



Council Agenda Including Addeds

The 5th Meeting of City Council

March 23, 2021, 4:00 PM

2021 Meeting - Virtual Meeting during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

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. Solicitor-Client Privilege / Litigation or Potential Litigation

This report can be considered in a meeting closed to the public as the subject matter being considered pertains to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal (“LPAT”), and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.1/4/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. (6.1/4/CSC)

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

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

by or on behalf of the municipality. (6.2/4/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. (6.3/4/CSC)

4.5. Personal Matters/Identifiable Individual

A matter pertaining to personal matters about an identifiable individual with respect to employment-related matters and advice and recommendations of officers and employees of the Corporation including communications necessary for that purpose. (6.1/6/SPPC)

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

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6.3. Wharncliffe Road South Improvements: 100 Stanley Street Update
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6.14.	<i>(ADDED) Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment</i> (Refer to the Community and Protective Services Committee Stage for Consideration with Item 15 (3.4) of the 5th Report of the Community and Protective Services Committee)	
1.	<i>(ADDED) T. Wong, CAA South Central Ontario</i>	231

7. Motions of Which Notice is Given

8. Reports

1. Disclosures of Pecuniary Interest
2. (2.1) 1st Report of the Cycling Advisory Committee
3. (2.2) Dingman Drive Improvements - Appointment of Consulting Engineer - Detailed Design and Tendering
4. (2.4) Highway 401 / Dingman Drive Bridge Replacement - Agreement with Ministry of Transportation (Relates to Bill No. 90)
5. (2.5) Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Class Environmental Assessment Consultant Award
6. (2.6) Contract Award: 2021 Watermain Cleaning and Relining Program, RFP 20-23
7. (2.7) Amendments to the Traffic and Parking By-law (Relates to Bill No. 112)
8. (2.9) Award of Consulting Services for Detailed Design and Tendering for a New Landfill Gas Flaring Station
9. (2.12) Public Transit Infrastructure Fund (PTIF): Approval of Amending Agreement (Relates to Bill No. 91)
10. (2.13) Street Renaming Portion of Darlington Place (Plan 33M-773) (Relates to Bill No. 114)
11. (2.3) Wharnccliffe Road South Improvements: 100 Stanley Street Update
12. (2.8) Dundas Place - Temporary Bicycle Lanes and Revised Parking Limits (Relates to Bill No. 113)
13. (2.10) Community Employment Benefits
14. (2.11) 2020 External Audit of London's Drinking Water Quality Management System and 2020 Management Review
15. (3.1) Blue Community Program
16. (3.2) New Sidewalks in 2021 Infrastructure Reconstruction Projects
17. (5.1) Deferred Matters List

1. Disclosures of Pecuniary Interest
2. (3.1) New Sidewalks in 2021 Infrastructure Reconstruction Projects
3. (5.1) Safe Restart Agreement - Phase 2 Municipal Transit Funding - Transfer Payment Agreement (Relates to Bill No. 92)

1. Disclosures of Pecuniary Interest
2. (2.1) 1st Report of the Advisory Committee on the Environment
3. (2.2) Draft Masonville Secondary Plan
4. (2.3) Z-1 Zoning By-law - Holding Provision Review
5. (2.4) Application - 973 Gainsborough Road - Removal of Holding Provision h-17 (Relates to Bill No. 124)
6. (2.5) Proposed Amendment to the Hamilton Road Business Improvement Area By-law (Relates to Bill No. 105)
7. (3.1) 1st Report of the Environmental and Ecological Planning Advisory Committee
8. (3.2) Application - 6019 Hamlyn Street (Relates to Bill No. 125)
9. (3.3) 1389 Commissioners Road East - Summerside Subdivision (Relates to Bill No. 126)
10. (3.4) Application - 100 Fullarton Street
11. (3.5) Demolition Request for Heritage Designated Property at 93-95 Dufferin Avenue by Old Oak Properties
12. (3.6) Application - 3924 Colonel Talbot Road (Relates to Bill No. 127)
13. (3.7) Application - 403 Thompson Road - File OZ-9290 (Relates to Bill No's. 102 and 128)
14. (3.8) Application - 345 Sylvan Street - File OZ-9297 (Relates to Bill No's. 103 and 129)
15. (3.9) Core Area Community Improvement Plan (O-9257) - Core Area Community Improvement Plan Financial Incentive Program Guidelines (Relates to Bill No's. 101, 104, 106, 107, and 108)
16. (3.10) Application - 122 Base Line Road West - File SPA21-005
17. (4.1) 2nd Report of the London Advisory Committee on Heritage

8.4. 5th Report of the Community and Protective Services Committee

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1. Disclosures of Pecuniary Interest
2. (2.1) 1st Report of the Animal Welfare Advisory Committee
3. (2.2) 1st Report of the London Housing Advisory Committee
4. (2.3) 1st Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee
5. (2.4) Upgrade the Computer Aided Dispatch (CAD) System 9.3 to 9.4 and Migrate to OnCall Analytics
6. (2.5) Sole Source Award for the Implementation of the Giwetashkad Indigenous Homelessness Strategic Plan

7. (2.6) 2021-2022 Homeless Prevention Program Funding Allocations - Single Source Procurement (#SS21-09)
8. (2.7) A New Provincial-Municipal Vision for Social Assistance
9. (2.8) Suppressing Crime - Theft of Gasoline and Scrap Metal
10. (2.9) Property Standards Related Demolitions (Relates to Bill No. 94)
11. (2.10) Back to Business By-law Extension
12. (3.1) Update on the United Nations Safe Cities and Safe Public Spaces Initiative (Safe Cities London)

TRIGGER WARNING

This report examines the realities of violence against women and girls and includes detailed descriptions of violence experienced in our community. This subject matter may create feelings of discomfort and may be triggering to survivors of sexual assault or violence.

Please be advised that some descriptions of violence against women and girls contained in this report include potentially disturbing language that may not be appropriate for all audiences.

It is important to practice self-care when engaging with this material. If you or someone you know requires support or information relating to violence, please call Anova's 24/7 crisis and support line at 519-642-3000.

13. (3.2) Vacant Buildings By-law Review (Relates to Bill No's. 96 and 97)
14. (3.3) Property Standards By-law Review (Relates to Bill No's. 95, 98, and 100)
15. (3.4) Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment (Relates to Bill No's. 99 and 109)
16. (5.1) Deferred Matters List

8.5. 4th Report of the Corporate Services Committee

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1. Disclosures of Pecuniary Interest
2. (2.1) 2021 Debenture Issuance
3. (2.4) Public Sector Salary Disclosure Act Report for Calendar Year 2020
4. (2.5) 2020 Statement of Remuneration and Expenses for Elected and Appointed Officials
5. (2.7) Demolition – City-Owned Properties - 92 Wellington Road, 686 Adelaide Street North and 688 Adelaide Street North
6. (2.8) Declare Surplus – Portion of City-Owned Property – 330 Thames Street

7. (2.10) Report on Association of Municipalities of Ontario Board Advocacy
8. (2.2) Single Source Procurement SS21-08 Infrastructure Managed Services and Core Upgrade for Emergency Communications System
9. (2.3) 2020 Annual Update on Budweiser Gardens
10. (2.6) 2021 Tax Policy Expectations
11. (2.9) Review of Ward Boundaries
12. (4.1) Application - Issuance of Proclamation - Sikh Heritage Month

8.6. 6th Report of the Strategic Priorities and Policy Committee 334

1. Disclosures of Pecuniary Interest
2. (2.1) Transition Plan Progress Report - Housing Development Corporation, London (HDC)
3. (2.2) 2021 Assessment Growth Funding Allocation
4. (5.1) Service Review: Audit and Accountability Fund Applications and Single Source 21-14 Procurement Process Assessment Review (Relates to Bill No. 93)

9. Added Reports

- 9.1. 5th 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. 89 By-law No. A.- _____ - _____ 337

A by-law to confirm the proceedings of the Council Meeting held on the 23rd day of March, 2021. (City Clerk)

- 13.2. Bill No. 90 By-law No. A.- _____ - _____ 338

A by-law to approve and authorize the Agreement between Her Majesty the Queen in right of the Province of Ontario represented by the Minister of Transportation for the Province of Ontario (the "Ministry") and The Corporation of the City of London (the "City") for the construction of the Dingman Drive bridge. (2.4/3/CWC)

- 13.3. Bill No. 91 By-law No. A.- _____ - _____ 349

A by-law to approve and authorize the execution of Amending Agreement No. 2 to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the

	Queen in Right of Ontario as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London. (2.12/3/CWC)	
13.4.	Bill No. 92 By-law No. A.- _____ - _____ A by-law to approve and authorize the execution of the Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the reimbursement of funds under the Safe Restart Agreement – Phase 2 Municipal Transit Funding. (5.1/4/CWC)	378
13.5.	Bill No. 93 By-law No. A.- _____ - _____ A by-law to approve and authorize the execution of two Ontario Transfer Payment Agreements between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing and the City of London for the provision of funding for two projects under this intake of the Audit and Accountability Fund. (5.1/6/SPPC)	415
13.6.	Bill No. 94 By-law No. A.- _____ - _____ A by-law to approve demolition of abandoned buildings with municipal addresses of 152 Adelaide Street North, 10 Centre Street, and 1420 Hyde Park Road. under the Property Standards provisions of the Building Code Act. (2.9/5/CPSC)	464
13.7.	Bill No. 95 By-law No. A.-6653(____)-____ A by-law to amend By-law A.-6653-121 being “A by-law to establish the positions of Hearings Officer”. (3.3b/5/CPSC)	466
13.8.	Bill No. 96 By-law No. A-35-21 _____ A by-law to amend By-law No. A-35 being “A by-law to regulate vacant buildings” (3.2a/5/CPSC)	467
13.9.	Bill No. 97 By-law No. A-54-21 _____ A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to designate By-law No. A-35 being “A by-law to regulate vacant buildings” (3.2b/5/CPSC)	469
13.10.	Bill No. 98 By-law No. A-54-21 _____ A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to provide for an amended Penalty Schedule “A-6” for the Property Standards By-law. (3.3c/5/CPSC)	471
13.11.	Bill No. 99 By-law No. A-54-21 _____ A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to provide for an amended Penalty Schedule “A-5” for the Business Licensing By-law for the categories of Tow Truck Business and Impound Yard Storage Business. (3.4b/5/CPSC)	477

13.12.	Bill No. 100 By-law No. CP-_____	479
	A by-law to provide standards for the maintenance and occupancy of property and to repeal By-law CP-16 being “A by-law prescribing standards for the maintenance and occupancy of property.” (3.3a/5/CPSC)	
13.13.	Bill No. 101 By-law No. C.P.-1467(____)-____	496
	A by-law to amend C.P.-1467-175, as amended, being “A By-law to establish financial incentives for the Downtown Community Improvement Project Areas” by deleting in its entirety, Schedule 3 – The Boulevard Café Grant Guidelines. (3.9e/4/PEC)	
13.14.	Bill No. 102 By-law No. C.P.-1512(____)-_____	497
	A by-law to amend The London Plan for the City of London, 2016 relating to relating to 403 Thompson Road. (3.7a/4/PEC)	
13.15.	Bill No. 103 By-law No. C.P.-1512(____)-_____	500
	A by-law to amend The London Plan for the City of London, 2016 relating to relating to 345 Sylvan (3.8a/4/PEC)	
13.16.	Bill No. 104 By-law No. C.P.-1512(____)-_____	503
	A by-law to amend The London Plan for the City of London, 2016, relating to Map 8 in Appendix 1 (Maps) and the Core Area Community Improvement Project Area. (3.9b/4/PEC)	
13.17.	Bill No. 105 By-law No. C.P.-1528(____)-_____	506
	A by-law to amend By-law C.P.-1528-486, as amended, being “A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area” by amending the Board of Management composition to provide for a Board comprised of six (6) to twelve (12) directors. (2.5/4/PEC)	
13.18.	Bill No. 106 By-law No. C.P.-_____ - ____	507
	A by-law to designate the Core Area Community Improvement Project Area. (3.9a/4/PEC)	
13.19.	Bill No. 107 By-law No. C.P.-_____ - ____	509
	A by-law to adopt the Core Area Community Improvement Plan. (3.9c/4/PEC)	
13.20.	Bill No. 108 By-law No. C.P.-_____ - ____	550
	A by-law to establish financial incentives for the Core Area Community Improvement Project Area. (3.9d/4/PEC)	
13.21.	Bill No. 109 By-law No. L.-131(____)-_____	573
	A by-law to amend By-law No. L.-131-16 entitled “A by-law to provide for the Licensing and Regulation of Various Businesses”. (3.4a/5/CPSC)	
13.22.	Bill No. 110 By-law No. L.S.P.-3476(____)-____	576
	A by-law to amend By-law No. L.S.P.-3476-474, as amended, entitled,	

	“A by-law to designate 660 Sunningdale Road East to be of cultural heritage value or interest” to correct the legal description of the subject property. (City Clerk)	
13.23.	Bill No. 111 By-law No. L.S.P.- _____ - _____ A by-law to expropriate lands in the City of London, in the County of Middlesex, for the Fanshawe Park Road / Richmond Street Intersection Improvements Project. (City Engineer)	578
13.24.	Bill No. 112 By-law No. PS-113-21 _____ 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.” (2.7/3/CWC)	580
13.25.	Bill No. 113 By-law No. PS-113-21 _____ 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.” (2.8b/3/CWC)	583
13.26.	Bill No. 114 By-law No. S.- _____ - _____ A by-law to rename the portion of “Darlington Place” from Kettering Place southward to Lot 9, Concession 1, Part 2 of Reference Plan 33R-19902, within Registered Plan 33M-773 to “Barn Swallow Place”. (2.13/3/CWC)	586
13.27.	Bill No. 115 By-law No. S.- _____ - _____ A by-law to permit 2745787 Ontario Inc. to maintain and use a boulevard parking area upon the road allowance for 316 Horton Street East, City of London. (City Clerk)	587
13.28.	Bill No. 116 By-law No. S.- _____ - _____ A by-law to assume certain works and services in the City of London. (Foxwood Crossing Subdivision Phase 3; Plan 33M-709) (City Engineer)	592
13.29.	Bill No. 117 By-law No. S.- _____ - _____ A by-law to assume certain works and services in the City of London. (Matthews Hall Subdivision; Plan 33M-595) (City Engineer)	594
13.30.	Bill No. 118 By-law No. S.- _____ - _____ A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Colonel Talbot Road south of Pack Road; and as widening to Pack Road west of Colonel Talbot Road) (Chief Surveyor - for road widening purposes on Colonel Talbot Road, pursuant to Site Plan SPA20-021 and in accordance with Zoning By-law Z.-1)	596
13.31.	Bill No. 119 By-law No. S.- _____ - _____ A by-law to lay out, constitute, establish and assume lands in the City of London as public highway (as widening to Westmount Hills Drive north of Tobin Court) (Chief Surveyor - for road widening purposes on Dundas Street registered as Instrument No. ER1340931 pursuant to Consent B.004/19 and in accordance with Zoning By-law Z.-1)	598
13.32.	Bill No. 120 By-law No. S.- _____ - _____	600

	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wellington Road south of Bradley Avenue) (Chief Surveyor - for road widening purposes on Wellington Road registered as Inst. No. ER1264609, pursuant to SPA19-058 and in accordance with Zoning By-law Z.-1)	
13.33.	Bill No. 121 By-law No. S.-_____ - _____	602
	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Street West, west of Wharncliffe Road North) (Chief Surveyor - dedication as public highway)	
13.34.	Bill No. 122 By-law No. S.-_____ - _____	604
	A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Blackwell Boulevard) (Chief Surveyor - for unobstructed legal access throughout the Subdivision)	
13.35.	Bill No. 123 By-law No. W.-5654(____)-_____	606
	A by-law to amend by-law No. W.-5654-291 entitled, "A by-law to authorize the 2019-2023 Active Transportation Project. (Project No. TS173919)." (2.8/2/CWC)	
13.36.	Bill No. 124 By-law No. Z.-1-21_____	607
	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 973 Gainsborough Road. (2.4/4/PEC)	
13.37.	Bill No. 125 By-law No. Z.-1-21_____	609
	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 6019 Hamlyn Street. (3.2/4/PEC)	
13.38.	Bill No. 126 By-law No. Z.-1-21_____	613
	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1389 Commissioners Road East. (3.3/4/PEC)	
13.39.	Bill No. 127 By-law No. Z.-1-21_____	615
	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3924 Colonel Talbot Rd. (3.6/4/PEC)	
13.40.	Bill No. 128 By-law No. Z.-1-21_____	618
	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 403 Thompson Road. (3.7b/4/PEC)	
13.41.	Bill No. 129 By-law No. Z.-1-21_____	620
	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 345 Sylvan Street. (3.8b/4/PEC)	

14. Adjournment



Council Minutes

The 4th Meeting of City Council
February 23, 2021, 4:00 PM

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

Also Present: M. Ribera, C. Saunders and B. Westlake-Power

Remote Attendance: L. Livingstone, A. Anderson, A. Barbon, G. Barrett, B. Card, M. Daley, K. Dickins, G. Kotsifas, J.P. McGonigle, K. Scherr, M. Schulthess, C. Smith, B. Somers, S. Stafford, A. Thompson, B. Warner, R. Wilcox.

The meeting was called to order at 4:05 PM, with Mayor E. Holder in the Chair and all Members participating; it being noted that the following Members attended the meeting remotely: M. van Holst, M. Salih, J. Helmer, M. Cassidy, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga and S. Hillier.

1. Disclosures of Pecuniary Interest

Councillor S. Lehman discloses a pecuniary interest in Item 10 (2.8) of the 3rd Report of the Planning and Environment Committee, having to do with the London Community Recovery Network - Ideas for Action by Municipal Council as it relates to Idea 2.5 - increase in grant funding/building code for façade upgrades, by indicating that he is a commercial tenant in downtown.

Councillor S. Turner discloses pecuniary interests on the following matters:

Item 14 (2.11) of the 2nd Report of the Civic Works Committee, having to do with the 2020 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System, by indicating that he is an employee of the Middlesex-London Health Unit.

Item 9 (2.1) of the 3rd Report of the Planning and Environment Committee, having to do with European Gypsy Month (EGM) Proposed Management Plan, by indicating that he is an employee of the Middlesex-London Health Unit.

Councillor J. Helmer disclosed a pecuniary interest in Item 2 (3.1) of the 5th Report of the Strategic Priorities and Policy Committee, having to do with the City of London Service Review: Recommended Closure of River Road Golf Course, by indicating that his father is a member of the Golf Courses Owners Association, whose members fees could be affected by the decision associated with this matter.

Mayor E. Holder discloses a pecuniary interest in Item 16 (5.1) of the 2nd Report of the Civic Works Committee, having to do with the Deferred Matters List as it relates to the property located at 745 Waterloo Street, by indicating that his spouse and daughter own and operate a business at this location.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

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

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. 63, being a by-law to confirm the proceedings of the Council Meeting held on the 23rd day of February 2021, which will be considered, prior to Stage 14 – Adjournment; and

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

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

Motion Passed (15 to 0)

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

Motion made by: P. Van Meerbergen

Seconded by: S. Turner

That the Minutes of the 3rd Meeting held on February 2, 2021, BE APPROVED.

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

Motion Passed (15 to 0)

6. Communications and Petitions

Motion made by: P. Van Meerbergen

Seconded by: A. Hopkins

That the communications included on the Added Agenda related to the matters listed below, BE RECEIVED and BE REFERRED as noted on the public agenda:

6.1 London Community Recovery Network - Ideas for Action by Municipal Council (Planning and Environment Committee Stage for Consideration with Item 10 (2.8) of the 3rd Report of the Planning and Environment Committee)

6.2 Paid Seek Leave Enhancements (Corporate Services Committee Stage for Consideration with Item 10 (5.1) of the 3rd Report of the Corporate Services Committee)

6.3 New Sidewalks in 2021 Infrastructure Reconstruction Projects (Civic Works Committee Stage for Consideration with Item 12 (2.6) of the 2nd Report of the Civic Works Committee)

6.4 City of London Service Review Recommended Closure of River Road Golf Course (Strategic Priorities and Policy Committee Stage for Consideration with Item 2 (3.1) of the 5th Report of the Strategic Priorities and Policy Committee)

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

Motion Passed (15 to 0)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 3rd Report of the Planning and Environment Committee

Motion made by: P. Squire

That the 3rd Report of the Planning and Environment Committee, excluding Items 9 (2.1) and 10 (2.8), BE APPROVED.

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: P. Squire

That Councillor S. Lehman disclosed a pecuniary interest in clause 2.8 of this Report, having to do with the London Recovery Network - Ideas for Action by Municipal Council, as it relates to increase grant funding/building code for façade upgrades, by indicating that he is a tenant in the downtown area under construction.

Motion Passed

2. (2.2) Application - 146 and 184 Exeter Road - Middleton Subdivision Phase 3 - Special Provisions

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the subdivision of land over Part of Lots 34, Concession 2, (former Township of Westminster) situated on the north side of Exeter Road, east of Wonderland Road South, municipally known as 146 and 184 Exeter Road:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Sifton Properties Limited for the Middleton Subdivision - Phase 3 (39T-15501) appended to the staff report dated February 8, 2021 as Appendix "A", BE APPROVED;

b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated February 8, 2021 as Appendix "B"; and,

c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2021-D12)

Motion Passed

3. (2.3) Application - 335 Kennington Way, 3959 and 3964 Mia Avenue - Removal of Holding Provision (Plan 33M-765) (H-9272) (Relates to Bill No. 80)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by 11031250 Ontario Inc., relating to lands located at 335 Kennington Way, 3959 and 3964 Mia Avenue, legally described as Part of Block 1, Plan 33M-765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M-765, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R4 Special Provision/R5 Special Provision/R6 Special Provision (h*h-100*h-198* R4-6(10)/R5-4(23)/R6-5(51) Zone TO a Residential R4 Special Provision/R5 Special Provision/R6 Special Provision R4-6(10)/R5-4(23)/R6-5(51) Zone to remove the h, h-100 and h-198 holding provisions. (2021-D09)

Motion Passed

4. (2.4) Application - 2725 Asima Drive (33M-699, Block 53) (P-9220)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Rockwood Homes to exempt Block 53, Plan 33M-699 from Part-Lot Control:

- a) pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at a future Council meeting, to exempt Block 53, Plan 33M-699 from the Part-Lot Control provisions of subsection 50(5) of the said Act; it being noted that these lands are subject to registered subdivision agreements and are zoned Residential R4 Special Provision (R4-5(2)) in Zoning By-law No. Z.-1, which permits street townhouse dwellings; and,
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 53, Plan 33M-699 as noted in clause a) above:
 - i) the applicant be advised that the costs of registration of the said by-laws are to be borne by the applicant in accordance with City Policy;
 - ii) the applicant submit a draft reference plan to the Development Services for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - iii) the applicant submits to the Development Services a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;

- iv) the applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
 - v) the applicant submit to the City Engineer for review and approval prior to the reference plan being deposited in the land registry office; any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - vi) the applicant shall enter into any amending subdivision agreement with the City, if necessary;
 - vii) the applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
 - viii) the applicant shall obtain confirmation from the Development Services that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
 - ix) the applicant shall obtain approval from the Development Services of each reference plan to be registered prior to the reference plan being registered in the land registry office;
 - x) the applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
 - xi) the applicant shall obtain clearance from the City Engineer that requirements iv), v) and vi) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Controls Division for lots being developed in any future reference plan;
 - xii) the applicant shall provide a draft transfer of the easements to be registered on title for the reciprocal use of parts 2, 4, 6, 8, 10, 12, 14 and 16 by parts 1, 3, 5, 7, 9, 11, 13 and 15; and,
 - xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part-Lot Control be re-established by the repeal of the by-law affecting the Lots/Block in question.
- (2021-D25)

Motion Passed

5. (2.5) Application - 3542 Emilycarr Lane (H-9281) (Relates to Bill No. 81)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, based on the application by Goldfield Ltd., relating to the property located at 3542 Emilycarr Lane, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R5 (h*h-100*h-104*h-155*R5-7) Zone TO a Residential R5 (R5-7) Zone to remove the "h, h-100, h-104 and h-155" holding provisions. (2021-D08)

Motion Passed

6. (2.6) Application - 1160 Wharncliffe Road South (P-9238) (Relates to Bill No. 67)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, with respect to the application by Goldfield Ltd., the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to exempt Block 2, 3, 4, 5 and 7, Plan 33M-786 from the Part-Lot Control provisions of Subsection 50(5) of the Planning Act, for a period not exceeding three (3) years. (2021-D25)

Motion Passed

7. (2.7) 2020 Annual Development Report

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and City Planner, the staff report dated February 8, 2021 entitled "2020 Annual Development Report" BE RECEIVED for information. (2021-A23)

Motion Passed

8. (2.9) Building Division Monthly Reports - November 2020 and December 2020

Motion made by: P. Squire

That the Building Division Monthly Report for November and December 2020 BE RECEIVED for information. (2021-A23)

Motion Passed

11. (3.1) Application - 3195 White Oak Road (Z-9204) (Relates to Bill No. 82)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services with respect to the application by 2748714 Ontario Inc., relating to the property located at 3195 White Oak Road, the proposed by-law appended to the staff report dated February 8, 2021 BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Urban Reserve Special Provision (h-94*UR4(11)) and an Urban Reserve (UR4) Zone TO a Residential R1 Special Provision (R1-3(21)) 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, and will serve to implement the policies of the Provincial Policy Statement, 2020 which encourage infill and intensification and the provision of a range of housing types, and efficient use of existing infrastructure;
- the proposed residential uses and scale of development are consistent with the policies of the London Plan, the 1989 Official Plan, the Southwest Area Secondary Plan and the North Longwoods Area Plan policies; and,
- the subject lands are of a suitable size and shape to accommodate the development proposed. (2021-D08)

Motion Passed

12. (3.2) Draft Plan of Vacant Land Condominium - 3087 White Oak Road 39CD-20511

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application by Whiterock Village Inc., relating to the property located at 3087 White Oak Road:

- a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3087 White Oak Road; and,
- b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3087 White Oak Road;

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. (2021-D07)

Motion Passed

13. (3.3) Application - 185 Horton Street East (Relates to Bill No. 83)

Motion made by: P. Squire

That, on the recommendation of the Director, Development Services, with respect to the application by 1524400 Ontario Inc., relating to the property located at 185 Horton Street East, the proposed revised, ~~attached~~, by-law BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Arterial Commercial Special Provision (AC4(11)) Zone TO an Arterial Commercial Special Provision Bonus Zone (AC4(__)/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 389 units per hectare and a maximum height of 51 metres (16-storeys) which substantially implements the Site Plan and Elevations appended to the staff report as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

- i) a high quality development which substantially implements the site plan and elevations as appended to the staff report as Schedule "1" 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 structured parking facilities and screening for surface parking areas;

Underground Parking

A) underground parking structure parking provided to reduce surface parking areas (a minimum of 27 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 7th, 12th and 16th floors;

B) landscape enhancements beyond City design standards, including theme lighting; and,

C) landscape plans for common outdoor amenity areas to incorporate hard landscape elements and drought resistant landscaping to reduce water consumption;

Sustainability

- A) provides a pedestrian-oriented environment along Horton Street East, which facilitates passive surveillance of the streetscape and, ultimately, safer streets;
- B) fosters social interaction and facilitates active transportation and community connectivity with Downtown; and,
- C) the subject lands are close to public open space and parkland in the area, particularly Thames Park, Charles Hunt Park, and the Thames River Pathway system, which provides recreational opportunities for residents (passive and active);

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 to Zoning By-law Z.-1 is consistent with the 2020 Provincial Policy Statement (PPS) which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents present and future;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, Homelessness Prevention and Housing policies, and City Design policies. The subject lands represent an appropriate location for residential intensification, along a higher-order street at the fringe of the downtown area, and the recommended amendment would permit development at a magnitude that is suitable for the site adding a connection between the downtown and abutting neighbourhood;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan including, but not limited to the Policies for the Main Street Commercial Corridor designation. The recommended amendment would permit development at an intensity that is at the upper range of the maximum density for residential intensification within the Main Street Commercial Corridor designation but still ensures the nature of development is suitable for the site and the immediate neighbourhood. The recommended amendment would help to reach the objective of supplying additional institutional housing choices and options for students attending educational institutions in the downtown;
- the recommended Zoning By-law amendment is consistent with the SoHo (South of Horton Street) Community Improvement Plan with the redevelopment of the Mixed Use Mainstreet District along Horton Street by facilitating development that complements the Mainstreet District on Horton Street E one block east of the subject site; and,
- the subject lands represent an appropriate location for institutional and residential intensification, along Horton Street and the recommended amendment would permit an apartment/dormitory development at an intensity that is appropriate for the site and the surrounding neighbourhood. (2021-D08)

Motion Passed

9. (2.1) 2021 European Gypsy Moth (EGM) Proposed Management Plan

Motion made by: P. Squire

That, on the recommendation of the Managing Director, Environmental & Engineering Services and City Engineer, the staff report dated February 8, 2021 entitled "2021 European Gypsy Moth (EGM) Proposed Management Plan" BE RECEIVED for information. (2021-D05)

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

Recuse: (1): S. Turner

Motion Passed (14 to 0)

At 4:30 PM, Councillor S. Hillier leaves the meeting.

10. (2.8) London Community Recovery Network - Ideas for Action by Municipal Council

Motion made by: P. Squire

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the following actions be taken with respect to the London Community Recovery Network:

a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 2.5 Increase grant funding/building code for façade upgrades;
- 2.6 Appoint a downtown lead at City Hall;
- 2.7 Create a business concierge service;
- 2.8 Create a core area champion at senior level; and,
- 2.9 Create an integrated economic development blueprint;

b) the Civic Administration BE DIRECTED to execute the implementation plans for ideas for action in support of London's community recovery from COVID-19 approved in a) above;

c) that \$250,000 BE APPROVED to implement the ideas approved in a) above and as set out in the business cases included in Appendix A to the staff report, noting that Municipal Council previously authorized \$5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures;

d) the Civic Administration BE DIRECTED to waive the requirement of having all City property taxes paid in full for property owners eligible to receive grants in 2021 under the City's Upgrade to Building Code Loan, Façade Improvement Loan and Rehabilitation and Redevelopment Tax Grant Community Improvement Plan programs, provided that all other requirements have been met; it being noted that any grant funding will first be applied against outstanding property taxes owing; and,

e) the staff report dated February 8, 2021 entitled "London Community Recovery Network - Ideas for Action by Municipal Council" BE RECEIVED for information;

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

- a communication dated February 1, 2021 from D. Szpakowski, CEO and General Manager, Hyde Park Business Improvement Association; and,
- the attached presentation. (2021-S08/S12)

Motion made by: S. Lewis

Seconded by: J. Morgan

That Item 10 (2.8) BE AMENDED by adding the following new part d), with the remaining parts of the Item being renumbered accordingly:

d) idea for action 3.5 “provide better market data to attract new business” BE REFERRED back to the Civic Administration to develop partnership agreements with Business Improvement Areas (BIAs) and other community partners to provide for enhanced opportunities through partnerships to access and gather existing and new data that could be made available to all involved partners, resulting in no new net cost to the municipality and to report back to a future meeting of the Planning and Environment Committee on this matter;

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

Nays: (2): J. Helmer, and A. Hopkins

Absent: (1): S. Hillier

Motion Passed (12 to 2)

At 4:42 PM, Councillor S. Hillier enters the meeting.

Motion made by: A. Hopkins

Seconded by: S. Turner

That part a) BE AMENDED, by approving Item 1.3 - A Break in the Clouds.

Amendment:

Motion made by: J. Morgan

Seconded by: M. van Holst

That part a) of the proposed amendment BE AMENDED by adding Ideas for Action Item 1.3 - A Break in the Clouds and including eligibility to participate in the proposed programs to all Business Improvement Areas (BIAs).

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

Motion Passed (15 to 0)

Motion made by: J. Helmer

Seconded by: M. van Holst

That the budget amount for Action Item 1.3 - A Break in the Clouds, BE AMENDED by increasing the amount to \$120,000.00.

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

Nays: (9): M. van Holst, S. Lewis, M. Cassidy, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, E. Pelozza, and S. Hillier

Motion Failed (6 to 9)

Motion made by: S. Turner

Seconded by: M. van Holst

That Item 10 (2.8,) as amended, by adding Action Item - 3.1 - A Break in the Clouds for all Business Improvement Areas (BIAs), BE APPROVED.

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

Nays: (3): S. Lewis, P. Squire, and S. Lehman

Motion Passed (12 to 3)

Motion made by: P. Squire

That part a), Action Item 2.5 - Increase grant funding/building code for façade upgrades BE APPROVED.

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

Recuse: (1): S. Lehman

Motion Passed (14 to 0)

Motion made by: P. Squire

Seconded by: S. Lewis

That Item 10 (2.8), as amended, excluding, Action Item 2.5 - Increase grant funding/building code for façade upgrades, BE APPROVED.

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

Motion Passed (15 to 0)

Item 10 (2.8), as amended, reads as follows:

That, on the recommendation of the Managing Director, Development & Compliance Services and Chief Building Official, the following actions be taken with respect to the London Community Recovery Network:

a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 2.5 Increase grant funding/building code for façade upgrades;
- 2.6 Appoint a downtown lead at City Hall;
- 2.7 Create a business concierge service;
- 2.8 Create a core area champion at senior level; and,
- 2.9 Create an integrated economic development blueprint;

- 3.1 A Break in the Clouds for all Business Improvement Areas (BIAs)

b) the Civic Administration BE DIRECTED to execute the implementation plans for ideas for action in support of London's community recovery from COVID-19 approved in a) above;

c) that \$350,000 BE APPROVED to implement the ideas approved in a) above and as set out in the business cases included in Appendix A to the staff report, noting that Municipal Council previously authorized \$5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures;

d) idea for action 3.5 "provide better market data to attract new business" BE REFERRED back to the Civic Administration to develop partnership agreements with Business Improvement Areas (BIAs) and other community partners to provide for enhanced opportunities through partnerships to access and gather existing and new data that could be made available to all involved partners, resulting in no new net cost to the municipality and to report back to a future meeting of the Planning and Environment Committee on this matter;

e) the Civic Administration BE DIRECTED to waive the requirement of having all City property taxes paid in full for property owners eligible to receive grants in 2021 under the City's Upgrade to Building Code Loan, Façade Improvement Loan and Rehabilitation and Redevelopment Tax Grant Community Improvement Plan programs, provided that all other requirements have been met; it being noted that any grant funding will first be applied against outstanding property taxes owing; and,

f) the staff report dated February 8, 2021 entitled "London Community Recovery Network - Ideas for Action by Municipal Council" BE RECEIVED for information;

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

- a communication dated February 1, 2021 from D. Szpakowski, CEO and General Manager, Hyde Park Business Improvement Association; and,
- the attached presentation. (2021-S08/S12)

8.2 4th Report of the Community and Protective Services Committee

Motion made by: J. Helmer

That the 4th Report of the Community and Protective Services Committee, excluding Item 6 (2.2), BE APPROVED.

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Helmer

None.

Motion Passed

2. (2.1) 1st Report of the Accessibility Advisory Committee

Motion made by: J. Helmer

That the following actions be taken with respect to the 1st Report of the Accessibility Advisory Committee from its meeting held on January 28, 2020:

a) the following actions be taken with respect to the Memo dated January 20, 2021, from the Director, Roads and Transportation, related to the 2021 Neighbourhood Street Reconstruction Projects - Complete Streets Sidewalk Assessments:

i) the Civic Administration BE ADVISED that the Accessibility Advisory Committee (ACCAC) supports the inclusion of sidewalks on both sides of the streets listed within the above-noted Memo except in circumstances that warrant sidewalks on only one side of the street; and,

ii) the Civic Administration BE ADVISED that the only instances that call for zero sidewalks on a street should be situations where the circumstances are insurmountable for the installation of sidewalks and, in those cases, the ACCAC should be consulted; it being noted that the above-noted Memo was received;

b) the following actions be taken with respect to the Accessibility Advisory Committee (ACCAC) Terms of Reference:

i) the above-noted Terms of Reference, as appended to the agenda, BE RECEIVED; and,

ii) the Civic Administration BE REQUESTED to consider adding additional provisions concerning ableism when drafting the updated ACCAC Terms of Reference document;

c) Jay Menard BE APPOINTED as the Accessibility Advisory Committee representative to the Community Diversity and Inclusion Strategy (CDIS) Leadership Table; and,

d) clauses 1.1, 1.2, 3.1, 3.2, 3.4, 5.1, 5.3, 5.4 and 5.5 BE RECEIVED.

Motion Passed

3. (2.3) Sign By-law Amendment (Relates to Bill No. 69)

Motion made by: J. Helmer

That, the on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the

following actions be taken with respect to revisions to the Sign By-law:

- a) the staff report dated February 9, 2021, with respect to amendments to allow for posters on City-controlled bike locker frames as part of the introduction of bike lockers in and around downtown BE RECEIVED; and,
- b) the revised draft Sign By-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021 to enact the above-noted changes. (2021-R06/T10)

Motion Passed

4. (2.4) Strategic Plan Variance Report

Motion made by: J. Helmer

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the staff report dated February 9, 2021, with respect to the Strategic Plan Progress Variance, BE RECEIVED. (2021-C08)

Motion Passed

5. (2.5) Proposed Amendment - Eldon House By-law (Relates to Bill No. 66)

Motion made by: J. Helmer

That, on the recommendation of the City Clerk, the proposed by-law, as appended to the staff report dated February 9, 2021, BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021, to amend By-law A.-6825-162, as amended, being "A By-law to establish a municipal service board for the purpose of operating and Managing Eldon House" to amend the Board composition to provide for the appointment of a past Chair of the Board as a Director. (2021-R01)

Motion Passed

7. (4.1) Business Case for Lighting Dog Parks

Motion made by: J. Helmer

That the communication from Councillor M. van Holst, as appended to the agenda, with respect to lighting one dog park per year, BE RECEIVED. (2021-R04)

Motion Passed

8. (5.1) Deferred Matters List

Motion made by: J. Helmer

That the Deferred Matters List for the Community and Protective Services Committee, as at February 1, 2021, BE RECEIVED.

Motion Passed

9. (5.2) Residential Rental Units Licensing By-law Review

Motion made by: J. Helmer

That the communication, dated February 8, 2021, from Councillors A. Kayabaga and M. Salih, with respect to a review of the Residential Rental Units Licensing By-law, BE REFERRED to the March 2, 2021 meeting of the Community and Protective Services Committee for consideration.

Motion Passed

6. (2.2) London Community Recovery Network - Ideas for Action by Municipal Council

Motion made by: J. Helmer

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the Acting Managing Director, Housing, Social Services and Dearness Home, and the Managing Director, Parks and Recreation, the following actions be taken with respect to the staff report dated February 9, 2021 related to the London Community Recovery Network and ideas for action by Municipal Council:

a) the following actions be taken with respect to the ideas for action submitted by the London Community Recovery Network and received by Municipal Council, as contained within the above-noted staff report:

i) the implementation plans for the following ideas for action BE APPROVED:

- 1.1 Christmas (Holiday) Market;
- 2.4 Create a regional holiday destination in downtown;
- 3.2 Self-employment exploration training for unemployed;
- 4.1 Increase focus on addressing food insecurity;
- 4.4 Public toilets and sanitation;
- 4.7 Support for National Child Care Framework;
- 5.2 Outdoor concerts;
- 5.3 Interactive distanced festivals and events;
- 5.4 City of Lights: Public Art Projection Program;
- 5.5 London Mural and Art Walk;
- 5.6 Mural façade grant; and,
- 5.8 Develop an app with augmented reality for scavenger hunts;

ii) the implementation plan for item #2.3 Downtown Recovery – free transit to the downtown, as it relates to transit initiatives to the downtown, BE REFERRED back to the Civic Administration to continue working with the London Transit Commission on this matter, with a report back to a future meeting of the Community and Protective Services Committee (CPSC) when additional details are available; and,

iii) implementation plan for item #2.3 Downtown Recovery – free transit to the downtown, as it relates to parking initiatives in the downtown BE REFERRED back to the Civic Administration with a report back to a future meeting of the CPSC when additional details are available;

b) the Civic Administration BE DIRECTED to execute the implementation plans for the above-noted approved ideas for action in support of London's community recovery from COVID-19;

c) the Federal Government BE REQUESTED, in partnership with the provinces, to develop and implement a National Child Care Framework to focus on accessibility, affordability, and equity for all families, recognizing that licensed quality child care and qualified Early Childhood Educators are essential to COVID-19 economic and social recovery;

d) \$1,980,000 BE APPROVED to implement the above-noted approved ideas as set out in the business cases included in Appendix A of the above-noted staff report; it being noted that Municipal Council previously authorized \$5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures; and,

e) the above-noted staff report BE RECEIVED. (2021-R08/S08)

Motion made by: J. Helmer

That Item 6 (2.2), excluding Ideas for Actions 2.4 - create a regional holiday designation in the downtown, 5.4 - City of Lights: Public Art Projection Program, 5.5 - London Mural and Art Walk and 5.6 - Mural façade and grant, of part a) i), BE APPROVED.

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

Motion Passed (15 to 0)

At 5:56 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

At 5:58 PM, Mayor E. Holder resumes the Chair and Deputy Mayor J. Morgan takes his seat at the Council Board.

At 6:00 PM, Councillor S. Hillier leaves the meeting.

Motion made by: J. Helmer

That part a) i) Idea for Action 2.4 - Create a regional holiday destination in downtown, BE APPROVED.

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

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

Absent: (1): S. Hillier

Motion Failed (6 to 8)

At 6:04 PM, Councillor S. Hillier enters the meeting.

Motion made by: J. Helmer

That part a)i), Idea for Action 5.4 - City of Lights: Public Art Projection Program, BE APPROVED.

Yeas: (7): M. van Holst, M. Salih, J. Helmer, S. Lehman, A. Hopkins, S. Turner, and A. Kayabaga

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

Motion Failed (7 to 8)

At 6:08 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

At 6:10 PM, Mayor E. Holder resumes the Chair and Deputy Mayor J. Morgan takes his seat at the Council Board.

Motion made by: S. Lewis

Seconded by: E. Pelozza

That pursuant to section 13.2 of the Council Procedure By-law, part a) i) Idea for Action 5.4 - City of Lights: Public Art Projection Project, BE RECONSIDERED as a Member indicated that they inadvertently voted incorrectly.

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

Nays: (2): E. Pelozza, and S. Hillier

Motion Passed (13 to 2)

Motion made by: J. Helmer

That part a) i) Idea for Action 5.4 - City of Lights: Public Art Projection Program BE APPROVED.

Yeas: (6): M. van Holst, M. Salih, J. Helmer, A. Hopkins, S. Turner, and A. Kayabaga

Nays: (9): Mayor E. Holder, S. Lewis, M. Cassidy, P. Squire, J. Morgan, S. Lehman, P. Van Meerbergen, E. Pelozza, and S. Hillier

Motion Failed (6 to 9)

At 6:39 PM, Councillor A. Kayabaga leaves the meeting.

Motion made by: J. Helmer

That part a) i) Idea for Action 5.5 - London Mural and Art Walk, BE APPROVED.

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

Nays: (3): S. Lehman, P. Van Meerbergen, and S. Hillier

Absent: (1): A. Kayabaga

Motion Passed (11 to 3)

At 6:43 PM, Councillor S. Hillier leaves the meeting.

Motion made by: J. Helmer

That part a) i) Idea for Action 5.6 - Mural façade grant, BE APPROVED.

Yeas: (7): M. van Holst, M. Salih, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, and S. Turner

Nays: (6): Mayor E. Holder, S. Lewis, P. Squire, S. Lehman, P. Van Meerbergen, and E. Pelozza

Motion Passed (7 to 6)

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

That pursuant to section 13.2 of the Council Procedure By-law, part d), BE RECONSIDERED, as the budget amount contained in part d) does not reflect the deletion of certain Ideas for Action set out in part a) i).

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

Absent: (2): A. Kayabaga, and S. Hillier

Motion Passed (13 to 0)

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

That part d) BE AMENDED to read as follows:

d) \$1,300,000 BE APPROVED to implement the above-noted approved ideas as set out in the business cases included in Appendix A of the above-noted staff report; it being noted that Municipal Council previously authorized \$5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures; and,

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

Nays: (2): S. Lehman, and P. Van Meerbergen

Absent: (2): A. Kayabaga, and S. Hillier

Motion Passed (11 to 2)

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

That Item 6 (2.2) BE APPROVED, as amended.

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

Nays: (2): S. Lehman, and P. Van Meerbergen

Absent: (2): A. Kayabaga, and S. Hillier

Motion Passed (11 to 2)

Motion made by: E. Pelozá

Seconded by: M. Cassidy

That Council RECESS at 6:52 PM.

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

Absent: (2): A. Kayabaga, and S. Hillier

Motion Passed (13 to 0)

Council resumes at 7:18 PM, with Mayor E. Holder in the Chair and all Members participating except Councillors S. Turner and S. Hillier.

Motion made by: S. Lewis

Seconded by: S. Lehman

That pursuant to section 13.2 of the Council Procedure By-law, part a) i) Idea for Action - 5.6 Mural Façade Grant, BE RECONSIDERED.

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

Absent: (2): S. Turner, and S. Hillier

Motion Passed (13 to 0)

Motion made by: J. Helmer

Seconded by: M. van Holst

That part a) i) - Idea for Action - 5.6 - Mural façade grant, BE APPROVED.

Yeas: (6): M. van Holst, M. Salih, J. Helmer, M. Cassidy, A. Hopkins, and A. Kayabaga

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

Absent: (2): S. Turner, and S. Hillier

Motion Failed (6 to 7)

Item 6 (2.2) as amended, reads as follows:

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, the Acting Managing Director, Housing, Social Services and Deerness Home, and the Managing Director, Parks and Recreation, the following actions be taken with respect to the staff report dated February 9, 2021 related to the London Community Recovery Network and ideas for action by Municipal Council:

a) the following actions be taken with respect to the ideas for action submitted by the London Community Recovery Network and received by Municipal Council, as contained within the above-noted staff report:

i) the implementation plans for the following ideas for action BE APPROVED:

- 1.1 Christmas (Holiday) Market;
- 3.2 Self-employment exploration training for unemployed;
- 4.1 Increase focus on addressing food insecurity;
- 4.4 Public toilets and sanitation;
- 4.7 Support for National Child Care Framework;
- 5.2 Outdoor concerts;
- 5.3 Interactive distanced festivals and events;
- 5.5 London Mural and Art Walk; and,
- 5.8 Develop an app with augmented reality for scavenger hunts;

ii) the implementation plan for item #2.3 Downtown Recovery – free transit to the downtown, as it relates to transit initiatives to the downtown, BE REFERRED back to the Civic Administration to continue working with the London Transit Commission on this matter, with a report back to a future meeting of the Community and Protective Services Committee (CPSC) when additional details are available; and,

iii) implementation plan for item #2.3 Downtown Recovery – free transit to the downtown, as it relates to parking initiatives in the downtown BE REFERRED back to the Civic Administration with a report back to a future meeting of the CPSC when additional details are available;

b) the Civic Administration BE DIRECTED to execute the implementation plans for the above-noted approved ideas for action in support of London’s community recovery from COVID-19;

c) the Federal Government BE REQUESTED, in partnership with the provinces, to develop and implement a National Child Care Framework to focus on accessibility, affordability, and equity for all families, recognizing that licensed quality child care and qualified Early Childhood Educators are essential to COVID-19 economic and social recovery;

d) \$1,200,000 BE APPROVED to implement the above-noted approved ideas as set out in the business cases included in Appendix A of the above-noted staff report; it being noted that Municipal Council previously authorized \$5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures; and,

e) the above-noted staff report BE RECEIVED. (2021-R08/S08)

8.3 3rd Report of the Corporate Services Committee

Motion made by: M. Cassidy

That the 3rd Report of the Corporate Services Committee BE APPROVED, excluding Item 10 (5.1).

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

Absent: (2): S. Turner, and S. Hillier

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Recommendation to Award RFP 20-69 – Network Cabling and Conduit Supply, Delivery, Installation, and Repair Services Vendor of Record

Motion made by: M. Cassidy

That, on the recommendation of the Director, Information Technology Services, the following actions be taken with respect to the network cabling and conduit supply, delivery, installation and repair services appointment of a Vendor of Record, as per City of London Procurement Policy Section 12.2 (b), requiring Committee and City Council approval for Request for Proposal awards greater than \$100,000:

- a) the proposal submitted by Netcheck Corporation, 177 Exeter Road, Unit D London, ON N67 1A4 for cabling and conduit supply, delivery, installation and repair services in the estimated annual amount of \$250,000 (exclusive applicable taxes), for a three (3) year term, and an option to renew the contract for two (2) additional one (1) year terms each at the sole discretion of the City, BE ACCEPTED in accordance with section 12.0 of the Procurement of Goods and Services Policy;
- b) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this purchase, and;
- c) the approval hereby given BE CONDITIONAL upon the Corporation entering into a formal contract, agreement or having a purchase order relating to the subject matter of this approval.

Motion Passed

3. (2.2) Provincial Dedicated Gas Tax Funds for Public Transportation Program 2020/2021 (Relates to Bill No. 64)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended to the staff report dated February 8, 2021 as Appendix "A" BE INTRODUCED at the Council meeting on February 23, 2021 to approve the current and future Letters of Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the transfer of Dedicated Gas Tax Funds for Public Transportation Program.

Motion Passed

4. (2.3) Municipal Transit Enhanced Cleaning Funding Program – Transfer Payment Agreement and Authorizing By-law (Relates to Bill No. 65)

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law as appended to the staff report dated February 8, 2021 as Appendix "A" BE INTRODUCED at the Council meeting on February 23, 2021 to approve and authorize the execution of the Transfer Payment Agreement between Her Majesty the Queen in

right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the reimbursement of funds under the Municipal Transit Enhanced Cleaning funding program.

Motion Passed

5. (2.4) Strategic Plan Variance Report

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated February 8, 2021 on the Strategic Plan Progress Variance BE RECEIVED for information.

Motion Passed

6. (2.6) Portion of City-Owned Huxley Street, Declare Surplus

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to a portion of City-owned land, being part of the Huxley Street road allowance closed and designated as Part 2, Plan 33R-20888, the following actions be taken:

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

Motion Passed

7. (2.7) 79 Glendon Drive, Middlesex Centre - Surplus Declaration

Motion made by: M. Cassidy

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to a portion of City-owned land being 79 Glendon Drive located in the Municipality of Middlesex Centre which is legally described as Part Lot 7 BF Concession and Part Road Allowance Between BF Concession and Concession 1 closed by by-law 38-84 registered as 680445 being Parts 24 to 27 on Plan 33R-5930 together with 212600, 212601 and 212602 in the geographic Township of Lobo being all of PIN 085020014, the following actions be taken:

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

Motion Passed

8. (2.5) London Community Recovery Network – Ideas for Action by Municipal Council

Motion made by: M. Cassidy

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

a) the implementation plans for the following ideas for action submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED:

- 1.7 - Buying Local for the Holidays
- 1.8 - Instagram takeovers in support of local businesses
- 3.3 - Group buying to lower the costs of PPE
- 3.4 - Creating a government funding data bank

b) the Civic Administration BE DIRECTED to execute the implementation plans for ideas for action in support of London's community recovery from COVID-19; and,

c) the staff report dated February 8, 2021, BE RECEIVED.

Motion Passed

9. (4.1) Application - Issuance of Proclamation - Personal Support Worker Day

Motion made by: M. Cassidy

That based on the application dated January 14, 2021, from the Canadian PSW Network, May 19, 2021 BE PROCLAIMED Personal Support Worker (PSW) Day.

Motion Passed

10. (5.1) Paid Sick Leave Enhancement

Motion made by: M. Cassidy

That the Federal and Provincial Governments BE ADVISED that the Municipal Council of The Corporation of the City of London requests the two levels of government to work together, as soon as possible, to enhance paid sick leave for all, in order to ensure that individuals are not forced to attend their workplace when they are ill and therefore assisting in limiting the spread of COVID-19.

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

Nays: (2): P. Squire, and S. Lehman

Absent: (2): S. Turner, and S. Hillier

Motion Passed (11 to 2)

8.4 2nd Report of the Civic Works Committee

Motion made by: E. Pelosa

That the 2nd Report of the Civic Works Committee, excluding Items 9 (2.12), 11 (2.5), 12 (2.6) and 16 (5.1), 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, P. Van Meerbergen, E. Pelosa, and A. Kayabaga

Absent: (2): S. Turner, and S. Hillier

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: E. Pelosa

Councillor S. Turner discloses a pecuniary interest in Item 2.11 of the 2nd Report of the Civic Works Committee, having to do with the 2020 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System, by indicating that he is an employee of the Middlesex London Health Unit.

Motion Passed

2. (2.1) 1st Report of the Transportation Advisory Committee

Motion made by: E. Pelosa

That the following actions be taken with respect to the 1st Report of the Transportation Advisory Committee, from its meeting held on January 26, 2021:

- a) the following actions be taken with respect to the Transportation Advisory Committee (TAC) Work Plan:
 - i) the final 2020 TAC Work Plan BE RECEIVED; and,
 - ii) the revised draft 2021 TAC Work Plan, as appended to the Report, BE APPROVED; and,
- b) clauses 1.1, 1.2, 3.1 to 3.3 and 5.1 to 5.4 BE RECEIVED.

Motion Passed

3. (2.2) Mud Creek Phase 1B Channel Reconstruction: Consultant Appointment for Tendering and Construction Administration

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director Environmental and Engineering Services and City Engineer, the following actions be taken with respect to staff report dated February 9, 2021, related to the Mud Creek Phase 1B Channel Reconstruction and Consultant Appointment for Tendering and Construction Administration:

- a) the engineering fees for CH2M Hill Canada Limited Consulting BE INCREASED to prepare a separate tender for the Phase 1B works and to authorize the resident inspection and contract administration for the said project in accordance with the estimates, on file, to an upset amount of \$352,370 (excluding HST)

from \$2,050,998 to a total of \$2,403,368, in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;

b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as appended to the 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 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. (2021-T06)

Motion Passed

4. (2.3) Carling Creek Stormwater Servicing Master Plan Environmental Assessment Consultant Appointment

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to the Carling Creek Stormwater Servicing Master Plan Environmental Assessment Consultant Appointment:

a) Ecosystem Recovery Inc. BE APPOINTED Consulting Engineers to complete the Carling Creek Stormwater Servicing EA in accordance with the estimate, on file, at an upset amount of \$169,334 including 10% contingency, (excluding HST), in accordance with Section 15.2(d) of the City of London's Procurement of Goods and Services Policy;

b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report, as 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 approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E09)

Motion Passed

5. (2.4) Metamora Stormwater Outfall Replacement Consultant Appointment

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021, related to the Metamora Stormwater Outfall Replacement Consultant Appointment:

- a) Ecosystem Recovery Inc. BE APPOINTED Consulting Engineers to complete the detailed design and construction administration for the Metamora stormwater outfall replacement works in accordance with the estimate, on file, at an upset amount of \$163,440.00 including 20% contingency, (excluding HST), in accordance with Section 15.2(d) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report as 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 approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-D20)

Motion Passed

6. (2.8) Appointment of Consulting Engineer - Cycling Projects Design Assignment 1

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021, related to the Appointment of a Consulting Engineer for Cycling Projects Design Assignment 1:

- a) IBI Group Professional Services (Canada) Inc. BE APPOINTED Consulting Engineers to complete the Detailed Design, and Tendering Services in the amount of \$241,493.29, (excluding HST), in accordance with Section 15.2 (e) of the Procurement of Goods and Services Policy;
- b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report, as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this appointment;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the Consultant for the work; and,

e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, including rail agreements, if required, to give effect to these recommendations. (2021-T10)

Motion Passed

7. (2.9) Appointment of Consulting Engineer - Cycling Projects Design Assignment 2

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021, related to the Appointment of a Consulting Engineer for Cycling Projects Design Assignment 2:

- a) IBI Group Professional Services (Canada) Inc. BE APPOINTED Consulting Engineers to complete the Detailed Design, and Tendering Services in the amount of \$257,179.67 (excluding HST), in accordance with Section 15.2 (e) of the Procurement of Goods and Services Policy;
- b) the financing for this appointment BE APPROVED as set out in the Sources of Financing Report, as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this appointment;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the Consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, including rail agreements, if required, to give effect to these recommendations. (2021-T10)

Motion Passed

8. (2.10) RFP 20-61 Supply and Delivery of Combination Sewer Cleaning Truck

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to RFP 20-61 Supply and Delivery of Combination Sewer Cleaning Truck:

- a) the submission from Joe Johnson Equipment, 2521 Bowman Street, Innisfil, ON, L9S 3V6, for the supply and delivery of one (1) Combination Sewer Cleaning Truck at a total purchase price of \$589,883, (excluding HST), BE ACCEPTED in accordance with Section 12.2 b) of the Goods and Services Policy which states that "Awards under the RFP process require the following approval: Committee and City Council must approve an RFP award for purchases greater than \$100,000";

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

c) approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the subject matter of this approval; and,

d) the funding for this purchase BE APPROVED as set out in the Source of Financing Report, as appended to the above-noted staff report. (2021-V01)

Motion Passed

10. (2.13) Strategic Plan Variance Report

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director of Environmental and Engineering Services and City Engineer, the staff report dated February 9, 2021 related to the Strategic Plan Progress Variance BE RECEIVED. (2021-C08)

Motion Passed

13. (2.7) Stopping and Parking Restrictions in Bicycle Lanes (Relates to Bill No. 68)

Motion made by: E. Pelosa

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 February 9, 2021, BE INTRODUCED at the Municipal Council meeting to be held on February 23, 2021, for the purpose of amending By-law PS-113, being "a by-law to regulate traffic and the parking of motor vehicles in the City of London" to improve motor vehicle restrictions in reserved bicycle lanes. (2021-T08)

Motion Passed

14. (2.11) 2020 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated February 9, 2021 with respect to the 2020 Drinking Water Annual Report and Summary Report for the City of London Drinking Water System BE RECEIVED. (2021-E13)

Motion Passed

15. (4.1) Fleet Electrification Analysis Report

Motion made by: E. Pelosa

That the communication, dated January 28, 2021, from K. Paleczny, London Transit Commission, with respect to the Fleet Electrification Analysis Report, BE RECEIVED. (2021-T03)

Motion Passed

At 8:12 PM, Councillor S. Turner enters the meeting.

9. (2.12) London Community Recovery Network - Ideas for Action by Municipal Council

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to the London Community Recovery Network Ideas for Action by Municipal Council:

- a) the implementation plan Focus on actions that get people moving around the core (Idea #2.1), submitted from the London Community Recovery Network and received by Municipal Council BE APPROVED;
- b) the Civic Administration BE DIRECTED to execute the implementation plan for this idea for action in support of London's community recovery from COVID-19;
- c) \$330,000 BE APPROVED, as set out in the business case included in Appendix A of the above-noted Report; it being noted that Municipal Council previously authorized \$5 million to be contributed to the Economic Development Reserve Fund to support social and economic recovery measures; and,
- d) the above-noted staff report BE RECEIVED. (2021-R08/S08)

Motion made by: S. Lewis

Seconded by: S. Lehman

That Item 9 (2.12) Idea for Action 2.1 - getting people moving around the core, BE REFERRED back to the Civic Administration for further consideration and redevelopment, with a report back to a future meeting of the Civic Works Committee with the revised Idea for Action 2.1, after the "Downtown Loop" construction has been completed; it being noted that this Idea was not included in the CORE Area Action Plan.

Yeas: (4): S. Lewis, J. Morgan, S. Lehman, and P. Van Meerbergen

Nays: (10): Mayor E. Holder, M. van Holst, M. Salih, J. Helmer, M. Cassidy, P. Squire, A. Hopkins, S. Turner, E. Pelosa, and A. Kayabaga

Absent: (1): S. Hillier

Motion Failed (4 to 10)

At 8:24 PM, Mayor E. Holder places Deputy Mayor J. Morgan in the Chair and takes a seat at the Council Board.

At 8:27 PM, Mayor E. Holder resumes the Chair and Deputy Mayor J. Morgan takes his seat at the Council Board.

Motion made by: E. Pelosa

That, Item 9 (2.12) BE APPROVED.

Yeas: (9): Mayor E. Holder, M. van Holst, M. Salih, J. Helmer, M. Cassidy, A. Hopkins, S. Turner, E. Pelosa, and A. Kayabaga

Nays: (5): S. Lewis, P. Squire, J. Morgan, S. Lehman, and P. Van Meerbergen

Absent: (1): S. Hillier

Motion Passed (9 to 5)

11. (2.5) Contract Award: Tender No. 21-01 - Downtown Loop and Municipal Infrastructure Improvements Phase 1

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to Contract Award for Tender No. 21-01 for the Downtown Loop and Municipal Infrastructure Improvements Phase 1:

- a) the bid submitted by L82 Construction Ltd. at its tendered price of \$8,177,280.64 (excluding HST) for the Downtown Loop and Municipal Infrastructure Improvements Phase 1 Project BE ACCEPTED; it being noted that the bid submitted by L82 Construction Ltd. was the lowest of five bids received and meets the City's specifications and requirements in all areas;
- b) AECOM Canada Ltd., BE AUTHORIZED to carry out the resident inspection and contract administration for the said project in accordance with the estimate, on file, at an upset amount of \$849,690 (excluding HST) in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- c) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- d) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this project;
- e) the approval given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, or issuing a purchase order for the material to be supplied and the work to be done, relating to this project (Tender 21-01); and,

f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-T10)

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

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

Absent: (1): S. Hillier

Motion Passed (12 to 2)

12. (2.6) New Sidewalks in 2021 Infrastructure Reconstruction Projects

Motion made by: E. Pelosa

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to New Sidewalks in 2021 Infrastructure Reconstruction Projects:

- a) the above-noted staff report BE RECEIVED;
- b) the requests for delegation by the following individuals, with respect to this matter, BE APPROVED for a future meeting of the Civic Works Committee:
 - R. Standish;
 - D. O’Gorman;
 - L. Dang;
 - T. Hutchinson and P. Cobrin; and
 - G. Pavlov and M. Goltsman
- c) the communications from the following individuals, with respect to this matter BE RECEIVED:
 - A. Quan-Haase;
 - L. Burns;
 - E. Eastaugh;
 - E. Grosvenor;
 - D. and M. Sheedy;
 - B. and D. McGee;
 - R. Standish;
 - L. Brooke;
 - K. Hesketh;
 - M. Cole;
 - D. Sandic;
 - A. and V. Belecky;
 - D. O’Gorman;
 - L. Dang;
 - C. Gibson;
 - M. and M. Ryan;
 - B. Glushko;
 - P. and D. Hayman;
 - J. Wilk;
 - T. Hutchinson and P. Cobrin;
 - G. Pavlov and M. Goltsman;
 - M. Box;
 - R. and L. Cao;
 - K. and J. Savoy; and,
 - B. Woodley (2021-T04)

Motion made by: E. Pelosa

Seconded by: P. Squire

That Item 12 (2.6) BE AMENDED to read as follows:

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the following actions be taken with respect to the staff report dated February 9, 2021 related to New Sidewalks in 2021 Infrastructure Reconstruction Projects:

a) the above-noted staff report BE RECEIVED;

b) the requests for delegation by the following individuals, with respect to this matter, BE APPROVED for a Special Meeting of the Civic Works Committee to be held on March 15, 2021:

- R. Standish
- D. O’Gorman
- L. Dang
- T. Hutchinson and P. Corbin
- G. Pavlov and M. Goltsman
- J. Menard, ACCAC
- S. Lewkowitz, Urban League of London
- J. Preston
- L. Kari
- D. Cuthbert
- J. Potter
- H. Post
- P. Hart
- S. Skelton
- P. Traylen
- A.M. Grantham
- J. and K. New
- D. and B. Gibbs
- R. Rudell
- F. and J. Lucente
- P. Hubert
- R. Tribe
- W. Handler

c) the communications from the following individuals, with respect to this matter BE RECEIVED:

- A. Quan-Haase;
- L. Burns;
- E. Eastaugh;
- E. Grosvenor;
- D. and M. Sheedy;
- B. and D. McGee;
- R. Standish;
- L. Brooke;
- K. Hesketh;
- M. Cole;
- D. Sandic;
- A. and V. Belecky;
- D. O’Gorman;
- L. Dang;
- C. Gibson;
- M. and M. Ryan;
- B. Glushko;
- P. and D. Hayman;
- J. Wilk;
- T. Hutchinson and P. Cobrin;
- G. Pavlov and M. Goltsman;

- M. Box;
- R. and L. Cao;
- K. and J. Savoy; and,
- B. Woodley
- G. and R. Stoddart
- L. Kari
- K. Noel
- T. MacLeod
- H. Pilkington
- L. and F. Welsby
- M. Paik
- G. and R. Harris
- M. Ransom
- B. Roberts
- R. Dickinson
- D. and G. Forbes
- S. Chown and J. Brown
- S. and M. Hillman
- S. McGregor
- R. and G. Turpin
- J. Easton
- T. Daniele
- D. Abelson
- C. Grass
- R. Haydon
- D. Myles
- E. and J. Grover
- S. and C. Cozens
- R. and H. Lovenjak
- S. Cravwn
- W. Henke (2021-T04)

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. Pelozza, and A. Kayabaga

Absent: (1): S. Hillier

Motion Passed (14 to 0)

Motion made by: E. Pelozza

Seconded by: P. Squire

That Item 12 (2.6), as amended, BE APPROVED.

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

16. (5.1) Deferred Matters List

Motion made by: E. Pelozza

That the Civic Works Committee Deferred Matters List, as at February 1, 2021, BE RECEIVED.

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

Recuse: (1): Mayor E. Holder

Absent: (1): S. Hillier

Motion Passed (13 to 0)

8.5 5th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That Items 1 and 3 (4.1) of the 5th Report of the Strategic Priorities and Policy Committee meeting BE APPROVED.

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

Councillor J. Helmer discloses a pecuniary interest in Item 3.1 - City of London Service Review: Recommended Closure of River Road Golf Course, by indicating that his father is employed by the National Golf Course Owners Association, whose member fees could be affected by the decision associated with this matter.

Motion Passed

3. (4.1) Consideration of Appointment to the RBC Place London Board

Motion made by: J. Morgan

That Garrett Vanderwyst (sustainability business), Class 2, BE REAPPOINTED to the RBC Place London Board of Directors for a two-year term ending November 15, 2022.

Motion Passed

2. (3.1) City of London Service Review: Recommended Closure of River Road Golf Course

Motion made by: J. Morgan

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

- a) the Civic Administration BE DIRECTED to cease golf operations at the municipally operated River Road Golf Course, effective immediately, to mitigate budget pressures on the

municipal golf system;

b) the Civic Administration BE DIRECTED to initiate the disposition of property process in compliance with the Municipal Council's Sale and Other Disposition of Land Policy; and,

c) notwithstanding the Municipal Council's Sale of Major Assets Policy, the proceeds from any partial or full disposition of River Road Golf Course lands BE ALLOCATED to the municipal golf reserve fund;

it being pointed out that the Strategic Priorities and Policy Committee reviewed and received the following communications with respect to this matter:

a communication from J. Albin;
a communication from B. Byck;
a communication from B. Caldwell;
a communication from B. Campbell;
a communication from W. Campbell;
a communication from B. Davis;
a communication from R. Ferris;
a communication from C. Fieder;
a communication from K. Graham;
a communication from M. Graham;
a communication from T. Johnston;
a communication from T. Johnston;
a communication from D. W. Kostiuk;
a communication from T. MacDonald;
a communication from N. Macmillan;
a communication from M. O'Keefe;
a communication from D. Page;
a communication from R. Reimer;
a communication from D. Rowdon;
a communication from E. Sivilotti;
a communication from L. Smith;
a communication from J. Smythe;
a communication from J. B. Thompson;
a communication from J. Wagner;
a communication from R. Wharry;
a communication from F. York;
a communication from J. York;
a communication from D. W. Shin;
a communication from R. Carruthers;
a communication from R. Kasprzak;
a communication from D. De Vries;
a communication from H. and L. Marienfeldt;
a communication from P. Jackson;
a communication from M. Klug;
a communication from D. Quantrill;
a communication from J. Bracken;
a communication from R. J. Austin;
a communication from S. Buccella;
a communication from R. McLarty;
a communication from G. Buckley;
a communication from J. Attard;
a communication from A. Johnson;
a communication from F. Lamontagne;
a communication from D. McMullin;
a communication from J. Campos;
a communication from C. Beck;
a communication from B. Knowles;
a communication from F. Donovan;

a communication from O. Rizzolo;
a communication from V. Clark;
a communication from J. Russell;
a communication from A. Lobsinger; and
a communication from P. Herbert;

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

- C. Loughry, Golf Ontario – speaking in favour of keeping River Road Golf Course operational; and offering operational alternatives for the Committee’s consideration; noting Golf Ontario’s recent work with the City of Toronto;
- A. McGuigan – speaking in favour of keeping River Road Golf Course operational as a public course; noting that demand for golf and outdoor recreation expand with the growth of the city and likely this is why the course was purchased by the City.

Motion made by: M. van Holst

Seconded by: P. Van Meerbergen

That the matter of a decision related to the future of River Road Golf Course BE REFERRED to the next meeting of the Strategic Priorities of Policy Committee to provide for the consideration of additional models of operation and proposals.

Yeas: (3): M. van Holst, S. Lehman, and P. Van Meerbergen

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

Recuse: (1): J. Helmer

Absent: (1): S. Hillier

Motion Failed (3 to 10)

Motion made by: J. Morgan

That part a) of Item 2 (3.1), BE APPROVED:

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

- a) the Civic Administration BE DIRECTED to cease golf operations at the municipally operated River Road Golf Course, effective immediately, to mitigate budget pressures on the municipal golf system;

Yeas: (9): Mayor E. Holder, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, S. Turner, E. Pelozza, and A. Kayabaga

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

Recuse: (1): J. Helmer

Absent: (1): S. Hillier

Motion Passed (9 to 4)

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

That part b) of Item 2 (3.1) BE AMENDED to read as follows:

b) prior to the initiation of the disposition of property process in compliance with the Municipal Council's Sale and Other Disposition of Land Policy, the Civic Administration BE DIRECTED to make the necessary arrangements to hold a Public Participation Meeting before a future meeting of the Strategic Priorities and Policy Committee, to receive input with respect to potential options for use of the land related to the River Road Golf Course, in order to ensure that all options are evaluated through the disposition of property process;

Yeas: (3): M. van Holst, A. Hopkins, and P. Van Meerbergen

Nays: (10): Mayor E. Holder, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, S. Lehman, S. Turner, E. Pelozza, and A. Kayabaga

Recuse: (1): J. Helmer

Absent: (1): S. Hillier

Motion Failed (3 to 10)

Motion made by: J. Morgan

That part b) of Item 2 (3.1), BE APPROVED:

b) the Civic Administration BE DIRECTED to initiate the disposition of property process in compliance with the Municipal Council's Sale and Other Disposition of Land Policy; and,

Yeas: (9): Mayor E. Holder, S. Lewis, M. Salih, M. Cassidy, P. Squire, J. Morgan, S. Turner, E. Pelozza, and A. Kayabaga

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

Recuse: (1): J. Helmer

Absent: (1): S. Hillier

Motion Passed (9 to 4)

Motion made by: J. Morgan

That part c) of Item 2 (3.1), BE APPROVED:

c) notwithstanding the Municipal Council's Sale of Major Assets Policy, the proceeds from any partial or full disposition of River Road Golf Course lands BE ALLOCATED to the municipal golf reserve fund;

it being pointed out that the Strategic Priorities and Policy Committee reviewed and received the following communications with respect to this matter:

a communication from J. Albin;
a communication from B. Byck;
a communication from B. Caldwell;
a communication from B. Campbell;
a communication from W. Campbell;

a communication from B. Davis;
a communication from R. Ferris;
a communication from C. Fieder;
a communication from K. Graham;
a communication from M. Graham;
a communication from T. Johnston;
a communication from T. Johnston;
a communication from D. W. Kostiuk;
a communication from T. MacDonald;
a communication from N. Macmillan;
a communication from M. O'Keefe;
a communication from D. Page;
a communication from R. Reimer;
a communication from D. Rowdon;
a communication from E. Sivilotti;
a communication from L. Smith;
a communication from J. Smythe;
a communication from J. B. Thompson;
a communication from J. Wagner;
a communication from R. Wharry;
a communication from F. York;
a communication from J. York;
a communication from D. W. Shin;
a communication from R. Carruthers;
a communication from R. Kasprzak;
a communication from D. De Vries;
a communication from H. and L. Marienfeldt;
a communication from P. Jackson;
a communication from M. Klug;
a communication from D. Quantrill;
a communication from J. Bracken;
a communication from R. J. Austin;
a communication from S. Buccella;
a communication from R. McLarty;
a communication from G. Buckley;
a communication from J. Attard;
a communication from A. Johnson;
a communication from F. Lamontagne;
a communication from D. McMullin;
a communication from J. Campos;
a communication from C. Beck;
a communication from B. Knowles;
a communication from F. Donovan;
a communication from O. Rizzolo;
a communication from V. Clark;
a communication from J. Russell;
a communication from A. Lobsinger; and
a communication from P. Herbert;

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

C. Loughry, Golf Ontario – speaking in favour of keeping River Road Golf Course operational; and offering operational alternatives for the Committee's consideration; noting Golf Ontario's recent work with the City of Toronto;

A. McGuigan – speaking in favour of keeping River Road Golf Course operational as a public course; noting that demand for golf and outdoor recreation expand with the growth of the city and likely this is why the course was purchased by the City.

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

Nays: (1): S. Turner

Recuse: (1): J. Helmer

Absent: (1): S. Hillier

Motion Passed (12 to 1)

8.6 1st Report of the Audit Committee

Motion made by: J. Morgan

That the 1st Report of the Audit Committee, BE APPROVED.

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

1. (1.1) Disclosures of Pecuniary Interest

Motion made by: J. Morgan

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

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

Motion made by: J. Morgan

That Councillor Helmer BE ELECTED Vice Chair of the Audit Committee for the term ending November 30, 2021.

Motion Passed

3. (4.1) Audit Planning Report for the Year Ended December 31, 2020

Motion made by: J. Morgan

That the KPMG LLP Audit Planning Report, for the year ending December 31, 2020, BE APPROVED.

Motion Passed

4. (4.2) London Downtown Closed Circuit Television Program – Report on Specified Auditing Procedures for the Year Ending December 31, 2020

Motion made by: J. Morgan

That the KPMG Report on Specified Auditing Procedures for the London Downtown Closed Circuit Television Program, for the year ending December 31, 2020, BE RECEIVED.

Motion Passed

5. (4.3) Internal Audit Summary Update

Motion made by: J. Morgan

That the communication dated January 29, 2021, from Deloitte, with respect to the internal audit summary update, BE RECEIVED.

Motion Passed

6. (4.4) Revised 2020-2022 Audit Plan by Audit Universe Area

Motion made by: J. Morgan

That the revised 2020-2022- Audit Plan by Audit Universe Area from Deloitte BE RECEIVED.

Motion Passed

7. (4.5) Internal Audit Dashboard as at January 29, 2021

Motion made by: J. Morgan

That the communication from Deloitte, regarding the internal audit dashboard as of January 29, 2021, BE RECEIVED.

Motion Passed

8. (4.6) Audit Committee Observation Summary as at January 29, 2021

Motion made by: J. Morgan

That the Observation Summary from Deloitte, as of January 29, 2021, BE RECEIVED.

Motion Passed

9. (4.7) Assumptions and Securities Review

Motion made by: J. Morgan

That the Internal Audit Report from Deloitte with respect to Assumptions and Securities Review performed October 2020 to December 2020, issued January 28, 2021, BE RECEIVED.

Motion Passed

10. (4.8) Class Replacement Project Post - Implementation Reconciliation Process Review

Motion made by: J. Morgan

That the Internal Audit Report from Deloitte with respect to Class Replacement Project Post - Implementation Reconciliation Process Review performed October 2020 to December 2020, issued January 27, 2021, BE RECEIVED.

Motion Passed

10. Deferred Matters

None.

11. Enquiries

11.1 Statement of Claim - CLC Tree Services Ltd. - Councillors P. Squire and S. Lewis

Councillor P. Squire indicated that given the issuance of the Statement of Claim from CLC Tree Services Ltd., he asked for an update with respect to the status of the Claim and asked that the following additional Closed Session reason be approved to receive an update from the Civic Administration regarding this matter:

“A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose and pertaining to personal matters about identifiable individuals, labour relations or employee negotiations, including communications necessary for that purpose with respect to the Statement of Claim from CLC Tree Services Ltd.”

Motion made by: P. Squire

Seconded by: S. Lewis

That pursuant to section 11.4 of the Council Procedure By-law leave BE GIVEN to add the following Closed Session reason be added to the Council Agenda:

“A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose and pertaining to personal matters about identifiable individuals, labour relations or employee negotiations, including communications necessary for that purpose with respect to the Statement of Claim from CLC Tree Services Ltd.”

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

12. Emergent Motions

None.

13. By-laws

Motion made by: P. Van Meerbergen

Seconded by: S. Lewis

That Introduction and First Reading of Bill No's 64 to 83, inclusive, BE APPROVED.

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

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

That Second Reading of Bill No's 64 to 83, inclusive, BE APPROVED.

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

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

That Third Reading and Enactment of Bill No's 64 to 83, inclusive, BE APPROVED.

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

4. Council, In Closed Session

Motion made by: M. Cassidy
Seconded by: M. van Holst

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

4.1 Solicitor-Client Privilege/Litigation or Potential Litigation

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 and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Local Planning Appeal Tribunal ("LPAT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.1/3/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.
(6.1/3/CSC)

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.
(6.2/3/CSC)

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.
(6.3/3/CSC)

4.5 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. (6.1/5/SPPC)

4.6 (ADDED) Solicitor-Client Privilege/Personal Matters/Identifiable Individuals /Labour Relations or Employee Negotiations

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose and pertaining to personal matters about identifiable individuals, labour relations or employee negotiations, including communications necessary for that purpose with respect to the Statement of Claim from CLC Tree Services Ltd.

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

The Council convenes, In Closed Session, at 9:47 PM, with Mayor E. Holder in the Chair and all Members participating, except Councillor S. Hillier.

At 10:20 PM, Council resumes in public session, with Mayor E. Holder in the Chair and all Members participating, except Councillor S. Hillier.

9. Added Reports

9.1 4th Report of Council in Closed Session

Motion made by: P. Squire
Seconded by: S. Lehman

1. Partial Property Acquisition – 3050 Dingman Drive – Dingman Drive Road Improvements

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Roads and Transportation and the Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, with respect to the partial acquisition of property located at 3050 Dingman Drive, further described as Part Lot 16, Concession 3, as in WU58299, 175026, subject to 157301 subject to an easement in gross over Part 1, Plan 33R-18786 as in ER922719, City of London, County of Middlesex, designated as Parts 10, 11, 12 and 13 on Draft Reference Plan to be deposited as being part of PIN 08204-0198, being 0.30 acres as shown on the location map attached as Appendix "B", for the purpose of future road improvements to accommodate the Dingman Drive road improvements project, the following actions be taken:

- a) the offer submitted by Pamela Betterley (the "Vendor"), to sell the subject property to the City, for the sum of \$143,000.00, BE ACCEPTED, subject to the following conditions:
 - i) the City agreeing to pay the Vendor's reasonable legal fees, including disbursements and applicable taxes, as incurred to complete this transaction;
 - ii) the City, at its expense, agreeing to prepare and deposit on title, on or before closing, a reference plan describing the subject property;
 - iii) the City, agreeing to reimburse the Vendor for any reasonable costs associated with rehabilitating the septic tile bed in the event the said tile bed encroaches on property being acquired;
 - iv) the City acknowledging the Vendor is entitled to all rights and privileges, including total income with respect to a land lease with Bell Mobility Inc.; and
- b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix "A".

2. Offer to Purchase Surplus Land – Bluestone Properties Inc., Part of Huxley Street

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to the City owned surplus land being Part of HUXLEY ST (FORMERLY JOHN ST), PL 193, designated as Part 2 on 33R-20888, being Part of PIN 08397-0040 (LT) and further shown highlighted in red in Appendix "A" ("the Property") in the City of London, County of Middlesex, the offer submitted by Bluestone Properties Inc. (the "Purchaser"), to purchase the subject Property from the City, at a purchase price of \$220,000.00, which agreement is attached hereto as Appendix "B" BE ACCEPTED, subject to the following conditions:

- a) the Purchaser shall be allowed until 4:30 PM on March 31st, 2021 (Requisition Date) to examine 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;
- b) this Agreement shall be completed by not later than 4:30 PM on April 15th, 2021. Upon completion, vacant possession of the Property shall be given to the Purchaser unless otherwise provided for in this Agreement;
- c) the Purchaser shall have until 4:00 PM on March 31st, 2021 to satisfy itself in its sole and absolute discretion as to the soil, geotechnical, archaeological and environmental condition of the Property;
- d) the Purchaser acknowledges that the Property is being purchased on an "as is" basis;

- e) the Purchaser and the Vendor agree to pay their own legal costs, including fees, disbursements and applicable taxes, as required, to complete this transaction;
- f) following the closing of this transaction, the Purchaser will grant to the Vendor, for nominal consideration being Two Dollars (\$2.00), servicing easements as may be required over the entire Property, on the City's standard municipal services easement form. The Purchaser acknowledges and agrees that the Vendor will be retaining a municipal services easement for municipal infrastructure and will be conveying any utility easements that may be required. This condition shall survive and not merge on the completion of this transaction;
- g) the Purchaser acknowledges and agrees that third party utility easements will be registered by the Vendor on title to the Property prior to the closing of this transaction;
- h) this Agreement is conditional upon the proof to the Vendor that the Purchaser is the registered owner of the abutting lands being 101 Baseline Road West and 107 Baseline Road West (the "Abutting Lands") by on or before 4:00 PM on March 31st, 2021 (the "Abutting Ownership"); it being noted that as part of the original Municipal Council resolution issued on April 17th, 2000, the sale of the Vendor's Property is only permitted to the rightful owner of the Abutting Lands and as such, the Vendor requires proof of Abutting Ownership;
- i) both parties mutually agree that the Property will contain in perpetuity, a 10 foot (3.03 metres) dedicated pedestrian public accessible walkway (the "Public Walkway") connecting Huxley Street to Baseline Road to be provided by easement in the form attached in Schedule "D" and as may be further described in any future development agreement and/or site plan approval brought forward by the Purchaser for the abutting Purchaser Land(s). All costs to relocate, reconstruct, or replace the Public Walkway (the "Pathway Relocation") as part of a future development agreement and/or site plan approval shall be the sole responsibility of the Purchaser. As part of the Pathway Relocation the overall construction which shall include but not be limited to the size, material, standards, grading, placement, and final location shall be approved prior and in writing by the Vendor in its sole discretion; the Purchaser further acknowledges and agrees that for any portion of the Pathway Relocation onto the Purchaser's abutting lands, the same rights as described in Schedule "D" shall be granted to the Vendor at nominal consideration. Once the Pathway Relocation is completed, all future maintenance, operation, improvements, and repairs of the Public Walkway on the Property portion of lands will remain the responsibility of the Purchaser and, this condition shall survive and not merge on the completion of this transaction; and,
- j) this Agreement is conditional upon Municipal Council passing a by-law permanently closing the portion of Huxley Road Located on the property (the "Road Closing") in accordance with the Municipal Act, 2001, as amended, on or before 4:00 PM on March 31st, 2021; if within that time, the Vendor has not given notice in writing to the Purchaser that this condition has been satisfied or waived then this Agreement shall be null and void and not further force or effect whatsoever and each party shall be released from all of its liabilities and obligation under this Agreement and the deposit shall be returned to the Purchaser forthwith, without interest or deduction except as otherwise provide for herein; it being noted that this condition is included for the benefit of the Vendor and may be waived at the Vendor's sole option by notice in writing to the Purchaser as aforesaid within the time period stated herein.

3. Old Victoria Hospital Lands Phase II Disposition RFT 21 – 09

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with concurrence of the Director, Planning and City Planner, and on the advice of the Manager, Realty Services, with respect to the subject property known as Old Victoria Hospital Lands Phase II, being approximately 6.25 acres and further described as:

PARCEL 1 - Part of Lot 27 and all of Lots 26, 34 and 35, Registered Plan 172(E), designated as Part 1 on Plan 33R-17941, BEING ALL OF PIN 08315-0080 in the City of London and County of Middlesex;

PARCEL 2 - Lots 6, 7 and 8 South of Hill Street East and Lots 6, 7 and 8 North of South Street East on Crown Plan 30, Lots 21, 22, 23, 24, 25, 37, 40 and Part of Lots 36, 38 and 39 on Registered Plan 172(E), designated as Parts 1 and 2 on Plan 33R-17942 Save and Except Parts 1, 2, 3 and 4 on Plan 33R-20703, BEING ALL OF PIN 08329-0197 and PART OF PIN 08329-0198, in the City of London and County of Middlesex, (collectively the "Property");

the offer submitted by Vision SoHo Alliance consisting of: Indwell Community Homes, ZerIn Development Corporation, Homes Unlimited (London) Inc., Chelsea Green Home Society, Italian Seniors' Project to purchase the subject properties from the City, for the sum of \$2,000,000.00 BE ACCEPTED, subject to the additional conditions outlined in Schedule "D" of the Agreement of Purchase and Sale.

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. Pelozza, and A. Kayabaga

Absent: (1): S. Hillier

Motion Passed (14 to 0)

Motion made by: A. Hopkins

Seconded by: M. Cassidy

That Introduction and First Reading of Bill No. 63 and Added Bill No.'s 84 to 88, inclusive, BE APPROVED.

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

Motion made by: S. Lewis

Seconded by: E. Pelozza

That Second Reading of Bill No. 63 and Added Bill No.'s 84 to 88, inclusive, BE APPROVED.

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

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

That Third Reading and Enactment of Bill No. 63 and Added Bill No.'s 84 to 88, inclusive, BE APPROVED.

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

Absent: (1): S. Hillier

Motion Passed (14 to 0)

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

Bill	By-law
Bill No. 63	By-law No. A.-8065-50 – A by-law to confirm the proceedings of the Council Meeting held on the 23rd day of February, 2021. (City Clerk)
Bill No. 64	By-law No. A.-8066-51 – A by-law to approve and authorize the execution of the current and future Letters of Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the transfer of Dedicated Gas Tax Funds for Public Transportation Program. (2.2/3/CSC)
Bill No. 65	By-law No. A.-8067-52 – A by-law to approve and authorize the execution of the Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the reimbursement of funds under the Municipal Transit Enhanced Cleaning funding program. (2.3/3/CSC)
Bill No. 66	By-law No. A.-6825(b)-53 – A by-law to amend By-law A.-6825-162, as amended, entitled “A by-law to establish a municipal service board for the purpose of operating and managing Eldon House” to amend the Board composition to provide for the appointment of a past Chair of the Board as a Director. (2.5/4/CPSC)
Bill No. 67	By-law No. C.P.-1556-54 – A by-law to exempt from Part-Lot Control, lands located at 1160 Wharncliffe Road South, legally described as Block 2, 3, 4, 5 and 7 in Registered Plan 33M-786. (2.6/3/PEC)
Bill No. 68	By-law No. PS-113-21059 – 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.” (2.7/2/CWC)
Bill No. 69	By-law No. S.-5868(a)-55 – A by-law to amend By-law S.-5868-183 entitled “A by-law prohibiting and regulating signs, and regulating the placing of signs upon highways and buildings”. (2.3/4/CPSC)
Bill No. 70	By-law No. S.-6104-56 – A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Richmond Street between College Avenue and Grosvenor Street; and as widening to St. George Street between College Avenue and Grosvenor Street) (Chief Surveyor – pursuant to SPA20-035 and in accordance with Zoning By-law Z.-1)

Bill No. 71	By-law No. S.-6105-57 – A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Hyde Park Road, south of Gainsborough Road) (Chief Surveyor – registered as Instrument No. ER1338093 pursuant to SPA19-089 and in accordance with Zoning By-law Z.-1)
Bill No. 72	By-law No. S.-6106-58 – A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Upperpoint Boulevard, east of Westdel Bourne) (Chief Surveyor – for the purpose of unobstructed legal access to a public highway pursuant to SP18-029 and in accordance with Zoning By-law Z.-1)
Bill No. 73	By-law No. S.-6107-59 – A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as widening to Grey Street, west of Maitland Street) (Chief Surveyor - registered as Instrument No. ER1332698, pursuant to Site Plan SPA20-034 and in accordance with Zoning By-law Z.-1)
Bill No. 74	By-law No. S.-6108-60 – A by-law to permit Megan Elizabeth Strachan to maintain and use a boulevard parking area upon the road allowance for 789 Lorne Avenue, City of London. (City Clerk)
Bill No. 75	By-law No. W.-5607(b)-61 – A by-law to amend by-law No. W.-5607-237, as amended, entitled, “A by-law to authorize the Southdale Road Upgrades, Phase 2 Wickerson to Bramblewood (Project No. TS1407-2).” (6.3/2/CSC)
Bill No. 76	By-law No. W.-5618(c)-62 – A by-law to amend by-law No. W.-5618-64, as amended, entitled “A by-law to authorize the Southdale Road Widening-Farnham Road to Pine Valley (Project No. TS1629-1)” (6.1/2/CSC)
Bill No. 77	By-law No. W.-5669-63 – A by-law to authorize the Dingman Drive Road Improvements – HWY 401 to Wellington Road (Project No. TS1746). (6.2/2/CSC)
Bill No. 78	By-law No. W.-5670-64 – A by-law to authorize the 2020 Bus Purchase Replacement. (Project No. MU104420). (2021-2023 Multi-Year Budget)
Bill No. 79	By-law No. W.-5671-65 – A by-law to authorize the Oxford Street West and Gideon Drive Intersection Improvements (Roundabout) (Project No. TS1332). (2.5/1/CWC)

Bill No. 80	By-law No. Z.-1-212905 – A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 335 Kennington Way, 3959 and 3964 Avenue; legally described as Part of Block 1, Plan 33M765, Designated as Part 2 and 3 Plan 33R-20777 and Block 2, 33M 765. (2.3/3/PEC)
Bill No. 81	By-law No. Z.-1-212906 – A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 3542 Emily Carr Lane. (2.5/3/PEC)
Bill No. 82	By-law No. Z.-1-212907 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3195 White Oak Road. (3.1/3/PEC)
Bill No. 83	By-law No. Z.-1-212908 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 185 Horton Street East. (3.3/3/PEC)
Bill No. 84	(ADDED) By-law No. A.-8068-66 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Pamela Betterley, for the partial acquisition of a portion of the property located at 3050 Dingman Drive, in the City of London, for the Dingman Drive Road Improvements Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/3/CSC)
Bill No. 85	(ADDED) By-law No. A.-8069-67 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Bluestone Properties Inc., for the sale of City owned lands, described as Part of HUXLEY ST (FORMERLY JOHN ST), PL 193, designated as Part 2 on 33R-20888, being Part of PIN 08397-0040 (LT), in the City of London and County of Middlesex and to authorize the Mayor and City Clerk to execute this Agreement. (6.2/3/CSC)
Bill No. 86	(ADDED) By-law No. A.-8070-68 – A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Vision SoHo Alliance consisting of: Indwell Community Homes, Zerim Development Corporation, Homes Unlimited (London) Inc., Chelsea Green Home Society, Italian Seniors' Project, for the disposition of property located at Old Victoria Hospital Lands Phase II, in the City of London, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.3/3/CSC)
Bill No. 87	(ADDED) By-law No. A-44-21003 – A by-law to amend By-law No. A-44, as amended, being "A by-law respecting the Civic Administration" to reflect organizational changes.

Bill No. 88	(ADDED) By-law No. CPOL.-154(b)-69 – A by-law to amend By-law No. CPOL.-154-406, as amended, being “Appointments Requiring Council Approval and/or Consultation” to delete and replace Schedule “A” of the By-law to reflect organizational changes
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14. Adjournment

Motion made by: P. Van Meerbergen
 Seconded by: P. Squire

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourns at 10:34 PM.

Ed Holder, Mayor

Catharine Saunders, City Clerk

Appendix B – Location Map

3050 Dingman Drive (Parent Parcel)



Appendix A – Source of Financing Report

Appendix "A" Confidential

#21013

February 8, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

RE: Partial Property Acquisition
3050 Dingman Drive - Dingman Drive Road Improvements
(Subledger LD200055)
Capital Project TS1746 - Dingman Drive - Hwy 401 Bridge to Wellington Road
Pamela Betterley - \$143,000.00 (excluding HST)

Finance and Corporate Services Report on the Sources of Financing:

Finance and Corporate Services confirms that the cost of this purchase can be accommodated within the financing available for it in the Capital Budget, and that, subject to the approval of Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with concurrence of the Director, Roads and Transportation, and the Division Manager, Transportation Planning and Design, on the advice of the Manager of Realty Services, the detailed source of financing for this purchase is:

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
Engineering	1,155,113	112,284	0	1,042,829
Land Acquisition	336,837	187,621	149,216	0
Construction	8,641,300	0	0	8,641,300
Utilities	783,000	0	0	783,000
City Related Expenses	50,000	0	0	50,000
Total Expenditures	\$10,966,250	\$299,905	\$149,216	\$10,517,129

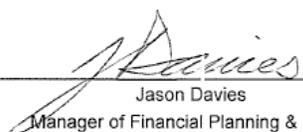
Sources of Financing

Capital Levy	9,215	9,215	0	0
Debenture Quota	879,051	15,077	12,086	851,887
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	2,136,629	275,613	137,130	1,723,887
Debenture Quota - Serviced through City Services - Roads Reserve Fund (Development Charges) (Note 1)	7,941,355	0	0	7,941,355
Total Financing	\$10,966,250	\$299,905	\$149,216	\$10,517,129

Financial Note:

Purchase Cost	\$143,000
Add: Legal Fees etc.	2,500
Add: Land Transfer Tax	1,155
Add: HST @13%	18,915
Less: HST Rebate	-16,354
Total Purchase Cost	\$149,216

Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.


Jason Davies
Manager of Financial Planning & Policy

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Appendix B – Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE

PURCHASER: BLUESTONE PROPERTIES INC.

VENDOR: THE CORPORATION OF THE CITY OF LONDON

REAL PROPERTY:

Address Part of Huxley Road (Formerly John Street) LONDON, ONTARIO

Location SOUTH SIDE OF BASELINE ROAD WEST

Measurements approximately 19,440 square feet (subject to Final Survey).

Legal Description: Part of HUXLEY ST (FORMERLY JOHN ST), PL 193, designated as Part 2 on 33R-20888, being Part of PIN 08397-0040 (LT) and further shown highlighted in red in Schedule "A" ("the Property") of this agreement in the City of London, County of Middlesex.

1. **OFFER TO PURCHASE:** The Purchaser agrees to purchase the Property from the Vendor in accordance with the terms and conditions as set out in this Agreement.
2. **SALE PRICE:** The purchase price shall be TWO HUNDRED AND TWENTY THOUSAND DOLLARS CDN (\$220,000) payable as follows:
 - a) Deposit amount of Ten Thousand Dollars CDN (\$10,000.00) payable to the Vendor in Trust;
 - b) the balance of the sale price, subject to adjustments, in cash or by cheque on completion of this Agreement.
3. **ADJUSTMENTS:** Any unearned fire insurance premiums, rents, mortgage interest, realty taxes including local improvements rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to the Purchaser.
4. **SCHEDULE(S):** The following Schedule(s) form(s) part of this Agreement:
 - Schedule "A" Description of the Property
 - Schedule "B" Additional Terms and Conditions
 - Schedule "C" Municipal Services Easement
 - Schedule "D" Public Pathway Easement
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 February 26th, 2021, 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 March 31st 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 April 15th 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 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

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 _____ day of December, 2020.

SIGNED, SEALED AND DELIVERED
In the Presence of

BLUESTONE PROPERTIES INC.

Per: _____


Name: Colin Bierbaum

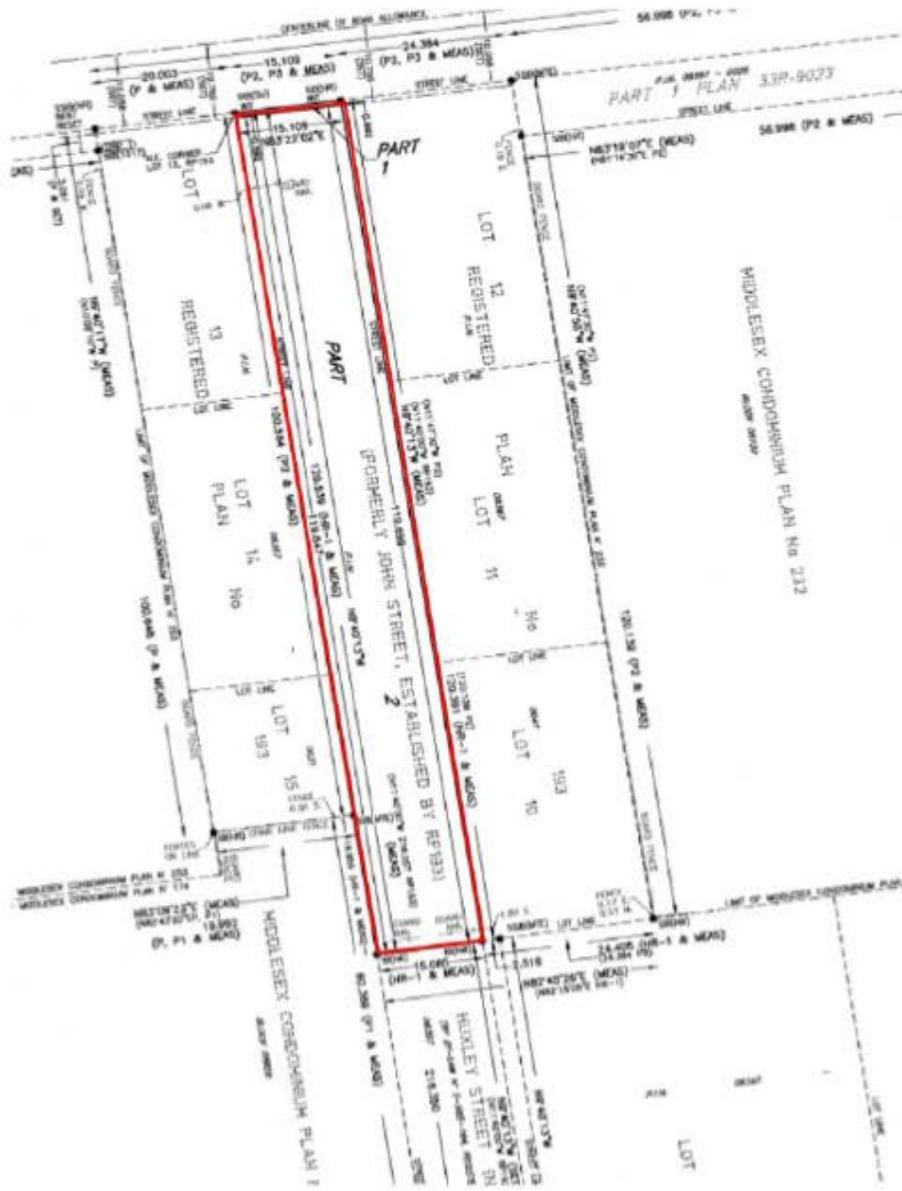
Title: President

I/We Have the Authority to Bind the Corporation

VENDOR'S LAWYER: Sachit Tatavarti, Solicitor, 519-661-2489 (CITY) Ext. 5018 Fax: 519-661-0082

PURCHASER'S LAWYER: Chris Hamber, Solicitor, Harrison Pensa LLP, 450 Talbot St., London, Ontario N6A 5J6 tel. 519-661-6742 cell 519-670-6742 fax 519-667-3362 chamber@harrisonpensa.com

**SCHEDULE "A"
THE PROPERTY**



SCHEDULE "B"
ADDITIONAL CONDITIONS

1. **SOIL, GEOTECHNICAL, ARCHEOLOGICAL, AND ENVIRONMENTAL TESTS:** The Purchaser shall have until **4:00PM on March 31st 2021** to satisfy itself in its sole and absolute discretion as to the soil, geotechnical, archeological and environmental condition of the Property. The Purchaser may enter on the Property and have soil, geotechnical, archeological and environmental tests conducted using qualified agents or servants. The Purchaser agrees that all such tests shall be conducted using reasonable care and that the Property shall be restored to a condition as close as reasonably possible to its condition prior to entry. The Purchaser agrees to indemnify and save harmless the Vendor from and against all claims, demands, costs, including reasonable legal costs, damages, expenses and liabilities whatsoever arising out of its entry on the Property and the conducting of such test.

If the results of the soil, geotechnical, archeological, and environmental tests are not satisfactory to the Purchaser in its sole and absolute discretion, it shall within the time limited deliver written notice to that effect to the Vendor and the Agreement shall be terminated and the deposit immediately returned to the Purchaser without interest or deduction; failing delivery of written notice, the condition shall be deemed to have been waived. This condition is inserted for the benefit of the Purchaser and may be waived by it at any time during the time limited period.

2. **AS IS, WHERE IS:** The Purchaser acknowledges that pursuant to the terms hereof it will have an opportunity to complete such inspections of the condition of the Property as it deems appropriate to be satisfied with regard to same. No representation, warranty or condition is expressed or can be implied as to title, zoning or building by-law compliance, encumbrance, description, fitness for purpose, the existence or non-existence of contaminants, hazardous materials, environmental compliance, condition, or in respect of any other matter or thing whatsoever concerning the Property, save and except as expressly provided for in the Agreement.

The Purchaser acknowledges that the Property is being purchased on an "as is" basis. The Purchaser acknowledges that the Vendor has not made, did not make and shall not be required to provide any representations or warranties of any kind with respect to whether the Property and processes and undertakings performed thereon have been and are in compliance with all applicable environmental laws, regulations and orders and whether the Property is suitable for any specific use including and without limitation to any construction or development. The Purchaser acknowledges and agrees that the Vendor shall not be liable for any damages of loss whatsoever arising out of or pursuant to any claims in respect to the foregoing.

3. **LEGAL COSTS:** The Purchasers and Vendor agree to pay their own legal costs, including fees, disbursements and applicable taxes, as required, to complete this transaction.
4. **MUNICIPAL SERVICES EASEMENT:** Following the closing of this transaction, the Purchaser will grant to the Vendor, for nominal consideration being Two Dollars (\$2.00), servicing easements as may be required over the entire Property, on the City's standard municipal services easement form attached as Schedule "C". The Purchaser acknowledges and agrees that the Vendor will be retaining a municipal services easement for municipal infrastructure and will be conveying any utility easements that may be required. This condition shall survive and not merge on the completion of this transaction.
5. **THIRD PARTY UTILITY EASEMENTS:** The Purchaser acknowledges and agrees that third party utility easements will be registered by the Vendor on title to the Property prior to the closing of this transaction. The third party utilities may include but not be limited to London Hydro, Enbridge, Bell, Rogers, and Start.ca. The Vendor shall not be liable for any third party utility easements registered on title and, in the event of a delay in the registration of the third party easements, the Purchaser shall agree to consent to a reasonable extension of the closing of this transaction, without condition or compensation, to facilitate the registration of the outstanding utility easements.
6. **PROOF OF ABUTTING LANDS OWNERSHIP:** This Agreement is conditional upon the Purchaser providing proof to the Vendor that the Purchaser is the registered owner of the abutting lands being 101 Base Line Road West and 107 Base Line Road West (the "Abutting Lands") by on or before 4:00pm on March 31st 2021 (the "Abutting Ownership"). As part of the original Municipal Council resolution issued on April 17th 2000, the sale of the Vendor's Property is only permitted to the rightful owner of the Abutting Lands and as such, the Vendor requires proof of Abutting Ownership.

In the event the Purchaser fails to provide written proof to the Vendor of ownership to the Abutting Lands in accordance with this section, this Agreement shall be declared void and of no force or effect and the deposit shall be immediately returned to the Purchaser without interest or deduction.

This condition is inserted for the benefit of the Vendor and may be waived by it at any time during the time period specified above. Notwithstanding any waiver of this condition by the Vendor, the Vendor reserves the option to immediately terminate this Agreement in the event that the Purchaser subsequently conveys, transfers or otherwise disposes of any portion of the Abutting Lands prior to closing.

7. **EXISTING WALKWAY TO BE RETAINED BY CITY:** Both parties mutually agree that the Property will contain, in perpetuity, a 10 foot (3.05 metres) dedicated pedestrian public accessible walkway (the "Public Walkway") connecting Huxley Street to Baseline Road to be provided by easement in the form attached in Schedule "D" and as may be further described in any future development agreement and/or site plan approval brought forward by the Purchaser for the abutting Purchaser land(s). All costs to relocate, reconstruct, or replace the Public Walkway (the "Pathway Relocation") as part of a future development agreement and/or site plan approval shall be the sole responsibility of the Purchaser. As part of the Pathway Relocation the overall construction which shall include but not be limited to the size, material, standards, grading, placement, and final location shall be approved prior and in writing by the Vendor in its sole discretion. The Purchaser further acknowledges and agrees that for any portion of the Pathway Relocation onto the Purchaser's abutting lands, the same rights as described in Schedule "D" shall be granted to the Vendor at nominal consideration. Once the Pathway Relocation is completed, all future maintenance, operation, improvements, and repairs of the Public Walkway on the Property portion of lands will remain the responsibility of the Purchaser. This condition shall survive and not merge on the completion of this

transaction.

8. **VENDOR PRE-CLOSING CONDITION – CLOSING OF ROAD:** This Agreement is conditional upon Municipal Council passing a by-law permanently closing the portion of Huxley Road located on the Property (the "Road Closing") in accordance with the *Municipal Act, 2001*, as amended, on or before 4:00pm on March 31st 2021. If, within that time, the Vendor has not given notice in writing to the Purchaser that this condition has been satisfied or waived, then this Agreement shall be null and void and of no further force or effect whatsoever and each party shall be released from all of its liabilities and obligations under this Agreement and the deposit shall be returned to the Purchaser forthwith, without interest or deduction except as otherwise provided for herein. This condition is included for the benefit of the Vendor and may be waived at the Vendor's sole option by notice in writing to the Purchaser as aforesaid within the time period stated herein.

SCHEDULE "C"

THIS EASEMENT made this ___ day of _____, 2020.

B E T W E E N:

BLUESTONE PROPERTIES INC.

(Hereinafter called the "Transferor")

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF LONDON

(Hereinafter called the "Transferee")

OF THE SECOND PART

WHEREAS the Transferor is seized of the lands and premises herein described, and has agreed to transfer to the Transferee a multi-purpose easement for municipal services in, over and upon the said Lands;

AND WHEREAS Section 91(2) of the *Municipal Act*, S.O. 2001, c. 25, as amended provides that an easement of a public utility provided by a municipality does not have to be appurtenant or annexed to or for the benefit of any specific parcel of land to be valid;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the sum of ONE DOLLAR (\$1.00), of lawful money of Canada now paid by the Transferee to the Transferor (the receipt and sufficiency of which is hereby acknowledged), the Transferor DOTH GRANT unto the Transferee, its successors and assigns, forever, the full, free and uninterrupted right, liberty, privilege and easement in gross to install, construct, reconstruct, repair, clean, maintain, inspect and use as part of the Municipal Services system of the City of London and as appurtenant thereto, and for all times hereafter, sewers, watermains, electrical cables, communications cables, conduits, and other municipal services of such kind, size, type and number as the Transferee may from time to time determine necessary (the "Municipal Services"), in, through, over, on and under that part of the lands of the Transferor more particularly described as [___ DESCRIPTION ___] (the "Lands").

TOGETHER WITH the full right, liberty, privilege and easement unto the Transferee, its successors and assigns, and its and their servants, agents, work people, contractors and others designated by it and them, from time to time and at all times forever hereafter, to enter upon the said Lands, with or without tools, machinery, equipment and vehicles, for the purposes aforesaid and to enter as aforesaid upon the adjoining lands of the Transferor in order to obtain access to and from the said Lands.

AND TOGETHER WITH the full right, liberty, privilege and easement unto the Transferee, its successors and assigns, and its and their servants, agents, work people, contractors and others designated by it and them, from time to time and at all times forever hereafter, to enter upon the said Lands, with or without tools, machinery, equipment and vehicles, for the purpose of obtaining access to abutting lands owned by the Transferee or to abutting lands in which Municipal Services are installed.

IT SHALL BE LAWFUL for the Transferee and its successors and assigns to exercise and enjoy the rights, liberties and privileges hereby granted without being liable for any interference, loss of use or loss of profit which shall or may be thereby caused to the said lands or to the owners and occupiers thereof from time to time, and the Transferee shall have the right to cut down or remove any brush, trees, shrubs, fences, pavements, ramps, curbs and other objects or structures as may be necessary or convenient in the exercise of the rights and privileges hereby granted and likewise to excavate and remove the soil and surfacings for the purposes aforesaid.

THE TRANSFEREE COVENANTS with the Transferor that it will restore the said Lands to the approximate condition which existed immediately prior to each and every entry upon the said Lands, excluding the replacement of brush and trees and structures. Restoration of hard surfaces will be at the sole discretion of the Transferee unless the surface predated the acquisition of this easement or was subsequently constructed as part of a development approved by the Transferee.

THE TRANSFEROR COVENANTS that no buildings or other structures shall be erected on or over the Lands described herein without the written consent of the Engineer of the Transferee or his designate.

THE TRANSFEROR FURTHER COVENANTS that it has the right to convey the rights, liberties, privileges and easements hereby granted and will execute such further assurances as may be requisite to give full effect to this indenture.

IT IS HEREBY AGREED that the covenants and agreements on the part of the Transferor shall run with the Lands of the Transferor, and these shall enure to the benefit of and be binding upon the respective successors, heirs, executors, administrators and assigns of the parties hereto.

WHERE THE context requires, the masculine shall be construed as feminine or neuter and the singular shall be construed as plural.

SCHEDULE "D"

TRANSFER OF EASEMENT, LANEWAY FOR PUBLIC ACCESS

Between

(Hereinafter called the "Transferor")

- and -

THE CORPORATION OF THE CITY OF LONDON
(Hereinafter called the "Transferee")

WHEREAS the Transferor is seized of the lands and premises herein described, and has agreed to transfer to the Transferee an easement for a permanent public pathway over the said lands;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the sum of TWO DOLLARS (\$2.00), of lawful money of Canada now paid by the Transferee to the Transferor (the receipt whereof is hereby by it acknowledged), the Transferor DOTH TRANSFER unto the Transferee, its successors and assigns, forever, the full, free and uninterrupted right, liberty, privilege and easement in gross to construct, reconstruct, repair, clean, maintain, inspect and use as part of the highway system of the City of London and as appurtenant thereto, and to the highways in the ownership of the Transferee, and for all times hereafter, a permanent public pathway of such construction and size as the Transferee may from time to time determine necessary, in, through, over and under the lands situate in the City of London, County of Middlesex, described in the Transfer of Easement to which this Schedule is attached (hereinafter referred to as the "easement lands") for the purposes of a Laneway for public access and passage.

TOGETHER WITH the full right, liberty, privilege and easement unto the Transferee, its successors and assigns, and its and their servants, agents, work people, contractors and others designated by it and them, including members of the public, from time to time and at all times forever hereafter, to enter upon the said easement lands, with or without tools, machinery, equipment and vehicles, for the purposes aforesaid.

IT SHALL BE LAWFUL for the Transferee and its successors and assigns to exercise and enjoy the rights, liberties and privileges hereby transferred without being liable for any interference, loss of use or loss of profit which shall or may be thereby caused to the easement lands or to the owners and occupiers thereof from time to time, and the Transferee shall have the right to cut down or remove any brush, trees, shrubs, fences, pavements, ramps, curbs and other objects as may be necessary or convenient in the exercise of the rights and privileges hereby transferred and likewise to excavate and remove the soil and surfacings for the purposes aforesaid.

THE TRANSFEROR COVENANTS that no buildings or other structure shall be erected on or over the easement lands described herein without the written consent of the Engineer of the City of London.

THE TRANSFEROR FURTHER COVENANTS that it has the right to transfer the rights, liberties, privileges and easements hereby transferred and will execute such further assurances as may be requisite to give full effect to this transfer.

IT IS HEREBY AGREED that the covenants and agreements on the part of the Transferor shall run with the lands of the Transferor, and these presents shall enure to the benefit of and be binding upon the respective successors, executors, administrators and assigns of the parties hereto.

WHERE THE context requires, the masculine shall be construed as feminine or neuter and the singular shall be construed as plural.

Report to the Council of The Corporation of the City of London

To: Chair and Members
Council of The Corporation of the City of London

From: Kelly Scherr, P. Eng., MBA, FEC, Managing Director,
Environmental and Engineering Services, City Engineer

Subject: Expropriation of Lands
Fanshawe Park Road and Richmond Street Intersection
Improvements Project

Date: March 23, 2021

Recommendation

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the concurrence of the Director, Roads and Transportation, on the advice of the Manager of Realty Services, the following actions be taken with respect to the expropriation of land as may be required for the project known as the Fanshawe Park Road and Richmond Street Intersection Improvements Project:

- a) the Council of The Corporation of the City of London as Approving Authority pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, as amended, **HEREBY APPROVES** the proposed expropriation of land, as described in Schedule "A" attached hereto, in the City of London, County of Middlesex, it being noted that the reasons for making this decision are as follows:
 - i) the subject lands are required by The Corporation of the City of London for the Fanshawe Park Road and Richmond Street Intersection Improvements Project;
 - ii) the design of the project will address the current and future transportation demands along the corridor; and,
 - iii) the design is in accordance with the Municipal Class Environmental Assessment Study Recommendations for the Fanshawe Park Road and Richmond Street Intersection Improvements Project approved by Municipal Council at the meeting held on September 25, 2018; and,
- b) subject to the approval of a) above, a certificate of approval **BE ISSUED** by the City Clerk on behalf of the Approving Authority in the prescribed form.

It being noted that no requests for Hearings of Necessity were received.

Executive Summary

The purpose of this report is to seek Municipal Council approval for the expropriation of lands required by The Corporation of the City of London for the Fanshawe Park Road and Richmond Street Intersection Improvements Project.

Twenty Three property requirements have been identified to accommodate the design for improvements to the intersection at this location. Negotiations with all property owners has been ongoing since spring 2019 and there are Eleven properties outstanding.

In order to meet planned construction timelines for 2022, it is necessary to advance the utility relocation contracts in Fall 2021. As legal possession of all property requirements

will be needed to award the utility and construction contracts, the expropriation of all outstanding property is necessary to be advanced.

Linkage to the Corporate Strategic Plan

The following report supports the Strategic Plan through the strategic focus area of Building a Sustainable City by building new transportation infrastructure as London grows. The improvements to the Corridor will enhance safe and convenient mobility choices for transit, automobiles, pedestrians and cyclists.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Civic Works Committee - June 19, 2012 - London 2030 Transportation Master Plan

Strategic Priorities and Policy Committee – June 23, 2014 – Approval of 2014 Development Charges By-Law and DC Background Study

Civic Works Committee – March 23, 2015 – Environmental Assessment Study Appointment of Consulting Engineer

Civic Works Committee – September 25, 2018 – Environmental Study Report

Civic Works Committee – April 16, 2019 – Detailed Design and Tendering Appointment of Consulting Engineer

Corporate Services Committee – October 19, 2020 – Expropriation of Land Fanshawe Park Road and Richmond Street Intersection Improvements Project

2.0 Discussion and Considerations

2.1 Background

The subject properties are required to support the Fanshawe Park Road and Richmond Street Intersection Improvements Project.

The Fanshawe Park Road / Richmond Street Intersection Improvements Project was identified in the 2019 Transportation Development Charges Background Study with a recommendation for construction in 2022. Due to the area's strategic location, the Smart Moves 2030 Transportation Master Plan (TMP) also identifies the need for traffic capacity optimization and transit priority on this corridor.

Construction of this project is predominantly planned to take place in 2022/2023 with commencement of utility relocations required in 2021 to facilitate the improvements. The project has received approval for the Fanshawe Park Road / Richmond Street Intersection Improvements Project Class EA and remains subject to property acquisitions.

There were 23 property requirements, one of which is a full buyout, with the balance requiring partial acquisitions. 5 of the requirements have been obtained via dedications and 7 have been acquired amicably. Negotiations commenced in the spring of 2019 with the current outstanding requirements standing at 11. Negotiations are ongoing with all remaining owners representing the remaining 11 property requirements.

The composition of the ownership interests in this area and more specifically along the corridor is of an adept and sophisticated nature. The owners represent mainly large

commercial shopping centre and multi-tenant commercial interests. There are several businesses that will be impacted and some substantial landscaping and hardscaping improvements will have to be re-established.

The Expropriation process has been initiated at the request of the Roads and Transportation Division which is endeavouring to ensure property clearance is achieved in order to support the project. As a result, it is necessary to start the appropriate expropriation procedures for the outstanding properties in order for the project to proceed and meet the prescribed timelines. Realty Services will continue to review negotiations with the property owners in an effort to achieve acceptable outcomes to all parties involved.

No Hearing of Necessity requests were received.

Anticipated Construction Timeline

Property requirements to be secured for 2021 construction to facilitate utility relocation with road construction to follow thereafter.

Conclusion

The Fanshawe Park Road / Richmond Street Intersection Improvements Project was identified in the 2019 Transportation Development Charges Background Study with a recommendation for construction in 2022.

Construction of this project is predominantly planned to take place in 2022/2023 with commencement of utility relocations required in 2021 to facilitate the improvements. The project has received approval for the Fanshawe Park Road / Richmond Street Intersection Improvements Project Class EA and remains subject to property acquisitions.

Realty Services continues to negotiate with the outstanding property owners in parallel with the Council approval to proceed with the expropriation process in order to meet the project construction timelines.

Impacted Property Owner's property compensation is protected through the expropriation legislation and Council Property Acquisition policy. If negotiated property compensation settlements can not be achieved on an amicable basis, the compensation may be arbitrated through the Local Planning Appeal Tribunal (LPAT).

Prepared by: Ron Sanderson, AACI, Manager II, Realty Services

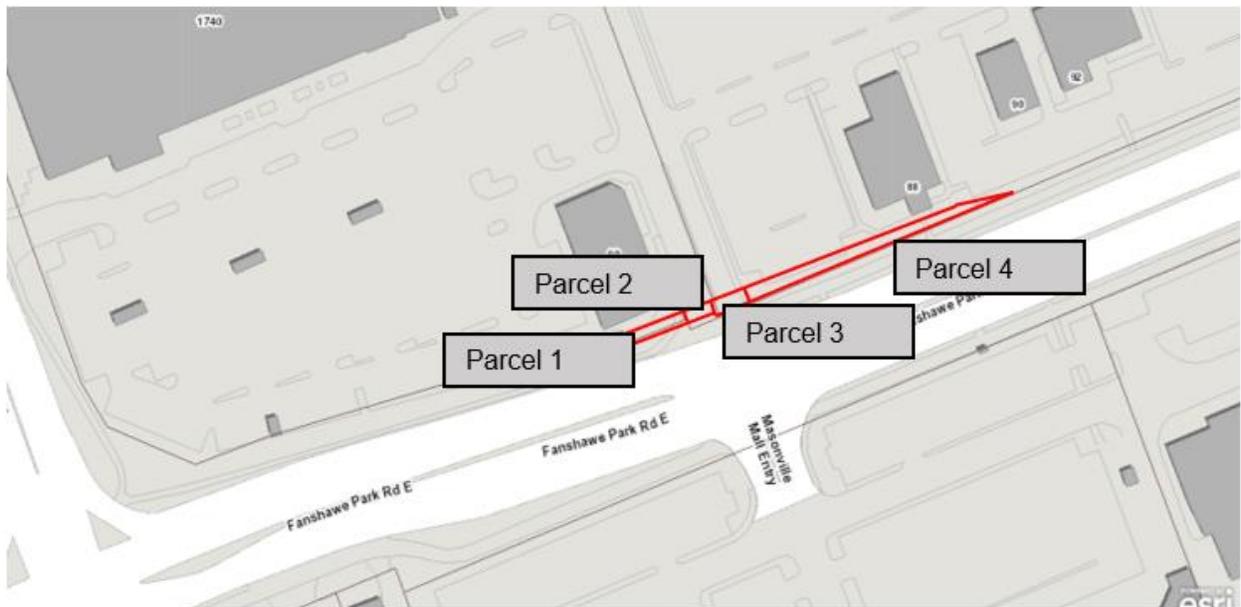
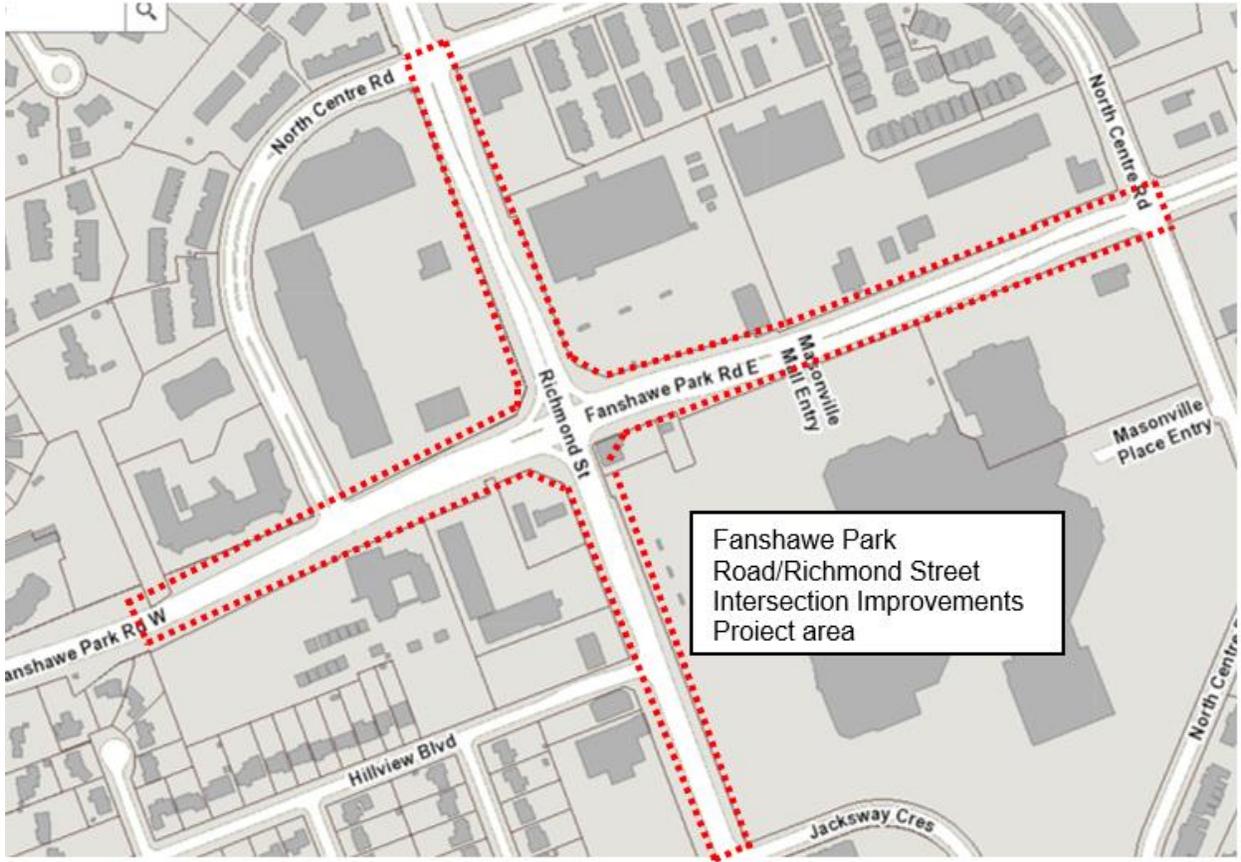
Submitted by: Bill Warner, AACI, Manager of Realty Services

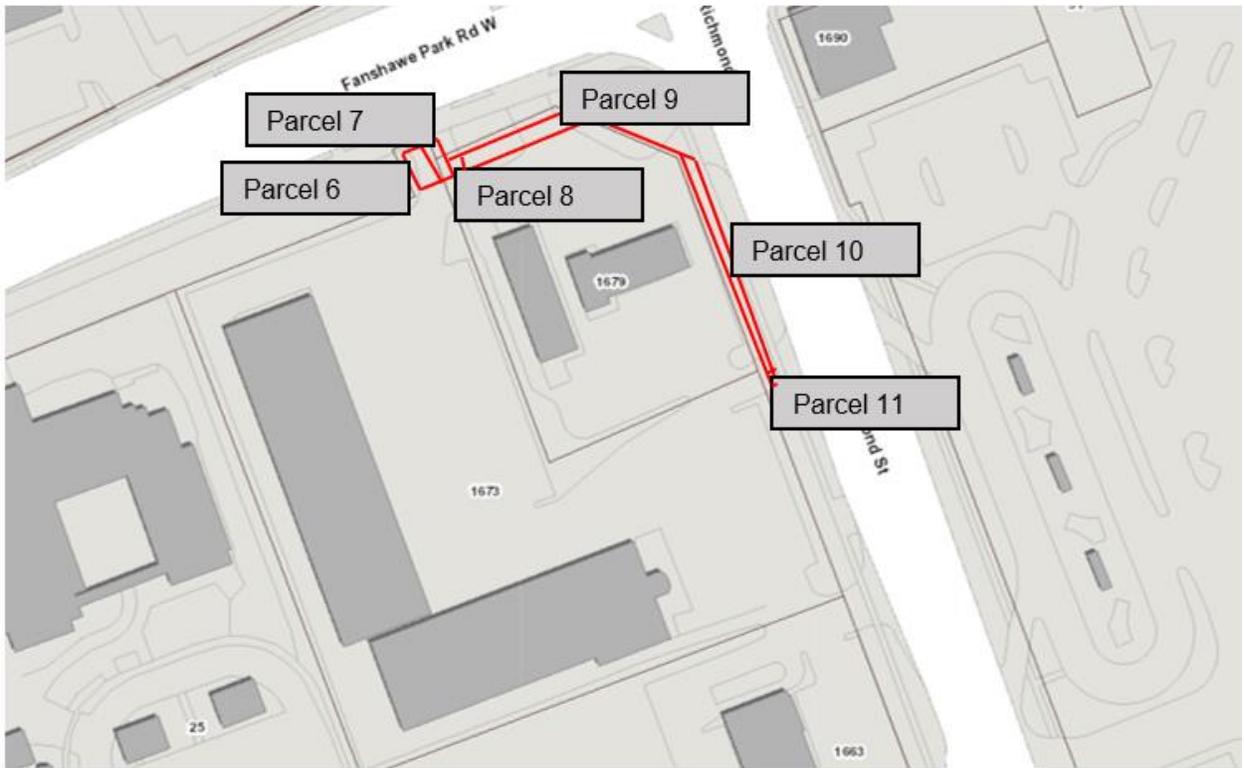
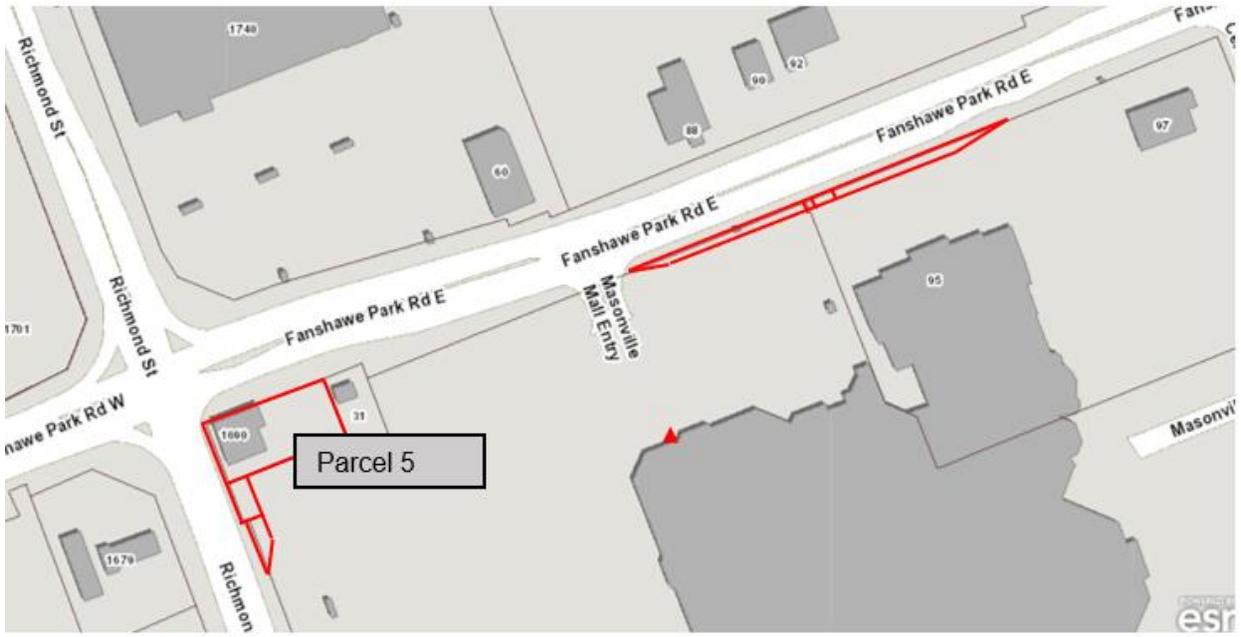
Concurred by: Doug MacRae, P. Eng., Director, Roads and Transportation

Recommended by: Kelly Scherr, P. Eng., MBA, FEC, Managing Director, Environmental and Engineering Services, City Engineer

March 10, 2021
File No. P-2515

Appendix A Location Maps





Schedule “A”

Parcel 1: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 1 on Plan 33R-20485, being Part of PIN 08084-2248(LT)

Parcel 2: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 2 on Plan 33R-20485, being Part of PIN 08084-2248(LT)

Parcel 3: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 3 on Plan 33R-20485, being Part of PIN 08084-1056(LT)

Parcel 4: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 4 on Plan 33R-20485, being Part of PIN 08084-1056(LT)

Parcel 5: Part of Lot 16, Concession 4, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 6 on Plan 33R-20496, being all of PIN 08083-0001(LT)

Parcel 6: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 1 on Plan 33R-20472, being part of PIN 08066-0033(LT)

Parcel 7: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 2 on Plan 33R-20472, being part of PIN 08066-0033(LT)

Parcel 8: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 3 on Plan 33R-20472, being part of PIN 08066-0183(LT)

Parcel 9: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 4 on Plan 33R-20472 being part of PIN 08066-0183(LT)

Parcel 10: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 5 on Plan 33R-20472 being part of PIN 08066-0183(LT)

Parcel 11: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 6 on Plan 33R-20472 being part of PIN 08066-0183(LT)

Report to the Council of The Corporation of the City of London

To: Chair and Members
Council of The Corporation of the City of London

From: Kelly Scherr, P. Eng., MBA, FEC, Managing Director,
Environmental and Engineering Services, City Engineer

Subject: Expropriation of Lands
Fanshawe Park Road and Richmond Street Intersection
Improvements Project

Date: March 23, 2021

Recommendation

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, with the concurrence of the Director, Roads and Transportation and on the advice of the Manager of Realty Services, the following actions be taken with respect to the expropriation of land as may be required for the project known as the Fanshawe Park Road / Richmond Street Intersection Improvements Project:

- a) the proposed bylaw attached as Appendix "A" being "A by-law to expropriate lands in the City of London, in the County of Middlesex, the Fanshawe Park Road / Richmond Street Intersection Improvements Project: **BE INTRODUCED** at the Municipal Council meeting to be held on March 23, 2021;
- b) the Civic Administration **BE DIRECTED** to take all necessary steps to prepare a plan or plans showing the Expropriated Lands and to register such plan or plans in the appropriate registry or land titles office, pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, within three (3) months of the Approving Authority granting approval of the said expropriation;
- c) the Mayor and City Clerk **BE AUTHORIZED** to sign on behalf of the Expropriating Authority, the plan or plans as signed by an Ontario Land Surveyor showing the Expropriated Lands; and,
- d) the City Clerk **BE AUTHORIZED AND DIRECTED** to execute and serve the notices of expropriation required by the *Expropriations Act, R.S.O. 1990, c. E.26* and such notices of possession that may be required to obtain possession of the Expropriated Lands.

Executive Summary

The purpose of this report is to seek Municipal Council direction and approval of a By-law to expropriate lands required by The Corporation of the City of London for the Fanshawe Park Road and Richmond Street Intersection Improvements Project.

Twenty Three property requirements have been identified to accommodate the design for improvements to the intersection at this location. Negotiations with all property owners has been ongoing since spring 2019 and there are Eleven properties outstanding.

In order to meet planned construction timelines for 2022, it is necessary to advance the utility relocation contracts in Fall 2021. As legal possession of all property requirements will be needed to award the utility and construction contracts, the expropriation of all outstanding property is necessary to be advanced.

Linkage to the Corporate Strategic Plan

The following report supports the Strategic Plan through the strategic focus area of Building a Sustainable City by building new transportation infrastructure as London grows. The improvements to the Corridor will enhance safe and convenient mobility choices for transit, automobiles, pedestrians and cyclists.

Analysis

1.0 Background Information

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Civic Works Committee – September 25, 2018 – Environmental Study Report

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2.1 Background

The subject properties are required to support the Fanshawe Park Road / Richmond Street Intersection Improvements Project.

The Fanshawe Park Road / Richmond Street Intersection Improvements Project was identified in the 2019 Transportation Development Charges Background Study with a recommendation for construction in 2022. Due to the area's strategic location, the Smart Moves 2030 Transportation Master Plan (TMP) also identifies the need for traffic capacity optimization and transit priority on this corridor.

Construction of this project is predominantly planned to take place in 2022/2023 with commencement of utility relocations required in 2021 to facilitate the improvements. The project has received approval for the Fanshawe Park Road / Richmond Street Intersection Improvements Project Class EA and remains subject to property acquisitions.

There were 23 property requirements, one of which is a full buyout, with the balance requiring partial acquisitions. 5 of the requirements have been obtained via dedications and 7 have been acquired amicably. Negotiations commenced in the spring of 2019 with the current outstanding requirements standing at 11. Negotiations are ongoing with all remaining owners representing the remaining 11 property requirements.

The composition of the ownership interests in this area and more specifically along the corridor is of an adept and sophisticated nature. The owners represent mainly large commercial shopping centre and multi-tenant commercial interests. There are several businesses that will be impacted and some substantial landscaping and hardscaping improvements will have to be re-established.

The Expropriation process has been initiated at the request of the Roads and Transportation Division which is endeavouring to ensure property clearance is achieved in order to support the project. As a result, it is necessary to start the appropriate expropriation procedures for the outstanding properties in order for the project to proceed and meet the prescribed timelines. Realty Services will continue to review negotiations with the property owners in an effort to achieve acceptable outcomes to all parties involved.

No Hearing of Necessity requests were received from any affected owners.

Anticipated Construction Timeline

Property requirements to be secured for 2021 construction to facilitate utility relocation with road construction to follow thereafter.

Conclusion

The Fanshawe Park Road / Richmond Street Intersection Improvements Project was identified in the 2019 Transportation Development Charges Background Study with a recommendation for construction in 2022.

Construction of this project is predominantly planned to take place in 2022/2023 with commencement of utility relocations required in 2021 to facilitate the improvements. The project has received approval for the Fanshawe Park Road / Richmond Street Intersection Improvements Project Class EA and remains subject to property acquisitions.

Realty Services continues to negotiate with the outstanding property owners in parallel with the Council approval to proceed with the expropriation process in order to meet the project construction timelines.

Impacted Property Owner's property compensation is protected through the expropriation legislation and Council Property Acquisition policy. If negotiated property compensation settlements can not be achieved on an amicable basis, the compensation may be arbitrated through the Local Planning Appeal Tribunal (LPAT).

Prepared by: Ron Sanderson, AACI, Manager II, Realty Services

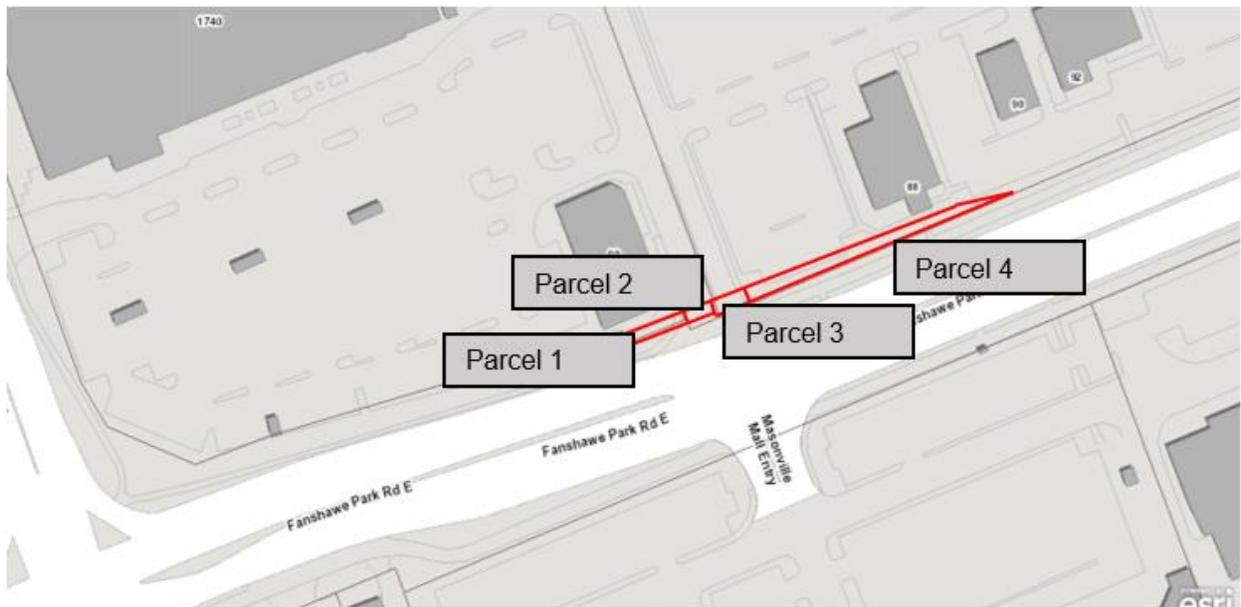
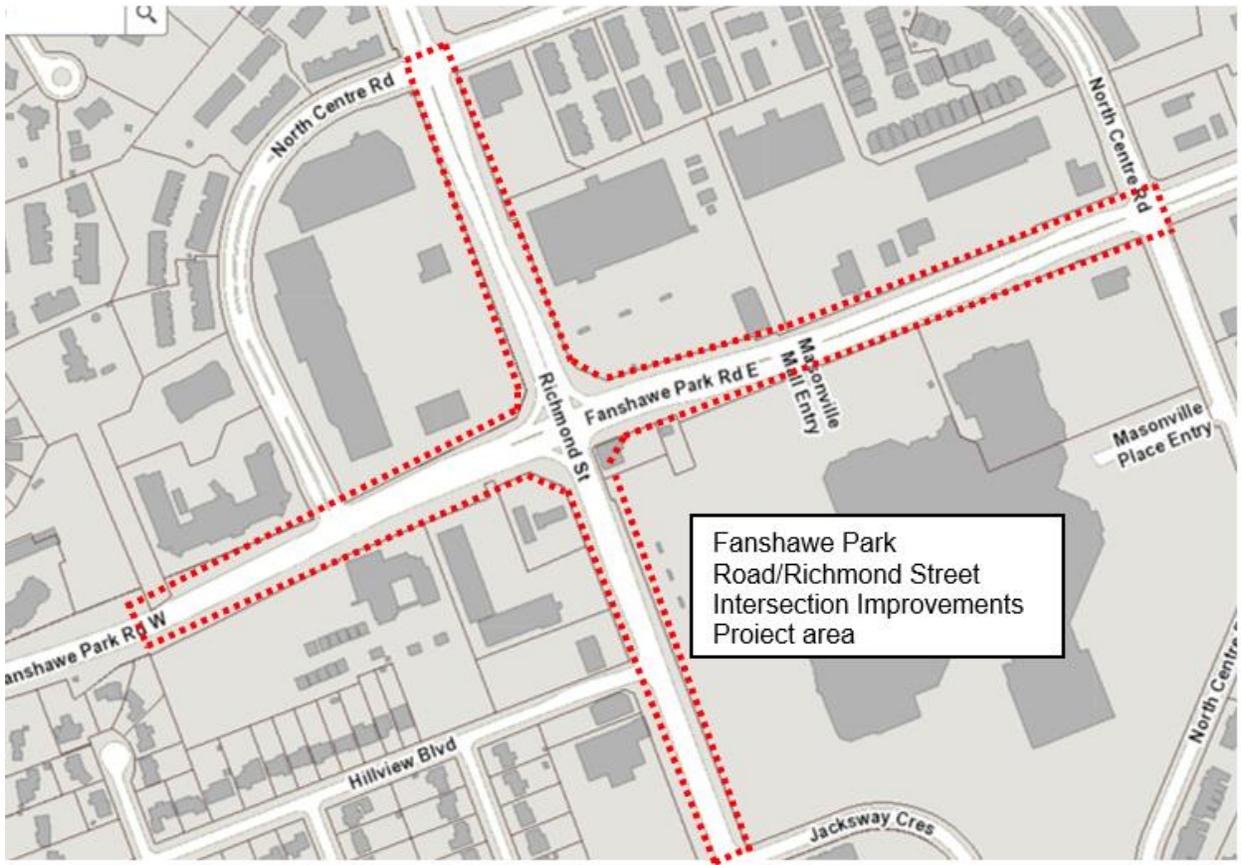
Submitted by: Bill Warner, AACI, Manager of Realty Services

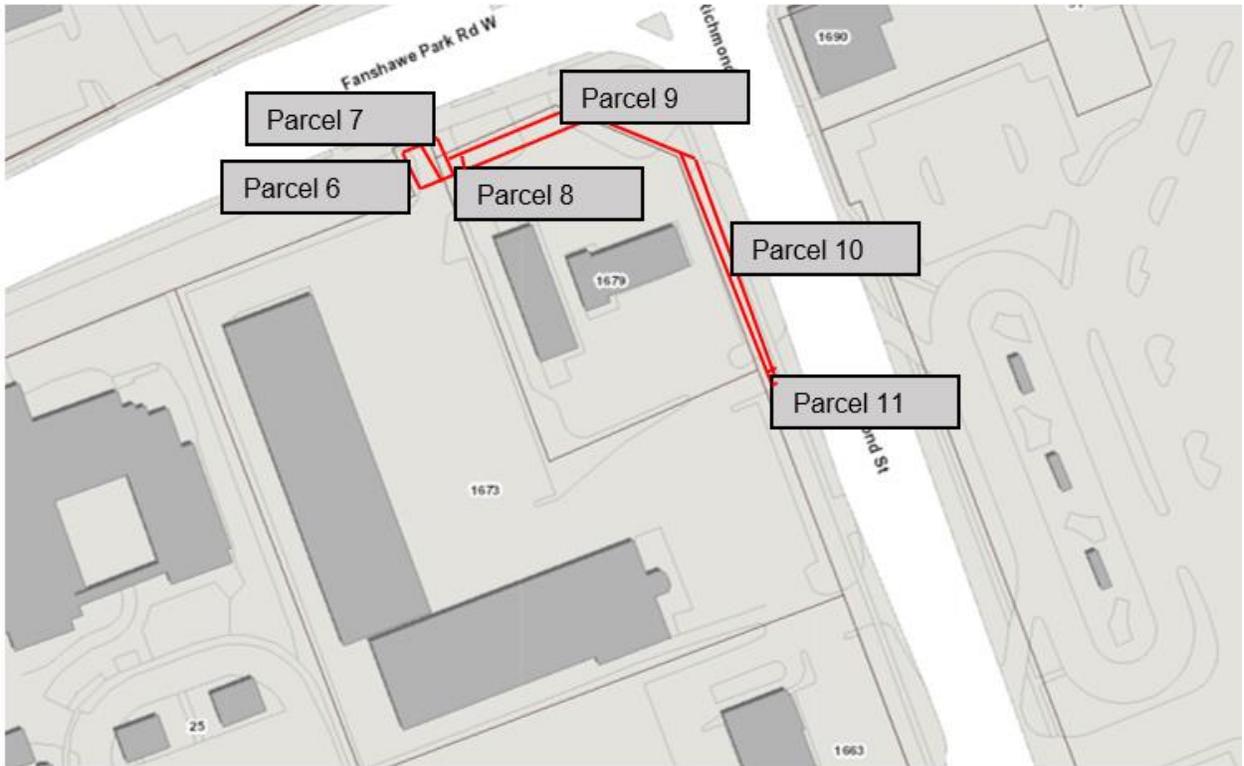
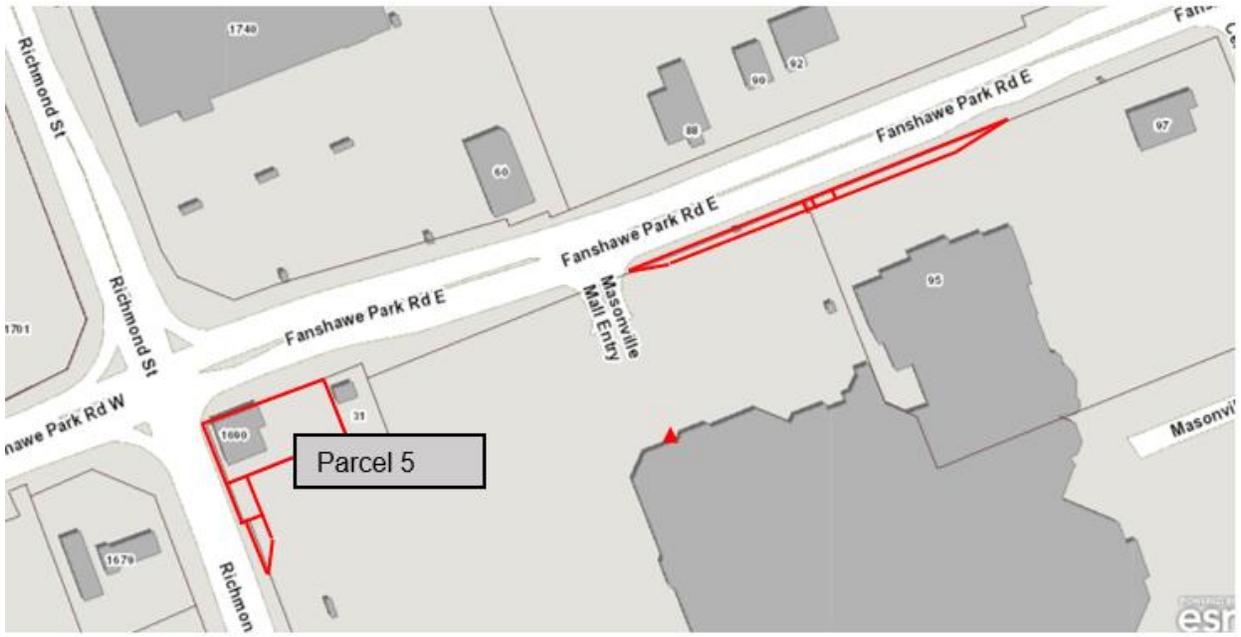
Concurred by: Doug MacRae, P. Eng., Director, Roads and Transportation

Recommended by: Kelly Scherr, P. Eng., MBA, FEC, Managing Director, Environmental and Engineering Services, City Engineer

March 10, 2021
File No. P-2515

Location Map





Schedule “A”

Parcel 1: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 1 on Plan 33R-20485, being Part of PIN 08084-2248(LT)

Parcel 2: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 2 on Plan 33R-20485, being Part of PIN 08084-2248(LT)

Parcel 3: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 3 on Plan 33R-20485, being Part of PIN 08084-1056(LT)

Parcel 4: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 4 on Plan 33R-20485, being Part of PIN 08084-1056(LT)

Parcel 5: Part of Lot 16, Concession 4, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 6 on Plan 33R-20496, being all of PIN 08083-0001(LT)

Parcel 6: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 1 on Plan 33R-20472, being part of PIN 08066-0033(LT)

Parcel 7: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 2 on Plan 33R-20472, being part of PIN 08066-0033(LT)

Parcel 8: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 3 on Plan 33R-20472, being part of PIN 08066-0183(LT)

Parcel 9: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 4 on Plan 33R-20472 being part of PIN 08066-0183(LT)

Parcel 10: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 5 on Plan 33R-20472 being part of PIN 08066-0183(LT)

Parcel 11: Part of Lot 33, Registrar’s Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 6 on Plan 33R-20472 being part of PIN 08066-0183(LT)

APPENDIX "A"

Bill No.
2020

By-law No. L.S.P.

A by-law to expropriate lands in the City of London, in the County of Middlesex, for the Fanshawe Park Road / Richmond Street Intersection Improvements Project

WHEREAS the Municipal Council of The Corporation of the City of London, as Approving Authority, pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, as amended, at its meeting held on March 23, 2021, approved the expropriation of the lands and premises hereinafter described in attached Schedule "A" of this by-law:

AND WHEREAS the said Approving Authority has directed that its Certificate of Approval be issued in the prescribed form;

AND WHEREAS The Corporation of the City of London, as Expropriating Authority, at its meeting held on March 23, 2021, accepted the recommendation of Approving Authority;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the City of London, as follows:

1. The lands described in attached Schedule "A" of this bylaw be, and the same, are hereby expropriated pursuant to the *Expropriations Act, R.S.O. 1990, c. E. 26*, and the *Municipal Act, 2001*, as amended.
2. The appropriate municipal officials are authorized and directed to take all proper and necessary steps and proceedings including the employment of valuers, to settle by arbitration or otherwise, the amount of compensation to be paid in respect of the expropriation of the said lands, providing that the amount of compensation shall not be reached by agreement unless adopted and approved by the Municipal Council of The Corporation of the City of London.
3. The appropriate municipal officials are authorized and directed to prepare a plan or plans, as necessary, showing the lands to be expropriated for registration in the appropriate Registry of Land Titles Office, and the Mayor and the Clerk are authorized and directed to sign the plan of expropriation, all pursuant to the *Expropriations Act*.
4. The appropriate municipal officials are authorized and directed to execute and serve the Notice of Expropriation and the Notice of Possession pursuant to the *Expropriations Act*.
5. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – March 23, 2021
Second reading – March 23, 2021
Third reading – March 23, 2021

Schedule "A"

To By-law L.S.P.-

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR THE FANSHAWE PARK ROAD / RICHMOND STREET INTERSECTION IMPROVEMENTS PROJECT

The following lands are required in fee simple:

Parcel 1: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 1 on Plan 33R-20485, being Part of PIN 08084-2248(LT)

Parcel 2: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 2 on Plan 33R-20485, being Part of PIN 08084-2248(LT)

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Memo

To: Council

From: Kelly Scherr, P. Eng., MBA, FEC,
Managing Director, Environmental and
Engineering Services and City Engineer

Date: March 18, 2021

Re: Wharncliffe Road South Improvements:
100 Stanley Street Update

1.0 Introduction

An information report was provided to Civic Works Committee on March 2, 2021 which provided an update on the status of the 100 Stanley Street property as it relates to the Wharncliffe Road South Improvements project. The report identified the process required for the project team to continue with the mitigation recommendation identified in the 2018 Environmental Assessment (EA) to relocate the heritage dwelling. The 2018 Environmental Assessment identified that the structure could not remain on site and the only two technically feasible mitigation alternatives for the impacted heritage dwelling were either relocation or demolition. Both options involve fulfilling the requirements under the Heritage Act. The EA recommended to proceed with relocation as it offered the best opportunity to protect the cultural heritage value of the dwelling.

At the March 2, 2021 Civic Works Committee, staff were asked to provide members of Council with additional information regarding the cost, schedule, and risks associated with relocation or demolition of the heritage dwelling at 100 Stanley Street.

2.0 Cost

It is estimated that the cost to relocate the heritage dwelling will be in the order of \$900,000 to \$1,100,000 more than the estimated cost to demolish the dwelling. This estimate includes the estimated revenue from the sale of the relocated dwelling.

The main reason for the range in the above noted costs is related to temporary utility work which is required for the relocation and will be better defined as the final construction schedule is developed.

This is one component of a larger project. This schedule implications of the 100 Stanley Street options introduce the risk of additional construction cost for the overall project as identified in the Conclusion section.

3.0 Schedule

The project schedule requires the 100 Stanley Street site to be clear by late Fall, 2021. Both relocation and demolition may be able to achieve this, but each approach presents schedule risks as detailed in the following sections.

3.1. Relocation Schedule Risks

The relocation process involves planning, heritage and engineering processes that were detailed in the CWC report. As it relates to schedule risk, the relocation process requires approval of a Minor Variance Application for the receiving site. As this process is subject to public participation, an objection from the public would be referred to the Local Planning Appeal Tribunal (LPAT). The likelihood of this is considered low; however, it could delay relocation by over one year.

3.2. Demolition and Commemoration Schedule Risks

In response to the March 2, 2021 Civic Works Committee meeting, staff have engaged with the Ministry of Environment, Conservation, and Parks (MECP) seeking their opinion with respect to potential demolition of the heritage dwelling considering the approved EA Study, the Part 2 Order requests and the Minister's Decision. MECP have requested additional information regarding the Environmental Assessment study and have not provided a final opinion at this time. Based upon MECP guidance, the City would pursue any adjustments to the EA and associated Minister's Decision. It is anticipated that public engagement will be required and that objection from public or stakeholder groups is likely to be encountered.

Based on recent changes to the EA process, it has been determined that the public appeal mechanism associated with the public review period for EAs and EA Addendums is now limited to concerns that deal with indigenous or treaty rights. Therefore, this potential delay could be less than the typical year delay experienced on previous projects. However, delays could still be experienced during the Ministry determination of the nature of any objection since this is a recent change.

Additionally, there are other legal mechanisms available to individuals or groups who are concerned with the demolition of the heritage dwelling at 100 Stanley Street. A legal challenge may delay the project in the order of one year or more.

The process to demolish and commemorate would also require a Heritage Alteration Permit application and report to the London Advisory Committee on Heritage (LACH) and Planning and Environment Committee (PEC). The commemoration aspects associated with demolition would be developed through the Heritage process. The City's Heritage Planner and Director would not recommend approval of the application.

4.0 Conclusion

The 2018 EA recommended the relocation of the heritage dwelling at 100 Stanley Street as the preferred alternative to address heritage considerations. Under the EA process, there were two Part 2 Order requests to the Minister related to this heritage issue and requesting the project be subject to an individual EA. The Minister's Decision acknowledged the relocation recommendation and imposed a number of conditions upon the City related to this recommendation.

The net cost difference between the relocation and demolition options is \$900,000 to \$1,100,000 which includes the estimated resale value. Both approaches have public touch points that introduce the potential for delays; however, this risk exposure is significantly greater for the demolition alternative based on previous formal opposition. Although MECP has not provided final advice regarding the EA process that would be required to proceed with demolition of the heritage dwelling, there is significant risk that this change would solicit opposition which could lead to delay from challenges either through the EA process or other avenues. Additional project costs triggered by objections to the demolition option would be expected due to construction delays and additional professional fees. Construction cost escalation in recent years has been in the order of 2 to 3% annually.

From: Jarad Fisher

Sent: Monday, March 1, 2021 11:36 AM

To: CWC <cwc@london.ca>; Pelozo, Elizabeth <epelozo@london.ca>

Subject: [EXTERNAL] Dundas Place

Hi,

I am writing to voice my concerns over the Dundas Place changes. While I appreciate the city acknowledging how dangerous the current situation is for cyclists and pedestrians, the proposed plan does little to solve these issues. Indeed, painted lanes have been shown to *increase* risk to cyclists in numerous studies.

Permanent, separated, protected infrastructure is certainly the best option for encouraging cycling and protecting cyclists and pedestrians. I understand that might be (ironically) difficult to install on the bricked flex street. If that's the case, I have the following proposal to limit automobile speeds and traffic, while still preserving access and parking: East-West automobile traffic should be banned at the Dundas intersections of Ridout, Talbot, Richmond, Clarence, and Wellington. This can be achieved by installing barriers (such as the ones in the attached image) along the centre line of the North-South streets of these intersections. This will allow autos to turn into these blocks for pick-up/drop-offs and parking, but limit speeds and traffic to keep pedestrians and cyclists safe.

Thank you,

Jarad Fisher

From: Justin R.

Sent: Monday, March 01, 2021 4:14 PM

To: Pelozo, Elizabeth <epelozal@london.ca>; CWC <cwc@london.ca>

Subject: [EXTERNAL] Dundas Bike Lanes

Hi Elizabeth,

I wanted to share some concerns around the proposal for Dundas Street.

First, I'm thankful that the city is thinking about how to get cyclists moving through downtown. It's a major gap and the fact that they are thinking of plans to close this gap is very exciting.

I do see a great safety concern for this plan, however.

The cycle track needs to be protected. As the plan stands, cyclists are put in danger of traffic and parking. The cycle lane, paint only, is in the door area of parking putting cyclists in danger of both traffic crossing paint and driver's exiting their vehicles. This could be solved easily with protected lanes, like the one we see in King Street (sadly for only 31 more days.) Cyclists should have dedicated space that is safe for all riders from traffic.

Could we not put the two way cycle track on one side and parking on the other? (I would argue we don't even need parking, but I still believe we can do both safely.) This way we could protect the cycle lanes and separate it completely from traffic.

What we have on King is brilliant. It's safe and it's effective. Why are we not replicating it?

As designed, Dundas is unsafe and we can do better. We need to be better. We need this cycling access, but we need it to be safe.

Please consider adding protected lanes to keep all Londoners safe.

Thanks,

Justin Riedstra

From: Nancy McCreery
Sent: Monday, March 01, 2021 4:43 PM
To: CWC <cwc@london.ca>
Subject: [EXTERNAL] Staff Proposal for Bike Lanes on Dundas Street

Good afternoon,

I'm writing as a concerned cyclist and resident of London. After reviewing the proposal my main concerns are that the bike lanes are not protected bike lanes. As someone who has gone car-free and enjoys biking downtown, having Dundas Street designed in such a way that would protect me and my family, including my daughter would be the best case scenario.

The bike lanes need to be protected. The fact that cars would have to cross the bike lanes to park is a catastrophe waiting to happen.

The fact that cyclists will be at risk to be doored and potentially pushed into traffic is a very real possibility.

Why does there need to be parking on this street? There is parking all over the city, removing parking on this street would vastly improve the safety for pedestrians and cyclists.

Consider cement barriers whether curbs or planters to separate cyclists from drivers.

Thank you,

Nancy

From: Matt Barry

Sent: Monday, March 01, 2021 4:12 PM

To: CWC <cwc@london.ca>

Subject: [EXTERNAL] Concerns for civic works committee about Dundas street and proposed changes

Hi Elizabeth Berry-Peloza,

Thank you for taking the time to read this message. My name is Matthew Barry. I'm a homeowner in central London, and I have concerns about Dundas street that I feel are not being addressed by the proposed changes to the design of the street. My concerns are very concisely summarized by this open letter penned by Ben

Cowie: https://docs.google.com/document/d/1l--nKhOI7M-uvNnklieJuBRK6w8jdaBIJaZt_-SeWc/edit?usp=sharing.

I urge the committee to please consider the safety of members of our community before prioritising the convenience of a subset of people in the design of Dundas Place. Flex streets are generally built to serve as a public space that invites walking, biking, and existing, and both the present design and proposed changes to Dundas Place are clearly built around moving large numbers of cars quickly, which is not compatible with inviting use of the downtown.

Thanks again for listening!

-Matt



HELPING LONDONERS RIDE MORE

Dear Civic Works Committee,

The proposal to improve safety for people on bikes on Dundas Place is a great starting point. We are grateful to city staff for bringing this proposal forward and for acknowledging the existing conditions of the street are not comfortable for cyclists of all ages and abilities.

The proposed plan for painted bike lanes on each side affords cyclists their own space, but does not deter drivers from stopping in the bike lanes and adds potential for new conflicts with left-side parking. We suggest three criteria that will ensure an improved design:

Slow vehicles down

The construction on King St will increase eastbound traffic on Dundas and it's important to keep vehicles at or below the speed limit of 30. Whether for people on foot or people on bikes, slower vehicles makes it a safer street for all.

Safe cycling for everyone

Cycling on Dundas Place should be available to everyone, including the commuter heading to work or the family travelling to the market. With the cycle track on King St slated for removal, we need a safe and convenient path for cyclists on Dundas.

Support local businesses

We want businesses to thrive on Dundas and are aware that businesses are sensitive to street changes. Bringing more people on bikes to Dundas will enliven the street and produce an economic boost. The proposed solution should acknowledge how the street functions in reality and aim to serve business needs as well.

We ask that you direct staff to work with the cycling community to find a solution that meets these criteria. We're eager to help and are confident there's a solution that benefits all users of the street.

Kind regards,

Daniel Hall
Executive Director
on behalf of our Advocacy Committee

From: Julia Eastabrook
Sent: Tuesday, March 2, 2021 7:56 AM
To: CWC <cwc@london.ca>
Subject: [EXTERNAL] Bike lane proposal for Dundas Place

Dear Councillor Pelosa and Civic Works Committee,

I'm writing to express my concern over the proposal for Dundas Place. While I applaud the attempt to include cyclists as part of the vision for this street, the painted lines adjacent to traffic is a huge barrier for cyclists of all ages/experience. If there is no physical barrier between the lane designated for cars and the lanes for the bikes, then it is simply unsafe for any cyclist. Thank you Elizabeth, for sharing the proposal for this on Twitter. I had a chance to read through the report and I didn't see anything which suggested there would be a barrier. I really hope you'll reconsider this plan and come up with a solution that includes a safe space for cyclists. I can tell you that myself and my family would be frequent users of this route if it was implemented and kept us safe from cars.

Thanks for your attention to this matter.

With gratitude,

Julia Eastabrook

Subject: [EXTERNAL] Dundas Place - Temporary Bicycle Lanes and Revised Parking Limits

Dear members of Civic Works Committee

I am writing to express my concerns regarding the proposed pilot project for Dundas Place.

While I am a strong advocate of protected bike lanes across our city, the Dundas Place proposal submitted for your approval raises a number of red flags for me as a person who walks and a person who will be cycling a lot this summer with the delivery of my new cargo bike. The proposed design does not adhere to safe transportation infrastructure best practices, which is disappointing and inexplicable as there are so many examples readily available. The proposed design puts everyone at increased risk including people walking trying to avoid being hit by people cycling as they try to avoid being 'doored' or hit by people driving. This high-conflict zone will do little to encourage more people to bike and/or enjoy our flex street, it may even dissuade people from visiting when our downtown businesses desperately need our support.

The recent investments in a re-designed Dundas Place have great potential, and I look forward to shopping and seasonal patio dining sooner rather than later. Unfortunately its design did not include safe, protected bike lanes for some unfathomable reason, despite the fact that the King Street bike lanes were slated as temporary and the OEV Dundas Cycle Track was presumably on the radar if not already in the planning stages. To the public these ongoing issues of seeming disconnect between City projects/departments and lack of cohesive, long-term vision are unsettling and do little to build faith in an already strained view of government.

There are many thousands of parking spaces throughout the downtown core. I strongly urge you to consider restricting parking on Dundas Place to handicap and temporary loading zone only. This change will prioritize those who truly *need* parking in close proximity to particular businesses/locations and will encourage people to explore other Dundas Place shops as they walk to their desired destination. The flagrant, ongoing parking violations on Dundas Place sidewalks needs to be addressed seriously through rigorous enforcement and/or revision of the design through installation of more bollards that clearly demarcate permitted parking space for people driving. Motor vehicle parking incentives and additional subsidies should only be considered as a short-term post-COVID / post-construction resource, not a costly long-term strategy.

Assuming this proposed pilot project is to help increase biking safety — which is obviously desperately needed — it is disappointing that City staff did not begin this initiative by consulting with the Cycling Advisory Committee *first*, get their support along with Dundas Street merchants, and *then* bring forward a fully-vetted and fully-supported pilot project to Civic Works Committee and City Council. The current strategy has simply angered and frustrated a lot of people while wasting valuable time and resources. If this is the only approved strategy for bringing forward new initiatives such as these then that needs to be changed. Open and unbiased community outreach and engagement is the key building block in creating resilient, flexible, and sustainable public policy.

Regards,
Sandra Miller

Member, [Congress for the New Urbanism](#), [Strong Towns](#), and [Urban League of London](#)

From: Sarah Brooks
Sent: Tuesday, March 2, 2021 7:30 AM
To: CWC <cwc@london.ca>
Cc: Turner, Stephen <sturner@london.ca>
Subject: [EXTERNAL] DUNDAS PLACE CYCLING CONFIGURATION

Hello,

As a resident who lives just west of the downtown I would like you to consider the concerns raised by Ben Cowie about the proposed changes to Dundas. Since I have easy access to the TVP I would prefer to bike rather than drive when I visit downtown and my weekly trips to Western Fair Farmers Market. The plan is not safe for cyclists

There are four considerations at play before thinking about what a design should look like during the 2021 construction season and beyond:

1. Traffic on Dundas Place will increase substantially in 2021 due to the closure of all eastbound lanes on King Street, and the resumption of usual activities toward the end of the summer once Covid vaccines are widely available.
2. Illegal parking is a serious concern today. Many of the drivers parked illegally are employees of food delivery services, which have increased dramatically in number due to Covid-19. However, the concerns about illegal parking and illegal stopping pre-date the pandemic, and were visible on opening day of the flex space. Illegal parking will continue to be a major issue in 2021 and beyond if not addressed.
3. Vehicle speeds regularly exceed the posted 30 km/h limit in the present two-way configuration.
4. Steel bollards that line the road presently are a danger to cyclists. They aren't particularly visible, and there are high consequences if accidentally contacted. They also prevent safe egress to the sidewalk if a driver makes an error.

The proposed design does little to change the streetscape from a safety point of view, and does not invite the thousands of daily users of the Thames Valley Parkway into downtown. In many ways, the proposed changes make the street more dangerous. Below are my concerns.

The proposed design ...

- **does not separate motor vehicle traffic from cyclists with any physical barrier.**
- does not lower motor traffic volumes to near-zero levels required for all-ages-and-abilities mixed traffic riding (e.g. like a residential street).
- **requires drivers to cross the bike lane to park. This has the subsequent challenge of allowing drivers to enter the bike lane for other reasons, such as illegal stopping or illegal parking. As illegal parking is a serious concern today, it is my view that the bike lanes would be used for even more illegal parking in the new design.**
- attempts to increase available parking by time-limiting parking to one hour. Increased frequency of parking/pulling out of a parking space means increased conflict with cyclists, as motorists must cross the bike lane to park.
- **places the cycling lane in the "door-zone" of parked vehicles on both sides of the street. The consequences of a door zone collision, in the westbound direction in particular, would result in a cyclist being knocked into oncoming traffic, giving the driver little to no reaction time, and a likely catastrophic outcome.**
- leaves no margin for error. If a child was using the bike lane and deviated a few centimetres outside the lane, they may be at risk for a collision. While driving a motor vehicle requires licensing, testing, and adult judgment, a child does not possess the same skills and training. We must not exclude children by design from our cycling facilities.

- increases the driver's field of vision, and perceived space to operate their vehicle, therefore it is likely that drivers will travel faster given their wider position in the center of the street, free and clear of physical barriers.
- changes a two-way street into a one-way street. Two-way streets are superior for business, safer for pedestrians, cyclists, and drivers. For example (<https://www.cnu.org/publicsquare/2019/07/09/cities-benefit-one-way-two-way-conversions>)

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Cheers,

Sarah Brooks

167 Mary Ave, London, ON N6J 3L8

From: Jason Kerr
Sent: Tuesday, March 2, 2021 10:21 AM
To: CWC <cwc@london.ca>
Subject: [EXTERNAL] Feedback on Dundas Place Bike Lane Design

Good Morning Councillor Pelosa & Committee Members-

I don't proclaim to be a cycling expert, but I've just invested in a bike and was really excited with the recognition of the issues with downtown cycling infrastructure and the commitment to dedicate a lane to cycling on Dundas Place. I was floored with the amount of people using Ross Park Bridges in the fall and expect the same here.

What I did notice was the design looks dangerous. When I look at it and also the literature around it, the lanes need to be separated from both traffic and parked cars. Ideally the parking is limited along Dundas- it's already shut down for flex street and there are thousands of spots in the core but if not, separate from all cars. People will get doored and then fall/swerve into traffic. And that is simply by design. Please let this be the example for the rest of the City, there are lots of examples around the world.

I've linked to Ben Cowie's letter which I agree with his points wholeheartedly: https://docs.google.com/document/d/1l--nKhOI7M-uvNnklieJuBRK6w8jdaBIJaZt_-SeWc/edit

Design Options:

<https://twitter.com/MatthewPelosa/status/1365002971797463043?s=20>

Cyclist Dooring Study:

https://www.sciencedirect.com/science/article/abs/pii/S0925753513001057?casa_token=GGumAQBAT3IAAAAA:EOJbwiELz2K15AivTCWny2IBw-UC89XNMNA9bgHGMr6DWQabCJ6Wb1nvQF8nUEBcj46YaFQ9N0

I appreciate the work that's been done and with tweaks for safety, would be a great section of London Bike infrastructure.

Regards

Jason Kerr

From: Mike Wickett
Sent: Tuesday, March 2, 2021 10:17 AM
To: CWC <cwc@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Turner, Stephen <sturner@london.ca>; Pelozo, Elizabeth <epeloz@london.ca>
Subject: [EXTERNAL] Dundas Street Proposal 🚗🚲🛒🚶♂️

CC: Barbara Maly, Executive Director, Downtown London

Josh Morgan, Councillor, Ward 7 (my ward)

Ed Holder, Mayor

Kelly Scherr, Head of Engineering

Chairperson Pelozo and members of the Civic Works Committee,

I'm writing in regards to the proposal [recently circulated](#) to make Dundas between Ridout and Wellington into a one-way street with with painted bike lanes on either side, with parking lanes on the outside.

I'll briefly look at a few different topic areas that related to this proposed solution. I appreciate your time in reading this message.

Current proposal unsafe for all

As proposed, this design is dangerous for all road users. Riding a bike between a traffic lane and a row of parked cars is terribly dangerous for cyclists. It leaves no room for error, it isn't all ages friendly and creates a significant risk of "dooring". I am a regular cyclist. Best practice street design, [backed by research](#) shows that bike lanes should always be buffered by enough space.

I use a cargo bike to "commute" my young daughter to and from school every day, regardless of weather. I am *also* a driver. As a cyclist AND a driver, I never want to be in a situation where I have physical contact with someone using a different mode. In the case of "dooring", the outcomes are far worse for the cyclist (hitting the door, getting knocked into moving traffic, etc.). I invite you view [this very brief, startling video](#) for an idea of what I'm referring to. But also, as a driver, although I may not be physically injured, being involved in such an incident would be extremely traumatic. Designing our streets to make such occurrences impossible (or dramatically less likely) should be a top priority.

Misunderstanding of the impact of parking on business

From what I've heard (both online and on CBC radio, Mar 2 ~7:45am interview with Barbara Maly), a significant amount of the opposition to making the Dundas street design is related to local businesses conflating access to parking with increased customer traffic.

I'm going to [quote David T. Issac](#), also a London resident who has written an excellent, well researched letter regarding this issue:

The Benefit of Protected Bike Lanes

Painted bike lanes are not an effective way to protect cyclists, and have no significant effect on reducing collisions.⁷ Only lanes with a physical barrier provide meaningful protection to cyclists. The more protected a bike lane is, the greater the vehicle passing distance is, which is safer for cyclists.⁸ In addition to making cycling safer, introducing protected bike lanes reduces accidents for all road users – including drivers.⁹ In fact, as the number of cyclists increases, the fewer bike/car accidents there are.¹⁰

Cyclists correctly perceive protected bike lanes to be safe.¹¹ This applies to older cyclists¹² as well as children.¹³ As a result, where protected bike lanes are built, significantly more people use them. For instance, Seattle saw a 400% increase in cyclists after adding protected bike lanes.¹⁴ Mode share in areas of Montreal and Vancouver that have a protected bike network approaches 20%, but declines where no protected network exists.¹⁵

The Report states that

⁴ Evans et al, 2018: "Factors Affecting Vehicle Passing Distance and Encroachments While Overtaking Cyclists".

⁵ Beck et al, 2019: "How much space do drivers provide when passing cyclists? Understanding the impact of motor vehicle and infrastructure characteristics on passing distance".

⁶ Schimek, 2018: "Bike lanes next to on-street parallel parking".

⁷ Bhatia et al, 2016: "Examining the impact of cycle lanes on cyclist-motor vehicle collisions in the city of Toronto".

⁸ Evans et al, 2018: "Factors Affecting Vehicle Passing Distance and Encroachments While Overtaking Cyclists".

⁹ Marshall & Ferenchak, 2019: "Why cities with high bicycling rates are safer for all road users".

¹⁰ Hamra et al, 2020: "Motor Vehicle Crashes Involving a Bicycle Before and After Introduction of a Bike Share Program in Philadelphia, Pennsylvania, 2010–2018".

¹¹ Hoglund, 2020: "Safety-oriented practices of adult bicycle riders in Brooklyn, New York USA: an interview study".

¹² Scheper et al, 2020, "The perception of bicycle crashes with and without motor vehicles: Which crash types do older and middle-aged cyclists fear most?".

¹³ Zhao et al, 2020: "Risk Perception Sensitivity of Cyclists Based on the Cox Risk Perception Model".

¹⁴ Schmitt, 2019: "Ridership Jumped 400% When Seattle Protected a Bike Lane".

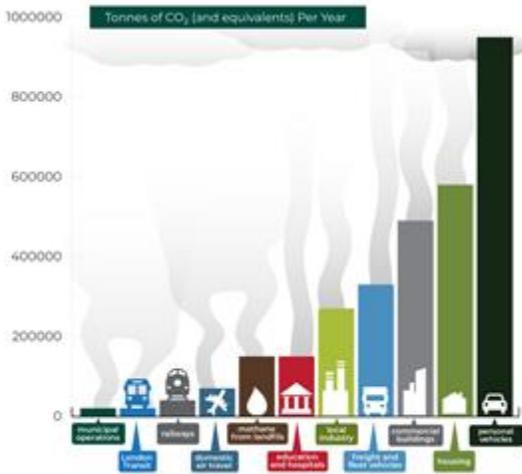
¹⁵ Teschke et al, 2017: "Proximity to four bikeway types and neighborhood-level cycling mode share of male and female commuters".

The City and Downtown London need to work together to understand the dynamic of cycling, driving, parking and business traffic. So many decisions are based on assumptions, or on the anecdotal gut feelings of business owners. I want our downtown to thrive, and improving cycling and active transportation is a way to do that. My wife and I have stopped at a newly discovered business and made purchases *because* we were on our bikes and could easily stop without having to try to find parking - but if we'd been in our car, we wouldn't have even noticed that the business was there.

Cars don't buy things at businesses. People do.

Climate change - climate emergency

The City of London declared a climate emergency some years ago (I think 2018?) and one day ago, the City's official account tweeted a graphic showing the breakdown of CO2 emission sources. Personal vehicles are by far the largest emitter of greenhouse gases.



Prioritizing personal vehicles as a transportation mode on *any* road design is the complete opposite of what we as a community should be doing. We, as a community, country and species are out of time. We must take dramatic and rapid action to reduce our impact on the climate.

Please also see the [letter submitted by Ben Cowie](#), it covers some excellent points around the design specifics.

Thank you again for your consideration in reviewing this message.

Sincerely,

Michael Wickett



Attn:

Councillor Elizabeth Pelozo
Chair, Civic Works Committee
City of London

Ms. Julie Kortekaas
Owner, Rebel Remedy
242 Dundas Street
London, ON N6A 1H3
Julie@rebelremedy.com

Re: Dundas Place Cycling Configuration

Dear Ms Pelozo and the Civic Works Committee,

I am writing you to address the **proposed changes to Dundas Place**, making it a one-way roadway with east and westbound cycling lanes on the north and south sides of the street.

I am opposed to the proposed plan, and believe although it has good intentions, it is a poorly thought-out design made without public and professional consultation. We need to do better, making Dundas Place viable for many years to come.

I own Rebel Remedy, a cafe, kombucha brewery, and grocery shoppe with heavy stakes in this conversation. We use the street differently for each aspect of our business, but have endured both construction and a pandemic with success, nevertheless. With a keen eye for urban design because of my background in the Landscape Architecture field for 15 years, I avidly and intently watch how others use the street and how the existing design unfolded. I am also a cyclist who is too scared to cycle to my own workplace due to aggressive drivers, and *I fear for the safety of cyclists and children given the currently presented plan.*

I recognize that this is a very complex, interconnected project that has many special interest groups, businesses, downtown workers, logistics, and casual users to keep in mind, and I also recognize that the city does not want to put proper funds towards this project - but I vehemently object to this plan until it is fully and properly realized to **accommodate the diversity of usages before implementation**, unlike the Dundas Place masterplan.

Below are some guiding points that I support as a Dundas Place business owner and want to contribute to the conversation on the City's decision making on this project:

1. Primarily, we must champion the vibrancy of the commercial community.

This is the 'why' for people coming to the downtown core. The vitality and sustainability of the street will suffer if the solution doesn't address the real needs of the commercial community who provides the value to all users of the street.

2. Proper planning for the current needs and increased future usage of the street loading zones must be accommodated to support this commerce.

Planning ahead is vital; **widespread delivery services**, whether it's shipments, food distributors, couriers, mail, food delivery apps, etc, was NOT accounted for in the original design of Dundas Place. This is a reality that the City of London must come around to. Businesses need to be able to get and give deliveries easily, from pedestrians, cyclists, cars, trucks, and very large transport trucks. The proposed plan grossly conflicts with pedestrian and cyclist safety in this way.

3. Bike lanes must be protected by a strong car-proof physical barrier.

Recognize the validity of cyclists demands for protected bike lanes, and treat them with the proper space and respect they deserve as valuable generators of economic activity.

People cycle downtown to buy things, to commute to work, to meet on a patio, and they need to park their bike somewhere. A clearly delineated physical barrier will prevent cars and delivery trucks from escaping their area and harming people, damaging bike racks (this has already happened on Dundas) scaring people and children, or making people feel uneasy. People who feel uneasy do not spend money, they leave.

In my personal experience on Dundas Place, I have seen cars drive well beyond the speed limit, aggressively honking and yelling at cyclists, and nearly hitting pedestrians at least every other day. I have seen cars park on the sidewalk DAILY, I've even seen cars fully *drive* on the sidewalk. The cars MUST be corralled with a physical barrier - this is why planners specify curbs instead of reinventing the wheel.

4. Proper planning for Dundas Place 'Flex' street closures: what happens to cycling lanes when the roadway is closed to cars?

As presented in the original and existing Dundas Place Flex Street Plan, the street is to close for periodic events and pedestrians days. Does bicycle traffic continue? **Every good designer knows that once you put a cycling lane in, it's very difficult to discourage use and change the pathway.** Cyclists and pedestrians want a direct route just like car drivers want. It would be a mistake to assume cyclists are riding around for pleasure. Oftentimes, a bike is a climate-change aware vehicle.

5. Pedestrians deserve safety greater than the current bollards provide.

Pedestrians require **clarity of communication** from the City on whether Dundas Place is a place for them to walk down the centre of the street fancy-free with their kids running around, or whether it is a place of commerce and speed as bikes and cars zoom past on their latest trip (made worse by choosing to make Dundas Place a one-way highway), courier delivery, or a commute. Don't leave out these **important human scale considerations** in favour of cyclists and car-drivers.

If bike lanes and one-way vehicle traffic is implemented, **how does this conflict with the overall Dundas Place Design that encourages meandering**, crossing the street, and a feeling on oneness from one side of the street to the other with no curbs. **How does a pedestrian cross the street with this plan?**

Lastly, and significantly, the existing 'parking spots' are not safe, and currently are essentially driveways for large work vans (i.e. plumbers / electricians etc) to park on the sidewalk for the day. **This happens daily. Fix this.**

Below is my proposal that I would like you to consider taken from my interdisciplinary experience relating to street planning, design, urban planning, economics, political science, restaurant ownership, and graphic design:

- a) Create a singular two-way meandering cycling track. Install this on the SOUTH side of Dundas Place not within the roadway, but within the 15 feet of pedestrians pace on the south side. Both eastbound and westbound cycling directions would be on one track.
- b) Cycling track could be mostly straight but could meander around the trees. This would create design continuity with the physical streetscape as well as the River Paths.

- c) Make this cycling track raised from the sidewalk, and **guarded by regularly specified curbs**. Use sloped curbs at several points in the street for pedestrian and delivery accessibility to ensure safe crossing of bike lanes.
- d) Do not make Dundas Place a one-way street. Evidence from other cities shows that if you create a network of one-way streets, its acts as a highway OUT of downtown rather than an invitation to stay. This will not be good for businesses, pedestrians, or cyclists.
- e) There are fewer businesses on the south side of the street, more open space, less street trees and street furniture. This is the ideal place for a cycling track.

Let's be future-oriented, and plan for a rich future. We know climate change is an issue, why not create good infrastructure for **safe** cycling, allowing cyclists to then become part of the customer, patron, and delivery ecosystem. We all know if you create a highway it will be used by businesses. Why not bikes?

I am very happy council is taking up the important conversation of bike lanes and street usage on Dundas Place. You must facilitate access for all, people and businesses and commuters, for now and in the future. Cars, delivery trucks, cyclists, and pedestrians must have clearly defined and protected spaces. You will be making a mistake if you take the easy way out and simply paint lines or install a row of plastic sticks as a barrier, like King Street. **If you keep these points in mind, you have a chance at a vibrant downtown with an alive commercial area that is primed and ready for the future.**

Thank you for your time. I look forward to further discussion and community engagement that has the best interests and safety of pedestrians, cyclists, and businesses in mind.

Regards,
Julie Kortekaas

Owner, Rebel Remedy
242 Dundas Street
London, ON N6A 1H3
T: (519) 709-2782
Julie@rebelremedy.com

March 2, 2021

Shelley Carr
BYCS.org, London, Ontario Bicycle Mayor
Web: www.BYCS.org

Re: DUNDAS PLACE CYCLING CONFIGURATION

Councillor Elizabeth Pelozo, Chair
cwc@london.ca
City of London, Civic Works Committee

Dear Councilor Pelozo, Civic Works Committee and other stake holders,

I am reaching out to share concerns about the staff proposal to accommodate cycling on Dundas Street during the construction of King street commencing this spring. I have shared concerns with you as well as other councilors about the unsafe conditions for all vulnerable road users on this stretch.

The immediate issue on Dundas Place is the “Wild West” feel. There appears to be little or no enforcement of illegally parked vehicles at any given time. Pedestrians are often threatened by cars doing illegal U-turns pulling into sidewalk areas. The slew of illegally parked food delivery vehicles from 4 pm onwards only adds to the hostility of the area. It is the combination of food delivery vehicles and through traffic that causes the largest hazards for cyclists. Only the hardiest of cyclists will take the lane causing hostility from drivers who attempt to close pass, pushing riders into the metal bulwarks located on the sides of the roadway. I can only see that the loss of King street will exacerbate this problem.

So, I view the new design with concern. None of its features will make Dundas Place more friendly to pedestrians or cyclists, in fact placing a one-way street on Dundas will only encourage more speeding on this route. With little to no enforcement of parking past 6 pm, the goal of making a safe route for riders and pedestrians will be lost. And the original goals for Dundas Place will be lost as well. A place for the people has become even more so a place for vehicles.

Before, I begin on possible solutions to the Dundas issue, there are a number of assumptions I have to make:

1. That a safe route connecting Ridout and Dundas will be found that does not involve cutting through an unplowed, poorly lit park. Ridout is an important thoroughfare for riders coming from the south. The loss of King street means that

riders must ride North on the sidewalk up Ridout to reach Dundas Place. This should be addressed through an all ages/abilities, gendered lens.

2. That a safe route is developed along Talbot (St. George/James to Dundas) which would reduce parking and the chances of dooring of bicycle riders.
3. That a safe route from Riverside is developed to ensure that riders are not “right hooked” by vehicles turning right onto Ridout.
4. That parking will be limited to one side of Dundas Place to ensure riders are not endangered.
5. That parking will be enforced stringently.
5. That engineers have consulted with the NACTO Urban Bikeways design book.

Some of my possible recommendations for street bike design on Dundas place are:

1. Create a permanent Dundas Place with concrete blocks located at the East and West section of the Richmond intersection. In addition, make parking for only people with accessibility stickers and loading/unloading areas for businesses. This allows full access to all users and deters drive through traffic. This will reduce but not eliminate the chances of
2. Install permanent bollards for a bi-directional Contra flow lane on the North side of Dundas Place. This would also include bollards being installed in “open areas” on Dundas Place that are allowing turn arounds/illegal parking.
3. Would be a combination of recommendation 2 & 3. Install bollards for the safety of pedestrians and riders. And limit the use of parking spaces. With 13,000 spots in the downtown area, the problem is not so much a matter of “not enough spaces” but a matter of perception in the mind of the driver of “not enough spaces right at the door of the business”

My preference would be recommendation #3 which would ensure safety for all vulnerable road users, a solution to business deliveries and more designated parking spaces for those unable to use active transportation measures. And I would like to add, that this design should not be seen as a temporary measure but as a solution to a problem that we will encounter well after the construction on King Street and Queen Street is done. Putting in LRT, although a positive for the City in regards to traffic, does not elevate the issues of vulnerable road users who will still need an East/West passage way from Colborne/Ridout/Riverside and the Thames Valley pathway in the daytime.

The key to building a city friendly to bicycle road users is to take into consideration the 66% of riders who are interested but concerned. They generally fall into categories that are not considered by engineers. Definitely social equity, gender, BIPOC persons and LGBTQ2+ are not considered during road design which then never creates modal share growth. Our goal should always be to create routes that are available 24 hours a day, 7 days a week, 4 seasons of the year and make the user feel safe. Paint has never accomplished this and in fact is considered by most delivery vehicles as “theirs”. With so much room dedicated in this City dedicated to vehicles, it is time to lay claim to infrastructure for vulnerable road users. Dundas Place can be that place, if we only design it to be so.

Sincerely,

Shelley Carr

March 2nd, 2021

John Weller
1023 Lawson Road
London, ON
N6G 3V5

DUNDAS PLACE CYCLING CONFIGURATION

Councillor Elizabeth Pelozo, Chair
cwc@london.ca
City of London, Civic Works Committee

Dear Councillor Pelozo and Civic Works Committee,

The purpose of this letter is to share concerns regarding the recent staff proposal to accommodate cycling on Dundas Place. I appreciate staff's acknowledgement that the current configuration is unsafe for cycling, and accept their willingness to listen to the community as an invitation to find a design that is safe for users of all ages and abilities.

I have several concerns that should impact the design of the reconfiguration:

1. Traffic on Dundas Place will likely increase substantially in 2021 due to the closure of all eastbound lanes on King Street as well as a return to more 'normal' traffic levels post lockdown.
2. Illegal parking and stopping is a serious problem in the current configuration. Vehicles are often parked or stopped illegally outside of permitted parking spots and even in the pedestrian area. Illegal parking will continue to be a major issue in 2021 and beyond if not addressed.

I have several concerns with the proposed reconfiguration:

The proposed design ...

- does not separate motor vehicle traffic from cyclists with any physical barrier.
- does not lower motor traffic volumes to levels that would be safe for all-ages-and-abilities mixed traffic riding (e.g. like a residential street).
- requires drivers to cross the bike lane to park. Given current driver behaviour there would be no impediment to someone choosing to stop or park in the bike lane.
- places the cycling lane in the "door-zone" of parked vehicles on both sides of the street. The consequences of a door zone collision, in the westbound direction in particular, would result in a cyclist being knocked into oncoming traffic, giving the driver little to no reaction time, and a likely catastrophic outcome.
- leaves no margin for error. If a child was using the bike lane and deviated a few centimeters outside the lane, they may be at risk for a collision. While driving a motor vehicle requires licensing, testing, and adult judgment, a child does not possess the same skills and training. We must not exclude children by design from our cycling facilities.

Any street design for Dundas Place should invite users of all ages and abilities to cycle, wheel, scoot, or use an assistive device to access the core of our city. Cars could be permitted but not if detrimental to the safety of other users.

Best regards,

John Weller

Mar 3, 2021

RE: Resolutions to make London a Blue Community

Dear Colleagues,

I cannot reaffirm a commitment to London's existing water bottle restrictions. Bottled water can provide an alternative to those who wish to avoid consuming the fluoride added to London drinking water. Recent research has connected the intake of fluoride by pregnant mothers and infants with lower IQ scores. This supports the theory that fluoride is a developmental neurotoxin. In support of my position, I cite five studies below. Let me also extend my gratitude to courageous researchers who are willing to investigate longstanding and aggressively held beliefs.

Sincerely,

Michael van Holst
Councillor Ward 1

2020

Fluoride exposure from infant formula and child IQ in a Canadian birth cohort

CONCLUSIONS: Exposure to increasing levels of fluoride in tap water was associated with diminished non-verbal intellectual abilities; the effect was more pronounced among formula-fed children

Christine Till, Rivka Green, David Flora, Richard Hornung, E. Angeles Martinez-Mier, Maddy Blazer, Linda Farmus, Pierre Ayotte, Gina Muckle, Bruce Lanphear, Fluoride exposure from infant formula and child IQ in a Canadian birth cohort, *Environment International*, Volume 134, 2020, 105315, ISSN 0160-4120, <https://doi.org/10.1016/j.envint.2019.105315>.

2020

Maternal and fetal exposures to fluoride during mid-gestation among pregnant women in northern California

Conclusions: We found universal exposure to fluoride in pregnant women and to the fetus via the amniotic fluid. Fluoride concentrations in urine, serum, and amniotic fluid from women were positively correlated to public records of community water fluoridation. Community water fluoridation remains a major source of fluoride exposure for pregnant women living in Northern California.

Abduweli Uyghurturk D, Goin DE, Martinez-Mier EA, Woodruff TJ, DenBesten PK. Maternal and fetal exposures to fluoride during mid-gestation among pregnant women in northern California. *Environ Health*. 2020 Apr 6;19(1):38. doi: 10.1186/s12940-020-00581-2. PMID: 32248806; PMCID: PMC7132865.

2019

Association Between Maternal Fluoride Exposure During Pregnancy and IQ Scores in Offspring in Canada

CONCLUSIONS AND RELEVANCE In this study, maternal exposure to higher levels of fluoride during pregnancy was associated with lower IQ scores in children aged 3 to 4 years. These findings indicate the possible need to reduce fluoride intake during pregnancy.

Green R, Lanphear B, Hornung R, et al. Association Between Maternal Fluoride Exposure During Pregnancy and IQ Scores in Offspring in Canada. *JAMA Pediatr.* 2019;173(10):940–948. doi:10.1001/jamapediatrics.2019.1729

2017

Prenatal Fluoride Exposure and Cognitive Outcomes in Children at 4 and 6–12 Years of Age in Mexico

CONCLUSIONS: In this study, higher prenatal fluoride exposure, in the general range of exposures reported for other general population samples of pregnant women and nonpregnant adults, was associated with lower scores on tests of cognitive function in the offspring at age 4 and 6–12 y.

Morteza Bashash,¹ Deena Thomas,² Howard Hu,¹ E. Angeles Martinez-Mier,³ Brisa N. Sanchez,² Niladri Basu,⁴ Karen E. Peterson,^{2,5,6} Adrienne S. Ettinger,² Robert Wright,⁷ Zhenzhen Zhang,² Yun Liu,² Lourdes Schnaas,⁸ Adriana Mercado-García,⁹ Martha María Téllez-Rojo,⁹ and Mauricio Hernández-Avila⁹ [https:// doi.org/10.1289/EHP655](https://doi.org/10.1289/EHP655)

2017

Fluoride supplementation (with tablets, drops, lozenges or chewing gum) in pregnant women for preventing dental caries in the primary teeth of their children

CONCLUSIONS: There is no evidence that fluoride supplements taken by women during pregnancy are effective in preventing dental caries in their offspring.

Takahashi R, Ota E, Hoshi K, Naito T, Toyoshima Y, Yuasa H, Mori R, Nango E. Fluoride supplementation (with tablets, drops, lozenges or chewing gum) in pregnant women for preventing dental caries in the primary teeth of their children. *Cochrane Database Syst Rev.* 2017 Oct 23;10(10):CD011850. doi: 10.1002/14651858.CD011850.pub2. PMID: 29059464; PMCID: PMC6485723.



March 1, 2021

Dear City of London Civic Works Committee,

Water and sanitation are human rights, and should be publically owned and operated for the benefit of all.

The London and District Labour Council (LDLC) Executive endorses the Blue Communities Project, initiated by the Council of Canadians and The Canadian Union of Public Employees. The project calls upon communities to adopt a water commons framework by:

- Recognizing water and sanitation as human rights.
- Banning or phasing out the sale of bottled water in municipal facilities and at municipal events.
- Promoting publicly financed, owned and operated water and wastewater services.

The LDLC recognizes the efforts enacted by London City Council in banning the sale of bottled water in municipal facilities. This is the first step in recognizing bottled water represents a private takeover of the water commons and the damaging consequences plastic water bottles have on our environment.

We urge the City of London to join 47 other Canadian Blue Communities and 31 other Blue Water communities around the world by adopting these three resolutions.

Our executive adopted the following recommendation on March 1, 2021. The recommendation will also be presented for endorsement to our General Membership during our March 10, 2021 regular meeting.

Subject: Blue Communities

BECAUSE there is nothing more important than clean water. We need it for drinking, sanitation, and household uses. Communities need water for economic, social, cultural and spiritual purposes.

BECAUSE water services and resources are under growing pressure. Communities everywhere – including in Canada – are experiencing extreme weather, including record levels of drought, intense rain and flooding. At the same time, privatization, the bottling of water, and industrial projects are threatening our water services and sources.

THE LONDON AND DISTRICT LABOUR COUNCIL WILL endorse the Blue Communities Project of the Council of Canadians and Canadian Union of Public Employees, which calls upon communities to adopt a water commons framework by:

- Recognizing water and sanitation as human rights.
- Banning or phasing out the sale of bottled water in municipal facilities and at municipal events
- Promoting publicly financed, owned and operated water and wastewater services.

From: WALTER HANISCH
Sent: Tuesday, March 16, 2021 7:08 AM
To: Council Agenda <councilagenda@london.ca>
Subject: [EXTERNAL] Sidewalks

London needs to watch our tree situation. Sidewalks remove older (sometimes) trees and then replace with saplings that in most cases die from neglect. Leave our neighborhoods alone.

Walter Hanisch

Subject: [EXTERNAL] London sidewalk policy

Please include this note on the agenda for the March 23rd council meeting.

Dear City Council,

I learned with dismay of the City Works Committee's decision to continue to enforce London's unfortunate policy of including new sidewalks with every road project.

I read the text of the presentation from the chair of the city's Accessibility Advisory Committee, and while it sounds like he made an impassioned speech about ableism, inclusivity, and barriers, it appears that he failed to explain how ableism applies, how disabled community members are being excluded from the already safe streets, and what barriers to accessibility are being removed by confining street users of all abilities to a narrow, bumpy band of real estate next to the main road. In fact, the committee heard from more than one wheelchair user who pointed out why such a structure is a poor alternative to a safe, well-paved roadway. My own wife has a history of limited mobility due to multiple joint problems, and like most other people, she finds London sidewalks to be a distant second-best option in good weather, and utterly unusable in the winter.

As for safety considerations, it is a well-understood phenomenon among traffic engineers that drivers respond to visual cues in the environment, and alter their behaviour accordingly. By removing mature boulevard trees and expanding the visual space, and placing a separated space for pedestrians next to the main roadway, the average driving speed on these streets will undoubtedly increase, making the street and surrounding neighbourhood **less safe, not more safe**. Pedestrians, disabled and otherwise, will then have the unenviable choice between the narrow, bumpy path, and the smoother and wider, but now more dangerous roadway.

This policy will **not** make London's streets safer, but it will serve to cement the supremacy of the automobile in London's neighbourhoods for decades to come, and London will be poorer because of it. I urge you to abandon this misguided policy, and return to considering the safety and accessibility implications of each road works project on its own merits.

Thanks for your time and consideration,
Mike Cole
3 Foxchapel Road

From: William Handler
Sent: Tuesday, March 16, 2021 9:38 AM
To: Council Agenda <councilagenda@london.ca>
Subject: [EXTERNAL] Sidewalks on Friars Way and Doncaster Place

Hi there,

I was a delegate yesterday speaking against putting sidewalks into my area, in what I see as an unnecessary and expensive step to add accessibility on paper, though not in actuality.

The citizen response to the sidewalk issue from residents was overwhelmingly opposed to the destruction of trees without seeking alternatives, or solutions that keep the trees in place. I was surprised when the committee voted in favour of sidewalks given the response of the residents to the issue, and would like the general council to overturn this short sighted decision.

In particular w.r.t Friars way and Doncaster Place, please consider making Friars way a smaller one way street, keeping the trees intact with a sidewalk in place. Doncaster Place is a small court and has no need for a sidewalk at all.

Hope this helps your decision making.

Will Handler

Dr William Bradfield Handler Ph.D
xMR, Dept. of Physics and Astronomy
Western University , London, Ontario

From: EGH

Sent: Tuesday, March 16, 2021 9:16 AM

To: Council Agenda <councilagenda@london.ca>

Subject: [EXTERNAL] Sherwood Forest sidewalks and tree removal

Dear Council:

My family is **very** disappointed in the decision yesterday by the CWC to reject the very thoughtful positions presented regarding sidewalks and tree removal in Sherwood Forest. We are requesting that their decision be over turned by Council.

My wife and I have lived in Sherwood Forest for 30 years. It's a wonderful neighbourhood and full of people who moved here because Sherwood Forest is a representative of the Forest City with all its beautiful, mature trees. We taught our daughters to ride their bicycles here. Now we're teaching our grandchildren to do the same. Even though I attached bright orange flags to their bikes, the neighbourhood has always been a safe place for kids riding on the quiet streets. It is as rare now as it was then to see speeding cars or careless drivers, indeed quite the opposite where drivers are constantly on the lookout for children on bicycles. My wife and I go on almost daily walks through the neighbourhood and the lack of sidewalks has never jeopardized our safety, both in the past and today. We see absolutely no need to add sidewalks to the streets which don't currently have one, at least at this point in time. I have seen residents with canes and walkers making their way on the roads with no indication that they felt at risk.

While we are strong supporters of accessibility and safety for all, we simply see no practical case to be made for the installation of sidewalks that will require very high up front capital costs, ongoing maintenance costs and, perhaps worst of all, removal of mature trees. While we respect all city policies, let's not blindly adhere to them without acknowledging the risk of unintended consequences. Clearly, there is an environmentally negative impact in removing beautiful, mature trees aside from the shade they provide. Clearly, installing sidewalks in areas where no past or current obvious safety or accessibility issues are present changes the look and feel of a neighbourhood aside from adding annual costs. Clearly, a mature tree canopy provides well documented ongoing emotional, social and health benefits. Indeed, our tree canopy has dropped from 25% to 21% in a short period of time which completely contradicts our Forest City moniker allowing many cities like Kitchener and Ottawa to surpass us.

Let's take some time to evaluate the reasons why an overwhelming majority of the affected areas believe that applying the city wide policy is not a good idea. Lets take time to re-evaluate our city policies including the London Plan along with other relevant and overlapping policies such as the Urban Forest Strategy and Climate Emergency Action Plan. Then, lets take our decisions based on thoughtful, nuanced, integrated, and creative approaches that are so vital in our new world.

Respectfully,

E. and J. Hoffman

[Foxchapel Road](#) (at Abbey Rise)

London

Subject: [EXTERNAL] Sherwood Forest Sidewalks

Good Morning ,

Please include this note I've sent to Phil Squire in the emails to Council Members for the March 25 meeting of Council.

Lorne Hooper , 14 Friars Way

- Good Morning Phil ,

The vote of Committee to adhere to the accessibility recommendation and Council Policy that "One Size Fits All" when it comes to sidewalks in an established area defies my personal experience in living in the area since it was established in 1965. I am 94 and continue to live in a house that has been renovated for wheelchair accessibility for my late wife for whom I was caregiver for 10 years. Not once in that period did we find that the present wheelchair travel on the street endangered, limited or inconvenienced us. Had this been the case we would not have renovated. I would also draw your attention to the fact that there have been two other nearby residents with a motorized chair that used the street regularly. One lived on Finsbury where reconstruction was just done without a sidewalk. And, yet another paradox that confuses me. The intensification project on the former Sherwood Forest School Grounds, a development that Council has praised, is currently being allowed to build without sidewalks. I request that my first hand experience over a long term be given second thought and request that sidewalks on Friars Way not be forced to be included in the reconstruction as per policy.

Lorne Hooper

Subject: [EXTERNAL] Save Sherwood Forest Trees

With Respect to City Council,

We are heart broken and so disappointed with the CWC's 4-1 motion against our plea for alternatives to sidewalks in order to save our trees in Sherwood Forest. We all know that there are viable and workable alternatives to cutting down our mature trees that line the streets and protect our residents. A "One Size Fits All" approach will precipitate an immediate and savage destruction to our quality of life in Sherwood Forest.

When we became aware of the eminent destruction of our street tree canopies, we told this to several family friends who live on Tecumseh Ave. Their reaction was immediate and passionate. They could no longer let their children and grandchildren play in the front yard due to extreme heat and lack of shade when their front yard trees were removed in order to put in a sidewalk. I am sure they have written in their adverse opinion on taking down trees for sidewalks. We as avid walkers choose to walk on shaded streets. We all know that there are less destructive and totally workable alternatives.

We have a global climate warming happening at an alarming rate. Trees provide relief from sun and heat and contribute to oxygen in the atmosphere-nothing else does. You don't have to look far to see the destructive affects of deforestation in the Amazon and so many more places on the planet. I would say that sidewalks contribute nothing in that regard, particularly when they are not navigable in the winter due to lack of snow ploughing and maintenance by the city. We all end up walking on the street anyway.

We all know that there are viable alternatives that will provide safe passage for all of our citizens whilst maintaining our Sherwood Forest Canopy that protects all those that play, run, bike and ambulate beneath it.

***Note: I have included a quote from your Report to Civic Works Committee** re: Municipality Councils 2019-2023 Plan under 2.3 Policy Background:

"The policy goes on to provide seven criteria, including the following: 2.6: Road reconstruction projects, where the existing condition such as mature trees, right-of-way widths, or infrastructure would impede sidewalks on both sides of the street." Therefore, it is the policy of the London Plan that road reconstruction projects should provide sidewalks on both sides unless there are specific constraints that may result in it being more desirable to include one, **or in some cases, no sidewalks.** "

It is our fervent hope that the decision by CWC had not already been made despite unanimous response from the Residents of Sherwood Forest. The 20 year London plan should not be rigid, **but a living document to serve the needs and health** of all the citizens. We all know that there are viable alternatives. It is our hope that our elected officials represent the wishes of the people they serve, while remaining flexible with respect to their enactment of a Provincial Mandate.

Sincerely,
Bill and Val Bradley

From: Margaret Box
Sent: Tuesday, March 16, 2021 8:50 AM
To: Council Agenda <councilagenda@london.ca>
Cc: Squire, Phil <psquire@london.ca>
Subject: [EXTERNAL] Sherwood Forest Sidewalks

Good Morning Committee Members,

I am having to bring my name forward once more, after a very disappointing outcome to the meeting held on March 15, 2021.

A great number of people, (mostly residents), poured not just their heart and soul into their presentations, but also, as was evidenced, an enormity of knowledge. One could learn so much from them, just by reading their letters.

May I please offer two alternative suggestions that might appease some of those concerned:

A... Dedicate a bike lane equivalent, and make it an accessible lane suitable for wheelchairs, baby strollers, pedestrians etc.

This would retain the same integrity as the road surface, get plowed in the same way as the road, so no ice buildup.

I am certain, that with appropriate and discreet signage, this suggestion would go a long way towards satisfying the demands of the London Plan, the needs of the people and at the same time, creating the safe environment we enjoy.

This would of course, save all our beautiful trees, preserve the environment and keep all our birds and wildlife safely and securely at home.

B... Reduce the speed limit to 40kmh, in-keeping with that around nearby schools.

Although I find most traffic rarely goes 50kmh, it would be an added deterrent.

I do so hope that all council members will read my suggestions. I was so disheartened to hear today's voting results, and really hope that you will give it some extra consideration, maybe even a tour of the area to see where we all live, before you get out the axe.

It really is beautiful here and that is why we came to live here.

Thank you.

Respectfully submitted,

Margaret Box

From: mike
Sent: Tuesday, March 16, 2021 1:11 PM
To: Council Agenda <councilagenda@london.ca>
Subject: [EXTERNAL] 55 FRIARS Way

Hello,

I want to express my disappointment with the civic works decision not to overturn the decision concerning new roads needing sidewalks in mature areas.

This neighborhood was designed and approved to be developed without sidewalks.

Sacrificing 50 year old trees is a mistake and on March 23rd we need this sidewalk voted in favour of the trees and not the sidewalks.

Runnemedede cres won the vote not to have sidewalks as should Friars way and the other streets due for road replacing in the area.

Homes on the north side of Friars way with an allowance for the newly proposed sidewalks will leave parking space for 2 cars in the driveway of a 4 bedroom home.

Thanks for the consideration,

Mike Milne

55 Friars Way

Subject: [EXTERNAL] Sidewalks on Doncaster Place?

Dear Mayor Holder and Honourable Members of Council,

Please find my email to the Civic Works Committee below sent in opposition to sidewalks on Doncaster Place specifically, and in Sherwood Forest generally.

I expect that many people will be writing to council shortly about this and will be raising many important points and insights.

I will focus on the issue of compromise. There no need for there to be a choice between trees and a safe area for pedestrians. From a design perspective it ought to be possible to have both. Although there had been some suggestion that compromise solutions were possible, the committee voted for sidewalks on all streets without actually considering any compromise options anywhere. As a result, people feel that they were not listened to, that it was a show hearing, and that that there was no attempt to even address their concerns.

Sherwood Forest residents have been very clear that that they are prepared to accept compromises – one way streets, for example, lowered speed limits, laybys, road markings and signage that makes it clear that it is a mixed use area. I'm sure that as politicians you are interested in making sure that the City of London achieves the optimal results and would like to consider alternatives that might meet the needs of all concerned.

Isn't it strange that communities around the world are trying to re-wild and naturalize, and yet in Sherwood Forest in the Forest City, the best we can come up with is to cut down mature trees and lay down concrete? Isn't it just plain common sense to know that there is a better way?

I invite you to send this matter back for further study to determine if there is no way to avoid cutting down all of those beautiful, mature trees in Sherwood Forest. Surely the destruction of these mature trees deserves at least a second look to see if there is no way to save them. Is this really too much to ask? I don't think so.

And specifically with respect to the Doncaster and Doncaster Place sidewalks, it only takes looking at a map to realize that this particular part of the project is simply a waste and should be deleted.

Thank you for your consideration.

Sheila Handler

Subject: [EXTERNAL] CWC decision regarding sidewalks in Sherwood Forest

We want to express our disappointment with the decision not to exempt the streets in this unique neighbourhood from the addition of sidewalks and instead, mandating the sacrifice of 50 mature trees, home to birds and wildlife, source of shade, clean air and beauty to the community. Hundreds of members of the community, including many with impaired mobility issues, are strongly opposed to this decision and have expressed this to City Hall. It is really frustrating for the majority of the community to be completely disregarded in light of a fixed policy which is very unpopular and fast becoming outdated in a society increasingly aware of the necessity of greening our cities in a way that serves all of the community while also providing access and safety.

This issue is coming up repeatedly in the city and is a constant source of anger and disagreement. Concrete replacing trees? We should try to be an innovative "Forest City" and a leader by example.

Why not take a pause and consider other alternatives as outlined in the reports submitted to the committee such as the solutions in Holland etc. Surely there are solutions better than the expensive "one size fits all" that is being forced on taxpayers.

Future generations will be asking-
What were you thinking!

Sincerely
Gail and Rob Stoddart

Date: March 16, 2021

To: **The Mayor and Members of the Council of the City of London**

Re: New Sidewalks in the 2021 Infrastructure Projects

Request: **That Council exempt the streets listed in the 2021 Infrastructure Projects from the installation of sidewalks.**

To the Mayor and Members:

You have received hundreds of signatures on petitions, letters, emails, written submissions and delegates' presentations with the vast majority of individuals asking that you exempt our streets from the installation of sidewalks. You have heard from people from all walks of life, all ages and health conditions who have made it very clear that they feel safer walking on their neighbourhood roads than on sidewalks and that they highly value the mature trees for the benefit to their health and well being and for the benefit to the environment.

The City of London has also stated as its objective to plant even more trees in the Forest City for the benefit of residents and for the benefit of the environment, yet staff's February 9th 2021 report states that 73 mature trees will be removed. Examination of the detailed plans indicates that even more trees will be removed. It will take decades to replace those trees.

We have heard from a Committee member that a blind person was struck by a car three times and that is tragic. We do not know where the accidents happened or the circumstances surrounding them. We are not aware of any such accidents on our neighbourhood streets. All pedestrians will be at some level of risk from vehicles whether on a local street or walking on a sidewalk. The City's Vision Zero principles acknowledges this in its statement 'we all make mistakes'.

I am one of those 'able bodied' people who have been speaking on behalf of all our residents to tell you that there is a better way to meet the needs of all residents, abled and disabled, than to build sidewalks.

Council's purpose is to represent the people of London. I ask you to read the letters and listen to the appeals of those disabled people who have courageously come forward to make their appeal that sidewalks not be built. The majority of those people have made it very clear that they feel safer moving about on their local streets than on sidewalks. They agree that if there is a need to make the streets safer and more accessible there are better ways that have been implemented around the world for many decades. We add our voices to the many who have asked you to exempt our streets from sidewalks.

Respectfully,

Ron and Ingrid Standish
63 Friars Way, London

Subject: [EXTERNAL] Sherwood Forest sidewalk installation

Dear London City Councilors,

Over the 36 years that we have lived in Sherwood Forest, we are witnessing, for the first time, the Civic Works Committee inadvertently creating increased unity in the Sherwood Forest neighbourhood as we band together to oppose their decision to install unnecessary sidewalks along our streets. We have discovered that we all purchased our homes in this lovely area of the city because we love the mature trees and the ease and safety of walking and cycling with our families on our wide streets.

In our neighbourhood, the streets are far more accessible than our existing sidewalks, particularly in the winter when ice becomes quite treacherous for people of all abilities, which means people end up on the streets. With the addition of sidewalks, drivers do not always expect to see pedestrians on the street and do not reduce their speed. Sidewalks then become counterproductive.

How will adding more sidewalks assist the city in snow removal and maintenance without dramatically increasing cost? Increased costs to the city usually mean increases in property taxes, even though the removal of our mature trees actually devalues our properties.

We are asking Council to please support Sherwood Forest's request for an exemption of sidewalks and protection of our mature trees in the planned road reconstruction and look for alternatives that will address safety and accessibility in our treed neighbourhoods. The London Plan is a blanket plan that does not identically fit every area of the city. We all feel privileged to live in Sherwood Forest and would like your help and support to keep it the Forest.

Please vote against sidewalks and tree removal in Sherwood Forest.

Thank you for your support,
Wayne and Cyndy Gibson
31 Friars Way

The Civic Works Committee & Councilors

The CWC meeting of March 15 2021 was a complete disappointment and a Farce. I presented at the meeting for Imperial Rd against the upcoming reconstruction project that included a sidewalk on our street. What we were expecting was an honest discussion and debate over the abundant documentation and presentations made to the CWC prior to and at the meeting of March 15th. What we received were councilors who had already decided not to accept any deviation from the city works plan to have sidewalks on every street. Even worse, our councilor Maureen Cassidy sold us out and did not defend our position.

The accessibility argument that the councilors used and form the basis for the city works plan to have sidewalks on every street is deeply flawed and conflicts with other city high priorities. Just because there are sidewalks on Dufferin and on Wellington does not mean City Hall is accessible. For City Hall to be accessible you require ramps, automatic doors and elevators. The same can be said for all our streets. As a result, each individual case should be examined for merit. Listening to all the delegations, they all had merit as the same message was delivered and repeated for each street.

The statement that a sidewalk is required for accessibility is false and poses as many problems as benefits. A sidewalk is great for safety reasons on busy streets and for able bodied individuals. Sidewalks should be included on streets to schools, stores, parks or are cut throughs to other streets. That is not the case for Imperial Rd, which was built to increase neighborhood density by 11 homes. Imperial does not go to any schools, parks, stores or cut throughs. It just runs between Balcarres and Grenfell Dr. The only traffic Imperial sees, both vehicular and pedestrian are the residents on the street. All the streets that surround Imperial have sidewalks on one or both sides (Grenfell Dr, Estevan, Milestone & Balcarres).

The negatives to sidewalks are that there are joints every 5' or 6', they are concrete, they do not drain properly, they heave due to frost and in winter they become uneven & icy because they cannot be cleaned properly. For individuals with special needs like my granddaughter, mobility is uncomfortable if you use a stroller, walker, wheelchair or canes and a tripping hazard on heaved sidewalks. In winter they we impassable due to ice and uneven snow cover. Sidewalks cannot be cleaned to bare like streets can. These points were brought forward by individuals with handicaps and mobility issues for each street who live in the area.

The councilors also indicated that the accessibility requirement was not necessarily just for individuals living in the area but, also for any visitor who may pass through the region in the next 5 to 10 years. Councilor Helmer brought up a constituent that was blind and said sidewalks are required because it would be impossible for him to travel through a neighborhood if there was a sidewalk on every street. Councilor Cassidy brought up her father who also is blind and who does not live in London, basically the same reasons and said she could not exempt any street including Imperial Rd from having a sidewalk. Decisions should not be made on hypothetical events. Most of us don't stop driving because we might get in an accident.

Accessibility is for those who live in an area and those who visit. The people on Imperial help each other out. If a blind person were to visit, whoever they visit would make sure they got safely to a sidewalk for a walk. If they were to visit one of the neighboring streets, they would already have a sidewalk. Other than Imperial Rd almost every other street has a sidewalk. If my granddaughters were to go to the park, we would walk safely on Imperial to Grenfell and on the sidewalk to the park.

Most of my presentation is as follows:

Good Afternoon, my name is Herman Post and I live at 4 Imperial Rd with my extended family of wife, daughter, her husband and 2 granddaughters one of which is a special needs child. We purchased on this street 4 years ago because of curb appeal, the quiet street, mature trees and a laneway that could hold our 4 vehicles.

Imperial Rd is a short narrow street that runs between Grenfell & Balcarres. This street sees minimal traffic for both vehicles and pedestrians and according to my neighbors, traffic patterns have not changed in almost 50 years. The reason Imperial Rd has so little traffic is because there are better routes to and from South Wenige to Grenfell, Balcares and Constitution Park via Estevan and Milestone. In fact, Imperial Rd sees as much traffic as a deadend street or Cul de sac. Speed on this street is not an issue or concern.

Putting a sidewalk on Imperial Rd would destroy the reasons we purchased this house. A sidewalk would remove all the trees from the west side of the street, which would damage the curb appeal, remove 16 parking spaces (including 2 of our parking spaces) and damage the decorative concrete driveways (ours included). The removal of the parking spaces would force us and our neighbors to park constantly on the street and since there isn't enough parking available on the one side there would be vehicles parked on both sides of the street.

That causes 2 safety issues. The first is Imperial Rd is 22' wide and with vehicles parked on both sides of the street there would be less than 8' for a service vehicle such as an ambulance, fire truck or sanitation truck to drive down the street. The 2nd safety concern is the safety for my granddaughters who could get hit by a car not being seen while stepping between the parked cars.

After the presentations from the delegates the councilors discussed the some of the streets including Imperial Rd. They suggested moving the sidewalk to the curb on east side of Imperial Rd, making the street 6.5m wide and allow parking on one side only. While this removes 10 parking spaces and a few less trees, we would still have the safety issue for my granddaughter who could get hit stepping between the parked cars. Our granddaughter will never reach the height to be safely seen.

The final issue is the loss of mature trees on either side of the street. These trees if they were in my back yard, we would not be able to get a permit to cut down, while the city does not think twice if they are in the way of a sidewalk installation. We lived through this 2 years ago when Grenfell Dr went through reconstruction. The plan had the removal of 11 trees. I believe 36 were cut down. Again, all mature trees. Carbon reduction was supposed to be a crisis point for this city. Removing trees increases our carbon footprint. Along with curb appeal, trees need to be saved and replacing with saplings does nothing.

There was never an intention for Imperial Rd to have a sidewalk with the house designs of the garages further back and bedrooms closer to the street. None of the residents on this street want sidewalks and signed petitions to show our displeasure. We all pay taxes and least we expect is our elected counselors to advocate for us. Since we got the brush off at the meeting on March 15th we are requesting that this matter be brought before full council to get this exemption we requested.

Ragards
Herman Post
4 Imperial Rd

To - Council and Mayor

From - Therese Hutchinson; Sherwood Forest/Orchard Park Delegate to CWC, March 15, 2021

RE: Due Process for Citizen Engagement in Modern Street Design

Honourable Mayor and Members,

I was a delegate at the March 15 meeting where I and every other delegate who came to present concerns about the proposed works were treated with a gross level of unprofessional disrespect, and failure by the Chair of the Civic Works Committee to stem the behaviour.

The Chair of the Accessibility Advisory Committee (AAC) who was given first speaking position focused their presentation on publicly disparaging me and 300+ of my neighbours among others, by labelling us as "ABLISTS". That is, derogatorily saying that we are small minded, bigoted people who want to attain advantage by actively disadvantaging people with disabilities. There was a disclaimer that not every one of us is, but that most of us are -'ABLISTS', including the several delegates who have disabilities visible and invisible who also do not support a default sidewalk policy.

This public proclamation is so wrong, so unprofessional and so cruel that it is incomprehensible that it could come from a civic committee, and that it was not moderated in the public forum. Demeaning and disparaging delegates who have worked hard to succinctly and respectfully present their concerns to the Works Committee was unprofessional and unwarranted. One would expect the Chair of the AAC, and the first speaker, to bring a substantive contribution to the debate; it was shocking that the presentation was merely egregious bullying and that the meeting was not better managed to prevent it.

That the AAC has endorsed a failing policy is their problem, not our fault. Not only am I and my neighbours not 'ABLISTS' but we have reached out to the AAC Chair several times prior to the meeting to ask how we might collaborate to integrate modern accessibility features into our neighbourhood. The Chairperson has stated that the pro-sidewalk (ribbon of concrete) position having been endorsed is now politically inconvenient thus immutable. That is a flexibility problem coming from that stakeholder group, not ABLISM coming from this one.

The Civic Works meeting was not a receptive environment for citizens to comment on the proposed works. We are good citizens and good neighbours who deserve to be recognized. We are entitled to engage in good faith in the democratic process, without being labelled, disparaged and dismissed.

I ask that you please give us due process and consideration of our well-considered and legitimate requests for modern, sensitive street design that is actually in line with City priorities.

Humbly,

Therese Hutchinson.

Subject: [EXTERNAL] Friars Way Sidewalks and Trees

Hello,

I am one of the people who live on Friars Way and am concerned about the plan to cut down the stately trees in order to build sidewalks. I am growing concerned that everyone thinks that there cannot be a win-win solution. I moved here from Ottawa one year ago and believe that there are many solutions that can solve the dilemma.

I believe that we need people to think outside the box. It does not have to be trees vs sidewalk.

Why can't we have sidewalks and trees?

In Ottawa, a number of strategies have been used to expand bike lanes and walkways without intruding on grassy areas or cutting down trees. etc.

Here are a few that I saw while there:

- Reduce parking to one side of the road
- Reduce road width with some traffic calming techniques to make the community more walkable
- Make roads one way
- Have winding sidewalks which look interesting and leave the trees intact (benches add interest and provide spots for handicapped or elderly to stop)

I am confident that if city planners were allowed to think creatively there is a solution for everyone.

Please encourage everyone to stop thinking in a binary fashion. Let's all win.

Regards
Glenn Alexander

45 Friars Way,
London, Ontario

March 16, 2021

City of London Council

Re: Request to exempt Sherwood Forest sidewalks

We are writing again, this time to Council, to ask for an exemption of the planned Sherwood Forest sidewalks and the removal of mature trees in our neighbourhood (likely 40 plus large trees on Friars Way alone). This will drastically impact our neighbourhoods' character which attracted our residents to live here in the first place.

We as a community recognize we must work diligently to remove barriers to accessibility in the City. We have demonstrated to the Civic Works Committee (a committee that did not seem to listen or acknowledge our concerns and thoughts) that our streets are already accessible to a broad range of disabilities. Therefore we feel this reconstruction project should focus on other priorities of the London Plan; namely protecting our Urban Forest.

Council must remember that it is not possible to make all areas of the City accessible to all (disabled and abled) in a uniform manner. We need to prioritize based on budgets and degree of benefit.

As part of our presentation, our community offered to work with the City to develop more creative approaches to obtain their accessibility goal without impact to our mature trees that define our community. While Councillor Helmer offered sidewalks within our wider streets, we are concerned that this limited approach may stifle other creative solutions or be deemed not feasible and then the loss of trees have not been averted.

It is unfortunate this blanket policy has not been well considered with respect to implementation issues in mature subdivisions. The number of objections and delegations to speak to a sidewalk exemption is clearly evidence of this. It only makes sense for Council to exempt the sidewalk requirement as proposed and step back to develop more appropriate guidelines, design requirements and options to consider when the next slate of road works are proposed. An exemption of the proposed sidewalks along Sherwood Forest streets will not pose any long term consequences to City mobility goals given the negligible barrier posed in this community.

To summarize, the London Plan sidewalk policy needs to be revised in order to find better ways to protect and improve the safety and accessibility of residents, and protect the city's mature trees. It shouldn't be an either / or situation.

Respectfully submitted
Dave and Patty Hayman

Dave and Patty Hayman
77 Doncaster Ave

Dear London City Council,

My name is Lori Watt, and I am a 16-year old high-school student. I love science, music, and hanging out with my friends.

I am writing to respectfully request London City Council to exempt Sherwood Forest streets (including the street I live on, Doncaster Place) from the besides-the-road sidewalks whose construction would result in the destruction of dozens upon dozens of mature trees, and to find win-win solutions to accessibility needs that do not involve cutting down our beautiful trees.

Many of my friends and other young people join me in this request.

I am the initiator of the Youth Petition "Save Sherwood Forest Trees"

<https://www.change.org/p/london-civic-works-committee-petition-to-save-sherwood-forest-trees-youth-petition?redirect=false>

which has gathered to date already almost 200 youth signatures.

I hope you listen to our voices. We are proud and happy to live in the Forest City, and we want it to remain full of the majestic old leafy trees that make our city the envy of the world.

Thank you for your consideration,

Sincerely,

Lori Watt
56 Doncaster Place
London ON
N6G 2A5

56 Doncaster Place
London, Ontario N6G 2A5
March 16, 2021

London City Council
City of London Ontario
By Email to: councilagenda@london.ca

Dear Members of the London City Council,

My name is Lila Kari and I am writing on behalf of the residents of Doncaster Place (Sherwood Forest) to express our disappointment that the Civic Works Committee has disregarded the overwhelming desire of residents, without any acknowledgement of the matters raised in the dozens of well-informed presentations, and has voted to recommend that our low-traffic streets must cut mature roadside trees to make way for unnecessary sidewalks.

London City Council ultimately bears the responsibility for making informed and wise decisions, and this cannot be done while ignoring stakeholder input. London City Council must not ignore the citizens' issues that are now a matter of record. We ask that the subject streets be exempted from besides-the-road sidewalks, and that alternatives be developed that satisfactorily address the multiple legitimate issues raised, e.g., mature tree preservation.

I was granted delegation status at the CWC meeting of March 15, 2021, and I participated in that 4-hour meeting from beginning to end. Let me first start by saying that I was extremely disappointed, not only by the outcome of the vote, but by the way the meeting was conducted.

There were more than two dozens of presentations by stakeholders, representing altogether many hundreds of London residents, who unanimously and overwhelmingly spoke against besides-the-road sidewalks and the massive destruction of mature trees that building them would entail. The three who spoke in favour were non-residents, addressing a theoretical problem, and not considering the facts on the ground.

Several residents who spoke against sidewalks were people with disabilities. Some had never given a public presentation, but felt now compelled to do

so. Some struggled with technology, while others participated in-person, with the paper shaking in their hands from emotion. The presentations were poignant, fact-based, civil, and all explicitly stated our strong desire for inclusiveness. The arguments presented had been carefully researched, and masterfully delivered. It was obvious that many had worked for weeks on their timed speech delivery and their powerpoint presentations, as this was a matter of major significance and their lives would be irrevocably changed by the final decision. The one thing that united all resident presentations was that in their streets sidewalks were unnecessary, and the mature trees far outweighed them in value.

One would have expected at least some discussion among the CWC members, given the serious matters raised and the number of creative solutions that were proposed – meeting **all CWC objectives** –, as well as the large number of negative consequences identified in the current one-size-fits-all scorched-earth approach.

It was disappointing that even though we heard from so many stakeholders, not a single of the presented arguments was addressed, let alone discussed. In fact, the only thing that was discussed at length was a personal anecdote regarding what a CWC member thought one of their family members would want. This approach is no more scientific than basing public health policy on personal anecdotes.

Last but not least, I was disappointed to see how outdated the CWC outlook was. Seeing a raised, besides-the-road, curbed sidewalk as “the” one-size-fits-all answer to all accessibility needs is an antiquated view. In the same way old-fashioned invasive surgery is replaced in modern times by non-invasive surgeries with better outcomes, raised-curb sidewalks are replaced world over by modern non-invasive approaches, such as “Accessible Shared Streets” (Washington, D.C., 2017) with textured sidewalks for the blind and mobility impaired, the “Living Streets” solutions (Netherlands), etc.

The citizens of London deserve modern solutions. The London youth deserve not to be asked to choose between social justice and accessibility on the one hand, and their beloved trees on the other. They started their own e-petition “Save Sherwood Forest Trees”, with almost 200 signatures to date.

We request London City Council to exempt the discussed Sherwood Forest Streets from besides-the-road sidewalks (Doncaster Place being a particularly absurd case), and to adopt creative solutions that meet both accessibility and mature tree preservation needs. Win-win solutions do exist.

It is 2021!

Thank you,

Sincerely,

A handwritten signature in cursive script that reads "Lila Kari".

Lila Kari
56 Doncaster Place
London, ON, N6G 2A5

Attachment: Summary of my presentation at the March 15, 2021, CWC meeting, titled "Doncaster Place Road Reconstruction: The case for sidewalk exemption and protection of legacy trees ."

Doncaster Place CWC Presentation - Lila Kari

A 3-house orphan sidewalk on a dead-end court?

The map in Figure 1 shows that Doncaster Place is a dead-end street, with only 11 houses, a few steps away from Friar's Way. There is no traffic on Doncaster Place, except its residents, and their visitors.

Doncaster Place was specifically named in the February 2021 Report to the Civic Works Committee, as one of the “*dead-end court-style streets, that have no connecting links to other destinations,*” the report also stating that “*these types of locations are normally not considered for a new sidewalk.*”

Nevertheless, the current CWC project proposes a sidewalk on Doncaster Place. This would be a short, one-side disconnected sidewalk, going from nowhere to nowhere, and it would directly serve only 3 houses - that don't need it.

In fact, all residents of Doncaster Place signed the no-sidewalk petition “Save the Sherwood Forest Trees” that has gathered over 300 signatures. It is our view that a short, orphan, sidewalk on Doncaster Place would benefit no one. On the other hand, the existing mature trees benefit everyone.

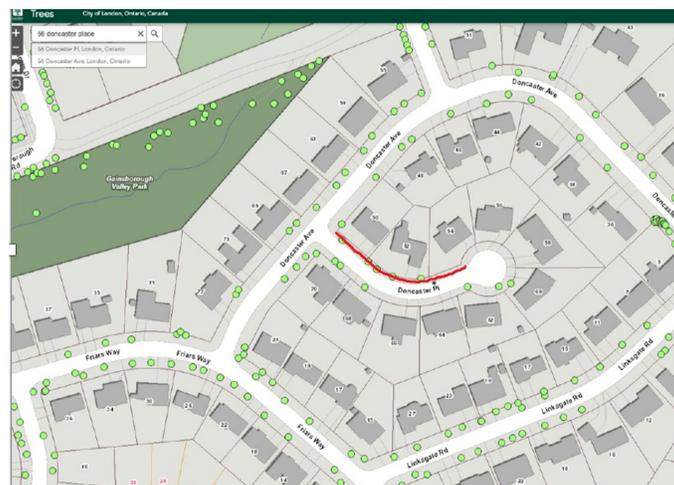


Figure 1: Doncaster Place is an 11-house cul-de-sac. The proposed orphan sidewalk (in red), from nowhere to nowhere, would serve only 3 houses.

Doncaster Place through our eyes



“[...] other areas prize their historic buildings and celebrate other aspects of their neighbourhoods, but for the residents of Sherwood Forest, it has always been our mature trees, surrounding nature, and the Medway Valley ESA. We have never encountered any issue of safety, any barrier to accessibility, or any need for a sidewalk.” [Doncaster Av. resident]

A tale of two cities: London vs. Waterloo

Let me share a personal story. A few years ago, my spouse and I accepted jobs at the University of Waterloo. However, we still have our house in London. Why?

Compare a photo of downtown London (below left), to a photo of downtown Waterloo (below, right). Where would **you** rather live? In the green, leafy, Forest City, right? So do we. In fact, even in our small social and professional circle, we know of 5 families who all work in the tech sector in Waterloo, but have houses in London. And we all have the same reason: because we love the mature, green, leafy London trees.



Planting 1 sapling for every 1 mature tree that is cut is neither a full replacement (in the short-term), nor a guaranteed replacement (in the long term). Indeed, one 2011 study showed that to fully replace a 50-cm wide tree, you would need to plant more than 1,000 saplings.

This means that replacing the 50 mature trees that would be cut down in Sherwood Forest for this project would require planting 50,000 saplings! A **better way** would be to find creative win-win solutions, that satisfy all objectives and preserve the mature trees that London is fortunate to already have.

Youth petition “Save Sherwood Forest Trees”

Our young people, who are well aware of environmental and social justice and accessibility issues, are quite clear in what they want. The Youth Petition “Save Sherwood Forest Trees,” started by a neighbourhood teen, has gathered almost 200 youth signatures to date.

In the words of a young signatory, “There must be a **better way** without the need to remove beautiful, mature trees... **find one!!**”

This is what our youth want. We are entrusted with **their** legacy trees and we must find a way to preserve them.

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Petition details Comments Updates

Save Sherwood Forest Trees (Youth Petition)

191 have signed. Let's get to 200!

First name
Last name
Email
Kitchener, N2B
Canada

Display my name and comment on this petition

[Sign this petition](#)

Lori Watt started this petition to London Civic Works Committee

Petition Summary and Background Friars Way, Doncaster Place, Doncaster Place, and Abbey Rise

What all Londoners want

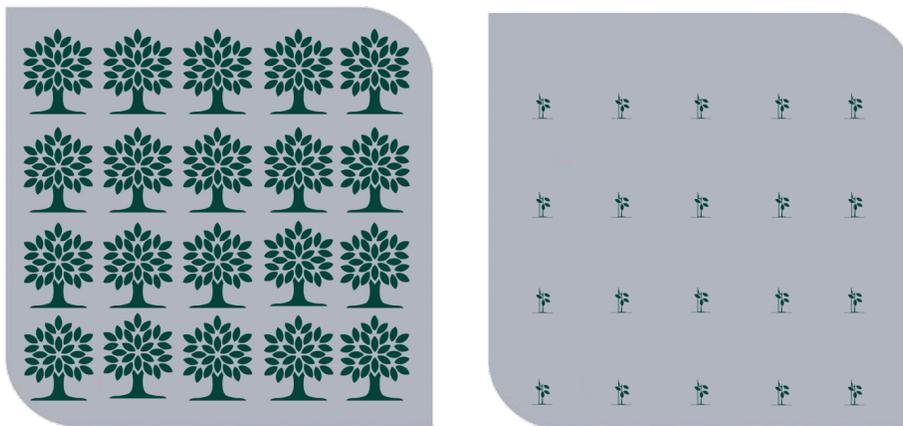
The following citizen quotes, from the 2013 ReThink London document, clearly show that all Londoners, of all ages, want to live in:

- “A City with an abundant, healthy urban forest that truly reflects our brand as **The Forest City**.”
- “A City that celebrates, **practices** and encourages [...] the preservation of natural heritage.”
- “A City that grows in responsible ways that protect our resources.”

To be or not to be the Forest City?

Thus, the decision facing London City Council is part of a bigger question:

“Will London remain the Forest City”?



To move the needle towards a “yes”, the residents of the no-exit, 11 house Doncaster Place respectfully ask the City for a sidewalk exemption, and for the protection of its legacy trees during road reconstruction.

From: Lila Kari
Sent: Monday, March 22, 2021 7:54 AM
To: Council Agenda <councilagenda@london.ca>
Cc: Squire, Phil <psquire@london.ca>
Subject: [EXTERNAL] update to submission to the March 23 City Council agenda

Dear Audrey,

I am writing with an update to my submission for the City Council agenda for the meeting on March 23rd, stating that the “Save Sherwood Forest Trees” Youth Petition had 200 signatures.

The number of signatures has almost tripled in the meantime, and I would like to revise that to a current number of **571 signatures** as of this morning (see attached screenshot).

I think that this is important new information for the London City Council members to know, and I am kindly requesting that this information be added to the Council’s meeting agenda.

Thank you,

Sincerely

Lila Kari
56 Doncaster Place

Save Sherwood Forest Trees (Youth Petition)



 [Lori Watt](#) started this petition to London Civic Works Committee

Petition Summary and Background Friars Way, Doncaster Place, Doncaster Place, and Abbey Rise are designated for road resurfacing, curb replacement, & catch basin repair in 2021. Design of this project is underway and currently includes the construction of sidewalks on these streets. In addition, the connecting links, the north side of Doncaster Avenue between Friars Way and Doncaster Place and the west side of Scarlett Avenue between Abbey Rise are designated for sidewalks.

=====
Lila Kari
Professor & University Research Chair
School of Computer Science
University of Waterloo
Adjunct Professor
University of Western Ontario

571 have signed. Let's get to 1,000!



First name
Last name
Email
Kitchener, N2B Canada

Display my name and comment on this petition

[Sign this petition](#)

By signing, you accept Change.org's [Terms of Service](#) and [Privacy Policy](#), and agree to receive occasional emails about campaigns on Change.org. You can unsubscribe at any time.

Dear Mayor and Council members,

Thank you for taking the time to consider our request for exemption of the planned installation of sidewalks as part of the road reconstruction on Friars Way, Doncaster Place, Abbey Rise and Scarlett Ave. We are very disappointed in the CWC's recent decision to reject the request to not install sidewalks on our Sherwood Forest streets. We respectfully ask you, and members of City Council to overturn the CWC's decision and support our request for no sidewalk installation and removal of mature trees in our neighbourhood's road reconstruction.

We have been residents of Friars Way, raising our 4 children here for 24 years. If you have not yet read the Sherwood Forest written submission, we would appreciate your time in reading a report that speaks to the safety and accessibility of all residents, and the importance of protecting one of the City's largest assets.

We appreciate the difficulty in balancing and meeting the City's objectives, as well as meeting the needs of ALL Londoners. But we are encouraged by the City's Strategic Plan statement that, "Through innovation and partnerships, London is at the forefront of addressing many community challenges focusing on building a better London for all." We are encouraged by your message, Mayor Holder, that includes the next four year's focus on Strengthening our Community, and Building a Sustainable City and appreciate that the Mayor acknowledged the City's priorities which were based on numerous avenues of community input.

This photo from the City's Strategic Plan is very heartwarming. We love our neighbourhood streets. Londoners work hard to create a neighbourhood that is safe, inclusive, and accessible for all. We work hard to create this environment, so our children can understand and come to value community. This is one reason why residents respect each other in sharing our streets safely.



City of London, 2019 Strategic Plan Image

We understand that sidewalks can be perceived as a method of providing better accessibility, and on busy roads, they are a necessity. However, often the installation of sidewalks create the opposite effect. It is a common sight to see bare sidewalks when they are not protected by trees. We know climate change is on our heels, and with increasing and prolonged heat waves, unprotected sidewalks will remain barren. Our community streets that were once alive will be no more, as we retreat to our air-conditioned homes.

The plan for no sidewalks has the ability to combine the best of ALL factors, to do the best job we can to meet the City's objectives of accessibility, safety, mitigating climate change, improve the mental health of Londoners, keep our unique neighbourhoods, and maintain our brand as the Forest City.

We respectfully ask for you to look at the City's overall objectives that benefit ALL Londoners and support our request for exempting Friars Way and our neighbourhood streets from the installation of sidewalks. We appreciate your effort in trying to keep the "Forest" in Sherwood Forest, and in the Forest City.

Regards,
Julia and Al Morrow

Subject: [EXTERNAL] Opposition to tree removal on Friar's Way

Members of the Council,

I am writing to express my great disappointment with the Civic Works Committee to refuse to exempt our neighborhood from upcoming sidewalk installation. I urge you to reconsider this decision and to support the Sherwood Forest request for an exemption. This exemption would benefit both the neighborhood and the city, as the installation of sidewalks on our quiet street would destroy a large number of mature trees and negatively impact the city's plan to expand forest canopy.

I have walked these streets every day for the past year of the pandemic, and I have never felt the need for sidewalks. This is not a high traffic area, people do not commute via our streets, and cars are rare. I have friends and neighbors who walk their dogs, walk with their children, and use mobility devices and we are all coming together to ask you to please not force this upon us.

Sherwood forest is an old, quiet, neighborhood, and like so many of London's wonderful neighborhoods it does not need a one size fits all solution. I'm sure that the goals of safety, accessibility, and expanding forest canopy can be achieved without the destruction of so many wonderful old trees.

Best,

Bobby Glushko

Dear Council members,

I am emailing to ask for your support in overturning decisions made on Monday March 15th by the Civic Works Committee (CWC) to deny any exemptions for sidewalk installation on quiet neighbourhood streets, including but not limited to, Friars Way, Doncaster Place and Abbey Rise, during street resurfacing in the summer of 2021. I am requesting your support for one reason only; to facilitate further discussions and interactions with the council to achieve outcomes for all citizens of London.

Essentially, I am requesting your support of two major and laudable pledges by our city:

Pledge #1) to enhance accessibility for all in accordance with AODA guidelines

Pledge #2) to pursue policies that help mitigate climate change

First, let me express my unconditional support for both of these pledges.

Unfortunately, based on the hastily prepared plans provided by the city for resurfacing Friars Way, Doncaster Place and Abbey Rise, and our subsequent unsuccessful interactions with the CWC to engage them in discussions about enhancing these plans, it appears the CWC are either unable or unwilling to implement any plan that simultaneously supports both of these goals.

In an effort to support pledge#1, the CWC has chosen to continually champion its simplistic and myopic approach of “adding a sidewalk” without further discussion or review.

To achieve this, the CWC regrettably endorses the removal of large numbers of mature and irreplaceable trees in the densely tree lined, quiet neighbourhood streets of London, which is obviously contrary to pledge #2.

In parallel, the council has initiated some excellent policies in support of pledge #2, including financial support for maintaining old trees (<https://lfpres.com/news/local-news/have-an-old-tree-london-has-money-to-help-you-keep-it-alive>) and other efforts aimed at providing ongoing expansion of both tree numbers and tree canopy in our “Forest City”. These excellent policies are designed to enhance carbon dioxide fixation, mitigate flooding, cool neighbourhood streets, counter gypsy moth infestation impacts and provide a calming influence on the mental health of those who have suffered during the recent pandemic.

In an effort to assist the CWC embrace more progressive, modern and impactful approaches that are consistent with both pledge #1 and pledge #2, I was one of many who contributed to delegations to the CWC on March 15th. Multiple powerpoint presentations and speeches cohesively indicated that many of the streets under review are already highly accessible, due to their original and intentional traffic calming design and generous width (~ 8.5 metres). It was also noted that there are practical strategies that could facilitate street resurfacing with minimal tree loss. For example, tree loss could be minimized by narrowing some very wide streets, notably Friars Way, to provide extra room for accommodating the roots of the many mature (50 year+) Little Leaf Lindens (*Tilia cordata*) that are close to the curb and have genetic potential to grace our street for another 50+ years as a graceful legacy for our Forest city. The CWCs current plan endorses the clear cutting of every mature Linden (30+ trees) on city property on the north side of Friars Way to facilitate the inclusion of a sidewalk.

Sadly, the majority of the CWC dismissed all of our presentations by making the remarkable claim that any suburban street that lacks a sidewalk is inherently inaccessible to, and dangerous for, the visually impaired. The CWC offered no supportive evidence of this assertion beyond two personal accounts of visually impaired individuals suffering in conditions that bore no discernible resemblance to any of the locations being discussed. It is notable that the CWCs assertion that sidewalks are major factors in enhancing accessibility for the visually impaired in any street are contrary to reputable international studies that indicate that readily detectable walking surfaces, directional indicators and other road surface features are more important

additions for enhancing accessibility for the visually impaired than a sidewalk. I have attached an informative example of such a study to this email for your interest.

Our delegation, which was appropriately entitled "A Better Way", should be available to all council members from the March 15th CWC meeting. It includes some examples of internationally implemented street design alternatives, such as variants of "shared streets", that could be readily incorporated by the City of London to coherently achieve both pledge #1 AND pledge #2 simultaneously. I and many other residents in our neighbourhood have already demonstrated our willingness to work with the CWC to achieve these better outcomes for all.

We simply ask that our suggestions not be summarily dismissed by council members, as they were by the CWC on March 15th, and that we are afforded the opportunity to assist the city implement more progressive, consistent and effective strategies to enhance accessibility for all in our city AND mitigate climate change.

Yours respectfully

David B. O'Gorman M.Sc., Ph.D.
Associate Professor,
Department of Biochemistry,
University of Western Ontario

March 16, 2021

To: The Chair and Members of the City Council

Re: Friars Way and Doncaster Place Reconstruction/Abbey Rise Reconstruction

Request: Sidewalk exemption realizing the important benefits and value of London's mature tree canopy to meet more than one guideline set forth in the "London Plan".

To the Chair and Members.

I want to be respectful of your time and commitment in reviewing the documentation that hopefully has been forwarded to you from our Friars Way /Doncaster Place/Doncaster Rd/Scarlet Ave and Abbey Rise presentation to the CWC. This would include our full presentation along with letters from delegates and residents. I feel we were not awarded due diligence in this process.

Our presentation was fact-based and professionally presented to show CWC council there is "A BETTER WAY". Additional residents spoke, just wanting their voices heard in terms of their personal challenges and how they continue to feel safe on our current shared streets as they exist.

We are disputing the prescribed removal of up to (and perhaps more) than 71 trees in just the proposed sidewalk installation on Friars Way. Our presentation provided evidence on the value of finding a BETTER WAY rather than face the devastation to our canopy, loss of value of our mature trees not to mention the reversal of our contribution to Global Warming strategies.

In a perfect world, we would like to be barrier-free. Understanding, council must view guidelines set out in the London Plan, Complete Streets Manual, London Climate Action Plan and Tree Protection Plan at the same time are compelled to weigh out the safest and best approach to providing best practices and solutions. We may not be able to meet each objective 100%, but at the very least, we can put our best efforts forward with common sense approaches that provide a safe and practical environment for all while saving our trees.

Doug McCrae confirmed at the CWC council meeting the interpretation of AODA guidelines are vague to say the least.

I am confident that our presentation confirms we do not have existing barriers other than unmaintained sidewalks here on Wychwood and Lawson Roads. My 87-year-old mother who has been with me since last February due to Covid and walks with me daily. Neighbours often see her walking safely on the roadway, alone when I am working. During the winter months we continue to walk however for safety reasons, we are forced to walk on the road as sidewalks are not safe for anyone due to the ice, snow, and freezing water. I have attached photos of the sidewalks along with photos of pedestrians and vehicles safely sharing the roadway here on Friars Way, Doncaster and Wychwood. In my 23 years as a resident here on Friars Way, I walk daily and have always witnessed vehicle-pedestrian-mobility aided family, friends and neighbours moving without incident.

We are asking for sidewalk exemption. Kindly refer to a copy of my original letter forwarded to CWC that should be in the package.

Patti MacLennan- Resident on Friars

Photos as follows.

1. Doncaster Rd
2. Wychwood & Scarlett Sidewalk obstruction
3. Wychwood & Scarlett 2nd view
4. Metamora- Sharing the roadway
5. Lawson near Wychwood (across from tennis court- Sidewalk obstruction)
forced to walk on Lawson Road
6. 2nd view of # 5
7. Friars Way Sharing roadway
8. Wychwood-Pedestrians walking on the road as sidewalks unsafe for anyone
9. Wychwood near Friars Way- Sidewalk not safe
10. 2nd view of # 9
11. Doncaster Rd, pedestrian safely walking.























Subject: [EXTERNAL] Alternatives to sidewalks in Sherwood Forest

Dear Council Members:

I am writing to express my deep disappointment and anger by the decision by the Civic Works Committee regarding sidewalks for Sherwood Forest. The delegates representing our neighbourhood did an exceptional job of describing the flow of people and traffic in our neighbourhood, as well as requesting that the committee and the city look for alternatives that would address safety and accessibility in our mature treed neighbourhood. Their key points were as follows:

1. The plan of no sidewalks has the ability to combine the best of ALL factors as much as possible and do the best job we can to meet the City's objectives:
 - accessibility, safety, mitigating climate change/environmental benefits, mental health of Londoners, unique aspects of each neighbourhood, maintaining our brand of the "Forest City".
2. Our neighbourhood is inclusive:
 - Looking for a better way to do the best for as many Londoners as possible OR
 - Looking for a better way to create the most good for the most amount of Londoners
3. Asking for better ways to protect and improve the safety and accessibility of residents, and the protection of the city's mature trees, rather than installing sidewalks.

I was particularly insulted by a CWC committee member's comment that we aren't doing this for the people who live there today, we are doing it for people who will live in the neighbourhood in the future. In other words, I don't care about you, only future residents of your neighbourhood. What future people is he talking about? We provided a whole number of submissions by people who live in our neighbourhood today, who have mobility issues, and they expressed many reasons why they opposed sidewalks. Are our elected members not listening at all?

My wife, children and I have lived in the neighbourhood, at the corner of Wychwood and Scarlett, for the past 19 years. On a side note, this will represent the 5th time over those 19 years that the city has either ripped up and replaced our road or dug up portions of our lawn for construction. What's next?

I have attached a picture of the two trees that are slated to be cut down on Scarlett Ave., to construct a sidewalk that no one now or in the future wants.

The sad part is, eventually there will be so many angry residents across the city opposed to removing historic trees for sidewalks that the city will end the requirement due to the backlash. Unfortunately, it will be too late for Sherwood Forest who will have already lost 60 plus mature trees, and won't get them back for another 50 years. Maybe you can stop that from happening?

Sincerely

Timothy B. Potter



Submission to Council regarding Sidewalk Exemptions

Council Authority to Grant Exemptions

Thank you, in advance, for your consideration of the below. Your time is very appreciated by all London residents who are deeply concerned about the considerable loss of mature trees we are about to incur in neighbourhoods throughout the Forest City.

I participated in the recent CWC meeting as a delegate and observed the entire meeting. It was made evident by Councillors Helmer, Turner and Cassidy that they are against all exemptions in any circumstances going forward. Infact, Councillors Turner and Cassidy expressed regret regarding exemptions they had previously supported in their own neighbourhoods.

I wanted to write on behalf of the masses of Londoners who are devastated by their “no exemptions ever” position, to provide Council with feedback as to why I think it is imperative that sidewalk exemptions at least be considered, and not dismissed in a “one size fits all” manner.

I also wish to thank Councillors Van Meerbergen and Pelozza for their willingness to at least consider, and in some cases recommend, exemptions. Unfortunately, they are outnumbered on this Committee and the others have stated their unwavering position now is to deny every exemption request.

I think it is important that Council know not to expect this Committee to supply individualized street recommendations going forward, given the philosophy of the three. To be fair, they are not disguising the fact that they take this hard line stance, but it does make the job of Council more difficult because these exemptions will not at Committee level be evaluated or balanced against any consistent criteria, when every answer is “No Exemption Ever” going forward.

The reasons which applied in the past to exempt streets are suddenly no longer to be applied. This inconsistency seems largely due to the fact that they do not want other streets to ask for similar treatment. With respect, I think that is rewriting the legislation which authorizes the exemption option, and I think Londoners deserve to have the individual requests considered rather than being automatically dismissed.

Delegates and those submitting comments to the March 15th CWC meeting were thoroughly prepared, respectful and compelling. Petitions representing over 500 people regarding Sherwood Forest alone had been filed (and more from the other subject streets as well). It is disheartening to say the least that none of this was relevant to the philosophy of Councillors Helmer, Turner and Cassidy. I would implore Council to review the submissions made to CWC in full. One of Sherwood

Forest Submissions (representing a large constituency of the neighborhood in number) was from Ron Standish, a retired London City Engineer. It is a comprehensive, thoughtful, credentialed, review supporting the exemption requests in Sherwood Forest. It is a balanced appeal.

Concerning to all those requesting current exemptions, is the fact that even tiny dead-end streets which the staff report to CWC states: "would NOT normally be considered for a sidewalk" are now also faced with the CWC blanket no exemption rule. It has the effect of pre-determining every motion on the matter brought before CWC. The staff report to CWC did not even list the associated tree loss numbers - which would be significant - for those streets as they did not contemplate sidewalks on these tiny courts. The exact wording from the staff report to CWC reads: "Doncaster Place, Culver Place and East Afton Place are short neighbourhood streets that have no existing sidewalks and are dead end court-style streets that have no connecting links to other destinations. These types of locations are normally not considered for a new sidewalk."

Please give the CWC automatic denial of exemptions the appropriate weight. Please consider the arguments of Councillor Van Meerbergen and the applicable Ward Councillors for the involved streets. They have specific knowledge of these streets, and information on each of these requests which Council should have in order to reach a considered opinion in balancing the objectives of all London residents.

With respect, I think Council can, and should, choose to exempt streets from sidewalks when they feel the facts warrant such an exemption. You have every legal right and responsibility to determine such cases individually.

As someone who acted as legal counsel to London Transit and to the London Convention Center on matters over many years prior to my retirement, I have no hesitation in stating Council has the legal right to make these assessments and to grant exemptions, as you have in the past. I would, however, also submit that you should be consistent in the criteria you will consider. A new blanket denial policy is not supported by existing legislation, the London Plan, or the historical treatment of these matters.

The recent delegations respectfully presented thorough and compelling information to CWC for each street under consideration. I don't know whether all members chose to read the extremely fulsome materials, but the 5 minutes given to present is of course just an opportunity to scratch the surface. I would implore Council to read the materials presented as they were compiled by people with intimate knowledge of the streets, and applicable credentials, to offer this resource to Council. The cases were supported by the submissions of hours and hours worth of heartfelt residential testimonials and petitions from hundreds and hundreds of concerned local residents.

For those who query whether Council can grant an exemption in any circumstance, I would point to the following:

1. The London Plan sidewalk provision (349) itself begins: “To support walkability..” The whole intent of adding new sidewalks is premised on the notion that a street is currently not safely walkable in its present state. The volume of submissions to CWC provided ample evidence that they were quiet, often dead-end, low traffic, non-thoroughfares, wide, curvy, pedestrian friendly, accessible and safe streets where users of every sort respectfully co-existed. I highly commend the full review of the written submissions to you as you will find them compelling in number and substance.

2. The London Plan makes clear that tree preservation is also an essential goal in the plans for London’s future. Key Direction #4 strives to have London become “one of the Greenest Cities in Canada ... by strengthening our urban forests, planting more, protecting more, and better maintaining the trees and woodlands”. Many more sections of the London Plan are dedicated, in a meaningful way, to the protection and development of our mature trees. Read as a whole, the London Plan contains far more aspirational intentions to preserve the Forest City by protecting mature trees, than are dedicated to forcing sidewalks.

3. And, the sidewalk provision itself permits Council the flexibility to determine whether a sidewalk is warranted at all, pointing to considerations such as flanking natural heritage areas (as with several streets before you), and specifically referencing that you consider in the event of road reconstruction “where the existing conditions such as mature trees would impede sidewalks”. The London Plan permits you to consider the impact on the mature trees in neighbourhoods which have never had sidewalks. The London Plan contemplates a balancing of interests. It is not supportive of a “one size fits all” default sidewalk position at all cost.

4. Several of the streets before you flank the Medway Valley ESA. They are shaped around the contours and elevations of this heritage landmark, and naturally quiet all traffic by their meandering formation. Drivers in the area know to expect pedestrians, strollers, bikers, mobility assisted travellers, those with visual and other impairments, and ALL have co-existed without any known incidents for 50 plus years. The streets are very “walkable”, which is the criterion the London Plan seeks to support.

5. The Sherwood Forest streets, and others before you, have extensive boulevard tree canopies. The count presented at the CWC meeting for one street alone (Friar’s Way) was 51 trees to be sacrificed in the building of an unnecessary sidewalk. The number of trees to be damaged/destroyed increased by the final count taken for the meeting. Every single boulevard tree on one side of the street

will be lost. And these are not young trees - they are healthy, and some rare species, 50 plus year old, trees.

6. The Treescapes to be lost are exactly the mature canopies that the Urban Forest Strategy seeks to protect. It states: "large, rare, culturally significant or heritage trees that are deemed healthy should be retained and supported". Sherwood Forest is literally noted as an example of the ideal urban forest mature tree canopy that London is seeking to support and develop. The Urban Forest Strategy adopted a goal of 34% tree canopy. You are far, far, short of that now, and you are going backwards quickly if you endorse the wholesale destruction of the mature boulevard trees in the neighbourhoods before you, and other old neighbourhoods yet to come.

7. These streets are what LEDC boasts in its promotional materials as the classic "tree-lined streets that London offers to newcomers". But, if you continue with the wholesale destruction of the mature tree canopies of London that follow from giving no priority to mature boulevard treescapes, you cannot continue to make such claims.

8. The submissions to CWC also addressed the ecological downsides to sidewalks being introduced so close to the Medway Creek and other water systems, and the potential for contamination from the seasonal maintenance materials. And, in contrast, they also spoke to the benefits of retaining these treescapes regarding climate change mitigation for all of London.

9. London has been called the "Forest City" since 1855. We cherish this brand and we have many City Policies and initiatives aimed at earning and retaining it. We have to reconcile our goal of being a City that cherishes this reputation with the destruction of entire streetscapes. We are now receiving provincial press and media attention as the City willing to bulldoze the Sherwood Forest and other densely treed boulevards. Global news had a segment on March 15 following CWC's majority vote to deny all requests for exemptions (potentially killing around 100 trees on these 8 streets alone) and it did not place London in a favourable light for all the Province to see. Please have a look at the stunning pictures supplied to the CWC with the extensive submissions - and imagine the "after shots" that will be featuring London's complete destruction of these magnificent tree-lined boulevards. You are literally talking about wiping out the entire one side of Friar's Way - 51 mature, rare, trees on a short, meandering, low traffic, pedestrian friendly streetscape. How can we claim to be the Forest City if we are prepared to wipe out so many of our precious tree canopies every time we do a road repair ?

10. It takes 50 years to develop such trees. You cannot replace them with samplings. One source in the CWC materials placed the monetary loss to the City at a million dollars just for the 51 Friars Way trees. So, please don't assume that the

neighbourhood can recover from these tree losses within this generation. And this is the scene that will play out across all older neighbourhoods if you don't give some priority to "existing conditions such as mature trees" as the London Plan itself permits you to do.

11. Reforest London initiatives demonstrate London's sincere interest in maintaining "the Forest City" and the commitment to desired environmental and climate change protections for the benefit of all Londoners. Sherwood Forest literally just benefitted from new boulevard plantings to augment our existing old trees, which will now be destroyed by unwanted and unwarranted sidewalks. How is it even possible that the City Policy to replant in this area so recently is now to be undone by the leveling of the boulevards? It demonstrates that there are competing interests that must be considered by Council.

12. I understand you seek to balance the retention of London's heritage trees with providing safe access to all. Likewise, the AODA seeks to "remove barriers to accessibility". But, as the considerable number of submissions demonstrate, there is no existing barrier to accessibility to be removed, so it is fair to ask whether the catastrophic loss of mature trees to the neighbourhood, and the City of London as a whole, is justified to solve a hypothetical problem that just doesn't exist in reality.

13. You have viable alternatives to killing the trees. They include:

- (i) exempting sidewalks where they are not, on balance, warranted;
- (ii) posting signage such as found now in Corley Dr. noting for drivers that there are "No Sidewalks - Watch for Pedestrians" (if one was concerned for sight impaired walkers on these wide roads to give drivers an added alert);
- (iii) traffic slowing measures (although the current streets under consideration already by their nature slow traffic as being local only, winding, non thoroughfares);
- (iv) restricting parking to one side of street to leave ample room for travellers of all sorts on the road edges (the Sherwood Forest roads are now wider than the average street and so supply extra space for walkers on each side of the road presently);
- (v) leaving the footprint of the roads as is, and managing the reconstruction using best practices and hand cutting to save the trees, and
- (vi) other creative suggestions on offer from fanshawe students or living street models which are beyond my personal skill set but I'm sure could be explored by City designers with public input.

14. The London Plan states the City's intention to be collaborative in its approach to planning and working with neighbourhoods. Yet no notice was ever given to Doncaster Avenue residents and many neighbours have said that they only learned of the sidewalk initiative through news broadcasts. This is not the way to find thoughtful, collaborative, solutions.

15. It can't surprise you that these forced sidewalks are enormously unpopular with the longtime residents who bought their homes in neighbourhoods that did not have sidewalks. It was a choice they deliberately made for the overall community feel that they derive from this type of development. Policies that so negatively impact existing owners would typically "grandfather" older areas that were never designed for sidewalks. Short of that typical grandfathering treatment, the exemption request procedure attempts to recognize that a balance must be struck, and Council should not shy away from granting exemptions simply on the basis that another street might also request one in the future. So be it. Exemptions have their place in the balance of good community management. Council has the authority, and should exercise it consistently and whenever the overarching goals of the "Forest City" as a whole require. To develop a one size fits all approach is an abdication of duty.

Doncaster Place, Doncaster Avenue and Friars Way

With all that said, let me touch for a minute on the specifics of the Sherwood Forest neighbourhood. It was physically formed around the Medway Valley, following the contours and elevations of the ESA and the adjoining ravine. The streets were designed to meander and flow around this natural heritage landmark, which we abut. They are not direct thoroughfares, or high traffic vehicle routes. They are not streets you would take unless you were visiting the neighbourhood. There are other roads in the area, with existing sidewalks, that provide straight, direct and faster connections for vehicle transit.

Friars Way and the Doncaster streets were never imagined with sidewalks. No one bought their homes on these streets with any expectation of sidewalks. As such, extensive boulevard trees were planted some 50 years ago and our neighbourhood is the picture of what LEDC describes as the "mature tree-lined boulevards London offers to newcomers".

We have a long history on Doncaster and Friar's Way of safely sharing the road - drivers know to expect pedestrians, bikes, strollers and mobility assisted devices or even sight impaired walkers. The streets are wide enough to accommodate all users safely. All types of residents were represented among the over 500 petitioners from Sherwood who have collectively submitted petitions asking you to exempt these streets.

One such petitioner, Clare, is a fixture in Sherwood. She is in her 80's and has lived on Friar's Way for decades. With her walker, she safely navigates a route around Sherwood almost daily. We also heard from Mr. Harris who at 90 pushes his 59 year old son in a wheelchair around Sherwood and noted that sidewalks were more difficult for him to navigate, particularly in winter conditions. These are real people and they are among the hundreds who demonstrate that there is certainly no existing barrier to accessibility.

These streets are inclusive and safe as is. In the over 30 years that I have lived in Sherwood, I have never heard of anyone who has encountered any safety concerns on these streets, and with the recent closure of our Sherwood Forest Public School we have arguably even less need of sidewalks now. The neighbourhood meets London's Vision Zero Principals.

Regarding the 3 streets that immediately surround my home, you will note that Doncaster Place is a NO EXIT, circle of 11 houses, mature tree lined boulevards and a hilly terrain. The Report to CWC did not even list the potential tree losses - which would be massive - because the report itself notes that: "this is not the type of street where sidewalks are typically added." Now they are proposing a sidewalk in front of 3 of the 11 homes. So, if a visually impaired user was to walk on the sidewalk he or she would have to cross the other 8 houses and enter the roadway twice to utilize the sidewalk for the space of 3 homes. It would be unnecessary, unwarranted, and indeed unexpected to add a sidewalk on this tiny, dead end, street. And the small street would lose many mature boulevard trees.

Next, Doncaster Avenue - this sidewalk is only being considered as a connector from Doncaster Place to Friars Way, and would only apply IF the Doncaster Place sidewalk is added. It is equally unwarranted, and you are again not given the tree loss information. Also, if Council is asked in the future to continue such a sidewalk along the balance of Doncaster Ave, you will have a significant safety challenge. Doncaster Avenue follows the Medway Valley cliff elevation and creates a road so steep at the approach to Wychwood that cars often cannot use it in the winter until the plow and sander have arrived. A sidewalk on this winding, steep, road would become a treacherous bobsled run in the winter. There is just no way the City could safely and consistently maintain it. And many of the boulevards along Doncaster Ave. are very pitched, so you are likely looking at retaining walls and considerably more property damage and expense just to put in a dangerous sidewalk that will only pose a future liability risk for the City. An accident on such a sidewalk is not only foreseeable, but highly probable.

Finally, as to Friar's Way in the Sherwood Forest - As the name suggests, it is a curvy, tree lined, forest of a street. It is short, and the loss of well over 30 - 50% of the mature trees along it would render it unrecognizable. That is over one per boulevard, and these are not saplings - they are healthy, and many rare, 50 plus yr. old, trees. Levelling one side of the tree canopy on this street will literally gut the residents, and look ridiculously one sided. You are talking about the destruction of virtually every boulevard on one side of the street. How in the world can we consider ourselves to be tree-friendly in London and be willing to devastate a neighbourhood so ? And that frankly stands for each of the streets now before you.

The City policies aimed at protecting our environment and our tree canopies have to be considered in the balance. You will be struck by the beautiful pictures of all the streets submitted for the CWC meeting - what a tribute to the Forest City. You will also see a moving submission from a lady who wrote a cautionary note of the painful destruction her neighbourhood suffered on Regal Dr., and how you can't possibly replace 50 year old trees with saplings. She was compelled to write in the hope that another catastrophe could be avoided in these neighbourhoods now seeking exemption.

I submit the Committee should start on the basis of: Is the sidewalk truly (not hypothetically) needed at the expense of all these trees, to support "walkability" as referenced in the London Plan - in our case the answer is clearly NO.

Is it needed to remove a barrier to accessibility ? Again submissions from residents such as 90 year old Mr. Harris pushing his son's wheelchair, or 80 year old Clare out with her walker every day, and too many more to list, tells you No.

Will these sidewalks serve the intention of the Urban Forest Strategy and the London Plan to preserve and protect its mature tree canopies for the good of all London residents - No

Do the existing mature Trees contribute to the social, mental, physical, ecological health of all London residents - Yes

Do many of the trees slated now for destruction meet the "distinctive tree status" warranting protection for these decades old rare specimens - Yes

In Closing

Council would never permit the wholesale destruction of the historically significant buildings of Woodfield, or allow the construction of an industrial complex in the middle of the Wortley Village - We are simply asking the same protection for the Sherwood Forest - Please do not let your legacy be the massive destruction of the mature treescape that defines Sherwood.

You have the authority to exempt these streets, as you did for our neighbour Runnymede. There is no law that is broken and no legal penalty attached to allowing the Sherwood Forest neighbourhood to keep its coveted trees. Infact, I would argue that you need to exempt these streets - and others like them - or you doom the Forest City to the unintended fate of the wholesale destruction of its valued tree canopies, vital to our collective future.

The overall well being of the neighbourhoods before you are not served by the proposed destruction of their boulevards. You cannot reasonably replace 50 year

old rare trees with saplings. Friars Way will be unrecognizable, as with many of the streets before you today. It is unnecessary and harmful. Exemptions exist for a very good reason. There is a balance to be struck for the good of all Londoners.

In closing, we have all struggled this last year with the pandemic. Our neighbourhoods have been our salvation. Walking these streets with neighbours has been our antidote. It really, really, matters to the mental health of London residents that we not lose our trees so drastically. You will see a significant Youth Petition filed to "Save Sherwood Forest Trees" - it's important that we listen. We are the Forest City - Until we are Not. And that is now up to you. As Joanie Mitchell would say - let's not pave paradise !

Thank you for your time and your thoughtful deliberation in this matter.

Respectfully Submitted,

M. Mannering, LLB. LLM.
Adjunct Professor of Law, UWO

Subject: [EXTERNAL] Sherwood Forest sidewalks

As a homeowner who has raised four children in our neighbourhood I am very disappointed with the civic works committee's decision to go ahead with sidewalks in our neighbourhood. The street is an excellent walking street as demonstrated by the number of people who let their children play on the street. We allow our grandchildren to walk safely on these streets. Our parents walked these streets until well into their nineties, with no concern for their safety.

We have known many people over the years who are not very mobile to use our street regularly as it is very safe. If there is an issue, then I do not believe sidewalks will solve these issues.

Finally we should also consider the environment as it is one of the most important issues for most people on the planet now. For each kilometre of sidewalk installed about 44,000 lbs of co2 are released into the atmosphere. For each mature tree cut down we lose the 22 kg of co2 they remove each year. If we follow the people who don't believe in climate change and they are wrong, we will have a real problem.

Along with the environmental impact there is also the issue of the pleasure derived from having mature trees in the neighbourhood. It is good for our mental health. Many of the trees on Friar's Way are linden trees. These are excellent street trees and the fragrance that comes from them in summer is delightful. We have many happy memories of walking these streets and enjoying the fragrance and the majesty of our trees.

We hope the unique nature of our neighbourhood, without sidewalks and with mature trees, is conserved.

Randall and Mary McDonald
44 Doncaster Avenue,
London

Subject: [EXTERNAL] Opposition to Sherwood Forest sidewalks

I wanted to take a few moments to voice my displeasure and concern over the recent decision by the Civic Works Committee to oppose the proposal of the Sherwood Forest neighbourhood with regards to the planned sidewalk installation and the removal of so many mature trees in the neighbourhood. As you are aware, the majority of the residents of Sherwood Forest are opposed to the planned removal of mature trees and installation of sidewalks on Friars Way and Doncaster Place.

Having lived in this neighbourhood for 20 years I am very familiar with the amount of traffic in this neighbourhood and I can tell you from experience that there is very little. I walk my dogs every day and every evening for approximately 20-30 minutes and on average I would see maybe 5 vehicles during that time. To install sidewalks, at a great expense, for the 'safety' of pedestrians is absolute nonsense. There is not enough vehicular traffic to warrant the installation of sidewalks.

London prides itself on calling it the 'Forest City', yet it is planning to destroy so many healthy mature trees for a project that does not make sense and one that the residents of the neighbourhood do not want. We recently lost many mature trees to the emerald ash borer, and while new trees were planted to replace those that were removed, it will take years for those trees to mature to what they are supposed to replace.

To say that the sidewalks that are planning on being installed for those with disabilities is a farce. While walking this winter on the few streets in this neighbourhood that do have sidewalks (Wychwood Park, Annandale Dr, Lawson Rd), I can tell you that those sidewalks were in such a state of poor maintenance that I found myself walking on the roadway as it was much safer to do so, rather than risking a fall on the icy sidewalks.

We live in a democratic society, where the government is supposed to be a government of the people and a rule of the majority. Please listen to the majority of the residents in this neighbourhood who are opposed to the removal of so many mature trees and the installation of sidewalks that are not needed and not wanted.

Regards,

Steve and Kristen VanBerkel

Subject: [EXTERNAL] Doncaster Place and Avenue, Friars Way Road Reconstruction

Good morning, I am a property owner at 60 Doncaster Place and I have been advised that Doncaster Place and Friars Way are to experience road reconstruction which will include the installation of sidewalks on these streets in addition to a sidewalk connecting both streets on Doncaster Avenue.

I wrote the civic works committee in time for its February agenda and meeting. In addition I have happily signed a street and neighbourhood petition opposing the installation of sidewalks on any of the three streets mentioned above.

I am most disappointed that the civic works committee at its special meeting on March 15, 2021 has voted down a special exemption requested for new sidewalks not to be installed as part of road reconstruction on these streets.

This is a mature growth area built in the 1960's with beautiful mature trees that is good for the air quality and environment, provides shade for homeowners and walkers and also provides habitat for birds and animals. We have never had any problem with pedestrians and vehicles sharing the roads in Sherwood Forest and we all enjoy the natural beauty of the area including mature growth that prompted most of us to purchase in this area. It backs onto the Medway Valley that promotes people, wildlife, birds and nature to live in harmony together.

Council last year saw the wisdom in exempting Runnymede Crescent from sidewalks being installed with new road reconstruction and I am asking for the same exemption for our streets this year. I do not want to see mature trees cut down in an area that has very little vehicular traffic other than owners, guests and delivery vehicles. The roads in this area do not connect as a thoroughfare for vehicles to short cut to another area.

Hundreds of neighbours had signed a petition to oppose new sidewalk construction in this area and I respectfully request that you consider an exemption for the proposed streets in Sherwood Forest and not install them as part of the road work to take place.

I understand the London Plan was formulated to include the installation of sidewalks in all areas of the city as major roadwork projects are undertaken. I suggest that it may seem like a good idea when the plan was formulated but as Council gets requests for exemptions and particularly in a subdivision like ours with mature growth and minimal vehicular traffic, perhaps the plan should be revisited and possible changes made to it so that every year you are not faced with the same barrage of letters, meetings and time when an area such as ours does not need nor want sidewalks and the removal of so many beautiful mature trees.

I ask Council to respectfully exempt Sherwood Forest from installing sidewalks and removing trees for the purpose of sidewalk installation.

Many thanks for your time.

Bruce Woodley
owner of 60 Doncaster Place
London, Ontario
N6G 2A5

Subject: [EXTERNAL] Sidewalk on Doncaster Place - Council Meeting on March 23, 2021

Mr Mayor and Members of Council:

I am writing to respectfully urge you to not accept the recommendation of the Civic Works Committee to require that sidewalks be constructed throughout the Sherwood Forest area and specifically on Doncaster Place.

Others more eloquent than I am will put forward the numerous objections with respect to the wholesale destruction of trees that will be required if the construction of the new sidewalks is permitted through the area. I will simply address another matter.

Doncaster Place is a small cul-de-sac with only 11 single family houses on it that runs in a more or less easterly direction from Doncaster Avenue near where that street ends at Friar's Way. The houses were all constructed between 50 and 55 years ago.

My family have lived in the same house on Doncaster Place since the house was completed early in 1969. There are 3 trees in front of our house that will be destroyed if the the proposed sidewalk is constructed on the north side of Doncaster Place.

The short cul-de-sac receives little traffic, either from vehicles or pedestrians. There is so little traffic that there is neither a stop sign or even a yield sign at the end of Doncaster Place where it joins the much busier street of Doncaster Avenue.

If the proposed sidewalk is constructed, it will be an orphan sidewalk constructed from nowhere to nowhere and will run up a fairly steep hill.

It will not connect with any sidewalk on Doncaster Avenue and will come to a halt part way up a hill after being built in front of only three houses.

If it is built, I suggest that it will be a possible safety hazard for any pedestrian using it because it does not connect with any other sidewalk whatsoever.

While it is proposed to construct a new sidewalk on the east side of Doncaster Avenue for the fairly short distance between Friar's Way and the south corner of Doncaster Place, it is important to note that this will not connect with the proposed sidewalk on the north side of Doncaster Place and users of the proposed sidewalk will have to navigate the width of the street.

If the proposed sidewalk on the north side of Doncaster Place is not built, it will not be necessary to construct the short stretch of sidewalk on the East side of Doncaster Avenue from Friar's Way.

Because it is a short dead-end street, Doncaster Place is not at the top of the City's list for winter snow removal. Since it will not be connected to any other sidewalk and will only pass in front of three houses, snow and ice removal from the proposed sidewalk on the north side of Doncaster Place will be difficult and will not likely be a high priority for City crews, thus likely increasing the potential legal liability for the City of London for slips and falls on the sidewalk.

As I understand it, the Official Plan provision that calls for sidewalks to be constructed when a street is rebuilt, contains an express provision that this need not be done if the street in question is a cul-de-sac, such as Doncaster Place.

Official Plans are not Holy Writ. I submit that they should be applied with due caution and with specific reference to the actual situation under consideration.

As is abundantly clear from the other material that you have received, the residents of Doncaster Place do not want the proposed sidewalk and are of the opinion that it is not necessary due to low vehicle and pedestrian traffic. I submit that it is unrealistic to think

that residents of other streets will use it because of its short length on a hill in front of only 3 houses and because It does not connect with any other sidewalk.

I respectfully request you not to accept the views of the Civic Works Committee on this matter and urge you to grant an exemption from the construction of a sidewalk on the north side of Doncaster Place.

Yours very truly,

Stephen N Adams QC
52 Doncaster Place
London N6G 2A5

Subject: [EXTERNAL] No to sidewalks

Hello,

I am writing to express sincere disappointment in the Civic Works Committee decision, and I would like to ask the Council to overturn the CWC decision to not to exempt our streets from sidewalks. I kindly ask you to support Sherwood Forest's request for an exemption of sidewalks and protection of our mature trees in the planned road reconstruction, because there are other alternatives that will address safety and accessibility in our mature treed neighbourhoods.

My nephew is in a wheelchair and would like very much to be on the road and enjoy the birds, trees and the lack of climate change, with an opportunity to stop under the trees to enjoy the shade versus being on a sidewalk with none of the above. Please please please be inclusive of everyone.

I would like to add that the plan of no sidewalks has the ability to combine the best of ALL factors as much as possible and do the best job we can to meet the City's objectives: of accessibility, safety, mitigating climate change/environmental benefits, mental health of Londoner, unique aspects of each neighbourhood, maintaining our brand of the Forest City. our neighbourhood is inclusive and we are always looking for a better way to create the most good for the most amount of Londoners.

Thank you for your kind consideration.

Dr. Janet Madill

Dr. Janet Madill RD FDC
Associate Professor
Research Chair, Nutrition and Transplantation
CNTRP Researcher
Clinical Coordinator
School of Food and Nutritional Sciences
Brescia University College

Good Day

My Name is Shawn Connolly.

I live in the Orchard Park /Sherwood Forest Neighbourhoods.

I'm proud to say I'm the stepfather to Noah Romer, a 21-year-old lad who is in a wheelchair.

Noah is a very outgoing/social individual who enjoys long walks and talking to everyone he meets.

I'm opposed to sidewalks because from my experience they reduce Noah's accessibility. And they are a potential safety hazard for Noah and others.

In the winter the sidewalks are not maintained for a wheelchair. If the plow has been out, the amount of sand used provides little to no traction for his wheels. Also, there is risk of a slip or fall from the family member or caregiver accompanying Noah. Therefore, the roadway is the safest option.

When the nice weather finally comes, we are on constant lookout for hazards that will cause damage to Noah's chair.

The transition from the road to the sidewalk, cracks, uneven pads, water valves and interlocking bricks etc. etc. have many times damaged the chair.

The adjustment bolts for his castors break, causing us to do a nosedive towards that broken wheel.

We have been very lucky that Noah hasn't been injured yet.

Noah is in his chair all day. It is his primary means of getting around.

It takes a few days to get a serviceperson out to repair a broken wheel.

This means Noah must sit at home. He has no choice.

He can't even go out in his accessible van because we can't balance the chair on three wheels.

Again, the road is the safer choice to sidewalks. In all weather conditions.

Consider the fact that the roads are better maintained all year around than sidewalks. The roads have a smoother surface for wheels. It is mostly local traffic on the roads in a quiet residential area.

We have never experienced any issues or problems using the roadways.

I feel strongly that it's just a matter of time before someone is seriously hurt from a trip or fall on the sidewalk. Just because we have no sidewalks doesn't mean the neighbourhood is not accessible to all.

In our neighbourhood, the opposite is true. The quiet roads without sidewalks are more accessible.

We must make all neighbourhoods inclusive. We want to promote mobility and independence.

But that does not mean the answer to this challenge is inputting sidewalks in every neighbourhood.

What I would like to see instead is the speed limit dropped down to 40 kms/hr and yield signs replaced with stop signs throughout the whole neighbourhood.

If you have any questions, please feel free to contact me via email or cell.

Thank you for your time.

Subject: [EXTERNAL] Re: Sidewalks in Sherwood Forest - in particular Doncaster Place

Dear Council Members,

I am writing to let you know that I am very disappointed with the decision by the CWC at the meeting on March 15th to go ahead with plans to put sidewalks in the quiet suburban area of Sherwood Forest.

It appears that no consideration was given to individual areas, in particular Doncaster Place which is a low use pedestrian area.

As the CWC report states, dead end court-style streets, streets such as Doncaster Place, that have no connecting links to other destinations are not normally considered for a new sidewalk.

It would appear that this fact was not taken into consideration.

Much has been pointed out by delegates in their thoughtful presentations at the March 15th meeting and by letters from Sherwood Forest residents to CWC members about the loss of mature trees etc.

Doncaster Place is on a hill - therefore it is highly unlikely that persons with mobility issues would attempt to either ascend or descend it - even less likely to do so in winter. Although some sidewalks might be cleared of snow by a Bobcat plow they are still left - depending on temperature -either icy or slushy.

Therefore, for safety's sake pedestrians will always walk more safely on the road in a subdivision such as Sherwood Forest - even in better weather as unmaintained sidewalk surfaces are often buckled or uneven, as can be found of some areas in the Wychwood Park sidewalks, causing likelihood of tripping.

I truly hope that Council Members will take into consideration the sentiments and wishes of the residents of Doncaster Place and vote against the plan to install a sidewalk in this quiet cul-de-sac.

Yours sincerely,

Lorna Brooke

March 16, 2021

Dear Mayor Holder and Council,

I am seeking your support in an exemption to the policy on installing sidewalks with concurrent road repairs as presented in the February 9, 2021 report to the Civic Works Committee. Although I was only one delegation representing Friars Way in the Sherwood Forest neighbourhood, I was heartened to hear from many other concerned citizens throughout the city asking for the same exemption for their streets in order to save the mature trees that are critical to our identity as the Forest City.

At the Civic Works Committee on March 15, I heard over 25 neighbourhood delegations speak eloquently about the overwhelming life-sustaining impact of the trees and the layout of the wide streets on their mental health, on their physical health, on their connections to their community and to the city broadly. We all shared the same sense of safety and security in our neighbourhood because the trees provide comfort in its shade; it gives us clean air to breathe; it is one way that we can live safely in the face of a climate emergency.

Among these delegations, I heard from a variety of people, vulnerable and courageous in their public disclosure of their disability statuses, the very people this sidewalk policy is supposed to support and protect, ask for an exemption because a sidewalk, in its traditional definition, actually hinders their ability to live freely and move safely in London.

Our streets are wide and old but they are safer than the sidewalks because they are flat and clear, allowing us obstacle-free mobility all year around.

CWC voted with fear. If we are fearful about a possible tragedy on the road, between a vulnerable citizen and a car, I would rather see changes that squarely puts the responsibility on the perpetrator: cars. There are a variety of actions that we could implement such as further reductions to speed limits and more signage to remind drivers of their responsibility to the citizens in our neighbourhoods than to clear cut 9 streets of their trees in order to install sidewalks. There are other alternative designs we could consider that protect both the trees and supports inclusive and accessible living for its citizens.

Currently, London has a deeply contradictory position on its trees. We embrace the identity of the Forest City. We have bylaws protecting trees on private property. We have financial aid programs to support its citizens in the fight against gypsy moths but the CWC endorsement of the current plan will result in the removal a minimum of 73 mature trees despite the protest of almost 30 delegations and accompanying petitions. The City of Kitchener has an extensive Urban Forestry program focused on sustainability, published publicly. I do not see the equivalent for our city. I would love to see the same kind of integrated and coordinated approach of our civic resources working towards creating an accessible and sustainable Forest City. The proposal at the moment does not reflect these values.

Please help find a better way on March 23 by voting in favour of the exemption for Friars Way and the other 8 streets affected by 2021 Renew London Construction Plan.

CWC did not hear us on March 15. I hope you and esteemed councillors on Council will hear us now.

Thank you for your time.

Sincerely,
Lilianne Dang

https://www.kitchener.ca/en/resourcesGeneral/Documents/INS_OPS_Urban_Forestry_Developing_a_sustainable_urban_forest_program.pdf

March 17, 2021

Dear Councillor Lehman,

CWCs Definition of Accessibility?

As you know, I represent **10 Londoners with disabilities** living in the small community of Old Hazelden where St Anthony is slated for a sidewalk. We **unanimously oppose this sidewalk**. For people using a mobility device, or anyone else with locomotion challenges, the uneven, pitched (drainage), and often icy surface of a sidewalk does not improve accessibility. Sidewalks in our already liveable neighborhood would create exclusion and segregation, not inclusion and community. This is not the intention of the AODA, and **we reject the CWCs notion that sidewalks unilaterally equal accessibility**. I have detailed our thoughts and comments in my presentation to the Civic Works Committee meeting of March 15.

Disabilities are varied. As a person living with a brain injury, I am aware of the often invisible nature of this disability which can leave people marginalized, and chronically under supported. The reality is that 50% of homeless people have brain injuries, and many others are reliant on social supports. Housing and food insecurity are commonplace. I have known many people through my Brain Injury support groups that would find the idea of installing \$500,000 worth of unwanted sidewalks in very low density neighbourhoods, with little traffic flow and nonexistent safety complaints, simply ludicrous. We should consider how we manage resources effectively to serve the needs of all Londoners.

St Anthony is already a liveable street. This sidewalk project, which is not warranted and reduces accessibility for many residents, also comes at the expense of other worthy initiatives for people with disabilities. This lose-lose situation is directly attributable to the CWCs refusal to entertain alternative perspectives. My hope is that council will acknowledge the need to keep an open mind when assessing what actually constitutes accessibility.

Yours sincerely,

Susan Skelton

CityHall letter

London City Council
300 Dufferin Avenue
London

16 March, 2021

RE: Another Way for Friars Way

Dear City Councillors

We are writing to request Council to support the vast majority of our neighbours on Friars Way and nearby streets, who are seeking to preserve the 30 or more full sized Linden trees that may be destroyed to accommodate the street reconstruction planned for 2021. The planned design of the reconstruction includes the installation of sidewalks, — sidewalks that were never planned for this street when the subdivision was built approximately 60 years ago. We understand the rationale for sidewalk installation is to promote added safety and accessibility for the street. It is our contention that our street is already safe and accessible for pedestrians of a wide range of mobility — including children learning with trikes and a mom nearby, strollers, dogs on leads, pedestrians with assist devices like canes or wheeled 'walkers', joggers, hikers, cyclists, and skate boarders. My wife and I have retired, and if the trees are cut down for the street renovation we personally will never see a recovery of the tree canopy — certainly not in our lifetime.

We have lived at #71 as the original owners, and have seen the motor vehicle and pedestrian use of the street change over the years — with the completion of the subdivision along our street, access to Wonderland Rd blocked for southbound exit with concrete curbs, and the use by young students diminished with the closure of Sherwood Forest junior school (K - 6). We are well aware of the usefulness of sidewalks, as there are several nearby streets e.g. Annadale, Wychood Pk, and Lawson Rd, all of which might be considered as access roads for entering and leaving the neighbourhood, or near public schools.

Building sidewalks on Friars Way would alter pedestrian and motor vehicle use of the street, with a division of users – some confined to the roadway and others perhaps obligated to stay on the sidewalk. We know, too, that street alterations are being talked about and argued repeatedly throughout the city for those neighbourhoods designated for street rebuilding in the near future; and too, that other residential regions will be paying attention in anticipation that their own streets will follow in a few years. But the safety and accessibility issues are not a black and white issue, and we wish to draw attention to the following points.

1. We know our street is safe and serves a wide variety of users – with motor vehicle use for those who live here or are visiting, including service vehicles, and a broad range of other users of all abilities, from mobility challenged seniors with walkers, to dog walkers and fast moving cyclists. Attempts by our own neighbours to seek out accident or incident reports for safety issues across the city, or elsewhere in similar towns and cities across the province dealing with safety on

residential (not thoroughfare) streets came up empty. To our knowledge the incidence is so rare that studies have not been warranted.

2. Sidewalks are not always the pathway of choice for late fall and winter months. While the city is generally prompt with snow removal, there are circumstances that put the sidewalk as second best when slushy, pooled with water, sometimes with black ice, and irregular with up and down irregularities due to driveways and tree roots. Often in winter at the busy time of pedestrian “rush hour” near schools we see strollers being navigated along the road surface, along with other users like dog walkers and joggers – preferring the “groomed roadway” by motor traffic, instead of the nearby sidewalk.
3. The loss of 30 or more trees, specific to the rebuilding of Friars Way is a dreadful loss – with the remaining trees NOT shading the sidewalk side of the street. The environmental loss is substantial, including the oxygen producing effect due to tree ‘metabolism’, the shade benefit reducing air conditioning requirements in summer months, reduction of wind and soil erosion, and bird habitat. Sapling replacement would take decades to mature to the level of the current tree canopy.
4. The little leaf lindens represent an excellent choice by the city planners many decades ago. Lindens are long lived, have a shape that suits roadside planting, are reasonably low impact for blossom debris, and are relatively disease free. Their lifespan of around 100 or more years means that our current population of street trees on Friars Way are good as full mature trees for another 50 years.
5. In discussions with other concerned neighbours, we agree that the street redesign MIGHT be able to accommodate sidewalks, with street narrowing, and *still preserve the mature Lindens on our street*. This the theme of our neighbourhood submission has been *LOOKING FOR ANOTHER WAY*.
6. The topic of sidewalks has been hotly debated from door to door, and with city government representatives. We know that there are hundreds of signatures on petitions to ask the city to reconsider the street rebuilding issue. This is not only our own neighbourhood, but is, and will be playing out across the entire city of London for years to come. We urge Council to look at sidewalk exemptions as a respect for residential streets being widely varied from location to location, while still staying within the general policy of sidewalk installations.

Thank you for considering our request.

Sincerely

Peter and Catherine Canham
71 Friars Way

Subject: Submission for March 24th agenda-Sidewalks. Person with disability opposed to sidewalks.

Dear Members of Council:

I am writing as a person with disabilities *who actually lives in, and moves around,* Sherwood Forest/Orchard Park, one the affected neighbourhoods.

I am opposed to introducing more sidewalks to the neighbourhood because THEY REDUCE ACCESSIBILITY AND SAFETY. I am a person with significant mobility issues who requires two walking sticks or canes to walk.

Why am I claiming that sidewalks reduce safety and accessibility? Because the uneven surface of sidewalks have have caused me to trip and fall many times. And this is just when the weather is good and there is no snow on the ground.

In winter, the sidewalks are completely impassable. They are rarely cleared and even when they are, there is usually no salt or sand.

I love walking around our neighbourhood BECAUSE I CAN WALK SAFELY ON THE ROADS. The roads are better paved and smoother than sidewalks. There is little car traffic. And most importantly, there is a long history, and culture, of people of all ages and abilities claiming the space of the roads.

Last year, according to a search of Google's Community Crime Map for London, there were NO TRAFFIC INCIDENCES REPORTED IN SHERWOOD FOREST OR ORCHARD PARK? ZERO. (See link below).

The impetus behind sidewalks seems to be to make it safer for all citizens, especially those with disabilities, to move around neighbourhoods. To reduce the risk of harm or injury.

BUT WHEN THE RISK CURRENTLY STANDS AT ZERO, IT IS NOT POSSIBLE TO REDUCE IT FURTHER.

So how would putting in sidewalks make the community less accessible and safe? Couldn't I still walk the roads safely?

No. In my experience, on roads with sidewalks, drivers do not assume they must share the road with people. This makes the roads less safe for people who use them.

Members of the CWC who voted against exemptions for sidewalks have taken a very paternalistic attitude towards people with disabilities living in these communities. They seem to assume that they know better than we do about what makes our neighbourhood safe and accessible for us.

Some councillors, and the media, have framed the sidewalk debate as, well, ableist homeowners who want to keep trees on their front lawns vs. the safety, accessibility and inclusivity for all Londoners, especially persons with disabilities.

But they are wrong. If trees are cut down trees to put in sidewalks in these older neighbourhoods, both the environment and persons with disabilities will lose out. There will be no winners.

I am not a "never sidewalker". In downtown London, or the main arteries like Wonderland Road, for example, sidewalks are the lesser (safer) of two evils. Clearly, one-size-fits-all policies on sidewalks serves no ones interests. Neither does treating persons with disabilities as a mono-culture.

The facts on this issue tell a different story than the one currently being occupied by the feelings and beliefs of the pro-sidewalkers: Quiet residential streets with little car traffic and long histories of being sidewalk-free, are safe and accessible.

The more that sidewalks are added to our neighbourhood, the more you are keeping people like me; people who elderly; people who are in wheelchairs, stuck in our homes and unable to engage with our beautiful neighbourhood.

Please don't take our neighbourhood away from us.

Sincerely,

Meredith Levine

40 Longbow Road

Traffic Incidence Report for Sherwood Forest/Orchard Park Neighbourhoods for 2020
We ran a search for 1 year x traffic incidents. If you do the same and move the map to our neighbourhood, you can see there were no reported incidents in SF/OP. The traffic incidents were mostly on Wonderland.

<https://communitycrimemap.com/?address=London,ON>

LexisNexis® Community Crime Map

is best viewed in Internet Explorer 11+, Firefox V27+ and Chrome V30+. Time Slider

communitycrimemap.com

Dear Councillor Lehman,

I am contacting you again, and have cc'd Susan Skelton, the delegate who spoke on the issue of disability at yesterday's council meeting. I feel that we were not heard at the meeting yesterday and that there is a sweeping assumption made that "one" person does not represent all people with disabilities, yet the city's accessibility committee seems to be able to say that they do represent everyone with a disability.

I give you permission to use my email and letter for the public record. I'm concerned that there is not enough time for me to write about and research all of the ways that we, in our neighbourhood, feel silenced and that our voices are erased. We, in fact, represent quite a few different perspectives within our community. Like Susan Skelton said, she represented the voices of 10 individuals, all with different disabilities, impairments, and ages. There are many more individuals with disabilities in our community and only a few of us chose to have Susan quote us. And one of the things that concerns me as a disability advocate (and I am also a PhD with an extensive record of committee work and accessibility advocacy in the past within London, Ancaster, and Toronto, I am also an occupational therapist, and a disability advocate) is that I do not feel that the city of London is considering context when making the decision to include sidewalks on small neighbourhood streets.

I am concerned that sidewalks are deemed the only accessible option for all. But I would like to know how the city defines accessibility and also barriers. When the city considers universal design, does this include individuals who are not able to use the current accessibility standards? The city has done a great job recognizing when there is an absence of accessibility. For example, in our neighbourhood, the absence of sidewalks means that our streets are deemed inaccessible by the city. However, the only thing this dichotomy (absent/present) can pinpoint is that the physical environment is in fact causing disability via a lack of accessibility. What this fails to recognize however, is that we live in a space of mediation, a space of in-between where each of us embodies our abilities differently. And suddenly, after yesterday's decision, those of us with disabilities find ourselves unable to connect to and engage within a space in an environment where we are denied the simple ability to ask questions about what our belonging might look like within this city. The decision by the city and the arguments by the accessibility committee fail to consider context, and context is vital for the inclusion of any person with a disability.

Yesterday, we asked for the city to consider context. This evening, with this email, I am asking you again to consider the context of our community, how we use this community, and the concerns that we might have as those of us who live in this community know it the best. Making a sweeping decision to silence (to ignore) our embodied knowledge of (i.e. how we mobilize and use) the Old Hazelden community makes me wonder whether the city truly cares about our bodies and our questions of access and how we relate to each other within this community? This is a social practice that not only disables us, but it could be argued that it represents systemic oppression (ableism). When absent/present is the only question - the only consideration - it represents an overall perception of accessibility, for the whole city, that disables those of us who enjoy living in a universally usable, friendly, safe, and accessible community - a context that is very rare in this city - in the name of improving physical access. I want to ask "improving accessibility for whom?".

It bothers me, if I may say so, that the media and people on the accessibility committee state that they are the only disability advocates. This is not the case. I am someone who lives with a disability since birth, I am an occupational therapist, and I work particularly with women with disabling chronic conditions to navigate their health and the systems/institutions that further entrench their disablement every day. In particular, my work centres on how power is enacted in the lives of women with disabilities and how systemic oppression for a lack of a better phrase 'hits them in their faces' on a daily basis.

I simply ask the city to debate what an accessible street looks like when considering the context we currently have. Why would the city of London create a universally accessible street (e.g., Dundas Place) and then take something similar on St. Anthony and create barriers for more than half of the residents here? Would Susan Skelton and myself be able to meet with the Accessibility Committee? Or could we have a meeting with yourself to discuss our concerns? If a sidewalk is the only way forward, can our street remain pedestrian friendly and a traffic calmed zone so that people can move and use the road depending on their abilities and their needs? I

have heard it repeated recently that sidewalks are safer, and more accessible, and I know that individuals get frustrated when persons using motorized and wheeled devices such as scooters and wheelchairs use the streets instead of sidewalks. If parents would know how bumpy, uneven, and uncomfortable a sidewalk trip is for many seated in a wheeled device, they may also advocate for smoother and more integrated alternatives. When the city sees individuals using their mobility devices on the road and on bike-lanes, does the city ever ask why that is? What does the city have to say about inclusivity and accessibility when the people for whom sidewalks are made, don't fully use them.

We feel silenced after yesterday. I may not be an assistant professor at King's college, but I am a critical disability studies scholar, a woman living with a lifelong disability, and an occupational therapist with an extensive understanding of disability, accessibility issues, and accommodation and inclusion for individuals with physical and disabling chronic conditions. When a decision displaces persons with disabilities, makes them feel segregated and trapped, and makes these very individuals (who currently feel fully integrated, safe, and included) feel unheard and that they do not belong, then this decision does nothing more than to marginalize them; to make them feel discriminated against. It's not about looking at what is present/absent, but about engaging with the community and the context within which we live no matter whether we can walk on two feet, use a motorized wheelchair, or live with an invisible disability that creates proprioceptive and/or balance issues on uneven and slanted pathways.

I hope that with this email we could open communication with you about this complex situation if you have the time? Perhaps we could speak with the accessibility committee on solutions that include the disabled voices from this community? And if you have any questions or concerns, please do not hesitate to reach out to me.

Sincerely,

Susan

Susan Mahipaul, PhD, MScOT, OT Reg. (Ont.) (she/her/hers)
Department of Disability Studies
King's College @ UWO

Disability and Health Navigation (DHNav)
Consultant, Educator, Researcher
Critical Disability Studies Scholar
Advocate

56 Doncaster Place
London, Ontario N2L 2W1
March 16, 2021

London City Council
By Email to councilagenda@london.ca.

Dear Members of London City Council,

I have been a homeowner in London for 25 years and moved into the Sherwood Forest neighbourhood 16 years ago. The reason I chose this neighbourhood was the calm, low-traffic, tree-lined streets.

I am writing because the proposed road reconstruction for Doncaster Place and nearby will cut down the very trees that inspired me to move into Sherwood Forest. This tree removal would be for un-needed sidewalks. I am writing to City Council to have my voice heard, to ask that the tree removal be stopped, to have my objection included in the materials for the upcoming City Council meeting, and to enter the public record.

Prior to living in Sherwood Forest, I owned three different houses in London, first on The Parkway St, then on Lambton St, and then on William St. All of those houses were served by sidewalks that had been constructed before those streets grew their mature trees. None of those streets were nearly as pleasant to walk along as our Sherwood Forest neighbourhood with spectacular mature trees and without sidewalks.

Doncaster Place may be the street in London with the least traffic. A sidewalk is simply neither needed nor useful. The roadway is wide and visibility is not obscured. There are no cars, except for residents coming and going and deliveries. There are no mobility barriers – I am well-aware of the issue, having myself required a wheel chair in the winter months of 2003.

On Monday, I witnessed some crucial parts of the London Civic Works Committee meeting, conducted by video conference. In particular, following many well-informed presentations by residents – all objecting to un-needed sidewalks, I saw a *pro forma* committee discussion that did not address a single issue raised in objection, that was not based on any neighbourhood-specific data, and that instead relied on a few anecdotes and hypothetical situations in completely different settings. To say that there was any thoughtful discussion or that the needs of the residents, taxpayers and electors had been into account and their issues addressed would simply not be accurate. Indeed, our concerns and specific proposals were not even acknowledged.

Of the couple of dozen presentations, all of those from neighbourhood residents, including those with actual disabilities, were against the cutting of trees. The three presentations arguing that sidewalks were better for accessibility were from individuals who might never have been to the neighbourhood and were certainly not familiar with the traffic patterns and present or foreseeable roadway use. The proposed “improved accessibility” would be minuscule, coming from a theoretical and ideological perspective, rather than addressing real needs. To meaningfully improve accessibility in this neighborhood what is needed is timely snow removal and lighting. These we do not have. Sidewalks are neither needed *de facto* nor *de jure* (AODA).

The fact is that the residents’ presentations **overwhelmingly** objected to sidewalks requiring tree removal, including all those from residents with mobility issues. Sidewalks are not needed at present nor will they be in the future, as this is a stable and mature area. Those who argue for the minuscule incremental benefit have no stake in the neighbourhood – they can make their speech and move on, never having to see what has been destroyed, while we have to live with it for the rest of our lives.

Adding unneeded sidewalks does not absolve the city from real accessibility shortcomings, nor from insufficient sidewalks where they are needed. One cannot simply say that the city has so many kilometres of sidewalks and is therefore meeting its citizens’ needs, even if this measure is part of some performance assessment. Saying sidewalks are needed everywhere is like saying every car needs five seatbelts, which sounds fine in principle, but they are not really needed on two-seat sports cars and tractors.

I urge you to vote against cutting down London’s trees for these un-needed sidewalks.

Respectfully submitted,



Stephen Watt

March 21, 2021

Dear Mayor and Councillors

Why should it be **an acceptable option to make exemptions** to the city policy of putting in sidewalks when a street is dug up for infrastructure upgrades?

1. BECAUSE the London Plan policy 349 made a mistake. The AODA accessibility standards issued to implement the provincial AODA legislation **does not require the city to put in sidewalks** when making street upgrades.

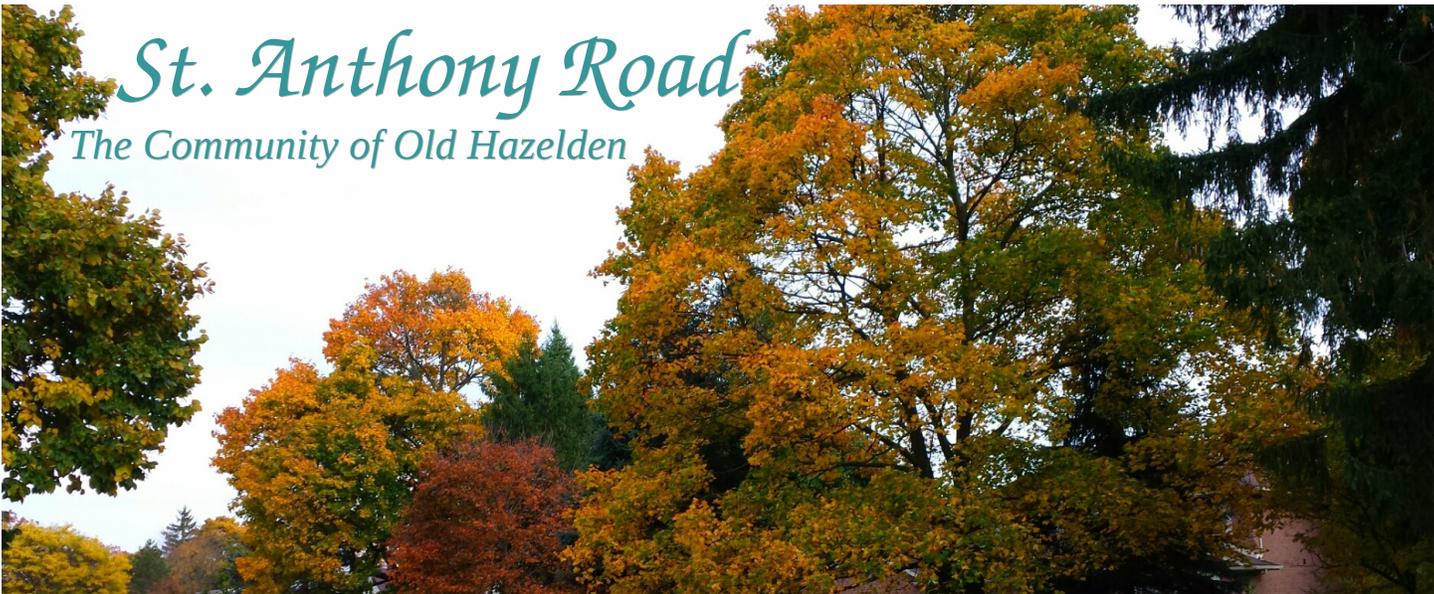
2. BECAUSE the London Plan Policy 349 **failed to take into account** that there are **extreme variations** in the amount of daily vehicle and pedestrian traffic among our streets. Since Sherwood Forest is at the very lowest end of this continuum, safety concerns are not an issue in this neighbourhood. We do have sidewalks on the major streets that surround this neighbourhood to connect with schools and public transit, which are necessary and sufficient.

3. BECAUSE all levels of government need to **prioritize the environment and trees are a key player.**

4. BECAUSE it is **a waste of taxpayer dollars** to put in sidewalks where they are not needed, especially since there are such grave needs: For example, our priorities to alleviate the suffering of our homeless brothers and sisters and our children who live with poverty.

I noticed on the city website that Londoners who live in areas without sidewalks can put in a request for the city to install sidewalks. Therefore, it should follow that the city should listen to Londoners who oppose the addition of more sidewalks in their neighbourhoods.

Yours truly
N. D. Crawford



St. Anthony Road

The Community of Old Hazelden

OVERVIEW

We urge the Council of the City of London to exempt St. Anthony Road from the proposal that sidewalks be installed as part of the 2021 Infrastructure Reconstruction Project.

We live in a small community that prioritizes the free-flow of pedestrians, something rare within this city. We already have a highly walkable, universally accessible neighbourhood, that fosters a sense of community. It meets the goals of the London Plan. It is a safe, comfortable, attractive, efficient, accessible place for us all.

ACCESSIBILITY

We oppose the assumption that sidewalks in this neighbourhood will increase accessibility.

Sidewalks are the barrier to accessibility and inclusion.

- Ontarians with Disabilities Act is "An Act to improve the identification, removal, and prevention of barriers faced by persons with disabilities."
- A sidewalk feels like the place where those with disabilities are supposed to be in order to be 'safe' and others get to choose where they walk.
- This change *looks* safe and meets accessibility standards but *feels* inaccessible because it threatens the segregation of those with disabilities from this inclusive community we feel we belong to and within.

"The road is one giant pedestrian walkway giving us the freedom to choose how we use our road."

Susan Mahipaul
Disability & Health Navigator/advocate

Road users of all ages and abilities are already accommodated.

- The City's Complete Streets mandate is to "provide infrastructure that make all forms of mobility safe, attractive, comfortable, and efficient," and "streets should be designed to be inclusive and accessible so that road users of all ages and abilities are accommodated to the maximum degree possible."

The ability to walk on St. Anthony Rd means freedom to those in the neighbourhood with disabilities.

- Sidewalks which have pitch, uneven surfaces, transitions, and ice in winter are difficult for persons with mobility challenges or wheeled mobility devices to navigate.
 - St Anthony Road is smooth, even, and is cleared and salted in the winter.
- No one person or organization can speak for all of those with disabilities.
 - Those in the neighbourhood with disabilities are against the installation of sidewalks.

ENVIRONMENT

We oppose the removal of or damage to mature trees to accommodate sidewalks.

Old Hazelden is in an Environmentally Sensitive Area.

- St. Anthony Road in Old Hazelden is adjacent to the Upper Thames River Conservation Area.
- Removal of canopy will affect the flora and fauna of this ESA.
- Sidewalk installation increases stormwater run-off, requires sands and salts to make them accessible for all mobility requirements, creating contamination which will reach the Thames River.

London has declared a Climate Change Emergency.

- Keeping the trees supports the implementation of the London Plan, which recommends an increase in the city tree canopy.
- Urban forests
 - reduce carbon dioxide, air pollution and provide oxygen,
 - improve water filtration, store water,
 - reduce private residence energy consumption by moderating heating and cooling needs,
 - reduce severe weather damage and stormwater runoff,
 - purify the air we breathe, helping everyone, including those with respiratory issues, to breathe better.
- Destroying a century-old tree to replace it with a sapling doesn't work environmentally.
 - It takes 2000 saplings to replace one century-old tree and to replicate the benefits of *one* mature tree.



St. Anthony Road
(Lisa New)

SAFETY

The installation of sidewalks will not improve safety.

The proposed sidewalks will *reduce* safety.

- Including sidewalks on a short, isolated section of St. Anthony at this time would create a distorted perception of safety, as vehicle speeds may increase in those areas, only to encounter pedestrians on the remaining part of the street where the sidewalk terminates.

Traffic incidents are non-existent.

- City of London Traffic staff have advised that there is "no record of incidents or issues on St. Anthony and based on the nature of the street would be surprised if there were too many issues."

"There is no record of incidents or issues on St Anthony and based on the nature of the street would be surprised if there were any issues."

City of London Traffic Staff

Traffic already accommodates pedestrians.

- Motorists and pedestrians share the road respectfully with each other because the street is wider than the current design requirement of 7.5m.

Vision Zero criteria already met.

Complete Streets Manual

- St. Anthony Road meets the 'Vision Zero' criteria of no loss of life on the street and provides "a pedestrian friendly environment."
- "The City will use an evidence-based decision-making framework to assess, guide and improve traffic safety." The evidence is clear that our neighbourhood streets are already safe.

LOCAL PLANNING

There is no local plan that justifies the installation of sidewalks.

Sidewalks are not warranted.

- Small neighbourhood bounded by the Thames River and Riverside Drive, with no internal destination points of interest like schools, area parks, churches, or other public amenities
- There is no cut-through traffic.
- No proper engineering warrant or principles or fiscal justification



Old Hazelden Neighbourhood Map

There is no comprehensive neighbourhood plan.

- Without sidewalks on Hyde Park, and on the westerly portion of St. Anthony, these sidewalks do not connect to a larger network and serve little purpose.
- St. Anthony Road is not on the New (formerly Warranted) Sidewalk list.
- Any further work in the area is over 10 years out.
 - It will be a sidewalk from nowhere to nowhere.
- Hyde Park Road is the only controlled pedestrian access for the neighbourhood where it intersects with Riverside Drive.
 - However, there has been no consideration given to the existing conditions of the roadway or roadside deficiencies of Hyde Park Road itself, south of Riverside.
 - No work is planned for this section of Hyde Park

A sidewalk from nowhere to nowhere.

Paul Hubert

LEGISLATION AND POLICY

Provincial legislation, City by-laws and policies do not support the installation of sidewalks.

Provincial legislation does not support the installation of sidewalks.

AODA:

- Does not mandate sidewalks, only the identification, removal, and prevention of barriers

Application of policy necessarily means that there must always be consideration of exceptions.

- The broad, universal application of policies cannot be made without regard to the individual situation to which that policy may apply.

The proposed sidewalks are in conflict with or do not consider both City By-Laws and Policies.

- A review of the policies used as a rationale for building sidewalks shows that they:
 - don't actually require sidewalk installation,
 - don't limit options to exclusively sidewalks, and
 - in some cases policy doesn't even support the installation of sidewalks.

City By-Laws and Policies that do not support the installation of sidewalks.

The London Plan:

- Build infrastructure to support future development and protect the environment.
- Medians and boulevards will be designed to protect trees and support their establishment and long term health, growth and development (Urban Forest Policy section)
- Forest City Policies 386-388

**Urban Forest Strategy,
Declaration of Climate Change Emergency**

- Contradicts the removal of the tree canopy.

Creating Safe Places for Women and Girls.

- Enhancing pedestrian safety is not one of the strategy options enumerated.

Funds could be better utilized elsewhere.

- The funds slated for this short section of unwarranted sidewalk on St. Anthony Rd would be of greater benefit to the larger community with accessibility needs if they were diverted to the city's Paratransit system to enhance those services.

COMMUNITY

Listen to those who will be affected most by the proposal: the residents of the neighbourhood.

Hazelden consists of five streets, 169 homes and approximately 400 residents.

There is compelling opposition to the installation of sidewalks.

- The neighbourhood petition against the installation of sidewalks contains over 160 signatures representing 108, almost two-thirds, of those homes and forty percent of the residents.
- Forty-two Hazelden residents took the time to send correspondence to the City.
 - Of those, not one voiced their support for the installation of sidewalks on St. Anthony Road.

Those with accessibility issues oppose the installation of sidewalks.

- A sizeable portion of households in Old Hazelden has a resident who meets the criteria of a Londoner with a Disability, at least 10 of whom use assistive mobility devices.
- They have voiced their opinions and are unanimously opposed to the installation of sidewalks on St. Anthony
 - We recognize the disability community is large and varied and they speak *only* for this neighbourhood.

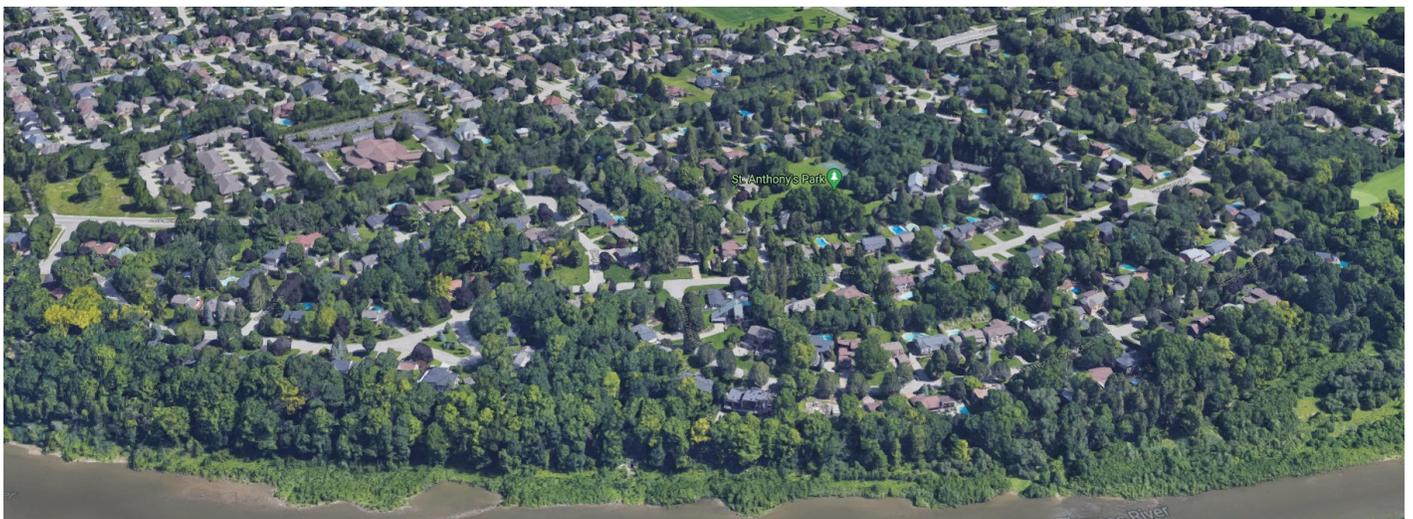
On behalf of the residents of Hazelden who oppose the installation of sidewalks on St. Anthony Road

Anne-Marie Grantham
Jodie Lucente

Paul Hubert
David McCagherty
Susan Skelton

Frank Lucente
John New

Delegates to the Civic Works Committee



Aerial View of Old Hazelden Neighbourhood (Google Earth)

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

February 18, 2021

Members of Planning & Environment Committee:

Phil Squire (Chair) – psquire@london.ca
Steven Hillier – shillier@london.ca
Anna Hopkins – ahopkins@london.ca
Steve Lehman – slehman@london.ca
Shawn Lewis – slewis@london.ca

Mayor Ed Holder – mayor@london.ca

Re: Zoning By-Law Amendment Application – File Z-9250 – 100 Fullarton Street

Dear Councillors and Mayor Holder:

On behalf of the London Region branch of Architectural Conservancy Ontario (ACO London), I am writing to express opposition to the requested zoning by-law amendment for 100 Fullarton Street which will impact 93-95 Dufferin Street and 475-501 Talbot Street (the former Camden Terrace).

This is an updated version of our November 4, 2020 submission to Meg Sundercock.

Background

As you know, the double house at 93-95 Dufferin Street has significant cultural heritage value. Of Italianate (93) and Classical Revival (95) style, it is believed to have been designed by Samuel Peters (London’s first City Engineer). Mr. Peters lived in 93 Dufferin Street from approximately 1868 to 1882. Later on, Colonel John Walker (Member of Parliament in 1874; Middlesex County Registrar) lived there.

The extensive heritage attributes of 93-95 Dufferin Street are summarized as follows in the designation by-law:

- Form and scale of a significant portion of the double house, including the northerly and westerly facades;
- Buff brick;
- Demonstration of the Italianate style in 93 Dufferin Avenue: shallow hipped roof; paired wooden eave brackets; balanced proportions of street-face façade in three bays in the upper and lower storey; window and door openings, including robust lugsills and lintels with a gentle peak; wide, six panel single leaf door with rounded arch fan light transom above, and framed with wooden fluted pilasters and trim; a flat-roofed front porch supported by a cornice containing an entablature with modillions and plain frieze, itself supported on square columns set on masonry plinths; brickwork detailing on street-facing and westerly facades including quoining, a plain frieze, and stringcourse; window openings with robust lugsills and capped with vertical-laid brick flat-arches on original building westerly façade;
- Double storey bay window, acting as a bridge between 93 and 95 Dufferin Avenue;

- Demonstration of the Classical Revival style in 95 Dufferin Avenue: temple front façade and peaked roof form; round window with laurel wreath surround, set in gable pediment with scalloped siding and wood dentilled trim; oval window with keystone frame; paired wooden eave brackets; brickwork detailing, including quoining, a plain frieze, and stringcourse; window sills and lintels with a gentle peak; blocks above entry doorway

City Council’s decision to permit the demolition of Camden Terrace at 475-501 Talbot Street (and to not pursue its designation under Part IV of the Ontario Heritage Act – despite strong evidence of its cultural heritage value) was controversial, and came only after considerable debate and discussion. The requirement for the property-owner to carefully dismantle the façade and then to reconstruct it within the lobby of the new building was a key element in Council’s eventual decision to approve the demolition and the proposed development on the property now known as 100 Fullarton Street.

Our Concerns

Our concerns regarding this application can be summarized as follows:

- In our opinion, approval of the requested by-law amendment as it pertains to 93-95 Dufferin Street would be contrary to Section 1.7.1(e) of the 2020 Provincial Policy Statement (PPS) which states that “Long-term economic prosperity should be supported by ... conserving features that help define character, including built heritage resources and cultural heritage landscapes”.
- Approval as it pertains to 93-95 Dufferin Street would also be contrary, in our opinion, to Sections 2.6.1 and 2.6.3 of the PPS which state that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved” and that “Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved”.
- There are examples, in Toronto, Montreal, and elsewhere, of heritage buildings being conserved in their entirety within large-scale new developments. Our opinion is that conservation of at least the northern and western façades of 93-95 Dufferin Street, in situ (as required by the bonus by-law), would enhance the proposed development and should be viewed by the property-owner as an opportunity for design excellence rather than an inconvenience.
- Bonusing was negotiated by the city as a trade-off in return for certain commitments by the then-owner of this property when permission was granted to demolish Camden Terrace and when site plan approval was granted. The costs of adhering to the negotiated agreement and complying with the resulting zoning by-law (including the in situ retention of the north and west façades of 93-95 Dufferin Street) would presumably have been factored into the price negotiations when the current owner purchased this property.
- The bonusing was granted subject to conditions set out by the city, and commitments made by the property-owner, which included the “complete retention, in situ, of 93-95 Dufferin until such time as partial removal is necessary to facilitate Phase 3 of the proposed redevelopment” and the “incorporation of significant heritage attributes of the original building, including the northern and western facades, in situ, into the overall design of Phase 3 of the new development” and – with respect to the former Camden Terrace – “construction of a commemorative monument” which essentially required the reconstruction of the original façade using the

original building materials that were salvaged during its demolition. The commemorative monument was to be placed inside the east lobby of the new building with “clear glazing along the length of the Talbot Street building façade which is east of the commemorative monument so as to maintain public views to the monument in perpetuity”.

- If the current property-owner no longer wishes to abide by the agreed-on conditions, then it would be appropriate in our opinion for the city to rescind the bonusing that was previously granted and also to rescind any approvals that were conditional on the agreed-on commitments being met.

With respect to the Camden Terrace commemoration, it may be reasonable to permit the property-owner to place the commemorative monument on the exterior of the east side of the building facing Talbot Street. This accommodation should be subject to all of the criteria set out in Sections 4b and 4c of the relevant bonus zone by-law (B-38). This should include a requirement that the commemorative monument retain the proportions of the original building which included six (not eight) terrace residences.

Recent Information Regarding 93-95 Dufferin Street

The February 10, 2021 LACH meeting agenda package includes a February 12, 2020 letter prepared by Barry Webster and Andrew Holford of EXP Services. This 3-page letter forms the basis for the property-owner’s request to demolish and then “rebuild” the façade of 93-95 Dufferin.

The Webster/Holford letter states that the building was examined by a "structural engineer familiar with preservation of heritage buildings". However, that structural engineer is not named and has not prepared his/her own report. This seems strange. In addition, neither Mr. Webster nor Mr. Holford (nor the structural engineer whose opinion they are expressing) seem to have considered options such as performing the masonry restoration BEFORE adjacent construction begins. Another option that appears not to have been considered is to retain the entire building. There are many examples of innovative design where entire heritage structures are incorporated into a newer building, with some of the old exterior walls forming dividing walls or architectural features within the interior of the new structure.

It should be noted that 93-95 Dufferin was occupied, and completely functional, until 2019. This said, it is not surprising that some masonry repairs are needed. The building is 150 years old, and maintenance was likely deferred in recent years as the result of the development proposal for this location.

Given the contentious nature of the process which ultimately led to the designation of this property and the requirement to preserve the north and west façade, it does not seem appropriate to rely on only one opinion here – particularly when that one opinion is very brief, is somewhat ambiguous, and when it is unclear whose opinion it is. As many of you will recall, this development that has already seen more than its share of controversy.

Earlier this week, we wrote to Ms. Sundercock and Ms. Dent to suggest that the city obtain a peer review and/or second opinion with respect to the condition of 93-95 Dufferin. We respectfully ask that the PEC to direct staff to take such an action. In our view, the involvement of an experienced heritage architect and a mason with heritage brick repair experience would provide helpful insights.

Additional Comments Regarding Camden Terrace

The original zoning by-law amendment application (in 2020) proposed a commemorative monument that would include



eight terrace residences. The summary in the recent Public Meeting Notice states six, but the rendering shows eight. Clarification would be appreciated. Camden Terrace was made up of six terrace residences, not eight.

The current zoning requires the commemorative monument to incorporate the heritage attributes of the Camden Terrace façade. The requested zoning makes no mention of “heritage attributes”. Again, clarification would be appreciated.

We appreciate your taking our comments into consideration. If you have any questions regarding our submission, please contact me.

Sincerely,

Kelley McKeating
President, Architectural Conservancy Ontario – London Region

Copies: Arielle Kayabaga, Councillor for Ward 13 (akayabaga@london.ca)
Cathy Saunders, City Clerk - csaunder@london.ca
Heather Lysynski, PEC Committee Secretary - pec@london.ca



From: Kate Rapson
Sent: Friday, February 26, 2021 3:54 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Revised Letter: 93-95 Dufferin Ave.

Please accept the revised letter from the Woodfield Community Association.

Dear members of PEC,

Please support North Talbot Neighbourhood Association's opposition to Old Oak's to 1) demolish 93 and 95 Dufferin Ave. and to 2) incorporate a historic replica of Camden Terrace into the final design. When complete, this project will include over 100 affordable housing units, which is very much needed in London. However, concerns remain over the additional demolition application and the intentions to build a copy of the former elegant Camden Terrace row housing. In general the idea of building replicas of heritage buildings is not accepted by today's urban designers and heritage planners. Also 93-95 Dufferin Ave has known heritage value and should be spared and incorporated as is into the overall design.

Thank you for your time and consideration of this important matter.

Kate Rapson
Chair, Woodfield Community Association

From: Linda Whitney
Sent: Friday, February 26, 2021 2:30 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Demolition of 93-95 Dufferin Ave.

Members of Planning and Environment Committee,

We are strongly opposed to the request from Old Oak Properties to demolish the buildings at 93-95 Dufferin Ave. We would ask this committee to support preservation and re-purposing of London's built heritage.

Please reject this request!

Thankyou
Linda Whitney and Mickey Apthorp
519 Maitland St.
London

Planning and Environment Committee,

Shane O'Neill

City Hall,
300 Dufferin Avenue.,
London,
ON N6A 4L9.
Tel: 519-661-2489,
email: pec@london.ca

534 Princess Avenue
London
ON N6B 2B8

Re: Demolition Request, 93-95 Dufferin Avenue

Dear Sir,

I write because I feel that an orderly planning approach has been torn apart by Old Oak through seeking to demolish the existing properties at 93 and 95 Dufferin Avenue, London.

The demolition of the Camden terrace (479 to 483 Talbot Street) was agreed with the municipality and public, so as to ease further intensification of this property block for Rygar Properties Inc. However, this property now owned by Old Oak Properties and seeks further intensification for a newly proposed twin-tower development. The loss of the Camden Terrace was accepted by the public with the understanding that 93 and 95 Dufferin (on the same block of land) would be retained (see page 104, Stantec 2018). Why is it that a new developer is allowed to break with an existing public agreement that was held in good standing by the municipality, public and landowner?, and why would a new developer be allowed to foist a new turnabout request when previous agreements are less than 3-years old?

If we are to have trust and a belief in orderly planning processes that occur through approved negotiations, then future property owners must comply with those terms for future planning management as negotiated by the earlier landowners. Otherwise, how are we to have any certainty in a planning process, particularly where heritage resources are to be retained?

I attach a small quote extracted from the Stantec report of 2018 for the purpose of reminding the context of a previous guiding decision.

The loss of 479 to 483 Talbot Street due to structural and environmental concerns significantly compromises the CHVI of Camden Terrace. With this loss, the CHVI is not considered significant enough to warrant partial retention. In the case of 93/95 Dufferin Avenue, partial retention will allow for complete retention of all heritage attributes identified. Therefore, partial retention is considered to be an appropriate mitigation strategy for 93/95 Dufferin Avenue

Stantec 2018 report:

Heritage Overview Report 93/95 Dufferin Avenue and 479-489 Talbot Street, City of London, Ontario

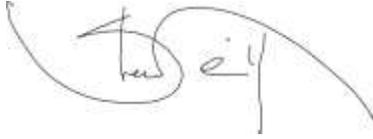
Was obtained from:

<https://pub-london.escribemeetings.com/filestream.ashx?DocumentId=26041>

I am affronted by the lack of design diligence in the design proposed by Old Oak Property's current application. I do not see an incorporation of the Camden terrace in any design intent and note that the

loss of Nos 93 & 95 allows for expansion of high rise properties without demonstrating benefits of intensification for public and cultural good.

Sincerely,

A handwritten signature in black ink, appearing to read "Shane O'Neill", written over a light blue circular background.

Shane O'Neill
M.L.A., B. Arch., Dip. Arch. Sc., Dip. P.M.

The illustrations (below) from the Stantec report show how the original development by Rygar Properties Inc can facilitate the retention of 93 & 95 and in other illustrations show the loss of Camden Terrace.



Community Residents
Glen Cairn Woods
London, ON

City Councillors
City of London
csaunder@london.ca

Dear Councillors:

Re: 403 Thompson Rd. (Affordable Housing) / Glen Cairn Woods Subdivision
Official Planning and Zone Amendments (File OZ-9290)
Applicant: Housing Development Corporation (HDC)

Mayor Ed Holder's challenge/mandate to build 3,000 affordable housing units over 5 years is laudable, however we need to consider whether London's ambitious plans will continue to draw people from other communities (eg. Sarnia, Windsor, Kitchener, Waterloo, Woodstock, etc). We saw this with the erection of modern facilities such as the Men's Mission and the Center of Hope (Salvation Army). Are we increasing our homeless/struggling population by being on the front edge of this issue?

Proposal OZ-9290 would erect a building, consisting of 44 **bachelor** units reduced from 37 sq. meters to 27 sq. meters under the "specialized housing approach", within a community rampant with affordable housing. How does reducing the size of the unit relate to "specialized housing" as defined on page 47 of the Housing Stability Plan (December 2019).

"Specialized Housing: Housing that adapts building requirements and services to the unique needs of individuals and families, such as addiction, health, mental health, and trauma related concerns."

The representative of HDC at the March 1 committee meeting stated that this reduction in unit size "is required to make the building viable, as is the size/height of the development. This leans to the opinion that the lot size is too small for the proposed use. It was also stated that "common amenities were being provided to make up for the small living space"; however no *clear* response was given as to what these amenities would consist of. Meeting rooms for social workers etc., do not enhance the living conditions of tenants. Being bachelor units, we are not discussing families but individuals.

As we proceed with the City's aggressive plan, we need to consider the location of proposed buildings and the effect it will have on the communities concerned. Will it in any way enhance the community or potentially exasperate issues already present? As homeowners within Glen Cairn Woods we are concerned with increasing the inordinate number of affordable housing units within our over tenanted subdivision.

Glen Cairn Woods and adjoining areas are subject to the following numerous low-income properties:

- 35 3-storey walk up buildings (multi-unit)
- 6 Co-op Complexes (multi-unit)
- 100 London Housing Units
- 3 Highrise rental buildings
- Numerous duplex homes

Perhaps Council could defer this project to consider other locations. We would like to offer some alternatives to 403 Thompson Rd.

1. 100 Stanley Street

- 1.1. Demolish the current structure at 100 Stanley Street rather than relocating it due to increased costs.
- 1.2. Maintain the commercial designation of 403 Thompson Rd. and sell this surplus lot.
- 1.3. Relocate the proposed building under File OZ-9290 (403 Thompson Rd) to 51 & 53 Wharncliffe Rd. S.
This site is 45% larger which would allow for units to be built to the current by-law size of 37 sq. meters and additional storage for bicycles and added parking.

2. 31 Hamilton Rd - 2 lots (.44 acres + .3 acres)

3. 858 William St.

4. 121 Thompson Rd. (.58 acres)

5. 1523 Bradley Ave. (40 Acres)

6. 1600/1622 Hyde Park Rd.

- 6.1. May be scheduled for development

7. 1063 Gainsborough Rd

- 7.1. May be scheduled for development

8. 1550 Sunningdale Rd. W

9. River Road Golf Course

- 9.1. Allows for numerous buildings both current and future.
- 9.2. Relocate both 403 Thompson Rd. & Hamilton/Elm proposals to this location
- 9.3. London Transit would need to expand Route 2 slightly to allow for easy access to transit

In closing, we are not against affordable housing however our community asks:

At what point is it considered that a community has contributed enough to "affordable housing"?

We feel strongly that the residents of Glen Cairn Woods have already done their part.

Please consider the alternate proposals presented.

Sincerely

William & Christine Comrie

435 Scenic Drive

On behalf of Glen Cairn Woods Residents

From: Dustin Gosnell
Date: March 18, 2021 at 10:04:03 PM EDT
To: PEC <pec@london.ca>, "Turner, Stephen" <sturner@london.ca>, "Maitland, Leif" <lmaitlan@london.ca>
Subject: [EXTERNAL] Community Statement 345 Sylvan

345 Sylvan street redevelopment, Community Statement

We are writing to voice our opposition of the rezoning of 345 sylvan
RE: 345 sylvan street
File Application number OZ-9297

We would like the council to reconsider the rezoning at the planning and environment committee agenda from March 1, 2021. We are asking the council to include our letter for the March 22, 2021 agenda.

We are opposed to this for a number of reasons.

Traffic is a major concern, the intersections of Baseline and High Street are backed up in the evening and morning rush hours, precovid. There are often other times when it is very difficult to get through eastbound on Baseline due to the vehicles entering/exiting the hospital. Vehicle's speed down side streets attempting to circumvent. With the added traffic and safety concerns associated with such large development projects to this area the community may also require traffic lights at the intersections Commissioner's and High and High and Baseline. And some traffic calming measures at Percy and Balderstone Ave.

Our community is currently enduring a pretty significant impact because of the construction on Baseline at Balderstone Ave. That development won't be complete for likely a year or two, and this is a lot to endure. If the city is to move forward with redevelopment at sylvan, they should consider waiting until this major apartment building project is complete. We are already experiencing excessive parking on the streets and heavy equipment at all hours lining up on and dirtying our streets. In recent years we have also endured the redevelopment of Baseline properties, construction of a parking structure at the hospital and the renewal of the streets on Percy, Balderstone and Baseline to update the infrastructure to support redevelopment of Baseline properties. Residents of this area have endured a lot of construction. Vacant properties have contributed to increased crime in the area, combined with the various construction, proposed drug come down facility and current proposals. This has caused many homes to be sold at a higher than market frequency and then in some cases turned into non owner occupied rentals including illegal duplexes. Translating to an unstable feeling of community.

The proposed Sylvan building will likely cause too much stress to the Neighbourhood, ruin sight lines cause light pollution, density, noise and security concerns during and after construction.

We would ideally like to see the city utilize the current building and not demolish it. We think perhaps it would make a great group home facility again, perhaps a hospice, or Ronald McDonald facility or abused women's facility (being close to hospital). we would encourage affordable housing at a significantly lower resident density. Mainly, we would like a much lower density redevelopment project at Sylvan. Could it not be affordable housing and a park/greenspace. That benefits the residents of this proposed building and the neighbourhood as a whole.

We feel the city should disclose more cost data, comparing demolition vs updating existing structure. If it is deemed that the current structure is unusable/ unfit we would like to see the city turn that area into a park, community garden, playground/recreation facility, or a healthcare or covid memorial garden. We would love to see the many young children and families in the area have a close park to play in especially considering added traffic concerns..

We are asking for and about a park because we objectively believe that the area would be enriched by a park or green space. We imagine a community space where the future elderly residents could come to themselves or with family and watch their grandchildren play when they visit. People can walk their dogs. Kids can play. It would really contribute to the walk ability. Looking at other areas of old south, that work so well and have a similar level of diverse housing. What they have and this area does not, are parks. Already in an obviously informal capacity 345 sylvan does function as a park. When it's hot in the summer people from the apartments to the north and south lay in the grass. often people stop for breaks there walking home with their groceries, killing time waiting for the bus, or walking to work at hospital.

The city was working with developers to plan the retirement residence on baseline before the homes were even sold. How is it not possible to give more time and similar considerations to the public When determining the highest and best use. Especially considering the Covid pandemic and these restrictions. This leaves insufficient room for citizens to talk to their community, form opinions, respond.

When the city is increasing area density, why does the city give's no consideration to green space in existing areas, simply because it's not in the plan. When they are amending the plan in other regards, Seems short sighted. The correlation between access to green spaces and mental health and vibrant communities should not be allowed to be overlooked especially when deciding the highest and best use.

We would also like to encourage the city to look at other potential properties that may be way better suited for this type of density such as the redevelopment of the Wright lithograph building 424 Wellington street that has sat vacant since 2007 and could be ready much sooner or dozens of potential spots that could aid in cleaning up neighbourhoods flanking wellington road north of Grand Street. We should really be fixing and using what we have in these underutilized areas that are truly in need of redevelopment. Perhaps the city could mandate affordable units in all new developments. Support the demand for low income housing in a truly inclusive manner, until goals have been realized.

In summation. We feel this city has not provided enough time to the public, or area residents to form opinions, talk amongst our community, appeal, and respond to provide input to the city considering COVID 19 and other accessibility factors.

We also feel the city may not have exercised proper due diligence when assessing the highest and best use of 345 sylvan? We think the City could maintain the current building zoning and utilize 345 sylvan street to help further a different community use. We feel the city should disclose more cost data related to demolition vs renovation of existing structure or repurposed structure in an existing state. Many residents feel this area has experienced more crime and lack of representation as a result of properties sitting vacant at baseline or sylvan and feel the city should address rising crime in this area before increasing residential density.

The city should look closer at traffic issues and concerns.

The city should consider making 345 sylvan a park. We feel when the city amends existing zoning to increased density, it has a responsibility to assess the areas greenspace representation compared to mandated levels in new developments, or other high functioning exemplar. We feel our area is underrepresented by parks or greenspace compared to other areas in the old south or london in general. There are many ways to add affordable housing to our community, but very limited opportunities to add parks and green space.

Should the city move forward with housing at 345 sylvan it should be significantly lower density and more varied to be truly inclusive.

Thanks for your consideration,
Your Neighbours.

Planning and Environment Planning Committee – March 1, 2021

Re: Core Area Community Improvement Plan

I live in the Core. I am also someone that actively connects with Core residents to raise awareness and support for issues that impact the Core. I do this usually by door knocking. I have, for example, spoken to those residents that live in the vintage apartments above the stores on Dundas St.

And I fundamentally believe that the city is misguided on its approach to revitalizing the Core. For example, you can't run a business if your windows are being smashed on a regular basis. I also think that the focus of the Core Area Community Improvement Plan is too focused on bring people to the downtown and is neglecting those residents that already live downtown as it is those residents that would be the ground support for the businesses in the Core.

For example, the city is dead wrong as to who lives in the Core and especially who lives on Dundas Street above the stores. In my neighbourhood of North Talbot, we still have some affordable rentals. We have a school bus that picks up young children off of Talbot St. and buses them to school. We have non-for-profit housing, housing for disability, public housing, student housing, wealthy residents in mansions and a lot of long-term residents renting. Many of the rentals are older individuals of lower income. If city officials calculate that the population of the core is younger rather than mixed, it is because the older residents tend to avoid those businesses that do not cater to them such as the businesses on Richmond Street. Our neighbourhood also has several houses that remain whole and not craved up but are currently limited to groups of students of 5 or more. The report does not recognize these housing types.

The Core Area Community Improvement Plan fails to address the core area residents and their role in supporting local businesses. I would argue that these residents are the backbone of support and would suggest that taking care of local residents should be a primary focus of any plan to stabilize the downtown.

I also believe that this plan is singularly focused on one type of business but the Core area is overwhelmingly historical with vintage storefronts – many of them tiny that would be best suited to entrepreneurial businesses that would be unique to the Core. That in turn would attract people looking for a different shopping experience than what would be available in malls and accentuate the historical character of the core. This plan ignores what is beautiful about the downtown. It is right there is front of you but you are not looking. You are trying to reshape the core rather than bring out what is already unique and attractive.

And I understand the frustration of residents that do not live in the core, do not visit the core and have no desire to shop in the core, having to foot the bill for these plans that are misguided and fail. Most people want to shop, play and work where they live and visit another district for its uniqueness. I feel this plan does nothing to lift and stabilize the core. For example, while nice, I did not think removing curbs and rebricking Dundas St would attract anyone to the core. One doesn't really notice a road. A beautiful leafy streetscape might because there is nothing like that anywhere else in the city – not even in Wortley Village or Old East Village.

In closing I feel that the homeless population is part of the core and I was deeply disappointed when the city removed the parkette at Covent Market because it became a gathering spot for people on the street. Personally, the parkette gave a sense of community – not my community – but someone else's community, and in many ways I found this better than having people scattered across the streets.

Thank You

AnnaMaria Valastro

Hello there! I found email attached to the LFP article about the derelict buildings and the problem that has been plaguing OEV. I wanted let whomever know that since the November fire where the 689 king st building caught fire, it has caught fire 2 times afterwards. There was a fence put around the property, but that hardly deters the "residents" as you can simply lift the fence and open it up. Even before the building caught fire, there were doors blocking the windows, plywood blocking the windows and that was the condition of the exterior I can't imagine what the interior looked like.

The issue here is that there were lights on, these weren't derelict houses. How would a derelict building be receiving power, or water? They wouldn't, the landlord clearly continued to pay for the utilities. The landlord was still getting paid by the occupants as there were 3 units. Oddly enough these "residents" were likely in the drug business and its easy to imagine that they were able to produce money, and even though the landlord was being fined he was still not doing anything about the tenants or the building so he didn't care. That is what would refered to as a "slum landlord" and I highly doubt he shed a tear for that women's injury. That building needs to be demolished, plain and simple.

It would be great if that was the only house on King with this problem. Between there an the Western Fair even there are a few houses, one of which had about 10+ bikes at the front porch, oddly enough here at 400 Lyle St, one of our supers had his bike stolen from the 2nd floor.

OEV is supposed has a lot of charm, and since I've been here its been quite hard to see that, with the "locals" yelling at each other from across the street, and breaking into my car twice now. I can't count the amount of time I've been asked if I have any "ice" because they wanna get a "lil high". Their words, not mine.

Andrew Haines



Cohen Highley^{LLP}
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March 15, 2021

VIA EMAIL: PPMClerks@london.ca

Council Members
City of London
300 Dufferin Avenue, PO Box 5035
London, Ontario, N6A 4L9

Dear Council:

Re: Property Standards By-law Review; Request for Referral for Stakeholder Consultation

We are the lawyers for the London Property Management Association (“LPMA”). The LPMA is committed to promoting education and professionalism among its more than 550 members. The vast majority of LPMA members are builders, owners and operators of multi-residential rental properties in London. LPMA is Ontario’s oldest regional landlord association and its mandate is to educate its members to administer and manage their rental properties to meet all statutory and professional standards, including full compliance with London’s Property Standards By-laws (the By-law) as well as the provisions of the *Residential Tenancies Act* (RTA).

LPMA requests that Council refer the By-law back to City staff for stakeholder review to correct numerous formatting and spelling errors and, more importantly, to address serious concerns that have been raised by LPMA Members regarding specific provisions of the By-law (see attached correspondence initially sent to CAPS committee). At the CAPS committee, City staff acknowledged that due to COVID there had been no stakeholder consultation and agreed that it would be beneficial to refer it back for that purpose. Despite this, CAPS moved passage of the By-law be passed and then made a token gesture with the recommendation that following passage of the By-law, a “Stakeholder Task Force” be formed to correct deficiencies in the By-law. Frankly, requiring that a Task Force soldier on with discussions after the By-law is passed would be a lengthy march to nowhere. A more constructive (and less embarrassing) legislative product will result from the correction of deficiencies in the legislation before its passage. This need not be a time-consuming process. LPMA Members are ready, willing and able to work quickly to ensure the By-law provides clarity to stakeholders who are charged with compliance, and to correct jurisdictional and other obvious deficiencies so that they are not lodged in the final legislative product.

A preliminary list of LPMA’s specific concerns was provided, in advance to the CAPS Committee. LPMA expressed concern about provisions which exceed *Building Code Act* (BCA) requirements and impose “retrofit” in existing buildings; ambiguous terms used in the By-law which confer broad discretion on enforcement officers and create uncertainty for building owners in trying to meet their By-law obligations; and, the lack of procedural fairness relative to the issuance of orders and appeals provided for in the By-law. The particulars of each of those concerns which warrant a further staff review and a request for stakeholder input from LPMA into completion of the By-law’s legislative process is in our attached letter to CAPS.

It is helpful to make the full Council aware of what actually occurred at the CAPS Committee meeting relative to the proposed By-law. First, it is important to note that each tenant who appeared and made submissions at the public participation meeting made no reference to any of the amendments; rather, each of them focused their concerns about the lack of enforcement of maintenance and unsafe housing conditions by City staff. Staff confirmed that “because of COVID”, in-suite inspections by By-law enforcement and the London Fire Service are not being conducted. Respectfully, such observations, while justified, have nothing to do with the deficiencies in the proposed by-law and as such were irrelevant in the context of the matter at hand. There were, in fact, no objections taken by members of the public to the LPMA proposal that, prior to passage of the By-law, there be proper stakeholder consultation, including with ACORN and other interested parties advancing tenant concerns. Somehow, some Councillors took tenants’ complaints of lack of municipal enforcement as a show of support for passage of the by-law when the better course would, of course, be to direct enforcement of it...something which is entirely in the City’s hands.

We also wish to point out that, while the City is not enforcing its By-law, the vast majority of London’s multi-residential landlords have been classed under the Province’s emergency order as providers of “essential services” and they regularly continue to enter tenants’ suites to ensure Fire Code compliance; compliance with “life safety” maintenance issues and standards; and, have been directed by the Province to defer “non-urgent” maintenance only. The vast majority of LPMA Members continue to diligently carry out their statutory maintenance and property management services despite the ongoing pandemic.

For the foregoing reasons LPMA requests that Council refer the motion for passage of the By-law back to staff for expedited stakeholder consultation and we thank you for consideration of this request.

Yours very truly,

COHEN HIGHLEY LLP



Joseph Hoffer

JJH:rmh

email: hoffer@cohenhighley.com

Encl.

cc: LPMA



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F 519 672-5960

February 26, 2021

VIA EMAIL: cpssc@london.ca

Chair and Members
Community and Protective Services (“CAPS”) Committee
City of London
300 Dufferin Avenue, PO Box 5035
London, Ontario, N6A 4L9

Dear Chair and Members:

Re: Property Standards By-law Review

We are the lawyers for the London Property Management Association (“LPMA”). The LPMA is committed to promoting education and professionalism among its more than 550 members. The vast majority of LPMA members are builders, owners and operators of multi-residential rental properties in London. LPMA is Ontario’s oldest regional landlord association and its mandate is to educate its members to administer and manage their rental properties to meet all statutory and professional standards, including full compliance with London’s Property Standards By-laws (the By-law) as well as the provisions of the *Residential Tenancies Act* (RTA).

The purpose of this submission is to express, on behalf of its Members, LPMA’s concerns about the proposed amendments to the By-law and to ask that your Committee direct staff to report back on those provisions which for which LPMA’s concerns are raised and that it will do so following stakeholder consultation. LPMA is concerned about provisions which exceed *Building Code Act* (BCA) requirements and impose “retrofit” in existing buildings. LPMA is concerned about ambiguous terms used in the By-law which confer broad discretion on enforcement officers and create uncertainty for building owners in trying to meet their By-law obligations. LPMA also has concerns about the lack of procedural fairness relative to the issuance of orders and appeals provided for in the By-law. What follows are particulars of LPMA’s concerns warranting a further staff review and a request for stakeholder input from LPMA into completion of the By-law’s legislative process.

Section 2.1: This provision of the By-law appears to set a standard for housing that in many cases exceeds the BCA, Fire Code, Plumbing Code and Electrical Code that would have been in place at the time the property was constructed. Owners of multi-residential buildings, if forced to “retrofit” their properties, will be forced in some cases, to compel tenants to vacate rental units to enable work to be done; will be forced to seriously disrupt tenants’ use and enjoyment of their rental units in those cases where work can be done without displacing tenants; and, spend substantial sums of money which will then be passed on to tenants in the form of Capital Expenditure Applications under the *Residential Tenancies Act* (RTA). Absent valid “life-safety” grounds for deploying retrofit requirements, it is submitted that such requirements should be removed or alternative means of addressing the specific life-safety issues be explored. In addition, there is a basic legal principle which holds that in the absence of

the lawful delegation of provincial powers, a Municipality lacks legislative jurisdiction to enact and enforce retrofit and impose new standards of construction. Excess exercise of municipal jurisdiction invites legal challenges which ultimately are not a constructive way to deal with what, in our submission, are mutual goals of LPMA members and the City to ensure safe housing for tenants and homeowners. A legal review of the scope of the proposed changes, and stakeholder consultation, are warranted to ensure there is no excess of municipal jurisdiction and that a more measured approach, rather than imposing new and excessive construction requirements in older buildings, is taken.

Sections 2.2, 2.6, 4.1.2, 4.1.3, 4.2.2 are all examples of provisions that are entirely subjective in the eyes of an Inspector and do not take into account the more objective Codes that were in effect at the time the property was constructed. Such provisions create uncertainty for building owners as, in the experience of owners, one inspector may impose one subjective standard and upon review by another inspector, the “goal posts” change and, a few months or years later, yet another inspector may have a different opinion. Such subjective standards have no place in mandatory municipal enactments which impose substantial financial obligations and penalties on citizens. It is submitted that a review of the provisions in question, with stakeholder consultation, will help achieve a better legislative product from the City.

Section 4.8.6 (l): There is no definition of the term “adequate” and again, this is entirely subjective. The language of this provision should be changed so that those required to comply with the section can properly do so. The same criticism applies to Section 4.6.3: There is no definition of the term “compatible finish” and, like art, whether the finish is compatible is “in the eye of the beholder”, or beholders as the case often is with municipal inspections.

Section 4.8.11: This provision requires some additional review and consideration. It is unclear whether the City of London emergency/temporary housing for the homeless meets this definition of size. It would appear that the minimum size of 278 sq. ft. will make the provision of affordable housing more expensive and may preclude the conversion of hotel/motel rooms to Single Occupancy Residential units needed to mitigate homeless issues. In fact, there may be bachelor type suites in buildings constructed during the 70’s and 80’s, many of which are owned or funded by the London Housing Authority, which may not comply with this requirement. If these suites complied with all of the appropriate zoning and building codes of the day when they were constructed shall we just deem them illegal today? That is the potential effect of this By-law; consequently, a more detailed review of this particular provision is warranted.

Section 5.4.4 and 5.4.7: Subject to valid “life-safety” requirements, buildings should be required to comply with the Electrical Code in effect when they were constructed. As stated above, there are serious consequences for both landlord and tenant stakeholders, as well as for the City, if the legislation exceeds municipal jurisdiction and, even if it does not, the financial and daily living consequences for affected stakeholders, including tenants (who are most directly affected) are excessive.

Section 5.4.6: Does not permit motion activated lighting of common areas, a common practice for energy conservation. Energy conservation and innovation should be encouraged, not suppressed.

Section 6.2: 14 days is an arbitrary and insufficient time for an appeal. There is no provision for determining how an Order must be served. It appears that the Order may be served on a tenant (occupant) who may or may not give it to the owner but the Order would not be capable of being appealed after 14 days, even if the owner of the property was unaware of the Order. Such a provision invites judicial review on the basis of a lack of procedural fairness and natural justice owed to the parties subject to such orders.

Administrative Penalties: Given the subjective nature of many of the provisions of the By-law it would be appropriate to enact a statutory right of appeal or review of the Administrative Penalties. Note that under

the RTA, amendments were recently introduced whereby such penalties, if they result from tenant/occupant conduct, can be recovered directly from the tenant in an application to the Landlord and Tenant Board. The amendments have been given Royal Assent but have not yet been proclaimed pending amendments to the *Courts of Justice Act* which will transfer jurisdiction over such matters to the Landlord and Tenant Board. Thus, both landlords and tenants may wish to join in challenging the quantum of administrative fines levied against landlords where the conduct giving rise to the fine is due to actions of the tenant or her invitees. As a practical matter, enforcement of occupant infractions usually is levied against landlords but the new indemnification provisions of the RTA create a mutual interest for these stakeholders in seeking a remedy for excessive administrative fines. The lack of an appeal mechanism of such fines appears to be missing from the powers of the Property Standards Committee and therefore invites jurisdictional challenge on the basis of procedural fairness and natural justice. Clearly the preferred option is stakeholder consultation and review, not overreaching, hasty enactment of defective legislation.

Finally, there are numerous typographical errors to the By-law that need correction.

Based on the foregoing, it is submitted that the request of LPMA that this matter be sent back to staff for stakeholder and staff review, including legal review by city lawyers, is justified and we ask you're your Committee direct such a review.

Thank you, in advance, for your consideration of the submissions of LPMA.

Yours very truly,

COHEN HIGHLEY LLP



signature electronically affixed

Joseph Hoffer
JJH:rmh
email: hoffer@cohenhighley.com

cc: LPMA



Cohen Highley^{LLP}
LAWYERS

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March 15, 2021

VIA EMAIL: PPMclerks@london.ca

Council Members
City of London
300 Dufferin Avenue, PO Box 5035
London, Ontario, N6A 4L9

Dear Council:

Re: Landlord Licensing; Request for Rejection of CAPS Committee Motion to Expand Licensing

We are the lawyers for the London Property Management Association (“LPMA”). The LPMA is committed to promoting education, training and professionalism among its more than 550 members. The vast majority of LPMA members are builders, owners and operators of multi-residential rental properties in London. LPMA is Ontario’s oldest regional landlord association. LPMA’s mandate is to educate its members to administer and manage their rental properties to meet all statutory and professional standards, including full compliance with London’s Property Standards By-laws (the By-law) as well as the provisions of the *Residential Tenancies Act* (RTA) and the obligation to maintain rental properties in accordance with housing, health and safety standards. Throughout the current pandemic, LPMA members have been designated and permitted to provide essential property management services, including all testing, inspections and maintenance of life safety and necessary maintenance requests.

At the CAPS committee meeting, City staff informed CAPS members that of 45,000 complaints last year, only 7% involved rental housing. We have also reviewed staff’s report to the Planning Committee from May 26, 2008 (attached, see page 3 under “Housing Condition Trends”) where it was reported that of all maintenance complaints received by the City about rental properties at that time, 85% involved single family rental properties and only 5% involved rental properties with more than 4 units. Extrapolating from those numbers, 7% of 45000 complaints works out to 3150 complaints about rental housing and 5% of that number (attributable to rental properties with more than 4 units) works out to 158 complaints. It is submitted that it would be an abdication of Council’s responsibility to Londoners to create and implement the costly expansion of the current licensing by-law to all multi-res properties in London; hire the dozens of staff required to administer it; hire the additional management staff for oversight of the expanded bureaucracy; impose on all multi-res landlords in London a third layer of regulatory maintenance standards; and, ensure that the inevitable license fees (the “Tenant Tax”), will be passed through

to tenants. LPMA respectfully suggests that a more prudent approach to deal with about 158 complaints would be to hire, on a part time basis, one Property Standards By-law enforcement officer.

The numbers above also reflect another important consideration: the vast majority of purpose built apartment units in London are built, managed and operated in accordance with rigorous statutory requirements to ensure life safety and proper housing standards are in place. The statutory codes applicable to such properties require mandatory Fire, Building, Electrical and Maintenance inspections and compliance with all retrofit legislation. The numbers above bear out the fact that maintenance issues are relatively rare in purpose built multi-res developments and that where they occur, enforcement of existing City By-laws by current City staff is the most prudent, cost-effective way of dealing with them.

At the CAPS committee, LPMA provided a written submission asking that the motion for an expansion of the City's Landlord Licensing By-law be rejected; however, it has now been sent to Council for approval for a full investigation and report from staff. LPMA respectfully asks that such approval be rejected. At the CAPS committee, the public representations in support of an expanded licensing by-law came from two principal sources: 1. Tenant advocacy agencies (Toronto-based ACORN and Neighborhood Legal Services) whose operations and funding are dependent on the promotion of the appearance of conflict between landlords and tenants; and 2. Tenants who provided anecdotal accounts of their experience of maintenance issues in rental apartments. The agencies provided no particulars of why or how the creation of a third regulatory regime (the first two regimes being the *Residential Tenancies Act* and the City of London's maintenance oriented Property Standards By-law) to impose maintenance obligations on landlords was necessary. The Tenants who supported licensing were unanimous in asserting that the reason they support expanded landlord licensing is because they can't get the City to enforce its current by-law. Adding a third layer of regulations to the two already in place is not going to trigger enforcement, only clear direction from Council to staff to enforce existing By-laws will do that. It is respectfully submitted therefore, that in the absence of any substantive justification for an expansion of the landlord licensing by-law, the better option is to enforce the maintenance by-laws that the City already has in place when tenants call in with complaints.

Finally, there is always an alluring factor for a municipal Council's consideration of any licensing regime: the prospect of collecting robust licensing fees which can then be added to City coffers to fund other programs. It is submitted that such a motivation subverts the interests of tenants to those of the City and that tenants should not bear the cost of subsidizing other City programs. The simple fact is that license fees will be downloaded and paid for by tenants. In the past, Councilors have responded by saying that where that occurs it is the fault of landlords, not Council; however, landlords are no different than Council members who, when they incur expenses on City business (conferences, travel, meals, etc.) pass those expenses on to City taxpayers. Council should also be aware that licensing fees, being "municipal charges", are charges which can be passed through to all tenants in an Above Guideline Rent Increase (AGI) under the provisions of the *Residential Tenancies Act* (RTA). When Waterloo enacted its particularly expensive licensing by-law, we successfully secured an AGI increase of 6.8% under the provisions of the RTA. Prior to passage of the by-law we cautioned Waterloo council that this would be the outcome and our cautions were ignored, largely due to Waterloo's focus on the

prospect of reaping a windfall from licensing fees. The fees went to City coffers for the purchase of new cars and I-pads, and of course and expansion of staff, and the tenants suffered financial hardship, with families being hardest hit because the “Tenant Tax” increased based on the number of unit bedrooms.

LPMA asks that Council consider that there is no upside for anyone to expand landlord licensing beyond the regulatory net it already casts, and that enforcement of its current maintenance based By-law is a far more responsible and effective strategy to address legitimate maintenance concerns in rental housing. For all of these reasons, it is respectfully requested that the City reject the proposal for expansion of the Landlord Licensing By-law in London and that the City focus, instead, on enforcing the maintenance bylaws it already has in place.

Thank you, in advance, for your consideration of the submissions of LPMA.

Yours very truly,

COHEN HIGHLEY LLP



Joseph Hoffer

JJH:rmh

email: hoffer@cohenhighley.com

Encl.

cc: LPMA

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O. KATOLYK

TO:	CHAIR AND MEMBERS PLANNING COMMITTEE
FROM:	R. PANZER GENERAL MANAGER OF PLANNING AND DEVELOPMENT
SUBJECT:	ENFORCEMENT OPTIONS TO ADDRESS SUBSTANDARD RENTAL HOUSING MEETING ON DECEMBER 8, 2008

RECOMMENDATION

That, on the recommendation of the General Manager of Planning and Development, the following report outlining the pros and cons and financial impact of enforcement options designed to address substandard rental housing conditions **BE RECEIVED** for information purposes; it being noted that a public meeting will be held before the Planning Committee on March 3, 2009 to discuss a recommended enforcement approach to address substandard rental housing conditions.

PREVIOUS REPORTS

Licensing of Residential Rental Units – Report to Board of Control – June 20, 2007

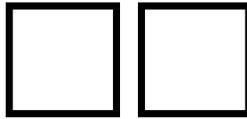
Rental Residential Business Licensing Program - Report to Planning Committee – February 25, 2008

Update - Rental Residential Business Licensing Program - Report to Planning Committee – May 26, 2008

INTRODUCTION

This report provides an overview of potential enforcement options to address sub-standard housing conditions that are likely to adversely affect the residents of rental properties and negatively impact the residential amenity, character and stability of residential areas. To this end, this report provides an overview of the following enforcement options :

- Status quo – address property standards in response to complaints
- Enhanced property standards enforcement – implement an enhanced model of enforcement with City directed maintenance repairs
- Rental property registry – collect information on rental property owners and associated agents / property managers
- Targeted area property standards blitzes – analyze complaints and property standards conditions and undertake proactive enforcement blitzes
- License rental residential properties based on building structure types – focus on licensing specific types of structures (ie. Single detached dwellings to fourplexes inclusive) and undertake proactive property standards enforcement
- License all rental residential properties on a City wide basis – license all rental accommodations and undertake proactive property standards enforcement



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In addition to providing an analysis of the pros and cons of each of the above options, a financial impact statement is presented on the costs of implementing the above options. Examples of different enforcement models employed throughout the United States and Ontario are also listed for comparative purposes.

BACKGROUND

On June 25th, 2007, Municipal Council requested that Civic Administration report on options for the licensing of rental units including staff implications and options specific to the type, age and location of units. Subsequently, two reports were presented to the Planning Committee outlining options on licensing programs. As a background to the discussion on the above noted six enforcement options, a summary of the public consultation undertaken, housing condition trends and examples of enforcement approaches in several North American municipalities including Ontario municipalities is provided.

Public consultation

A public open house was held on March 18, 2008, at Centennial Hall to discuss options for licensing rental units. Over 500 citizens were in attendance. The majority of the comments at the public open house reflected the concerns of tenants that rent increases associated with licensing fees would be passed down to tenants by their landlords. The following is a summary of the comments received categorized as pros, cons and implementation issues :

Pros

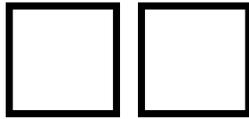
- Full support to address bad landlords and tenants
- There is a problem with absentee landlords
- Sliding scale licensing fee
- All rental units should be licensed
- All landlords should be licensed

Cons

- Will result in increase in rent for tenants
- City should enforce current by-laws proactively and increase fines
- Student behavior is the main reason for licensing
- Human Rights Commission will indicate that municipalities cannot target residential licensing programs (must be City wide)
- Purpose of licensing is for revenue generation
- Shouldn't penalize all landlords and tenants for problems caused by a few
- City should hire more enforcement officers for after hours enforcement issues
- It is very difficult to evict bad tenants
- Need a proactive tool that can be affordable
- No support for licensing if it is area specific (student areas)
- Property owners will not be able to afford property managers

Implementation issues

- Another level of administration to collect "new tax"
- Long implementation period to inspect units



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A second public open house was held on October 6, 2008 to allow for feedback on pros and cons of implementing a residential licensing program for buildings containing four or less rental units City wide. Approximately 80 persons were in attendance. Following a short presentation on the revised licensing proposal, the audience was divided into two groups and discussions continued on the costs and benefits of licensing only a specific sector or the local rental housing market. Following this breakout session, summaries of the pros and cons were presented to City staff. The comments received at the meeting were very similar to the comments received from the initial meeting held in March 2008.

In addition to the public open house sessions, staff have met with the London Housing Advisory Committee and members of the London Property Managers Association to discuss enforcement options.

Housing Condition Trends

As noted in the report presented to the Planning Committee in February 2008 , property standards complaints for residential properties almost doubled between 2002 and 2007 from 445 to 866 complaints. Furthermore, the increase in complaints in single detached dwellings increased from 222 to 459 annual complaints during this time period. Of the 459 complaints for single detached dwellings in 2007, 307 of the complaints were from tenants assuming that all interior and interior/exterior complaints lodged are made by tenants /occupants and not neighbours.

Further analysis of the complaints received during that time period indicated that of all property related by-law complaints received (including violations of the Clearing of Land By-law), approximately 85% were attributed to issues with single detached dwellings and only 5% related to buildings with more than 4 dwelling units.

Enforcement Examples in North American Municipalities (including Ontario)

There are a number of different examples across North America of how municipalities address the issue of addressing sub-standard housing conditions.

Licensing of rental residential units has been in place in many US cities for decades. For example , Los Angeles has a very comprehensive system of mandatory housing inspections.

<http://cris.lacity.org/cris/informationcenter/code/index.htm>

The Systematic Code Enforcement Program (SCEP) is designed to routinely inspect all residential rental properties with two or more housing units on a four-year cycle and to respond to reports of property violations. Inspections are conducted to ensure the safety and habitability of all occupied rental dwelling units. If repairs are not completed within the time period specified on the Notice and Order to Comply, or Notice and Order of Abatement, the owner will be summoned to an administrative General Manager’s Hearing to explain the reason(s) for non-compliance and specify the date the repairs will be completed. If further enforcement steps become necessary, the file may be forwarded to the Office of the City Attorney as a criminal complaint. The property may also be subject to inclusion in the Rent Escrow Account Program where the city undertakes repairs via the redirection of rents.

Many other larger municipalities have also adopted a licensing system to address housing conditions including:

Minneapolis

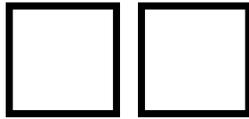
http://www.ci.minneapolis.mn.us/Inspections/docs/rental_licensing.pdf

Boston

<http://www.cityofboston.gov/isd/housing/rental.asp>

Pittsburgh

http://www.city.pittsburgh.pa.us/BBI/assets/pgh_rental_reg_fact_sheet.1.pdf



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Many smaller municipalities and towns have also implemented a model of residential licensing.

Some municipalities have adopted rental registry ordinances requiring that rental properties be registered with the City to assist with making contact with property owners in emergency situations.

Buffalo

<http://www.ci.buffalo.ny.us/Home/CityServices/RentalRegistration>

The most comprehensive review of a licensing model of enforcement was undertaken by the La Follette School of Public Affairs in Wisconsin-Madison.

<http://www.lafollette.wisc.edu/publications/workshops/2002-2003/spring/PA869/domestic/MilwRental-2003.pdf>)

The report was prepared to provide Milwaukee's Department of Management and Budget and Department of Neighborhood Services with an analysis of the concept of rental unit licensing as an alternative to current rental housing inspection programs. Two types of licensing models were considered: a universal licensing model and a targeted one, in which only the more problematic units are inspected. The two models were evaluated according to the policy goals of improving the quality of rental housing, the efficiency of rental markets, the availability of affordable housing, and feasibility.

The analysis found that rental unit licensing has very uncertain benefits and can create negative effects on housing markets and the availability of affordable housing. The study concluded that Milwaukee should not implement licensing because the policy would be expensive, meet strong political opposition, and cause more problems for Milwaukee's rental markets than it would solve. The study recommended that Milwaukee increase the level of awareness of the current housing ordinances and complaint system to educate tenants of the process of the compliant driven process.

It is important to note that even though many municipalities in the United States have adopted a licensing model of enforcement, the legislative authority under which they operate is much different than the current legislation in Ontario. The following is a summary of enforcement approaches undertaken or planned to be implemented in Ontario municipalities:

Toronto

<http://www.toronto.ca/legdocs/mmis/2008/ex/bgrd/backgroundfile-16628.pdf>

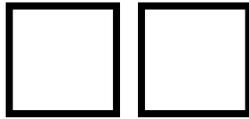
A building audit and enforcement program is planned to be launched on December 1, 2008, which will provide immediate action on the City's greatest at-need rental buildings. The program will be implemented by redeploying the current enforcement complement and making more active use of the City's available tools, including its ability to charge re-inspection fees and to bill landlords for work undertaken by the City.

Oshawa

http://www.tgao.ca/uploaded_files/licensing/oshawabylaw25.pdf

http://www.oshawa.ca/agendas/Development_Services/2008/10-20-Joint/DS-08-461_CM_Student_Housing_Around_UOIT_Durham_College.pdf

The City of Oshawa was the first municipality to implement a licensing system focusing on a specific geographic area of the City. The second link above outlines the status of the program to date.



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Hamilton

<http://www.myhamilton.ca/NR/rdonlyres/3F2A6287-8569-4E0C-949D-555FC72A6CD6/0/Oct14PED07296a.pdf>

The City of Hamilton has directed staff to begin consultations on implementing a pilot project for a licensing program.

St. Catharines

http://www.stcatharines.ca/cityservices/citydepartments/corpsupportsvcs/Agendas_Minutes/docs/Agendas/2007gaaug27.pdf

The City of St. Catharines recommended a program of increased enforcement.

Waterloo

http://www.city.waterloo.on.ca/Portals/57ad7180-c5e7-49f5-b282-c6475cdb7ee7/DS_COMMUNITYPOLICY_documents/RHLR_TofR.pdf

The City of Waterloo has directed staff to initiate a rental housing licensing review.

ENFORCEMENT OPTIONS

- **Option 1 - Status quo** – address property standards in response to complaints

Program description

Currently, housing condition complaints are initiated from three sources; tenants, neighbours or referrals from a variety of enforcement agencies. When a complaint is received from a tenant (usually dealing with the condition of the rental unit), the complainant is requested to advise the landlord in writing of the deficiencies inside the rental unit and provide the landlord reasonable time to resolve the issues. Normally, reasonable time would be two to three weeks. If compliance is not achieved, the complainant is asked to forward a copy of the letter that was submitted to the landlord or agent to the City.

The initial notice to the landlord regarding the maintenance of the rental unit adds legitimacy to a complaint since there have been some occurrences in the past where invalid complaints were made for various reasons (i.e. lease breaking).

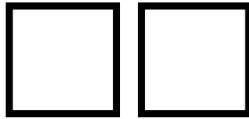
Where the complaint involves a safety issue, such as an electrical or structural deficiency, the requirement to have the tenant advise the landlord is not followed. The property standards inspector takes prompt action to confirm an alleged unsafe situation.

Where the complaint is made by neighbours, the issue normally involves an exterior infraction such as the condition of the exterior of the building or other exterior property maintenance deficiencies. For these types of complaints, there is no requirement for the complainant to write the landlord/agent or owner of the subject property. The City responds to these complaints on a priority basis.

Where a referral by another enforcement agency (ie. Police, Health Unit , Fire Prevention Office), the City also responds on a priority basis.

Pros

- Allows landlords to address issues prior to City involvement
- Allows enforcement staff to prioritize inspections based on severity of complaints
- Provides tenants assurance that City will investigate if property owners take no action in response to complaints
- Provides documentation to tenants should the matter be discussed at future landlord/tenant hearings or mediation



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Cons

- Program is reactionary and not proactive – no proactive inspections are undertaken
- Court action is time consuming and there are no current applicable fines

Financial Impact

There is no financial impact of continuing to enforce the Property Standards By-law in response to complaints.

- **Option 2 - Enhanced property standards enforcement – implement an enhanced model of enforcement with City directed maintenance repairs**

Program Description

Before contacting the City and filing an official complaint, tenants are requested to notify their landlord or property manager in writing outlining the possible deficiencies within their rental unit. Tenants are asked to provide a reasonable time frame to have the deficiencies corrected. If the landlord or property manager requires an extension of time to complete repairs, it is suggested to the tenants to try to accommodate extensions. If the repairs are not completed after a reasonable time, tenants are asked to send a copy of the letter that was submitted to the landlord or agent to begin enforcement actions by the City.

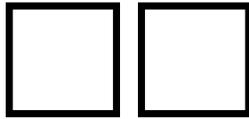
When a tenant initiates a complaint, the initial step a Property Standards Inspector calls the property owner/agent to confirm the status of the problem and when it would be corrected. If the owner/agent agrees to correct the problem, the complaint remains active and is assigned a bring-forward status for follow-up. If the work is completed, the Property Standards Inspector confirms the status of the complaint with the tenant and, if the remedial work is completed, the file is closed.

If the owner/agent has not completed the remedial work as requested, the Property Standards Inspector arranges a suitable time with the tenant for an inspection to confirm the interior unit deficiencies. After the Inspector confirms the deficiencies, the Inspector has options to call the landlord to advise of the deficiencies, send a property standards infraction notice listing the deficiencies to be repaired within a prescribed time (normally one – two weeks) or issue a Property Standards Order under the Building Code Act. In the majority of cases a property standards infraction notice is first sent listing the deficiencies. However, for repeat cases, Inspectors have the discretion to immediately issue an Order.

An inspection is made after the compliance date to confirm if the repairs have been done. If the issues have been resolved, the file is closed. In cases where the matter is not resolved after the second inspection, the City will bill the property owner for the inspection time and associated costs. Where the owner fails to resolve the deficiencies listed in the notice, the inspector has the discretion to provide an extension or to issue an Order which may be registered on the title of the property. The property owner has appeal rights to the Property Standards Committee (Committee of Adjustment) for any order issued.

Once an order is final and binding and there has been no attempt to correct the deficiencies, charges may also be laid under the Building Code Act.

Traditionally, the City has not coordinated repairs of properties which do not comply with the Property Standards By-law. Several buildings have been demolished under the direction of the City only in situations where all other enforcement options have been exhausted.



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Pros

- Maintenance repairs undertaken under the direction and coordination of the City (at the property owners expense) will enhance living conditions for the tenants and improve aesthetics in the surrounding neighbourhoods

Cons

- A system of prioritizing maintenance improvements and tendering repair proposals will need to be implemented

Financial Impact – there is no financial impact of directing and coordinating maintenance improvements for properties which are in violation of the Property Standards by-law.

- **Option 3 - Rental property registry** – collect information on rental property owners and associated agents / property managers

Program Description

Currently, the City does not require any information regarding a listing of rental property owners and any agents or property managers. Quite often, this information is valuable when responding to after hours or weekend complaints mainly dealing with vital service issues such as lack of heat. Property Standards Inspectors have information about property ownership, however, there is no contact information or information about associated property maintenance firms representing the property owner.

Pros

- Inspectors would have access to information within their vehicles on contacts for after hour valid complaints which require immediate attention
- Contact information could be easily inputted in to current address based information system

Cons

- Information would need to be inputted into computer system

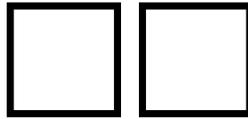
Financial Impact - there would be no financial impact as this data would be input in the computer system using existing staffing resources.

- **Option 4- Targeted area property standards blitzes** – analyze complaints and property standards conditions and undertake proactive enforcement blitzes

Program Description

Currently enforcement is mostly complaint driven except for enforcement of the Clearing of Land By-law in the areas surrounding the University of Western Ontario and Fanshawe College. Limited proactive enforcement is undertaken in the Old East Village area. Under this program, Old East Village staff have been trained in recognizing by-law violations and on a weekly basis, they email a list of possible violations to the City for future action. On December 17th, 2007, City Council resolved that:

“a targeted proactive enforcement model be implemented in areas where there is a high propensity of valid neighbourhood complaints, it being noted that in many cases a coordinated enforcement blitz is the most cost effective and efficient method to address neighbourhood quality of life and nuisance issues”.



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Since that time, four enforcement blitzes were undertaken in the following areas: south of Horton neighbourhood (SOHO), Emerson Avenue area, Hilton Street area and the Quebec Street area. Proactive enforcement included visible violations of the Clearing of Land By-law and Property Standards By-law (exterior issues only) . Violators were less likely to focus on who potentially complained since the complaints were proactively filed by City enforcement staff. No internal inspections were undertaken unless tenants requested inspections due to possible Property Standards violations.

Pros

- Enforcement actions are targeted at specific neighbourhoods with a propensity of valid neighbourhood complaints
- Cost effective model of enforcement focusing on problem property owners

Cons

- Only exterior property issues addressed unless tenants initiate complaints regarding interior issues
- Proactive targeted area enforcement can only be implemented if staff resources are available to undertake proactive enforcement of problem areas

Financial Impact

In order to implement a proactive targeted area enforcement program, one additional property standards inspector would be required to address an increased volume of complaints. There will also be a cost of educating tenants of how to initiate complaints related to issues pertaining to the interior of their rental units. These costs will be offset by re-inspection fees (\$95) collected from property owners.

- **Option 5 - License rental residential properties based on building structure types** – focus on licensing a specific type of structure types (ie. Single detached dwellings to fourplexes inclusive) and undertake proactive property standards enforcement

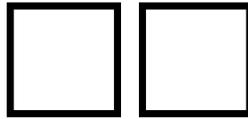
Program Description

On January 1, 2007, the Municipal Statute Law Amendment Act, 2006 (Bill 130) amended the Municipal Act, replacing the part of the Act dealing with business licensing. One of the main changes to the Municipal Act was the elimination of the prohibition outlined in Ontario Regulation 243/02 which prevented a municipality from licensing, regulating or governing the rental of a residential unit. Municipalities in Ontario now have the option to license, regulate and govern residential rental accommodation in a similar manner to the licensing of other local businesses.

This option is based on the premise that the offering of rental dwelling units is a business and classifying and regulating rental units as a rental residential business is desirable for the public.

Under this option, rental properties will be subject to a number of conditions applied solely for the purpose of providing and maintaining safe residential housing. Under licensing powers, a municipality may impose conditions as a requirement of obtaining, continuing to hold, or renewing a business license. Conditions may include the payment of a fee, compliance with other applicable federal or provincial legislation or regulations and by-laws of a municipality and the inspection of the property.

It is not the intention of the City to intervene or act as a mediator or advocate for either landlords or tenants or to resolve issues related to contractual agreements (leases) made between either party.



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The focus of this option is to license the following structure types on a City wide basis: single detached dwellings, semi detached dwellings, duplexes, triplexes and fourplexes. Please refer to the section in this report on property standards trends based on structure types.

A draft rental residential licensing by-law is included as appendix 1 to this report.

Pros

- Fair playing field for all landlords with ownership within the structure type
- Threat of license revocation may be an incentive to comply to by-laws
- Proactive inspections of interior of rental units
- Focus on specific sector of housing structures with a high propensity of complaints

Cons

- Inspections and collection of fees very resource intensive
- Lengthy initial roll out of program due to collection of baseline inspection data

Financial impact

By way of background, there are 12,500 rental units within the single, semi, duplex, triplex and fourplex structure type. Based on a 210 work days per year and six inspections per day per inspector, two PS inspectors can undertake 2,520 inspections per year. It would take 5 years to undertake only initial inspections. Should Council direct that the initial inspection cycle be reduced, additional inspection resources would be required and the license fee would be increased. It should be noted that there will be requirements for re-inspection resulting from non-compliance that will continue beyond the five-year time frame.

The cost of two PS inspectors and one customer service representative, yearly cost for inspections and administration would be \$230,000. A licensing registration fee of \$150 collected at year 1 and year 6 (unless there is a change of ownership), will bring in a revenue stream of \$1,875,000 over the five year period.

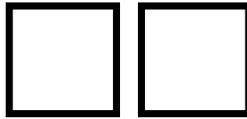
If violations are found during the initial inspection, the property owner will be given a specified time period to remedy the violations. If all violations are not corrected before the compliance date, a re-inspection fee of \$95 will be issued and the property will be required to be re - inspected the following year.

If no violations exist on the property at the time of the initial inspection or if the violations are corrected within the compliance period, the property will have future inspections waived for up to five years if they continue to comply with the licensing conditions and property standards by-law.

- **Option 6 - License all rental residential properties on a City wide basis – license all rental accommodations and undertake proactive property standards enforcement**

Program Description

This option is similar to option 5, however under this option all rental units are licensed on a City wide basis. This option is premised on Statistics Canada census responses related to housing conditions. Based on 2006 Census data from London, 4% of owner occupant respondents indicated that their dwelling required major repairs (ie. defective plumbing or electric wiring, structural repairs to walls, floors or ceilings) and 9% of tenant respondents indicated major repairs are required to their living accommodations. Eight percent of tenants residing in apartment buildings indicated major repairs are required. Although this information is based on City wide data, it is possible to identify specific census tracts where there is a high number of renters indicating major repairs are required to their living accommodations.



O. KATOLYK

A draft rental residential licensing by-law is included as appendix 1 to this report.

Pros

- Fair playing field for all landlords city wide
- Threat of license revocation may be an incentive to comply to by-laws
- Proactive inspections of interior of rental units

Cons

- Inspections and collection of fees very resource intensive
- Very lengthy initial roll out of program due to collection of baseline inspection data

Financial impact

The financial impact would be similar to that of option 5 which is based on the hiring of two additional inspectors and one customer service representative to administer the program. The main difference would be the time period of the program.

There are approximately 54, 500 rental units within the City of London. To undertake initial inspections of all rental units based on the budget request of two inspectors would take 21.6 years. These inspection times would be reduced if sample inspections were undertaken in multi unit buildings. Should this option be considered, staff would recommend additional resources to reduce the time period for initial inspections for this program.

CONCLUSION

This report provides an overview of potential enforcement options to address sub-standard housing conditions that are likely to adversely affect the residents of rental properties and negatively impact the residential amenity, character and stability of residential areas. To this end, this report provides an overview of the following enforcement options :

- Status quo – address property standards in response to complaints
- Enhanced property standards enforcement – implement an enhanced model of enforcement with City directed maintenance repairs
- Rental property registry – collect information on rental property owners and associated agents / property managers
- Targeted area property standards blitzes – analyze complaints and property standards conditions and undertake proactive enforcement blitzes
- License rental residential properties based on building structure types – focus on licensing a specific type of structure types (ie. Single detached dwellings to fourplexes inclusive) and undertake proactive property standards enforcement
- License all rental residential properties on a City wide basis – license all rental accommodations and undertake proactive property standards enforcement

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O. KATOLYK

In addition to providing an analysis of the pros and cons of each of the above options, a financial impact statement is presented on the costs of implemented the above options.

A public meeting will be held on March 3, 2009 before the Planning Committee to discuss a recommended enforcement approach to address substandard rental housing conditions.

PREPARED BY:	SUBMITTED BY:
O. KATOLYK MANAGER OF BY-LAW ENFORCEMENT	G. KOTSIFAS, P.ENG. DIRECTOR OF BUILDING CONTROLS
RECOMMENDED BY:	
R. W. PANZER GENERAL MANAGER OF PLANNING AND DEVELOPMENT	

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cc. Jennifer Smout, City Solicitors Office



March 18, 2021

His Worship Mayor Ed Holder and Members of Council
City of London
300 Dufferin Avenue
London ON, N6A 4L9

Sent by e-mail

Dear Mayor Holder and Members of Council,

RE: CAA’s position on municipal licensing of tow trucks

On behalf of the Canadian Automobile Association (CAA), I am pleased to submit comments for the City of London’s proposed towing by-law. CAA remains committed to voicing the concerns of our 2.5 million Ontario Members, and to being an advocacy leader on issues relating to road safety, infrastructure, and transportation.

Since 2019, CAA has met with London City Councillors Lewis, Helmer, Hillier and Pelosa, London Police Service’s Sergeant Robert Tubrett, and civic administration’s Orest Katolyk and Nicole Musicco regarding concerns about the towing industry. Most recently, we have submitted letters to civic administration (February 10, 2021) and to the Community and Protective Services Committee (February 26, 2021) about the City of London’s proposed towing by-law.

CAA cannot support the proposed by-law as written because it is our belief that it fundamentally encourages tow truck “chasing,” the very behaviour that London’s by-law staff and Members of Council wish to eliminate. This is because, unlike the Ontario Highway Traffic Act, the draft London by-law allows for tow trucks to both “park, stop, stand” and to “make or convey an offer of Towing Services, within two hundred (200) metres” of a collision, if there is not already a sufficient number of tow trucks on scene.

Ontario Highway Traffic Act

Proposed London by-law

Tow truck services

171 (1) No person shall make or convey an offer of services of a tow truck while that person is within 200 metres of,

- (a) the scene of an accident or apparent accident; or
 - (b) a vehicle involved in an accident,
- on the King’s Highway. R.S.O. 1990, c. H.8, s. 171 (1).

Idem

(2) No person shall park or stop a tow truck on the King’s Highway within 200 metres of,

- (a) the scene of an accident or apparent accident; or
 - (b) a vehicle involved in an accident,
- if there is a sufficient number of tow trucks already at the scene to deal with all vehicles that apparently require the services of a tow truck. R.S.O. 1990, c. H.8, s. 171 (2).

3.0 PROHIBITIONS:

[...]

3.3 No holder of a Tow Truck Business Licence shall permit a Tow Truck to safely park, stop, stand, make or convey an offer of Towing Services, within two hundred (200) metres of an Accident Scene unless directed by a police officer, a firefighter, or person involved in the accident, or if there is not a sufficient number of tow trucks already at the Accident Scene to deal with all vehicles that apparently require the services of a Tow Truck.

Based on the excerpts above, London’s proposed by-law is written in a more permissive way than the Ontario Highway Traffic Act, which does not permit tow trucks to “make or convey an offer of services within 200 metres” of a collision, regardless of the number of tow trucks on scene. CAA believes that this additional permissiveness in London’s proposed by-law will continue to encourage unscrupulous tow truck operators to rush to the scene. It is well-documented that chasing leads poor road safety outcomes, such as secondary collisions, property damage, physical injuries and in some cases, death, as cited in and attached to CAA’s February 26, 2021 letter to the Community and Protective Services Committee.

We appreciate that Members of Council and by-law staff are compelled to take municipal action to protect the consumer rights of London's motorists from predatory tow operators. It is difficult to justify waiting for provincial action, while the number and severity of predatory towing transactions and experiences reported by motorists continue to grow. Consequently, CAA's proposal for a towing by-law in the City of London is as follows:

- Implement a tow truck non-solicitation clause at the municipal level, without permitting n tow trucks to make or convey an offer of towing services within 200 metres of a collision, where n is the number of vehicles in need of a tow
- Ensure consistent and robust enforcement of the municipal non-solicitation by-law by London Police Service
- Support the [Ontario provincial towing task force](#)'s efforts to improve oversight of the towing industry. The task force's mandate is to develop a provincial regulatory model to increase safety and enforcement for consumers and industry alike.

Please reach out to me directly should you have any questions or concerns about the above comments. CAA looks forward to continued collaboration with the City of London, in the interest of consumer protection for London's motoring public.

Sincerely,



Tina Wong
Government Relations Specialist
CAA South Central Ontario (CAA SCO)

cc: City Clerk's Office (askcity@london.ca)

Civic Works Committee

Report

The 3rd Meeting of the Civic Works Committee
March 2, 2021

PRESENT: Councillors E. Pelozo (Chair), J. Helmer, M. Cassidy, P. Van Meerbergen, S. Turner, Mayor E. Holder

ALSO PRESENT: J. Bunn, M. Ribera and B. Westlake-Power

Remote Attendance: Councillors S. Hillier, A. Kayabaga, S. Lewis, J. Morgan and M. van Holst; G. Barrett, M. Butlin, G. Dales, J. Dann, S. Denomy, D. MacRae, S. Mathers, S. Miller, S. Mollon, A. Pascual, J. Raycroft, A. Rozentals, K. Scherr, M. Schulthess, E. Skalski, B. Somers, J. Stanford and B. Warner

The meeting was called to order at 12:02 PM; it being noted that the following Members were in remote attendance: Mayor E. Holder, Councillors M. Cassidy, J. Helmer, S. Turner and P. Van Meerbergen

1. Disclosures of Pecuniary Interest

Mayor E. Holder discloses a pecuniary interest in Item 5.1 of the 3rd Report of the Civic Works Committee, having to do with Item 4 of the Deferred Matters List, related to the properties at 745 and 747 Waterloo Street, by indicating that his daughter owns a business located at 745 Waterloo Street.

Councillor S. Turner discloses a pecuniary interest in Item 2.11 of the 3rd Report of the Civic Works Committee, having to do with the 2020 External Audit of London's Drinking Water Quality Management System and 2020 Management Review, by indicating that he is an employee of the Middlesex London Health Unit.

2. Consent

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

That Items 2.1, 2.2, 2.4 to 2.7, 2.9, 2.12 and 2.13 BE APPROVED.

Yeas: (5): E. Pelozo, J. Helmer, P. Van Meerbergen, S. Turner, and E. Holder

Absent: (1): M. Cassidy

Motion Passed (5 to 0)

2.1 1st Report of the Cycling Advisory Committee

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

That the 1st Report of the Cycling Advisory Committee, from its meeting held on February 17, 2021, BE RECEIVED.

Motion Passed

2.2 Dingman Drive Improvements - Appointment of Consulting Engineer - Detailed Design and Tendering

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

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 March 2, 2021, related to the Appointment of a Consulting Engineer for the Dingman Drive Improvements Project:

- a) AECOM Canada Ltd. BE APPOINTED Consulting Engineers to complete the detailed design and tendering services of the Dingman Drive Improvements Project, in the total amount of \$490,426.00, including contingency (excluding HST), in accordance with Section 15.2 (g) of the Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as 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 approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-T05)

Motion Passed

2.4 Highway 401 / Dingman Drive Bridge Replacement - Agreement with Ministry of Transportation

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

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 March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, to:

- a) authorize and approve a cost-sharing Agreement, as appended to the above-noted by-law, between Her Majesty the Queen in Right of Ontario, represented by the Minister of Transportation, and The Corporation of the City of London for the construction of the Dingman Drive bridge; and,
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement. (2021-T05)

Motion Passed

2.5 Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Class Environmental Assessment Consultant Award

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

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 March 2, 2021, related to the

Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Class Environmental Assessment Contract Award:

- a) Matrix Solutions Inc. BE APPOINTED Consulting Engineers in the amount of \$304,543.00, including 10% contingency (excluding HST), in accordance with Section 15.2 (e) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report, as 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 approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E05)

Motion Passed

2.6 Contract Award: 2021 Watermain Cleaning and Relining Program, RFP 20-23

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

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 March 2, 2021, related to the Contract Award for the 2021 Watermain Cleaning and Relining Program, RFT 20-23:

- a) the bid submitted by Fer-Pal Construction Ltd., 171 Fenmar Drive, Toronto, Ontario M9L 1M7, at its tendered price of \$6,000,869.51 (excluding H.S.T.), for the 2021 Watermain Cleaning and Structural Lining program, BE ACCEPTED; it being noted that this is the second year of a three year contract submitted by Fer-Pal Construction Ltd. and where unit prices were carried over from the original tendered contract plus a two percent increase plus an increase for CPI as stipulated in the original contract; it being further noted that the original bid submitted by Fer-Pal Construction Ltd. in 2020 was the lower of two bids received and the City has the sole discretion to renew the contract based on price and performance;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report, as 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 (RFT 20-23); 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. (2021-E08/L04)

Motion Passed

2.7 Amendments to the Traffic and Parking By-law

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

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 March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law PS-113, entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London". (2021-P08/T01)

Motion Passed

2.9 Award of Consulting Services for Detailed Design and Tendering for a New Landfill Gas Flaring Station

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

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 March 2, 2021, related to the Award of Consulting Engineering Services for the Detailed Design and Tendering for a New Landfill Gas Flaring Station:

- a) Comcor Environmental Ltd. BE APPOINTED to carry out the Environmental Protection Act approval, detailed design and tendering for a new landfill gas flaring station, in the total amount of \$221,029, including contingency of \$28,830 (excluding HST), in accordance with Section 15.2 (g) of the City of London's Procurement of Goods and Services Policy;
- b) the flaring station BE DESIGNED, based on the assumption that the landfill expansion is approved to proceed;
- c) design and tendering for the new flaring station BE INITIATED prior to receiving Environmental Protection Act approval for the project; it being noted that the tender will include clauses that the award is subject to Environmental Protection Act approval;
- d) the financing for this project BE APPROVED in accordance with the Sources of Financing Report, as appended to the above-noted staff report;
- e) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with these purchases; and,
- f) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations.(2021-E07)

Motion Passed

2.12 Public Transit Infrastructure Fund (PTIF): Approval of Amending Agreement

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

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 March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, to:

- a) authorize and approve Amending Agreement No. 2, as appended to the above-noted by-law, to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in right of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London;
- b) authorize the Mayor and the City Clerk to execute the above-noted Agreement No. 2;
- c) authorize the Managing Director Environmental and Engineering Services and City Engineer to approve future Amending Agreements to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London, provided it does not increase the indebtedness or liabilities of The Corporation of the City of London;
- d) authorize the Mayor and the City Clerk to execute any Amending Agreement to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London approved by the Managing Director Environmental and Engineering Services and City Engineer under section 3 of the above-noted by-law; and,
- e) authorize the Managing Director, Corporate Services and City Treasurer and Chief Financial Officer and the City Manager (or delegate) to execute any financial reports required as a condition under the above-noted Amending Agreement No. 2 and such further Amending Agreements as may be approved under section 3 of the above-noted by-law. (2021-T03)

Motion Passed

2.13 Street Renaming Portion of Darlington Place (Plan 33M-773)

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

That, on the recommendation of the of the Director, Development Services, the proposed by-law, as appended to the staff report dated March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, to approve the renaming of a portion of Darlington Place lying south of Kettering Place to Lot 9, Concession 1, Part 2 of Reference Plan 33R-19902 within Registered Plan 33M-773, to Barn Swallow Place. (2021-T00)

Motion Passed

2.3 Wharncliffe Road South Improvements: 100 Stanley Street Update

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

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated March 2, 2021, with respect to the Wharncliffe Road South Improvements project and the heritage dwelling located at 100 Stanley Street BE RECEIVED; it being noted that the communication dated February 28, 2021, from K.

McKeating, ACO London Region, with respect to this matter, was received. (2021-R01)

Yeas: (4): E. Pelozza, J. Helmer, S. Turner, and E. Holder

Nays: (1): P. Van Meerbergen

Absent: (1): M. Cassidy

Motion Passed (4 to 1)

Voting Record:

Moved by: E. Holder

Seconded by: P. Van Meerbergen

Motion to approve that the Civic Administration take the necessary actions to submit an amendment to the Environmental Assessment for item 2.3 Wharncliffe Road South improvements: 100 Stanley Street Update, to permit the demolition of the residence at 100 Stanley Street and any other necessary administrative steps to advance the project in as timely a manner as possible.

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

Nays: (3): E. Pelozza, J. Helmer, and S. Turner

Absent: (1): M. Cassidy

Motion Failed (2 to 3)

2.8 Dundas Place - Temporary Bicycle Lanes and Revised Parking Limits

Moved by:

That the following actions be taken with respect to the staff report dated March 2, 2021, related to the Dundas Place and Temporary Bicycle Lanes and Revised Parking Limits:

- a) the above-noted staff report BE RECEIVED;
- b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, for the purpose of amending By-law PS-113, entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London" to replace the two-hour paid parking with one-hour free parking;
- c) the communications from the following individuals, as appended to the Added Agenda, with respect to this matter BE RECEIVED:
 - A. Hunniford;
 - D. Isaac;
 - D. Pihlainen;
 - M. Battista;
 - S. Wright;
 - B. Cowie; and,
 - D. Vanden Boomen; and,
- d) the Civic Administration BE DIRECTED to bring forward a report to the March 30, 2021 Civic Works Committee meeting to amend the Traffic and Parking By-law to create a temporary bicycle lane pilot project on Dundas Place during the 2021 construction season. (2021-T02/T05)

Motion Passed

Voting Record:

Moved by: E. Holder

Seconded by: P. Van Meerbergen

Motion to approve parts a) and c) of the clause.

Yeas: (6): E. Pelozo, J. Helmer, M. Cassidy, P. Van Meerbergen, S. Turner, and E. Holder

Motion Passed (6 to 0)

Moved by: E. Holder

Seconded by: P. Van Meerbergen

Motion to approve part b) of the clause.

Yeas: (5): E. Pelozo, J. Helmer, M. Cassidy, P. Van Meerbergen, and E. Holder

Nays: (1): S. Turner

Motion Passed (5 to 1)

Moved by: J. Helmer

Seconded by: S. Turner

Motion to approve part d) of the clause.

Yeas: (4): E. Pelozo, J. Helmer, M. Cassidy, and S. Turner

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

Motion Passed (4 to 2)

2.10 Community Employment Benefits

Moved by: J. Helmer

Seconded by: S. Turner

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 March 2, 2021, related to a summary of Community Employment Benefits requirements under the Investing in Canada Infrastructure Program (ICIP):

- a) the above-noted staff report BE RECEIVED; and,
- b) the communication dated March 1, 2021, from S. Middleton, United Way Elgin-Middlesex, the communication dated March 1, 2021, from M. Courey, Inclusive Economy London and Region, BE RECEIVED; it being noted that delegations from S. Middleton and M. Courey, with respect to this matter, were received. (2021-S04)

Yeas: (6): E. Pelozo, J. Helmer, M. Cassidy, P. Van Meerbergen, S. Turner, and E. Holder

Motion Passed (6 to 0)

Voting Record:

Moved by: E. Holder

Seconded by: P. Van Meerbergen

Motion to approve the delegation requests from S. Middleton and M. Courey, to be heard at this time.

Yeas: (6): E. Pelozo, J. Helmer, M. Cassidy, P. Van Meerbergen, S. Turner, and E. Holder

Motion Passed (6 to 0)

2.11 2020 External Audit of London's Drinking Water Quality Management System and 2020 Management Review

Moved by: J. Helmer

Seconded by: E. Holder

That, on the recommendation of the Managing Director, Environmental and Engineering Services and City Engineer, the staff report dated March 2, 2021, with respect to the 2020 External Audit of London's Drinking Water Quality Management System and the subsequent 2020 Management Review, BE RECEIVED. (2021-E13)

Yeas: (5): E. Pelozo, J. Helmer, M. Cassidy, P. Van Meerbergen, and E. Holder

Recuse: (1): S. Turner

Motion Passed (5 to 0)

3. Scheduled Items

3.1 Blue Community Program

Moved by: E. Pelozo

Seconded by: E. Holder

That the following actions be taken with respect to the Blue Community Program:

a) the staff report dated, March 2, 2021 entitled "Blue Community Program", BE RECEIVED;

b) the Civic Administration BE DIRECTED to undertake the necessary actions for the City of London to become a "Blue Community"; and,

c) the Municipal Council CONFIRMS its commitment to the following matters:

i) the provision of water is a Human Right and water will be provided to all residents despite their ability to pay for the service;

ii) the sale of bottled water will continue to be restricted in City of London facilities;

iii) the water and wastewater systems that provide services to residents will continue to be publicly owned and operated;

it being noted that a delegation from L. Brown, Blue Community Committee, with respect to this matter, was received.

Yeas: (6): E. Pelozo, J. Helmer, M. Cassidy, P. Van Meerbergen, S. Turner, and E. Holder

3.2 New Sidewalks in 2021 Infrastructure Reconstruction Projects

Moved by: P. Van Meerbergen

Seconded by: J. Helmer

That the following actions be taken with respect to the New Sidewalks in 2021 Infrastructure Reconstruction Projects:

a) the requests for delegation by the following individuals, with respect to this matter, BE APPROVED for the Special Civic Works Committee meeting to be held on March 15, 2021:

- Craven;
- McColl;
- Harris-Schulz;
- Mannering;
- Connolly;

b) the communications from the following individuals, as appended to the Agenda and the Added Agenda with respect to this matter, BE RECEIVED:

- J. Lucente;
- F. Lucente;
- A. and H. Spriet;
- K. McCabe;
- J. and S. Miller;
- E. Craven;
- D. McCagherty;
- J. Stewart;
- J. Miller and J. Lucente;
- M. and D. Kernohan;
- B. Derksen;
- W. Yovetich and R. Tribe;
- H. Lightbody;
- M. Judson;
- E. Soares;
- L. and B. McCauley;
- L. Andrusiak;
- S. Skaith;
- M. and D. McKeown;
- J. and G. Kafka;
- E. Haddad;
- L. Kari and S. Watt;
- T. McLeod;

- G. Cervoni;
- B. and M. Kelman;
- G. and C. Alexander;
- J. Stock;
- G. O'Neill and H. Maxwell;
- S. and W. Handler;
- J. Brown;
- R. Tribe;
- L. Dang;
- J. and S. Mitchell;
- P. Cobrin;
- D. Cuthbert;
- C. Cartman and A. Lim;
- M. Mannering;
- J., C. and J. Mount;
- L. McColl;
- G. Reid;
- P. Houghton;
- E. and J. Hoffman;
- R. and G. Stoddart;
- L. Seguin;
- J. Madill;
- J. Potter;
- R. Frise;
- M. Cole;
- C. Boydell;
- G. Morrow;
- I.A. Connidis;
- L. Brooke;
- B. and V. Bradley;
- B. and L. McGarvey;
- A.J.;
- S. Connolly;
- P. and J. Gonser; and,
- K. Haine.

Yeas: (6): E. Pelozza, J. Helmer, M. Cassidy, P. Van Meerbergen, S. Turner, 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: S. Turner

Seconded by: M. Cassidy

That the Civic Works Committee Deferred Matters List, as at February 22, 2021, BE RECEIVED.

Yeas: (5): E. Pelozza, J. Helmer, M. Cassidy, P. Van Meerbergen, and S. Turner

Recuse: (1): E. Holder

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 3:04 PM.

Civic Works Committee

Report

The Special 4th Meeting of the Civic Works Committee
March 15, 2021

PRESENT: Councillors E. Pelozza (Chair), J. Helmer, M. Cassidy, P. Van Meerbergen, S. Turner

ABSENT: Mayor E. Holder

ALSO PRESENT: A. Pascual, M. Ribera, C. Saunders
Councillors S. Hillier, A. Hopkins, A. Kayabaga, S. Lehman, S. Lewis, P. Squire, M. van Holst; G. Barrett, M. Butlin, J. Dann, U. DeCandido, A. Dunbar, D. MacRae, K. Scherr, M. Schulthess, B. Somers, and M. Stone.

The meeting is called to order at 12:07 PM with Councillor E. Pelozza in the Chair 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

None.

3. Scheduled Items

3.1 New Sidewalks in 2021 Infrastructure Reconstruction Projects

That the following actions be taken with respect to new sidewalks in 2021 infrastructure reconstruction projects:

- a) the Civic Administration BE DIRECTED to consider the following:
 - i) narrowing pavement widths to 6.5 metres (or as narrow as 6.0 metres, if necessary) in order to reduce the risk of destabilizing existing trees, as well as curb-facing sidewalks;
 - ii) removal of on-street parking on one side of the street;
 - iii) sidewalk widths of 1.5 metres; and.
 - iv) implementation of construction techniques that may be more labour-intensive, but could increase the likelihood of retaining more of the existing trees, while adding sidewalks; and,

- b) Civic Administration BE DIRECTED to move the proposed sidewalk on the West side of Imperial Road to the East side of Imperial Road;

it being noted that the delegations from the following individuals, with respect to this matter, were received:

- R. Standish
- S. Nazarian
- L. Dang
- P. Cobrin
- T. Hutchinson
- G. Pavlov
- L. Kari
- J. Menard
- J. Preston
- D. Cuthbert
- J. Cuthbert

- H. Post
- A.M. Grantham
- S. Skelton
- P. Traylen
- D. Gibbs
- B. Gibbs
- D. McCagherty
- J. P. New
- R. Rudell
- F. Lucente
- J. Lucente
- P. Hubert
- R. Tribe
- W. Handler
- J. McColl
- A. Harris-Schulz
- M. Mannering
- S. Connolly;

it being noted that the communications from the following individuals, with respect to this matter, were received:

- M. Box
- L. Savage
- N. Fulford
- C. Pawlowski
- P. and D. Hayman
- J. Klassen
- S. Franke
- P. and B. Traylen
- A. Kenzie
- J. and W. McGregor
- J. Kingsley
- G. Glinavs
- D. Waithe
- P. MacLennan
- V. Garfat
- S. Mahipaul
- C. Golder and K. Yano;

it being further noted that the resubmitted staff report dated February 9, 2021, with respect to this matter, was received (2021-T04).

Motion Passed

Voting Record:

Moved by: J. Helmer

Seconded by: M. Cassidy

Motion to approve part a) of the clause.

Yeas: (4): E. Pelozo, J. Helmer, M. Cassidy, and S. Turner

Nays: (1): P. Van Meerbergen

Absent: (1): E. Holder

Motion Passed (4 to 1)

Moved by: J. Helmer

Seconded by: M. Cassidy

Motion to approve part b) of the clause.

Yeas: (5): E. Pelozza, J. Helmer, M. Cassidy, P. Van Meerbergen, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: P. Van Meerbergen

Seconded by: M. Cassidy

Motion to approve that, notwithstanding requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on Bartlett Crescent BE REMOVED from the approved road reconstruction project for the subject street.

Yeas: (2): E. Pelozza, and P. Van Meerbergen

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

Absent: (1): E. Holder

Motion Failed (2 to 3)

Moved by: P. Van Meerbergen

Seconded by: M. Cassidy

Motion to approve that, notwithstanding requirements set out in the London Plan and the warranted sidewalk program with respect to the installation of sidewalk infrastructure, the proposed new sidewalk to be located on the following streets BE REMOVED from the approved road reconstruction project:

- i) Abbey Rise (plus Scarlett connection to Wychwood)
- ii) Elm Street
- iii) Friars Way
- iv) Imperial Road
- v) Paymaster Avenue
- vi) St. Anthony Road
- vii) Tarbart Terrace
- viii) Doncaster Avenue
- ix) Doncaster Place

Yeas: (1): P. Van Meerbergen

Nays: (4): E. Pelozza, J. Helmer, M. Cassidy, and S. Turner

Absent: (1): E. Holder

Motion Failed (1 to 4)

Moved by: S. Turner

Seconded by: J. Helmer

Motion to receive the delegations and communications.

Yeas: (5): E. Pelozza, J. Helmer, M. Cassidy, P. Van Meerbergen, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: J. Helmer
Seconded by: P. Van Meerbergen

Motion made that the Civic Works Committee RECESS.

Motion Passed

The Civic Works Committee recesses at 2:15 PM and resumes in public session at 2:20 PM, with Councillor Peloza in the Chair and Councillors Cassidy, Helmer, VanMeerbergen, and Turner participating.

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 Safe Restart Agreement - Phase 2 Municipal Transit Funding - Transfer Payment Agreement

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

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the proposed by-law appended as Appendix "A" to the staff report dated March 15, 2021 being "A by-law to approve and authorize the execution of the Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation and the City of London for the reimbursement of funds under the Safe Restart Agreement - Phase 2 Municipal Transit Funding", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021. (2021-S08/T03/F11)

Yeas: (5): E. Peloza, J. Helmer, M. Cassidy, P. Van Meerbergen, and S. Turner

Absent: (1): E. Holder

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 3:55 PM.

Planning and Environment Committee

Report

The 4th Meeting of the Planning and Environment Committee
March 1, 2021

PRESENT: Councillors P. Squire (Chair), S. Lewis, S. Lehman, A. Hopkins, S. Hillier, Mayor E. Holder

ALSO PRESENT: A. Pascual, M. Ribera, C. Saunders, and M. Schulthess. Councillors A. Kayabaga, S. Turner, and M. van Holst; I. Abushehada, J. Adema, A. Anderson, G. Barrett, M. Corby, L. Dent, M. Feldberg, K. Killen, P. Kokkoros, T. Macbeth, J. MacKay, D. MacRae, L. Maitland, H. McNeely, L. McNiven, S. Meksula, L. Mottram, B. O'Hagan, B. Page, M. Pease, B. Somers, M. Sundercock, S. Tatavarti, M. Tomazincic, B. Westlake-Power, S. Wise, and P. Yeoman.

The meeting is called to order at 4:00 PM, with Councillor P. Squire in the Chair, Councillors A. Hopkins, S. Lehman, and S. Lewis 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: A. Hopkins
Seconded by: S. Hillier

That Items 2.1 to 2.5, inclusive, BE APPROVED.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.1 1st Report of the Advisory Committee on the Environment

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

That the 1st Report of the Advisory Committee on the Environment, from its meeting held on February 3, 2021, BE RECEIVED.

Motion Passed

2.2 Draft Masonville Secondary Plan

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

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the draft Masonville Secondary Plan:

a) the draft Masonville Secondary Plan, appended as Appendix "A" to the staff report dated March 1, 2021, BE RECEIVED; and,

b) the Civic Administration BE DIRECTED to circulate the draft Masonville Secondary Plan noted in a) above, to receive public input from the community and stakeholders;

it being noted that a public participation meeting will be held on March 29, 2021 before the Planning and Environment Committee to gather public feedback on the draft Masonville Secondary Plan; and,

it being further noted that that the input received through the above-noted public consultation processes, and the outcome of supporting studies, will be used to undertake informed revisions to the draft Masonville Secondary Plan and implementing Official Plan Amendment that will be prepared for the consideration at a future meeting of the Planning and Environment Committee. (2021-D09)

Motion Passed

2.3 Z-1 Zoning By-law - Holding Provision Review

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

That on the recommendation of the Director, Development Services, the report dated March 1, 2021, entitled “Z-1 Zoning By-law – Holding Provision Review”, BE RECEIVED for information. (2021-D14)

Motion Passed

2.4 Application - 973 Gainsborough Road - Removal of Holding Provision h-17

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

That, on the recommendation of the Director, Development Services, based on the application of Bensy Mathew relating to the property located at 973 Gainsborough Road, the proposed by-law appended as Appendix “A” to the staff report dated March 1, 2021 BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Holding Business District Commercial (h-17*BDC) Zone TO a Business District Commercial (BDC) Zone to remove the h-17 holding provision;

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

- the removal of the holding provision will allow for development in conformity with the Zoning By-law; and,
- Development Services Engineering has confirmed services are available for this site. The Development Agreement and accepted engineering plans will include provisions to ensure the site is connected to the existing municipal water and sanitary sewer systems and therefore the h-17 provision is no longer required. (2021-D09)

Motion Passed

2.5 Proposed Amendment to the Hamilton Road Business Improvement Area By-law

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

That, on the recommendation of the City Clerk, the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, being "A by-law to amend By-law C.P.-1528-486, as amended, being "A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area" by amending the Board of Management composition to provide for a Board comprised of six (6) to twelve (12) directors", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021. (2021-C05)

Motion Passed

3. Scheduled Items

3.1 1st Report of the Environmental and Ecological Planning Advisory Committee

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

That the following actions be taken with respect to the 1st Report of the Environmental and Ecological Planning Advisory Committee (EEPAC), from its meeting held on February 18, 2021:

- a) the above-noted report BE RECEIVED; it being noted that the Planning and Environment Committee received a delegation from S. Levin, Chair of EEPAC, regarding this matter; and,
- b) the Civic Administration BE REQUESTED to report back on the lessons learned from the relocation of the Wetland at 905 Sarnia Road; it being noted that the Planning and Environment Committee received the document entitled "Compensation Wetland Monitoring - 905 Sarnia Road".

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.2 Application - 6019 Hamlyn Street

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

That, on the recommendation of the Director, Development Services the following actions be taken with respect to the application of Sifton Properties Limited relating to the property located at 6019 Hamlyn Street:

- a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021 BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Urban Reserve (UR4) Zone, a Holding Urban Reserve (h-2*UR4) Zone, and an Environmental Review (ER) Zone, TO:
 - i) a Holding Residential R1 Special Provision (h*h-100*R1-3(_)) Zone;
 - ii) a Holding Residential R1/R4 Special Provision (h*h-100*R1-3(_)/R4-3(_)) Zone;
 - iii) a Holding Residential R4/R5/R6/R7/R8 Special Provision (h*h-

100*h-155*R4-3(_)/R5-7(_)/R6-5(42)/R7(_)*D75*H20/R8-4(_)) Zone;

- iv) an Open Space Special Provision (OS1(3)) Zone; and
- v) an Open Space (OS5) Zone;

b) the Approval Authority BE ADVISED that no issues were raised at the public meeting held with respect to the application for draft plan of subdivision of Sifton Properties Limited relating to a property located at 6019 Hamlyn Street; and

c) the Approval Authority BE ADVISED that the Municipal Council supports the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by Sifton Properties Limited (File No. 39T-18504), prepared by Monteith Brown Planning Consultants, and certified by Jason Wilband OLS, (Project No. 12-812, dated February 10, 2021), which shows ninety-three (93) single detached lots, two (2) medium density residential blocks, three (3) parkland blocks, three (3) open space blocks, one (1) SWM facility block, two (2) road widening blocks and six (6) 0.3 m reserve blocks, all served by three (3) local/neighbourhood streets (Street A, B, C) SUBJECT TO the conditions appended as Appendix "B" to the staff report dated March 1, 2021;

it being noted that the Municipal Council approves these applications for the following reasons:

- the proposed and recommended amendments are consistent with the Provincial Policy Statement, 2020 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to Our Strategy, Our City and the Key Directions, as well as conforming to the policies of the Neighbourhoods and Environmental Review Place Type;
- the proposed and recommended amendments conform to the in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential designation, the Multi-Family Medium Density Residential designation, and the Environmental Review designation;
- the proposed and recommended amendments conform to the policies of the Southwest Area Secondary Plan;
- the proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to The London Plan, the 1989 Official Plan, and the Southwest Area Secondary Plan; and,
- the recommended draft plan supports a broad range of low and medium density residential development opportunities within the site including more intensive, mid-rise apartments along the Wonderland Road corridor. The Draft Plan has been designed to support these uses and to achieve an aesthetically-pleasing development that is pedestrian friendly, transit supportive and accessible to the surrounding community;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participating meeting record made oral submissions regarding these matters. (2021-D09)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis
Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.3 1389 Commissioners Road East - Summerside Subdivision

Moved by: S. Hillier
Seconded by: S. Lewis

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Drewlo Holding Inc. relating to the lands located at 1389 Commissioners Road East within the Summerside Subdivision:

- a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 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(7)) Zone, a Residential R1 (R1-4) Zone, and a Residential R1 Special Provision (R1-4(10)) Zone TO a Residential R1 (R1-2) Zone and a Residential R1 (R1-3) Zone; FROM a Residential R1 Special Provision (R1-3(7)) Zone TO a Holding Residential R6 Special Provision (h-1•R6-5()) Zone; and FROM a Holding Residential R6 (h-1•R6-5) Zone TO a Holding Residential R6 Special Provision (h-1•R6-5()) Zone;
- b) the Approval Authority BE ADVISED that there were no issues raised at the public meeting held with respect to the application for red-line revisions to Draft Plans of Subdivision by Drewlo Holding Inc. relating to the lands located at 1389 Commissioners Road East within the Summerside Subdivision; and,
- c) the Approval Authority BE ADVISED that Municipal Council supports issuing draft approval of the proposed red-line revisions to the residential Draft Plans of Subdivision, SUBJECT TO the conditions contained in Appendix "B" #39T-92020 / 39T-92020-D appended to the staff report dated March 1, 2021;

it being noted that the Municipal Council approves these applications for the following reasons:

- the proposed red-line revisions and zoning amendment is consistent with the Provincial Policy Statement (PPS), 2020, as it achieves objectives for efficient and resilient development and land use patterns. It represents development of low and medium density forms of housing, including single detached dwelling lots, townhouse and cluster forms of housing taking place within the City's urban growth area and within previously draft-approved plans of subdivision. It also achieves objectives for promoting compact form, contributes to the neighbourhood mix of housing and densities that allows for the efficient use of land, infrastructure and public

service facilities, supports the use of public transit, and increases community connectivity by eliminating cul-de-sacs;

- the proposed draft plan revisions and zoning conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the proposed draft plan revisions and zoning conforms to the policies of the (1989) Official Plan, including but not limited to the Multi-Family, Medium Density Residential designation; and,
- the recommended zoning amendment is considered appropriate to facilitate the proposed lot adjustments, permits an appropriate increase in density to the medium density blocks, and maintains compatibility with the form and character of existing residential development in the surrounding neighbourhood;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participating meeting record made oral submissions regarding these matters. (2021-D12)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.4 Application - 100 Fullarton Street

Moved by: S. Lewis
Seconded by: S. Lehman

That the staff report dated March 1, 2021 entitled "100 Fullarton Street – Old Oak Properties Inc.", BE RECEIVED; it being noted that the attached letter dated March 1, 2021 from Zelinka Priamo Ltd., agent for the Applicant, indicating the Applicant's wish to withdraw the related Zoning By-law amendment request, was received and considered by the Planning and Environment Committee;

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

- H. Guizzetti
- J. Graydon
- S. Kopp
- B. McQuaid
- M. and B. Evans
- J. Manness
- S. Lunau
- J. Wombwell
- C. Jennings
- S. Miller
- B. Benedict
- M. Rooks
- G. Nicodemo
- M. van Diepen
- G. Priamo, Zelinka Priamo Ltd.
- W. and D. Cherwaty
- North Talbot Neighbourhood Association
- P. Davis (2021-P10/R01)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.5 Demolition Request for Heritage Designated Property at 93-95 Dufferin Avenue by Old Oak Properties

Moved by: A. Hopkins

Seconded by: S. Lewis

That the following actions be taken with respect to the application by Old Oak Properties relating to the property located at 93-95 Dufferin Avenue:

- a) the staff report dated March 1, 2021 entitled “Demolition Request for Heritage Designated Property at 93-95 Dufferin Avenue by Old Oak Properties”, BE RECEIVED; it being noted that the attached letter dated March 1, 2021 from Zelinka Priamo Ltd., agent for the Applicant, indicating the Applicant’s wish to withdraw the related request for demolition was received and considered by the Planning and Environment Committee; and
- b) the request to demolish the buildings on the heritage designated property at 93-95 Dufferin Avenue, BE REFUSED for the following reasons:
 - i) the proposed demolition is contrary to the Provincial Policy Statement 2020 and is inconsistent with policies of The London Plan;
 - ii) the subject property continues to demonstrate significant cultural heritage value;
 - iii) the condition of the subject building does not sufficiently warrant the demolition of this heritage designated property;
 - iv) the demolition of the subject building will contribute to the continual loss of significant heritage buildings designed by Samuel Peters; and,
 - v) the proposed demolition of the building does not support previous commitments and confirm public expectations through an approved Bonus Zone that conserved the properties at 93-95 Dufferin Avenue;

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

- S. Woodward
- J. Grainger
- M. Rooks
- J. Fooks

- J. Boose
- T. Colbridge
- S. Bentley
- D. Lindsay
- R. McDowell
- J. McDowell
- N. Stevens
- G. Hodder
- M. Coles
- J. Jacobson
- T. Smith (2021-P10D/R01)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis
 Seconded by: S. Lehman

Motion that the Planning and Environment Committee RECESS.

Motion Passed

The Planning and Environment Committee recesses at 4:45 PM and resumes in public session at 5:00 PM, with Councillor Squire in the Chair and Councillors Hillier, Hopkins, Lehman, Lewis, and Mayor Holder participating.

3.6 Application - 3924 Colonel Talbot Road

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

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Auburn Developments Ltd. pertaining to portions of the lands located at 3924 Colonel Talbot Road:

- a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Open Space Special Provision (h*OS5(9)) Zone TO an Open Space Special Provision (OS5(_)) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO a Holding Open Space (h*OS1) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO an Open Space (OS1/OS3) Zone; FROM a Holding Residential R1 (h*R1-13) Zone TO a Holding Residential R1(h*R1-3) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(_)/R5-3(_)/R6-5(_)/R7*H15*D30) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(_)/R5-3/R6-5/R7*H18*D30) Zone; FROM a Residential R1/R6 Special Provision (R1-3(7)/R6-5) Zone TO a Residential R1 Special Provision (R1-3(7) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO a Holding Residential R4/R5/R6 Special Provision (h*R4-6(_)/R5-3/R6-5) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; FROM a Holding Residential R1/R6 (h*R1-3/R6-5) Zone TO a Holding Residential R1/R4/R6 Special Provision (h*R1-3/R4-6(_)/R6-5) Zone; FROM a Holding Residential R1/R6 (h*R1-3/R6-5) Zone

TO a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; FROM a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone TO Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; FROM a Holding Residential R1/R4 (h*R1-13/R4-6) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; FROM a Holding Residential R5/R6/R7/Office (h*h-54*R5-3/R6-5/7*H15*D30*OF) Zone TO a Holding Residential R4/R5/R6 Special Provision (R4-6(_)/R5-3/R6-5) Zone; FROM a Holding Residential R5/R6/R7/Office (h*h-54*R5-3/R6-5/R7*H15*D30*OF) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision/Office (h*h-54*R4-6(_)/R5-3/R6-5/7*H24*D100*OF8(_)) Zone; FROM a Holding Residential R5/R6/R7/Office (h*h-54*R5-3/R6-5/R7*H15*D30*OF) Zone TO a Holding Open Space (OS1) Zone; FROM a Residential R1 (R1-16) Zone TO a Holding Residential R4/R5/R6/R7 Special Provision/Office (h*h-54*R4-6(_)/R5-3/R6-5/7*H24*D100*OF8(_)) Zone; FROM a Holding Residential R1/R6 (h*h-54*R1-3/R6-5) Zone TO a Holding Residential R1/R4/R6 Special Provision (h*h-54*R1-3/R4-6(_)/R6-5) Zone; FROM a Holding Residential R1 (h*R1-3) Zone TO a Holding Residential R1/R4 Special Provision (h*R1-3/R4-6(_)) Zone; FROM a Residential R1 (R1-5) Zone TO a Residential R1 (R1-4) Zone; Special provisions for the proposed R4-6(_) zone would include an exterior side yard setback to a collector road of 4.5m where rear lots abut and 3.5m front and exterior side yard adjacent to a roundabout:

b) the Approval Authority 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 Archibald, Gray and McKay Engineering Ltd. (Project No: 161403241 dated May 15, 2020), which shows property realignment of single family residential Blocks 3, 4, 10, 11, 12, 13, 16, 17, 18, 19, 20, 22, 23, 28, 31 and 32, Medium Density Residential Blocks 38-41 and Block 43, Medium Density Residential Block 44, Park Blocks 46, 48 and 49 SUBJECT TO the conditions contained in Appendix "A-2" appended to the staff report dated March 1, 2021; and,

c) the Approval Authority BE ADVISED that the following issues were raised at the public meeting held with respect to the proposed red-line revisions to the draft plan of subdivision for Heathwoods Subdivision, as submitted by Auburn Developments Ltd.:

- traffic control on Colonel Talbot Road, Hayward Drive, Kilbourne Road; and,
- street naming of Kilbourne Road to Hayward Drive;

it being noted that the Municipal Council approves these applications 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 2020;
- 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;

it being pointed out that at the public participation meeting associated with these matters, the individuals indicated on the attached public participating meeting record made oral submissions regarding this matter. (2021-D09)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.7 Application - 403 Thompson Road - File OZ-9290

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

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Housing Development Corporation, London (HDC) relating to the property located at 403 Thompson Road:

- a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend The London Plan to create a specific policy area which permits low-rise apartment building up to 4-storeys within the Neighbourhoods Place Type on the subject lands located at 403 Thompson Road;
- b) the proposed by-law appended as Appendix "B" to the staff report dated March 1, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM a Neighbourhood Shopping Area (NSA1) Zone TO a Residential R9 Special Provision (R9-7()•H14) Zone; and,
- c) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:
 - i) Provision of increased amenity space to support reduced unit sizing;
 - ii) Provision of perimeter trees along the south and southeast limits of the site to provide screening;
 - iii) If possible opportunities for additional parking can be explored with the applicant as the application moves forward;
 - iv) Provision of fencing; and,
 - v) Appropriate location of garbage storage to ensure consideration of adjacent neighbours;

it being noted that the Municipal Council approves these applications for the following reasons:

- the proposed amendments are consistent with the Provincial Policy Statement 2020, which provides affordable housing through an infill development;
- the proposed amendments conform to the policies of The London Plan and implements the Key Directions of the Plan; and,
- the proposed Zoning By-law amendment conforms to the policies of The London Plan upon approval of the recommended amendment;

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

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

- K. Wood and B. Turcotte, Housing Development Corporation (2021-D09/S11)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.8 Application - 345 Sylvan Street - File OZ-9297

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

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application Housing Development Corporation, London (HDC) relating to the property located at 345 Sylvan Street:

- a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend The London Plan to create a specific policy area that permits low-rise apartment building up to 3-storeys within the Neighbourhoods Place Type on the subject lands located at 345 Sylvan Street;

b) the attached revised by-law appended BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part a) above), to change the zoning of the subject property FROM Community Facility (CF5) Zone TO a Residential R8 Special Provision (R8-4(_)) Zone;

it being noted that the revised by-law will contain an h-5 provision; and,

c) the Site Plan Approval Authority BE REQUESTED to consider the following design issue through the site plan process:

- i) Screening to be achieved through the maintenance of existing perimeter trees throughout the development process, and with replacement, as needed;
- ii) Provision of secured bicycle parking;
- iii) Provision of fencing for privacy; and,
- iv) Maintenance of existing trees;

it being noted that the Municipal Council approves these applications for the following reasons:

- the proposed amendments are consistent with the Provincial Policy Statement 2020, which provides affordable housing through an infill development;
- the proposed amendments conform to the policies of The London Plan and implements the Key Directions of the Plan; and,
- the proposed Zoning By-law amendment conforms to the policies of The London Plan upon approval of the recommended amendment;

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

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

- K. Wood and B. Turcotte, Housing Development Corporation (2021-D09/S11)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.9 Core Area Community Improvement Plan (O-9257) - Core Area
Community Improvement Plan Financial Incentive Program Guidelines

Moved by: S. Lehman

Seconded by: S. Lewis

That, on the recommendation of the Director, City Planning and City Planner, the following actions be taken with respect to the application by The Corporation of the City of London relating to the Core Area Community Improvement Plan:

- a) the proposed by-law appended as Appendix "A" to the staff report dated March 1, 2021, being "A by-law to designate the Core Area Community Improvement Project Area", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;
- b) subject to the approval of a) above, the proposed by-law appended as Appendix "B" to the staff report dated March 1, 2021, being "A by-law to amend The London Plan for the City of London, 2016, relating to Map 8 in Appendix 1 (Maps) and the Core Area Community Improvement Project Area", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;
- c) subject to the approval of a) above, the proposed by-law appended as Appendix "C" to the staff report dated March 1, 2021, being "A by-law to adopt the Core Area Community Improvement Plan", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;
- d) subject to the approval of a) above, the proposed by-law appended as Appendix "D" to the staff report dated March 1, 2021, being "A by-law to establish financial incentives for the Core Area Community Improvement Area", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021; and,
- e) the proposed by-law appended as Appendix "E" to the staff report dated March 1, 2021, being "A by-law to amend C.P.-1467-175, as amended, being "A By-law to establish financial incentives for the Downtown Community Improvement Project Areas", by deleting in its entirety, Schedule 3 – The Boulevard Café Grant Guidelines", BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021;

it being noted that funding has been approved through the 2020-2023 Multi-Year Budget for the proposed Core Area Safety Audit Grant Program and Core Area Boulevard Café Grant Program, and that funding is available in the Community Improvement Plan Grant Reserve Fund to implement the proposed Core Area Sign Grant Program;

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

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

- G. A. Tucker
- C. Butler (2021-F11A/D19)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.10 Application - 122 Base Line Road West - File SPA21-005

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

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Housing Development Corporation, London (HDC) relating to the property located at 122 Base Line Road West:

- a) the Approval Authority BE ADVISED that there were no issues raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a 61-unit apartment building; and
- b) the Approval Authority BE ADVISED that the Municipal Council supports the Site Plan Application;

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

- the proposed Site Plan is consistent with the Provincial Policy Statement, which directs development to designated growth areas and that development be adjacent to existing development;
- the proposed Site Plan conforms to the policies of the Neighbourhoods Place Type and all other applicable policies of The London Plan.
- the proposed Site Plan is in conformity with the policies of the Multi-Family Medium Density Residential designation of the Official Plan (1989) and will implement an appropriate form of residential intensification for the site;
- the proposed Site Plan conforms to the regulations of the Z.-1 Zoning By-law; and,
- the proposed Site Plan meets the requirements of the Site Plan Control By-law;

it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participating meeting record made oral submissions regarding this matter. (2021-D09/S11)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lehman
Seconded by: S. Lewis

Motion to open the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

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

Motion to close the public participation meeting.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4. Items for Direction

4.1 2nd Report of the London Advisory Committee on Heritage

Moved by: S. Lehman
Seconded by: S. Lewis

That the following action be taken with respect to the 2nd Report of the London Advisory Committee on Heritage for its meeting held on February 10, 2021:

a) the London Advisory Committee on Heritage recommends that the Planning and Environment Committee support the recommendation of the Director, Development Services, that the following actions be taken with respect to the application by Old Oak Properties relating to the property located at 93-95 Dufferin Avenue that the request to demolish the buildings on the heritage designated property at 93-95 Dufferin Avenue, BE REFUSED for the following reasons:

- i) the demolition runs contrary to the PPS-2020 and is inconsistent with policies of The London Plan;
- ii) the property continues to demonstrate significant cultural heritage value;
- iii) the condition of the building does not sufficiently warrant the demolition of this heritage designated property;
- iv) the demolition will contribute to the continual loss of significant heritage buildings designed by Samuel Peters;
- v) the demolition does not support previous commitments and confirm public expectations through an approved bonus zone that conserved the properties at 93-95 Dufferin Avenue; and,
- vi) the Chief Building Official BE ADVISED of Municipal Council's intention in this matter;

it being noted that a communication, dated November 4, 2020, from K. McKeating, Architectural Conservancy Ontario – London Region, and a

verbal delegation from G. Priamo and H. Garrett, Zelinka Priamo Ltd., with respect to this matter, were received.

b) the London Advisory Committee on Heritage recommends that the Planning and Environment Committee support the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, that the application under Section 42 of the Ontario Heritage Act, seeking retroactive approval for alterations completed to the heritage designated property located at 330 St James Street, in the Bishop Hellmuth Heritage Conservation District, BE REFUSED;

it being noted that the alterations completed without Heritage Alteration Permit approval are contrary to the policies and guidelines of the Bishop Hellmuth Heritage Conservation District Plan and fail to conserve the heritage attributes of this heritage designated property;

it being further noted that a verbal delegation from P. Brown, with respect to this matter, was received.

c) the London Advisory Committee on Heritage recommends that the Planning and Environment Committee support the recommendation of the Director, City Planning and City Planner, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act, seeking approval for alterations to the heritage designated property located at 179 Dundas Street, in the Downtown Heritage Conservation District, BE APPROVED with the following terms and conditions:

- the storefront, including sign band, be re-clad with smooth fiber cement board with a painted finish, as shown in the drawings included as Appendix C, as appended to the agenda; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed.

d) Clauses 3.1 to 4.1, inclusive and 5.3 to 6.1, inclusive, BE RECEIVED.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

6.1 Solicitor-Client Privilege / Litigation or Potential Litigation

Moved by: E. Holder

Seconded by: S. Lewis

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

6.1. Solicitor-Client Privilege / Litigation or Potential Litigation

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

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

The Planning and Environment Committee convenes, in Closed Session, from 7:26 PM to 7:51 PM.

7. Adjournment

The meeting adjourned at 7:53 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – Application – 6019 Hamlyn Street

- Councillor P. Squire: Is there a staff presentation? I'm not sure if there is. It's not required but if you can let me know, someone?
- Mike Corby, Senior Planner: Through you Mr. Chair, I do have a couple slides if you want me to give a brief overview of the application.
- Councillor P. Squire: That would be great. Brief is a word that I quite like.
- M. Corby: This application is for a draft plan of subdivision and a Zoning By-law amendment to permit the creation of a residential subdivision. The subdivision will consist of ninety-three single detached lots to multi-family medium density blocks for future residential development in the form of street townhouses, cluster residential uses or apartment buildings. There's also parks, multi-use pathways, open space lands and public road access out to Hamlyn Street. Portions of the site have been identified for the protection of significant natural heritage features that contain woodlands and wetlands. In terms of a brief policy the site is located within the neighbourhood place type of the London Plan and the medium and low-density residential designation of the Southwest Area Plan. The proposed residential uses, pathway system and zones are in keeping with the policies of these plans therefore staff is recommending approval of the proposed zoning amendment.
- Councillor P. Squire: Can I just. We don't have any slides. You referred to slide so we don't have any.
- M. Corby: Sorry I thought it would just be verbal.
- Councillor P. Squire: Okay. You said slide so I thought that meant.
- M. Corby: Sorry. I was reading slides.
- Councillor P. Squire: Okay go ahead. Sorry. Carry on where you were.
- M. Corby: I'll finish it off. Just staff is recommending approval of the proposed zoning amendments and draft plan of subdivision. That's it. Thanks.
- Councillor P. Squire: Thank you very much and are there any technical questions for staff? There are not so we'll go on if there's any members of the public who wish to speak. Do we know that?
- Maureen Zunti, Sifton Properties Limited: Hello can you hear me, or do I have to be let in?
- Councillor P. Squire: We can hear you. So, we're going to hear from the applicant. You were there a second ago now you're gone.
- Maureen Zunti: Well, I'm still here. I guess we'll just hear me and you won't see me.
- Councillor P. Squire: That's right. Go ahead.
- Maureen Zunti: That's probably better. I'm Maureen Zunti from Sifton Properties Limited. And I am just wanting to say thank you to staff particularly to Mike Corby and Bruce Page for getting us to this point. We've been working on this application for over two years and so I really appreciate their timely responses to some of the issues and questions that this is the best moving forward. If there's any technical questions I do have our ecologist Katharina Richter from NRSI and Bill Trenouth from AACOM, our engineer in case there's any technical questions. We are in agreement with the staff recommendation we may have some very minor requested modifications or tweaks to the draft plan conditions to assist in clarity but no fundamental changes and so we will deal with any of those if necessary, directly through staff as they have the approval authority. Overall, we have worked very hard with staff and UTRCA to resolve issues. We modified the plan in some areas specifically to address request from the UTRCA. The

planning incorporates extensive amount of natural heritage protection and associated buffers integrated with park space which will provide a lot of amenity for the future residents as well as the city. We've also incorporated a number of LID features into this plan. So, in conclusion we're really looking forward to finally moving forward with development of this site and once again we'd like to thank staff and also for the opportunity to attend virtually.

- Councillor P. Squire: Thank you very much. Any other delegations? I understand no one else is here to speak so I'll need a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – 1389 Commissioners Road East – Summerside Subdivision

- Councillor P. Squire: Is there a staff presentation on this matter?
- Larry Mottram, Senior Planner: Thank you Mr. Chairman. It's Larry Mottram here with Development Services and I also have a very brief verbal presentation.
- Councillor P. Squire: Go ahead.
- L. Mottram: Thank you. The application is by Drewlo Holdings and it is a request for revisions to two draft approved plans of subdivision which represent the final phases within the Summerside Subdivision Phase 10B and Phase 15. It also represents the completion of Evans Boulevard which is a connecting link in the westerly portion of the subdivision. These revisions consist of adjustments to lot frontages for single detached dwelling lots, replacing cul de sac streets with through street connections and removing fifteen single detached lots fronting the west side of the future extension of Evans Boulevard. Amendments to the Zoning By-law are also requested to facilitate the proposed lot adjustments to the single detached dwelling lots on the east side of the extension of Evans Boulevard which basically involves amendments to change from one R1 zone variation to other R1 zone variations but it does not involve a change that have, that significantly affects the lot size or the zone standards within the draft approved phases or in comparison to the existing, to the zoning of the existing neighborhood. The zoning for the medium density townhouse blocks on the west side of Evans Boulevard would be amended only to allow for a minimum density of thirty units per hectare and a maximum density of sixty units per hectare whereas the maximum density is currently thirty-five units per hectare. So, the range of uses permitted by the current zoning does not change. The neighborhood on the east side of Evans Boulevard will continue to consist of low density residential single detached dwellings interfacing existing low density residential dwellings. The lot pattern and streetscape is generally consistent with the pattern of the existing neighborhood except that the cul de sacs have now been eliminated and replaced with through streets. On the west side of Evans Boulevard there will be a transition from low to medium density residential development as originally intended for the lands adjacent Highbury Avenue South. The only significant change is the removal of a fifteen lots on the west side of Evans Boulevard within Phase 10B. These lands are intended to merge with the adjacent medium density of blocks identified as blocks 271 and 272 and will be rezoned accordingly to be consistent with the zoning of those blocks. So, in summary the recommended revisions to the draft plan of subdivision and zoning amendments are appropriate and consistent with the Provincial Policy Statement, conforms to the London Plan and the 1989 Official Plan. The recommended redline revisions and zoning are also appropriate and compatible with the existing neighbourhood therefore staff are satisfied the proposal represents good planning and recommend approval so with that Mr. Chairman I'll turn it back to you if there's any questions.
- Councillor P. Squire: Thank you very much. First of all, we'll do any technical questions. I see you have your hand up Hillier, Councillor Hillier. I sound like Councillor Salih there calling you by your last name. He does that to me all the time. Did you have any technical questions? I'll put you first on the list for general I think you're obviously, you represent this area. So, any technical questions? No then we'll go to right to Councillor Hillier.

- Councillor S. Hillier: Thank you very much. Let me remove that. Here we go. Okay first question off, thank you to Drewlo. They sent me a letter recently explaining where all that massive pile of dirt that right now is sitting will be going.
- Councillor P. Squire: Councillor Hillier I'm going to stop you because of a mistake I made I didn't close the public participation meeting. Your hand was up there, and I got excited about that. So yes, if there's anyone from the public, all my fault. Can we see if there's anyone from the public?
- Cathy Saunders, City Clerk: If the two committee rooms could just confirm that there's no one here on this item please.
- Clerk: There's no one in committee room 1 and 2.
- Clerk: There's no one in committee room 5.
- Councillor P. Squire: Alright. So, we just need a motion and it's going to be moved by Councillor Hopkins, seconded by.
- Cathy Saunders: Sorry. Ms. Westlake-Power can you confirm if there's anyone on Zoon regarding this matter?
- Barb Westlake-Power, Deputy City Clerk: Carrie O'Brien is currently in the meeting.
- Carrie O'Brien, Drewlo Holdings: Thank you Councillor P. Squire. We just wanted to thank staff for their help on this project and express our support for the recommendations coming forward regarding the changes and we look forward to moving forward with the rest of these lands and finishing up the development.
- Councillor P. Squire: Thank you very much and sorry for initially not giving you a chance to speak. I apologize for that so we're going to now try to close the public participation meeting.



ZELINKA PRIAMO LTD

A Professional Planning Practice

March 1, 2021

Mayor and Members of Council
c/o City Clerk
City of London
300 Dufferin Avenue, P.O. Box 5035
London, ON N6A 4L9

Dear Mayor & Members of Council,

Re: Old Oak Properties – 100 Fullarton Street – Z-9250 and Z-9250 Demo

Further to the above-noted matter, Zelinka Priamo Ltd. has been instructed by our client, Old Oak Properties Inc., to inform Council that by way of this letter, copied to the City Clerk, they are withdrawing the above-noted applications for both a Zoning Bylaw Amendment and demolition permit for 93-95 Dufferin Avenue.

After a careful review of the staff report and public comments, Old Oak Properties has decided to complete this project, including its heritage components as originally approved by Council.

We look forward to working with staff to complete the final approval processes so that construction of this vital and ambitious project, which has been delayed for several months, can be restarted as quickly as possible.

Old Oak Properties is excited to get "Centro" back underway, bringing additional housing to downtown, including a significant addition to the City of London affordable housing supply, in an iconic building complex, enhanced by the heritage aspects detailed in the existing approvals.

Old Oak Properties wishes to apologize for any inconveniences this decision may cause.

Yours very truly,

ZELINKA PRIAMO LTD.

Greg Priamo, BES, MCIP, RPP
Principal Planner

cc: Greg Bierbaum, Old Oak Properties Inc.

PUBLIC PARTICIPATION MEETING COMMENTS

3.6 PUBLIC PARTICIPATION MEETING – Application – 3924 Colonel Talbot Road

- Councillor P. Squire: Is there a staff presentation on this matter? Sorry is there a presentation from staff?
- Matt Feldberg: Thank you Mr. Chair. It's Matt Feldberg speaking. We are just waiting for Mr. Meksula to get back on. He's actually going to do the presentation. Perhaps Mr. Page if you have a quick summary that you could provide the committee for us.
- Councillor P. Squire: Okay I'm going to move on we're not going to hold things up and so we will go to the public part. Alright Mr. Stapleton, the applicant you go ahead.
- Stephen Stapleton, Auburn Developments: Yes, thank you very much. I'm I don't need a presentation I'm happy with the staff report and I would like to thank them for their hard work on this file and we spent over a year to come into this consensus and we look forward to bringing it on stream very shortly so we want to thank staff for that and look forward to moving ahead. Thank you.
- Councillor P. Squire: Thank you Mr. Stapleton. Is there any are there any other? I understood was one other person wanted to speak to this issue.
- Cathy Saunders, City Clerk: Mr. Gray is online sir.
- Councillor P. Squire: Alright.
- Jeff Gray: Good afternoon your worship members of Council and the Planning Committee. My name is Jeff Gray and thank you for the opportunity to speak on this issue this afternoon. I'm a resident of the Applegate subdivision which is located at the southwest corner of Kilbourne Road and Colonel Talbot Roads. I am living in the subdivision since August of 2001. I am here speaking on behalf of some of the residents of the subdivision. As I stated in my previous correspondence to the city councillor for the area Anna Hopkins and the Planning Department for the city, I've addressed the concerns for the residents of the area as the following. As the residents from the area, there is no issue of this area expanding to fill the need for residential housing as it was inevitable that this was going to occur at some time to this area and is now our turn. As I stated before this is an opportunity to make things right in the beginning stages of a contract instead of a band-aid solution and coming in and making a fix for a larger dollar, in a larger dollar amount in the future. I understand there's a study being conducted the fall of 2021 for changes coming to Colonel Talbot Road which includes the above-mentioned intersection. A request being made by myself and echoed by the other residents at the applicant's subdivision is the need for some type of traffic control for the intersection of Colonel Talbot Road and Hayward, Kilbourne Road and not just stop signs for the adjoining roads. The traffic on Colonel Talbot Road has been increasing over the years and the increase at the southwest corner of the city due to the expanse. As this area is about ready to expand further people have been using it as an alternative to Wonderland Road due to construction in the past which will occur in the future as Wonderland Road is expanded to six lanes three north and three south. Traffic has continued to grow, and it is making it harder for those wanting to turn left on to Colonel Talbot Road from Kilbourne Road. I know there has been a been traffic lights or pardon me, I know there's traffic lights going on Pack Road and Colonel Talbot Road I believe either this year or next which will halt in south bound, south bound traffic break but it will not assist north bound traffic flow. The other factor that is not taken into the equation will be traffic coming from the east once Hayward and Kilbourne Road is opened and there will be traffic coming from the new

subdivision plus Wonderland and Bostwick Roads. Kilbourne Road offers a uniqueness that it does not intersect with Colonel Talbot Road in a ninety degree, at ninety degrees, it might meet at about seven degrees. This causes concern for drivers trying to make their turn from Kilbourne on to Colonel Talbot Road as Colonel Talbot Road is also curbing at this point which makes it hard for people to view traffic coming from the north and south and then you will have to add the issue of also trying to view straight ahead traffic and watch traffic entering from the east and from a road which, from a road which is intersecting with Colonel Talbot Road at ninety degrees so the new Hayward Road will be intersecting with Colonel Talbot at a ninety degree angle. I understand that regulations that stipulate when there is a requirement for increased type of traffic control measures at intersection but some of that is based on traffic, traffic collision data. I also understand that the City of London can make these changes on their own. I do not I do not have the collision data for this intersection at present, but we would have the opportunity to alleviate this potential inefficiency of bringing a new road from a new subdivision. In my opinion a four-way stop does not work as they want to try to continue traffic flow for north-south traffic plus you're coming out of a curve into a stop. This may have the same concerns dealing with traffic lights, but it still allows for the flow of traffic along Colonel Talbot Road. Traffic circle that started take hold on new subdivisions on main streets here in the city and especially one at the intersection of Southdale Road and Colonel Talbot Road in the next couple of years. A traffic circle would allow traffic to flow from all directions you would not make for a sudden stop coming out of a curve with proper signage prior to getting to the traffic circle. It is my opinion that this would be an opportune time to construct a traffic circle as there are presently no development on the east side of Colonel Talbot Road and the lands on the west side of Colonel Talbot Road would not affect the businesses or the church as there are plenty of room to expand the intersection in all directions. Again, this time is to make things right in the beginning before money is spent on a temporary fix, but that money could be used for a proper fix at the beginning at a cheaper price since the cost in the future would rise. A traffic circle would also shift those trying to access Kilbourne Road from the south at the present time traffic is trying to turn right and left on Colonel Talbot Road from Kilbourne Road playing inch game trying to get a clear view trying to make their respective turns. The right car inches forward to get a view the left will inch forward to get a view they end up going further into the intersection with the left car potentially blocking those trying to make left turns on to Kilbourne Road from Colonel Talbot Road. The turning road will also have to travel westbound into the Kilbourne Road lane trying to get a view to make a left turn at ninety degree at Colonel Talbot Road. This causes a concern for issues of cars making left hand turns on to Kilbourne Road as a traffic lane thankfully it's a wide intersection. The other issue I want to bring forward is a minor one.

- Councillor P. Squire: Sir just to let you know, you have one minute remaining.
- Jeff Gray: Thank you. Having a road with two names. I understand there've been no objection from other services who had this passed by them but having a background in public service it is always confusing to try and locate residents especially when a road has two names especially when the extension has already been named as Kilbourne Road where it intersects with Wonderland Road. It's already posted as Kilbourne Road at that intersection. I know with the advent of GPS emergency vehicles are equipped with mapping software it is not only those people who access these roads. Kilbourne Road has been around for many years I know the new road aims to honour a person who contributed to the City of London, Kilbourne Road is also honoring someone else's name. Displaying road names does not make sense with names being applied to new

roads and a new subdivision this is not an amalgamation at the area with the road games already established on two sides of Colonel Talbot Road. Thank you very much for your time.

- Councillor P. Squire: Thank you very much and I'll try to get your questions answered, your concerns answered by staff after we do the rest of the delegations.
- Jeff Gray: Thank you Councillor.
- Councillor P. Squire: Alright it doesn't look like there are any other delegations, so I'll ask for a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.7 PUBLIC PARTICIPATION MEETING – Application – 403 Thompson Road – File OZ-9290

- Councillor P. Squire: Is there a staff presentation on this matter?
- L. Maitland, Senior Planner: There is a staff presentation should Council want it.
- Councillor P. Squire: I think you should go ahead. Thank you.
- L. Maitland: Okay. So yes, the presentation is available on the agenda for anyone who is following along at home and or members of the committee. So, the application in front of you this evening is for 403 Thompson Road. It's Official Plan and Zoning By-law amendments File OZ-9290. I'm looking at the second slide now we've provided some context in terms of the location of the property. The property is just east of the intersection of King Edward Road on Thompson between Pond Mills and Adelaide. Looking more broadly at the regulatory and policy context for the location, within the most recent Official Plan the London Plan a change was made to look at the site for a future residential development as it was historically a commercial development that hadn't developed. So, in the most recent Official Plan we have it designated in the neighbourhood place type which seeks a variety of residential uses. The current zoning at this point remains NSA1 neighbourhood shopping area which allows for a number of commercial uses and for that reason an amendment was required. So, there's two amendments in front of committee this evening. The first is an Official Plan amendment to permit a low-rise apartment building at as a use it would permit it specifically for this site. The Zoning By-law amendment provides implementing zone an R8 sorry an R9 zone which allows for a four story forty-four-unit apartment building. There are four special provisions associated with that, one it allows for fourteen parking spaces which is around point three parking spaces per unit. One that would allow for twenty-seven square metre bachelor units as a minimum size and one that allows for twenty-seven meters yard front or sorry for twenty-seven-meter yard frontage. This reflects the existing size of the lot and finally for a three-meter front yard setback which would be a reduction from the base zone. The next slide provides the conceptual site plan provided by the applicant to support the, to support the application. In it you can see kind of rectangular building pushed towards Thompson Road with parking in the rear, providing access from the easement which currently serves 409 Thompson but is legally tied to 403, 409, and 415 Thompson which would be on the other side easement it's also rather significant amount of landscaped amenity space provided in the rear and westerly interior side yards under the concept proposed. There were a number of community concerns raised through this application there were seventeen comments of which sixteen were generally in opposition, one was generally supportive. The concerns raised included concerns around the parking reduction, residents in the area felt it was inappropriately low and for units immediately adjacent there was some concern that overflow parking would be taking up, take up their visitor parking spaces in their lot. There were some concerns around the use of the legally established easement that's proposed for access, the applicant was able to provide us with the easement in our legal team review to determine that yes, they are legally entitled to use that easement as it stands. There are some concerns around children in the area and them perhaps playing in other properties adjacent that would be inappropriate. There were concerns raised with the unit size reduction currently the unit size minimum for a bachelor unit on or without a special provision rather is a forty-one square meters again the proposal is for twenty-seven square meters. The applicant who is likely here can speak to some reasons for this but this is, the request was related to

the specialized housing approach that they're taking with the development, strides in context there. There were concerns about height and potential overlook looking at the four-story development adjacent to what is currently two-story units. General concerns with the number of units and there's also significant and repeated concern from neighbors in the area that this constituted too much affordable housing located within the neighbourhoods. So, I'm not going to go into the entirety of the report and the justifications behind it but ultimately staff's recommendation is that the Official Plan amendment is approved to permit the low-rise apartment building on site. We've also suggested or recommended the rezoning to a residential R9 zone with a height limit of fourteen meters with the associated special provisions requested earlier and discussed earlier be moved and then finally we've provided a couple pieces around site plan that we recommend to provide site plan some support in ensuring that screening measures and additional amenity space are available to help address some of the neighbourhood concerns and contribute to good site plan design. The final slide if you're, if you're following along on the presentation is simply the recommendation that appears at the beginning the report. Thank you.

- Councillor P. Squire: Thank you very much. Any technical questions of staff? Councillor Hopkins?
- Councillor A. Hopkins: Yes, I do Mr. Chair. I know staff mentioned screen measures are to be in place through the site plan process, but I did hear some concerns through the recommendation about fencing. Can you expand on that or is that going to be looked at through site plan?
- Councillor P. Squire: Go ahead.
- L. Maitland: Yeah. Leif here again. I can take that. I think with regards to site plan we do look at all screening measures in terms of fencing and landscape. The idea in in this case in providing the additional recommendation a request rather discipline is to ensure that the measures are there perhaps enhanced and beyond kind of the minimum base standards to ensure that quality contact is made between the two properties so that is something that we would address through site plan and it is, it comes not naturally done through the Official Plan and Zoning By-law amendment process but making sure that those concerns are carried forward we thought this was an appropriate way to do that.
- Councillor P. Squire: Thank you. We're just doing technical questions now Councillor Hillier did you have a technical question?
- Councillor S. Hillier: Mostly regarding parking. I'm looking at 44 units with 14 parking spaces I'm assuming 65 to 70 people living there. That would, I'm guessing maybe 10 people might have cars I'm being on the plus, so that leaves four open spaces I'm thinking more along the lines of personal support workers, deliveries. I don't think there's enough parking to be fair. Staff has more parking been considered I'm looking up at the lot.
- Councillor P. Squire: I am not sure that's a technical question. I realize you have an opinion on the parking but that wouldn't be a technical question unless you framed it in saying why the reduction in parking or why that level of parking for the building but we're not, we're not into argument yet.
- Councillor S. Hillier: Was considerations for more parking considered?
- Councillor P. Squire: Alright we'll go ahead with that.
- L. Maitland: Yes, that was considered. The reason the recommendation of, or the basis for the recommendation of the reduced parking is a parking study that was provided by, I believe Frank Barry and Associates is the name of the engineer. In that he, just for some context for the committee, in that he spoke to the current proposals for about .3 parking spaces per unit there are similar developments within London that are at actually at lower parking ratios so it's not, it's not standard but it's not unique either just for some context there.

- Councillor P. Squire: Okay. Councillor van Holst we're doing technical questions only again.
- Councillor M. van Holst: Thank you Mr. Chair and through you, first my technical question is who is the applicant?
- Councillor P. Squire: Go ahead.
- L. Maitland: The applicant is the Housing Development Corporation of London. They are in the room I believe, or they indicated to me that would be here.
- Councillor P. Squire: Okay next technical question?
- Councillor M. van Holst: Okay thank you. So, looking at 4.4 in the report under parking there was the study from F. and Barry Associates was that was that report included in the agenda package? So that's my question.
- Councillor P. Squire: Go ahead.
- L. Maitland: Staff reviewed it, but I don't believe it was appended to the report, no.
- Councillor M. van Holst: Okay. Thank you, Mr. Chair, if I may continue. The halfway through this paragraph in 4.4 it says that they note that given the specific users vehicle ownership is not likely to be a priority for the prospective tenants, so my question is who are the specific users that are contemplated for this this unit?
- Councillor P. Squire: Go ahead you can answer that I think.
- L. Maitland: I believe HDC would be the appropriate folks to speak to the programming and the ultimate residents.
- Councillor P. Squire: Is someone from HDC able to answer that question?
- C. Saunders, City Clerk: Ms. Wood is in attendance.
- S. Giustizia, HDC: Hello Mr. Chair.
- Councillor P. Squire: Go ahead. So, you heard the question, it's a pretty straight forward one hopefully we can move through the technical questions.
- S. Giustizia: Yes, I did. Was the question the number of units and the number of occupants related to the parking, the parking number. I just want to make sure I heard correctly.
- Councillor P. Squire: No that wasn't the question at all. The question was and Councillor why don't you just ask it again very briefly.
- Councillor M. van Holst: Okay thank you. In the parking study it was noted that given the specific users the vehicle ownership is not likely to be a priority for prospective tenants, so my question is who are the specific users that are contemplated here?
- S. Giustizia: Through the Chair. These will be standard apartments single occupancy only focused on individuals with low-income needs are going to the apartment so based on that we do not anticipate and our experience is that there are not vehicles that are, that are going to be necessary for this population.
- Councillor P. Squire: Okay thank you.
- Councillor M. van Holst: Okay thank you.
- Councillor P. Squire: Do you have anymore technical questions.
- Councillor M. van Holst: I do have a few more. Thank you. So perhaps I'll first ask how is the reduction in the minimum size for a bachelor apartment justified noting that the last time a reduction in a, like this was contemplated turned it down.
- Councillor P. Squire: I'm not sure that's a technical question. I'll look to the Clerk, but I don't think it is. I think you should raise that after the presentations. It will relate to you asking someone to comment on a Council decision. Go ahead.
- Councillor M. van Holst: Alright there's, Mr. Chair and you can tell me if this is a technical question or not, but the prevalence of low income housing here that is that how did we come up with the choice to do this in in light of the fact that this is

a low rise apartment low income housing and we've got there's twenty two other similar buildings within three hundred meters of this one.

- Councillor P. Squire: That's definitely not a technical question. We're almost getting into a debate. So technical questions.
- Councillor M. van Holst: That's probably fine. Okay.
- Councillor P. Squire: Just to the Committee a technical question is something technical something about the specifications of the development or something like that not why did you do this or why are we thinking about this so just for future reference. Okay so we're now going to go to presentations from the public. I don't know, is the applicant here?
- C. Saunders: Mr. Chair yes, they are, and I understood K. Wood was speaking on behalf of HDC, perhaps that's not the case.
- Councillor P. Squire: Okay before we start presentations, I just want to remind everyone that the presentations are limited to five minutes and we don't we don't want to get in any way derogatory during the presentations we are happy to get your information we're happy to receive it and I'll try to get any of your significant questions issued, answered sorry. So, go ahead the applicant.
- S. Giustizia: Applicant, HDC, on behalf of the work we're doing with the City of London first my thanks to the community members who helped with the submissions for you and for our committee members I want to thank our staff. We reviewed the report and the recommendations from staff, and we are in full agreement and I know that you've got a few items on the agenda tonight from us you can accept that as comments from the applicant for all three of those items and we will make ourselves available as needed to answer questions and I'm here with Ms. Wood Mr. Turcotte. Thank you very much.
- Councillor P. Squire: Alright we'll now start any public delegations.
- C. Saunders: Ms. Linker is joining us via Zoom.
- Mary-Ann Linker: Hi it's Mary-Ann Linker calling and thanks for listening.
- Councillor P. Squire: Sorry. Could you just hold on a second? Could you just give us your full name and your address if you would like to.
- Mary-Ann Linker: It's Mary-Ann Linker, 409 Thompson Road.
- Councillor P. Squire: Alright go ahead you have five minutes.
- Mary-Ann Linker: Okay I'm concerned with it all being low-income housing when we are surrounded by that as is so what does that do to the value of our housing here. My concern also is I've also heard about the size of the unit I think that is a little bit on the low, low side for anyone. The parking is definitely an issue and when I'm looking at the diagram the three parking spots that show in this picture are they taking claim of our three visitor spots or are those an additional three parking spots that are being created? And like I say I have concerns about, and the allotted who's allotted to this if it was a mixture of income that would be a different story but all low income I totally disagree with.
- Councillor P. Squire: Alright thank you very much. Is that do you have anything further to say?
- Mary-Ann Linker: No, I think that's pretty much it.
- Councillor P. Squire: Alright. Thank you very much for speaking to us today. I appreciate it very much.
- Mary-Ann Linker: Thank you for listening.
- Councillor P. Squire: Alright next?
- C. Saunders: Mr. Chair we have a number of individuals in Committee Room number five so perhaps Mr. Skalski could assist the public.
- Councillor P. Squire: Alright. Before you start could you just give us your name and your address if you'd like.
- Michael Nam: My name is Michael Nam, 397 Thompson Road.

- Councillor P. Squire: Okay go ahead five minutes.
- Michael Nam: Okay we are the property next door to this proposed site and I just had, just want to have a little request in the change in the proposal just my concern is that first thing is about regarding the fencing and trees that are dividing the adjacent properties. First thing is about the fencing if there was absence of fencing you would create a more open concept field and that's all I can say for the fencing. But as far as for the trees if there's traffic coming from the Pond Mills/Egerton direction going towards King Edward with the trees being there it'll block the view of our property and not only that with the trees there sometimes in better weather the branches fall, and tree sap fall to our customers' vehicles when they parked there and also it also increases the maintenance costs of every year of cleaning up with you know all the debris and all that altogether. And that's one of our reasons why we're here regarding about the trees and about the fencing. Moving on to about the size of the building itself I know it's four stories but we, we are open to this if possible if it can be built higher I know that with constraints it's impossible to do it but if you can make use of the property that's behind us at 150 King Edward Avenue I believe it's just a little bit under developed and it's not really used in the best way if that is a, you know an option. You know I'm just putting it out there and that could be a viable option there and as for everything else that's all we have to say.
- Councillor P. Squire: Thank you very much. We appreciate you coming today to speak to us.
- Michael Nam: Thank you.
- Councillor P. Squire: The next speaker? Is there anyone wishing to speak? Okay can I just get your name Sir and your address if you don't mind.
- Rene Morin: Rene Morin, president of the condo board at 409 Thompson Road. Many of us moved to this area because it's a peaceful and private location and we are already surrounded by low-income apartment buildings yet our condo complex is like a hidden gem. We feel that this zoning should not be changed to allow four-storey building be squeezed into such a small area close to us. This will create problems such as heavier traffic in our driveway and people parking in our private lot because I noticed the diagram here we have I don't know if they just forgot to put the fences in. I guess they either forgot to put the fences up or they assumed that they are there but it looks like they're going to take over our three parking spots close to their parking spots. It just looks that way I'm not sure. Your diagram should have had the fences put in actually. Any way we assumed that because the apartments are so small one person only sure but family matters and support workers will come in there and take up most of those parking spots and people living there will you know will come into our complex and take up the parking spots there. As well I'm just wondering where the garbage cans are going to be. Are you going, are they going to be stuck close to our fence or you're going to try and put them away from our fence? We do not feel the purpose, proposed building should be built instead we would like to see something that would enhance our neighbourhood within the present zoning guidelines. Thank you.
- Councillor P. Squire: Thank you very much I'll try to get your, I know you have some questions sir, we do try to get them answered and I'll try to get staff or the applicant to answer them when we're finished all the presentation, so I don't want you to think we're not answering your questions. We just do that all at once. Someone else wishing to speak? Right could you give us your name and your address if you like.
- Amber Harrison: Amber Harrison at 409 Thompson Road.
- Councillor P. Squire: Go ahead you have five minutes.

- Amber Harrison: Okay I would just like to reiterate about the privacy that we have right now and we feel that it's going to be infringed upon with this one. Also, the noise level of the construction and the new building, will there be some type of wall or something to counteract that? And also, the whole four-storey idea that will kind of be over shadowy, it will overshadow us and I wonder if it needs to be that tall or what it is up with that. Those are my comments.
- Councillor P. Squire: Thank you very much for coming today. We appreciate it.
- Amber Harrison: Thank you.
- Councillor P. Squire: The next speaker? I see someone standing in the committee room, in Committee Room 1&2 if you want to go ahead and speak that would be great.
- Christine Comrie: Christine Comrie, 435 Scenic Drive.
- Councillor P. Squire: Can I have your name and your address please?
- Christine Comrie: I just gave it, Christine Comrie, 435 Scenic Drive.
- Councillor P. Squire: Oh, I'm sorry I was watching. Okay go ahead. Sorry about that go ahead.
- Christine Comrie: It's okay. Thank you for the opportunity to put forth concern shared by many residents of Glenn Cairn Woods fortunately we have a close-knit neighbourhood along Scenic Drive or many of us would not have even known about this proposal despite how it directly impacts us. A notification distance of 120 meters, sorry they want my mask on, a notification distance of one hundred twenty meters is ridiculous and a way to push through changes without proper input from those affected. In this matter although two hundred and twenty-seven residents were provided notice the reality is that notices only went to twelve single homes, twelve, thirty town homes, a condo complex which will share the same entrance driveway of the proposed building and eight landlords which means a notice was posted in each building not to each apartment and realistically tenants are not going to care. This equates to fifty letters going out unbelievable considering the population affected. With more notifications more dissenting votes would be cast. Council should have before them numerous letters from residents outlining the inordinate population of Glenn Cairn Woods and the disproportionate amount of affordable housing we're faced with. I will summarize the details noted in saying not only are we overpopulated based on the London average we already have an additional two hundred and fifty home subdivision under construction and a double lot on Pond Mills slated for yet another apartment building the details of which are unknowns as again no notification has been received. It is believed however that this is slated as another affordable housing site. Our community consists of a significant number of affordable housing units the more, majority of addresses were listed in the letter from Mr. and Mrs. Comrie with thirty-one three-storey walk ups including one halfway house, three co-op complexes, one hundred London housing units with additionally numerous semi-detached and duplex addresses. This is just our subdivision. Immediately to the west of Pond Mills Road is another London housing or co-op projects which are not well maintained. Another London housing or co-op is situated one block southeast of Commissioners and Pond Mills, numerous rental units can again be found on the south side of Commissioners at both Pond Mills and Frontenac. And Hamilton Road also contains many low-income houses, an area that is desperately trying to revitalize. Considering all of this, the question arises as to why the city feels Glen Cairn Woods is the right neighborhood to build yet another affordable housing site. Is the city trying to create another Arbour Glenn situation where crime is even higher? Please do not misunderstand us we are not saying that every person in affordable housing is a criminal or unsavory however our personal experiences carry a lot of weight as the correlation between affordable housing and crime.

Our letter outlines statistics published by Area Vibes as well as our personal trials. I can personally attest to a stolen vehicle, break-ins of rear sheds and attempted home break-in and numerous vehicle break-ins. Concerns related to overpopulation and crime bring forth higher insurance rates. We are also troubled by the stigmatism of lower school ratings, the valuation of our property and increased traffic to our streets some of which have no sidewalks or lighting. As one of my neighborhood, neighbors aptly questioned where is the consideration of diversity. The focus of the diversity and new subdivision should apply for existing neighborhoods as well. It is our understanding that this proposed construction has already been relocated due to the public outcry. We ask that our concerns be taken just as seriously. Our neighborhood is already over tenanted with an over abundance of affordable housing what we are asking is that Glenn Cairn Woods be treated with the same deference as areas in the north and west of London thereby protecting the single-family home dwellings. It is time to look at spreading out affordable housing rather than lumping it all in one area creating a ghetto. A question has arisen from Ms. Carey of 436 Scenic Drive in relation to the viability of the Housing Development Corporation and the effect it has on the proposed development. She has noted that KPMG

- Councillor P. Squire: You have about thirty seconds left.
- Christine Comrie: is dissolving HDC as reflected in City Hall meeting minutes dated August 19, 2019 and minutes dated December 17, 2020 direct staff to bring forward documents that dissolve HDC in the spring of 2021. Will applications for HDC be placed on hold or cancelled? What support would the residents of the development have should it go through and if HDC is to be dissolved in only a few months why would the city even consider approving new construction at this point. We the residents of Scenic Drive call for Council to deny the application for 403 Thompson Road. Thank you.
- Councillor P. Squire: Thank you very much we appreciate you coming today to speak. Is there anyone still in committee room five who wishes to speak?
- Sandra Matthews: Hello there!
- Councillor P. Squire: Can I just have your name and address?
- Sandra Matthews: Yes. Sandra Matthews, 409 Thompson Road.
- Councillor P. Squire: Thank you very much you have five minutes.
- Sandra Matthews: Yes Sir I won't be long. The fact of the traffic being much more of an issue with this coming up I think that's really going to be chaotic for us at 409 Thompson Road that's one thing for sure and then parking. We already are to capacity and I am so confident that that'll be an issue of not being able to have their own parking and to scoot over to our area. So that's what I want to just say.
- Councillor P. Squire: Thank you very much for coming.
- Sandra Matthews: Yeah, thank you.
- Councillor P. Squire: Very much appreciated. Anyone else in committee room five wish to speak? Alright is there anybody in, anybody in committee room one and two who wishes to speak on this application? Could I have your name and your address Sir?
- Allen Dawe: Allen Dawe, 409 Thompson Road. I just want to comment that in that area 14 parking spots won't suffice for 44 units and there is no street parking, no street parking at all on Thompson Road and there's no other place to park. All in all, not only that, forty-four units is far too much, 27 meters people can't live that kind of space. Thank you.
- Councillor P. Squire: Thank you very much Sir we appreciate you coming today. Anyone else in committee room one and two wish to speak to this application? Okay going once going twice. Okay we're going to close, move to close the public participation meeting

Appendix "B"

Bill No.(number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 345
Sylvan Street:

WHEREAS Housing Development Corporation, London (HDC) applied to
rezone an area of land located at 345 Sylvan Street, as shown on the map attached to
this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number
(number to be inserted by Clerk's Office) 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 345 Sylvan Street, as shown on the attached map, from Community
Facility (CF5) Zone to a Holding Residential R8 Special Provision (h-5*R8-4(_))
Zone.
- 2) Section Number 12.3 of the Residential R8 (R8-4) Zone is amended by adding the
following Special Provision:

)	R8-4()	345 Sylvan Street	
	a)	Regulation[s]	
		i) Frontage (min)	20.0m
		ii) Parking (min)	0.5 spaces per unit
		iii) Dwelling unit size (min)	Notwithstanding 4.6 of this by-law the minimum required size for a one-bedroom dwelling unit shall be 41.0 square meters.
		iv) Accessory Structures	Notwithstanding 4.1 of this by-law accessory structures may be permitted in the front yard to provide long-term bicycle parking.

The inclusion in this By-law of imperial measure along with metric measure is for the
purpose of convenience only and the metric measure governs in case of any discrepancy
between the two measures.

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

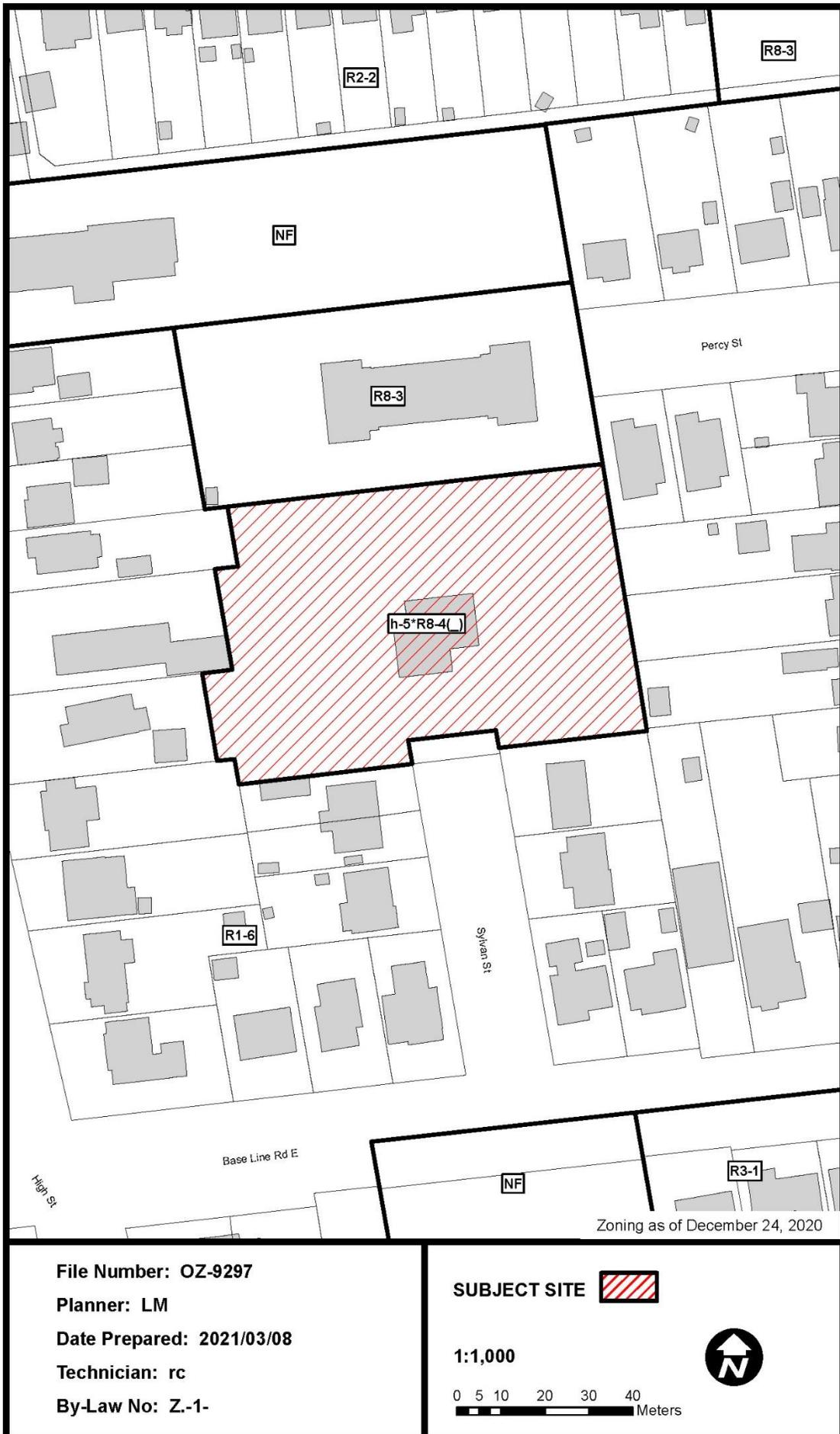
PASSED in Open Council on March 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

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



Geodatabase

PUBLIC PARTICIPATION MEETING COMMENTS

3.8 PUBLIC PARTICIPATION MEETING – Application – 345 Sylvan Street – File OZ-9297

- Councillor P. Squire: Is there a staff presentation on this matter?
- Leif Maitland, Senior Planner: Yes, we do have a presentation prepared.
- Councillor P. Squire: Okay. Go ahead.
- L. Maitland: Again, these presentation slides should be available on the agenda if you're following along at home or the committee rooms. The application before us this evening is an application at 345 Sylvan Street File number OZ-9297. It's an Official Plan and Zoning By-law amendment. On the first slide that we have shows the site and its context 345 Sylvan Street is at the end of Sylvan Street located behind houses along High Street and Balderston Ave. as well as adjacent to an existing apartment building on Percy Street. Moving on to the next slide within the London Plan the site is located within the neighbourhood place type and is neighbourhood place type itself. The current zoning is a community facility five or CF5 zone that zone is the result of a historic group homes located on the site and that is currently in the process of being demolished. The requested amendment made by the applicant and again that was the Housing Development Corporation of London, are first an Official Plan amendment to permit a low-rise apartment building on the site and a Zoning By-law amendment to permit for a three-storey forty-two-unit apartment building. There are special provisions associated with that and they are for twenty-one parking spaces for a forty-one square meter one bedroom size, for twenty metre frontage which is recognizing the existing frontage based on the current property fabric and finally for a front yard accessory structure that would allow for bicycle parking in an accessory structure. Moving on to the next slide we have the concept plan as provided at this point in time, you see the park or the apartment building kind of an L shape building situated towards the north and west of the site, if you recall from the previous context images there's a three storey apartment building immediate to the north so it kind of mirrors out if you will and it also spaces away from some of the lower rise adjacent neighbours to the south and east. There are two parking pads in the front and the bicycle parking in this concept is along the western property line although in consultation with the applicant it's unlikely that we would be supportive of that, that location at site plan. There's a number of amenity spaces located around the property. So, as at the completion of this presentation there's only one response from the community since then there have been two other responses which should have been shared with the committee at this point. Concerns raised to date relate to overflow parking based on the twenty parking spaces proposed and the kind of short street that it's located at the end of, one resident complained or sorry commented to indicate that there've been complaints around bicycle theft on the site we want to ensure that any site design kind of took those and that anti-theft measures are taken into account in designing the site. There's also rigging this site a good perimeter of existing trees and so requests from the people who've commented to date noted that these screening measures would be desirable to be maintained and not just for the protection of the trees themselves but for the for the screening of the neighbours. The two comments that were received subsequent to this presentation being prepared also indicated general opposition to it indicating that they felt that the number of units were too large and the number of parking too small. So, the recommendation from staff, with the full details provided in the report, is to approve the Official Plan amendments to permit a low-rise building apartment building on site, to approve the rezoning for a residential R8 special

provisions zone that would implement and allow for the three-storey apartment building with the special provisions discussed previously and finally to request site plan approval, the site plan approval authority act to preserve the existing trees around the site to the best of, to the best as possible and to maintain their screening for that reason. And then the final slide, it is simply a replication of the recommendation as it appears at the beginning of the report. Thank you.

- Councillor P. Squire: Thank you very much Mr. Maitland. Any technical questions of the staff? Councillor Turner, I don't see you. There yes Councillor Turner go ahead.
- Councillor S. Turner: Mr. Chair thanks for recognizing me and thanks to Mr. Maitland for his work on this file. During a lot of community consultation one of the discussions that was back and forth was that there might be an H5 holding provision, when I take a look at the by-law, I don't see one in there. There's a fair amount of public interest in the site through its evolution and I was wondering if staff might be able to comment on its presence or absence or suitability?
- Councillor P. Squire: Go ahead Mr. Maitland.
- L. Maitland: Sorry just unmuting there. Councillor Turner is correct there was not an H5 proposed. As I kind of stated, through our review of the site we did only receive one public comment and we felt at the time the report was completed that the recommendation to site plan approval to maintain the screening trees which was the one issue that could be addressed through site plan that, that would cover that but that's not to say it wouldn't be applicable. I think that's committee's concern or sorry that it be a committee's call to make.
- Councillor P. Squire: Councillor Turner did you have any other technical questions or do want to save comments for later on?
- Councillor S. Turner: Absolutely, I will save comments for later on it but yeah that was my technical question. Thank you.
- Councillor P. Squire: Thank you very much. So, we'll go to the applicant and Mr. Giustizia again. Do you have any, you don't have to.
- S. Giustizia, HDC: Through the chair, my comments are the same and happy with staff's report just on the matter the holding provision I did talk to the councillor and there was mention of that earlier. I just want to make sure that there's an understanding that wasn't pursued because our work with the city we believe that we've met everything that needed to be met from the community perspective and then the other matters to be addressed through our, through site plan so I'll defer to questions afterwards.
- Councillor P. Squire: Thank you. Alright so members of the public I don't know if they're just in the one committee room or both committee rooms. So why don't we start with committee room five first, see if there's anyone there. Nope, no one in committee room five. So, I'll go over to committee room one and two for people who want to make comments. I just ask you to provide us with your name your address if you would like and you have five minutes to speak, we'll be timing you, so we'll just have the first speaker at courtroom, oh courtroom in my other job, in committee room one and two.
- Clerk: There are no people in committee room one and two for this item.
- Councillor P. Squire: Aright thank you very much your work. If there's no other presentations, then I will move for closing the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.9 PUBLIC PARTICIPATION MEETING – Core Area Community Improvement Plan (O-9257) – Core Area Community Improvement Plan Financial Incentive Program Guidelines

- Councillor P. Squire: There's a staff presentation? Is there?
- Kerri Killen, Senior Planner: I have a presentation prepared.
- Councillor P. Squire: Thank you very much. Go ahead.
- K. Killen: Thank you. So, the item you have before you right now is an Official Plan amendment for the Core Area Community Improvement Plan or CIP. So, in 2019 the City initiated a study to identify actions that could be taken to support the success of the Core Area. The result of the study was the Core Area Action Plan which identified seventy individual action items that can be undertaken to address identified issues. Four of these action items which are listed on the second side, will be implemented through the Core Area CIP. So, these action items included providing grants to implement safety audit recommendations on privately owned property, eliminating encroachment fees for patio, signage and awnings, eliminating application fees for encroachment, signage and patios and eliminating fees for use of on street parking spaces for temporary restaurant patios. So, the project area boundary for the CIP as shown on slide three and it represents the boundary that was established through the Core Area Action Plan. It generally includes the downtown, Old East Village and Richmond row. The Core Area was determined by identifying where there was the most need in terms of helping those struggling with homelessness and health issues, improving safety and security, supporting businesses, and attracting more people to the area. So, the Core Area CIP proposes three new financial incentive programs which are listed on slide four. The first is a safety audit grant program which would offer grants to reduce the financial burden on business owners who want to take, who want to make modifications to private property that would improve the safety as identified through a core area safety audit. This program will grant up to fifty, fifty percent of the total cost of the property modifications that improve safety and up to a maximum of ten thousand dollars per property. The second program is a boulevard cafe grant program which would offer grants to reduce the financial burden on business owners who operate sidewalk patios. This grant program eliminates the administrative and license fees related to the operation of a patio on the public right away. This program would replace the existing boulevard cafe grant program currently offered through the Downtown CIP. And the final program is the grant, sorry, the sign grant program which would offer grants to reduce the financial burden on businesses or property owners who install new signs or requiring encroachment agreements for signs. The grant program eliminates the sign permit application fee, the encroachment agreement application fee and the annual encroachment fee for signs. So, slide five provides a summary of the recommendation before you today which is to adopt the Core Area CIP and financial incentive programs as well as to discontinue the boulevard cafe grant program within the Downtown CIP Area. And that concludes my presentation. Thank you.
- Councillor P. Squire: Thank you very much. I'm not, I don't think there would be any technical questions. We will just move on to public delegations.
- Cathy Saunders, City Clerk: Ms. Valastro is on the phone.
- Councillor P. Squire: Alright, go ahead. Ms. Valastro?
- C. Saunders: Ms. Valastro: You need to hit star six to unmute.
- Anna Maria Valastro: Hi, hi there I'm here now I'm sorry.
- Councillor P. Squire: Go ahead.

- Anna Maria Valastro: I live in the core I'm someone that actually connects with core residents to raise awareness and support for issues that impact the core. I do this usually by door knocking. I have for example spoken to those residents that live in the vintage apartments above the stores on Dundas Street and I fundamentally believe that the city is misguided in its approach to revitalizing the Core. For example, you can't run a business if your windows are being smashed on a regular basis. I also think that the focus of the Core Area Community Improvement Plan is too focused on bringing people to the downtown and is neglecting those residents who already live in the downtown as those residents that would be the ground support for the businesses in the core. For example, the city is dead wrong as to who lives in the core and especially who lives on Dundas Street above the stores. In my neighborhood of North Talbot, we still have some affordable rentals, we have a school bus that picks up young children on Talbot Street and busses them to school. We have not for profit housing, housing for disability, public housing, student housing, wealthy residents that live on mansions and a lot of long-term residents that rent. Many other renters are older individuals of lower income. If city officials calculate that the population of the core is younger rather than mixed it's because the older residents tend to avoid those businesses that you don't cater to them such as the businesses on Richmond Street. Our neighbourhood also has several houses that remain whole and not carved up but are currently limited to groups of students of five or more. The report does not recognize the housing types from what I can, what I can see. The Core Area Community Improvement Plan fails to address the Core Area residents in their role in supporting businesses. I would argue that these residents are the backbone of support and which suggests that taking care of local residents should be a primary focus of any plan to stabilize the downtown. I also believe that this plan solely focused on one type of business, but the core is overwhelmingly historical and with vintage storefronts many of them tiny that would be best suited to entrepreneurial businesses that would be unique to the core that in turn would attract people looking for a different shopping experience that would be, that would not be available on malls and accentuate the historical character of the core. It's a plan, this plan ignores what is already beautiful about the downtown it splits right there and funny but you're not looking, you're trying to reshape the core rather than bring you know bring out what's already unique and attractive about it and I understand the frustration of residents that do not live in the core do not visit the core have no desire to shop in the core having to foot the bill for these plans that you know many think are misguided and might fail. Most people want to shop play and work where they live and visit another district for its uniqueness. I feel this plan does nothing to lift and stabilize the core. For example, while nice I don't think moving removing curbs and re-bricking Dundas would attract anyone to the core, one doesn't really notice the road the beautiful leafy streetscape might because there's nothing like it anywhere else in the city not even on Wortley Village or Old East Village. In closing I feel that the homeless population is a part of the core and I was deeply disappointed when the city removed the parkette at Covent Market because it became a gathering spot for people on the street. Personally, the parkette gave a sense of community not my community but someone else's community and in many ways, I found it's better than having people scattered across the street. I also found it hypocritical you know that, that they don't have a place in the core and they're obviously our neighbors too. So, while I think it's great to have more public washrooms and to have visible foot patrols and all those small things, I think overall I think that the focus is misguided and you I just think you need to treat it like a whole community rather than just very specific businesses. Thank you.

- Councillor P. Squire: Thank you very much. We appreciate you coming to present today. Who's next?
- C. Saunders: Ms. Pastorius is next.
- Councillor P. Squire: Okay, Ms. Pastorius.
- Jen Pastorius, Old East Village BIA: Hello everyone. Thank you very much for having me. I will be very brief. The Old East Village BIA supports the staff recommendation for the Core Area Community Improvement Plan as it further activates the already approved Core Area Action Plan and I would like to thank city staff and the entirety of Council for your ongoing support and work to continue to revitalize the Old East Village. Thank you.
- Councillor P. Squire: Thank you very much. Other presentations? Which, in room one and two? So, who would like to speak? Thank you very much if you could just give us your name and your address if you like you can.
- Frances Vancer: My name is Frances Vancer and I live at 250 Pall Mall Street and I'm just wondering how the core improvements are going to affect our tax rate because we're already at a high, high level. I think it's a 5,400 a year and I would like to know what our zoning is for the property as well as the mail rate for our property compared to others in the area. A condo on Queen Street pays 2,800 per year and I don't what their zoning and mail rate would be. Our building is a single, a condo building on Pall Mall Street and I'm just wondering where the, why it's so high. I come from Mississauga, I moved from Mississauga about a year ago and I had a seventeen hundred square foot condo right on downtown Mississauga and I was paying 2,800 dollars per year with the bus at the door and the LRT which is going to be passing on the corner within a year and I moved to London and I'm paying, I have a fifty five hundred and forty square foot condo, mid-sized building and I'm paying 5,400 per year and I can't understand why so I would I leave that with you that's what I wanted in my presentation.
- Councillor P. Squire: Yeah, I think that the question of your taxes, I would love to talk with you about that for about an hour but nobody else wants to hear me so and that's really a political question related to other things. I don't think I would ask staff to answer that. And a lot of it depends on decisions made by this Council so there you go. Any other submissions, speakers? No? Alright we just need a motion to close the public participation meeting

PUBLIC PARTICIPATION MEETING COMMENTS

3.10 PUBLIC PARTICIPATION MEETING – Application – 122 Base Line Road West – File SPA21-005

- Councillor P. Squire: Alright looking for the staff presentation on this matter if there's?
- Leif Maitland, Senior Planner: Good evening. We don't have a PowerPoint presentation that was provided as part of the agenda, but I will speak for a moment on it just for some context assuming that's okay with the committee.
- Councillor P. Squire: That's fine go ahead.
- L. Maitland: Yeah, so, what's in front of you at this moment is a site plan public meeting for 122 Base Line Road West file number SPA 21-005. You would have seen this or likely would've seen this as a rezoning application in the fall of 2020 and so what we have in front of you this evening is their first submission for site plan approval for a sixty-one-unit apartment building. The plans are available starting on page eleven of the report in the appendix, I don't really have many other comments to add at this point but we're available to answer questions as needed. Thank you.
- Councillor P. Squire: Thank you very much. So we'll go to the, any presentations? Are there any Clerk?
- Cathy Saunders, City Clerk: Mr. Chair I'm not aware of any members of the public waiting to speak to this. Perhaps committee room one and two can confirm that for us.
- Councillor P. Squire: Alright. Thank you.
- Clerk: No members of the public, just the applicant to respond to questions.
- Councillor P. Squire: Alright thank you very much. So, we will call once, twice, three times for public comments. There being no public comment I'm going to ask for a motion to close the public participation meeting.

Community and Protective Services Committee

Report

The 5th Meeting of the Community and Protective Services Committee
March 2, 2021

PRESENT: Councillors J. Helmer (Chair), S. Lewis , M. Salih, A. Kayabaga,
S. Hillier, Mayor E. Holder

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

Remote Attendance: Councillors M. Cassidy, J. Morgan and M. van Holst; Inspector B. Berg, C. Cooper, S. Corman, K. Dickins, S. Glover, Chief L. Hamer, Deputy Chief M. Hepditch, Deputy Chief A. Hunt, W. Jeffery, O. Katolyk, L. Livingstone, L. Marshall, N. Musicco, A. Pascual, C. Saunders, K. Scherr, B. Somers, C. Smith, S. Stafford, B. Westlake-Power and R. Wilcox

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 M. Salih, A. Kayabaga and S. Hillier

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Lewis

Seconded by: S. Hillier

That Items 2.1 to 2.10 BE APPROVED.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.1 1st Report of the Animal Welfare Advisory Committee

Moved by: S. Lewis

Seconded by: S. Hillier

That the 1st Report of the Animal Welfare Advisory Committee, from its meeting held on February 4, 2021, BE RECEIVED.

Motion Passed

2.2 1st Report of the London Housing Advisory Committee

Moved by: S. Lewis

Seconded by: S. Hillier

That the 1st Report of the London Housing Advisory Committee, from its meeting held on February 10, 2021, BE RECEIVED.

Motion Passed

2.3 1st Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Moved by: S. Lewis

Seconded by: J. Helmer

That the 1st Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee, from its meeting held on February 18, 2021, BE RECEIVED.

Motion Passed

2.4 Upgrade the Computer Aided Dispatch (CAD) System 9.3 to 9.4 and Migrate to OnCall Analytics

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Neighbourhood, Children and Fire Services, subject to the advice of the Fire Chief and the Deputy Fire Chief, the following actions be taken with respect to the staff report dated March 2, 2021, related to an Upgrade to the Computer Aided Dispatch (CAD) System 9.3 to 9.4 and the Migration to OnCall Analytics:

- a) the "Fixed Price Statement of Work" submitted by Intergraph Canada Ltd., doing business as Hexagon Safety & Infrastructure division, 10921-14 Street NE, Calgary, Alberta, T3K 2L5, BE ACCEPTED for the upgrade of software for the Computer Aided Dispatch from version 9.3 to 9.4 and the migration from the existing Intergraph Business Intelligence to Hexagon OnCall Analytics – Dispatch Advantage at a total purchase price of \$282,014 (excluding HST) in accordance with section 14.4(d) of the Procurement of Goods and Services Policy;
- b) the financing for this purchase BE APPROVED in accordance with the Sources of Financing Report, as 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 the purchase;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract, agreement or having a Purchase Order relating to the subject matter of this approval; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required. (2021-A03)

Motion Passed

2.5 Sole Source Award for the Implementation of the Giwetashkad Indigenous Homelessness Strategic Plan

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the staff report dated March 2, 2021, related to the Sole Source Award for the Implementation of the Giwetashkad Indigenous Homelessness Strategic Plan:

- a) a contract BE AWARDED to Atlohsa Family Healing Services for the period of April 1, 2021 to March 31, 2022, at a maximum annual allocation of \$990,000, to implement the actions in The Giwetashkad Indigenous

Homelessness Strategic Plan with an option to renew for up to five additional one-year terms at the City's sole discretion, based on satisfactory services, performance, and funding/budget availability through the City of London, and/or other funding sources;

b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in relation to this project; and,

c) the approval hereby given BE CONDITIONAL upon the Corporation entering into a Purchase of Service Agreement with Atlohsa Family Healing Services. (2021-S14)

Motion Passed

2.6 2021-2022 Homeless Prevention Program Funding Allocations - Single Source Procurement (#SS21-09)

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Dearness Home, the following actions be taken with respect to the revised staff report dated March 2, 2021, as appended to the Added Agenda, related to the 2021-2022 Homeless Prevention Program Funding Allocations for the Single Source Procurement (#SS21-09):

a) the Single Source Purchase of Service Agreements BE APPROVED, as set out in the Homeless Prevention 2021-2022 Program Proposed Ontario Community Homeless Prevention Initiative Allocations, as appended to the above-noted staff report;

b) the Civic Administration BE AUTHORIZED to undertake all administrative acts which are necessary in relation to this matter; and,

c) the approval given, herein, BE CONDITIONAL upon The Corporation of the City of London entering into Purchase of Service Agreements with the above-noted Agencies. (2021-S14)

Motion Passed

2.7 A New Provincial-Municipal Vision for Social Assistance

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 March 2, 2021, with respect to A New Provincial-Municipal Vision for Social Assistance, BE RECEIVED. (2021-S04)

Motion Passed

2.8 Suppressing Crime - Theft of Gasoline and Scrap Metal

Moved by: S. Lewis

Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the staff report dated March 2, 2021, with respect to Suppressing Crime and the Theft of Gasoline and Scrap Metal, BE RECEIVED. (2021-P01)

Motion Passed

2.9 Property Standards Related Demolitions

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the proposed by-law, as appended to the staff report dated March 2, 2021, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021, to approve the demolition of abandoned buildings located at the municipal addresses of 152 Adelaide Street North, 10 Centre Street and 1420 Hyde Park Road, in the City of London, and the property shall be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition, in accordance with the City of London Property Standards By-law and Building Code Act. (2021-P01/P10D)

Motion Passed

2.10 Back to Business By-law Extension

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 Managing Directors and designates BE DELEGATED authority in regulations related to business reopening supportive actions, including business application and permit processing procedures, until December 31, 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; it being noted that the staff report dated March 2, 2021, with respect to this matter, was received (2021-S12/S08)

Motion Passed

3. Scheduled Items

3.1 Update on the United Nations Safe Cities and Safe Public Spaces Initiative (Safe Cities London)

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

That, on the recommendation of the Director, Service, Innovation and Performance, with the concurrence of the City Manager, the following items with respect to an Update on the United Nations Safe Cities and Safe Public Spaces Initiative (Safe Cities London), BE RECEIVED:

- the staff report dated March 2, 2021, as appended to the Agenda;
- the Safe Cities London Scoping Study, dated March 2020, from Anova, as appended to the Agenda;
- the revised Safe Cities London Action Plan 2021-2024, from Anova and the City of London, as appended to the Added Agenda; and,
- the presentation, dated March 2, 2021, as appended to the Agenda;

it being noted that a presentation from R. Wilcox, Director, Service, Innovation and Performance and Dr. A. Trudell, Anova, was received with respect to this matter. (2021-S12)

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3.2 Vacant Buildings By-law Review

Moved by: M. Salih

Seconded by: S. Lewis

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the staff report dated March 2, 2021, related to the Vacant Buildings By-law Review:

a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-35, being "A by-law to regulate vacant buildings"; and,

b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-54, as amended, being "A by-law to implement an Administrative Monetary Penalty System in London" to designate By-law No. A-35, being "A by-law to regulate vacant buildings" and add a related penalty schedule;

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

it being noted that the communication from A. Miller, By E-mail, was received with respect to this matter. (2021-P01/R01)

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Voting Record:

Moved by: S. Lewis

Seconded by: A. Kayabaga

Motion to open the public participation meeting.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: S. Lewis

Seconded by: E. Holder

Motion to close the public participation meeting.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

3.3 Property Standards By-law Review

Moved by:

That the following actions be taken with respect to the staff report dated March 2, 2021, related to the Property Standards By-law Review:

- a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to repeal and replace By-law CP-16, being “A by-law prescribing standards for the maintenance and occupancy of property”;
- b) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-6653-121, being “A by-law to establish the positions of Hearings Officer”; and,
- c) the revised attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to provide for an amended Penalty Schedule “A-6” for the Property Standards By-law.
- d) the Civic Administration BE DIRECTED to review the Residential Rental Units Licensing By-law CP-19, as amended, and report back at a future meeting of the Community and Protective Services Committee on the possibility of expanding the regulations to include rental units contained in apartment buildings, stacked townhouses and townhouses and to incorporate the following requirements for all rental units:
 - all new and existing rental units be licensed, regardless of the type of unit;
 - random inspections of rental units and building be undertaken to ensure compliance with the City’s Property Standards By-law and other regulations to prevent the deterioration and disrepair of rental units; and,
 - the establishment of a complaint reporting system that is accessible to tenants;
- e) the Civic Administration BE DIRECTED to report back at a future meeting of the Community and Protective Services Committee with a draft Terms of Reference for the establishment of a Tenant/Landlord Taskforce that would include representation from tenants, London Property Management Association, and other community stakeholders, including, but not limited to Lifespin, to develop an action plan to address enforcement of property standards by-law matters and health concerns within the City of London’s jurisdiction, including developing educational material to assist individuals with navigating the enforcement process and communicating with the Province of Ontario with respect to concerns identified with respect to potential legislative changes to address the concerns;

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

it being noted that communications from the following individuals were received with respect to this matter:

- Councillors A. Kayabaga and M. Salih – Resubmitted from the February 9, 2021 Agenda;
- A. Hagen, By E-mail;

- C. O'Brien, Drewlo Holdings Inc.; and,
- J. Hoffer, Cohen Highley Lawyers. (2021-P01)

Motion Passed

Voting Record:

Moved by: A. Kayabaga

Seconded by: E. Holder

Motion to open the public participation meeting.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Moved by: A. Kayabaga

Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Motion Passed (5 to 0)

Moved by: S. Lewis

Seconded by: M. Salih

Motion to approve parts a), b) and c) of the clause.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: A. Kayabaga

Seconded by: M. Salih

Motion to approve part d) of the clause.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Lewis

Seconded by: S. Hillier

Motion to approve part e) of the clause.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Hillier
Seconded by: S. Lewis

Motion made that the Community and Protective Services Committee
RECESS.

Motion Passed

The Community and Protective Services Committee recesses at 7:40 PM and resumes in public session at 7:46 PM, with Councillor Helmer in the Chair and Councillors Hillier, Kayabaga, Lewis and Salih participating.

3.4 Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment

Moved by: S. Lewis
Seconded by: S. Hillier

That, on the recommendation of the Managing Director, Development and Compliance Services and Chief Building Official, the following actions be taken with respect to the staff report dated March 2, 2021, related to the Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment:

a) the revised attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. L.-131-16, being "A by-law to provide for the Licensing and Regulation of Various Businesses;

b) the revised attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to amend By-law No. A-54, as amended, being "A by-law to implement an Administrative Monetary Penalty System in London" to provide for an amended Penalty Schedule "A-5" for the Business Licensing By-law for the categories of Tow Truck Business and Impound Yard Storage Business;

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

it being noted that the communications dated February 10, 2021 and February 26, 2021, from T. Wong, CAA, were received with respect to this matter. (2021-P09)

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Voting Record:

Moved by: S. Lewis
Seconded by: S. Hillier

Motion to open the public participation meeting.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: S. Lewis
Seconded by: S. Hillier

Motion to close the public participation meeting.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

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

That the Deferred Matters List for the Community and Protective Services Committee, as at February 22, 2021, BE RECEIVED.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

6. Confidential

None.

7. Adjournment

The meeting adjourned at 8:43 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – Vacant Buildings By-law Review

- J. Thompson, Life Spin - As many of you know Life Spin has been an advocacy organization in London for over thirty years, and last year we served more than eight thousand low income families. The bylaw revisions, we're hoping will support these families, all of them, to live with some equity. We commend the City of London staff and council for the action to enact vacant property by-law changes, particularly the need to provide floor plans for first responders, the restriction on the length of vacancy allowed and the addition of fines in the subsequent proposed changes to By-law 54. However, we believe that the changes in the by-laws will not make any real change without strict enforcement. We started to map some of the vacant properties that folks have been drawing to our attention and I've included a map there in our report. One of the things that we noticed about the map is that a lot of the properties that are vacant and boarded up inappropriately are owned by land speculators and developers, and they're setting their own standards of disrepair and decay. We believe that the Municipal Act gives you the tools to enforce the standards and to immediately make the repairs that are necessary. There is dangerous and hazardous conditions for the residents, the neighbours and the first responders. The fines are a wonderful addition and it's nice that they can be in there. I do have a question about them being doubled, because I think that's a wonderful tool was mentioned previously. Fines often bring action. They can be doubled, so the first fine is four hundred dollars, that's doubled to eight hundred the next time it's not been repaired or fixed up, will it double to sixteen hundred dollars? That's a clarification I think will give you even more power if you can keep doubling fines until the landowners do the work they are supposed to be doing. We believe that if you go in immediately and start to make the repairs if they're not fixed, that gets you a proactive way to address the judgment to the neighbourhood, the health and safety risks to the first responders and other residents in the area. The cost to make the repairs are recoverable from the offending property owners under the Municipal Act, and in addition to the proactive enforcement we're asking that council consider an affordable housing strategy that aligns building acquisition with both the standards and the enforcement. For example, the city of Chicago has an initiative, they call it the Troubled Building Initiative, and it's a tool that they used to help reclaim troubled and abandoned buildings to prevent these buildings from deteriorating into a state of disrepair which may lead to displacement, the loss of affordable housing and unnecessary demolition, so there are examples out there. We've included some links for you to find a way to that and how that becomes part of a broader strategy for the whole community. As a community we need to regain control of all the physical factors blighting the lives of poor residents, abandon properties may be the single most destructive because they attract so many other conditions making other challenges become even worse. So what's left at the end of the process is those struggling to make it on low incomes remain in their neighborhoods only by doubling up, by living in substandard housing and by paying a high percentage of their meagre incomes for housing. We believe that London needs a strategy that prioritizes vacant properties, getting control of them and taking them from irresponsible landowners. In order for this strategy to work, bringing properties into compliance, imposing tax liens for not maintaining the by-law standards, should be implemented immediately, and all vacant lots and abandoned buildings. We respectfully request that council direct staff to pursue the implementation of an affordable housing strategy that incorporates building acquisition as part of a response to vacant property by-law enforcement protocol. And that's me, thank you very much.

- M. Hendry - My name is Matthew Hendry, I live in ward seven, and I'd like to contribute a few points to this discussion on vacated housing and vacant buildings, which I hope will clarify the picture for a lot of people. I'd like to also thank Ms. Thompson for her remarks as part of this discussion and I'd like to offer a sincere apology. Earlier this summer, as part of a special project for Life Spin, I made a poster depicting a now burned down building on King Street. The building that was pictured was 689 King Street. It caught fire in December and, at the time that I wrote the report, I hesitated to forward it to people on city council and I hesitated to forward it to the City of London because I feared that it would cause trouble. I now realize that my failure to forward the report to people within the City of London has created even more heartache and had the potential to create even more trouble than having forwarded it. To those hurt by this inaction, I can only offer my sincerest apologies and the promise to do better. That said, I wonder if there is not a larger error. The failure to recognize a clear avenue to improve the situation of living, improve safety, spur financial revenue and refurbish many neighbourhoods in order to create a better tomorrow for the City of London. As someone who has attended school and worked in several of the neighbourhoods within London, I have often wondered if the appearance of a neighbourhood impacts life decisions, and after all this time I can say yes. It affects both your outlook on life, your mental health and your physical well being. The vacated buildings in our city give off a rundown look, and this scares many people away from, not only the neighbourhood, yet also from opportunities. One personal example I can think of, right off the bat, would be St. John ambulance, which is located almost right in the heart of Old East Village. Those who have been involved with this organization as volunteers and members know that the organization does amazing work however St. John Ambulance has struggled to gain new volunteers and members, especially for their youth programs. You look at the surrounding neighbourhood, the frequent transit inactivity, the lack of street lighting, and it's easy to figure out why. No parent in their right mind is going to let a second year high school student take a city bus into a neighbourhood full of rundown buildings to volunteer for an organization, no matter how great that organization is and no parent has the time to repeatedly drive their kids halfway across the city just for peace of mind in respect to safety. Another example I have is out in Lambeth where the city has allowed the Baker family farm to sit. For those of you who haven't put two and two together to complete the picture, one of the most recent would have been owners of this farm was Frank Baker. He was a member of our Lion's Club and passed away a little over two years ago. The city had yet, and still has yet to do anything with respect to this property, which is perfectly visible from the north side of Wharnccliffe Road South and Main Street as you head into Lambeth. I've got plenty of solutions in the report I wrote for Life Spin on this and am happy to email all of you a copy of the report. As a show of faith, I ask that all of you take the ten minutes to read the research that I've put into this issue. As an added step, I'd ask everyone in the city to think about what we can do to give you more opportunity and all of these issues addressed, including this one. An excellent start would be immediately improving the lighting, transportation amenities and housing conditions in our neighbourhoods so that parents actually feel safe allowing children to bus into these areas. A second suggestion we would make would be to look into what additional efforts the city can take to ensure that kids enrolled in activities in any of our neighbourhoods are not having to look over their shoulder every five seconds. Thank you.

Appendix 'C'

Bill No. _____
2021

By-law No. A-54-_____

A by-law to amend By-law No. A-54, as amended, being "A by-law to implement an Administrative Monetary Penalty System in London" to provide for an amended Penalty Schedule "A-6" for the Property Standards By-law.

WHEREAS section 434.1 of the Municipal Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

AND WHEREAS the Municipal Council on June 25, 2019 passed By-law No. A-54, being "A by-law to implement an Administrative Monetary Penalty System in London;"

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to Schedule "A-6" for the Property Standards By-law,

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

1. That Schedule "A-6" of By-law No. A-54 being the Penalty Schedule for Property Standards is hereby repealed and replaced with the attached new Schedule "A-6"
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on _____, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

**Schedule “A-6”
Administrative Monetary Penalty System By-law
Penalty Schedule for Property Standards**

1. For the purposes of Section 2 of this By-law, Column 3 in the following table lists the provisions in the Designated By-law identified in the Schedule, as amended.

2. Column 2 in the following table set out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 3.

3. Column 4 in the following table set out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 3.

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
1	Fail to repair in an acceptable manner	2.2	\$400.00
2	Fail to maintain heritage attributes	2.7 (b)	\$400.00
3	Fail to properly secure openings	2.8.2 (a)	\$400.00
4	Fail to use proper boarding	2.8.2 (b)	\$400.00
5	Fail to properly treat boarding	2.8.2 (c)	\$400.00
6	Fail to prevent moisture penetration	2.8.3	\$400.00
7	Fail to implement maintenance plan	2.8.4	\$400.00
8	Fail to maintain exterior property - debris	3.1.1 (a)	\$400.00
9	Fail to maintain exterior property - pests	3.1.2 (b)	\$400.00
10	Fail to maintain exterior property - weeds	3.1.2 (c)	\$400.00
11	Fail to maintain exterior property – unreasonable overgrowth	3.1.2 (d)	\$400.00
12	Fail to maintain exterior property – growth causing unsafe conditions	3.1.2 (e)	\$400.00
13	Fail to maintain exterior property – unused vehicles	3.1.2 (f)	\$400.00
14	Fail to maintain exterior property – accumulation of materials	3.1.2 (g)	\$400.00
15	Fail to maintain exterior property – dilapidated structures/uncovered cavities	3.1.2 (h)	\$400.00
16	Fail to provide for uniform exterior surface	3.1.3 (a)	\$400.00
17	Fail to provide markings on exterior surface	3.1.3 (b)	\$400.00
18	Fail to prevent unstable soil conditions	3.1.4	\$400.00
19	Fail to maintain lighting	3.1.5	\$400.00
20	Fail to maintain conditions of development and redevelopment	3.1.6	\$400.00
21	Fail to maintain exterior furniture	3.1.7	\$400.00
22	Fail to maintain accessory buildings	3.2.1	\$400.00
23	Fail to maintain fences	3.3.1	\$400.00
24	Fail to maintain retaining walls	3.4.1	\$400.00
25	Fail to comply with municipal refuse collection	3.5.1	\$400.00
26	Fail to comply with refuse collection	3.5.2 (a)	\$400.00
27	Fail to make readily accessible refuse storage	3.5.2 (b)	\$400.00
28	Fail to maintain refuse storage facilities	3.5.2 (c)	\$400.00
29	Cause obstruction by refuse	3.5.2 (d)	\$400.00
30	Fail to properly operate refuse compactor	3.5.2 (e)	\$400.00
31	Fail to maintain outside storage of refuse in litter free condition	3.5.3 (a)	\$400.00
32	Fail to maintain outside storage of refuse facility	3.5.3 (b)	\$400.00
33	Fail to screen outside refuse storage facility	3.5.3 (c)	\$400.00
34	Fail to properly screen outside refuse storage facility from grade	3.5.3 (d)	\$400.00
35	Fail to properly screen outside refuse storage facility with visual barrier	3.5.3 (e)	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
36	Fail to maintain outside refuse storage facility an odour controlled condition	3.5.3 (f)	\$400.00
37	Fail to provide for adequate inside refuse storage	3.5.4	\$400.00
38	Fail to maintain refuse chute system	3.5.5	\$400.00
39	Fail to frequently remove temporary refuse storage	3.5.6 (a)	\$400.00
40	Fail to store refuse temporarily in unsafe manner	3.5.6 (b)	\$400.00
41	Fail to cover temporary refuse storage	3.5.6 9 (c)	\$400.00
42	Fail to provide for capable structural system	4.1.1	\$400.00
43	Fail to provide for structural condition engineers report	4.1.2	\$400.00
44	Fail to maintain wall foundations	4.2.2 (a)	\$400.00
45	Fail to install sub soil drains	4.2.2 (b)	\$400.00
46	Fail to maintain sills or other supports	4.2.2 (c)	\$400.00
47	Fail to maintain grouting or waterproofing	4.2.2 (d)	\$400.00
48	Fail to restore wall to original appearance	4.2.2 (e)	\$400.00
49	Fail to preserve materials resistant to weathering or wear	4.2.2 (f)	\$400.00
50	Fail to restore or replace foundations walls floors and roof slabs	4.2.2 (g)	\$400.00
51	Fail to restore or replace cladding finishes and trims	4.2.2 (h)	\$400.00
52	Fail to repair settlement detrimental to the building	4.2.2 (i)	\$400.00
53	Fail to remove or replace unsecured materials	4.2.2 (j)	\$400.00
54	Fail to provide apertures to perform their intended function	4.3.1	\$400.00
55	Fail to maintain all doors, windows, skylights and shutters	4.3.2	\$400.00
56	Fail to maintain a required opening with a screen or other durable material	4.3.4	\$400.00
57	Fail to secure doors and windows from within unit	4.3.5	\$400.00
58	Fail to provide for screens on windows	4.3.6	\$400.00
59	Fail to provide for screens on windows in an acceptable manner	4.3.7	\$400.00
60	Fail to maintain roof and related roof structures	4.4.1	\$400.00
61	Fail to maintain chimneys and associated roof structures	4.4.2	\$400.00
62	Fail to maintain floors, stairs, porches, verandas, decks and balconies	4.5.1	\$400.00
63	Fail to provide and maintain guard	4.5.3	\$400.00
64	Fail to provide for required guard on stairs	4.5.4	\$400.00
65	Fail to provide for guard serving unfinished space	4.5.5	\$400.00
66	Fail to provide for guard with proper openings	4.5.6	\$400.00
67	Fail to provide for guard which does not facilitate climbing	4.5.7	\$400.00
68	Fail to provide and maintain handrail	4.5.8.2	\$400.00
69	Fail to provide for central handrail	4.5.8.3	\$400.00
70	Fail to provide for proper stairs within the interior of a residential dwelling unit	4.5.9.1	\$400.00
71	Fail to provide for proper residential stairs not within dwelling unit	4.5.9.2	\$400.00
72	Fail to provide for proper non-residential stairs	4.5.9.3	\$400.00
73	Fail to provide for proper service room stairs	4.5.9.4	\$400.00
74	Fail to maintain exterior surfaces	4.6.1	\$400.00
75	Fail to remove stains or defacement from exterior surfaces	4.6.2	\$400.00
76	Fail to provide for temporary barricading with compatible finishes	4.6.3	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
77	Fail to maintain interior cladding and finishes of walls, ceilings and elevator cages	4.7.1	\$400.00
78	Fail to maintain interior cladding and finishes from stains and other defacement	4.7.2	\$400.00
79	Fail to only use habitable space for human habitation	4.8.1	\$400.00
80	Fail to provide for proper interior cladding and finishes of walls, ceilings and floors for human habitation	4.8.2 (a)	\$400.00
81	Fail to provide for proper doors and windows for human habitation	4.8.2 (b)	\$400.00
82	Fail to provide for proper heating system for human habitation	4.8.2 (c)	\$400.00
83	Fail to provide for proper plumbing and drainage systems for human habitation	4.8.2 (d)	\$400.00
84	Fail to provide for proper electrical systems for human habitation	4.8.2 (e)	\$400.00
85	Fail to provide for a minimum floor area for human habitation	4.8.2 (f)	\$400.00
86	Fail to provide for a minimum headroom for human habitation	4.8.2 (g)	\$400.00
87	Fail to disconnect service providing light, heat, refrigeration, water or cooking facilities	4.8.3	\$400.00
88	Fail to provide toilet or urinal in room intended for sleeping or preparing, consuming or storing food	4.8.4	\$400.00
89	Fail to provide for minimum headroom in areas normally to be used as a means of egress	4.8.5 (a)	\$400.00
90	Fail to provide for a minimum headroom in areas normally to be used as a means of egress where entire area is not considered in computing the floor area	4.8.5 (b)	\$400.00
91	Fail to provide for minimum headroom for service rooms and service spaces	4.8.5 (c)	\$400.00
92	Fail to provide for minimum headroom over stairs and landings	4.8.5 (d)	\$400.00
93	Fail to provide for a minimum headroom where door frame is located under structural beam	4.8.5 (e)	\$400.00
94	Fail to provide for and maintain ventilation in habitable room	4.8.6 (a)	\$400.00
95	Fail to provide for natural ventilation with minimum free flow	4.8.6 (c)	\$400.00
96	Fail to provide for natural ventilation and exterior walls or through skylights	4.8.6 (d)	\$400.00
97	Fail to provide for mechanical ventilation with proper air exchange	4.8.6 (e)	\$400.00
98	Fail to provide for natural ventilation in every washroom	4.8.6 (f)	\$400.00
99	Fail to provide for mechanical ventilation in every washroom as an alternative to natural ventilation	4.8.6 (g)	\$400.00
100	Fail to provide for a natural ventilation in every enclosed attic or roof space	4.8.6 (h)	\$400.00
101	Fail to provide for required roof, eave or gable end ventilation	4.8.6 (i)	\$400.00
102	Fail to provide ventilation in crawlspace or non-habitable basement space	4.8.6 (j)	\$400.00
103	Fail to adequately ventilate accessory rooms and residential buildings with multiple dwelling units	4.8.6 (k)	\$400.00
104	Fail to exceed maximum occupancy of habitable floor space	4.8.7	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
105	Fail to provide for proper windows in living room, dining rooms and bedrooms to provide for natural light	4.8.8	\$400.00
106	Fail to equip and maintain dwelling unit with sink provided with portable hot and cold water	4.8.9 (a)	\$400.00
107	Fail to provide utility outlets suitable for refrigerator and cooking stove	4.8.9 (b)	\$400.00
108	Fail to provide for splash back and countertop around kitchen sink	4.8.9 (c)	\$400.00
109	Fail to maintain kitchen appliances and fixtures when equipped	4.8.9 (d)	\$400.00
110	Fail to provide for a least one enclosed sanitary facility	4.8.10	\$400.00
111	Fail to provide for minimum floor area within dwelling unit	4.8.11 (a)	\$400.00
112	Fail to provide for minimum floor area for sleeping accommodation	4.8.11 (b)	\$400.00
113	Fail to provide for minimum floor area for dining space	4.8.11 (c)	\$400.00
114	Fail to provide for minimum floor area for combined dining space	4.8.11 (d)	\$400.00
115	Fail to provide for minimum floor area of kitchen area	4.8.11 (e)	\$400.00
116	Fail to provide for a minimum floor area of kitchen area for multiple occupants	4.8.11 (f)	\$400.00
117	Fail to provide for minimum floor area of bedrooms	4.8.11 (g)	\$400.00
118	Fail to provide for minimum floor area of bedrooms	4.8.11 (h)	\$400.00
119	Fail to provide for minimum floor area of bedrooms	4.8.11 (i)	\$400.00
120	Fail to provide for an enclosed space to accommodate for water closet bathtub or shower stall	4.8.11 (j)	\$400.00
121	Fail to maintain multiunit security devices where equipped	4.8.12	\$400.00
122	Fail to provide for sanitary and kitchen facilities based on tenant occupancy	4.9.1	\$400.00
123	Fail to provide for a required floor area	4.9.2	\$400.00
124	Fail to equip with cooking facilities	4.9.3	\$400.00
125	Fail to be equipped with sanitary facilities	4.9.4	\$400.00
126	Fail to keep all buildings free of pests	4.10.1	\$400.00
127	Fail to maintain elevating devices	5.1.1	\$400.00
128	Fail to maintain heating ventilating and mechanical systems	5.2.1	\$400.00
129	Fail to maintain minimum temperatures	5.2.2	\$400.00
130	Used portable heating as primary source of heat	5.2.3	\$400.00
131	Fail to provide for multi-unit duct type smoke detector	5.2.4	\$400.00
132	Fail to maintain plumbing and drainage free from leaks and freezing	5.3.1 (a)	\$400.00
133	Fail to supply portable hot and cold water based on occupancy served	5.3.1 (b)	\$400.00
134	Fail to provide for hot water at appropriate temperature	5.3.1 (c)	\$400.00
135	Fail to maintain provided washing machines and plumbing fixtures	5.3.2	\$400.00
136	Fail to maintain air conditioners as to prevent condensation drainage	5.3.3	\$400.00
137	Fail to maintain septic systems	5.3.4	\$400.00
138	Fail to properly decommission septic systems	5.3.5	\$400.00
139	Fail to provide for electrical outlets	5.4.1	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
140	Fail to provide for electrical wall switches in required rooms	5.4.2	\$400.00
141	Fail to conform to Ontario Electrical Code	5.4.4	\$400.00
142	Fail to provide for and maintain lighting outlet in required rooms	5.4.5	\$400.00
143	Fail to provide for and maintain access lighting	5.4.6	\$400.00
144	Fail to maintain central station electrical connections as required	5.4.7	\$400.00
145	Fail to maintain recreational amenity spaces and equipment	5.5.1	\$400.00

At the discretion of the Officer, fines may be doubled for any and all subsequent repeat offences.

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – Property Standards By-law Review

- A. Darling, Neighbourhood Legal Services - My name is Allison Darling, I'm a staff lawyer here with Neighbourhood Legal Services. I wanted to say that I do support the changes to C.P. 16, particularly adding bed bugs in there regarding pests. As it stands, when we're helping a client who has issues with bed bugs, one thing goes property standards like cockroaches and I would have to contact the health unit to inspect for bed bugs. To begin, I have a question, whether or not this means that we could now send clients with bed bugs to by-law to inspect rather than the health unit. Also, I just wanted to also share concerns raised by Councillors Salih and Kayabaga, I have that there appears to be a gap in another by-law, C.P. 19, as it relates to licensing and agree that this should be revisited and wondering why apartments and stacked townhouses are not included in this definition? Then finally, is something kind of different, I would like to express concern ... regarding tenants abilities to access orders that are issued regarding bylaw infractions and that we might consider adopting a system more like Toronto where an investigation request and orders are available online and tenants are given a copy of these orders as a matter of right. As it stands right now, you know the tenants have to do a freedom of information request that is a little bit more burdensome, and so, in terms of their abilities to access this evidence it would be helpful if they were given more free access to the orders that are issued. That's all I have to say on this matter at this time.
- Ben - I'm part of Acorn and I've come to speak about tougher penalties against what we all call slumlords. I'm a family of two young girls and a handicapped wife. So, I get a little emotional when it comes my kids, but I've been after my landlord for almost two years. My house is infested, majorly infested, with mice half of my dwelling, I have a rental garage and a three bedroom house. Half of my house has no power and my garage no longer has power. I have black mold in all my bathrooms, my main toilet that my wife uses because she can't go up the stairs anymore, she can ice skate across the floor on the toilet. Every single window in my house, you can, from the outside you can push in, there is no security. My kids bedroom, I had to screw shut just so my kids wouldn't fall out of their window. I don't get any mail, I get junk mail because apparently where I live, it's a duplex now but it's supposed to be a single family dwelling, so I don't get mail I just get letters stating that the address is wrong. With all the power outages, I have no access to the fuse panel, the fuse panel is in the tenant's basement where he lives. It's been close to two years since I've had any contact with this landlord. I've had to close business because of my garage and my business was going strong. I ended up having to go on assistance because of this guy. I lost my job, I almost lost my kids because of this house. My wife might have to go live in the hospital now because this house is unsafe. Pretty much that's all I need to say. There needs to be tougher laws. I'm on the verge of losing my house, my kids, just because this landlord won't do simple repairs, or even at least, I have a degree in property maintenance, if he'd at least bring me the stuff, I'll do it myself, that doesn't even happen. I home school my kids now. I have to use a light that's plugged in into my kitchen right now just so I can have this conversation with you guys. To me, it's not fair. I've tried everything I can with this landlord and I'm about to have to go to a shelter with my kids because of this house and I can't go back to a shelter with my kids because of how we were treated last time, I just can't do it. So, I don't know what to do. I'm hoping you guys can make these laws stricter and help people. I know there are more people in this world, in London, that are dealing with the same thing, so hopefully we can get this by-law changed. Thank you.

- Devon – Hi, thank you for listening to our situations. So, I was previously living at 186 King Street, right downtown in the heart of London, so I guess I'll just get into it. So, I actually moved there in August during the pandemic because I was escaping an abusive living situation with an ex-partner, so I moved to that downtown apartment and it was supposed to be a fresh start for me. Less than a month later I realized that there was a very significant infestation of the entire building. So, obviously I immediately reached out to my building management who, by letter, and they never responded whatsoever. So, I had to continually, for months, track down these people because they don't have standard office hours and all of that, and they refused to respond to any sort of communication that's not face to face. And so, while I eat reached out to these people, nothing ever got done. So, while they continued to do nothing, bed bugs began to become very apparent in the entire building. I did my best to try to track down that the management to address these issues and nothing, you know, ended up getting fixed and I just saw the problem get worse and worse. So what I did was I, it was a difficult process to figure out, but I reached out to the city by-law enforcement at London and the person on the , she agreed with me that the conditions were, you know, very unhealthy, to say the least. So the by-law, for two weeks, tried to reach out to the property management who never returned their calls, so she went down there in person and shared my details as the bylaw does currently. Prior to my complaint, I believe I had had two sprayings that were done. They told me that they had done more, but it was two, so the building produced two completed work orders that were from months prior to my complaint with the by-law, and so when the by-law officer returned my call, she told me she was closing my complaint because the building had produced those two forms for months before I had actually reached out to the city. She let me know that no inspections were being done whatsoever, even before COVID was our reality. And, because the by-law needed to share my info, of course, I started to be harassed by the building almost every day. So, because I was so scared, to be quite honest, among everything else I actually had to, every time I left my apartment, I would put my phone on record, because there was no way to, you know, prove my situation other than showing the disgusting conditions of the entire building. And it got worse. I would see it in the public areas, I would see it, you know, bed bugs, roaches crawling on the floors on the walls in the laundry room, and unfortunately, I had only been living there since August, there are people who've been living there for years. And, to be quite honest, before the by-law had reached out I had a casual relationship with the building management where, you know, they said to me "oh, we do care about these issues but we aren't given the resources to take care of them", which, you know, is questionable enough, but the unfortunate thing is, I went through everything, you know, I did everything right, reached out to the by-law and instead of actually having, you know, the help I needed, my complaint was closed. And because of the violence in that building, there's a lot of it, I actually had to leave because my ex-partner had actually begun stalking me in that building and even when telling the property management there was no concern whatsoever. You know, among other maintenance issues like locks not working, you know, it was never a concern and that was one of the things I'd shared with the by-law that never got addressed, so I eventually was forced to leave. And you know it's quite a traumatic thing, so I'm really hoping that some, you know, these changes to the by-law go through, because, like the gentleman just before me, you know, there are people with worse issues and I'm sure there are people who were, you know, living in much worse conditions than he is and what he shared was horrendous to listen to. Anyways, thank you.
- Jo-Dee Phoenix – Well, with thanks to the chair for recognizing me, and also thanks to Acorn for giving me this platform. The ones on the committee that I've worked with the past know that this is an issue that's been near and dear to my heart for a very long time and I'm very grateful that I found my group of people at Acorn that share the vision and the passion that I have for this issue. So, to be

brief on this, I want to share with the committee the experience that I had ten months ago with navigating my way through the by-law of property standards and I've been given the opportunities and resources in life to be somewhat savvy with the city's policies and procedures and I found this process to be overwhelming. I try to deal with my landlords through the staff, informally, and the issues were vast, some of them included graffiti that was located on our property for years that would not be removed, open, rotting garbage that had not been picked up on garbage day probably three or four months ago that had been strewn about the property and throughout our courtyard, noxious weeds that were literally five feet tall growing in all of the flower beds on the property, discarded mattress thrown about and the absolutely most disgusting one were the piles and piles of pet waste. So, when I brought it up informally with my property manager I had to debate the validity of my concern before they'd even recognize there was a problem. I had to debate why I shouldn't be doing it myself. So, once they recognized that, you know, that it's property standards and it is their responsibility, I was told as the previous speaker, "well city by-laws not doing any inspections because of COVID". I knew that wasn't true. So, I waited ten days for a response from my property manager and received nothing. I then went ahead and put it in writing to them as is the requirement under the by-law. At the same time I sent the city, under the by-laws, a copy of the formal notice to my property manager. No response from either party for two weeks. We're now almost three weeks into this process and nothing's been done. After the two week waiting period, I reached out to the city and said "hey what are we going to do?", it took a week for a response. We're now into a month. I had no follow up, no "this is what they're doing". My complaint included pictures of every complaint I had and a detailed description as to the location on the property. Two months later a by-law officer did reach out to me and had a conversation with me and assured me that the next day they would be attending the property. They did do that, and I'm very thankful they did that. I understand that lack of resources may be a problem with the city. If that's the case it shouldn't be, and it got done. The property managers were angry with me for a little while but I don't think I should have had to wait two months to get piles of pet waste removed from the property. That's unacceptable. I'm really, really concerned that we're now having this public discussion and landlords are getting the idea here that you're not going to enforce this. Whether that's right, wrong or indifferent, is a different case but they're getting the idea that you're not going to enforce the laws that are on the books. People that are in the low to moderate income category, we don't all have the same resources and opportunity. Most of my neighbours don't know these laws exist. Once they know they exist, they have no idea, as Ben so eloquently said before me, how to navigate their way through. My personal example knowing all these things, it took two months. In conclusion, I would just like to stress to the committee that in this great city, that I have a lot of pride in and I know all of you do, there should be absolutely no way that we should be allowing sub-standard properties to exist. We all should have pride whether we rent or own, we all live in the city, we all contribute, we're all in this together. So I'm pleading with you to adopt this and to work with the community to make things better for everyone. Thank you.

- E. Pugliese, Southcrest Drive, Acorn Volunteer - I've been getting more involved with the by-law level of things that when it comes to property standards, which will be the focus today. I do think that a lot of these issues are to do with larger problems, systemic issues but I'll try to stick to the specifics as much as I can. You know I work in the not for profit sector of an employment agency so I often come across clients that might live in affordable housing or have the same issues that a lot of other Acorn members have. Fortunately, myself, I do not suffer from any immediate maintenance or repair issues, but it's things more like the fact that a massive corporation, the property manager, can hike the rent 2.2% year after year, even during the pandemic, when by the looks of it costs are not increasing for these corporations, if anything they're making more, they're cashing in, and a lot of them even are not being taxed, it even goes to that point, so it feels like this, the

whole root of the of the neglect in property standards and maintenance is just all about the fact that, you know, I think it's incentivized. If property owners ignore things, they'll probably just end up paying nothing or very little anyway, so you know, I think we need to turn it around. As a couple other people mentioned, take the onus off of the tenant who is already paying and place that on the landlord, on the property owner. You know we're just looking for a transparent system we're not here to implement this, you know, just to shame people, or to be completely negative about it. We just want it to be a system where there's more equity for tenants. We're in a system where, you know, the landlords and owners have the majority of the power in the dynamic. I'll just conclude by saying that I think that we are all aware that we have these by-laws, we have these laws, that are already there, they exist, like so many other things, we draft these and they're beautiful, they're awesome, but then they pass and they just sit there and they kind of die on the vine because no one's willing to take accountability and ownership over enforcement. So what we want is we want a really detailed accountability system where landlords and owners are the ones that are responsible for ensuring that their properties are up to code not on the tenant who's already struggling, probably paying in most of what they earn and doesn't really have the capacity or ability to take that onus on. Thanks again for listening, appreciate it.

- J. Hoffer, Cohen Highley Lawyers – I'm representing London Property Management Association. I live at 200 St. James Street in London. I rent, by the way, from a very good landlord. LPMA has been in London for over fifty years. It's Ontario's longest standing regional landlord association and it is recognized throughout the industry, in the province of Ontario, as setting exceptional standards for education of its members and compliance with all standards of care and so on and so I'm here to express concerns about property standards by-law as well as about the proposal, the motion that there be a comprehensive licensing on all buildings throughout the city of London. I won't go into any of the technical issues that have been raised by LPMA regarding the property standards by-law that you had an opportunity to review the submission, you'll see in the second paragraph that the concerns really are about the scope of the provisions exceed the building code act requirements, whether that's going to impose retrofit, and if it does, we've highlighted some of the some of the fallout that has occurred where major work has to be done, particularly by retrofit, that it displaces tenants. When work is done in the costs get passed on to tenants, and so it's really a situation of owners are as interested as anyone in life safety matters but if they're required to do retrofit, it has a lot of consequences. So, it's members are asking that there be consultation with stakeholders to address that to ensure that the scope of the by-law does not exceed the jurisdiction of the municipality. There are a number of other issues with respect the licensing by-law, there was a concern of a minimum size requirements. I'm on the board of an affordable housing development, they're all bachelor units at a converted hotel. I haven't measured the floor space, but I just think time needs to be taken to make sure that people aren't displaced because of both kinds of criteria. Another problem that was identified by members was some of the subjective terms, some of the ambiguous terms, which basically leave it to the discretion of a by-law officer and, you know, everybody can have a different opinion, so when you have to have compatible finishes nobody really knows what that means except the person making that determination but it's the owner of the property that has to meet those requirements. So, we're asking that there be some consultation with stakeholders that is an appropriate means of creating an appropriate legislative product, and so that's all I have to say about property standards. When it comes to the motion about licensing, it was interesting that the three previous speakers all spoke, not about the fact of law, but about the fact that the laws aren't being enforced. It's easy to demonise landlords and say they're all bad and the reality and I know most of you are familiar with members of London's community, you know that they make quality products, they manage properties in a high quality manner and aren't deserving of that kind of demonization. The reality is, that LPMA looks to the rule of law in order to ensure that its members are in

compliance. I've highlighted in the submission, it's a separate submission that I gave you, the provisions of the residential tenancies act which prohibits any breaches of maintenance. Chair, the remedies are there. We deal with applications from tenants all the time and those applications, if they have merit, tenants get the orders that are looking for and LPMA members have no hesitation ensuring that work, and the same applies with respect to this notion of retaliation. Section 83, section 23 and section 29 of the act address those kinds of situations. Again, if there's merit to those allegations, landlords are punished severely both by way of administrative fines and by way of remedies that the orders impose. If, in addition to that, you have a collateral set up of enforcement that is available through London's own by-law, and again, we heard the issue is enforcement, but we also heard from staff that the by-law is a maintenance focused by-law, it's there to address maintenance issues, and so it's our submission that the emphasis for council should be on enforcement of the maintenance compliance requirements of the by-law and that regard should be had to the fact that the landlord tenant board the residential tenancies act are a whole other set of rules that is accessible to tenants who are seeking a remedy. The notion of a hotline for complaints, I think you all know how readily back kind of thing is open to abuse. It's a waste of people's time and money, it serves people with an axe to grind and it's just completely unproductive. Please read the submissions that we made, consider these things carefully and objectively and that's really all, thank you.

- M. Metcalf, Vice President of External Affairs for the University Students Council at Western University - The U.S.C. represents over thirty-five thousand students and it's one of those the largest not for profit corporations in London. We support, improve and enhance the student experience at Western and collaborate with the community of London as many of our students are local residents. I am here today to discuss the new proposal put forth by Councillors Kayabaga and Salih, regarding residential rental unit licensing by-law, also known as by-law C. 19. This proposal is important to the U.S.C. as these changes are poised to address issues students face with off campus housing. Our council has voted to endorse this proposal put forth by Councillors Kayabaga and Salih. It is no surprise that housing for students, especially in the wake of the pandemic, has not always been adequate. Poor rental conditions and the lack of maintenance are common concerns that are now exacerbated by stay at home orders. Personally speaking, I have had both amazing and inadequate housing in my time as a tenant in London, Ontario. As such, this attempt to better conditions for students and Londoners will improve the overall well being and is welcomed by the U.S.C. We commend landlords who provide safe and up-to-code housing and feel it should be the norm. The proposal to amend C. 19 has the potential to improve conditions for rental units in London. At the outset, the proposal would allow tenants in townhouses and apartments in the purview of by-law C. 19. We are pleased that London is considering making these changes. The U.S.C. supports this amendment and hopes that the changes are being suggested to better improve housing in the city. Students are important stakeholders in the community, contributing to the local economy and the diversity of the city of London. Thank you for your time and thank you to Councillors Kayabaga and Salih for bringing forth the proposed changes.
- B. Amendola - I am speaking on behalf of someone who's lived in various different areas downtown. I'm also a student, and so I've had a lot of student experiences that relate to dealing with landlords. They seem to prefer students lately because they like them to come in and out quickly so that they can increase the price of the rent. I know that that's not that's not a matter we're talking about but it should be noted that a lot of people are probably thinking "why aren't these people with bed bugs or with mold or with these various issues for years and years not moving?", because they can't. My parents have been trying to move out of a condemnable house for over a year. My mother has OCPD and is suffering dearly for it but, no matter where they apply, they can't get accepted because we're poor and that's the biggest issue. I really want to argue, in regard to the gentleman who is putting

his point forward in defense of landlords, is that he sounds like he's lived in a very a good situation himself and he represents a good company, but what he might not understand is that he's a rarity, or at least he is for people who, like myself, are poor and have to go with the lower quality areas because those were where the so called affordable houses were. Though, my current landlord is doing his best to buy up all the houses around the Talbot and Central area, proceeding to flip them all as best he can, as quick as he can, so that he can change rents from between five and eight hundred to over fourteen hundred dollars. So, this is going to massively increase the homelessness issue, obviously, but another issue about all this is that other than renovating his units so that he can increase these prices, he's also just increasing the prices of unrenovated units to match the current going rate, all while making absolutely no changes, whatsoever, to the poor maintenance of the building. Just yesterday, I was arguing with him, and yes, he makes me argue, about the fact that our hallways are not clean. He sends me text messages from his workers showing me that they're telling him the work is being done, but the fact is I live in the building, I'm experiencing the footprints that aren't going away no matter how much they say they're cleaning it, I'm experiencing the smell of garbage, I'm going to the garbage and seeing it piled up and having nowhere to put my own garbage near the dumpster. He complains that he somehow included in his lease that we're supposed to bring our own garbage to the curb when this is a unit with over twenty units a building with over twenty units, so that makes no sense. He loves to argue with me about by-laws and about what he should or shouldn't be responsible for. I have to request that he spreads salt on the ice so that I don't fall. I have to request, more than once every season, for him to address safety issues regarding snow. I have to request, more than times I can count them, to simply clean the hallways. Things that I'm quite sure this gentleman who is representing landlords takes for granted. He clearly seems like a rather privileged individual. He has had good access to good housing and that's great. The matter is the impoverished don't have that. I am someone with relatively severe mental health issues and I'm just lucky that today I'm able to come in and actually speak on this front, but for the for the fact of the matter is, most people living in poverty are dealing with complex poverty, which is imposing on our mental health constantly, not only just our physical health, and that makes it ten times harder for us to be able to speak up and to be able to represent ourselves. And we are the ones being affected most by COVID and by the lack of services due to COVID issues and specifically by the current structure, where that gentleman mentioned that we have other resources such as the landlord tenancy board. I tried that. I called them and it took them three months just to give me a hearing. By the time it came up, I was in school and I didn't have time to attend to it, so I didn't actually get to follow through with that. We need more ways to hold them accountable because right now it's a reactionary system where the poor get screwed because we're either busy working or busy at school so we can't address these hearings that are put very inconvenient times, well after we've made the report. We are also treated poorly and condemned and that's where the anonymous line would actually benefit though, I understand that there's complications to that. I actually have no problem making a report with my name on it, but there are a lot of tenants who are afraid of that discrimination, afraid of walking out of the building and having someone treat them like crap because they happen to mention the crappy situation they're living in. My landlord makes me justify, on a weekly basis, that I deserve a basic standard of living and the only reason I am even able to have this unit is because I happen to have moved before there is a huge change where rents just went sky high. Again, I know that's not the issue, but the fact of the matter is it impacts the way landlords treat things and if there's one thing I really hope that you'll consider it's not just the licensing but having some kind of clause where they're not allowed to hand the cost of the licensing down to us because that's something they love to threaten us with, but they'll increase the rent anyways. They shouldn't be allowed to hand this cost over to us when the fact is it's our way of having some kind of accountability because many of us are not privileged enough

to live like that man was trying to claim landlords keep things. They just don't. We wouldn't be saying these things if they did and if the system was working we wouldn't be here, we wouldn't be saying this. So that's my main point. Thank you.

- M. Wallace, LDI - Thank you for having me here tonight just one brief, you know, I sent an email off with my presentation, basically, today, and I do apologize for not making the deadline for it to be able to be published, but, as you know, I'm with LDI and we are a membership based group and I'm the only employee, so everyone else is volunteering their time, so it takes me a little bit of time to get people to respond back and so they were still responding back past the deadline for me to be able to have this put right on the actual agenda, but I hope you received an email with the information. So we're dealing with two items here tonight under this PPM. First is the property standards by-law and, you know, when you look at it, really we don't have, we're not sure what the issues, if there are any in it. Normally, I think you would expect that, in this kind of review, that's happened on this by-law, since 1999, that's the first one in over ten years, that there should be an opportunity, and I agree with the LPMA that they should just be referred back to staff to deal with a consultation with stakeholders, with that those who are in the business, to make sure they understand what those changes are and that they apply to the Ontario Building Code, which is what most of those changes are. But we want, I think it's only fair that they have an understanding that, based what on the report in front of us, the report arrives on Wednesday, it goes to Council on the twenty-third, I think there should be some opportunity for those who are in the industry to be able to talk to staff to make sure they understand what's in the report and what the changes that are coming forward, to be able to give you any proper advice on whether they agree or disagree or any changes that might be needed to be made. The second part is Councillor Kayabaga and Councillor Salih's motion, and I fully we fully agree at LDI that you need to address tenant issues that have come to their attention and I really appreciate the effort that people have made this evening coming telling their stories about their issues are with their tenancies that they have. We understand the motion is asking staff to review the residential rental units licensing by-law with the view to possibly expanding its reach to all new existing rental units, including apartments, stacked townhouses, and townhouses. LDI concurs with the letter dated February twenty-eighth from Drewlo Lifestyle Apartments, that the Councillors intent is reasonable, but the RRUL by-law is not the right tool to use address this problem. Much of London's residential rental stock has been provided by London-based, family-owned organizations for many decades. These professionally managed companies that provide a clean and safe homes for tens of thousands of families over the years in London. These organizations continue to build and develop residential rental homes for future generations in London. The recent Council-approved annual development activity report demonstrates the tremendous growth this housing sector. Our concern is the licensing mechanism, under the residential rental units licensing by-law could add unnecessary costs to both the rental units and to the city for staffing to manage the expanded licensing regime. LDI's recommendation is to have CPS Committee, this Committee ask staff to review the issues highlighted in Councillors Kayabaga and Salih's motion, consult with the industry on options to tackle and report back, to tackle these issues, and report back to Committee. We just believe that the licensing regime is the wrong approach. Yes, it is an issue, we've heard about it tonight, we need to find a solution and we need to be part of that solution. As politicians you know, a few bad actors, whatever you want to say, ones who can really paint a bad picture, on all landlords and that is just not the case. That's not the case in London, it's not the case anywhere. There are issues that need to be tackled. Licensing everybody, we don't believe is the answer. We need to find the answer. We would like to be at the table to help, and that was our suggestion. Thank you very much for your time.
- S. Lawrence - Thank you chair-person. I'd like to thank everyone for the privilege to be here and share my story. I am a mother of two young girls who I home school,

not just due to the COVID, but even before that. We have lived at Scenic Drive, 470 Scenic Drive, for going on five years now. Every winter, we have the problem of heat, there isn't any, and what is there is substantially blown across with the arctic breezes that blow in through the broken windows. Now, these are windows that are no longer attached securely to the metal frame, the glass bends and flows. The people have tried to fix the heat, or so they claim, but the gentleman came in to bleed the systems, as they run on boilers. Even they say that one of the major problems with the heat and the at the lack of efficiency in that matter, is the windows need to be fixed. Replaced, in fact. Like I said, five winters in a row. Finally, this last month, I had the privilege of having London city by-law enforcement come out to our unit and I complied, they came in, well, they gave that the superintendent the temperature gauge to take in. I wish the by-law officer themselves could have done it, it would have been more accurate. The superintendent was so kind as to put her little finger on the instrument that's changing the heat. It was well below the twenty degrees that is called for before eleven o'clock. At times it's so cold in the room, in any of the rooms, especially the bathroom, that bathing my children I have to put a heater in the bathroom. There is no ventilation in the bathroom or in the kitchen. There's also been a problem with a lack of work order requests, action being taken on these. I'm not the only person in the building that that has these problems with Sterling Kmar, but they do not like to fill out the work orders and make sure that things are taken care of. I'm talking about things from simple maintenance from your closet door to infestations of pests, cockroaches and bed bugs. It was a year before they even came to spray our unit for the first time. We were in isolation, even before the pandemic, due to these pests, out of fear of contaminating other people we went to visit. By accident we did contaminate my senior citizen parents with the bed bugs because at the time we didn't know. This is my first experience with this. So, it ended up, back to the enforcement coming out over the heat, they came and took the first temperature, they made arrangements with myself and Sterling Kmar and the property management team to come back the next day. Sterling Kmar Property decided to be non-compliant, blaming this all of the sudden on the COVID situation, but their superintendent has no problem entering premises with no mask or protective equipment what on. We're facing eviction on Thursday as we finally have gotten up in front of the board, mind you it's on an eviction order, because we complained about the windows. When I complained about the windows, I even posted a little video to Facebook and I sent the management team the link. They were there within a day. Only one piece of glass was ever replaced. The master bedroom, which is the room I gave to my children so that they have room, is not even inhabitable at this point. The window is not secure on that wall and even if the inner windows, one can only be popped in, you can't have the both popped in and the lock. There's many more issues I would love to take the time to address, but the heating, the windows, basically vital services and pest control are not being done by Sterling Kmar. This is not the first building that has had these problems I am also aware that the CBC has done articles on the buildings they own on Mornington. Thank you for your time, Committee.

- D. Devine, 382 Hamilton Road - I moved to this location in November of 2016. When I was first shown the place, it was an absolute disaster left by the last tenant, as well, it needed major repairs to the roof, windows, entrance way. I tried to convince the property manager to have the repairs done before I moved in and they guaranteed me if I moved in as it was, repairs would begin in a reasonable amount of time come spring as most of the repairs aren't doable in the winter time. So, other than the roof, nothing was done at first. Months went by, spring came, eventually it rained so hard that it was raining in my hallway as hard as it was outside, so I sent them a video of this and his response was "oh, I thought it was okay since I hadn't heard anything", as if a roof repairs itself. Since fixing the roof, the only other thing he's actually done is small things like wall repairs, toilet repairs, but the windows and doors haven't been fixed. The furnace turns on every ten, fifteen minutes in the winter time because the draughts are so bad in here. I talk to

him about it, he'll send what he says is a contractor to do an estimate then I'll hear nothing from him again. When I asked him what happened, he claims the estimates were too high and he's been busy and I won't hear anything again and I wind up going through the same circle. The first summer I was here, I was hospitalized for a whole week with COPD flare ups caused by mold going into my living room window because of his other building that's located six feet from our building. I contacted him about this when I was in the hospital, he promised to have the building boarded up as soon as possible. It didn't happen for over a year and it only happened because police had to remove so many vagrants. Over time, I realized that the house has rodents living underneath it. They run through my house, my counters, my bed. And, I realized, as well, that the furnace is set up incorrectly so it's drawing the air in from under the building thereby pulling any airborne motes and feces particles and then pushing that into the house and this is also causing my COPD to flare every winter. We had a London enforcement officer make contact with them, he's done a few minor outside repairs, as well as get the furnace that stopped to start working a month before the end of winter last year working. Now he keeps asking me when I'll be moving out because he knows I'm trying to get out of here because of my health. When I first asked him what was the rush, he said he we wanted to renovate. I said okay well I would like to use my right, as an existing tenant, to continue living in it once it's renovated. After that you started saying that he wants to demolish both buildings and start over. I'm on ODSP, I'm having a very hard time getting into affordable housing since it's in such demand and they're so little. If he decides to evict all tenants on the grounds that demolishing, due to the maintenance costs being way too high, I could end up homeless for the first time in my life at the age of 52. That's all I wanted to say. I hope something is done about landlords like this, there's far too many of them, especially in the area that I live in, but I thank everybody for their time and I hope this will make a difference.

- J. Taylor, 69 Maitland Street - I'm sorry about the girl at Scenic Land, those guys should be in jail, that's been going on for over fifteen years I know other people that lived in that building. I've been on both sides of the coin, here, I've been a landlord and I am now just a tenant. The building I live in is slowly caving in on itself. I've texted every problem that occurred that I simply couldn't adjust myself. The only things that were immediately an emergency were ever repaired. This house has a, there's black mold completely through the attic, from a leaky roof we had a couple years ago before it got replaced, where it was raining in my living room. My big thing about this is education for low-income people. You can't say do this online, they don't have internet, a public phone is near impossible to find now. The guy next to me just got a phone three months ago. I don't know about how you cost these types of things, but sending a pamphlet or something might be an idea, in the mail so they have some readable material. The people in my neighborhood have no idea that they can go to the city for these problems. I made a complaint last year about my heat because my furnace is always ticking out. I already spent three days this winter freezing because when they do go to fix it they have some guy look at it and it's three days before somebody actually comes to fix it. There's a lot of sub-standard housing in London and there is a serious lack of affordable housing. Like the one lady was saying that the prices of rent in the city are just astronomical. I make a good living, I chose to actually live where I do, but I wouldn't move into a building where they're charging a thousand dollars a month for a one bedroom, that's just ridiculous. Education and enforcement, because there's got to be a way to hammer down on these guys a lot faster than the current system holds. Thanks.
- J. Thompson, Life Spin – Again, we welcome the opportunity to give input here into this by-law change. It's Jaqueline from Life Spin and I introduced the organization in the previous one, so I'm just going to skip right to the meat here because there's a lot to talk about. First of all, I want to draw your attention to the intent of the by-law. It states that the intent of the by-law is to provide a level of

protection and safety for tenants, occupants and surrounding neighbors by making living conditions suitable. We're going to get to that after. I just want to say that, in addition to the fines, we see there is an appeals committee, but we're not confident that the by-law changes will actually address and remedy the injustices and we would like to see that happen. We know that the municipal government also recognizes the value system of protection and safety. Why else label the intent was for the protection and safety for tenants and making living conditions suitable unless it is to acknowledge that the majority of landlords uphold hold these values as important and expect them to be addressed in, and through, public policy. We have some ideas that do not exacerbate the inequalities that exist in the world of landlord tenant relationships. There are some really good landlords out there but that's not why we're here tonight. We recognize that there's going to be no real change without strict enforcements, and again, the Municipal Act gives you the tools to make those changes and the actions that are necessary. By-law C.P. 16 permits the city to impose fines that can be made for failing to comply with the by-law and those fines also could be doubled. This is a powerful tool. By-law 54 gives city the power to make the repairs and charge the property owners with the activities done to bring the property into compliance with by-law C.P. 16. Like you do when you go on to a property and clean up someone's messy yard because the neighbours complained. You do have the power with by-law 54. We have had folks like Ben, come to us for help because the city has not enforced property standards, as requested. Families are losing their children because other levels of government enforcement don't believe these are safe places for children to be raised. Indeed, many of the conditions folks are living in cause or exacerbate other health conditions. There's an old adage that says where there's a will there's a way and we're bringing you the ways tonight so that you can protect the residents in our neighbourhoods. We're requesting that, in the event the property owner does not make repairs to bring these properties up to standard, the city immediately take measures to do so. If the repairs are so extensive that they cannot be done, the city needs to move the tenants to safe housing and the building needs to be condemned and secured. Should a relocation be deemed necessary for substantial repairs, we're asking the city to implement a mechanism to protect vulnerable tenants, such as seniors, people with disabilities, or those living on very low incomes who are among the most affected by redevelopment or renovations. This has also been done in other municipalities. The city of Vancouver recognizes that vulnerable tenants often require support to be relocated. They have implemented a tenant protection relocation and protection policy. In addition to proactive enforcement, we're requesting that consideration be given to developing an affordable housing strategy that outlines tenant protection and building acquisition with both standards and enforcement. Part of the Vancouver tenant relocation protection policy also addresses the need to protect affordable housing in our neighbourhoods. We talked about some of the neighbourhoods where a lot of the property standards are out of line and those are places where poor people can rent. The Vancouver model has a policy in it that is called the one for one replacement, where the owner is required to replace an existing dwelling unit on the site if they tear down one of those units because they're renovating them. The other issue is around the appeals. So, tenants don't have access to social equality if they can't access the institution that enforces their rights. Like Devon shared, there's fear, real fear, of reporting on property standards if you're living in substandard housing because you can't necessarily afford to move and you don't want to be harassed. This policy lacks attention to who's living in substandard conditions, the ability to pay fees to request an appeal or other property standards orders. Tenants require assistance to file an appeal are not considered, but there's also the problem that tenants don't necessarily get given a copy of the order so they can follow up with the landlord tenant board if that is where you were wanting them to go to get their rights protected. So, there is a problem with that and if a property owner does make an appeal, and the tenant believes the conditions have not been changed, how are they supposed to get that information in if they are not

given a copy of the order. We would suggest that, at the very minimum, if the property owner makes an appeal on the property standards, that they send an officer to do a full inspection of the property so that the burden doesn't fall onto the tenants to be the party responsible for enforcement. There's the issue of who can report, so we're going to go back to the intent of that bylaw here. Neighbours living next to these properties and community workers, social assistance workers, CAS workers and the like should be able to submit requests for inspection where they are aware of residents living in unsafe conditions. Remember the intent of the by-law includes surrounding neighbours. Currently, requests for inspections of clearly derelict properties are met with an automated message, "please send your landlord or property manager a dated letter or email outlining repairs that need to be conducted at your rental property and retain a copy for your records". Denying an accessible and fair reporting and appeal process for those tenants who are living in substandard conditions denies tenants rights and discourages the community at making efforts to make living conditions suitable. We're asking again that property standards the time to tenant protection, rental replacement, building repairs, in that position as part of a response of property standards by-law enforcement protocol. We need to have those properties reclaimed by the community if the owners are not responsible. We need to have those properties brought up to standards and the city has the power to do that. We need to have improved enforcement, that is why we are here tonight. Thank you.

Appendix 'A'

Bill No.
2021

By-law No. L.-131(__)-__

A by-law to amend By-law No. L.-131-16 entitled "A by-law to provide for the Licensing and Regulation of Various Businesses".

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

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

AND WHEREAS the City deems it to be in the public interest, having regard to both public health and safety and consumer protection, to protect persons involved in motor vehicle accidents on highways and to ensure that highways are kept free of obstructions and impediments at accident scenes for emergency vehicles and emergency personnel.

AND WHEREAS it is deemed expedient to amend By-law No. L.-131-16, entitled "A by-law to provide for the Licensing and Regulation of Various Businesses", passed on December 12, 2017;

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

1. The Business Licensing By-law L.-131-16 is hereby amended by adding the attached new Schedule "20" "**Tow Truck Business & Impound Yard Storage Business**".
2. The Business Licensing By-law L.-131-16, Schedule 1 – Business Licence Fees is hereby amended by adding:
 - Tow Truck Business Licence fee of \$321.00
 - Impound Yard Storage Business Licence fee of \$321.00

This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on , 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading –
Second reading –
Third reading –

Schedule '20'
TOW TRUCK BUSINESS & IMPOUND YARD STORAGE BUSINESS

1.0 DEFINITIONS

1.1 In this Schedule:

“Accident Scene”: means the general location or place where an incident or accident occurred involving a Motor Vehicle(s).

“Highway”: means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

“Highway Traffic Act”: means the Highway Traffic Act, R.S.O. 1990, as amended.

“Impound”: means to restrain or immobilize a motor vehicle.

“Impound Yard Storage Business”: means the business of storing vehicles once they are towed from an Accident Scene.

“Local Road”: means roads contained within the boundaries of the Municipality of the City of London.

“Motor Vehicle”: means a motor vehicle as defined in the Highway Traffic Act.

“Tow Truck Business”: means the business of providing Towing Services at an Accident Scene.

“Tow Truck Operator”: means a person who operates a Tow Truck offering Towing Services.

“Towing Services”: mean the provision or use of a tow truck including the assistance of the owner, operator, driver, or any passenger of a vehicle through the use of the equipment on or used in conjunction with the tow truck for the pulling, towing, carrying, or lifting of a motor vehicle at a place located within the City of London.

“Tow Truck”: means a Motor Vehicle that is designed, modified or used for pulling, towing, carrying or lifting of other Motor Vehicles with or without the assistance of lifts, winches, dollies, trailers or any like equipment.

“Vehicle”: means vehicle as defined in the Highway Traffic Act.

2.0 LICENCE CATEGORIES:

2.1 The following categories of licenses are established:

- (a) Tow Truck Business; and
- (b) Impound Yard Storage Business

3.0 PROHIBITIONS:

3.1 No person shall operate a Tow Truck Business without a current valid licence issued under this By-law.

3.2 No person shall operate an Impound Yard Storage Business without a current valid licence issued under this By-law.

3.3 No holder of a Tow Truck Business Licence shall permit a Tow Truck to safely park, stop, stand, make or convey an offer of Towing Services, within two hundred (200) metres of an Accident Scene unless directed by a police officer, a firefighter, or person involved in the accident, or if there is not a sufficient number

of tow trucks already at the Accident Scene to deal with all vehicles that apparently require the services of a Tow Truck.

- 3.4 No Tow Truck Operator parked, stopped or standing within two hundred (200) metres of an Accident Scene shall fail to immediately follow the direction of any police officer, firefighter or emergency medical services (EMS) including, but not limited to moving the Tow Truck two-hundred (200) metres from the Accident Scene.
- 3.5 No holder of a Tow Truck Business Licence shall charge or accept from any person any amount for Towing Services in contravention of the prescribed administrative regulations.
- 3.6 Every holder of a Tow Truck Business Licence shall provide Towing Services associated with a licenced Impound Yard Storage Business within the boundaries of the City of London.
- 3.7 No holder of an Impound Yard Storage Business Licence shall charge or accept from any person any amount for storage services at an Impound Yard in contravention of the prescribed administrative regulations.

4.0 POWERS OF LICENCE MANAGER

4.1 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may make regulations under this Schedule including:

- (a) prescribing signage that must be posted in an Impound Yard Storage Business as a condition for storing a Motor Vehicle including without limitation, the manner, form, size, location and content of such signage;
- (b) prescribing Towing fees;
- (c) prescribing Impound Yard Storage fees;
- (d) prescribing hours of operation of Impound Yards Storage Business;
- (e) prescribing the content of a registry for Tow Truck Business.

Appendix ‘B’

Bill No. _____
2021

By-law No. A-54-_____

A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to provide for an amended Penalty Schedule “A-5” for the Business Licensing By-law for the categories of Tow Truck Business and Impound Yard Storage Business.

WHEREAS section 434.1 of the Municipal Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

AND WHEREAS the Municipal Council on June 25, 2019 passed By-law No. A-54, being “A by-law to implement an Administrative Monetary Penalty System in London;”

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to Schedule “A-5” for the categories of Tow Truck Business and Impound Yard Storage Business in the Business Licensing By-law,

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

1. That Schedule “A-5” of By-law No. A-54, being the Penalty Schedule for Business Licensing By-law be amended to include the following rows:

Column 1 Item #	Column 2 Short Form Wording	Column 3 Designated Provision	Column 4 Administrative Penalty Amount
1	Operate Tow Truck Business without current valid licence.	3.1	\$500.00
2	Operate Impound Yard Storage Business without current valid licence.	3.2	\$500.00
3	Permit tow truck to park, stop, stand, make or convey offer of services within 200 meters of accident scene.	3.3	\$500.00
4	Fail to follow direction of first responder at accident scene.	3.4	\$500.00
5	Charge or accept fees for towing services in contravention of prescribed administrative regulations.	3.5	\$500.00
6	Fail to provide towing services associated with licensed impound yard storage business within the boundaries of the City.	3.6	\$500.00
7	Charge or accept fees for storage services in contravention of prescribed administrative regulations.	3.7	\$500.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Designated Provision	Column 4 Administrative Penalty Amount
8	Fail to comply with prescribed signage at impound yard storage business.	5.1 (a)	\$200.00
9	Fail to comply with prescribed hours of operation at impound yard storage business.	5.1 (d)	\$200.00
10	Fail to comply with prescribed content of registry for tow truck business.	5.1 (e)	\$200.00

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

PASSED in Open Council on , 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – Tow Truck Business and Impound Yard Storage Business Licence By-law Amendment

- D. Cameron: See attached presentation.
- F. Ibrahim, Low Price Towing: Thank you for having me here. My name is Fadi Ibrahim, I am the owner of Low Price Towing in London. We all know that, that the part of the meeting today because people are chasing. I am with the City 100% percent against chasing but we've been telling everyone in this meeting and other meetings that people are chasing because they are trying to make an honest living. I am with the City against any people that they gouging and put pressure at the citizen that should be no. I am with the City 100% and I am so glad that they coming with pricing list this way. Every tow truck company in the City of London they will, should charge the same as others and the other thing what I need to say, citizens they do have the right to choose who they are going to go with. I am against the idea that a Police Officer call a tow truck company to the scene without he even sometimes at the scene and sometimes he doesn't even ask the citizen. You, as a Police Officer, you should ask the citizen, after you ask them about the condition of their life, if they already call for a tow truck company or not and if they say yes, then awesome, if they say not at that time he will call for a tow truck company after the citizen agreed with him. Two days ago, actually, no, three days ago, at Dundas and Clarke there was an accident happen. I was at the scene across from the McDonald's by the TD Canada Trust, the customer he's a Manager at Chrysler Dodge Jeep at AutoMall Dundas East. He choose to go with me because he know me. The Officer attend to the scene, he said I don't need nobody at the scene other than Ross Towing. This is my scene, I need everything to go with Ross. I said "Officer, that shouldn't be happening like that." The lady, right away she stopped the Officer and she said "Sir, we are not going to go with Ross, we are going to go with Low Price Towing because we had an incident that it is our vehicle has been stolen before and we ask them today to release it to us and on Friday they didn't release it and we ended Monday paying \$600." and after that the Police went to the Ambulance, tried to brainwash the citizen and he said no, he had high blood pressure and he said "No, I'm going with Low Price Towing." So, and after that, he gave me the car. We don't need that to happen, we don't need to burn bridges between us as the tow truck operator and the Police Department as we are part of the city and we all should work together as one community, one unit but we need a fair system and this is what we hoping from you to do. The only thing we are asking is a fair system, we are with you with licencing, we are with you with putting one price list and anything like that we support you because we need law, we need everybody to follow the law include us okay, and but, you know what, we not getting treated equally and everything is going to one company, one company only and that, it shouldn't be like that. Yes, there is people they are chasing but the reason why people they are chasing because they are trying to make an honest living. The problem because there is no rotation, we need a fair rotation, fair system and everybody should follow the law and the rules and anyone that doesn't follow the law and the rules, bad, he will be the one who is in trouble, not somebody else. We shouldn't be brushed with the same brush. As a professional as we know our job and we have been in the towing business for more than 20 years, we are fully licenced and we have compound, we have all the money you need and we support you but we need something from you to support us. You asking us for licencing, you asking us for more paperwork, more money, more expense, that's on top of what we are facing right now with Coronavirus. We need something from the city to tell us you know what, we need from you one, two, three but we are giving you one, two, three. You can't, like, with all my respect, ask for everything and don't give us nothing and one person, he's the one who's getting everything. That, it is an unfair system. Thank you.

- Desmond Williams, 519 Tow: Hello. Thanks for having us. My name is Desmond Williams. I own towing company 519 Tow here in London. It just seems to me like these meetings and, the same issues keep coming up so I'm going to try to make this as short as possible because we keep talking about the same things here and it's kind of getting redundant now. If you want to licence a business class like towing, you want to give us plates on our tow trucks and you want to licence the impound facilities and you want to make rules and regulations as far as rates, capped rates and for storage, for towing, that's fine and the distance law, we've already been debating this for a long time now whether it's 200 metres, 100 metres, okay, we've already been going back and forth on these so the main thing that I have to say is that if you want to licence us, like Fadi was just explaining and Dwayne had explained, you have to at least acknowledge that the RFP does coincide in some way with this which it does, that's just a fact, I know that we keep saying that we are trying to keep that separate, okay, so we're going to keep it separate somewhat. You want to licence us, you want to regulate us, well you have to offer us something for our expenses, for the fees we are incurring when we already incur tons of fees every year just to operate our business, just to keep it open. So, I think the distance law can be debated, whether it's 100, 200 metres, I mean, we would like to have no distance law but if the City's pushing for it, that's fine, we've already put in there, Nicole and Orest have already put in the Good Samaritan Law which states that it is going to follow what the *Highway Traffic Act* says, which says, per vehicle involved in an accident there's allowed to be one tow truck per vehicle that appears to meet the services of the tow involved in each collision scene and that goes, that's exempt from the distance law so that's fair, so that would mean that the first two tow trucks on scene, for a two vehicle are allowed to be there and this would prevent the issue that we are having in the city now from five or six tow trucks showing up to one collision scene when there's only two or three cars involved. You've got five or six towing companies there so it's just unnecessary and the Fire Captains are getting sick of it and the EMS Paramedics and the Police are getting sick of it and this is the Police contractor doing it and all the other companies doing it. It's everybody doing it. What I found ironic was in the last Zoom meeting, the people who were pushing for this by-law are now the ones getting upset at the rules that have come forward to make it fair. You've got the Police contractor complaining about the distance law and saying that it's encouraging first on scene, well, it's just ironic to me, it's funny to me that he would even say that because his guys are the ones that are chasing the most and this is the Police contract company who has the contract with the Police and they are the ones chasing the accidents the most and they are the ones pressuring their guys to do it the most and this came out recently in the document that you've all had. They've all been sent from somebody who used to work for them but let's keep that aside. I think the main thing is we need to have clear communication between City Council and the industry which, so far, we have actually done quite a good job of and I think we need to keep giving input to each other in order to make the laws that are fair and to help regulate the industry properly so that business can go on in a clean-cut and professional manner which I think is all everybody's goal, like Fadi was saying and Dwayne was saying, regulate the rates, follow the *Consumer Protection Act*, follow the *Repairs, Storage and Liens Act*, and have everybody follow the rules, do a good job and that's the main thing, is tow trucks, our job is to be a first responder, our job is to come to the collision scenes and clean up the accidents and tow the vehicles off the road to safety. That's our job. Fire does their job, EMS does their job, Police do their job but the problem is, is we do not want to have this law interfering and babying it for the contractor, the Police, we don't want the Police saying to us "Oh, you have to keep 200 meters back." but the other guys are allowed to come in and we don't want to have Police, like Fadi was saying, Police sometimes use their authority and try to call a tow truck for the person without even speaking to them; that can't take place. It has to be fair so that the citizen has the right to choose, if they want to chose the contractor they can do that, if they want to choose the towing company of their choice they can do

that, if they want to choose the tow truck that's available to them first available on scene that's also their right to choose as per the *Highway Traffic Act* and I think that's the main thing is consumer protection and the *Repair, Storage and Liens Act* needs to be followed, as well as the by-law, and we just don't want anything getting in between the rights of the citizen and also the rights of the business owners who operate in the city. Anyways, thank you guys for your time and looking forward to what's going to happen here.

- Sheehan Abeysena, RMS Towing: Hi there. So, I'm sorry. Can you guys here me? Perfect. Ok, so I'm the owner of RMS Towing, Sheehan Abeysena. We are in London. So, one thing I'd like to bring forward to everyone is I am with the City, I believe there needs to be regulation, I believe there needs to be restrictions and I believe the proposed by-law is quite fair as long as there is fairness with the rules imposed. So, like Desmond said, if there's two vehicles there and two tow trucks there, no one should be soliciting, no one should be bothering the customers or the people involved in the accident. Once the first responders have completed their duties, taken care of the individuals involved in the accident, and the Police have done their investigation, they should allow for a fair chance for any tow truck that is regulated by the City to tow the vehicle, gain business and obviously be respectful to everyone there. One thing I will say is, in the recent past, Desmond and I, you know, we're very good friends, we're both business owners, we work together, we have been working on gaining unity amongst all the tow companies in London. So one thing we've been doing is we've been regulating if there's a collision, if, you know, RMS shows up, or if 519 shows up, we'll tell everyone else there's a two vehicle accident, there's two tow trucks here, no one else needs to come, we don't need ten trucks on scene. Our role is to be fair, to be courteous and to clear the roads. Essentially vehicles involved in an accident, if they are left on the roads, is a danger not only to the people involved in the accident as they will be walking around the vehicles, they'll be in the middle of traffic but also it is a danger to the public. When vehicles are involved in accidents, I'd say about 75% of the time, there's a secondary accident due to that accident. So it is essential that the vehicles are cleared promptly but also the main concern that the City has is regulation. So a proposed by-law with regulated rates, regulated storage rates, regulated compounds, regulated tow trucks is essential. The 200 metre rule should be followed like Desmond said, following the *Highway Traffic Act*. So if there are two tow trucks there, and there's a two vehicle accident, the tow truck operators should not be soliciting. Once the Police are done their investigation, or the first responders are done caring to the individuals involved and they clear the vehicles to the Collision Reporting Center, or if the Police attend and do their report there, the Police should give the tow companies on the scene a fair chance, meaning the tow trucks are marked somehow, whether it be plates, stickers, markers, and they can see the trucks, they say "Ok, this truck is regulated by the City, that truck is regulated by the City" and then they go to the individuals involved and say "You can use the trucks on the scene or we can call you a tow.". I believe that's fair. That does not put a monopoly on one tow company, that does not, you know, sway the customer or the person involved towards a specific company, let's say the Police contractor. If these rules are followed, I believe London will be, you know, a role model to many other cities and I believe that, with the by-law in place, with the correct regulations, with the correct rates, and the correct rules, all the tow companies can come together and work in union.
- Mitchell, 519 Tow: No, that's fine. Thank you. In regards to this, the only thing that I see, again, as an issue that has been kind of arisen, I originally came from the tri-cities, Kitchener, Waterloo, Guelph, where they have a current by-law that they actually got rid of in the 2020 financial year because of the issues of towing. So, in that by-law pretty much was similar to the one they are putting in now. The issue that will arise, again, I have seen it firsthand, is the 200 metre rule and unfortunately the combination of the current contract until whenever that comes up for renewal with the Police Services Board. So there needs, in regards to the 200 metre rule that the City wants to have stipulated with this by-law, there has to be

some strict enforcement of it and there has to be some non-biased enforcement about it like we are currently having at this time in regards to towing in general and in to the 200 metre rule.

- James Patrick Donovan, James Patrick Towing and Repairs: I figured it out. Hello everybody. My name is James from James Patrick Towing and Repairs. I just want to touch base on a couple of little things here. My business mostly does the aftermath of what you guys are currently talking about, accident calls. So we'll pick up from said yards, 519, RMS, Clarks, all kinds of different companies and we will do work with the insurance company, sometimes often paying bills for the insurance company or on behalf and then getting rid of the vehicle afterwards where it goes to an auction house or sometimes just a scrapping and lots of other cases. So, we only do maybe, I don't chase at all and neither do any of my guys. We have 11 trucks, well, I do, plated, on the road, I employ 15 people between the shop and drivers and I'm already licenced in the City of London. That's another thing I'm talking about but to have another fee for like a plate per truck now I've got to pay which I'm not too thrilled to do in especially during Covid time, you know, x amount of dollars per truck for a company I already have licenced in the City of London that I'm currently doing business the same way that I would be doing every day. I don't see a benefit that would come my way in any shape or form and not to talk about a contract holdover or anything like that but with this 200 meter rule, there's not really much opportunity for me to get, you know, let's say, an accident happens and a Police Officer shows up and they, you know, they pull up their phones and look up the next towing company on Google but they don't, they figure, we've got lots, for whoever may be the contract holder at the time, it really doesn't open it up for any of my advertising or anything I've done in the past to give me an opportunity to get more business while incurring a hefty fee for a business I already have licenced and there's a smaller one truck operations that are in town, guys I know, not much of chasers, just go around doing hooks all day, \$50-\$60 tows, tire changes, 3 AM calls, things like that, don't probably have a yard. Are they required to get a licence? Is it only for accidents? If it's only for accidents, how are we going to get them? There's, I don't know, I think this by-law needs a lot more work than just what it sounds like to me and it's, there's nothing in there for more business to, for anybody, it seems like there's a lot more red tape and that's something I really think that municipalities need to get out of doing not adding. I mean, I get that there's a lot of, believe me, I get it, there's a lot of overpriced towing in this world but not everybody's like that actually, there's quite a bit of just reasonable priced towing that just goes on so I'm I see there's an alarm in some cases but I don't know, I would really like to see this by-law be something that's for everybody, not just, you know, one person. I'm in London, on Dundas Street so I see a lot of accidents. We just don't do a lot of chasing, I mean can think of one but it literally happened at the corner of my shop and I just happened to have one of my trucks there. Other than that there's no chasing that happens there so this by-law just cost me a pile more money and red tape that just doesn't seem very fair and a lot of other guys are like that. And that's all I have to say on that.
- Frank Rondinelli, Charterhouse Towing: Hi. How are you? Good. My name is Frank Rondinelli. I have Charterhouse Towing. Been in business about 48 years on Charterhouse Crescent. I agree with the amendment to go ahead and licence towing yards, I agree with the towing business being licenced. I'd like to see more regulations put into place so there is no chasing really and bring it back to original. When I started into this business, we had a rotation that worked very, very well, it was fair, it was taken care of, it was regulated by the towing companies and the originators in the City of London. Other than that, all I can say is if you are honest, you are straight, and you keep to rules I believe that everybody should have a chance to make a living but if people stand up and say that they don't chase and they do chase and they're just out for the dollars, ok and the inflated bills come in the way they do, then I think really, it should really be looked over again and regulated properly especially for, to make it fair across the board with the consumer, the insurance companies, the garages and the towing company

themselves. It should all be made fair. It's, we're not a big city, we all can make a living and a good living, if we just stick to the, to the actual reality of it's a tow, it's an accident and I just believe after 48 years, coming up to 50 years in business I would really like to see it go back to the way it was but you can't go backwards so you need to look at the future and that is to regulate it and make it honest and fair for everybody.

- Scott Taylor, Ross Towing: Can you hear me here? Sorry about that. I don't know what happened. Anyway, thanks very much and I will be as brief as possible especially after this delay. I'm here representing Ross Towing in my capacity as PR and if there's anything that we've learned over the past couple of months and especially this evening is that a by-law is needed, universal fees, universal specifications for impound lots, all that stuff is extremely important not only to the City but to the motorists of the city and to, even to the towing operators. So, in my capacity representing Ross, we, the one thing I wanted to say was that it seems to me over the last couple of months that you've heard almost all from the towing operators and not necessarily so much from the public, even this evening seems to be a good representation of that. So I just wanted to give them a voice and last July and August, we commissioned a survey with the nationally respected Leje Voting firm about towing and I'm going to go quickly through just a few of the results and that is again agreeing with the by-law. Most residents disagree that towing should be a first-come, first-to-tow situation with no price limit. In fact, strongly disagree with that is 65% they want this by-law, they want the universal fees and they want to know where their car is going and to have a say in where their car is going. Next, 83% of area London residents, London area residents, agree their vehicle should be towed to a safe destination and with a pre-determined cost. So we know we've talked about how that hasn't always been the case in the City and the by-law looks like it is going to fix that, so again, you have addressed a major concern with motorists in London. Two-thirds of residents agree that the tow operator should not have a criminal background, again, that's up for debate as to what would be considered a criminal background but it does prove and illustrate the fact that people want proper towing, people want to know whose towing them and finally I think this is crucial to the by-law wording, if three-quarters of residents have a negative opinion of chasers and for half it is very negative. They, chasers in this situation, is referred to as those that race to a scene of an accident or a breakdown and listen to radio scanners and that sort of thing, we all know what it is. So, the main thing is, if it's going to be a first truck to the accident situation, chasers and the chasing is going to get worse so we're hoping that is something that the Committee and Council considers with great weight going forward as far as this by-law is concerned and that's pretty much it. I just wanted to let the people have a voice as well. Thank you.

CPS Meeting March 2, 2021

Chasing has been going on for many years even before RFP came out so what has changed now. The difference is that one company has the contract and wants all the towing within the city. It has been an unfair system for many years now since the RFP was changed almost last minute in 2017. City Council states it has nothing to do with the RFP however, this by-law is a direct result of the RFP.

Our company is for a by-law to be in place but with the by-law created it needs to be fair and not continue with the monopoly by one company.

We are for a by-law but it needs amendments for a few reasons:

****pricing**** we have contracts with auto clubs and customers for set fees, how will that work?

****Will the customer have a chance to request a company before the contract holder gets the call? Will the Police still be able to insist on using contract holder even if the customer has a preferred company? It is happening now, where they are not even asked, the Police just call in the contract holder.**

What are the requirements for a Police background check?

What are the fees for licensing and will it be per driver, per truck or for the company?

If per company, will the fees be based on the number of trucks or just one overall fee?

What are the requirements for a compound?

Would the Police not have to be on scene to ask drivers if they have made their own towing arrangements?

What if you are called to an accident scene by the owner or driver of the vehicle, two car accident, you arrive on scene but there are already two trucks on site. Would we get a ticket even though we were called to the scene?

What is considered an accident? For instance does going into a ditch but no damage constitute an accident because they have left the roadway?

We have wanted some sort of licensing years ago but nothing got done about it. My question is why should we pay to do Police assisted accident towing within the city limits when they don't call us. We don't tow on behalf of the Police, we tow on behalf of our customers.

We have recovered them off the road, in gravel pits, flipped over and/or on fire with no Police or anyone else on scene. The customer calls us directly.

Recent call a dump truck roll over on the 401 and the OPP called Ross Towing right away without even talking to the trucking company, which is one of our customers.

Once we got the call from our customer we headed right out, Ross was already there. The customer called the OPP and insisted we do the recovery. OPP didn't ask the customer if they had a preference automatically called Ross.

We had the truck uprighted and cleaned up in a timely manner and the road opened again.

This happened February 9, 2021.

Corporate Services Committee

Report

4th Meeting of the Corporate Services Committee
March 1, 2021

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

ALSO PRESENT: M. Ribera, C. Saunders

Remote Attendance: Councillors S. Lewis, S. Hillier;
L. Livingstone, A. Barbon, B. Card, I. Collins, S. Corman, C. Dooling, M. Galczynski, J. Logan, J. McMillan, K. Murray, D. O'Brien, J. Raycroft, S. Swance, B. Warner, B. Westlake-Power

The meeting is called to order at 12:01 PM; it being noted that the following Members were in remote attendance: Mayor E. Holder; Councillors M. van Holst, E. Pelozza and A. Kayabaga.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: E. Pelozza

Seconded by: A. Kayabaga

That Consent Items 2.1 to 2.10, excluding items 2.2, 2.3, 2.6 and 2.9, BE APPROVED.

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

Motion Passed (6 to 0)

2.1 2021 Debenture Issuance

Moved by: E. Pelozza

Seconded by: A. Kayabaga

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

a) the Civic Administration BE AUTHORIZED to proceed with the issuance of debentures in the capital markets upon favourable market conditions to provide permanent financing for capital works in an amount not to exceed \$23,000,000; and,

b) the Civic Administration BE INSTRUCTED to schedule and convene an appropriately timed special Corporate Services Committee meeting upon successful placement of the City's debt in the capital markets to ensure adequate time for Council approval while adhering to the necessary financial settlement requirements.

Motion Passed

2.4 Public Sector Salary Disclosure Act Report for Calendar Year 2020

Moved by: E. Pelosa

Seconded by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated March 1, 2021 with respect to the *Public Sector Salary Disclosure Act* Report for the calendar year 2020 BE RECEIVED for information.

Motion Passed

2.5 2020 Statement of Remuneration and Expenses for Elected and Appointed Officials

Moved by: E. Pelosa

Seconded by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the following actions be taken with respect to the reporting of the 2020 statement of remuneration and expense for elected and appointed officials:

a) in accordance with Section 284 of the *Municipal Act*, 2001, the Statements of Remuneration and Expenses for Elected and Appointed Officials, Appendix "A" and "B", as appended to the staff report dated March 1, 2021, BE RECEIVED for information;

b) in accordance with the City Council resolution of March 2012, the annual report on the Mayor's Office's expenditures BE RECEIVED for information; and,

c) in accordance with the City Council Travel and Business Expenses Policy, the Statement of Travel Expenses for Senior Administration Officials, Appendix "C" and "D", as appended to the staff report dated March 1, 2021, BE RECEIVED for information.

Motion Passed

2.7 Demolition – City-Owned Properties - 92 Wellington Road, 686 Adelaide Street North and 688 Adelaide Street North

Moved by: E. Pelosa

Seconded by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, with the concurrence of the Director, Major Projects and the Director, Roads and Transportation, on the advice of the Manager of Realty Services, the following actions be taken with respect to the City-owned properties at 92 Wellington Road, 686 Adelaide Street North and 688 Adelaide Street North, as outlined in the staff report dated March 1, 2021, with respect to this matter:

a) the subject properties BE RECOMMENDED for demolition; and,

b) the Civic Administration BE DIRECTED to take all necessary steps to demolish the subject buildings, including completing a request for quotation for work to be completed, obtaining a demolition permit and any other activities to facilitate demolition of the improvements on the sites detailed in the above-noted report;

it being noted that existing capital accounts and operating accounts will be drawn upon as a source of financing to carry out the subject demolitions.

Motion Passed

2.8 Declare Surplus – Portion of City-Owned Property – 330 Thames Street

Moved by: E. Pelosa

Seconded by: A. Kayabaga

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, on the advice of the Manager of Realty Services, with respect to a portion of City-owned property, being Parts of Lot 24 and 25, South of West King Street, further described as Part 2, Plan 33R-7407, in the City of London, County of Middlesex, the following actions be taken:

- a) the subject property BE DECLARED SURPLUS; and,
- b) the subject property (“Surplus Lands”) BE OFFERED for sale to the abutting property owner at fair market value, in accordance with the City’s Sale and Other Disposition of Land Policy.

Motion Passed

2.10 Report on Association of Municipalities of Ontario Board Advocacy

Moved by: E. Pelosa

Seconded by: A. Kayabaga

That the communication dated February 19, 2021 from Councillor A. Hopkins with respect to the report on Association of Municipalities of Ontario Board Advocacy BE RECEIVED.

Motion Passed

2.2 Single Source Procurement SS21-08 Infrastructure Managed Services and Core Upgrade for Emergency Communications System

Moved by: E. Holder

Seconded by: E. Pelosa

That, on the recommendation of the City Manager, the following actions be taken, with respect to the Infrastructure Managed Services and Lifecycle Maintenance for the Emergency Communications System;

- a) the proposal submitted by L3 Harris Technologies, 5-2895 Argentia Road, Mississauga, Ontario, L5N 8G6 for the provision of an Infrastructure Managed Service Agreement BE APPROVED for the term of seven (7) years with three (3) additional one year options to renew for the annual price of \$278,625.00 (HST excluded), in accordance with sections 14.4 d. and 14.4 e. of the Procurement of Goods and Services Policy, it being noted that this operational expense has been accommodated in the 2020-2023 Multi-Year Operating budget;
- b) the proposal submitted by L3 Harris Technologies for upgrade of the City’s existing VIDA Premier Core Network Switching Centre BE APPROVED for the purchase price of \$741,000.00 (HST excluded), in accordance with sections 14.4 d. and 14.4 e. of the Procurement of Goods and Services Policy;

c) the financing for the lifecycle maintenance portion of the proposal noted in b) above, BE APPROVED as set out in the Sources of Financing Report as appended to the staff report as Appendix "A";

d) the approval given herein in a) and b) above, BE CONDITIONAL upon The Corporation of the City of London negotiating satisfactory terms and conditions with L3 Harris Technologies, to the satisfaction of the City Manager;

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

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

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

Motion Passed (6 to 0)

2.3 2020 Annual Update on Budweiser Gardens

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

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the 2020 Annual Report on Budweiser Gardens attached to the staff report dated March 1, 2021 as Appendix "B" BE RECEIVED for information.

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

Motion Passed (6 to 0)

2.6 2021 Tax Policy Expectations

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

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the staff report dated March 1, 2021 regarding the 2021 tax policy expectations BE RECEIVED for information.

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

Motion Passed (6 to 0)

2.9 Review of Ward Boundaries

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

That the following actions be taken with respect to the Ward Boundaries Review:

a) the report dated March 1, 2021 entitled “Review of Ward Boundaries”, BE RECEIVED;

b) the Civic Administration BE DIRECTED to report back on a governance model that contemplates Ten Wards to provide an opportunity for the Municipal Council to evaluate this model against the current Fourteen Ward system; and,

c) the Civic Administration BE DIRECTED to report back on potential changes to the existing Fourteen Ward system that would result in a more balanced population between the Wards;

it being noted that the reviews outlined in b) and c) above would be undertaken based on the guidelines set out in Council Policy 5(35) Review of Ward Boundaries.

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

Motion Passed (6 to 0)

3. Scheduled Items

None.

4. Items for Direction

4.1 Application - Issuance of Proclamation - Sikh Heritage Month

Moved by: A. Kayabaga

Seconded by: M. van Holst

That based on the application dated February 3, 2021, from Guru Nanak Mission Society, the month of April, 2021 BE PROCLAIMED Sikh Heritage Month.

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

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

Moved by: E. Pelozo

Seconded by: M. van Holst

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

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

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

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

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

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

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

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

Motion Passed (6 to 0)

The Corporate Services Committee convenes, In Closed Session, from 1:08 PM to 1:22 PM.

7. Adjournment

Moved by: A. Kayabaga

Seconded by: M. van Holst

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 1:24 PM.

Strategic Priorities and Policy Committee

Report

6th Meeting of the Strategic Priorities and Policy Committee
March 9, 2021

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

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

Remote Attendance: L. Livingstone, A.L. Barbon, B. Card, K. Dickins, M. Galczynski, M. Goldrup, G. Kotsifas, C. Saunders, K. Scherr, M. Schulthess, C. Smith, B. Somers, S. Stafford

The meeting is called to order at 4:01 PM; it being noted that the following Members were in remote attendance: Councillors M. van Holst, M. Salih, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozza, A. Kayabaga and S. Hillier.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: S. Lewis

Seconded by: E. Pelozza

That items 2.1 and 2.2 BE APPROVED.

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

Motion Passed (15 to 0)

2.1 Transition Plan Progress Report - Housing Development Corporation, London (HDC)

Moved by: S. Lewis

Seconded by: E. Pelozza

That, on the recommendation of the Acting Managing Director, Housing, Social Services and Deerness Home, the Managing Director, Corporate Services and the City Treasurer, Chief Financial Officer, and concurrence of the Managing Director, Corporate Services and City Solicitor that the following actions be taken with respect to the proposed restructuring of the Housing Development Corporation, London (HDC), next steps and timelines:

a) the staff report dated March 9, 2021 titled "Transition Plan Progress Report – Housing Development Corporation, London (HDC)", BE RECEIVED; and,

b) the Civic Administration BE DIRECTED to work and report back on the recommendations to winding up the Housing Development

Corporation, (HDC) London when it has been confirmed that all commitments and functions of the HDC have been assumed by the City.

Motion Passed

2.2 2021 Assessment Growth Funding Allocation

Moved by: S. Lewis

Seconded by: E. Pelosa

That, on the recommendation of the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer, the 2021 Assessment Growth Funding Allocation Report BE RECEIVED for information; it being noted that the Strategic Priorities and Policy Committee received a communication dated February 26, 2021 from C. Butler with respect to this matter.

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 (ADDED) Service Review: Audit and Accountability Fund Applications and Single Source 21-14 Procurement Process Assessment Review

Moved by: M. Cassidy

Seconded by: J. Morgan

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

a) the staff report dated March 9, 2021, entitled "Service Review: Audit and Accountability Fund Applications and Single Source 21-14 Procurement Process Assessment Review" BE RECEIVED for information; it being noted that the City of London is receiving funding through the Province of Ontario's Audit and Accountability Fund to undertake the following reviews:

- i) City of London Procurement Process Assessment Review, and;
- ii) City of London Parking Services Service Integration and Digital Modernization Review;

b) the proposed by-law as appended to the staff report dated March 9, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on March 23, 2021 to:

- i) approve the Ontario Transfer Payment Agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing for the provision of funding to retain an independent third-party reviewer to undertake a procurement process assessment review;
- ii) approve the Ontario Transfer Payment Agreement between The Corporation of the City of London and Her Majesty the Queen in Right of Ontario as represented by the Minister of Municipal Affairs and Housing

for the provision of funding to retain an independent third-party reviewer to undertake a parking services integration and digital modernization review;

iii) authorize the Mayor and Clerk to execute both Ontario Transfer Payment Agreements; and

iv) authorize the City Treasurer to approve and sign any reports required by the Province pursuant to the Ontario Transfer Payment Agreements;

c) a Single Source Procurement (SS 21-14) in accordance with section 14.4(e) of the Procurement of Goods and Services Policy BE AWARDED to Ernst & Young LLP (EY) to conduct the Procurement Process Assessment Review for the City of London at their proposed fee of \$170,000 (excluding HST); and,

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

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

Motion Passed (15 to 0)

6. Confidential (Enclosed for Members only.)

Moved by: E. Pelozo

Seconded by: S. Turner

That the Strategic Priorities and Policy Committee convene, In Closed Session, for the purpose of considering a matter pertaining to personal matters about an identifiable individual with respect to employment-related matters and advice and recommendations of officers and employees of the Corporation including communications necessary for that purpose.

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

Motion Passed (15 to 0)

The Strategic Priorities and Policy Committee convenes, In Closed Session, from 4:32 PM to 5:24 PM.

7. Adjournment

Moved by: P. Van Meerbergen

Seconded by: P. Squire

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 5:26 PM.

Bill No. 89
2021

By-law No. A.-_____ - ____

A by-law to confirm the proceedings of the
Council Meeting held on the 23rd day of March,
2021.

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 March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Bill No. 90
2021

By-law No. A.-_____ -_____

A by-law to approve and authorize the Agreement between Her Majesty the Queen in right of the Province of Ontario represented by the Minister of Transportation for the Province of Ontario (the "Ministry") and The Corporation of the City of London (the "City") for the construction of the Dingman Drive bridge.

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

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

AND WHEREAS it is deemed expedient for The Corporation of the City of London (the "City") to enter into a cost-sharing agreement (the "Agreement") with Her Majesty the Queen in Right of Ontario represented by the Minister of Transportation (the "Ministry") for the construction of the Dingman Drive bridge;

AND WHEREAS it is deemed appropriate to authorize the Mayor and City Clerk to execute the Agreement on behalf of the City;

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

1. The Agreement attached as Schedule "A" to this by-law, being a cost-sharing Agreement between Her Majesty the Queen in Right of Ontario represented by the Minister of Transportation (the "Ministry") and The Corporation of the City of London (the "City") for the construction of the Dingman Drive bridge is hereby authorized and approved.
2. The Mayor and City Clerk are authorized to execute the Agreement authorized and approved under section 1 this by-law.
3. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Schedule "A"

THIS AGREEMENT made this _____ day of _____, 20 .

B E T W E E N:

**HER MAJESTY THE QUEEN in right of the Province of Ontario,
represented by the Minister of Transportation for the Province of Ontario
(hereinafter referred to as the "Ministry")**

- and -

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

Individually a "Party" and collectively the "Parties"

WHEREAS:

- A. The Ministry is undertaking a detail design and environmental assessment for the replacement of the existing Dingman Drive Underpass structure (GWP 3103-18-00) as shown on Schedules "A", "B" and "C" attached to this Agreement ("MTO Project"). The existing structure has two 3.20-m lanes and 1.68-m shoulders. The new structure will provide two 3.75-m lanes with 3.0-m shoulders.;
- B. The underpass structure which carries Dingman Drive over Highway 401 is under the jurisdiction and control of the Ministry (the "Dingman Drive Underpass");
- C. The City's planning for the future includes the need to widen the Dingman Drive Underpass structure in the future to an ultimate cross-section of four lanes (two lanes in each direction) with multi-use paths on each side of the bridge. The time horizon for the widening of the Dingman Drive Underpass structure is not known at this time and it is anticipated to be beyond the 20-year long-range planning horizon.
- D. The City has requested the Ministry to design and construct a wider foundation at the median pier ("Municipal Works") to be included in the MTO Project. The purpose of the wider foundation is to take advantage of the upcoming structure replacement and accommodate future widening of the Dingman Drive Underpass structure to the ultimate cross-section.
- E. The City has agreed to pay the costs of the Municipal Works to the Ministry pursuant to the terms of this Agreement.
- F. It is deemed necessary that the City and the Ministry enter into this Agreement to

accommodate improvements to the Dingman Drive Underpass structure to accommodate future improvements to the same.

NOW THEREFORE THIS AGREEMENT WITNESSES that in consideration of the premises and the covenants contained herein the Parties hereto for themselves and their respective successors and permitted assigns mutually agree as follows:

DEFINITIONS:

1. In addition to those words and terms elsewhere defined in this Agreement,

“Construction Costs” shall mean those costs for the construction of the Municipal Works, being all related hard costs, including without limitation, costs for environmental remediation, surveys, utility relocations, geotechnical investigation, placement of fill, granular lifts, asphalt, traffic staging, illumination, zone painting and signing, and the cost for detail design and contract administration.

“cost” shall mean all the items of cost all howsoever styled inclusive of interest, inclusive of a cost sum or sums, and inclusive, but not limited to, out of pocket expenses, consultants, contractors, environmental remediation, surveyors, solicitor and their client costs. And includes the concept of expense and all the items of expense all howsoever styled, inclusive of an expense sum or sums, unless specified otherwise. The staff time of neither the City nor the Ministry shall be included as a cost and each party shall be responsible for the cost of their own staff time related to the Work.

"costs" shall mean the same as "cost", but in plural.

“Director” means the Director of the Ministry’s Design and Engineering Office or a nominee;

“Municipal Works” means the design and construction of a wider foundation at the median pier shown in Schedules “A”, “B” and “C” attached to this Agreement;

DESIGN:

2. The Ministry will undertake the design of the Municipal Works, at the cost of the City, in consultation with the City in accordance with Ministry design standards. The Ministry will rely upon and use the relevant standards and specifications contained in the Ontario Provincial Standards for Roads and Public Works: Provincial for the construction of the Municipal Works. The final decision of the structure type, span arrangements, pier and girder sizes, will be at the sole discretion of the Ministry.
3. The Ministry will incorporate the design of the Municipal Works into the MTO Project (GWP 3103-18-00).
4. The City will, at no cost to the Ministry, cooperate with the Ministry to pass all City by-laws, provide all City permits required for the completion of the Municipal Work and provide timely feedback during the design and construction phases.

5. The Ministry will be responsible for obtaining any and all *Environmental Assessment Act* approval for the Municipal Works. The Ministry agrees to provide the City with a copy of the final engineering design and *Environmental Assessment* report.
6. The detail design will be carried out by the Ministry's selected consulting firm and Ministry staff assigned to the MTO Project.
7. The Ministry will undertake, at the cost of the City, any utility relocation work and property acquisition necessary for the Municipal Works.

TENDERING:

8. The Ministry will tender the Municipal Works, at the cost of the City, as part of the MTO Project (GWP 3013-18-00).
9. Following the close of the tender and before awarding the contract for the construction of the MTO Project, the Ministry will notify the City of the bid prices for the Municipal Works.

CONSTRUCTION:

10. The Ministry will construct and administer the Municipal Works at the cost of the City.
11. The Ministry will give the City at least thirty days written notice before construction of the Municipal Works is commenced.
12. The City shall allow the Ministry, including its servants, agents, employees, assigns and contractors, to enter upon the City's lands and right-of-way, as may be necessary to construct the MTO Project, including the Municipal Works, and until the completion of the MTO Project, including any warranty and maintenance periods that may be required and set out in the construction contract for the MTO Project.
13. The Ministry will be responsible for the construction administration associated with the MTO Project, including the Municipal Works, and other duties normally associated with the supervision and administration of the construction of the project of this type. It is understood and agreed by the City that the Ministry may retain a consulting engineering firm for the actual or day-to-day construction administration of the Municipal Works.
14. The Ministry will be responsible for the resolution of any and all construction liens or disputes in respect of the MTO Project, including the Municipal Works.

PAYMENT:

15. The City shall pay the Ministry for all the costs of the design, environmental assessment,

tendering, Construction Costs and contract administration actual costs directly relating to the Municipal Works in accordance with this Agreement.

16. The City agrees to compensate the Ministry for any and all costs of the utility relocation work and property acquisition directly relating to the Municipal Works.
17. For purposes of budgeting, the City's costs are estimated to be \$400,000.00, plus applicable surcharges and the Harmonized Sales Tax ("HST"), that are based on parametric estimating as more particularly described in Schedule "D" attached to this Agreement. The Ministry agrees to provide a detailed estimate within three (3) months of commencement of Construction.
18. The City acknowledges and agrees that the said sum is an estimate only and that payment shall be made by the City to the Ministry for all costs associated with the design, tendering, construction and contract administration of the Municipal Works incurred by the Ministry in respect of the Municipal Work and any applicable surcharges and HST.
19. In addition, the liability of the Municipality to pay the Ministry for the costs for the design, tendering, construction and contract administration of the Municipal Works, includes the following:
 - a. to pay one hundred per cent of all increased costs incurred by the Ministry to complete any additional work beyond the scope of the Municipal Works, which is requested by the City and not included in the estimated cost provided to the City;
 - b. to pay one hundred per cent of all increased costs incurred by the Ministry to comply with any request of the City to change the Municipal Works;
 - c. to pay one hundred per cent of all increased costs incurred by the Ministry attributed to any delays attributed solely to the City with respect to the Municipal Works; and,
 - d. to pay one hundred per cent of all increased costs incurred by the Ministry attributed to unforeseen obstacles or other problems encountered during construction of the Municipal Works not foreseen in the tendered construction contract.
20. The Ministry agrees to notify the City of any extra work relating to the Municipal Works identified during construction that is required for the completion of the Municipal Works upon becoming aware of this extra work. The Ministry will also notify the City of the additional cost for such extra work. The City agrees to pay the Ministry its share of the costs of any extra work related to the Municipal Works that was not included in the original estimate along with applicable HST thereon.
21. Upon substantial completion of the Municipal Works, the Ministry shall invoice the City

for the actual cost of completing the Municipal Works. The City shall pay the Ministry the amount of the invoice within thirty days from the receipt of the invoice.

22. The City shall not acquire any title, right, easement, licence or any other interest in the lands of the Ministry, as a result of its payment to the Ministry of any amounts paid or owing pursuant to this Agreement.

GENERAL PROVISIONS:

23. Notices under this Agreement shall be in writing and sent by personal delivery, facsimile transmission ("Fax") or by registered mail. Notices by registered mail shall be deemed to have been received on the fourth business day after the date of mailing. Notices by personal delivery or by Fax shall be deemed to have been received at the time of the delivery or transmission, unless delivered or transmitted on a weekend or holiday, in which case such notice shall be deemed to have been received on the next business day. In the event of an interruption in postal service, notice shall be given by personal delivery or by Fax. The address, contact person and Fax of the parties under this Agreement, unless otherwise noted is:

The Ministry: Mr. Steven McInnis, P.Eng.
Director
Design and Engineering Branch
Ministry of Transportation
659 Exeter Rd
London, Ontario N6E
1L3
Telephone: (519) 871-9148

The Municipality: Mr. Doug MacRae, P.Eng
Director, Roads & Transportation City of
London
300 Dufferin Avenue
London, Ontario N6A 4L9

24. The City warrants that it has taken all necessary steps, done all acts, passed any necessary by-laws and obtained all approvals within its power legally required to give it the authority to enter into this Agreement.
25. The rights, duties and powers of the Minister under this Agreement may be exercised by the Director.
26. Any changes, alterations or amendments to this Agreement shall be made in writing signed by the City's authorized signing officers and by the Ministry's Director.
27. This Agreement constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements, including the Memorandum of Understanding executed between the Parties September 10, 2020.

28. This Agreement shall be governed by the laws of the Province of Ontario and any applicable federal laws of Canada.

THIS AGREEMENT shall enure to the benefit of and be binding upon the Parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF contained in this Agreement.

SIGNED this _____ day of _____, 20_____.

HER MAJESTY THE QUEEN in right of the
Province of Ontario, represented by the Minister
of Transportation for the Province of Ontario

MINISTER OF TRANSPORTATION (ONTARIO)

SIGNED AND SEALED this _____ day of _____, 20_____.

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

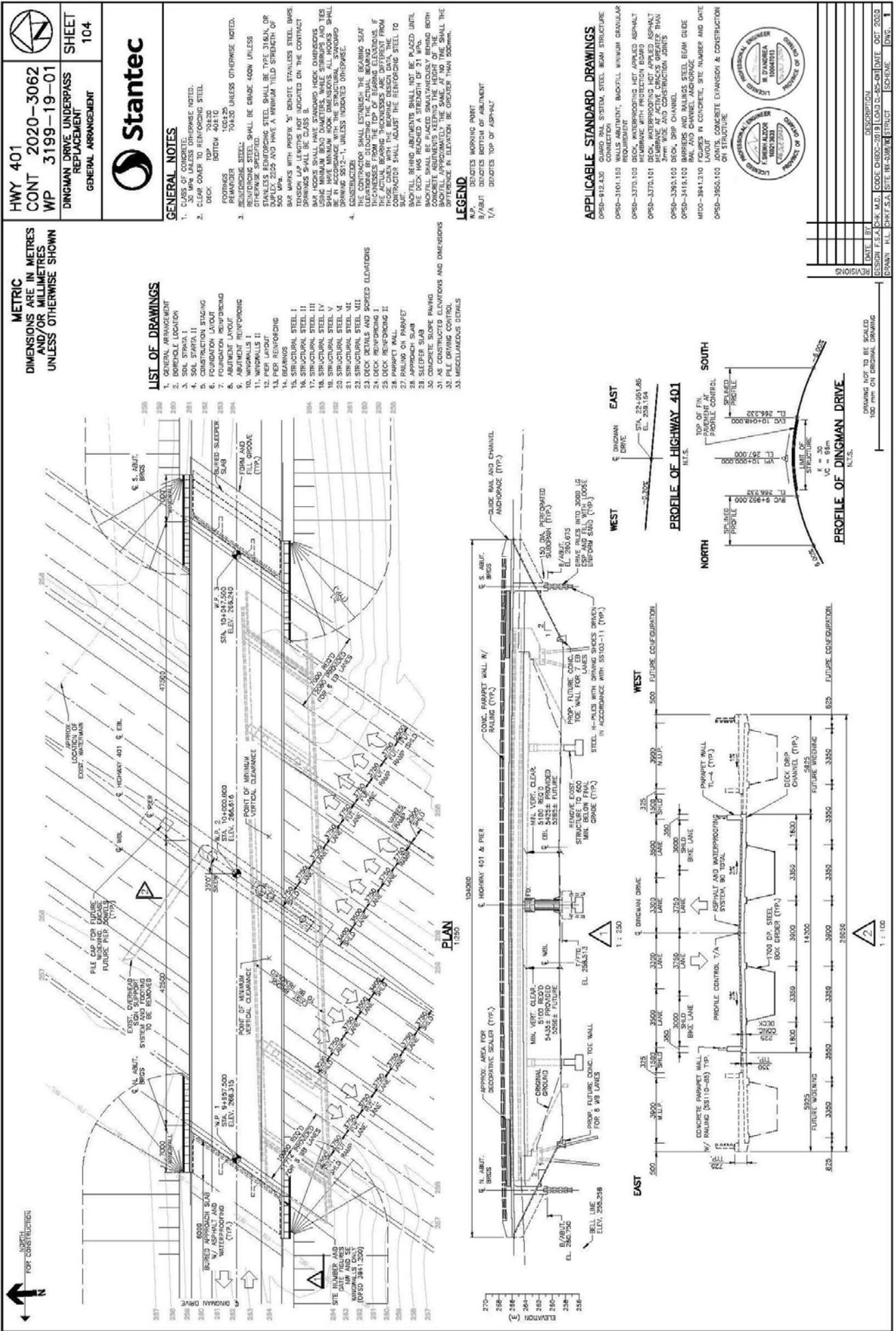
Catharine Saunders, Clerk

I/We have authority to bind the Corporation.

SCHEDULE A

To an Agreement between MTO and the City

General Arrangement Drawing for Dingman Drive Replacement (to be constructed under GWP 3103-18-00)



PLAN 1:250

PROFILE OF HIGHWAY 401

PLAN 1:250

PROFILE OF DINGMAN DRIVE

LEGEND

M.P. DENOTES WORKING POINT

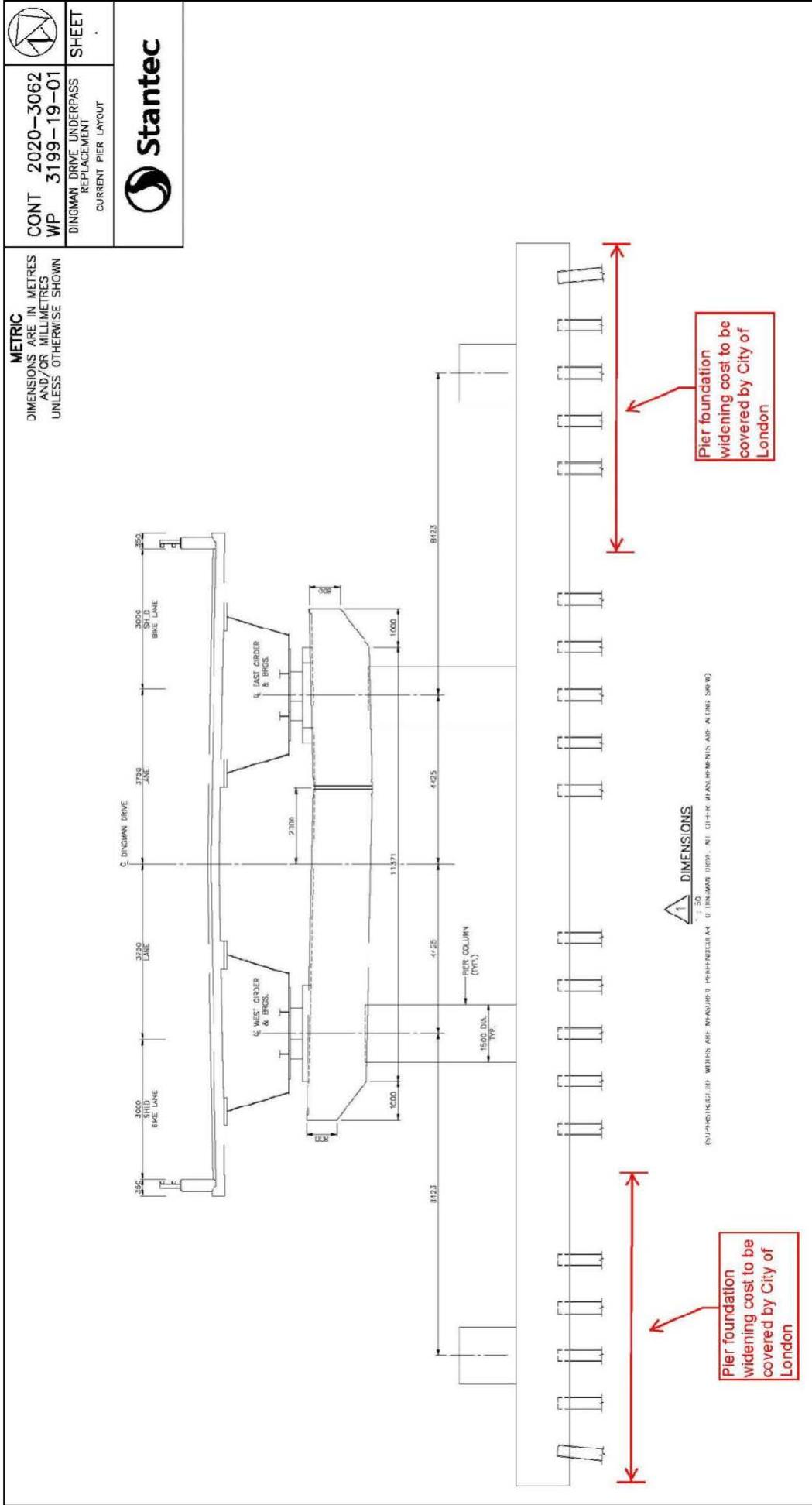
B/ABUT DENOTES BOTTOM OF ABUTMENT

T/A DENOTES TOP OF ASPHALT

SCHEDULE B

To an Agreement between the Ministry and the City

Interim Cross Section & Pier Layout (to be constructed under GWP 3103-18-00)



SCHEDULE D

To an Agreement between the Ministry and the City

Estimated Cost to be Paid by The City

Number	Item	Estimated Costs
1	Piling supply and installation	\$250,000
2	Concrete in footing	\$104,000
3	Reinforcng steel	\$36,000
4	Miscellaneous (excavation and mass concrete)	\$10,000
5	Total	\$400,000.00 + HST*

*Notwithstanding anything to the contrary, the costs of \$400,000 + HST stipulated herein is an estimate only. The City acknowledges and agrees that the actual costs payable to the Ministry shall be based on the terms of this Agreement.

Bill No. 91
2021

By-law No. A.-_____ -_____

A by-law to approve and authorize the execution of Amending Agreement No. 2 to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London.

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

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

AND WHEREAS 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, among other things: i) economic, social and environmental well-being of the municipality, including respecting climate change; and ii) financial management of the municipality;

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

1. Amending Agreement No. 2 to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in right of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London (“Amending Agreement No. 2”) attached as Schedule “1” to this by-law is hereby authorized and approved.
2. The Mayor and the City Clerk are hereby authorized to execute Amending Agreement No. 2 authorized and approved under section 1 of this by-law.
3. The Managing Director Environmental and Engineering Services & City Engineer is hereby authorized to approve future Amending Agreements to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London provided it does not increase the indebtedness or liabilities of The Corporation of the City of London.
4. The Mayor and City Clerk are hereby authorized to execute any Amending Agreement to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London approved by the Managing Direct Environmental and Engineering Services & City Engineer under section 3 of this bylaw.

5. The Managing Director, Corporate Services & City Treasurer and Chief Financial Officer and City Manager (or delegate) are hereby authorized to execute any financial reports required as a condition under Amending Agreement No. 2 and such further Amending Agreements as may be approved under section 3 of this by-law.

6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

**AMENDING AGREEMENT No. 2
TO THE PUBLIC TRANSIT INFRASTRUCTURE FUND (PTIF) PHASE ONE (ONTARIO)
TRANSFER PAYMENT AGREEMENT**

This Amending Agreement No. 2 to the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement (this “Amending Agreement No. 2”) is effective as of the date of signature by the last signing party to it.

B E T W E E N:

Her Majesty the Queen in right of Ontario
as represented by the Minister of Transportation for the Province of Ontario

(the “**Province**”)

- and -

Corporation of the City of London

(the “**Recipient**”)

BACKGROUND

The Province and the Recipient entered into the Public Transit Infrastructure Fund (PTIF) Phase One (Ontario) Transfer Payment Agreement effective as of February 22, 2018 (the “Agreement”).

The Agreement, pursuant to Article 3.0 (Amending the Agreement) of the Agreement, may be amended from time to time on written agreement of the Parties.

The Parties wish to amend the Agreement as set out in this Amending Agreement No. 2.

CONSIDERATION

In consideration of the mutual covenants and agreements contained in this Amending Agreement No. 2, and for other good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged, the Parties agree as follows:

1. **Capitalized Terms.** Capitalized terms used in this Amending Agreement No. 2, unless defined in section 2 of this Amending Agreement No. 2, have the meanings ascribed to them in the Agreement.

2. **Definition.** In this Amending Agreement No. 2, the following term has the following meaning:

“Amending Agreement No. 2” means this Amending Agreement No. 2 and the appendices attached to this Amending Agreement No. 2.

3. Section 1.1 of the Agreement is amended by adding the following after “Sub-schedule “C.1” - Program Funding Request”:

“Sub-schedule “C.2” - Extended Program Funding Request

4. Section A.1.2 (Definitions) of the Agreement is amended by adding the following after “Sub-schedule “C.1” (Program Funding Request)” to the definitions of the terms **“Budget”**, **“Project”**, **“Sub-Projects”** and **“Timelines”**:

and, unless otherwise specified in the Agreement, Sub-schedule “C.2” (Extended Program Funding Request)

5. Schedule “B” (Project Specific Information) of the Agreement is deleted and replaced with the schedule attached as Appendix A to this Amending Agreement No. 2.

6. Sections C.1.1 (Project Description) and C.1.2 (Budget and Timelines) of the Agreement are amended by adding the following after “Sub-schedule “C.1” (Program Funding Request)”:

and Sub-schedule “C.2” (Extended Program Funding Request)

7. Sub-schedule “C.1” (Program Funding Request) of the Agreement is deleted and replaced with the schedule attached as Appendix B to this Amending Agreement No. 2.

8. Schedule “C” (Project Description, Budget and Timelines) of the Agreement is amended by adding the new Sub-schedule “C.2” (Extended Program Funding Request) attached as Appendix C to this Amending Agreement No. 2.

9. Schedule “E” (Eligible Expenditures and Ineligible Expenditures) of the Agreement is deleted and replaced with the schedule attached as Appendix D to this Amending Agreement No. 2.

10. Schedule “H” (Disposal of and Revenues from Assets) of the Agreement is deleted and replaced with the schedule attached as Appendix E to this Amending Agreement No. 2.

11. Schedule “J” (Requests for Payment and Payment Procedures) of the Agreement is deleted and replaced with the schedule attached as Appendix F to this Amending Agreement No. 2.
12. Except for the amendments provided for in this Amending Agreement No. 2, all provisions of the Agreement remain in full force and effect.
13. This Amending Agreement No. 2 may:
 - (a) be executed and delivered by scanning the manually signed Agreement as a PDF and delivering it by email to the other Party; or
 - (b) subject to the Province’s prior written consent, be executed and delivered electronically to the other Party.

The respective electronic signature of the Parties is the legal equivalent of a manual signature.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed this Amending Agreement No. 2 on the dates set out below.

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO as
represented by the Minister of Transportation for the
Province of Ontario

Date Name: Caroline Mulroney
Title: Minister

THE CORPORATION OF THE CITY OF LONDON

Date Name: Ed Holder
Title: Mayor

I have authority to bind the Recipient.

Date Name: Catharine Saunders
Title: City Clerk

I have authority to bind the Recipient.

**APPENDIX A
TO THE PUBLIC TRANSIT INFRASTRUCTURE FUND (PTIF) PHASE ONE
(ONTARIO) TRANSFER PAYMENT AGREEMENT**

SCHEDULE “B” (PROJECT SPECIFIC INFORMATION)

Maximum Funds	\$36,236,909.00
Expiry Date	March 31, 2023
Contact information for the purposes of Notice to the Province	<p>Address: Strategic Investments Office Municipal Programs Branch Ontario Ministry of Transportation 777 Bay Street, 30th Floor Toronto ON M7A 2J8</p> <p>Phone: 416-585-7637</p> <p>Email: MTO_PTIF@ontario.ca</p>
Contact information for the purposes of Notice to the Recipient	<p>Position: Managing Director & City Engineer</p> <p>Address: 300 Dufferin Avenue, London, ON., N6A 4L9</p> <p>Phone: 519-661-2489 x 2391</p> <p>Email: kscherr@london.ca</p>
Authorized Representative of the Province for the purpose of sections C.2.2 (Amending Agreement for Minor Changes to the Project Description, Budget and Timelines) and D.7.2 (Amending Agreement for Minor Changes to the Reporting)	<p>Position: Director, Municipal Programs Branch; or Director, Capital Project Oversight Branch</p>
Authorized Representative designated by the Recipient for the purpose of sections C.2.2 (Amending Agreement for Minor Changes to the Project Description, Budget and Timelines) and D.7.2 (Amending Agreement for Minor Changes to the Reporting)	<p>Position: Managing Director, Corporate Services & City Treasure, Chief Financial Officer</p>
Contact Information for the authorized representative of the Recipient to respond to requests from the Province related to the Agreement	<p>Position: Director, Roads & Transportation</p> <p>Address: 300 Dufferin Avenue, London, ON., N6A 4L9</p> <p>Phone: 519-661-2489 x 4936</p> <p>Email: dmacrae@london.ca</p>

APPENDIX B
TO THE PUBLIC TRANSIT INFRASTRUCTURE FUND (PTIF) PHASE ONE (ONTARIO) TRANSFER PAYMENT AGREEMENT
SUB-SCHEDULE "C.1"
PROGRAM FUNDING REQUEST

Project Information										Federal Land	Financial Information							Project Objectives			Incrementality	Risk Assessment
Unique Project ID	Ultimate Recipient	Project Location	Actual Project Site (Civic Address or Geo Coordinates)	Project Title	Project Description	Eligible Investments Category	Project Nature	Forecasted Start Date (YYYY/MM/DD)	Forecasted End Date (YYYY/MM/DD)	Project Located on Federal Land (Y/N)	Total Project Cost	Total Eligible Cost	Program Contribution (Eligible Expenditures)	Other Federal Contributions (Eligible Expenditures)	Provincial Contribution (Eligible Expenditures)	Municipal Contribution (Eligible Expenditures)	Other Contribution (Eligible Expenditures)	Increased Capacity or Lifespan of the Asset (Y/N)	Enhanced Service (Y/N)	Improved Environmental Outcomes (Y/N)	Evidence of Incrementality (Y/N)	Risk Factors
LON-001	London, City of	London, City of	300 Dufferin Avenue, London ON	Shift Rapid Transit Environmental Assessment (EA) / Transit Project Assessment Process (TPAP)	Shift is London's Bus Rapid Transit Initiative. Project is the completion of the Shift Environmental Assessment / Transit Project Assessment Process for London's Rapid Transit Initiative.	III. Expenditures to support the design and planning for the expansion and improvements to public transit systems, including transportation demand management measures and studies and pilot projects related to innovative and transformative technologies	Planning	2016-04-01	2019-06-30	N	\$3,000,000.00	\$3,000,000.00	\$1,500,000.00	\$0.00	\$0.00	\$1,500,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-004	London, City of	London, City of	42°59'01.4"N 81°14'58.9"W	Dundas Place Transit Improvements	Transit routing modifications in the downtown in the area of Dundas Place will improve the overall transit system and coordination with the Shift Rapid Transit implementation. The bus route reconfiguration is estimated to require three additional buses and infrastructure relocation such as wayside service information signage, stops, shelters, and transit priority measures.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Expansion	2017-04-01	2020-03-31	N	\$2,000,000.00	\$2,000,000.00	\$1,000,000.00	\$0.00	\$0.00	\$1,000,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-005	London, City of	London, City of	300 Dufferin Avenue, London ON	New Accessible Transit Pads and Sidewalks	Construction of new transit pads and sidewalks (multiple City wide locations) to make local transit more accessible and functional. Project modification request to extend timeline to September 1, 2018 due to delays starting project and contractor capacity to finish the work within the original timeline.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	New	2017/06/15	2018/09/15	N	\$2,000,000.00	\$2,000,000.00	\$1,000,000.00	\$0.00	\$0.00	\$1,000,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-006	London, City of	London, City of	300 Dufferin Avenue, London ON	Installation of 25 (minimum) New Pedestrian Crossings	**Modified project** Modifications to title and description. See key notes for details. Construction of twenty five (minimum) pedestrian crossings to provide safer pedestrian road crossings and make public transit more accessible, crossing are compliant with the recent Ontario Traffic Manual Book 15 and Highway Traffic Act Amendments	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	New	2016/10/15	2018/12/31	N	\$690,000.00	\$690,000.00	\$345,000.00	\$0.00	\$0.00	\$345,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-008	London, City of	London, City of	42°59'08.2"N 81°10'55.6"W	Kiwanis Park Pathway Connection	Construction of an active transportation connection across the Canadian National Railway line that will improve neighbourhood connections to transit. (Provincial contribution funded through the Ontario Municipal Cycling Infrastructure Program). Project modification request to extend timeline to September 1, 2018 due to delays starting project and contractor capacity to finish the work within the original timeline.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	New	2017/06/15	2018/09/30	N	\$2,100,000.00	\$2,100,000.00	\$1,050,000.00	\$0.00	\$325,000.00	\$725,000.00	\$0.00	Y	Y	Y	Y	N/A

LON-009	London, City of	London, City of	42°59'15.9"N 81°14'25.3"W	Construct New Downtown Cycle Tracks	**Modified project** Modifications to description and funding. See key notes for details. Construction of cycle tracks on Colborne Street to promote active transportation and improve connections to the transit system. This project is an important feature in London ON Bikes, the new Cycling Master Plan. The cycle track will integrate with the local transit services along the corridor. Project modification request to extend timeline to May 31, 2018 due to delays starting project and contractor capacity to finish the work within the original timeline.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	New	2017/06/01	2019/09/30	N	\$1,750,000.00	\$1,750,000.00	\$875,000.00	\$0.00	\$0.00	\$875,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-010	London, City of	London, City of	42°57'08.0"N 81°20'31.7"W	Byron Baseline and Wonderland Road Sidewalk and Bicycle Facilities	Bicycle facility and sidewalk construction along transit routes on Byron Baseline and Wonderland Road in coordination with other works.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	New	2016/10/01	2019/06/30	N	\$1,750,000.00	\$1,750,000.00	\$875,000.00	\$0.00	\$0.00	\$875,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-011	London, City of	London, City of	42°59'01.8"N 81°17'33.5"W	Separated Bicycle Lane Renewal	Rehabilitation of the separated bicycle lanes on Wonderland Road, Fanshawe Park Road and Adelaide Street to provide improved active transportation links and road crossings to London's Transit Villages.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	New	2016/10/01	2017/12/30	N	\$1,290,000.00	\$1,290,000.00	\$645,000.00	\$0.00	\$0.00	\$645,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-012	London, City of	London, City of	42°55'59.3"N 81°16'21.1"W	Construct Bradley Avenue Extension Transit and Active Transportation Features	Implementation new active transportation and transit stops on the Bradley Avenue Extension from Wonderland Road to Wharncliffe Road, a new transportation corridor in Southwest London.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	New	2016/05/01	2018/01/30	N	\$500,000.00	\$500,000.00	\$250,000.00	\$0.00	\$0.00	\$250,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-013	London, City of	London, City of	42°59'55.0"N 81°13'19.0"W	Sidewalk and Bicycle Lane Improvements on the Field Marshall Wolseley Bridge	Widening of the sidewalks and installation of bollard separation for the bicycle lanes on the bridge over the Canadian Pacific Railway line, providing better pedestrian accessibility along an existing transit route.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	New	2016/05/01	2017/10/30	N	\$190,000.00	\$190,000.00	\$95,000.00	\$0.00	\$0.00	\$95,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-014	London, City of	London, City of	42°59'20.3"N 81°15'25.9"W	Rehabilitate & Upgrade Blackfriars Bridge Active Transportation Components	***Modified Project*** See timeline history and key notes for original information. Blackfriars Bridge provides an important active transportation connection across the Thames River but is currently partially closed. Rehabilitation of the Blackfriars Bridge sidewalk and creation of a new bicycle lane will improve the active transportation network and provide connectivity to nearby major transit corridors. Project completion date extended to March 28, 2019 due to magnitude of construction and also due to delays receiving Ministry of Environment and Climate Change (MOECC) approval to proceed to implementation.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	New	2016/05/01	2019/06/30	N	\$1,500,000.00	\$1,500,000.00	\$750,000.00	\$0.00	\$0.00	\$750,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-015	London, City of	London, City of	42°59'23.6"N 81°13'48.6"W	Old East Village Shift Rapid Transit Route Parking Lot Improvements	Improvements to the parking lots in the Old East Village are part of the first phase of the Shift Rapid Transit project that will mitigate the loss of on-street parking as a result of the adjacent Dundas Street rapid transit route and station.	III. Expenditures to support the design and planning for the expansion and improvements to public transit systems, including transportation demand management measures and studies and pilot projects related to innovative and transformative technologies	New	2016/05/01	2019/01/31	N	\$1,300,000.00	\$1,300,000.00	\$650,000.00	\$0.00	\$0.00	\$650,000.00	\$0.00	Y	Y	Y	Y	N/A

LON-019	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Upgrade Automatic Vehicle Location/Communication System utilized at London Transit	Upgrade of system software and hardware will resolve a number of outstanding software issues and provide the opportunity for enhanced data integration going forward	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2018/03/31	N	\$242,000.00	\$242,000.00	\$121,000.00	\$0.00	\$121,000.00	\$0.00	\$0.00	Y	Y	N	Y	N/A
LON-021	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Upgrade of on-board bus audio/video recording system	Upgrade of on-board audio/video recording system including system software and replacement of on-board hard drives, noting current drives are subject to frequent failure. Replacements will provide a more stable and reliable system.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/05/01	2020/03/31	N	\$350,000.00	\$350,000.00	\$175,000.00	\$0.00	\$175,000.00	\$0.00	\$0.00	Y	N	N	Y	N/A
LON-022	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement of current telephone system in use at London Transit	Replacement of telephone switching system for both conventional and specialized transit operations. Current system relies on old technology and is subject to frequent failure. Replacement will provide expanded feature set as well as a more reliable platform. Project modification request is to extend timelines to May 31, 2018 due to resource availability during remainder of 2017 given extent of PTIF projects underway.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2018/01/01	2020/03/31	N	\$300,000.00	\$300,000.00	\$150,000.00	\$0.00	\$150,000.00	\$0.00	\$0.00	Y	Y	N	Y	N/A
LON-023	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Retrofit current bus fleet (110 buses) with perimeter seating to increase accessibility	Retrofit existing fleet (approximately 110 buses) with perimeter seating in the front of the bus to provide for increased capacity for strollers and mobility devices, resulting in increased accessibility fleet wide. Project modification request is to extend timelines to March 31, 2019 due to inability of seat manufacturer to deliver seating within original timeframe.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2018/01/01	2019/06/30	N	\$1,125,000.00	\$1,125,000.00	\$562,500.00	\$0.00	\$562,500.00	\$0.00	\$0.00	Y	Y	N	Y	N/A
LON-024	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2 and 3508 Wonderland Rd, London, ON N6L 1A7	Asphalt repairs at both transit facilities	Repair of asphalt at both transit facilities including bus access rights of way, public access ways and employee parking, improving safety at both sites.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/05/01	2017/12/31	N	\$400,000.00	\$400,000.00	\$200,000.00	\$0.00	\$200,000.00	\$0.00	\$0.00	Y	N	N	Y	N/A

LON-025	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2 and 3508 Wonderland Rd, London, ON N6L 1A7	Upgrade lighting to Light-emitting diodes (LED) at both transit facilities	Replacement of existing lighting in bus storage barns at Highbury transit facility as well as all exterior lighting at both facilities, improving safety as well as environmental impacts	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/02/01	2018/03/31	N	\$325,000.00	\$325,000.00	\$162,500.00	\$0.00	\$162,500.00	\$0.00	\$0.00	Y	Y	Y	Y	N/A
LON-026	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement of (2) hoists at Highbury transit facility	Replacement of 2 hoists in the Highbury transit facility, noting the approximate age of those being replaced is 22 years	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2017/12/31	N	\$400,000.00	\$400,000.00	\$200,000.00	\$0.00	\$0.00	\$200,000.00	\$0.00	Y	N	N	Y	N/A
LON-028	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Upgrade of Fuel Cardlock system at Highbury Transit Facility	Upgrade of the fuel cardlock system in use at the Highbury transit facility noting the current system has been in use for 16 years. Upgrade will provide for integration with the system in use at the Wonderland facility	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2017/12/31	N	\$115,000.00	\$115,000.00	\$57,500.00	\$0.00	\$0.00	\$57,500.00	\$0.00	Y	N	N	Y	N/A
LON-029	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement of 10 engines and related ancillary equipment in buses that have surpassed the planned 6 year replacement cycle	**Modified project** Modifications made to title and description. See key notes for details. Replacement of 10 engines and related ancillary equipment in a number of buses that have extended past the planned 6 year engine replacement. Engines being replaced are between 7 and 8 years old, and related buses are subject to ongoing maintenance issues. Replacement will result in a more reliable fleet.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2019/06/30	N	\$900,000.00	\$900,000.00	\$450,000.00	\$0.00	\$450,000.00	\$0.00	\$0.00	Y	Y	N	Y	N/A
LON-030	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement of all 380 bus shelters currently in place in the City of London	Fast track of shelter replacement for all 380 transit shelters noting the average age of the shelters being replaced is 20 years. Original project was to take place over a 7 year period, project will be fast tracked and completed in 1 year. New shelters will include lighting to improve rider safety. Project modification request is to extend timelines to June 30, 2018 due to requirement to pour cement pads for some remaining shelters which cannot be completed until spring.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2016/10/01	2020/03/31	N	\$2,639,000.00	\$2,639,000.00	\$1,319,500.00	\$0.00	\$1,319,500.00	\$0.00	\$0.00	Y	Y	N	Y	N/A

LON-031	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Upgrades to file server and network switching infrastructure in use at the Highbury Transit Facility.	Upgrades to current file server and network switching infrastructure supporting transit IT software. Upgrades will provide required flexibility going forward for future planned software upgrades and implementations.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/05/01	2018/03/31	N	\$203,000.00	\$203,000.00	\$101,500.00	\$0.00	\$0.00	\$101,500.00	\$0.00	Y	Y	N	Y	N/A
LON-032	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement of bus wash infrastructure at Highbury Transit Facility	Replacement of bus wash infrastructure at Highbury transit facility (2 bus washes), noting current infrastructure is 12 years old. New infrastructure will include ability to wash buses equipped with bike racks.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/05/01	2018/03/31	N	\$736,000.00	\$736,000.00	\$368,000.00	\$0.00	\$0.00	\$368,000.00	\$0.00	Y	Y	N	Y	N/A
LON-034	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement batteries for 8 Hybrid buses currently in fleet	Purchase and installation of replacement batteries for the 8 Hybrid buses in the fleet, noting the buses have exceeded the 5 year age mark where replacement is recommended by the manufacturer. Replacement will result in a more reliable fleet going forward.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2020/03/31	N	\$745,000.00	\$745,000.00	\$372,500.00	\$0.00	\$372,500.00	\$0.00	\$0.00	Y	N	N	Y	N/A
LON-035	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement Dual Power Inverter Modules for 8 Hybrid buses	Purchase and installation of replacement Dual Power Inverter Modules for the 8 Hybrid buses in the fleet, noting the buses have exceeded the 6 year age when replacement is suggested. Replacement will result in a more reliable fleet	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2018/03/31	N	\$400,000.00	\$400,000.00	\$200,000.00	\$0.00	\$200,000.00	\$0.00	\$0.00	Y	N	N	Y	N/A
LON-036	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement of transmissions for 8 Diesel buses	**Modified project** Modifications made to title and description. See key notes for details. Purchase and installation of replacement transmissions for the 8 Diesel buses in the fleet, noting the buses have exceeded the 6 year age when replacement is suggested. Replacement will result in a more reliable fleet of buses.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2019/06/30	N	\$828,000.00	\$828,000.00	\$414,000.00	\$0.00	\$414,000.00	\$0.00	\$0.00	Y	N	N	Y	N/A

LON-037	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement of the Autotechnik Joints for 9 articulated buses in the fleet	Purchase and installation of replacement Autotechnik Joints for 9 articulated buses in the fleet, noting buses are reaching the age where replacement of these components is required to ensure the bus remains reliable and available for service.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2019/06/30	N	\$552,000.00	\$552,000.00	\$276,000.00	\$0.00	\$276,000.00	\$0.00	\$0.00	Y	N	N	Y	N/A
LON-039	London, City of	London, City of	3508 Wonderland Rd, London, ON N6L 1A7	Complete construction to enclose existing structure at Wonderland transit facility to provide for additional storage	Complete construction required to enclose a current structure at the Wonderland transit facility which will provide opportunity for alternate use including bus/equipment storage.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2017/12/31	N	\$60,000.00	\$60,000.00	\$30,000.00	\$0.00	\$30,000.00	\$0.00	\$0.00	Y	N	N	Y	N/A
LON-040	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replace/repair existing perimeter fencing at Highbury Transit Facility	Replace and/or repair existing perimeter fencing at the Highbury transit facility resulting in increased safety and security of the facility	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2017/12/31	N	\$80,000.00	\$80,000.00	\$40,000.00	\$0.00	\$40,000.00	\$0.00	\$0.00	Y	N	N	Y	N/A
LON-041	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replace security gate infrastructure at Highbury Transit Facility	Replace all security gates and supporting infrastructure at Highbury transit facility resulting in increased safety and security at the facility	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2018/12/31	N	\$150,000.00	\$150,000.00	\$75,000.00	\$0.00	\$75,000.00	\$0.00	\$0.00	Y	N	N	Y	N/A
LON-042	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement of all (25) man doors at Highbury Transit Facility	Replacement of all (25) steel man doors at Highbury transit facility due to significant rust/failure of doors and frames resulting in a safer and more secure facility.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/05/01	2018/03/31	N	\$30,000.00	\$30,000.00	\$15,000.00	\$0.00	\$15,000.00	\$0.00	\$0.00	Y	N	Y	Y	N/A

LON-043	London, City of	London, City of	3508 Wonderland Rd, London, ON N6L 1A7	Completion of concrete repair at Wonderland Transit Facility	Completion of concrete repair on public and employee walkways at Wonderland transit facility resulting in improved safety	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2017/01/01	2018/03/31	N	\$150,000.00	\$150,000.00	\$75,000.00	\$0.00	\$75,000.00	\$0.00	\$0.00	Y	N	N	Y	N/A
LON-044	London, City of	London, City of	3508 Wonderland Rd, London, ON N6L 1A7	Replacement of sewage pump infrastructure at the Wonderland Transit Facility	Replacement of sewage pump at Wonderland transit facility, noting current pump has reached its useful life and can be expected to be failing. Replacement will result in a safer work environment.	III. Expenditures to support the design and planning for the expansion and improvements to public transit systems, including transportation demand management measures and studies and pilot projects related to innovative and transformative technologies	Rehabilitation	2017/01/01	2018/12/31	N	\$69,000.00	\$69,000.00	\$34,500.00	\$0.00	\$0.00	\$34,500.00	\$0.00	Y	N	N	Y	N/A
LON-045	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Renovation of reception area at Highbury transit facility to provide greater security	Renovation of the reception area at the Highbury transit facility to provide for enhanced safety and security for employees working alone during off hours	III. Expenditures to support the design and planning for the expansion and improvements to public transit systems, including transportation demand management measures and studies and pilot projects related to innovative and transformative technologies	Rehabilitation	2017/01/01	2017/12/31	N	\$23,000.00	\$23,000.00	\$11,500.00	\$0.00	\$11,500.00	\$0.00	\$0.00	Y	N	N	Y	N/A
LON-047	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Completion of a Facility needs Assessment and detailed plan for Highbury Transit facility	Completion of a Facility Needs Assessment and Detailed Plan for the teardown/reconstruction of the Highbury transit facility. Facility is in excess of 50 years old and is not a purpose built transit facility. Replacement consideration has been identified in long-term asset management plan	III. Expenditures to support the design and planning for the expansion and improvements to public transit systems, including transportation demand management measures and studies and pilot projects related to innovative and transformative technologies	Study	2017/01/01	2019/03/31	N	\$300,000.00	\$300,000.00	\$150,000.00	\$0.00	\$150,000.00	\$0.00	\$0.00	Y	N	N	Y	N/A
LON-048	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Purchase and installation of 72 Automatic Passenger Counters for remainder of bus fleet	Purchase and installation of automatic passenger counters (APC) for 72 remaining buses in London Transit Commission (LTC) fleet. The addition of APC's enhances the data availability for system planning purposes.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Expansion	2017/01/01	2019/12/31	N	\$575,000.00	\$575,000.00	\$287,500.00	\$0.00	\$287,500.00	\$0.00	\$0.00	Y	Y	N	Y	N/A
LON-050	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Increased bus replacement program in 2017 to include 7 buses planned for 2018 replacement	Fast track bus replacement program in 2017 to include 7 buses from the planned 2018 replacement program. Fast tracking will result in reducing the time required to attain the desired average fleet age of 6 years.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	Rehabilitation	2017/01/01	2017/12/31	N	\$4,000,000.00	\$4,000,000.00	\$2,000,000.00	\$0.00	\$850,000.00	\$1,150,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-051	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Increased bus replacement program in 2018 to include 7 buses planned for 2019 replacement	Fast track bus replacement program in 2018 to include 7 buses from the planned 2019 replacement program. Fast tracking will result in reducing the time required to attain the desired average fleet age of 6 years. This project requires extended timelines given that the bus replacement process is completed with inhouse resources. The process requires the removal of all ancillary equipment from the bus being retired and the install of same equipment on the new bus. This process has to occur over the summer months when reduced service levels result in a greater number of spares to allow for this transition without impacting service.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	Rehabilitation	2018/01/01	2019/03/31	N	\$4,000,000.00	\$4,000,000.00	\$2,000,000.00	\$0.00	\$850,000.00	\$1,150,000.00	\$0.00	Y	Y	Y	Y	N/A

LON-052	London, City of	London, City of	1139 Hamilton Road, London ON	Rehabilitation of Thames Valley Parkway (TVP), South Branch	Rehabilitation & expansion of approx. 4.5km of south branch Thames Valley Parkway (TVP). The TVP is the backbone of London's 166km recreational pathway system and is an important component of the City's active transportation network. The TVP provides critical active transportation access to transit stops.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	Rehabilitation	2017/05/01	2018/02/21	N	\$1,000,000.00	\$1,000,000.00	\$500,000.00	\$0.00	\$0.00	\$500,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-053	London, City of	London, City of	1205 Commissioners Road West, London ON	Rehabilitation of Thames Valley Parkway (TVP), Main Branch	Rehabilitation & expansion of approx. 1.5km of pathway and approx. 1km of interior park roads on the TVP Main Branch in Springbank and Greenway Park. The active transportation network in these parks sees over 400,000 user trips per year. The cycling networks connect to transit stops, encouraging cyclists from across the City to take transit. Project modification request to extend timeline to July 31, 2018 due to delays starting project and contractor capacity to finish the work within the original timeline.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	Rehabilitation	2018/01/01	2018/09/28	N	\$750,000.00	\$750,000.00	\$375,000.00	\$0.00	\$0.00	\$375,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-054	London, City of	London, City of	650 Windermere Road, London ON	Rehabilitation of 3 Pedestrian Bridges	***Modified Project*** See timeline history for original information. Rehabilitation of four pedestrian bridge structures along the Stoney Creek Recreational Pathway System. This recreational pathway and associated bridges provide critical connections between London neighbourhoods and major destinations such as hospitals, the University of Western Ontario, the Thames Valley Parkway, and the City's transit network.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	Rehabilitation	2017/05/01	2020/03/31	N	\$600,000.00	\$600,000.00	\$300,000.00	\$0.00	\$0.00	\$300,000.00	\$0.00	Y	Y	Y	Y	N/A
LON-055	London, City of	London, City of	300 Dufferin Avenue	12 Audible Pedestrian Signal Upgrades	This project will upgrade twelve (12) traffic signals with audible pedestrian signal push buttons and tactile plates as per the Accessibility for Ontarians with Disabilities Act requirements. This project will target traffic signals that are not currently scheduled for reconstruction. Improved accessibility at the traffic signals will benefit all users but in particular, it will provide visually impaired pedestrians a safe and comfortable access to transit stops.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	New	2017/01/01	2018/07/31	N	\$390,000.00	\$390,000.00	\$195,000.00	\$0.00	\$0.00	\$195,000.00	\$0.00	Y	Y	N	Y	N/A
LON-056	London, City of	London, City of	300 Dufferin Avenue	Installation of 60 Pedestrian Countdown Signal Heads	**Modified project** Modifications to funding. See key notes for details. This project involves the installation of pedestrian countdown signal heads at sixty (60) signalized intersections. Pedestrian countdown signals assist pedestrians utilizing active mobility infrastructure. Positive feedback is provided with respect to how much time is available to cross the intersection. Improved pedestrian crossings at signalized intersections improves access to transit stops.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	New	2017/01/01	2017/10/30	N	\$200,000.00	\$200,000.00	\$100,000.00	\$0.00	\$0.00	\$100,000.00	\$0.00	Y	Y	N	Y	N/A
LON-057	London, City of	London, City of	300 Dufferin Avenue	Bicycle Detection Improvements at 4 intersections	The standard induction loop vehicle detection works well for automobiles but does not consistently detect bicycles. This project would upgrade four (4) intersections with improved bicycle detection thereby improving the City's cycling network and facilitating additional active transportation trips that connect cyclists to the City's transit network.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	New	2017/01/01	2017/10/30	N	\$100,000.00	\$100,000.00	\$50,000.00	\$0.00	\$0.00	\$50,000.00	\$0.00	Y	Y	Y	Y	N/A
											\$40,807,000.00	\$40,807,000.00	\$20,403,500.00	\$0.00	\$7,112,000.00	\$13,291,500.00	\$0.00					

APPENDIX C

TO THE PUBLIC TRANSIT INFRASTRUCTURE FUND (PTIF) PHASE ONE (ONTARIO) TRANSFER PAYMENT AGREEMENT

SUB-SCHEDULE "C.2"
EXTENDED PROGRAM FUNDING REQUEST

Project Information										Federal Land	Financial Information							Project Objectives			Incrementality	Risk Assessment
Unique Project ID	Ultimate Recipient	Project Location	Actual Project Site (Civic Address or Geo Coordinates)	Project Title	Project Description	Eligible Investments Category	Project Nature	Forecasted Start Date (YYYY/MM/DD)	Forecasted End Date (YYYY/MM/DD)	Project Located on Federal Land (Y/N)	Total Project Cost	Total Eligible Cost	Program Contribution (Eligible Expenditures)	Other Federal Contributions (Eligible Expenditures)	Provincial Contribution (Eligible Expenditures)	Municipal Contribution (Eligible Expenditures)	Other Contribution (Eligible Expenditures)	Increased Capacity or Lifespan of the Asset (Y/N)	Enhanced Service (Y/N)	Improved Environmental Outcomes (Y/N)	Evidence of Incrementality (Y/N)	Risk Factors
LON-002	London, City of	London, City of	300 Dufferin Avenue, London ON	Shift Rapid Transit Pilot Project & Implementation	Shift is London's Bus Rapid Transit Initiative. Project is the advancement of further engineering studies and design for the rapid transit initiative. Engineering studies will include risk assessment, design of stations, field investigations and detail design of corridors. Project scope requires an extension into year 3 due to magnitude of construction and includes the implementation of a potential quick start rapid transit program and initial construction/utility relocation.	III. Expenditures to support the design and planning for the expansion and improvements to public transit systems, including transportation demand management measures and studies and pilot projects related to innovative and transformative technologies	Studies/ Planning/ Asset Management	2016-04-01	2021-07-31	N	\$14,750,818.00	\$14,750,818.00	\$7,375,409.00	\$0.00	\$0.00	\$7,375,409.00	\$0.00	Y	Y	Y	Y	Low risk - standard work
LON-003	London, City of	London, City of	42°59'01.4"N 81°14'58.9"W	Rehabilitation of Dundas Place	Dundas Place is the conversion of a portion of downtown Dundas Street from an auto oriented street into an active transportation friendly area that includes the reconfiguration of transit service routes/stops and relocation of the primary transit hub in the downtown. Project is being accelerated to help implement transit reorganization of routes and project scope requires an extension into year 3 due to magnitude of construction.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	Expansion	2016-04-01	2021-07-31	N	\$16,000,000.00	\$16,000,000.00	\$8,000,000.00	\$0.00	\$0.00	\$8,000,000.00	\$0.00	Y	Y	Y	Y	Coordination with Utilities & Downtown businesses.
LON-016	London, City of	London, City of	300 Dufferin Avenue, London ON	Feasibility Study for a Downtown Transportation Alliance	A Downtown Transportation Alliance (working title) in London would be modelled after a traditional Transportation Management Association (TMA) which is a formal organization of businesses, institutions, agencies and a local government dedicated to providing transportation solutions to meet the needs of its members (or geographic area). A key aspect of the Downtown Transportation Alliance will be raising awareness of the fundamental role the future Bus Rapid Transit (BRT) will play in moving Londoners and employees in and out of the core. The benefits of Downtown Transportation Alliance TMA include but are not limited to: <ul style="list-style-type: none"> pooling the resources of many employers, thereby increasing their impact (e.g., often reducing cost, increasing environmental benefit, providing certainty in commuter travel, encouraging positive transportation behaviours) providing a way for businesses to help solve local transportation challenges for their employees allowing public and private entities to work together implementing programs to alleviate traffic congestion, improve air quality and reduce greenhouse gas generation Project completion date extended to March 28, 2019 due to delays starting project and contractor capacity to finish the work within the original timeline.	IV. Projects for system expansion, which may include active transportation, if they can be completed within the program timeframe.	Studies/ Planning/ Asset Management	2017/05/01	2021/07/31	N	\$150,000.00	\$150,000.00	\$75,000.00	\$0.00	\$0.00	\$75,000.00	\$0.00	N	Y	Y	Y	Increased pressure on project participants (community engagement)

LON-017	London, City of	London, City of	300 Dufferin Avenue, London ON	Neighbourhood Bike Parking Infrastructure Preliminary Concepts Study	Within London's future Transit Villages and neighbourhoods along Bus Rapid Transit (BRT) Corridors, bike parking infrastructure will be required. The goal is to develop a base package of bike lockup facility needs and amenities located in common footprint designs or placed near BRT stations. The designs will be customizable to meet the design needs of the local neighbourhood; however many common elements will remain unchanged to ensure consistency across the city. Project completion date extended to September 30, 2018 due to delays starting project and contractor capacity to finish the work within the original timeline.	III. Expenditures to support the design and planning for the expansion and improvements to public transit systems, including transportation demand management measures and studies and pilot projects related to innovative and transformative technologies	Studies/ Planning/ Asset Management	2017/05/01	2021/07/31	N	\$50,000.00	\$50,000.00	\$25,000.00	\$0.00	\$0.00	\$25,000.00	\$0.00	N	Y	Y	Y	Increased pressure on project participants (community engagement)
LON-020	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Replacement of existing 8-line wayside transit information signs	Replacement of current 8-line wayside information signs given assets are in excess of 8 years old and are subject to frequent failure. Newer signs will provide increased reliability and also provide enhanced technology features. Project modification request is to extend timelines to March 31, 2019 due to extended delivery requirements of 12 months as indicated in RFP response.	I. Capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility and/or safety of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations, or other public transit capital assets; refurbishment of existing rolling stock; intelligent transportation systems and replacement or enhancements of transit stations).	Rehabilitation	2018/01/01	2021/07/31	N	\$391,000.00	\$391,000.00	\$195,500.00	\$0.00	\$195,500.00	\$0.00	\$0.00	Y	Y	N	Y	Product delivery lead time and installation.
LON-046	London, City of	London, City of	450 Highbury Avenue North, London ON N5W 5L2	Supply and installation of 35 wayside transit information signs at identified locations across the City	Purchase and installation of 35 wayside transit information signs across London at key locations identified through service planning process, resulting in better access to transit information for customers. Project modification request is to extend timelines to March 31, 2019 due to extended delivery requirements of 12 months as indicated in RFP response.	III. Expenditures to support the design and planning for the expansion and improvements to public transit systems, including transportation demand management measures and studies and pilot projects related to innovative and transformative technologies	New	2018/01/01	2021/07/31	N	\$325,000.00	\$325,000.00	\$162,500.00	\$0.00	\$162,500.00	\$0.00	\$0.00	Y	Y	N	Y	Product delivery lead time and installation.
											\$31,666,818.00	\$31,666,818.00	\$15,833,409.00	\$0.00	\$358,000.00	\$15,475,409.00	\$0.00					

**APPENDIX D
TO THE PUBLIC TRANSIT INFRASTRUCTURE FUND (PTIF) PHASE ONE
(ONTARIO) TRANSFER PAYMENT AGREEMENT**

**SCHEDULE “E”
ELIGIBLE EXPENDITURES AND INELIGIBLE EXPENDITURES**

E.1.0 DEFINITIONS

E.1.1 **Definitions.** For the purposes of this Schedule “E” (Eligible Expenditures and Ineligible Expenditures):

“**Eligible Investments**” means the Eligible Investments described in section E.2.2 (Eligible Investments).

“**Ineligible Expenditures**” means the costs of the Project that are ineligible for contribution by the Province under the terms and conditions of the Agreement, and that are described in this Schedule “E” (Eligible Expenditures and Ineligible Expenditures).

E.2.0 ELIGIBLE EXPENDITURES AND ELIGIBLE INVESTMENTS

E.2.1 **Eligible Expenditures Date of Effect.** Eligible Expenditures can begin to accrue as of April 1, 2016.

E.2.2 **Eligible Investments.** The following are Eligible Investments:

- (a) capital projects for the rehabilitation, optimization and modernization of public transit infrastructure, or that improve the efficiency, accessibility or safety, or both, of public transit infrastructure (including rehabilitation or enhancement of existing guide ways, maintenance and storage facilities, transit stations or other public transit capital assets, refurbishment or

- replacement of existing rolling stock, intelligent transportation systems and replacement or enhancement of transit stations);
- (b) expenditures to support the asset management capacity of a public transit system;
- (c) expenditures to support the design and planning for the expansion and improvements to public transit systems, including transportation demand management measures and studies and pilot projects related to innovative and transformative technologies; and
- (d) projects for system expansion, which may include active transportation, if they can be completed within the PTIF timeframe.

E.2.3 Scope of Eligible Expenditures. Eligible Expenditures are the direct costs which are, in the Province’s opinion, properly and reasonably incurred by the Recipient between April 1, 2016 and March 31, 2020 for the Sub-projects described in Sub-schedule “C.1” (Program Funding Request) and July 31, 2021 for the Sub-projects described in Sub-schedule “C.2” (Extended Project Funding Request), and are Eligible Investments. Eligible Expenditures include only the following:

- (a) all costs considered by the Parties to be direct and necessary for the successful implementation of the Project, excluding the costs identified under Article E.3.0 (Ineligible Expenditures);
- (b) costs of Aboriginal consultation and, where appropriate, accommodation;
- (c) costs of construction carried out in-house by the Recipient;
- (d) and other costs that, in the opinion of the Province, are considered to be necessary for the successful implementation of the Project and have been approved in writing prior to being incurred.

E.3.0 INELIGIBLE EXPENDITURES

E.3.1 Scope of Ineligible Expenditures. Unless a cost is considered an Eligible Expenditure pursuant to section E.2.3 (Scope of Eligible Expenditures), such cost will be considered an Ineligible Expenditure. Without limitation, the indirect costs listed in section E.3.2 (Indirect Costs), the costs that are over and above the Project scope listed in section E.3.3 (Costs Over and Above Project Scope), and the following costs will be considered Ineligible Expenditures:

- (a) costs incurred prior to April 1, 2016 and after March 31, 2020 for the Sub-projects described in Sub-schedule “C.1” (Program Funding Request), unless otherwise approved pursuant to paragraph E.2.3(d);
- (b) costs incurred prior to April 1, 2016 and after July 31, 2021 for the Sub-projects described in Sub-schedule “C.2” (Extended Program Funding Request) unless otherwise approved pursuant to paragraph E.2.3 (d);
- (c) except as otherwise specified in the Agreement and at the Province’s sole discretion, costs incurred for a cancelled Sub-project;
- (d) land acquisition;
- (e) leasing land, buildings and other facilities;
- (f) leasing equipment other than equipment directly related to the construction of a Sub-project;
- (g) real estate fees and related costs;
- (h) financing charges;
- (i) legal fees and loan interest payments, including those related to easements (e.g., surveys);
- (j) any goods and services costs which are received through donations or in kind;
- (k) taxes for which the Recipient is eligible for a rebate, and any other costs eligible for rebates;
- (l) costs associated with operating expenses and regularly scheduled maintenance work;
- (m) costs incurred by the Recipient for the purpose of the Project Evaluation; and
- (n) other costs which are not specifically listed as Eligible Expenditures under

Article E.2.0 (Eligible Expenditures and Eligible Investments) and which, in the opinion of the Province, are considered to be ineligible.

E.3.2 Indirect Costs. Without limitation, the following indirect costs are Ineligible Expenditures:

- (a) costs of developing the business case for the purposes of applying for provincial funding for a Sub-project;
- (b) costs related to Project evaluation, including the Project Evaluation, and audit, unless otherwise approved by the Province in writing;
- (c) costs associated with obtaining necessary approvals, licenses or permits where the Recipient is the entity providing the approval, license or permit;
- (d) costs associated with general planning studies, including the Recipient's Official Plan and Transportation Master Plan;
- (e) salaries and other employment benefits of any employees, overhead costs as well as other direct or indirect operating or administrative costs of the Recipient, and more specifically these costs as related to planning, engineering, architecture, supervision, management and other services provided by the Recipient's permanent staff and funded under the Recipient's operating budget, unless used specifically towards the Project and only for the portion of time that they are used to work on the Project;
- (f) costs of any activities that are part of the regular operation and maintenance of municipal assets, including operation and maintenance costs related to the Project;
- (g) carrying costs incurred on the funding share of any funding partner other than the Province;
- (h) costs associated with municipal staff travel and any Third Party;
- (i) litigation costs incurred by the Recipient in proceedings against the Province or the Recipient;
- (j) legal costs incurred by the Recipient; and
- (k) Recipient's upgrades not expressly approved by the Province.

E.3.3 **Costs Over and Above Project Scope.** Activities undertaken as part of the Project that are over and above the scope of the Project will not be funded under the Agreement. These costs include, but are not limited to:

- (a) upgrading of municipal services and utilities that is over and above relocation or replacement that is necessitated for the Project;
- (b) upgrades to materials and design beyond existing municipal standards; and
- (c) corridor and urban design enhancements over and above those that are described for the Project.

**APPENDIX E
TO THE PUBLIC TRANSIT INFRASTRUCTURE FUND (PTIF) PHASE ONE
(ONTARIO) TRANSFER PAYMENT AGREEMENT**

**SCHEDULE “H”
DISPOSAL OF AND REVENUES FROM ASSETS**

H.1.0 DEFINITIONS

H.1.1 **Definitions.** For the purposes of this Schedule “H” (Disposal of and Revenues from Assets):

“**Fiscal Year**” means the period beginning April 1 of a year and ending March 31 of the following year.

“**Local Government**” means a single-tier, lower-tier or upper-tier municipality established by or under an Ontario provincial statute, and also includes a municipal service corporation established by such a single-tier, lower-tier or upper-tier municipality.

H.2.0 DISPOSAL OF ASSETS

H.2.1 **Gas Tax Funds Implications.** Despite section H.2.2 (Repayment) and unless the Province otherwise requires in writing, the Recipient agrees that the terms and conditions under the Ministry of Transportation Dedicated Gas Tax Funds for Public Transportation Program (the “Dedicated Gas Tax Program”) will apply to any Asset purchased, acquired, constructed, repaired, rehabilitated, renovated or improved, in whole or in part, with funds from the Dedicated Gas Tax Program, in addition to the Funds, if the Recipient proposes to sell, lease, encumber or use in a manner other than described in the Agreement, or otherwise dispose of, directly or indirectly, any such Asset.

H.2.2 **Repayment.** Subject to sections H.2.1 (Gas Tax Funds Implications) and H.2.3 (Reinvestment), the Recipient undertakes to notify the Province in writing, 180

days in advance if, at any time prior to March 31, 2026 for the Sub-projects described in Sub-schedule “C.1” (Program Funding Request) and prior to July 31, 2027 for the Sub-projects described in Sub-schedule “C.2” (Extended Program Funding Request), the Recipient proposes to sell, lease, encumber or use any Asset in a manner other than described in the Agreement, or otherwise dispose of, directly or indirectly, any Asset purchased, acquired, constructed, repaired, rehabilitated, renovated or improved, in whole or in part, with Funds, other than to Canada, the Province, a Crown agent of the Province or Canada, or a Local Government or, with the Province’s written consent, any other entity. Upon disposition, unless the Province otherwise consents in writing, the Recipient hereby undertakes to reimburse the Province, forthwith on demand, a proportionate amount of the Province’s contribution, in the proportion set out below:

Where Asset sold, leased, encumbered, used in a manner other than described in the Agreement, or otherwise disposed of for the Sub-projects described in Sub-schedule “C.1” (Program Funding Request):	Where Asset sold, leased, encumbered, used in a manner other than described in the Agreement, or otherwise disposed of for the Sub-projects described in Sub-schedule “C.2” (Extended Program Funding Request):	Return of Funds (in current dollars)
On or before March 31, 2026	On or before July 31, 2027	100%
After March 31, 2026	After July 31, 2027	0%

H.2.3 Reinvestment. Notwithstanding the foregoing, if the Recipient disposes of any Asset, directly or indirectly, during the period noted in section H.2.2 (Repayment) for the return of Funds and replaces it with an asset of equal or greater value, the Recipient may, in lieu of the repayment provided for in section H.2.2

(Repayment) and with the Province's prior written consent, reinvest the proceeds from the disposal into the replacement asset.

H.3.0 REVENUES FROM ASSETS

H.3.1 **Revenues.** The Parties acknowledge that their contributions to the Project are meant to accrue to the public benefit. The Recipient will notify the Province in writing, within 90 days of the end of a Fiscal Year, if any Asset is used in a way that, in the Fiscal Year, revenues generated from the Asset exceeded the Recipient's operating expenses. In such instance, the Province may require the Recipient to pay to the Province immediately a portion of the excess, in the same proportion as the Province's contribution is to the total cost of the Asset.

H.3.2 **Period for Revenue Disclosure and Payment.** The Recipient's notification and payment obligations in section H.3.1 (Revenues) for the Sub-projects included:

(a) in Sub-schedule "C.1" (Program Funding Request), will apply only to the first three complete Fiscal Years following the Expiry Date.

(b) in Sub-schedule "C.2" (Extended Program Funding Request), will apply to the first five complete Fiscal Years following the Expiry Date.

H.4.0 DEDUCTION FROM FINANCIAL ASSISTANCE

H.4.1 **Deduction by Province.** The Province may deduct any amount of funds to be repaid by the Recipient under this Schedule "H" (Disposal of and Revenues from Assets) from the financial assistance payable on any other current or future project(s) of the Recipient under any other provincial program(s).

**APPENDIX F
TO THE PUBLIC TRANSIT INFRASTRUCTURE FUND (PTIF) PHASE ONE
(ONTARIO) TRANSFER PAYMENT AGREEMENT**

**SCHEDULE “J”
REQUESTS FOR PAYMENT AND PAYMENT PROCEDURES**

J.1.0 DEFINITION

J.1.1 **Definition.** For the purposes of this Schedule “J” (Requests for Payment and Payment Procedures):

“**Final Payment**” means the final payment by the Province to the Recipient for each Sub-project as described in and to be paid in accordance with Article J.8.0 (Final Payment).

J.2.0 PROCEDURES AND TIMING FOR REQUESTS FOR PAYMENT

J.2.1 **Procedures.** The Recipient agrees that the procedures provided for in Article J.3.0 (Procedures for Requests for Payment for Eligible Expenditures) will apply to requests for payment the Recipient submits to the Province under the Agreement.

J.2.2 **Diligent and Timely Manner.** The Recipient agrees to submit its requests for payment to the Province in a diligent and timely manner.

J.3.0 PROCEDURES FOR REQUESTS FOR PAYMENT FOR ELIGIBLE EXPENDITURES

J.3.1 **Timing, Reports and Documents.** The Recipient agrees to submit each Sub-project request for payment for Eligible Expenditures to the Province semi-annually and on a date to be specified by the Province at its sole discretion, and,

subject to paragraph K.4.1 (f), after review by the Committee. The Recipient agrees to submit, for each of the circumstances listed below, the following reports and documents:

- (a) for each request for payment, including the Final Payment, a Request for Payment Form, using the form provided in Sub-schedule “J.1” (Form of Request for Payment Form), fully and accurately completed by an authorized representative of the Recipient;
- (b) for each request for payment, except for the Final Payment, a Progress Report and an Outcomes Progress Report, acceptable to the Province, for the period to which the request for payment relates;
- (c) for each request for payment, except for the Final Payment, a certification, using the form of certificate provided in Sub-schedule “J.2” (Form of Certificate from Recipient), by an authorized representative of the Recipient;
- (d) for each request for Final Payment, a Declaration of Sub-project Completion, using the form provided in Sub-schedule “J.3” (Form of Declaration of Sub-project Completion), by an authorized representative of the Recipient;
- (e) for each request for Final Payment, the Final Progress Report and last Outcomes Report, acceptable to the Province, for the period to which the request for payment relates;
- (f) for each request for Final Payment for new and expansion Sub-projects, if applicable in the opinion of the Province and in addition to the Declaration of Sub-project Completion, a certification, using the form of certificate provided in Sub-schedule “J.4” (Form of Certificate from Professional Engineer), by a professional engineer;
- (g) if the Province so requests, a copy of all documentation provided to the Recipient by the authorized representative of the Recipient or professional engineer, or both, for the certification or declaration, as applicable, in

paragraphs J.3.1 (c), (d) and (f); and

(h) such other information as the Province may request.

J.4.0 PAYMENTS

J.4.1 Payment by the Province. Subject to the terms and conditions of the Agreement, including the Province receiving the necessary annual appropriation from the Ontario Legislature or funds from Canada, or both, upon receipt of a request for payment fully completed in accordance with this Schedule “J” (Requests for Payment and Payment Procedures), the Province will use its reasonable efforts to make a payment to the Recipient, if due and owing under the terms of the Agreement, in a timely manner. The Province will under no circumstances be liable for interest for failure to make a payment within the time limit provided for in this Article J.4.0 (Payments).

J.5.0 TIME LIMITS FOR REQUESTS FOR PAYMENTS

J.5.1 Timing. The Recipient will submit:

- (a) all requests for payment prior to September 1, 2020 for the Sub-projects described in Sub-schedule “C.1” (Program Funding Requests); and
- (b) all requests for payment prior to December 31, 2021 for the Sub-projects described in Sub-schedule “C.2” (Extended Program Funding Request).

J.5.2 No Obligation for Payment. The Province will have no obligation to make any payment for a request for payment submitted after:

- (a) September 1, 2020 for the Sub-projects described in Sub-schedule “C.1” (Program Funding Requests); and
- (b) December 31, 2021 for Sub-projects described in Sub-schedule “C.2” (Extended Program Funding Requests).

J.6.0 FINAL RECONCILIATION AND ADJUSTMENTS

J.6.1 **Final Reconciliation and Adjustments.** For each Sub-project, following delivery of the completed Declaration of Sub-project Completion, confirming achievement of Sub-project Completion, the Final Progress Report and last Outcomes Progress Report, the Parties will jointly carry out a final reconciliation of all requests for payments and payments in respect of the Sub-project and make any adjustments required in the circumstances.

J.7.0 HOLDBACK

J.7.1 **Holdback.** For each Sub-project, the Province may pay to the Recipient up to 90% of its contribution under the Agreement prior to final adjustments in accordance with Article J.6.0 (Final Reconciliation and Adjustments).

J.8.0 FINAL PAYMENT

J.8.1 **Final Payment.** Subject to paragraph A.4.2 (c) and up to the Maximum Funds, the Province agrees to pay to the Recipient the remainder of its contribution under the Agreement, including the Holdback, after all of the conditions under section A.4.14 (Retention of Contribution) have been met.

Bill No. 92
2021

By-law No. A.- _____ - ____

A by-law to approve and authorize the execution of the Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and the City of London for the reimbursement of funds under the Safe Restart Agreement – Phase 2 Municipal Transit Funding.

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

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

AND WHEREAS 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, among other things: i) economic, social and environmental well-being of the municipality, including respecting climate change; and ii) financial management of the municipality;

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

1. The Transfer Payment Agreement for the reimbursement of funds under the Safe Restart Agreement – Phase 2 Municipal Transit Funding between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London (“Transfer Payment Agreement”) attached as Schedule “1” to this by-law is hereby authorized and approved.
2. The Mayor and the City Clerk are hereby authorized to execute the Transfer Payment Agreement authorized and approved under section 1 of this by-law.
3. The Managing Director, Corporate Services and City Treasurer, Chief Financial Officer is hereby authorized to approve future amending agreements to the Safe Restart Agreement – Phase 2 Municipal Transit Funding between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the City of London provided it does not increase the indebtedness or liabilities of The Corporation of the City of London.
4. The Mayor and City Clerk are hereby authorized to execute any amending agreement to the Safe Restart Agreement – Phase 2 Municipal Transit Funding between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Transportation for the Province of Ontario and The Corporation of the

City of London approved by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer under section 3 of this by-law.

5. The Managing Director, Corporate Services and City Treasurer, Chief Financial Officer and City Manager (or delegate) are hereby authorized to execute any financial reports required as a condition under the Transfer Payment Agreement.

6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

**TRANSFER PAYMENT AGREEMENT
FOR THE SAFE RESTART AGREEMENT (SRA) –
PHASE 2 MUNICIPAL TRANSIT FUNDING**

THIS TRANSFER PAYMENT AGREEMENT for the Safe Restart Agreement (SRA) – Phase 2 Municipal Transit Funding (the “Agreement”) is effective as of the Effective Date.

B E T W E E N:

Her Majesty the Queen in right of Ontario as represented by the
Minister of Transportation for the Province of Ontario

(the “**Province**”)

- and -

The Corporation of the City of London

(the “**Recipient**”)

BACKGROUND:

The Government of Canada (“Canada”) announced, on July 16, 2020, \$1 billion in federal funding under the Safe Restart Agreement (SRA) to support Ontario municipal transit systems with COVID-19 pandemic related financial pressures in order to help the province restart the economy, while making Canada more resilient to possible future waves of the COVID-19 pandemic.

Under the SRA, the Province of Ontario has agreed to provide up to \$1 billion to cost-match the federal funding for a total of up to \$2 billion in funding to support Ontario municipal transit systems with COVID-19 pandemic related financial pressures.

The Province has provided SRA funding to the Recipient in September 2020 (Phase 1) and will provide the remainder of the Recipient’s allocated SRA funding in Phase 2.

The funding for Phase 1 was intended to offer the Recipient immediate assistance towards additional municipal transit expenses the Recipient incurred, as a result of the COVID-19 pandemic, on or after April 1, 2020 and on or before September 30, 2020.

The funding for Phase 2, which will be provided to the Recipient in accordance with the terms and conditions set out in the Agreement, is intended to provide the Recipient with assistance for the Financial Impacts (as defined in section 1.2 (Definitions)) the Recipient has incurred during the Eligibility Period (as defined in section A1.2 (Definitions)).

CONSIDERATION:

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

1.1 **Schedules and Sub-schedule to the Agreement.** The following schedules and sub-schedule form part of the Agreement:

Schedule "A" - General Terms and Conditions

Schedule "B" - Contact Information and Authorized Representatives

Schedule "C" - Eligible Expenditures and Ineligible Expenditures

Schedule "D" - Claim and Attestation Submission, Supporting Documentation and Payment Procedures

Sub-schedule "D.1" - Claim and Attestation Form.

1.2 **Entire Agreement.** The Agreement constitutes the entire agreement between the Parties (as defined in section A1.2 (Definitions)) with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between any of the requirements of:

(a) Schedule "A" (General Terms and Conditions) and any of the requirements of another schedule or a sub-schedule, Schedule "A" (General Terms and Conditions) will prevail to the extent of the inconsistency; or

(b) a schedule and any of the requirements of a sub-schedule, the schedule will prevail to the extent of the inconsistency.

3.0 COUNTERPARTS

3.1 **Counterparts.** The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

3.2 **Electronic Execution and Delivery of Agreement.**

(a) The Agreement may:

- (i) be executed and delivered by scanning the manually signed Agreement as a PDF and delivering it by email to the other Party; or
 - (ii) subject to the Province's prior written consent, be executed and delivered electronically to the other Party.
- (b) The respective electronic signature of the Parties is the legal equivalent of a manual signature.

4.0 AMENDING THE AGREEMENT

- 4.1 **Amending the Agreement.** The Agreement may only be amended by a written agreement.
- 4.2 **Execution of Amending Agreement.** An amending agreement for changes to the Agreement may be duly executed by the representatives of the Parties listed on the signature page below or in Schedule "B" (Contact Information and Authorized Representatives).

5.0 ACKNOWLEDGEMENT

- 5.1 **Acknowledgement.** The Recipient acknowledges that:
- (a) the Funds are to assist the Recipient with the Financial Impacts of the COVID-19 pandemic on the Recipient's transit system and not to provide goods or services to the Province;
 - (b) the Province is not responsible for the Recipient's transit system, including any Financial Impact; and
 - (c) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Recipient's transit system, any Financial Impact or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.
- 5.2 **Acknowledgement from Province.** The Province acknowledges that the Recipient is bound by the *Municipal Freedom of Information and Protection of Privacy Act* (Ontario) and any information provided to the Recipient in connection with the Recipient's transit system, any Financial Impact or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF THE
PROVINCE OF ONTARIO**, represented by the
Minister of Transportation for the Province of Ontario

Date

Name: Caroline Mulroney
Title: Minister

THE CORPORATION OF THE CITY OF LONDON

Date

Name: Ed Holder
Title: Mayor

I have authority to bind the Recipient.

Date

Name: Catharine Saunders
Title: City Clerk

I have authority to bind the Recipient.

**SCHEDULE “A”
GENERAL TERMS AND CONDITIONS**

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 **Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) all accounting terms not otherwise defined in the Agreement have their ordinary meanings.

A1.2 **Definitions.** In the Agreement, the following terms will have the following meanings:

“Agreement” means this agreement, entered into between the Province and the Recipient, all of the schedules and the sub-schedule listed in section 1.1 (Schedules and Sub-schedule to the Agreement), and any amending agreement entered into pursuant to section 4.1 (Amending the Agreement).

“Authorities” means any government authority, agency, body or department, whether federal, provincial or municipal, having or claiming jurisdiction over the Recipient’s transit system, any Financial Impact, or the Agreement.

“Business Day” means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year’s Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

“Communications Activities” means, but is not limited to, public or media events or ceremonies including key milestone events, news releases, reports, web and social media products or postings, blogs, news conferences, public notices, physical and digital signs, publications, success stories and vignettes, photos, videos, multi-media content, advertising campaigns, awareness campaigns, editorials, multi-media products, and all related communication materials in respect of the Agreement.

“Effective Date” means the date of signature by the last signing Party to the Agreement.

“Eligible Expenditures” means the costs of the Financial Impacts that are eligible for funding by the Province under the Agreement, and that are further described in section C2.1 (Scope of Eligible Expenditures).

“Eligibility Period” means the period starting on or after October 1, 2020 and ending on or before March 31, 2021.

“Event of Default” has the meaning ascribed to it in section A12.1 (Events of Default).

“Expiry Date” means March 31, 2022.

“Financial Impacts” means the net revenue losses and additional net operating and capital costs the Recipient has incurred in respect of the Recipient’s municipal transit system as a result of the COVID-19 pandemic.

“Funds” means the money the Province provides to the Recipient pursuant to the Agreement.

“Indemnified Parties” means Her Majesty the Queen in right of Ontario, and includes Her ministers, agents, appointees, and employees.

“Ineligible Expenditures” means the costs that are ineligible for funding by the Province under the Agreement, and that are further described in section C3.1 (Scope of Ineligible Expenditures).

“Loss” means any cause of action, liability, loss, cost, damage, or expense (including legal, expert and consultant fees) that anyone incurs or sustains as a result of or in connection with the Recipient’s transit system, any Financial Impact or with any other part of the Agreement.

“Low-performing Route” means any bus route deemed by a Recipient as not meeting service objectives or where service has been reduced or cancelled for not meeting service objectives.

“Maximum Funds” means \$23,175,680.

“Notice” means any communication given or required to be given pursuant to the Agreement.

“Notice Period” means the period of time within which the Recipient is required to remedy an Event of Default, pursuant to paragraph A12.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A12.4 (Recipient not Remediating).

“On-demand Microtransit” means small scale, flexible transportation services where rides are ordered on-demand.

“Parties” means the Province and the Recipient.

“Party” means either the Province or the Recipient.

“Proceeding” means any action, claim, demand, lawsuit, or other proceeding that anyone makes, brings or prosecutes as a result of or in connection with the Recipient’s transit system, any Financial Impact or with any other part of the Agreement.

“Records Review” means any assessment the Province conducts pursuant to section A7.4 (Records Review).

“Reports” means the reports described in Schedule “D” (Claim and Attestation Submission, Supporting Documentation and Payment Procedures).

“Requirements of Law” means all applicable requirements, laws, statutes, codes, acts, ordinances, approvals, orders, decrees, injunctions, by-laws, rules, regulations, official plans, permits, licences, authorizations, directions, and agreements with all Authorities.

“SRA Phase 1 Contribution” means the funding for the SRA Phase 1 the Province provided to the Recipient in September 2020 and that is further described in the 4th paragraph of the Background to the Agreement.

A2.0 REPRESENTATIONS, WARRANTIES AND COVENANTS

A2.1 General. The Recipient represents, warrants and covenants that:

- (a) it has, and will continue to have, the experience and expertise necessary to operate its transit system;
- (b) it is in compliance with, and will continue to comply with, all Requirements of Law related to any aspect of the Recipient’s transit system, Financial Impacts, and the Funds;
- (c) if Funds are used for acquired goods or services, or both, these were acquired in compliance with the Recipient’s policies and procedures and, to the extent possible under the COVID-19 pandemic unprecedented times, through a process that promotes the best value for the money;
- (d) it is in compliance with the insurance requirements set out in section A10.1 (Recipient’s Insurance); and

- (e) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds including, without limitation, information relating to any eligibility requirements, the Recipient's transit system, any Financial Impact and related timelines was true and complete at the time the Recipient provided it and will continue to be true and complete.

A2.2 Execution of Agreement. The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and
- (b) taken all necessary actions to authorize the execution of the Agreement, including passing a municipal by-law authorizing the Recipient to enter into the Agreement.

A2.3 Governance. The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) procedures to enable the Recipient to manage the Funds prudently and effectively;
- (b) procedures to address any identified risks to the Recipient's ability to claim Eligible Expenditures within the Eligibility Period, all in a timely manner;
- (c) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0 (Reporting, Accounting and Review); and
- (d) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to carry out its obligations under the Agreement.

A2.4 Supporting Proof. Upon request of the Province and within the timelines set out in the request, the Recipient will provide the Province with proof of the matters referred to in this Article A2.0 (Representations, Warranties and Covenants).

A3.0 TERM OF THE AGREEMENT

A3.1 Term. The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0 (Termination on Notice) or Article A12.0 (Event of Default, Corrective Action, and Termination for Default).

A4.0 FUNDS

A4.1 Funds Provided. The Province will:

- (a) provide the Recipient up to the Maximum Funds for Eligible Expenditures;
- (b) provide the Funds to the Recipient in accordance with the payment procedures in Schedule “D” (Claim and Attestation Submission, Supporting Documentation and Payment Procedures); and
- (c) deposit the Funds into an account designated by the Recipient provided that the account:
 - (i) resides at a Canadian financial institution; and
 - (ii) is in the name of the Recipient.

A4.2 Limitation on Payment of Funds. Despite section A4.1 (Funds Provided):

- (a) in addition to any other limitations under the Agreement on the payment of Funds by the Province, the Province is not obligated to provide any Funds to the Recipient unless the Recipient fulfils the special conditions listed in section A27.1 (Special Conditions);
- (b) the Province may adjust the amount of Funds it provides to the Recipient based upon the Province’s assessment of one or more of the following events:
 - (i) of the information the Recipient provides to the Province pursuant to section A7.2 (Preparation and Submission); and
 - (ii) the SRA Phase 1 Contribution funding provided to the Recipient exceeds the additional municipal transit expenses the Recipient incurred, as a result of the COVID-19 pandemic, on or after April 1, 2020 and on or before September 30, 2020.

A4.3 Use of Funds. The Recipient will do all of the following:

- (a) spend the Funds only on Eligible Expenditures; and
- (b) not use the Funds to cover any Eligible Expenditure that has or will be funded or reimbursed by one or more of any third party, including any level of government, or ministry, agency, or organization of the Government of Ontario, other than the Province pursuant to the Agreement.

A4.4 **SRA Phase 1 Contribution, Rebates, Credits and Refunds.** The Province will calculate Funds based on the actual losses or costs to the Recipient for the Financial Impacts, less any actual losses or costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, SRA Phase 1 Contribution, a rebate, credit or refund.

A4.5 **Interest-Bearing Account.** If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest-bearing account in the name of the Recipient at a Canadian financial institution.

A4.6 **Interest.** If the Recipient earns any interest on the Funds, the Province may:

- (a) deduct an amount equal to the interest from any further instalments of Funds; or
- (b) demand from the Recipient the payment of an amount equal to the interest.

A5.0 RECIPIENT'S DISPOSAL OF ASSETS

A5.1 **Disposal.** The Recipient will not, without the Province's prior written consent and prior to the Expiry Date or earlier termination of the Agreement, sell, lease, or otherwise dispose of any asset purchased or created with the Funds.

A6.0 CONFLICT OF INTEREST

A6.1 **No Conflict of Interest.** The Recipient represents and warrants that there is and there will continue to be no conflict of interest in respect of any Eligible Expenditures claimed under the Agreement or the Financial Impacts and that the Recipient will use the Funds without an actual, potential, or perceived conflict of interest.

A6.2 **Conflict of Interest Includes.** For the purposes of this Article A6.0 (Conflict of Interest), a conflict of interest includes any circumstances where:

- (a) the Recipient; or
- (a) any person who has the capacity to influence the Recipient's decisions,

has outside commitments, relationships, or financial interests that could, or could be seen to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Eligible Expenditures claimed under the Agreement, the Financial Impacts or the use of the Funds.

A6.3 Disclosure to Province. The Recipient will:

- (a) disclose to the Province, without delay, any situation that a reasonable person would interpret as an actual, potential, or perceived conflict of interest; and
- (a) comply with any terms and conditions that the Province may prescribe as a result of the disclosure.

A7.0 REPORTING, ACCOUNTING AND REVIEW

A7.1 Province Includes. For the purposes of sections A7.4 (Records Review), A7.5 (Inspection and Removal) and A7.6 (Cooperation), “**Province**” includes any auditor or representative the Province may identify.

A7.2 Preparation and Submission. The Recipient will:

- (a) submit to the Province at the address referred to in section A15.1 (Notice in Writing and Addressed):
 - (i) all Reports in accordance with the timelines and content requirements as provided for in Schedule “D” (Claim and Attestation Submission, Supporting Documentation and Payment Procedures); and
 - (ii) any other reports in accordance with any timelines and content requirements the Province may specify from time to time; and
- (b) ensure that all Reports and other reports are:
 - (i) completed to the satisfaction of the Province; and
 - (ii) signed by an authorized signing officer of the Recipient.

A7.3 Record Maintenance. The Recipient will keep and maintain for a period of seven years from their creation:

- (a) proper and accurate financial accounts and records, kept in a manner consistent with generally accepted accounting principles in effect in Canada or with the public sector accounting standards approved or recommended by the Public Sector Accounting Board including, without limitation, its contracts, invoices, statements, receipts, and vouchers and any other evidence of payment relating to the Funds or otherwise to the Eligible Expenditures claimed under the Agreement or Financial Impacts; and

- (b) all non-financial records and documents relating to the Funds or otherwise to the Eligible Expenditures claimed under the Agreement or Financial Impacts.

A7.4 **Records Review.** The Province may, at its own expense, upon twenty-four hours' Notice to the Recipient and during normal business hours, enter upon the Recipient's premises to conduct an audit or investigation of the Recipient regarding the Recipient's compliance with the Agreement, including assessing any of the following:

- (a) the truth of any of the Recipient's representations and warranties; and
- (b) the Recipient's allocation and expenditure of the Funds.

A7.5 **Inspection and Removal.** For the purposes of any Records Review, the Province may take one or more of the following actions:

- (a) inspect and copy any records and documents referred to in section A7.3 (Record Maintenance); and
- (b) remove any copies the Province makes pursuant to section A7.5(a).

A7.6 **Cooperation.** To assist the Province in respect of its rights provided for in section A7.5 (Inspection and Removal), the Recipient will cooperate with the Province by:

- (a) ensuring that the Province has access to the records and documents including, without limitation, paid invoices and original receipts, wherever they are located;
- (b) assisting the Province in copying records and documents;
- (c) providing to the Province, in the form the Province specifies, any information the Province identifies; and
- (d) carrying out any other activities the Province requests.

A7.7 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

A7.8 **Auditor General.** The Province's rights under Article A7.0 (Reporting, Accounting and Review) are in addition to any rights provided to the Auditor General pursuant to section 9.2 of the *Auditor General Act* (Ontario).

A8.0 COMMUNICATIONS REQUIREMENTS

A8.1 Acknowledge Support. Unless the Province directs the Recipient to do otherwise, the Recipient will in each of its Agreement-related publications whether written, oral or visual:

- (a) acknowledge the support of the Province for the Funds provided under the Agreement;
- (b) ensure that any acknowledgement is in a form and manner as the Province directs; and
- (c) indicate that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

A8.2 Request from the Province in Respect of Communications Activities. The Recipient will, upon Notice from the Province, provide the Province with any information the Province may request in respect of any Communications Activities.

A9.0 INDEMNITY

A9.1 Indemnification. The Recipient will indemnify and hold harmless the Indemnified Parties from and against any Loss and any Proceeding, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

A10.0 INSURANCE

A10.1 Recipient's Insurance. The Recipient is responsible for its own insurance and has been carrying, at its own costs and expense, and requiring the same from its subcontractors, all the necessary and appropriate insurance that a prudent municipality in similar circumstances would maintain in order to protect itself and the Indemnified Parties and support the Recipient's indemnification set out in section A9.1 (Indemnification). For greater certainty, the Recipient is not covered by the Province of Ontario's insurance program and no protection will be afforded to the Recipient by the Government of Ontario for any Loss or Proceeding that may arise out of the Financial Impacts or the Agreement.

A11.0 TERMINATION ON NOTICE

A11.1 Termination on Notice. The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving at least 30 days' Notice to the Recipient.

A11.2 Consequences of Termination on Notice by the Province. If the Province terminates the Agreement pursuant to section A11.1 (Termination on Notice), the Province may take one or more of the following actions:

- (a) cancel all further instalments of Funds; and
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient.

A12.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A12.1 Events of Default. It will constitute an Event of Default if, in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement including, without limitation, failing to do any of the following in accordance with the terms and conditions of the Agreement:

- (a) use or spend any of the Funds or related interest for a purpose other than that contemplated under the Agreement without the prior written consent of the Province; or
- (b) provide, in accordance with section A7.2 (Preparation and Submission), Reports or such other reports as may have been requested pursuant to paragraph A7.2(b).

A12.2 Consequences of Events of Default and Corrective Action. If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) provide the Recipient with an opportunity to remedy the Event of Default;
- (b) suspend the payment of Funds for such period as the Province determines appropriate;
- (c) reduce the amount of the Funds;
- (d) cancel all further instalments of Funds;
- (e) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (f) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;

- (g) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient;
- (h) demand from the Recipient the payment of an amount equal to the costs the Province incurred or incurs to enforce its rights under the Agreement, including the costs of any Record Review and the costs it incurs to collect any amounts the Recipient owes to the Province; and
- (i) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A12.3 Opportunity to Remedy. If, in accordance with paragraph A12.2(a), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will provide Notice to the Recipient of:

- (a) the particulars of the Event of Default; and
- (b) the Notice Period.

A12.4 Recipient not Remediating. If the Province has provided the Recipient with an opportunity to remedy the Event of Default pursuant to paragraph A12.2(a), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in paragraphs A12.2 (b), (c), (d), (e), (f), (g), (h) and (i).

A12.5 When Termination Effective. Termination under this Article A12.0 (Event of Default, Corrective Action, and Termination for Default) will take effect as provided for in the Notice.

A13.0 FUNDS UPON EXPIRY

A13.1 Funds Upon Expiry. The Recipient will, upon expiry of the Agreement, pay to the Province any Funds and SRA Phase 1 Contribution and related interest remaining in its possession or under its control.

A14.0 DEBT DUE AND PAYMENT

A14.1 Payment of Overpayment. If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay an amount equal to the excess Funds to the Province.

A14.2 Debt Due. If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or
- (b) the Recipient owes any Funds or SRA Phase 1 Contribution, or an amount equal to any Funds or SRA Phase 1 Contribution to the Province, whether or not the Province has demanded their payment,

such amounts will be deemed to be a debt due and owing to the Province by the Recipient, and the Recipient will pay the amounts to the Province immediately, unless the Province directs otherwise.

A14.3 Interest Rate. The Province may charge the Recipient interest on any money owing by the Recipient at the then current interest rate charged by the Province of Ontario on accounts receivable.

A14.4 Payment of Money to Province. The Recipient will pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and delivered to the Province as provided for in Schedule "B" (Contact Information and Authorized Representatives).

A14.5 Fails to Pay. Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

A15.0 NOTICE

A15.1 Notice in Writing and Addressed. Notice will be:

- (a) in writing;

- (b) delivered by email, postage-prepaid mail, personal delivery or courier; and
- (c) addressed to the Province and the Recipient as set out in Schedule “B” (Contact Information and Authorized Representatives), or as either Party later designates to the other by Notice.

A15.2 Notice Given. Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; and
- (b) in the case of email, personal delivery or courier on the date on which the Notice is delivered.

A15.3 Postal Disruption. Despite paragraph A15.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will provide Notice by email, personal delivery or courier.

A16.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A16.1 Consent. When the Province provides its consent pursuant to the Agreement:

- (a) it will do so by Notice;
- (b) it may attach any terms and conditions to the consent; and
- (c) the Recipient may rely on the consent only if the Recipient complies with any terms and conditions the Province may have attached to the consent.

A17.0 SEVERABILITY OF PROVISIONS

A17.1 Invalidity or Unenforceability of Any Provision. The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement.

A18.0 WAIVER

A18.1 Waiver Request. Either Party may, by Notice, ask the other Party to waive an obligation under the Agreement.

A18.2 **Waiver Applies.** If in response to a request made pursuant to section A18.1 (Waiver Request) a Party consents to a waiver, the waiver will:

- (a) be valid only if the Party that consents to the waiver provides the consent by Notice; and
- (b) apply only to the specific obligation referred to in the waiver.

A19.0 INDEPENDENT PARTIES

A19.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any actions that could establish or imply such a relationship.

A20.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A20.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A20.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on:

- (a) the Recipient's successors, and permitted assigns; and
- (b) the successors to Her Majesty the Queen in right of Ontario.

A21.0 GOVERNING LAW

A21.1 **Governing Law.** The Agreement and the rights, obligations and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A22.0 FURTHER ASSURANCES

A22.1 **Agreement into Effect.** The Recipient will:

- (a) provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains; and

- (b) do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A23.0 JOINT AND SEVERAL LIABILITY

A23.1 **Joint and Several Liability.** Where the Recipient is comprised of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A24.0 RIGHTS AND REMEDIES CUMULATIVE

A24.1 **Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A25.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A25.1 **Other Agreements.** If the Recipient:

- (a) has failed to comply with any term, condition or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a “**Failure**”);
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A26.0 SURVIVAL

A26.1 Survival. The following Articles, sections and paragraphs, and all applicable cross-referenced Articles, sections, paragraphs, schedules and sub-schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0 (Entire Agreement), paragraph 3.2(b), Articles 2.0 (Conflict or Inconsistency), 5.0 (Acknowledgment), and A1.0 (Interpretation and Definitions) and any other applicable definitions, paragraph A2.1(a), sections A4.4 (SRA Phase 1 Contribution, Rebates, Credits and Refunds), A5.1 (Disposal), A7.1 (Province Includes), A7.2 (Preparation and Submission) to the extent that the Recipient has not provided the Reports or other reports as may have been requested to the satisfaction of the Province, A7.3 (Record Maintenance), A7.4 (Records Review), A7.5 (Inspection and Removal), A7.6 (Cooperation), A7.7 (No Control of Records), A7.8 (Auditor General), Articles A8.0 (Communications Requirements) and A9.0 (Indemnity), sections A11.2 (Consequences of Termination on Notice by the Province) and A12.1 (Events of Default), paragraphs A12.2 (b), (c), (d), (e), (f), (g), (h) and (i), Articles A13.0 (Funds Upon Expiry), A14.0 (Debt Due and Payment), A15.0 (Notice) and A17.0 (Severability of Provisions), section A20.2 (Agreement Binding), Articles A21.0 (Governing Law), A23.0 (Joint and Several Liability), and A24.0 (Rights and Remedies Cumulative), and this Article A26.0 (Survival).

A27.0 SPECIAL CONDITIONS

A27.1 Special Conditions. The Province's funding under the Agreement is conditional upon,

- (a) on or before the Effective Date, the Recipient providing the Province with:
 - (i) a copy of the by-law(s) and, if applicable, any council resolution(s) authorizing the execution of the Agreement by the Recipient;
 - (ii) the necessary information, including a void cheque or a blank letter, to facilitate an electronic transfer to an interest-bearing account in the name of the Recipient at a Canadian financial institution; and
 - (iii) the reporting form required for Phase 1 with the details on the use of the SRA Phase 1 Contribution and a forecast of Eligible Expenditures for the Eligibility Period; and
- (b) the Recipient, together with its claim for payment and to promote ridership growth and transit sustainability objectives, providing the Province with an attestation that the Recipient:

- (i) has engaged or will engage, as requested and in a manner to be specified by the Province, including share information, with the Province to determine the benefit of optional consolidated procurement of specific COVID-19 pandemic related items;
- (ii) has considered or will consider whether On-demand Microtransit, or other service innovations, would better serve Low-performing Routes or cancelled or new routes than traditional fixed-route service as part of the Recipient's regular service reviews;
- (iii) has engaged or will engage, as requested and in a manner to be specified by the Province, with the Province or Metrolinx, or both, on lessons learned and capacity building to support future consideration of On-demand Microtransit by the Recipient;
- (iv) has participated or will participate, as requested and in a manner to be specified by the Province, in discussions lead by the Province or Metrolinx, or both, on improved fare and service integration and work toward implementing options that would improve the rider experience; and
- (v) has requested in writing, provincial assistance in discussions to transform transit delivery between neighboring municipal governments, where there is a local interest and benefit to pursuing structural reforms.

For greater certainty, if the Province provides any Funds to the Recipient prior to any of the conditions set out in this Article A27.0 (Special Conditions) having been met, and has not otherwise waived compliance with such condition in writing, the Province may exercise one or more of the remedies available to it pursuant to section A12.4 (Recipient Not Remediating).

- END OF GENERAL TERMS AND CONDITIONS -

**SCHEDULE “B”
CONTACT INFORMATION AND AUTHORIZED REPRESENTATIVES**

Contact information for the purposes of Notice to the Province	<p>Address: Strategic Investments Office Ministry of Transportation 777 Bay, 30th Floor Toronto, ON M7A 2J8</p> <p>Attention: Kevin Dowling, Manager, Strategic Investments Office</p> <p>Phone: (416) 859-7912 Email: kevin.dowling@ontario.ca</p>
Contact information for the purposes of Notice to the Recipient	<p>Address: 450 Highbury Avenue North London, ON N5W 5L2</p> <p>Attention: Kelly Paleczny, General Manager, London Transit Commission</p> <p>Phone: (519) 451-1340 x337 Email: kpaleczn@londontransit.ca</p>
Contact information for the senior financial official in the Recipient organization (e.g., CFO, CAO) – to respond as required to requests from the Province in respect of the Agreement	<p>Address: 300 Dufferin Avenue, PO Box 5035 London, ON N6A 4L9</p> <p>Attention: Anna Lisa Barbon, Managing Director, Corporate Services and City Treasurer, Chief Financial Officer</p> <p>Phone: (519) 661-2489 x4705 Email: abarbon@london.ca</p>
Authorized representative of the Province for the purpose of section 4.2 (Execution of Amending Agreements)	<p>Position: Director, Municipal Programs Branch, Ministry of Transportation</p>
Authorized representative of the Recipient for the purpose of section 4.2 (Execution of Amending Agreements)	<p>Position: Managing Director, Corporate Services and City Treasurer, Chief Financial Officer</p>

**SCHEDULE “C”
ELIGIBLE EXPENDITURES AND INELIGIBLE EXPENDITURES**

C1.0 Definitions. In this Schedule “C” (Eligible Expenditures and Ineligible Expenditures), the following terms will have the following meanings:

“**MTEC**” means the Municipal Transit Enhanced Cleaning (MTEC) funding provided to Ontario municipalities for costs incurred related to the enhanced cleaning of transit vehicles and any other public and non-public facing transit assets resulting from the COVID-19 pandemic.

“**Operating Budget**” means the Recipient’s 2020 operating budget which has been prepared and adopted by the Recipient as required by section 290(1) of the *Municipal Act, 2001*.

C2.0 ELIGIBLE EXPENDITURES

C2.1 Scope of Eligible Expenditures. Eligible Expenditures include, at the Province’s sole discretion, the following Financial Impacts incurred during the Eligibility Period:

Revenue Losses

- (a) The following revenue losses measured against the Operating Budget (i.e., (revenue amount in the Operating Budget minus the actual revenue amount during the Eligibility Period) minus the non-COVID-19 pandemic revenue amount = the eligible revenue loss amount), that, in the opinion of the Province, the Recipient properly and reasonably incurred as a result of the COVID-19 pandemic will be considered Eligible Expenditures:
- (i) farebox revenue losses;
 - (ii) advertising revenue losses;
 - (iii) parking revenue losses;
 - (iv) contract revenue losses; and
 - (v) any other revenue loss the Recipient incurred as a result of the COVID-19 pandemic that, in the opinion of the Province, is considered eligible.

Operating Costs

- (b) The following operating costs measured against the Operating Budget (i.e., (operating costs amount in the Operating Budget minus the actual operating costs amount during the Eligibility Period) minus the non-COVID-19 pandemic operating costs amount = the eligible operating costs amount) that, in the opinion of the Province, the Recipient properly and reasonably incurred and paid as a result of the COVID-19 pandemic will be considered Eligible Expenditures:
- (i) costs associated with vehicle cleaning, except for those for which MTEC funds have been provided or claimed;
 - (ii) costs associated with changes in fuel consumption (e.g., increases due to running additional buses or savings in consumption relating to lower service levels than budgeted, or both);
 - (iii) costs associated with vehicle maintenance;
 - (iv) costs associated with transit facilities;
 - (v) costs resulting from existing contracts with expanded scope/new contracts;
 - (vi) employee related costs (i.e., salaries, wages, benefits);
 - (vii) costs for employee personal protection equipment (e.g., face masks, gloves, sanitizer);
 - (viii) costs for signage and other means of communications related to the COVID-19 pandemic (e.g., social distance guidance); and
 - (ix) any other operating cost the Recipient incurred as a result of the COVID-19 pandemic that, in the opinion of the Province, is considered eligible.

Capital Costs

- (c) The following capital costs that, in the opinion of the Province, the Recipient properly and reasonably incurred and paid as a result of the COVID-19 pandemic, will be considered Eligible Expenditures:
- (i) costs associated with installing driver protection barriers and other protection measures for transit drivers;
 - (ii) costs associated with providing passenger protection equipment and other passenger safety measures; and

- (iii) any other capital cost the Recipient incurred as a result of the COVID-19 pandemic that, in the opinion of the Province, is considered eligible.

C3.0 INELIGIBLE EXPENDITURES

C3.1 Scope of Ineligible Expenditures. Unless a cost or a loss is considered an Eligible Expenditure pursuant to section C2.1 (Scope of Eligible Expenditures), such cost or loss will be considered an Ineligible Expenditure. Without limitation, the following costs and loss will be considered Ineligible Expenditures:

- (a) costs incurred outside of the Eligibility Period;
- (b) costs not paid prior to having been submitted to the Province for payment;
- (c) Recipient's staff, including permanent and seasonal, salaries and travel costs unless otherwise indicated in paragraph (b)(vi) of section C2.1 (Scope of Eligible Expenditures);
- (d) legal, audit, or interest fees;
- (e) costs for which MTEC funds have been provided or claimed;
- (f) any operating or capital cost that, in the opinion of the Province, the Recipient could not have properly and reasonably incurred or paid, or both, during the Eligibility Period and as a result of the COVID-19 pandemic (i.e., excess purchases or stockpiling);
- (g) any loss that, in the opinion of the Province, the Recipient could not have properly and reasonably incurred during the Eligibility Period and as a result of the COVID-19 pandemic;
- (h) refundable Harmonized Sales Tax or other refundable expenses; and
- (i) any other cost which is not specifically listed as an Eligible Expenditure under section C2.1 (Scope of Eligible Expenditure) and which, in the opinion of the Province, is considered ineligible.

**SCHEDULE “D”
CLAIM AND ATTESTATION SUBMISSION,
SUPPORTING DOCUMENTATION AND PAYMENT PROCEDURES**

D1.0 CLAIM AND ATTESTATION

D1.1 Claim and Attestation from the Recipient’s Senior Financial Official. The Recipient will use the form in Sub-schedule “D.1” (Claim and Attestation Form) for the submission of its claim for payment.

D2.0 SUPPORTING DOCUMENTATION

D2.1 Report on Expenditures and Additional Report and Information. The Recipient will, together with the claim form described in section D1.1 (Claim and Attestation from the Recipient’s Senior Financial Official), submit the following supporting documentation with its claim for payment:

- (a) a report on expenditures using the form in Appendix A (Form of Report on Expenditures) to Sub-schedule “D.1” (Claim and Attestation Form); and
- (b) any additional reports or information, or both, the Province may request at its sole discretion and in a form provided by the Province.

D3.0 PAYMENT PROCEDURES

D3.1 Submission of Claim for Payment and Required Documentation. The Recipient will submit its claim for payment, together with the supporting documentation set out in section D1.1 (Claim and Attestation from the Recipient’s Senior Financial Official) and section D2.1 (Report on Expenditures and Additional Report and Information) on or before May 31, 2021, or at a later date upon Notice from the representative of the Province on the signature page above or in Schedule “B” (Contact Information and Authorized Representatives).

D3.2 Claim Payments. Subject to the terms and conditions set out in the Agreement and if due and owing under the Agreement, the Province will use its reasonable efforts to make the payment to the Recipient for the claim submitted pursuant to section D3.1 (Submission of Claim for Payment and Required Documentation) in a timely manner.

D3.3 No Interest. The Province will under no circumstances be liable for interest for failure to make a payment within the time limit provided for in section D3.2 (Claim Payments).

D3.4 **No Obligation to Pay.** For greater clarity and without limitation to any other right of the Province, the Province will have no obligation to pay a claim if it does not meet the terms and conditions of the Agreement including, without limitation, if the claim is missing any of the required supporting documentation or is submitted after May 31, 2021, or at a later date upon Notice from the representative of the Province on the signature page above or in Schedule “B” (Contact Information and Authorized Representatives), or both.

**SUB-SCHEDULE “D.1”
CLAIM AND ATTESTATION FORM**

TO: Ministry of Transportation
Transportation Programs Office

Attention: Manager, Transportation Programs Office

Email: MTO-COVID_Transit_Funding@ontario.ca

FROM: **[Insert name of Recipient]**

Attention: **[insert name and title of Recipient senior official]**

Telephone No.: **[insert telephone number of Recipient senior official]**

RE: Safe Restart Agreement – Phase 2 Municipal Transit Funding

In the matter of the Safe Restart Agreement (SRA) – Phase 2 Municipal Transit Funding entered into between Her Majesty the Queen in right of Ontario, represented by the Minister of Transportation for the Province of Ontario, and the **[insert the legal name of the Recipient]** (the “Recipient”), on _____, _____ (the “Agreement”).

I, _____ **[insert the name and title of the Recipient’s senior official]**, an authorized representative of the Recipient, having made such inquiries as I have deemed necessary for this attestation, hereby certify that to the best of my knowledge, information and belief.

On the date set out below:

- 1) all representations and warranties contained in Article A2.0 (Representations, Warranties, and Covenants) of Schedule “A” (General Terms and Conditions) to the Agreement are true and correct.
- 2) the Recipient is in compliance with all the terms and conditions of the Agreement.;
- 3) the information in respect of the Eligible Expenditures that is contained in the attached Appendix A (Report on Expenditures) is true and correct.
- 4) the Eligible Expenditures claimed in the attached Appendix A (Report on Expenditures) have:
 - (a) in respect of the losses, been incurred during the Eligibility Period;

- (b) in respect of the operating and capital costs, been incurred during the Eligibility Period;
 - (c) have only been expended on Financial Impacts as defined in section A1.2 (Definitions) of the Agreement;
 - (d) have not been and will not be funded or reimbursed through any other funding program; and
 - (e) have not replaced the budgeted subsidy that the Recipient provides to transit operations.
- 5) the Recipient has not received and will not receive SRA Phase 1 Contribution, a rebate, credit or refund for any Eligible Expenditures claimed or, if it did, those were deducted from the Eligible Expenditures claimed.
- 6) the Recipient is in compliance with all of the reporting requirements of the Agreement.
- 7) the Recipient:
- (a) has engaged or will engage, as requested and in a manner to be specified by the Province, including share information, with the Province to determine the benefit of optional consolidated procurement of specific COVID-19 pandemic related items;
 - (b) has considered or will consider whether On-demand Microtransit, or other service innovations, would better serve Low-performing Routes, cancelled or new routes than traditional fixed-route service as part of the Recipient's regular service reviews;
 - (c) has engaged or will engage, as requested and in a manner to be specified by the Province, with the Province or Metrolinx, or both, on lessons learned and capacity building to support future consideration of On-demand Microtransit by the Recipient;
 - (d) has participated or will participate, as requested and in a manner to be specified by the Province, in discussions lead by the Province or Metrolinx, or both, on improved fare and service integration and work toward implementing options that would improve the rider experience; and
 - (e) has requested, in writing, provincial assistance in discussions to transform transit delivery between neighboring municipal governments, where there is a local interest and benefit to pursuing structural reforms.

By signing below, I hereby claim payment in the amount of \$ _____, on behalf of the Recipient, on account of the Province's contribution towards the Eligible Expenditures of the Agreement.

Declared at _____ (city), in the Province of Ontario, this _____ day of _____, 20_____.

(Signatures)

Name:

Title:

I have authority to bind the Recipient.

**APPENDIX A
FORM OF REPORT ON EXPENDITURES
TO
SUB-SCHEDULE "D.1" (CLAIM AND ATTESTATION FORM)**

Safe Restart Agreement (SRA) Phase 2 Municipal Transit Funding Expenditure Report for the Eligibility Period	
Date:	
Recipient's Name:	
Total Funds Allocated:	
Total Funds Claimed:	
Remaining Allocation:	

<i>See Schedule "C" (Eligible Expenditures & Ineligible Expenditures, including Articles C2.0 (Eligible Expenditures) & C 3.0 (Ineligible Expenditures) for details on Eligible Expenditures & Ineligible Expenditures</i>		October 2020	November 2020	December 2020	January 2021	February 2021	March 2021	[Note: If the Eligibility Period is extended pursuant to section 1.2 (Definitions) of the Agreement, add a new column for each additional month]	Total
Revenue Losses	Farebox								
	Advertising								
	Parking								
	Contracts (e.g., school)								
	Other Revenue ¹								
Operating Costs	Vehicle Cleaning ²								
	Changes in Fuel Consumption								
	Vehicle Maintenance								
	Transit Facilities								
	Existing Contracts with Expanding Scope/New Contracts								
	Employee								
	Employee PPE								

	Communications								
	Other Operating Costs ³								
Capital Costs	Driver Protection								
	Passenger Protection								
	Other Capital Costs ⁴								
Net Monthly Impact - Pressure/(Savings):									
Cumulative Impact - Pressure/(Savings):									

¹Other revenue impacts beyond those listed above

²Cleaning costs beyond costs reimbursed through Municipal Transit Enhancement Cleaning funding

³Additional COVID related operating costs beyond those listed above

⁴See workbook tab and/or comments for details

The Recipient attests to the following conditions from the drop-down menu, as outlined in Schedule A (General Terms and Conditions), paragraph 27.1(b) of the Transfer Payment Agreement,

Condition	Select
Has engaged or will engage, as requested and in a manner to be specified by the Province, including share information, with the Province to determine the benefit of optional consolidated procurement of specific COVID-19 pandemic related items.	
Has considered or will consider whether On-demand Microtransit, or other service innovations, would better serve low-performing, cancelled or new routes than traditional fixed-route service as part of the Recipient's regular service reviews.	

<p>Has engaged or will engage, as requested and in a manner to be specified by the Province, with the Province or Metrolinx, or both, on lessons learned and capacity building to support future consideration of On-demand Microtransit by the Recipient.</p>		
<p>Has participated or will participate, as requested and in a manner to be specified by the Province, in discussions lead by the Province or Metrolinx, or both, on improved fare and service integration and work toward implementing options that would improve the rider experience.</p>		
<p>Has requested, in writing, provincial assistance in discussions to transform transit delivery between neighboring municipal governments, where there is a local interest and benefit to pursuing structural reforms.</p>		

Results Achieved with Provincial Funding:

Additional Comments:

Conclusion:

Recommended for payment:

Date:

Recommended for payment:

Date:

**[insert/print the name and title of the Recipient's
authorized representative]**

**[insert/print the name of the
Director]
Director, Ministry of Transportation**

Bill No. 93
2021

By-law No. A.-_____ - ____

A by-law to approve and authorize the execution of two Ontario Transfer Payment Agreements between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing and the City of London for the provision of funding for two projects under this intake of the Audit and Accountability Fund

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

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

AND WHEREAS 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, among other things: i) economic, social and environmental well-being of the municipality, including respecting climate change; ii) services or things that the municipality is authorized to provide.

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

1. The Ontario Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing and The Corporation of the City of London for the provision of funding to retain an independent third-party reviewer to undertake a procurement process assessment review ("Agreement 1") attached as Schedule "1" to this by-law is hereby authorized and approved.
2. The Mayor and the City Clerk are hereby authorized to execute Agreement 1 authorized and approved under section 1 of this by-law.
3. The Ontario Transfer Payment Agreement between Her Majesty the Queen in right of the Province of Ontario, as represented by the Minister of Municipal Affairs and Housing and The Corporation of the City of London for the provision of funding to retain an independent third-party reviewer to undertake a parking services integration and digital modernization review ("Agreement 2") attached as Schedule "2" to this by-law is hereby authorized and approved.
4. The Mayor and the City Clerk are hereby authorized to execute Agreement 2 authorized and approved under section 3 of this by-law.
5. The City Treasurer is authorized to approve and sign any reports required under Agreement 1 and Agreement 2.
6. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

SCHEDULE 1
ONTARIO TRANSFER PAYMENT AGREEMENT

THE AGREEMENT is effective as of the _____ day of _____, 20____

B E T W E E N :

**Her Majesty the Queen in right of Ontario
as represented by the Minister of Municipal Affairs and
Housing**

(the “Province”)

- and -

The Corporation of the City of London

(the “Recipient”)

CONSIDERATION

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

1.1 Schedules to the Agreement. The following schedules form part of the Agreement:

Schedule “A” - General Terms and Conditions
Schedule “B” - Project Specific Information and Additional Provisions
Schedule “C” - Project
Schedule “D” - Budget
Schedule “E” - Payment Plan
Schedule “F” - Reports.

1.2 Entire Agreement. The Agreement constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between the Additional Provisions and the provisions in Schedule “A”, the following rules will apply:

- (a) the Parties will interpret any Additional Provisions in so far as possible, in a way that preserves the intention of the Parties as expressed in Schedule “A”; and
- (b) where it is not possible to interpret the Additional Provisions in a way that is consistent with the provisions in Schedule “A”, the Additional Provisions will prevail over the provisions in Schedule “A” to the extent of the inconsistency.

3.0 COUNTERPARTS

3.1 **One and the Same Agreement.** The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

4.0 AMENDING THE AGREEMENT

4.1 **Amending the Agreement.** The Agreement may only be amended by a written agreement duly executed by the Parties.

5.0 ACKNOWLEDGEMENT

5.1 **Acknowledgement.** The Recipient acknowledges that:

- (a) the Funds are to assist the Recipient to carry out the Project and not to provide goods or services to the Province;
- (b) the Province is not responsible for carrying out the Project; and
- (c) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO as represented by the Minister of
Municipal Affairs and Housing**

Date

Name:
Title:

The Corporation of the City of London

Date

Name:
Title:

I have authority to bind the Recipient.

Date

Name:
Title:

I have authority to bind the Recipient.

SCHEDULE "A"
GENERAL TERMS AND CONDITIONS

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 **Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) "include", "includes" and "including" denote that the subsequent list is not exhaustive.

A1.2 **Definitions.** In the Agreement, the following terms will have the following meanings:

"Additional Provisions" means the terms and conditions set out in Schedule "B".

"Agreement" means this agreement entered into between the Province and the Recipient, all of the schedules listed in section 1.1, and any amending agreement entered into pursuant to section 4.1.

"Budget" means the budget attached to the Agreement as Schedule "D".

"Business Day" means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year's Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

"Effective Date" means the date set out at the top of the Agreement.

"Event of Default" has the meaning ascribed to it in section A12.1.

"Expiry Date" means the expiry date set out in Schedule "B".

"Funding Year" means:

- (a) in the case of the first Funding Year, the period commencing on the

Effective Date and ending on the following March 31; and

- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31 or the Expiry Date, whichever is first.

“Funds” means the money the Province provides to the Recipient pursuant to the Agreement.

“Indemnified Parties” means Her Majesty the Queen in right of Ontario, and includes Her ministers, agents, appointees, and employees.

“Loss” means any cause of action, liability, loss, cost, damage, or expense (including legal, expert and consultant fees) that anyone incurs or sustains as a result of or in connection with the Project or any other part of the Agreement.

“Maximum Funds” means the maximum set out in Schedule “B”.

“Notice” means any communication given or required to be given pursuant to the Agreement.

“Notice Period” means the period of time within which the Recipient is required to remedy an Event of Default pursuant to section A12.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A12.4.

“Parties” means the Province and the Recipient.

“Party” means either the Province or the Recipient.

“Proceeding” means any action, claim, demand, lawsuit, or other proceeding that anyone makes, brings or prosecutes as a result of or in connection with the Project or with any other part of the Agreement.

“Project” means the undertaking described in Schedule “C”.

“Records Review” means any assessment the Province conducts pursuant to section A7.4.

“Reports” means the reports described in Schedule “F”.

A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS

A2.1 General. The Recipient represents, warrants, and covenants that:

- (a) it has, and will continue to have, the experience and expertise necessary to carry out the Project;
- (b) it is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules, and by-laws related to any aspect of the Project, the Funds, or both; and
- (c) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete.

A2.2 **Execution of Agreement.** The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and
- (b) taken all necessary actions to authorize the execution of the Agreement, including passing a municipal by-law authorizing the Recipient to enter into the Agreement.

A2.3 **Governance.** The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) procedures to enable the Recipient to manage Funds prudently and effectively;
- (b) procedures to enable the Recipient to complete the Project successfully;
- (c) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;
- (d) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0; and
- (e) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

A2.4 **Supporting Proof.** Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in Article A2.0.

A3.0 TERM OF THE AGREEMENT

A3.1 **Term.** The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0 or Article A12.0.

A4.0 FUNDS AND CARRYING OUT THE PROJECT

A4.1 **Funds Provided.** The Province will:

- (a) provide the Recipient up to the Maximum Funds for the purpose of carrying out the Project;
- (b) provide the Funds to the Recipient in accordance with the payment plan attached to the Agreement as Schedule “E”; and
- (c) deposit the Funds into an account the Recipient designates provided that the account:
 - (i) resides at a Canadian financial institution; and
 - (ii) is in the name of the Recipient.

A4.2 **Limitation on Payment of Funds.** Despite section A4.1:

- (a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides evidence satisfactory to the Province that the Recipient’s council has authorized the execution of this Agreement by the Recipient by municipal by-law;
- (b) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the certificates of insurance or other proof as the Province may request pursuant to section A10.2;
- (c) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project; and
- (d) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Province’s assessment of the information the Recipient provides to the Province pursuant to section A7.2.

A4.3 **Use of Funds and Carry Out the Project.** The Recipient will do all of the following:

- (a) carry out the Project in accordance with the Agreement;

- (b) use the Funds only for the purpose of carrying out the Project;
- (c) spend the Funds only in accordance with the Budget;
- (d) not use the Funds to cover any cost that has or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario.

A4.4 **Interest Bearing Account.** If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest bearing account in the name of the Recipient at a Canadian financial institution.

A4.5 **Interest.** If the Recipient earns any interest on the Funds, the Province may do either or both of the following:

- (a) deduct an amount equal to the interest from any further instalments of Funds;
- (b) demand from the Recipient the payment of an amount equal to the interest.

A4.6 **Rebates, Credits, and Refunds.** The Province will calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS

A5.1 **Acquisition.** If the Recipient acquires goods, services, or both with the Funds, it will do so through a process that promotes the best value for money.

A5.2 **Disposal.** The Recipient will not, without the Province's prior consent, sell, lease, or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded the amount as provided for in Schedule "B" at the time of purchase.

A6.0 CONFLICT OF INTEREST

A6.1 **Conflict of Interest Includes.** For the purposes of Article A6.0, a conflict of interest includes any circumstances where:

- (a) the Recipient; or
- (b) any person who has the capacity to influence the Recipient's decisions,

has outside commitments, relationships, or financial interests that could, or could be seen by a reasonable person to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Project, the use of the Funds, or both.

A6.2 **No Conflict of Interest.** The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest unless:

- (a) the Recipient:
 - (i) provides Notice to the Province disclosing the details of the actual, potential, or perceived conflict of interest;
 - (ii) requests the consent of the Province to carry out the Project with an actual, potential, or perceived conflict of interest;
- (b) the Province provides its consent to the Recipient carrying out the Project with an actual, potential, or perceived conflict of interest; and
- (c) the Recipient complies with any terms and conditions the Province may prescribe in its consent.

A7.0 REPORTS, ACCOUNTING, AND REVIEW

A7.1 **Province Includes.** For the purposes of sections A7.4, A7.5 and A7.6, “**Province**” includes any auditor or representative the Province may identify.

A7.2 **Preparation and Submission.** The Recipient will:

- (a) submit to the Province at the address referred to in section A17.1:
 - (i) all Reports in accordance with the timelines and content requirements as provided for in Schedule “F”;
 - (ii) any other reports in accordance with any timelines and content requirements the Province may specify from time to time;
- (b) ensure that all Reports and other reports are:
 - (i) completed to the satisfaction of the Province; and
 - (i) signed by an authorized signing officer of the Recipient.

A7.3 **Record Maintenance.** The Recipient will keep and maintain for a period of seven years from their creation:

- (a) all financial records (including invoices and evidence of payment) relating to the Funds or otherwise to the Project in a manner consistent with either international financial reporting standards or generally accepted accounting principles or any other accounting principles that apply to the Recipient; and
- (b) all non-financial records and documents relating to the Funds or otherwise to the Project.

A7.4 **Records Review.** The Province may, at its own expense, upon twenty-four hours' Notice to the Recipient and during normal business hours enter upon the Recipient's premises to conduct an audit or investigation of the Recipient regarding the Recipient's compliance with the Agreement, including assessing any of the following:

- (a) the truth of any of the Recipient's representations and warranties;
- (b) the progress of the Project;
- (c) the Recipient's allocation and expenditure of the Funds.

A7.5 **Inspection and Removal.** For the purposes of any Records Review, the Province may take one or more of the following actions:

- (a) inspect and copy any records and documents referred to in section A7.3; and
- (b) remove any copies the Province makes pursuant to section A7.5(a).

A7.6 **Cooperation.** To assist the Province in respect of its rights provided for in section A7.5, the Recipient will cooperate with the Province by:

- (a) ensuring that the Province has access to the records and documents wherever they are located;
- (b) assisting the Province to copy records and documents;
- (c) providing to the Province, in the form the Province specifies, any information the Province identifies; and
- (d) carrying out any other activities the Province requests.

A7.7 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

A7.8 **Auditor General.** The Province's rights under Article A7.0 are in addition to

any rights provided to the Auditor General pursuant to section 9.2 of the *Auditor General Act* (Ontario).

A8.0 COMMUNICATIONS REQUIREMENTS

A8.1 Acknowledge Support. Unless the Province directs the Recipient to do otherwise, the Recipient will in each of its Project-related publications, whether written, oral, or visual:

- (a) acknowledge the support of the Province for the Project;
- (b) ensure that any acknowledgement is in a form and manner as the Province directs; and
- (c) indicate that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

A9.0 INDEMNITY

A9.1 Indemnification. The Recipient will indemnify and hold harmless the Indemnified Parties from and against any Loss and any Proceeding, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

A10.0 INSURANCE

A10.1 Recipient's Insurance. The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than the amount provided for in Schedule "B" per occurrence, which commercial general liability insurance policy will include the following:

- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

A10.2 Proof of Insurance. The Recipient will:

- (a) provide to the Province, either:
 - (i) certificates of insurance that confirm the insurance coverage as provided for in section A10.1; or
 - (ii) other proof that confirms the insurance coverage as provided for in section A10.1; and
- (b) in the event of a Proceeding, and upon the Province's request, the Recipient will provide to the Province a copy of any of the Recipient's insurance policies that relate to the Project or otherwise to the Agreement, or both.

A11.0 TERMINATION ON NOTICE

A11.1 Termination on Notice. The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving 30 days' Notice to the Recipient.

A11.2 Consequences of Termination on Notice by the Province. If the Province terminates the Agreement pursuant to section A11.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:
 - (i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to section A11.2(b); and
 - (ii) subject to section A4.1(a), provide Funds to the Recipient to cover such costs.

A12.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A12.1 Events of Default. It will constitute an Event of Default if, in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:

- (i) carry out the Project;

- (ii) use or spend Funds; or
- (iii) provide, in accordance with section A7.2, Reports or such other reports as the Province may have requested pursuant to section A7.2(a)(ii).

A12.2 Consequences of Events of Default and Corrective Action. If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient;
- (i) demand from the Recipient an amount equal to the costs the Province incurred or incurs to enforce its rights under the Agreement, including the costs of any Record Review and the costs it incurs to collect any amounts the Recipient owes to the Province; and
- (j) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A12.3 Opportunity to Remedy. If, in accordance with section A12.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will give Notice to the Recipient of:

- (a) the particulars of the Event of Default; and

(b) the Notice Period.

A12.4 **Recipient not Remedying.** If the Province provided the Recipient with an opportunity to remedy the Event of Default pursuant to section A12.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A12.2(a), (c), (d), (e), (f), (g), (h), and (i).

A12.5 **When Termination Effective.** Termination under Article A12.0 will take effect as provided for in the Notice.

A13.0 FUNDS AT THE END OF A FUNDING YEAR

A13.1 **Funds at the End of a Funding Year.** Without limiting any rights of the Province under Article A12.0, if the Recipient has not spent all of the Funds allocated for the Funding Year as provided for in the Budget, the Province may take one or both of the following actions:

- (a) demand from the Recipient payment of the unspent Funds; and
- (b) adjust the amount of any further instalments of Funds accordingly.

A14.0 FUNDS UPON EXPIRY

A14.1 **Funds Upon Expiry.** The Recipient will, upon expiry of the Agreement, pay to the Province any Funds remaining in its possession, under its control, or both.

A15.0 DEBT DUE AND PAYMENT

A15.1 **Payment of Overpayment.** If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay to the Province an amount equal to the

excess Funds.

A15.2 **Debt Due.** If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or
- (b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not the Province has demanded their payment,

such amounts will be deemed to be debts due and owing to the Province by the Recipient, and the Recipient will pay the amounts to the Province immediately, unless the Province directs otherwise.

A15.3 **Interest Rate.** The Province may charge the Recipient interest on any money owing to the Province by the Recipient under the Agreement at the then current interest rate charged by the Province of Ontario on accounts receivable.

A15.4 **Payment of Money to Province.** The Recipient will pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and delivered to the Province as provided for in Schedule "B".

A15.5 **Fails to Pay.** Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

A16.0 NOTICE

A16.1 **Notice in Writing and Addressed.** Notice will be:

- (a) in writing;
- (b) delivered by email, postage-prepaid mail, personal delivery, courier or fax; and
- (c) addressed to the Province or the Recipient as set out in Schedule "B", or as either Party later designates to the other by Notice.

A16.2 **Notice Given.** Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; or
- (b) in the case of fax, one Business Day after the Notice is delivered; and

- (c) in the case of email, personal delivery or courier on the date on which the Notice is delivered.

A16.3 **Postal Disruption.** Despite section A16.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will give Notice by email, personal delivery, courier or fax.

A17.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A17.1 **Consent.** When the Province provides its consent pursuant to the Agreement:

- (a) it will do so by Notice;
- (b) it may attach any terms and conditions to the consent; and
- (c) the Recipient may rely on the consent only if the Recipient complies with any terms and conditions the Province may have attached to the consent.

A18.0 SEVERABILITY OF PROVISIONS

A18.1 **Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement.

A19.0 WAIVER

A19.1 **Waiver Request.** Either Party may, by Notice, ask the other Party to waive an obligation under the Agreement.

A19.2 **Waiver Applies.** If in response to a request made pursuant to section A19.1 a Party consents to a waiver, the waiver will:

- (a) be valid only if the Party that consents to the waiver provides the consent by Notice; and
- (b) apply only to the specific obligation referred to in the waiver.

A20.0 INDEPENDENT PARTIES

A20.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any

actions that could establish or imply such a relationship.

A21.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A21.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A21.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on:

- (a) the Recipient's successors, and permitted assigns; and
- (b) the successors to Her Majesty the Queen in right of Ontario.

A22.0 GOVERNING LAW

A22.1 **Governing Law.** The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A23.0 FURTHER ASSURANCES

A23.1 **Agreement into Effect.** The Recipient will:

- (a) provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains; and
- (b) do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A24.0 JOINT AND SEVERAL LIABILITY

A24.1 **Joint and Several Liability.** Where the Recipient comprises of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A25.0 RIGHTS AND REMEDIES CUMULATIVE

A25.1 **Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A26.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A26.1 Other Agreements. If the Recipient:

- (a) has failed to comply with any term, condition, or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a “**Failure**”);
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A27.0 SURVIVAL

A27.1 Survival. The following Articles and sections, and all applicable cross-referenced Articles, sections and schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0, Article 2.0, Article A1.0 and any other applicable definitions, section A2.1(a), sections A4.4, A4.5, A4.6, section A5.2, section A7.1, A7.2 (to the extent that the Recipient has not provided the Reports or other reports as the Province may have requested and to the satisfaction of the Province), sections A7.3, A7.4, A7.5, A7.6, A7.7, A7.8, Article A8.0, Article A9.0, section A11.2, sections A12.1, sections A12.2(d), (e), (f), (g), (h), (i), and (j), Article A13.0, Article A14.0, Article A15.0, Article A16.0, Article A18.0, , section A21.2, Article A22.0, Article A24.0, Article A25.0 and Article A27.0.

- END OF GENERAL TERMS AND CONDITIONS -

SCHEDULE "B"
PROJECT SPECIFIC INFORMATION AND ADDITIONAL PROVISIONS

Maximum Funds	\$180,000
Expiry Date	December 31, 2021
Amount for the purposes of section A5.2 (Disposal) of Schedule "A"	\$5,000.00
Insurance	\$ 2,000,000
Contact information for the purposes of Notice to the Province	<p>Name: Karen Partanen</p> <p>Position: Manager, Municipal Programs and Outreach Unit</p> <p>Address: 777 Bay Street, Toronto, Ontario M7A 2J3, 16th Floor</p> <p>Email: karen.partanen@ontario.ca</p>
Contact information for the purposes of Notice to the Recipient	<p>Position:</p> <p>Address:</p> <p>Fax:</p> <p>Email:</p>
Contact information for the senior financial person in the Recipient organization (e.g., CFO, CAO) – to respond as required to requests from the Province related to the Agreement	<p>Position:</p> <p>Address:</p> <p>Fax:</p> <p>Email:</p>

Additional Provisions:

B1 Section 4.3 of Schedule "A" is amended by adding the following subsection:

- (e) use the Funds only for the purpose of reimbursement for the actual amount paid to the independent third-party reviewer in accordance with the Project;

and,

- (f) Not use the Funds for the purpose of paying the salaries of the Recipient's employees.

SCHEDULE "C"
PROJECT

Objectives

The objective of the Project is to develop a:

1. Procurement Assessment Report
2. Data Maturity Report
3. Spend Analysis Process Framework

Description

The Recipient will retain an independent third-party reviewer to undertake a procurement process assessment review. As part of the review, the reviewer will provide an independent assessment of the Recipient's procurement spend and the maturity of its procurement function.

Independent Third-Party Reviewer's Report

The Recipient will retain the independent third-party reviewer to compile the findings and recommendations in the Independent Third-Party Reviewer's Report.

The Recipient will submit the report to the Province and publish the report on the Recipient's publicly accessible website by December 15, 2021.

The report will summarize the reviewer's findings and identify specific, actionable recommendations based on the analysis and findings that aim to identify cost savings and improved efficiencies.

SCHEDULE "D"
BUDGET

Item	Amount
Reimbursement for payments to the independent third-party reviewer	Up to \$180,000

**SCHEDULE "E"
PAYMENT PLAN**

Milestone	Scheduled Payment
<ul style="list-style-type: none"> • Execution of the Agreement 	Initial payment of \$99,000 made to the Recipient no more than thirty (30) days after the execution of the Agreement
<ul style="list-style-type: none"> • Submission of the Independent Third-Party Reviewer's Report to the Province • Publishing of the Independent Third-Party Reviewer's Report • Submission of the Final Report Back to the Province 	Final payment of up to \$81,000 made to the Recipient no more than thirty (30) days after the Province's approval of the Final Report Back

**SCHEDULE “F”
REPORTS**

Name of Report	Reporting Due Date
1. Final Report Back	December 15, 2021

Report Details

1. Final Report Back

The Recipient will submit a Final Report Back to the Province by December 15th, 2021 using the reporting template provided by the Province. The Final Report Back will include:

- A hyperlink to the Independent Third-Party Reviewer's Report on the Recipient's publicly accessible website,
- A 250-word abstract of the Project and its findings,
- The actual amount paid by the Recipient to the independent third-party reviewer in accordance with the Project with supporting documentation, such as invoices or receipts, showing actual costs incurred, and
- A statement indicating the percentage of the total amount of service delivery expenditures reviewed that are identified as potential cost savings in the Independent Third-Party Reviewer's Report, which will be the performance measure for the Project.

SCHEDULE 2
ONTARIO TRANSFER PAYMENT AGREEMENT

THE AGREEMENT is effective as of the _____ day of _____, 20____

B E T W E E N :

**Her Majesty the Queen in right of Ontario
as represented by the Minister of Municipal Affairs and
Housing**

(the “Province”)

- and -

The Corporation of the City of London

(the “Recipient”)

CONSIDERATION

In consideration of the mutual covenants and agreements contained in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the Province and the Recipient agree as follows:

1.0 ENTIRE AGREEMENT

1.1 Schedules to the Agreement. The following schedules form part of the Agreement:

Schedule “A” - General Terms and Conditions
Schedule “B” - Project Specific Information and Additional Provisions
Schedule “C” - Project
Schedule “D” - Budget
Schedule “E” - Payment Plan
Schedule “F” - Reports.

1.2 Entire Agreement. The Agreement constitutes the entire agreement between the Parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.

2.0 CONFLICT OR INCONSISTENCY

2.1 **Conflict or Inconsistency.** In the event of a conflict or inconsistency between the Additional Provisions and the provisions in Schedule “A”, the following rules will apply:

- (a) the Parties will interpret any Additional Provisions in so far as possible, in a way that preserves the intention of the Parties as expressed in Schedule “A”; and
- (b) where it is not possible to interpret the Additional Provisions in a way that is consistent with the provisions in Schedule “A”, the Additional Provisions will prevail over the provisions in Schedule “A” to the extent of the inconsistency.

3.0 COUNTERPARTS

3.1 **One and the Same Agreement.** The Agreement may be executed in any number of counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.

4.0 AMENDING THE AGREEMENT

4.1 **Amending the Agreement.** The Agreement may only be amended by a written agreement duly executed by the Parties.

5.0 ACKNOWLEDGEMENT

5.1 **Acknowledgement.** The Recipient acknowledges that:

- (a) the Funds are to assist the Recipient to carry out the Project and not to provide goods or services to the Province;
- (b) the Province is not responsible for carrying out the Project; and
- (c) the Province is bound by the *Freedom of Information and Protection of Privacy Act* (Ontario) and that any information provided to the Province in connection with the Project or otherwise in connection with the Agreement may be subject to disclosure in accordance with that Act.

- SIGNATURE PAGE FOLLOWS -

The Parties have executed the Agreement on the dates set out below.

**HER MAJESTY THE QUEEN IN RIGHT OF
ONTARIO as represented by the Minister of
Municipal Affairs and Housing**

Date

Name:
Title:

The Corporation of the City of London

Date

Name:
Title:

I have authority to bind the Recipient.

Date

Name:
Title:

I have authority to bind the Recipient.

SCHEDULE "A"
GENERAL TERMS AND CONDITIONS

A1.0 INTERPRETATION AND DEFINITIONS

A1.1 **Interpretation.** For the purposes of interpretation:

- (a) words in the singular include the plural and vice-versa;
- (b) words in one gender include all genders;
- (c) the headings do not form part of the Agreement; they are for reference only and will not affect the interpretation of the Agreement;
- (d) any reference to dollars or currency will be in Canadian dollars and currency; and
- (e) "include", "includes" and "including" denote that the subsequent list is not exhaustive.

A1.2 **Definitions.** In the Agreement, the following terms will have the following meanings:

"Additional Provisions" means the terms and conditions set out in Schedule "B".

"Agreement" means this agreement entered into between the Province and the Recipient, all of the schedules listed in section 1.1, and any amending agreement entered into pursuant to section 4.1.

"Budget" means the budget attached to the Agreement as Schedule "D".

"Business Day" means any working day, Monday to Friday inclusive, excluding statutory and other holidays, namely: New Year's Day; Family Day; Good Friday; Easter Monday; Victoria Day; Canada Day; Civic Holiday; Labour Day; Thanksgiving Day; Remembrance Day; Christmas Day; Boxing Day and any other day on which the Province has elected to be closed for business.

"Effective Date" means the date set out at the top of the Agreement.

"Event of Default" has the meaning ascribed to it in section A12.1.

"Expiry Date" means the expiry date set out in Schedule "B".

"Funding Year" means:

- (a) in the case of the first Funding Year, the period commencing on the

Effective Date and ending on the following March 31; and

- (b) in the case of Funding Years subsequent to the first Funding Year, the period commencing on April 1 following the end of the previous Funding Year and ending on the following March 31 or the Expiry Date, whichever is first.

“Funds” means the money the Province provides to the Recipient pursuant to the Agreement.

“Indemnified Parties” means Her Majesty the Queen in right of Ontario, and includes Her ministers, agents, appointees, and employees.

“Loss” means any cause of action, liability, loss, cost, damage, or expense (including legal, expert and consultant fees) that anyone incurs or sustains as a result of or in connection with the Project or any other part of the Agreement.

“Maximum Funds” means the maximum set out in Schedule “B”.

“Notice” means any communication given or required to be given pursuant to the Agreement.

“Notice Period” means the period of time within which the Recipient is required to remedy an Event of Default pursuant to section A12.3(b), and includes any such period or periods of time by which the Province extends that time in accordance with section A12.4.

“Parties” means the Province and the Recipient.

“Party” means either the Province or the Recipient.

“Proceeding” means any action, claim, demand, lawsuit, or other proceeding that anyone makes, brings or prosecutes as a result of or in connection with the Project or with any other part of the Agreement.

“Project” means the undertaking described in Schedule “C”.

“Records Review” means any assessment the Province conducts pursuant to section A7.4.

“Reports” means the reports described in Schedule “F”.

A2.0 REPRESENTATIONS, WARRANTIES, AND COVENANTS

A2.1 General. The Recipient represents, warrants, and covenants that:

- (a) it has, and will continue to have, the experience and expertise necessary to carry out the Project;
- (b) it is in compliance with, and will continue to comply with, all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules, and by-laws related to any aspect of the Project, the Funds, or both; and
- (c) unless otherwise provided for in the Agreement, any information the Recipient provided to the Province in support of its request for funds (including information relating to any eligibility requirements) was true and complete at the time the Recipient provided it and will continue to be true and complete.

A2.2 **Execution of Agreement.** The Recipient represents and warrants that it has:

- (a) the full power and authority to enter into the Agreement; and
- (b) taken all necessary actions to authorize the execution of the Agreement, including passing a municipal by-law authorizing the Recipient to enter into the Agreement.

A2.3 **Governance.** The Recipient represents, warrants, and covenants that it has, will maintain in writing, and will follow:

- (a) procedures to enable the Recipient to manage Funds prudently and effectively;
- (b) procedures to enable the Recipient to complete the Project successfully;
- (c) procedures to enable the Recipient to identify risks to the completion of the Project and strategies to address the identified risks, all in a timely manner;
- (d) procedures to enable the preparation and submission of all Reports required pursuant to Article A7.0; and
- (e) procedures to enable the Recipient to address such other matters as the Recipient considers necessary to enable the Recipient to carry out its obligations under the Agreement.

A2.4 **Supporting Proof.** Upon the request of the Province, the Recipient will provide the Province with proof of the matters referred to in Article A2.0.

A3.0 TERM OF THE AGREEMENT

A3.1 **Term.** The term of the Agreement will commence on the Effective Date and will expire on the Expiry Date unless terminated earlier pursuant to Article A11.0 or Article A12.0.

A4.0 FUNDS AND CARRYING OUT THE PROJECT

A4.1 **Funds Provided.** The Province will:

- (a) provide the Recipient up to the Maximum Funds for the purpose of carrying out the Project;
- (b) provide the Funds to the Recipient in accordance with the payment plan attached to the Agreement as Schedule “E”; and
- (c) deposit the Funds into an account the Recipient designates provided that the account:
 - (i) resides at a Canadian financial institution; and
 - (ii) is in the name of the Recipient.

A4.2 **Limitation on Payment of Funds.** Despite section A4.1:

- (a) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides evidence satisfactory to the Province that the Recipient’s council has authorized the execution of this Agreement by the Recipient by municipal by-law;
- (b) the Province is not obligated to provide any Funds to the Recipient until the Recipient provides the certificates of insurance or other proof as the Province may request pursuant to section A10.2;
- (c) the Province is not obligated to provide instalments of Funds until it is satisfied with the progress of the Project; and
- (d) the Province may adjust the amount of Funds it provides to the Recipient in any Funding Year based upon the Province’s assessment of the information the Recipient provides to the Province pursuant to section A7.2.

A4.3 **Use of Funds and Carry Out the Project.** The Recipient will do all of the following:

- (a) carry out the Project in accordance with the Agreement;

- (b) use the Funds only for the purpose of carrying out the Project;
- (c) spend the Funds only in accordance with the Budget;
- (d) not use the Funds to cover any cost that has or will be funded or reimbursed by one or more of any third party, ministry, agency, or organization of the Government of Ontario.

A4.4 **Interest Bearing Account.** If the Province provides Funds before the Recipient's immediate need for the Funds, the Recipient will place the Funds in an interest bearing account in the name of the Recipient at a Canadian financial institution.

A4.5 **Interest.** If the Recipient earns any interest on the Funds, the Province may do either or both of the following:

- (a) deduct an amount equal to the interest from any further instalments of Funds;
- (b) demand from the Recipient the payment of an amount equal to the interest.

A4.6 **Rebates, Credits, and Refunds.** The Province will calculate Funds based on the actual costs to the Recipient to carry out the Project, less any costs (including taxes) for which the Recipient has received, will receive, or is eligible to receive, a rebate, credit, or refund.

A5.0 RECIPIENT'S ACQUISITION OF GOODS OR SERVICES, AND DISPOSAL OF ASSETS

A5.1 **Acquisition.** If the Recipient acquires goods, services, or both with the Funds, it will do so through a process that promotes the best value for money.

A5.2 **Disposal.** The Recipient will not, without the Province's prior consent, sell, lease, or otherwise dispose of any asset purchased or created with the Funds or for which Funds were provided, the cost of which exceeded the amount as provided for in Schedule "B" at the time of purchase.

A6.0 CONFLICT OF INTEREST

A6.1 **Conflict of Interest Includes.** For the purposes of Article A6.0, a conflict of interest includes any circumstances where:

- (a) the Recipient; or
- (b) any person who has the capacity to influence the Recipient's decisions,

has outside commitments, relationships, or financial interests that could, or could be seen by a reasonable person to, interfere with the Recipient's objective, unbiased, and impartial judgment relating to the Project, the use of the Funds, or both.

A6.2 No Conflict of Interest. The Recipient will carry out the Project and use the Funds without an actual, potential, or perceived conflict of interest unless:

- (a) the Recipient:
 - (i) provides Notice to the Province disclosing the details of the actual, potential, or perceived conflict of interest;
 - (ii) requests the consent of the Province to carry out the Project with an actual, potential, or perceived conflict of interest;
- (b) the Province provides its consent to the Recipient carrying out the Project with an actual, potential, or perceived conflict of interest; and
- (c) the Recipient complies with any terms and conditions the Province may prescribe in its consent.

A7.0 REPORTS, ACCOUNTING, AND REVIEW

A7.1 Province Includes. For the purposes of sections A7.4, A7.5 and A7.6, “**Province**” includes any auditor or representative the Province may identify.

A7.2 Preparation and Submission. The Recipient will:

- (a) submit to the Province at the address referred to in section A17.1:
 - (i) all Reports in accordance with the timelines and content requirements as provided for in Schedule “F”;
 - (ii) any other reports in accordance with any timelines and content requirements the Province may specify from time to time;
- (b) ensure that all Reports and other reports are:
 - (i) completed to the satisfaction of the Province; and
 - (i) signed by an authorized signing officer of the Recipient.

A7.3 Record Maintenance. The Recipient will keep and maintain for a period of seven years from their creation:

- (a) all financial records (including invoices and evidence of payment) relating to the Funds or otherwise to the Project in a manner consistent with either international financial reporting standards or generally accepted accounting principles or any other accounting principles that apply to the Recipient; and
- (b) all non-financial records and documents relating to the Funds or otherwise to the Project.

A7.4 **Records Review.** The Province may, at its own expense, upon twenty-four hours' Notice to the Recipient and during normal business hours enter upon the Recipient's premises to conduct an audit or investigation of the Recipient regarding the Recipient's compliance with the Agreement, including assessing any of the following:

- (a) the truth of any of the Recipient's representations and warranties;
- (b) the progress of the Project;
- (c) the Recipient's allocation and expenditure of the Funds.

A7.5 **Inspection and Removal.** For the purposes of any Records Review, the Province may take one or more of the following actions:

- (a) inspect and copy any records and documents referred to in section A7.3; and
- (b) remove any copies the Province makes pursuant to section A7.5(a).

A7.6 **Cooperation.** To assist the Province in respect of its rights provided for in section A7.5, the Recipient will cooperate with the Province by:

- (a) ensuring that the Province has access to the records and documents wherever they are located;
- (b) assisting the Province to copy records and documents;
- (c) providing to the Province, in the form the Province specifies, any information the Province identifies; and
- (d) carrying out any other activities the Province requests.

A7.7 **No Control of Records.** No provision of the Agreement will be construed so as to give the Province any control whatsoever over the Recipient's records.

A7.8 **Auditor General.** The Province's rights under Article A7.0 are in addition to

any rights provided to the Auditor General pursuant to section 9.2 of the *Auditor General Act* (Ontario).

A8.0 COMMUNICATIONS REQUIREMENTS

A8.1 Acknowledge Support. Unless the Province directs the Recipient to do otherwise, the Recipient will in each of its Project-related publications, whether written, oral, or visual:

- (a) acknowledge the support of the Province for the Project;
- (b) ensure that any acknowledgement is in a form and manner as the Province directs; and
- (c) indicate that the views expressed in the publication are the views of the Recipient and do not necessarily reflect those of the Province.

A9.0 INDEMNITY

A9.1 Indemnification. The Recipient will indemnify and hold harmless the Indemnified Parties from and against any Loss and any Proceeding, unless solely caused by the negligence or wilful misconduct of the Indemnified Parties.

A10.0 INSURANCE

A10.1 Recipient's Insurance. The Recipient represents, warrants, and covenants that it has, and will maintain, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury, and property damage, to an inclusive limit of not less than the amount provided for in Schedule "B" per occurrence, which commercial general liability insurance policy will include the following:

- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Recipient's obligations under, or otherwise in connection with, the Agreement;
- (b) a cross-liability clause;
- (c) contractual liability coverage; and
- (d) a 30-day written notice of cancellation.

A10.2 Proof of Insurance. The Recipient will:

- (a) provide to the Province, either:
 - (i) certificates of insurance that confirm the insurance coverage as provided for in section A10.1; or
 - (ii) other proof that confirms the insurance coverage as provided for in section A10.1; and
- (b) in the event of a Proceeding, and upon the Province's request, the Recipient will provide to the Province a copy of any of the Recipient's insurance policies that relate to the Project or otherwise to the Agreement, or both.

A11.0 TERMINATION ON NOTICE

A11.1 Termination on Notice. The Province may terminate the Agreement at any time without liability, penalty, or costs upon giving 30 days' Notice to the Recipient.

A11.2 Consequences of Termination on Notice by the Province. If the Province terminates the Agreement pursuant to section A11.1, the Province may take one or more of the following actions:

- (a) cancel further instalments of Funds;
- (b) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient; and
- (c) determine the reasonable costs for the Recipient to wind down the Project, and do either or both of the following:
 - (i) permit the Recipient to offset such costs against the amount the Recipient owes pursuant to section A11.2(b); and
 - (ii) subject to section A4.1(a), provide Funds to the Recipient to cover such costs.

A12.0 EVENT OF DEFAULT, CORRECTIVE ACTION, AND TERMINATION FOR DEFAULT

A12.1 Events of Default. It will constitute an Event of Default if, in the opinion of the Province, the Recipient breaches any representation, warranty, covenant, or other material term of the Agreement, including failing to do any of the following in accordance with the terms and conditions of the Agreement:

- (i) carry out the Project;

- (ii) use or spend Funds; or
- (iii) provide, in accordance with section A7.2, Reports or such other reports as the Province may have requested pursuant to section A7.2(a)(ii).

A12.2 Consequences of Events of Default and Corrective Action. If an Event of Default occurs, the Province may, at any time, take one or more of the following actions:

- (a) initiate any action the Province considers necessary in order to facilitate the successful continuation or completion of the Project;
- (b) provide the Recipient with an opportunity to remedy the Event of Default;
- (c) suspend the payment of Funds for such period as the Province determines appropriate;
- (d) reduce the amount of the Funds;
- (e) cancel further instalments of Funds;
- (f) demand from the Recipient the payment of any Funds remaining in the possession or under the control of the Recipient;
- (g) demand from the Recipient the payment of an amount equal to any Funds the Recipient used, but did not use in accordance with the Agreement;
- (h) demand from the Recipient the payment of an amount equal to any Funds the Province provided to the Recipient;
- (i) demand from the Recipient an amount equal to the costs the Province incurred or incurs to enforce its rights under the Agreement, including the costs of any Record Review and the costs it incurs to collect any amounts the Recipient owes to the Province; and
- (j) terminate the Agreement at any time, including immediately, without liability, penalty or costs to the Province upon giving Notice to the Recipient.

A12.3 Opportunity to Remedy. If, in accordance with section A12.2(b), the Province provides the Recipient with an opportunity to remedy the Event of Default, the Province will give Notice to the Recipient of:

- (a) the particulars of the Event of Default; and

(b) the Notice Period.

A12.4 **Recipient not Remediating.** If the Province provided the Recipient with an opportunity to remedy the Event of Default pursuant to section A12.2(b), and:

- (a) the Recipient does not remedy the Event of Default within the Notice Period;
- (b) it becomes apparent to the Province that the Recipient cannot completely remedy the Event of Default within the Notice Period; or
- (c) the Recipient is not proceeding to remedy the Event of Default in a way that is satisfactory to the Province,

the Province may extend the Notice Period, or initiate any one or more of the actions provided for in sections A12.2(a), (c), (d), (e), (f), (g), (h), and (i).

A12.5 **When Termination Effective.** Termination under Article A12.0 will take effect as provided for in the Notice.

A13.0 FUNDS AT THE END OF A FUNDING YEAR

A13.1 **Funds at the End of a Funding Year.** Without limiting any rights of the Province under Article A12.0, if the Recipient has not spent all of the Funds allocated for the Funding Year as provided for in the Budget, the Province may take one or both of the following actions:

- (a) demand from the Recipient payment of the unspent Funds; and
- (b) adjust the amount of any further instalments of Funds accordingly.

A14.0 FUNDS UPON EXPIRY

A14.1 **Funds Upon Expiry.** The Recipient will, upon expiry of the Agreement, pay to the Province any Funds remaining in its possession, under its control, or both.

A15.0 DEBT DUE AND PAYMENT

A15.1 **Payment of Overpayment.** If at any time the Province provides Funds in excess of the amount to which the Recipient is entitled under the Agreement, the Province may:

- (a) deduct an amount equal to the excess Funds from any further instalments of Funds; or
- (b) demand that the Recipient pay to the Province an amount equal to the

excess Funds.

A15.2 **Debt Due.** If, pursuant to the Agreement:

- (a) the Province demands from the Recipient the payment of any Funds or an amount equal to any Funds; or
- (b) the Recipient owes any Funds or an amount equal to any Funds to the Province, whether or not the Province has demanded their payment,

such amounts will be deemed to be debts due and owing to the Province by the Recipient, and the Recipient will pay the amounts to the Province immediately, unless the Province directs otherwise.

A15.3 **Interest Rate.** The Province may charge the Recipient interest on any money owing to the Province by the Recipient under the Agreement at the then current interest rate charged by the Province of Ontario on accounts receivable.

A15.4 **Payment of Money to Province.** The Recipient will pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and delivered to the Province as provided for in Schedule "B".

A15.5 **Fails to Pay.** Without limiting the application of section 43 of the *Financial Administration Act* (Ontario), if the Recipient fails to pay any amount owing under the Agreement, Her Majesty the Queen in right of Ontario may deduct any unpaid amount from any money payable to the Recipient by Her Majesty the Queen in right of Ontario.

A16.0 NOTICE

A16.1 **Notice in Writing and Addressed.** Notice will be:

- (a) in writing;
- (b) delivered by email, postage-prepaid mail, personal delivery, courier or fax; and
- (c) addressed to the Province or the Recipient as set out in Schedule "B", or as either Party later designates to the other by Notice.

A16.2 **Notice Given.** Notice will be deemed to have been given:

- (a) in the case of postage-prepaid mail, five Business Days after the Notice is mailed; or
- (b) in the case of fax, one Business Day after the Notice is delivered; and

- (c) in the case of email, personal delivery or courier on the date on which the Notice is delivered.

A16.3 **Postal Disruption.** Despite section A16.2(a), in the event of a postal disruption:

- (a) Notice by postage-prepaid mail will not be deemed to be given; and
- (b) the Party giving Notice will give Notice by email, personal delivery, courier or fax.

A17.0 CONSENT BY PROVINCE AND COMPLIANCE BY RECIPIENT

A17.1 **Consent.** When the Province provides its consent pursuant to the Agreement:

- (a) it will do so by Notice;
- (b) it may attach any terms and conditions to the consent; and
- (c) the Recipient may rely on the consent only if the Recipient complies with any terms and conditions the Province may have attached to the consent.

A18.0 SEVERABILITY OF PROVISIONS

A18.1 **Invalidity or Unenforceability of Any Provision.** The invalidity or unenforceability of any provision of the Agreement will not affect the validity or enforceability of any other provision of the Agreement.

A19.0 WAIVER

A19.1 **Waiver Request.** Either Party may, by Notice, ask the other Party to waive an obligation under the Agreement.

A19.2 **Waiver Applies.** If in response to a request made pursuant to section A19.1 a Party consents to a waiver, the waiver will:

- (a) be valid only if the Party that consents to the waiver provides the consent by Notice; and
- (b) apply only to the specific obligation referred to in the waiver.

A20.0 INDEPENDENT PARTIES

A20.1 **Parties Independent.** The Recipient is not an agent, joint venturer, partner, or employee of the Province, and the Recipient will not represent itself in any way that might be taken by a reasonable person to suggest that it is, or take any

actions that could establish or imply such a relationship.

A21.0 ASSIGNMENT OF AGREEMENT OR FUNDS

A21.1 **No Assignment.** The Recipient will not, without the prior written consent of the Province, assign any of its rights or obligations under the Agreement.

A21.2 **Agreement Binding.** All rights and obligations contained in the Agreement will extend to and be binding on:

- (a) the Recipient's successors, and permitted assigns; and
- (b) the successors to Her Majesty the Queen in right of Ontario.

A22.0 GOVERNING LAW

A22.1 **Governing Law.** The Agreement and the rights, obligations, and relations of the Parties will be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement will be conducted in the courts of Ontario, which will have exclusive jurisdiction over such proceedings.

A23.0 FURTHER ASSURANCES

A23.1 **Agreement into Effect.** The Recipient will:

- (a) provide such further assurances as the Province may request from time to time with respect to any matter to which the Agreement pertains; and
- (b) do or cause to be done all acts or things necessary to implement and carry into effect the terms and conditions of the Agreement to their full extent.

A24.0 JOINT AND SEVERAL LIABILITY

A24.1 **Joint and Several Liability.** Where the Recipient comprises of more than one entity, all such entities will be jointly and severally liable to the Province for the fulfillment of the obligations of the Recipient under the Agreement.

A25.0 RIGHTS AND REMEDIES CUMULATIVE

A25.1 **Rights and Remedies Cumulative.** The rights and remedies of the Province under the Agreement are cumulative and are in addition to, and not in substitution for, any of its rights and remedies provided by law or in equity.

A26.0 FAILURE TO COMPLY WITH OTHER AGREEMENTS

A26.1 Other Agreements. If the Recipient:

- (a) has failed to comply with any term, condition, or obligation under any other agreement with Her Majesty the Queen in right of Ontario or one of Her agencies (a “**Failure**”);
- (b) has been provided with notice of such Failure in accordance with the requirements of such other agreement;
- (c) has, if applicable, failed to rectify such Failure in accordance with the requirements of such other agreement; and
- (d) such Failure is continuing,

the Province may suspend the payment of Funds for such period as the Province determines appropriate.

A27.0 SURVIVAL

A27.1 Survival. The following Articles and sections, and all applicable cross-referenced Articles, sections and schedules, will continue in full force and effect for a period of seven years from the date of expiry or termination of the Agreement: Article 1.0, Article 2.0, Article A1.0 and any other applicable definitions, section A2.1(a), sections A4.4, A4.5, A4.6, section A5.2, section A7.1, A7.2 (to the extent that the Recipient has not provided the Reports or other reports as the Province may have requested and to the satisfaction of the Province), sections A7.3, A7.4, A7.5, A7.6, A7.7, A7.8, Article A8.0, Article A9.0, section A11.2, sections A12.1, sections A12.2(d), (e), (f), (g), (h), (i), and (j), Article A13.0, Article A14.0, Article A15.0, Article A16.0, Article A18.0, , section A21.2, Article A22.0, Article A24.0, Article A25.0 and Article A27.0.

- END OF GENERAL TERMS AND CONDITIONS -

SCHEDULE "B"
PROJECT SPECIFIC INFORMATION AND ADDITIONAL PROVISIONS

Maximum Funds	\$100,000
Expiry Date	December 31, 2021
Amount for the purposes of section A5.2 (Disposal) of Schedule "A"	\$5,000.00
Insurance	\$ 2,000,000
Contact information for the purposes of Notice to the Province	<p>Name: Karen Partanen</p> <p>Position: Manager, Municipal Programs and Outreach Unit</p> <p>Address: 777 Bay Street, Toronto, Ontario M7A 2J3, 16th Floor</p> <p>Email: karen.partanen@ontario.ca</p>
Contact information for the purposes of Notice to the Recipient	<p>Position:</p> <p>Address:</p> <p>Fax:</p> <p>Email:</p>
Contact information for the senior financial person in the Recipient organization (e.g., CFO, CAO) – to respond as required to requests from the Province related to the Agreement	<p>Position:</p> <p>Address:</p> <p>Fax:</p> <p>Email:</p>

Additional Provisions:

B1 Section 4.3 of Schedule "A" is amended by adding the following subsection:

- (e) use the Funds only for the purpose of reimbursement for the actual amount paid to the independent third-party reviewer in accordance with the Project;

and,

- (f) Not use the Funds for the purpose of paying the salaries of the Recipient's employees.

**SCHEDULE "C"
PROJECT**

Objectives

The purpose of the Project is to, in relation to the Recipient's parking services, explore opportunities to digitize processes and make the distribution of information to the applicable service area (once received at the Customer Service location) more effective.

The objectives of the review are to:

- Identify strategic locations to implement changes that would be more accessible to the community at large;
- Review and troubleshoot potential barriers to implementation;
- Collaborate with other service areas to determine potential capacity for implementation;
- Determine what services could be offered at these locations; and,
- Identify an action plan, timelines, potential costs and long term savings associated with the proposed plan.

Description

The Recipient will retain an independent third-party reviewer to explore the possibilities that could exist in Service Integration/Digital Modernization as it relates to the Recipient's Parking Services area.

The independent third-party will review existing processes to determine opportunities to integrate parking payments/disputes with other services of the Recipient.

The reviewer will further explore how this broader set of services could be administered by Customer Service Representatives at other physical locations utilizing the Recipient's various "Service London" customer service locations throughout the city.

The reviewer will also examine opportunities to modernize service delivery in Parking Services by identifying opportunities to digitize existing services that are highly paper-based.

The reviewer will identify opportunities for more efficient processes and better and more cost effective service delivery that could be realized by implementing more digitized services.

Independent Third-Party Reviewer's Report

The Recipient will retain the independent third-party reviewer to compile the findings and recommendations in the Independent Third-Party Reviewer's Report.

The Recipient will submit the report to the Province and publish the report on the Recipient's publicly accessible website by December 15, 2021.

The report will summarize the reviewer's findings and identify specific, actionable recommendations based on the analysis and findings that aim to identify cost savings and improved efficiencies.

SCHEDULE "D"
BUDGET

Item	Amount
Reimbursement for payments to the independent third-party reviewer	Up to \$100,000

**SCHEDULE "E"
PAYMENT PLAN**

Milestone	Scheduled Payment
<ul style="list-style-type: none"> • Execution of Agreement 	Initial payment of \$55,000 made to Recipient no more than thirty (30) days after the execution of the Agreement
<ul style="list-style-type: none"> • Submission of the Independent Third-Party Reviewer's Report to the Province • Publishing of the Independent Third-Party Reviewer's Report • Submission of the Final Report Back to the Province 	Final payment of up to \$45,000 made to the Recipient no more than thirty (30) days after the Province's approval of the Final Report Back

**SCHEDULE "F"
REPORTS**

Name of Report	Reporting Due Date
1. Final Report Back	December 15, 2021

Report Details

1. Final Report Back

The Recipient will submit a Final Report Back to the Province by December 15th, 2021 using the reporting template provided by the Province. The Final Report Back will include:

- A hyperlink to the Independent Third-Party Reviewer's Report on the Recipient's publicly accessible website,
- A 250-word abstract of the Project and its findings,
- The actual amount paid by the Recipient to the independent third-party reviewer in accordance with the Project with supporting documentation, such as invoices or receipts, showing actual costs incurred, and
- A statement indicating the percentage of the total amount of service delivery expenditures reviewed that are identified as potential cost savings in the Independent Third-Party Reviewer's Report, which will be the performance measure for the Project.

Bill No. 94
2021

By-law No. A.-_____ - ____

A by-law to approve demolition of abandoned buildings with municipal addresses of 152 Adelaide Street North, 10 Centre Street, and 1420 Hyde Park Road. under the Property Standards provisions of the *Building Code Act*.

WHEREAS subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 15.1(3) of the *Building Code Act* provides that the council of a municipality may pass a by-law to require property that does not conform with the standards to be repaired and maintained to conform with the standards or the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition;

AND WHEREAS Council has passed Property Standards By-law CP-16 that requires owners of property that does not conform to the standards of the by-law to repair and maintain the property to conform with the standards of the by-law or to clear it of all buildings, structures, debris or refuse and left in a graded and levelled condition;

AND WHEREAS section 15.2(2) of the *Building Code Act* provides that an officer who finds that a property does not conform with the standards prescribed in the Property Standards By-law may make an order giving reasonable particulars of the repairs to be made or stating that the site is to be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition;

AND WHEREAS section 15.4 of the *Building Code Act* provides that, if an order of an officer under section 15.2(2) is not complied with in accordance with the order as deemed confirmed or as confirmed or modified by the committee or a judge, the municipality may cause the property to be repaired or demolished accordingly;

AND WHEREAS section 15.4(3) of the *Building Code Act* provides that a municipal corporation or a person acting on its behalf is not liable to compensate the owner, occupant or any other person by reason of anything done by or on behalf of the municipality in the reasonable exercise of its powers under subsection (1);

AND WHEREAS section 15.4(4) of the *Building Code Act* provides that the municipality shall have a lien on the land for the amount spent on the repair or demolition under subsection (1) and the amount shall have priority lien status as described in section 1 of the *Municipal Act, 2001*;

AND WHEREAS Council passed By-law A.-6554-211 to adopt a Policy whereby, in the event a confirmed Property Standards Order is not complied with, the City's Manager of By-law Enforcement shall not cause the property to be demolished unless he or she has reported to Council setting out the reasons for the proposed demolition and Council has passed a by-law approving of the proposed demolition;

AND WHEREAS a property standards order has not been complied with in accordance with the order as deemed confirmed or as confirmed or modified by the committee or a judge;

AND WHEREAS the City's Chief Municipal Law Enforcement Officer has reported to Council setting out the reasons for the proposed demolition; AND WHEREAS Municipal Council wishes to cause the property to be demolished;

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

1. The demolition of abandoned buildings at municipal addresses of 152 Adelaide Street North, 10 Centre Street, and 1420 Hyde Park Road, City of London is approved, and the property shall be cleared of all buildings, structures, debris or refuse and left in a graded and levelled condition, in accordance with the City of London Property Standards By-law and *Building Code Act*.
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – March 23, 2021
Second reading – March 23, 2021
Third reading – March 23, 2021

Bill No. 95
2021

By-law No. A.-6653()-__

A by-law to amend By-law A.-6653-121 being
“A by-law to establish the positions of
Hearings Officer”.

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

AND WHEREAS section 23.2 of the *Municipal Act, 2001*, as amended permits a municipal Council to delegate its powers and duties to an individual who is an officer of the municipality;

AND WHEREAS the Council of The Corporation of the City of London enacted By-law No. A.-6653-121 being “A by-law to establish the positions of Hearings Officer” on April 18, 2011 and amended on June 26, 2018 and March 24, 2020;

AND WHEREAS the Council of The Corporation of the City of London wishes to amend By-law A.-6653-121, as amended, being “A by-law to establish the positions of Hearings Officer”;

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

1. Amend section 6 of the By-law to include the following phrase after the last word in the sentence: “unless they are sitting as a Member of the Property Standards Committee”.
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – March 23, 2021
Second reading – March 23, 2021
Third reading – March 23, 2021

Bill No. 96
2021

By-law No. A-35-21_____

A by-law to amend By-law No. A-35 being “A
by-law to regulate vacant buildings”.

WHEREAS the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, s. 10, gives the municipality broad authority to pass by-laws respecting the health, safety, and well-being of persons;

AND WHEREAS the *Municipal Act, 2001*, s. 128, provides that a local municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of Council, are or could become or cause public nuisances;

AND WHEREAS Municipal Council of The Corporation of the City of London is of the opinion that vacant buildings that are not secured against unauthorized entry constitute public nuisances by attracting vandals and creating various safety hazards;

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

1. Section 1 of By-law No. A-35 is amended by inserting the following definition after the definition of “Fire Code” as follows:

“Inspection Registry” shall mean a City-maintained registry of vacant buildings that have been vacant for at least 30 consecutive days and an officer reasonably believes that the vacant building poses a risk to safety or is a public nuisance or could become a public nuisance;”

2. Subsection 3.1(2) of By-law No. A-35 is amended by adding the phrase “or is a public nuisance or could become a public nuisance” after the phrase “that a vacant building poses a risk to safety”.

3. Subsection 3.1(2)(ii) is deleted and replaced with a new subsection 3.1(2)(ii) as follows:

“(ii) provide one set of floor plans (showing the current floor configuration) to the Fire Chief and one set of floor plans (showing the current floor configuration) to the Chief Building Official;”

4. Subsection 3.1(2) is amended by inserting new subsection (vii) after subsection 3.1.(2)(vi) as follows:

“(vii) provide the officer with the phone number for the owner or their agent, and any other contact information the officer reasonably requires.”

5. By-law No. A-35 is amended by inserting a new subsection 3.1(4) after subsection 3.1(3), as follows:

“(4) Where a vacant building has been vacant for at least 30 consecutive days, an officer who reasonably believes that a vacant building poses a risk to safety or is a public nuisance or could become a public nuisance may add such building to an Inspection Registry. Where a building is added to an Inspection Registry, the City may conduct regular exterior inspections of the building for compliance with this by-law. The owner of the building shall be responsible for any inspection fees arising from such inspections.”

6. By-law No. A-35 is amended by inserting a new subsection 3.9 after subsection 3.8 as follows:

“3.9 Boarding – after 365 Days

Despite sections 3.1 through 3.8, a vacant building shall not be boarded up for a period exceeding 365 days, and the requirements of section 4.3 (Doors, Windows and Skylights) of the Property Standards By-law shall apply.”

7. Subsection 6.2 of By-law A-35 is amended by adding the word “heritage” after the phrase “inclusion of the”.

8. Section 6.5 of By-law A-35 is amended by:

- (i) adding the phrase “Property Standards, ” in the heading before the phrase “Building Code”, and
- (ii) adding the phrase “, the Property Standards By-law” after the phrase “*Building Code Act, 1992*”.

9. By-law No. A-35 is amended by renumbering subsection “7.2 to subsection 7.3”.

10. By-law No. A-35 is amended by inserting a new subsection 7.2 after subsection 7.1 as follows:

“7.2 Administrative Monetary Penalty

Each person who contravenes any provision of this By-law shall, upon issuance of a penalty notice in accordance with the Administrative Monetary Penalty System By-law A-54, or any successor by-law, be liable to pay the City an Administrative Monetary Penalty.”

11. This bylaw shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Bill No. 97
2021

By-law No. A-54-21_____

A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to designate By-law No. A-35 being “A by-law to regulate vacant buildings”.

WHEREAS section 434.1 of the Municipal Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

AND WHEREAS the Municipal Council on June 25, 2019 passed By-law No. A-54, being “A by-law to implement an Administrative Monetary Penalty System in London;”

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to designating By-law No. A-35 being “A by-law to regulate vacant buildings” under the Administrative Monetary Penalty System By-Law.

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

1. That Schedule “A-1” of By-law No. A-54 be amended to include By-law No. A-35 being “A by-law to regulate vacant buildings” as a designated by-law under the Administrative Monetary Penalty System By-Law;
2. That the definition of “Administrative Penalty” be amended to add “A-7” after “A-6”;
3. That section 2.1 be amended to add “A-7” after “A-6”;
4. That section 3.1 be amended to add “A-7” after “A-6”;
5. That section 3.1a) be amended to add “A-7” after “A-6”;
6. That the attached Schedule “A-7” be added to By-law No. A-54 to provide for a penalty schedule for By-law No. A-35 being “A by-law to regulate vacant buildings”;
7. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Schedule “A-7”
Administrative Monetary Penalty System By-law
Penalty Schedule for Vacant Buildings By-law

1. For the purposes of Section 2 of this By-law, Column 3 in the following table lists the provisions in the Designated By-law identified in the Schedule, as amended.
2. Column 2 in the following table set out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 3.
3. Column 4 in the following table set out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 3.

Administrative Monetary Penalty System By-Law for Vacant Buildings

Column 1 Item #	Column 2 Short Form Wording	Column 3 Designated Provision	Column 4 Administrative Penalty Amount
1	Fail to ensure vacant building is secured	3.1.1 (a)	\$400.00
2	Fail to maintain liability insurance	3.1.1 (b)	\$400.00
3	Fail to protect vacant building against fire, accident or other danger	3.1.1 (c)	\$400.00
4	Fail to notify authorities of vacant building	3.1.2 (i)	\$400.00
5	Fail to provide floor plans	3.1.2 (ii)	\$400.00
6	Fail to provide copy of certificate of insurance	3.1.2 (iii)	\$400.00
7	Fail to remove combustible materials	3.1.2 (iv)	\$400.00
8	Fail to install security measures	3.1.2 (v)	\$400.00
9	Fail to secure a vacant building	3.1.2 (vi)	\$400.00
10	Fail to provide contact information	3.1.2 (vii)	\$400.00
11	Fail to comply with additional measures	3.8	\$400.00
12	Fail to notify Fire Department of intended compliance	4.1	\$400.00
13	Fail to secure fire damaged building	4.2	\$400.00
14	Fail to immediately secure fire damage building	4.3	\$400.00
15	Fail to install boarding materials and maintain in good repair	6.3 (a)	\$400.00
16	Fail to install boarding materials which are resistant to deterioration	6.3 (b)	\$400.00
17	Fail to disconnect utilities	6.4	\$400.00

At the discretion of the Officer, fines may be doubled for any and all subsequent repeat offences.

Bill No. 98
2021

By-law No. A-54-21_____

A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to provide for an amended Penalty Schedule “A-6” for the Property Standards By-law.

WHEREAS section 434.1 of the Municipal Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

AND WHEREAS the Municipal Council on June 25, 2019 passed By-law No. A-54, being “A by-law to implement an Administrative Monetary Penalty System in London;”

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to Schedule “A-6” for the Property Standards By-law,

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

1. That Schedule “A-6” of By-law No. A-54 being the Penalty Schedule for Property Standards is hereby repealed and replaced with the attached new Schedule “A-6”
2. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

**Schedule “A-6”
Administrative Monetary Penalty System By-law
Penalty Schedule for Property Standards**

1. For the purposes of Section 2 of this By-law, Column 3 in the following table lists the provisions in the Designated By-law identified in the Schedule, as amended.

2. Column 2 in the following table set out the short form wording to be used in a Penalty Notice for the contravention of the designated provisions listed in Column 3.

3. Column 4 in the following table set out the Administrative Penalty amount that is payable for contraventions of the designated provisions listed in Column 3.

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
1	Fail to repair in an acceptable manner	2.2	\$400.00
2	Fail to maintain heritage attributes	2.7 (b)	\$400.00
3	Fail to properly secure openings	2.8.2 (a)	\$400.00
4	Fail to use proper boarding	2.8.2 (b)	\$400.00
5	Fail to properly treat boarding	2.8.2 (c)	\$400.00
6	Fail to prevent moisture penetration	2.8.3	\$400.00
7	Fail to implement maintenance plan	2.8.4	\$400.00
8	Fail to maintain exterior property - debris	3.1.1 (a)	\$400.00
9	Fail to maintain exterior property - pests	3.1.2 (b)	\$400.00
10	Fail to maintain exterior property - weeds	3.1.2 (c)	\$400.00
11	Fail to maintain exterior property – unreasonable overgrowth	3.1.2 (d)	\$400.00
12	Fail to maintain exterior property – growth causing unsafe conditions	3.1.2 (e)	\$400.00
13	Fail to maintain exterior property – unused vehicles	3.1.2 (f)	\$400.00
14	Fail to maintain exterior property – accumulation of materials	3.1.2 (g)	\$400.00
15	Fail to maintain exterior property – dilapidated structures/uncovered cavities	3.1.2 (h)	\$400.00
16	Fail to provide for uniform exterior surface	3.1.3 (a)	\$400.00
17	Fail to provide markings on exterior surface	3.1.3 (b)	\$400.00
18	Fail to prevent unstable soil conditions	3.1.4	\$400.00
19	Fail to maintain lighting	3.1.5	\$400.00
20	Fail to maintain conditions of development and redevelopment	3.1.6	\$400.00
21	Fail to maintain exterior furniture	3.1.7	\$400.00
22	Fail to maintain accessory buildings	3.2.1	\$400.00
23	Fail to maintain fences	3.3.1	\$400.00
24	Fail to maintain retaining walls	3.4.1	\$400.00
25	Fail to comply with municipal refuse collection	3.5.1	\$400.00
26	Fail to comply with refuse collection	3.5.2 (a)	\$400.00
27	Fail to make readily accessible refuse storage	3.5.2 (b)	\$400.00
28	Fail to maintain refuse storage facilities	3.5.2 (c)	\$400.00
29	Cause obstruction by refuse	3.5.2 (d)	\$400.00
30	Fail to properly operate refuse compactor	3.5.2 (e)	\$400.00
31	Fail to maintain outside storage of refuse in litter free condition	3.5.3 (a)	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
32	Fail to maintain outside storage of refuse facility	3.5.3 (b)	\$400.00
33	Fail to screen outside refuge storage facility	3.5.3 (c)	\$400.00
34	Fail to properly screen outside refuge storage facility from grade	3.5.3 (d)	\$400.00
35	Fail to properly screen outside refuge storage facility with visual barrier	3.5.3 (e)	\$400.00
36	Fail to maintain outside refuge storage facility an odour controlled condition	3.5.3 (f)	\$400.00
37	Fail to provide for adequate inside refuge storage	3.5.4	\$400.00
38	Fail to maintain refuse chute system	3.5.5	\$400.00
39	Fail to frequently remove temporary refuge storage	3.5.6 (a)	\$400.00
40	Fail to store refuge temporarily in unsafe manner	3.5.6 (b)	\$400.00
41	Fail to cover temporary refuge storage	3.5.6 9 (c)	\$400.00
42	Fail to provide for capable structural system	4.1.1	\$400.00
43	Fail to provide for structural condition engineers report	4.1.2	\$400.00
44	Fail to maintain wall foundations	4.2.2 (a)	\$400.00
45	Fail to install sub soil drains	4.2.2 (b)	\$400.00
46	Fail to maintain sills or other supports	4.2.2 (c)	\$400.00
47	Fail to maintain grouting or waterproofing	4.2.2 (d)	\$400.00
48	Fail to restore wall to original appearance	4.2.2 (e)	\$400.00
49	Fail to preserve materials resistant to weathering or wear	4.2.2 (f)	\$400.00
50	Fail to restore or replace foundations walls floors and roof slabs	4.2.2 (g)	\$400.00
51	Fail to restore or replace cladding finishes and trims	4.2.2 (h)	\$400.00
52	Fail to repair settlement detrimental to the building	4.2.2 (i)	\$400.00
53	Fail to remove or replace unsecured materials	4.2.2 (j)	\$400.00
54	Fail to provide apertures to perform their intended function	4.3.1	\$400.00
55	Fail to maintain all doors, windows, skylights and shutters	4.3.2	\$400.00
56	Fail to maintain a required opening with a screen or other durable material	4.3.4	\$400.00
57	Fail to secure doors and windows from within unit	4.3.5	\$400.00
58	Fail to provide for screens on windows	4.3.6	\$400.00
59	Fail to provide for screens on windows in an acceptable manner	4.3.7	\$400.00
60	Fail to maintain roof and related roof structures	4.4.1	\$400.00
61	Fail to maintain chimneys and associated roof structures	4.4.2	\$400.00
62	Fail to maintain floors, stairs, porches, verandas, decks and balconies	4.5.1	\$400.00
63	Fail to provide and maintain guard	4.5.3	\$400.00
64	Fail to provide for required guard on stairs	4.5.4	\$400.00
65	Fail to provide for guard serving unfinished space	4.5.5	\$400.00
66	Fail to provide for guard with proper openings	4.5.6	\$400.00
67	Fail to provide for guard which does not facilitate climbing	4.5.7	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
68	Fail to provide and maintain handrail	4.5.8.2	\$400.00
69	Fail to provide for central handrail	4.5.8.3	\$400.00
70	Fail to provide for proper stairs within the interior of a residential dwelling unit	4.5.9.1	\$400.00
71	Fail to provide for proper residential stairs not within dwelling unit	4.5.9.2	\$400.00
72	Fail to provide for proper non-residential stairs	4.5.9.3	\$400.00
73	Fail to provide for proper service room stairs	4.5.9.4	\$400.00
74	Fail to maintain exterior surfaces	4.6.1	\$400.00
75	Fail to remove stains or defacement from exterior surfaces	4.6.2	\$400.00
76	Fail to provide for temporary barricading with compatible finishes	4.6.3	\$400.00
77	Fail to maintain interior cladding and finishes of walls, ceilings and elevator cages	4.7.1	\$400.00
78	Fail to maintain interior cladding and finishes from stains and other defacement	4.7.2	\$400.00
79	Fail to only use habitable space for human habitation	4.8.1	\$400.00
80	Fail to provide for proper interior cladding and finishes of walls, ceilings and floors for human habitation	4.8.2 (a)	\$400.00
81	Fail to provide for proper doors and windows for human habitation	4.8.2 (b)	\$400.00
82	Fail to provide for proper heating system for human habitation	4.8.2 (c)	\$400.00
83	Fail to provide for proper plumbing and drainage systems for human habitation	4.8.2 (d)	\$400.00
84	Fail to provide for proper electrical systems for human habitation	4.8.2 (e)	\$400.00
85	Fail to provide for a minimum floor area for human habitation	4.8.2 (f)	\$400.00
86	Fail to provide for a minimum headroom for human habitation	4.8.2 (g)	\$400.00
87	Fail to disconnect service providing light, heat, refrigeration, water or cooking facilities	4.8.3	\$400.00
88	Fail to provide toilet or urinal in room intended for sleeping or preparing, consuming or storing food	4.8.4	\$400.00
89	Fail to provide for minimum headroom in areas normally to be used as a means of egress	4.8.5 (a)	\$400.00
90	Fail to provide for a minimum headroom in areas normally to be used as a means of egress where entire area is not considered in computing the floor area	4.8.5 (b)	\$400.00
91	Fail to provide for minimum headroom for service rooms and service spaces	4.8.5 (c)	\$400.00
92	Fail to provide for minimum headroom over stairs and landings	4.8.5 (d)	\$400.00
93	Fail to provide for a minimum headroom where door frame is located under structural beam	4.8.5 (e)	\$400.00
94	Fail to provide for and maintain ventilation in habitable room	4.8.6 (a)	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
95	Fail to provide for natural ventilation with minimum free flow	4.8.6 (c)	\$400.00
96	Fail to provide for natural ventilation and exterior walls or through skylights	4.8.6 (d)	\$400.00
97	Fail to provide for mechanical ventilation with proper air exchange	4.8.6 (e)	\$400.00
98	Fail to provide for natural ventilation in every washroom	4.8.6 (f)	\$400.00
99	Fail to provide for mechanical ventilation in every washroom as an alternative to natural ventilation	4.8.6 (g)	\$400.00
100	Fail to provide for a natural ventilation in every enclosed attic or roof space	4.8.6 (h)	\$400.00
101	Fail to provide for required roof, eave or gable end ventilation	4.8.6 (i)	\$400.00
102	Fail to provide ventilation in crawlspace or non-habitable basement space	4.8.6 (j)	\$400.00
103	Fail to adequately ventilate accessory rooms and residential buildings with multiple dwelling units	4.8.6 (k)	\$400.00
104	Fail to exceed maximum occupancy of habitable floor space	4.8.7	\$400.00
105	Fail to provide for proper windows in living room, dining rooms and bedrooms to provide for natural light	4.8.8	\$400.00
106	Fail to equip and maintain dwelling unit with sink provided with portable hot and cold water	4.8.9 (a)	\$400.00
107	Fail to provide utility outlets suitable for refrigerator and cooking stove	4.8.9 (b)	\$400.00
108	Fail to provide for splash back and countertop around kitchen sink	4.8.9 (c)	\$400.00
109	Fail to maintain kitchen appliances and fixtures when equipped	4.8.9 (d)	\$400.00
110	Fail to provide for a least one enclosed sanitary facility	4.8.10	\$400.00
111	Fail to provide for minimum floor area within dwelling unit	4.8.11 (a)	\$400.00
112	Fail to provide for minimum floor area for sleeping accommodation	4.8.11 (b)	\$400.00
113	Fail to provide for minimum floor area for dining space	4.8.11 (c)	\$400.00
114	Fail to provide for minimum floor area for combined dining space	4.8.11 (d)	\$400.00
115	Fail to provide for minimum floor area of kitchen area	4.8.11 (e)	\$400.00
116	Fail to provide for a minimum floor area of kitchen area for multiple occupants	4.8.11 (f)	\$400.00
117	Fail to provide for minimum floor area of bedrooms	4.8.11 (g)	\$400.00
118	Fail to provide for minimum floor area of bedrooms	4.8.11 (h)	\$400.00
119	Fail to provide for minimum floor area of bedrooms	4.8.11 (i)	\$400.00
120	Fail to provide for an enclosed space to accommodate for water closet bathtub or shower stall	4.8.11 (j)	\$400.00
121	Fail to maintain multiunit security devices where equipped	4.8.12	\$400.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Provision Creating or Defining Offence	Column 4 Administrative Penalty Amounts
122	Fail to provide for sanitary and kitchen facilities based on tenant occupancy	4.9.1	\$400.00
123	Fail to provide for a required floor area	4.9.2	\$400.00
124	Fail to equip with cooking facilities	4.9.3	\$400.00
125	Fail to be equipped with sanitary facilities	4.9.4	\$400.00
126	Fail to keep all buildings free of pests	4.10.1	\$400.00
127	Fail to maintain elevating devices	5.1.1	\$400.00
128	Fail to maintain heating ventilating and mechanical systems	5.2.1	\$400.00
129	Fail to maintain minimum temperatures	5.2.2	\$400.00
130	Used portable heating as primary source of heat	5.2.3	\$400.00
131	Fail to provide for multi-unit duct type smoke detector	5.2.4	\$400.00
132	Fail to maintain plumbing and drainage free from leaks and freezing	5.3.1 (a)	\$400.00
133	Fail to supply portable hot and cold water based on occupancy served	5.3.1 (b)	\$400.00
134	Fail to provide for hot water at appropriate temperature	5.3.1 (c)	\$400.00
135	Fail to maintain provided washing machines and plumbing fixtures	5.3.2	\$400.00
136	Fail to maintain air conditioners as to prevent condensation drainage	5.3.3	\$400.00
137	Fail to maintain septic systems	5.3.4	\$400.00
138	Fail to properly decommission septic systems	5.3.5	\$400.00
139	Fail to provide for electrical outlets	5.4.1	\$400.00
140	Fail to provide for electrical wall switches in required rooms	5.4.2	\$400.00
141	Fail to conform to Ontario Electrical Code	5.4.4	\$400.00
142	Fail to provide for and maintain lighting outlet in required rooms	5.4.5	\$400.00
143	Fail to provide for and maintain access lighting	5.4.6	\$400.00
144	Fail to maintain central station electrical connections as required	5.4.7	\$400.00
145	Fail to maintain recreational amenity spaces and equipment	5.5.1	\$400.00

At the discretion of the Officer, fines may be doubled for any and all subsequent repeat offences.

Bill No. 99
2021

By-law No. A-54-_____

A by-law to amend By-law No. A-54, as amended, being “A by-law to implement an Administrative Monetary Penalty System in London” to provide for an amended Penalty Schedule “A-5” for the Business Licensing By-law for the categories of Tow Truck Business and Impound Yard Storage Business.

WHEREAS section 434.1 of the Municipal Act authorizes the City to require a person, subject to conditions as the municipality considers appropriate, to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality;

AND WHEREAS the Municipal Council considers it desirable to enforce and seek compliance with the designated by-laws, or portions of those by-laws, through the Administrative Monetary Penalty System;

AND WHEREAS the Municipal Council on June 25, 2019 passed By-law No. A-54, being “A by-law to implement an Administrative Monetary Penalty System in London;”

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. A-54 with respect to Schedule “A-5” for the categories of Tow Truck Business and Impound Yard Storage Business in the Business Licensing By-law,

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

1. That Schedule “A-5” of By-law No. A-54, being the Penalty Schedule for Business Licensing By-law be amended to include the following rows:

Column 1 Item #	Column 2 Short Form Wording	Column 3 Designated Provision	Column 4 Administrative Penalty Amount
1	Operate Tow Truck Business without current valid licence.	3.1	\$500.00
2	Operate Impound Yard Storage Business without current valid licence.	3.2	\$500.00
3	Permit tow truck to park, stop, stand, make or convey offer of services within 200 meters of accident scene.	3.3	\$500.00
4	Fail to follow direction of first responder at accident scene.	3.4	\$500.00
5	Charge or accept fees for towing services in contravention of prescribed administrative regulations.	3.5	\$500.00
6	Fail to provide towing services associated with licensed impound yard storage business within the boundaries of the City.	3.6	\$500.00
7	Charge or accept fees for storage services in contravention of prescribed administrative regulations.	3.7	\$500.00
8	Fail to comply with prescribed signage at impound yard storage business.	5.1 (a)	\$200.00

Column 1 Item #	Column 2 Short Form Wording	Column 3 Designated Provision	Column 4 Administrative Penalty Amount
9	Fail to comply with prescribed hours of operation at impound yard storage business.	5.1 (d)	\$200.00
10	Fail to comply with prescribed content of registry for tow truck business.	5.1 (e)	\$200.00

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Bill No. 100
2021

By-law No. CP-____

A by-law to provide standards for the maintenance and occupancy of property and to repeal By-law CP-16 being "A by-law prescribing standards for the maintenance and occupancy of property."

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

AND WHEREAS the Official Plan for the City of London includes provisions relating to conditions of maintenance and occupancy of properties;

AND WHEREAS section 15.1 of the Building Code Act provides that the Council may pass a by-law with respect to prescribing standards for the maintenance and occupancy of property, and requiring property that does not conform with the standards to be repaired and maintained with the standards on the site to be cleared of all buildings, structures, debris or refuse and left in graded and levelled condition;

AND WHEREAS the offence and penalty provisions for contraventions are as set out in section 36 of the Building Code Act, the Administrative Monetary Penalty System By-law, and the Administrative Penalties provisions in section 15.4.1 of the Building Code Act;

AND WHEREAS section 15.4.1 of the Building Code Act authorizes a municipality to require a person to pay an administrative penalty if the municipality is satisfied that the person has failed to comply with a by-law of the municipality passed under section 15.1, or an order of an officer under ss. 15.2(2) as deemed confirmed or as confirmed or modified by the committee or a judge under section 15.3;

AND WHEREAS section 391(1) of the *Municipal Act, 2001* provides that a municipality may impose fees or charges on persons:

- a) for services and activities provided or done by or on behalf of it; and
- b) any other municipality or any local board;

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

1. DEFINITIONS

1.1 In this By-law:

"Acceptable" means

- a) accepted by the Chief Building Official of the Municipality with respect to matters under the Building Code;
- b) accepted by the Chief Fire Official of the Municipality with respect to matters under the Fire Code;
- c) accepted by the Property Standards Officer with respect to the standards set out in this by-law.

"Act" means the *Building Code Act, 1992*, S.O. 1992, c.23 as amended;

"Building Code" means the regulations made under section 34 of the Act;

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

"Committee" means a Property Standards Committee established under this By-law referred to in Section 15.6 of the *Building Code Act, 1992*, S.O. 1992, c.23, as amended, to hear appeals of Property Standards orders;

“Concealed space agreement” means a document signed by the property owner or authorizing agent in which an agreement is registered on title to prohibit use or occupancy of a finished space that does not comply with the regulations outlined in this By-law;

“Duct type smoke interlock detector” means a device used to detect the presence of smoke in the airstream of ductwork sections of the HVAC air handling systems;

“Exterior property areas” means the property excluding buildings;

“Fence” includes a privacy or other screen;

“Ground cover” means organic or non-organic material applied to prevent erosion such as concrete, flagstone, gravel, asphalt, grass or other equivalent landscaping;

“Habitable space” means a room or area used or intended to be used for living, sleeping, cooking or eating purposes and includes a washroom;

“Heritage attributes” means, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest and that is defined or described: in a by-law designating a property passed under section 29, Part IV, of the *Ontario Heritage Act* and identified as a heritage attribute, reason for designation or otherwise;

- a) in a Minister’s order made under section 34.5, Part IV, of the *Ontario Heritage Act* and identified as a heritage attribute or otherwise;
- b) in a by-law designating a heritage conservation district passed under section 41, Part V, of the *Ontario Heritage Act* and identified as a heritage attribute or otherwise; or
- c) in the supporting documentation required for a by-law designating a heritage conservation district, including but not limited to a heritage conservation district plan, assessment or inventory, and identified as heritage attributes or otherwise.

“Maintained” means to carry out any repairs, reconstruction, refinishing, or replacement of any part or parts of a structure or building or appurtenances including mechanical equipment required so they may properly perform the intended function;

“Part IV Heritage property” means real property, including all buildings and structures thereon, which has been designated by a municipality under section 29 of the *Ontario Heritage Act*, or which has been designated by the Minister under section 34.5 of the *Ontario Heritage Act*;

“Part V Heritage property” means real property, including all buildings and structures thereon, which is located in a heritage conservation district designated under section 41 of the *Ontario Heritage Act*;

“Unfinished Space/Area” means an exposed ceiling, walls and/or incomplete flooring;

“Vacant building” means a building or part of a building that is not used by an owner or is not occupied by an owner;

1.2 Any word or term not defined in this by-law shall have the meaning ascribed to it that is provided for in the Act or the O. Reg. 332/12 of *Building Code Act*, 1992, S.O. 1992, c.3

1.3 Every person shall ensure that their property conforms with the standards prescribed in this by-law.

2. GENERAL DUTY TO REPAIR

2.1 Owners – Shall Repair and Maintain

Owners of property that does not conform to the standards of this By-law, shall repair and maintain the property to conform with the standards of this By-law or to clear it of all buildings, structures, debris or refuse and left in a graded and levelled condition except that no building or structure on a Part IV heritage property or a Part V heritage property shall be altered or cleared, including but not limited to removed, demolished or relocated, except in accordance with the *Ontario Heritage Act*.

2.2 Repairs – Manner Acceptable

All repairs to comply with this By-law shall be carried out with suitable and sufficient materials in a manner acceptable to the Officer as good and workmanlike for the trades concerned.

2.3 Application – All Property

This By-law applies to all property within the City of London.

2.4 Repairs – Vacant Building – Occupied

All repairs to be carried out inside a vacant building or inside a vacant part thereof shall be carried out before the vacant building or vacant part is used or occupied.

2.5 Repairs Required – Section 15.1 – Act

This By-law is applicable to repairs required under Section 15.1 of the Act, and sections 35.3 and 45.1 of the *Ontario Heritage Act*, but not any other section of the Act, Fire Code or any other provincial act or regulations.

2.6 Dimension – Specified – Officer Accept – Level of Performance

Whenever a dimension, either maximum or minimum is specified, the Officer may accept a dimension that is more or less than the requirement provided it will not reduce the level of performance required by the By-law.

2.7 Standard for Heritage Properties

- a) In section 2.7 only, “maintained” in respect of heritage attributes means maintained, preserved, protected, repaired, reconstructed, refinished, or replaced, in compliance with the *Ontario Heritage Act*. Subject to the requirements in the *Ontario Heritage Act*, maintenance may include using the same types of material as the original exterior heritage fabric of the building or structure, in order to maintain the character and visual integrity of the heritage attributes of the building or structure, in keeping with the design, colour, texture and any other distinctive feature of the original material that is being maintained.
- b) In addition to the minimum standards for the maintenance of property set out in this By-law, all of the heritage attributes of a Part IV heritage property and a Part V heritage property shall be maintained.
- c) For a Part IV heritage property, the owner must comply with the provisions of the *Ontario Heritage Act* if the alteration is likely to affect the property’s heritage attributes, and the owner must apply to Council under the *Ontario Heritage Act* to obtain written consent, or receive the Minister’s consent, as the case may be.
- d) For a Part V heritage property, the owner must comply with the provisions of the *Ontario Heritage Act* and obtain a permit when altering or permitting the alteration of any part of the property, other than the interior of any structure or building on the property, or when erecting, demolishing or removing any building or structure on the property, or permitting same, unless excepted from such requirement under the *Ontario Heritage Act*.
- e) No building or structure on a Part IV heritage property or a Part V heritage property may be altered or cleared, including but not limited to removed, demolished or relocated, except in accordance with the *Ontario Heritage Act*.
- f) No order made under section 15.2 of the *Building Code Act* in respect of a Part IV heritage property or a Part V heritage property shall state that the site is to be cleared of all buildings or structures and left in a graded and levelled condition. That part of an order in respect of a Part IV heritage property or a Part V heritage property that states that a site is to be cleared of all buildings or structures and left in a graded and levelled condition is of no force or effect.

2.8 VACANT BUILDINGS ON DESIGNATED HERITAGE PROPERTIES

1. This section applies only to vacant buildings on a Part IV heritage property or a Part V heritage property.
2. Despite section 4.3, in order to minimize the potential of deterioration of a building, where the exterior doors, windows or other openings are missing,

broken, improperly fitted, unsecure or in disrepair, or where the property remains vacant for a period of 30 days or more, the property shall be boarded in compliance with the following requirements:

- a) all boards used in the boarding shall be installed from the exterior and shall be properly fitted in a watertight manner to fit within the side jambs, head jamb and the exterior bottom sill of the door or window so that any exterior trim remains uncovered and undamaged by the boarding;
 - b) all boards should be at least 12.7mm (0.5 in.) weatherproofed sheet plywood secured with nails or screws at least 50 millimetres (2 inches) in length and be installed at appropriate intervals on centre;
 - c) all boards shall be painted or otherwise treated so that the colour blends with the exterior of the building or structure.
3. In addition to section 4.6, the exterior of the building shall be maintained to prevent moisture penetration and damage from the elements.
4. In addition to section 5.2, once a vacant heritage building is secured, the building must be individually evaluated by professionals specializing in the area of building science, heritage conservation, fire prevention, and life safety to determine a heating and ventilation installation and maintenance plan in an effort to conserve the heritage attributes of the structure.

3. ENVIRONMENT EXTERIOR PROPERTY AREAS

3.1.1 Exterior – Maintained – Neat and Tidy

Exterior property areas shall be maintained in a neat and tidy condition.

3.1.2 Neat and Tidy Includes

Without restricting the generality of subsection 3.1.1, maintained in a neat and tidy condition includes removal of:

- a) rubbish, garbage, brush, waste, litter and debris;
- b) injurious insects, termites, rodents, vermin and other pests;
- c) growth of weeds in excess of 20 cm (8")
- d) ground cover, hedges and bushes which are unreasonably overgrown;
- e) dead, decayed or damaged trees or other growth and the branches and limbs thereof which create an unsafe condition;
- f) wrecked, dismantled, inoperative, discarded, unused, or unlicensed vehicles or trailers, except in an establishment licensed or authorized to conduct or operate a wrecking business;
- g) machinery or parts thereof, or other objects or parts thereof, or accumulation of material that creates an unsafe condition or which is not in keeping with the neighbouring properties;
- h) dilapidated or collapsed structures or erections, and the filling or protecting of any uncovered cavities such as wells, cisterns, septic tanks, sink holes, or impressions.

3.1.3 Drives, Ramps – Surfaced – Marked

Driveways, ramps, parking areas, paths, outside stairs and landings, except for those on properties zoned and used for agricultural purposes, shall be:

- a) surfaced, resurfaced, repaired or regraded to provide a uniform surface for pedestrian or vehicle use;
- b) provided with markings or islands, to indicate parking spaces, ingress and egress routes and snow piling areas;

3.1.4 Exterior – Regraded – Prevent Unstable Soil

Exterior property areas shall be regraded and/or provided with ground cover as appropriate to prevent unstable soil conditions, or erosion.

3.1.5 Lighting – Maintained

Lighting fixtures, lamps and their supports and connections shall be maintained in a safe and complete condition, without visible deterioration and in working order.

3.1.6 All Conditions – Maintained

All conditions of development and redevelopment including, but not limited to, drainage, ground cover, hedges, trees, landscaping, and recreation equipment shall be maintained. The Officer may accept alternatives provided the intent of the original conditions of approval are maintained.

3.1.7 Furniture – Exterior Use

All furniture used for exterior use that becomes dilapidated shall be disposed of.

3.2 ACCESSORY BUILDINGS

3.2.1 Accessory Buildings – Maintained

Accessory buildings unless they are unsafe shall be maintained.

3.3 FENCES

3.3.1 Fences – Maintained

Fences, except for those on properties zoned and used for agricultural purposes, shall be maintained.

3.4 RETAINING WALLS

3.4.1 Retaining Walls – Maintained

Retaining walls shall be maintained and where a retaining wall in excess of 1 metre (39 inches) forms part or is adjacent to a means of egress, a guard shall be provided unless access is restricted to the retaining wall.

3.5 REFUSE STORAGE AND DISPOSAL

3.5.1 Refuse – Collected – Stored

All refuse shall be collected, stored, and placed for pick-up and disposal, in accordance with the Municipal Waste & Resource Materials Collection By-law WM-12, or any successor by-law.

3.5.2 Collection – Comply

Without limiting the generality of subsection 3.5.1, the collection, handling, storage, and disposal of refuse shall comply with the following:

- a) it shall facilitate collection and disposal as required by the municipal corporation or private collecting agency, as applicable;
- b) refuse storage facilities within a building shall be readily accessible to all occupants for whom the storage facility is provided, or in the alternative be readily accessible by an operable refuse chute provided for this purpose in compliance with all regulations applicable thereto;
- c) refuse storage facilities shall be maintained in a clean, sanitary and odour controlled condition;
- d) it shall not obstruct an emergency route, recreation facility, parking area, driveway, or walkway; and
- e) where a refuse compactor is provided it shall not be connected to an electrical or other source of power unless provisions are made to prevent unauthorized operation.

3.5.3 Outside – Storage of Refuse

Where refuse is permitted by an owner to be stored for disposal outside the enclosing walls of a building, the storage of refuse by that owner shall:

- a) be kept at all times in a litter free condition and in a manner that will not attract pests or create a health or safety hazard due to the nature of
- b) the storage or through deterioration, wind, or misuse of the storage facility.
- c) except for single and semi-detached residential buildings be screened if less than 60 m (196 ft) from a public highway, street, walkway, park or residential property so as not to be visible from such locations; and (c) the required screening in (b) above shall:
- d) extend from grade to a height of 0.3 m (1 ft) above the height of the storage container(s),

- e) consist of a continuous opaque visual barrier when viewed at 90° to the surface,
- f) be maintained in a clean, sanitary and odour controlled condition.

3.5.4 Refuse – Inside

Where refuse is stored or placed for disposal inside the enclosing walls of a building the storage and placement for disposal shall be large enough to contain all refuse generated between collections by the occupants served.

3.5.5 Refuse Chute System – Maintained

Where a refuse chute system was originally provided in a multiple floor building, the system shall be maintained except that acceptable alternatives may be provided if readily accessible to occupants.

3.5.6 Temporary Storage – Provided

Notwithstanding the requirements of this section, temporary storage resulting solely from the construction, demolition or alteration of a building or part thereof may be placed on the property provided:

- a) it is removed frequently and in its entirety from the property.
- b) it will not cause risk to the health or safety of any person.
- c) material contained within temporary storage is covered or kept from freely moving.

4. BUILDINGS

4.1 STRUCTURAL

4.1.1 Structural System – Capable

A building, and every structural system or component serving a part thereof, shall be capable of sustaining its own weight together with the loads that may be imposed by the use and occupancy therein and by natural causes such as snow and winds.

4.1.2 Doubt – Structural Condition – Engineer’s Report

If, in the opinion of the officer, there is doubt as to the structural condition of a building or structure or parts thereof, the officer may order that such building or structure or parts thereof be examined by a professional engineer, licensed to practice in Ontario and employed by the owner of the building or authorized agent, and that a written report, which may include drawings for any recommended remedial work designed by the engineer, and giving details of the findings of such examination to be submitted to the officer.

4.1.3 Report Acceptance

The officer may accept the findings in the report pursuant to subsection 4.1.2 as the requirements for compliance with the required repairs provided the officer is satisfied all deficiencies have been identified and appropriately dealt with by the report.

4.2 FOUNDATION, WALLS, COLUMNS, BEAMS, FLOOR AND ROOF SLABS

4.2.1 Foundations, Walls – Maintained

The foundations, walls, columns, beams, floor and roof slabs of a building including ancillary structures such as parking garages shall be maintained.

4.2.2 Maintenance – Includes

Without restricting the generality of subsection 4.2.1 the maintenance may include:

- a) extension of the wall foundations below grade or regrading to provide adequate frost cover.
- b) installing subsoil drains where such would be beneficial.
- c) repairing or replacing decayed, damaged or weakened sills, piers, posts or other supports.
- d) grouting, waterproofing, cladding or replacing as necessary so as to be weather tight.
- e) the replacement, cladding or treatment with other methods to restore the wall to its original or acceptable equivalent appearance.

- f) the applying of acceptable materials to preserve all wood, metal work or other materials not inherently resistant to weathering or wear; (g) the restoring, or replacing of:
- g) the foundations, walls, columns, beams, floor and roof slabs; and
- h) components, cladding, finishes and trims forming a part thereof.
- i) the carrying out of such other work as may be required to overcome any existing settlement detrimental to the appearance of the building.
- j) removing or replacing loose or unsecured objects and materials.

4.3 DOORS, WINDOWS AND SKYLIGHTS

4.3.1 Apertures – Provided – Perform

Apertures on the exterior surface of a building designed for doors, windows or skylights shall be provided with a door, window or skylight capable of performing the intended function.

4.3.2 Doors, Windows – Maintained

All doors, windows, skylights and shutters, including storm and screen doors and windows shall be maintained.

4.3.3 Maintenance – Includes

Without restricting the generality of subsection 4.3.2, the maintenance includes:

- a) the refitting, replacing or renewing of damaged, decaying or defective doors, windows, frames, sashes, casings, shutters, hatchways or screens.
- b) reglazing cracked, broken or missing glass.
- c) replacing or providing defective or missing hardware.
- d) re-screening or weatherstripping where such is defective or missing.
- e) painting or the applying of a similarly effective preservative.

4.3.4 Required Opening – Protected

When an opening is used or required for ventilation or illumination and is not required to be protected by a door, window or similar closure it shall be protected with a:

- a) wire mesh screen, metal grille or other equivalent durable material; or
- b) other protection so as to effectively prevent the entry of rodents or vermin.

4.3.5 Door/Window – Latched or Secure

All entrance doors to a dwelling and all opening windows in a dwelling unit shall be provided with the means of being latched or secured from within.

4.3.6 Windows – Screens

All windows that can be or are required to be openable in a dwelling unit shall be provided with screens to effectively prevent the entry of insects, from May 1st to September 30th annually.

4.3.7 Screens – Acceptable

Where compliance with subsection 4.3.6 is not practicable screens shall be installed in an acceptable manner.

4.3.8 Vacant Building – Exception

Nothing in Part 4.3 shall be construed as restricting any door, window or other opening in the exterior of a vacant building from being protected by preventing entry thereto as required by the City of London's By-law to Regulate Vacant Buildings.

4.4 ROOFS AND ROOF STRUCTURES

4.4.1 Roof/Related Roof Structure – Maintained

Every roof including related roof structures, fascia's, soffits, eavestroughs, roof gutters, downpipes, guards and lightning arrestors shall be maintained.

4.4.2 Chimneys – Maintained

Chimneys, smoke or vent stacks and other roof structures shall be maintained and free from:

- a) loose bricks and mortar and loose or broken capping.

- b) loose or rusted stanchions, guy wires, braces and attachments or other unsafe conditions.

4.5 FLOORS, STAIRS, VERANDAS, PORCHES, DECKS, LOADING DOCKS AND BALCONIES

4.5.1 Floors, Stairs – Maintained

Every floor, stair, verandah, porch, deck, balcony and every appurtenance and surface finishing attached or laid thereto shall be maintained.

4.5.2 Maintenance – Includes

Without restricting the generality of subsection 4.5.1, the maintenance includes: repairing or replacing floors, treads and risers, including finishes such as linoleum and carpet that contain depressions, protrusions or are broken, torn, warped, loose or otherwise defective;

- a) renewing or strengthening structural members that are rotted, deteriorated or loose;
- b) repainting or the re-applying of other equivalent preservative, if required.

4.5.3 Guard – Provided

A guard with a minimum height of 900 mm (35 inches) shall be provided and maintained along the open sides of balconies, mezzanines, landings or other areas where the vertical drop exceeds 600 mm (24 inches), except that a guard of 710 mm (28 inches) minimum height is acceptable for exterior porches, decks and balconies where the vertical drop from the open side exceeds 600 mm (24 inches) but does not exceed 1 800 mm (71 inches).

4.5.4 Stairs – Guard Required

Except as provided in subsection 4.5.5, every exterior stair with more than 6 risers and every interior stair with more than 2 risers shall be protected with guards on all open sides having a minimum height of 800 mm (31 inches) measured vertically above a line drawn through the outside edge of the stair nosing except that a guard of 710 mm (28 inches) minimum height is acceptable where the stair serves an exterior porch, deck, balcony or exterior landing with a floor height less than 1 800 mm (71 inches) above finished grade.

4.5.5 Stair – Unfinished Space/Area – Guard

A stair within a dwelling unit serving an unfinished space/area need only have a guard or a wall on one side.

4.5.6 Guard – Openings

Guards for residential occupancies shall have no openings which would permit the passage of a spherical object having a diameter of 100 mm (4 inches) unless it can be shown that the location and size of such openings which exceed this limit does not represent a hazard.

4.5.7 Guards – Not to Facilitate Climbing

Guards around exterior balconies, porches and decks of buildings of residential occupancy shall be constructed not to facilitate climbing.

4.5.8.1 Handrail – Provided – Maintained

A handrail shall be provided and maintained on all stairs having more than three risers. Handrails shall have a maximum uniform height of 965 mm (38 inches) when measured vertically from a line drawn through the outside edge of the stair nosing and minimum uniform height of 800 mm (31").

4.5.8.2 Handrail – Both Sides

A handrail shall be provided on both sides for any stair wider than 1100 mm (3' 7") unless serving a single dwelling unit on all stairs with more than 3 risers.

4.5.8.3 One Handrail – Central

Except as provided in 4.5.9.1, one handrail may be provided centrally for stairs up to 2.4 metres (8') wide on all stairs with more than 3 risers.

4.5.9.1 Stairs – Interior – Single Dwelling

The stair tread rise and run for residential interior single dwelling unit shall not exceed these dimensions:

- a) maximum rise 230 mm (9")
- b) minimum tread 230 mm (9")
- c) minimum run 200 mm (8")
- d) if run is less than 240 mm (9½"), a 25 mm (1") nosing is required
- e) existing winders of not more than 3 in 90 degree and not more than 2 sets between floors are permitted and where each tread is not less than 30 degrees and each tread is not greater than 45 degrees

4.5.9.2 Stairs – Residential – Not within

The stair tread rise and run for residential stairs not within dwelling unit shall not exceed these dimensions:

- a) maximum rise 210 mm (8 1/4")
- b) minimum tread 240 mm (9 1/4")
- c) minimum run 212 mm (8 ½")
- d) if run is less than 240 mm (9 ½"), a 25 mm (1") nosing is required
- e) existing winders of not more than 3 in 90 degree and not more than 2 sets between floors are permitted and where each tread is not less than 30 degrees and each tread is not greater than 45 degrees

4.5.9.3 Stairs – Non-residential

The stair tread rise and run for non-residential stairs shall not exceed these dimensions;

- a) rise minimum 125 mm (5") maximum 200 mm (8")
- b) minimum run of 230 mm (9"), must be uniform
- c) if run is less than 240 mm (9 ½"), a 25 mm (1") nosing is required
- d) existing winders of not more than 3 in 90 degrees and not more than 1 set between floors are permitted and where each tread is not less than 30 degrees and each tread is not greater than 45 degrees.

4.5.9.4 Stairs – Service Rooms – Curved/Spiral

Stairs may exceed the requirements in 4.5.9.1, 4.5.9.2, 4.5.9.3 if serving only service rooms, service spaces and other rooms used in industrial occupancies serving equipment and machinery; or existing curved and spiral stairs in dwelling units.

4.6 EXTERIOR SURFACES

4.6.1 Exterior Surfaces – Maintained

All exterior surfaces on a building shall be maintained.

4.6.2 Remove – Stains – Defacement

Appropriate measures shall be taken to remove any stains or other defacement occurring on the exposed finished exterior surfaces and, where necessary, to restore the surface and adjacent areas to, as near as possible, their appearance before the staining or defacement occurred.

4.6.3 Temporary Barricades – Finish Compatible

Exterior surfaces of materials used for the temporary barricading of openings to the interior of a building shall be surfaced with a finish compatible with the surrounding finishes.

4.7 INTERIOR CLADDING AND FINISHES

4.7.1 Interior – Maintained

Interior cladding and finishes of all walls and ceilings including elevator cages shall be maintained.

4.7.2 Interior – Free – Stains, Defacement

Interior cladding and finishes of all walls and ceilings of common areas shall be kept free of stains and other defacement.

4.8 HUMAN HABITATION AND OCCUPANCY STANDARDS

4.8.1 Habitable Space – Human Habitation

Only habitable space shall be used for human habitation.

4.8.2 Dwelling – Use – Human Habitation

No dwelling unit or lodging unit shall be used for human habitation unless:

- a) interior cladding and finishes of walls, ceilings and floors are in accordance with sections 4.5 and 4.7;
- b) doors and windows are in accordance with section 4.3;
- c) a heating system is provided and maintained in accordance with section 5.2;
- d) plumbing and drainage systems are maintained in accordance with section 5.3;
- e) electrical systems are maintained in accordance with section 5.4;
- f) the minimum floor areas are in accordance with subsection 4.8.11 or 4.9.2;
- g) the minimum headroom is in accordance with subsection 4.8.5.

4.8.3 No Owner – Disconnect – Any Service

No owner, nor anyone acting on his behalf, shall cease, disconnect or caused to be disconnected any service, supply of fuel or utility providing light, heat, refrigeration, water or cooking facilities for a dwelling unit occupied by a tenant or lessee, except for such reasonable period of time as may be required for the purpose of repairing, replacing or altering such service or utility.

4.8.4 No Toilet – Located

No toilet or urinal shall be located in a room used for or intended to be used for sleeping or preparing, consuming or storing food.

4.8.5 Headroom – Heights

The minimum floor to ceiling headroom for habitable space shall:

- a) not be less than 1.95 m (6 ft 5 in) over the floor area and in any location that would normally be used as a means of egress; or
- b) not be less than 1.95 m (6 ft 5 in) over at least 50% of the floor area, provided that any part of the floor having a clear height of less than 1.4 m (4 ft 7 in) shall not be considered in computing the floor area. However, a minimum height of 1.95 m (6 ft 5 in) shall be required for all floor area used as a means of egress.

4.8.5.1 Headroom – Height exceptions

Minimum floor to ceiling headroom for habitable space shall follow provisions in 4.8.5, with the following exceptions:

- a) except as required in section 4.8.5(a), headroom may have a lower requirement if serving only service rooms and service spaces. This includes service rooms and service spaces/areas that have laundry amenities.
- b) not be less than 1800 mm (5' 11") over stairs and landing. This also includes unfinished spaces/areas with laundry amenities.
- c) except as required in section 4.8.5(a), headroom may have a height of 1.92m (6'3") only where a door frame is located under a structural load bearing element.

4.8.6 Ventilation – Provided – Maintained

Every habitable room except for a living room and a dining room shall be provided and maintained with natural ventilation which shall:

- a) consist of an opening or openings with a minimum aggregate unobstructed free flow area of 0.278 m² (3 sq ft), and
- b) be located in the exterior walls or through openable parts of skylights, or
- c) mechanical ventilation which shall change the air once each hour;
- d) every washroom shall be provided with an opening or openings for natural ventilation located in an exterior wall or through openable parts of skylights and all such openings shall have a minimum aggregate unobstructed free flow area of 0.092 m² (1 sq ft);
- e) an opening for natural ventilation may be omitted from a bathroom or toilet room where a system of mechanical ventilation has been provided, such as an exhaust fan with a duct leading to outside the dwelling;

- f) every enclosed attic or roof space shall be vented by openings to the exterior to provide at least 0.092 m² (1 sq ft) of unobstructed vent area for every 27.9 m² (300 sq ft) of attic or roof space;
- g) the vents required by clause (c) may be roof, eave or gable-end type or any combination thereof;
- h) a crawl space or non-habitable basement space shall be adequately ventilated to the exterior by natural or mechanical means;
- i) in residential buildings with multiple dwelling units, every laundry room, garbage disposal room, boiler room, storage garage, public corridors and other similar public rooms or spaces of the building shall be adequately ventilated.

4.8.7 Occupancy – Maximum

The maximum number of residents in a dwelling unit or lodging house shall not exceed one (1) person per 9.3 m² (100 ft²) of habitable floor space.

4.8.8 Windows – Provided

Living rooms, dining rooms and bedrooms shall be provided with one or more windows and/or skylights that have a total natural light transmitting area of 5% of the floor area in the case of living and dining rooms and 2.5% of the floor area in the case of bedrooms.

4.8.9 Cooking Facilities – Equipped

Each dwelling unit shall have cooking facilities:

- a) equipped with a sink that:
 - (i) is provided with potable hot and cold water; and
 - (ii) is maintained;
- b) equipped with electrical or other service, fuel or utility outlets suitable for refrigerator and cooking stove; and
- c) equipped with an impervious splash back and countertop around the kitchen sink; and
- d) when equipped with a refrigerator, cooking stove, kitchen fixtures and fittings have such appliances, fixtures and fittings maintained.

4.8.10 Enclosed Sanitary Facilities – One Containing

Each dwelling unit shall have enclosed sanitary facilities with at least one containing:

- a) toilet;
- b) wash basin;
- c) bathtub or shower;
- d) water resistant floor;
- e) water resistant wall around the bathtub or shower; and
- f) a door in the enclosure that can be secured from the inside and can be opened from the outside in an emergency.

4.8.11 Minimum – Area – Dwellings

The minimum floor areas for a dwelling unit shall be as follows:

- a) living areas within dwelling units, either as separate rooms or in combination with other spaces, shall have an area not less than 13.5 m² (145 ft²).
- b) where the area of a living space is combined with a kitchen and dining area, the living area alone in a dwelling unit that contains sleeping accommodation for not more than 2 persons shall be not less than 11 m² (118 ft²);
- c) a dining space in combination with other space shall have an area of not less than 3.25 m² (35 ft²);
- d) dining rooms not combined with other space shall have a minimum area of 7 m² (75 ft²);
- e) kitchen areas within dwelling units either separate from or in combination with other spaces, shall have an area of not less than 4.2 m² (45 ft²) including the area occupied by the base cabinets, except that in dwelling units containing sleeping accommodation for not more
 - f) than 2 persons, the minimum area shall be 3.7 m² (40 ft²);
- g) except as provided in clause (g) and (h), bedrooms in dwelling units shall have an area not less than 7 m² (75 ft²) where built-in cabinets are not provided and not less than 6 m² (65 ft²) where built-in cabinets are provided;
- h) except as provided in clause (h), not less than one bedroom in every dwelling unit shall have an area of not less than 9.8 m² (105 ft²) where built-in cabinets are

not provided and not less than 8.8 m² (95 ft²) where built-in cabinets are provided;

- i) bedroom spaces in combination with other spaces in dwelling units shall have an area not less than 4.2 m² (45 ft²); and
- j) in every dwelling unit, an enclosed space of sufficient size shall be provided to accommodate a water closet, wash basin and bathtub or shower stall.

4.8.12 Multi-Unit Security Devices

In multiple dwellings where a voice communications system between each dwelling unit and the front lobby and security locking and release facilities for the entrance, have been provided and are controlled from each dwelling unit, such facilities shall be maintained.

4.9 LODGING HOUSES

4.9.1 Lodging House – Requirement

Each lodging house shall have at least one toilet, one wash basin and one bathtub or shower for every five tenants and all tenants shall have access to a kitchen sink.

4.9.2 Floor Area – Required

The minimum floor areas for a lodging unit shall be as follows:

- a) sleeping rooms shall have an area not less than 7 m² (75 ft²) per person for single occupancy and 4.6 m² (50 ft²) per person for multiple occupancy.

4.9.3 Cooking Facilities – Equipped

Where a lodging house has cooking facilities they shall be;

- a) equipped with a sink that:
 - i. is provided with potable hot and cold water; and
 - ii. is maintained;
- b) equipped with electrical or other service, fuel or utility outlets suitable for refrigerator and cooking stove; and
- c) equipped with an impervious splash back and countertop around the kitchen sink; and
- d) when equipped by the owner with a refrigerator, cooking stove, kitchen fixtures and fittings have such appliances, fixtures and fittings maintained.

4.9.4 Sanitary Facilities – Contained

Each lodging house shall have enclosed sanitary facilities containing:

- a) toilet;
- b) wash basin;
- c) bathtub or shower;
- d) water resistant floor;
- e) water resistant wall around the bathtub or shower; and
- f) a door in the enclosure that can be secured from the inside and can be opened from the outside in an emergency.

4.10 PEST INFESTATION

4.10.1 Free of Pests

All buildings shall be kept free of rodents, vermin, insects, and other pests at all times and methods used for exterminating rodents or insects or both shall be in accordance with the provisions of the *Pesticides Act, R.S.O. 1990, Chapter P.11*, as amended, and all regulations enacted pursuant thereto.

5. BUILDING SERVICES, SYSTEMS AND FACILITIES

5.1 ELEVATING DEVICES

5.1.1 Elevating Devices – Maintained

Elevating devices shall be maintained:

- a) in accordance with the requirements of the *Elevating Devices Act, R.S.O. 1990, Chapter E.8* and the Fire Code;

- b) with all parts and appendages, including lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans in good repair and operational; and
- c) repaired as expeditiously as possible.

5.2 HEATING, VENTILATING AND MECHANICAL SYSTEMS

5.2.1 Heating, Ventilating and Mechanical Systems – Maintained Heating, ventilating and mechanical systems including factory built stoves, fireplaces and chimneys, fans, air conditioners, pumps, filtration and other equipment provided to supply heat and air conditioning or other services shall be maintained.

5.2.2 Heating System – Capable – Temperatures

The heating system shall be capable of maintaining the temperatures specified in the City of London Vital Services By-law.

5.2.3 Portable Heating – Not Used – Primary Source

Portable heating equipment shall not be used as the primary source of heat for any rented or leased dwellings or living accommodations.

5.2.4 Duct Type Smoke Detector – Multi Unit

Where there are multiple units within a building that are sharing one furnace, a duct type smoke interlock detector shall be installed and maintained.

5.3 PLUMBING AND DRAINAGE SYSTEMS

5.3.1 Plumbing and Drainage – Maintained

- a) Plumbing and drainage systems shall be provided and installed so that such systems: are free from leaks and adequately protected from freezing;
- b) supply potable hot and cold water commensurate with the normal requirements of the use and or occupancy served; and
- c) operated to provide at the hot water outlets in each dwelling unit hot water at a temperature of not less than 43°C (109°F).

5.3.2 Washing Machine and Plumbing Fixtures – Maintained

Where washing machines and plumbing fixtures are provided they shall be maintained.

5.3.3 Air Conditioners – Prevent Condensation

Air conditioners shall be equipped with proper devices to prevent condensation draining onto publicly owned sidewalks, walkways, entrances and other pedestrian routes.

5.3.4 Septic Tanks – Field Beds – Maintain

Septic tanks, field beds and dry wells shall be maintained.

5.3.5 Decommissioning – Septic Tanks – Drywell

To decommission, tanks or dry wells, they shall be pumped dry and contents disposed at a suitable disposal site and a receipt of the disposal fee shall be submitted to the City of London Property Standards Officer. The tanks or dry wells may be broken up and buried, cavities shall be filled with sand or another suitable material and the ground graded to match existing grades. Existing building drain(s) not being reused shall be removed from the foundation wall and the foundation wall shall be repaired and made impervious to water.

5.4 ELECTRICAL SYSTEMS

5.4.1 Provide – Outlets

Dwelling units and, where required by the Ontario Electrical Code, buildings and all parts thereof shall be provided with outlets to receive electricity from an electrical supply system.

5.4.2 Wall Switch – Provided

Except as provided in Subsection 5.4.3, a lighting outlet with fixture controlled by a wall switch shall be provided in kitchens, bedrooms, living rooms, dining rooms, washrooms, vestibules and hallways in dwelling units.

5.4.3 Receptacle Controlled

Where a receptacle controlled by a wall switch is provided in bedrooms or living rooms, such rooms need not conform to the requirements of Subsection 5.4.2.

5.4.4 Capacity of Connection – Conform – Ontario Electrical Code

The capacity of the connection to the building or parts thereof and the system of circuits and electrical outlets distributing the electrical supply within the building shall conform to the Ontario Electrical Code.

5.4.5 Lighting Outlet – Provided – Maintained

A lighting outlet with a fixture shall be provided and maintained in every laundry room, furnace room, garbage room, utility room, storage room, service room, unfinished basements in dwelling units and any other public spaces in residential buildings.

5.4.6 Exit, Public Corridor or Corridor – Access – Lighting – Provided – Maintained

Every exit, public corridor or corridor providing access to exit for the public and storage garages shall be provided and maintained with lighting fixtures which furnish an average illumination level of 50 lux (4.6 foot candles) at floor or tread level.

5.4.7 Electrical Systems – Central Station – Maintained

Electrical systems and central station connections shall be maintained as required by the Ontario Electrical Code and the Fire Code.

5.5 RECREATIONAL FACILITIES

5.5.1 Amenities – Provided – Maintained

Recreational amenities, facilities, rooms and play area surfaces and equipment provided by the owner shall be maintained in accordance with the appropriate section in this by-law.

6. APPEAL TO COMMITTEE

6.1 Fee for Appeal – Required

An owner or occupant who appeals an Order shall pay a non-refundable hearing fee as provided for under the Fees and Charges By-law, A-56 or any successor by-law.

6.2 Timelines for Appeal

An owner or occupant who has been served with a property standards order and who is not satisfied with the terms or conditions of the order may appeal to the Committee by sending a notice of appeal, including grounds for the appeal and the applicable fee as set out in the Fees and Charges By-law, by registered mail to the secretary of the Committee within 14 days after being served with the order. A property standards order that is not appealed within the time referred to in this section is deemed to be confirmed.

7. ESTABLISHMENT OF A COMMITTEE

7.1 Council – Establish – Committee

A committee to be known as the Property Standards Committee is established. The purpose of the Committee is to hear appeals of Property Standards Orders.

7.2 Committee – Term and Composition

The Committee shall consist of no less than three persons as appointed by Council. The names of the Committee members appointed to the Committee are attached as **Schedule A** to this By-law. Committee members shall remain in office at the pleasure of Council.

7.3 Committee Member – Hearings Officer

To be a Committee member, a person must be a Hearings Officer appointed under Hearings Officer By-law A.-6653-121, or any successor by-law.

7.4 Committee Member – Prior Appointments Rescinded

Any appointment of a person to a property standards committee made prior to the passing of this by-law is rescinded.

7.5 Forthwith Fill – Vacancy

Council shall forthwith fill any vacancy that occurs in the membership of the Committee.

7.6 Council – Remuneration – Committee

Council shall remunerate Committee members at the same rate as Hearings Officers.

7.7 Committee – Elect – Chair

The Committee shall elect a chair from among themselves and when the chair is absent through illness or otherwise, may appoint another member as acting chair.

7.8 Majority – Quorum

A majority of members constitutes a quorum for transacting the Committee's business.

7.9 Secretary – Committee

The Committee members shall provide for a secretary for the Committee who shall be the City Clerk or Designate.

7.10 Secretary – Retain – Records

The secretary shall keep on file the records of all official business of all applications and minutes of all decisions respecting those applications, and section 253 of the *Municipal Act, 2001* applies with necessary modifications to the minutes and records.

7.11 Committee – Rules and Procedures

The Committee may adopt its own rules and procedures.

7.12 Committee – Notice of Hearing

The Committee shall give notice or direct that notice be given of the hearing of an appeal to such persons as the Committee considers advisable.

7.13 Powers of Committee

On an appeal, the Committee has all the powers and functions of the officer who made the order and the Committee may do any of the following things if, in the Committee's opinion, doing so would maintain the general intent and purpose of the by-law and of the official plan or policy statement:

1. Confirm, modify, or rescind the order to demolish or repair;
2. Extend the time for complying with the order.

8. VALIDITY

8.1 Severability

In the event that any provision of this by-law is declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the remaining provisions of this by-law.

9. REPEAL

9.1 By-laws – Repealed

By-law CP-16, as amended, being "A by-law prescribing standards for the maintenance and occupancy of property" is hereby repealed.

9.2 By-laws Repealed – Order Continuous

An Order made under any repealed Property Standards By-law is continued as an Order made under Section 15.1 of the Act.

9.3 Transition – Orders Continued

An order made pursuant to By-law CP-16 is continued under and in conformity with the provisions of this by-law so far as consistently may be possible.

9.4 Transition – Proceedings Continued

All proceedings taken pursuant to By-law CP-16 shall be taken up and continued under and in conformity with the provisions of this by-law so far as consistently may be possible.

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – March 23, 2021
Second reading – March 23, 2021
Third reading – March 23, 2021

Schedule "A"
Appointments of Hearings Officers to the Property Standards Committee

The following individuals who have been appointed as Hearings Officers pursuant to By-law A.-6653-121 serve on the Property Standards Committee:

1. Don Bryant
2. Sue Carlyle
3. Dan Ross
4. Christene Scrimgeour
5. Andrew Wright

Bill No. 101
2021

By-law No. C.P. 1467(__)-_____

A by-law to amend C.P.-1467-175, as amended, being “A By-law to establish financial incentives for the Downtown Community Improvement Project Areas” by deleting in its entirety, Schedule 3 – The Boulevard Café Grant Guidelines.

WHEREAS by subsection 28(2) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area as a community improvement project area;

AND WHEREAS subsection 28(4) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, enables the Council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS *The London Plan*, 2016, the Official Plan for the City of London, contains provisions relating to community improvement within the city;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Downtown Community Improvement Project Areas;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, adopted the Downtown Community Improvement Plan;

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

1. By-law C.P.-1467-175, as amended, is hereby amended by deleting in its entirety, Schedule 3 - The Boulevard Café Grant Guidelines;
2. This by-law shall come into effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Bill No. 102
2021

By-law No. C.P.-1512(__)-_____

A by-law to amend The London Plan for the
City of London, 2016 relating to relating to 403
Thompson Road.

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 March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is: The purpose of this Amendment is to add a policy to the Specific Policies for the Neighbourhoods Place Type and add the subject lands to Map 7 – Specific Policy Areas – of The London Plan to permit a low-rise apartment building within the Neighbourhoods Place Type having a maximum height of 4-storeys.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 403 Thompson Road in the City of London.

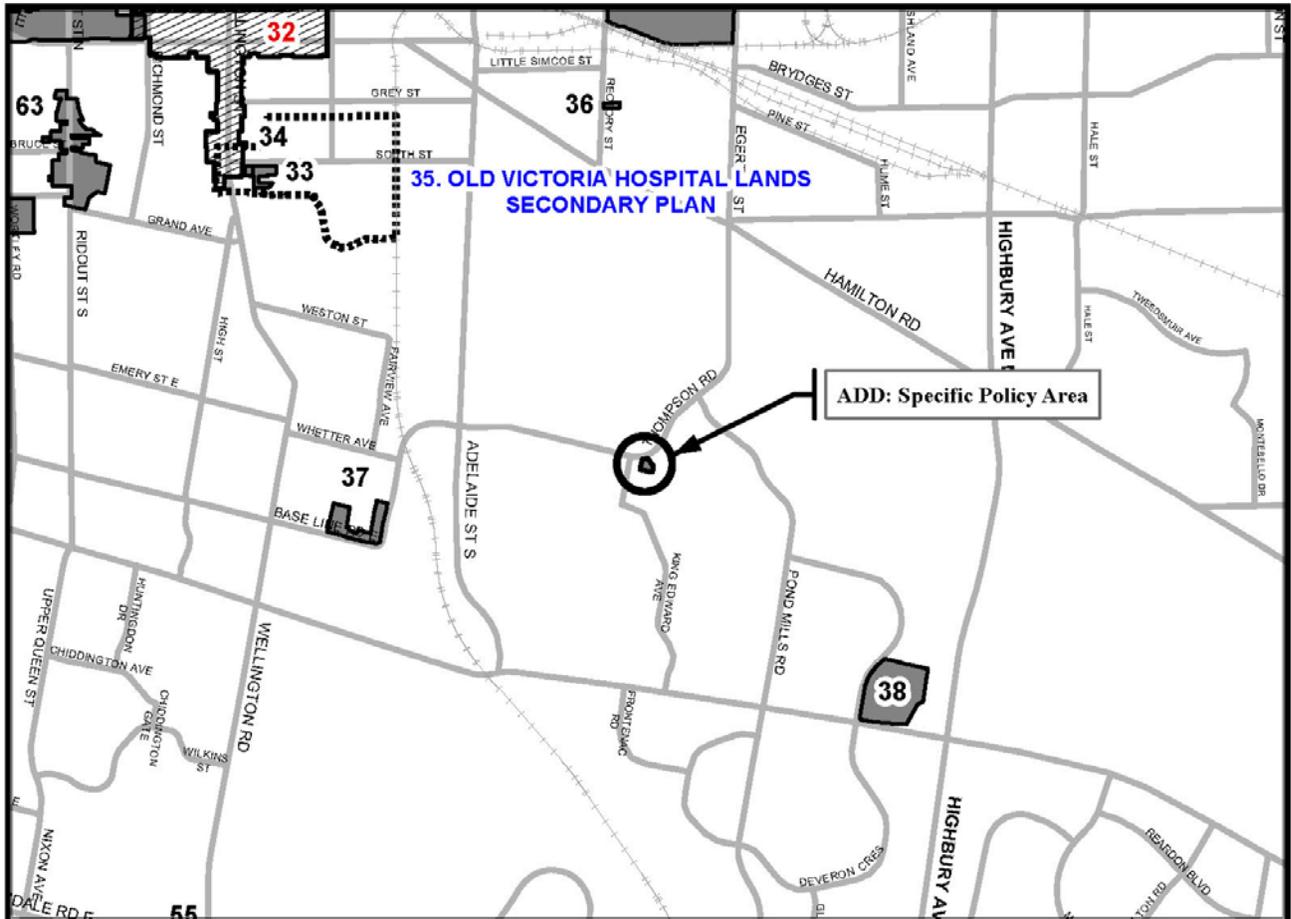
C. BASIS OF THE AMENDMENT

1. This Amendment conforms to the policies of the Provincial Policy Statement, 2020.
2. The Amendment implements the Key Directions of The London Plan.
3. The Amendment is in keeping with the policy framework as set out in The London Plan.

D. THE AMENDMENT

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

1. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London is amended by adding the following:
 - () In the Neighbourhoods Type at 403 Thompson Road a low-rise apartment building up to 4-storeys may be permitted.
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 those lands located at 403 Thompson Road in the City of London, as indicated on “Schedule 1” attached hereto.



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.

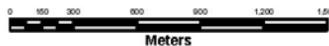
**SCHEDULE 1
TO
THE LONDON PLAN**

AMENDMENT NO. _____

PREPARED BY: Planning Services



Scale 1:30,000



FILE NUMBER: OZ-9290

PLANNER: LM

TECHNICIAN: rc

DATE: 2/4/2021

Bill No. 103
2021

By-law No. C.P.-1512(____)-_____

A by-law to amend The London Plan for the
City of London, 2016 relating to relating to 345
Sylvan Street.

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 March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

AMENDMENT NO.

to the

THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is: The purpose of this Amendment is to add a policy to the Specific Policies for the Neighbourhoods Place Type and add the subject lands to Map 7 – Specific Policy Areas – of The London Plan to permit a low-rise apartment building within the Neighbourhoods Place Type having a maximum height of 3-storeys.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 345 Sylvan Street in the City of London.

C. BASIS OF THE AMENDMENT

1. This Amendment conforms to the policies of the Provincial Policy Statement, 2020.
2. The Amendment implements the Key Directions of The London Plan
3. The Amendment is in keeping with the policy framework as set out in The London Plan

D. THE AMENDMENT

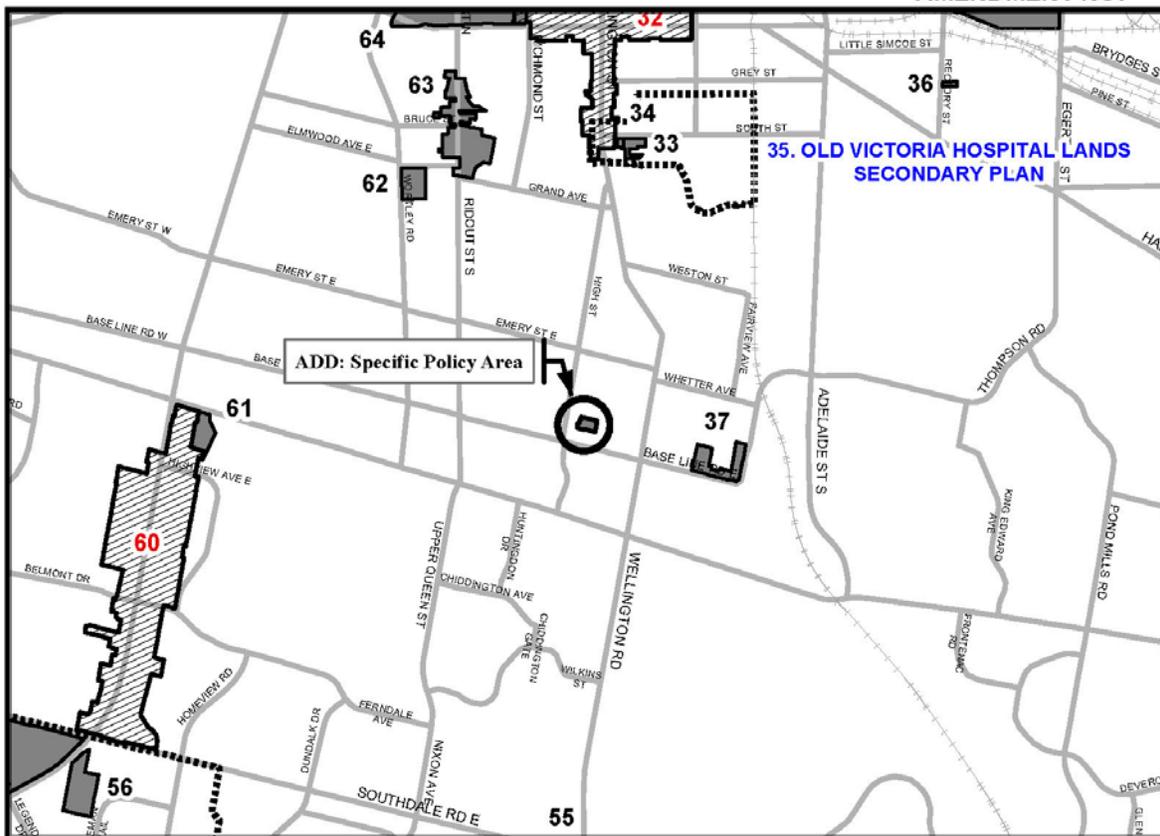
The London Plan for the City of London is hereby amended as follows:

1. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London is amended by adding the following:

() In the Neighbourhoods Type at 345 Sylvan Street a low-rise apartment building up to 3-storeys may be permitted.
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 those lands located at 345 Sylvan Street in the City of London, as indicated on “Schedule 1” attached hereto.

SCHEDULE 1

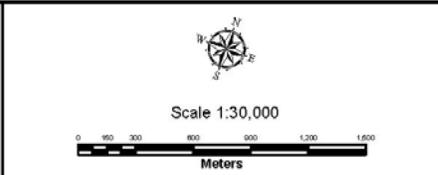
AMENDMENT NO:



LEGEND	BASE MAP FEATURES
Specific Policies	Streets (See Map 3)
Rapid Transit and Urban Corridor Specific-Segment Policies	Railways
Near Campus Neighbourhood	Urban Growth Boundary
Secondary Plans	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



FILE NUMBER: OZ-9297
PLANNER: LM
TECHNICIAN: rc
DATE: 1/22/2021

Bill No. 104
2021

By-law No. C.P.-1512(__)-__

A by-law to amend The London Plan for the City of London, 2016, relating to Map 8 in Appendix 1 (Maps) and the Core Area Community Improvement Project Area.

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 as Schedule 1 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, as amended.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Amendment No.
To
The London Plan For The City Of London

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To add the Core Area Community Improvement Project Area to Map 8 – Community Improvement Project Areas in Appendix 1 (Maps) to *The London Plan*, pursuant to Council's designation of the Core Area Community Improvement Project Area.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to all lands within the Core Area Community Improvement Project Area.

C. BASIS OF THE AMENDMENT

The City must designate a core area community improvement project area to adopt a community improvement plan pertaining to such matters.

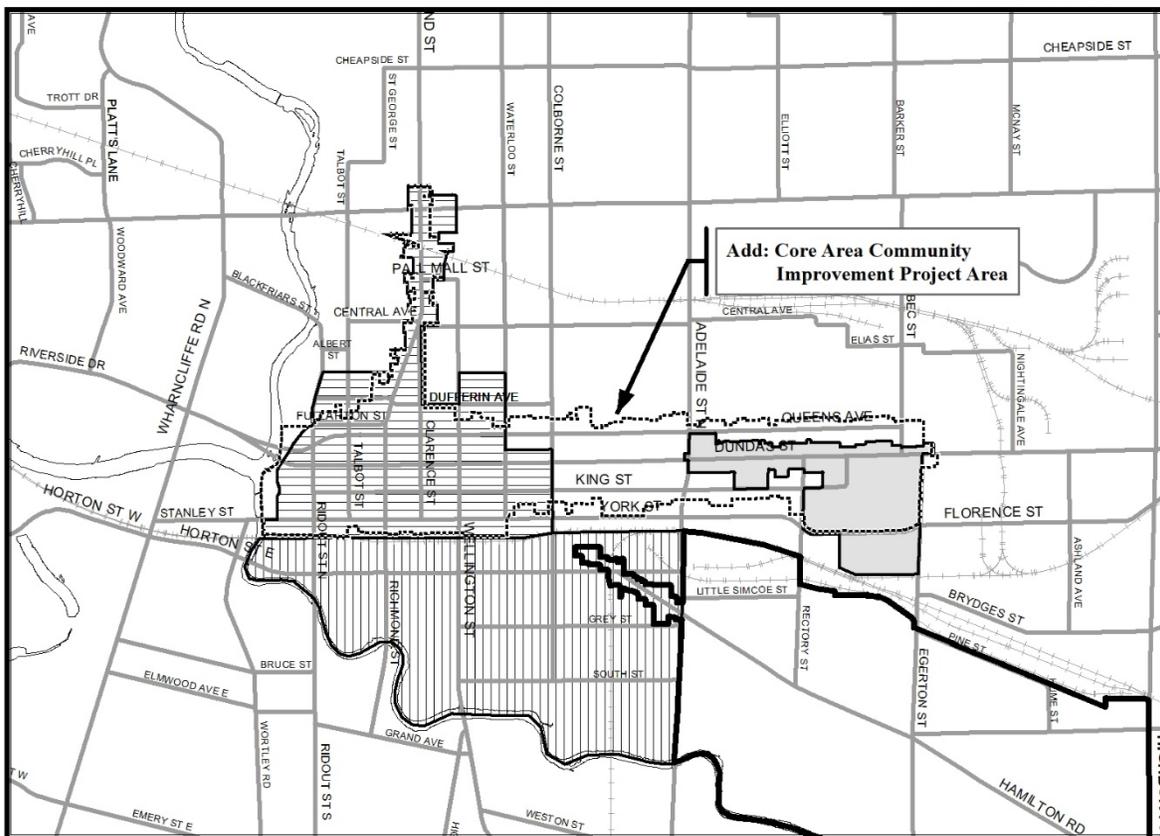
D. THE AMENDMENT

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

1. Map 8 – Community Improvement Project Area in Appendix 1 (Maps) to *The London Plan* for the City of London Planning Area is amended by adding the “Core Area Community Improvement Project Area” to the Map and Map Legend.

Schedule 1: Amendment to Map 8 to *The London Plan*

AMENDMENT NO: _____



LEGEND

- Airport Community Improvement Project Area
- Downtown Community Improvement Project Area
- Core Area Community Improvement Project Area
- Hamilton Road Community Improvement Project Area
- Lambeth Community Improvement Project Area
- Old East Village Community Improvement Project Area
- SoHo Community Improvement Project Area

BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- Water Courses/Ponds

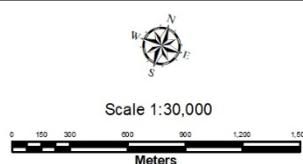
Add Core Area Community Improvement Project Area text and symbol to legend

NOTE: The Brownfields CIP, Heritage CIP, Industrial CIP and Affordable Housing CIP Areas include all lands within the municipal boundary

This is an excerpt from the Planning Division's working consolidation of Map 8 - Community Improvement Project Areas of the London Plan, with added notations.

SCHEDULE #
TO
THE LONDON PLAN
AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: O-9257
PLANNER: KK
TECHNICIAN: MB
DATE: 1/13/2021

Document Path: E:\Planning\Projects\p_official\plan\work\consol\00\amendments_LondonPlan\CoreAreaCIP\working.mxd

Bill No. 105
2021

By-law No. C.P.-1528(____)-_____

A by-law to amend By-law C.P.-1528-486, as amended, being “A by-law to designate an area as an improvement area and to establish the board of management for the purpose of managing the Hamilton Road Business Improvement Area” by amending the Board of Management composition to provide for a Board comprised of six (6) to twelve (12) directors.

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

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

AND WHEREAS subsection 204(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides a local municipality may designate an area as an improvement area and may establish a board of management;

AND WHEREAS the Municipal Council passed By-law C.P.-1528-486 on October 2, 2018 to establish the board of management of the Hamilton Road Business Improvement Area;

AND WHEREAS the Municipal Council passed By-law C.P.-1528(a)-27 on January 15, 2019 to amend By-law C.P.-1528-486 to provide further clarification with respect to quorum requirements for the Annual General Meeting, notice provisions with respect to the Annual General meeting and membership of subcommittees of the Board;

AND WHEREAS the Municipal Council deems it appropriate to further amend By-law C.P.-1528-486, as amended, to amend the composition of the Board of Management to provide for a Board to be comprised of six (6) to twelve (12) directors;

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

1. By-law C.P.-1528-486, as amended by By-law C.P.-1528(a)-27, is hereby further amended by deleting section 4.1 in its entirety and by replacing it with the following new section 4.1:

- 4.1 The Board of Management shall consist of six (6) to twelve (12) directors:
- (a) at least one director appointed by Council; and,
 - (b) the remaining directors selected by a vote of the Members and then appointed by Council.

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Bill No. 106
2021

By-law No. C.P. _____ - ____

A by-law to designate the Core Area
Community Improvement Project Area.

WHEREAS by subsection 28(2) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area covered by an official plan as a community improvement project area;

AND WHEREAS *The London Plan*, 2016, the Official Plan for the City of London, contains provisions relating to community improvement within the city;

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

1. The Core Area Community Improvement Project Area, as contained in Schedule 1, attached hereto, and forming part of this by-law, is designated.
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, as amended.

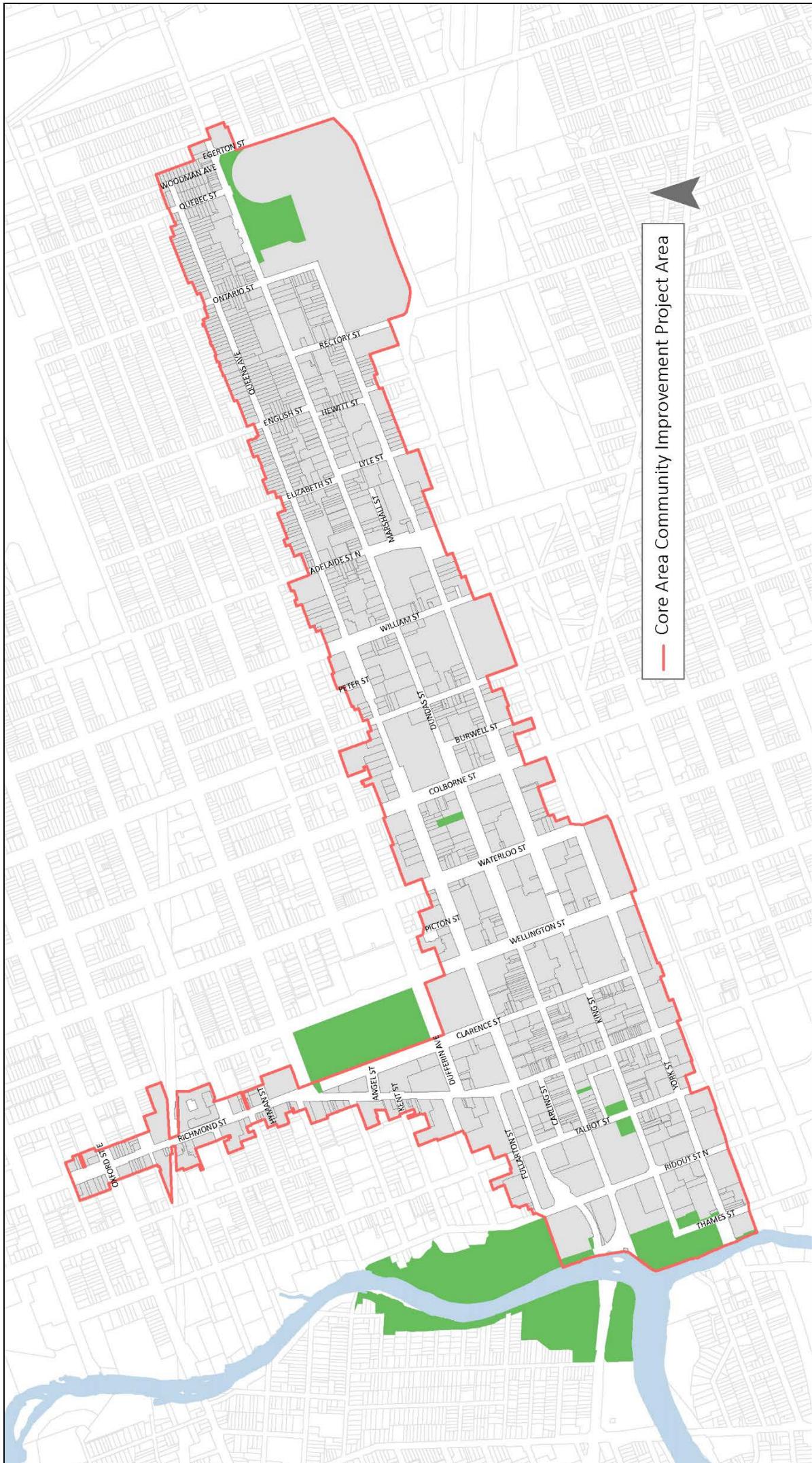
PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Schedule 1: Core Area Community Improvement Project Area



Bill No. 107
2021

By-law No. C.P.-_____ - ____

A by-law to adopt the Core Area Community Improvement Plan.

WHEREAS subsection 28(4) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, enables the Council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS the Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Core Area Community Improvement Project Area;

AND WHEREAS the Core Area Community Improvement Project Area is in conformity with *The London Plan*, 2016, the Official Plan for the City of London;

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

1. The Core Area Community Improvement Plan, attached hereto as Schedule 1, is hereby adopted as the Community Improvement Plan for the area defined therein;
2. This by-law shall come into effect on the day it is passed

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Schedule 1: Core Area Community Improvement Plan

March 2020



City of London

Core Area Community Improvement Plan





Acknowledgments

This Community Improvement Plan was prepared by the City of London City Planning Division with assistance from numerous other City Divisions and community partners as well as all those who participated in the process and contributed throughout the preparation of this Plan.

Core Area Community Improvement Plan

1 Introduction

2 Community Improvement Plan Overview

5 The Study Area

6 Core Area Profile

9 Community Improvement Project Area

10 The Community Improvement Project Area

13 Vision & Goals

14 Consultation

15 Community Feedback

16 Vision

17 Goals

19 Incentive Programs

20 Purpose of Financial Incentives

21 Core Area Financial Incentive Programs

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Community Improvement Plan Overview

What is a Community Improvement Plan?

A Community Improvement Plan (CIP) is a strategy that guides redevelopment and improvements within a defined area of need. To achieve the strategy, CIPs allow a municipality to take actions such as:

- Identify changes needed to land use planning policy, zoning, other by-laws and practices;
- Acquire, rehabilitate, and dispose of land;
- Provide grants and loans to property owners that would otherwise be unavailable; and,
- Direct investments made to infrastructure and public space.

Purpose of this Community Improvement Plan

In response to increasing concerns received regarding the state of the core area, and acknowledging that there has previously been extensive public and private investment in the Downtown and surrounding areas, the City of London initiated a study to identify the gaps that were potentially hindering the success of the core area. The *Core Area Action Plan* was the result of this study, which identified a number of initiatives that were intended to fill in these gaps. In November 2019, Municipal Council received this plan and directed its implementation.

While there are existing Community Improvement Plans for both the Downtown and Old East Village, the *Core Area Action Plan* identified the need for a specialized Community Improvement Plan that addressed parts of the Downtown and Old East Village, but also bridged the gap between these two areas of the city. The City of London has prepared this community improvement plan for the Core Area, which is intended to result in its revitalization by:

- Establishing a vision and goals for the Core Area;
- Recording and prioritizing actions for how the Core Area will be improved; and,
- Proposing incentive programs that can be offered to stimulate private sector investment.





How This Plan Was Prepared

The Core Area Action Plan laid the groundwork for this Community Improvement Plan.

These main tasks were completed to provide a comprehensive foundation for the preparation of this CIP:

- Review of relevant Provincial and City policy documents;
- Review of existing City of London Community Improvement Plans and incentive programs;
- Analysis of the Core Area based on:
 - Secondary information (such as Statistics Canada data);
 - Visual audit and first-hand data collection;
 - Input received from City staff; and,
 - Information collected through individual interviews of those living, working, and doing business in the Core Area.

The Study Area

When a Community Improvement Plan (CIP) is being prepared, a Study Area is established to focus the project scope and establish the community which is being considered for potential "improvement" through various means identified under Section 28 of the *Planning Act*.

For this CIP, the study area is identified below in Figure 1, and can generally be defined by the Thames River to the west, properties fronting Queens Avenue to the north, Woodman Avenue to the east, and properties fronting King Street to the south; it also includes all properties fronting Richmond Street from Fullarton Street to Oxford Street East and properties fronting York Street from the Thames River to Waterloo Street.

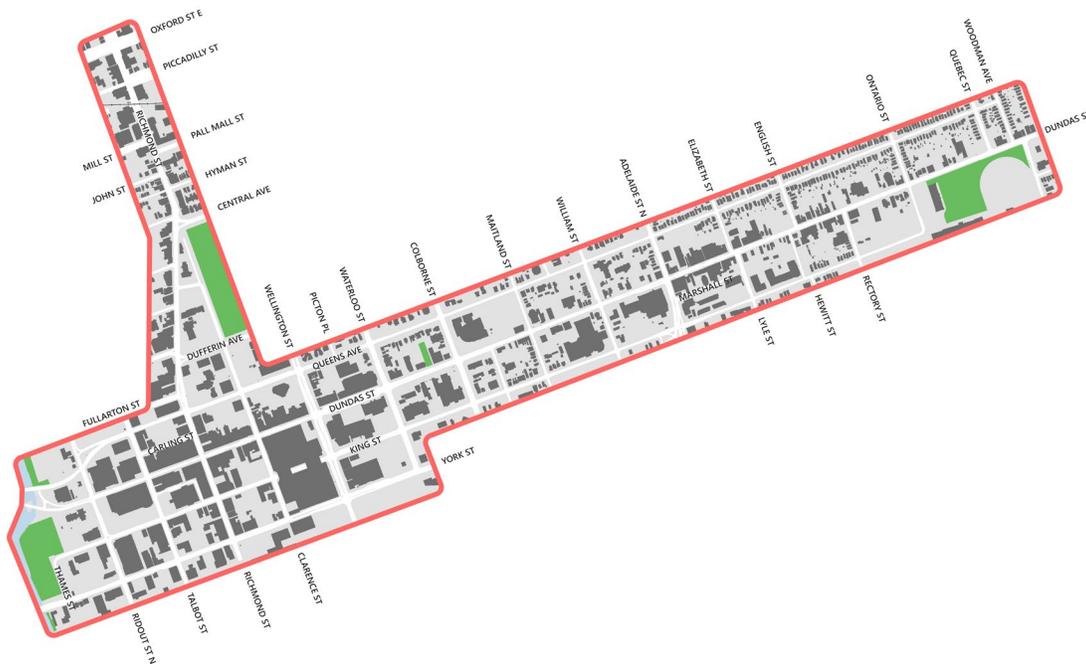


Figure 1: Study Area

From the Study Area, a Community Improvement Project Area is then identified as the specific area requiring improvement. The Core Area Community Improvement Project Area is shown in Section 2 of this plan.



Core Area Profile

Purpose

The profile for the Core Area establishes baseline conditions and identifies characteristics which make this area of the city distinct within London. This comparison can provide insight into opportunities and challenges within the Core Area Community Improvement Project Area. Unless otherwise stated, the data presented was obtained by Environics Analytics and collected in 2020.

Population

The total household population of the Core Area is 8,446, which represents two percent of the total population of London. The daytime population of the Core Area, which accounts for those at home and at work, is 40,191. This represents approximately 10 percent of the total population of London.

The Core Area has a relatively young population, with 50 percent of the population 34 years of age and younger and a median age of 37. Of this population, 34 percent of residents are married or in a common-law relationship, which is significantly lower than that city-wide at 53 percent.

The Core Area population is 23 percent visible minorities, which is consistent with the visible minority representation city-wide. Approximately 17 percent of the Core Area population is composed of immigrants, while immigrants represent 23 percent city-wide.

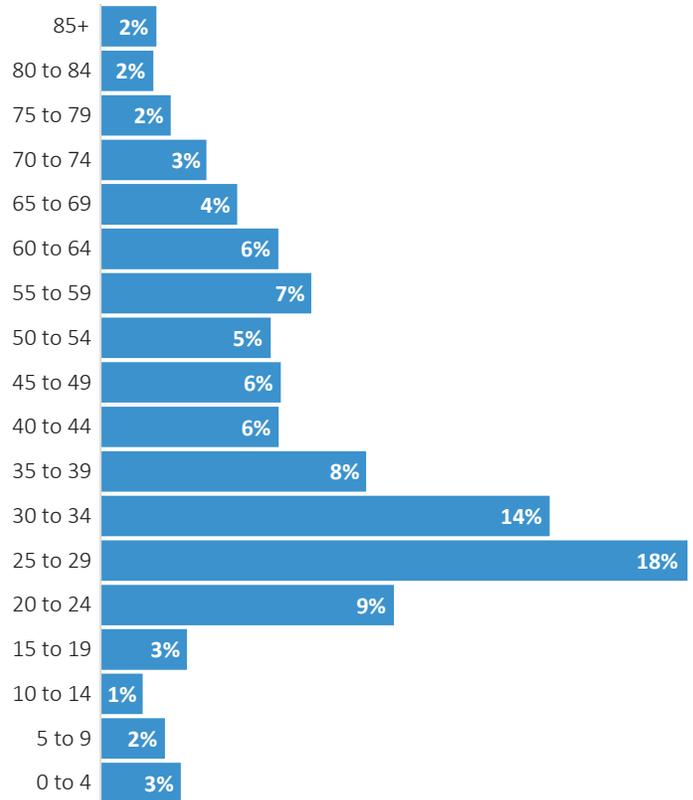
Household Income

The average annual household income in the Core Area is approximately \$67,323, which is significantly lower than the city-wide annual household income of \$90,741. Approximately 41 percent of the households in the Core Area have an annual income of under \$40,000. In comparison, only 28 percent of households city-wide have an annual household income of less than \$40,000.

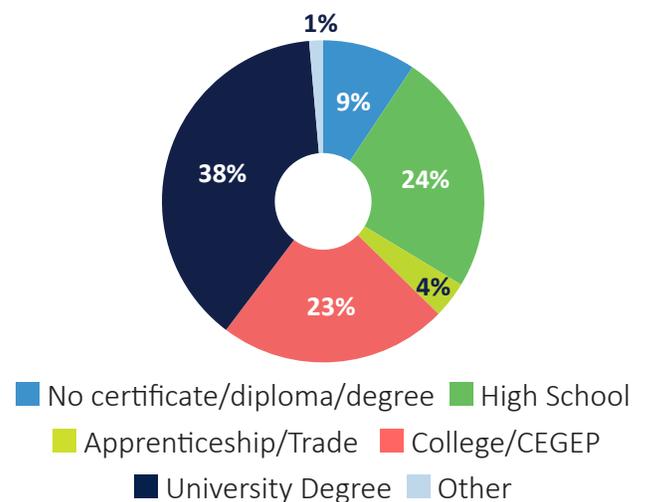
Education

A higher proportion of Core Area residents have a university degree than that of residents city-wide, at 38 percent and 28 percent, respectively.

Age Structure



Education

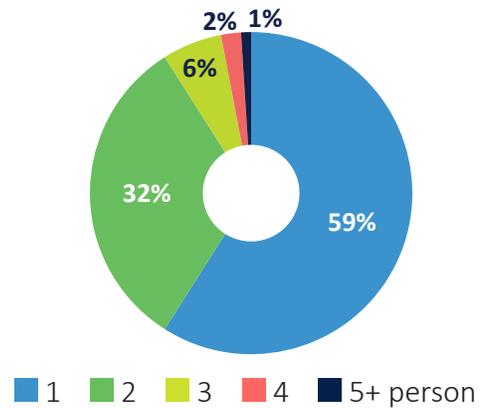


Household Structure

There are 5,311 households in the Core Area, the majority of which are one-person households. While only 32 percent of households city-wide are one-person households, within the Core Area 59 percent of households are comprised of one person.

Within the Core Area, approximately 12 percent of households have children, whereas 38 percent of households city-wide are households with children at home.

Household Structure

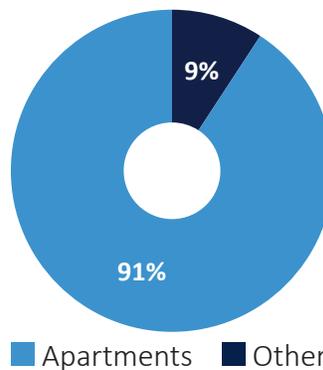


Housing

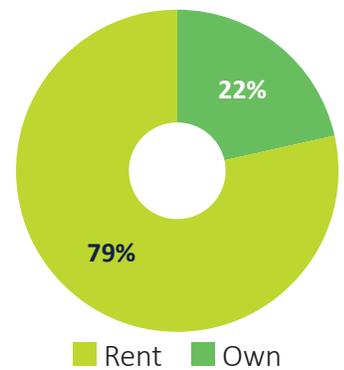
There are 5,311 households in the Core Area, 91 percent of which reside in apartment-style buildings, including high-rise apartments, low-rise apartments and duplex dwellings. The remaining nine percent of households live in single-detached, semi-detached, and row houses.

Within the Core Area, 79 percent of households rent, while 22 percent own. In comparison, 40 percent of households rent and 60 percent own city-wide.

Housing Type



Tenure



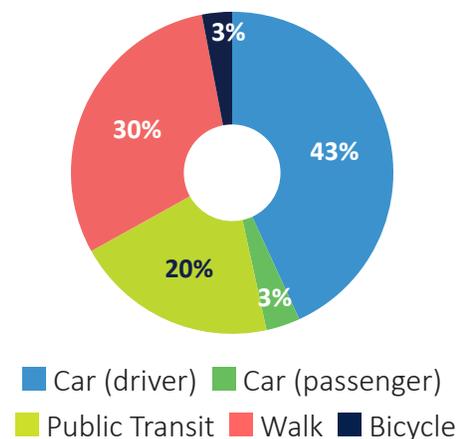
Employment

The Core Area has a 70 percent labour force participation rate, which is higher than the city-wide labour force participation rate of approximately 60 percent.

The top three employment sectors for Core Area residents include sales and service (17 percent), business finance administration (10 percent) and education/government/religion/social (nine percent).

Core Area residents are considerably less car dependent, with only 46 percent commuting by car (as a passenger or driver) in comparison to 81 percent city-wide.

Commuting Mode



Section 2

Community Improvement Project Area



The Community Improvement Project Area

Section 28 of the *Planning Act* defines a community improvement project area as “a municipality or an area within a municipality, the community improvement of which in the opinion of the council is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.”

The Core Area Community Improvement Project Area is illustrated in Figure 2. All community improvement activities described in this plan, including financial incentive programs, will only be undertaken within the area designated as the Core Area Community Improvement Project Area. The community improvement project area is designated by a by-law passed by Municipal Council, in accordance with Section 28 of the *Planning Act*.



Section 3

Vision & Goals



Consultation

To gain an understanding of key issues and to identify the gaps that should be addressed by this Community Improvement Plan (CIP), community improvement needs in the Core Area Community Improvement Project Area have been determined using the following methods:

- First-hand observations made during site visits of the area;
- Research and analysis of legislation, policies, regulations and other sources of existing information applicable to the area;
- Consultation with the local community members and organizations; and,
- Consultation with staff in various City of London service areas.

Community Feedback

The feedback received through the consultation process identified four needs or gaps that require community improvement to facilitate the revitalization of the Core Area. These needs or gaps, consistent with the *Core Area Action Plan*, include:



Help those struggling with homelessness and health issues.



Create a safe and secure environment.



Support businesses.



Attract more people.

This feedback received during consultation with the community was used to form the vision and goals of this community improvement plan.



Vision

A vision for a community improvement plan (CIP) is a long-term strategic statement that identifies how the community wants to look, feel, and function. The establishment of a vision is a critical component of the CIP process because it provides the overarching long-term foundation for the improvements and incentive programs cited in the CIP. The following vision was created for the Core Area:

By 2030, the Core Area will solidify itself as the primary destination in the city for arts, culture, and entertainment, and be a welcoming urban neighbourhood that establishes a positive image of London.

Goals

A goal is a long-term and broad aim aligned to achieve a defined vision. Clearly defined goals allow people to see how actions relate to the community vision. The following goals have been established for the Core Area:

Create a positive image that is representative of the city as a whole.

Create a welcoming environment that is safe and secure for everyone.

Offer compassionate care for those who need it.

Improve accessibility by active and public transportation modes.

Serve as a destination for locals and tourists.

Expand opportunities for culture, arts, music and entertainment.

Increase activity outside of office business hours.

Remove barriers for small and local businesses.

Attract and retain businesses, talent and investment.

Create great streetscapes that are visually interesting, accessible and clean.

Increase the residential population.

Support local residents and build a sense of community.





Section 4

Incentive Programs



Purpose of Financial Incentives

Coupled with proposed action items identified in the *Core Area Action Plan* that can be undertaken by the public sector, the private sector needs to be engaged in community improvement to achieve this plan's goals. Financial incentives are established to help stimulate private investment in buildings and properties. In accordance with the *Planning Act* and the City's Official Plan, the City may offer grants or loans to property owners to help cover eligible costs and further community improvement goals.

Core Area Financial Incentive Programs

Background

The Core Area CIP financial incentive programs represent a comprehensive 'toolkit' of programs designed to help address a number of the key gaps identified during the analysis and achieve the vision and goals of the CIP. The financial incentive programs are designed to encourage private sector investment within the Core Area Community Improvement Project Area.

The incentive programs contained in the CIP are referred to as a 'toolkit' because once the CIP is adopted and approved, Municipal Council is able to fund, activate, and implement the incentive programs. The programs are, however, subject to the availability of funding, and Municipal Council may choose to implement, suspend, or discontinue one or more programs at any time. It is important to note that the Core Area CIP is an enabling document which means Municipal Council is under no obligation to activate and implement any of the incentive programs.

The programs are also referred to as a 'toolkit' because once activated, these programs can be used individually or together by an applicant. In addition to the incentive programs contained in this CIP, the City of London also provides city-wide incentive programs in the Brownfield, Heritage, and Affordable Housing Community Improvement Plans, which may be applicable to property owners within the Core Area Community Improvement Project Area. It should also be noted that the Downtown and Old East Village Community Improvement Project Areas, as identified in their corresponding CIPs, partially overlap with the Core Area Community Improvement Project Area. As such, financial incentive programs in the Downtown CIP and Old East Village CIP may also be applicable to property owners.

Among the various CIPs, there may be similar and overlapping incentives a property owner might choose to apply for related to a specific property. Each CIP provides specific program requirements for each financial incentive program.



Summary of Financial Incentive Programs

Table 1 summarizes basic program details for each of the incentive programs. The maximum grant/loan available for each program will be determined by City Council when it implements an incentive program and will be based on budget considerations at that time.

Eligibility criteria is available in the detailed program requirements in the Core Area CIP financial incentive implementation information package. An amendment to this plan is required to add a financial incentive program or alter its description. Changes to detailed program requirements may occur by Municipal Council resolution without an amendment to this plan.

Table 1: Summary of Core Area CIP Financial Incentive Programs

Program	Description	Program Duration
<p>Core Area Safety Audit Grant Program</p>	<p>A program designed to assist property owners in implementing the Core Area Safety Audit recommendations that identify property modifications necessary to improve safety within the Core Area. The Core Area Safety Audit will be conducted to identify areas of concern and to recommend safety improvements to public and private space. The program will specify what type of improvements would qualify for assistance; however, only improvements that result in physical changes to a building or property may qualify.</p> <p>The City may provide grants of up to 50 percent of the total cost of the property modifications undertaken to implement the safety improvements, up to a maximum of \$10,000 per property.</p>	<p>As directed by Municipal Council</p>
<p>Core Area Boulevard Café Grant Program</p>	<p>A program designed to offset administrative and licence fees related to the operation of a boulevard café, including fees associated with the temporary use of the City sidewalk and/or on-street parking space related to a boulevard café.</p> <p>The City may provide grants equal to the administrative and licence fees.</p>	<p>As directed by Municipal Council</p>
<p>Core Area Sign Grant Program</p>	<p>A program designed to offset administrative and licence fees related to sign permits, including the encroachment of signs on a City street or road allowance.</p> <p>The City may provide grants equal to the administrative and licence fees.</p>	<p>As directed by Municipal Council</p>

ICE CREAM

OPEN
STORE HOURS
MON-SUN 2-11 PM
TUESDAY CLOSED

Fresh Hand Rolled Ice Cream.
rolle nelli
FRESH HAND ROLLED ICE CREAM
FARM TO CUP
Fresh Scooped Ice Cream.

COFFEE
WAYS
FOOD
IDEA
CONVENEANCE
OFFICE

THE CHURCH KEY
RESTAURANT

Section 5

Implementation



Actions Items

Purpose

The intent of an action item is to identify a discrete implementable item that helps in achieving the vision and goals of this plan. Each action item has a corresponding lead, a target date for implementation, and funding information. This creates accountability and establishes expectations with respect to the implementation of the action items. However, the target dates identified are based on the current circumstances and may be subject to change due to unforeseen circumstances or direction provided by Municipal Council.

The ability to complete the actions listed in Table 3 is contingent on available resources and other projects and priorities that are underway or introduced by Municipal Council in the future.

Scope

Action items identified in a community improvement plan must be consistent with the definition of "community improvement" found in Section 28 of the *Planning Act*. The *Core Area Action Plan* contains approximately 70 action items; a number of these action items explicitly require a community improvement plan to facilitate their implementation. Therefore, action items identified in the *Core Area Action Plan* and consistent with this definition have been identified in this plan.

While common feedback from stakeholder engagement included the need to help those experiencing homelessness and health issues, initiatives related to addressing this are largely not within the purview of a community improvement plan and are not reflected in the Action Items Table. However, the *Core Area Action Plan* addresses this gap and provides sufficient direction to undertake initiatives related to helping those experiencing homelessness and health issues.

Action Items Table

Table 3: Action Items provides a description of the action item, the lead City department responsible for implementation, the target date for implementation and how funding has been allocated to support the implementation of the action item. The funding identified in Table 3 represents the initial funding source identified at the time this plan was prepared, and may change at the direction of Municipal Council at any time.

Table 3: Action Items

	Action Item	Lead	Target Date	Funding
1	Undertake a safety audit of the Core Area to identify physical improvements that can be undertaken on both public and private space to improve safety and security.	Corporate Security & Emergency Management	2021	Funded by 2020-2023 Multi-Year Budget
2	Implement safety audit recommendations on publicly-owned property.	Environmental & Engineering Services; Parks & Recreation	2023	Funded by 2020-2023 Multi-Year Budget
3	Make available financial incentives to implement safety audit recommendations on privately-owned property.	City Planning	2021	Funded by 2020-2023 Multi-Year Budget

	Action Item	Lead	Target Date	Funding
4	Secure a storefront to establish a multi-functional space to house relevant City staff, Foot Patrol Officers, and public restrooms as well as provide convenient storage for moveable furniture and equipment.	Parks & Recreation	2021	Funded by 2020-2023 Multi-Year Budget
5	Create an infrastructure art and beautification program to identify opportunities for necessary infrastructure to be visually enhanced through the application of artwork.	City Planning	2021	Within existing budgets
6	Rehabilitate London and Middlesex Community Housing (LMCH) housing stock.	Housing; LMCH	Ongoing	Within existing budgets and funded by 2020-2023 Multi-Year Budget
7	Explore opportunities for new public washrooms.	Parks & Recreation	2023	Within existing budgets
8	Make available financial incentives to offset administrative and licence fees related to the operation of a boulevard café.	City Planning	2021	Funded by 2020-2023 Multi-Year Budget
9	Make available financial incentives to offset administrative and licence fees related to sign permits and associated encroachment fees.	City Planning	2021	Within existing budgets
10	Discourage the perpetual extension of temporary surface parking lots.	Development Services	Ongoing	Within existing budgets

Section 6

Monitoring & Evaluation



Monitoring

Purpose

The monitoring program has several purposes:

- To identify how the vision and goals of the Core Area CIP have been achieved;
- To assess which actions and programs of the Core Area CIP have been completed and/or can be suspended or discontinued;
- To determine whether any amendments to the Core Area CIP are warranted;
- To identify funds dispersed through the financial incentive programs to determine which financial incentive programs are being most utilized and use this information to adjust the financial incentive programs, as required;
- To gather feedback from applicants of the financial incentive programs so that adjustments can be made to the financial incentive programs, as required; and,
- Identify the community and economic impact associated with projects taking advantage of the financial incentives programs.

Measures of Success

Community Improvement Plans are created to provide the opportunity to re-plan, redesign, redevelop, and rehabilitate areas of the city. The success of the Core Area Community Improvement Plan is based on the identified improvements being undertaken that can help address a recognized need or gap and can be measured based on the four-year summary report as described further below. The following table provides target success measures for this CIP.

Table 4: Success Measures

Indicator of Success	Target
1 Residential growth is strong for a protracted period	Number of residential units constructed within a consecutive four-year period exceeds the previous four-year period
2 Commercial vacancies are low and storefronts are well occupied	Maximum five percent vacancy rate on ground-level commercial spaces
3 Pedestrian activity is present throughout the day and on weekends	Minimum hourly pedestrian counts on commercial corridors
4 Safety and security is actively being improved	A minimum number of the recommendations of the Safety Audit are implemented on both public and private property
5 Public infrastructure is visually enhanced	Number of art installations and beautification projects within a consecutive four-year period exceeds the previous four-year period
6 Surface parking lots are being redeveloped	The surface area occupied by surface parking lots within a consecutive four-year period is less than the previous four-year period
7 Sidewalk is active with seasonal boulevard cafés	Number of boulevard café permits within a consecutive four-year period exceeds the previous four-year period



Baseline Conditions

For the indicators identified above, baseline conditions have been identified at the outset of the CIP implementation, so that variables may be compared from year-to-year, beginning with implementation of the CIP. The following provides a list of the baseline conditions for the Core Area Community Improvement Project Area that were established during the preparation of this CIP and from which future information can be compared.

In 2020, the total number of residential units was 5,311.

In the second quarter of 2020, the office vacancy rate was 18.6 percent.

In 2020, the Core Area Safety Audit had not yet been undertaken.

In 2020, the total area of land covered by surface parking lots was 40.3 hectares.

In 2020, the total number of approved boulevard café permits was 36.

Financial Incentive Monitoring Database and Program

This section provides a list of variables that should be monitored on individual projects which avail of the incentive programs contained within this plan. Further to these quantitative, economic- based measures, the monitoring should include qualitative measures that characterize social and community benefits. This could include the impact of public realm improvement projects on existing businesses and community pride.

Regular qualitative observations should be undertaken and documented by City Staff of the individual and cumulative impact of both public and private CIP projects on the Community Improvement Project Area. This could include collaboration with and/or comments received from business owners, property owners, and residents. These qualitative measures should be regularly monitored and reported to Municipal Council along with the quantitative measures below.

As part of the Monitoring Program, City staff has developed a database upon which to monitor the number, types, and return on investment of financial incentive programs. Information obtained through the Monitoring Database can be used to allow for periodic adjustments to the financial incentive programs to make them more relevant and to provide regular reports to Municipal Council on the amount of private sector investment being leveraged by the municipal financial incentive programs and the economic benefits associated with these private sector projects.

As financial incentive applications are received and processed, City staff will enter information from applications into the Monitoring Database. For the financial incentive programs available in the Core Area Community Improvement Project Area, the following information will be collected.

Core Area Safety Audit Grant Program

- Number of Applications (approved and denied);
- Approved value of the grant;
- Total value of project;
- Type of improvement (i.e. lighting, improved sight lines); and,
- Total grant amount.

Core Area Boulevard Café Grant Program

- Number of Applications (approved and denied);
- Type of fee(s) approved for grant (administrative and licence fees);
- Approved value of the grant; and,
- Total grant amount.

Core Area Sign Grant Program

- Number of Applications (approved and denied);
- Type of fee(s) approved for grant (administrative and licence fees);
- Approved value of the grant; and,
- Total grant amount.



Evaluation

Four-Year CIP Evaluation

Based on the information obtained by City staff, a summary report will be prepared to evaluate the Core Area Community Improvement Plan and its individual programs, based on the changes to the baseline conditions established previously, and based generally on the uptake of the programs and any new challenges that have emerged. The report will cover a four-year period. Based on experience administering other CIPs in London, this time span is long enough to:

- Accumulate sufficient information on the uptake and monitoring of CIP financial incentive programs;
- Start, execute, and assess impacts of most individual capital projects and community actions;
- Incorporate into staff work programs; and
- Complement the four-year municipal budget cycle.

The report will recommend any amendments that might be needed to the CIP, and adjustments to financial incentive programs and/or eligibility criteria. It will

also provide recommendations about the budget of the financial incentive programs based on their performance.

At least three types of outcomes can be expected based on the four-year summary report, including amendments to the plan, adjustments to the financial incentive programs, and/or adjustments to funding.

Amendments to the Plan

Changes to any content of this plan, including the vision and goals, boundaries of the Community Improvement Project Area, additions, deletions, or clarifications to the Actions Items or to the financial incentive programs will require an amendment to this plan; amendments must follow the process described in the *Planning Act*. Consequential amendments may also be required to the City's Official Plan and/or Zoning By-law.

Adjustments to the Financial Incentive Programs

Changes to the terms, conditions and processes described in the financial incentive programs may be done without amending this plan and will be subject to approval by Municipal Council.

Adjustments to Funding

Municipal Council has the authority to approve funding for financial incentive programs specified in London's CIPs, and may approve budgets necessary to carry out other CIP actions. Budgets supporting the implementation of the Core Area CIP will be based on a comprehensive review undertaken by City staff with the assistance of the Financial Incentive Monitoring Database and Program described in this section. Funding will be timed to occur as part of multi-year budget requests, or any requested amendments made in consultation with the City Treasurer to approved four-year budgets.



Bill No. 108
2021

By-law No. C.P.-_____ - ____

A by-law to establish financial incentives for the
Core Area Community Improvement Project
Area.

WHEREAS by subsection 28(2) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, the Council of a municipal corporation may, by by-law, designate the whole or any part of an area as a community improvement project area;

AND WHEREAS subsection 28(4) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, enables the Council of a municipal corporation to adopt a community improvement plan for a community improvement project area;

AND WHEREAS *The London Plan*, 2016, the Official Plan for the City of London, contains provisions relating to community improvement within the City of London;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, designated a community improvement project area identified as the Core Area Community Improvement Project Area;

AND WHEREAS the Municipal Council of The Corporation of the City of London has, by by-law, adopted the Core Area Community Improvement Plan;

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

1. The Core Area Community Improvement Project Area Financial Incentive Guidelines attached hereto as Schedule 1, as Schedule 2, and as Schedule 3 is hereby adopted;
2. This by-law shall come into effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Schedule 1

Core Area Community Improvement Plan – Core Area Safety Audit Grant Program Guidelines

Effective April 12, 2021

This program guideline package provides details on the Core Area Safety Audit Grant Program provided by the City of London (“City”) through the Core Area Community Improvement Plan (CIP).

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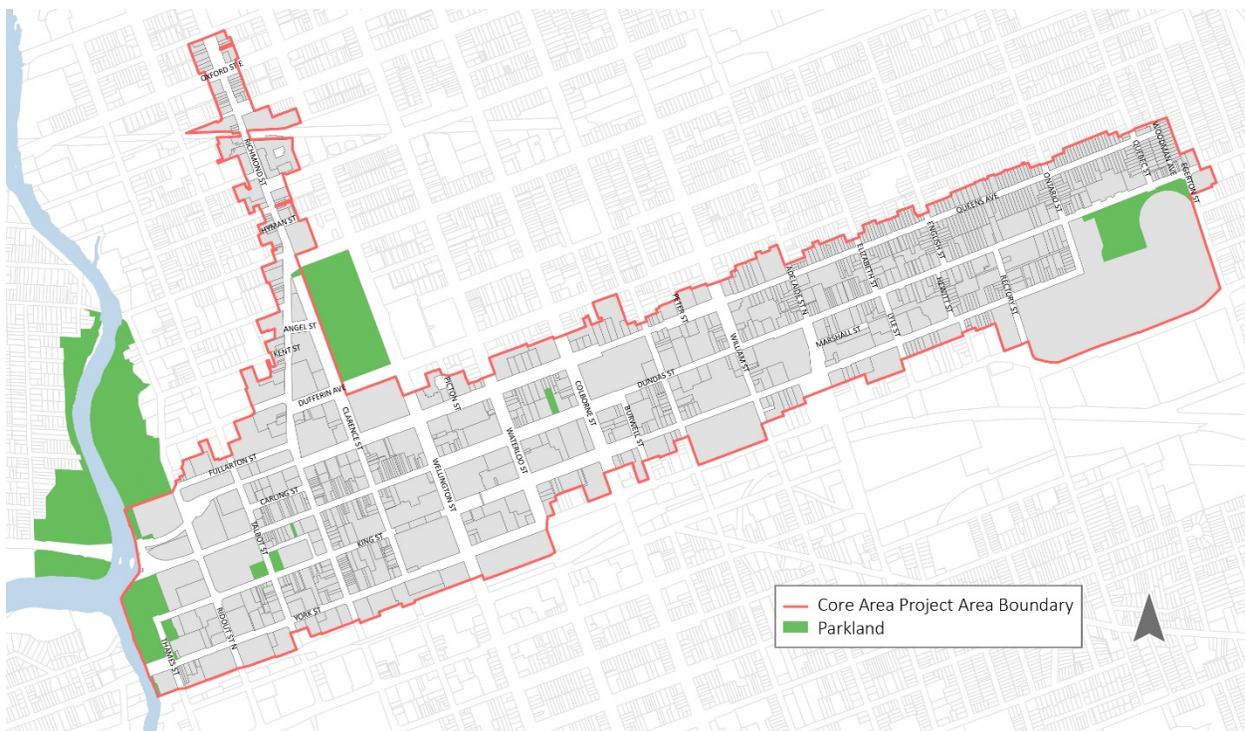
How to Read this Document

This document identifies the responsibility of each stakeholder in the Core Area Safety Audit Grant Program.

The initials **PO** indicate the property owner, tenant, or business owner (or agent acting on behalf of the property owner, tenant, or business owner) is responsible for completing that task or action. **CL** indicates that a City of London staff member is responsible for that task.

PO – The Core Area Safety Audit Grant Program is available to property owners, tenants, and business owners (or agent acting on behalf of the property owner, tenant, or business owner) who are eligible to make the property modifications to improve safety as identified by the Core Area Safety Audit in the Core Area Community Improvement Project Area (Map 1).

Map 1 – Core Area Community Improvement Project Area



Definitions

Applicant – The person who applies for the Core Area Safety Audit Grant Program.

CL – City of London member of staff.

Complete Application – Includes a completed application form for the Core Area Safety Audit Grant Program, and includes the following information:

- Name and address of the property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner);
- Confirmation that the address is within the Core Area Community Improvement Project Area;
- Complete drawings indicating the property modifications to be undertaken;
- Itemized list of specific property modifications;
- Two (2) comparable quotations by qualified contractors showing cost estimates for the proposed works which are required to be included in the incentive application. In general, the lower of the two estimates will be taken as the cost of the eligible works. Cost estimates should be consistent with the estimate noted on the accompanying Building Permit (if required);
- A cover letter that summarizes the property modifications to be completed and summarizes the provided quotations;
- A signed copy of the Addendum including the Hold Harmless Agreement, General Liability Insurance, and Contractor qualifications;
- A letter from the property owner authorizing that the Applicant is permitted to make modifications to the building (if required);
- A copy of the Building Permit (if required);
- A copy of the Heritage Alteration Permit (if required);
- Any other information that may be deemed necessary by the City Planner or City Treasurer (or designates).

PO – The property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner).

Purpose

In support of the *Core Area Action Plan*, the Core Area Safety Audit Program is intended to reduce the financial burden on business owners who want to make modifications to private property that improve safety as identified by the Core Area Safety Audit. This program grants up to 50 percent of the total cost of the property modifications that improve safety, up to a maximum of \$10,000 per property.

Safety improvements can make for a more welcoming space and create a more vibrant urban environment.

Funding

- Funding for this program is subject to annual budget approval by the City of London.
- Should there not be adequate funding to meet demand for the grant program, the program funding may be topped up through another source of financing as determined by the Managing Director, Corporate Services and City Treasurer,

Chief Financial Officer (or designates) and subject to the availability of alternative funding sources. If these additional sources of funding do not meet the demand of the grant program, grants will only be issued while funding is available in the order that they are received.

Eligible Works

Eligible works that will be granted through the Core Area Safety Audit Grant Program include costs associated with the modification or installation of the following safety improvements, where identified by the Core Area Safety Audit:

- Exterior lighting;
- Storefront gates;
- Landscaping;
- Exterior security cameras;
- Other physical property improvements as identified by the Safety Audit at the discretion of the City Planner (or designates).

If the property is located within a Heritage Conservation District and the work to implement the safety improvement requires a Heritage Alteration Permit, eligible fees will only be granted through the Core Area Safety Audit Program if a Heritage Alteration Permit is granted. The following fees and work are not eligible to be granted through this program:

- Any fees related to obtaining a City of London Business Licence;
- Any materials required for an application or licence;
- Non-property related safety improvements, such as hiring of security guards;
- Insurance fees; and,
- Other fees and work at the discretion of the City Planner (or designates).

Eligibility Criteria

To be eligible for the Core Area Safety Audit Grant Program, the **PO** must meet all conditions detailed in this program description.

Property Owner Consideration

- The applicant must be the registered owner of the property or an agent (including building tenant or contractor who has been retained to undertake improvements). If the applicant is not a registered owner of the subject property, the applicant will be required to provide authorization in writing from the registered owner as part of a complete application;
- All mortgages and charges, including the subject financial incentive, must not exceed 90% of the post-rehabilitation appraised value of the property (i.e. the owner must maintain 10% equity in the property post-improvement);
- All City of London property taxes must be paid in full when the grant is issued;
- The registered owner of the property must have no outstanding debts to the City of London;
- The property owner and/or applicant, must not have ever defaulted on any City loan or grant program, including by way of individual affiliation with any company or group of people authorized to act as a single entity such as a corporation;

- The Core Area Safety Audit Program will not apply retroactively to work completed prior to the approval of the application by the Director, City Planning and City Planner, or designate.

Property Considerations

- The property must be located within the Core Area Community Improvement Project Area as defined in the Core Area Community Improvement Area By-law (see Map 1);
- There are not any City of London Building Division orders or deficiencies relating to the subject property at the time the grant is issued;
- The works applied for under the Core Area Safety Audit Program shall not include any costs for which grants or loans have been applied for and approved under any other City of London Community Improvement Plan financial incentive program.
- Each property is eligible to avail simultaneously of multiple incentive programs provided through the other City of London Community Improvement Plans, where eligible.

Building Considerations

- Separate applications must be submitted for each discrete building (as defined) on a single property;
- The property must contain an existing building (occupied or unoccupied);
- Where the entirety of a multi-unit building, which contains separate units, are all under the same ownership, (or with condominium status) it will be considered as one building for the purpose of this grant program;
- Where a building is within a contiguous group of buildings, a discrete building will be interpreted as any structure which is separated from other structures by a solid party wall and a distinct municipal address;
- Each discrete building on each property is eligible for the Core Area Safety Audit Program.

General Grant Terms

While funding exists, applicants can apply as needed to this program.

The City is not responsible for any costs incurred by an applicant in relation to the grant program, including without limitation, costs incurred in application of a grant.

If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City of London, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant.

All proposed works approved under the incentive program must comply with all applicable Provincial regulations and City guidelines, by-laws, policies, procedures, and standards.

If applied for and approved, all works completed must comply with the description of the works as provided in the Core Area Safety Audit Program application form, with any amendments as approved by the City of London.

The granting of fees does not imply that processes for permits are invalid or unnecessary.

Grant Amount

A portion of the costs of the property modification undertaken to improve safety as identified by the Core Area Safety Audit will be paid back to the applicant in the form of a one-time grant to cover the lesser of:

- 50 percent of the eligible property modification costs; or,
- \$10,000.

Grant Distribution

The City will provide the applicant with one cheque in the full amount of the approved grant after: (1) the City has completed its due diligence to ensure the applicant and property remain eligible for the grant, (2) City staff has reviewed the completed works to ensure they have been completed as approved, and (3) the Grant Agreement has been signed.

The City will not provide partial grant amounts or progress payments.

Grant Agreement

The City may require the applicant to enter into a Grant Agreement. The City Planner has the authority to execute the Grant Agreement on behalf of the City.

Transferable Grants

If a participating property is sold, in whole or in part, before the grant period elapses, the applicant and/or the subsequent landowner is not entitled to outstanding grant payments (on either the portion sold or retained by the applicant). The City may, entirely at its own discretion, enter into a new agreement with any subsequent owners of the property to receive outstanding grant payments under this program.

Application Process

Expression of Interest

PO – It is suggested to contact City of London staff prior to making an application to the Safety Audit Grant Program.

Consultation Phase

PO – The Applicant contacts City of London and/or Downtown London or the Old East Village Business Improvement Area who will arrange a meeting to share ideas for the proposed project, information about incentive programs, provide application form(s) and assist with the application process. This meeting will also help to identify what permits or permissions may be required to complete the proposed safety audit improvements. Consultation with an Urban Designer and/or Heritage Planner may be necessary. Where possible, the City will make appropriate staff available for this meeting, which is usually on site at the property where the proposed work is planned.

Applications made for financial incentive programs do not in any way replace the need for obtaining any necessary approvals. Prior to undertaking building improvements, the PO is required to obtain any necessary approvals and/or permits. Heritage Alteration Permits (for properties requiring them) will be required before financial incentive applications are accepted.

Discussions with City staff are encouraged early in the conceptual phase to ensure proposed safety audit improvements comply with City regulations and guidelines, and the proposed improvements are eligible under the incentive program criteria.

Service London staff are also available to help with clarifying/applying for applicable permits.

Concept Phase

PO – A Complete Application (see Definitions) for the grant program is submitted to the City of London and/or Downtown London staff and/or Old East Village Business Improvement Area staff.

PO – Prior to property modifications beginning, applicants must contact City Planning to complete the application process.

CL – City of London City Planning staff will review the application for completeness and inform the applicant in writing that either, more information is required, or the application is accepted. If accepted, the City will provide a Commitment Letter which outlines the approved works, related costs, and monetary commitment that the City is making to the project.

PO – Any subsequent changes to the project will require review and approval by the City.

CL – City Planning staff may visit the subject property and take photographs, both before and after the subject work is completed.

Property Modification Phase

PO – Having obtained all necessary approvals and/or permits and receiving a Commitment Letter from the City for approved works the applicant may start to undertake eligible property modifications.

Confirmation Phase

PO – The applicant will notify the City in writing (via letter or email) once the project is complete and the costs respecting those works are paid. Confirmation that related building permits are closed, if applicable, is also required so that the City may begin drafting an agreement.

CL – Before setting up any agreement, City Planning staff must ensure the property modifications, as described in the Commitment Letter, are completed and other criteria, as set out in the program guidelines, have been met. This includes:

- Related costs, or bills respecting those approved works are paid in full;
- Related building permits are closed;
- All City of London property taxes must be paid in full and the account deemed in good standing by the Taxation Division;
- There must be no outstanding debts to the City;
- The property owner must not have defaulted on any City loans or grants; and,
- There must be no outstanding Building Division orders or deficiencies against the subject property.

Agreement Phase

CL – Once the eligible works are verified, City Planning staff will draft the grant agreement and provide a draft copy of the grant agreement to the applicant for review.

PO/CL – After the applicant has approved the grant agreement, City Planning staff will prepare two hard copies of the agreement to be signed.

CL – When all the documentation is ready, City Planning staff will contact the applicant to arrange for a meeting to sign the documents. One original signed copy is kept by the applicant and one is retained by the City.

Grant Approval

Once all eligibility criteria and conditions are met, and if funds are available in the supporting Reserve Fund, the Director, City Planning and City Planner (or designates) will approve the grant application. Approval by means of a letter to the applicant will represent a commitment by the City of London.

As a condition of approval, new applicants shall be required to enter into a Grant Agreement with the City.

Additional Rehabilitation and Demolition

Additional work to the interior of the building can be undertaken without City Planning approval subject to obtaining a building and/or heritage alteration permit, when required. The grant does not impose any specific restrictions on demolition.

Inspection of Complete Works

City staff will review the completed works to ensure they have been completed as approved.

Grant Application Refusal and Appeal

If an application is refused, the applicant may, in writing, appeal the decision of the Director, City Planning and City Planner to the City Clerk's Office who will provide direction to the matter heard before Municipal Council through the Planning and Environment Committee.

Relationship to other Financial Incentive Programs

Applicants may also qualify for financial assistance under the City of London's other financial incentives programs. Applicants are advised to check with City Planning.

Monitoring & Discontinuation

As part of the program administration, City Planning, Realty Services, and Licencing and Municipal Law Enforcement will monitor the Core Area Community Improvement Plan financial incentive programs. In receiving and processing applications staff will enter relevant information into a Monitoring Database. This information will be included in any Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease. This program is monitored to ensure it implements the goals and objectives of the *1989 Official Plan*, *The London Plan*, the *Core Area Community Improvement Plan*, and the *Core Area Action Plan*.

The City may discontinue the Core Area Safety Audit Grant Program at any time.

The program's success in implementing the Core Area Community Improvement Plan's goals will be based on the ongoing monitoring as noted in the Program Monitoring Data section.

Program Monitoring Data

The following information will be collected and serve as data to monitor the Core Area Safety Audit Grant Program. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the Core Area Community Improvement Plan have been met:

- Number of Core Area Safety Audit recommendations implemented;
- Number of properties that implemented Core Area Safety Audit recommendations;

- Total costs of the property modifications, and,
- Total grant amount.

Activity Monitoring Reports

Annual Activity Reports will measure the following variables and be used to help complete the biennial State of the Downtown Report:

- Number of Core Area Safety Audit recommendations implemented;
- Number of properties that implemented Core Area Safety Audit recommendations;
- Total cost of the property modifications; and,
- Total grant amount.

Schedule 2

Core Area Community Improvement Plan Core Area Boulevard Café Grant Program Guidelines

Schedule 2

Core Area Community Improvement Plan – Core Area Boulevard Café Grant Program Guidelines

Effective April 12, 2021

This program guideline package provides details on the Core Area Boulevard Café Grant Program provided by the City of London (“City”) through the Core Area Community Improvement Plan (CIP).

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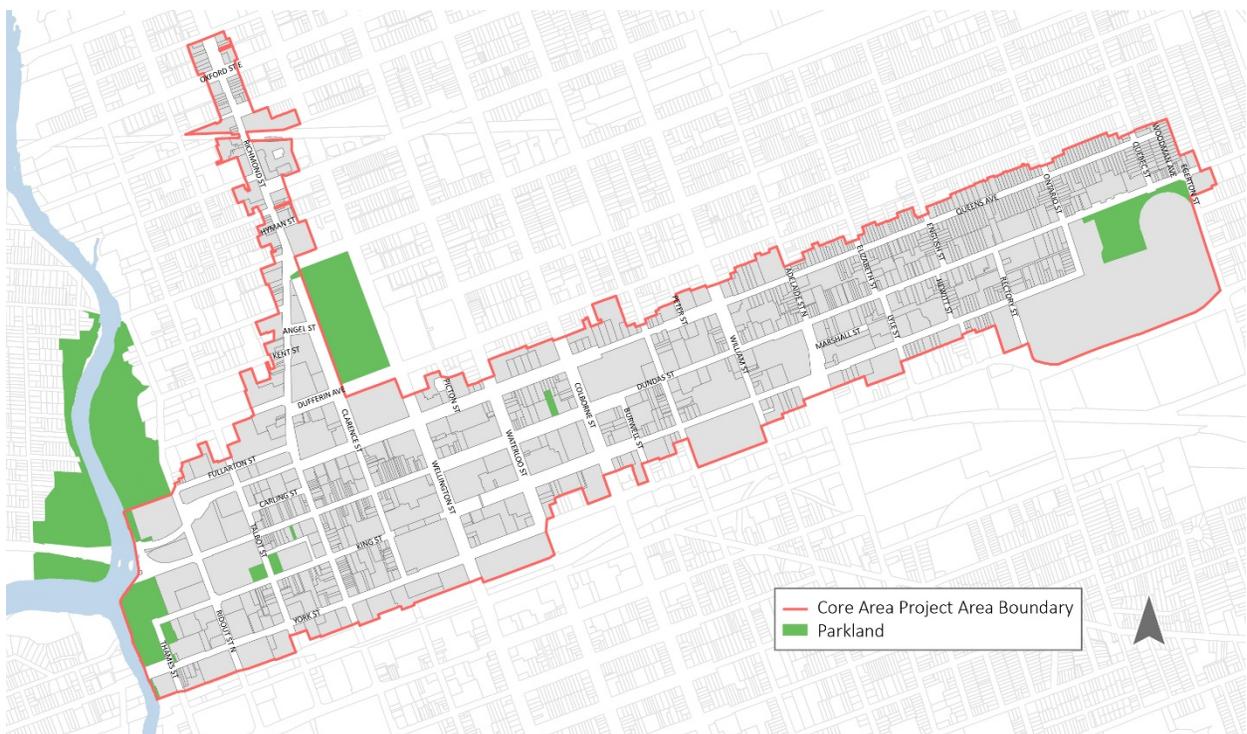
How to Read this Document

This document identifies the responsibility of each stakeholder in the Core Area Boulevard Café Grant Program.

The initials **PO** indicate the property owner, tenant, or business owner (or agent acting on behalf of the property owner, tenant, or business owner) responsible for completing that task or action. **CL** indicates that a City of London staff member is responsible for that task.

PO – The Core Area Boulevard Café Grant Program is available to property owners, tenants, and business owners (or agent acting on behalf of the property owner, tenant, or business owner) who are eligible to install boulevard cafés in the Core Area Community Improvement Project Area (Map 1).

Map 1 – Core Area Community Improvement Project Area



Definitions

Applicant – The person who applies for a new or already has an existing valid Boulevard Café Permit application, and as a result, will simultaneously apply for the Core Area Boulevard Café Grant Program.

Boulevard café – used interchangeable with sidewalk patio or boulevard patio, means an area set aside out of doors, covered or uncovered, for the use of patrons as a licensed restaurant in connection with, and in addition to, the operation of an adjacent restaurant and is located on the City right-of-way.

Complete application – Includes a completed application form for the Boulevard Café Permit application, and includes the following information:

- Name and address of the business owner;
- Confirmation that the address is within the Core Area Community Improvement Project Area;
- A statement of fees from Realty Services indicating the total fees that apply to a new or existing boulevard café;
- Acknowledgement of the receipt of boulevard café fees grant funding and authorization to the City of London to transfer the amount of the grant to the appropriate City of London accounts; and,
- Any other information that may be deemed necessary by the City Planner or City Treasurer (or designates).

PO – The property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner).

Sidewalk patio – See Boulevard café.

Purpose

In support of the *Core Area Action Plan*, the Core Area Boulevard Café Grant Program is intended to reduce the financial burden on business owners who operate sidewalk patios. This grant program eliminates the administrative and licence fees related to the operation of a patio on the public right-of-way.

Sidewalk patios can activate the street and create a more vibrant urban environment. By providing opportunities for outdoor dining, the City, and the businesses within it, can encourage the use and enjoyment of the public realm.

Funding

- Funding for this program is subject to annual budget approval by the City of London.
- Should there not be adequate funding to meet demand for the grant program, the program funding may be topped up through another source of financing as determined by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer (or designates) and subject to the availability of alternative funding sources. If these additional sources of funding do not meet the demand of the grant program, grants will only be issued while funding is available in the order that they are received.

Eligible Fees

Eligible fees that will be granted through the Core Area Boulevard Café Grant Program include the administrative fee for new or renewed applications related to a Boulevard Café Permit licence agreement.

Eligibility Criteria

To be eligible for the Core Area Boulevard Café Grant Program, the applicant must:

- Apply for a Boulevard Café Permit and be located within the Core Area Community Improvement Project Area as outlined in Map 1; or,
- Have an existing Boulevard Café Permit with licence agreement and be located within the Core Area Community Improvement Project Area as outlined in Map 1.

General Grant Terms

While funding exists, applicants can apply as needed to this program.

The City is not responsible for any costs incurred by an applicant in relation to the grant program, including without limitation, costs incurred in application of a grant.

If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City of London, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant.

All proposed works approved under the incentive program must comply with all applicable Provincial regulations and City guidelines, by-laws, policies, procedures, and standards.

If applied for and approved, all works completed must comply with the description of the works as provided in the Boulevard Café Permit Application form with any amendments as approved by the City of London through the Sidewalk Patios Standards and Application Process.

The granting of fees does not imply that processes for permits are invalid or unnecessary.

The Core Area Boulevard Café Grant Program replaces the amount of Boulevard Café Permit fees an applicant would be required to pay in the absence of the grant program. Under no circumstances shall an applicant have their Boulevard Café Permit fees payable waived by this program and also receive grant funding related to Boulevard Café Permit fees disbursed by the City of London to the applicant.

Grant Amount

For a new Boulevard Café Permit application, the grant amount will be calculated by Realty Services when processing the application and/or processing the annual fee of an executed licence agreement.

The grant amount will equal the administrative and licence fees for all eligible Boulevard Café Permits in the Core Area Community Improvement Project Area.

Grant Distribution

The applicant will receive no funding from the City of London.

The applicant will not be charged any fees for a new Boulevard Café Permit application or the annual fee of an executed licence agreement for a boulevard café.

For fees related to the Boulevard Café Permit, the value of the calculated grant will be transferred directly to the appropriate City of London account. This direct transfer is instead of staff collecting the administrative fees and licence fees related to a Boulevard Café Permit and then providing the applicant with a 100% grant to rebate the monies collected.

Grant recipients may be required to provide written authorization for the City to deposit the amount of the grant into the appropriate City of London account.

Grant Agreement

The City may require the applicant to enter into a Grant Agreement. The City Planner has the authority to execute the Grant Agreement on behalf of the City.

Application Process

- 1) For a new boulevard café, the applicant is required to complete a Boulevard Café Permit application form. The application must be submitted to Realty Services for review. This review will follow the already developed Sidewalk Patio Standards and Application Process. Realty Services staff will determine the applicable administrative and licence fees to be granted.
- 2) For an executed licence agreement for a boulevard café the applicant is required to abide by the terms of the agreement. No application is required. Realty Services staff will determine the applicable annual licence agreement fees to be granted.

To be eligible for the Core Area Boulevard Café Grant Program, the applicant may be required to submit a complete application (see Definitions), which will be collected at the time of applying for 1) above. If the applicant already has an executed licence agreement for a boulevard café as outlined in 2) above, no further application to the Core Area Boulevard Café Grant Program is required.

For a new Boulevard Café Permit or an executed licence agreement for a boulevard café, the applicant's Boulevard Café Permit application fee and the annual licence agreement fee will not be invoiced to the applicant. Instead, an internal transfer of funding will occur (see Grant Distribution).

Grant Approval

As a condition of approval, applicants may be required to enter into a Grant Agreement with the City of London.

Incentive Application Refusal and Appeal

If the Boulevard Café Permit application is refused, the administrative fee will not be collected retroactively by the City of London.

Application fees will not be collected. No internal transfer of funds will occur.

Relationship to other Financial Incentive Programs

Applicants may also qualify for financial assistance under the City of London's other financial incentives programs. Applicants are advised to check with City Planning.

Monitoring & Discontinuation

As part of the program administration, City Planning and Realty Services will monitor the Core Area Boulevard Café Grant Program. In receiving and processing applications staff will enter relevant information into a Monitoring Database. This information will be included in any Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease. This program is monitored to ensure it implements the goals and objectives of the 1989 Official Plan, The London Plan, the Core Area Community Improvement Plan, and the Core Area Action Plan.

The City may discontinue the Core Area Boulevard Café Grant Program at any time.

The program's success in implementing the Core Area Community Improvement Plan's goals will be based on the ongoing monitoring as noted in the Program Monitoring Data section.

Program Monitoring Data

The following information will be collected and serve as data to monitor the Core Area Boulevard Café Grant Program. These measures are to be flexible allowing for the addition of new measures that better indicate if the goals and objectives of the Core Area Community Improvement Plan have been met:

- Number of Boulevard Café Permit applications (approved and denied);
- Number of executed licence agreements for boulevard cafés; and,
- Total grant amount.

Activity Monitoring Reports

Annual Activity Reports will measure the following variables and be used to help complete the biennial State of the Downtown Report:

- Number of Boulevard Café Permit Applications processed;
- Number of executed licence agreements for boulevard cafés; and,
- Total grant amount.

Schedule 3

Core Area Community Improvement Plan Core Area Sign Grant Program Guidelines

Schedule 3

Core Area Community Improvement Plan – Core Area Sign Grant Program Guidelines

Effective April 12, 2021

This program guideline package provides details on the Core Area Sign Grant Program provided by the City of London (“City”) through the Core Area Community Improvement Plan (CIP).

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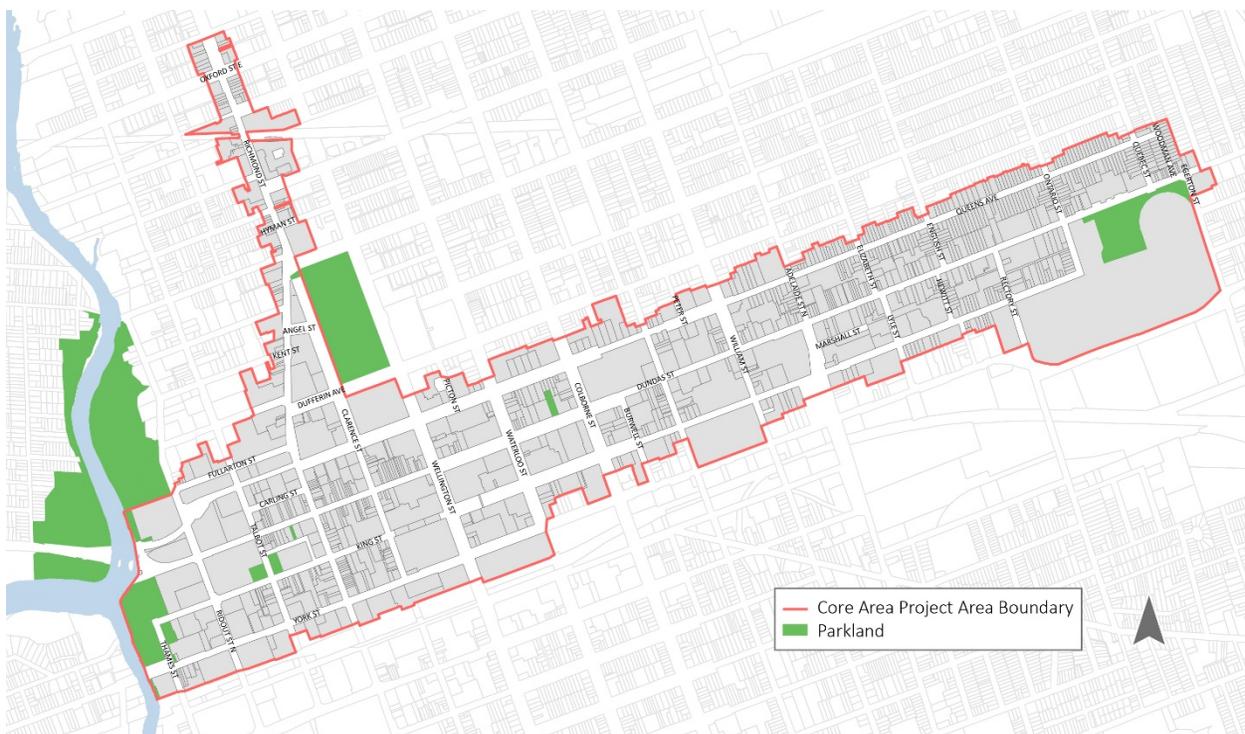
How to Read this Document

This document identifies the responsibility of each stakeholder in the Core Area Sign Grant Program.

The initials **PO** indicate the property owner, tenant, or business owner (or agent acting on behalf of the property owner, tenant, or business owner) responsible for completing that task or action. **CL** indicates that a City of London staff member is responsible for that task.

PO – The Core Area Sign Grant Program is available to property owners, tenants, and business owners (or agent acting on behalf of the property owner, tenant, or business owner) who are eligible to install signage in the Core Area Community Improvement Project Area (Map 1).

Map 1 – Core Area Community Improvement Project Area



Definitions

Applicant – The person who applies for a new Sign Permit, which may or may not include an Encroachment Agreement, or already has an executed Encroachment Agreement for a sign, and as a result, will simultaneously apply for the Core Area Sign Grant Program.

Complete Application – Includes a completed application form for the Sign Permit application, and includes the following information:

- Name and address of the business owner;
- Confirmation that the address is within the Core Area Community Improvement Project Area;
- A statement of fees from the Building Division indicating the total fees that apply to a Sign Permit, which may include fees for an associated Encroachment Agreement application;
- Acknowledgement of the receipt of Sign Permit application fee grant funding and authorization to the City of London to transfer the amount of the grant to the appropriate City of London accounts; and,
- Any other information that may be deemed necessary by the City Planner or City Treasurer (or designates).

Encroachment Agreement – Means a binding agreement between the City and the property owner, prepared by the City, granting authorization for a property owner to erect and maintain an encroachment on a City street or road allowance.

PO – The property owner, tenant, business owner (or agent acting on behalf of the property owner, tenant, or business owner).

Sign – Includes an advertising device or notice; and any visual medium, including its structure and other component parts, which is used or capable of being used to attract attention to a specific subject matter, other than itself for identification, information or advertising purposes. (Refer to The City of London's *Sign By-law* for further information)

Purpose

In support of the *Core Area Action Plan*, the Core Area Sign Grant Program is intended to reduce the financial burden on business and/or property owners who install new signs and/or require Encroachment Agreements for signs. This grant program eliminates the Sign Permit application fee, the Encroachment Agreement application fee for signs, and the annual encroachment licence fee for signs.

Older areas of the city, particularly the downtown and surrounding areas, have an established built form which has buildings situated on or very close to the property lines. As a result of the building location in relation to the property line, signs often encroach onto City property. By providing opportunities to reduce fees related to signs within the Core Area, the City can encourage the use of existing infrastructure and help to revitalize older areas of the city.

Funding

- Funding under this program will cease on December 31, 2023, unless extended by the City of London.
- Should there not be adequate funding to meet demand for the grant program, the program funding may be topped up through another source of financing as determined by the Managing Director, Corporate Services and City Treasurer, Chief Financial Officer (or designates) and subject to the availability of alternative funding sources. If these additional sources of funding do not meet the demand

of the grant program, grants will only be issued while funding is available in the order that they are received.

Eligible Fees

Eligible fees that will be granted through the Core Area Sign Grant Program include:

- Sign Permit application fee;
- Encroachment Agreement application fee for signs; and,
- Annual encroachment licence fee for signs.

The following fees and work are not eligible to be granted through the Core Area Sign Grant Program:

- Any fees related to obtaining a City of London Business Licence;
- Any materials required for the application, licence, or permit;
- Any fees associated with the encroachment of features not defined as a “sign”;
- Any fees related to a Minor Variance for a sign;
- Cost of construction and materials;
- Insurance costs related to signage and encroachments; and,
- Other fees and work at the discretion of the City Planner (or designates).

Eligibility Criteria

To be eligible for the Core Area Sign Grant Program, the applicant must:

- Apply for a new Sign Permit and be located within the Core Area Community Improvement Project Area as outlined in Map 1; or,
- Have an existing Encroachment Agreement for a sign and be located within the Core Area Community Improvement Project Area as outlined in Map 1.

General Grant Terms

While funding exists, applicants can apply as needed to this program.

The City is not responsible for any costs incurred by an applicant in relation to the grant program, including without limitation, costs incurred in application of a grant.

If the applicant is in default of any of the general or program specific requirements, or any other requirements of the City of London, the approved grant may be delayed, reduced or canceled, and the applicant may be required to repay part or all of the approved grant.

All proposed works approved under the incentive program must comply with all applicable Provincial regulations and City guidelines, by-laws, policies, procedures, and standards.

If applied for and approved, all works completed must comply with the description of the works as provided in the Sign Permit application form with any amendments as approved by the City of London.

If applied for and approved, all works completed must comply with the Encroachment Agreement and its required documentation.

The granting of fees does not imply that processes for permits are invalid or unnecessary.

The Core Area Sign Grant Program replaces the amount of Sign Permit application fees, and associated Encroachment Agreement application fees if required, an applicant would be required to pay in the absence of the grant program. Under no circumstances shall an applicant have their Sign Permit application fee and related Encroachment Agreement application fee payable waived by this program and also receive grant funding related to Sign Permit application fees and associated Encroachment Agreement application fees disbursed by the City of London to the applicant.

The Core Area Sign Grant Program also replaces the amount of the annual encroachment licence fee for a sign an applicant would be required to pay in absence of the grant program. Under no circumstances shall an applicant have their annual encroachment licence fee for a sign waived by this program and also receive grant funding related to the annual encroachment licence fee for a sign disbursed by the City of London to the applicant.

Grant Amount

For a new Sign Permit application, including an associated Encroachment Agreement application if required, the grant amount will be calculated by the Building Division when processing the application.

For the annual encroachment licence fee for signs, the grant amount will be calculated by the Building Division when processing the annual licence fee of an executed Encroachment Agreement for a sign.

The grant amount will equal the Sign Permit application fee, and associated Encroachment Agreement application if required, as well as annual encroachment licence fee, for all eligible signs in the Core Area Community Improvement Project Area.

Grant Distribution

The applicant will receive no funding from the City of London.

The applicant will not be charged any fees for a new Sign Permit application, including an associated Encroachment Agreement application if required.

The applicant will not be charged any annual licence fees for an executed Encroachment Agreement.

For fees related to a Sign Permit application, including an associated Encroachment Agreement application if required, the value of the calculated grant will be transferred directly to the appropriate City of London account. This direct transfer is instead of staff collecting the application fees related to a Sign Permit application and then providing the applicant with a 100% grant to rebate the monies collected.

For fees related to an executed Encroachment Agreement for a sign, the value of the calculated grant will be transferred directly to the appropriate City of London account. This direct transfer is instead of staff collecting the application annual encroachment licence fees and then providing the applicant with a 100% grant to rebate the monies collected.

Grant recipients may be required to provide written authorization for the City to deposit the amount of the grant into the appropriate City of London account.

Grant Agreement

The City may require the applicant to enter into a Grant Agreement. The City Planner has the authority to execute the Grant Agreement on behalf of the City.

Application Process

- 3) For a new sign, the applicant is required to complete a Sign Permit application form. If an Encroachment Agreement is required for the new sign, this is identified through the Sign Permit application process. The application must be submitted to the Building Division for review. Building Division Zoning staff will determine the applicable fees to be granted.
- 4) For an executed Encroachment Agreement for a sign, the applicant is required to abide by the terms of the Encroachment Agreement. No application is required. Building Division Zoning staff will determine the applicable annual encroachment license fees to be granted.

To be eligible for the Core Area Sign Grant Program, the applicant may be required to submit a complete application (see Definitions), which will be collected at the time of applying for 1) above. If the applicant already has an executed Encroachment Agreement for a sign as outlined in 2) above, no further application to the Core Area Sign Grant Program is required.

For a new Sign Permit application, which may include an associated Encroachment Agreement application, or for an executed Encroachment Agreement, the applicant's Sign Permit application fee, Encroachment Agreement application fee, and the annual encroachment licence fee will not be invoiced to the applicant. Instead, an internal transfer of funding will occur (see Grant Distribution).

Grant Approval

As a condition of approval, applicants may be required to enter into a Grant Agreement with the City of London.

Incentive Application Refusal and Appeal

If the Sign Permit application is refused, the application fee will not be collected retroactively by the City of London.

Application fees will not be collected. No internal transfer of funds will occur.

Relationship to other Financial Incentive Programs

Applicants may also qualify for financial assistance under the City of London's other financial incentives programs. Applicants are advised to check with City Planning.

Monitoring & Discontinuation

As part of the program administration, City Planning and the Building Division will monitor the Core Area Sign Grant Program. In receiving and processing applications, staff will enter relevant information into a Monitoring Database. This information will be included in any Incentive Monitoring Reports which will be prepared to determine if programs should continue, be modified, or cease. This program is monitored to ensure it implements the goals and objectives of the 1989 Official Plan, The London Plan, the Core Area Community Improvement Plan, and the Core Area Action Plan.

The City may discontinue the Core Area Sign Grant Program at any time.

The program's success in implementing the Core Area Community Improvement Plan's goals will be based on the ongoing monitoring as noted in the Program Monitoring Data section.

Program Monitoring Data

The following information will be collected and serve as data to monitor the Core Area Sign Grant Program. These measures are to be flexible allowing for the addition of new

measures that better indicate if the goals and objectives of the Core Area Community Improvement Plan have been met:

- Number of Sign Permit applications (approved and denied);
- Number of Encroachment Agreement applications associated with Sign Permit applications (approved and denied);
- Number of executed Encroachment Agreements for signs; and,
- Total grant amount.

Activity Monitoring Reports

Annual Activity Reports will measure the following variables and be used to help complete the biennial State of the Downtown Report:

- Number of Sign Permit applications processed;
- Number of Encroachment Agreement applications associated with Sign Permit applications processed;
- Number of executed Encroachment Agreements for signs; and,
- Total grant amount.

Bill No. 109
2021

By-law No. L.-131()-___

A by-law to amend By-law No. L.-131-16
entitled "A by-law to provide for the Licensing
and Regulation of Various Businesses".

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

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

AND WHEREAS the City deems it to be in the public interest, having
regard to both public health and safety and consumer protection, to protect persons
involved in motor vehicle accidents on highways and to ensure that highways are kept
free of obstructions and impediments at accident scenes for emergency vehicles and
emergency personnel.

AND WHEREAS it is deemed expedient to amend By-law No. L.-131-16,
entitled "A by-law to provide for the Licensing and Regulation of Various Businesses",
passed on December 12, 2017;

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

1. The Business Licensing By-law L.-131-16 is hereby amended by adding
the attached new Schedule "20" "**Tow Truck Business & Impound Yard Storage
Business**".
2. The Business Licensing By-law L.-131-16, Schedule 1 – Business Licence
Fees is hereby amended by adding:
 - Tow Truck Business Licence fee of \$321.00
 - Impound Yard Storage Business Licence fee of \$321.00

This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – March 23, 2021
Second reading – March 23, 2021
Third reading – March 23, 2021

Schedule '20'
TOW TRUCK BUSINESS & IMPOUND YARD STORAGE BUSINESS

1.0 DEFINITIONS

1.1 In this Schedule:

“Accident Scene”: means the general location or place where an incident or accident occurred involving a Motor Vehicle(s).

“Highway”: means a common and public highway, street, avenue, parkway, driveway, square, place, bridge, viaduct or trestle, any part of which is intended for or used by the general public for the passage of vehicles and includes the area between the lateral property lines thereof.

“Highway Traffic Act”: means the Highway Traffic Act, R.S.O. 1990, as amended.

“Impound”: means to restrain or immobilize a motor vehicle.

“Impound Yard Storage Business”: means the business of storing vehicles once they are towed from an Accident Scene.

“Local Road”: means roads contained within the boundaries of the Municipality of the City of London.

“Motor Vehicle”: means a motor vehicle as defined in the Highway Traffic Act.

“Tow Truck Business”: means the business of providing Towing Services at an Accident Scene.

“Tow Truck Operator”: means a person who operates a Tow Truck offering Towing Services.

“Towing Services”: mean the provision or use of a tow truck including the assistance of the owner, operator, driver, or any passenger of a vehicle through the use of the equipment on or used in conjunction with the tow truck for the pulling, towing, carrying, or lifting of a motor vehicle at a place located within the City of London.

“Tow Truck”: means a Motor Vehicle that is designed, modified or used for pulling, towing, carrying or lifting of other Motor Vehicles with or without the assistance of lifts, winches, dollies, trailers or any like equipment.

“Vehicle”: means vehicle as defined in the Highway Traffic Act.

2.0 LICENCE CATEGORIES:

2.1 The following categories of licenses are established:

- (a) Tow Truck Business; and
- (b) Impound Yard Storage Business

3.0 PROHIBITIONS:

3.1 No person shall operate a Tow Truck Business without a current valid licence issued under this By-law.

3.2 No person shall operate an Impound Yard Storage Business without a current valid licence issued under this By-law.

3.3 No holder of a Tow Truck Business Licence shall permit a Tow Truck to safely park, stop, stand, make or convey an offer of Towing Services, within two hundred (200) metres of an Accident Scene unless directed by a police officer, a firefighter, or person involved in the accident, or if there is not a sufficient number of tow trucks already at the Accident Scene to deal with all vehicles that apparently require the services of a Tow Truck.

3.4 No Tow Truck Operator parked, stopped or standing within two hundred (200) metres of an Accident Scene shall fail to immediately follow the direction of any police officer, firefighter or emergency medical services (EMS) including, but not limited to moving the Tow Truck two-hundred (200) metres from the Accident Scene.

- 3.5 No holder of a Tow Truck Business Licence shall charge or accept from any person any amount for Towing Services in contravention of the prescribed administrative regulations.
- 3.6 Every holder of a Tow Truck Business Licence shall provide Towing Services associated with a licenced Impound Yard Storage Business within the boundaries of the City of London.
- 3.7 No holder of an Impound Yard Storage Business Licence shall charge or accept from any person any amount for storage services at an Impound Yard in contravention of the prescribed administrative regulations.

4.0 POWERS OF LICENCE MANAGER

- 4.1 In addition to any other power, duty or function prescribed in this By-law, the Licence Manager may make regulations under this Schedule including:
- (a) prescribing signage that must be posted in an Impound Yard Storage Business as a condition for storing a Motor Vehicle including without limitation, the manner, form, size, location and content of such signage;
 - (b) prescribing Towing fees;
 - (c) prescribing Impound Yard Storage fees;
 - (d) prescribing hours of operation of Impound Yards Storage Business;
 - (e) prescribing the content of a registry for Tow Truck Business.

Bill No. 110
2021

By-law No. L.S.P.-3476(__)-__

A by-law to amend By-law No. L.S.P.-3476-474, as amended, entitled, "A by-law to designate 660 Sunningdale Road East to be of cultural heritage value or interest" to correct the legal description of the subject property.

WHEREAS pursuant to the *Ontario Heritage Act, R.S.O. 1990, c. 0.18*, the Council of a municipality may by by-law designate a property including buildings and structures thereon to be of cultural heritage value or interest;

AND WHEREAS Municipal Council of The Corporation of the City of London enacted By-law No. L.S.P.-3476-474 on September 18, 2018 being "A by-law to designate 660 Sunningdale Road East to be of cultural heritage value or interest";

AND WHEREAS the Municipal Council wishes to amend By-law L.S.P.-3476-474, as amended, by deleting Schedule "A" in its entirety and by replacing it with a new Schedule "A" to update the legal description and remove the heritage designating by-law from the title lands that are now part of a phased development of the property;

AND WHEREAS the real property designated by By-law No. L.S.P.-3476-474, as amended, has been assigned the municipal address of 2370 Blackwater Road;

AND WHEREAS the Municipal Council deems it appropriate to amend By-law No. L.S.P.-3476-474, as amended, to correct the legal description for the subject property;

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

1. That By-law L.S.P.-3476-474 is hereby amended by replacing Schedule "A" with the attached Schedule "A".
2. By-law No. L.S.P.-3476-474 and its schedules are hereby amended by deleting all instances of the words "660 Sunningdale Road East" and replacing each with the words "2370 Blackwater Road"
2. The City Clerk be authorized to cause a copy of the amended by-law to be registered upon the title to the subject property at the appropriate Land Registry Office.
3. The City Clerk is authorized to cause a copy of this by-law to be served upon the owner of the aforesaid property and upon the Ontario Heritage Trust.
4. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

SCHEDULE "A"
To By-law No. L.S.P.-3476-474

Legal Description

Block 2, Plan 33M787, City of London

Bill No.111
2021

By-law No. L.S.P.-_____ -____

A by-law to expropriate lands in the City of London, in the County of Middlesex, for the Fanshawe Park Road / Richmond Street Intersection Improvements Project.

WHEREAS the Municipal Council of The Corporation of the City of London, as Approving Authority, pursuant to the *Expropriations Act, R.S.O. 1990, c. E.26*, as amended, at its meeting held on March 23, 2021, approved the expropriation of the lands and premises hereinafter described in attached Schedule “A” of this by-law:

AND WHEREAS the said Approving Authority has directed that its Certificate of Approval be issued in the prescribed form;

AND WHEREAS The Corporation of the City of London, as Expropriating Authority, at its meeting held on March 23, 2021, accepted the recommendation of Approving Authority;

BE IT THEREFORE ENACTED by the Municipal Council of The Corporation of the City of London, as follows:

1. The lands described in attached Schedule “A” of this bylaw be, and the same, are hereby expropriated pursuant to the *Expropriations Act, R.S.O. 1990, c. E. 26*, and the *Municipal Act, 2001*, as amended.
2. The appropriate municipal officials are authorized and directed to take all proper and necessary steps and proceedings including the employment of valuers, to settle by arbitration or otherwise, the amount of compensation to be paid in respect of the expropriation of the said lands, providing that the amount of compensation shall not be reached by agreement unless adopted and approved by the Municipal Council of The Corporation of the City of London.
3. The appropriate municipal officials are authorized and directed to prepare a plan or plans, as necessary, showing the lands to be expropriated for registration in the appropriate Registry of Land Titles Office, and the Mayor and the Clerk are authorized and directed to sign the plan of expropriation, all pursuant to the *Expropriations Act*.
4. The appropriate municipal officials are authorized and directed to execute and serve the Notice of Expropriation and the Notice of Possession pursuant to the *Expropriations Act*.
5. This by-law shall come into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First reading – March 23, 2021
Second reading – March 23, 2021
Third reading – March 23, 2021

Schedule "A"

To By-law L.S.P.-_____ -_____

DESCRIPTION OF LANDS TO BE EXPROPRIATED FOR THE FANSHAWE PARK ROAD / RICHMOND STREET INTERSECTION IMPROVEMENTS PROJECT

The following lands are required in fee simple:

Parcel 1: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 1 on Plan 33R-20485, being Part of PIN 08084-2248(LT)

Parcel 2: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 2 on Plan 33R-20485, being Part of PIN 08084-2248(LT)

Parcel 3: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 3 on Plan 33R-20485, being Part of PIN 08084-1056(LT)

Parcel 4: Part of Lot 16, Concession 5, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 4 on Plan 33R-20485, being Part of PIN 08084-1056(LT)

Parcel 5: Part of Lot 16, Concession 4, Geographic Township of London, in the City of London, County of Middlesex, designated as Part 6 on Plan 33R-20496, being all of PIN 08083-0001(LT)

Parcel 6: Part of Lot 33, Registrar's Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 1 on Plan 33R-20472, being part of PIN 08066-0033(LT)

Parcel 7: Part of Lot 33, Registrar's Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 2 on Plan 33R-20472, being part of PIN 08066-0033(LT)

Parcel 8: Part of Lot 33, Registrar's Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 3 on Plan 33R-20472, being part of PIN 08066-0183(LT)

Parcel 9: Part of Lot 33, Registrar's Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 4 on Plan 33R-20472 being part of PIN 08066-0183(LT)

Parcel 10: Part of Lot 33, Registrar's Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 5 on Plan 33R-20472 being part of PIN 08066-0183(LT)

Parcel 11: Part of Lot 33, Registrar's Compiled Plan No. 1029, in the City of London, County of Middlesex, designated as Part 6 on Plan 33R-20472 being part of PIN 08066-0183(LT)

Bill No. 112
2021

By-law No. PS-113-21

A by-law to amend By-law PS-113 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London."

WHEREAS subsection 10(2) paragraph 7. Of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

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

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

1. No Parking

Schedule 2 (No Parking) of the By-law PS-113 is hereby amended by **deleting** the following rows:

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Louise Boulevard	West	A point 50 m north of Fanshawe Park Road W	A point 40 m south of said street	Anytime
Louise Boulevard	East	A point 60 m north of Fanshawe Park Road W	A point 55 m south of said street	Anytime

Schedule 2 (No Parking) of the By-law PS-113 is hereby amended by **adding** the following rows:

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Louise Boulevard	West	A point 65 m north of Fanshawe Park Road W	A point 55 m south of Fanshawe Park Road W	Anytime
Louise Boulevard	East	A point 85 m north of Fanshawe Park Road W	A point 55 m south of Fanshawe Park Road W	Anytime
Meadowridge Road	Both	A point 39 m north of Guildwood Boulevard	A point 88 m north of Guildwood Boulevard	Anytime

2. Stop Signs

Schedule 10 (Stop Signs) of the By-law PS-113 is hereby amended by **adding** the following rows:

Column 1 Traffic	Column 2 Street	Column 3 Intersection
Westbound	Berkley Crescent	Redford Road
Westbound	Journey Cross	Sandbar Street
Westbound	Northcrest Drive	Northcrest Drive
Northbound	Northcrest Gate	Redford Road
Southbound	Northcrest Gate	Northcrest Drive
Westbound	Warner Terrace	Wallingford Avenue

3. Yield Signs

Schedule 11 (Yield Signs) of the By-law PS-113 is hereby amended by **deleting** the following rows:

Column 1 Traffic	Column 2 Street	Column 3 Intersection
Westbound	Berkley Crescent	Redford Road
Northbound	Northcrest Gate	Redford Road
Southbound	Northcrest Gate	Northcrest Drive

Schedule 11 (Yield Signs) of the By-law PS-113 is hereby amended by **adding** the following rows:

Column 1 Traffic	Column 2 Street	Column 3 Intersection
Eastbound	Warner Terrace	Warner Terrace

4. Through Highways

Schedule 13 (Through Highways) of the By-law PS-113 is hereby amended by **deleting** the following row:

Column 1 Street	Column 2 From	Column 3 To
Lawson Road	Sandbar Street except the intersection thereof with Aldersbrook Road, Brandy Lane, Limberlost Road, Wychwood Park (west intersection) and Longbow Road	Wychwood Park (east intersection)

Schedule 13 (Through Highways) of the By-law PS-113 is hereby amended by **adding** the following row:

Column 1 Street	Column 2 From	Column 3 To
Lawson Road	Coronation Drive except the intersection thereof with Aldersbrook Road, Brandy Lane, Limberlost Road, Wychwood Park (west intersection) and Longbow Road	Wychwood Park (east intersection)

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Bill No. 113
2021

By-law No. PS-113-21

A by-law to amend By-law PS-113 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London.”

WHEREAS subsection 10(2) paragraph 7. Of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

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

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

1. Limited Parking

Schedule 6 (Limited Parking) of the By-law PS-113 is hereby amended by **adding** the following rows:

Column 1 Street	Column 2 Side	Column 3 Area	Column 4 Time	Column 5 Period
Dundas Street	North	A point 35 m east of Ridout Street N to a point 46 m east of Ridout Street N	8:00 a.m. to 6:00 p.m.	1 Hour
Dundas Street	North	A point 75 m west of Talbot Street to a point 19 m west of Talbot Street	8:00 a.m. to 6:00 p.m.	1 Hour
Dundas Street	North	A point 18 m east of Talbot Street to a point 38 m east of Talbot Street	11:00 a.m. to 6:00 p.m.	1 Hour
Dundas Street	North	A point 53 m east of Richmond Street to a point 86 m east of Richmond Street	8:00 a.m. to 6:00 p.m.	1 Hour
Dundas Street	North	A point 20 m east of Clarence Street to a point 40 m east of Clarence Street	8:00 a.m. to 6:00 p.m.	1 Hour
Dundas Street	South	A point 38 m east of Ridout Street N to a point 59 m east of Ridout Street N	8:00 a.m. to 6:00 p.m.	1 Hour
Dundas Street	South	A point 58 m west of Richmond Street to a point 51 m west of Richmond Street	8:00 a.m. to 6:00 p.m.	1 Hour

Column 1 Street	Column 2 Side	Column 3 Area	Column 4 Time	Column 5 Period
Dundas Street	South	A point 51 m west of Richmond Street to a point 38 m west of Richmond Street	11:00 a.m. to 6:00 p.m.	1 Hour
Dundas Street	South	A point 50 m west of Clarence Street to a point 30 m west of Clarence Street	8:00 a.m. to 6:00 p.m.	1 Hour
Dundas Street	South	A point 94 m east of Clarence Street to a point 121 m east of Clarence Street	8:00 a.m. to 6:00 p.m.	Hour

2. 2-Hour Metered Parking

Schedule 20 (2 Hour Metered Zones) of the By-law PS-113 is hereby amended by **deleting** the following rows:

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Dundas Street	North	Ridout Street N	A point 18 m east of Talbot Street	8:00 a.m. to 6:00 p.m.
Dundas Street	North	A point 18 m east of Talbot Street	A point 38 m east of Talbot Street	11:00 a.m. to 6:00 p.m.
Dundas Street	North	A point 38 m east of Talbot Street	A point 31 m east of Richmond Street	8:00 a.m. to 6:00 p.m.
Dundas Street	North	A point 44 m east of Richmond Street	Colborne Street	8:00 a.m. to 6:00 p.m.
Dundas Street	South	Ridout Street N	A point 122 m east of Talbot	8:00 a.m. to 6:00 p.m.
Dundas Street	South	A point 122 m east of Talbot	A point 135 m east of Talbot	11:00 a.m. to 6:00 p.m.
Dundas Street	South	A point 135 m east of Talbot	A point 71 m east of Clarence Street	8:00 a.m. to 6:00 p.m.
Dundas Street	South	A point 71 m east of Clarence Street	Adelaide Street N	8:00 a.m. to 6:00 p.m.

Schedule 20 (2 Hour Metered Zones) of the By-law PS-113 is hereby amended by **adding** the following rows:

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Dundas Street	North	Wellington Street	Colborne Street	8:00 a.m. to 6:00 p.m.
Dundas Street	South	Wellington Street	Adelaide Street N	8:00 a.m. to 6:00 p.m.

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Bill No. 114
2021

By-law No. S - _____ - ____

A by-law to rename the portion of “Darlington Place” from Kettering Place southward to Lot 9, Concession 1, Part 2 of Reference Plan 33R-19902, within Registered Plan 33M-773 to “Barn Swallow Place”.

WHEREAS the Municipal Council of The Corporation of the City of London deems it expedient to rename the portion of Darlington Place from Kettering Place southward to Lot 9, Concession 1, Part 2 of Reference Plan 33R-19902, within Registered Plan 33M-773 to Barn Swallow Place;

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

1. That portion of Darlington Place lying south of Kettering Place to Lot 9, Concession 1, Part 2 of Reference Plan 33R-19902 within Registered Plan 33M-773 shall hereinafter be called and known as Barn Swallow Place, and the name of the said street is hereby changed accordingly:
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Bill No. 115
2021

By-law No. S.-_____ -_____

A by-law to permit 2745787 Ontario Inc. to maintain and use a boulevard parking area upon the road allowance for 316 Horton Street East, City of London.

WHEREAS 2745787 Ontario Inc. (the "Owners") represents that they are the registered owners of certain lands and premises in the City of London, in the County of Middlesex, known municipally as 316 Horton Street East, in the said City of London, County of Middlesex, and which are more particularly described in the boulevard parking agreement attached hereto as Schedule "A" (the "said lands");

AND WHEREAS the Owners 2745787 Ontario Inc., have petitioned the Municipal Council of The Corporation of the City of London for permission to use a portion of the City-owned road allowance which abuts the said lands as a boulevard parking area (the "said parking area") for the purpose of parking motor vehicles;

AND WHEREAS the Municipal Council of The Corporation of the City of London has approved the entering into of a Boulevard Parking Agreement (the "said Agreement") with the Owners relating to the use of the said parking area;

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

1. The said Agreement attached hereto as Schedule "A" of this by-law is authorized and approved.
2. The Mayor and the City Clerk are authorized and directed to execute the attached Agreement on behalf of The Corporation of the City of London and to cause the seal of the Corporation to be affixed thereon.
3. Nothing in this by-law limits the covenants and agreements between the parties to the said Agreement.
4. This by-law comes into force and effect on the day it is passed.

PASSED in open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

THIS AGREEMENT made in duplicate this day of

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON

hereinafter called "the City" OF THE FIRST PART;

- and -

2745787 ONTARIO INC

hereinafter called "the Lessee" OF THE SECOND PART;

WHEREAS by Section 11 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, the City is authorized and empowered to pass by-laws and to lease the untravelled portions of certain highways;

AND WHEREAS the Lessee has applied to the City for permission to use, for the purpose of parking motor vehicles, the land and premises, hereinafter called "the leased premises", as shown on the site plan which is attached to and forms part of this agreement, being an untravelled portion of highway adjacent to **316 Horton Street East** in the City of London, upon the terms and conditions hereinafter set forth.

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

1. The City leases to the Lessee the leased premises for the term of five years from and including the **26th day of February, 2021** until and including the **25th day of February, 2026** provided the parking arrangement on the leased premises is constructed and maintained in accordance with the attached site plan.
2. The Lessee shall pay in advance to the City, at the commencement of the said term and thereafter on the anniversary date thereof during the said term, the sum of **\$219.97** per year (plus applicable taxes). Failure of the Lessee to pay such sum to the City within thirty (30) days following the due date(s) as herein defined shall immediately terminate this agreement and render it null and void.
3. The Lessee shall also pay all applicable realty and/or business taxes, including HST where applicable, assessed against the leased premises on or before the City of London tax installment due date(s). Failure of the Lessee to pay such taxes to the City within thirty (30) days following such due date(s) shall immediately terminate this agreement and render it null and void.
4. Prior to the commencement of any construction on or use of the leased premises, the Lessee shall contact the City Engineer for approval to ensure that all construction and works in conjunction with the said Plan shall be in accordance with the specifications of the City Engineer.
5. The conditions hereby imposed and the works to be carried out on the leased premises are to be completed within ninety (90) days from the date of this agreement, weather permitting, or by such other date as may be specified by the City Engineer, otherwise the agreement is to be null and void.
6. The Lessee shall at his own expense maintain during the said term the leased premises in accordance with the said Plan and shall make no alteration or additions to the parking arrangement on the leased premises without the approval of the City.

Schedule "A"

7. The Lessee covenants:

- (a) to use the leased premises solely for the purpose of parking motor vehicles and on the understanding that, in residential areas, parking must be in conjunction with a residential use;
- (b) to remove from the leased premises, upon receiving written notice from the City, any inoperable, unserviceable or incapacitated motor vehicles;
- (c) not to permit nor to undertake the repair or servicing of motor vehicles on the leased premises;
- (d) to keep the leased premises free from dust, papers and rubbish of any kind;
- (e) to use the leased premises in a proper and orderly manner and not to permit anything to be done upon the leased premises which is in violation of any by-law of the City in force during the said term or which may create a nuisance or be objectionable, provided however that the orderly parking of motor vehicles shall not be deemed to be a nuisance or to be objectionable;
- (f) not to use the parking area to accommodate a vehicle with dimensions in excess of the following:
 - 6.0 m length
 - 2.5 m width
 - 2.5 m height

or to accommodate any other vehicle which is deemed by City Council to be unacceptable; and

- (g) not to use the parking area for the storage of materials.

8. The Lessee shall not assign or sublet without the consent in writing of the City.

9. The Lessee shall, at all times, indemnify and save harmless the City of and from all loss, costs and damages which the City may suffer, be at or be put to, for or by reason or on account of any matter or thing which may occur, be done or arise by reason of the use of the leased premises or of any other property of the City to gain ingress to or egress from the leased premises or anything which may be done thereon or which may be neglected to be done thereon by the Lessee, his agents, servants, or others for whom the Licencee is in law responsible.

10. If at any time after the date of Council's approval the City shall require possession of all or part of the leased premises, the City may terminate this agreement upon giving the Lessee sixty (60) days' notice in writing and such notice having been given, this agreement and all of the conditions, covenants and provisos herein shall cease and determine on the day set out in the said notice, and rent shall be rebated prorata.

11. The City shall retain the right to adjust the rental rate on six (6) months written notice to the Lessee.

12. The Lessee agrees, in the event the City increases the annual rental fee, to pay the increased fee or, at his option, to request cancellation of the Agreement.

13. On the expiration of the said term or on the termination of this agreement for any reason, the Lessee shall, within ninety (90) days there from, weather permitting, remove the parking arrangement and any works associated therewith or forming part of it from the leased premises, and shall restore the boulevard to grass including the construction of curbs to prevent ingress to or egress from the leased premises at his own expense and all to the satisfaction of the City Engineer, or alternatively, shall at

Schedule "A"

his own expense, restore the leased premises in a manner and to a condition satisfactory to the City Engineer.

14. Notwithstanding anything contained herein, the City shall have the right of free, uninterrupted and unobstructed access at all times to the leased premises for the purpose of installing and maintaining services and utilities and the City shall only be liable to restore the leased premises to the approximate condition in which it existed at the time of each and every entry upon the leased premises.

15. Wherever the singular and masculine are used throughout this agreement they shall be construed as meaning the plural, neuter, or the feminine where the context of the parties hereunto so required, and the Lessee, its heirs, executors, administrators, successors and assigns, are and shall be bound by the covenants herein and all covenants herein shall be construed as both joint and several.

16. It is the responsibility of the applicant to ensure that there are no encroachments onto adjacent properties.

IN WITNESSETH WHEREOF the Lessee has hereunto set his hand and seal, or caused to be affixed its corporate seal duly attested by the hands of its proper signing officers, as the case may be, and

2745787 ONTARIO INC

I/We have the authority to bind the Corporation

per:

Signature(s)

Name(s) (Please print)

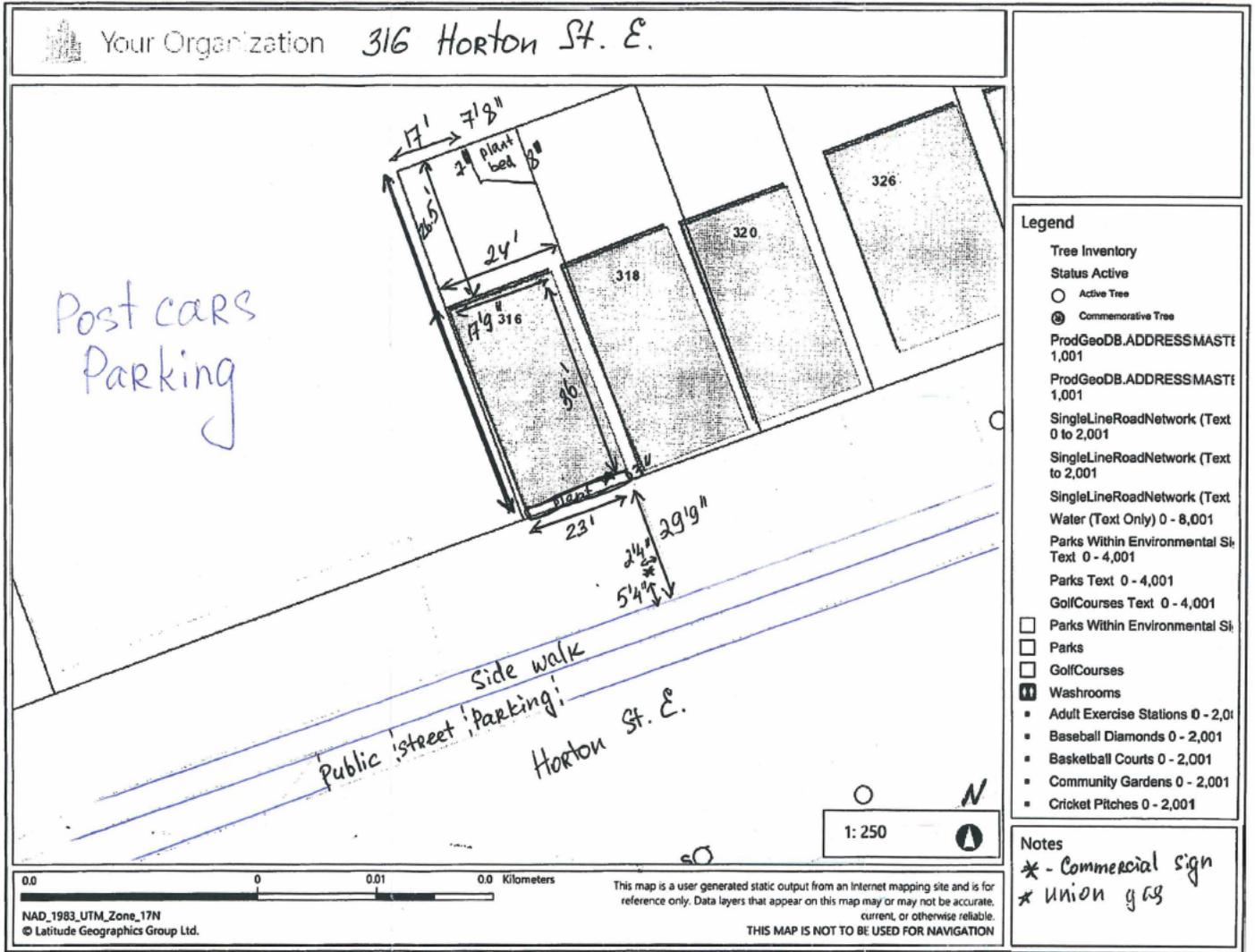
Title(s) (Please print)

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

316 Horton Street East
Site Plan



Bill No. 116
2021

By-law No. S.-____-____

A by-law to assume certain works and services
in the City of London. (Foxwood Crossing
Subdivision Phase 3; Plan 33M-709)

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 Foxwood Crossing Subdivision
Phase 3, Plan 33M-709;

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:

**Foxwood Crossing Subdivision Phase 3, Plan 33M-709
1640209 Ontario Inc. c/o York Developments Inc.**

Savoy Street – all;
Bakerville Street – all;
Westpoint Heights – all;
Debra Drive – all;
Red Thorne Avenue – all;
Block 153, 154 & 155 – being a walkway;
Block 156, 157 & 158 – Parkland / Open Space;
Block 82 (33M-546) – Storm Sewer & Asphalt Access Road

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 February 3, 2021 to February 3, 2022.

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

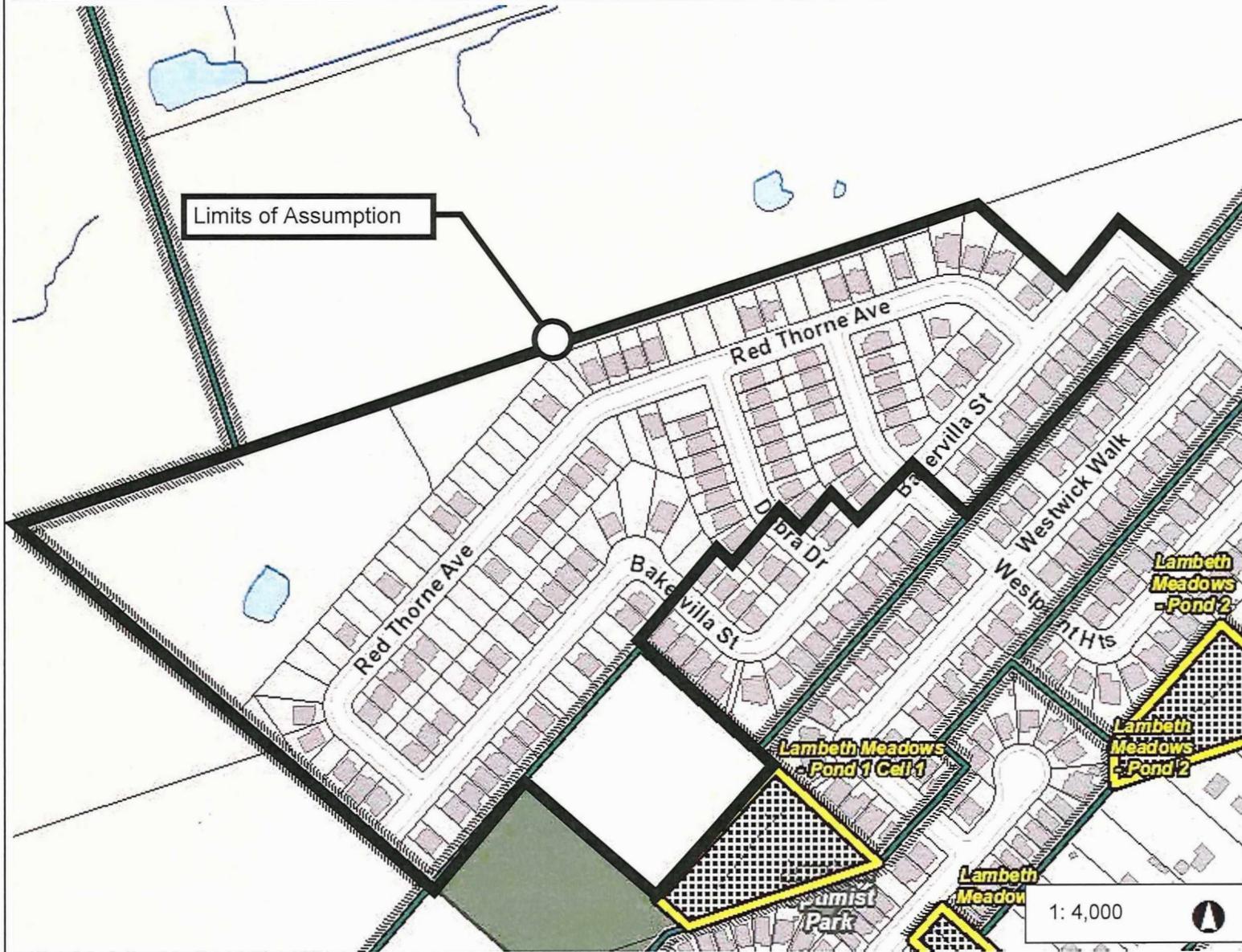
First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021



Assumption Limits

Foxwood Crossing Subdivision Phase 3, Plan 33M-709

Notes



0.2 0 0.10 0.2 Kilometers

This map is a user generated static output from city of london site and is for reference only.

NAD_1983_UTM_Zone_17N
© City of London

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Bill No. 117
2021

By-law No. S.-____-____

A by-law to assume certain works and services
in the City of London. (Matthews Hall
Subdivision; Plan 33M-595)

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 Matthews Hall Subdivision; Plan
33M-595;

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:

Matthews Hall Subdivision
Hampton Group

Bluegrass Drive – all
Cherrywood Gate – all
Cherrywood Trail – all
Blocks 125, 126 & 127 – parkland dedication

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 February 3, 2021 to February 3, 2022.

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Assumption Limits

Assumption Limits - 33M-595 - Mathews Hall



1/29/2021, 1:42:43 PM

Bill No. 118
2021

By-law No. S.-____-____

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Colonel Talbot Road south of Pack Road; and as widening to Pack Road west of Colonel Talbot 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 Colonel Talbot Road south of Pack Road, namely:

“Part of Lot 75, West of the North Branch of the Talbot Road in the geographic Township of Westminster, now in the City of London and County of Middlesex, and part of Block 120 on Registered Plan 33M-742, designated as Parts 4 and 3 respectively on Reference Plan 33R-20840.”

2. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Pack Road west of Colonel Talbot Road, namely:

“Part of Block 120 on Registered Plan 33M-742, designated as Part 2 on Reference Plan 33R-20840.”

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

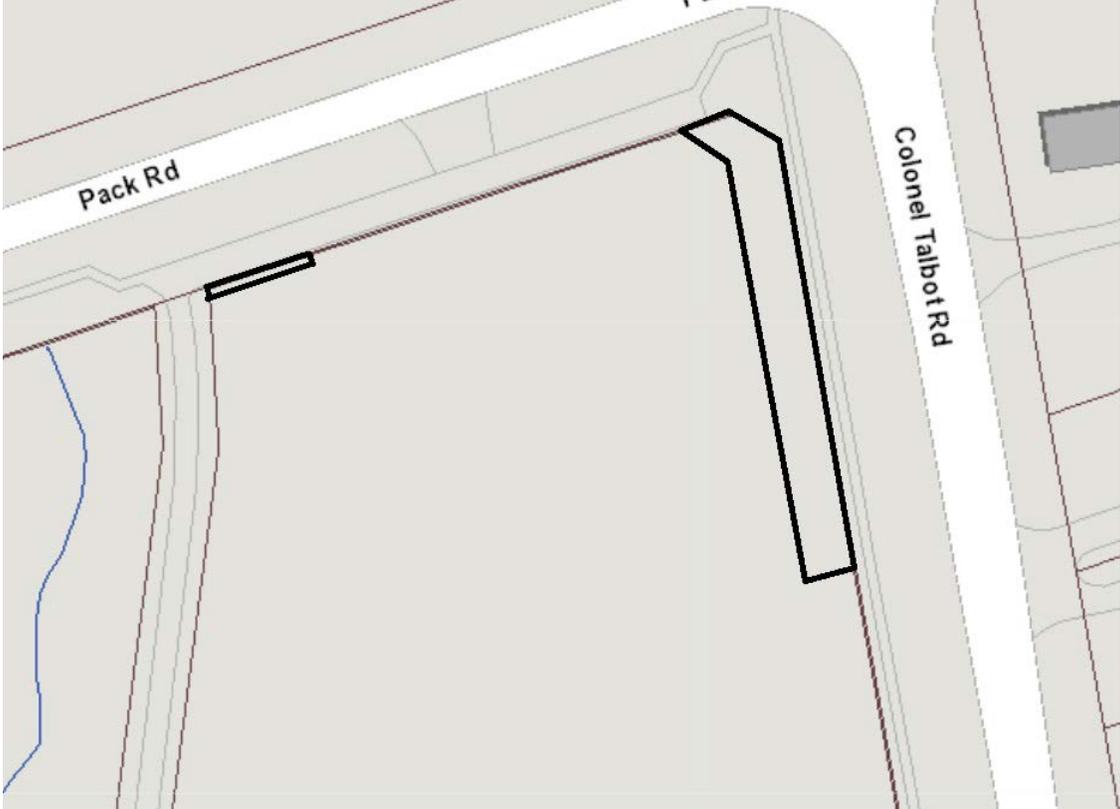
PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

LOCATION MAP



▭ SUBJECT LANDS

Bill No. 119
2021

By-law No. S.-____-____

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Westmount Hills Drive north of Tobin Court)

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 Westmount Hills Drive north of Tobin Court, namely:

“Part of Lot 38, Concession 1, in the geographic Township of London, now in the City of London and County of Middlesex, designated as Part 3 on Reference Plan 33R-20780.”

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

LOCATION MAP



 SUBJECT LANDS

Bill No. 120
2021

By-law No. S.-____-____

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wellington Road south of Bradley 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 Wellington Road south of Bradley Avenue, namely:

“Part of Lot 25 in Concession 2, formerly in the geographic Township of Westminster, now in the City of London and County of Middlesex, designated as Parts 1, 2, 3, 4, 5, 6 and 7 on Reference Plan 33R-20483.”

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

LOCATION MAP



 SUBJECT LANDS

Bill No. 121
2021

By-law No. S.-____-____

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Street West, west of Wharncliffe Road North)

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 as widening to Oxford Street West, west of Wharncliffe Road North, namely:

“Part of Lots 53, 54 and 63 on Registrars Compiled Plan 450(W), in the City of London and County of Middlesex, designated as Parts 2, 3 and 1 respectively on Reference Plan 33R-14724.”

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

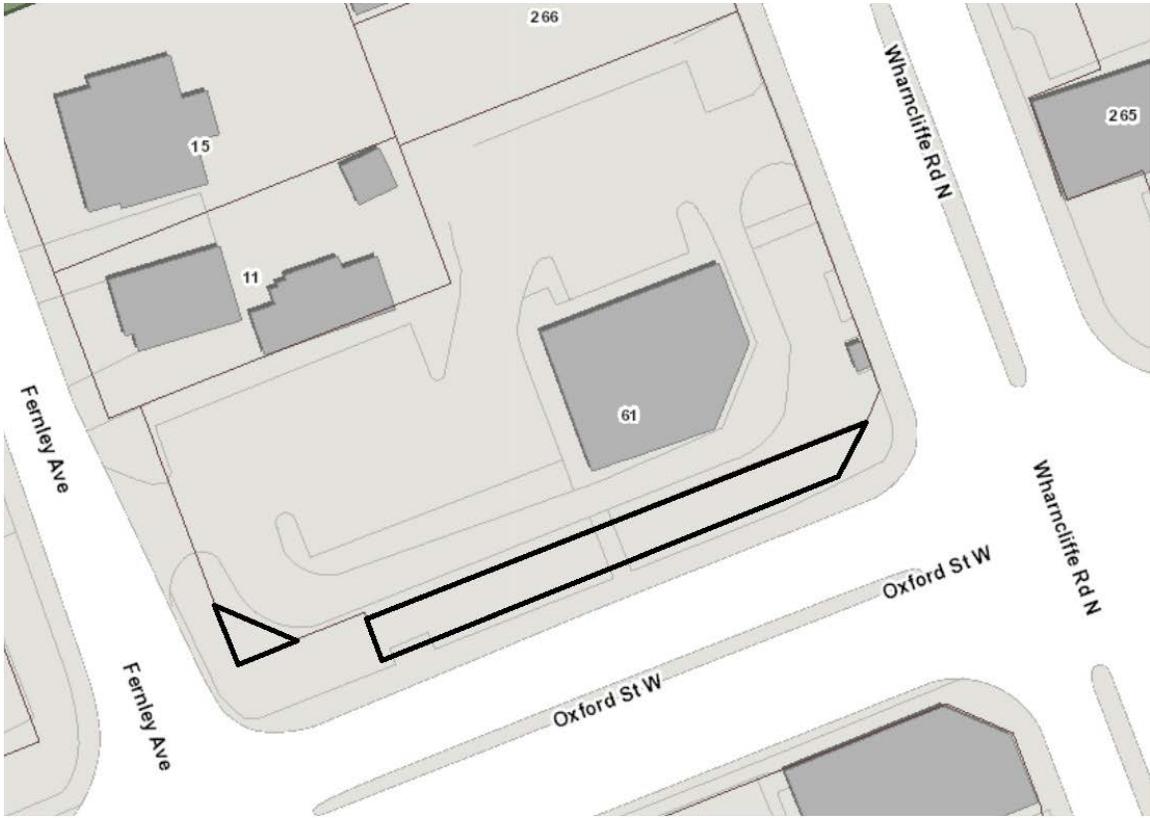
PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

LOCATION MAP



 SUBJECT LANDS

Bill No. 122
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 part of Blackwell Boulevard)

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, namely:

“All of Block 8 on Registered Plan 33M-701 in the City of London and County of Middlesex.”

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

LOCATION MAP



 SUBJECT LANDS

Bill No. 123
2021

By-law No. W.-5654(__)-291

A by-law to amend by-law No. W.-5654-291 entitled, "A by-law to authorize the 2019-2023 Active Transportation Project. (Project No. TS173919)."

WHEREAS the Treasurer has calculated an updated limit for The Corporation of the City of London using its most recent debt and financial obligation limit determined by the Ministry of Municipal Affairs in accordance with the provisions of Ontario Regulation 403/02, and has calculated the estimated annual amount payable by The Corporation of the City of London in respect of the project described in this by-law and has determined that such estimated annual amount payable does not exceed the Limit;

AND WHEREAS it has been deemed expedient to amend By-law No. W.-5654-291 passed on October 15, 2019, to authorize an increase in the net amount of monies to be debentured for the "2019-2023 Active Transportation Project. (Project No. TS173919)";

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

1. The net cost of this project shall be met by the increase in the issue of debentures by \$2,673,876.00 from \$940,788.00 to \$3,614,664.00
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Bill No. 124
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 973 Gainsborough Road.

WHEREAS Betsy Mathew has applied to remove the holding provision from the zoning for the lands located at 973 Gainsborough Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said land;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 973 Gainsborough Road, as shown on as shown on the the attached map comprising part of Key Map No. 101, to remove h-17 holding provision so that the zoning of the lands as a Business District Commercial (BDC) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

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



<p>File Number: H-9274 Planner: SM Date Prepared: 2020/11/03 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,000</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Geodatabase

Bill No. 125
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 6019 Hamlyn Street.

WHEREAS Sifton Properties Ltd. has applied to rezone an area of land located at 6019 Hamlyn 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 the middle portion of the lands located at 6019 Hamlyn Street, as shown on the attached map comprising part of Key Map No. A.114, FROM an Urban Reserve (UR4) Zone, a Holding Urban Reserve (h-2*UR4) Zone, and an Environmental Review (ER) Zone, TO a Holding Residential R1 Special Provision (h*h-100*R1-3(_)) Zone, a Holding Residential R1/R4 Special Provision (h*h-100*R1-3(_)/R4-3(_)) Zone, a Holding R4/R5/R6/R7/R8 Special Provision (h*h-100*R4-3(_)/R5-7(_)/R6-5(_)/R7(_)*D75*H20/R8-4(_)) Zone, a Open Space Special Provision (OS1(3)) Zone; and a Open Space (OS5) Zone;

2. Section Number 5.4 of the Residential R1 Zone is amended by adding the following Special Provision:

R1-3(_)

a) Regulations:

- | | | |
|------|---|----------------|
| i) | Garage Front Yard Depth
(minimum) | 5.5 m (18 ft.) |
| ii) | Lot Coverage
(maximum) | 45% |
| iii) | Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage | |

3. Section Number 8.4 of the Residential R4 Zone is amended by adding the following Special Provision:

R4-3(_)

a) Regulations:

- | | | |
|------|---|--------------|
| i) | Lot Frontage
(minimum) | 6.7m (22 ft) |
| ii) | Lot Coverage
(maximum) | 50% |
| iii) | Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage | |

4. Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provision:

R5-7(*)

- a) Regulation[s]
 - i) Front & Exterior side Yard Depth to Main Building (minimum) 3 metres (9.84 feet)
 - ii) Front & Exterior side Yard Depth to Main Building (maximum) 6 metres (19.68 feet)
 - iii) Lot Coverage (maximum) 50%
 - iv) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

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

R6-5(□)

- a) Regulation[s]
 - i) Front & Exterior side Yard Depth to Main Building (minimum) 3 metres (9.84 feet)
 - ii) Front & Exterior side Yard Depth to Main Building (maximum) 6 metres (19.68 feet)
 - iii) Lot Coverage 50% (maximum)
 - iv) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage
 - v) The front face and primary entrance of dwellings shall be oriented to adjacent streets

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

R7(*)

- a) Regulation[s]
 - i) Front & Exterior side Yard Depth to Main Building (minimum) 3 metres (9.84 feet)
 - ii) Front & Exterior side Yard Depth to Main Building (maximum) 6 metres (19.68 feet)
 - iii) The front face and primary entrance of dwellings shall be oriented to adjacent streets

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

R8-4(*)

- a) Regulation[s]

Front & Exterior side Yard Depth to Main Building (minimum)	3 metres (9.84 feet)
---	-------------------------

- ii) Front & Exterior side Yard Depth to Main Building (maximum) 6 metres
(19.68 feet)

- iii) Height (maximum) 20 metres
(65.62 feet)
(6-storeys)

- vi) The front face and primary entrance of dwellings shall be oriented to adjacent streets

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

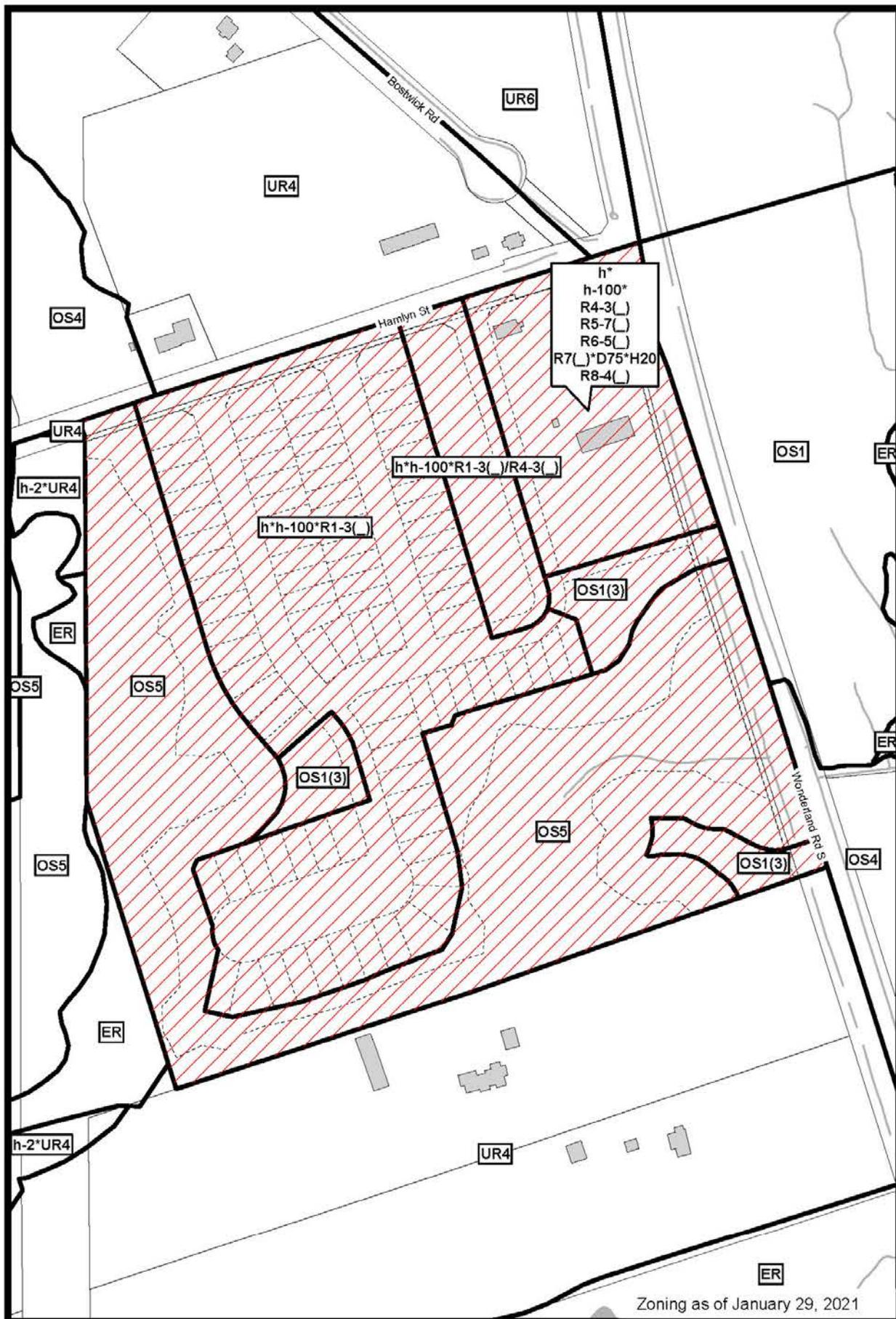
PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

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



File Number: Z-8960
 Planner: MC
 Date Prepared: 2021/02/09
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters



Bill No. 126
2021

By-law No. Z.-1-21_____

A bylaw to amend By-law No. Z.-1 to rezone lands located at 1389 Commissioners Road East within the Summerside Subdivision.

WHEREAS Drewlo Holdings Inc. has applied to rezone lands located at 1389 Commissioners Road East within the Summerside Subdivision, 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 1389 Commissioners Road East within the Summerside Subdivision, as shown on the attached map, FROM a Residential R1 Special Provision (R1-3(7)) Zone, a Residential R1 (R1-4) Zone, and a Residential R1 Special Provision (R1-4(10)) Zone TO a Residential R1 (R1-2) Zone and a Residential R1 (R1-3) Zone; FROM a Residential R1 Special Provision (R1-3(7)) Zone TO a Holding Residential R6 Special Provision (h-1*R6-5()) Zone; and FROM a Holding Residential R6 (h-1*R6-5) Zone TO a Holding Residential R6 Special Provision (h-1*R6-5()) Zone.

2. Section Number 10.4 of the Residential R6 Zone is amended by adding the following special provision:

R6-5()

a) Regulations:

- | | | |
|-----|----------------------|----------------------|
| i) | Density
(Maximum) | 60 units per hectare |
| ii) | Density
(Minimum) | 30 units per hectare |

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.

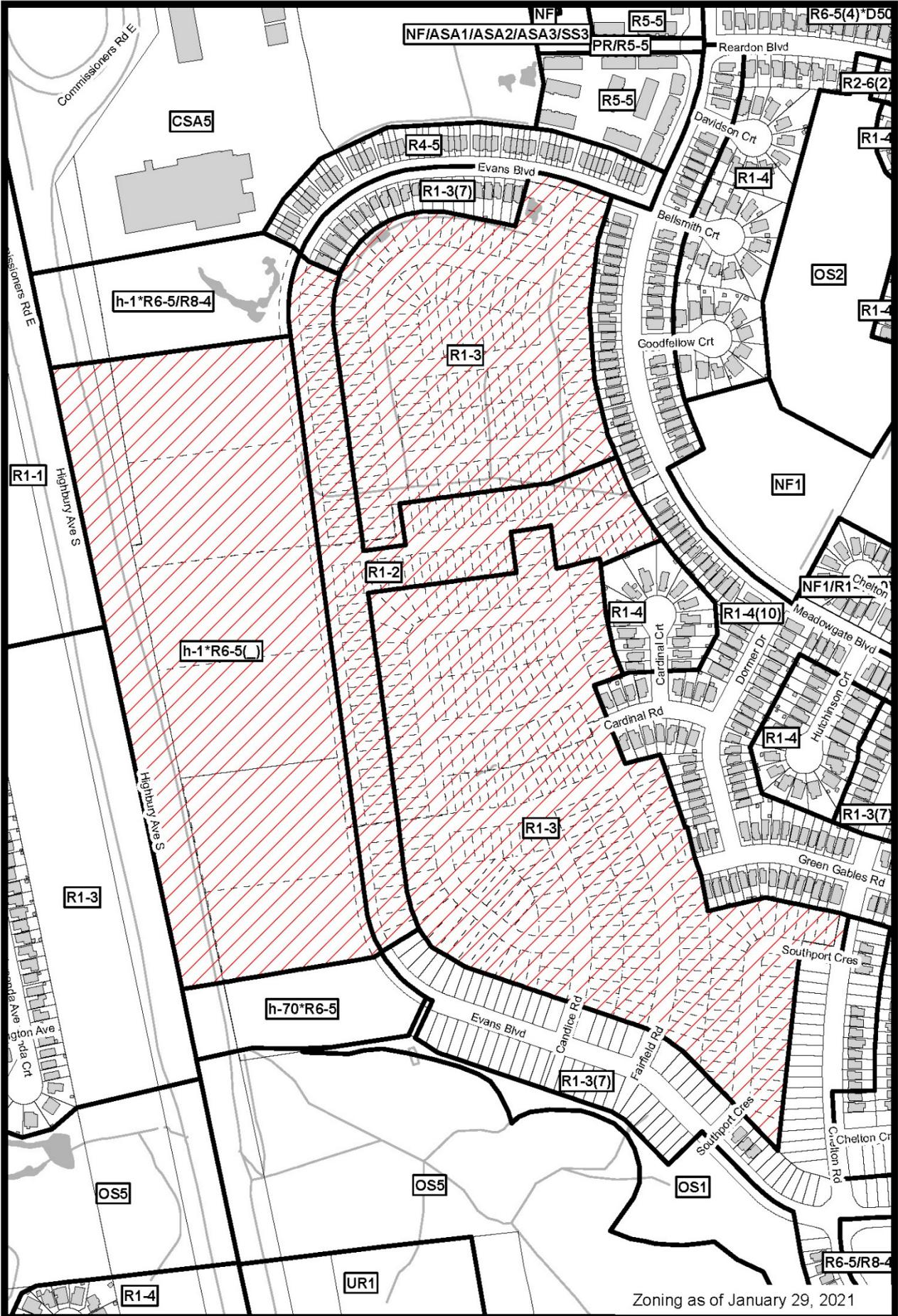
PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

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



File Number: Z-9283
 Planner: LM
 Date Prepared: 2021/02/03
 Technician: rc
 By-Law No: Z-1-

SUBJECT SITE 

1:5,000

0 25 50 100 150 200
 Meters



Bill No. 127
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 3924 Colonel Talbot Road.

WHEREAS Auburn Developments Ltd. has applied to rezone an area of land located at 3924 Colonel Talbot Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to portions of the lands located at 3924 Colonel Talbot Road, as shown on the attached map comprising part of Key Map No. A.110, Holding Open Space Special Provision (h*OS5(9)) Zone to an Open Space Special Provision (OS5(_)) Zone; from a Holding Residential R1 (h*R1-3) Zone to a Holding Open Space (h*OS1) Zone; from a Holding Residential R1 (h*R1-3) Zone to an Open Space (OS1/OS3) Zone; from a Holding Residential R1 (h*R1-13) Zone to a Holding Residential R1(h*R1-3) Zone; from a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone to a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(_)/R5-3(_)/R6-5(_)/R7*H15*D30) Zone; from a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone to a Holding Residential R4/R5/R6/R7 Special Provision (h*R4-6(_)/R5-3/R6-5/R7*H18*D30) Zone; from a Residential R1/R6 Special Provision (R1-3(7)/R6-5) Zone to a Residential R1 Special Provision (R1-3(7) Zone; from a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone to a Holding Residential R4/R5/R6 Special Provision (h*R4-6(_)/R5-3/R6-5) Zone; from a Holding Residential R1 (h*R1-3) Zone to a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; from a Holding Residential R1/R6 (h*R1-3/R6-5) Zone to a Holding Residential R1/R4/R6 Special Provision (h*R1-3/R4-6(_)/R6-5) Zone; from a Holding Residential R1/R6 (h*R1-3/R6-5) Zone to a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; from a Holding Residential R5/R6/R7 (h*R5-3/R6-5/R7*H15*D30) Zone to Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; from a Holding Residential R1/R4 (h*R1-13/R4-6) Zone to a Holding Residential R1/R4 Special Provision (h*R1-1/R4-6(_)) Zone; from a Holding Residential R5/R6/R7/Office (h*h-54*R5-3/R6-5/7*H15*D30*OF) Zone to a Holding Residential R4/R5/R6 Special Provision (R4-6(_)/R5-3/R6-5) Zone; from a Holding Residential R5/R6/R7/Office (h*h-54*R5-3/R6-5/R7*H15*D30*OF) Zone to a Holding Residential R4/R5/R6/R7 Special Provision/Office (h*h-54*R4-6(_)/R5-3/R6-5/7*H24*D100*OF8(_)) Zone; from a Holding Residential R5/R6/R7/Office (h*h-54*R5-3/R6-5/R7*H15*D30*OF) Zone to a Holding Open Space (OS1) Zone; from a Residential R1 (R1-16) Zone to a Holding Residential R4/R5/R6/R7 Special Provision/Office (h*h-54*R4-6(_)/R5-3/R6-5/7*H24*D100*OF8(_)) Zone; from a Holding Residential R1/R6 (h*h-54*R1-3/R6-5) Zone to a Holding Residential R1/R4/R6 Special Provision (h*h-54*R1-3/R4-6(_)/R6-5) Zone; from a Holding Residential R1 (h*R1-3) Zone to a Holding Residential R1/R4 Special Provision (h*R1-3/R4-6(_)) Zone; from a Residential R1 (R1-5) Zone to a Residential R1 (R1-4) Zone;

2. Section Number 8.4 of the Residential R4 Zone is amended by adding the following special provisions:

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 3.5m (11.5ft)
adjacent to a a roundabout

3. Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provision:

R5-3(*)

- a) Regulations:
 - i) Front Yard Setback, 3 metres
Main Dwellings (Minimum): (9.8 feet)
 - ii) Front Yard Depth 5.5 metres
for Garages (18.0 feet)
(Minimum)
 - iii) Notwithstanding the regulations of Section 4.27 of this by-law to the contrary, on lands zoned R5-3(*) open or covered but unenclosed decks not exceeding one storey in height may project no closer than 0.6 metres (1.97 feet) where the lot line abuts an OS5 Zone.

4. Section Number 10.4 of the Residential R6 Zone is amended by adding the following Special Provision:

R6-5(*)

- a) Regulations:
 - i) Front Yard Setback, 3 metres
Main Dwellings (Minimum): (9.8 feet)
 - ii) Front Yard Depth 5.5 metres
for Garages (18.0 feet)
(Minimum):
 - iii) Notwithstanding the regulations of Section 4.27 of this by-law to the contrary, on lands zoned R6-5(*) open or covered but unenclosed decks not exceeding one storey in height may project no closer than 0.6 metres (1.97 feet) where the lot line abuts an OS5 Zone.

4. Section Number 36.3 of the Open Space OS5 Zone is amended by adding the following Special Provision:

OS5(*)

- a) Regulations:

Notwithstanding Section 3.9(2), the area of the lands so zoned shall be included with the Residential-zoned lands in the lot or block of which they form a part for the purpose of calculating lot area, density, lot coverage and landscaped open space.

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 March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

Bill No. 128
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 403 Thompson Road.

WHEREAS The Housing Development Corporation, London (HDC) has applied to rezone an area of land located at 403 Thompson Road as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number ____ this rezoning will conform to The London 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 403 Thompson Road, from a Neighbourhood Shopping Area (NSA1) Zone to a Residential R9 Special Provision (R9-7(_)*H14) Zone.

2. Section Number 13.4 of the Residential R9 (R9-7) Zone is amended by adding the following Special Provision:

R9-7(_)	403 Thompson Road
a)	Regulation[s]
i)	Frontage (min) 27.0m
ii)	Front yard depth (min) 3.0m
iii)	Parking (min) 0.3 spaces per unit
iv)	Dwelling unit size (min) Notwithstanding 4.6 of this by-law the minimum required size for a bachelor dwelling unit shall be 27.0 square meters.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

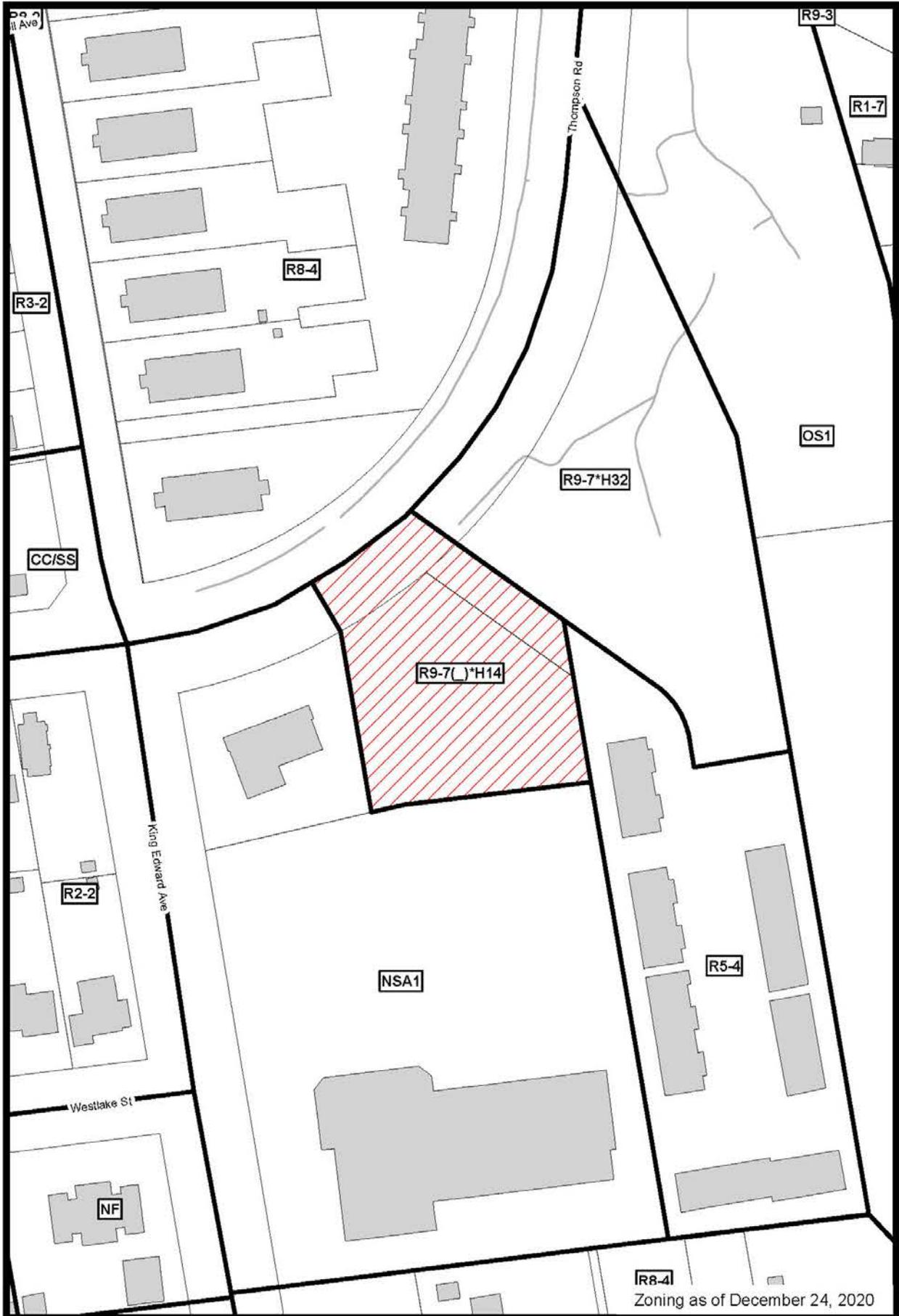
PASSED in Open Council on March 23, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

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



Zoning as of December 24, 2020

File Number: OZ-9290
 Planner: LM
 Date Prepared: 2021/01/22
 Technician: ZZ
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40
 Meters



Bill No. 129
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 345 Sylvan Street.

WHEREAS Housing Development Corporation, London (HDC) applied to rezone an area of land located at 345 Sylvan Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) 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 345 Sylvan Street, as shown on the attached map, from Community Facility (CF5) Zone to a Holding Residential R8 Special Provision (h-5*R8-4(_)) Zone.

2. Section Number 12.3 of the Residential R8 (R8-4) Zone is amended by adding the following Special Provision:

R8-4() 345 Sylvan Street

a) Regulation[s]

i) Frontage (min) 20.0m

ii) Parking (min) 0.5 spaces per unit

iii) Dwelling unit size (min) Notwithstanding 4.6 of this by-law the minimum required size for a one-bedroom dwelling unit shall be 41.0 square meters.

iv) Accessory Structures Notwithstanding 4.1 of this by-law accessory structures may be permitted in the front yard to provide long-term bicycle parking.

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

PASSED in Open Council on March 23, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 23, 2021
Second Reading – March 23, 2021
Third Reading – March 23, 2021

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

