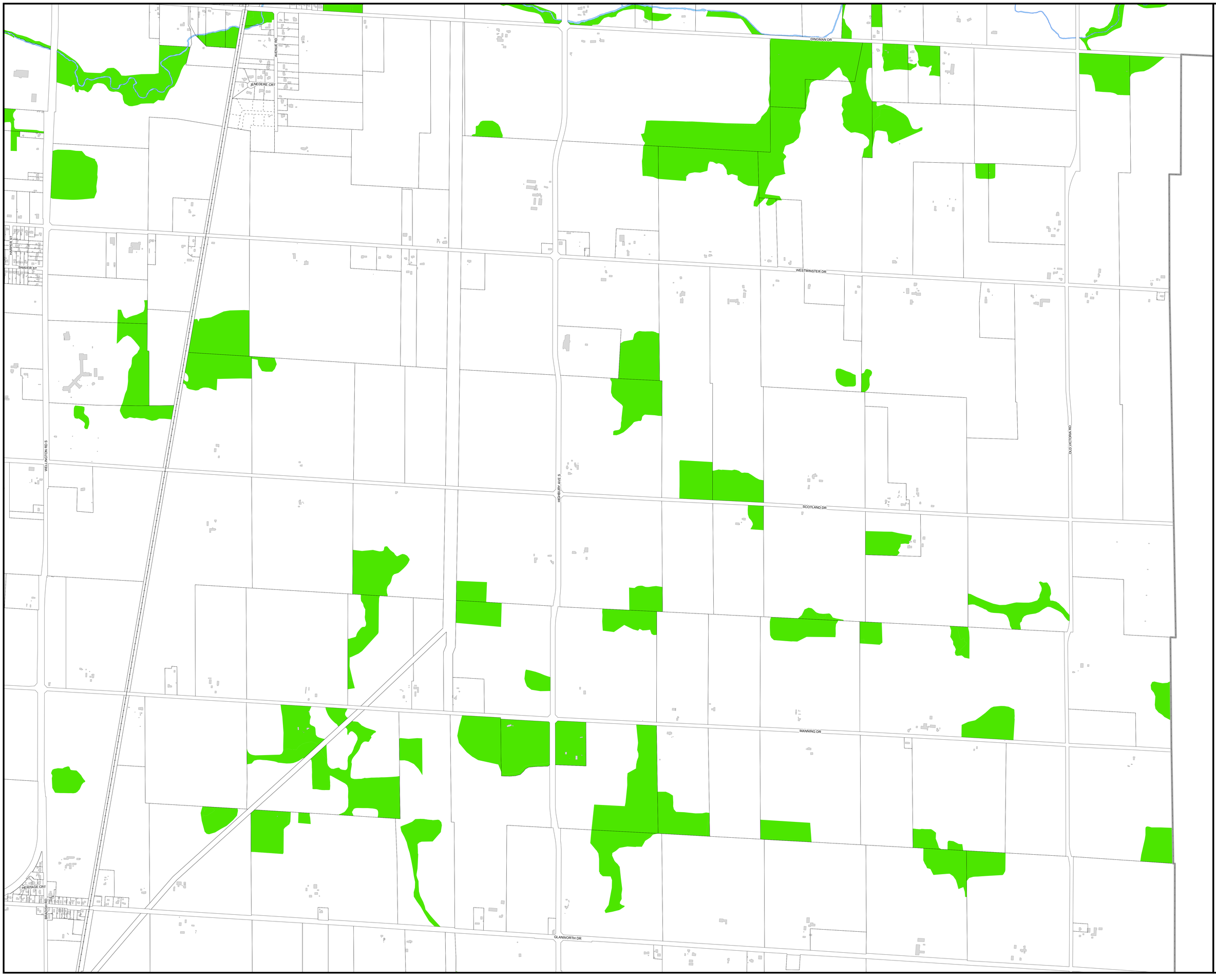

London
CANADA

CITY OF LONDON TREE PROTECTION BY-LAW

SCHEDULE B

as of October 26, 2020

Tree Protection Area

KEY MAP B-19

1:7,000

0 55 110 220

Meters

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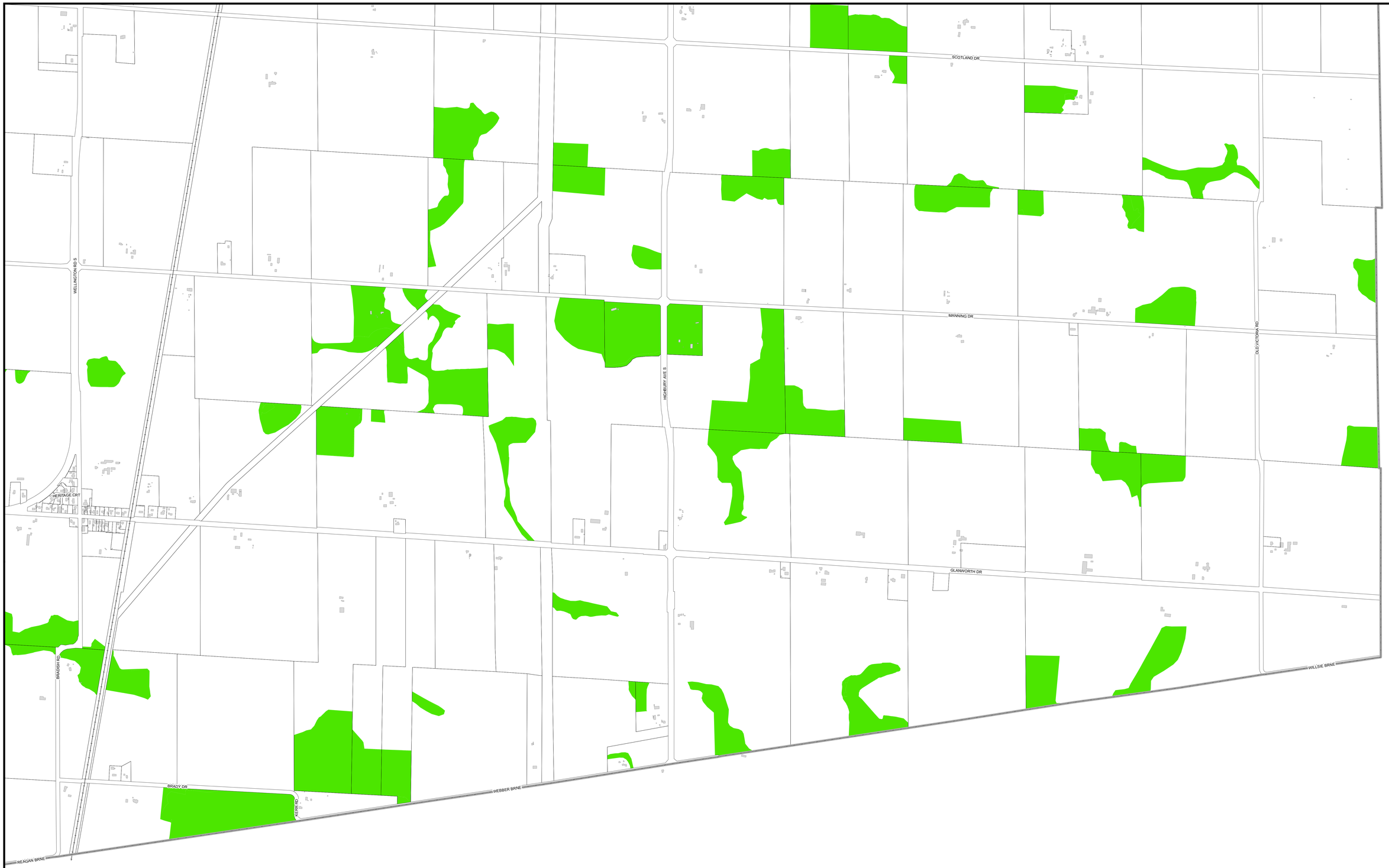

London
CANADA

CITY OF LONDON TREE PROTECTION BY-LAW

SCHEDULE B

as of November 18, 2020

Tree Protection Area

KEY MAP B-20

1:7,000

0 55 110 220

Meters

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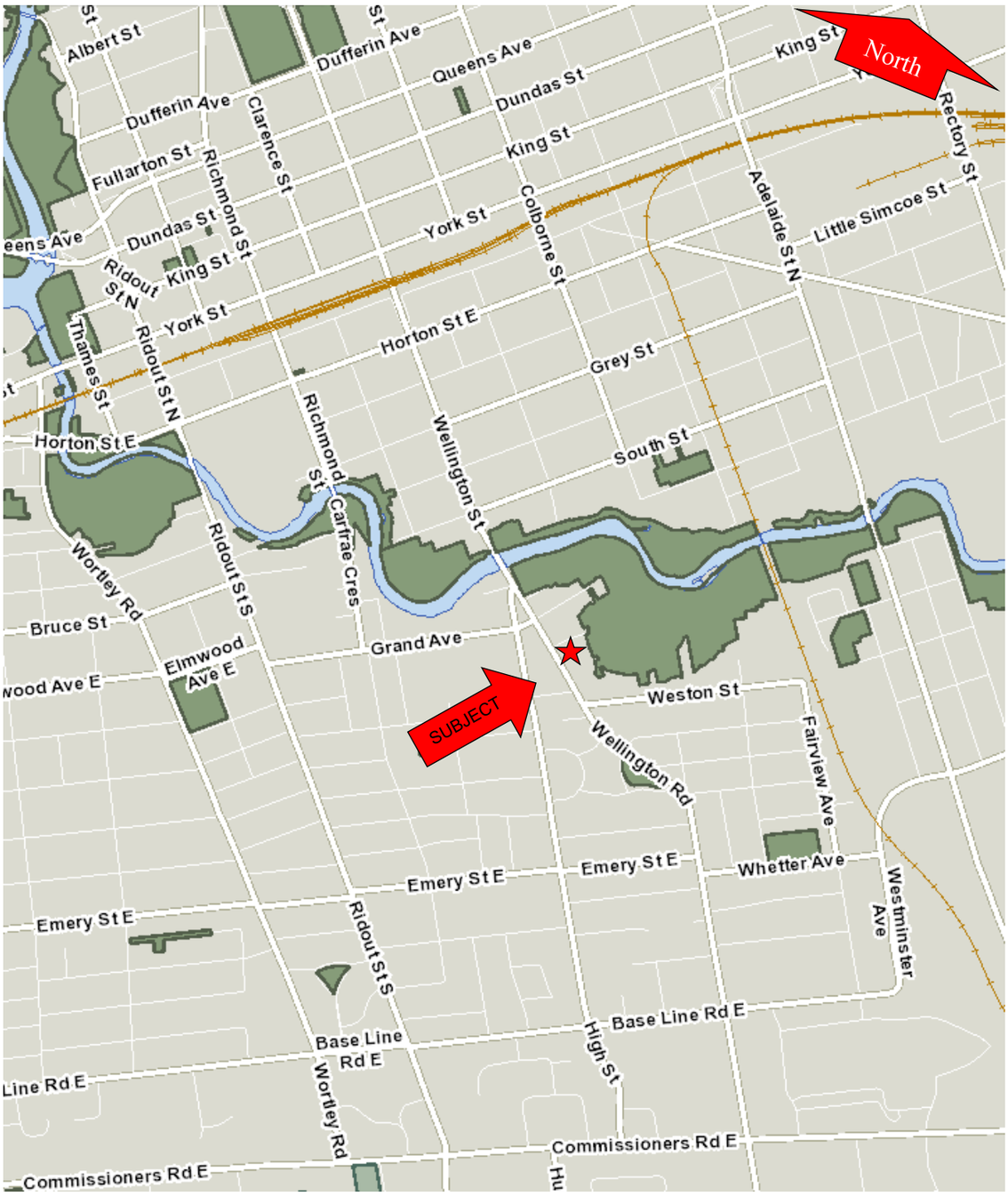
Location Map



APPENDIX "A"
SOURCE OF FINANCING REPORT

APPENDIX "A"
CONFIDENTIAL

Chair and Members
Corporate Services Committee

#20155
November 16, 2020
(Property Acquisition)

RE: Property Acquisition - 92 Wellington Road - Wellington Gateway Project
(Subledger LD200062)
Capital Project RT1430-1B - Wellington Gateway - Land Rapid Transit
92 Wellington Road

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, with the concurrence of the Managing Director, Environmental and Engineering Services, the Director, Rapid Transit, on the advice of the Manager of Realty Services, the detailed source of financing for this purchase is:

ESTIMATED EXPENDITURES		Approved Budget	Committed To Date	This Submission		Balance for Future Work
Land Purchase		$7,572,900	$3,697,861	$372,755		$3,502,284
NET ESTIMATED EXPENDITURES		**$7,572,900**	**$3,697,861**	**$372,755**	1)	**$3,502,284**
SOURCE OF FINANCING						
Capital Levy		$787,582	$384,578	38,767		364,238
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2)	6,785,318	3,313,283	333,988		3,138,046
TOTAL FINANCING		**$7,572,900**	**$3,697,861**	**$372,755**		**$3,502,284**

1) Financial Note:

Purchase Cost	$360,000
Add: Legal Fees	2,500
Add: Land Transfer Tax	3,875
Add: HST @13%	47,125
Less: HST Rebate	(40,745)
Total Purchase Cost	$372,755

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

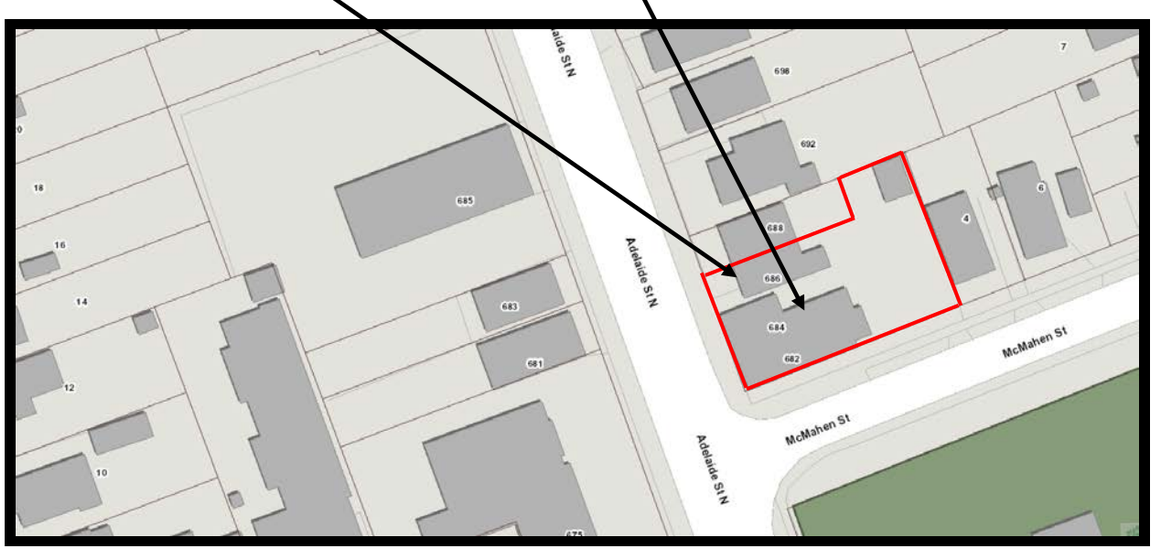
kw

Jasor Davies
Manager of Financial Planning & Policy

Location Map

686 Adelaide Street

682/684 Adelaide Street



Schedule "A"
Settlement Agreement

THIS SETTLEMENT AGREEMENT made this day of October, 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 -

FRANK & GUS PIZZA INC.
(hereinafter referred to as the "Owner")
OF THE SECOND PART

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 Owners.

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

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 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;

AND WHEREAS the Owner acknowledges and agrees that there are no claims for injurious affection in respect of the property located at 682-686 Adelaide Street North;

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 TERMS

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 sum of Seven Hundred and Seventy Five Thousand Dollars ($775,000.00) representing any and all property related claims arising out of or in any way connected with the Expropriation, including the fair market value of 682-684 Adelaide Street North, any disturbance damages, damages for any difficulties in relocation in respect of the lands and interest, as against the City arising out of or in any way connected with the Expropriation.

1.03 The City shall pay to the Owner the sum of Four Hundred and Twenty Thousand Dollars ($420,000.00) representing any and all property related claims arising out of or in any way connected with the Expropriation, including the fair market value of 686 Adelaide Street North, any disturbance damages, damages for any difficulties in relocation in respect of the lands and interest, as against the City arising out of or in any way connected with the Expropriation.

1.04 In addition, the City shall advance to the Owner the further sum of Five Hundred and Thirty Thousand Dollars ($530,000.00) representing the fair market value of the business operated as Frank & Gus Pizza Inc., and includes any and all claims for damages attributable to disturbance, business losses, loss of goodwill, damages for any special difficulties in relocation, interest or costs in respect of the Land taken.

1.05 The Owner directs the City to allocate the total compensation in the sum of One Million Seven Hundred and Twenty Five Thousand Dollars ($1,725,000.00) and which represents full compensation for all claims under the *Expropriations Act*, R.S.O., 1990, c E.26, as amended on the basis set out in paragraphs 1.02, 1.03 and paragraph 1.04.

1.06 The Parties acknowledge and agree that this Agreement shall be deemed to have satisfied all Section 25 requirements of the *Expropriations Act*.

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

Schedule "A" Legal Description
Schedule "B" Additional Terms and Conditions
Schedule "C" Full and Final Release

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 Adelaide Street North.

2.02 The Owner shall execute a Full and Final Release (the "**Release**") in the form attached hereto as ***Schedule "C"***.

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.

3.02 City staff have confirmed they are taking a report to City Council recommending the settlement, however, the decision to settle is subject to obtaining formal instructions from City Council.

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.

5.03 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.

6.00 CLOSING DATE

6.01 Notwithstanding a vacant possession date will be established in accordance with the provisions of the Expropriations Act, the parties agree to a possession date of December 15, 2020.

7.00 LEGAL COSTS:

7.01. As set out in Section 32 of the *Expropriations Act* the City agrees to pay the Owner reasonable legal costs, including fees, disbursements and applicable taxes, to complete this settlement, subject to the right on the part of City to refer the matter of costs to assessment by the local assessment officer.

8.00 DISPOSAL OF EXPROPRIATED LANDS

8.01. The Owner agrees that the City shall not be required to offer the Owner the first chance to repurchase any remaining lands which the City decides are surplus to the City's needs. The City shall have the right to over-ride the rights accorded to the Owner under Section 42 of the Act.

9.00 GENERAL PROVISIONS OF CONTRACT

9.01 The parties agree that the terms of these Minutes are contractual, are not a mere recital and any breach

of these terms may be enforced against the defaulting party by a legal proceeding, including, but not limited to, a claim for an injunction or other mandatory order where and to the extent that damages would be an inadequate remedy for the default.

9.02 It is understood and agreed that the fact and terms of these Minutes and the settlement underlying it, including the negotiations between the parties which led up to it, will be held in strict confidence and will not be divulged, disclosed, communicated or published by the parties hereto unless deemed essential on auditors' or accountants' advice, or for the purpose of any judicial or legal proceeding in which case the fact that the settlement is made without any admission of liability will receive publication contemporaneously. The parties will not publish any articles, press releases or make any public statements about the matters settled herein.

9.03 The parties agree that where one or more provisions of these Minutes are found to be invalid, unenforceable, or void by any court or tribunal of competent jurisdiction, the remaining terms and provisions of these Minutes shall be deemed to be severable from the provisions so found and shall remain in full force and effect.

9.04 The parties shall make, do, and deliver all things required to implement this settlement and shall cooperate with one another as required in order to give effect to this settlement.

10.00 POSSESSION DATE

10.01 It is hereby acknowledged that the City has expropriated the lands in their entirety and in accordance with the provisions of the *Expropriations Act* and has established a vacant possession date of December 15, 2020. Possession shall be provided on this date, or such earlier date as the Parties agree to in writing.

10.02 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~~.

11.00 COMPLETE AGREEMENT

11.01 The parties agree that these Minutes and the Release constitute the entire agreement between the parties and supersedes all oral or written agreements, arrangements, representations, or understandings. These Minutes shall be governed by the laws of the Province of Ontario and the laws of Canada applicable therein.

11.02 By signing these Minutes, the parties acknowledge that they have carefully read these Minutes, have had the opportunity to seek the advice of a lawyer as to the nature and effect of these Minutes, understand all of the terms in these Minutes, and have executed these Minutes voluntarily and with knowledge of the consequences thereof.

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 18th day of October, 2020.

FRANK & GUS PIZZA INC.

Per: _____

Name: Vincent LaBarbera

Title: President

I Have Authority to Bind the Corporation

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 lot 4, Plan 166 (3rd),
in the City of London, County of Middlesex,
designated Part 1 on PLAN ER1323285
being all of PIN 08279-0062 (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. **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*.

3. **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.

4. **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.

5. **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.~~

6. **RE-IMBURSEMENT:** The City agrees to re-imburse the Owner for its reasonable costs incurred to terminate the current employees of Frank & Gus Pizza, on or before December 15, 2020, in compliance with the Employment Standards Act, as a holdback provision. The Owner agrees to obtain the pre-approval of the City for the amounts to be provided to its employees.

7. **ADJUSTMENTS:** The parties agree that the Realty Taxes, including local improvement rates, and utilities shall be adjusted effective September 15, 2020.

SCHEDULE "C"

FULL AND FINAL RELEASE

IN CONSIDERATION of the payment of the total sum of ONE MILLION SEVEN HUNDRED AND TWENTY FIVE THOUSAND DOLLARS ($1,725,000.00), the "**Settlement Payment**", which includes compensation payable, but not paid, under Section 25 of the *Expropriations* Act in respect of 682-686 Adelaide Street, for all claims under the *Expropriations Act,* including market value of the lands taken, damages attributable to disturbance, damages for injurious affection, business and rental losses, damages for any difficulties in relocation, interest and any other damages,

Frank and Gus Pizza Inc.

hereby releases, indemnifies and forever discharges THE CORPORATION OF THE CITY OF LONDON, their servants, agents and employees, from any and all actions, causes of action, claims and demands howsoever arising, except legal fees and disbursements, which heretofore may have been or may hereafter be sustained by **Frank and Gus Pizza Inc.** and without restricting the generality of the foregoing from any claim against THE CORPORATION OF THE CITY OF LONDON, their servants, agents and employees, in connection with the expropriation of land located at 682-686 Adelaide Street, herein "the subject property," in the City of London.

IT IS UNDERSTOOD AND AGREED that the said payment or promise of payment is deemed to be no admission whatsoever of liability on the part of the said THE CORPORATION OF THE CITY OF LONDON, their servants, agents and employees.

IT IS UNDERSTOOD AND AGREED that the City will pay the legal fees incurred by the **Frank and Gus Pizza Inc.** lawyer on the basis that such fees are either agreed or assessed.

IT IS UNDERSTOOD AND AGREED that the said payment or promise of payment includes any claim 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* or otherwise provided in the agreement between the mortgagor and mortgagee.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that this release and settlement is intended to cover and does cover not only all now known losses and damages but any future losses and damages not now known or anticipated but which may later develop or be discovered, including all the effects and consequences thereof.

IT IS FURTHER UNDERSTOOD AND AGREED that this that this release and settlement shall be deemed to have satisfied all Section 25 requirements of the *Expropriations Act*.

IT IS UNDERSTOOD AND AGREED **Frank and Gus Pizza Inc.** will maintain the confidentiality of this Release or the settlement and will not divulge either directly or indirectly, the terms, details, facts of or related discussion about the Release of settlement to any person, except to resolve the matter of costs in this proceeding, or as may be required by law, including so as to comply with tax obligations.

IT IS HEREBY DECLARED that the terms of the Release are fully understood and that this Release is given voluntarily for the purpose of making a full and final compromise, adjustment and settlement of all claims except legal costs and disbursement, and that payment is not to be construed as an admission of liability upon the part of The Corporation of the City of London, by whom liability is expressly denied. It is further understood that as of the date of the release. has received legal advice regarding this release.

Frank and Gus Pizza Inc. confirms that it was the sole Owner of the subject property at the time of the expropriation, with authority to direct the City to pay these settlement funds directed below.

AND **Frank and Gus Pizza Inc.** hereby authorizes and directs the releasee to pay the said consideration as follows:

(a) payment in the amount of **$ 1,725,000.00** payable to **Frank and Gus Pizza Inc.**, in full satisfaction of the Claimant's damages in respect of the above noted expropriation;

IN WITNESS WHEREOF I have hereunto set my hand and seal this 28th day of October, 2020.

Frank and Gus Pizza Inc.

Per: _____
Vincent LaBarbera, President

I have authority to bind the corporation

Appendix "A"
Source of Financing Report

APPENDIX "A"
CONFIDENTIAL

#20161
November 16, 2020
(Property Acquisition)

Chair and Members
Corporate Services Committee

RE: Property Acquisition - 682-686 Adelaide Street North
Adelaide Street CP Rail Grade Separation Project
(Subledger LD180101)
Capital Project TS1306 - Adelaide St Grade Separation CPR Tracks
Frank & Gus Pizza Inc.

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, with the concurrence of the Director, Roads and Transportation and Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services the detailed source of financing for this purchase is:

ESTIMATED EXPENDITURES		Approved Budget	Committed To Date	This Submission		Balance for Future Work
Engineering		$5,532,920	$3,033,415			$2,499,505
Land Acquisition		11,417,080	8,244,995	1,878,532		1,293,553
Construction		16,525,200	4,495,927			12,029,273
Relocate Utilities		5,800,000	589,576			5,210,424
City Related Expenses		100,000	1,098			98,902
NET ESTIMATED EXPENDITURES		**$39,375,200**	**$16,365,011**	**$1,878,532**	1)	**$21,131,657**
SOURCE OF FINANCING						
Debenture By-law No. W.-5600(b)-167		$22,554,171	$11,798,335	$1,354,325		$9,401,511
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2)	10,987,696	4,566,676	524,207		5,896,813
Other Contributions		5,833,333				5,833,333
TOTAL FINANCING		**$39,375,200**	**$16,365,011**	**$1,878,532**		**$21,131,657**

1) Financial Note:

Purchase Cost	$1,195,000
Add: Fair Market Value of Business	530,000
Add: Disbursements, Legal Fees, Severance etc.	132,500
Add: HST @13%	155,350
Less: HST Rebate	(134,318)
Total Purchase Cost	$1,878,532

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

kw

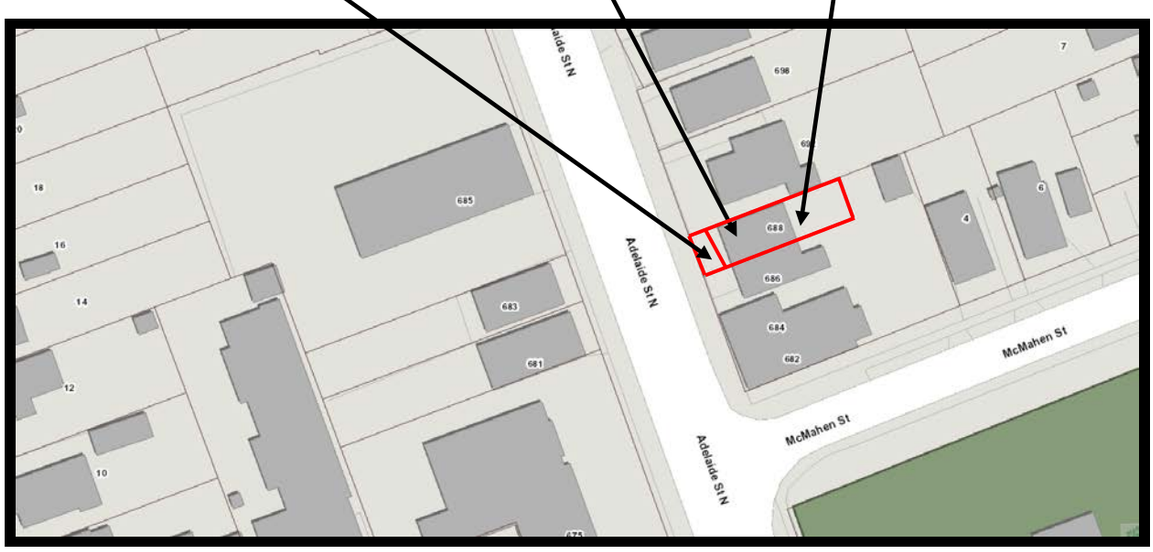
Jason Davies
Manager of Financial Planning & Policy

Location Map

688 Adelaide Street

Expropriated Lands

Remaining lands



Schedule "A"
Settlement Agreement

THIS SETTLEMENT AGREEMENT made this day of October, 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 -

1887197 ONTARIO INC.
(hereinafter referred to as the "Owner")
OF THE SECOND PART

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.

AND WHEREAS the City expropriated from the Owner the lands described in Schedule "A" hereto (the "Expropriation") and that such lands comprise of a portion of the lands ("the partial taking") comprising of the property known municipally as 688 Adelaide Street North;

AND WHEREAS the remainder lands are described in Schedule "B" hereto and that such lands comprise of the remainder lands, not expropriated ("the remainder lands");

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 this Settlement Agreement applies to the partial taking of lands acquired pursuant to the Expropriations Act, which expropriated lands are described in Schedule "A" attached hereto (the "expropriated lands");

AND WHEREAS the Owner acknowledges and agrees that there are no claims for injurious affection in respect of the property located at 688 Adelaide Street North, provided the Owner enters into an Agreement of Purchase of Sale (the "related transaction") for the remainder lands for total compensation of $413,000.00 as set out in clause 1.03 herein;

AND WHEREAS the Owner and the City wish to resolve the total 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 TERMS

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 sum of $7,000.00 (herein the "Settlement Amount"), which sum represents the fair market value of the expropriated lands comprising of a portion of the lands known municipally as 688 Adelaide Street North;

1.03 The Owner shall enter into an Agreement of Purchase of Sale (the "related transaction") for the remainder lands for a total compensation of $413,000.00 on the basis that the foregoing Settlement Amount provides the agreed compensation for the expropriated lands described in Schedule "A" and the related transaction provides the agreed compensation for the remainder lands described in Schedule "B".

1.04 The Owner directs the City to pay the sum of Seven Thousand Dollars ($7,000.00) referred to in clause 1.02 above, to the Owner.

1.05 The Parties acknowledge and agree that this Agreement shall be deemed to have satisfied all Section 25 requirements of the *Expropriations Act*.

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

Schedule "A" Legal Description of expropriated lands
Schedule "B" Legal Description of the remainder lands
Schedule "C" Additional Terms and Conditions

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 Expropriated lands and the remainder lands including all claims for the market value of the expropriated lands and the market value of the remainder lands and any damages attributable to disturbance, any claims for injurious affection to the remainder lands, business loss and interest, 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 Adelaide Street North.

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 and the related transaction 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.

5.03 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.

6.00 CLOSING DATE

6.01 Notwithstanding a vacant possession date will be established in accordance with the provisions of the Expropriations Act, the parties agree to a possession date of December 15, 2020.

Given under my/our hand and seal, (or, in witness whereof the Owner 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 28th day of October, 2020.

1887197 ONTARIO INC.

Per: _____

Name: Vincent LaBarbera

Title: President

I Have Authority to Bind the Corporation

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 lot 4, Plan 166 (3rd),
in the City of London, County of Middlesex,
designated Part 1 on PLAN ER1323318
being all of PIN 08279-0381 (LT)

SCHEDULE "B"

Part of lot 4, Plan 166 (3rd),
as in Inst. No. 855185
in the City of London, County of Middlesex,
save and except Part 1 on PLAN ER1323318
being all of PIN 08279-0382 (LT)

SCHEDULE "C"

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. **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*.

3. **IRREVOCABILITY:** This Offer together with the Agreement of Purchase of Sale (the "related transaction") for the remainder lands as described in clause 1:03, shall be irrevocable by the Owner until considered by the Council of the Corporation of the City of London at a meeting to be held no later than November 27, 2020, after which date, if not accepted, the Offers shall be null and void.

Schedule "B"
Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE

PURCHASER: THE CORPORATION OF THE CITY OF LONDON

VENDOR: 1887197 ONTARIO INC.

REAL PROPERTY:

Address: 688 Adelaide Street North, London, Ontario

Location: East side of Adelaide, North of McMahen Street

Legal Description: Part of lot 4, Plan 166 (3rd),
in the City of London, County of Middlesex,
as in Instrument No. 855185,
Save and except Part 1 on PLAN ER1323318
being all of PIN 08279-0382 (LT).

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 of FOUR HUNDRED AND THIRTEEN THOUSAND DOLLARS CDN ($413,000.00)

   payable as follows:

   a) a deposit of Two Dollars ($2.00) cash or cheque on the date hereof as a deposit; and

   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" 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 November 27, 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 December 7, 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 December 15, 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, 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. **ADDITIONAL AGREEMENT:** This Agreement is in addition to a Settlement Agreement of even date wherein additional terms based on lands that were expropriated by the City, have been agreed to between the Parties, being the "Related Transaction".

22. **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.

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 passed the _____ day of _____, 2020.

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 28th day of October, 2020.

2887497 ONTARIO INC.

Per: _____

Name: Vincent LaBarbera

Title: President

I Have Authority to Bind the Corporation

VENDOR'S LAWYER: Luigi Circelli, 557 Talbot Street, Upper Suite, London, ON N6A 2S9

PURCHASER'S LAWYER: Sachit Tatavarti, Solicitor, 519-661-2489 (CITY) Ext. 4709 Fax: 519-661-0082

SCHEDULE "A"

1. **LEGAL COSTS:** The Purchaser agrees to pay the Vendor's reasonable legal costs, including fees, disbursements and applicable taxes, to complete this transaction.

2. **SECTION 20 OF THE *EXPROPRIATIONS ACT*:** With respect to any prepayment of mortgage, the Purchaser 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*.

3. **RESIDENTIAL TENANTS:** The Vendor shall give the Tenants notice that the Purchaser requires vacant possession on the closing date.

4. **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.

5. **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.

6. **ADJUSTMENTS:** The parties agree that the Realty Taxes, including local improvement rates, and utilities shall be adjusted effective September 15, 2020.

Appendix "A"
Source of Financing Report

APPENDIX "A"
CONFIDENTIAL

#20162
November 16, 2020
(Property Acquisition)

Chair and Members
Corporate Services Committee

RE: Property Acquisition - 688 Adelaide Street North
Adelaide Street CP Rail Grade Separation Project
(Subledger LD180101)
Capital Project TS1306 - Adelaide St Grade Separation CPR Tracks
1887197 Ontario Inc.

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, with the concurrence of the Director, Roads and Transportation and Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services the detailed source of financing for this purchase is:

ESTIMATED EXPENDITURES		Approved Budget	Committed To Date	This Submission		Balance for Future Work
Engineering		$5,532,920	$3,033,415			$2,499,505
Land Acquisition		11,417,080	10,123,527	432,242		861,311
Construction		16,525,200	4,495,927			12,029,273
Relocate Utilities		5,800,000	589,576			5,210,424
City Related Expenses		100,000	1,098			98,902
NET ESTIMATED EXPENDITURES		**$39,375,200**	**$18,243,543**	**$432,242**	1)	**$20,699,415**
SOURCE OF FINANCING						
Debenture By-law No. W.-5600(b)-167		$22,554,171	$13,152,661	$311,624		$9,089,886
Drawdown from City Services - Roads Reserve Fund (Development Charges)	2)	10,987,696	5,090,882	120,618		5,776,196
Other Contributions		5,833,333				5,833,333
TOTAL FINANCING		**$39,375,200**	**$18,243,543**	**$432,242**		**$20,699,415**

1) Financial Note:

Purchase Cost	$420,000
Add: Land Transfer Tax & Deed	4,850
Add: HST @13%	54,600
Less: HST Rebate	(47,208)
Total Purchase Cost	$432,242

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

kw

Jason Davies
Manager of Financial Planning & Policy

Schedule "A"

License Agreement

FIRST RENEWAL AND AMENDMENT TO LICENSE AGREEMENT

This LICENSE RENEWAL AGREEMENT made as of the 3rd day of September, 2020 (the "**Agreement**")

BETWEEN:

WMJ (LCC) HOLDINGS INC.;
(hereinafter called the "**Licensor**")

OF THE FIRST PART;

-and-

THE CORPORATION OF THE CITY OF LONDON;
(hereinafter called the "**Licensee**")

OF THE SECOND PART;

WHEREAS by a license agreement dated as the 25th day of September, 2015 (the "**License Agreement**"), London City Centre London Inc., as licensor, did license unto the Tenant the non-exclusive right to use a portion of the roof (the "**Site**") located at 380 Wellington Street at the London City Centre Complex in the City of London, in the Province of Ontario, (the "**Building**") as more particularly described in the License Agreement;

AND WHEREAS the Licensor is now the successor licensor of the Building;

AND WHEREAS by a notice dated January 7, 2020 the Licensee exercised its option to renew the License Agreement for a period of Five (5) years (the "First **Renewal Term**");

AND WHEREAS the parties desire to amend certain provisions of the License Agreement upon the terms and conditions hereinafter set forth.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the mutual covenants and agreements hereinafter contained and other good and valuable consideration, the receipt and sufficiency of which is hereby by each of the parties acknowledged, effective January 1, 2021 (the "**Effective Date**") the parties hereto agree as follows:

1. The Licensor and the licensee acknowledge and agree that the recitals hereto are true and incontrovertible.

2. All capitalized words and terms used herein and not otherwise defined herein but defined in the License Agreement shall have the meanings ascribed to them in the License Agreement.

3. The License Agreement shall be renewed on the same terms and conditions as those set forth in the License Agreement save and except as hereinafter provided:

   (a) The First Renewal Term shall be the period of Five (5) years commencing on the 1st day of January, 2021 and from thenceforth ensuing to be completed and fully ended on the 31st day of December, 2025;

   (b) The Licensee shall pay to the Licensor throughout the First Renewal Term a license fee (the *"Basic Fee")* as set out below, being a net license fee. Such Basic Fee shall be paid in advance, plus applicable taxes, without any deduction, abatement or set off and without demand in equal consecutive monthly installments on the first of each month commencing on the Effective Date.

(i) January 1, 2021 to December 31, 2022: $22,000.00 ($1,833.33 per month) At the beginning of each contractual year during the First Renewal Term the amount of the Basic Fee payable during the previous year shall be increased by the greater of three percent (3%) or the percentile increase in the all-items Consumer Price Index (CPI) over the previous year, as established by Statistics Canada for the Province of Ontario.

(c) The provisions of the License Agreement relating to the payment of additional rents as set out in section 2.(3) of the License Agreement shall remain in force during the First Renewal Term.

(d) Section 2(4) of the License Agreement, "Option to Renew", shall be amended by replacing the words "two further periods of five (5) years each" with "four further periods of five (5) years each". The remainder of Section 2(4) shall remain the same and the parties acknowledge that this Renewal Agreement reflects the Licensee's exercise of the first renewal under the License Agreement.

4. The Licensor irrevocably and unconditionally authorizes and directs the Licensee to pay all amounts due under the License Agreement, as amended hereby, to MJ (LCC) Limited Partnership, as HST operator for the Landlord.

5. The Licensee continues to occupy the Site throughout the First Renewal Term on an "as is" basis and accepts and acknowledges that the Licensee has no obligation regarding any modifications, changes or installations of any kind, save and except for any maintenance and repair obligations in accordance with the License Agreement. The Licensor shall have no obligation to give any other inducements of any kind, to the Licensee in connection with the First Renewal Term.

6. Any alterations or improvements to carried out in or to the Site shall be effected at the Licensee's sole cost and expense to the complete exoneration of the Licensor and shall only be undertaken after plans and specifications for the same have been submitted to the Licensor for the Licensor's written approval, acting reasonably.

7. The Licensor and Licensee hereby acknowledge, confirm and agree that except as amended herein, in all other respects the terms of the License are to remain in full force and effect, unchanged and unmodified.

8. The Licensor and Licensee shall, at all times hereafter, upon the reasonable request of the other make or procure to be made, done or executed, all such further assurances and to do all such things as may be necessary to give full force and effect to the full intent of this Agreement.

9. This Agreement benefits and binds the parties hereto and their respective successors, heirs, estate trustees and permitted assigns.

10. This Agreement may be executed in counterparts, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument. Any of the forgoing and any notices to be provided hereunder may be executed either in original, faxed, ".pdf' or ".tif' form or by email and the parties adopt any signatures received by a receiving fax machine or as a ".pdf' or ".tif' file as original signatures of the parties.

[Signature page follows]

Schedule “A” Cont’d

IN WITNESS WHEREOF the parties hereto have executed this Agreement under corporate seal or their respective hands, as the case may be.

WMJ (LCC) HOLDINGS INC.;
(Licensor)

Per:_____

Name: Moshe Faust

Title: Secretary

THE CORPORATION OF THE CITY OF LONDON;
(Licensee)

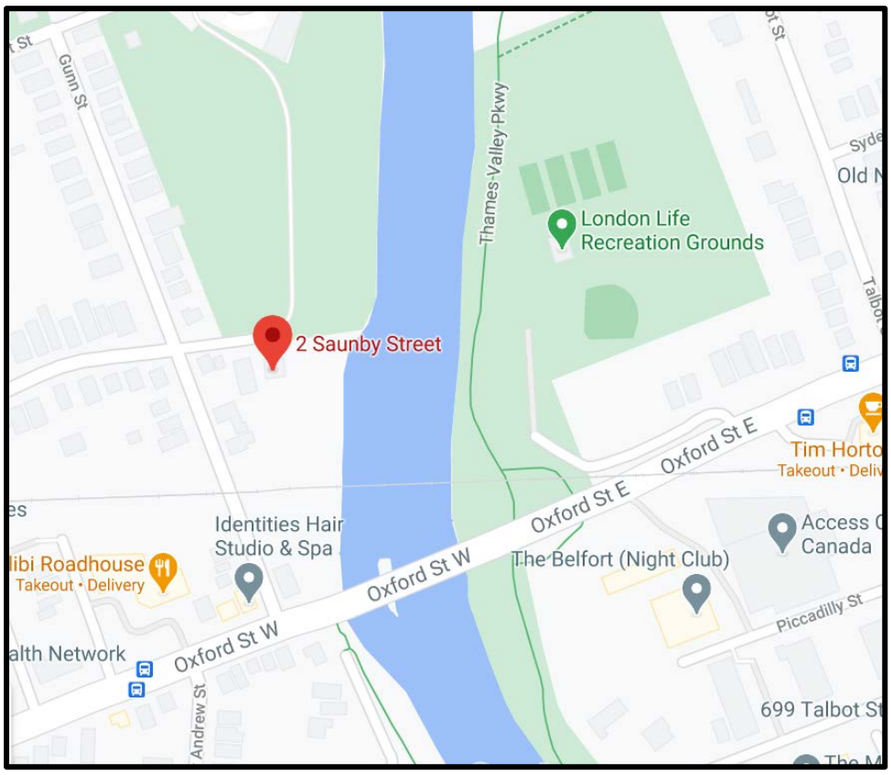
Per: _____
Name:
Title:

Per: _____
Name:
Title:

I/We have the authority to bind the corporation.

Location Map

<u>The Property</u>



<u>Aerial</u>

SCHEDULE "A"

Agreement of Purchase and Sale

Pg 1 of 5

AGREEMENT OF PURCHASE AND SALE

PURCHASER: THE CORPORATION OF THE CITY OF LONDON

VENDOR: RONALD ALFRED FALCK AND RICHARD ALEXANDER FALCK

REAL PROPERTY:

Address 2 Saunby Street, London ON N6G 1A1

Location Directly abutting west side of the Thames River on the south side of Saunby Street.

Measurements IRREGULAR - 12.75 ft x 20.77 ft x 32.69 ft x 11.55 ft x 73.84 ft x 240.92 ft x 151.53 ft (0.545 AC)

Legal Description: Property legally described as PART LOT 15 & ALL OF LOT 16 PLAN 43(W) AS IN 672702; EXCEPT W23667, BEING THE ENTIRE PIN 082470126 (LT) IN THE CITY OF LONDON, COUNTY OF MIDDLESEX and shown highlighted in red on Schedule "B" (the "Property').

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 Six Hundred and Seventy Seven Thousand Dollars CDN ($677,000.00) payable as follows:

   a) a deposit of Ten Thousand Dollars ($10,000.00) cash or cheque on the date hereof as a deposit payable to the Vendor's solicitor In Trust; and

   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 improvement 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" Additional Terms and Conditions
   Schedule "B" Description of Property

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 November 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 January 15th, 2021 (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 February 1st, 2021. 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, 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

SCHEDULE "A" Cont'd

Agreement of Purchase and Sale

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.

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 passed the _____ day of _____ ,

THE CORPORATION OF THE CITY OF LONDON

_____

Ed Holder, Mayor

_____

Catharine Saunders, City Clerk

SCHEDULE "A" Cont'd

Agreement of Purchase and Sale

Pg 3 of 5

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 4TH day of November, 2020.

SIGNED, SEALED AND DELIVERED
In the Presence of

VENDOR

Witness: Michael Sloan

Per:

Name: Ronald Alfred Falck

Witness: Gabrielle Hotte
Gabrielle Hotte

Per:

Name: Richard Alexander Falck

VENDOR'S LAWYER: John Horn, Lawyer. 519-672-8080 johndhornlaw@gmail.com

PURCHASER'S LAWYER: Sachit Tatavarti, Solicitor, 519-661-2489 (CITY) Ext. 5018 Fax: 519-661-5530

John Horn Law (Attn Lori)
6-131 Wharncliffe Rd. S.
London, ON. N6J 2K5.

SCHEDULE "A"

1. **SOIL, GEOTECHNICAL AND ENVIRONMENTAL TESTS:** The Purchaser shall have until January 15th, 2021 to satisfy itself in its sole and absolute discretion as to the soil and environmental condition of the Property. The Purchaser may enter on the Property and have soil 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 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. **INSPECTION OF PROPERTY:** The agreement is conditional upon the inspection of the Property by the Purchaser's inspector(s) (the "Inspection") at the Purchaser's own expense, and the obtaining of a report(s) (the "Report") satisfactory to the Purchaser in the Purchaser's sole and absolute discretion until January 15th, 2021. The Vendor agrees to co-operate in providing access to the Property for the purpose of this Inspection.

   If the results of the Inspection and Report 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.

3. **LEGAL FEES:** The Purchaser agrees to reimburse the Vendor's reasonable legal fees associated with the preparation and closing of this transaction which shall be up to a maximum of Two Thousand Dollars ($2,000.00) CDN (excluding tax). Upon closing, the Purchaser agrees to reimburse the Vendor's appraisal costs as part of this transaction which shall be to a maximum of Four Thousand Five Hundred Dollars ($4,500.00) CDN (excluding tax).

4. **CHATTELS INCLUDED**: All items as of the date of this Offer being November 3, 2020 which include all appliances, blinds, window coverings, shower rods and curtains, newer gas lawn mower, aluminum extension ladder, three (3) shovels, one (1) leaf rake, one (1) small step ladder, and six (6) garbage binds, energy efficient light bulbs, several containers of recent touch of paints, extra furnace filters, one (1) hand drain cleaner, vacuum cleaner & extra bags(s), existing dehumidifier(s), and furniture (if not belonging to the existing tenants).

5. **FIXTURES EXCLUDED**:NIL

6. **RENTAL ITEMS:** The following equipment is rented and **not** included in the Purchase Price. The Purchaser agrees to assume the rental contract(s), if assumable: None

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

8. **RESIDENTIAL TENANCIES:** The Vendor represents and warrants that:

   a) the Property is subject to a tenancy in favour of (the "Tenants") in both upstairs and downstairs units and the Vendor agrees to provide the Purchaser copies of the leases for the Property to the Purchaser within five (5) business days of the Acceptance of this agreement.

   b) rent currently being charged to the Tenants is legal and that all appropriate notices have been given to validate any rent increases affecting the Property;

   c) there are no outstanding applications, objections or investigations pertaining to the aforementioned tenancies and no outstanding orders or directions to roll back or rebate any rental amounts to the Tenants or previous tenants; and

   d) there are no outstanding orders or directions regarding any improvements relating to or indicating any deterioration in the standard of maintenance and/or repair with respect to the Property.

   e) the Vendor shall provide the Purchaser tenant acknowledgement forms completed by the Tenants in the form requested by the City on or before closing.

The Vendor acknowledges and agrees that the foregoing representations and warranties shall not merge on but shall survive the completion of this transaction.

9. **POSSESSION PRIOR TO CLOSING**: The Vendor is responsible for the lands and the buildings and all permanent fixtures until the keys are personally turned over to the representative of the Purchaser.

SCHEDULE "A" Cont'd

Agreement of Purchase and Sale

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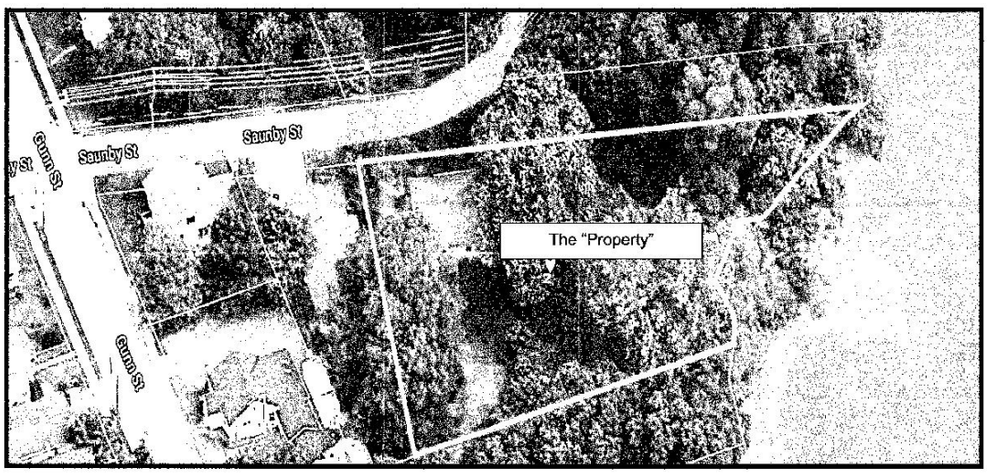
SCHEDULE "B"



APPENDIX "A"
SOURCE OF FINANCING REPORT

APPENDIX "A"
CONFIDENTIAL

Chair and Members
Corporate Services Committee

#20163
November 16, 2020
(Property Acquisition)

RE: Property Acquisition - 2 Saunby Street - For Natural Heritage Open Space
(Subledger LD190118)
Capital Project PK273520 - Parkland Acquisition
Capital Project PK275520 - Woodland Property 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 but can be accommodated with an additional drawdown from Parkland Reserve Fund and the Woodland Acquisition & Management Reserve Fund and that, subject to the adoption of the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the detailed source of financing for this project is:

ESTIMATED EXPENDITURES		Approved Budget	Additional Funding	Revised Budget	Committed To Date		This Submission
PK273520 - Parkland Acquisition							
Land Acquisition		$968,844	$600,000	$1,568,844	$968,844		$600,000
Construction		13,000		13,000	13,000		
City Related Expenses		67,000		67,000	67,000		0
		1,048,844	600,000	1,648,844	1,048,844		600,000
PK275520 - Woodland Property Acquisition							
Land Acquisition		263,222	129,798	393,020	263,222		129,798
NET ESTIMATED EXPENDITURES		**$1,312,066**	**$729,798**	**$2,041,864**	**$1,312,066**	1)	**$729,798**
SOURCE OF FINANCING							
PK273520 - Parkland Acquisition							
Drawdown from Parkland R.F.	2)	$1,048,844	$600,000	$1,648,844	$1,048,844		$600,000
PK275520 - Woodland Property Acquisition							
Drawdown from Woodland Acquisition and Management Reserve Fund	2)	263,222	129,798	393,020	263,222		129,798
TOTAL FINANCING		**$1,312,066**	**$729,798**	**$2,041,864**	**$1,312,066**		**$729,798**

1) **Financial Note:**

	PK273520 & PK275520
Purchase Cost	$677,000
Add: Land Transfer Tax	20,030
Add: Due Diligence Costs	20,500
Add: HST @13%	90,614
Less: HST Rebate	(78,346)
Total Purchase Cost	$729,798

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 $2.5 million and $2.1 million respectively with the approval of this project.

kw

Kyle Murray
Director, Financial Planning & Business Suppor

DREWLO
LIFESTYLE APARTMENTS
"Family Built, Owned and Managed For Over 60 Years"
P.O. BOX 6000, KOMOKA, ON. N0L 1R0
Tel.: 519-472-8200

November 27, 2020

Via Email Only
pec@london.ca

Attn: Maureen Cassidy, Chair
Planning and Environment Committee
300 Dufferin Avenue
London, ON N6A 4L9

Re: Protected Major Transit Station Areas (PMTSAs) – Public Participation Meeting on November 30, 2020

Through the Chair and to Members of the Planning and Environment Committee,

On behalf of Drewlo Holdings Inc., we would like to provide the following comments with respect to the *Protected Major Transit Station Areas (PMTSAs)* report (File: O-9208) submitted to Committee for the Public Meeting on November 30, 2020. We feel that the passing of an OPA to designate Protected Major Transit Station Areas (PMTSA) is premature without discussion of what Inclusionary Zoning (IZ) will look like in the City of London. For that reason, **we request that the Amendment be delayed until Staff has consulted with industry stakeholders. We suggest that direction for PMTSA and IZ should move forward concurrently.**

The *More Homes, More Choice Act* revised the ability to apply Inclusionary Zoning (IZ) in October 2019. Unlike previous legislation, Bill 108 limited Inclusionary Zoning to specific areas known as Protected Major Transit Station Areas (PMTSA). For this reason, the two items are connected and discussion/direction on one should not proceed until consideration has been given to the other.

Inclusionary Zoning (IZ) refers to zoning that requires a portion of new construction to be afforded by people of low or moderate incomes. Without proper consultation and implementation, Inclusionary Zoning can dramatically affect the financial viability of a project and housing costs within the City. It is important to note that the cost of development remains the same, whether the resulting unit will be affordable or market rate. When providing affordable units, the resulting difference is unfairly distributed across the remaining units of the development, which effectively increases the cost of housing in London.

In order to balance the 'cost' associated with the provision of affordable housing, there needs to be sufficient density. As was demonstrated though Bonusing, the successful provision of affordable housing ***needs*** to be offset by increases in height and density. However, unlike Bonusing - which allowed the Developer to negotiate the offset as well as the specifics of affordability - Inclusionary Zoning can be mandated for all new construction within the areas proposed to be designated as Protected Major Transit Station Areas. Without discussion regarding how Inclusionary Zoning will be implemented in London, the development community cannot determine if the heights/densities contemplated through the proposed Amendment will be sufficient.

There are so many factors of Inclusionary Zoning that are unknown at this time:

- What type/form/height of new construction within the proposed area will be subject to Inclusionary Zoning?
- What percentage of units will be required to be considered affordable?
- What does affordable mean in this context? As we all know there is a spectrum of affordability and a need within each area of that spectrum.
- Who will be responsible for the management of affordable units within the building?
- Does the responsibility change if the building is being constructed for rental or condo?
- How long will the units remain affordable?
- Where do the funds come from for the management and maintenance of affordable units?
- Is there the ability to transfer the requirement for affordable units to other projects in the City?

Without any discussion or consideration for the items noted above, and many others, Developers cannot begin to contemplate if the heights/densities proposed in the amendment will be supportive of the Inclusionary Zoning that will follow. Proceeding with the amendment at this time would result in unnecessary future amendments to the policies and could exacerbate affordability concerns, as hasty approval would result in increased prices for the remaining market units.

We look forward to working with Staff to create comprehensive and effective Inclusionary Zoning policies, and subsequently to reviewing (and potentially revising) this proposal in the future. We believe that a collaborative approach is the best path forward.

If there are any questions, please do not hesitate to contact this office.

Sincerely,
DREWLO HOLDINGS INC.

Carrie O'Brien, Land Planner

cc. Gregg Barrett, City of London
Mike Wallace, LDI
Lois Langdon, LHBA

From: Phil Williamson
Sent: Monday, November 30, 2020 7:32 AM
To: Parker, Charles <CParker@London.ca>
Subject: [EXTERNAL] Comments - Additional Residential Units

Good morning Chuck,

I am writing to submit my comments for consideration regarding changes pertaining to the proposed Additional Residential Unit policies. If this is not the correct email to submit these comments – please forward to the appropriate person.

I am writing to support the implementation of the Additional Residential Unit policies and offer a few comments on the proposed changes as well. Firstly – I believe that the creation of Secondary Dwelling Units and soon Additional Dwelling units is a key component to solving the housing shortage London is currently facing. Units within existing structures can be created more quickly, less expensively, and with less impact on the environment and infrastructure. It also promotes intensification within the core areas of the City, rather than the urban sprawl of new development. These policies encourage investment to create units where it was not feasible in the past, and in underutilized existing spaces such as basements. It also encourages homeowners to create safe, legal suites, rather than often unsafe, illegal suites often seen prior to the implementation of these policies. I am only a small scale investor, and have personally created six new, high quality units within the City in the past year and half. I suspect that the City has seen hundreds of new units created under the Secondary Dwelling Unit policies, which I believe is a tremendous benefit to the City.

While I understand that the City must balance a variety of planning priorities; allowing these types of projects to move forward with as little 'red tape' as possible is incredibly important to the City as a whole. Currently, and imbalance between supply and demand is driving up rental unit pricing within the City and the solution is to create a greater supply of units. Fewer restrictions will help to encourage further investment into these types of units.

While most of the current restrictions surrounding Secondary Dwelling Units are logical and reasonable, I would like to raise a few concerns surrounding the existing policies.

Maximum Gross Floor Area. The current Secondary Dwelling Unit policy restricts the size of the SDU to 40% of the GFA of both units combined. This policy, in my opinion, creates a completely unnecessary obstacle in the creation of suites and is irrational in reality. In four of the units that I have created we have been forced to create oversized unusable utility rooms, in order to reduce the size of the secondary unit. The result is a smaller, less desirable unit for the end tenant – and it creates an unnecessary barrier for those considering adding a units, as the investment becomes less appealing or sometimes unfeasible. The intent of this policy was stated as: "to ensure that the additional residential units do not exceed the size of the primary dwelling unit to control scale and maintain the primary and secondary nature of the two units." However, in practice, this does nothing more than as stated above – create smaller, less desirable units and unusable 'dead space.' The Ministry had stated that the only size restriction that municipalities should consider is a maximum of 50% which I feel is far more appropriate and logical. I hope that you will consider this in the implementation of the new policy changes.

Number of Bedrooms – while the current policy allowing a maximum of 5 bedrooms within the main and secondary unit is not unreasonable, I am concerned that this will be far too restrictive if three units per

lot are allowed. My suggestion would be to allow at lease 1 to 2 additional bedrooms if there are three units on the lot.

Thank you for your consideration in this matter.

Phil Williamson
Certified Energy Advisor (CEA)
Certified Professional Inspector (CPI)
Ontario Registered Independent Designer (BCIN)

From: Abe Oudshoorn
Sent: Monday, November 30, 2020 1:40 PM
To: CPSC <cpsc@london.ca>
Cc: Dickins, Kevin <kdickins@london.ca>; Cooper, Craig <ccooper@london.ca>
Subject: [EXTERNAL] Re: City of London 2020-2021 Winter Response Program for Unsheltered Individuals

Good afternoon members of the Community Protective and Services Committee,

I am writing to you in support of the Winter Response Program as presented by Debbie Kramers, Craig Cooper, and Kevin Dickins. The concern for the health and wellbeing of those who are currently unsheltered in London has been high and increasing as winter approaches. As the City works through such programs as emergency shelters, housing first programs, the hotels/motels, and head lease initiative, it is evident that there are still a number of individuals who live outside the margins of our current systems. It is commendable that the City has drafted a response to expand the margins and bring these individuals a safer option for this winter.

I write to express my full support for the options provided. I agree that while these are not long-term solutions for ending homelessness, they are a necessity for ensuring that people survive to take the next opportunity.

Thank you for your consideration and in particular the rapidity in putting together this multi-site, multi-service approach. We speak of the spirit of the holiday season, in supporting this initiative you are showing the best of this spirit.

Sincerely,

--

Abe Oudshoorn, RN, PhD
Assistant Professor
Arthur Labatt Family School of Nursing
Room 2304, FIMS & Nursing Building
Western University
London, ON, N6A 5B9

Planning and Environment Committee

Report

The 19th Meeting of the Planning and Environment Committee
November 30, 2020

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

ALSO PRESENT: H. Lysynski, L. Morris, J. Raycroft, C. Saunders, E. Skalski, J.W. Taylor and B. Westlake-Power

Councillors S. Hillier, S. Lehman and S. Lewis; J. Adema, A. Anderson, G. Barrett, G. Belch, M. Corby, D. Cunningham (Captioner), M. Fabro, M. Feldberg, K. Gonyou, G. Kotsifas, J. Lee, T. Macbeth, B. Morin, C. Parker, M. Pease, A. Riley, M. Tomazincic and P. Yeoman

The meeting is called to order at 4:02 PM, with Councillor M. Cassidy in the Chair, Councillor S. Turner present and all other Members participating by remote attendance.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

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

That Items 2.1 to 2.4, inclusive, BE APPROVED.

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

Absent: (1): A. Kayabaga

Motion Passed (5 to 0)

2.1 ReThink Zoning Update

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

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated November 30, 2020 entitled "ReThink Zoning Update" BE RECEIVED for information.

Motion Passed

2.2 London Plan Monitoring Report

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

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated November 30, 2020 entitled "London Plan Monitoring" BE RECEIVED for information.

Motion Passed

2.3 Bill 108 and Regulations, Amendments to the Ontario Heritage Act - Process Implications

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

That, on the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the following actions be taken with respect to Bill 108 and Regulations, Amendments to the *Ontario Heritage Act* – Process Implications:

a) the staff report dated November 30, 2020 entitled “Bill 108 and Regulations, Amendments to the *Ontario Heritage Act* – Process Implications”, and the comments appended to the staff report dated November 30, 2020 as Appendix “A” on the Proposed Regulation under the O*ntario Heritage Act* (Bill 108) BE RECEIVED for information; it being noted that the staff report will be forwarded to the London Advisory Committee on Heritage for their information; it being further noted that the comments noted above have been submitted to the Environmental Registry of Ontario; and,

b) the Civic Administration BE DIRECTED to take the necessary steps in anticipation of the proclamation of amendments to the *Ontario Heritage Act* in Bill 108, including, but not limited to, preparing terms of reference for Cultural Heritage Evaluation Reports, Heritage Impact Assessments, and complete application requirements.

Motion Passed

2.4 London Plan - Appeals and LPAT Hearing Update

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

That, on the recommendation of the Director, City Planning and City Planner, the staff report dated November 30, 2020 entitled "London Plan - Appeals and LPAT Hearing Update" BE RECEIVED for information.

Motion Passed

3. Scheduled Items

3.1 Application - 1284 and 1388 Sunningdale Road West - Application for Zoning By-law Amendment - Request for Revisions to the Draft Plan of Subdivision 39T-04510 (Z-9216)

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

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Auburn Developments Ltd., relating to portions of the lands located at 1284 and 1388 Sunningdale Road West:

a) the proposed by-law appended to the staff report dated November 30, 2020 BE INTRODUCED at the Municipal Council meeting to be held on December 8, 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 Residential R1 Special Provision (R1-3(8)) Zone and Holding Residential R6/Neighbourhood Facility (h-71*h-95*h-109*R6-3/NF1) Zone TO a Holding Residential R1/R5/R6 (h-71*h-95*h-109*R1-3/R5-7/R6-3) Zone; FROM an Open Space (OS1) Zone TO a Holding Residential R1 (h*h100*R1-5) Zone; FROM a Holding Residential R1 Special Provision (h*h-100*R1-3(8)) Zone TO a Holding Residential R1/R4 Special Provision

(h*h-100*R1-3(8)/R4-6(*)) Zone; FROM a Holding Residential R6 (h*h-54*h-71*h-95*h-100*R6-5) Zone TO a Holding Residential R1/R4/R6 (h*h-54*h-71*h-95*h-100*R1-1/R4-6(*)/R6-5) Zone; and FROM a Holding Residential R6/R7/R8 (h*h-54*h-71*h-95*h-100*R6-5/R7*h15*D75/R8*H15*D75) TO a Holding Residential R4/R6/R7/R8 Special Provision (h*h-54*h-71*h-95*h-100*R4-6(*)/R6-5/R7*h15*D75/R8*H15*D75) Zone;

b) the Civic Administration BE ADVISED that the Municipal Council supports the proposed red-line revisions to the draft-approved plan of subdivision as submitted by Auburn Developments Ltd., prepared by Stantec Consulting Ltd. (Drawing No. 1, Project No. 161403100 dated April 30, 2020), which shows the extension of Shields Place, removal of the Walkway Block (previously block 41), Park Block (previously Block 40) and property realignment between blocks 19 and 20 (previously blocks 20, 21) and property realignment between blocks 15 and 16 SUBJECT TO the conditions contained in Appendix 'A-2' appended to the staff report dated November 30, 2020; and,

c) the Approval Authority BE ADVISED that issues were raised at the public meeting with respect to the proposed red-line revisions to the draft plan of subdivision for Kent Subdivision, as submitted by Auburn Development Limited relating to the relocation of the parkland;

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

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

- the recommended zoning amendments and revisions to draft plan of subdivision are considered appropriate and consistent with the Provincial Policy Statement;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited the policies of the Neighbourhoods Place Type;
- the proposed and recommended amendments conform to the policies of the (1989) Official Plan, specifically Low Density Residential and Multi-Family, Medium Density Residential; and,
- the zoning and red-line revisions as proposed are compatible and in keeping with the character of the existing neighbourhood.

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

Nays: (1): J. Helmer

Motion Passed (5 to 1)

Additional Votes:

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

Motion to open the public participation meeting.

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

Motion Passed (6 to 0)

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

Motion to close the public participation meeting.

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

Motion Passed (6 to 0)

3.2 Application - 1761 Wonderland Road North (OZ-9178)

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

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by 1830145 Ontario Limited, relating to the property located at 1761 Wonderland Road North:

a) the proposed by-law appended to the staff report dated November 30, 2020 as Appendix “A" BE INTRODUCED at the Municipal Council meeting to be held on on December 8, 2020 to amend the Official Plan for the City of London (1989) to ADD a policy to Section 10.1.3 – “Policies for Specific Areas” to permit a mixed-use commercial/residential apartment building within the Neighbourhood Commercial Node designation having a maximum residential density of 226 units/ha;

b) the proposed by-law appended to the staff report dated November 30, 2020 as Appendix “B" BE INTRODUCED at the Municipal Council meeting to be held on December 8, 2020 to amend The London Plan to ADD a new policy to the Specific Policies for the Shopping Area Place Type to permit a mixed-use commercial/residential apartment building having a maximum height of 63 metres, 17 storeys, exclusive of the mechanical penthouse, and by ADDING the subject lands to Map 7 - Specific Area Policies – of The London Plan;

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

c) the proposed by-law appended to the staff report dated November 30, 2020 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on December 8, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, as amended in parts a) and b) above), to change the zoning of the subject property FROM a holding Neighbourhood Shopping Area Special Provision (h-17•h-103•NSA5(5)) Zone TO a holding Neighbourhood Shopping Area Special Provision Bonus (h-17•h-103•NSA5(5)/NSA3*B( )) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/ residential apartment building with a maximum density of 226 units per hectare and a maximum height of 63 metres (17-storeys) which substantially implements the Site Plan and Elevations appended to the staff report dated November 30, 2020 as Schedule “1” to the amending by-law in return for the following facilities, services and matters:

i) Provision of Affordable Housing including:

A) a total of twelve (12) one-bedroom units, including a maximum of two (2) accessible one-bedroom units, established by agreement not exceeding 85% of the CMHC Average Market Rent (AMR) for a duration for affordability set at 50 years from initial occupancy;

ii) a high quality development which substantially implements the site plan and elevations in Schedule “1” appended to the staff report dated November 30, 2020 to the amending by-law:

Building Design

A) high quality architectural design (building/landscaping) including a common design theme for residential and commercial elements; and provision of structure parking facilities and screening for surface parking areas;

Underground Parking

A) underground Parking Structure parking provided to reduce surface parking areas (a minimum of 189 subsurface spaces provided);

Outdoor Amenity and Landscaping

A) common outdoor amenity area to be provided in the northeast quadrant of the site; and rooftop terraces above the 4th, 16th and 17th floors;
B) landscape enhancements beyond City design standards, including theme lighting and public seating at strategic locations;
C) large caliper boulevard trees planted with a minimum 100m caliper and a minimum distance of 10m between tree planting for the extent of the Wonderland Road North frontage; and,
D) landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption;

Sustainability

A) four electric vehicle charging stations within the publically accessible surface parking area, as well as 16 charging stations within the parking garage; and,
B) dedicated areas for bicycle parking along the Wonderland Road North frontage (with convenient access to building entrances). Secure bicycle storage within the structured parking facility. Walkway connections from the tower podium and surface parking filed to provide connectivity to Wonderland Road North bike lanes;

iii) Public Transit

A) the financial contribution of funding towards construction of transit shelters in close proximity to Wonderland Road North/Fanshawe Park Road West intersection in the amount of $10,000 to promote bus ridership;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The Provincial Policy Statement directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- the recommended amendment conforms to the in force policies of

the 1989 Official Plan;

- the recommended amendment conforms with the in force policies of The London Plan, including but not limited to the Key Directions, Homelessness Prevention and Housing policies, and City Design policies;
- the revised proposal for a mixed-use development with 1,200m2 of commercial (double the amount of the original proposal) and 228 residential units is consistent with the planned function of the commercial node and the planned commercial function intended by policy;
- the proposed density and height of the residential component within this proposed commercial development meets the criteria for specific area policies in both the 1989 Official Plan and The London Plan;
- the recommended amendment facilitates the development of 12 affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock; and,
- the recommended bonus zone for the subject site will provide public benefits that include affordable housing units, barrier-free and accessible design, transit supportive development, and a quality design standard to be implemented through a subsequent public site plan application.

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

Nays: (1): S. Turner

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: E. Holder
Seconded by: A. Hopkins

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 Protected Major Transit Station Areas (PMTSAs) (O-9208)

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

That, on the recommendation of the Director, City Planning and City Planner, based on the application by The Corporation of the City of London, relating to Protected Major Transit Station Areas (PMTSAs), the proposed by-law appended to the staff report dated November 30, 2020 BE INTRODUCED at the Municipal Council meeting to be held on December 8, 2020 to amend The London Plan, 2016 TO ADD new policies and a map pertaining to Protected Major Transit Station Areas

and the by-law BE FORWARDED to the Minister of Municipal Affairs and Housing for approval;

it being noted that in accordance with the *Planning Act*, the Ministry of Municipal Affairs and Housing is the approval authority for official plan amendments with respect to PMTSAs;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participation meeting record made oral submissions regarding these matters;
it being further noted that the Municipal Council approves this application for the following reasons:
• the recommended amendment is consistent with the Provincial Policy Statement, 2020, as it supports transit-supportive development and intensification in close proximity to existing or planned transit corridors or stations;
• the recommended amendment conforms with the Planning Act, as it addresses the requirements set out in the legislation for PMTSAs, such as a minimum number of residents and jobs per hectare, permitted uses, and minimum densities'
• the recommended amendment is supportive of the policies in the London Plan, particularly those for the Downtown, Transit Village, and Rapid Transit Corridor Place Types; and,
• the recommended amendment will support the implementation of the higher order transit system and Council's approved city structure by directing more intensity and mix of uses close to the approved higher order transit stations in the 2019 Rapid Transit Environmental Project Report.

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

Motion Passed (6 to 0)

Additional Votes:

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

Motion to open the public participation meeting.

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

Motion Passed (6 to 0)

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

Motion to close the public participation meeting.

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

Motion Passed (6 to 0)

3.4 Application - 820 Cabell Street (Z-9196)

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

That, on the recommendation of the Director, City Planning & City Planner, based on the application by Bruce Sworik (1625993 Ontario Limited), relating to the property located at 820 Cabell Street, the proposed by-law appended to the staff report dated November 30, 2020 BE INTRODUCED at the Municipal Council meeting to be held on December 8, 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 Light Industrial (LI1) Zone TO a Light Industrial Special Provision (LI2( )) Zone to permit the existing marijuana growing and processing facility and to allow up a maximum of 400 square metres of ancillary retail uses within the existing building;

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

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

- the requested change from an LI1 to an LI2 Zone is consistent with the Provincial Policy Statement which encourages retention and re-use of older industrial uses by providing for a broader range of low impact industrial uses in close proximity to an existing residential area. The recommended zone also conforms with the Light Industrial Place Type of the London Plan and the Light Industrial designation in the 1989 Official Plan; and,
- the increase in the permitted floor area for ancillary retail uses is also consistent with the PPS, and conforms with the London Plan and the 1989 Official Plan. Policies in each of these documents prioritize the protection of industrial areas, and the recommended zoning will support industrial uses by permitting retail sales related to those permitted uses.

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: J. Helmer

Motion to open the public participation meeting.

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

Motion Passed (6 to 0)

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

Motion to close the public participation meeting.

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

Motion Passed (6 to 0)

3.5 Implementing Additional Residential Units Requirements of the Planning Act (Bill 108) (OZ-9176)

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

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the Official Plan and Zoning By-law review relating to additional residential units:

a) the proposed by-law appended to the staff report dated November 30, 2020 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on December 8, 2020 to amend the London Plan to add new policies to permit additional residential units in any single detached, semi-detached or street townhouse dwelling unit in accordance with recent changes to the *Planning Act*;

b) the proposed by-law appended to the staff report dated November 30, 2020 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on December 8, 2020 to amend the Official Plan for the City of London (1989) to add new policies to permit additional residential units in any single detached, semi-detached or street townhouse dwelling unit in accordance with recent changes to the *Planning Act*;

c) the proposed by-law appended to the staff report dated November 30, 2020 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on December 8, 2020 to amend Zoning By-law No. Z.-1, (in conformity with the amendments above), to add a new definition for additional residential units and to add new regulations to allow up to two additional residential units in in the primary residential unit and in an accessory building; and,

d) the Civic Administration BE DIRECTED to implement required changes to the Residential Rental Unit Licensing By-law to address Additional Residential Units;

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

- a communication from A. Waz;
- a communication from C. Thompson;
- a communication dated November 24, 2020 from J. Wates;
- communications dated November 26, 2020 from A.M. Valastro; and,
- a communication dated November 26, 2020 from K. Owen, St. George Grosvenor Neighbourhood Association;

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

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

- Policy 1.4.3 of the Provincial Policy Statement requires that the City plan for an appropriate mix of housing types and densities and permit, where appropriate “all forms of residential intensification, including additional residential units”;
- Bill 108 (More Homes, More Choices Act, 2019) amended the Planning Act to require that municipalities adopt policies in their Official Plans to provide for additional residential units;
- The London Plan includes policies to direct residential intensification. The proposed London Plan, 1989 Official Plan and Zoning By-law amendments to permit additional residential units contribute to the objective of promoting appropriate residential intensification; and,
- the recommended amendments result in consistency in terms of language, policies and regulations between the Provincial Policy Statement (2020), the Planning Act, London Plan, 1989 Official Plan, and Zoning By-law Z-1.

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

Motion Passed (6 to 0)

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

Motion to open the public participation meeting.

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

Motion Passed (6 to 0)

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

Motion to close the public participation meeting.

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

Motion Passed (6 to 0)

4. Items for Direction

4.1 E. Wyatt, Ontario Clean Air Alliance - Phasing-Out Ontario's Gas Fired Power Plants - Request for Delegation Status

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

That, the following actions be taken with respect to the phasing out of Ontario's gas fired power plants:

a) E. Wyatt, Ontario Clean Air Alliance, BE GRANTED delegation status with respect to the phasing out of Ontario's gas fired power plants; and, (See attached presentation.)

b) the Civic Administration BE REQUESTED to review the proposed request from E. Wyatt, Ontario Clean Air Alliance, to determine how it aligns with the Climate Emergency Action Plan and to report back at a future Planning and Environment Committee meeting.

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

Motion Passed (6 to 0)

Additional Votes:

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

Motion to grant E. Wyatt, Ontario Clean Air Alliance, delegation status with respect to the phasing out of Ontario's gas fired power plants.

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

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

None.

6. Adjournment

The meeting adjourned at 7:04 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – Application – 1284 and 1388 Sunningdale Road West – Application for Zoning By-law Amendment – Request for Revisions to the Draft Plan of Subdivision 39T-04501 (Z-9216)

- Councillor Cassidy: Thank you Mr. Corby. Is the applicant here?

- I am, its Steve Stapleton from Auburn Developments.

- Councillor Cassidy: Go ahead Mr Stapleton, you have five minutes.

- Steve Stapleton: Thank you Madam Chair. We're in support of the staff recommendation. We believe the amendments to our application dealt with the public input that we are heard regarding height and increasing intensification. It was our objective in the original application to proceed under The London Plan for intensification; however, due to the proximity of existing dwellings and existing residences we are agreed to the amendment to reduce the height to eliminate some street townhouse zoning that we had more of the interior of the subdivision and we believe it still represents good land use planning and we're in support of the staff recommendation. As Mr. Corby noted the history regarding the park block in a redline change to extend the Shields Place cul-de-sac originated many years ago when the EA for the Heard Creek and the location of the sanitary sewer was re located on the south side of the drain therefore the walkway was also relocated to the south side of the drain leaving this parcel and open space redundant there was no real connection or did not increase the connectivity and therefore we are including it in our subdivision to maximize the utilization of this area. If there's any other questions I'll be happy to answer them.

- Councillor Cassidy: Thank you Mr Stapleton. Any technical questions from Committee? Seeing none I'll go to the members of the public to see if there is anybody here who would like to address the Committee regarding this application. I see some movement in committee room one and two. Come to the microphone, state your name and you have five minutes.

- Thank you very much. Good afternoon my name's Nasser Zabian and I'm the Director of Finance and Marketing for XO Homes. We are opposed to the proposed change and my justification is pretty simple. I'm here on behalf of my organization and our homeowners who purchased these lots with the hope and belief that the land behind the houses they purchased would be parkland. As such this change would negatively impact our company's image as we rely heavily on word of mouth to ensure our company's future success. Furthermore, the clients that we've already, you know, promised this kind of premium lot do have the right now to back out of their deals which would negatively impact our company in a whole other way. It also, you know, it’s detrimental to our future as I mentioned and we just ask you to try to consider a small business and the potential future of Londoners who are moving from across the country to these lots. One person from BC, one person from Toronto and someone who's actually in a different meeting room right now have all really urged us to try to fight for them to have this opposed.

- Councillor Cassidy: Thank you sir. Are there any other members of the public who would like to address the Committee? I see somebody in number five. You can come to the microphone, state your name and you'll have five minutes.

- Hello. I'm Joe Huu. I'm actually one of the persons that are, that have bought a lot on there and I was actually expecting, I picked that lot specifically because of

the park behind there and knowing that there may be a change is actually impacted my, I guess you can say, my choice of lot right now but I'm kind of so far into this is like it I don't even know what to do because I was expecting a park behind there. I wanted to get like these spaces are very hard to come and choose from these days, especially with so much residential buildings everywhere and everything is so tight and our backyards are so small it was something I wanted to choose specifically for my family with the dogs and my kids, right. I don't know really what else to say I'm just, if it changes I just know I would be very disappointed but I guess it's up to you guys, it's your decision. I'm sure other people may feel the same way choosing a lot that was specifically designed to have a park behind their house and now to have it change not all of them may even know about it I was even just lucky enough to have time off work to come in and speak on this behalf I know I spoke to some neighbors you feel the same way as well I can't speak for them but that's all I would like to say. Thank you.

- Councillor Cassidy: Thank you Mr. Huu. Any other members of the public who would like to speak to this item? I'll ask one more time, any other members of the public who would like to address the Planning Committee about this application on Sunningdale Road West. Okay. I'm seeing none so I will look for a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – Application – 1761 Wonderland Road North (OZ-9178)

- Councillor Cassidy: Thank you Ms. Riley. Is the applicant here? If you'd like to.come forward, state your name and you have five minutes

- Good afternoon Madam Chair, Members of the Committee. My name is Scott Allen, I'm with MHBC Planning. We are acting on behalf of the applicant, York Developments. At this time would simply like to express our support for the findings and recommendations in the revised staff report as presented by Ms. Riley. We also like to thank you HDC staff and Development Services staff for their assistance through this process. Thank you and we will gladly answer any questions Committee members may have.

- Councillor Cassidy: Thank you very much. Are there any technical questions from Committee? Councillor Turner.

- Councillor Turner: Thank you Madam Chair. Through you to staff, a technical question, on the report back that we received the first go round, one of the recommendations and the rationale for refusal was specifically on, on point eight, the proposed density of the residential component within this proposed commercial development of two hundred and twenty units per hectare and seventeen storeys is too intense and should be directed to the specific areas for intensification as outlined by Council. The recommendation here is for up to two hundred and twenty-six units per hectare and seventeen storeys. I guess I'm just looking for some commentary on why that's no longer a rationale for refusal in this circumstance.

- Councillor Cassidy: Ms. Riley?

- Madam Chair. It's Michael Tomazincic here. As part of our rationale in our recommendation we also took into account the direction that was given to us from, from Council and one of the clear directions that we got was that this was a site that should be accommodating an apartment building. I know we had a very spirited discussion about that. It's not that the policies wouldn't contemplate this form of development so I hope that that wasn't seen as, as that wasn't the messaging there because the, The London Plan, I'm sorry, the 1989 Official Plan does contemplate high density residential development in neighbourhood shopping areas and, of course, with the bonusing you can exceed, exceed the hundred and fifty units per hectare maximum. The London Plan which, again, isn't in force in effect on the site would contemplate nothing taller than six storeys but unfortunately it, it's, it's the 1989 Official Plan that governs and so this isn't out of scale with the 1989 Official Plan but again we're also taking into account the direction we got from Council.

- Councillor Cassidy: I'm going to go to Councillor Hopkins and then the Mayor.

- Councillor Hopkins: Yes. Thank you Madam Chair and these, this is a technical question through you to staff about the affordable housing and I'm just trying to really understand what we're doing here allowing for the twelve one bedroom units to move forward with eighty-five percent not to exceed eighty-five percent over a fifty year term and I would like clarification as to how is this different to the normal agreements that, that we usually have with units and just trying to understand how affordable these units will be moving forward. Is it as clear is they'll always be eighty-five percent or not?

- Councillor Cassidy: Go ahead Mr. Tomazincic.

- Thank you Madam Chair. So admittedly this is not my area of expertise but my understanding is that they'll always be at the eighty, eighty-five percent of the average market rents and, and that'll be for a fifty year term. This is under an agreement with our Housing Development Corporation to ensure that this happens as part of the development agreement.

- Councillor Hopkins: And would that also include if, if units were going to be subleted? I'm just trying to understand the recommendation in the report here.

- Councillor Cassidy: Mr. Tomazincic, knowing you're not an expert in this, do you have an answer on that?

- Michael Tomazincic, Manager, Current Planning: Through you Madam Chair, perhaps if the Councillor can just direct me to that section of the report.

- Councillor Hopkins: So it is on page 203 and it's specific to the recommendation of HDC that the following elements constitute the affordable housing bonus zone and it relates to number two, the duration fifty years twelve affordable units these by right shall not be assigned or sublet. Just trying to get a better understanding of what that all means and I appreciate that you may not be able to have the answer but I think it is really important for me to understand exactly how this is going to work given the bonusing.

- Michael Tomazincic, Manager, Current Planning: Madam Chair, I perhaps jumped into this conversation too soon. I, I didn't realize that Mr. Giustizia is on this call and perhaps he will be able to provide a better answer than I would.

- Councillor Cassidy: Thank you Mr. Tomazincic. Mr. Giustizia?

- Good evening Madam Chair. To the Councillors question regarding can I just make sure that I'm, I'm confirming which section it is regarding and then I can speak your broader question about what's different this.

- Councillor Cassidy: So it's on page 203 of the Agenda and under the recommendation where it talks about they have the elements that constitute the affordable housing bonus zone number two, at the end of paragraph number two it says "These rights shall not be assigned or sublet."

- Steve Giustizia, Executive Director, Housing Development Corporation: So the rights of, so when you are going to number two, so in the context of number one, the number of units and the depth of affordability and then in number two, what we've done that's fairly unique in this one is the proponent came forward with a, a great willingness to participate in a long duration affordability and I think as Council has known this has ,been work that we've done over the course of the last year with a number of different developers always looking to see how do we adapt and change to, to the needs of the community and in this case what we are saying is that we actually were able to negotiate, at fifty years we generally consider that a perpetuity agreement. So it's a very long-term agreement and then within that long-term agreement any tenants that are residing in that unit at the end of the conclude, the conclusion of the unit so this has been, I think, common language in the past, would be able to retain their tenancies and rates until there was a transition of tenants out. So that's when, that's when that would occur and these rights cannot be assigned or sublet. In other words, at the fifty year mark if there was a tenant there and that tenant decided at the fifty year mark that they wanted to leave the building, then they couldn't sublet that right so that that we make sure that every tenant who's coming in meets the eligibility

requirements and by the way that assignment right happens all through the process as well. So all tenants will be income tested for these units. So to your earlier question, that's similar to what we do. Eighty-five percent is absolutely a great level of affordability. Remember these are new units. Eighty-five percent of AMR at the current rate would be about $720 per month for a one bedroom unit. The duration of affordability is, I think, defining now for Council that it's very long term so when you're looking at a public right, the public rate that, that you are providing on one side is met with a long-term public right on the other side. The affordability and then the fourth, the third one, is to, is to work with tenant placement so that, as in our other ones, we make sure that if there is an ability to house tenants that are higher on the priority list then we can work with the proponent on those tenants so that there's a mix and then the last one is that you would be included within a contribution agreement.

- Councillor Cassidy: Thank you Mr. Giustizia. Councillor Hopkins go ahead.

- Councillor Hopkins: Yes. Thank you for that. So, in other words, if the tenant came in and stayed there for fifty years it will always be eighty-five percent below the market value just very speaking?

- Steve Giustizia, Executive Director, Housing Development Corporation: I'm sorry, through the Chair, the way it would work is that a sitting tenant's rent will increase only by the maximum allowable once per year under the RTA. That's been roughly on average about two percent so and that's the way it works in all affordable developments.

- Councillor Hopkins: Thank you.

- Councillor Cassidy: Thank you. Mayor Holder.

- Mayor Holder: Thank you Chair. As I recall when this came before us to Committee a couple of the concerns that were expressed, one was related to, it's this locations closeness to a transit routes and I think, I think the argument was made reasonably well in the last discussion that that, that that was not an issue but one of the things that was an issue, I think, was the issue, the percentage of commercial on the main in, in the main area. I'd like to ask, youth, to staff has that has that commercial percentage changed from the, from the initial application? If so, if so, by how much, please?

- Madam Chair, it's Michael Tomazincic.

- Councillor Cassidy: Go ahead Mr. Tomazincic.

- Michael Tomazincic, Manager, Current Planning: Thank you. It has changed, in fact it's doubled in, in the gross floor area. Originally it was at six hundred square meters and now it's at one thousand two hundred square meters.

- Mayor Holder: Okay. That's helpful to know. Thanks. I just wanted to ask and clarify that point. Appreciate that Chair. Thanks.

- Councillor Cassidy: Great. Thank you. Any other our technical questions? No. I will go to public and see if there are any members of the public who would like to address the Committee and speak about this issue? One more time, any members of the public in the committee rooms who would like to address the Committee? Seeing none I'll look for a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Protected Major Transit Station Areas (PMTSAs) (O-9208)

- Councillor Cassidy: Thank you Mr Adema. Are there technical questions? Councillor Hopkins.

- Councillor Hopkins: Thank you and through you, Mr. Adema, thank you for the presentation and I'd like to just get a little bit more clarification on inclusionary zoning and what we're doing today so or the bonusing that we do today. So it's good to know that doing the PMTSA's we will allow for inclusion in, inclusionary zoning. Sorry about that, I'm kind of tongue tied here a little bit. So I am trying to understand once this is brought forward to the Ministry then we will no longer be doing bonusing in these areas and how further ahead will we be in supporting affordable housing or are we just adding another tool to the kit? Just want a, a little bit more what we're taking away and not getting by doing this.

- Councillor Cassidy: Mr. Adema?

- Justin Adema, Manager, Planning Policy: Through the Chair, it's a good question and there's a few different things going on so it can get a bit confusing but one of the things that Bill 108 did was remove bonus zoning from Section 37 of the *Act*. So that, that Section is gone. Bonusing will not exist as an option going forward; however, we have a two-year transition window to prepare new policies or delete our bonusing policies from the Official Plan. So that window started last September or maybe October. Anyways it just recently began and we have a two-year window to change those policies. Another thing that Bill 108 did was restrict inclusionary zoning. So inclusionary zoning had existed in the *Planning Act* before Bill 108 but Bill 108 restricted its application only to areas that are identified as a PMTSA or subject to a planning permit system. So this amendment will allow for the future application of inclusionary zoning and that review is being completed as a completely separate project. So nothing in the in the *Planning Act* that permits or include requirements for PMTSA's mentions or includes any requirements about inclusionary zoning; however, in the Section that gives direction for inclusionary zoning it identifies that inclusionary zoning is only permitted within the PMTSA.

- Councillor Hopkins: Thank you for that and so would that mean inclusionary zoning that would be part of an agreement between the City and the developer just like we sort of do bonusing now?

- Justin Adema, Manager, Planning Policy: Through the Chair, it wouldn't be the same as bonusing which is subject, you know, is determined based on the application and again there's going to be a whole study about inclusionary zoning conducted over the next year or so. I don't want to assume what the outcome of that study will be but my understanding and the approaches I've seen identified the rate and requirements for inclusionary zoning ahead of time so it removes some of that ability to negotiate with the rate, rate is; however, that will all be explored in significant detail over the next year and I can also just add that our, our objective is to complete the inclusionary zoning review over the next year. That's where it's identified on our Work Plan as well as on the Strategic Plan and hopefully that will coincide with the requirement to remove bonus zoning from the plan so at least for these areas we'll be able to swap one tool for another in order to ensure affordable housing is attainable through the development process.

- Councillor Hopkins: Thank you. That was very helpful.

- Councillor Cassidy: I did see Mr. Barretts' hand up and then it disappeared. I wonder if you wanted to comment Mr Barrett?

- Gregg Barrett, Director, City Planning and City Planner: Through the Chair, just, just very quickly, just to build on what Mr Adema just said and just to perhaps help clarify for the members of the Committee. As Mr. Adema said, the, the, what's before you this evening, the Protected Major Transit Station Area Review and the recommended policies deal specifically with those provisions that, that we're adding and that we-re bringing forward tonight as it relates to the requirements for Protected Major Transit Station Areas the only link to the inclusionary zoning again as Mr Adema said which is in another Section of the *Planning Act* where it says that if inclusionary zoning is to be considered the new restrictions that came through Bill 108 are only in two instances. One of those instances would be within a Protected Major Transit Station Area or in the lands that would be subject to a community planning system or where GPS. So all this does is puts a, a set of policies and a place type in place that would allow that future consideration but that whole process for inclusionary zoning including all of the types of questions that the Councillor is raising about what might it look like, how might it replace the tools that we're losing through bonusing, what might be the extent as to the depth or the level of inclusionary zoning will all be dealt with through that process. It's really not part of this process at all so we're just trying to try to it to make it clear that's two separate processes. The other one has a lot of work and we will be back probably many times to go through that process, all this process does it says once you've got a Protected Major Transit Station Area in place that is where you could use that tool of inclusionary zoning.

- Councillor Cassidy: Okay. I'll go to Councillor Turner now.

- Councillor Turner: I thank you Madam Chair and thank Mr. Barrett that answers certainly one of the questions that I had in mind but brings up another. So I mean by, by its nature its Protected Major Transit Station Areas so that that confers a protection on these corridors in, in such that what, what ends up not being allowed then, I guess. So you designate the corridors which means it's protecting it from something is that, that when that these, these sites maintain as corridors rather than being cut off in some way or reassembled or redirected. Does it mean that, that where development opportunities come forward that they need to be done in such a way that promotes density and it's, it's not consistent with a lower density or, or another use that's, that might be incompatible with, with that densification along those protected corridors. How, how do those, those protections get conferred and, and what specifically are the protections that are conferred by it being a Protected Major Transit Station Area?

- Councillor Cassidy: Mr Adema?

- Justin Adema, Manager, Planning Policy: Through the Chair, the term Protected Major Transit Station Area is different terminology of the *Act* so we're using the provincial language to ensure that it's clear that we are providing policies that are subject to those requirements. In regards to what's being protected, as I described the, the objective or at least the apparent objective behind these policies is very much in line with what The London Plan includes where the goal is to facilitate and promote intensification and transit oriented development around rapid transit corridors and stations. Some of the opportunities that I think protect the corridors for those include some of the policies for minimum densities as well as the targeted jobs and people per hectare so there's a requirement there on the municipality to provide for, you know, or to implement policies that will achieve that objective. So as we move through this and, and monitor the policies we'll be ensuring that, that that objective is being achieved. In addition, I think some of the, the protection or comes through the, the fact that these

policies are not subject to appeal so it gives Council greater control over the policy approach and, and vision for these areas to ensure that it does support rapid transit investments.

- Councillor Turner: Through you Madam Chair. Thank you Mr. Adema. That's helpful. Back to Mr. Barrett's point that these are two separate things and I recognize the attention ends up coming around in inclusionary zoning quite a bit though every time we talk about PMSTA's or TSA's the question that I guess that comes from that is if we're only allowed to do IZ in Protected Major Transit Station Areas then what is to say that we wouldn't maximize the amount of area designated under that, that policy regime in order to take advantage of the opportunity, greatest opportunities, to, to provide inclusionary zoning development at Council's discretion to be able to accomplish what we've lost through bonusing? What we've designated here is kind of two axis, an East-West and North-South axis where there was access where those are, are prioritized but there are other core transit corridors within the city that, that possibly could be considered for higher density and use of inclusionary zoning policies. I'm conscious and I'm, and I'm trying not to conflate these two but, but if this is our only policy tool in order to accomplish that until we get a community permit to planning system in place why wouldn't we take a greater advantage of that?

- Councillor Cassidy: Is that Mr. Barrett or Mr. Adema?

- Justin Adema, Manager, Planning Policy: Through the Chair, I'm happy to take a first attempt and Mr. Barrett feel free to jump in. Our thinking was that the, the goals of the provisions of the *Act* where to support intensification and transit oriented development around rapid transit or higher order transit stations and, and to us that, that was very much in line with The London Plan approach and could be implemented quickly without any significant changes to the, to the approach or to the overall policies of The London Plan. It may be that, in the future, we consider expanding these; however, that would require further changes to any policies that would be within those areas so projecting or a targeted number of jobs and people per hectare as well as establishing minimum densities for development within those areas. This felt like a bigger shift in terms of the planning approach from the way The London Plan is set up so for this first go at PMTSA policies we limited it to the areas that are already planned to support higher order transit and again the future expansions or applications to other areas could be done but would be, would require a broader planning review than what was conducted as part of this analysis.

- Councillor Cassidy: And I did see Mr. Barrett's hand.

- Gregg Barrett, Director, City Planning and City Planner: Yes, and through the Chair, building on, on Mr. Adema's comments, it's important to note that, in fact, the, the Protected Major Transit Station Area through the overall enabling legislation the *Planning Act* is to align with higher order transit and so Council's decisions that are reflected in The London Plan identified the rapid transit corridors, the transit villages and the downtown is the focus and as the spines of the higher order transit system so that is the system that exists right now and so these PMTSA policies would align with those place types and with that approved higher order transit system. I would suggest to you that, that to expand those areas would be first driven by a consideration as to what other potential future higher order transit corridors might be and then the, they would meet that test of the Protected Major Transit Station Areas so right now what the land area and the areas that have been identified coincide with those place types that in The London Plan identify the focus of intensity and development as Mr. Adema said along the areas of the planned higher order transit system and it aligns with the

system as has been approved through the EA process to date. So what you have in front of you now does align four square with those areas have been identified for that higher order intensity of development. The connection that that then makes through IZ is that it gives Council the potential additional tool after we go through that process to build on that intensity along those corridors and within those nodes, the transit villages in the downtown. Through the use of inclusionary zoning to add as a component of that intensity affordable housing so that's how they, they would marry but the land area right now is tied to what aligns with the identified higher order transit areas and the, and the place types associated with that higher order transit system.

- Councillor Turner: Through you Madam Chair, thanks to you both. A lot of logic in that and I appreciate it. It makes sense to me.

- Councillor Cassidy: We are still on technical questions. Are there Council, or Mr. Mayor.

- Mayor Holder: Thanks very much. I'd like to, to move to the issue of density which you've spoken of some length and I'm trying to get a sense what the proposed impacts will have on the, the impact will be on these proposed amendments. I'm thinking in terms of what the potential for increased density in the transit corridors. I'm thinking specifically Richmond Street. Any impact that you anticipate?

- Councillor Cassidy: Mr. Adema?

- Justin Adema, Manager, Planning Policy: Through the Chair, it depends on what segment of Richmond Street we're referring to so there is an existing set of policies for the Richmond Street corridor between Oxford and Huron Street which are identified as the preservation corridor and those, those policies recognize the heritage character of that area and, and change or reduce some of the intensity of development that could be achieved in that area. So the policies are very clear and if you look at the, the policy specific to the rapid transit corridor place type, the last policy identifies that other policies of the plan will apply and it specifically points out specific corridor segment policies which includes that preservation corridor. So for that segment those policies will continue to apply and prioritize the heritage character of the area. For other areas, the, the minimum density policies are minimums so they don't include maximum densities that may be implemented through zoning but will be part of a, you know, a more in-depth review but the plan itself doesn't include maximum densities and, and we're not proposing to add through this process either.

- Mayor Holder: Thank you and so ensure so what's the distance from Richmond Street as being that corridor? What's the distance from Richmond Street where the rapid transit corridor policies would permit intensification? Trying to get a sense of what that distance would be up on either side. How far does that go?

- Justin Adema, Manager, Planning Policy: Through the Chair, I don't have that, that measurement at hand. If you give me a minute we can look it up.

- Councillor Cassidy: Mr Barrett's hand is up so I'll go to him while you're looking that up Mr Adema.

- Gregg Barrett, Director, City Planning and City Planner: Through the Chair, while Mr. Adema's looking that up, generally, the, the corridor place type aligns with the properties that are just fronting on the corridor so the, the place type as it, as it exists now on The London Plan would be the same area that would be designated as the Protected Major Transit Station Area and in most instances

that extends to the lot depth of the existing frontage along those corridors, there are some places where it's a little bit different and there are policies that speak to how, how that, that is interpreted but in general it is the depth of the existing parcel fabric as you go along the corridor that, that is the depth and this, this amendment doesn't change that. This amendment would lay over those existing place types so it's not proposing a higher level of intensity within the areas adjacent to the rapid transit corridors than already exists nor is it extending the policies that would provide for additional or those minimum intensities or those minimum jobs and persons per hectare to lands beyond the existing already identified rapid transit corridors so it doesn't spill into the adjacent neighborhood place types. It's limited to the depth of those existing corridors.

- Mayor Holder: But you could have, thank you for that, so, Chair, you could then you could actually have different depths of property side by each just because that happens to be the nature of the of that actual property and I find that kind of interesting but you're saying it's basically a property length whatever that might be. Any difference with the, there are the PMTSA's as far as, I mean those are, I mean that's the actual station itself or the, that very specific area. How do you define that as a distance? Let's say, again, let's use Richmond and Fanshawe, for example.

- Gregg Barrett, Director, City Planning and City Planner: Again, through the Chair, those policies already exist and those depths already exist within the plan so this doesn't change that so, so where those existing lot fabric is generally that's the way it works and that's the way it's been working along corridors not only within the transit areas but the other, I'll call them corridor type policies, that we have in the plan. There are then specific policies that speak about development within the distance of a transit stop in existing policy but again that only applies to that distance from the transit stop within the place type so doesn't extend into the next place type so if it's one hundred and twenty meters away from the transit area it would be or transit stop, it would be one hundred and twenty meters up and down the length of the corridor but not depth into a different place type if it makes sense.

- Mayor Holder: Yep, that actually does make sense Mr. Barrett. No, that's helpful. Thanks very much. So this amendment then proposed won't have an impact on our current policies is what you're saying then.

- Gregg Barrett, Director, City Planning and City Planner: You know, again, and through the Chair, as Mr. Adema said, that there, there's fundamentally three things that, that this amendment does. It describes this minimum intensity with respect to jobs and persons per hectare, it establishes the minimum levels of density within the corridors and it establishes that these lands are within the Protected Major Transit Station Area so that's, that's what this does. Your other policies as Mr. Adema has indicated remain in place and then we've got just the belt and suspenders, we've got that other policy that says just to remind everybody that all those other policies that would relate to the place type also apply so things like preservation, corridor segment policies or whatever would still apply because they're within the base policies of, of the rapid transit corridor place type and so those still would apply.

- Mayor Holder: Thank you and thanks Chair.

- Councillor Cassidy: Thank you. Any other technical questions? Okay. Seeing no more technical questions I'll go to the public to see and I see Mr. Wallace coming to the microphone. So go ahead, sir, you know that you have five minutes.

- Thank you Madam Chair and thank you members of PEC for having me here tonight. I am Mike Wallace. I'm representing the London Development Institute. We have lots to say tonight so hopefully I get through it in five minutes. First of all, I want to thank staff for their meeting with us as an organization. We had a working group and we had a number of concerns that we brought forward and to be frank staff listened very well and incorporated quite a bit of what we had to, in terms of recommendations within this report and we do appreciate that. We didn't agree on everything but that's no problem. Frankly, we really do not take any issue with the proposed densities or heights that's in this OPA as it relates to the place types that are in The London Plan but our big but which you will hear much more about as we go is we need to know and understand what the future Inclusive Zoning By-law will look like for these areas which we know will come into existence. Just to kind of follow up I'm sure where the Mayor was going with this but as an aside we thought that maybe the Council should look at whether the five to eight hundred meter, meters, reach should be distance criteria should be reviewed, that maybe it should be a bit wider a little more consistent because when you look at the map by some of our members who are confused about where the actual lines were and it might be a bit simpler but that's a different day, a different story. At the end of the day we're going to ask, at the end of this discussion that we believe that this OPA I know has to go to the Minister but is pretty mature prior to us seeing what the inclusive zoning is going to look like. We agree that the OPA has to be in place before inclusive zoning can be included. We understand the process, we understand that this is somewhat of a placeholder in for inclusive IZ in this policy but we don't have any clue and I think Councillors asked very, very, very good questions tonight about what inclusive zoning could look like. We have no idea and as the developers, the builders, the ones who are spending the money and actually going to build these locations they need to know what the inclusive zoning is going to look like and what that influence will have on the cost of providing the housing that would come through that process. IZ, as you know, is not mentioned anywhere in The London Plan. There's no policies on IZ in The London Plan, there's no mention of it and it's not, not follow the people who developed The London Plan just didn't, they didn't make the plan. So we were, we think we need to have the, the staff has said take a year to do that process, they're saying there's two processes we, we're saying that yes we don't disagree there's two processes but one should move ahead of the other and that, for us, it's premature to have this go to the Minister prior to us at least understanding what the IZ by-law is going to look like here in London as developers and builders of residential commercial facilities. The PMSTAs will not proceed unless our industry is satisfied they understand what the cost will be, the heights and densities if they don't match their performance, is there going to be flexibility if and how is the impact of this housing going to affect the cost of them being able to actually deliver high density housing in the transit areas? The report states that IZ is replacing bonusing provisions that were previously available but here is a major difference, bonusing isn't something that is something that the developer pursues. They don't have to go with bonusing, they don't have to do more development, higher buildings, that's their choice, it's based on, on the economics of whether that's a good decision on their behalf. We think IZ will not be, it will be much more prescriptive of what a builder and a developer needs to do and so there's a significant difference there and we need to understand what those requirements will be. Just give you some simple questions, I think that Councillor Hopkins mentioned a few of them that we have like, do the building heights in the OPA include units required by IZ or will IZ units be in addition to these sites? You know the staff mentioned that the, the height that's included in this OPA is the max including bonusing.

- Councillor Cassidy: You have twenty seconds left.

- Mike Wallace, London Development Institute: How much?

- Councillor Cassidy: Twenty.

- Mike Wallace, London Development Institute: I'll get there. Thank you Madam Chair. We don't, we don't know about the flexibility of the IZ zoning, we don't know anything, we don't even know about ownership. What if you build a condominium that has ownership that's different than a building that is rental, how does IZ apply? All those issues. At the end of the day Madam Chair, we think this is premature, it has to go to the Minister, it's not here for approval, we think you should defer I don't, I don't know what wording you want to use on it. Let us work with the City on the IZ by-law.

- Councillor Cassidy: Okay, you're well beyond your five minutes.

- Mike Wallace, London Development Institute: Move this forward and the by-law at virtually the same time so we all understand where we're working from.

- Councillor Cassidy: You are well past your five minutes now Mr. Wallace.

- Mike Wallace, London Development Institute: I am happy to answer any questions to give myself more time. Thank you.

- Councillor Cassidy: Thank you. Are there any other members of the public in the committee rooms who would like to speak to this issue? One more chance. Anybody left in those committee rooms who would like to address the Committee and talk about the issue of Protected Major Transit Areas? None. Okay. I will look for a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – Application – 820 Cabell Street (Z-9196)

- Councillor Cassidy: Thank you Mr. Adema. Is the applicant here and with the applicant like to address the Committee?

- Bruce Sworik: Yes, Madam Chair, I am.

- Councillor Cassidy: Go ahead, sir.

- Yes. My name is Bruce Sworik. I'm representing this property as the, as the owner and through your Worship and the Council, through you Madam Chair, we met with the City on a number of occasions, with Mr. Adema and Mr. Parker, to discuss this and we, you know, believe that changing the zoning is of no ill effect to anyone and the increase of the retail is to allow for a better opportunity to bring in a larger scale of commercial tenant in there who would require a larger amount than the existing zoning allowed for any type of ancillary retail space and it's an option, or pardon me, a problem I've had in over the last few years so hopefully this will be able to solve it and we can fill up a good building with some good tenants that we cannot put, put to good use there and hopefully employ some people in the area. I appreciate Council's time on this and on, on the approval. I'm here for anything.

- Councillor Cassidy: Thank you Mr. Sworik. Are there any technical questions from Committee for staff or for the applicant? I'm not seeing any technical questions so thank you very much. Are there any members of the public who would like to address the Committee about this item? One last time. Are there are members of the public in either of the committee rooms who would like to speak to the Committee about 820 Cabell Street? Okay. I'm seeing none so I will look for a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.5 PUBLIC PARTICIPATION MEETING – Implementing Additional Residential Units requirements of the Planning Act (Bill 108) (OZ-9176)

- Councillor Cassidy: Thank you Mr Parker. So now I will go to the members of the public in the committee rooms. You can come to the microphone, one at a time, state your name and you have five minutes to address the Committee.

- Thanks Council. My name is Kris Romnes. I believe I spoke with Chuck via email. I'm in support of the the, the changes definitely and he provided me with a bit of clarity. For just some more further clarity, if a homeowner has an existing duplex or converted dwelling, would a property owner be allowed to add a third detached unit? That's all. Thank you.

- Councillor Cassidy: Thank you. Anybody else in the committee room who would like to address the Committee?

- Hey, how's it going? I'm Matt Arsenault. I just have a question about the forty percent total gross floor area. So say I have a house that's two thousand square feet, I'd take the forty percent, I could build eight hundred square foot addition off the back as a secondary dwelling if it's for the, for three units does that mean my addition off the back only be four hundred square feet? I can only build four hundred square feet in the basement? Okay. We'll get answers to those questions.

- Councillor Cassidy: Any other members of the public who would like to address the Committee on this?

- Hello Committee members. I just want to add that the current, is the current zoning regulation for an accessory structure, they need to be reviewed and possibly amended by Council in order for you to support the eighty use as an accessory structure. As they stand today, they are very restrictive and there will be a difficulty and an obstacle to do them in an accessory dwelling. Thank you.

- Councillor Cassidy: Thank you. Any other members of the public?

- Good evening Councillors, Committee members and Mr. Mayor. My name is Victor Anastase. I just want to have a couple statements read here about this Bill. So clearly it's an important decision point for the City of London. Right now we, we are in great need of additional housing stock, that much is clear based on our affordable housing policies and some of the data points out there. I think this is a good opportunity for a gentle intensification which is what a lot of people are in favor of. So we have to understand that if this policy is implemented successfully and it's not overly restrictive it's going to lead to not just additional housing stock but a lot of consumer spending, jobs for the local trades and additional sources of income for the City. There are development charges involved, there are increased property taxes as a result of this work that's done with permits so this is good income sources for the City. That being said, one of the main policy points is that the rules to be implemented are not overly restrictive. As it stands right now, the current forty percent gross floor area is a confusing point to many people who actually create these units. The new proposal for forty-five percent of gross floor area also becomes a moving target and, and is somewhat confusing and restrictive. So to give an example under the new proposed policy by the City of London let's say you had an eleven hundred square foot above ground bungalow with eleven hundred square feet above ground, if you added a five hundred square foot basement apartment and

four hundred square foot ancillary dwellings so like a bunkie in your backyard, you would add the five hundred and four hundred square feet together divided by the, the new total gross floor area which would be two thousand to achieve the forty-five percent rule so that means under the new rule there would be six hundred square feet in that basement that is currently unused. This is also occurring with secondary dwellings, there's already a lot of square footage that's being wasted and the danger is that people who do this legally there might be people who do it legally and then further use that space in an illegal fashion and it's not benefiting people when you can have a larger footprint in your basement of either a bungalow or a back split for that or even a side split for that matter, even a semi-detached dwelling. So I feel like these policies are very, very restrictive, especially the new ones when you're adding a third unit and it would benefit the City of London to follow other cities such as Edmonton, Windsor, Kitchener, just to name a couple where either a maximum bedroom limit is introduced, for example, seven bedrooms, we currently have five maximum bedrooms. Therefor you would have either a studio one bedroom or two bedroom third unit added or a maximum square footage for the third unit of course respecting the required setbacks, property setbacks. Just some cities are doing a thousand square feet, others are doing even more. This absolute square footage or maximum number of bedrooms would eliminate the confusion with the gross floor area that seems to be one of the most prevailing points that the City of London does differently than other municipalities and it's not really benefiting the diversity of housing stock so I would highly urge review on those two key points to create a lot of housing stock in a way that is gentle and is also borne by private citizens. It doesn't require like public funding the way affordable housing does from the provincial and federal governments, this is all born essentially one hundred percent by private homeowners so it's obviously a key matter and I thank you for your time.

- Councillor Cassidy: Thank you. Are there other members of the public would like to address the Committee? Okay. State your name, you have 5 minutes.

- Hello Committee. I'm Richard Duench. I'm here representing the Orchard Park Sherwood Forest Ratepayers Association. I've served on the Board for ten years and had the pleasure of meeting several of you during that time. I'm here today to state that we aren't, we are in support of this current draft. This will not upset our good balance within our near campus neighborhood. It's not everything we wanted but it's workable and a reasonable approach for near campus areas by Fanshawe Western. There has been extensive public input gained over the past five years to get here so we are in support in moving forward with these limits and necessary controls such as the coverage percentage limit of forty percent GFA, the limits on townhouses and, he, once you put it in place we can do an overview in two years and tweak as necessary. We just, we're concerned if they, if they did deviate from the past five years of work on this file and made some rash decisions there could be unintended consequences and we'd ask that if there was going to be deviation that it gets referred back to staff and that's it. Thank you very much for the option to speak.

- Councillor Cassidy: Thank you sir. Anybody else? No. Great. Okay. Thank you so much. Thank you to everybody who addressed the Committee. So I have two questions that I've made note of but the first one of I'm not clear on it was Mr. Romnes, I believe, had asked a question about the ability to add a third unit but I, I wonder Mr. Romnes if you want to come back to the microphone and just repeat your question.

- Kris Romnes: Yep. Absolutely. Thanks. So it was just some clarity and I, I spoke with Chuck via email about this the other day. If a homeowner has an existing converted dwelling, so if there's two units within an existing property

now, can they add a third unit being in as an accessory structure on that property even though the existing two units, I mean they were existing before the original by-law had passed so it wouldn't be considered technically an accessory dwelling unit, the second unit within that home.

- Councillor Cassidy: Great. Thank you so much. Thanks. Okay so with that I will look for a motion to close the public participation meeting. Moved by Councillor Turner and seconded by the Mayor except we'll hold off on that because somebody's standing up.

- My name is Sagi and just as a clarification what was said about the two units, so in specific if someone has a duplex property, in order to add a accessory, accessory unit, it will have to go back to become a single family dwelling and then convert back to a duplex. So a duplex property would be able to, the question is if a duplex property will be able to have accessory, accessory building and if not it raises the issue of then that duplex property can go back to the original or in a residential area to go back to like a single family and add two units there so that causes a bit of an issue and not including the duplex property in this Bill.

- Councillor Cassidy: Thank you. So now we do have a motion to close the PPM. It's been moved and seconded. Make sure one last time there's nobody else. Okay. Okay. Come to the microphone and state your name and you have five minutes.

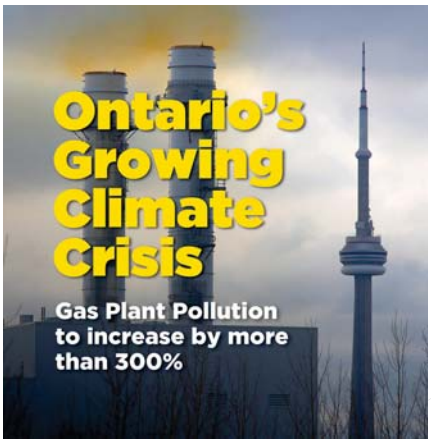
- I'm a real estate investor in London here and I currently have two duplex conversions under way right now so I just want you to consider two things: one, bedroom limits because, for example, I'm currently turning a bungalow, it's a three bedroom main floor bungalow, I'm building a secondary suite in the basement adding two bedrooms, that forty percent rule is a real big pain in the rear end. My tenants will enjoy a really big furnace room and a lot less of a footprint to actually enjoy living in; the other issue is I'm actually excited about the three unit thing I'd love to add a bunkie in my backyard. I have a huge backyard, it's in East London. I can easily add another unit out there, lots of parking, it would work really well, it would add some more living space for people but if it's limited at five bedrooms I'm not sure how I could do that. Also if I did build a bunkie I would like it to be a minimum of two bedrooms, it would probably just be a maximum two bedroom to make it affordable. My two bedroom basement secondary dwelling unit that I'm building is just so you know it's costing me one hundred and fifty thousand to build it, that's what it costs for new sewer lines, water lines, electric, plumbing, I keep track of all that stuff to make it legal, right, you know with all the permits and BCIN drawings and all of the contractors and everything else. So it's very expensive to build a unit. I'm just a, just a single income earner, I was actually, I don't even have a job anymore so thanks to Covid so it's very expensive to build these things. So we, we do need to have a little more room for the bedroom issue like five bedrooms is a little bit crazy, I mean a lot of people's regular single family primary residence have five bedrooms. So if you can consider that I'd appreciate it. Thank you.

- Councillor Cassidy: Thank you. So I'll check in those two committee rooms one more time. Are there any members of the public who would like to address the Committee? I see one more.

- My name is Therron Jones. I'm on the Ratepayers as well for Orchard Park Sherwood Forest. I think one of the things having participated in this much like Rich over the last ten years and meeting with various community groups. Those communities that are close to the campuses of Western, Fanshawe, have a unique situation because we want to support affordable housing but we need it

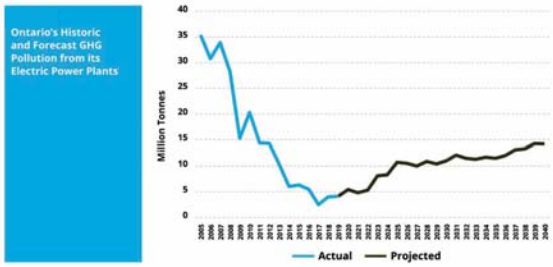
balanced with student housing and we appreciate the student make up in our communities is very important and it needs to be balanced and it needs controls and we found that the proposals by City staff to, to cap floor areas and bedroom limits has had a very positive effect overall in the balance of, of the intensification of student housing in our areas. We, we have it, we support it but if it goes unchecked without limits we've we see the ramifiations of that and more mature areas of the London's student housing areas where it's very intense, it’s high density and it's, it's not in control. So again we, we believe staff has put a lot of thought into this at a lot of input and, and we support the recommendations. Thank you.

- Councillor Cassidy: Thank you. Any other members of the public who would like to speak to this item? One more time. Any other members of the public would care to address the Committee? Okay. We have a motion to close the public participation meeting it's been moved and seconded.



ONTARIO CLEAN AIR ALLIANCE

Ontario's rising emissions



(IESO)

What's behind these rising emissions?

- Ontario's demand for electricity will rise by about 1% per year.
- The Pickering Nuclear Station will close in 2024.
- Virtually all of our need for new electricity resources will be met by ramping up province's gas-fired power plants.

Reaching Ontario's 2030 Climate Target

- According to Ontario's Auditor General, we need to implement measures that will reduce our greenhouse gas pollution by an additional 7.3 to 14 million tonnes per year to achieve our 2030 climate target.
- A phase-out of Ontario's gas plants would provide our province with all or virtually all of the incremental pollution reductions that it needs to achieve its 2030 climate target.

Historic and Forecast GHG Pollution and Electricity Generation from Ontario's Gas-Fired Power Plants

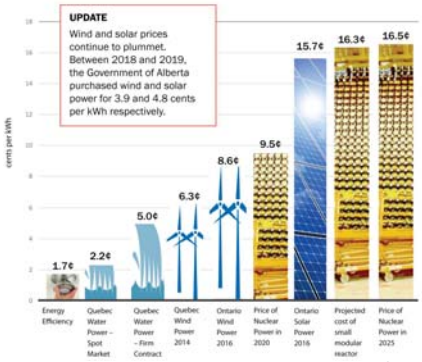
Year	2017	2018	2019	2020	2025	2030	2040
GHG Pollution (Million Tonnes)	2.5	4.0	4.1	5.4	10.7	11.0	14.2
Electricity Generation (Billion kWh)	5.9	9.6	9.5	13.6	28.0	28.6	37.0

How can we phase out Ontario's gas plants?

- Energy efficiency
- Quebec water power
- Wind and solar energy

- Distributed resources can create jobs in every community
- Quebec water power can back-up wind and solar energy

Ontario Electricity Options: A Cost Comparison



Phase out supporters

Kitchener council calls on province to phase out gas-fired power production

Kitchener City Council voted unanimously on Monday to join Halton Hills in calling on the Government of Ontario to phase-out the province's gas-fired power plants by 2030.

about 10 hours ago By: Casey Taylor

Lennox Power Station near Bath, Ontario, Canada. November 2010.

Municipal Leadership

ONTARIO CLEAN AIR ALLIANCE

Let's get to work!

Jack Gibbons
jack@cleanairalliance.org

Angela Bischoff
angela@cleanairalliance.org

CleanAirAlliance.org

OntarioClimateAction.ca

Community and Protective Services Committee
Report

The 1st Meeting of the Community and Protective Services Committee
December 1, 2020

PRESENT: Councillors J. Helmer (Chair), S. Lewis , M. Salih, A. Kayabaga, S. Hillier, Mayor E. Holder

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

Remote attendance: M. Balogun, C. Cooper, S. Corman, K. Dickins, S. Glover, O. Katolyk, G. Kotsifas, L. Livingstone, D. MacRae, D. O'Brien, A. Pascual, J. Raycroft, C. Saunders, K. Scherr, C. Smith, S. Stafford, B. Westlake-Power and J. Yanchula

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, A. Kayabaga and M. Salih

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

1.2 Election of Vice Chair for the term ending November 30, 2021

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

That Councillor S. Hillier BE ELECTED Vice-Chair of the Community and Protective Services Committee for the term ending November 30, 2021.

Yeas: (5): J. Helmer, S. Lewis, A. Kayabaga, S. Hillier, and E. Holder

Absent: (1): M. Salih

Motion Passed (5 to 0)

2. Consent

Moved by: S. Lewis
Seconded by: S. Hillier

That Items 2.1, 2.2 and 2.3, BE APPROVED.

Yeas: (5): J. Helmer, S. Lewis, A. Kayabaga, S. Hillier, and E. Holder

Absent: (1): M. Salih

Motion Passed (5 to 0)

2.1 2020 Annual Emergency Management Program Update

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the City Manager, the following actions be taken with respect to the 2020 Annual Emergency Management Program Update:

a) the revised attached by-law BE INTRODUCED at the Municipal Council meeting to be held on December 8, 2020, to:

i) repeal and replace Schedule “A” of By-law No. A.-7657-4 with the new Schedule “A”, being the City of London Emergency Response Plan, as appended to the above-noted revised by-law; and,
ii) repeal By-law No. A.-7657(b)-2; and,

b) the staff report, dated December 1, 2020, with respect to this matter, BE RECEIVED. (2020-P03)

Motion Passed

2.2 2019 Ontario Works Participant and Service Delivery Profile

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the staff report dated December 1, 2020, with respect to the 2019 Ontario Works Participant and Service Delivery Profile, BE RECEIVED. (2020-S04)

Motion Passed

2.3 Extension of Delegated Authority in By-laws Related to Business Reopenings and Supportive Actions

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official and the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the extension of delegated authority in by-laws related to business reopenings and supportive actions:

a) the staff report dated December 1, 2020, with respect to this matter, BE RECEIVED;

b) the Managing Directors and designates BE DELEGATED authority in regulations related to business reopening and supportive actions, including business application and permit processing procedures, until April 14, 2021 in the following By-laws: Business Licence By-law, Streets By-law, Traffic and Parking By-law, Sign By-law, Parks and Recreation By-law, Sound By-law, Building By-law and Council Policy By-law. (2020-S08)

Motion Passed

3. Scheduled Items

3.1 Proposed Amendment to the Noise/Sound By-law - D. Mailer

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

That the verbal delegation from D. Mailer and the written communication from A. Valastro, as appended to the Added Agenda, with respect to a request to amend the City of London Noise/Sound By-law to restrict or

prohibit the use of outdoor frequency sound emitting devices within city limits BE RECEIVED. (2020-P01)

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

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

That the Deferred Matters List for the Community and Protective Services Committee, as at November 5, 2020, BE RECEIVED.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

5.2 (ADDED) City of London 2020-2021 Winter Response Program for Unsheltered Individuals

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

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the City of London 2020-2021 Winter Response Program for unsheltered individuals:

a) the proposed City of London 2020-2021 Winter Response Program for Unsheltered Individuals, as outlined in the staff report dated December 1, 2020, BE ENDORSED and BE APPROVED; and,

b) the Civic Administration BE DIRECTED to undertake all administrative acts which are necessary in relation to the above-noted report.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

6. Adjournment

The meeting adjourned at 5:11 PM.

Appendix "A"

Bill No.
2020

By-law No. A.-7657( )-

A by-law to amend By-law No. A.-7657-4, being "A by-law to repeal By-law No. A.-7495-21 and to adopt an Emergency Management Program and Plan." in order to repeal and replace Schedule "A" to the by-law.

WHEREAS Section 3.1 of the *Emergency Management and Civil Protection Act*, R.S.O 1990, c. E.9 (the EMCPA) provides that every municipality shall formulate an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency and the council of the municipality shall by by-law adopt the emergency plan;

AND WHEREAS the EMCPA requires the municipality and council to implement an emergency management program to protect the public safety, public health, the environment, the critical infrastructure and property and to promote economic stability and a disaster-resilient community;

AND WHEREAS the EMCPA makes provision for the Head of Council to declare that an emergency exists in the community or in any part thereof and also provides the Head of Council with the authority to take such action or deliver such orders as he/she considers necessary and are not contrary to law to implement the emergency plan of the community and to protect property and the health and welfare of the inhabitants of an emergency area;

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

AND WHEREAS Subsection 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. Schedule "A", being the City of London Emergency Response Plan, to by-law No. A.-7657-4 is hereby repealed and replaced with the ~~attached~~ new Schedule "A".

2. By-law No. A.-7657(b)-2 is hereby repealed.

3. This by-law comes into force and effect on December 8, 2020

PASSED in Open Council on December 8, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – , 2020
Second Reading – , 2020
Third Reading – , 2020

Corporate Services Committee

Report

19th Meeting of the Corporate Services Committee
November 30, 2020

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

ALSO PRESENT: J. Taylor, C. Saunders, M. Schulthess, B. Westlake-Power

Remote Attendance: L. Livingstone, A. Barbon, G. Belch, B. Card, I. Collins, S. Corman, M. Goldrup, J. Logan, S. Miller, S. Tatavarti, B. Warner

The meeting is called to order at 12:11 PM, with Councillor A. Kayabaga in the Chair; it being noted that the following Members were in remote attendance: Mayor E. Holder, Councillors J. Helmer, J. Morgan, A. Hopkins and M. van Holst.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: J. Morgan
Seconded by: J. Helmer

That the Corporate Services Committee recess for 10 minutes, due to technical issues.

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

Absent: (1): M. van Holst

Motion Passed (5 to 0)

The Corporate Services Committee recesses at 12:15 PM. The Committee resumes at 12:26 PM with all Members participating.

2.1 Taxation of Properties Owned by London Middlesex Community Housing Inc.

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

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial, the staff report dated November 30, 2020, entitled “Taxation of Properties Owned by London Middlesex Housing Inc.," BE RECEIVED for information.

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

Motion Passed (6 to 0)

Additional Votes:

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

That Civic Administration BE DIRECTED to report back to Corporate Services Committee with a phased approach of reducing the effective tax rate for London Middlesex Community Housing Inc. (LMCH) buildings, over a period of four years, to be equivalent to the residential tax rate.

Yeas: (3): A. Kayabaga, J. Helmer, and A. Hopkins

Nays: (3): M. van Holst, J. Morgan, and E. Holder

Motion Failed (3 to 3)

2.2 Report to the Federation of Canadian Municipalities Board of Directors Virtual Meeting - September 8-11, 2020

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

That the communication from Councillor J. Morgan regarding the Federation of Canadian Municipalities (FCM) update on board activities from the virtual meeting held on September 8-11, 2020 BE RECEIVED for information.

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 Consideration of Appointment to the Accessibility Advisory Committee

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

That Madison Bush BE APPOINTED as a Voting Member to the Accessibility Advisory Committee for the term ending June 30, 2021.

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

5.1 AMO 2021 Conference

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

That the attached update from Councillor A. Hopkins, with respect to the 2021 AMO Conference, BE RECEIVED.

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

Absent: (1): J. Morgan

Motion Passed (5 to 0)

6. Confidential (Enclosed for Members only.)

Moved by: A. Hopkins
Seconded by: M. van Holst

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

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

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

6.2 Personal Matters/Identifiable Individuals

A matter pertaining to labour relations or employee negotiations and pertaining to personal matters about identifiable individuals as it relates to employee benefits.

6.3 Litigation/Potential Litigation / Solicitor-Client Privileged Advice

A matter pertaining to litigation with respect to The Corporation of the City of London v. Amal and Samir Samhouri in connection with a Default Judgment dated May 12, 2003 in Ontario Superior Court, file # 41525; advice that is subject to solicitor-client privilege, including communications necessary for that purpose, in connection with Default Judgment dated May 12, 2003 in Ontario Superior Court, file # 41525; and directions and instructions to officers and employees or agents of the municipality regarding settlement negotiations and conduct of litigation in connection with the Default Judgment dated May 12, 20003 in Ontario Superior Court, file # 41525.

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

Absent: (1): J. Morgan

Motion Passed (5 to 0)

The Corporate Services Committee convened, In Closed Session, from 1:25 PM until 2:14 PM.

7. Adjournment

The meeting adjourned at 2:14 PM

Dear Colleagues,

As you know, London successfully bid to host the Association of Municipalities of Ontario Annual Conference in 2021 (and 2023). This conference attracts hundreds of municipal representatives and provincial decision makers every year, and was moved to a virtual platform for 2020 due to the pandemic.

With the ongoing uncertainty around how long gathering restrictions will be necessary, the AMO board of directors made the difficult decision to plan for a fully virtual conference for 2021. While London will still be featured as the official host city, it seems unlikely we'll be able to have thousands of people gathered in one space for a major conference.

I am confident that we will still be able to put a distinctly London twist on the virtual conference, and Tourism London and RBC Place have already had early discussions with AMO about the potential opportunities to generate interest and economic spinoff for our city.

This decision, like so many decisions that must be made during the pandemic, is disappointing but completely understandable. As the planning gets underway for the virtual conference, there will be opportunities for participation for members of our Council, and I hope each of you will consider contributing to make sure London is an exceptional virtual host in 2021.

Sincerely,

Councillor Anna Hopkins

Bill No. 1
2021

By-law No. A.-_____-___

A by-law to confirm the proceedings of the Council Meeting held on the 8th day of December, 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 December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading –December 8, 2020
Third Reading – December 8, 2020

Bill No. 2
2021

By-law No. A.-7657( )-

A by-law to amend By-law No. A.-7657-4, being “A by-law to repeal By-law No. A.-7495-21 and to adopt an Emergency Management Program and Plan.” in order to repeal and replace Schedule “A” to the by-law.

WHEREAS Section 3.1 of the *Emergency Management and Civil Protection Act*, R.S.O 1990, c. E.9 (the EMCPA) provides that every municipality shall formulate an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency and the council of the municipality shall by by-law adopt the emergency plan;

AND WHEREAS the EMCPA requires the municipality and council to implement an emergency management program to protect the public safety, public health, the environment, the critical infrastructure and property and to promote economic stability and a disaster-resilient community;

AND WHEREAS the EMCPA makes provision for the Head of Council to declare that an emergency exists in the community or in any part thereof and also provides the Head of Council with the authority to take such action or deliver such orders as he/she considers necessary and are not contrary to law to implement the emergency plan of the community and to protect property and the health and welfare of the inhabitants of an emergency area;

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

AND WHEREAS Subsection 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. Schedule “A”, being the City of London Emergency Response Plan, to by-law No. A.-7657-4 is hereby repealed and replaced with the <u>attached</u> new Schedule “A”.

2. By-law No. A.-7657(b)-2 is hereby repealed.

3. This by-law comes into force and effect on December 8, 2020.

PASSED in Open Council on December 8, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

SCHEDULE A

City of London

Emergency Response Plan

November 2020

www.london.ca/emergency

London
CANADA

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1.0 INTRODUCTION

1.1 DEFINITION OF AN EMERGENCY

The Provincial *Emergency Management and Civil Protection Act* defines an emergency as:

"An emergency means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise."

These situations could threaten public safety, public health, the environment, property, critical infrastructure or economic stability. In order to protect residents, businesses and visitors, the City of London supports a coordinated emergency response by various agencies under the direction of the Municipal Emergency Control Group (Emergency Operations Centre Policy Group). These are distinct arrangements and extraordinary procedures from the normal core services normally delivered by the emergency services.

The City of London Corporate Security and Emergency Management Division in conjunction with the Community Emergency Management Program Committee developed this emergency response plan to ensure that all Civic Departments, Service Areas, Boards, Commissions and Municipal Council are prepared to carry out assigned responsibilities in the event of an emergency situation.

The *Emergency Management and Civil Protection Act* requires that the Emergency Response Plan be a risk-based plan, developed and maintained to respond to an emergency. This includes steps to guide the response effort, identify persons, equipment and resources for activation in an emergency and outline how they will be coordinated.

In addition, it is important that residents, businesses and interested visitors be aware of the Emergency Response Plan and its provisions. Copies of the City of London Emergency Response Plan may be viewed on the City of London web site www.london.ca/emergency and are available through the Emergency Management Office.

1.2 AIM

The aim of this plan is to make provision for the extraordinary arrangements and measures that may be required to safeguard property, the environment and the health, safety and welfare of the residents, businesses and visitors of the City of London when faced with an emergency. The response plan enables a centralized controlled and coordinated response to emergencies in the City of London and meets the legislative requirements of the Emergency Management and Civil Protection Act.

1.3 AUTHORITY

The legal authority for London's Emergency Response Plan is the Provincial Emergency Management and Civil Protection Act, RSO 1990 Chapter E-9. In accordance with the Emergency Management and Civil Protection Act, the following actions were taken with respect to London's Emergency Response Plan:

- Issued under authority by City of London By-law
- Filed with Office of the Fire Marshal and Emergency Management, Ministry of the Solicitor General; and
- For the purposes of the Act and Regulations, London's Municipal Emergency Control Group (MECG) shall be referred to in this plan as the Emergency Operations Centre Policy Group.

1.4 EMERGENCY RESPONSE

Emergency action will include the earliest possible recognition of and response to the situation by all services; the earliest possible establishment of overall control of emergency operations by municipal authorities; the provision of essential aid and assistance for persons affected by the emergency; the recording of decisions taken by Municipal authorities and of costs incurred in relation to the emergency; and the timely distribution of information on the emergency to all services, to the public, the media and senior governments.

When an incident or an emergency can be handled by emergency services in the normal course of routine operations, they are authorized to carry out their respective duties and this plan does not take effect.
When an emergency exists but has not yet been declared, actions may be taken under this emergency response plan as required to protect life, property, environment and the health, safety and welfare of the citizens of the City of London.

When an emergency exists as defined by the act or determined by an emergency service that has major impact on the municipality or the health, safety and welfare of the citizens, the City of London Emergency Operations Centre Policy Group shall be notified of the incident.

1.5 LEVELS OF EMERGENCIES

Emergency levels are defined based on the impact in the following areas:

- Evacuation;
- Impact on infrastructure;
- Threat to/loss of life;
- Impact on essential services;
- Emergency service response; and
- Declared emergency.

It should be noted that, while this plan sets out procedures for major emergencies and disasters, responsibilities outlined in Section 5 are applicable for all levels of emergencies, and whether the EOC Policy Group is convened or not.

There are three levels of emergencies:

1.5.1 LEVEL ONE

<u>Criteria:</u>

- Evacuation - large scale evacuation;

- Impact on Infrastructure - all or most roads closed/loss of major municipal facilities, reducing or eliminating essential service;
- Threat to/Loss of Life - major loss of life or threat to a large number of people;
- Emergency Service Response - all or most emergency services involved, impact on coverage;
- Incident Management System used at the site;
- Emergency Operations Centre - activated and/or Policy Group convened; and
- EOC - Full Activation.

1.5.2 LEVEL TWO

Criteria:

- Localized Evacuation - of an area requiring a reception centre or other extra-ordinary measures;
- Impact on Infrastructure - major roadway or facility impacted;
- Disruption to business or industry;
- Threat to/Loss of Life - loss of life is minimal or non-existent. Threat to public may be substantial;
- Emergency Service Response - may or may not affect all essential services, activation of the Operations Section, EIO, etc. (example severe storm);
- Policy Group members may be advised of the incident but not convened; and
- EOC - Enhanced Activation.

1.5.3 LEVEL THREE

Criteria:

- Limited Evacuation - small number of people and for short duration;
- Impact on Infrastructure - secondary roadway closed for short duration;
- Threat to/Loss of Life - threat or loss of life is minimal;
- Emergency Service Response - limited to one or two agencies with short duration response; and
- EOC – Monitoring Activation.

1.6 EXERCISING THE PLAN

The ability to respond under emergency conditions must be assessed under non-emergency conditions. The efficacy of this Plan will be tested as follows:

- Annual testing in accordance with the Emergency Management and Civil Protection Act regulations; and
- A notification exercise to test the alerting network will be conducted as required.

1.7 REVIEW AND AMENDMENT

This Plan will be maintained by the Corporate Security and Emergency Management Division. It will be reviewed annually by members of the Community Emergency Management Program Committee. Normal administrative changes will be updated as part of the annual review. Changes that directly impact on the viability of the plan shall be brought to the attention of the City Manager and/or the Senior Leadership Team.

1.8 ANNEXES

A – EOC Policy Group Contact Lists
B – Contact and Resource List
C – Alternate Emergency Operations Centre
D – Exercise “Snow Ball” Practice Alerting Exercise
E – Glossary of Terms and Acronyms
F – EOC Policy Group Alerting System
G – Flood Plan (EES)
H – Emergency Procedures for Major Power Utilities Service Disruptions (London Hydro)
I – Environmental Spills Response Plan (EES)
J – Communications Plan (EIO)
K – Emergency Social Services Plan (NC&FS)
L – Hazardous Materials Plan (CEMPC)
M – Railroad Emergency Plan (CEMPC)
N – Pandemic Plan (MLHU)
O – Disaster Recovery Assistance (OFMEM)
P – Extreme Temperature Protocol (MLHU)

2.0 DECLARATION / TERMINATION OF AN EMERGENCY

2.1 DECLARATION OF AN EMERGENCY

Where serious and extensive steps to protect property and the health, safety and welfare of the public are deemed necessary in managing the emergency, the Mayor, on the advice of the EOC Policy Group, may declare that an emergency exists under the provisions of Section 4 of the Emergency Management and Civil Protection Act, R.S.O. 1990 and may designate an area within the City of London as an "Emergency Area.”

Upon declaring an emergency, the Mayor may authorize notification to any of the following:

- Office of the Fire Marshal and Emergency Management, Ministry of the Solicitor General;
- Members of City Council;
- Neighbouring Community Emergency Management Coordinators, as appropriate;
- The Public;
- Neighbouring community officials, as appropriate;
- Local Members of Provincial Parliament (MPP); and
- Local Members of Parliament (MP).

The Mayor (or Designate) will authorize notification to the Solicitor General as mandated under the Emergency Management and Civil Protection Act.

Under such a declaration, the Mayor may authorize any of the following actions:

- Evacuation of buildings within the vicinity considered dangerous to occupants;
- Dispersal of persons judged to be in danger or whose presence hinders emergency operations;
- Discontinuation of any service without reference to other consumers where continuation of service constitutes a hazard within the emergency area;
- Provision of shelter as required and available for residents of the emergency area in need of assistance due to conditions of the emergency;
- Deployment of Municipal personnel and equipment;
- Request assistance from volunteers and other agencies not under Municipal control such as St. John Ambulance, the Salvation Army, Canadian Red Cross, Amateur Radio Emergency Service, London Search and Rescue, Intercommunity Health Care, Community Foundation, snowmobile clubs, local industry; and
- Request assistance from the County of Middlesex and its Constituent Municipalities.

2.2 REQUESTS FOR ASSISTANCE

Assistance may be requested by the City in a declared emergency when needed, under the following guidelines:

- The assistance of Federal and Provincial Ministries may be requested via Office of the Fire Marshal and Emergency Management through the Community Emergency Management Coordinator; and
- Assistance from other municipalities may be requested through the respective head of council and/or through senior staff.

The City Clerk (Planning Section) will maintain a record of requests made for Municipal, Provincial or Federal Government assistance in the emergency.

Direction and control of emergency operations will rest with Municipal authorities except where the Provincial or the Federal Government assumes control.

2.3 TERMINATION OF AN EMERGENCY

A community emergency may be terminated at any time by:

- Mayor or Acting Mayor; or
- City Council; or
- Premier of Ontario.

When terminating an emergency, the Mayor may authorize notification to:

- Office of the Fire Marshal and Emergency Management, Ministry of the Solicitor General;
- Members of City Council;
- County Officials, as appropriate;
- Members of the Media;

- Public;
- Neighbouring community officials, as required;
- Local Members of Provincial Parliament; and
- Local Members of Parliament.

2.4 RECOVERY AND RESTORATION OF SERVICES

EOC Policy Group

The Policy Group will direct responsibilities for the recovery and restoration of services, the orderly and safe return of citizens to their homes and the clean-up following an emergency situation.

The Managing Director, Environmental and Engineering Services and City Engineer (or designate) will be responsible to coordinate this phase of the emergency with support and advice from other agencies as required. Where a spill of hazardous material is involved, the responsibility of the consignor or owner of the material will be considered.

Inspection of dwellings and buildings to ensure safe occupation will also be organized by the Managing Director, Development and Compliance Services and Chief Building Official with inspection assistance being provided by the Fire Department, London Hydro, Electrical Safety Authority, Middlesex-London Health Unit, and other agencies as required.

Communications

The Director of Communications acting as the Emergency Information Officer will work with the EOC Policy Group to arrange for the prompt release of information and direction to the public through the media concerning clean-up operations and the occupation of dwellings and buildings. This includes the use of the Public Inquiry Centre to assist with public inquires.

3.0 NOTIFICATION AND ACTIVATION

3.1 NOTIFICATION OF AN EMERGENCY

Emergency Services personnel are typically first on the scene mitigating the incident during any emergency. When the Police, Fire, EMS, or Engineering Supervisor at the site considers the situation or potential situation beyond the capability of the emergency service to manage or support without outside assistance, he/she will so advise the Chief of Police, the Fire Chief, EMS Chief or the Managing Director of Environmental and Engineering Services and City Engineer respectively.

The following EOC Policy Group members (or their alternates), in consultation with the Community Emergency Management Coordinator, will decide if the situation calls for assembly of the EOC Policy Group:

- Chief of Police;
- Fire Chief;

- Paramedic Service (EMS) Chief;
- City Manager, Deputy City Manager;
- Managing Director, Environmental and Engineering Services and City Engineer;
- Community Emergency Management Coordinator;
- Medical Officer of Health;
- Managing Director, Neighbourhood, Children and Fire Services (Emergency Social Services); and
- Chief Executive Officer, London Hydro.

Based on the scope of the emergency they will determine what EOC members, advisors and support staff are required and if so, will request their attendance through the Community Emergency Management Coordinator.

3.2 POLICY GROUP OPERATIONS

Emergency Operations Centre (EOC)

Corporate Security and Emergency Management Division will maintain the Emergency Operations Centre in a state of readiness. This facility is located at the #12 Fire Station in Byron. This is the location where the EOC Policy Group would convene. This centre may be activated at other times to monitor situations that may escalate or for coordination of planned events.

This facilities main role is to support the Incident Commander and assist in ensuring service levels to other parts of the Community.

The EOC consists of a number of rooms:

• OPERATIONS ROOM – A large room where operational, planning, logistics, finances/administration is monitored. Information is gathered, collated, evaluated and disseminated in order to provide situation, status reports and EOC action plans to the EOC Policy Group.

• POLICY ROOM – Adjoining the Operations Room, a boardroom that allows the Mayor and City Manager to obtain updates from the EOC Director. The City Manager (Policy Group Chair) determines the membership of the Policy Group, normally senior representatives of the key agencies/departments. The EOC Director is appointed by Policy Group to provide leadership in the Operations Room and consolidate information to provide situation reports and upcoming priorities to the Policy Group. This room can also be used by the Operations Section or EOC Director for Section meetings, while the Policy Group is not in session.

• BREAK-OUT ROOM – A smaller meeting room is available for working group or separate task-based discussions.

• ADMINISTRATIVE AREAS – Access control and the Amateur Radio station are housed in the front administrative area. The Manager’s Office can also be used as a breakout room.

• COMMUNITY ROOM – A segregated room at the rear of the building can be setup to house the Public Inquiry Centre.

Operating Cycle

Members of the Policy Group will meet at regular intervals to receive situation reports from the EOC Director, The Policy Group Chair will establish the frequency of meetings based on discussions with the EOC Director and the Emergency Site - Incident Commander. Meetings will be kept as brief as possible allowing members to carry out their individual responsibilities. A display board identifying the status of actions will be maintained and prominently displayed in the Operations Room.

The City Manager will chair operating sessions of the Policy Group. The Policy Group will consider strategic decisions and will break to permit members to consult the Operations Room staff, help develop action plans, continuity of government, business continuity and contact others as necessary.

The intent of these conference sessions is to provide an uninterrupted forum for the Policy Group members to update one another and to recommend necessary actions to be taken. The Mayor will join conference sessions when available and confirm extra-ordinary decisions recommended by the Policy Group.

The Policy Group will require support staff to assist and to record key decisions. The CEMC will provide a Scribe to the Policy Group. Members will require staff at the EOC to handle communications to and from their department or agency to the emergency site. It is the responsibility of all members to notify their staff and associated volunteer organizations.

EOC Meeting Cycle

Members of the EOC IMS team will work in their functional sections; EOC Management, Operations, Planning, Logistics and Finance/Administration. The sections will work during an operational period and develop an EOC action planning process:

- Understand Current Situation and build situational awareness;
- Identify Objectives and priorities;
- Develop the EOC Action Plan;
- Obtain Approvals and distribute EOC action plan; and
- Review and Monitor Progress.

3.3 SUPPLEMENTARY PLANS

Separate emergency plans (Annex's or Appendices) are maintained by Service Areas, Boards and Commissions to respond to specific emergency situations. One copy of each such plan should be available in the Emergency Operations Centre and be updated annually by the responsible agency. Copies should also be filed with the Community Emergency Management Coordinator.

4.0 EOC POLICY GROUP

The Emergency Operations Centre Policy Group is responsible for providing immediate and continuing interchange of information, assessment and planning among the officials responsible for emergency operations. Each member will have identified designate(s) to act on their behalf when they are not available. The EOC Policy Group could consist of two groups of officials (depending on the situation) to build the EOC Policy Group:

4.1 EOC POLICY GROUP MEMBERSHIP

The Membership of the EOC Policy Group will be comprised of the following officials:

- Mayor, or Deputy Mayor;
- City Manager, Deputy City Manager or Alternate;
- City Clerk, Deputy City Clerk or Alternate;
- Chief of Police, or Deputies;
- Fire Chief, or Deputies;
- Managing Director, Environmental and Engineering Services and City Engineer, or Alternate;
- Managing Director, of Neighbourhood, Children and Fire Services and/or Managing Director Housing and Social Services and/or Managing Director, Parks and Recreation or Alternates;
- Medical Officer of Health, or Associate MOH;
- Middlesex-London Paramedic Services Chief, or Deputies;
- Director of Strategic Communications, Government Relations, Community Engagement or Manager;
- Community Emergency Management Coordinator, or Alternate;
- Hospital(s) Representative or Alternate;
- Chief Executive Officer, London Hydro or Alternate; and
- General Manager, London Transit or Alternate.

Note: in the absence of the primary member the alternate or designate will fulfil their role.

4.2 EOC ADVISORS

The EOC Staffing can be comprised of any or all of the following officials:

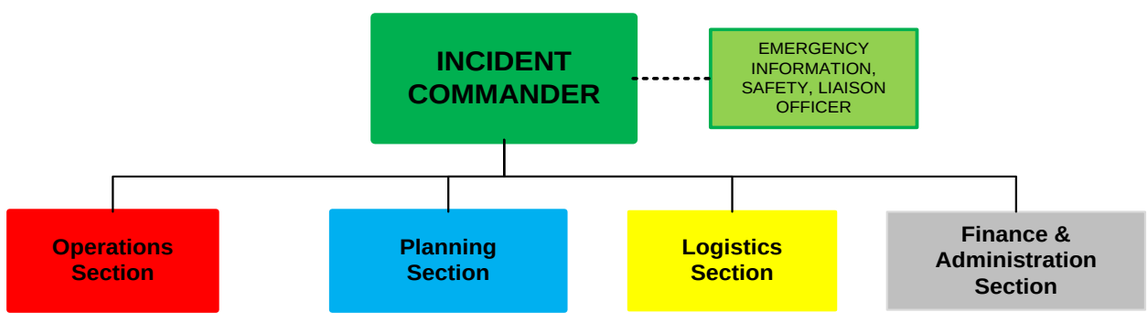
- Director Human Resources;
- Managing Director, Development and Compliance Services, and Chief Building Official;
- Managing Director, Corporate Services, City Treasurer and Chief Financial Officer;
- Director, Information Technology Services;
- Regional Coroner;
- The Thames Valley District School Board;
- The London District Catholic School Board;
- The Incident Industrial Representative;
- The Ministry of the Environment;
- The Upper Thames River Conservation Authority;
- CN / CP

- Office of the Fire Marshal and Emergency Management Representative;
- Ontario Provincial Police Representative;
- Department of National Defense, Canadian Armed Forces Regional Liaison Officer;
- Liaison staff from Provincial and Federal Ministries; and
- Any other officials, experts or representatives from the public or private sectors as deemed necessary.

All members of the EOC Policy Group shall designate alternates to act for them in the EOC, in their absence. Alternate designations are noted in Annex A. Some members may also be required to fulfill positions in the EOC Management, Operations, Planning, Logistics and Finance/Administration Sections.

4.3 THE INCIDENT COMMANDER

The City of London has utilized standard Emergency Management protocols for many years. The City of London has adopted the Provincial model, using "best practices" the Incident Management System (IMS). In a Complex Incident one agency takes the lead role as Incident Commander (IC) or Unified Command. The IC provides coordination and leadership at the site/scene using the IMS model. This person is normally drawn from the lead agency and other leaders take over directing the operations section. This approach has been advocated in both federal and provincial levels.



INCIDENT COMMANDER

The Incident Commander (IC) is appointed by those response agencies on site. He/she will usually be from the lead agency (jurisdiction) involved in the specific type of emergency. For example, in a fire incident, an IC from the Fire Department would be appointed. Another officer from the Fire Department would then assume responsibility for fire ground operations. In a criminal incident, the IC would most probably be from London Police.

However, the collaborative decision on which person is most appropriate is based on the Knowledge, Skills and Abilities of the on-scene personnel.

This appointment would be amended or confirmed by the EOC Policy Group if activated. This appointment may be reassessed or transferred as the incident moves from response to recovery.

COMMAND STAFF

It may be necessary for the Incident Commander (IC) to designate a Command Staff who will provide information, liaison and safety services for the entire organization at the site, they report directly to the IC.

EMERGENCY INFORMATION OFFICER

This person develops and releases information about the incident to the news media, incident personnel, city administrative and political leaders, and other appropriate agencies and organizations. He/she supports the IC with media interviews and works with other involved communications personnel to ensure consistent, accurate and timely communications.

SAFETY OFFICER

The Safety Officer is tasked with creating systems and procedures for the overall health and safety of all responders.

LIAISON OFFICER

The Liaison Officer serves as the primary contact for organizations cooperating with or supporting the incident response.

GENERAL STAFF

OPERATIONS SECTION

The Operations Section implements the incident action plan and is responsible for developing and managing the first responders to accomplish incident objectives set by the Incident Commander. Operations organize, assigns and supervises all resources assigned to an incident including the staging area. It works closely with other members of the Command and General Staff to assign resources from the following agencies:

London Fire Department;
London Police Service;
London - Middlesex Paramedic Service (EMS);
Environmental and Engineering Services;
London Transit;
London Hydro; and
Other Agencies.

PLANNING SECTION

The Planning Section at the site develops the Incident Action Plan. It collects, evaluates, analyzes and disseminates emergency information. The planning process includes preparing and documenting the Incident Action Plan and conducts long range contingency planning.

LOGISTICS SECTION

The Logistics Section coordinates the provision of all resources assigned to the incident. It obtains, maintains and accounts for essential personnel, equipment and supplies.

FINANCE / ADMINISTRATION SECTION

The Finance/Administration Section provides financial and cost analysis support to an incident.

RADIO COMMUNICATIONS

Services likely to be at an emergency site include Police Services, Fire Department, Middlesex-London Paramedic Service (EMS), Environmental and Engineering Services (EES), London Hydro and London Transit personnel. They will make every effort to ensure there is an efficient means of communication in place, both to and from the Incident Commander between emergency service groups.

A clear communications link must be established between the Incident Commander and the EOC. This is done using LCOM1 or LIMS 1, the 800 Mhz. common channels. This talkgroup is to communicate key information relative to Command decisions. Each Agency utilizes their own operational channels/tacs to relay information within their own organization

Communications relating to operational decisions should utilize individual agency channels or talk groups to communicate with staff in the Emergency Operations Centre. Agencies must have access to both radios.

4.4 RESPONSIBILITIES OF THE INCIDENT COMMANDER

Coordination by all resources at the emergency site is important to an effective response. The Senior Fire, Police, EMS Supervisor in conjunction with the EES Supervisor (when applicable) on site will agree who should act as the initial Incident Commander (IC) depending on the nature of the emergency and will advise the Fire Chief and/or Chief of Police, Paramedic Chief respectively.

An on-site "Incident Command Post" will be established by the IC as soon as practical, to bring together supervisors of all emergency services operating at the scene for the purposes of coordinated action. It may also be necessary to establish a resource staging area so that outside resources have a definitive assembling/marshalling point. It will also be necessary to establish an area close, yet in safe proximity, to the emergency site for the media to assemble. The location should be easily identified, and located in proximity to the on-scene Incident Command Post.

The Incident Commander, in liaison with the Senior Fire, Police, Paramedic, EES and other officials on site, is responsible to:

- Implement the Incident Management System
- Direct, control and coordinate the on-site emergency response effort of the Emergency Response Agencies, in accordance with direction from the Senior Officers;
- Maintain contact with the leader of each agency and inform on progress on each;
- Assess the situation, establish an aim and determine the incident action plan;

- In conjunction with Police, Fire, EMS, EES and other key agencies, establish site layout and a Incident Command Post, including an staging area for additional staff resources for the control and coordination of emergency site operations;
- Establish Emergency Site communications capabilities;
- Establish which agencies/personnel are allowed access past the outer and inner perimeters and advise on-site police;
- In coordination with the Director of Communications establish an Assistant Emergency Information Officer - Site Media Spokesperson. Request public information support, as required;
- Request the activation of Alert London – mass notification system;
- Request the activation of the EOC and EOC Policy Group for additional support to the site;
- Maintain continuous contact with EOC Director and Operations Section Chief and or Branch Operations to report the operations status at the emergency site and advise of any assistance or other resources required;
- Take such necessary actions to minimize the effects of the emergency;
- When recovery operations are nearing completion, monitor and advise the EOC about agencies preparing to depart the site;
- Maintain a log of all major decisions, instructions, IMS forms and actions taken; and
- Prepare and submit a final report containing operational evaluation of his/her area of responsibility, including recommendations on changes to the Emergency Response Plan and Supplementary Plans.

4.5 INCIDENT MANAGEMENT SYSTEM

The City of London adopted the Incident Management System (IMS) at the emergency site and has adopted it at the Emergency Operations Centre. IMS is internationally recognized and is endorsed by Office of the Fire Marshal and Emergency Management, based on the National Incident Command System and NFPA 1600. IMS is being implemented by all ministries and communities.

IMS Principles:

1. Five Primary Functions (Command, Operations, Planning, Logistics, Finance/Administration)
2. Establish and Transferring of Command
3. Single or Unified Command
4. Management by Objectives
5. Consolidated Incident & EOC Action Plans
6. Comprehensive Resources Management
7. Unity and Chain of Command
8. Manageable Span of Control
9. Modular Organization
10. Personnel Accountability
11. Common Terminology
12. Integrated Communications

IMS consists of five key functions:

1. Command
2. Operations
3. Planning
4. Logistics
5. Finance / Administration

IMS is the standardized emergency response system, which defines the basic command structure and the roles and responsibilities, required for the effective management of an emergency.

4.6 EOC IMS ORGANIZATIONAL STRUCTURE

The majority of emergency incidents are managed at the site, by the Incident Commander. Incident objectives, strategies and tactics for the site are formulated and directed from the Incident Command Post (ICP). In larger emergencies, onsite responders may require policy, coordination and resources to support site activities by requesting support from the EOC.

An Emergency Operations Centre (EOC) is a pre-designated facility, set up off site, to provide this support. The EOC provides policy direction and support to the site, business continuity. The EOC Director coordinates resources requests from the site(s) and manages all non-site activities.

An EOC may be established by any level of government or the private sector to support individual response agencies or the overall response effort. Emergency Operations Centres are normally activated at the request of the Incident Commander or EOC Policy Group.

When an EOC is activated, the agency may establish a Policy Group (formally the Community Control Group), comprised of the head of the organization (e.g. Mayor, Managing Directors, Chiefs, etc.) and other senior executive officers, in order to provide the EOC Director with policy direction.

The EOC is organised into five major functions; Management, Operations, Planning, Logistics and Finance/Administration. A diagram of this EOC structure is provided on the next page. The primary responsibilities of each of these functions are described below:

EOC Management: Responsible for overall policy and coordination through the joint efforts of government agencies and private organizations. Management includes the EOC Director, Deputy Director, Risk Management Officer, Liaison and Emergency Information Officers.

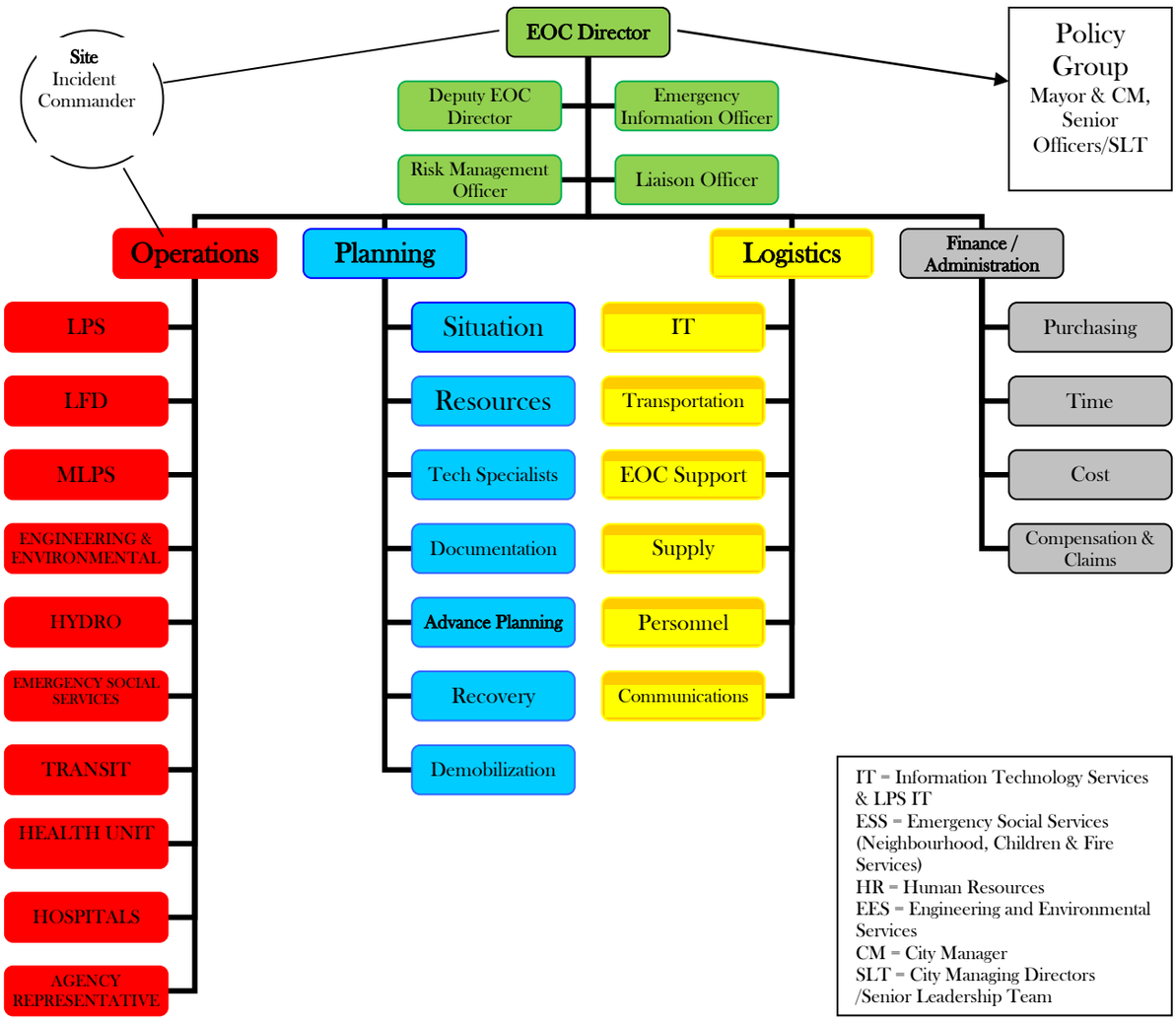
Operations: Responsible for coordinating all jurisdictional operations in support of the emergency response through implementation of the EOC Action Plan.

Planning: Responsible for collecting, evaluating and disseminating information; developing the EOC's Action Plan and Situation Report in conjunction with other functions; and maintaining EOC documentation.

Logistics: Responsible for ensuring the EOC is operational and providing facilities, services, personnel, equipment and materials.

Finance/Administration: Responsible for financial activities and other administrative aspects

EOC IMS ORGANIZATIONAL CHART



More information on IMS in the EOC in chapter 8

5.0 RESPONSIBILITIES OF THE EOC POLICY GROUP MEMBERS

The members of the EOC Policy Group are authorized to take the following actions:

- Calling out and mobilizing their respective services, equipment or other agencies as required;
- Supporting the Incident Management System at the site and at the Emergency Operations Centre;
- Designating an Agency representative to the EOC Operations Section as Branch Coordinator;
- Assist in the staffing of the EOC Planning, Logistics, Finance/Administrative Sections;

- Coordinating and directing services and ensuring that any actions necessary for mitigating the effects of the emergency are taken;
- Determining if the location and composition of the EOC are appropriate (and that appropriate advisory and support members are present);
- Advising the Mayor as to whether the declaration of an emergency is recommended;
- Advising the Mayor on the need to designate all or part of the City as an emergency area;
- Ensuring that an Incident Commander (IC) is appointed and confirmed if required;
- Ensuring support to the IC in terms of equipment, staff and other resources as required;
- Discontinuing utilities or services provided by public or private agencies, e.g. hydro, water, gas, closing down a shopping plaza/mall;
- Arranging for services and equipment from outside local agencies;
- Notifying, requesting assistance from and/or liaising with various levels of government and other public or private agencies not under municipal control, as considered necessary;
- Determining if volunteers are required and authorizing requests to identify agencies for assistance;
- Implementing Business Continuity Plans to ensure the delivery of services outside of the emergency area;
- Authorizing transportation arrangements for evacuation or transport of persons and/or supplies;
- Ensuring that pertinent information is promptly forwarded to Communications for dissemination;
- Determining the need to establish advisory groups and/or sub-committees/working groups for any aspect of the emergency including recovery;
- Authorizing expenditure of money required to deal with the emergency;
- Notifying personnel under their direction, of the declaration and termination of the emergency;
- Maintaining a log outlining issues, decisions made and actions taken for submission to the City Manager within one week of the termination of the emergency;
- Requesting activation of the London Alert – emergency mass notification system;
- Participating in the operational debriefing following the emergency; and
- Ensuring support to emergency service personnel and the citizens suffering emotional trauma as a result of critical incident stress.

5.1 ELECTED OFFICIALS

5.1.1 The Mayor is responsible for the following:

- Member of the EOC Policy Group;
- Providing overall leadership to the community;
- Provide advice and information from Councilors;

- Designating specific responsibilities to members of the Policy Group as deemed appropriate and receiving interim reports on a continuing basis for such special areas of concern;
- Representing the City of London with Senior Government officials and making the appropriate notifications;
- Serving as main media spokesperson for the Municipality;
- Determining if and when an emergency is declared;
- Declaring an emergency;
- Ensuring Council members are advised of the declaration and termination of an emergency;
- Ensuring Council members are informed of the emergency situation as per Corporate policy; and
- Declaring termination of the emergency.

5.1.2 The Deputy Mayor is responsible for the following:

- In the absence of the Mayor, the Deputy Mayor will assume the duties of the Mayor; and
- In the absence of the Deputy Mayor, the Alternate Deputy Mayor will assume the duties of the Mayor.

5.1.3 City Councillor's are responsible for the following:

- Councillors may be appointed as Alternate Deputy Mayor;
- Adopt by by-law the City of London's Emergency Management Program;
- Approve at council the City of London's Emergency Response Plan, including any amendments;
- Reinforce emergency preparedness messages to their constituents;
- Consider receiving training in emergency management and the Incident Management System provided by the City;
- Refer questions from the public to the City's Public Inquiry Centre, which may be operational during an emergency;
- When receiving calls from their constituents, Councilors can compile issues and concerns to share with the Mayor that will be passed on to the EOC Director and Emergency Information Officer;
- If calls from the media are received by a Councillor, then the information should be forwarded to Corporate Communications/Emergency Information Officer; and
- When the EOC is activated, it is important to note that information should not be posted on websites and social media sites that have not been approved for release by the EOC Director.

5.2 CITY MANAGER

The City Manager, Deputy City Manager or designate is responsible for the following:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Act as the Emergency Operations Centre Director; assign the Command Staff and General Staff Chiefs in the EOC. Activate the Operations, Planning, Logistics and Finance / Administration Sections;
- Chairing Policy Group meetings, determining the meeting cycle and agenda during emergencies or other meeting;
- Act as Chief Advisor to the Mayor on policies and procedures as appropriate;
- Ensuring a master event log is made recording all important decisions and actions taken by the EOC and EOC Policy Group;
- Approving, in conjunction with the Mayor, major announcements and media releases prepared by Communications; and
- Ensuring that a communications link is established between the EOC and IC.

5.3 CITY CLERK

The City Clerk or designate is responsible for the following:

- Member of the EOC Policy Group;
- Assisting the City Manager and/or EOC Director as required;
- Advising the EOC Policy Group in matters of: bylaws and protocols, governing Council;
- If assigned by the EOC Director, act / assign the Finance / Administration Section Chief. Activate the Finance/Admin Section in the EOC; be prepared to assist in the Operations, Planning and Logistics Section.
- Recording emergency expenditures authorized by the EOC Policy Group;
- Maintain a record of requests made for Municipal, Provincial or Federal Government assistance in the emergency; and
- Upon direction of the Mayor, arranging special meetings of Council; and advising Councillors of the time, date and location of the meetings.

5.4 CHIEF OF POLICE

The Chief of Police or deputy will have the following responsibilities in addition to the normal responsibilities of the Police Service:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Alerting persons endangered by the emergency and coordinating evacuation procedures;

- Depending on the nature of the emergency, providing the Incident Commander at the Emergency Site and inform the EOC;
- If assigned by the EOC Director, act / assign the Operations Section Chief, activate the Police Branch of the Operations Section in the EOC, be prepared to assist in the Planning and Logistics Section.
- Establishing an ongoing communications link with the Senior Police on scene;
- Where applicable, establish and/or secure the inner perimeter of the emergency scene;
- Where applicable, establish the outer perimeter in the vicinity of the emergency to facilitate the movement of evacuees, emergency vehicles and to restrict access to all but essential emergency personnel;
- As feasible, provision of the police mobile command vehicle to serve as the multi-agency incident command post;
- Initiating traffic control to facilitate the movement of emergency vehicles and services;
- Provision of facilities for the City's, third alternate Emergency Operations Centre at Police Headquarters;
- Authorizing movement of the primary EOC to the alternate EOC location;
- Providing communications support, and information on the emergency to the Policy Group;
- Arranging for additional Police assistance when necessary;
- Evacuation of buildings or areas as authorized by the Mayor (IC/EOC Director), or the immediate evacuation of residents from a building or area for urgent safety reasons on the decision of the Senior Police Officer on scene in consultation with Fire Services where appropriate, and notifying the EOC or City Manager and the Managing Director of Neighbourhood, Children and Fire Services of such actions;
- Arranging for the maintenance of order in any emergency reception centre, morgue and other facilities established by the EOC;
- Notifying the coroner of fatalities;
- Ensure the protection of life and property and the provision of law and order;
- Securing the emergency site to protect evidence so that subsequent investigation by other agencies is not hindered, for example an aircraft crash site; and
- Liaising with other municipal, provincial and federal law enforcement/intelligence agencies as required. The Chief of Police will ensure that the OPP Western Region Duty Officer is kept informed of any emergency situation in or affecting the City of London, so that current information on the emergency will be on hand at OPP General Headquarters.

5.5 FIRE CHIEF

The Fire Chief or deputy will have the following responsibilities in the emergency in addition to the normal responsibilities of the Fire Department:

- Member of the EOC Policy Group;

- Activating the EOC Policy Group notification system, when applicable;
- Providing the EOC with information and advice on firefighting and rescue matters;
- Depending on the nature of the emergency, providing the Incident Commander at the Emergency Site and informing the EOC;
- If assigned by the EOC Director, act / assign the Operations Section Chief, activate the Fire Branch of the Operations Section in the EOC, be prepared to assist in the Planning and Logistics Section.
- Establishing an ongoing communications link with the Senior Fire official on scene;
- Informing Mutual Aid Fire Chiefs and/or initiating mutual aid arrangements for the provision of additional firefighters and equipment, if needed;
- Determining if additional or special equipment or capabilities are required and recommending possible sources of supply, e.g. breathing apparatus, protective clothing;
- Determining the level and nature of Mutual Aid Fire assistance to provide to neighbouring communities when requested;
- Providing support to non fire fighting operations if necessary, e.g. rescue, casualty collection, evacuation;
- Maintaining plans and procedures for dealing with spills of hazardous material from the viewpoint of public safety, prevention of explosions and the spread of noxious fumes; and
- Providing advice to other City Services as required in the emergency.

5.6 MANAGING DIRECTOR OF ENVIRONMENTAL AND ENGINEERING SERVICES & CITY ENGINEER

Managing Director Environmental and Engineering Services & City Engineer or designate are responsible for the following:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Depending on the nature of the emergency, providing the Incident Commander at the Emergency Site and informing the EOC;
- If assigned by the EOC Director, act / assign the Operations Section Chief, activate the Environmental and Engineering Branch of the Operations Section in the EOC, be prepared to assist in the Planning and Logistics Section;
- Establishing an ongoing communications link with Senior EES on the scene of the emergency;
- Maintaining communications with public works representatives from neighbouring communities to ensure a coordinated response;
- Ensuring provision of engineering assistance;
- Maintaining and repairing sanitary sewage and water systems;

- Providing emergency potable water, supplies and sanitation facilities as required by the Medical Officer of Health;
- Liaising with public utilities to disconnect any services representing a hazard to the public and/or arranging for the provision of alternate services or functions;
- Liaising with the Upper Thames River Conservation Authority regarding flood control, conservation and environmental matters;
- Arranging for snow or building debris clearance on an emergency basis so that vehicle movement can be maintained;
- Developing and implementing a plan for the removal and disposal of debris;
- Arranging for procurement of special purpose vehicles/equipment not in City inventory;
- Obtaining advice from the Chief Building Official on the structural safety of any buildings affected by the emergency and take action as required under the Building Code Act;
- Arranging with London Police for building evacuation where appropriate;
- Providing advice on the structural safety of any buildings affected by the emergency in liaison with the Chief Building Official and arranging with London Police for building evacuation where appropriate;
- Arranging for the demolition of unsafe structures as required;
- Coordinating action for the recovery and restoration of services as outlined in the London Emergency Response Plan, including the inspection of homes and buildings for safe re-occupation where required;
- Maintaining flood plans including river watch in liaison with the Upper Thames River Conservation Authorities and the weather services, when required;
- Maintaining procedures and plans for Engineering and Environmental Services response to spills of hazardous and environmentally damaging materials including containment, neutralizing and clean-up, upon advice from the Fire Department as to the material involved and the remedial action required;
- Arranging for repair of the water distribution system in case of ruptured mains in order to restore availability of water for fire-fighting purposes;
- Providing assistance to accomplish tasks as requested by London Police to support
- evacuations; and
- Arrange for the provision of forestry crews as required.

5.7 MANAGING DIRECTOR OF NEIGHBOURHOOD, CHILDREN AND FIRE SERVICES

The Managing Director of Neighbourhood, Children and Fire Services and/or Managing Director Housing and Social Services and/or Managing Director, Parks and Recreation or designate is responsible for the following:

- Member of the EOC Policy Group;
- Emergency Social Services lead;

- Activating the EOC Policy Group notification system, when applicable;
- Ensuring the well-being of residents who have been evacuated from their homes by arranging emergency lodging, clothing, food, registration, inquiries and other personal services;
- Activation of the Emergency Social Services Plan;
- Coordinating the opening and operation of temporary and/or long-term reception/evacuation centres and ensuring adequate staffing;
- If assigned by the EOC Director, activate the Emergency Social Services Branch of the Operations Section in the EOC; be prepared to assist in the Planning and Logistics Section.
- Liaising with the EOC with respect to the designated reception/evacuation centres that can be opened on short notice;
- Liaising with the Medical Officer of Health on areas of mutual concern regarding operations in reception centres;
- Liaising with the Ministry of Community and Social Services;
- Liaising with volunteer organizations in regards to providing staff for registering the public in reception centres and providing clergy to the site; and
- Notifying Western Fair and London school boards when their facilities are required as reception centres.

5.8 MEDICAL OFFICER OF HEALTH

The Medical Officer of Health or designate will have the following responsibilities:

- Member of the EOC Policy Group;
- Activate EOC Policy Group notification system in the event of a health emergency;
- Acting as a coordinating link for all emergency health services at the EOC;
- If assigned by the EOC Director, act / assign the Operations Section Chief, activate the Health Unit Branch of the Operations Section in the EOC, be prepared to assist in the Planning and Logistics Section.
- Depending on the nature of the emergency, assigning the Incident Commander at the Emergency Site and informing the EOC;
- Liaising with the Ontario Ministry of Health and Long Term Care, Public Health Branch;
- Establishing an ongoing communications link with the senior health official at the scene of the emergency;
- Liaising with senior EMS representatives, hospital officials, relevant health care organizations (i.e. Southwest Local Health Integration Network, the Ministry of Health and Long-Term Care and relevant government agencies;
- Providing authoritative instructions on health and safety matters to the public through Communications;
- Coordinating the response to disease related emergencies or anticipated emergencies such as epidemics, according to the Ministry of Health and Long-Term Care policies;

- Coordinating care of bed-ridden and special needs citizens at home and in reception centres during an emergency;
- Liaise with Local Health Integration Network
- Liaising with voluntary and private health care agencies, as required, for augmenting and coordinating public health resources;
- Coordinating efforts towards prevention and control of the spread of disease during an emergency;
- Notifying the Environmental and Engineering Services and City Engineer regarding the need for potable water supplies and sanitation facilities;
- Liaising with the Emergency Social Services on areas of mutual concern regarding health services in reception centres;
- Providing advice to the Mayor and the EOC Policy Group on health matters;
- When advised by emergency services of an emergency situation involving hazardous substances or any threat to public health, providing advice for the safety of emergency service workers and activities to reduce the adverse affects on the public health;
- Directing precautions in regard to food and water supplies when warranted;
- Arranging for mass immunization where required; and
- Notifying other agencies and senior levels of government about health-related matters in the emergency.

5.9 PARAMEDIC SERVICE (EMS) CHIEF

The Middlesex-London Paramedic Service (MLPS) Chief or deputy is responsible for the following:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Providing information on patient care activities and casualty movement from the emergency site;
- If assigned by the EOC Director, activate the Ambulance (EMS) Branch of the Operations Section in the EOC; be prepared to assist in the Planning and Logistics Section.
- Establishing an ongoing communications link with the EMS official at the scene of the emergency;
- Liaising and obtaining EMS resources from the Provincial Ministry of Health and Long-Term Care, Emergency Health Services Branch, Senior Field Manager or On Call EMS Superintendent and from other municipalities for support if required;
- Liaising with the Ambulance Communications Centre regarding patient status, destination, and department case load;
- Organizing the EMS response to assist and coordinate actions of other Social Service agency EMS branches (i.e. patient transport services, and other transportation providers);
- Advising the EOC if other means of transportation are required for large scale responses;

- Obtain EMS Mutual Aid assistance as required for both land and air based patient transport;
- Assist with the emergency evacuation when required;
- Ensure balanced emergency EMS coverage is available at all times throughout the community;
- Liaising with the receiving hospitals; and
- Liaising with Police, Fire, Coroner and Medical Officer of Health, as required.

5.10 DIRECTOR OF COMMUNICATIONS AND EMERGENCY INFORMATION OFFICER (EIO)

The Director of Strategic Communications, Government Relations and Community Engagement or designate; responsibilities include:

- Member of the EOC Policy Group;
- Establishing a communications link with the Community Spokesperson (s) and any other media coordinator(s) (i.e. provincial, federal, private industry, hospitals, etc.) involved in the incident;
- Implementing the Emergency Communications Plan;
- Designate an Emergency Information Officer (EIO) for the EOC
- If assigned by the EOC Director, designate the Emergency Information Officer at the Site and Assistant EIO's in the EOC; be prepared to assist in the Operations and Planning Section.
- Ensuring that all information released to the public is timely, full and accurate;
- Ensuring an Emergency Information Centre is set up and staffed for the purpose of disseminating information to the media;
- Ensuring media releases/PSAs are approved by the Mayor prior to dissemination;
- Handling inquiries from the public and media;
- Coordinating individual interviews and organizing press conferences;
- Ensuring a Public Inquiry Centre is set up (if necessary) to process email and/or phone inquiries;
- Ensuring a Public Inquiry Centre Supervisor is designated and to liaise often with this Supervisor regarding the nature of inquiries;
- Distribute media releases/PSAs to the EOC, Public Inquiry Centre Supervisor and other appropriate key persons;
- Ensuring the public is advised of the Public Inquiry Centre phone number(s) through public service media announcements;
- Monitoring news coverage and social media and correcting any erroneous information;
- Maintaining copies of media releases pertaining to the emergency; and
- Ensure information notification protocols for Elected Officials are exercised.

5.11 COMMUNITY EMERGENCY MANAGEMENT COORDINATOR (CEMC)

The Community Emergency Management Coordinator or alternate responsibilities include:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Ensuring Alert London – Mass Notification System and EOC Policy Group contact lists are kept up to date, for EOC activation;
- Ensuring the email lists and cell phone, electronic device applications are utilized to supplement telephone call-out system;
- Providing advice and support to the Incident Commander and initial responders including liaison with appropriate agencies, service areas and departments;
- Assisting with the decision making process to determine whether to activate the EOC Policy Group notification system when applicable;
- Preparing and arranging the Emergency Operations Centre in readiness to activate;
- If assigned by the EOC Director, act as Deputy EOC Director, assign a Liaison Officer, activate the Incident Management System in the EOC, be prepared to assist in the Operations, Planning, Logistics and Finance/Administration Sections and EOC Support;
- Ensuring EOC Policy Group members have all plans, resources, supplies, maps and equipment;
- Ensuring that a communications link is established between the EOC and Site;
- Providing advice and clarification regarding the London Emergency Response Plan;
- Lead contact between the Municipality and Office of the Fire Marshal and Emergency Management (OFMEM);
- Liaising with Provincial and Federal agencies as required;
- Liaising with support agencies (i.e. Red Cross, St. John Ambulance, Salvation Army, Amateur Radio Emergency Service) as required;
- Addressing any action items that may result from the activation of the London Emergency Response Plan;
- Maintaining logs for the purpose of debriefings and post emergency reporting;
- Acting as Deputy EOC Director, EOC Director and/or Liaison Officer to the EOC as required, provide members for the EOC Support Unit;
- Advising on the implementation of the City of London emergency plans;
- To initiate arrangements with telephone authorities for priority attention to key municipal offices;
- Arranging the provision of administrative staff to assist in the EOC, as required;

- Maintaining plans in place, for the alternate EOC at City Hall and alternate back up at LPS HQ, for use by the EOC as outlined in Annex C of this plan;
- Providing a process for registering EOC and EOC Policy Group members; and
- Forwarding all Provincial Media releases to the Director of Communications (EIO).

5.12 HOSPITALS REPRESENTATIVE

London Hospitals' work collaboratively together on their Emergency Management programs. They would send a representative to attend the EOC Policy Group and EOC Operations Section provide direct liaison to the hospitals' control groups.

Providing information on overall hospital capacity, patient care activities and casualty movement at the hospitals including decontamination status for CBRNE events;

- If assigned by the EOC Director, assist the Hospital Branch of the Operations Section in the EOC; be prepared to assist in the Planning and Logistics Section;
- Liaising with the Ambulance Communications Centre and EMS regarding patient status, destination, and department case load;
- Activating their emergency plans as appropriate;
- Establishing ongoing communications links with the hospital control groups;
- Liaising and obtaining hospital resources from the Provincial Ministry of Health and Long-Term Care, Emergency Health Regulatory and Accountability, and from other hospitals for support if required;
- Ensure communication regarding availability of essential hospital services occurs at all times throughout the community; and
- Liaising with Police, Fire, Coroner and Medical Officer of Health, Community Care Access Centre, and Southwest Local Health Integration Network (LHIN) as required.

5.13 CHIEF EXECUTIVE OFFICER, LONDON HYDRO

The Chief Executive Officer, or designate London Hydro responsibilities include:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Monitoring the status of power outages and customers without services;
- Providing updates to the EOC on power outages, as required;
- Depending on the nature of the emergency, providing the Operations Section Hydro resources at the Emergency Site and informing the EOC;
- If assigned by the EOC Director, activate the Utilities Branch of the Operations Section in the EOC; be prepared to assist in the Planning and Logistics Section;
- Liaising with the Independent Electrical System Operators regarding local and global power outage issues;

- Monitoring service status to inform customers relying on home medical equipment, (i.e. oxygen, dialysis machines);
- Providing assistance with accessing generators for essential services or other temporary power measures;
- Arranging to discontinue electrical services to any consumer where considered necessary in the interest of public safety;
- Maintaining plans in place for alternative electrical service, where necessary, and for the priority restoration of affected services as dictated by emergency needs of City services and other essential users;
- Arranging for the clearance of power lines and fallen trees on emergency routes in order that emergency response personnel have access to perform their duties;
- Establishing procedures and maintaining plans for emergency response to transformer oil leaks and for the coordination of response efforts by other departments and agencies in such situations; and
- Assisting with post-disaster clean-up and restoration of services.

5.14 GENERAL MANAGER, LONDON TRANSIT

The General Manager, or designate London Transit responsibilities include:

- Member of the EOC Policy Group;
- Co-ordination of evacuation transportation resources;
- Responding as directed by London Police and/or the EOC regarding the utilization of transportation resources under emergency evacuation conditions;
- Depending on the nature of the emergency, providing the Operations Section transportation resources at the Emergency Site and informing the EOC;
- If assigned by the EOC Director, activate the Transportation Unit of the Logistics Section; and /or Transportation Branch of the Operations Section, in the EOC, be prepared to assist in the Planning Section.
- Coordinating the acquisition, distribution and scheduling of various modes of transport (i.e. public transit, school buses, etc.) for the purpose of transporting persons and/or supplies, as required in an emergency;
- Procuring staff to assist with transit issues, as required;
- Ensuring that a record is maintained of drivers and operators involved;
- Establishing an emergency availability system for all transportation vehicles according to time of day, excluding London Central Ambulance Communications Centre (L.C.A.C.C) dispatched vehicles which will remain the responsibility of the L.C.A.C.C., and
- Provide transportation support for on-site emergency responders as required.

6.0 RESPONSIBILITIES OF EOC ADVISORS

6.1 DIRECTOR, HUMAN RESOURCES

The Director, Human Resources is responsible for the following:

- If assigned by the EOC Director, act as the Risk Management Officer in the EOC
- Assisting with providing necessary staff to help with emergency operations by matching employees' skills with required job (prior to an emergency). Obtaining, recording and maintaining an inventory of employee skills and limitations related to emergency operations, to be verified through the EOC Policy Group and support staff;
- Coordinating offers of, and appeals for, volunteers with the support of the EOC Policy Group. (This may include additional registration of volunteers for Emergency Reception Centres, telephone inquiry call in lines, recovery work parties, etc.);
- Coordination of staff information hotline and internal Corporation of the City of London communications in conjunction with Emergency Management;
- Ensuring safe workplace practices are followed and that appropriate safeguards are in place to protect staff and volunteers. Advising the EOC Policy Group on matters concerning Occupational Health and Safety legislation;
- Advising the EOC Policy Group on legislative and collective agreement aspects of the response. Make recommendations to ensure staff are fairly compensated for extra-ordinary efforts. Work with Union leadership to address any issues arising during the incident.
- Providing identification cards to staff, volunteers and temporary employees when required;
- Providing personal assistance to those employees who are impacted by the emergency. Establishing the necessary support services to allow employees to continue to report to work during the emergency (i.e. daycare, elder care, food services, rest areas, etc.);
- Recommendation to the EOC Policy Group on alternate work schedules, site, telecommuting, etc. in the event that City facilities are impacted;
- Ensuring that records of human resources and related administrative issues that cover financial liability are completed;
- Arranging Critical Incident Stress Debriefing Teams and employee counseling services to respond to the needs of municipal emergency response staff and registered volunteers, during and post emergency, as required; and
- Providing additional staff to the EOC, as required.

6.2 MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

The Managing Director, Development and Compliance Services and Chief Building Official or alternate will:

- Where possible, inspect buildings for visual assessment of damage and advise if any dangerous or unsafe conditions exist; If necessary, retain or request the owner to retain the services of a professionally qualified engineer to determine the structural adequacies of the structure;
- Issue orders as necessary for remedial actions to be undertaken; and
- Proceed with any actions as necessary to “make safe” any building or structure.

6.3 MANAGING DIRECTOR, CORPORATE SERVICES, CITY TREASURER AND CHIEF FINANCIAL OFFICER

The Managing Director, Corporate Services, City Treasurer and Chief Financial Officer responsibilities includes:

- Co-ordinate financial management of the emergency;
- Ensure necessary purchasing and stores support is available to support the incident;
- Assisting the EOC Director, if assigned by the EOC Director, assign a Finance/Administration Section Chief;
- Providing information and advice on financial matters related to the emergency; and,
- Ensuring that records of expenses are maintained for future claim procedure.

6.4 DIRECTOR, INFORMATION TECHNOLOGY SERVICES

The Director, Information Technology Services is responsible for the following:

- Providing information technology services personnel to assist with telecommunications, computer, LAN and GIS needs of the EOC and EOC Policy Group; and
- Provide co-ordination with London Police IT services in the EOC.

6.5 REGIONAL CORONER

When the Regional Coroner is called upon to join the EOC, the following responsibilities will be carried out:

- Providing information on the handling of fatalities;

- Liaising with London Police Service regarding victim identification and evidence gathering/preservation;
- Liaising with the Medical Officer of Health regarding associated health risks to emergency responders and the public;
- Arranging for adequate staffing to deal with the situation;
- Advising the Mayor/City Manager regarding information to be released to the media; and
- Providing information with respect to the establishment of a temporary morgue.

6.6 THE THAMES VALLEY DISTRICT SCHOOL BOARD AND THE LONDON DISTRICT CATHOLIC SCHOOL BOARD

When the Boards of Education are called upon to join the EOC Policy Group, they will provide liaison officer(s) who will have the following responsibilities:

- Provide the EOC with information with respect to the Boards action to ensure the safety and well-being of their students;
- Providing school facilities (as appropriate and available) for use as public information and/or reception centres as required;
- Provide staffing to coordinate the maintenance, use, and operation of the facilities being used as public convergence/assembly and/or reception centres; and
- Act as liaison between the Boards of Education to keep them informed of EOC Policy Group decisions that will impact the Boards activity.

6.7 OFFICE OF THE FIRE MARSHAL AND EMERGENCY MANAGEMENT

Office of the Fire Marshal and Emergency Management (OFMEM) can assist with facilitating access to Provincial and Federal agencies and resources. OFMEM can provide advice on managing an emergency and provide information and access to additional private and public agencies that may assist in the management of the emergency. OFMEM can deploy field officers to provide advice and assistance to the Policy Group and also ministry staff from the MCS&CS communications branch to assist with emergency public information. Access to OFMEM is through the CEMC, who should notify the Provincial Emergency Operations Centre of all major incidents.

6.8 INCIDENT INDUSTRIAL REPRESENTATIVE

When the emergency has been caused by an industrial accident, the EOC may request that the company involved provide the EOC with an advisor.

6.9 DND – REGIONAL LIASION OFFICER

A Canadian Armed Forces Regional Liaison Officer will provide a link between the community and local Department of National Defence resources in London; including 31 Canadian Brigade Group and HMCS Prevost.

6.10 ADDITIONAL E.O.C. ADVISORS

Dependent upon the nature of the emergency, the EOC may require further consultation from, but not limited to, the following internal and external agencies;

Internal

City Solicitor, Legal Services

External

Ministry of the Environment
Ministry of Community and Social Services
Ministry of Municipal Affairs and Housing
Ministry of Health and Long-Term Care
Ontario Provincial Police
Ministry of Transportation
Upper Thames River Conservation Authority
Transport Canada
London International Airport
Canadian National/Canadian Pacific Railroad
Western University
Fanshawe College

7.0 OTHER AGENCIES AND ORGANIZATIONS

7.1 AMBULANCE COMMUNICATIONS CENTRE

The Ambulance Communications Centre is responsible for the dispatch of ambulances in London and Middlesex County operating 24 hours per day, 7 days per week.

7.2 ST. JOHN AMBULANCE

The Southwestern Ontario Branch of the St. John Ambulance Community Services Units, has resources in first aid and emergency reception centre medical support. St. John Ambulance will respond to requests from the Emergency Services or the EOC. St. John Ambulance resources are staffed by volunteers and their response is governed by the availability for duty of volunteers.

7.3 THE SALVATION ARMY

The Salvation Army has emergency resources for public welfare, short term accommodation, clothing, feeding, mobile canteen, emergency responder critical incident stress issues, and emergency reception centre support and will respond within their budgetary capabilities when requested by the EOC. The Salvation Army is also prepared to arrange for clergy assistance, emotional and spiritual care personnel at a disaster site or at reception centres when called upon by Police or Fire authorities (IC) or by the (Emergency Supervisor On Call), or Managing Director of Neighbourhood, Children and Fire Services or Delegate.

7.4 CANADIAN RED CROSS

The London and Middlesex Branch of the Canadian Red Cross is prepared to provide Red Cross assistance to the community in the form of a registration and inquiry service as described in the Public Health Agency of Canada "Registration and Inquiry Manual". This service will assist the public in locating immediate relatives who have left their homes as a result of the emergency. Inquiry services may be operated from outside the disaster area in accordance with Red Cross standard operating procedures. Registration and inquiry services will be provided at the request of the (Emergency Supervisor on Call), or Managing Director of Neighbourhood, Children and Fire Services or Delegate.

7.5 AMATEUR RADIO EMERGENCY SERVICE

The Amateur Radio Emergency Service (A.R.E.S.) is the volunteer group which coordinates amateur radio in the London-Middlesex area. They are prepared to establish and maintain emergency radio communications for any purpose required, including assisting Red Cross with registration and inquiry services at reception centres, communications between London hospitals, to supplement municipal communications resources, and to establish a Shadow Network of backup communication paths. Radio operators can deploy mobile and portable radios throughout the area to supplement existing radio networks. An A.R.E.S. control station can be activated at the EOC in a major emergency at the request of the CEMC. Other stations are available at the Middlesex London Health Unit, the London Police Community Command Vehicle, and any location that is reachable by car.

7.6 FEDERAL GOVERNMENT AGENCIES

Federal resource assistance should be accessed through Office of the Fire Marshal and Emergency Management - Provincial Emergency Operations Centre. The financial burden for Federal resource assistance requests made directly from the municipality is born by the Municipality.

7.7 BELL CANADA

Bell Canada is aware of key emergency personnel and departments, and will ensure that these telephones are given priority attention in maintenance and restoration of service in emergency situations. Bell Canada can provide additional emergency telephone lines if the incident has not caused major disruption to their installed services. They also have a telephone and radio equipped mobile command post which can be positioned at emergency sites to augment the City's telecommunications capability

7.8 UNION GAS

Union Gas Limited (ENBRIDGE Gas Limited) has emergency plans in place, personnel and equipment available to handle the restoration of gas mains and services in an emergency when contacted by City Emergency Services.

7.9 LONDON INTERCOMMUNITY HEALTH CENTRE

The InterCommunity Health Centre has emergency resources for public welfare, triage, medical care, medications/prescriptions, emergency reception centre support and will respond when requested by the Emergency Operations Centre Policy Group.

7.10 LONDON COMMUNITY FOUNDATION

In the event of an emergency situation affecting the City, the London Community Foundation has agreed to take on the role of coordinating donation management. To facilitate this important and supportive role, the Foundation will work closely with the City to continually ensure there are efficient policies and processes in place.

8.0 INCIDENT MANAGEMENT SYSTEM IN THE EOC

The London Emergency Response Plan adopts the principles of the Incident Management System (IMS) from the Ontario IMS Doctrine. Based on the five key functions that must occur during any emergency situation, IMS can be used for any size or type of emergency to manage response personnel, facilities and equipment. Principles of the Incident Management System include the use of common terminology, modular organization, integrated communications, unified command structure, EOC action planning, manageable span of control, personnel accountability, unity and chain of command, management by objectives and comprehensive resource management.
The Emergency Operations Centre consists of the IMS five major functions Management, Operations, Planning, Logistics, Finance/Administration Sections and the EOC Policy Group. (formally known as the Municipal Emergency/Community Control Group).

Response Goals

The following response goals are applied to all emergency situations:

Provide for the health and safety of all responders;
Save lives;
Reduce suffering;
Protect public health;
Protect government/critical infrastructure;
Protect property;
Protect the environment;
Reduce economic and social losses; and
Maintain public confidence.

8.1 POLICY GROUP

When an EOC is activated, the Municipal Emergency Control Group and local authorities may establish a Policy Group comprised of the head of the local authority (e.g. Mayor) and other elected officials and senior executive officers in order to provide the Incident Commander and EOC Director with policy direction. An example of this level of policy direction is the declaration of a “state of emergency”. The Policy Group is responsible for executing the emergency response plan and making decisions on issues not covered in the London Emergency Response Plan (LERP). This group decides whether to declare or cancel a Declaration of Emergency. It is also responsible for the continuity of government and business continuity plans for the City of London. It is responsible, through emergency information staff, for ensuring that the public is informed during an emergency. Members of the policy group are found on page 14 of the plan.

Roles and Responsibilities:

Provide overall policy direction;
Changing/amending bylaws or policies;
Could request Municipal/Provincial level assistance;
Declare a State of Local Emergency;
Declare termination of State of Local Emergency; and
Acting as an official spokesperson.

8.2 EOC MANAGEMENT

Management Section

The Management Section is responsible to provide, for the overall management and coordination of site support activities and consequence management. Coordination through the joint efforts of the EOC, City, government agencies and private organizations. Coordination between EOC sections and between the site.

The EOC Management Section consists of the following positions:

EOC Director (City Manager, CEMC, City Senior Leadership Team and/or Chiefs)
Deputy EOC Director
Emergency Information Officer (Director of Strategic Communications, GR and CE Division)
Risk Management Officer (City Senior Leadership Team)
Liaison Officer (City Senior Leadership Team)

EOC Director:

- Overall authority and responsibility for the activities of the EOC;
- Ensures organizational effectiveness;
- Provides leadership to the EOC Management team;
- Sets out priorities and objectives for each operational period and ensures they are carried out;
- Liaises with the Policy Group; and
- Approves emergency information releases.

The EOC Director is responsible for ensuring that the EOC is ready for use on short notice. The EOC contains information display materials, telecommunications and any additional supporting equipment, documents, and supplies required to ensure efficient operations and effective emergency management on a 24-hour per day basis. In addition, power generation capabilities and other special life support systems may be required to allow for continuous operations apart from normal public utilities and services.

Emergency Information Officer:

- Establishes, maintains media contacts;
- Coordinates information for release;
- Coordinates media interviews;
- Liaises with other information officers;
- Prepares public information materials; and
- Prepares EOC messaging sheets.

Legal, Risk Management Officer:

- Monitors EOC safety, recommends safety modifications to operations;
- Maintains link with safety officers as applicable;
- Assesses unsafe situations and halts operations if necessary;
- Identifies liability and loss exposures to personnel and property and for City;
- Provides advice and assistance on matters related to occupational health and safety regulations;
- Provides advice and assistance on matters related to law and how they may be applicable to the actions of the City during the emergency; and
- Provide advice on Human Resource matters, such as collective agreements and work scheduling

Liaison Officer:

- Invites required or requested agencies to the EOC, as identified by the EOC Director and EOC Management Team;
- Maintains regular contact with cooperating agencies; and
- Assists EOC Director with activities (meetings & briefings).

8.3 EOC GENERAL STAFF

Operations Section

The Operations Section is responsible for coordinating all jurisdictional operations in support of the emergency response. The Operations Section is also responsible for gathering current situation information from the site and sharing it with the Planning Section and other Management Team personnel, as appropriate; coordinating resources requested from the site to the Planning Section.

The Operations Section consists of the following positions:

Operations Section Chief
Fire Branch
Police Branch
EMS Branch
Emergency Social Services Branch
Public Health Branch (Health Unit, Hospitals)
Environmental and Engineering Services Branch
Utilities Branch (London Hydro, London Transit)
Other

Operations Chief:

- Ensures coordination of the Operations function including supervision of the various Branches required to support the emergency event;
- Ensures that operational objectives and assignments identified in EOC Action Plans are carried out effectively;
- Establishes the appropriate level of Branch and Unit organizations within the Operations Section, continuously monitoring the effectiveness and modifying accordingly;
- Consults with Planning Chief to clearly define areas of responsibility between the Operations and Planning Sections;
- Maintains a communication link between Incident Commander at the site and the EOC, for the purpose of coordinating the overall response, resource requests and event status information;
- Ensures that the Planning Section is provided with Branch Status Reports and Incident Reports;
- Conducts periodic Operations briefing for the EOC Director and EOC Management Team as required or requested;
- Approves special resource requests and/or obtains the EOC Directors approval of critical and extra ordinary resources; and
- Supervises the Operations Section.

Branch Directors

Branch Directors oversee the operations of a particular city service area or outside agency. A Branch Director will be responsible for coordinating the activities of their service agency site personnel, dispatch centre, with other branches in the operations section. Additional Branch staff may be required, dependent on the size of the emergency event and the support required.
Each Branch has a Roles and Responsibilities binder in the EOC.

Planning Section

Responsible for compiling, evaluating and disseminating situation information in coordination with other functions, anticipating / planning for future needs and maintaining all EOC documentation.

The Planning Section consists of the following positions:

Planning Section Chief;
Situation Unit;
Resources Unit;

Documentation Unit;
Advanced Planning Unit;
Demobilization Unit;
Recovery Unit; and
Technical Specialists.

Planning Chief:

- Collects, processes, evaluates and displays situational information;
- Develops EOC Action Plans in coordination with other functions;
- Tracks the status of EOC issued resources;
- Maintains all EOC documentation;
- Conducts advanced planning activities and makes recommendations for action;
- Obtains technical experts for the EOC;
- Plans for EOC demobilization of personnel and resources; and
- Facilitates the transition to the recovery phase.

Logistics Section

Responsible for ensuring the EOC is operational and providing / obtaining facility services, personnel, equipment and materials.

The Logistics Section consists of the following positions:

Logistics Section Chief
Information Technology Branch
EOC Support Branch
Supply Unit
Personnel Unit
Transportation Unit

Logistics Chief:

- Provides / acquires requested resources including personnel, facilities, equipment and supplies;
- Arranges access to technological and telecommunications resources and support;
- Acquires and arranges resources for the transportation of personnel, evacuees and goods; and
- Provides other support services such as arranging for food and lodging for workers within the EOC and other sites.

Finance and Administration Section

Responsible for cost accounting, compensation and administration in the EOC.

The Finance and Administration Section consists of the following positions:

Finance & Administration Section Chief
Time Unit

Compensation and Claims Unit
Procurement Unit
Cost Accounting Unit

Finance & Administration Chief:

- Monitors the expenditures process and response and recovery costs;
- Coordinates claims and compensation;
- Tracks and reports on personnel time;
- Develops service agreements and / or contracts; and
- Oversees the purchasing processes.

9.0 POPULATION EVACUATION

It may be necessary in an emergency for the residents of an area of the City to be temporarily evacuated from their homes for their own welfare and safety. Such a requirement may be of an urgent or short-notice nature caused by an immediate hazard, and decided upon and directed by Police in collaboration with Fire authorities. Police and Fire authorities will consider the advice of the Medical Officer of Health when deciding on the need for such immediate evacuation where health matters are involved. A less immediate but probably larger scale evacuation could be decided upon and directed by the EOC, as in the case of an impending flood situation. The aim in any such operation will be to care for the evacuated persons, to bring families together, and to re-establish residents in their homes.

When the Police and/or Fire authority decides that an immediate and urgent evacuation is necessary, they will attempt to arrange for a nearby facility such as a community centre, shopping mall, or a school, to be utilized as a Reception Centre to provide essential needs to those adversely affected by the event.

The Incident Commander will notify the EOC Policy Group of the initial actions taken. When transportation beyond private vehicles is required to assist residents to move, the City Manager will request London Transit to provide buses for this purpose.

Further arrangements for the welfare of evacuees while accommodated at such a temporary shelter facility by City direction will be the responsibility of the Managing Director of Neighbourhood, Children and Fire Services, assisted by City Service Areas and Departments as necessary and if possible by volunteer agencies noted here. When an urgent evacuation is considered necessary by the Medical Officer of Health, he will so advise the Mayor and the assistance of municipal essential service agencies will be made available.

In a situation where a less urgent, but major evacuation of an area is decided on by the EOC or by the City Manager, coordination of measures to arrange for one or more suitable reception facilities and for the welfare of evacuees will be the responsibility of the Managing Director of Neighbourhood, Children and Fire Services assisted by other municipal service and volunteer agencies. In the case where the City accepts a commitment to provide temporary shelter and welfare requirements for a group of evacuees from another community in Ontario, the City Manager will direct responsibilities of municipal agencies for management of the commitment.

10.0 PLAN DISTRIBUTION LIST

EOC Policy Group Membership

- Mayor
- City Manager
- City Clerk
- Chief of Police
- Fire Chief
- Managing Director of Environmental & Engineering Services
- Managing Director of Neighbourhood, Children and Fire Services
- Managing Director of Parks and Recreation
- Medical Officer of Health
- Middlesex-London Emergency Medical Services Chief
- Director Communications & Emergency Information Officer
- Community Emergency Management Coordinator
- Chief Executive Officer, London Hydro
- General Manager, London Transit
- London Health Sciences Centre
- St. Joseph's Health Care London

EOC Staff and Others

- Corporate Services and Service Areas
- Middlesex County – CEMC
- Western University
- Fanshawe College
- Ambulance Communications Centre
- St. John Ambulance
- Canadian Red Cross
- The Salvation Army
- Amateur Radio Emergency Service (ARES) London
- Commander, Canadian Forces, Army Reserve, 31 Canadian Brigade Group
- Commander, Canadian Forces, Navy Reserve, HMCS Prevost
- Chief – Office of the Fire Marshal and Emergency Management
- Office of the Fire Marshal Emergency Management Community Officer – St. Clair Sector
- CN & CP – Police
- Ontario Provincial Police - Western Region Headquarters
- RCMP - O Division and London Detachment
- London International Airport
- London Community Foundation
- London InterCommunity Health Centre
- Local Health Integration Network

A copy of the London Emergency Response Plan can be found on our website at: www.london.ca/emergency

Bill No. 3
2021

By-law No. C.P.-1284(__)-___

A by-law to amend the Official Plan for the City of London, 1989 relating to 1761 Wonderland Road North.

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

1. Amendment No. ( ) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.

2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on December 8, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy in Section 10.1.3 of the Official Plan for the City of London to permit a mixed-use commercial/residential apartment building within the Neighbourhood Commercial Node designation having a maximum residential density of 226 units/ha.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1761 Wonderland Road North in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with Policies for Specific Areas of the Official Plan. The recommendation provides for the comprehensive development of the subject site resulting in an appropriate and compatible use and form of development.

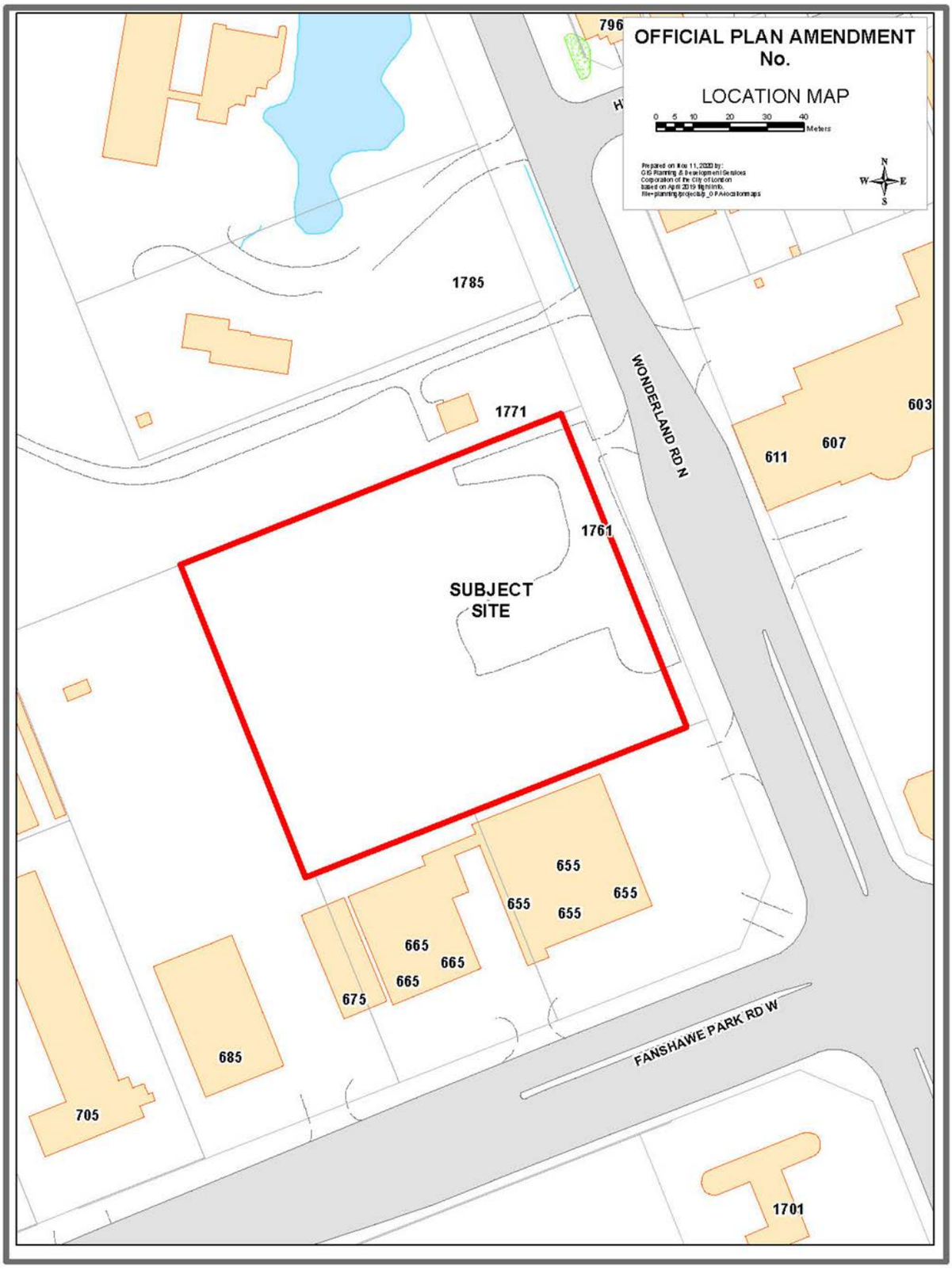
D. THE AMENDMENT

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

1. Section 10.1.3 – Policies for Specific Areas of the Official Plan for the City of London is amended by adding the following:

   1761 Wonderland Road North

   In the Neighbourhood Commercial Node designation at 1761 Wonderland Road North a mixed-use commercial/residential apartment building is permitted having a maximum residential density of 226 uph implemented by way of a Bonus Zone


OFFICIAL PLAN AMENDMENT
No.
LOCATION MAP
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Meters
Prepared on Nov 11, 2020 by:
GIS Planning & Development Services
Corporation of the City of London
based on April 2019 highlinfo.
file=planning/projects/p_OPAlocationmaps
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SUBJECT
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WONDERLAND RD N
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611
655
655
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665
665
665
675
685
705
FANSHAWE PARK RD W
1701

Bill No. 4
2021

By-law No. C.P.-1284(__)-___

A by-law to amend the Official Plan for the City of London, 1989 relating to implementing of Bill 108 Additional Residential Unit Policies City-wide.

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

1. Amendment No. ( ) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.

2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to update the City of London 1989 Official Plan additional residential unit (formerly secondary dwelling unit) policies to conform with changes to the *Planning Act* as made by *More Homes, More Choices Act, 2019*.

B. LOCATION OF THIS AMENDMENT

This Amendment is a text amendment, which applies to all lands within the City of London.

C. BASIS OF THE AMENDMENT

The amendments are consistent with changes made to the *Planning Act* under *More Homes, More Choices Act, 2019* with respect to additional residential units.

The amendments are consistent with the policies of the *Provincial Policy Statement, 2020,* and are consistent with the Low Density Residential designation in the 1989 Official Plan.

D. THE AMENDMENT

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

1. By deleting the existing subsection 3.2.1 ix) in its entirety and inserting the following policy as subsection 3.2.1 ix) of the Official Plan:

   Additional Residential Units

   A single detached dwelling, semi-detached dwelling or a street townhouse dwelling may be permitted to contain an additional residential unit in the main building and an additional residential unit in an accessory/ ancillary building in accordance with policy 3.2.3.9 Additional Residential Units of this Plan.

2. By deleting the existing subsection 3.2.3.9 in its entirety and inserting the following policy as subsection 3.2.3.9 of the Official Plan:

   Additional Residential Units

   Additional Residential Units are permitted as-of-right within single detached dwellings, semi-detached dwellings or street townhouse dwellings where all of the following criteria are met:

   1. A maximum of two additional residential units are permitted, including a maximum of one additional unit in the main dwelling and a maximum of one additional unit in an accessory structure;
   2. Additional residential units must be located on the same lot as the primary dwelling unit;
   3. Additional residential units shall be required to be licensed pursuant to the *Residential Rental Unit Licensing By-law*;
   4. The gross floor area of the additional residential units shall not be greater than 40% of the combined total gross floor area of both the primary dwelling unit and the additional residential units;
   5. Additional residential units shall comply with all regulations of the associated zone;

6. Exterior alterations to the primary dwelling unit to provide for additional residential units in the front or exterior side yards should maintain the character of the primary dwelling unit. To protect neighbourhood character, access to the additional residential units should be through existing entrances or new entrances located in rear or side yards;

7. Any exterior alterations to accommodate an additional residential unit within a Heritage Conservation District must have consideration and regard for the policies of the Heritage Conservation District Plan and/or Guidelines. Heritage Alteration Permit approval may be required for alterations to designated properties, including properties located in a Heritage Conservation District.

8. Any zoning amendments or variances to provide for parking in excess of the minimum parking required for the primary dwelling unit, including any request for boulevard parking, front yard parking or changes to landscaped open space regulations to support parking for additional residential units, shall be discouraged. A new additional driveway is not permitted to provide for the additional residential units;

9. Minor variances to permit front yard parking shall not be supported where the proposed new development, expanded development, or modification to an existing development eliminates parking that is in a location that conforms to the Zoning By-law;

10. Additional residential units may be permitted within a legally established accessory structure that:

    a. Is located on the same lot as the primary dwelling unit.
    b. Is located in the rear yard.
    c. Cannot be severed.
    d. Is on full municipal services.
    e. Maintains the neighbourhood character.
    f. Meets the requirements of the zone which apply to accessory structures.

11. Additional residential units located within a primary dwelling unit shall not require Site Plan Approval. An additional residential unit within an accessory structure shall require site plan approval;

12. New additional residential units shall not be located in a flood plain as regulated by the conservation authority having jurisdiction for that area, unless permitted through a special policy area as described in the Natural and Human Made Hazards policies;

Bill No. 5
2021

By-law No. C.P.-1512(__)-___

A by-law to amend the London Plan for the City of London, 2016 relating to 1761 Wonderland Road North.

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

1. Amendment No. ( ) to the London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.

2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on December 8, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

AMENDMENT NO.

to the

THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy to the Specific Policies for the Shopping Area Place Type and add the subject lands to May 7 – Specific Policy Areas – of The London Plan to permit a mixed-use commercial/residential apartment building within the Shopping Area Place Type having a maximum height of 17-storeys (63 metres).

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1761 Wonderland Road North in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the Provincial Policy Statement 2020, conforms to the City of London 1989 Official Plan, and conforms to The London Plan, including affordable housing, city design and specific area policies. The recommendation provides for the comprehensive development of the subject site resulting in an appropriate and compatible use and form of development.

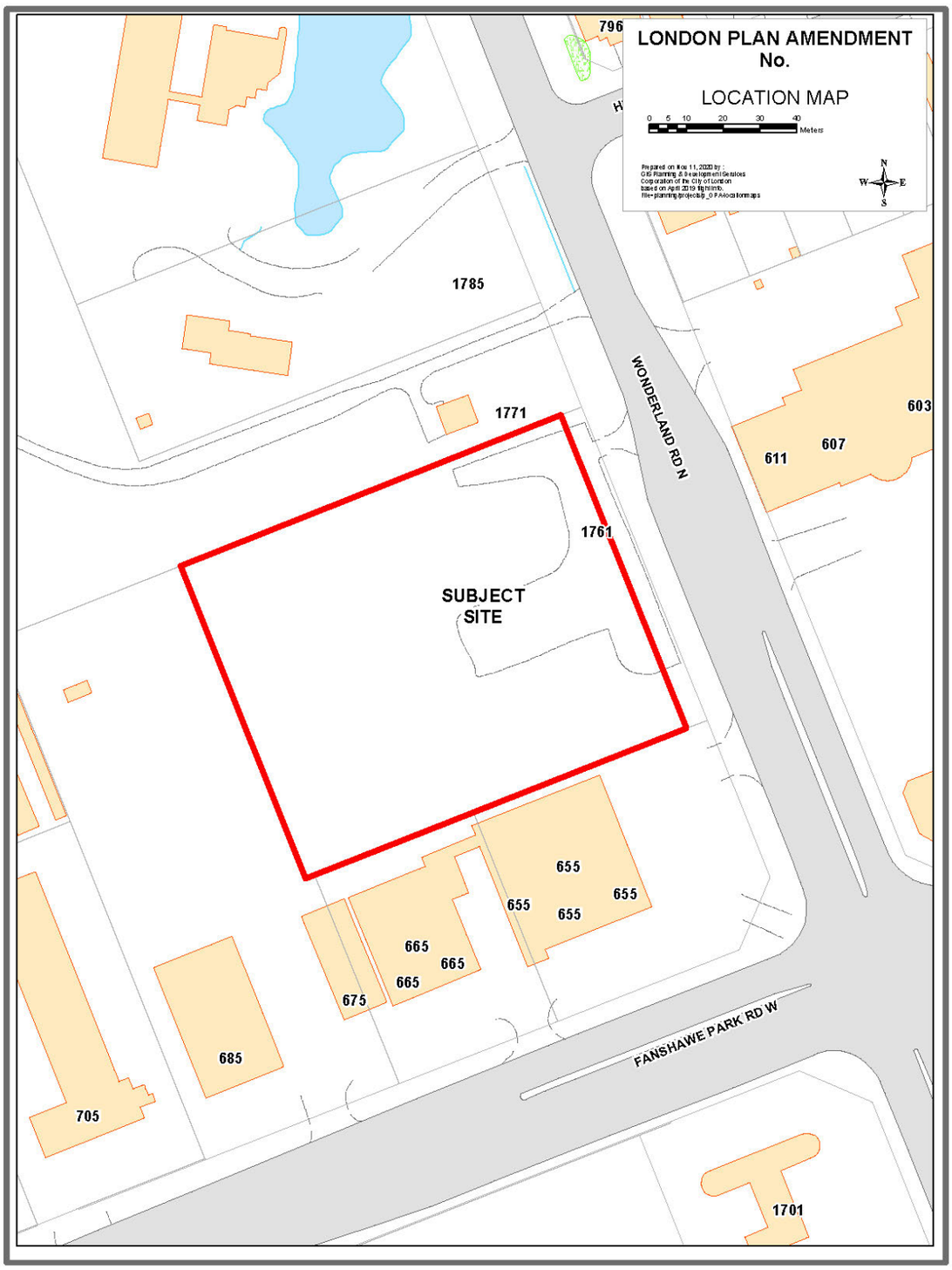
D. THE AMENDMENT

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

1. Specific Policies for the Shopping Area Place Type of The London Plan for the City of London is amended by adding the following:

   ( ) In the Shopping Area Place Type at 1761 Wonderland Road North, a mixed-use commercial/residential apartment building up to 17-storeys may be permitted and implemented by way of a bonus zone.

2. Map – 7 Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 1761 Wonderland Road North in the City of London, as indicated on “Schedule 1” attached hereto.


LONDON PLAN AMENDMENT
No.
LOCATION MAP
0 5 10 20 30 40
Meters
Prepared on Nov 11, 2020 by :
GIS Planning & Development Services
Corporation of the City of London
based on April 2019 flight info.
file=planning/projects/p_OPAlocationmaps
N
W
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796
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1771
1761
SUBJECT
SITE
WONDERLAND RD N
603
607
611
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655
655
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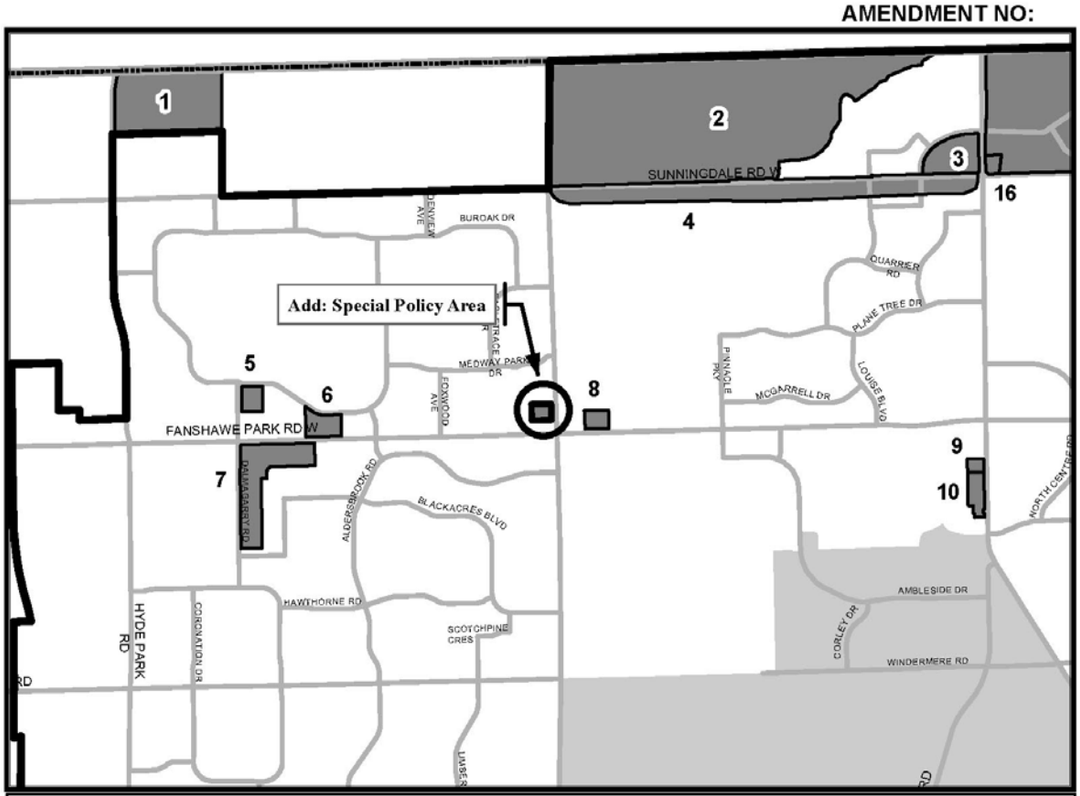
665
665
665
675
685
705
FANSHAWE PARK RD W
1701

AMENDMENT NO:



LEGEND

- Specific Policies
- Rapid Transit and Urban Corridor Specific-Segment Policies
- Near Campus Neighbourhood
- Secondary Plans

BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

SCHEDULE 1 TO THE LONDON PLAN **AMENDMENT NO. _____** PREPARED BY: Planning Services	Scale 1:30,000 0 150 300 600 900 1,200 1,500 Meters	**FILE NUMBER:** OZ-9178 **PLANNER:** AR **TECHNICIAN:** RC **DATE:** 11/18/2020

Document Path: E:\Planning\Projects\p_officialplan\workconsol00\amendments_LondonPlan\OZ-9178\OZ-9178_AMENDMENT_Map7_SpecialPolicyAreas_b&w_8x11.mxd

Bill No. 6
2021

By-law No. C.P.-1512(__)-___

A by-law to amend The London Plan for the City of London, 2016 relating to Protected Major Transit Station Areas (PMTSAs).

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

1. Amendment No. ( ) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.

2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

AMENDMENT NO.

to the

THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To add policies in the Our City, Our Tools, Downtown Place Type, Transit Village Place Type, and Rapid Transit Corridor Place Type chapters of The London Plan for the City of London to identify and implement Protected Major Transit Station Areas.

2. To add a new Map, Map 10 – Protected Major Transit Station Areas, to The London Plan for the City of London.

3. To amend Figure 5 in The London Plan for the City of London to reflect the rapid transit routes as approved in the Rapid Transit Environmental Project Report and recommended changes to Rapid Transit Corridor Place Type on Richmond Street and Dundas Street.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands within the Downtown, Transit Village, and Rapid Transit Corridor Place Types in the City of London.

C. BASIS OF THE AMENDMENT

Protected Major Transit Station Areas (PMTSAs) are defined as the areas "surrounding and including an existing or planned higher order transit station or stops" in the *Planning Act.* PMTSAs are intended to accommodate increased residential and employment growth with highly urban, mixed-use, transit-supportive forms of development.

The requested amendment to the London Plan is to identify PMTSAs that align with the Downtown, Transit Village and Rapid Transit Corridor Place Types and create a policy framework for these areas in the London Plan.

The recommended amendment will support the implementation of the higher order transit system and the City Structure Plan, and will promote development that is compatible with the vision of each Place Type.

D. THE AMENDMENT

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

The London Plan is hereby amended as follows:

1. Policy 97A with regard to Protected Major Transit Station Areas is added to The London Plan for the City of London.

97A_ The Downtown, Transit Villages, and Rapid Transit Corridors are identified as Protected Major Transit Station Areas due to their proximity to rapid transit stations, and are shown on Figure 5. The Downtown, Transit Village, and Rapid Transit Corridor Place Type chapters of this Plan provide more detailed policy direction to plan for Protected Major Transit Station Areas.

2. The Downtown Place Type policies of The London Plan for the City of London are amended by adding new policies 803A to 803F as follows:

DOWNTOWN PROTECTED MAJOR TRANSIT STATION AREA

803A_ The Downtown is identified as a Protected Major Transit Station Area, as shown on Map 10.

803B_ The Downtown Protected Major Transit Station Area will be planned to achieve a minimum number of 280 residents and jobs combined per hectare.

803C_ Within the Downtown Protected Major Transit Station Area, the minimum building height is three storeys or nine metres and the maximum building height is 35 storeys.

803D_ Within the Downtown Protected Major Transit Station Area, the minimum density is 60 units per hectare for residential uses or a floor area ratio of 0.6 for non-residential uses.

803E_ In the Downtown Protected Major Transit Station Area, a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational and other related uses may be permitted. Mixed-use buildings will be encouraged.

803F_ Development within the Downtown Protected Major Transit Station Area will conform with all other policies of the London Plan including the Downtown Place Type and any Specific Area Policies.

3. The Transit Village Place Type policies of The London Plan for the City of London are amended by adding new policies 815A to 815F as follows:

TRANSIT VILLAGE PROTECTED MAJOR TRANSIT STATION AREAS

815A_ All Transit Villages are identified as Protected Major Transit Station Areas, as shown on Map 10.

815B_ Each Transit Village Protected Major Transit Station Area will be planned to achieve a minimum number of 150 residents and jobs combined per hectare.

815C_ Within the Transit Village Protected Major Transit Station Areas, the minimum building height is either two storeys or eight metres and the maximum building height is 22 storeys.

815D_ Within the Transit Village Protected Major Transit Station Areas, the minimum density is 45 units per hectare for residential uses or a floor area ratio of 0.5 for non-residential uses.

815E_ In the Transit Village Protected Major Transit Station Areas, a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses may be permitted. Mixed-use buildings will be encouraged.

815F_ Development within the Transit Village Protected Major Transit Station Areas will conform with all other policies of the London Plan including the Transit Village Place Type and any Specific Area Policies.

4. The Rapid Transit Corridor Place Type policies of The London Plan for the City of London are amended by adding new policies 860A to 860F as follows:

RAPID TRANSIT CORRIDOR PROTECTED MAJOR TRANSIT STATION AREAS

860A_ Rapid Transit Corridors are identified as Protected Major Transit Station Areas, as shown on Map 10.

860B_ Each Rapid Transit Corridor Protected Major Transit Station Area will be planned to achieve a minimum number of 120 residents and jobs combined per hectare.

860C_ Within the Rapid Transit Corridor Protected Major Transit Station Areas, the minimum building height is two storeys or eight metres and the maximum building height is 12 storeys, or 16 storeys for areas within 100 metres of a rapid transit station.

860D_ Within the Rapid Transit Corridor Protected Major Transit Station Areas, the minimum density is 45 units per hectare for residential uses or a floor area ratio of 0.5 for non-residential uses.

860E_ In the Rapid Transit Corridor Protected Major Transit Station Areas, a range of residential, retail, service, office, cultural, recreational, and institutional uses may be permitted. Mixed-use buildings will be encouraged.

860F_ Development within the Rapid Transit Corridor Protected Major Transit Station Areas will conform with all other policies of the London Plan including Rapid Transit Corridor Place Type and any Specific Segment or Specific Area Polices.

5. Our Tools of The London Plan for the City of London is amended by adding Policy 1787A as follows:

MAP 10 – PROTECTED MAJOR TRANSIT STATION AREAS

1787A_ This map shows the designated Protected Major Transit Station Areas within the City.

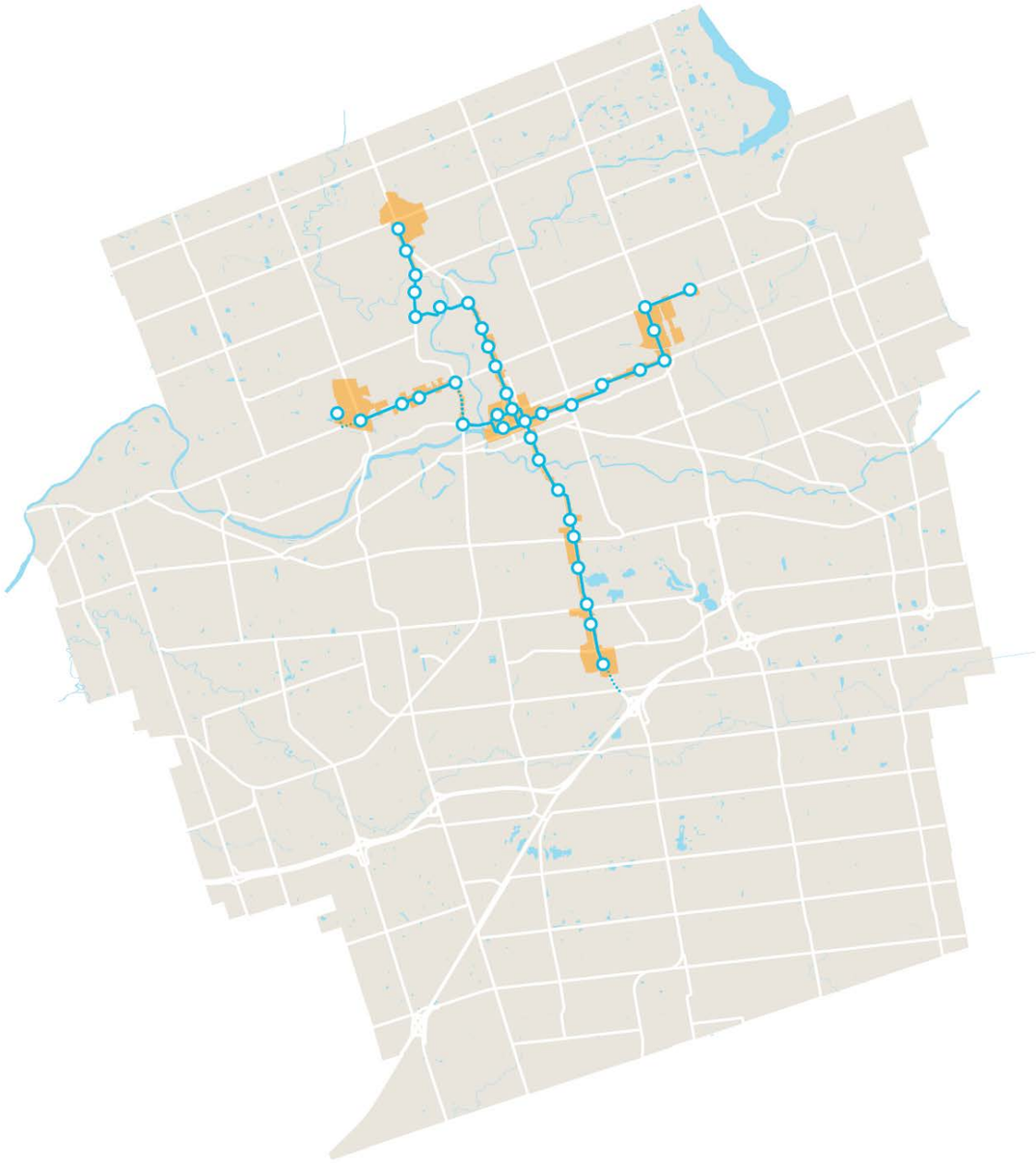
6. Policy 1795 – Our Tools of The London Plan for the City of London is amended by adding a new definition as follows:

Protected Major Transit Station Area means the area surrounding and including an existing and planned higher order transit (e.g. rapid transit) station or stop. The Downtown, Transit Village, and Rapid Transit Corridor Place Types are focused around rapid transit routes and are identified as Protected Major Transit Station Areas.

7. Figure 5 of The London Plan for the City of London is amended by adding Protected Major Transit Station Areas and changing the higher order transit routes as currently depicted to align with the approved Rapid Transit Environmental Project Report, as indicated on “Schedule 1” attached hereto.

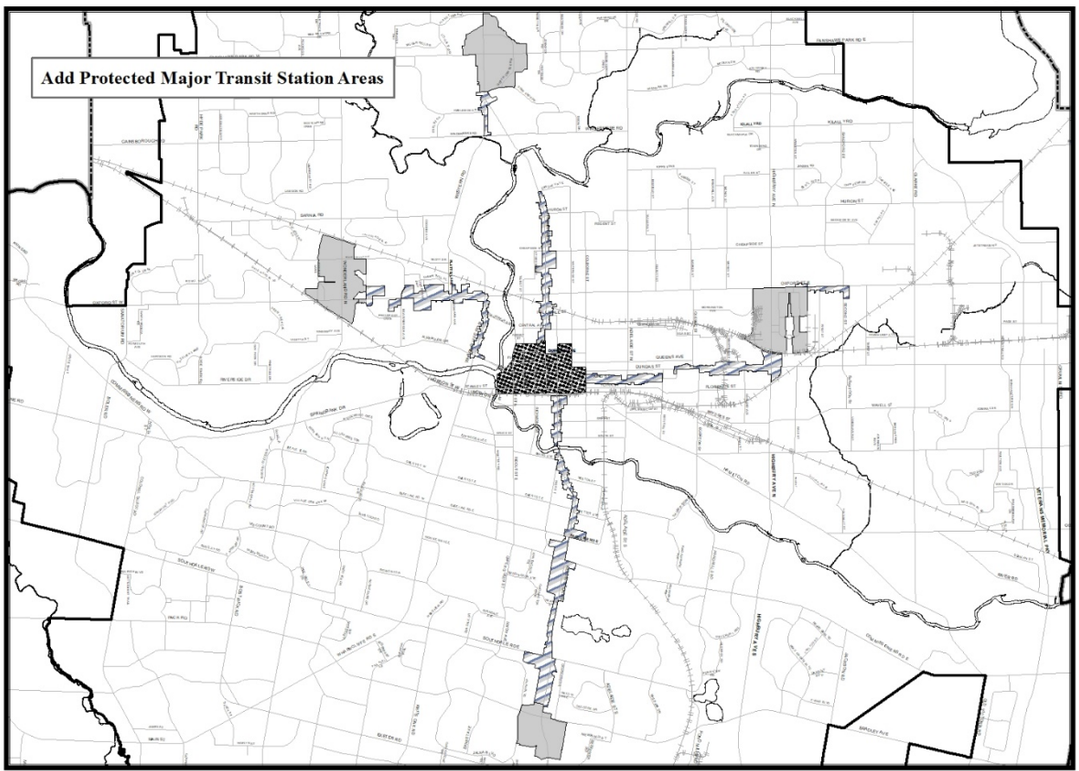
8. Map 10 – Protected Major Transit Station Areas, is added to The London Plan for the City of London Planning Area to indicate Protected Major Transit Station Areas, as indicated on “Schedule 2” attached hereto.

Schedule 1



Schedule 2

AMENDMENT NO:



LEGEND

- Downtown Protected Major Transit Station Area
- Rapid Transit Corridor Protected Major Transit Station Area
- Transit Village Protected Major Transit Station Area

BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 10 - Protected Major Transit Areas of the London Plan, with added notations.

SCHEDULE A TO THE LONDON PLAN **AMENDMENT NO. _____** PREPARED BY: Planning Services	Scale 1:30,000 0 450 900 1,800 2,700 3,600 4,500 **Meters**	**FILE NUMBER:** O-9208 **PLANNER:** JL **TECHNICIAN:** MB **DATE:** 11/2/2020

Document Path: E:\Planning\Projects\p_officialplan\workconsol00\amendments_LondonPlan\ProtectedMajorTransitStationAreas\Projects\AMENDMENT_Map10_ProtectMajorTransitStationAreas_b&w_8x11.mxd

Bill No. 7
2021

By-law No. C.P.-1512(__)-___

A by-law to amend The London Plan for the City of London, 2016 relating to implementing of Bill 108 Additional Residential Unit Policies City-wide.

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

1. Amendment No. ( ) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.

2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990*, c.P.13.

PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

AMENDMENT NO.

to the

THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To update the London Plan to include additional residential unit (formally secondary dwelling units) policies to conform with changes to the *Planning Act* made by the *More Homes, More Choices Act, 2019*.

B. LOCATION OF THIS AMENDMENT

This Amendment is a text amendment, which applies to all lands within the City of London.

C. BASIS OF THE AMENDMENT

1. The amendments are consistent with changes made to the *Planning Act* by the *More Homes, More Choices Act, 2019 (Bill 108)* with respect to additional residential units.
2. The amendments are consistent with the policies of the *Provincial Policy Statement, 2020,* conform with the Neighbourhood Place Type policies of the London Plan and conform with the Low Density Residential policies of the 1989 Official Plan.

D. THE AMENDMENT

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

The London Plan is hereby amended as follows:

1. Policy 939, 941 and 949 and heading title is amended by deleting the "Secondary Dwelling Unit" reference and replacing it with "Additional Residential Unit".
2. Policy 942 with regard to Secondary Dwelling Units is deleted in its entirety and replaced with the policy below;

942_ Additional Residential Units are permitted as-of-right within single detached dwellings, semi-detached dwellings or street townhouse dwellings where all of the following criteria are met:

1. A maximum of two additional residential units are permitted, including a maximum of one additional unit in the main dwelling and a maximum of one additional unit in an accessory structure;
2. Additional residential units must be located on the same lot as the primary dwelling unit;
3. Additional residential units shall be required to be licensed pursuant to the *Residential Rental Unit Licensing By-law*;
4. The gross floor area of the additional residential units shall not be greater than 40% of the combined total gross floor area of both the primary dwelling unit and the additional residential units;
5. Additional residential units shall comply with all regulations of the associated zone;
6. Exterior alterations to the primary dwelling unit to provide for additional residential units in the front or exterior side yards should maintain the character of the primary dwelling unit. To protect neighbourhood character, access to the additional residential units should be through existing entrances or new entrances located in rear or side yards;

7. Any exterior alterations to accommodate an additional residential unit within a Heritage Conservation District must have consideration and regard for the policies of the Heritage Conservation District Plan and/or Guidelines. Heritage Alteration Permit approval may be required for alterations to designated properties, including properties located in a Heritage Conservation District.
8. Any zoning amendments or variances to provide for parking in excess of the minimum parking required for the primary dwelling unit, including any request for boulevard parking, front yard parking or changes to landscaped open space regulations to support parking for additional residential units, shall be discouraged. A new additional driveway is not permitted to provide for the additional residential units;
9. Minor variances to permit front yard parking shall not be supported where the proposed new development, expanded development, or modification to an existing development eliminates parking that is in a location that conforms to the Zoning By-law;
10. Additional residential units may be permitted within a legally established accessory structure that:
    a. Is located on the same lot as the primary dwelling unit.
    b. Is located in the rear yard.
    c. Cannot be severed.
    d. Is on full municipal services.
    e. Maintains the neighbourhood character.
    f. Meets the requirements of the zone which apply to accessory structures.
11. Additional residential units located within a primary dwelling unit shall not require Site Plan Approval. An additional residential unit within an accessory structure shall require site plan approval;

New additional residential units shall not be located in a flood plain as regulated by the conservation authority having jurisdiction for that area, unless permitted through a special policy area as described in the Natural and Human Made Hazards policies;

Bill No. 8
2021

By-law No. S.-_____-___

A by-law to assume certain works and services in the City of London. (Vista Woods Estates Subdivision – Phase 1A; Plan 33M-679)

WHEREAS the Managing Director, Environmental & Engineering Services and City Engineer of The Corporation of the City of London has reported that works and services have been constructed to her satisfaction in Vista Woods Estates Subdivision – Phase 1A; Plan 33M-679;

AND WHEREAS it is deemed expedient to assume the said works and services;

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

1. The Corporation of the City of London assumes the following works and services, namely:

Vista Woods Estates Subdivision – Phase 1A – 33M-679
Vista Woods Estates Ltd. c\o Southside Group

Eagletrace Court – All

2. The warranty period for the works and services in the subdivision referred to in Section 1 of this by-law is for the period of October 27, 2020 to October 27, 2021.

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

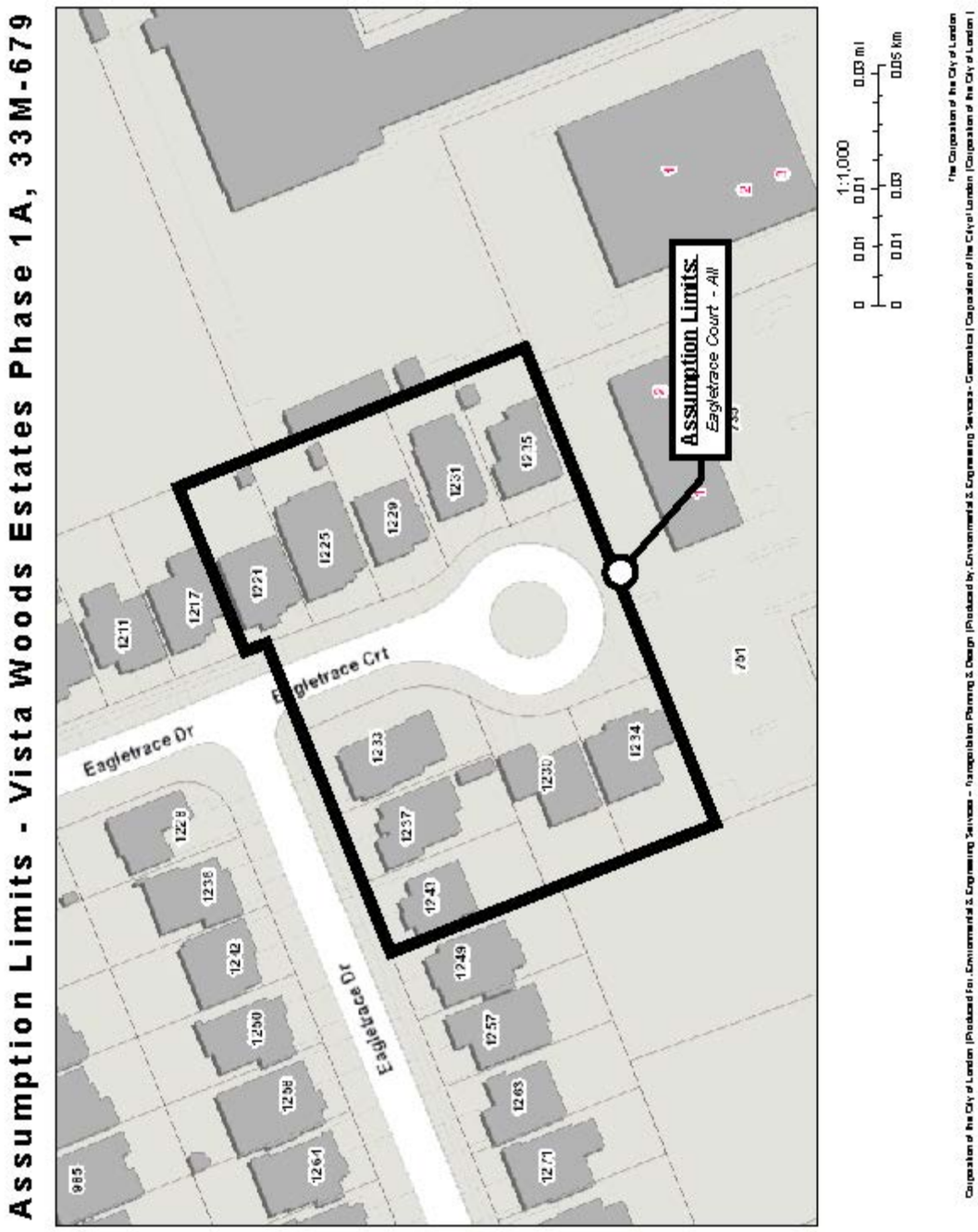
PASSED in Open Council on December 8, 2020

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

Assumption Limits



Bill No. 9
2021

By-law No. S.-____-___

A by-law to lay out, constitute, establish, name, and assume lands in the City of London as public highway. (as widening to Waterwheel Road, west of Pleasantview Drive)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established, and assumed as public highway as widening to Waterwheel Road, west of Pleasantview Drive, namely:

"All of Block 102 (a Reserve) on Registered Plan 33M-484, in the City of London and County of Middlesex."

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

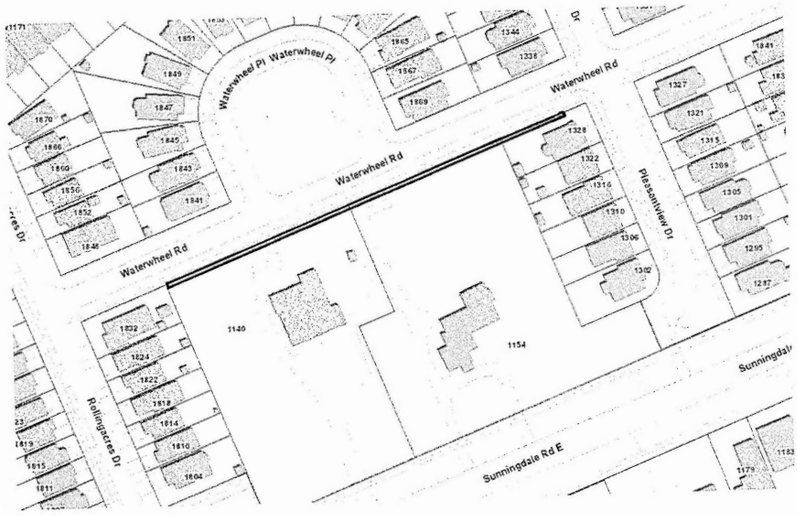
PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

LOCATION MAP



SUBJECT LANDS

Bill No. 10
2021

By-law No. S.-____-___

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Sorrel Road, north of Perth Avenue)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Sorrel Road, north of Perth Avenue, namely:

"Part of Lot 13 on Registered Plan 876 in the City of London and County of Middlesex, designated as Parts 5, 6 and 7 on Reference Plan 33R-20513.

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

PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

LOCATION MAP

SUBJECT LANDS

Bill No. 11
2021

By-law No. S.-____-___

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Viscount Road, west of Wonderland Road South)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Viscount Road, west of Wonderland Road South:

> "Parts of Blocks "H" and "I", on Registered Plan 984, in the City of London and County of Middlesex, designated as Parts 1, 2 and 3 on Reference Plan 33R-20788."

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

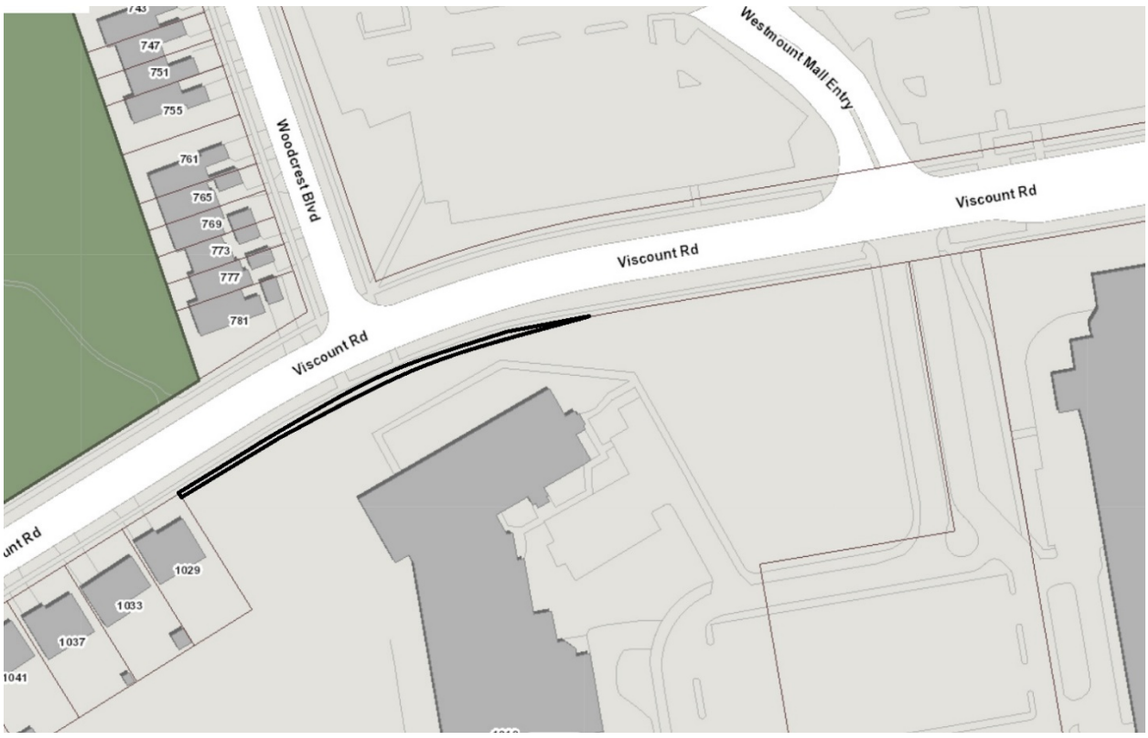
PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

LOCATION MAP



SUBJECT LANDS

Bill No. 12
2021

By-law No. S.-____-___

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Clarence Street, north of King Street)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Clarence Street, north of King Street:

"Part of Lot 6, North of King Street West, in the City of London and County of Middlesex, designated as Part 1 on Reference Plan 33R-20332."

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

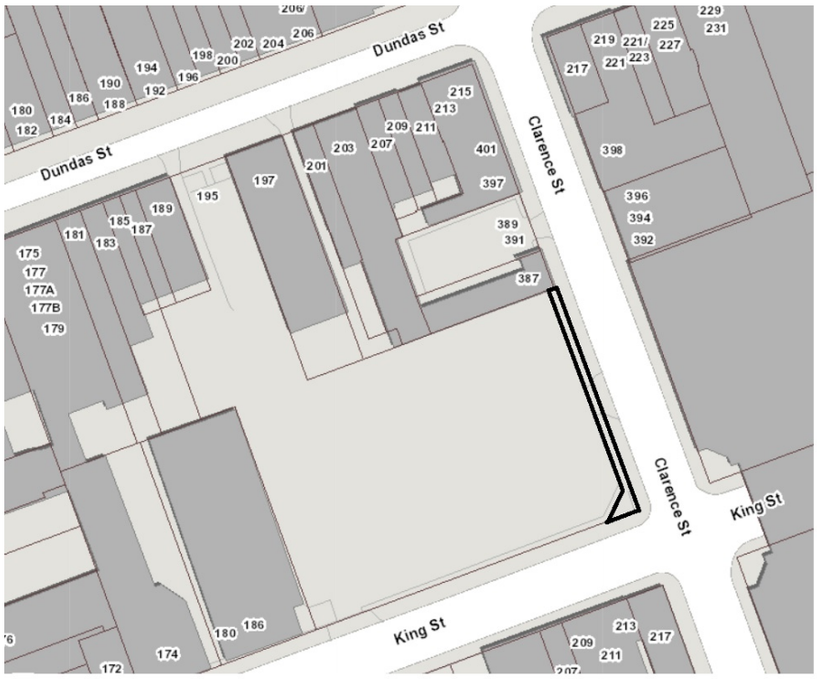
PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

LOCATION MAP



SUBJECT LANDS

Bill No. 13
2021

By-law No. S.-____-___

A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Gainsborough Road, west of Hyde Park Road)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Gainsborough Road, west of Hyde Park Road:

> "Part of Lot 25 in Concession 3, in the geographic Township of London, now in the City of London, designated as Part 1 on Reference Plan 33R-20795."

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

PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

LOCATION MAP

SUBJECT LANDS

Bill No. 14
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1284 Sunningdale Road West and 2804, 2808, 2812, 2816 and 2830 Tokala Trail.

WHEREAS Auburn Developments Ltd. has applied to rezone an area of land located at 1284 Sunningdale Road West and 2804, 2808, 2812, 2816 and 2830 Tokala Trail, 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 portions of the lands located at 1284 Sunningdale Road West, as shown on the attached map comprising part of Key Map No. A.101, from an Open Space (OS1) Zone to a Holding Residential R1 (h*h100*R1-5) Zone; from a Holding Residential R1 Special Provision (h*h-100*R1-3(8)) Zone to a Holding Residential R1/R4 Special Provision (h*h-100*R1-3(8)/R4-6(_)) Zone; from a Holding Residential R6 (h*h-54*h-71*h-95*h-100*R6-5) Zone to a Holding Residential R1/R4/R6 (h*h-54*h-71*h-95*h-100*R1-1/R4-6(_)/R6-5) Zone; and from a Holding Residential R6/R7/R8 (h*h-54*h-71*h-95*h-100*R6-5/R7*h15*D75/R8*H15*D75) to a Holding Residential R4/R6/R7/R8 Special Provision (h*h-54*h-71*h-95*h-100*R4-6(_)/R6-5/R7*h15*D75/R8*H15*D75) Zone.

2. Section Number 8.4 of the Residential R4 Zone is amended by adding the following Special Provision:

R4-6( )

a) Regulations:

i)	Lot Frontage	6.7m (22ft)
ii)	Exterior Side Yard Depth for local and collector streets (minimum)	4.5m (14.7ft)
iii)	Front and Exterior Side Yard Setback adjacent to a cul-de sac	3.5m (11.5ft)

3. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 2804, 2808, 2812, 2816 and 2830 Tokala Trail, as shown on the attached map comprising part of Key Map No. A.101, from Residential R1 Special Provision (R1-3(8)) Zone and Holding Residential R6/Neighbourhood Facility (h-71*h-95*h-109*R6-3/NF1) Zone to Holding Residential Special Provision R1/R5/R6 (h-71*h-95*h-109*R1-3/R5-7(*)/R6-3) Zone;

4. Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provision:

R5-7(*)

a) Permitted Uses:

i) Cluster townhouse dwellings;

b) Regulations:

i)	Height	10.5 m (34.4ft)

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.

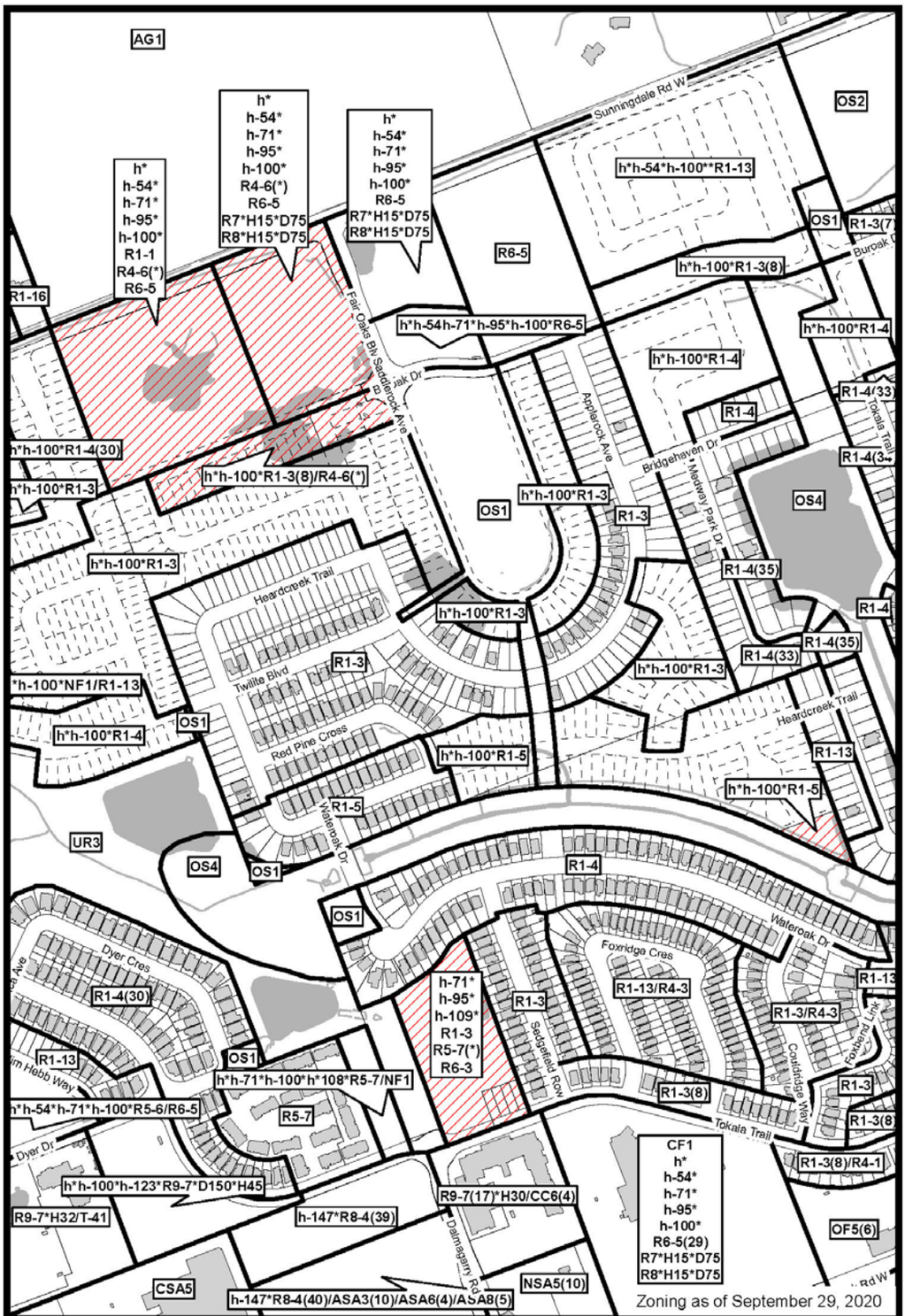
PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

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



File Number: Z-9216

Planner: MC

Date Prepared: 2020/11/12

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE

1:5,500

0 25 50 100 150 200 Meters

Geodatabase

Bill No. 15
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1761 Wonderland Road North.

WHEREAS 1830145 Ontario Limited applied to rezone an area of land located at 1761 Wonderland Road North, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number ( ) this rezoning will conform to the Official Plan;

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 1761 Wonderland Road North as shown on the attached map comprising part of Key Map No. A.101, from a holding Neighbourhood Shopping Area Special Provision (h-17•h-103•NSA5(5)) Zone to a holding Neighbourhood Shopping Area Special Provision Bonus (h-17•h-103•NSA5(5)/NSA3*B( )) Zone;

2. Section Number 4.3 of the General Provision in Zoning By-law Z.-1 is amended by adding the following new Bonus Zone:

B-__ 1761 Wonderland Road North

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a high quality mixed-use commercial/residential apartment building with a maximum density of 226 units per hectare and a maximum height of 63 metres (17-storeys) which substantially implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

(a) Provision of Affordable Housing including:

A total of twelve (12) one-bedroom units, including a maximum of two (2) accessible one-bedroom units, established by agreement not exceeding 85% of the CMHC Average Market Rent (AMR) for a duration for affordability set at 50 years from initial occupancy.

(b) A high quality development which substantially implements the site plan and elevations as attached in Schedule "1" to the amending by-law:

Building Design

i) High quality architectural design (building/landscaping) including a common design theme for residential and commercial elements; and provision of structure parking facilities and screening for surface parking areas.

Underground Parking

i) Underground Parking Structure parking provided to reduce surface parking areas (a minimum 189 subsurface spaces provided).

Outdoor Amenity and Landscaping

i) Common outdoor amenity area to be provided in the northeast quadrant of the site; and rooftop terraces above the 4th, 16th and 17th floors.

ii) Landscape enhancements beyond City design standards, including theme lighting and public seating at strategic locations.

iii) Large caliper boulevard trees planted with a minimum 100m caliper and a minimum distance of 10m between tree planting for the extent of the Wonderland Road North frontage.

iv) Landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption.

Sustainability

i) Four electric vehicle charging stations within the publically accessible surface parking area, as well as 16 charging stations within the parking garage.

ii) Dedicated areas for bicycle parking along the Wonderland Road North frontage (with convenient access to building entrances). Secure bicycle storage within the structured parking facility. Walkway connections from the tower podium and surface parking filed to provide connectivity to Wonderland Road North bike lanes.

(c) Public Transit

i) The financial contribution of funding towards construction of transit shelters in close proximity to Wonderland Road North/Fanshawe Park Road West intersection in the amount of $10,000 to promote bus ridership.

3. The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Regulations:

i)	Density (maximum)	226 uph
ii)	Height (maximum)	63 metres
iii)	Off Street Parking (minimum)	322 spaces
iv)	Non-residential space within an apartment building on the first and second floor (maximum)	1,200 m^2
v)	Gross floor area individual permitted non-residential use (maximum)	600m^2
vi)	*Notwithstanding the compound zoning permissions of Section 3.9.1) of the Zoning By-law this zone variation is excluded*	
vii)	Additional Permitted Use:	Pharmacy

4. 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.

5. 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.

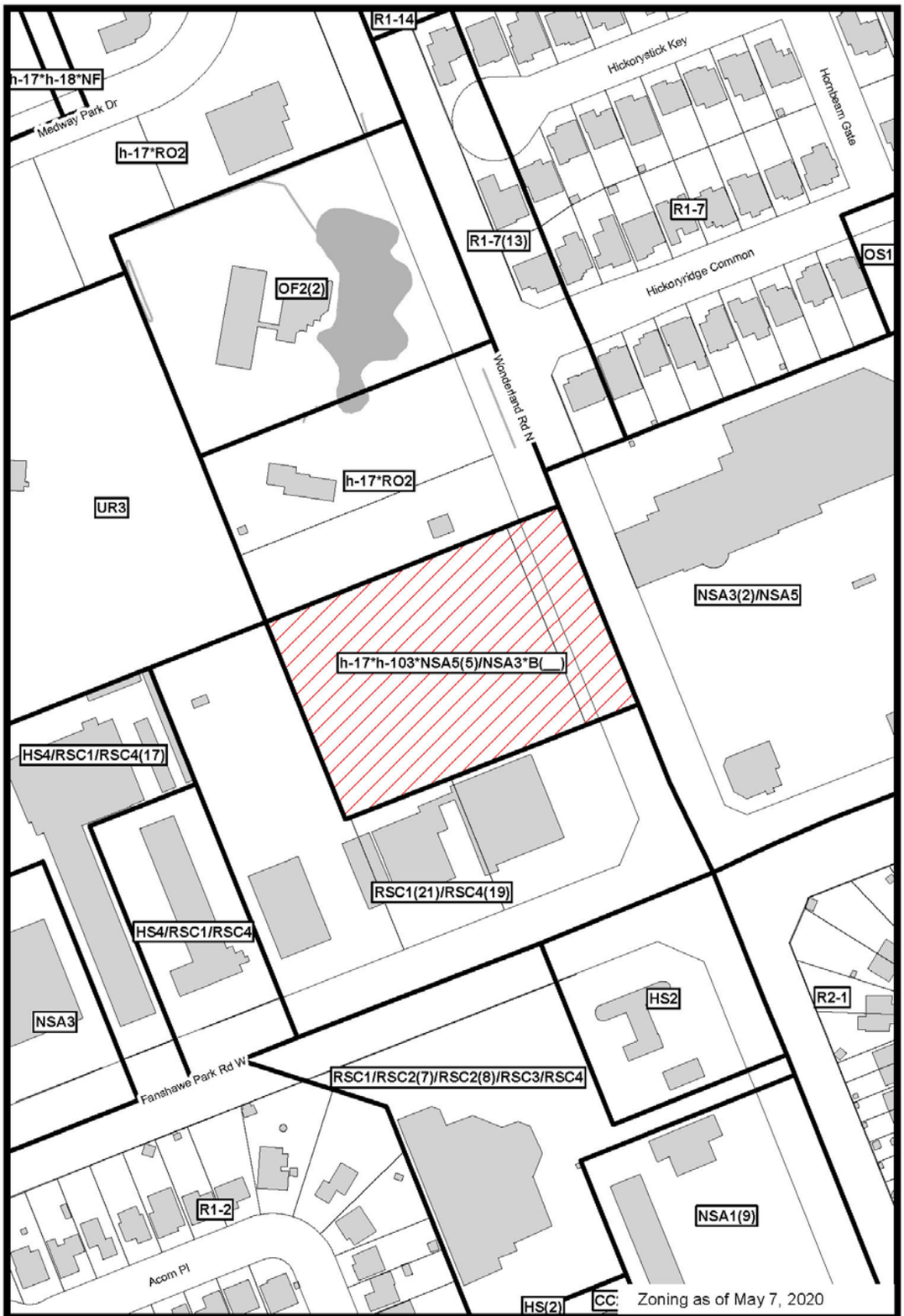
PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

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



File Number: OZ-9178

Planner: SM

Date Prepared: 2020/11/11

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE

1:2,000

0 10 20 40 60 80 Meters

Geodatabase

Bill No. 16
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 820 Cabell Street.

WHEREAS Bruce Sworik (1625993 Ont. Ltd.) has applied to rezone an area of land located at 820 Cabell Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 820 Cabell Street, as shown on the attached map comprising part of Key Map No. A108, from a Light Industrial (LI1) Zone to a Light Industrial Special Provision (LI2(_)) Zone.

2. Section 40.4 b) of the Light Industrial (LI) Zone is amended by adding the following Special Provision:

LI2(_) 820 Cabell Street

a) Regulation

i) Total Gross Floor Area For Ancillary Retail Uses (Maximum) — 400m² (4306 ft²)

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.

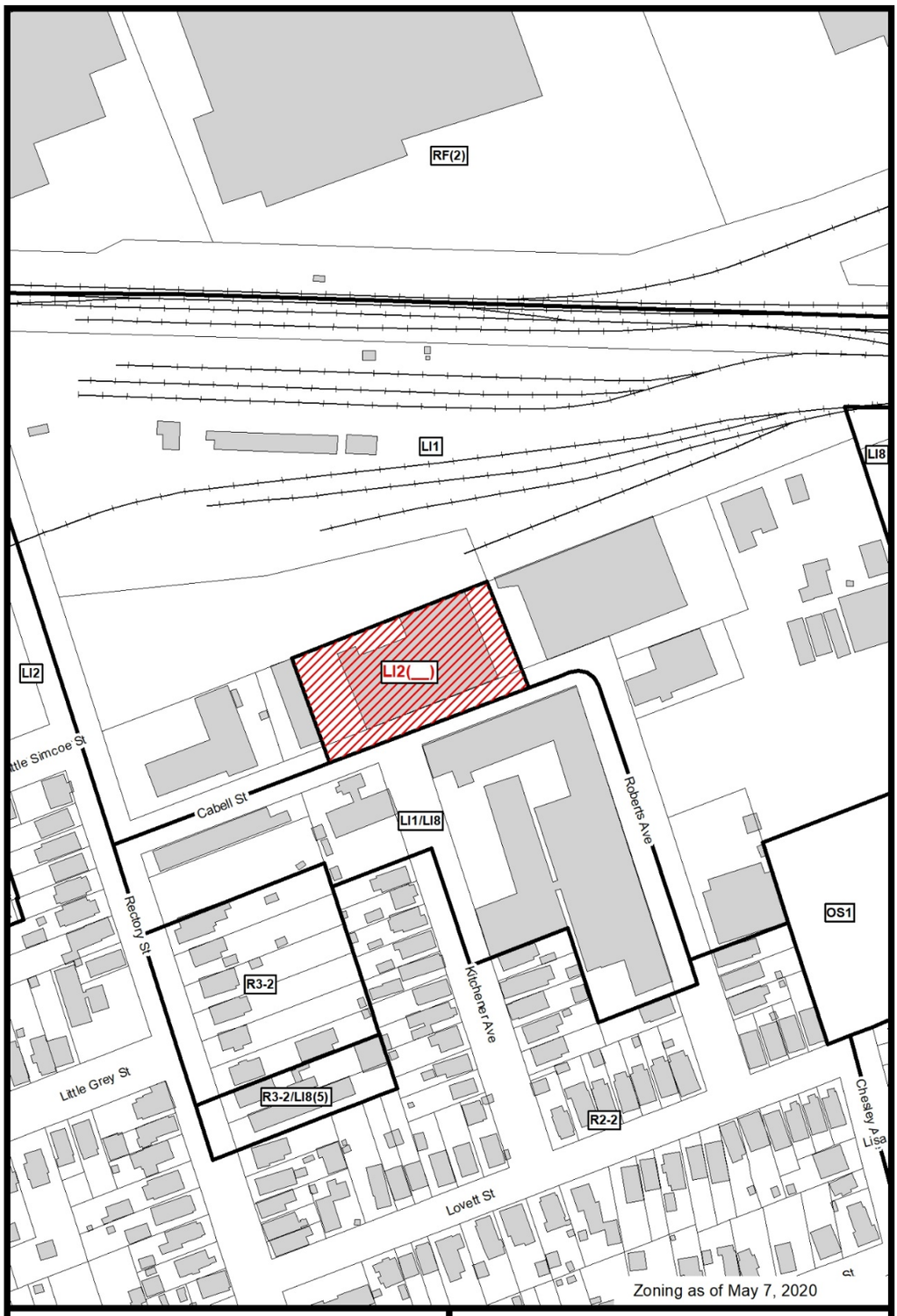
PASSED in Open Council on December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020

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



File Number: Z-9196

Planner: CP

Date Prepared: 2020/09/28

Technician: MB

By-Law No: Z.-1-

SUBJECT SITE

1:2,000

0 10 20 40 60 80 Meters

Geodatabase

Bill No. 17
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to delete the existing secondary dwelling unit regulations and replace with new regulations for additional residential units.

WHEREAS the Corporation of the City of London has initiated a rezoning City-wide to revise the existing secondary dwelling unit regulations and introduce new additional residential unit regulations, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number ( ) this rezoning will conform to the Official Plan

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

1. Section 2 (Definitions) in Zoning By-law Z-1 is amended by deleting the definition for a “Secondary Dwelling Unit” and replacing it with the below definition for an “Additional Residential Unit”

> “ADDITIONAL RESIDENTIAL UNIT” means a dwelling unit ancillary and subordinate to a primary dwelling unit, in which food preparation, eating, living, sleeping and sanitary facilities are provided for the exclusive use of the occupants thereof.”

2. Section 4.6 2) b) (Dwelling Units Area Minimums) is amended by deleting the existing clause and replacing it with the following;

> b) converted dwelling unit and additional residential unit - 25 square metres (269 square feet);

3. Section 4.10 (Home Occupation) is amended by adding the following as a new clause 18:

> 18) A home occupation shall not be permitted in association with an additional residential unit.

4. Section 4.37 (Secondary Dwelling Units) is amended by deleting the existing clause and replacing it with the following;

4.37 ADDITIONAL RESIDENTIAL UNITS

The provisions of this section shall apply to all additional residential units, unless specified by type directly herein.

1) Permitted Zones

Additional residential units shall be permitted within any zone in association with the following uses:

a) Single detached dwellings
b) Semi-detached dwellings
c) Street townhouse dwellings

Single detached dwellings, semi-detached dwellings or street townhouse dwellings containing an additional residential unit on the date of the passing of this by-law, may continue to be used for that purpose if a building permit has been issued under sections 8 or 10 of the *Building Code Act, 1992, S.O. 1992, c.23* permitting the erection, alteration, occupancy or use for the additional residential unit, and if the additional residential unit complies with the regulations of the *Fire Protection and Prevention Act, 1997, S.O. 1997, c.4.*.

2) Number of Additional Residential Units per Lot

A maximum of two (2) additional residential units shall be permitted per lot; including a maximum of one (1) additional residential unit in the main dwelling and a maximum of one (1) additional residential unit in an accessory or ancillary structure

3) Location of Additional Residential Units

An additional residential unit shall not be permitted on a separate lot from the primary dwelling unit that it is accessory to.

An additional residential unit or part thereof shall not be permitted in a basement where the finished floor level of such basement is below the level of any sanitary sewer servicing the building or structure in which the basement is located.

An additional residential unit shall not be permitted in a flood plain as regulated by the Conservation Authority having jurisdiction for that area.

4) Location of Additional Residential Units within Accessory Structures

An additional residential unit may be permitted in an accessory structure on the same lot as the primary dwelling,

An additional residential unit in an accessory structure shall be required to meet the regulations of the zone which apply to accessory structures.

An additional residential unit within an accessory structure may only be permitted in the rear yard or interior side yard.

5) Floor Area Requirements

The gross floor area of additional residential unit(s) shall not be greater than 40% of the combined total gross floor area of the primary dwelling unit and the additional residential units. For the purposes of calculating gross floor area requirements for additional residential units the following shall not be included:

a) additions to dwelling units completed after the date of passage of this by-law; and,
b) the gross floor area of accessory structures, where an accessory structure does not include an additional residential unit.

6) Number of Bedrooms

The additional residential unit(s) and primary dwelling unit together shall not exceed the total number of bedrooms permitted for the primary dwelling unit when the total number of bedrooms in the primary and additional residential unit(s) are combined

7) Access to Additional Residential Units

Exterior alterations to provide for entrances to the additional residential unit within interior or rear yards of the primary dwelling unit may be permitted.

8) Parking

The minimum parking requirement shall be in accordance with the primary dwelling unit. No additional parking is required for additional residential units.

A new additional driveway in association with an additional residential unit is not permitted.

9) Code Requirements

Additional Residential Units shall be required to conform to all Ontario Building Code and Ontario Fire Code regulations.

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 December 8, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 8, 2020
Second Reading – December 8, 2020
Third Reading – December 8, 2020