



Council Agenda

11th Meeting of City Council

August 10, 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. Personal Matters / Identifiable Individual

A matter pertaining to personal matters about identifiable individuals, including municipal or local board employees, with respect to the Awarding of the 2021 Queen Elizabeth Scholarships. (6.1/11/CPSC)

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

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

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.2/13/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. (6.3/13/CSC)

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

A matter pertaining to the proposed or pending 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. (6.4/13/CSC)

4.6. Litigation / Solicitor-Client Privileged Advice

A matter pertaining to litigation or potential litigation; advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation with respect to litigation currently before the Superior Court of Justice, Court file No. 2278/18 and 2278/18-A1 affecting the municipality in relation to the Bradley Avenue West Extension and Wharncliffe Road South Improvements. (6.1/10/CWC)

4.7. Litigation / Solicitor-Client Privileged Advice

A matter pertaining to litigation or potential litigation; advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation with respect to litigation currently before the Superior Court of Justice, Court file 783/19 affecting the municipality in relation to the 2016 Sarnia Road Improvements. (6.2/10/CWC)

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

5.1. 10th Meeting held on July 6, 2021 14

6. Communications and Petitions

6.1. Oxford Wonderland Secondary Plan - Terms of Reference

(Refer to the Planning and Environment Committee Stage for Consideration with item 11 (2.1) of the 11th Report of the Planning and Environment Committee)

1. Councillors E. Pelosa and S. Lewis 113

6.2. 400 Southdale Road East (OZ-9261)

(Refer to the Planning and Environment Committee Stage for Consideration with Item 20 (3.6) of the 11th Report of the Planning and Environment Committee)

1. C. Lumley 114

6.3. Medway Valley Heritage Forest Environmentally Significant Area (OZ-

9367)

(Refer to the Planning and Environment Committee Stage for Consideration with Item 23 (3.9) of the 11th Report of the Planning and Environment Committee)

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| 2. | T. and J. Tillman | 117 |
| 3. | J. B. Morton | 118 |

7. Motions of Which Notice is Given

8. Reports

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| 1. | Disclosures of Pecuniary Interest | |
| 2. | (2.1) 6th Report of the Animal Welfare Advisory Committee | |
| 3. | (2.2) Middlesex-London Paramedic Service - 2020 Performance Report | |
| 4. | (2.3) Special Events Policies and Procedures Manual – Deferred Matters File No. 2 | |
| 5. | (4.1) 3rd Report of the Community Safety and Crime Prevention Advisory Committee | |
| 6. | (4.2) 6th Report of the Accessibility Advisory Committee | |
| 7. | (4.3) Property Standards By-laws CP-16 and A-35 | |
| 8. | (4.4) Recognizing the Impact of Hosting the COVID-19 Assessment Centres at Oakridge Arena and Carling Heights Optimist Community Centre | |
| 9. | (4.5) Business Case Request for Agricultural Transitional Housing Project | |
| 10. | (5.1) Deferred Matters List | |
| 8.2. | 13th Report of the Corporate Services Committee | 131 |
| 1. | Disclosures of Pecuniary Interest | |
| 2. | (2.1) Optional Small Business Subclass Summary and Analysis | |
| 3. | (2.2) Corporate Asset Management Plan 2021 Review | |
| 4. | (2.3) 2020 Annual Parkland Reserve Fund Report | |
| 5. | (2.4) Declare Surplus – City-Owned Property – 2 Saunby Street | |
| 6. | (2.5) 2020 Investment Report (Relates to Bill No. 333) | |
| 7. | (2.6) Council Policy Manual Review 2021 (Relates to Bill No.'s 315, 316, 317, 327 to 332 and 334 to 362) | |

8. (4.1) Consideration of Applications to the London Hydro Inc. Board of Directors
 9. (4.2) Application - Issuance of Proclamation - Bullying Elimination Week
 10. (4.3) Application - Issuance of Proclamation - October is Caribbean Heritage Month in Canada
- 8.3. 10th Report of the Civic Works Committee 139
1. Disclosures of Pecuniary Interest
 2. (2.1) 6th Report of the Transportation Advisory Committee
 3. (2.2) Amendments to the Traffic and Parking By-law (Relates to Bill No.'s 363, 364 and 365)
 4. (2.3) Greenway Organic Rankine Cycle Project - Connection Agreement with London Hydro (Relates to Bill No. 313)
 5. (2.4) RFT 21-51 Supply and Delivery of Steel Guiderail and Accessories
 6. (2.5) Emergency Purchase of a MagnaDrive Adjustable Speed Drive
 7. (2.6) Renewal of the Lead Service Extension Replacement Loan Program (Relates to Bill No. 314)
 8. (2.8) RFT 21-03 Rental of Winter Maintenance Equipment with Operator, Sander and Salters with Plow and Wing
 9. (2.7) Participation in the South London Air Monitoring Network Pilot Project
 10. (5.1) Deferred Matters List
- 8.4. 11th Report of the Planning and Environment Committee 144
1. Disclosures of Pecuniary Interest
 2. (2.2) 3343 Morgan Avenue - Removal of Holding Provisions (Relates to Bill No. 372)
 3. (2.3) 1750 Finley Crescent - Exemption of Part-Lot Control
 4. (2.4) 1820 Finley Crescent - Exemption from Part-Lot Control
 5. (2.5) 1790 Finley Crescent - Exemption of Part-Lot Control
 6. (2.7) 1738, 1752 and 1754 Hamilton Road - Phases 1 and 2 Special Provisions
 7. (2.8) 613 and 629 Sovereign Road - Deeming By-law (Relates to Bill No. 318)
 8. (2.9) 2120 Kains Road (Relates to Bill No. 319)
 9. (2.11) 1284 Sunningdale Road West - Foxhollow North Kent Phase 3C - Removal of Holding Provisions h and h-100

(Relates to Bill No. 374)

10. (2.12) 50 Southbridge Drive - Removal of Holding Provisions h, h-100 and h-198 (Relates to Bill No. 375)
 11. (2.1) Oxford Wonderland Secondary Plan - Terms of Reference
 12. (2.6) 704 and 706 Boler Road (Relates to Bill No. 373)
 13. (2.13) 704, 706 and 720 Boler Road - Removal of Holding Provision "h" (Relates to Bill No. 376)
 14. (2.10) Proclamation of Amendments to the Ontario Heritage Act, Ontario Regulation 385/21, and draft Ontario Heritage Toolkit
 15. (3.1) 450 Wharncliffe Road South (Relates to Bill No's. 320 and 377)
 16. (3.2) 360 Callaway Road - Draft Plan of Vacant Land Condominium (39CD-21504)
 17. (3.3) 355 Middleton Avenue - Draft Plan of Vacant Land Condominium (39CD-21509)
 18. (3.4) 915 UpperPoint Avenue - Draft Plan of Vacant Land Condominium (39CD-21508)
 19. (3.5) 414-418 Old Wonderland Road (Z-9293) (Relates to Bill No. 378)
 20. (3.6) 400 Southdale Road East (OZ-9261) (Relates to Bill No's. 321, 322 and 379)
 21. (3.7) 180-186 Commissioners Road West (Relates to Bill No's. 323 and 380)
 22. (3.8) 1047-1055 Dearness Drive
 23. (3.9) Medway Valley Heritage Forest Environmentally Significant Area (OZ-9367) (Relates to Bill No's. 324, 325 and 326)
 24. (4.1) 5th Report of the Trees and Forests Advisory Committee
 25. (4.2) 7th Report of the London Advisory Committee on Heritage
- 8.5. 11th Report of the Strategic Priorities and Policy Committee 214
1. Disclosures of Pecuniary Interest
 2. (2.1) 2020 Performance Report and May 2021 Semi-Annual Progress Report
 3. (2.2) Municipal Accommodation Tax - Required Annual Report
 4. (2.3) Diversity Inclusion and Anti-Oppression Advisory Committee
 5. (4.1) Roula Hawa, Mischa Mackie (Schlemmer) and Reeti Chopra - Housing and Homelessness Crisis

6. (4.2) Consideration of Appointment to the London & Middlesex Community Housing Board
7. (5.1) Consideration of Vaccine Mandates
8. (5.2) Regional Transportation and Mobility Across Southwestern Ontario

9. Added Reports

- 9.1. 11th 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:

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| 13.1. | Bill No. 312 By-law No. A.- _____ - ____

A by-law to confirm the proceedings of the Council Meeting held on the 10th day of August, 2021. (City Clerk) | 219 |
| 13.2. | Bill No. 313 By-law No. A.- _____ - ____

A by-law to authorize the Mayor and City Clerk to execute an Agreement between The Corporation of the City of London and the local power distribution company (London Hydro) with respect to the connection of power generation at Greenway Wastewater Treatment Plant. (2.3/10/CWC) | 220 |
| 13.3. | Bill No. 314 By-law No. A.-6123()- ____

A by-law to provide for a Lead Service Extension Replacement Loan Program for residential properties of three or less dwelling units. (2.6/10/CWC) | 281 |
| 13.4. | Bill No. 315 By-law No. A.-6151()- ____

A by-law to amend By-law No. A.-6151-17, as amended, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001”, by deleting and replacing Schedule “B” – “Hiring of Employees Policy”. (2.6a/13/CSC) | 285 |
| 13.5. | Bill No. 316 By-law No. A.-6151()- ____

A by-law to amend By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001” by deleting and replacing Schedule “E”, being “Public Notice Policy”. (2.6a/13/CSC) | 287 |
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	A by-law to amend By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the Municipal Act, 2001” by deleting and replacing Schedule “F”, being the Accountability and Transparency to the Public Policy. (2.6a/13/CSC)	
13.7.	Bill No. 318 By-law No. C.P.- _____ - ____ A by-law to deem a portion of Registered Plan No. 33M-251 not to be a registered plan of subdivision for the purposes of subsection 50(3) of the <i>Planning Act, R.S.O. 1990, c. P13.</i> (2.8/11/PEC)	299
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13.9.	Bill No. 320 By-law No. C.P.-1284(____)-____ A by-law to amend the Official Plan for the City of London, 1989 relating to 450 Wharnccliffe Road South. (3.1a&b/11/PEC)	302
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13.16.	Bill No. 327 By-law No. CPOL.-18(____)-____ A by-law to amend By-law No. CPOL.-18-214, as amended, being	330

	“Mayor’s New Year’s Honour List Policy”, to clarify eligibility criteria for nomination. (2.6a/13/CSC)	
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13.20.	Bill No. 331 By-law No. CPOL.-33(__)-__ A by-law to amend By-law No. CPOL.-33-229, as amended, being “Lessee Protection and Non-Competitive Clauses”, to change the title to “Lessee Protection and Non-Competitive Clauses – Centennial Hall” to reflect the scope of the policy. (2.6a/13/CSC)	339
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13.22.	Bill No. 333 By-law No. CPOL.-39(__)-__ A by-law to amend By-law CPOL.-39-235 being “Investment Policy”. (2.5/13/CSC)	347
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	A by-law to amend By-law No. CPOL.-47-243, as amended, being “Assessment Growth Policy” to provide for strengthened eligibility criteria and for the prioritization of requests. (2.6a/13/CSC)	
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13.38.	Bill No. 349 By-law No. CPOL.-167(_)-__ A by-law to amend By-law No. CPOL.-167-419, as amended, being “Urban Design Awards”, to add language to include virtual processes and to clarify selection process for People’s Choice Award (Student). (2.6a/13/CSC)	404
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13.41.	Bill No. 352 By-law No. CPOL.-188(_)-__ A by-law to amend By-law No. CPOL.-188-440, as amended, being “Real Property Acquisition Policy”, to incorporate changes to legislation. (2.6a/13/CSC)	415
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13.44.	Bill No. 355 By-law No. CPOL.-368(_)-__ A by-law to amend By-law No. CPOL.-368-372, being “Reserve and Reserve Fund Policy”, to update policy section to ensure policy directive for external loans and refinements to principles to be considered if	432

	Council approves external loans. (2.6a/13/CSC)	
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13.47.	Bill No. 358 By-law No. CPOL.-396()-__ A by-law to amend By-law No. CPOL.-396-7, being “Respectful Workplace Policy (Anti-Harassment/ Anti-Discrimination)”, to add clarifying language. (2.6a/13/CSC)	466
13.48.	Bill No. 359 By-law No. CPOL.-__-__ A by-law to repeal By-Law No. CPOL.-131-383, as amended, being “Leasing Parkland”, as this Policy has been incorporated into the Policy titled “Leasing and Licensing of City Owned Land”. (2.6b/13/CSC)	484
13.49.	Bill No. 360 By-law No. CPOL.-__-__ A by-law to repeal By-Law No. CPOL.-138-390, being “Parkland Accounts”, as the Policy is redundant as the information is contained in other legislation or other policies. (2.6b/13/CSC)	485
13.50.	Bill No. 361 By-law No. CPOL.-__-__ A by-law to repeal By-Law No. CPOL.-233-50, as amended, being the Policy titled “Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London”, as the Policy is redundant as the London Plan policies 1099A-1099F are now in force and effect. (2.6b/13/CSC)	486
13.51.	Bill No. 362 By-law No. CPOL.-__-__ A by-law to repeal By-Law No. CPOL.-132-384, as amended, being the Policy titled “Value of Parkland Dedication”, as the Policy is redundant as the information is contained in the Policy titled “Parkland Dedication Cash in lieu”. (2.6b/13/CSC)	487
13.52.	Bill No. 363 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.” (2.2a/10/CWC)	488
13.53.	Bill No. 364 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.” (2.2b/10/CWC)	491
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13.55.	Bill No. 366 By-law No. S.-__-__	493

	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Chesterfield Avenue and Veronica Avenue) (Chief Surveyor - for road widening purposes, registered as ER1362973, pursuant to B.015/19 and in accordance with Z-1)	
13.56.	Bill No. 367 By-law No. S.- _____ - ____	495
	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Adelaide Street N, south of Ross St) (Chief Surveyor - for road widening purposes, registered as ER1368539 on April 19, 2021, pursuant to SPA19-063 and in accordance with Z.-1)	
13.57.	Bill No. 368 By-law No. S.- _____ - ____	497
	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Sarnia Road, west of Oakcrossing Gate) (Chief Surveyor - for road widening purposes, registered as ER1102153 that require dedication)	
13.58.	Bill No. 369 By-law No. S.- _____ - ____	499
	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wickerson Road and Byron Baseline Road) (Chief Surveyor – lands that require dedication at the present time)	
13.59.	Bill No. 370 By-law No. S.- _____ - ____	501
	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Horn Street, south of Beecher Street) (Chief Surveyor - for road widening purposes registered as ER1373220, pursuant to B.054/19 and in accordance with Z.-1)	
13.60.	Bill No. 371 By-law No. S.- _____ - ____	503
	A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to High Street, south of Grand Avenue) (Chief Surveyor - road widening purposes, registered as ER1258435, pursuant to SPA18-063 and in accordance with Z.-1, that require dedication at the present time)	
13.61.	Bill No. 372 By-law No. Z.-1-21_____	505
	A by-law to amend By-law No. Z.-1 to remove holding provisions from an area of land located at 3343 Morgan Avenue. (2.2/11/PEC)	
13.62.	Bill No. 373 By-law No. Z.-1-21_____	507
	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 704 & 706 Boler Road. (2.6/11/PEC)	
13.63.	Bill No. 374 By-law No. Z.-1-21_____	509
	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 1284 Sunningdale Road West. (2.11/11/PEC)	
13.64.	Bill No. 375 By-law No. Z.-1-21_____	511

	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 50 Southbridge Drive. (2.12/11/PEC)	
13.65.	Bill No. 376 By-law No. Z.-1-21_____	513
	A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 704, 706 & 720 Boler Road. (2.13/11/PEC)	
13.66.	Bill No. 377 By-law No. Z.-1-21_____	515
	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 450 Wharncliffe Road South. (3.1c/11/PEC)	
13.67.	Bill No. 378 By-law No. Z.-1-21_____	517
	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 414-418 Old Wonderland Road. (3.5/11/PEC)	
13.68.	Bill No. 379 By-law No. Z.-1-21_____	519
	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 400 Southdale Road East. (3.6c/11/PEC)	
13.69.	Bill No. 380 By-law No. Z.-1-21_____	523
	A by-law to amend By-law No. Z.-1 to rezone an area of land located at 180 – 186 Commissioners Road West. (3.7b/11/PEC)	

14. Adjournment



Council Minutes

The 10th Meeting of City Council
July 6, 2021, 4:00 PM

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

Absent: M. van Holst

Also Present: K. van Lammeren, B. Westlake-Power
Remote Attendance: L. Livingstone, G. Barrett, B. Card, K. Dickins, M. Feldberg, M. Goldrup, G. Kotsifas, K. Murray, Vanetia R., C. Saunders, K. Scherr, M. Schulthess, C. Smith, B. Warner, J. Wills

The meeting is called to order at 4:02 PM, with Mayor E. Holder in the Chair and all Members participating except Councillor M. van Holst. It being noted that the following Members attended the meeting remotely: 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

Mayor E. Holder discloses a pecuniary interest in Items 10 (2.9) and 15 (5.1) of the 9th Report of the Civic Works Committee, having to do with the Waterloo and Piccadilly Area Traffic Study Recommendations and the Deferred Matters List as it relates to 745 - 747 Waterloo Street, by indicating that his family owns and operates a business located in the subject area.

Councillor S. Turner discloses a pecuniary interest in Items 3 and 4 of the 10th Report of the Council In Closed Session, and the associated Bill No.'s 306 and 307, having to do with property acquisitions related to the Wellington Gateway Project, by indicating that he owns property nearby.

2. Recognitions

None.

At 4:08 PM, Councillor S. Turner leaves the meeting.

3. Review of Confidential Matters to be Considered in Public

Motion made by: P. Van Meerbergen

Seconded by: S. Hillier

That the change in order to move Stage 4. Council, In Closed Session and the 10th Report of the Council, In Closed Session, to after Stage 13. By-laws, BE APPROVED.

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

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

Motion Passed (13 to 0)

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

Motion made by: S. Lewis

Seconded by: A. Hopkins

That the Minutes of the 9th Meeting held on June 15, 2021, BE APPROVED.

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

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

Motion Passed (13 to 0)

6. Communications and Petitions

None.

7. Motions of Which Notice is Given

None.

8. Reports

8.1 11th Report of the Corporate Services Committee

Motion made by: M. Cassidy

That the 11th Report of the Corporate Services Committee BE APPROVED.

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

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

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Issuance of Proclamations – Pilot Program Review

Motion made by: M. Cassidy

That the following actions be taken with respect to the report dated June 21, 2021 entitled “Issuance of Proclamations Policy – Pilot Program Review”:

a) the above-noted pilot BE CONSIDERED completed;

b) the City Clerk BE DIRECTED to bring forward proposed amendments to the Issuance of Proclamation Policy to a future meeting of the Corporate Services Committee for consideration, that would include:

i) application process refinements to require a specific local contact

- in the City of London;
- ii) an expanded promotion plan for proclamations, through Corporate social media;
- iii) revisions that would permit multiple, distinct proclamation requests from the same organization;

c) the above-noted report BE RECEIVED.

Motion Passed

3. (2.2) Respectful Workplace Policy and Workplace Violence Prevention Procedure Annual Report - March 1, 2020 to December 31, 2020

Motion made by: M. Cassidy

That, on the recommendation of the Director, People Services, and the concurrence of the City Manager, the Annual Report regarding the Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination) and Workplace Violence Prevention Procedure BE RECEIVED for information purposes.

Motion Passed

4. (2.3) Expropriation of Lands – Dingman Drive Improvements Project (Relates to Bill No. 296)

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, with the concurrence of the Director, Transportation and Mobility, on the advice of the Director, Realty Services, approval BE GIVEN to the expropriation of land as may be required for the Dingman Drive improvements project, and that the following actions be taken in connection therewith:

a) application be made by The Corporation of the City of London as Expropriating Authority to the Council of The Corporation of the City of London as approving authority for the approval to expropriate the land required for the Dingman Drive improvements project;

b) The Corporation of the City of London serve and publish notice of the above application in accordance with the terms of the *Expropriations Act*,

c) The Corporation of the City of London forward to the Chief Inquiry Officer any requests for a hearing that may be received and report such to the Council of The Corporation of the City of London for its information; and,

d) the proposed by-law as appended to the staff report dated June 21, 2021 as Schedule “B” BE INTRODUCED at the Council meeting on July 6, 2021 to authorize the foregoing and direct the Civic Administration to carry out all necessary administrative actions.

Motion Passed

5. (4.1) Application – Issuance of Proclamation – World Patient Safety Day

Motion made by: M. Cassidy

That based on the application dated June 10, 2021 from Patient for Patient Safety Canada, September 17, 2021 BE PROCLAIMED as World Patient Safety Day.

Motion Passed

6. (4.2) Standing Committee Membership – Federation of Canadian Municipalities

Motion made by: M. Cassidy

That the following actions be taken with respect to the Federation of Canadian Municipalities (FCM) Standing Committee(s):

a) Councillor M. Cassidy BE ENDORSED to serve on FCM Standing Committees, for the 2021/2022 term; and,

b) subject to Councillor M. Cassidy's successful application to serve on the FCM Standing Committee(s), all associated cost to attend the Board of Directors meetings, the Sustainable Community Conference and Trade Show and the Annual Conference and AGM for the 2021/2022 term BE APPROVED for reimbursement by The Corporation of the City of London outside of her annual expense allocation.

Motion Passed

- 8.2 12th Report of the Corporate Services Committee

Motion made by: M. Cassidy

That the 12th Report of the Corporate Services Committee BE APPROVED.

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

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

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

- 8.3 9th Report of the Civic Works Committee

Motion made by: E. Pelozo

That the 9th Report of the Civic Works Committee BE APPROVED, excluding items 10 (2.9) and 15 (5.1).

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

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

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: E. Pelozza

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) 5th Report of the Transportation Advisory Committee

Motion made by: E. Pelozza

That the 5th Report of the Transportation Advisory Committee, from its meeting held on May 25, 2021, BE RECEIVED.

Motion Passed

3. (2.2) Appointment of Consulting Engineer for the Mud Creek Phase 2 Detailed Design

Motion made by: E. Pelozza

That, on the recommendation of Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated June 22, 2021, related to the appointment of consulting services for the Mud Creek Phase 2 project:

a) AECOM Canada Ltd. BE APPOINTED consulting engineers to complete the detailed design for the Mud Creek Phase 2 project, in accordance with the estimate on file, at an upset amount of \$564,198.00 (including 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 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; 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) Pottersburg Sanitary Trunk Sewer Re-Alignment Municipal Class Environmental Assessment - Notice of Completion

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the Pottersburg Sanitary Trunk Sewer Re-Alignment Environmental Assessment:

- a) the Pottersburg Sanitary Trunk Sewer Re-Alignment Environmental Assessment Executive Summary, as appended to the above-noted staff report, BE ACCEPTED;
- b) a Notice of Completion BE FILED with the Municipal Clerk; and,
- c) the Municipal Class Environmental Assessment Schedule B Project File for the Pottersburg Sanitary Trunk Sewer Re-Alignment BE PLACED on public record for a 30-day review period. (2021-E05)

Motion Passed

5. (2.4) Contract Award: Tender RFT21-68 - Mud Creek Flood Reduction and Channel Rehabilitation Phase 1b

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated June 22, 2021, related to the award of contract for the Mud Creek Flood Reduction and Channel Rehabilitation Phase 1b Project:

- a) the bid submitted by J-AAR Excavating Limited at its tendered price of \$3,556,553.50, excluding HST, for the Mud Creek Flood Reduction and Channel Rehabilitation Phase 1b Project, BE ACCEPTED; it being noted that the bid submitted by J-AAR Excavating Limited was the lowest of five bids received and meets the City's specifications and requirements in all areas;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all 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 (Tender RFT21-68); 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

6. (2.5) Appointment of Consulting Engineer for the Dingman Creek Subwatershed Stage 2 Lands: Schedule C Municipal Class Environmental Assessment

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated June 22, 2021, related to the appointment of consulting services for the Dingman Creek Subwatershed Stage 2 Lands Municipal Class Environmental Assessment project:

- a) Kontzamanis Graumann Smith MacMillan Inc. BE APPOINTED consulting engineers to complete the detailed design for the Dingman Creek Stage 2 EA project, in accordance with the estimate on file, at an upset amount of \$698,529.20 (including 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 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; 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-E21)

Motion Passed

7. (2.6) Appointment of Consulting Engineers for the Infrastructure Renewal Program

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated June 22, 2021, related to the appointment of consulting engineers for the Infrastructure Renewal Program:

- a) the following consulting engineers BE APPOINTED to carry out consulting services for the identified Infrastructure Renewal Program funded projects, at the upset amounts identified below, in accordance with the estimate on file, and in accordance with Section 15.2 (e) of the City of London's Procurement of Goods and Services Policy:
 - i) Stantec Consulting Ltd. BE APPOINTED consulting engineers to complete the pre-design, detailed design and construction administration of Assignment B, Victoria Street Reconstruction from west limit to Lombardo Avenue and Victoria Street Pumping Station Replacement, in the total amount of \$504,180.60 (including contingency), excluding HST;
 - ii) Archibald, Gray and McKay Engineering Ltd. (AGM) BE APPOINTED consulting engineers to complete the pre-design and detailed design of Assignment G, Quebec Street Reconstruction Phase 1 from Oxford Street East to the CP railway tracks in the total amount of \$418,000.00 (including contingency), excluding HST;

- 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; 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-T04)

Motion Passed

- 8. (2.7) Appointment of Consulting Engineering - Hyde Park Pumping Station Upgrades

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated June 22, 2021, related to the appointment of consulting services for the detailed design and contract administration of the Hyde Park Pumping Station Upgrades project:

- a) the proposal submitted by AECOM Canada Ltd., 410-250 York Street, Citi Plaza, London, Ontario N6A 6K2, in the amount of \$130,456.00, including contingency in the amount of \$20,000.00, excluding HST, BE AWARDED in accordance with Section 15.2 (d) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E03)

Motion Passed

- 9. (2.8) Arva-Huron Water Transmission Main Municipal Class Environmental Assessment Master Plan - Notice of Completion

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated June 22, 2021, related to the Arva-Huron Water Transmission Main Municipal Class Environmental Assessment Master Plan:

- a) the Arva-Huron Water Transmission Main Municipal Class Environmental Assessment Master Plan Executive Summary, as appended to the above-noted staff report, BE ACCEPTED;

- b) a Notice of Completion BE FILED with the Municipal Clerk; and,
- c) the Project File for the Arva Pumping Station to Huron Street Water Transmission Main Municipal Class Environmental Assessment Master Plan BE PLACED on public record for a 45-day review period. (2021-E05/E08)

Motion Passed

11. (2.10) 2021 Large Diameter Watermain Inspection Phase 2

Motion made by: E. Pelozo

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated June 22, 2021, related to the Large Diameter Watermain Inspection Phase 2:

- a) the contract value for Pure Technologies Ltd., 3rd Floor, 705-11 Avenue SW, Calgary, Alberta, T2R 0E3, in the amount of \$582,867.00, excluding HST, BE APPROVED, in accordance with Section 14.4 (e) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this project BE APPROVED as set out in the Sources of Financing Report as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project; and,
- d) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2021-E08)

Motion Passed

12. (2.11) 2021 At-Grade Rail Crossing Improvements RFT 21-54 - Irregular Result

Motion made by: E. Pelozo

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated June 22, 2021, related to the tender RFT21-54, 2021 At-Grade Rail Crossing Improvements:

- a) the irregular bid submitted by Dufferin Construction Company, a division of CRH Canada Group Inc., at its tendered price of \$489,889.20, excluding HST, BE ACCEPTED in accordance with Section 8.10 (b) and Section 13.2 (b) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for this work 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, to give effect to these recommendations; and,

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

Motion Passed

13. (2.12) Single Source Additional Ravo Street Sweeper

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to the staff report dated June 22, 2021, related to the single source additional Ravo street sweeper purchase:

a) the Single Source negotiated price BE ACCEPTED to purchase one (1) 2018 Ravo 5 iSeries Vacuum Street Sweeper for a total estimated price of \$239,333.00, excluding HST, from Cubex Ltd., 189 Garden Avenue, Brantford, Ontario N3S 0A7;

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

c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the above-noted matter, in accordance with Section 14.4 (d) and Section 14.5 (a) (ii) of the City of London's Procurement of Goods and Services Policy; 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-V00)

Motion Passed

14. (2.13) RFP 21-33 Supply and Delivery of CNG Front Loading Waste Disposal Trucks

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to the staff report dated June 22, 2021, related to the supply and delivery of CNG Front Loading Waste Disposal Trucks:

a) the submission from Vision Truck Group, for the supply and delivery of two (2) Compressed Natural Gas (CNG) Front Loading Waste Disposal Trucks at a total purchase price of \$811,970.00, excluding HST, BE ACCEPTED, in accordance with Section 12.2 (b) of the City of London's Procurement of Goods and Services Policy;

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

c) the approval given herein BE CONDITIONAL upon the Corporation entering into a formal contract or having a purchase order, or contract record relating to the above-noted matter; 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-V00)

Motion Passed

16. (5.2) 5th Report of the Cycling Advisory Committee

Motion made by: E. Pelosa

That the following actions be taken with respect to the 5th Report of the Cycling Advisory Committee, from its meeting held on June 16, 2021:

- a) the ~~attached~~ Sub-Committee Report related to the Draft Masonville Secondary Plan, BE FORWARDED to Civic Administration for consideration; and,
- b) clauses 1.1 to 3.8 and 5.1 to 6.1, BE RECEIVED.

Motion Passed

10. (2.9) Waterloo and Piccadilly Area Traffic Study Recommendations

Motion made by: E. Pelosa

That items 10 and 15 BE APPROVED:

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated June 22, 2021, related to the Waterloo and Piccadilly Area Traffic Study:

- a) the above-noted staff report BE RECEIVED;
- b) the Civic Administration BE DIRECTED to implement the improvements within the Piccadilly Area Neighbourhood as set out in Section 2.4 of the above-noted staff report;
- c) the Civic Administration BE DIRECTED to consider the recommendations of the study as part of any future planning applications for non-residential uses in the study area; and,
- d) the Civic Administration BE DIRECTED to continue to monitor the study area as identified the above-noted staff report; it being noted that the communication, as appended to the added agenda, from C. Butler with respect to this matter, was received. (2021-T08)

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

Recuse: (1): Mayor E. Holder

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

Motion Passed (12 to 0)

15. (5.1) Deferred Matters List

Motion made by: E. Pelosa

That items 10 and 15 BE APPROVED:

That the Civic Works Committee Deferred Matters List as at June 14, 2021, BE RECEIVED.

Yeas: (12): 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): Mayor E. Holder

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

Motion Passed (12 to 0)

8.4 10th Report of the Planning and Environment Committee

Motion made by: P. Squire

That the 10th Report of the Planning and Environment Committee BE APPROVED, excluding Items 14 (2.2) and 16 (3.2).

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

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

Motion Passed (13 to 0)

1. Disclosures of Pecuniary Interest
2. (2.3) SoHo, Hamilton Road and Lambeth Community Improvement Plans: Performance Measures and Indicators of Success

Motion made by: P. Squire

That, on the recommendation of the Director, Economic Services & Support, the following actions be taken with respect to amending Community Improvement Plans to add performance measures and indicators of success:

a) the staff report dated June 21, 2021 entitled "SoHo, Hamilton Road and Lambeth Community Improvement Plans - Performance Measures and Indicators of Success", with respect to potential changes to the Lambeth, SoHo, and the Hamilton Road CIPs' financial incentives programs. These programs are the Tax Grant (SoHo), Façade Improvement Loan (Lambeth, Hamilton Road, and SoHo), the Upgrade to Building Code Loan (Hamilton Road and SoHo), and the Forgivable Loans to Upgrade to Building Code and Façade Improvement Loans (Hamilton Road) for BE RECEIVED for information; and,

b) the Civic Administration BE DIRECTED to circulate the staff report noted in a) above, for public review;

it being noted that input received through the circulation of the report will assist in informing a recommendation on changes to the grant and loan programs that will be presented at a future meeting of the Planning and Environment Committee. (2021-D19)

Motion Passed

3. (2.4) Draft Argyle Core Area Community Improvement Plan (O-9299)

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the draft Argyle Core Area Community Improvement Plan (CIP):

a) the draft Argyle Core Area Community Improvement Plan appended to the staff report dated June 21, 2021, BE RECEIVED:

b) the Civic Administration BE DIRECTED to circulate the draft Argyle Core Area Community Improvement Plan, noted in a) above, to receive public input from the Argyle Business Improvement Area, Argyle Community Association, the London Small Business Centre, the Urban League of London, all City Advisory Committees and stakeholders who have participated in the process to date and post the draft Plan on the City's Get Involved webpage; and,

c) the Civic Administration BE DIRECTED to report back with any recommended revisions to the draft Plan resulting from the public input received, to a future meeting of the Planning and Environment Committee for consideration. (2021-D19)

Motion Passed

4. (2.5) Encouraging the Growing of Food in Urban Areas (OZ-9332)

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, the background report, including draft proposed London Plan and Zoning By-law amendments to implement directions contained in the Council-approved Urban Agriculture Strategy appended to the staff report dated June 21, 2021, BE CIRCULATED for public review and comment in advance of a public participation meeting to be scheduled at a later date. (2021-D09)

Motion Passed

5. (2.6) Summerside Subdivision Phase 17 - Subdivision Special Provisions

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc., for the subdivision of land over Concession 1, Part of Lots 15 and 16, situated east of Highbury Avenue North, southwest of Meadowgate Boulevard and north of Bradley Avenue:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc. for the Summerside Subdivision, Phase 17 (39T-92020_17) appended to the staff report dated June 21, 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 June 21, 2021 as Appendix "B";

c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated June 21, 2021 as Appendix "C"; and,

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

Motion Passed

6. (2.7) 751 Fanshawe Park Road West - Vista Woods Subdivision Phase 3 - Special Provisions

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Vista Wood Estates Ltd. for the subdivision relating to a portion of the property located on the southwest corner of Wonderland Road North and Sunningdale Road West (formerly 751 Fanshawe Park Road West):

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Vista Wood Estates Ltd. for the Vista Wood Subdivision, Phase 3 (39T-03505_3) appended to the staff report dated June 21, 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 June 21, 2021 Appendix "B";

c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated June 21, 2021 as Appendix "C"; and,

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

Motion Passed

7. (2.8) 600 Sunningdale Road West - Sunningdale Court Subdivision Phase 1 - Special Provisions - 39T-18501

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Sunningdale Golf and Country Ltd., for the subdivision of land legally described as RCP 1028 PT Lot 16 RP 33R13891, PT Part 1 RP 33R16774 Parts 3 to 10 IRREG), municipally known as 600 Sunningdale Road West, located on the south side Sunningdale Road West, between Wonderland Road North and Richmond Street:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Sunningdale Golf and Country Ltd. for the Sunningdale Court Subdivision, Phase 1 (39T-18501_1) appended to the staff report dated June 21, 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 June 21, 2021 as Appendix “B”;

c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated June 21, 2021 as Appendix “C”, noting the Capital Budget adjustments; and,

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

Motion Passed

8. (2.9) 355 Marconi Boulevard - Marconi Court Subdivision - Special Provisions - 39T-20501

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and JNF Group Inc., for the subdivision municipally known as 355 Marconi Boulevard:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and JNF Group Inc. for the Marconi Subdivision, (39T-20501) appended to the staff report dated June 21, 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 June 21, 2021 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

9. (2.10) Parker Jackson Subdivision - 39T-06507

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc. for the subdivision relating to the lands located on the east side of Jackson Road between Commissioners Road East and Bradley Avenue, municipally known as 1635 Commissioners Road East and 2624 Jackson Road:

a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Drewlo Holdings Inc. for the Parker Jackson Subdivision, Phase 1 (39T-06507_1) appended to the staff report dated June 21, 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 June 21, 2021 Appendix "B";

c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated June 21, 2021 Appendix "C"; and,

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

Motion Passed

10. (2.11) 1620 Noah Bend (Relates to Bill No. 295)

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, with respect to the application by Kenmore Homes (London) Inc., the proposed by-law appended to the staff report dated June 21, 2021 BE INTRODUCED at the Municipal Council meeting to be held on July 6, 2021 to exempt Block 95, Plan 33M-733 from the Part-Lot Control provisions of Subsection 50(5) of the Planning Act, R.S.O. 1990, c.P.13, for a period not exceeding three (3) years. (2021-D25)

Motion Passed

11. (2.12) 135 Villagewalk Boulevard (H-9050) (Relates to Bill No. 300)

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, based on the application by 2560334 Ontario Ltd. (York Developments), relating to a portion of the property located at 135 Villagewalk Boulevard, the proposed by-law appended to the staff report dated June 21, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 6, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning on a portion of the subject lands FROM a Holding Business District Commercial Special Provision (h*h-99*BDC(25)) Zone TO a Business District Commercial Special Provision (BDC(25)) Zone to remove the "h and h-99" holding provisions. (2021-D09)

Motion Passed

12. (2.13) Building Division Monthly Report for April, 2021

Motion made by: P. Squire

That the Building Division Monthly Report for April, 2021 BE RECEIVED for information. (2021-A23)

Motion Passed

13. (2.1) ReThink Zoning

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, the staff report dated June 21, 2021 entitled "ReThink Zoning - Update Report and Background Papers", BE RECEIVED for information. (2021-D09)

Motion Passed

15. (3.1) 915 - 919 Commissioners Road East (Z-9334) (Relates to Bill No. 301)

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, based on the application by 2781033 Ontario Inc., relating to the property located at 915-919 Commissioners Road East, the proposed by-law appended to the staff report dated June 21, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 6, 2021 to amend Zoning By-law No. Z.-1, (in conformity to the Official Plan), to change the zoning of the subject property FROM a Restricted Office/Highway Service Commercial (RO2/HS) Zone TO a Restricted Office Special Provision/Highway Service Commercial Special Provision (RO2(_)/HS(_)) 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 these applications for the following reasons:

- the recommended amendment to Zoning By-law Z.-1 is consistent with the Provincial Policy Statement (PPS) which encourages the following: accommodating an appropriate range and mix of employment; promoting economic development and competitiveness; supporting long-term economic prosperity; promoting the vitality and regeneration of settlement areas; supporting energy conservation, improved air quality, reduced greenhouse gas emissions (GHGs) and climate change adaptation; and, supporting and promoting intensification and redevelopment to utilize existing services;
- the recommended amendment to Zoning B-law Z.-1 conforms to the Auto-Oriented Commercial Corridor policies of the 1989 Official Plan;
- the recommended amendment to Zoning B-law Z.-1 conforms to the in-force policies of the Commercial Industrial Place Type of The London Plan;
- the use of an existing developed site supports Council's commitment to reducing and mitigating climate change by making efficient use of existing infrastructure and by focusing intensification and growth in already-developed areas;
- the subject lands are an appropriate location for a small-scale retail use and a reduction in required parking. The recommended amendments are consistent with and appropriate for the site and context and will support opportunities for economic activity and employment. (2021-D09)

Motion Passed

17. (3.3) 1830 Adelaide Street North (1810, 1820, 1840 and 1850 Adelaide Street North) (Z-9312) (Relates to Bill No. 303)

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, with respect to the application by Stoney Creek Commercial Centre c/o York Developments, relating to the property located at 1810, 1820, 1840 and 1850 Adelaide Street North, the proposed by-law appended to the staff report dated June 21, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 6, 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 Neighbourhood Shopping Area (NSA1/NSA2/NSA5) Zone TO a Neighbourhood Shopping Area Special Provision (NSA1/NSA2/NSA4()/NSA5) 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 these applications for the following reasons:

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas by accommodating employment to meet long-term needs. The amendment also supports long-term economic prosperity by promoting economic development that takes into account the needs of existing and future businesses;
- the recommended amendment conforms to the in-force polices of the 1989 Official Plan, including but not limited to the Neighbourhood Commercial Node designation;
- the recommended amendment conforms to the in-force polices of The London Plan, including but not limited to the Shopping Area Place Type; and,
- the recommendation amendment implements an appropriate intensity for the site which is compatible with the surrounding area and facilitates the viability of the commercial area for current and future uses. (2021-D09)

Motion Passed

18. (3.4) 1146-1156 Byron Baseline Road (SPA21-009)

Motion made by: P. Squire

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application by 21816121 Ontario Inc., relating to the property located at 1146-1156 Byron Baseline Road:

a) the Approval Authority BE ADVISED that issues were raised relating to the development agreement at the public meeting with respect to the application for Site Plan Approval to facilitate the construction of the proposed residential development; and,

b) the Approval Authority BE ADVISED that Council expressed concerns with respect to the Site Plan Application relating to the following:

- the proximity of the proposed three storey building to the neighbouring properties;

- potential lighting impacts on neighbouring properties;
- privacy; and,
- parking concerns;

c) the Approval Authority BE ADVISED that Council supports the Site Plan Application;

it being pointed out that the Planning and Environment Committee reviewed and received the staff presentation with respect to these matters;

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

it being further noted that the Municipal Council approves these applications for the following reasons:

- the Site Plan, as proposed, is consistent with the Provincial Policy Statement, 2020, as it provides for development within an existing settlement area and provides for an appropriate range of residential uses within the neighbourhood;
- 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 conforms to the policies of the Low Density Residential designation of the 1989 Official Plan;
- 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. (2021-D11)

Motion Passed

19. (4.1) 183 and 197 Ann Street

Motion made by: P. Squire

That the request for delegation status with respect to the heritage and planning applications relating to the properties located at 183 and 197 Anne Street BE REFERRED to the public participation meeting to be held at a future meeting of the Planning and Environment Committee regarding these matters;

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

- a request for delegation status from A-M. Valastro;
- the evaluation of Cultural Heritage Value or Interest for the property located at 183 Ann Street;
- the evaluation of Cultural Heritage Value or Interest for the property located at 179 Ann Street; and,
- a request for delegation status dated June 17, 2021, from A Soufan, York Developments. (2021-R01)

Motion Passed

20. (4.2) 5th Report of the Advisory Committee on the Environment

Motion made by: P. Squire

That, the following actions be taken with respect to the 5th Report of the Advisory Committee on the Environment, from its meeting held on June 2, 2021:

a) clause 2.1 BE REFERRED to the Civic Administration for consideration; it being noted that clause 2.1 reads as follows:

"That the City of London Municipal Council BE ASKED to request that the Government of Ontario place an interim cap of 2.5 megatonnes per year on the greenhouse gas pollution from Ontario's gas-fired power plants and develop and implement a plan to phase-out all gas-fired electricity generation by 2030 to help Ontario and the City of London meet their climate targets; it being noted that 28 other municipalities have previously made this request of the provincial government; it being further noted that the presentation, as appended to the Agenda and a verbal delegation from J. Gibbons, Ontario Clean Air Alliance, with respect to Ontario's Growing Climate Crisis, were received."; and,

b) clauses 1.1, 3.1 to 3.4, inclusive, 4.1 and 4.2, inclusive, BE RECEIVED for information.

Motion Passed

21. (4.3) 6th Report of the London Advisory Committee on Heritage

Motion made by: P. Squire

That the following actions be taken with respect to the 6th Report of the London Advisory Committee on Heritage, from its meeting held on June 9, 2021:

a) the following actions be taken with respect to the Arva Pumping Station to the Notice of Study Commencement and Resident Townhall, dated June 5, 2021, from S. Romano, City of London and J. Haasen, AECOM Canada Ltd., the Final Report, dated April 2021, from AECOM Canada Ltd., the Cultural Heritage Report, dated May 2021, from AECOM Canada Ltd. and the presentation, dated June 9, 2021, from T. Jenkins, AECOM Canada Ltd., related to the Huron Street Transmission Main Municipal Class Environmental Assessment Master Plan:

i) the Civic Administration BE ADVISED that the London Advisory Committee on the Heritage supports the cultural heritage mitigation measures presented in the above-noted documents; and,
ii) the above-noted documents and the verbal presentation from T. Jenkins, AECOM Canada Ltd., BE RECEIVED;

b) the following actions be taken with respect to the Notice of Planning Application, dated May 19, 2021, from I. de Ceuster, Planner I, with respect to a Zoning By-law Amendment, related to the property located at 496 Dundas Street and the Heritage Impact Assessment, dated December 15, 2020, from MHBC with respect to the property located at 496 Dundas Street:

i) I. de Ceuster, Planner I, BE ADVISED that the London Advisory Committee on Heritage is satisfied with the research, assessment and conclusion of the above-noted Heritage Impact Assessment (HIA) for the property located at 496 Dundas Street and supports the mitigation and conservation recommendations within the HIA; and,
ii) the above-noted documents BE RECEIVED;

c) the following actions be taken with respect to the Public Meeting Notice, dated May 12, 2021, from B. Debbert, Senior Planner, with

respect to a Zoning By-law Amendment related to the properties located at 1634-1656 Hyde Park Road and other properties:

- i) B. Debbert, Senior Planner, BE ADVISED that the London Advisory Committee on Heritage believes that this project is a good example of heritage conservation as part of a development application; and,
- ii) the above-noted Public Meeting Notice, BE RECEIVED;

d) on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act, seeking retroactive approval for the removal and replacement of the windows and front door on the heritage designated property located at 827 Elias Street, within the Old East Heritage Conservation District, BE REFUSED;

e) on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 42 of the Ontario Heritage Act seeking approval and retroactive approval for alterations to the heritage designated property located at 330 St James Street, in the Bishop Hellmuth Heritage Conservation District, BE PERMITTED with the following terms and conditions:

- the porch skirt be painted to minimize the plastic and faux wood appearance of the material;
- the property owner be encouraged to plant and maintain vegetation, such as coniferous shrubs, to minimize the visibility of the porch skirt; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

f) on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the application under Section 33 of the Ontario Heritage Act, seeking approval to alter the heritage designated property located at 2096 Wonderland Road North BE PERMITTED with the following terms and conditions:

- prior to any alteration or construction, full documentation of the building including photo-documentation and a set of as-built drawings be provided to the City;
- prior to any alteration or construction, Heritage Planning Staff be consulted and the following details be provided:

- o double hung vinyl replacement windows with simulated divided lites to be installed throughout, and replicate current muntin patterning;

- o vinyl replacement entry door surround with simulated divided lites to be installed, and replicate current surround details and muntin patterning; and,

- o proposed fieldstone finish for the exterior surface of exposed new concrete foundation walls and on the new concrete entry porch and steps;

- prior to building permit approval, an addendum to the Conservation Plan be submitted, to the satisfaction of the City, which includes:

- o a monitoring program; and,

- o a detailed strategy to conserve the chimneys;

- direction be given to the Site Plan Approval Authority that the following clauses be added to the Development Agreement (DA) for Site Plan Approval (SPA20-022):

o during pre-construction, construction, and post-construction activity, the assessment, stabilization, bracing, and monitoring of the building must be consistent with the Conservation Plan prepared by a+LiNK Architecture Inc. (dated March 26, 2021);

o if the building or any of the identified heritage attributes are accidentally damaged during the raising and final setting onto the new foundation, or during ongoing construction of the surrounding townhouse development, construction will cease immediately, and the City will be notified; qualified experts will be contacted to conduct an assessment of the damage and determine an appropriate course of action; damaged heritage attributes will be assessed to determine if repairs can be made; if repairs are possible, the applicant will retain, at their cost, the appropriate professionals to conduct repairs; if repairs to damaged heritage attributes are not possible, the applicant will replace the heritage attribute in kind, at their cost, based on information contained in the as-built drawings and photographs; if irreparable damage is done to the building or heritage attributes, such that none can be salvaged, the applicant will reconstruct the building with sympathetic materials; this shall include using salvaged buff bricks or appropriate new materials from other sources and reconstructing heritage attributes identified in the designating by-law; reconstruction will be based on the as-built drawings and photographs of the building and heritage attributes; should this situation occur, reconstruction plans will be prepared for the City's review and approval; and,

o the applicant will provide the City with a security in the form of an irrevocable Letter of Credit, in order to secure the applicant's obligations related to the heritage alteration permit (HAP21-031-L); the amount of the Letter of Credit is the full estimated cost for raising and holding the building, demolition of the existing foundation and construction of the new foundation; the Letter of Credit will be released when the applicant has completed the work outlined in the heritage alteration permit to the satisfaction of the City; and,

- the Heritage Alteration Permit shall be displayed in a location visible from the street until the work is completed;

it being noted that the London Advisory Committee on Heritage (LACH) appreciates the efforts of the developer and the City of London staff to come to a solution for this project and the LACH supports the reuse of materials of the existing property in the new development; and,

g) clauses 1.1, 3.1 to 3.7, inclusive, 3.9, 4.1 and 5.4 BE RECEIVED for information.

Motion Passed

22. (5.1) 5th Report of the Environmental and Ecological Planning Advisory Committee

Motion made by: P. Squire

That, the following actions be taken with respect to the 5th Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on June 17, 2021:

a) the following recommendations of the Environmental and Ecological Planning Advisory Committee, with respect to the Advisory Committee Review and draft Terms of Reference Report

dated May 17, 2021, BE PROVIDED to the Governance Working Group for consideration:

- i) the reduction in membership to 19 is supported;
- ii) quorum as a requirement for committee business be maintained;
- iii) the existing Terms of Reference be maintained with one alteration highlighted below:

Add to the existing mandate:

“to provide advice on any global (e.g. climate change), regional or local issue related to the long-term sustainability of the Natural Heritage System.”;

- iv) the existing name be maintained;
- v) as the technical expertise needed is sometimes hard to obtain, term limits may not be suitable; this could be addressed by one or more of the following:

- A) no term limits;
- B) three council cycles (12 year limit); and,
- C) current limit be continued but extensions be permitted on the advice of the Chair;

- vi) given the specialized knowledge required for membership:

A) the City be asked to circulate application information to the relevant Department Chairs at Western University and Course Coordinators at Fanshawe. The Chair and Vice Chair can provide assistance in identifying the appropriate contacts; and,

B) the information circulated include a contact name from EEPAC so that potential applicants can ask questions about membership prior to applying;

- vii) in the selection process, consideration be given to asking the current Chair and Vice Chair for assistance;

b) the Arva Pumping Station Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for consideration; and,

c) a Working Group BE ESTABLISHED consisting of A. Boyer, S. Hall, B. Krichker, K. Moser, B. Samuels and I. Whiteside, with respect to the Climate Emergency Action Plan; it being noted that the Environmental and Ecological Planning Advisory Committee reviewed and received the Discussion Primer for the Climate Emergency Action Plan - 2020; and,

d) clauses 1.1, 2.1 BE RECEIVED for information.

Motion Passed

14. (2.2) Memorandum of Understanding for Development and/or Planning Act Application Review Between the City of London and UTRCA

Motion made by: P. Squire

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to updating the Memorandum of Understanding between The Corporation of the City of London and the Upper Thames Conservation Authority with respect to processes undertaken by both parties in the review of Planning Act applications:

a) the proposed updated Memorandum of Understanding (MOU) between The Corporation of the City of London and the Upper Thames River Conservation Authority BE APPROVED substantially in the form appended to the staff report dated June 21, 2021 as Appendix "A";

b) subject to the approval of a) above, the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary to finalize the MOU noted in a) above, including, potential revisions resulting from discussions between the two parties that relate to improved level of service that reduces duplication of actions and incorporates the pillars of continuous improvement; and,

c) subject to the approval of a) and b) above, the Deputy City Manager, Planning and Economic Development BE DELEGATED the authority to execute the final MOU noted in a) above, and make any further revisions that may be necessary to reflect legislative and/or regulation changes and amendments in response to Municipal Council's direction on planning related matters, or to recognize resource constraints. (2021-E20)

At 4:21 PM, Councillor S. Turner enters the meeting.

Motion made by: A. Hopkins

Seconded by: E. Pelozza

That Item 2.2 of the 10th Report of the Planning and Environment Committee BE AMENDED by adding the following new part d):

d) the Civic Administration BE DIRECTED to bring forward the final DMOU to a future meeting of the Planning and Environment Committee.

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

Nays: (1): P. Squire

Absent: (1): M. van Holst

Motion Passed (13 to 1)

Motion made by: P. Squire

Seconded by: M. Cassidy

That Item 14, clause 2.2, as amended BE APPROVED.

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

Nays: (1): A. Hopkins

Absent: (1): M. van Holst

Motion Passed (13 to 1)

Item 14, clause 2.2, as amended, reads as follows:

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to updating the Memorandum of Understanding between The Corporation of the City of London and the Upper Thames

Conservation Authority with respect to processes undertaken by both parties in the review of Planning Act applications:

a) the proposed updated Memorandum of Understanding (MOU) between The Corporation of the City of London and the Upper Thames River Conservation Authority BE APPROVED substantially in the form appended to the staff report dated June 21, 2021 as Appendix "A";

b) subject to the approval of a) above, the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary to finalize the MOU noted in a) above, including, potential revisions resulting from discussions between the two parties that relate to improved level of service that reduces duplication of actions and incorporates the pillars of continuous improvement;

c) subject to the approval of a) and b) above, the Deputy City Manager, Planning and Economic Development BE DELEGATED the authority to execute the final MOU noted in a) above, and make any further revisions that may be necessary to reflect legislative and/or regulation changes and amendments in response to Municipal Council's direction on planning related matters, or to recognize resource constraints; and,

d) the Civic Administration BE DIRECTED to bring forward the final DMOU to a future meeting of the Planning and Environment Committee. (2021-E20)

16. (3.2) 193 Queens Avenue (Z-9327) (Relates to Bill No. 302)

Motion made by: P. Squire

That, on the recommendation of the Director, Planning and Development, with respect to the application of Farhi Holdings Corporation, relating to the property located at 193 Queens Avenue, the proposed by-law appended to the staff report dated June 21, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on July 6, 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 Downtown Area (h-3*DA1*D350) Zone and a Holding Downtown Area (h-3*DA2*D350) Zone TO a Holding Downtown Area/Temporary (h-3*DA1*D350/T-_) Zone and a Holding Downtown Area/Temporary (h-3*DA2*D350/T-_) 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 these applications for the following reasons:

- the recommended amendment is consistent with the PPS, 2020 as it ensures that sufficient parking is provided in the Downtown, promoting economic development by supporting existing economic activities and businesses that currently rely on this parking supply for workers;
- the recommended amendment conforms to the 1989 Official Plan, including but not limited to, the Temporary Use By-law Policies;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to, the Temporary Use Provisions;
- the recommended Temporary Use (T-_) Zone does not compromise the ability to achieve the long-term goals of Our Move

Forward: London's Downtown Plan;

- the recommended amendment is appropriate to help maintain an adequate supply of parking to service businesses in the Downtown pending the gradual transition away from the use of surface commercial parking lots as transit ridership increases and as alternative parking spaces are provided;
- the recommended amendment supports the intent of the Downtown Parking Strategy; and,
- the parking lot has existed for several years and has achieved a measure of compatibility with the surrounding land uses. (2021-D09)

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

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

Absent: (1): M. van Holst

Motion Passed (10 to 4)

8.5 10th Report of the Community and Protective Services Committee

Motion made by: S. Hillier

That the 10th Report of the Community and Protective Services Committee BE APPROVED.

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

Absent: (1): M. van Holst

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Hillier

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) 5th Report of the Accessibility Advisory Committee

Motion made by: S. Hillier

That the following actions be taken with respect to the 5th Report of the Accessibility Advisory Committee, from its meeting held on May 27, 2021:

- a) R. Wilcox, Director, Strategy and Innovation BE ADVISED that N. Judges, D. Ruston and K. Pereyaslavskaya have been appointed by the Accessibility Advisory Committee to sit on the Safe Cities London Advisory Committee; and,
- b) clauses 1.1, 2.1 to 2.3, 3.1 to 3.6 and 5.2 BE RECEIVED.

Motion Passed

3. (2.2) 2nd Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee

Motion made by: S. Hillier

That the 2nd Report of the Diversity, Inclusion and Anti-Oppression Advisory Committee (DIAAC), from its meeting held on May 20, 2021, BE RECEIVED; it being noted that this Report and all future reports of the DIAAC will be considered by the Strategic Priorities and Policy Committee.

Motion Passed

4. (2.3) Single Source SS21-27 Procurement of Learn to Swim, Lifeguard Qualifications, Literature and Associated Fees

Motion made by: S. Hillier

That, on the recommendation of the Deputy City Manager, Neighbourhood and Community-Wide Services, the following actions be taken with respect to the staff report dated June 22, 2021, related to the Single Source Procurement SS21-27 for Procurement of Learn to Swim, Lifeguard Qualifications, Literature and Associated Fees:

- a) the proposal from Lifesaving Society, 400 Consumers Road, Toronto, ON, for the provision of Learn to Swim Programs and Lifesaving Certification for the City of London, at an estimated annual purchase value of \$87,000 (HST excluded), for a five (5) year period BE ACCEPTED; it being noted that this is a single source contract as per the Procurement of Goods and Services Policy Section 14.4 e), as the required goods and/or services are being supplied by a particular supplier(s) having specialized knowledge, skills, expertise or experience in the provision of the service;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract; and,
- c) the approval and authorization provided for in a) and b) above, 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. (2021-R05C)

Motion Passed

5. (2.4) Property Standards Related Demolition (Relates to Bill No. 294)

Motion made by: S. Hillier

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the proposed by-law, as appended to the staff report dated June 22, 2021, BE INTRODUCED at the Municipal Council meeting to be held on July 6, 2021, to approve the demolition of an abandoned building at the municipal address of 120 Weston Street, City of London; it being noted that the property shall be cleared of all identified 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-P10D)

Motion Passed

6. (2.5) Single Source Approval – Open Space Solutions Incorporated

Motion made by: S. Hillier

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated June 22, 2021, related to a Single Source Approval for Open Space Solutions Incorporated:

- a) the contract for the construction of the play area in South-west Optimist District Park BE AWARDED to Open Space Solutions Incorporated, 1561 Moser-Young Road, Wellesley, ON, as a single source procurement (SS21-30) with a total value of \$186,868.74 plus HST, in accordance with Sections 14.4 (e), and (i) 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-R04)

Motion Passed

7. (2.6) Homeless Prevention COVID-19 Response (SSRF Phase 3) – Single Source Procurement (SS21-29)

Motion made by: S. Hillier

That, on the recommendation of the Deputy City Manager, Social and Health Development, the following actions be taken with respect to the staff report dated June 22, 2021, related to the Homeless Prevention COVID-19 Response (SSRF Phase 3) for a Single Source Procurement (SS21-29), as per The Corporation of the City of London Procurement Policy Section 14.5 a. ii, requiring Committee and City Council approval for single source procurements greater than \$50,000:

- a) extensions to the existing Purchase of Service Agreements BE APPROVED as set out in the Housing Stability Services COVID-19 Response Allocations, as appended to the above-noted staff report, with a combined total funding amount of \$2,658,850 in 2021-2022 to provide a COVID-19 Response, and additional Housing and Support Services;
- 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 and/or amending Purchase of Service Agreements with the Agencies outlined in Schedule 1 of this report. (2021-S14/S08)

Motion Passed

8. (2.7) London Homeless Prevention Housing Allowance Program – Single Source Procurement (#SS 21-36)

Motion made by: S. Hillier

That, on the recommendation of the Deputy City Manager, Social and Health Development, the following action be taken with respect to the staff report dated June 22, 2021, related to the London Homeless Prevention Housing Allowance Program for a Single Source Procurement (#SS 21-36):

- a) the funding increase to the existing Municipal Purchase of Service Agreement with St. Leonard's Community Services BE APPROVED, at a total estimated increase of \$381,000 (excluding HST), for the period of August 1, 2021 to December 31, 2021 to administer London's Homeless Prevention Housing Allowances, as per The Corporation of the City of London Procurement Policy Section 20.3.e.ii, requiring City Council approval for contract amendments greater than \$50,000 and where funds are available; and,
- b) single source approval for administration of London Homeless Prevention Allowances BE APPROVED with London Cares Homeless Response Services (London Cares), at a total estimated cost of up to \$63,000 (excluding HST), for a period between August 1, 2021 to December 31, 2021 to administer London's Homeless Prevention Housing Allowances, as per The Corporation of the City of London Procurement Policy Section 14.4 for Single Source approval. (2021-S14)

Motion Passed

9. (3.1) Strategy for High Acuity Homelessness

Motion made by: S. Hillier

That the presentation, as appended to the Agenda, and the verbal delegation from S. Campbell, Ark Aid Mission, with respect to homes for those who have been deprived of housing and the importance of low-barrier options for stabilization and moving towards home, BE RECEIVED. (2021-S14)

Motion Passed

10. (4.1) 5th Report of the Animal Welfare Advisory Committee

Motion made by: S. Hillier

That the following actions be taken with respect to the 5th Report of the Animal Welfare Advisory Committee, from its meeting held on June 3, 2021:

- a) the following actions be taken with respect to the Sub-Committee Update:
 - i) the ~~attached~~ document, with respect to the proposal to limit the number of animals in foster homes, BE FORWARDED to Civic Administration for their review and consideration; and,
 - ii) E. Williamson, Ecologist, BE INVITED to a future Animal Welfare Advisory Committee meeting to provide information with respect to the City of London's Bird Friendly Designation; and,
- b) clauses 1.1, 2.1, 2.2, 4.1 and 4.2 BE RECEIVED.

Motion Passed

11. (4.2) School Planning

Motion made by: S. Hillier

That the Civic Administration BE DIRECTED to provide an information report at a future meeting of the Community and Protective Services Committee with respect to the roles and responsibilities of the local school boards and how the City of London interacts with the boards related to the items listed in the communication, as appended to the Agenda, from Councillors S. Lewis and P. Squire; it being noted that the above-noted communication, with respect to this matter, was received. (2021-S13)

Motion Passed

12. (4.3) London's Climate Emergency Declaration - Fireworks - REQUEST FOR DELEGATION STATUS

Motion made by: S. Hillier

That the communication from R. Amendola, as appended to the Agenda, and a verbal delegation from R. Amendola with respect to London's Climate Emergency Declaration and Fireworks, BE RECEIVED. (2021-E00)

Motion Passed

13. (5.1) Deferred Matters List

Motion made by: S. Hillier

That the Deferred Matters List for the Community and Protective Services Committee, as at June 14, 2021, BE RECEIVED.

Motion Passed

8.6 10th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That the 10th Report of the Strategic Priorities and Policy Committee BE APPROVED, excluding Item 6 (3.3).

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

Absent: (1): M. van Holst

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) London Economic Development Corporation Activity Update 2020

Motion made by: J. Morgan

That the London Economic Development Corporation Activity Update 2020 BE RECEIVED for information.

Motion Passed

3. (2.2) London Community Grants Program Innovation and Capital Funding Allocations (2021)

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Neighbourhood and Community-Wide Services, the report dated June 23, 2021, titled "London Community Grants Program Innovation and Capital Funding Allocations (2021)", BE RECEIVED for information.

Motion Passed

4. (3.1) Housing Development Corporation, London - 2020 Annual General Meeting of the Shareholder Annual Resolutions

Motion made by: J. Morgan

That the following actions be taken with respect to the 2020 Annual General Meeting of the Housing Development Corporation, London:

a) the presentation by S. Giustizia, President and CEO, Housing Development Corporation, London BE RECEIVED;

b) the financial statements of the Housing Development Corporation, London year ended December 31, 2020 BE RECEIVED; and,

c) the staff report dated May 11, 2021 titled "Housing Stability for All Plan 2020 Update and Priorities for 2021" BE RECEIVED.

Motion Passed

5. (3.2) London Hydro Inc. - 2020 Annual General Meeting of the Shareholder Annual Resolutions (Relates to Bill No. 292)

Motion made by: J. Morgan

That the following actions be taken with to the London Hydro Inc. 2020 Annual General Meeting of the Shareholder Annual Resolutions:

a) the by-law appended to the staff report dated June 23, 2021 entitled "A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc.", BE INTRODUCED at the Municipal Council meeting to be held July 6, 2021; it being noted that the by-law will include an appointment for only one "Third Class" Director, A. Hrymak; and

b) the consideration of the remaining Third Class Director vacancy BE REFERRED to the Corporate Services Committee, in order to consider applications (following a call for applications), conduct interviews, and make a recommendation to the Strategic Priorities and Policy Committee, as the Shareholder.

Motion Passed

7. (4.1) 3rd Report of the Governance Working Group

Motion made by: J. Morgan

That the following actions be taken with respect to the 3rd Report of the Governance Working Group from its meeting held on May 17, 2021:

a) on the recommendation of the City Clerk, the following actions be taken with respect to the Advisory Committee Review:

i) the report dated May 17, 2021 entitled Advisory Committee Review - Interim Report VI", BE RECEIVED; and,

ii) the Civic Administration BE DIRECTED to report back to a future meeting of the Governance Working Group with respect to the feedback related to the draft Terms of Reference appended as Appendix A to the above-noted staff report; and,

b) clause 1.1 BE RECEIVED.

Motion Passed

8. (4.2) Strategy for Core Area Land and Vacant Buildings - Councillor M. Cassidy

Motion made by: J. Morgan

That the Civic Administration BE DIRECTED to report back on a proposed strategy that sets out potential tools that may assist in reducing core area land and building vacancy, including, but not limited to:

a) a review of existing incentive programs and any recommended changes to them;

b) a review of existing planning processes / permissions and any recommended changes that would allow for the conversion of vacant commercial/industrial land/space into residential, including affordable housing;

c) an assessment of the related strategies in Our Move Forward – London's Downtown Plan, and the Downtown Parking Strategy for any recommended updates or changes;

d) any recommendations that build on the Core Area Action Plan to support increased safety and security of person and property in the core area; and,

e) an assessment of how a new strategy could be integrated with the work of the London Community Recovery Network.

Motion Passed

9. (4.3) Confirmation of Appointment to the Hamilton Road Business Improvement Area

Motion made by: J. Morgan

That, Mark Simpson BE APPOINTED to the Hamilton Road Business Improvement Area for the term ending November 15, 2022.

Motion Passed

10. (4.4) Consideration of Appointment to Eldon House (Requires 1 Voting Member)

Motion made by: J. Morgan

That Megan Halliday BE APPOINTED to Eldon House Board of Directors for the term ending November 15, 2022.

Motion Passed

11. (4.5) Consideration of Appointment to the Lower Thames Valley Conservation Authority (Requires 1 Voting Member)

Motion made by: J. Morgan

That JJ Strybosch BE APPOINTED to the Lower Thames Valley Conservation Authority for the term ending November 15, 2022.

Motion Passed

6. (3.3) London & Middlesex Community Housing - 2020 Annual General Meeting of the Shareholder Annual Resolutions (Relates to Bill No. 293)

Motion made by: J. Morgan

That the following actions be taken with respect to the 2020 Annual General Meeting of the London & Middlesex Community Housing Inc.:

a) the presentation from London & Middlesex Community Housing Inc. BE RECEIVED;

b) the proposed by-law appended to the staff report dated June 23, 2021 as Appendix "A" entitled "A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London & Middlesex Community Housing Inc.", BE INTRODUCED at the Municipal Council meeting to be held on July 6, 2021 to:

i) ratify and confirm the Annual Resolution of the Shareholder of London & Middlesex Community Housing Inc.; and,
ii) authorize the Mayor and the City Clerk to execute the Annual Resolution of the Shareholder of London & Middlesex Community Housing Inc.;

c) London & Middlesex Community Housing Inc. Audit Findings Report for the year ended December 31, 2020 BE RECEIVED;

d) the financial statements of the London & Middlesex Community Housing Inc. year ended December 31, 2020 BE RECEIVED; and

e) the following BE APPOINTED to the London & Middlesex Community Housing Inc.:

Aynsley Anderson, term ending December 31, 2021 (First Class);
John Millson, term ending December 31, 2021 (First Class);
Tammy Brooks (Tenant) and Shellie Chowns, term ending
December 31, 2024 (Second Class);
Maria Manno (Tenant) and Gary Bezaire, term ending December
31, 2025 (Third Class);
Michael van Holst and Phil Squire, City of London, and Adrian
Cornelissen, County of Middlesex, term ending with the term of
Municipal Council (Fourth Class);

it being noted that the Strategic Priorities and Policy Committee received a communication from R. Wilcox, Vice-Chair, Board of Directors, London & Middlesex Community Housing with respect to this matter.

Motion made by: J. Morgan

The motion to approve clause 3.3, excluding the Council Member appointments included in part e) is put, as follows:

That the following actions be taken with respect to the 2020 Annual General Meeting of the London & Middlesex Community Housing Inc.:

a) the presentation from London & Middlesex Community Housing Inc. BE RECEIVED;

b) the proposed by-law appended to the staff report dated June 23, 2021 as Appendix "A" entitled "A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London & Middlesex Community Housing Inc.", BE INTRODUCED at the Municipal Council meeting to be held on July 6, 2021 to:

i) ratify and confirm the Annual Resolution of the Shareholder of London & Middlesex Community Housing Inc.; and,

ii) authorize the Mayor and the City Clerk to execute the Annual Resolution of the Shareholder of London & Middlesex Community Housing Inc.;

c) London & Middlesex Community Housing Inc. Audit Findings Report for the year ended December 31, 2020 BE RECEIVED;

d) the financial statements of the London & Middlesex Community Housing Inc. year ended December 31, 2020 BE RECEIVED; and

e) the following BE APPOINTED to the London & Middlesex Community Housing Inc.:

Aynsley Anderson, term ending December 31, 2021 (First Class);
John Millson, term ending December 31, 2021 (First Class);
Tammy Brooks (Tenant) and Shellie Chowns, term ending
December 31, 2024 (Second Class);
Maria Manno (Tenant) and Gary Bezaire, term ending December
31, 2025 (Third Class);
Adrian Cornelissen, County of Middlesex, term ending with the term
of Municipal Council (Fourth Class);

it being noted that the Strategic Priorities and Policy Committee received a communication from R. Wilcox, Vice-Chair, Board of

Directors, London & Middlesex Community Housing with respect to this matter.

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

Absent: (1): M. van Holst

Motion Passed (14 to 0)

Motion made by: J. Morgan

The motion to approve the Councillor Members appointments included in part e) is put, as follows:

e) the following BE APPOINTED to the London & Middlesex Community Housing Inc.:

Michael van Holst and Phil Squire, City of London, term ending with the term of Municipal Council (Fourth Class);

Motion made by: J. Helmer

Seconded by: A. Hopkins

That the City of London Elected Official appointments to the London & Middlesex London Community Housing Board of Directors BE REFERRED to the next meeting of the Strategic Priorities and Policy Committee for consideration.

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

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

Absent: (1): M. van Holst

Motion Failed (7 to 7)

Pursuant to section 12.3 of the Council Procedure By-law, a separate vote on each of the individual Council Members to be appointed is requested.

Motion made by: J. Morgan

That the following appointment be approved:

e) the following BE APPOINTED to the London & Middlesex Community Housing Inc.:

Michael van Holst, City of London, term ending with the term of Municipal Council (Fourth Class);

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

Nays: (8): M. Salih, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, S. Turner, E. Pelozza, and A. Kayabaga

Absent: (1): M. van Holst

Motion Failed (6 to 8)

Motion made by: J. Morgan

That the following appointments be approved:

e) the following BE APPOINTED to the London & Middlesex Community Housing Inc.:

Phil Squire, City of London, term ending with the term of Municipal Council (Fourth Class);

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

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

Absent: (1): M. van Holst

Motion Passed (12 to 2)

Motion made by: J. Morgan

Seconded by: S. Lehman

That consideration of the City of London Council Member vacancy on the London Middlesex Housing Board BE REFERRED to the next meeting of the SPPC.

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

Absent: (1): M. van Holst

Motion Passed (14 to 0)

8.7 2nd Report of the Audit Committee

At 5:34 PM, His Worship the Mayor places Councillor J. Morgan in the Chair.

At 5:35 PM, His Worship the Mayor resumes the Chair.

Motion made by: J. Morgan

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

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

Absent: (1): M. van Holst

Motion Passed (14 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (4.1) 2020 Financial Audit

Motion made by: J. Morgan

That the following actions be taken:

a) the 2020 Financial Report of The Corporation of the City of London, BE RECEIVED, it being noted that the Audit Committee received a presentation from the Director, Financial Services with respect to this matter; and,

b) the Audit Findings Report 2020 as prepared by KPMG for the year ending December 31, 2020, BE RECEIVED, it being noted that the Audit Committee received a presentation from KPMG with respect to this matter.

Motion Passed

3. (4.2) Request for Proposal Internal Audit Services

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Finance Supports the following actions be taken with respect to internal audit services:

a) the report dated June 16, 2021 titled "Request for Proposal Internal Audit Services" which outlines the scope of work including timelines and general parameters included in the Request for Proposal (RFP) for internal audit services BE RECEIVED;

b) the striking of an Internal Audit Services Evaluation Committee BE APPROVED consisting of: Audit Committee Chair; Audit Committee Vice Chair; a representative from the City Manager's office and from the Finance Supports Service Area; Deputy City Manager, Finance Supports; with support by appropriate members of the Civic Administration including Purchasing & Supply; and,

c) the City Clerk BE DIRECTED to establish an additional meeting of the Audit Committee in October 2021 to complete the RFP evaluation process.

Motion Passed

4. (4.3) Internal Audit Summary Update

Motion made by: J. Morgan

That the communication dated June 16, 2021, from Deloitte, with respect to the internal audit summary update, BE RECEIVED.

Motion Passed

5. (4.4) Internal Audit Dashboard as at June 4, 2021

Motion made by: J. Morgan

That the communication from Deloitte, regarding the internal audit dashboard as of June 4, 2021, BE RECEIVED.

Motion Passed

6. (4.5) Revised Internal Audit Plan - 2021

Motion made by: J. Morgan

That the Revised Internal Audit Plan - FY 2021 from Deloitte dated June 16, 2021, BE APPROVED.

Motion Passed

7. (4.6) Audit Committee Observation Summary as at June 4, 2021

Motion made by: J. Morgan

That the revised attached Observation Summary from Deloitte, as of June 15, 2021, BE RECEIVED.

Motion Passed

10. Deferred Matters

None.

11. Enquiries

Councillor S. Turner enquires with respect to an update on why the family swim pass was cancelled this year and if any measures are being considered to ensure recreational swimming is affordable and accessible for families this summer? The Deputy City Manager, Neighbourhood and Community-Wide Services provides information to the Council with respect to this matter.

12. Emergent Motions

None.

13. By-laws

Motion made by: S. Lehman

Seconded by: P. Van Meerbergen

That Introduction and First Reading of Bill No's 292, 294 to 303, excluding Bill No. 302, BE APPROVED.

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

Absent: (1): M. van Holst

Motion Passed (14 to 0)

Motion made by: E. Pelozza

Seconded by: M. Cassidy

That Second Reading of Bill No's 292, 294 to 303, excluding Bill No. 302, BE APPROVED.

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

Absent: (1): M. van Holst

Motion Passed (14 to 0)

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

That Third Reading and Enactment of Bill No's. 292, 294 to 303, excluding Bill No. 302, BE APPROVED.

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

Absent: (1): M. van Holst

Motion Passed (14 to 0)

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

That Introduction and First Reading of the revised Bill No. 293 BE APPROVED.

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

Nays: (1): A. Hopkins

Absent: (1): M. van Holst

Motion Passed (13 to 1)

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

That Second Reading of the revised Bill No. 293 BE APPROVED.

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

Absent: (1): M. van Holst

Motion Passed (14 to 0)

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

That Third Reading and Enactment of the revised Bill No. 293 BE APPROVED.

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

Absent: (1): M. van Holst

Motion Passed (14 to 0)

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

That Introduction and First Reading of Bill No. 302 BE APPROVED.

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

Nays: (3): A. Hopkins, S. Turner, and E. Pelozza

Absent: (1): M. van Holst

Motion Passed (11 to 3)

Motion made by: P. Van Meerbergen

Seconded by: S. Lehman

That Second Reading of Bill No. 302 BE APPROVED.

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

Nays: (3): A. Hopkins, S. Turner, and E. Pelozza

Absent: (1): M. van Holst

Motion Passed (11 to 3)

Motion made by: S. Lewis

Seconded by: S. Hillier

That Third Reading and Enactment of Bill No. 302 BE APPROVED.

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

Nays: (3): A. Hopkins, S. Turner, and E. Pelozza

Absent: (1): M. van Holst

Motion Passed (11 to 3)

4. Council, In Closed Session

Motion made by: E. Pelozza

Seconded by: S. Hillier

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

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.1/11/CSC)

4.2 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.
(6.2/11/CSC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.
(6.3/11/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.
(6.4/11/CSC)

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.
(6.5/11/CSC)

4.6 Solicitor-Client Privileged Advice / Litigation/Potential Litigation

A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to litigation with respect to various personal injury and property damage claims against the City. (6.6/11/CSC)

4.7 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. (6.7/11/CSC)

4.8 Personal Matters/Identifiable Individual

A matter pertaining to an identifiable individual; employment-related matters; advice or recommendations of officers and employees of the Corporation, including communications necessary for that purpose and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.8/11/CSC)

4.9 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. (6.1/12/CSC)

4.10 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. (6.1/10/CPSC)

4.11 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. (6.2/10/CPSC)

Motion Passed

The Council rises and convenes In Closed Session at 5:50 PM, with Mayor E. Holder in the Chair and all Members participating, except Councillor M. van Holst.

At 6:05 PM, Councillor S. Turner leaves the meeting.

At 6:09 PM, Councillor S. Turner enters the meeting.

At 6:12 PM, Councillor S. Hillier leaves the meeting.

9. Added Reports

9.1 10th Report of Council in Closed Session

Motion made by: J. Morgan

Seconded by: S. Lehman

That Items 1, 2, 6 and 7 of the 10th Report of the Council, In Closed Session, BE APPROVED:

1. Offer to Purchase Industrial Land - 2842613 Ontario Ltd. - Innovation Park, Phase II

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to the City-owned industrial land located in Innovation Park, Phase II, containing an area of approximately six acres, located on the west side of Innovation Drive, more specifically described as Part of Block 1, Plan 33M-592, designated as Parts 14 and 17, Plan 33R-20884, being Part of PIN 08197-0307, as outlined on the sketch attached hereto as Appendix "A", the Agreement of Purchase and Sale (the "Agreement"), attached as Appendix "B", submitted by 2842613 Ontario Ltd. (the "Purchaser") to purchase from the City, six acres of the subject property, at a purchase price of \$420,000.00 BE ACCEPTED, reflecting a sale price of \$70,000.00 per acre.

2. Industrial Land Sale, Option Agreement Amendment – Cakerie Holdings Limited Innovation Park, Phase I

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to the City-owned industrial land located in Innovation Park, Phase I, containing an area of approximately 9.79 acres, on the west side of Veteran's Memorial Parkway, more specifically described as Parts 2, 3 and 4, Plan 33R-17213, save and except Parts 1 and 2, Plan 33R-19042, as outlined on the sketch attached hereto as Appendix "A", the Option Agreement Amendment (the "Agreement"), attached as Appendix "B", submitted by Cakerie Holdings, Ltd. (the "Purchaser") to purchase from

the City 9.79 acres of the subject property, at a purchase price of \$719,565.00 BE ACCEPTED, reflecting a sale price of \$73,500.00 per acre.

6. Lease Amending Agreement – Citi Plaza – 355 Wellington Street, Suite 248

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to the Lease Amending Agreement for the lease of office space located at 355 Wellington Street, known as the Citi Plaza, the Lease Amending Agreement between the City and Citi Plaza London Inc. (the “Landlord”) attached as Appendix A, for lease of approximately 61,029 square feet of deemed rentable area, located at 355 Wellington Street, Suite 248, for a term of five (5) years BE APPROVED.

7. Lease Extension and Amending Agreement – 785 Wonderland Road South – Life Stabilization – West Office

That, on the recommendation of the Deputy City Manager, Finance Supports, with the concurrence of the Deputy City Manager, Social and Health Development and on the advice of the Director, Realty Services, with respect to the Lease Extension and Amending Agreement for the lease of office space at 785 Wonderland Road South, known as Westmount Shopping Centre, the Lease Extension and Amending Agreement between the City and 785 Wonderland Road Inc. (the “Landlord”) attached as Appendix A, for the lease of approximately 16,946 square feet of Rentable Area, located at 785 Wonderland Road South, at a net rent of \$19.00 per square foot for five (5) years BE APPROVED.

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

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (13 to 0)

Motion made by: J. Morgan

Seconded by: S. Lewis

That Items 3 and 4 of the 10th Report of the Council, In Closed Session, BE APPROVED:

3. Property Acquisition – 166 Wellington Road – Wellington Gateway Project

That, on the recommendation of the Deputy City Manager, Finance Supports, with the concurrence of the Director, Construction and Infrastructure Services, on the advice of the Director, Realty Services, with respect to the property located at 166 Wellington Road, further described as Lot 1, Plan 467 (4th), Except Part 1, 33R-11032, being all of PIN 08358-0080 (LT), containing an area of approximately 7,028 square feet, as shown on the location map attached as Appendix “B”, for the purpose of future road improvements to accommodate the Wellington Gateway Project, the following actions be taken:

a) the offer submitted by David Schleihauf and Nikesha Schleihauf (the “Vendor”), to sell the subject property to the City, for the sum of \$685,000.00 BE ACCEPTED, subject to the terms and conditions set out in the agreement attached as Appendix “C”; and,

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

4. Property Acquisition – 178 Wellington Road – Wellington Gateway Project

That, on the recommendation of the Deputy City Manager, Finance Supports, with the concurrence of the Director, Construction and Infrastructure Services, on the advice of the Director, Realty Services, with respect to the property located at 178 Wellington Road, further described as Part of Lots 16, 17, 18 and 26, Plan 467 (4th), being all of PIN 08358-0084 (LT), containing an area of approximately 2,744.79 square feet, as shown on the location map attached as Appendix “B”, for the purpose of future road improvements to accommodate the Wellington Gateway Project, the following actions be taken:

- a) the offer submitted by Crystal Faith Miller and Robert Bruce Ryding (the “Vendor”), to sell the subject property to the City, for the sum of \$442,000.00 BE ACCEPTED, subject to the terms and conditions as set out in the agreement attached as Appendix “C”; and,
- b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix “A”.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (11 to 1)

Motion made by: J. Morgan

Seconded by: M. Cassidy

That item 5 of the 10th Report of the Council in Closed Session, BE APPROVED:

5 Partial Property Acquisition – 1349 Southdale Road West – Southdale Road West and Wickerson Road Improvements

That, on the recommendation of the Deputy City Manager, Finance Supports, with the concurrence of the Director, Transportation and Mobility, and Division Manager, Transportation Planning and Design, on the advice of the Director, Realty Services, with respect to the acquisition of a portion of property from 1349 Southdale Road West, further described as Part Lot 79 WTR; London / Westminster, being part of PIN 08224-0301, designated as Parts 18 and 21 on a draft reference plan to be deposited, as shown on the location map attached as Appendix “B”, for the purpose of future road improvements to accommodate the Southdale Road West and Wickerson Road Improvements Project, the following actions be taken:

- a) the Agreement of Purchase and Sale, attached as Appendix “C”, submitted by Mary Maclean and Alfred Donald Maclean (the “Vendor”), to sell the subject property to the City, for the sum of \$132,600.00be BE ACCEPTED, subject to the terms and conditions set out in the agreement, and,
- b) the financing for this acquisition BE APPROVED as set out in the Source of Financing Report attached hereto as Appendix “A”.

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

Nays: (1): S. Turner

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (12 to 1)

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

That Introduction and First Reading of Bill No. 291 and Added Bill No.'s 304 to 311, excluding Bill No.'s 306, 307 and 308 BE APPROVED.

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

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (13 to 0)

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

That Second Reading of Reading of Bill No. 291 and Added Bill No.'s 304 to 311, excluding Bill No.'s 306, 307 and 308 BE APPROVED.

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

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (13 to 0)

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

That Third Reading and Enactment of Reading of Bill No. 291, and Added Bill No.'s 304 to 311, excluding Bill No.'s 306, 307 and 308 BE APPROVED.

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

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (13 to 0)

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

That introduction and First Reading of Bill No.'s 306 and 307 BE APPROVED.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (11 to 1)

Motion made by: S. Lewis

Seconded by: S. Lehman

That Second Reading of Bill No.'s 306 and 307 BE APPROVED.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (11 to 1)

Motion made by: E. Pelozza

Seconded by: M. Cassidy

That Third Reading and Enactment of Bill No.'s 306 and 307 BE APPROVED.

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

Nays: (1): P. Van Meerbergen

Recuse: (1): S. Turner

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (11 to 1)

Motion made by: P. Van Meerbergen

Seconded by: S. Lewis

That introduction and First Reading of Bill No. 308 BE APPROVED.

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

Nays: (1): S. Turner

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (12 to 1)

Motion made by: S. Lehman

Seconded by: S. Hillier

That Second Reading of Bill No. 308 BE APPROVED.

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

Nays: (1): S. Turner

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (12 to 1)

Motion made by: E. Pelozá

Seconded by: M. Cassidy

That Third Reading and Enactment of Bill No. 308 BE APPROVED.

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

Nays: (1): S. Turner

Absent: (2): M. van Holst, and A. Hopkins

Motion Passed (12 to 1)

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

Bill	By-law
Bill No. 291	By-law No. A.-8133-199 - A by-law to confirm the proceedings of the Council Meeting held on the 6th day of July, 2021. (City Clerk)
Bill No. 292	By-law No. A.-8134-200 - A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London Hydro Inc. (3.2/10/SPPC)
Bill No. 293	By-law No. A.-8135-201 - A by-law to ratify and confirm the Annual Resolutions of the Shareholder of London & Middlesex Community Housing Inc. (3.3/10/SPPC)
Bill No. 294	By-law No. A.-8136-202 - A by-law to approve demolition of abandoned building with municipal address of 120 Weston Street under the Property Standards provisions of the Building Code Act. (2.4/10/CPSC)
Bill No. 295	By-law No. C.P.-1565-203 - A by-law to exempt from Part-Lot Control, lands located at 1620 Noah Bend, legally described as Block 95 in Registered Plan 33M-733. (2.11/10/PEC)
Bill No. 296	By-law No. L.S.P.-3492-204 - A by-law to authorize and approve an application to expropriate land in the City of London, in the County of Middlesex, for the Dingman Drive Improvements Project. (2.3/11/CSC)
Bill No. 297	By-law No. S.-6130-205 - A by-law to lay out, constitute, establish, and assume lands in the City of London as public highway. (as widening to Hamilton Road and Highbury Avenue North) (Chief Surveyor – for road widening purposes on Hamilton Road and Highbury Ave North, registered as ER1364107, pursuant to SPA20-094 and in accordance with Z.-1)
Bill No. 298	By-law No. W.-5658(a)-206 - A by-law to amend by-law No. W.-5658-89 entitled, “A by-law to authorize project TS1335 – Intersection – Sunningdale-Hyde Park Roundabout”. (2.3/8/CWC)
Bill No. 299	By-law No. W.-5677-207 - A by-law to authorize White Oak Upgrades – Exeter Road to 400m South (project TS1366) (2.5/8/CWC)
Bill No. 300	By-law No. Z.-1-212943 - A by-law to amend By-law No. Z.-1 to remove holding provisions from the zoning for lands located at 135 Villagewalk Boulevard. (2.12/10/PEC)
Bill No. 301	By-law No. Z.-1-212944 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 915-919 Commissioners Road East. (3.1/10/PEC)
Bill No. 302	By-law No. Z.-1-212945 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 193 Queens Avenue. (3.2/10/PEC)
Bill No. 303	By-law No. Z.-1-212946 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1810, 1820, 1840, and 1850 Adelaide Street North. (3.3/10/PEC)

Bill No. 304	By-law No. A.-8137-208 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and 2842613 Ontario Ltd. for the sale of the City owned industrial land, located on the west side of Innovation Drive, more specifically described as Part of Block 1, Plan 33M-592, designated as Parts 14 and 17, Plan 33R-20884, being Part of Pin 08197-0307, containing an area of approximately six acres, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/11/CSC)
Bill No. 305	By-law No. A.-8138-209 - A by-law to authorize and approve an Amended Option Agreement between The Corporation of the City of London and Cakerie Holdings, Ltd., for the option to purchase the City owned industrial land, located on the west side of Veteran's Memorial Parkway, more specifically described as Parts 2, 3 and 4, Plan 33R-17213, save and except Parts 1 and 2, Plan 33R-19042, containing an area of approximately 9.79 acres, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.2/11/CSC)
Bill No. 306	By-law No. A.-8139-210 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and David Schleihauf and Nikesha Schleihauf for the acquisition of the property located at 166 Wellington Road, in the City of London, for the Wellington Gateway Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.3/11/CSC)
Bill No. 307	By-law No. A.-8140-211 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Crystal Faith Miller and Robert Bruce Ryding, for the acquisition of the property located at 178 Wellington Road, in the City of London, for the Wellington Gateway Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.4/11/CSC)
Bill No. 308	By-law No. A.-8141-212 - A by-law to authorize and approve an Agreement of Purchase and Sale between The Corporation of the City of London and Mary Maclean and Alfred Donald Maclean for the acquisition of a portion of the property located at 1349 Southdale Road West, in the City of London, for the Southdale Road West and Wickerson Road Improvements Project, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.5/11/CSC)
Bill No. 309	By-law No. A.-8142-213 - A by-law to authorize and approve a Lease Amending Agreement between The Corporation of the City of London and Citi Plaza London Inc., for the commercial space located at 355 Wellington Street, in the City of London, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.1/10/CPSC)

Bill No. 310	By-law No. A.-8143-214 - A by-law to authorize and approve a Lease Agreement between The Corporation of the City of London and 785 Wonderland Road Inc., for the Lease Extension and Amending Agreement of commercial space located at 785 Wonderland Road South, in the City of London, and to authorize the Mayor and the City Clerk to execute the Agreement. (6.2/10/CPSC)
Bill No. 311	By-law No. A.-8144-215 - A by-law to appoint Jacqueline Davison as Deputy City Manager, Enterprise Supports. (6.1/12/CSC)

14. Adjournment

Motion made by: S. Lewis

Seconded by: P. Squire

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourns at 7:19 PM.

Ed Holder, Mayor

Catharine Saunders, City Clerk

Appendix A – Aerial and Location Map

AERIAL OF SUBJECT PROPERTY



LOCATION MAP



Appendix B – Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE
CORPORATION OF THE CITY OF LONDON

PAGE 1

CLASS 1 SALE

THIS INDENTURE dated the 4th day of June, 2021.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON

hereinafter called the **VENDOR**

- and -

2842613 ONTARIO LTD.

Address: 710 Meadow Wood Rd. Mississauga, Ontario L5J 2S6

hereinafter called the **PURCHASER**

1. The Purchaser, having inspected the lands and premises hereinafter described, hereby offers to purchase from the Vendor the lands and premises situated in Innovation Park, Phase II, in the City of London County of Middlesex containing Six (6) acres located on the west side of Innovation Drive, more specifically described as Part of Block 1, Plan 33M-592, Designated as Parts 14 and 17 in Plan 33R-20884, London, being part of PIN 08197-0307 and shown outlined in red on the plan attached hereto as Schedule "C" to this Agreement, for the price of approximately

Four Hundred and Twenty Thousand Dollars (\$420,000.00)
of lawful money of Canada calculated at the rate of

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

The Purchaser submits

Forty Two Thousand Dollars (\$42,000.00)
cash (or bank draft or certified cheque) payable to the City Treasurer, City of London, as deposit to be held by the Vendor pending completion or other termination of the agreement arising from the acceptance of this Agreement and to be credited towards the purchase price on completion, and the balance of the purchase price to be paid on the date of completion.

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

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

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

5. The Purchaser is to be allowed 90 days from the date of acceptance of this Agreement to carry out soil tests as it might reasonably require. Any such testing shall first be approved by the City Engineer and shall be at the sole risk and expense of the Purchaser. If such tests are carried out, the Purchaser agrees to restore the property to its original condition. If the property is not so restored, the vendor may carry out required restoration and without limiting the rights of the Vendor, the cost thereof may be recovered from the deposit. If, within that time, any valid objection to soil conditions is made in writing to the Vendor, which the Vendor is unable or unwilling to remove, remedy or satisfy, and which the Purchaser will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objection, shall be at an end and all monies theretofore paid shall be repaid or returned to the Purchaser without interest or deduction and the Vendor shall not be liable for any costs or damages. Except as to any valid objection so made within such time, the Purchaser shall be conclusively deemed to have accepted the soil conditions on the property.

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

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

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

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

10. Time Limits: Time shall in all respects be of the essence hereof provided that the time for doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by Vendor and the Purchaser or their respective lawyers who are hereby specifically authorized in that regard.

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

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

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

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

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

16. This Agreement shall be irrevocable and open for acceptance until 11:59 p.m. (local time) on the 30th day of July, 2021, after which time, if not accepted, this Agreement shall be null and void and the deposit shall be repaid to the Purchaser without interest or deduction.

IN WITNESS WHEREOF the Purchaser, if a person, has hereunto set his hand and seal or, if a corporation, has hereunto affixed its Corporate Seal duly attested to by its proper signing Officers this 4th day of June, 2021.

SIGNED, SEALED & DELIVERED

in the presence of

Witness:

Golchehreh Mirmoghtadasi

) 2842613 Ontario Ltd.

) Purchaser

)

)

)

)

) Signature of Signing Officer

) Name: Matin Sanaat

) Title: Director

) I have authority to bind the Corporation

ACCEPTANCE

The Vendor accepts the above Agreement.

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

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

SCHEDULE "A"

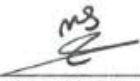
PURCHASER'S DECLARATION OF INTENT TO DEVELOP AND PROPERLY UTILIZE THE
PROPERTY, WHICH DECLARATION FORMS PART OF THE AGREEMENT OF PURCHASE AND
SALE

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

INFORMATION REQUIRED FROM PURCHASER BEFORE AGREEMENT SUBMITTED FOR
APPROVAL

Industrial Park Name & Phase & Section:	Innovation Park, Phase II
Lot & Conc./Part No./Block, etc.; Acres:	Part of Block 1 on Plan 33M-592 (6 Acres)
Name, Address, Postal Code of Purchaser:	2842613 Ontario Ltd. 710 Meadow Wood Rd. Mississauga, Ontario L5J 2S8
Local Company: Yes <u>No</u>	
Intended Use of Building	Food Processing and Bakery Facility
Major Industrial Classification of User:	Food Processing and Bakery Company
List of Products Manufactured/Handled:	Packaged cookies, and wafers.
Number of Employees Anticipated:	15 (Full Time)
Number of Square Feet of Building Proposed:	30,000 + square feet
Number of Square Feet in Property Purchase:	261,360 square feet
Proposed Building Coverage as % of Lot Area:	11.47 percent (11.47%)
Mandatory Building Coverage Starting 1st Year:	15 percent (15%)
Future Building(s) Proposed (if any) Details:	TBD
Proposed Building Material for this Project:	TBD
Development of the Lot will be subject to:	Site Plan & Architectural Control
Proposed Commencement Date of Construction:	One Year from Date of Deed
Mandatory Commencement Date of Construction:	One Year from Date of Deed
Purchaser's Lawyer - Name, and Address:	Peter A Saad, Saad Law P.C. 4 Robert Speck Parkway, suite 1210 Mississauga, Ontario L4Z 1S1 peter.saad@saadlaw.com
Telephone:	1.905.301.5848

Purchaser's Executive Completing this Form:
Matin Sanaat, Director
2842613 Ontario Ltd.



I have authority to bind the Corporation

Ed Holder, Mayor

Catharine Saunders, City Clerk

SCHEDULE "B"

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

Disposal of Industrial Land Procedures

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

CLASS 1 SALE

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

CLASS 2 SALE

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

CLASS 3 SALE

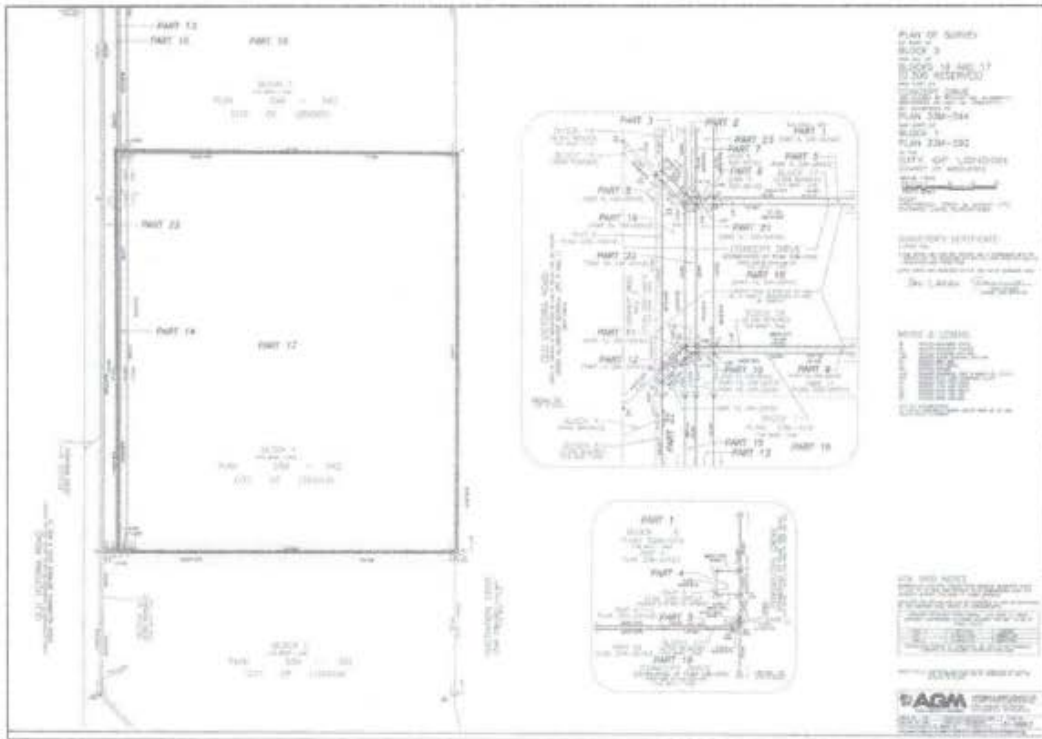
10. A class 3 sale is a sale that is not a class 1 or class 2 sale and that is a sale of a land for the purpose of a use ancillary to a building or structure erected or to be erected upon land of the purchaser abutting the parcel.
11. A class 3 sale shall be subject to conditions (c) and (d) of Section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

GENERAL

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

SCHEDULE "C"

Part 14 and Part 17 in Plan 33R-20884



SCHEDULE "D"

Additional Terms and Conditions

HEADINGS

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

Paramourcy of Schedule "D"

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

Assignment of Agreement

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

Municipal Services and Roadway Easements

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

Development Agreement

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

Purchaser Condition – Environmental

This offer is conditional upon the Purchaser, at the Purchaser's expense, conducting any environmental inspections and investigations of the property as it may reasonably require, to be completed no later than ninety (90) days from the date of acceptance of this Agreement. If, within that time, any valid objection to environmental conditions is made in writing to the Vendor, which the Vendor is unable or unwilling to remove, remedy or satisfy, and which the Purchaser will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objection, shall be at an end and all monies theretofore paid shall be repaid or returned to the Purchaser without interest or deduction and the Vendor shall not be liable for any costs or damages. Except as to any valid objection so made within such time, the Purchaser shall be conclusively deemed to have accepted the environmental conditions.

Purchaser Condition – Geotechnical Review

This offer is conditional upon the Purchaser, at the Purchaser's expense, conducting any geotechnical inspections of the property as it may reasonably require, to be completed no later than ninety (90) days from the date of acceptance of this Agreement. If, within that time, any valid objection to the geotechnical conditions is made in writing to the Vendor, which the Vendor is unable or unwilling to remove, remedy or satisfy, and which the Purchaser will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objection, shall be at an end and all monies theretofore paid shall be repaid or returned to the Purchaser without interest or deduction and the Vendor shall not be liable for any costs or damages. Except as to any valid objection so made within such time, the Purchaser shall be conclusively deemed to have accepted the geotechnical conditions.

Testing After Acceptance

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

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

Release of Information

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

Restrictive Covenant

The Purchaser acknowledges that the Property is subject to a restrictive covenant for the benefit of Dr. Oetker, registered as Instrument No. ER791574 and ER788141, which limits the types of uses that can be established on the Property (the "Restrictive Covenant"). The Purchaser agrees to accept and be bound by the terms, covenants and obligations contained in the Restrictive Covenant agreement and acknowledges that title to the Property shall be accepted on closing subject to the Restrictive Covenant. This offer is conditional on the Vendor obtaining approval of the Purchaser's proposed use as described in Schedule "A" from Dr. Oetker within 90 days of the acceptance of this Agreement. If such approval has not been obtained within the time allowed herein to the Vendor's satisfaction, then this Agreement, notwithstanding any intermediate acts or negotiation in respect of such approval, shall be at an end and all monies theretofore paid shall be refunded to the Purchaser without interest or deduction and the Vendor shall not be liable to the Purchaser for any costs or damages. The Purchaser agrees to provide the Vendor with any information concerning their proposed operation as may be reasonably necessary to permit the Vendor to satisfy this condition. This condition is included for the sole benefit of the Vendor and may be waived at the Vendor's option by notice in writing to the Purchaser within the time period stated herein. For greater clarity, the Vendor's waiver of this condition may not be relied upon by the Purchaser as evidence that the proposed uses described in Schedule "A" of this Agreement are permitted under the Restrictive Covenant and the Purchaser shall independently complete all due diligence necessary to satisfy themselves that their intended use of the Property shall comply with the Restrictive Covenant.

Vendor Pre-Closing Condition - Termination of Farm Lease

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

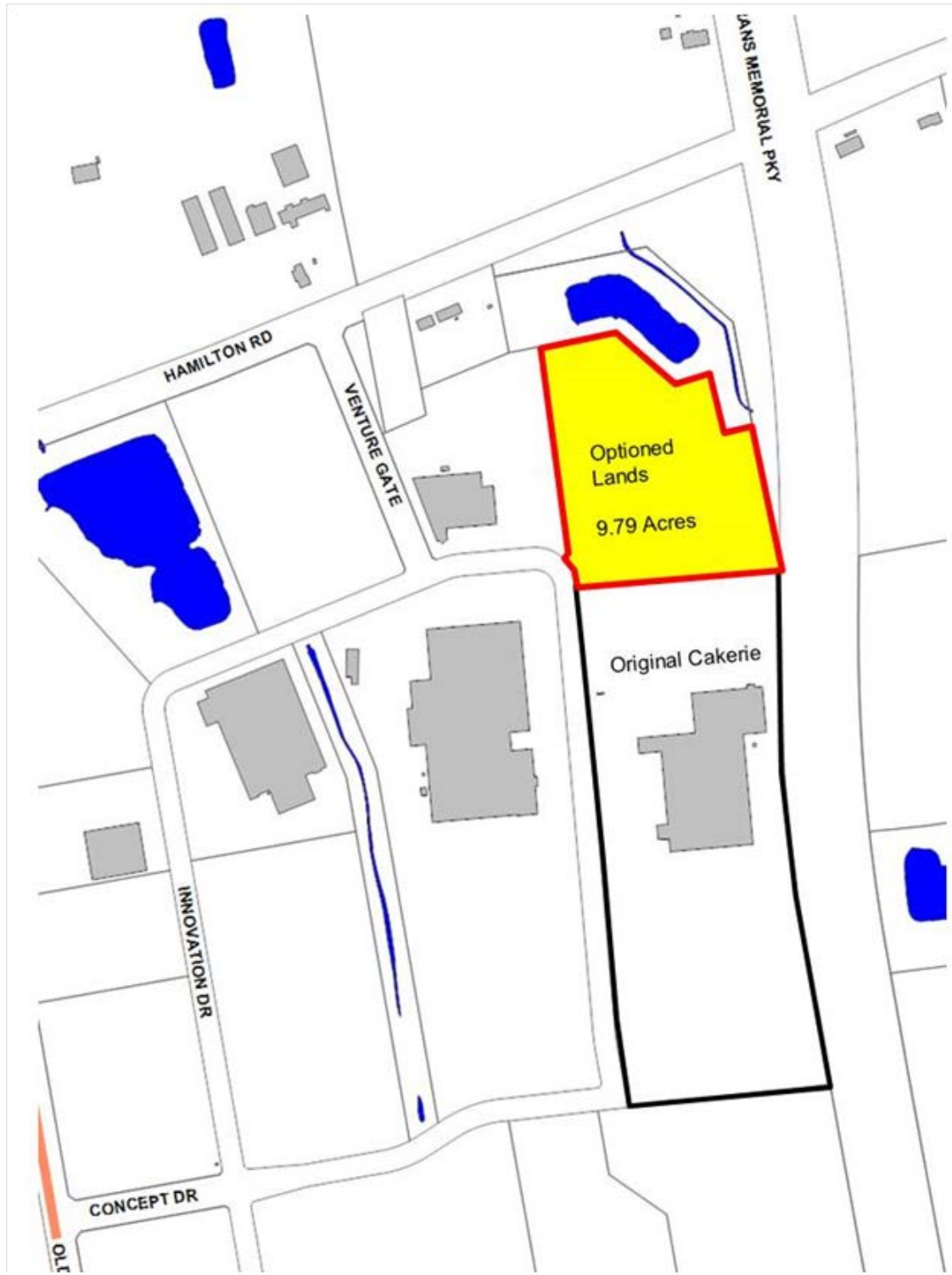
Building Coverage

The City shall permit a prepared initial building coverage of approximately 11.47 percent in place of 15 percent prescribed by clause 5(b) of the present Industrial Land Sale Policy.

Lease of Property

Upon completion of this transaction, the Vendor consents to the Purchaser leasing all or part of the Property to Panela Baking Factory in accordance with Paragraph 5(c) of the Industrial Land Disposition Policy excerpted in Schedule "B" of this Agreement. The Purchaser acknowledges that in the event that the Vendor exercises an option to repurchase the Property pursuant to the terms of Schedule "B" of this Agreement, the Purchaser shall coordinate the immediate termination of the lease agreement to which this consent pertains.

Appendix A – Location Map



Appendix B – Option Agreement Amendment

OPTION AGREEMENT
CORPORATION OF THE CITY OF LONDON

PAGE 1

OPTION AGREEMENT AMENDMENT – CAKERIE HOLDINGS, LTD.

This Option Agreement dated the th 10th day of June 2021.

In pursuance of the Short Forms of Conveyances Act (Ontario).

Between:

THE CORPORATION OF THE CITY OF LONDON,
a municipal Corporation incorporated under the laws of Ontario,
hereinafter called "the Optionor"
- OF THE FIRST PART -

and

CAKERIE HOLDINGS, LTD.
hereinafter called "the Optionee"
- OF THE SECOND PART -

WHEREAS the Optionor is the registered owner of an estate in fee simple in the lands hereinafter referred to;

AND WHEREAS by an agreement dated the 25th day of July, 2017 (the "Option Agreement"), the Optionor granted to the Optionee an Option to Purchase the land described as the northerly 9.79 acres, more or less, of Parts 2, 3 and 4 of Plan 33R-17213, save and except Parts 1 & 2 of Plan 33R-19042 in Innovation Park, Phase 1, in the City of London, County of Middlesex and shown outlined in red on the plan attached hereto as Schedule "A" (the "Lands") on certain terms and conditions;

AND WHEREAS by a further agreement dated July 9th, 2019, the time within which the Optionee can exercise the Option to Purchase under the Option Agreement (the "Expiry Date") was extended to July 26th, 2021 and the Purchase Price of the Lands was increased to \$719,565.00;

AND WHEREAS the Optionee has requested a further extension to the Expiry Date and the Optionor has agreed to grant the requested extension on the terms and conditions hereinafter set forth;

AND WHEREAS it is appropriate to amend the Option Agreement to reflect the extension of the Expiry Date and other changes agreed to by the parties;

NOW THEREFORE this agreement witnesseth that in consideration of these presents, and in consideration of the payment or payments made or to be made to the Optionor by the Optionee in accordance with the provisions of the agreement, the parties agree to amend the Option Agreement as follows:

1. Paragraph 1 of the Option Agreement is hereby deleted and replaced with the following:
 1. The Optionee shall have the right at any time prior to July 26, 2023, (the "Expiry Date") to deliver a notice to the Optionor specifying a date for completion of the transaction of purchase and sale contemplated hereby. The date for completion ("Closing") specified in such notice from the Optionee to the Optionor shall be no less than 30 days and no more than 60 days after the date of such notice. If the Optionee does not give such a notice prior to the Expiry Date then this Agreement shall terminate and neither the Optionor nor the Optionee shall have any further obligations hereunder.
2. Paragraph 4 of the Option Agreement is hereby deleted and replaced with the following:
 4. The Optionor covenants, represents and warrants that title to the Lands is, and on Closing will be, good and free from all encumbrances. If prior to Closing any valid objection to title or to the fact that the proposed use of the Lands by the Optionee may not lawfully be undertaken is made in writing to the Optionor and which the Optionor is unable or unwilling to remove, remedy or satisfy and which the Optionee will not waive, this agreement, notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end and, notwithstanding the provisions

Appendix B – Option Agreement Amendment Cont'd

OPTION AGREEMENT
CORPORATION OF THE CITY OF LONDON

PAGE 2

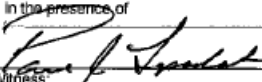
of paragraph 2 of this agreement, all monies therefore paid shall be returned to the Optionee without interest or deduction and the Optionor shall not be liable for any costs or damages.

The Optionee agrees to transfer to the Optioner a municipal services easement, for nominal consideration, over the portion of lands described as Part 3 in Plan 33R-16433 which is shown highlighted in yellow on the plan attached hereto as Schedule "C" and substantially in the agreement form shown in Schedule "D". This condition shall survive and not merge on the completion of this transaction.

- 3. Schedule "D" attached hereto shall be added as a schedule to the Option Agreement.
- 4. In all other respects the parties confirm the terms and conditions of the Option Agreement and any amendments thereto, which remain in full force and effect except as amended by this Agreement.
- 5. Schedule "A" attached hereto forms part of this Agreement.

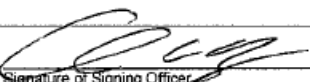
IN WITNESS WHEREOF the parties have executed this Agreement as evidenced by their proper signing Officers this 10th day of June, 2021.

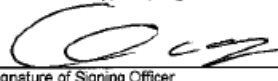
SIGNED, SEALED & DELIVERED

In the presence of

Witness:

Witness:

CAKERIE HOLDINGS, LTD.


Signature of Signing Officer
Name & Title: Treasurer


Signature of Signing Officer
Name & Title: Treasurer

I/We have authority to bind the Corporation

ACCEPTANCE

The Optionor accepts the above Agreement.

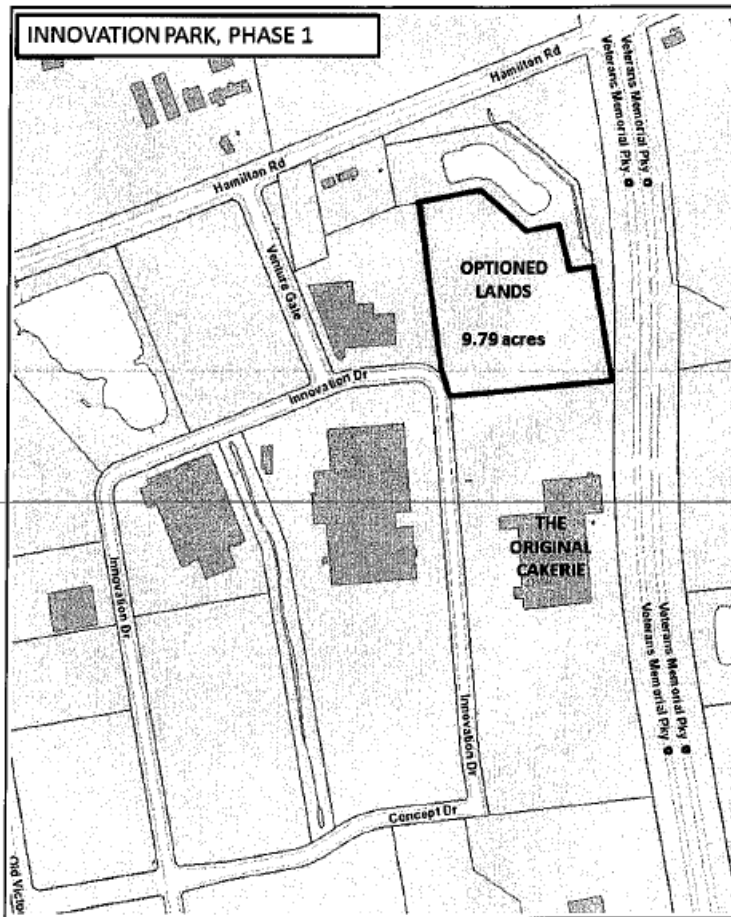
THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

Appendix B – Option Agreement Amendment Cont'd

SCHEDULE "A"



SCHEDULE "D"

THIS EASEMENT made this ____ day of _____, 2021.

B E T W E E N:

[__ TRANSFEROR __]

(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 TRANSFEEE 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.

Appendix B – Option Agreement Amendment Cont'd

OPTION AGREEMENT
CORPORATION OF THE CITY OF LONDON

PAGE 5

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.

Appendix A

THIS **LEASE AMENDING AGREEMENT** is dated as of June 1, 2021.

B E T W E E N:

CITI PLAZA LONDON INC.

(the “**Landlord**”)

- and -

THE CORPORATION OF THE CITY OF LONDON

(the “**Tenant**”)

WHEREAS I.F. Propco Holdings (Ontario) 31 Ltd. and the Tenant entered into an Office Lease dated July 11, 2016 for Premises known as Suite 248 in the Project and which are approximately depicted and set out on Schedule “A” attached hereto and located at premises municipally known as 355 Wellington Street, London, Ontario and known as CITI PLAZA, which Lease has a current Term expiring as of March 31, 2022 (the “**Original Lease**”).

AND WHEREAS the parties to the Original Lease did enter into a Lease Amending Agreement dated as of **[August 3, 2018]** which agreement did amend certain terms of the Original Lease and did provide that notwithstanding the actual Rentable Area of the Premises being 61,578 square feet in accordance with the certifications provided by Landlord, the parties have agreed to adopt a Deemed Rentable Area of the Premises of 61,029 square feet of Rentable Area for the purposes of calculating certain Rents as further provided therein (the Original Lease as amended is collectively known herein as the “**Lease**”).

AND WHEREAS on March 24, 2020 the Landlord did acquire the Project from I.F. Propco Holdings (Ontario) 31 Ltd. and took an assignment of its interest in the Lease as of such date.

AND WHEREAS the Landlord and Tenant have agreed to extend the Term of the Lease and to amend certain terms and conditions as further set out herein.

NOW THEREFORE in consideration of the premises and the covenants and agreements herein and for other good and valuable consideration the receipt and sufficiency of such is hereby acknowledged by the parties, the Landlord and the Tenant agree as follows:

1. Defined Terms

Unless otherwise defined herein, capitalized terms shall have the same meaning as defined in the Lease.

Appendix A Cont'd

2. Recitals

The recitals herein are true in substance and in fact.

3. Extension of Term

The Term of the Lease is extended for five (5) years commencing as of April 1, 2022 and such extended Term shall be fully complete and end on March 31, 2027 (the "Extended Term").

4. Minimum Rent during the Extended Term

As of the commencement of the Extended Term, Minimum Rent payable for the Premises shall be:

Period (commencing as of the first day of the Extended Term)	Annual Rate Per Square Foot of Deemed Rentable Area	Per Year	Per Month
Years 1 and 2	\$10.00	\$610,290.00	\$50,857.50
Years 3 and 4	\$11.00	\$671,319.00	\$55,943.25
Year 5	\$12.00	\$732,348.00	\$61,029.00

The Minimum Rent set forth above shall be subject to applicable sales taxes.

5. Additional Rent:

As per Original Lease, save and except that references to "initial Term" in Original Lease shall be deemed to include the Extended Term.

6. Minimum Rent Free Period

Subject to this Lease Amending Agreement being executed and an Event of Default not having occurred and remaining uncured beyond the applicable period if any, the Tenant shall not be responsible for the payment of Minimum Rent due under the Lease as amended herein for the first three (3) months of the Extended Term provided that all other Rents shall continue to be due and all other obligations under the Lease shall continue to apply. For clarity, no Inducement to Lease or other payment shall be due to Tenant on account of entering into this Lease Amending Agreement.

7. Further Extension of Term

Section 3.01A of the Lease is hereby amended and re-stated as follows:

So long as:

- (a) an Event of Default has not occurred and remains uncured beyond the applicable period if any;
- (b) no Transfer affecting Tenant, the Premises or the Lease has occurred;
- (c) the Tenant is itself actively carrying on its business operations from the whole of the Premises; and
- (d) the Tenant gives to Landlord written notice of its intention to further extend the Term of the Lease not more than twelve (12) months nor less than nine (9) months prior to the expiry of the Extended Term;

in such case the Tenant shall have the right to further extend the Extended Term of the Lease for one (1) further period of five (5) years upon the same terms and conditions as contained in the Lease except as otherwise expressly provided therein and except that there shall be no further right of extension or renewal, no rent concessions, no Landlord's Work required, no fixturing period and no tenant allowance, inducement or any other amount payable by Landlord to Tenant, and annual Minimum Rent shall be equal to the greater of:

- (i) the annual Minimum Rent payable during the last prior year of the Extended Term; or
- (ii) the fair market annual Minimum Rent for the Premises as agreed upon by the parties having regard to the finished condition of the Premises at the time of extension and having regard to then applicable Minimum rental levels for similar premises for a similar term in the Project. The parties shall make all reasonable efforts to reach agreement as to the fair market annual Minimum Rent for the extension term not less than three (3) months prior to the commencement of the extension term, and failing such agreement, fair market annual Minimum Rent for the extension term shall be fixed by an independent real estate appraiser appointed by Landlord and approved by Tenant, acting reasonably.

The Tenant shall execute Landlord's then current form of lease amending agreement or lease, as determined by Landlord, to give effect to such further extension of the Term.

8. Landlord Work

Subject to this Lease Amending Agreement being executed and an Event of Default not having occurred and remaining uncured beyond the applicable period if any, the Landlord covenants and agrees to complete the work set out and described on Schedule "B" attached hereto prior to the commencement of the

Appendix A Cont'd

Extended Term subject to the applicable provisions respecting unavoidable delays further set out in the Lease.

9. Project Improvements

Subject to this Lease Amending Agreement being executed and an Event of Default not having occurred and remaining uncured beyond the applicable period if any, the Landlord covenants and agrees to use commercially reasonable efforts (subject to the applicable provisions respective unavoidable delays set out in the Lease) to carry out the Project Improvements set out and described at Schedule "C" attached hereto prior to the commencement of the Extended Term.

10. Confirmation of Lease

The Landlord and the Tenant confirm that the Lease is and remains in full force and effect as hereby amended.

11. Counterparts

This Agreement may be executed in one or more counterparts which may be executed and/or transmitted electronically or by facsimile and when taken together shall be deemed effective as an original document.

IN WITNESS WHEREOF the Landlord and Tenant have signed this Lease Amending Agreement as of the date first above written.

(Landlord)

CITI PLAZA LONDON INC.

Date

Per: *Robert Kilmov*
Name: Robert Kilmov
Title: Director

(Tenant)

**THE CORPORATION OF THE
CITY OF LONDON**

Date

Per: _____
Name:
Title:

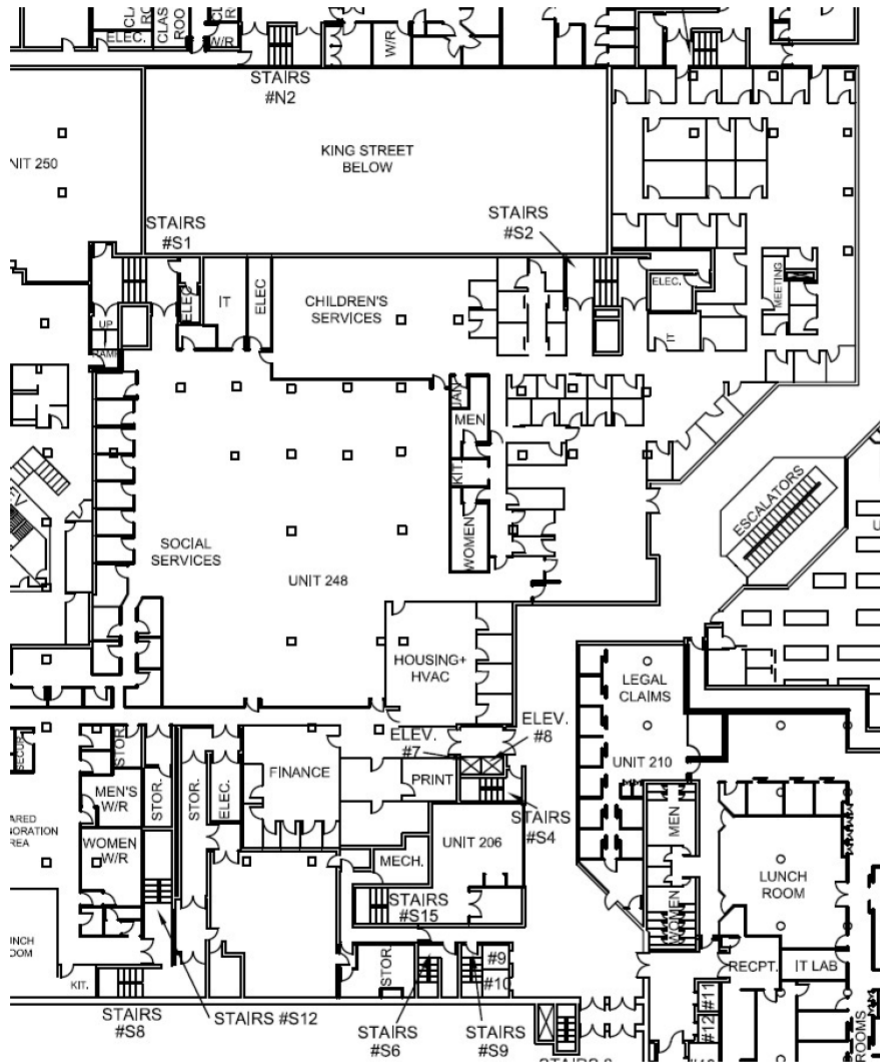
Date

Per: _____
Name:
Title:

SCHEDULE "A"

FLOOR PLAN OF THE PREMISES

This floor plan is provided for reference purposes only and shall not be used for any further purposes, including an interpretation of the limits of the Premises or a calculation of the Useable Area, Certified Useable Area, Rentable Area or Deemed Rentable Area, which will be based upon the remaining terms of the Lease and any amendments thereto.



SCHEDULE "B"

LANDLORD WORK

(i) remove the existing film from the skylights within the Premises and installing a new film or paint on the glass having a reasonable similar effect on either the interior or exterior of the skylight as Landlord and its contractors may reasonably determine;

The Tenant acknowledges that completion of the foregoing work shall require the Landlord and its contractors and/or agents to enter and complete the said work within the Premises and may result in disruptions to the Tenant's business operations including without limitation effecting closures or restrictions on accessing parts of the Premises and thereby temporarily limiting Tenant's use and enjoyment of the Premises provided that the Landlord shall undertake to use commercially reasonable efforts to minimize such disruptions and to complete the said work outside of typical business hours.

SCHEDULE "C"

PROJECT IMPROVEMENTS

(a) the Landlord shall complete certain modifications and updates to the HVAC System and the cooling system in particular so as to improve its efficiency and to better utilize its capacity within the Project with the goal of increasing utility efficiency and decreasing the Tenant's Operating Charge for cooling of the Premises; and

(b) the Landlord shall complete equipment upgrades to the CCTV system serving the Project to improve its security monitoring capabilities.

Appendix A – Lease Extension and Amending Agreement

LEASE EXTENSION AND AMENDING AGREEMENT DATED May 17, 2021 (the "Agreement")

B E T W E E N:

785 WONDERLAND ROAD INC.
(Successor to Penretail Management Ltd.)
(the "Landlord")

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF LONDON
REALTY SERVICES DIVISION
(the "Tenant")

OF THE SECOND PART

WHEREAS:

- A. By a lease dated the 8th day of July, 2015, (the "Lease") the original landlord Penretail Management Ltd. (the "Original Landlord"), as landlord, and the tenant, as Tenant, the Original Landlord did demise and lease unto the Tenant certain premises designated as Unit No. E7 through E15 comprised of a Rentable Area of approximately 16,946 square feet, (the "Leased Premises") located in the shopping center known as Westmount Shopping Centre, municipality located in the City of London, in the Province of Ontario, (the Shopping Centre); for a term of five (5) years expiring on October 31, 2021 (the "Term"), and
- B. By an Agreement dated January 19, 2018, (the "Landlord Assignment") the Original Landlord assigned all of its right, interest and tile to the Landlord, 785 Wonderland Road Inc.; and
- C. The Landlord and Tenant have agreed to extend the Term of the Lease for a further period of five (5) years upon the terms and conditions hereinafter set forth;

NOW THEREFORE THIS AGREEMENT WITNESSETH that, in consideration of the mutual covenants and agreements between the parties and the sum of Ten Dollars (\$10.00) that has been paid by each of the parties to the other(s), the receipt and sufficiency of which are acknowledged, the parties hereto agree as follows:

1. The foregoing recitals are true in substance and in fact.
2. The Term of the Lease shall be extended for a further period of five (5) years commencing on November 1, 2021 and expiring on October 31, 2026 (the "First Extension of Term").
3. The First Extension of Term shall be upon the same terms, covenants and conditions as are currently in effect in the Lease, with the understanding that:
 - (a) the Tenant accepts the Leased Premises in an "as is" condition, any further renovations, alterations or improvements in or to the Leased Premises are the sole responsibility of the Tenant and shall be undertaken and completed at the Tenant's expense and strictly in accordance with the provisions of the Lease;
 - (b) There shall be two (2) further rights of extension beyond the expiry of the First Extension of Term; and
 - (c) the Lease shall be amended in accordance with Section 3:
3. The Lease is hereby amended as follows:
 - (a) Minimum rent payable during the First Extension of Term shall be as follows:

"The Minimum Rent during the First Extension of Term shall be based on the annual rate of Nineteen Dollars (\$19.00) per square foot of the of the GLA of the Leased Premises and is payable in equal consecutive monthly instalments each in advance on the first day of each calendar month of the First Extension of Term."

Appendix A Cont'd

- (b) Section 3.03A Options to Extend of the Lease is hereby deleted and replaced as follows:

"If the Tenant (a) in occupation of and carrying on business in the whole of the Premises is The Corporation Of The City Of London, (b) pays the Rent and all other sums payable as and when due, (c) punctually observes and performs the terms, covenants and conditions to be observed and performed by it in accordance with the terms of the Lease, (U) is not then in default and has not been in material or chronic default under the Lease, and (e) gives the Landlord not less than six (6) months and not more than eighteen (18) months written notice prior to the expiration of the preceding Term of the Lease of the Tenant's intention to extend the Term of the Lease, then the Landlord will grant to the Tenant **three (3)** consecutive rights to extend the Term of the Lease upon the expiry of the Term for a period of five (5) years each (the "First Extension of Term", "Second Extension of Term" and "**Third Extension of Term**" respectively) upon the same terms and conditions as set out in the Lease except that the Tenant will accept the Premises on an "as is" basis with no Landlord's Work to be performed, no rent free period, and no inducements or allowances shall be payable by the Landlord and except also that:

(i) there shall be no further right to extend the Term following the exercise, if any, of the foregoing right(s) to extend;

(ii) the Landlord may, at its option, require that the Tenant enter into an extension agreement, as prepared by the Landlord to give effect to the foregoing right(s) to extend; and

(iii) the Minimum Rent payable each consecutive twelve (12) month period of the First Extension of Term shall be Nineteen Dollars (\$19.00) per square foot of the GLA of the Premises. The Minimum Rent payable during each consecutive twelve (12) month period of the Second Extension of Term shall be Twenty Dollars (\$20.00) per square foot of the GLA of the Premises. **The Minimum Rent payable during each consecutive twelve (12) month period of the Third Extension of Term shall be based on the then prevailing fair market net rent for similar premises, similarly located. Should the amount of the Minimum Rent not be agreed upon by the expiry of the Second Extension of Term, then the amount of the Minimum Rent shall be arbitrated in accordance with the Arbitration Act and the Tenant shall continue to make rental payments as provided in the last year of the Second Extension of Term until the arbitrator's award at which time Minimum Rent shall be adjusted and any overpayment repaid to the Tenant or applied against other amounts owing by the Tenant to the Landlord or any underpayment paid by the Tenant to the Landlord. In no event will the Minimum Rent be less than the amount payable in the Second Extension of Term;**

If the Tenant fails to give the appropriate notice(s) within the time limit set out herein for extending the Term, then this right(s) shall be null and void and of no further force and effect. If the Tenant gives such appropriate notice(s) within the time limit set out herein for extending the Term, it will forthwith execute the documentation submitted by the Landlord pursuant to subsection (ii) of this Section.

- (c) Section 4.10 Additional Rent of the Lease is hereby deleted and replaced as follows:

Notwithstanding anything to the contrary contained in this Lease for the first twelve (12) month period of the initial Term, the aggregate of Taxes payable pursuant to Section 5.03 and the Tenant's Proportionate Share of Operating Costs payable pursuant to Section 6.04 (together the "Tax and CAM Charge") is Ten Dollars (\$10.00) per square foot of the GLA of the Premises per annum. The Tax and CAM Charge will be increased at the start of each twelve (12) month period thereafter (i.e. during the remainder of the Term and during the First Extension of Term, the Second Extension of Term) to equal the amount obtained by multiplying the Tax and CAM Charge specified above by a fraction, which has as its numerator the C.P.I. for the last month of the particular twelve (12) month period in question, and as its denominator the C.P.I. for the month in which the Commencement Date occurs. In no event will the Tax and CAM Charge for any twelve (12) month period be less than the amount payable by the Tenant in the immediately preceding twelve (12) month period. **At the beginning of the Third Extension of Term, the Tenant shall pay**


Appendix A Cont'd

the greater of: (a) the actual costs of its Proportionate Share of Operating Costs, Taxes and CAM charges or; (b) the amount then in place at the commencement of the Third Extension of Term as increased by C.P.I. In no event will the Tenant's Additional Rent for the Third Extension of Term be less than the previous twelve (12) month period.

- 4. The Tenant represents and warrants that it has the right, full power and authority to agree to extend the Term and amend the Lease as provided in this Agreement.
- 5. The terms, covenants and conditions of the Lease remain unchanged and in full force and effect, except as modified by this Agreement. All capitalized terms and expressions when used in this Agreement have the same meaning as they have in the Lease, unless a contrary intention is expressed in this Agreement.
- 6. This Agreement shall enure to the benefit of and be binding upon the parties hereto, the successors and assigns of the Landlord and the permitted successors and permitted assigns of the Tenant.
- 7. It is understood and agreed that all terms and expressions when used in this Agreement, unless a contrary intention is expressed herein, have the same meaning as they have in the Lease.
- 8. This Agreement may be executed (either by original or PDF signature) in any number of counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same Instrument.

IN WITNESS WHEREOF THE LANDLORD AND TENANT HAVE EXECUTED THIS AGREEMENT

**785 WONDERLAND ROAD INC.
(Landlord)**

Per:  _____
June 10, 2021

Per: _____
I/We have authority to bind the Corporation

**THE CORPORATION OF THE CITY OF LONDON
REALTY SERVICES DIVISION
(Tenant)**

Per: _____

Per: _____

I/We have authority to bind the Corporation

Appendix A – Source of Financing Report

Appendix "A" Confidential

#21095
June 21, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

RE: Property Acquisition, 166 Wellington Road
Wellington Gateway Project
(Subledger LD170110)
Capital Project RT1430-1B - Wellington Gateway - Land Rapid Transit
David Schleihauf and Nikesha Schleihauf

Finance Supports Report on the Sources of Financing:

Finance Supports 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 the Deputy City Manager, Finance Supports, with the concurrence of the Director, Construction and Infrastructure Services, on the advice of the Director, Realty Services, the detailed source of financing for this purchase is:

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
Land Acquisition	11,059,900	4,590,394	726,057	5,743,449
Total Expenditures	\$11,059,900	\$4,590,394	\$726,057	\$5,743,449
Sources of Financing				
Capital Levy	1,157,204	480,296	75,968	600,941
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	9,902,696	4,110,098	650,089	5,142,508
Total Financing	\$11,059,900	\$4,590,394	\$726,057	\$5,743,449

Financial Note:

Purchase Cost	\$685,000
Add: Legal Fees etc.	18,500
Add: Land Transfer Tax	10,175
Add: HST @13%	91,455
Less: HST Rebate	<u>-79,073</u>
Total Purchase Cost	<u>\$726,057</u>

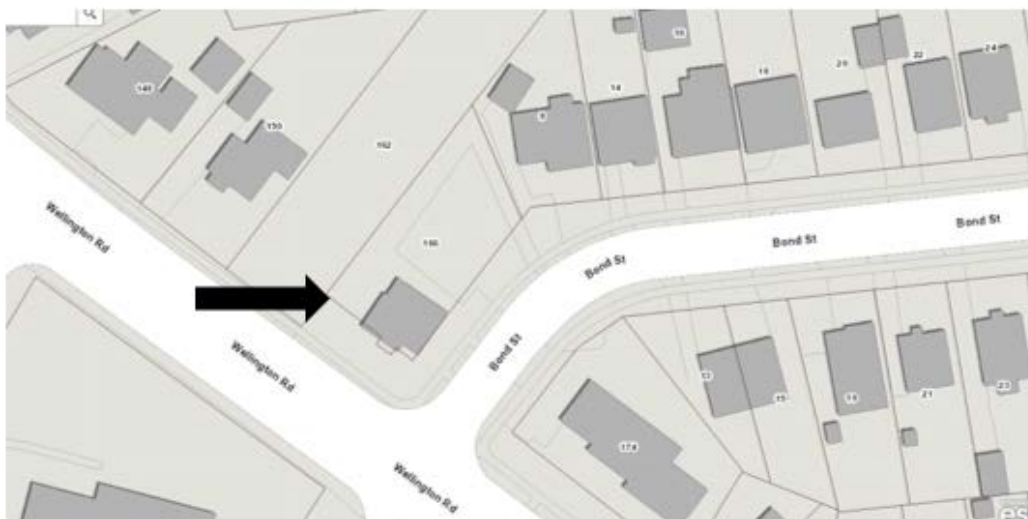
Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.


Jason Davies
Manager of Financial Planning & Policy

lp

Appendix B – Location Map

166 Wellington Road



Appendix C – Agreement of Purchase and Sale

Authenticsign ID: 7EF09486-7878-4D53-875F-1B4DFE9B3FEE

AGREEMENT OF PURCHASE AND SALE

PURCHASER: THE CORPORATION OF THE CITY OF LONDON

VENDORS: DAVID SCHLEIHAUF AND
NIKESHA SCHLEIHAUF

REAL PROPERTY:

Address: 166 Wellington Road, London, ON N6C 4N1

Location: East side of Wellington Road, North of Bond Street

Measurements: approximately 652.90 m²/ 7,028 ft²

Legal Description: Lot 1, Plan 467 (4th),
Except Part 1, 33R-11032,
City of London, County of Middlesex,
being all of PIN 08358-0080 (LT), (the "Property")



1. **OFFER TO PURCHASE:** The Purchaser agrees to purchase the Property from the Vendors in accordance with the terms and conditions as set out in this Agreement.
2. **SALE PRICE:** The purchase price shall be SIX HUNDRED AND EIGHTY-FIVE THOUSAND DOLLARS CDN (\$685,000.00) payable as follows:
 - a) a deposit of Two Dollars (\$2.00) cash or cheque on the date hereof as a deposit; and
 - b) the balance of the sale price, subject to adjustments, in cash or by cheque on completion of this Agreement.
3. **ADJUSTMENTS:** Any unearned fire insurance premiums, rents, mortgage interest, realty taxes including local improvements rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to the Purchaser.
4. **SCHEDULE(S):** The following Schedule(s) form(s) part of this Agreement:



Schedule "A" Additional Terms and Conditions
5. **IRREVOCABILITY:** This Offer shall be irrevocable by the Vendors until considered by the Council of the Corporation of the City of London at a meeting to be held no later than **August 12, 2021**, after which date, if not accepted by Council, 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 **August 27, 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 **October 15, 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 Vendors agree 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:** The Vendors 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 restrictions and encumbrances, except as otherwise specifically provided in this Agreement. 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 Vendors and which Vendors are 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 the Vendors 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 Vendors. If requested by the Purchaser, the 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 the Vendors 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 the Vendors 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 Vendors.
- 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 the Vendors under the non-resident provisions of the Income Tax Act by reason of this sale. The Purchaser shall not claim such credit if the Vendors deliver on completion the prescribed certificate or a statutory declaration that the Vendors are 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 Vendors 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 Vendors 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:** Vendors warrant 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 Vendors 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 Vendors and Purchaser acknowledge and agree that the delivery of documents and the release thereof to the Vendors 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 Vendors. 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.

We, the undersigned Vendors agree to the above offer.

SIGNED, SEALED AND DELIVERED IN WITNESS whereof we hereunto set our hand and seal.

Witness: 
 Witness: 


 David Schleihauf

 Nikesha Schleihauf

May 19, 2021
 Date
 May 19, 2021
 Date

The Corporation of the City of London hereby accepts the above Agreement of Purchase and Sale and agrees to carry out the same on the terms and conditions herein contained.

IN WITNESS WHEREOF The Corporation of the City of London hereto has hereunto caused to be affixed its Corporate Seal attested by the hands of its proper signing officers pursuant to the authority contained in By-law No. _____ of the Council of The Corporation of the City of London passed the _____ day of _____, 2021.

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

NATALIE HOPE-SELKIN, B.A., LL.B. Barrister, Solicitor & Notary
220 Duncan Mill Road, Suite 509 Toronto, Ontario CANADA M3B 3J5
Tel: 647.977.3022 | Fax: 647.748.3022
natalie@hopeselkinlaw.com | HopeSelkinLaw.com

VENDOR'S LAWYER: _____

PURCHASER'S LAWYER: Sachil Tatavarti, Solicitor, 519-861-2489 (CITY) Ext. 4709 Fax: 519-661-0082



SCHEDULE "A"

1. **LEGAL COSTS:** As set out in Section 32 of the *Expropriations Act* the City agrees to pay the Owner reasonable legal and appraisal costs, including fees, disbursements and applicable taxes, to complete this transaction, subject to assessment, if necessary.
 2. **INSURANCE:** All buildings on the Property and all other things being purchased shall be and remain until completion at the risk of the Vendors. Pending completion, the Vendors shall hold all insurance policies, if any, and the proceeds thereof in trust for the parties as their interests may appear and in the event of substantial damage, the Purchaser may either terminate this Agreement and have all monies paid returned without interest or deduction or else take the proceeds of any insurance and complete the purchase. No insurance shall be transferred on completion.
 3. **STATEMENT OF ADJUSTMENTS:** The Vendors shall provide the Purchaser with the Statement of Adjustments and fully executed copies of any further final and irrevocable directions and re-directions regarding payment of the balance of the Purchase Price (as defined in Section 2 of this Agreement) as the Vendors may require (collectively, the "Direction re: Funds"), by no later than 4:00 p.m. on the 6th business day that precedes the Closing Date (as defined in Section 7 of this Agreement or otherwise agreed upon by the parties), failing which, at the sole option of the Purchaser, the Closing Date may be extended to a date up to ten (10) business days after the Purchaser's receipt of the Direction re: Funds.
 4. **DISTURBANCE COSTS:** The Purchaser agrees to pay on completion, a further sum of \$15,000.00.
 5. **RESIDENTIAL TENANTS:** The Vendor shall give the Tenants notice that the Purchaser requires vacant possession on the closing date.
 6. **RIGHT OF INSPECTION:** The Purchaser or an agent of the Purchaser shall be entitled to enter and inspect the property including all dwellings and buildings prior to the closing of this Agreement.
 7. **POSSESSION PRIOR TO CLOSING:** The Vendor is responsible for the lands and the buildings and all permanent fixtures until the keys are personally turned over to the representative of the Purchaser.
 8. **SECTION 20 OF THE EXPROPRIATIONS ACT:** With respect to any prepayment of mortgage, the Purchaser agrees to pay compensation for any bonus legally payable and for any loss incurred by reason of a difference in interest rates upon completion as set out in section 20 of the *Expropriations Act*.
 9. **VACANT POSSESSION:** The Vendors agree to leave the Property in a clean, broom-swept condition, free and clear of all refuse, hazardous and other waste material, garbage or other loose or objectionable materials upon closing. Should the Vendors be unable to fulfill the terms of this condition prior to completion, the Purchaser may hold back an amount up to One Thousand Dollars (\$1,000.00) from the Purchase Price due on closing, as determined by the Purchaser in their sole discretion, to be contributed towards the Purchaser's reasonable costs to clean the Property and remove any left-over materials.
10. The Seller has been advised by their real estate agents to consult with their real estate lawyer, prior to signing this contract. Upon signing the Seller confirms that their lawyer has reviewed the contract and provide approval on the terms of the agreement.

++

Appendix A – Source of Financing Report

Appendix "A" Confidential

#21107

June 21, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

RE: Property Acquisition, 178 Wellington Road
Wellington Gateway Project
(Subledger LD210017)
Capital Project RT1430-1B - Wellington Gateway - Land Rapid Transit
Crystal Faith Miller and Robert Bruce Ryding

Finance Supports Report on the Sources of Financing:

Finance Supports 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 the Deputy City Manager, Finance Supports, with the concurrence of the Director, Construction and Infrastructure Services, on the advice of the Director, Realty Services, the detailed source of financing for this purchase is:

Estimated Expenditures	Approved Budget	Committed To Date	This Submission	Balance for Future Work
Land Acquisition	11,059,900	5,838,340	522,154	4,699,406
Total Expenditures	\$11,059,900	\$5,838,340	\$522,154	\$4,699,406
Sources of Financing				
Capital Levy	1,157,204	610,869	54,633	491,702
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	9,902,696	5,227,471	467,521	4,207,704
Total Financing	\$11,059,900	\$5,838,340	\$522,154	\$4,699,406

Financial Note:

Purchase Cost	\$442,000
Add: Legal Fees etc.	65,900
Add: Land Transfer Tax	5,315
Add: HST @13%	66,027
Less: HST Rebate	<u>-57,088</u>
Total Purchase Cost	\$522,154

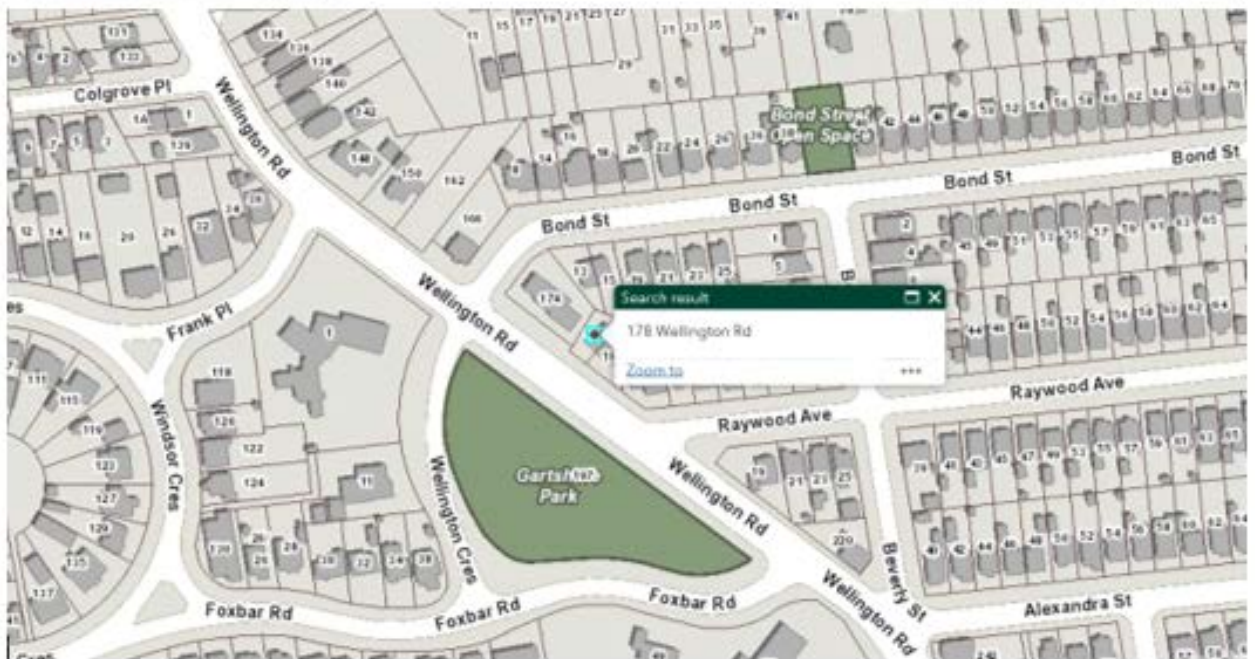
Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.


Jason Davies
Manager of Financial Planning & Policy

lp

Appendix B – Location Map

178 Wellington Road



Appendix C – Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE

PURCHASER: THE CORPORATION OF THE CITY OF LONDON

VENDOR: CRYSTAL FAITH MILLER
ROBERT BRUCE RYDING

REAL PROPERTY:

Address 178 Wellington Road, London, ON N6C 4N3

Location East side of Wellington Road, South of Bond Street

Measurements approximately 254.99 m²/ 2744.79 ft²

Legal Description: Part of Lots 16, 17, 18 & 26, Plan 467 (4th), in the City of London, County of Middlesex, being Part 1, 33R-3744, being all of PIN 08358-0084 (LT), the "Property".

1. **OFFER TO PURCHASE:** The Purchaser agrees to purchase the Property from the Vendor in accordance with the terms and conditions as set out in this Agreement.
2. **SALE PRICE:** The purchase price shall be FOUR HUNDRED AND FORTY-TWO THOUSAND DOLLARS CDN (\$442,00.00) payable as follows:
 - a) a deposit of Two Dollars (\$2.00) cash or cheque on the date hereof as a deposit; and
 - b) the balance of the sale price, subject to adjustments, in cash or by cheque on completion of this Agreement.
3. **ADJUSTMENTS:** Any unearned fire insurance premiums, rents, mortgage interest, realty taxes including local improvements rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to the Purchaser.
4. **SCHEDULE(S):** The following Schedule(s) form(s) part of this Agreement:

Schedule "A" Additional Terms and Conditions
5. **IRREVOCABILITY:** This Offer shall be irrevocable by the Vendor until considered by the Council of the Corporation of the City of London at a meeting to be held no later than July 9th, 2021, after which date, if not accepted by Council, 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 July 13th, 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 July 16th, 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 restrictions and encumbrances, except as otherwise specifically provided in this Agreement, 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 the 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.



R.R.

12. **DOCUMENTS AND DISCHARGE:** The Purchaser shall not call for the production of any title deed, abstract, survey or other evidence of title to the Property except such as are in the possession or control of Vendor. If requested by the Purchaser, Vendor will deliver any sketch or survey of the Property within Vendor's control to the Purchaser as soon as possible and prior to the Requisition Date. If a discharge of any Charge/Mortgage held by a corporation incorporated pursuant to the Loan Companies Act (Canada), Chartered Bank, Trust Company, Credit Union, Caisse Populaire or Insurance Company and which is not to be assumed by the Purchaser on completion, is not available in registerable form on completion, the Purchaser agrees to accept Vendor's lawyer's personal undertaking to obtain, out of the closing funds, a discharge in registerable form and to register same on title within a reasonable period of time after completion, provided that on or before completion Vendor shall provide to the Purchaser a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, together with a direction executed by Vendor directing payment to the mortgagee of the amount required to obtain the discharge out of the balance due on completion.
13. **DOCUMENT PREPARATION:** The Transfer/Deed shall, save for the Land Transfer Tax Affidavit, be prepared in registerable form at the expense of the Vendor.
14. **RESIDENCY:** The Purchaser shall be credited towards the Purchase Price with the amount, if any, necessary for the Purchaser to pay to the Minister of National Revenue to satisfy the Purchaser's liability in respect of tax payable by Vendor under the non-resident provisions of the Income Tax Act by reason of this sale. The Purchaser shall not claim such credit if Vendor delivers on completion the prescribed certificate or a statutory declaration that Vendor is not a non-resident of Canada.
15. **TIME LIMITS:** Time shall in all respects be of the essence hereof provided that the time for doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by Vendor and the Purchaser or their respective lawyers who are hereby specifically authorized in that regard.
16. **TENDER:** Any tender of documents or money hereunder may be made upon Vendor or the Purchaser or their respective solicitors on the day set for completion. Money may be tendered by bank draft or cheque by a Chartered Bank, Trust Company, Province of Ontario Savings Office, Credit Union or Caisse Populaire.
17. **FAMILY LAW ACT:** Vendor warrants that spousal consent is not necessary to this transaction under the provisions of the *Family Law Act*, R.S.O. 1990 unless Vendor's spouse has executed the consent provided.
18. **PLANNING ACT:** This Agreement shall be effective to create an interest in the property only if the subdivision control provisions of the *Planning Act* are complied with.
19. **CLOSING ARRANGEMENTS:** Where each of the Vendor and Purchaser retain a lawyer to complete the Agreement of Purchase and Sale of the property, and where the transaction will be completed by electronic registration pursuant to Part III of the Land Registration Reform Act, R.S.O., Chapter L4, and any amendments thereto, the Vendor and Purchaser acknowledge and agree that the delivery of documents and the release thereof to the Vendor and Purchaser may, at the lawyer's discretion: (a) not occur contemporaneously with the registration of the Transfer/Deed (and other registerable documentation) and (b) be subject to conditions whereby the lawyer receiving documents and/or money will be required to hold them in trust and not release them except in accordance with the terms of a written agreement between the lawyers..
20. **AGREEMENT IN WRITING:** This Agreement, including any Schedule attached, shall constitute the entire Agreement between the Purchaser and Vendor. There is no representation, warranty, collateral agreement or condition, which affects this Agreement other than as expressed herein. This Agreement shall be read with all changes of gender or number required by the context.
21. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein.



The Corporation of the City of London hereby accepts the above Agreement of Purchase and Sale and agrees to carry out the same on the terms and conditions herein contained.

IN WITNESS WHEREOF The Corporation of the City of London hereto has hereunto caused to be affixed its Corporate Seal attested by the hands of its proper signing officers pursuant to the authority contained in By-law No. _____ of the Council of The Corporation of the City of London passed the _____ day of _____.


THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

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 8th day of June, 2021.

SIGNED, SEALED AND DELIVERED
In the Presence of

Per: 

Name: CRYSTAL FAITH MILLER

Title: _____

Per: 

Name: ROBERT BRUCE RYDING

Title: _____

VENDOR'S LAWYER: John. A. Belecky, Solicitor, Belecky & Belecky, 519-673-5630 Fax: 519-667-44836

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


R.R.

SCHEDULE "A"

1. **LEGAL COSTS:** As set out in Section 32 of the *Expropriations Act* the City agrees to pay the Owner reasonable legal and appraisal costs, including fees, disbursements and applicable taxes, to complete this transaction, subject to assessment, if necessary.
2. **INSURANCE:** All buildings on the Property and all other things being purchased shall be and remain until completion at the risk of the Vendor. Pending completion, the Vendor shall hold all insurance policies, if any, and the proceeds thereof in trust for the parties as their interests may appear and in the event of substantial damage, the Purchaser may either terminate this Agreement and have all monies paid returned without interest or deduction or else take the proceeds of any insurance and complete the purchase. No insurance shall be transferred on completion.
3. **STATEMENT OF ADJUSTMENTS:** The Vendor shall provide the Purchaser with the Statement of Adjustments and fully executed copies of any further final and irrevocable directions and re-directions regarding payment of the balance of the Purchase Price (as defined in Section 2 of this Agreement) as the Vendor may require (collectively, the "Direction re: Funds"), by no later than 4:00 p.m. on the 6th business day that precedes the Closing Date (as defined in Section 7 of this Agreement or otherwise agreed upon by the parties), failing which, at the sole option of the Purchaser, the Closing Date may be extended to a date up to ten (10) business days after the Purchaser's receipt of the Direction re: Funds.
4. **RIGHT OF INSPECTION:** The Purchaser or an agent of the Purchaser shall be entitled to enter and inspect the property including all dwellings and buildings prior to the closing of this Agreement.
5. **REPLACEMENT PROPERTY:** The Purchaser agrees to pay reasonable legal and other non-recoverable expenditures incurred in acquiring a similar replacement property, providing a claim is made within one year of the date of possession. The Vendor shall be responsible to apply to the Ministry of Finance for any eligible reduction to the payment of the Land Transfer Tax for the purchase of the replacement property, in accordance with Section 1(2) of the *Land Transfer Tax Act, RSO 1990, cL6*, and such amounts shall not be recoverable under this clause. This condition shall survive and not merge upon the completion of this Agreement.
6. **SECTION 15 OF THE EXPROPRIATIONS ACT:** Pursuant to section 15 of the *Expropriations Act* the Purchaser shall pay to the Vendor an allowance of compensation payable in respect of to the cost associated with the relocation of residence as additional disturbance allowance, being \$39,800.00, prior to completion of this transaction.
7. **SECTION 18 OF THE EXPROPRIATIONS ACT:** Pursuant to section 18 of the *Expropriations Act* the Purchaser shall pay to the Vendor an allowance of five per cent of the compensation payable in respect of the market value of the lands herein, being \$22,100.00, prior to completion of this transaction.
8. **SECTION 20 OF THE EXPROPRIATIONS ACT:** With respect to any prepayment of mortgage, the Purchaser agrees to pay compensation for any bonus legally payable and for any loss incurred by reason of a difference in interest rates upon completion as set out in section 20 of the *Expropriations Act*.
9. **VACANT POSSESSION:** The Vendor agrees to leave the Property in a clean, broom-swept condition, free and clear of all refuse, hazardous and other waste material, garbage or other loose or objectionable materials upon closing. Should the Vendor be unable to fulfill the terms of this condition prior to completion, the Purchaser may hold back an amount up to One Thousand Dollars (\$1,000.00) from the Purchase Price due on closing, as determined by the Purchaser in their sole discretion, to be contributed towards the Purchaser's reasonable costs to clean the Property and remove any left-over materials.
10. **ADJUSTMENTS:** The parties agree that notwithstanding Section 3 of this Agreement, realty taxes, including local improvement rates, and utilities shall be adjusted effective June 25, 2021.
11. **CHATELS INCLUDED:** Dishwasher, 2 fridges, stove, couch, dresser, all blinds on windows.
12. **FIXTURES EXCLUDED:** Washer, dryer, 2 ceiling fans, chandelier, all curtains and rods, backyard shed
13. **RENTAL ITEMS:** The following equipment is rented and not included in the Purchase Price. The Purchaser agrees to assume the rental contract(s), if assumable: Hot water heater
14. **BRIDGE FINANCING:** The Purchaser agrees to pay reasonable costs incurred by the Vendor from July 9th, 2021 to July 30, 2021 related to arranging bridge financing. Reasonable costs shall be limited to interest on principal, financial institution administrative costs, and the vendor solicitor's fees and costs.



Appendix A – Source of Financing Report

Appendix "A"
Confidential

#21097
June 21, 2021
(Property Acquisition)

Chair and Members
Corporate Services Committee

RE: Partial Property Acquisition, 1349 Southdale Road West
Southdale Road West and Wickerson Road Improvements
(Subledger LD200075)
Capital Project TS1407-2 - Southdale - Wickerson Road to Byronhills Drive
Mary Maclean and Alfred Donald Maclean

Finance Supports Report on the Sources of Financing:

Finance Supports 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 the Deputy City Manager, Finance Supports, with the concurrence of the Director, Transportation and Mobility, and Division Manager, Transportation Planning and Design, on the advice of the Director, 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	1,311,948	1,301,844	0	10,104
Land Acquisition	741,609	579,777	161,832	0
Construction	4,500,000	2,378	0	4,497,622
Utilities	838,943	0	0	838,943
City Related Expenses	100,000	4,996	0	95,004
Total Expenditures	\$7,492,500	\$1,888,995	\$161,832	\$5,441,673

Sources of Financing

Debenture By-law No. W.-5607(b)-61	879,830	221,821	19,004	639,005
Drawdown from City Services - Roads Reserve Fund (Development Charges) (Note 1)	6,612,670	1,667,174	142,828	4,802,668
Total Financing	\$7,492,500	\$1,888,995	\$161,832	\$5,441,673

Financial Note:

Purchase Cost	\$132,600
Add: Legal Fees etc.	25,400
Add: Land Transfer Tax	1,051
Add: HST @13%	20,540
Less: HST Rebate	<u>-17,759</u>
Total Purchase Cost	\$161,832

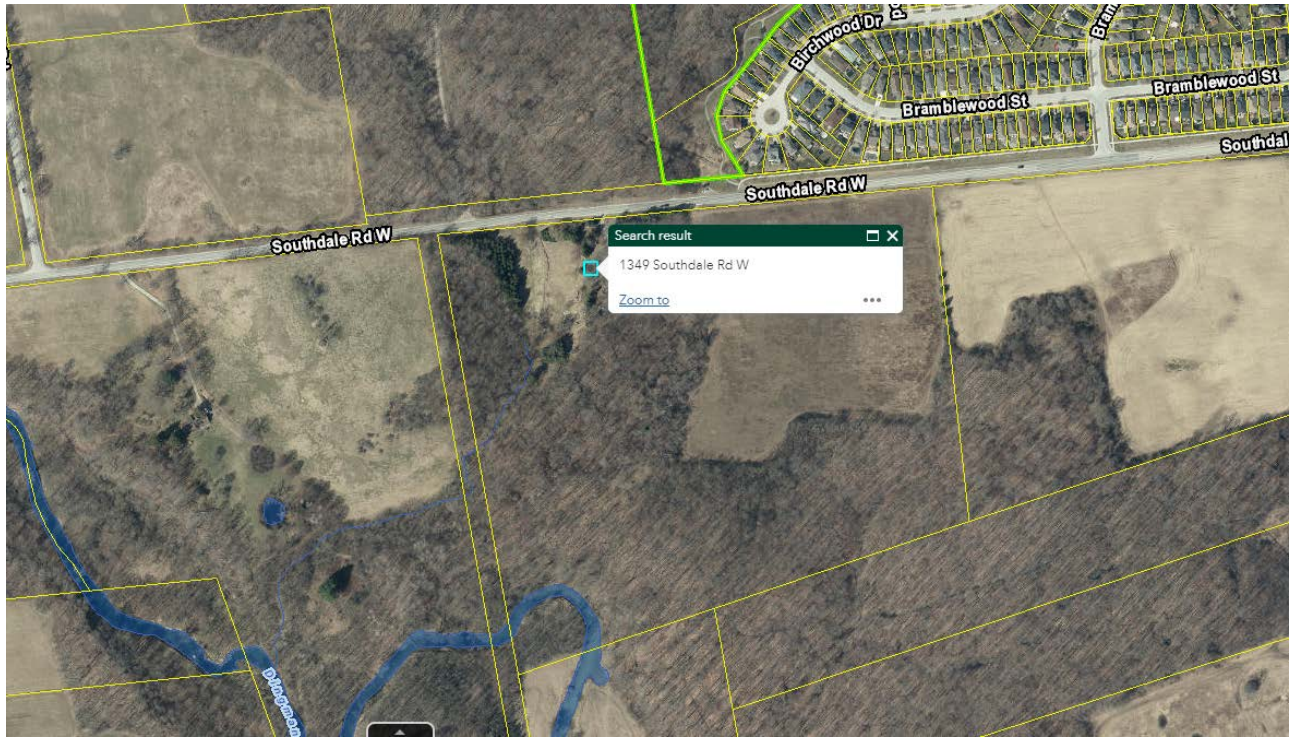
Note 1: Development charges have been utilized in accordance with the underlying legislation and the approved 2019 Development Charges Background Study and the 2021 Development Charges Background Study Update.



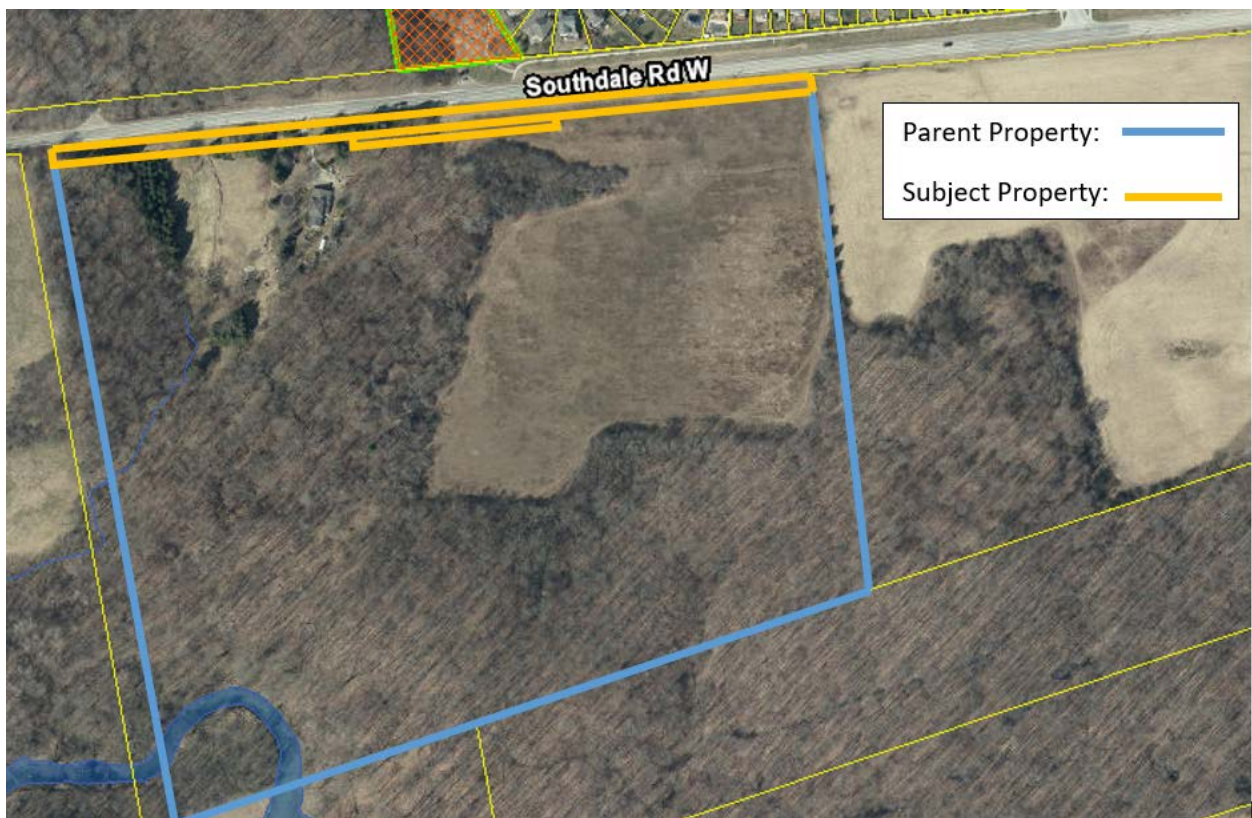
Jason Davies
Manager of Financial Planning & Policy

HB

Appendix B – Location Map



1349 Southdale Road West (Parent Parcel)



Appendix C – Agreement of Purchase and Sale

AGREEMENT OF PURCHASE AND SALE

PURCHASER: THE CORPORATION OF THE CITY OF LONDON

VENDOR: MARY MACLEAN and ALFRED DONALD MACLEAN

REAL PROPERTY:

Address Part of 1349 Southdale Road West, London, Ontario

Location South side of Southdale Road West between Wickerson Road and Bramblewood Place


Measurements Irregular; approximately 4,221 square meters.

Legal Description: PART LOT 79 WTR; LONDON/WESTMINSTER being part of PIN 08224-0301 designated as Parts 18 and 21 on a draft reference plan to be deposited as shown on Schedule "A" attached hereto (the "Property")


1. **OFFER TO PURCHASE:** The Purchaser agrees to purchase the Property from the Vendor in accordance with the terms and conditions as set out in this Agreement.
2. **SALE PRICE:** The purchase price shall be ONE HUNDRED THIRTY TWO THOUSAND SIX HUNDRED DOLLARS CDN (\$132,600.00) payable as follows:
 - a) A deposit of Two Dollars (\$2.00) cash or cheque on the date hereof as a deposit; and
 - b) The balance of the sale price, subject to adjustments, in cash or by cheque on completion of this Agreement.
3. **ADJUSTMENTS:** Any unearned fire insurance premiums, rents, mortgage interest, realty taxes including local improvements rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to the Purchaser.
4. **SCHEDULE(S):** The following Schedule(s) form(s) part of this Agreement:
 - Schedule "A" Description of the Property
 - Schedule "B" Additional Terms and Conditions
 - Schedule "C" Temporary Easement and Consent to Enter
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 July 30, 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 August 27, 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 September 10, 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

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 _____,

SIGNED, SEALED AND DELIVERED
In the Presence of



Name: Mary Maclean



Name: Alfred Donald Maclean

The Corporation of the City of London hereby accepts the above Agreement of Purchase and Sale and agrees to
carry out the same on the terms and conditions herein contained.

IN WITNESS WHEREOF The Corporation of the City of London hereto has hereunto caused to be affixed its
Corporate Seal attested by the hands of its proper signing officers pursuant to the authority contained in By-law No.
_____ of the Council of The Corporation of the City of London passed the
_____ day of _____,

THE CORPORATION OF THE CITY OF LONDON

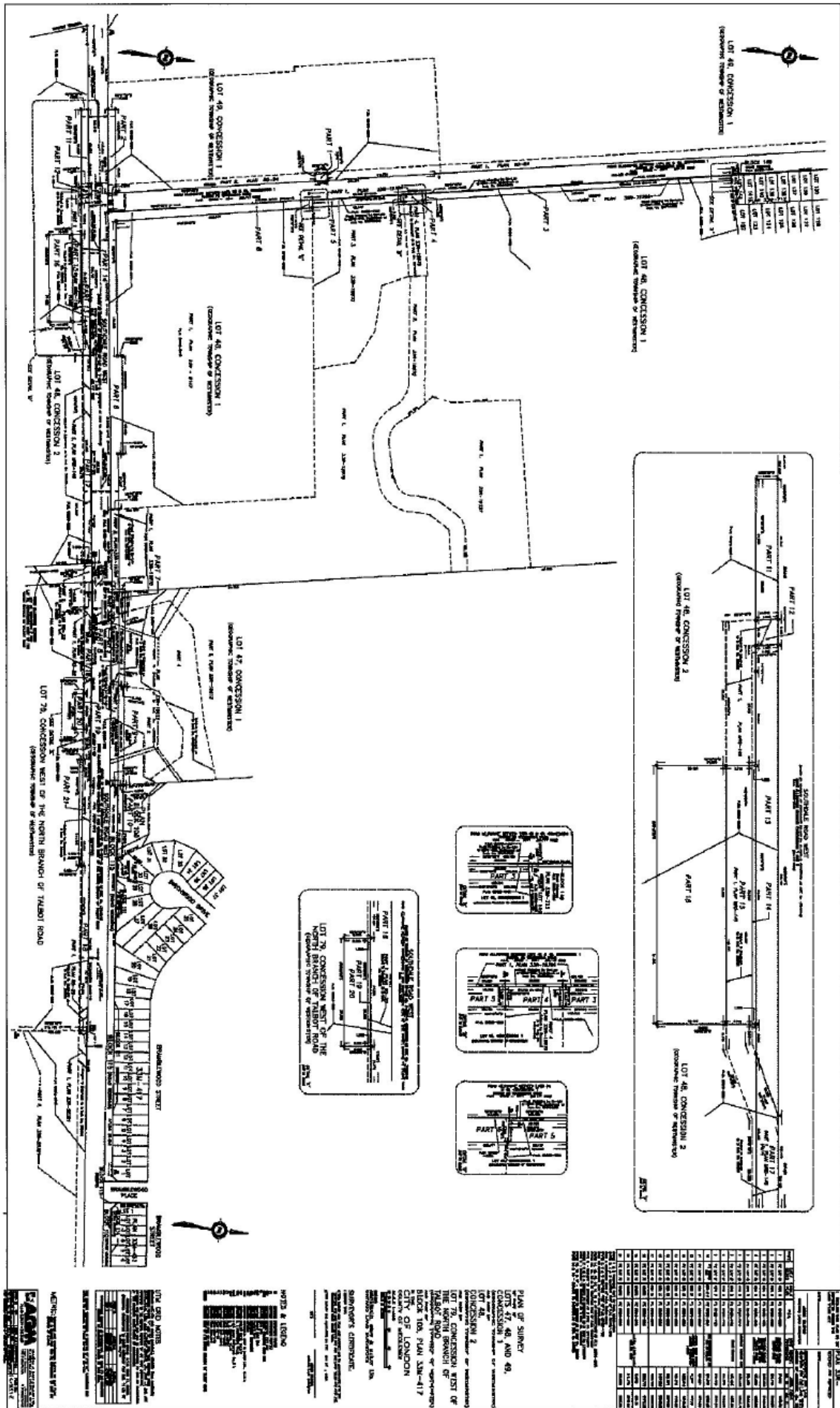
Ed Holder, Mayor

Catharine Saunders, City Clerk

VENDOR'S LAWYER: _____

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

SCHEDULE "A" Fee Simple Acquisition of "The Property"



LOT	PART	AREA	BEARING	REMARKS
49	1	1.00	N 0° 0' 0" E	
49	2	1.00	N 0° 0' 0" E	
49	3	1.00	N 0° 0' 0" E	
49	4	1.00	N 0° 0' 0" E	
49	5	1.00	N 0° 0' 0" E	
49	6	1.00	N 0° 0' 0" E	
49	7	1.00	N 0° 0' 0" E	
49	8	1.00	N 0° 0' 0" E	
49	9	1.00	N 0° 0' 0" E	
49	10	1.00	N 0° 0' 0" E	
49	11	1.00	N 0° 0' 0" E	
49	12	1.00	N 0° 0' 0" E	
49	13	1.00	N 0° 0' 0" E	
49	14	1.00	N 0° 0' 0" E	
49	15	1.00	N 0° 0' 0" E	
49	16	1.00	N 0° 0' 0" E	
49	17	1.00	N 0° 0' 0" E	
49	18	1.00	N 0° 0' 0" E	
49	19	1.00	N 0° 0' 0" E	
49	20	1.00	N 0° 0' 0" E	
49	21	1.00	N 0° 0' 0" E	
49	22	1.00	N 0° 0' 0" E	
49	23	1.00	N 0° 0' 0" E	
49	24	1.00	N 0° 0' 0" E	
49	25	1.00	N 0° 0' 0" E	
49	26	1.00	N 0° 0' 0" E	
49	27	1.00	N 0° 0' 0" E	
49	28	1.00	N 0° 0' 0" E	
49	29	1.00	N 0° 0' 0" E	
49	30	1.00	N 0° 0' 0" E	
49	31	1.00	N 0° 0' 0" E	
49	32	1.00	N 0° 0' 0" E	
49	33	1.00	N 0° 0' 0" E	
49	34	1.00	N 0° 0' 0" E	
49	35	1.00	N 0° 0' 0" E	
49	36	1.00	N 0° 0' 0" E	
49	37	1.00	N 0° 0' 0" E	
49	38	1.00	N 0° 0' 0" E	
49	39	1.00	N 0° 0' 0" E	
49	40	1.00	N 0° 0' 0" E	
49	41	1.00	N 0° 0' 0" E	
49	42	1.00	N 0° 0' 0" E	
49	43	1.00	N 0° 0' 0" E	
49	44	1.00	N 0° 0' 0" E	
49	45	1.00	N 0° 0' 0" E	
49	46	1.00	N 0° 0' 0" E	
49	47	1.00	N 0° 0' 0" E	
49	48	1.00	N 0° 0' 0" E	
49	49	1.00	N 0° 0' 0" E	
49	50	1.00	N 0° 0' 0" E	
49	51	1.00	N 0° 0' 0" E	
49	52	1.00	N 0° 0' 0" E	
49	53	1.00	N 0° 0' 0" E	
49	54	1.00	N 0° 0' 0" E	
49	55	1.00	N 0° 0' 0" E	
49	56	1.00	N 0° 0' 0" E	
49	57	1.00	N 0° 0' 0" E	
49	58	1.00	N 0° 0' 0" E	
49	59	1.00	N 0° 0' 0" E	
49	60	1.00	N 0° 0' 0" E	
49	61	1.00	N 0° 0' 0" E	
49	62	1.00	N 0° 0' 0" E	
49	63	1.00	N 0° 0' 0" E	
49	64	1.00	N 0° 0' 0" E	
49	65	1.00	N 0° 0' 0" E	
49	66	1.00	N 0° 0' 0" E	
49	67	1.00	N 0° 0' 0" E	
49	68	1.00	N 0° 0' 0" E	
49	69	1.00	N 0° 0' 0" E	
49	70	1.00	N 0° 0' 0" E	
49	71	1.00	N 0° 0' 0" E	
49	72	1.00	N 0° 0' 0" E	
49	73	1.00	N 0° 0' 0" E	
49	74	1.00	N 0° 0' 0" E	
49	75	1.00	N 0° 0' 0" E	
49	76	1.00	N 0° 0' 0" E	
49	77	1.00	N 0° 0' 0" E	
49	78	1.00	N 0° 0' 0" E	
49	79	1.00	N 0° 0' 0" E	
49	80	1.00	N 0° 0' 0" E	
49	81	1.00	N 0° 0' 0" E	
49	82	1.00	N 0° 0' 0" E	
49	83	1.00	N 0° 0' 0" E	
49	84	1.00	N 0° 0' 0" E	
49	85	1.00	N 0° 0' 0" E	
49	86	1.00	N 0° 0' 0" E	
49	87	1.00	N 0° 0' 0" E	
49	88	1.00	N 0° 0' 0" E	
49	89	1.00	N 0° 0' 0" E	
49	90	1.00	N 0° 0' 0" E	
49	91	1.00	N 0° 0' 0" E	
49	92	1.00	N 0° 0' 0" E	
49	93	1.00	N 0° 0' 0" E	
49	94	1.00	N 0° 0' 0" E	
49	95	1.00	N 0° 0' 0" E	
49	96	1.00	N 0° 0' 0" E	
49	97	1.00	N 0° 0' 0" E	
49	98	1.00	N 0° 0' 0" E	
49	99	1.00	N 0° 0' 0" E	
49	100	1.00	N 0° 0' 0" E	

SCHEDULE "B"

1. **LEGAL COSTS:** The Purchaser agrees to pay the Vendor's reasonable legal costs, including fees, disbursements and applicable taxes, to complete this transaction, subject to assessment.
2. **FENCING:** The Purchaser agrees, at its expense, to re-establish the existing fencing along the new property line in a permanent configuration on or before the completion of the project.
3. **REFERENCE PLAN:** The Purchaser agrees to prepare and deposit on title, on or before closing and at its expense, a reference plan describing the Property. In the event that the reference plan has not yet been deposited upon the Completion Date contained in paragraph 7 of this Agreement, the Vendor shall consent to extend the Completion Date for a period of up to two (2) months, without condition, to facilitate the deposit of the reference plan prior to closing.
4. **DISTURBANCE COSTS:** The Purchaser agrees to pay on completion, a further sum of SEVENTEEN THOUSAND \$17,400 CDN dollars as full and final payment for the loss of any and all trees, shrubs and landscaping located within the Property.
5. **STATEMENT OF ADJUSTMENTS:** The Vendor shall provide the Purchaser with the Statement of Adjustments and fully executed copies of any further final and irrevocable directions and re-directions regarding payment of the balance of the Purchase Price (as defined in Section 2 of this Agreement) as the Vendor may require (collectively, the "Direction re: Funds"), by no later than 4:00 p.m. on the 6th business day that precedes the Completion Date (as defined in Section 7 of this Agreement or otherwise agreed upon by the parties), failing which, at the sole option of the Purchaser, the Completion Date may be extended to a date up to ten (10) business days after the Purchaser's receipt of the Direction re: Funds.
6. **TEMPORARY EASEMENT AND CONSENT TO ENTER:** Upon the closing of this transaction, the Purchaser will grant to the Vendor a Temporary Easement and Consent to Enter in the form attached as Schedule "C". This condition shall survive and not merge on the completion of this transaction.

Schedule "C" GRANT OF TEMPORARY EASEMENT AND CONSENT TO ENTER

B E T W E E N:

THE CORPORATION OF THE CITY OF LONDON
(the "City")

And

MARY MACLEAN and ALFRED DONALD MACLEAN
(the "Owner"(s))

PART LOT 79 WTR; LONDON/WESTMINSTER being part of PIN 08224-0301 as shown on Schedule
"A1" attached hereto (the "Property")
Legal Description

1349 Southdale Road West
Municipal Address of Property

We, MARY MACLEAN and ALFRED DONALD MACLEAN, being the Owner(s) of the property described above and shown on Schedule "A1" attached, CONSENT to the entry on the property by the City, its contractors and employees, for the purpose of site construction associated with Southdale Road West and Wickerson Road Improvements (the "Project")

This Consent shall run from January 1, 2022 until December 31, 2023 for a term of twenty four (24) months or until the Project is complete, whichever shall first occur.

The City hereby offers the sum of TWO THOUSAND DOLLARS CDN (\$2,000.00) in payment of the market value of the Temporary Easement payable in cash or by cheque upon completion of the Related Transaction set out in clause 3 of the Additional Terms and Conditions herein.

The City may renew the rights granted under this Consent for an additional two (2) x one (1) year terms commencing at the end of the original terms upon notice to the Owner(s) and payment of an additional ONE THOUSAND DOLLARS CDN (\$1,000.00).

The City agrees:

1. To restore the property used to a condition as near as possible to its original condition.
2. That the Property will not be used for the storage of any construction vehicles, or construction materials, or the placement of any work trailers, at any time during the term of this Consent.
3. To indemnify, defend with counsel and save harmless the Owner from and against any and all claims, liabilities, demands, and cause of action of every kind and character, including claims of creditors of the City, liability on account of injury to, or death of, persons or damage of property and all costs and expenses of investigation and defence and all fines, fees, penalties, interest, judgements, compromises, settlements, other costs and legal fees incurred by the Owner in defence of same, on the count of or in any way incident to the use of the said property by the City's employees, agents and contractors, pursuant to this Consent.
4. To restore any disturbance to underground electrical and video cables running from the house to the existing fence line at the front of the driveway
5. To re-align the existing driveway access to house while maintaining interim access during the course of the construction at the City's expense with the following features as described in Schedule "B1"
6. The Purchaser agrees that all trees to be removed from the Vendor's property will be limbed, the branches mulched and the logs left stacked on the Vendor's remaining property.

The Owner agrees:

1. Upon acceptance of this Consent, the City shall have the right to enter upon the lands for the period and purposes set out herein.
2. The proposed use of the Consent has been discussed with the Owner and the sum set out as the consideration in this Consent is intended to include the payment for any reduction in market value suffered to the Owner's lands, if any, as a result of the City's use thereof, but excludes any physical damage to any portion of the Owner's lands which may occur during the construction period.

ADDITIONAL TERMS AND CONDITIONS:

24. **SECTION 25 PAYMENT:** The Parties acknowledge and agree that this Agreement represents an offer of compensation, that when executed by the Owners and accepted by the Council of the Corporation of the City of London will constitute full payment of the market value of the land and as such shall be deemed to have satisfied all Section 25 requirements of the *Expropriations Act*.
25. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein.

DATED at London this _____ day of _____,



Mary Maclean



Alfred Donald Maclean

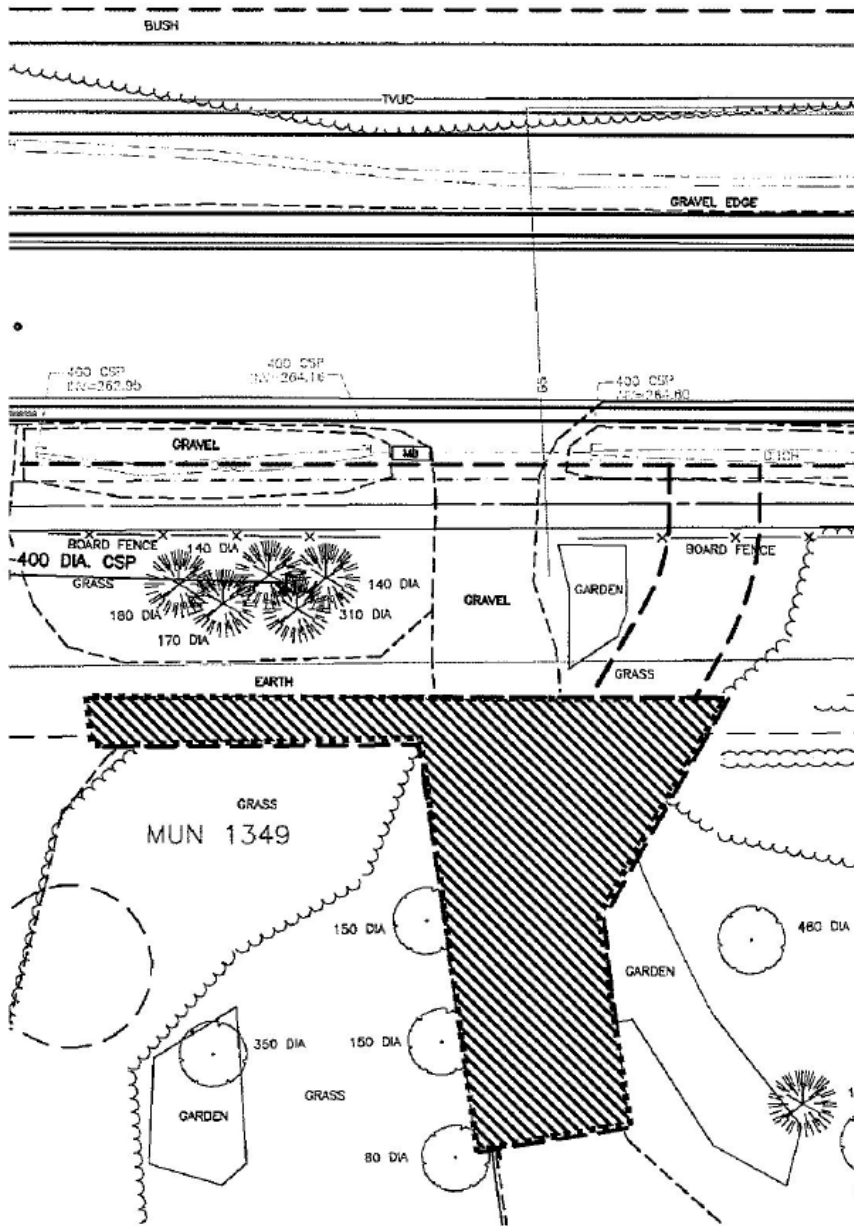
The Corporation of the City of London hereby accepts the above Grant of Temporary Easement and Consent to Enter and agrees to carry out the same on the terms and conditions herein contained.

THE CORPORATION OF THE CITY OF LONDON

Ed Holder, Mayor

Catharine Saunders, City Clerk

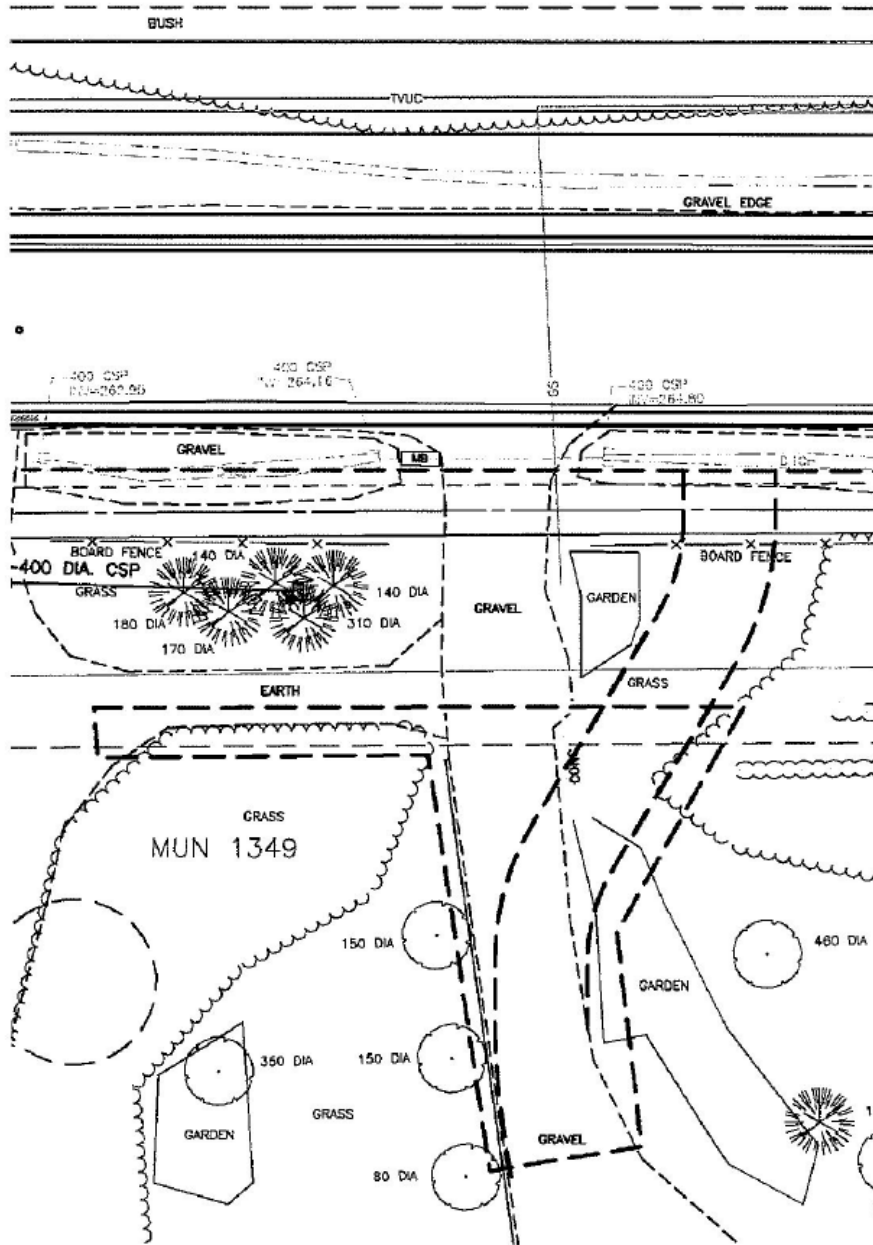
SCHEDULE "A1" Grant of Temporary Easement and Consent to Enter



MUN 1349



Schedule B1 "Driveway Realignment"





300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

August 4, 2021

Dear Colleagues,

On July 26th the Planning and Environment Committee voted down item 2.1 the “Oxford Wonderland Secondary Plan Terms of Reference” following questions from a number of Councillors regarding the prioritization of this secondary plan when no “west leg” of rapid transit has approval at this time, while the approved south leg of rapid transit “the Wellington Gateway” has not yet received secondary plan terms of reference or work to date.

It should be noted at the same PEC meeting an infill development at Dearness and Bradley (which would be in the secondary plan area for the Wellington Gateway) was deferred to Council. Development pressures are happening in numerous areas of the city, including along the approved rapid transit corridors. In order to give the rapid transit lines and infill projects the best chance of success and make the optimum use of staff time, it is our belief that prioritization of secondary plan developments should be focused on the approved rapid transit corridors at this time.

To that end we propose the following amendment to the committee recommendation to item 2.1 from the PEC agenda:

“that civic administration be directed to prioritize the development of the secondary plan for the Wellington Gateway corridor; and that staff be directed to report back at a future PEC meeting regarding the timing of future secondary plan development that prioritize the “transit village” place types identified in the London Plan”

Sincerely,

Elizabeth Pelozo
Councillor, Ward 12

Shawn Lewis
Councillor, Ward 2

Good Evening Council Members

I hope you and your family are doing well during these tough times.

I would like to have this placed on the Council Agenda.

I am writing you today regarding the proposed plans for the building at 400 Southdale Road East. I missed my opportunity to speak at the last public meeting on July 26, 2021.

I realize that something will be built on this site. What I have issue with is how many allowances the builders/developers want to put through. I feel that a 7-storey building is way too high for such a small lot. Current zoning only allows a 4-storey building bonusing to 6-storeys which is still too high. The zoning also requires a 45-degree angle to minimize shade impact which they want allowance to go outside this. They are also wanting zoning allowances to reduce the setback from the road as well as the size of the laneway. These are only a few of the many allowances they are requesting. Since neither company is from London, they do not know the area well or what our area is like day to day so do not see the impact of something of this magnitude will have on our area. I will be honest. I didn't appreciate the attitudes of the representatives from the applicant's representative. The eye rolling and skimming over questions and concerns like we don't matter really showed a lack of respect. I also want to mention that getting a response from the city has been a challenge. Some in the area have waited for answers to questions only to be ignored. I too had a question last week and never heard back from the city representative.

Back to the building height and shadows. I live directly behind the empty lot close to Dundalk. The shade and shadow we get from the Boardwalk building on Southdale is already too much. The shade from this building alone puts my front yard in shade the majority of winter. Adding a 7-storey building to the empty lot will significantly reduce the sun to my backyard as well as all the backyards on this side of Stockton. Winter will be the hardest for all of us. As it is, with winter we already have reduced sunlight during the day, but with this building we will get little to no sun at all, one has estimated that 3 to 4 months of shade in the winter months. This will no doubt affect the heating costs as well as delay snow from melting.

A building this size on such a small lot of land will create traffic issues both on Southdale and Dundalk. I know studies were done on this too but really, a study isn't all that helpful unless you see it day to day. There will be a back log of traffic at the lights on Southdale and Dundalk. It will be worse at high peak times when people are heading to and from work/school. There is not enough room for the amount of traffic with the only entrance and exit being so close to the corner. An advanced green for left turns is not really going to solve this issue.

Building a 7-storey, 181 unit building on this property is more than double the 90 units it is currently zoned for. That would mean that some floors are going to have at least 26 units on them. These would have to be very small since the land is not that big. This is a

school area with lots of children going to school and playing outside. Adding this building will put added pressure on an already full school. With the applicant providing only 4 of the 181 units to the city for affordable housing will not make any difference in the housing shortage that London is facing. These units are only one bedroom, so families in need will not be helped. Four units is only 2% of this building for affordable housing. That is an embarrassment. Housing costs have soared leaving those who were struggling before in a worse situation.

Traffic along Stockton will surely increase and speeders will continue to make this street unsafe for everyone on it.

Parking is another issue. There is little visitor parking compared to the number of units this is expected to have. It was mentioned that, I think the term was uncoupling, of the parking spaces from the units. The idea here is that not everyone will purchase a parking spot with the purchase of their condominium, leaving these spaces for visitors. In this day and age, many have a family car, in some cases, two cars. I find it hard to believe that someone would not purchase a parking space thinking ahead to resale. It would be harder to sell a condominium with no parking. London is not built the same that Toronto is. It is not always possible to take the bus or ride a bike. Take myself, for example. I work in Dorchester. There is no bus route that goes to Dorchester nor would I be riding my bike to work. Little visitor parking will cause there to be more parking on the surrounding streets. Not only visitor parking once complete, but during construction, crews will be using our streets as parking lots.

Having a 7-storey building on this lot leaves little privacy to those directly behind the building. Adding privacy glass to the balconies will only help the residents of the building and not the surrounding residents to the north. Sure, when people are sitting on their balconies, they won't be able to see clearly but are they not ever going to stand up?

The noise of vehicles entering and exiting the parking garage is another issue. That will be a lot of traffic for a small laneway and entrance right along the back of our properties. Even putting up a fence or retaining wall to help with this will cause other issues. The space between the 2 fences will become hiding grounds for illegal activities. This is a huge safety concern for all those in this community.

I do not want anything higher than the 4-storeys. Building a residential condominium building on this small lot of land will no doubt decrease the property values. It is not a good idea to go that high in this residential area as most of the lot will be building. I sincerely hope you take in to account those who live here and how this will impact us. I know the term NIMBY has been used in press articles, but honestly, if each of us asks ourselves, would I be alright with this being built in the way that it has been planned?

Thank you for taking the time to read the concerns.

Carrie Lumley
423 Stockton Street

July 23, 2021

To: Chair and Members Planning and Environment Committee & London City Council

From: Holden and Carey Rhodes, Owners of 1633 Gloucester Road, London

Subject: Medway Valley Heritage Forest Environmentally Significant Conservation Master Plan (CMP) (South) Phase II Public Participation Meeting – Meeting Date - July 26, 2021

Further to my correspondence to Council, dated April 17, 2018, we very much appreciate the dedicated hard work and consultation that has taken place between the City and the various parties referred to in the April 25, 2018 Council Resolution.

I have read the correspondence, of even date, submitted by our neighbours, George and Syd Sinker and agree with the matters set out therein.

Given the proposed changes, we are now in support of the Conservation Master Plan as amended, with the following caveats:

1. Trail status remain as a Level 1 trail; and
2. Removal of the Green Acres Access

Status Quo for Trail:

I think it is important to reiterate Section 2.2 of the Report to the PEC wherein it states as follows:

“Environmentally Significant Areas (ESAs) such as Medway Valley Heritage Forest are considered as the largest, highest quality areas within the City’s Natural Heritage System. ESAs are identified in the London Plan as ‘areas that contain natural features and perform ecological functions that warrant their retention in a natural state.’”

The Medway valley is an ESA and not a park or other type of recreational area. As such, increasing the intensity and refinement of the trail system would seem quite contrary to the protections afforded an ESA. The level of destruction to upgrade a Level 1 trail to something more intense (firm and stable) would require deforestation and a great deal of construction as the delta from Gloucester Road to the valley floor is upwards of 100 feet in various areas. Additionally, I am not aware of public demand for this sort of destruction within the ESA so unclear as to the motive for the City to proceed with it. There is an excellent alternative that provides far greater accessibility and parking to the area through the Elsie Perrin Williams Estate which is City owned/managed.

Green Acres Access Removal:

For the reasons stated in the correspondence of George and Syd Sinker, we agree that this access point is not necessary or desired by the neighbours most closely affected or by the public generally and that an encroachment agreement ought to be entered into with the owners of 74 and 84 Green Acres Drive.

Sincerely,



Holden & Carey Rhodes

July 23, 2021

To: Chair and Members of the Planning and Environment Committee

Re: Medway Valley Heritage Forest ESA (South) Conservation Master Plan

From: Tom and Jane Tillmann, 1663 Gloucester Road

Dear Members,

We and our three children have lived at 1663 Gloucester Road for over 25 years and have developed a strong connection with our neighbours and neighbourhood.

Firstly we would like to commend the work of City Staff for their work and dedication in the development of the Conservation Master Plan (CMP) for the Medway Valley Heritage Forest ESA. With many moving parts, we recognize this is a complex piece of the landscape to get right. We have also appreciated the open dialogue we have had with some members of your committee and of our Councillor, Josh Morgan.

We have previously expressed our thoughts in writing to the City and are following up today with evolved thoughts on a few components of the proposed CMP.

Green Acres Access

We find it difficult to make sense of the need, cost and effort required to make this connection between the two homes at 74 and 84 Green Acres Drive, given there are nine existing access points on the east side of the valley. Three of these existing access points exist in our neighbourhood and provide ample access to the Medway Valley Heritage Forest (1. Elsie Perrin Williams Estate; 2. Windermere (at Ryersie Road); 3. Gloucester Road). We would strongly advocate that this access point be removed from the CMP or at a minimum be deferred until such time that the details and necessity for this access can be fully demonstrated.

Gloucester Road Access

We are pleased to see that this component of the CMP has been deferred and will be considered at a future meeting of the PEC. We would ask that as a part of that consideration, that any improvement or modification to the existing type I trail take into account the requirements of O.Reg. 19/11: Integrated Accessibility Standards, Clause 80.15, item 5. Essentially this clause deals with exceptions to the design of recreational trails and the protection of the natural landscape, wildlife and species at risk.

Elsie Perrin Williams Estate Access (EPWE)

We are of the opinion that with minimum effect on the existing Medway Valley Heritage ESA and modest costs, the access at EPWE provides a superior access and trail for all. We understand that the EPWE is managed by the Heritage London Foundation which includes an ample existing surface parking lot. Surely the City and Heritage London Foundation could come to a mutual agreement on a shared use of this parking lot. The 4 existing parking spaces at the Windermere Road access are simply not sufficient to support what will most likely be an increase in traffic and use of the trail following the implementation of the CMP.

We thank you for the opportunity to participate in this important process.

Tom and Jane Tillmann

I am a resident of the Sherwood Forest community and have had a long-standing interest in the use and protection of the Medway Valley ESA.

The ESA is an integral part of our community and protecting the ecological integrity of this green space is a priority for me, my family, and many of my neighbours. We enjoy incredible biodiversity in this part of the city in large part because the ESA is a small but relatively intact sanctuary for many native plant and animal species. We feel strongly that the ecological integrity of the ESA should be respected.

I have reviewed the details of the Medway Valley Master Plan and feel it does a good job achieving this goal while balancing the needs for recreational utilization and accessibility.

I encourage members of council to adapt the Medway Valley ESA Conservation Master Plan in its current form.

J Bruce Morton
11 Doncaster Avenue

--

J Bruce Morton, PhD
Professor, Department of Psychology
Principal Investigator, Brain and Mind Institute
Core Faculty, Neuroscience Graduate Program
Director, Cognitive Development and Neuroimaging Laboratory
University of Western Ontario
London, Ontario
CANADA
N6A 3K7

Community and Protective Services Committee

Report

11th Meeting of the Community and Protective Services Committee
July 27, 2021

PRESENT: Councillors J. Helmer (Chair), S. Lewis, M. Salih, A. Kayabaga, S. Hillier, Mayor E. Holder

ALSO PRESENT: J. Bunn and K. Van Lammeren

Remote Attendance: Councillors S. Lehman and M. van Holst; H. Chapman, K. Dickins, G. Kotsifas, L. Livingstone, J.P. McGonigle, N. Musicco, M. Schulthess, C. Smith, G. Smith, B. Somers

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 and 2.2 BE APPROVED.

Yeas: (5): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 6th Report of the Animal Welfare Advisory Committee

Moved by: S. Lewis
Seconded by: S. Hillier

That the 6th Report of the Animal Welfare Advisory Committee, from its meeting held on July 8, 2021, BE RECEIVED.

Motion Passed

2.2 Middlesex-London Paramedic Service - 2020 Performance Report

Moved by: S. Lewis
Seconded by: S. Hillier

That the communication, dated June 23, 2021, from K. Bunting, Middlesex County, as well as the 2020 Performance Report for the Middlesex-London Paramedic Service, as appended to the agenda, BE RECEIVED. (2021-P16)

Motion Passed

2.3 Special Events Policies and Procedures Manual – Deferred Matters File No. 2

Moved by: M. Salih

Seconded by: S. Lewis

That NO ACTION BE TAKEN with respect to the staff report dated July 27, 2021, related to the Special Events Policies and Procedures Manual – Deferred Matters File No. 2 with respect to limiting amplified concerts on weekdays after Labour Day between the hours of 9:00 AM and 9:00 PM for 2021; it being noted that the above-noted staff report, with respect to this matter, was received. (2021-M02)

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3. Scheduled Items

None.

4. Items for Direction

4.1 3rd Report of the Community Safety and Crime Prevention Advisory Committee

Moved by: E. Holder

Seconded by: A. Kayabaga

That the following actions be taken with respect to the 3rd Report of the Community Safety and Crime Prevention Advisory Committee, from its meeting held on June 24, 2021:

a) a Working Group BE ESTABLISHED, led by T. Khan, to undertake a review of the Community Safety and Crime Prevention Advisory Committee (CSCP) and to report back at the August 26, 2021 CSCP meeting; it being noted that the CSCP held a general discussion and heard verbal updates from C. Smith, Deputy City Manager, Neighbourhood and Community-Wide Services, B. Westlake-Power, Deputy City Clerk and M. Schulthess, Deputy City Clerk, with respect to the Advisory Committee Review - Interim Report VI;

b) a Working Group BE ESTABLISHED consisting of B. Fragis, D. Luthra and B. Madigan, relating to two components of the Community Safety and Crime Prevention Advisory Committee (CSCP) Terms of Reference, as follows:

i) developing, encouraging and promoting activities and education programs for Londoners of all ages on safety in the community, such as (but not limited to) injury prevention, pedestrian safety, traffic safety, bicycle safety, water safety and fire prevention; and,

ii) developing, encouraging and promoting activities and education programs for Londoners of all ages on the prevention of crime in the community;

it being noted that the contact and coordination with departments, agencies, community associations and boards and commissions BE POSTPONED to the August 26, 2021 CSCP meeting;

c) Councillor Jesse Helmer, Chair, Community and Protective Services Committee (CPSC) BE REQUESTED to attend the August 26, 2021 Community Safety & Crime Prevention Advisory Committee (CSCP) meeting to discuss various initiatives of the CPSC and to recommend how CSCP may contribute as a resource for the CPSC as described in the CSCP Terms of Reference; and,

d) clauses 1.1, 2.1 and 4.2 BE RECEIVED.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4.2 6th Report of the Accessibility Advisory Committee

Moved by: E. Holder

Seconded by: A. Kayabaga

That the following actions be taken with respect to the 6th Report of the Accessibility Advisory Committee, from its meeting held on June 24, 2021:

a) the following actions be taken with respect to E-Scooters in the City of London:

i) the revised attached comments, outlining the opinions of the Accessibility Advisory Committee with respect to E-Scooters in the City of London BE FORWARDED to the Civic Administration for consideration; and,

ii) the Civic Administration BE REQUESTED to engage in external feedback acquisition in a public forum to solicit feedback on this matter;

b) the attached comments, outlining the opinions of the Accessibility Advisory Committee with respect to Accessibility Advisory Committee Terms of Reference, BE FORWARDED to the Civic Administration to be considered as part of the Advisory Committee Review; and,

c) clauses 1.1, 2.1, 2.2, 3.1 to 3.3 and 4.3 BE RECEIVED.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4.3 Property Standards By-laws CP-16 and A-35

Moved by: E. Holder

Seconded by: S. Hillier

That the communication, dated June 8, 2021, from M. Lalaberte, Neighbourhood Legal Services and J. Thompson, Life*Spin, with respect to Property Standards By-laws CP-16 and A-35, BE RECEIVED. (2021-C01)

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4.4 Recognizing the Impact of Hosting the COVID-19 Assessment Centres at Oakridge Arena and Carling Heights Optimist Community Centre

Moved by: J. Helmer

Seconded by: E. Holder

That the following actions be taken with respect to the communication, dated July 6, 2021, from Councillors S. Lehman and J. Helmer and Mayor E. Holder, related to Recognizing the Impact of Hosting COVID-19

Assessment Centres at Oakridge Arena and Carling Heights Optimist Community Centre:

- a) the Civic Administration BE DIRECTED to consult residents, especially those close to the COVID-19 assessment centres, about priorities for new recreational amenities or upgrades to existing recreational amenities in the general area; and,
- b) the Civic Administration BE DIRECTED to explore potential provincial and federal funding opportunities for recreational infrastructure and to report back with recommended new or upgraded recreational amenities in the general area of both testing centres, along with a recommended source of financing;

it being noted that the above-noted communication, with respect to this matter, was received. (2021-S08)

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4.5 Business Case Request for Agricultural Transitional Housing Project

Moved by: S. Lewis

Seconded by: S. Hillier

That the communication, dated July 15, 2021, from Councillor M. van Holst, with respect to a Business Case Request for Agricultural Transitional Housing Project, BE REFERRED to the Civic Administration for consideration with the Housing Stability Plan. (2021-D04)

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: S. Lewis

Seconded by: S. Hillier

That the Deferred Matters List for the Community and Protective Services Committee, as at July 19, 2021, BE RECEIVED.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

6. Confidential

Moved by: S. Lewis

Seconded by: S. Hillier

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

6.1. Personal Matters/Identifiable Individual

A matter pertaining to personal matters about an identifiable individual, including municipal or local board employees, with respect to the Awarding of the 2021 Queen Elizabeth Scholarships.

Yeas: (6): J. Helmer, S. Lewis, M. Salih, A. Kayabaga, S. Hillier, and E. Holder

Motion Passed (6 to 0)

The Community and Protective Services Committee convened, In Closed Session, from 5:01 PM to 5:09 PM.

7. Adjournment

The meeting adjourned at 5:10 PM.

Given the information that we have received, in addition to both lived experience and the examples set by Canadian municipalities such as Montreal and Toronto, the City of London's Accessibility Advisory Committee is unable to support the City's participation in a pilot project allowing electronic scooters (e-scooters) in public.

While the majority of our concerns are specific to challenges that these scooters pose to members of the accessibility community, they are complemented by a lack of proven benefit that would set the foundation for further discussion. The supposed environmental benefits, as proven in a North Carolina study looking at e-scooter user behaviour, are spurious at best. These e-scooters are not being used by those forsaking vehicles, but rather are generally used by those who normally walk or bike to destinations -- both of which are far more ecologically responsible forms of transportation.

And we have yet to broach the topics of injury liability, potential for theft and the related replacement costs, and additional enforcement costs that the City would be forced to absorb to meet even the minimum safety and accessibility thresholds we would expect.

So with little to no benefit, yet so much risk, we see no reason to move forward with this project. As per the City of London's Diversity and Inclusion Policy states, the City is committed to "removing system barriers to accessibility and access as experienced by our community by listening and responding to the voices of those who are marginalized."

Our "marginalized" community is expressing these concerns in advance in order to prevent the establishment of a system barrier, and we hope that prevention carries just as much weight as after-the-fact remediation efforts.

Our concerns are as follows:

- E-scooters are often discarded in locations away from their designated areas. As staff have suggested that these scooters are intended for last-kilometer traffic, one could make a reasonable assumption that they will be left on sidewalks and doorways that represent the end of that destination. That "reasonable assumption" is further reinforced by the examples of cities like Montreal, where pilot projects were ended due to this behaviour.
- Discarded e-scooters pose a risk to those with visual challenges, mobility challenges, and who use wheelchairs. Unexpected obstacles on the sidewalk, boulevard, or even along the street can pose trip-and-fall hazards for people with visual challenges, and they can effectively block people in wheelchairs, people pushing strollers, or those using walkers from progressing down pedestrian walkways.
- E-scooters are silent and pose a risk to those with visual and auditory challenges. If ridden on the sidewalk, they are an unexpected vehicle on a pedestrian-first pathway.

The Accessibility Advisory Committee fully supports the development of a multi-modal transportation model for the City of London. We have supported the integration of safely designed bike lanes, but we feel e-scooters have proven to be problematic in other communities and we encourage you to follow the example set by the City of Toronto in not voting to support a pilot project.

If the Toronto example does not suffice, we encourage you to learn from the experiences of other communities, such as Montreal, which shut down their projects specifically as a result of the manifestation of the concerns that we've expressed.

We appreciate that the lobbyist for the vendor has suggested that these concerns can be alleviated through enforcement and technological restrictions that would prevent these devices from accessing sidewalks. But we question at what cost? Who bears both the additional upfront costs and the ongoing residual costs (e.g. enforcement officers? Technological maintenance to ensure that "no-ride" zones are maintained?)

We feel that the risks, both in terms of accessibility, liability, and long-term costs far outweigh any perceived benefit (which, at this point, is restricted to some nebulous "cool factor" for the

downtown, as the environmental benefits are simply non-existent -- especially when one factors in the environmental cost of producing these scooters, and, ultimately, maintaining and replacing them.)

It is our hope that the Civic Works Committee and/or Municipal Council rejects the opportunity to participate in this pilot project.

The committee recommends that the civic administration engages in external feedback acquisition in a public forum to solicit feedback on this matter. This includes both individual community members and representatives of potentially impacted organizations.

Signed,

The City of London's Accessibility Advisory Committee
Letter endorsed at its June 24, 2021 meeting.

The Accessibility Advisory Committee has reviewed the proposed Terms of Reference and has requested the following reinstatements and additions. Some of the items that have been proposed to be removed negatively impact the committee in that they prevent us from fully embracing the scope of the Committee's mandate.

As well, we have included language in the role, mandate, and duties section to reflect the need for accessibility to be looked upon by the "Corporation" as reflective of ableist structures and policies, to better align the committee and the language with the desired inclusive nature of the City's other documentation, including but not limited to, its Diversity and Inclusion policy.

This version is presented as an example of desired edits to the current state. However, we feel that council documentation, as a whole, should embrace Plain Language principles and adhere to the concept of universal accessibility. As it stands, this document scores a 12.8 on the Flesh Reading Ease Scale. The desired score for universal accessibility is 60.

At 12.8, this score is aligned to college graduates and is described as "very difficult to read. Best understood by university graduates." It is also at the high-end of that difficulty scale, on the cusp of Professional -- described as "Extremely difficult to read. Best understood by university graduates."

The Government of Canada in its Policy on Communications and Federal Identity embraces a move to Plain Language communication. Medical and legal organizations throughout North America have been moving towards embracing Plain Language to ensure that content is accessible to all users and that linguistic barriers do not prevent people from accessing and understanding content. And the City of London's communications team has embraced Plain Language in all of its web content.

Universal accessibility is not targeted towards the accessibility community. In fact, universal accessibility supports the needs of all users -- not only those with educational barriers, but also for our growing community for whom English may not be their first language. Universal accessibility promotes writing content in a manner that ensures comprehension, and we strongly recommend that all City of London documentation should be written in a way to promote universal accessibility.

With that, our minimum threshold edits are presented in bold, as follows:

APPENDIX A

Terms of Reference Accessibility Advisory Committee

Role

The role of an advisory committee is to provide recommendations, advice and information to the Municipal Council on those specialized matters which relate to the purpose of the advisory committee **[edit reinstate the following “, to facilitate public input to City Council on programs and ideas and to assist in enhancing the quality of life of the community.”]**

The establishment and role of the Accessibility Advisory Committee is mandated by the Accessibility for Ontarians with Disabilities Act, 2005, SO 2005, c 11.
Definitions (AODA 2005)

“the organizations” refers to:

- the City of London and may refer to the City's Agencies, Boards and Commissions, to be determined subject to the Ontarians with Disabilities Act, 2001 (ODA 2001) and the Accessibility for Ontarians with Disabilities Act, 2005 (AODA 2005) and its regulations. It is intended that the Accessibility Advisory Committee shall advise comprehensively upon issues **[add: “that promote the dismantling of existing ableist structures and work to prevent the creation of new ableist structures towards establishing” (remove “for)]** a barrier-free London which may entail forwarding recommendations to the City's Agencies, Boards and Commissions and/or other outside organizations;

“barrier” means:

- anything that prevents a person with a disability from fully participating in all aspects of society because of their disability, including a physical barrier, an architectural barrier, an information or communication barrier, an attitudinal barrier, a technological barrier, a policy or a practice (“obstacle”);

“disability” means:

- any degree of physical disability, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device;
- a condition of mental impairment or a developmental disability;
- a learning disability, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language;
- a mental disorder; or
- an injury or disability for which benefits were claimed or received under the insurance plan established under the Workplace Safety and Insurance Act, 1997; (“handicap”).

Mandate

The Accessibility Advisory Committee (ACCAC) shall advise and assist “the organizations” in **[add: “working towards dismantling existing ableist structures, preventing the creation of new ableist structures, and]** promoting and facilitating a barrier-free London for citizens of all abilities (universal accessibility). This aim shall be achieved through the review of municipal policies, programs and services, which may include the development of means by which an awareness and understanding of matters of concern can be brought forward and the identification, removal and prevention of barriers faced by persons with disabilities, and any other functions prescribed under the Ontarians with Disabilities Act,

2001 (ODA 2001), Accessibility for Ontarians with Disabilities Act, 2005 (AODA 2005) and regulations.

APPENDIX A

The Accessibility Advisory Committee reports to Municipal Council, through the Community and Protective Services Committee. The Accessibility Advisory Committee is responsible for the following: Duties Required by the Accessibility for Ontarians with Disabilities Act, 2005 (AODA 2005)

- A. participating in the development and/or refinement of the City of London's Multi- Year Accessibility Plan, which outlines the City of London's strategy to prevent and remove barriers for persons with disabilities;
- B. advising the City of London on the implementation and effectiveness of the City's Multi-Year Accessibility Plan to ensure that it addresses the identification, removal and prevention of barriers to persons with disabilities in the City of London's by-laws, and all its policies, programs, practices and services;
- C. selecting and reviewing in a timely manner the site plans and drawings for new development, described in section 41 of the Planning Act;
- D. reviewing and monitoring existing and proposed procurement policies of the City of London for the purpose of providing advice with respect to the accessibility for persons with disabilities to the goods or services being procured;
- E. reviewing access for persons with disabilities to buildings, structures and premises (or parts thereof) that the City purchases, constructs, significantly renovates, leases, or funds for compliance with the City of London's Accessibility Design Standards (FADS);
- F. Consulting on specific matters as prescribed under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA 2005)

Other Duties

- G. advising "the organizations" on issues and concerns (barriers) faced by persons with disabilities and the means by which "the organizations" may work towards the elimination of these barriers;
- H. annually reviewing and recommending changes to The City of London's Facility Accessibility Design Standards (FADS) and other applicable and related policies including, but not limited to, sidewalk design, traffic signalization, public works etc.;
- I. supporting, encouraging and being an ongoing resource to "the organizations", individuals, agencies and the business community by educating and building community awareness about measures (such as the availability of employment, leisure and educational choices) for improving the quality of life for persons with disabilities, through the removal of physical barriers, incorporation of universal design standards, and education to overcome attitudinal barriers to make London an accessible, livable City for all people.

[Reinstate:

- **i) advising "the organizations" on universal transportation issues and how to enable barrier-free access for persons with disabilities. Issues related to**

universally accessible forms of transportation, conventional transit and taxi services, specialized services such as Para-transit, sidewalk design (curb cuts), traffic signalization, etc. shall be considered;

- **(ii) advising, consulting and reporting findings and recommendations to “the organizations” on matters related to the status of persons with disabilities. The Committee shall be informed on matters of government policy (municipal, provincial or federal) affecting persons with disabilities and shall inform “the organizations” about the impact of these policies on London;**
- **(iii) reviewing and making recommendations on barriers faced by persons with disabilities to existing facilities owned, leased, or operated (in full or part) by the City of London;**
- **(iv) reviewing public works policies and standards (sidewalks, snow removal, etc.) and advising “the organizations” on the accessibility for persons with disabilities;**
- **(iv) coordinating the immediate and ongoing dissemination of information in various formats to the disabled community, etc. and to the public at large regarding issues faced by persons with all types of disabilities and regarding the work undertaken by the Accessibility Advisory Committee; and**

Add

- **v) in accordance with the principles of the City’s Diversity and Inclusion Policy, work with “the organizations” to identify ableist structures, policies, and behaviours, and work towards both dismantling existing barriers and preventing the introduction of new ableist policies and structures.]**

Composition

Voting Members

A maximum of thirteen members consisting of:

- a majority of the members (minimum 7) shall be persons with disabilities as required under the Accessibility for Ontarians with Disabilities Act, 2005 (AODA 2005). The Committee members shall be representative of gender, ethnicity and diverse types of disabilities wherever possible; and
- a maximum of six additional members, as follows:
 - one member (parent) representing children with disabilities; and
 - five members-at-large, interested in issues related to persons with disabilities

it being noted that these additional members may also have a disability.

Non-Voting Resource Group

Non-Voting and Resource members may be engaged as the committee deems necessary.

APPENDIX A

Staff Resources

Staff resources will be allocated as required, however the specific liaison shall be the Supervisor, Municipal Policy (AODA), or designate.

Sub-committees and Working Groups

The Advisory Committee may form sub-committees and working groups as may be necessary to address specific issues; it being noted that the City Clerk's office does not provide resources or support to these groups. These sub-committees and working groups shall draw upon members from the Advisory Committee as well as outside resource members as deemed necessary. The Chair of a sub-committee and/or working group shall be a voting member of the Advisory Committee.

Term of Office

Appointments to advisory committees shall be determined by the Municipal Council.

Conduct

The conduct of Advisory Committee members shall be in keeping with Council Policy.

Meetings

Meetings shall be once monthly at a date and time set by the City Clerk in consultation with the advisory committee. Length of meetings shall vary depending on the agenda. Meetings of working groups that have been formed by the Advisory Committee may meet at any time and at any location and are in addition to the regular meetings of the Advisory Committee.

Corporate Services Committee

Report

13th Meeting of the Corporate Services Committee
July 26, 2021

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

ALSO PRESENT: K. van Lammeren, B. Westlake-Power

Remote Attendance: Councillors S. Lewis, A. Hopkins and S. Hillier; L. Livingstone, A. Anderson, A. Barbon, G. Barrett, I. Collins, G. Dales, K. Dickins, M. Galczynski, M. Goldrup, J. Logan, A. Macpherson, J. McMillan, K. Murray, K. Scherr, M. Schulthess, K. Shahata, E. Skalski, C. Smith, B. Warner, L. Workman, P. Yeoman

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

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

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

That items 2.1 to 2.6 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 Optional Small Business Subclass Summary and Analysis

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

That, on the recommendation of the Deputy City Manager, Finance Supports, the staff report dated July 26, 2021 with respect to the optional small business subclass BE RECEIVED for information, and that no further action BE TAKEN with respect to this matter.

Motion Passed

2.2 Corporate Asset Management Plan 2021 Review

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

That, on the recommendation of the Deputy City Manager, Finance Supports, the staff report dated July 26, 2021 with respect to the Corporate Asset Management Plan 2021 Review BE RECEIVED for information.

Motion Passed

2.3 2020 Annual Parkland Reserve Fund Report

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

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken:

a) the 2020 Annual Parkland Reserve Fund Report BE RECEIVED for information in accordance with section 7 of the O. Reg. 509/20: Community Benefits Charges and Parkland, 2020, as well as section 42 (17) of the *Planning Act, 1990*, which require Municipal Council to provide an annual financial statement on special accounts for the conveyance of land for park purposes; and,

b) the Deputy City Manager, Finance Supports BE DIRECTED to make the 2020 Annual Parkland Reserve Fund Report available to the public on the City of London website to fulfill Municipal Council's obligation under section 7 of the O. Reg. 509/20: Community Benefits Charges and Parkland, 2020.

Motion Passed

2.4 Declare Surplus – City-Owned Property – 2 Saunby Street

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

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to City-owned property, located at 2 Saunby Street, further described as Part 1, Plan 33R-20979, the following actions be taken:

a) the subject property BE DECLARED SURPLUS; and,

b) the subject property ("Surplus Lands") BE SOLD, in accordance with the City's Sale and Other Disposition of Land Policy.

Motion Passed

2.5 2020 Investment Report

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

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to the 2020 Investment Report:

a) the above-noted staff report, providing a summary of the performance of the City of London's investment portfolio in 2020, BE RECEIVED for information; and,

b) the proposed by-law as appended to the staff report dated July 26, 2021 as Appendix "B" BE INTRODUCED at the Municipal Council meeting on August 10, 2021, to amend By-law CPOL.-39(a)-371 being a by-law to amend By-law CPOL.-39(a)-371 being "Investment Policy".

Motion Passed

2.6 Council Policy Manual Review 2021

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

That, on the recommendation of the City Clerk, the following actions be taken with respect to the “Policy for the Establishment and Maintenance of Council Policies”:

a) the proposed by-laws, as appended to the staff report dated July 26, 2021 as Appendices B1 to B34, BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021, to amend the following Council Policies:

1. “Access and Privacy Policy” to be amended to:
 - apply grammatical corrections and gender-neutral language;
 - remove references to “Managing Director” and replace with “Deputy City Manager”
 - add the definition of “Privacy Impact Assessment”, and “Project” as it relates to a privacy impact assessment in section 2;
 - add “reporting and investigating privacy breaches” to the responsibilities of the City Clerk in section 4.2;
 - add paragraph related to the Transmitting of Personal Information to External Parties in section 4.8;
 - provide clarity related to the City Clerk’s role and responsibilities related to privacy breaches in section 4.9; and
 - add a new section 4.10 outlining the requirement for staff to conduct a Privacy Impact Assessment if a project or initiative if, in the City Clerk’s opinion, one is required.
2. “Accountability and Transparency to the Public Policy” to be amended to reflect Council’s current Values.
3. “Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy” to be amended to redefine the Council Year to reflect changes to section 6 of the MEA.
4. “Assessment Growth Policy” to be amended to provide for strengthened eligibility criteria and for the prioritization of requests.
5. “Capital Budgets and Financing Policy” to be amended to update the definitions and policy sections.
6. “City of London Community Suite Policy” be amended to clarify wording in liability section.
7. “Code of Conduct for Members of Council” to be amended to:
 - apply grammatical corrections;
 - delete section 3.5 as it is duplicated in section 9;
 - reference current Respectful Workplace Policy in section 7; and
 - delete duplicate wording in section 6.1 as it is reflected in section 6.5.
8. “Debt Management Policy” to be amended to update objectives for the addition of intergenerational equity and maintaining a strong credit rating, and to update the policy section for clarity.
9. “Dedication of Fire Stations” policy be amended to update applicable Fire Stations and service area title.
10. “Discretionary Benefits” to be amended to address the intent of Discretionary Benefits and the new Provincial model towards life stabilization.

11. “Financial Assistance for Program Activity Fees” to be amended to update and clarify language, to add a new section 4.11 concerning applicants receiving financial assistance from the province, and to renumber the sections accordingly.
12. “Flags at City Hall Policy” to be amended to clarify that flags at the back entrance of City Hall are to be removed over the winter.
13. “Gender Equity in Recreation Services” policy be amended to modernize language in three definitions (2.2 to 2.4), to add a section 4.iii under Policy to address removing barriers, and to update position and service area titles.
14. “Grants to Centennial Hall” to be amended to remove outdated language.
15. “Hiring of Employees Policy” to be amended to update references and numbering, and to add the phrase “or harassment” to updated section 4.2.
16. “Identification of Operating Surpluses – Boards and Commissions” to be amended to align wording in applicability and policy sections with the budget monitoring process.
17. “Leasing and Licensing of City Owned Land” to be amended to incorporate wording from repealed policy, “Leasing Parkland”
18. “Legal Services and Accounts” to be amended to change the claim amount to align with thresholds in the Procurement Policy.
19. “Lessee Protection and Non-Competitive Clauses” to be amended to change the title to “Lessee Protection and Non-Competitive Clauses – Centennial Hall” to reflect the scope of the policy.
20. “London Community Grants Policy” to be amended to delete reference to Housing Development Corporation, London (HDC) in section 4.3(b)(v).
21. “Mayor – Contracted Staff” to be amended to add clarifying language about benefits.
22. “Mayor’s New Year’s Honour List Policy” to be amended to clarify eligibility criteria for nomination.
23. “Multi-Year Budget Policy” to be amended to update definition and policy sections, and to clarify applicability to the property tax supported as well as water and wastewater budgets.
24. “Notices of OPA and ZBA Received From Other Municipalities” to be amended to clarify 4(a) that where there are no municipal concerns identified by the Director, Planning & Development no response or further action is required.
25. “Objectives of Centennial Hall” to be amended to add clarifying language in section 4(b).
26. “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities” be amended to change the policy title to “Request to Waive or Reduce Facility Rental Fees” and to update position and service area titles.
27. “Promotion of Corporate Products to City Staff” to be amended to add clarifying language.

28. "Public Notice Policy" to be amended to:

- reflect Council's current Values and apply minor grammatical corrections;
- remove references to the "Committee of the Whole" and "Board of Control";
- delete references to the "annual" budget and replace with "multi-year";

and

- remove the reference to "shall" and replace with "may" with regards to notice being published in the newspaper advising of a new or amended procedure by-law; and
- add a requirement to provide notice of intent to implement a new municipally managed private commercial parking lot. Notice of intent shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least seven days in advance of the committee meeting.

29. "Real Property Acquisition Policy" to be amended to incorporate changes to legislation.

30. "Reduced Rental Rates for Non-Profit Groups" to be amended to update staff titles and reference to the Fees and Charges By-law.

31. "Reserve and Reserve Fund Policy" to be amended to update policy section to ensure policy directive for external loans and refinements to principles to be considered if Council approves external loans.

32. "Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination)" to be amended to add clarifying language.

33. "Surplus Deficit Policy" to be amended to clean up the policy section.

34. "Urban Design Award" to be amended to include the use of virtual methods for nominating and evaluating nominees, and to clarify the process for selecting the winner of the People's Choice Award.

b) the proposed by-laws, as appended to the staff report dated July 26, 2021 as Appendices C1 to C4, BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021, to repeal the following Council Policies:

1. "Leasing Parkland" to be repealed because language is being incorporated into the Council policy "Leasing and Licencing of City-Owned Land".

2. "Parkland Accounts" to be repealed because the policy is redundant and no longer required.

3. "Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London" to be repealed because London Plan Policies 1099A-1099F are now in force.

4. "Value of Parkland Dedication" to be repealed because the information it contains is currently duplicated in the Council Policy titled "Parkland Dedication Cash in Lieu";

it being noted that the Corporate Services Committee received a communication dated July 22, 2021 from C. Butler with respect to this matter.

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

4.1 Consideration of Applications to the London Hydro Inc. Board of Directors (Requires 1 Member)

Moved by: M. van Holst

Seconded by: J. Morgan

That interviews BE ARRANGED with the following applicants for consideration of appointment to the London Hydro Inc. Board of Directors for the current Board vacancy:

Tania Goodine

Margaret Parks

Steven Stefanko

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

Motion Passed (6 to 0)

Voting Record:

Moved by: M. van Holst

Seconded by: E. Holder

That the Corporate Services Committee members select up to three candidates for the purpose of interviews for an appointment to the London Hydro Board of Directors.

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

Motion Passed (6 to 0)

Election

London Hydro Inc. Board of Directors - selection of three candidates for interviews

Ayman Abu Sharkh(11.76 %):A. Kayabaga, E. Peloza

Tania Goodine(29.41 %):M. van Holst, M. Cassidy, J. Morgan, A.

Kayabaga, E. Holder

Trevor Hunter(11.76 %):M. Cassidy, A. Kayabaga

James MacNeill(11.76 %):E. Peloza, E. Holder

Margaret Parks(17.65 %):M. van Holst, M. Cassidy, J. Morgan

Mark Rosehart(0.00 %):None

Lee Smithson(0.00 %):None

Steven Stefanko(17.65 %):J. Morgan, E. Peloza, E. Holder

Mary Helen Walsh(0.00 %):None

Majority Winner: Tania Goodine; Margaret Parks; Steven Stefanko

4.2 Application - Issuance of Proclamation - Bullying Elimination Week

Moved by: M. van Holst

Seconded by: J. Morgan

That the proclamation requests, Items 4.2 and 4.3, BE APPROVED.

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

Motion Passed (6 to 0)

That based on the application dated June 14, 2021 from Bullying Elimination Week, May 23 - 30, 2022 BE PROCLAIMED as Bullying Elimination Week.

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

Motion Passed (6 to 0)

4.3 Application - Issuance of Proclamation - October is Caribbean Heritage Month in Canada

That based on the application dated June 18, 2021 from Caribbean Women's Society, October 1-31, 2021 BE PROCLAIMED as October is Caribbean Heritage Month in Canada.

Yeas: (6): M. Cassidy, M. van Holst, J. Morgan, E. Peloza, 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. Peloza

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

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

6.4 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.

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 12:50 PM to 1:09 PM.

7. Adjournment

The meeting adjourned at 1:10 PM.

Civic Works Committee

Report

The 10th Meeting of the Civic Works Committee
July 27, 2021

PRESENT: Councillors E. Pelozza (Chair), J. Helmer, M. Cassidy, P. Van Meerbergen, Mayor E. Holder

ABSENT: S. Turner

ALSO PRESENT: K. Van Lammeren and A. Pascual.

Remote Attendance: Councillors S. Hillier and S. Lewis; G. Belch, J. Dann, U. DeCandido, D. MacRae, K. Oudekerk, D. Popadic, A. Rammeloo, K. Scherr, J. Simon, B. Somers, J. Stanford, and B. Westlake-Power.

The meeting was called to order at 12:01 PM with Councillor E. Pelozza in the Chair; it being noted that the following Members were in remote attendance: Mayor E. Holder, Councillors M. Cassidy, J. Helmer, and P. Van Meerbergen.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: J. Helmer

Seconded by: P. Van Meerbergen

That Items 2.1, 2.2, 2.3, 2.4, 2.5, 2.6, and 2.8 BE APPROVED.

Yeas: (5): E. Pelozza, J. Helmer, M. Cassidy, P. Van Meerbergen, and E. Holder

Absent: (1): S. Turner

Motion Passed (5 to 0)

2.1 6th Report of the Transportation Advisory Committee

Moved by: J. Helmer

Seconded by: P. Van Meerbergen

That the 6th Report of the Transportation Advisory Committee, from its meeting held on June 29, 2021, BE RECEIVED.

Motion Passed

2.2 Amendments to the Traffic and Parking By-law

Moved by: J. Helmer

Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the three proposed by-laws as appended to the staff report dated July 27, 2021 as Appendices A, B, and C, BE INTRODUCED at the Municipal Council meeting to be held on August 10, 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-T02/T08)

Motion Passed

2.3 Greenway Organic Rankine Cycle Project - Connection Agreement with London Hydro

Moved by: J. Helmer

Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated July 27, 2021, related to the execution of a Connection Agreement between The Corporation of the City of London and London Hydro for power generation at the Greenway Wastewater Treatment Plant:

- a) the proposed by-law, as included on the Added Agenda, BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021, to authorize the Mayor and the City Clerk to execute the above-noted Agreement; and,
- b) the Mayor and the City Clerk BE AUTHORIZED to execute any additional documents, if required, to give effect to the Agreement. (2021-E06)

Motion Passed

2.4 RFT 21-51 Supply and Delivery of Steel Guiderail and Accessories

Moved by: J. Helmer

Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated July 27, 2021, related to tender RFT 21-51, Supply and Delivery of Steel Guiderail and Accessories:

- a) approval hereby BE GIVEN to enter into an eight-month contract, with four (4) one-year options for the Supply and Delivery of Steel Guiderail and Accessories to Royal Fence Limited at the quoted price of \$478,840.00; it being noted that this is an irregular result where pricing exceeds the budget but award can proceed in accordance with Section 8.10 (a) of the City of London's Procurement of Goods and Service Policy;
- b) the Mayor and City Clerk BE AUTHORIZED to execute any contract or other documents, as required, to give effect to these recommendations; and,
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract. (2021-T04)

Motion Passed

2.5 Emergency Purchase of a MagnaDrive Adjustable Speed Drive

Moved by: J. Helmer

Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff

report dated July 27, 2021, related to the emergency, non-competitive purchase of a MagnaDrive Adjustable Speed Drive for the Southeast Reservoir and Pumping Station:

- a) the purchase order for the purchase of a MagnaDrive Adjustable Speed Drive from SCG Process at a total price of \$94,382.00, excluding HST, BE CONFIRMED, in accordance with Section 14.2 of the City of London's Procurement of Goods and Services Policy; and,
- 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. (2021-E03)

Motion Passed

2.6 Renewal of the Lead Service Extension Replacement Loan Program

Moved by: J. Helmer
Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the proposed by-law as included on the Added Agenda, BE INTRODUCED at the Municipal Council meeting on August 10, 2021, to amend By-law No. A.-6123-196 entitled "A By-law to provide for a Lead Service Extension Replacement Loan Program Pilot Project for owner-occupied dwellings of three or less dwelling units".

Motion Passed

2.8 RFT 21-03 Rental of Winter Maintenance Equipment with Operator, Sander and Salters with Plow and Wing

Moved by: J. Helmer
Seconded by: P. Van Meerbergen

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report dated July 27, 2021, related to tender RFT 21-03, Rental of Winter Maintenance Equipment with Operator, Sander and Salter with Plow and Wing:

- a) the bids submitted by Mobil Services Inc., S&B Construction Ltd., B and A Davies Paving and Construction Inc., Ferrari Concrete Ltd. and CH Excavating (2013) at their tendered prices BE ACCEPTED;
- b) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this contract; and,
- c) the 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. (2021-V01)

Motion Passed

2.7 Participation in the South London Air Monitoring Network Pilot Project

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

That the staff report dated July 27, 2021 with respect to the South London Air Monitoring Network Pilot Project BE DEFERRED to the next Civic Works Committee meeting for consideration. (2021-E05)

Yeas: (5): E. Pelozza, J. Helmer, M. Cassidy, P. Van Meerbergen, and E. Holder

Absent: (1): S. Turner

Motion Passed (5 to 0)

3. Scheduled Items

None.

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: P. Van Meerbergen
Seconded by: E. Holder

That the Civic Works Committee Deferred Matters List as at July 19, 2021, BE RECEIVED.

Yeas: (5): E. Pelozza, J. Helmer, M. Cassidy, P. Van Meerbergen, and E. Holder

Absent: (1): S. Turner

Motion Passed (5 to 0)

6. Confidential (Enclosed for Members Only)

Moved by: M. Cassidy
Seconded by: P. Van Meerbergen

That the Civic Works Committee convene, In Closed Session, for the purpose of considering the following:

6.1 Litigation / Solicitor-Client Privileged Advice

A matter pertaining to litigation or potential litigation; advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation with respect to litigation currently before the Superior Court of Justice, Court file No. 2278/18 and 2278/18-A1 affecting the municipality in relation to the Bradley Avenue West Extension and Wharncliffe Road South Improvements.

6.2 Litigation / Solicitor-Client Privileged Advice

A matter pertaining to litigation or potential litigation; advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation with respect to litigation currently before the Superior Court of Justice, Court file 783/19 affecting the municipality in relation to the 2016 Sarnia Road Improvements.

Yeas: (5): E. Pelozza, J. Helmer, M. Cassidy, P. Van Meerbergen, and E. Holder

Absent: (1): S. Turner

Motion Passed (5 to 0)

The Civic Works Committee convenes, in Closed Session, from 12:20 PM to 12:46 PM.

7. Adjournment

The meeting adjourned at 12:47 PM.

Planning and Environment Committee

Report

The 11th Meeting of the Planning and Environment Committee
July 26, 2021

PRESENT: Councillors P. Squire (Chair), S. Lewis, S. Lehman, A. Hopkins,
S. Hillier, Mayor E. Holder

ALSO PRESENT: H. Lysynski and K. Van Lammeren

Remote Attendance: Deputy Mayor J. Morgan; Councillor E. Pelozo; G. Bailey, G. Barrett, J. Bunn, M. Clark, M. Corby, A. Curtis, K. Dawtrey, B. Debbert, A. DiCicco, M. Fabro, M. Feldberg, S. Giustizia (HDC), K. Gonyou, S. Grady, T. Macbeth, P. Masse, S. Meksula, L. Mottram, B. O'Hagan, B. Page, M. Pease, J. Raycroft, A. Riley, C. Smith, M. Tomazincic, B. Turcotte (HDC), B. Westlake-Power and E. Williamson

The meeting is called to order at 4:00 PM, with Councillor P. Squire in the Chair, Councillor 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: S. Hillier

Seconded by: S. Lewis

That Items 2.2 to 2.5, inclusive, 2.7 to 2.9, inclusive, 2.11 and 2.12 BE APPROVED.

Yeas: (5): P. Squire, S. Lewis, S. Lehman, A. Hopkins, and S. Hillier

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.2 3343 Morgan Avenue - Removal of Holding Provisions

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by Old Oak Properties, relating to the property located at 3343 Morgan Avenue, the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to amend Zoning By-law Z.-1, (in conformity with the Official Plan), to change the zoning of the subject lands FROM a Holding Residential R5/R6/R7/R10 (h*h-54*h-71*R5-7/R6-5/R7.D100.H45/R10-3.H45) Zone TO a Residential R5/R6/R7/R10 (R5-7/R6-5/R7.D100.H45/R10-3.H45) Zone to remove the "h", "h-54" and "h-71" holding provisions. (2021-D09)

Motion Passed

2.3 1750 Finley Crescent - Exemption from Part-Lot Control

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Kenmore Homes (London) Inc., to exempt Block 101, Plan 33M-733 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 July 26, 2021 as Appendix "A" BE INTRODUCED at a future Council meeting, to exempt Block 101, Plan 33M-733 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to a registered subdivision agreement and are zoned Residential R4 Special Provision (R4-4(4)) which permits street townhouse dwellings;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 101, Plan 33M-733 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 Planning and Development Department 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 Planning and Development Department 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 Planning and Development Department 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 Planning and Development Department 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;
- 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; and,
- xiv) in accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1750 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict. (2021-D25)

Motion Passed

2.4 1820 Finley Crescent - Exemption from Part-Lot Control

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Kenmore Homes (London) Inc., to exempt Block 99, Plan 33M-733 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 July 26, 2021 as Appendix "A" BE INTRODUCED at a future Council meeting, to exempt Block 99, Plan 33M-733 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to a registered subdivision agreement and are zoned Residential R4 Special Provision (R4-4(4)) which permits street townhouse dwellings;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 99, Plan 33M-733 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 Planning and Development Department 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 Planning and Development Department 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 Planning and Development Department 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 Planning and Development Department 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;
- xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question; and,
- xiv) in accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1820 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict. (2021-D25)

Motion Passed

2.5 1790 Finley Crescent - Exemption from Part-Lot Control

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Kenmore Homes (London) Inc., to exempt Block 100, Plan 33M-733 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 July 26, 2021 as Appendix "A" BE INTRODUCED at a future Council meeting, to exempt Block 100, Plan 33M-733 from the Part-Lot Control provisions of subsection 50(5) of the said *Act*; it being noted that these lands are subject to a registered subdivision agreement and are zoned Residential R4 Special Provision (R4-4(4)) which permits street townhouse dwellings;
- b) the following conditions of approval BE REQUIRED to be completed prior to the passage of a Part-Lot Control By-law for Block 100, Plan 33M-733 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 Planning and Development Department 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 Planning and Development Department 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 Planning and Development Department 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 Planning and Development Department 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;
- xiii) that on notice from the applicant that a reference plan has been registered on a Block, and that Part Lot Control be re-established by the repeal of the bylaw affecting the Lots/Block in question; and
- xiv) in accordance with condition v), the applicant provide servicing drawings of municipal servicing to each of the blocks created within 1790 Finley Crescent to indicate that all municipal servicing can be provide to each property/block created without conflict. (2021-D25)

Motion Passed

2.7 1738, 1752 and 1754 Hamilton Road - Phases 1 and 2 Special Provisions

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Thames Village Joint Venture Corporation, for the subdivision of lands located at 1738, 1752 and 1754 Hamilton Road, north side, south of the Thames River, legally described as Part of Lots 7 & 8, Concession 1; Part of Lot 7, Broken Front Concession "B"; Part of the Road Allowance Between Lots 6 & 7, Broken Front Concession "B" and Concession 1 (Closed by Unregistered By-law 276, dated April, 1875) (Geographic Township of Westminster); all of Lot 1 and Part of Lot 6, and all of the one foot reserve abutting Bobolink Lane Registered Plan No. 747 in the City of London, County of Middlesex:

- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Thames Village Joint Venture Corporation for the Thames Village Joint Venture Subdivision,

Phases 1 and 2 (39T-17502) appended to the staff report dated July 26, 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 July 26, 2021 as Appendix "B";

c) the financing for this project BE APPROVED as set out in the Source of Financing Report appended to the staff report dated July 26, 2021 as Appendix "C"; and,

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

Motion Passed

2.8 613 and 629 Sovereign Road - Deeming By-law

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Spriet Associates London Limited, relating to the properties located at 613 and 629 Sovereign Road:

a) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "A", BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to deem Lot 26 and Lot 27, Registered Plan No. 33M-251, save and except part of Lot 27, Registered Plan No. 33M-251 designated as Part 1, Plan 33R-17747, City of London, County of Middlesex, not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act, R.S.O. 1990, c. P.13*;

b) the City Clerk BE DIRECTED to provide notice of the by-law passing and undertake registration of the Deeming By-law, in accordance with the provisions in subsections 50(28) and 50(29) of the *Planning Act, R.S.O. 1990, c. P.13*; and,

c) the applicant BE REQUIRED to pay for any costs incurred to register the deeming by-law at the Land Registry Office. 2021-D12)

Motion Passed

2.9 2120 Kains Road

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following action be taken with respect to the application by Sifton Properties Limited, to exempt the following lands 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 July 26, 2021 as Appendix "A", BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021, to exempt part of Block 6 on Registered Plan 33M-429, more accurately described as Parts 3 to 6, inclusive, on Plan 33R-19849, from the Part Lot Control provisions of subsection 50(5) of the said *Act*; and,

b) the applicant BE ADVISED that the cost of registration of the above-noted By-law is to be borne by the applicant, in accordance with City policy. (2021-D25)

Motion Passed

- 2.11 1284 Sunningdale Road West - Foxhollow North Kent Phase 3C - Removal of Holding Provisions h and h-100

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by Sifton Properties Ltd., relating to the property located at 1284 Sunningdale Road West, the proposed by-law appended to the staff report dated July 26, 2021 BE INTRODUCED at the Municipal Council meeting to be held on August 10, 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 Special Provision R1 (h*h-100*R1-3(8)) Zone, a Holding Residential Special Provision R4 (h*h-100*R4-6(14)) Zone, a Holding Residential R1 (h*h-100*R1-3) Zone, and an Open Space (OS1) Zone TO a Residential Special Provision R1 (R1-3(8)) Zone, a Residential Special Provision R4 (R4-6(14)) Zone, a Residential R1 (R1-3) Zone, and an Open Space (OS1) Zone to remove the h and h-100 holding provisions. (2021-D09)

Motion Passed

- 2.12 50 Southbridge Drive - Removal of Holding Provisions h, h-100 and h-198

Moved by: S. Hillier

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, based on the application by Sifton Properties Ltd., relating to the property located at 50 Southbridge Drive, the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 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 Special Provision R5 (h*h-100*h-198*R5-4(22)) and a Holding Residential Special Provision R6 (h*h-100*h-198*R6-5(50)) Zone TO a Residential Special Provision R5 (R5-4(22)) and a Residential Special Provision R6 (R6-5(50)) to remove the h, h-100 and h-198 holding provisions. (2021-D09)

Motion Passed

- 2.1 Oxford Wonderland Secondary Plan - Terms of Reference

Moved by: S. Hillier

Seconded by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the Terms of Reference for the Oxford Wonderland Secondary Plan, appended to the staff report dated July 26, 2021 as Appendix "A", BE ENDORSED. (2021-D08)

Yeas: (1): A. Hopkins

Nays: (5): P. Squire, S. Lewis, S. Lehman, S. Hillier, and E. Holder

Motion Failed (1 to 5)

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

Motion to move 2.6 and 2.13 together

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.6 704 and 706 Boler Road

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

That Items 2.6 and 2.13 BE APPROVED.

That, on the recommendation of the Deputy City Manager, based on the application by Southside Construction Management Ltd., relating to a portion of the property located at 704 and 706 Boler Road, the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 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 R6 Special Provision (h*R6-1(18)) Zone TO a Residential R6 Special Provision (R6-1(18)) Zone to remove the "h" holding provision. (2021-D09)

2.13 704, 706 and 720 Boler Road - Removal of Holding Provision "h"

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

That, on the recommendation of the Director, Planning and Development, based on the application by Southside Construction Management Ltd., relating to the properties located at 704, 706 and 720 Boler Road, the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 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 Special Provision R1 (h*R1-9(8)) Zone TO a Residential Special Provision R1 (R1-9(8)) Zone to remove the "h" holding provision. (2021-D09)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

2.10 Proclamation of Amendments to the Ontario Heritage Act, Ontario Regulation 385/21, and draft Ontario Heritage Toolkit

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

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the staff report dated July 26, 2021 entitled "Proclamation of Amendments to the *Ontario Heritage Act*, Ontario Regulation 385/21, and draft Ontario Heritage Toolkit" BE RECEIVED for information; it being noted that the communication dated July 23, 2021 from A.M. Valastro, 133 John Street, was received; it being further noted that the request for delegation status was withdrawn. (2021-L11)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

3. Scheduled Items

3.1 450 Wharncliffe Road South

Moved by: S. Lehman

Seconded by: S. Lewis

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Plaza Retail Reit and The Corporation of the City of London, relating to the property located at 450 Wharncliffe Road South:

a) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to amend the 1989 Official Plan to DELETE policy Section 4.6.7 iii) – “Specific Service Commerical Areas- Wharncliffe Road South, between Devonshire and Baseline and 425 Wharncliffe Road South”;

b) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to amend the 1989 Official Plan to ADD a policy to Section 4.4.2.11 – “Specific Service Auto-Oriented Commercial Corridors- Wharncliffe Road South, between Devonshire Avenue and Baseline Road West and 425 Wharncliffe Road South” to provide for an expanded range of uses, including automobile sales and service establishment uses to the property located at 425 Wharncliffe Road South; and,

c) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in part b) above), to change the zoning of the subject property FROM a Highway Service Commercial (HS2) Zone TO a Highway Service Commercial Special Provision (HS2 (*) Zone to permit the additional uses of Office, Medical/Dental Office, Clinic, Laboratory, Retail Store and Liquor, Beer and Wine Store;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020 which promotes an appropriate range and mix of uses in a settlement area;
- the recommended uses conform to the in-force policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate a wider range of uses in an existing building in the Urban Corridor Place Type;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to, Chapter 4 – Policies for Specific Service Auto-Oriented Commercial Corridors, which allows Council to apply specific policies where the change in land use is site specific and located in an Auto-Oriented Corridor where Council wishes to

maintain the existing land use designation while allowing for a site-specific uses; and,

- the recommended Zoning By-law Amendment implements an appropriate use and intensity for the site which is compatible with the surrounding area. (2021-D09)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Lewis

Seconded by: A. Hopkins

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)

3.2 360 Callaway Road - Draft Plan of Vacant Land Condominium (39CD-21504)

Moved by: S. Lewis

Seconded by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Wastell Development Inc., relating to the property located at 360 Callaway 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 360 Callaway 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 360 Callaway Road;

it being pointed out that the Planning and Environment Committee reviewed and received a communication dated July 22, 2021, from E. Abbott, with respect to these matters;

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

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

- the proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;
- the proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies; and,
- the proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential Designation and will implement an appropriate form of residential development for the site. (2021-D12)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

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

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: A. Hopkins

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)

3.3 355 Middleton Avenue - Draft Plan of Vacant Land Condominium (39CD-21509)

Moved by: S. Lewis
Seconded by: S. Lehman

That, on the recommendation of the Director, Planning and Economic Development, the following actions be taken with respect to the application by Sifton Properties Limited, relating to the property located at 355 Middleton Avenue:

- a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to a property located at 355 Middleton Avenue; and,
- b) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 355 Middleton Avenue;

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

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

- the proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;
- the proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies; and,
- the proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential Designation and will implement an appropriate form of residential development for the site. (2021-D12)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

Moved by: S. Lewis

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: E. Holder

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)

3.4 915 Upperpoint Avenue - Draft Plan of Vacant Land Condominium (39CD-21508)

Moved by: S. Hillier

Seconded by: E. Holder

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Sifton Properties Limited, relating to the property located at 915 Upperpoint Avenue:

- a) the Approval Authority BE ADVISED that no issues were raised at the public meeting with respect to the application for the Draft Plan of Vacant Land Condominium relating to a property located at 915 Upperpoint Avenue;
- b) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 355 Middleton Avenue:
 - i) a request for the installation of a barrier or vegetation;
 - ii) the increase in traffic and the speed of the traffic;

- iii) the dirt and dust from the ongoing construction to the north of the proposed development;
- iv) the vibration from the excavation; and,
- v) the accumulation of garbage from the ongoing construction;

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

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

- the proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;
- the proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies; and,
- the proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, Medium Density Residential Designation and will implement an appropriate form of residential development for the site. (2021-D12)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

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)

3.5 414-418 Old Wonderland Road (Z-9293)

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

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application of Four Fourteen Inc. relating to the property located at 414-418 Old Wonderland Road:

- a) the proposed, revised, attached by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on August 10, 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 Residential R1 (R1-10) Zone and an Urban Reserve (UR1) Zone TO a to a holding Residential R5 Special Provision (h-5*R5-7(_)) Zone and an Open Space (OS5) Zone;

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

- i) board on board fencing along the east, north and south property boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities;
- ii) ensure naturalization with feature restoration and compensation is required to be completed by the landowner in accordance with the mitigation measures in the recommendations of the Environmental Impact Assessment and City Ecologist;
- iii) ensure that in the development agreement it is clear that the restoration and compensation areas are to be protected in a natural state and not manicured; and,
- iv) a small berm should be created along the edges of the storage area to direct flows back to the road surface and not towards the pond feature to the north; and,

b) pursuant to Section 34(17) of the *Planning Act, R.S.O. 1990, c. P.13*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the recommended zoning implements the site concept submitted with the application;

it being pointed out that the Planning and Environment Committee reviewed and received the staff presentation with respect to these matters;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The 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;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family Medium Density Residential designation and Environmental Policies;
- the recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of development; and,
- the subject lands represent an appropriate location for intensification in the form of townhouses, at an intensity that is appropriate for the site and surrounding neighbourhood. (2021-D09)

Yeas: (5): P. Squire, S. Lewis, S. Lehman, S. Hillier, and E. Holder

Nays: (1): A. Hopkins

Motion Passed (5 to 1)

Additional Votes:

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. Lewis

Seconded by: A. Hopkins

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)

3.6 400 Southdale Road East (OZ-9261)

Moved by: S. Lewis

Seconded by: E. Holder

That, on the recommendation of the Acting Manager, Planning Implementation, the following actions be taken with respect to the application by LJM Developments, relating to the property located at 400 Southdale Road East:

a) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to amend the 1989 Official Plan to ADD a policy to Section 10.1.3 – "Policies for Specific Areas" that would modify the 'Neighbourhood Commercial Node' designation to permit residential units on the ground floor and an increased density of 462 units per hectare on the subject lands located at 400 Southdale Road East;

b) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to amend The London Plan to create a special policy area in the Neighbourhoods Place Type at 400 Southdale Road East to permit an apartment building with residential uses on the ground floor, a height of 7-storeys (29.2m including the mechanical penthouse) and a density of 462 units per hectare and by ADDING the subject lands to Map 7 – Specific Policies Areas – of The London Plan;

c) the proposed revised, attached, by-law (Appendix "C") BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan as amended in parts a) and b) above), to change the zoning of the subject property FROM a Service Station (SS2) Zone TO holding Residential R9 (h-5*R9-1*B-) Zone;

it being noted that the following Site Plan matters have been raised through the application review process to be addressed through the Site Plan Approval process:

i) enhanced provision of boundary landscaping and board on board fencing along boundaries that not only exceed the standards of the Site Plan Control By-law but also has screening/privacy qualities;

ii) consideration of more surface parking for visitors; and,
iii) address an existing license agreement and the existing private sanitary sewer and PDC that bisects the subject property that services adjacent lands, namely servicing in favor of 456 Southdale Road East, through updates to the Sanitary Study and through detailed design that ensures this existing service in favour of the adjacent lands will be maintained or rerouted and uninterrupted connecting to the municipal sewer on Dundalk. A clause in the future development agreement will be included regarding an easement agreement between 400 Southdale Road East and 456 Southdale Road East and all servicing details are to be included in the engineering site servicing drawings;

d) the Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high quality residential apartment building, with a maximum height of 7-storeys with mechanical penthouse, 181 dwelling units and a maximum density of 462 units per hectare, which substantively implements the Site Plan and Elevations appended to the staff report dated July 26, 2021 as Schedule “1” to the amending by-law in return for the following facilities, services and matters:

A) Exceptional Building Design

the building design shown in the various illustrations contained in Schedule “1” of the amending by-law is being bonused for features which serve to support the City’s objectives of promoting a high standard of design;

- i) the building oriented to the corner of Southdale Road East and Dundalk Street providing a well-defined built edge and creating a positive public interface and human scale at street level;
- ii) the inclusion of building step backs, from 7-storeys to 6-storeys and 5-storeys with a variety of building materials and building articulation to break up the massing of the building; and,
- iii) purpose-designed amenity space on top of the apartment building and/or parking structure;

B) Underground Parking

C) Provision of Affordable Housing by requiring that LJM Developments enter into an agreement with the Corporation of the City of London (“the City”) to facilitate the transfer of ownership at no cost of four (4) new one-bedroom condominium units constructed within the development for the purposes of affordable housing, in a form prescribed by the City;

it being noted that a future development agreement will provide for the four new one-bedroom units and will include the following through further agreements as necessary:

- assurances of the specific location, size, fixtures, and features of the bonus units are defined as to the City’s satisfaction. This includes any common and general attributes, (such as storage lockers, parking, or other building resident amenities) for each bonus unit;
- a purchase agreement, inclusive of securities as applicable, reflecting the process for the no-cost transfer of the 4 new one-bedroom units and any associated services and features upon condominium plan registration, in a form satisfactory to the City; and,
- confirmation that the associated condominium declaration and by-laws shall in no way limit the use and function of the units for affordable rental housing in accordance with applicable residential rental laws; it is further recognized that, upon ownership, the City will retain and maintain the units within the function and business of affordable rental

housing as managed through the City's Housing Stability Services. The City, as owner, would therefore be required to address costs associated with condominium and other standard fees. These factors have been considered within the bonus provisions and will be subject to separate reporting and details;

d) pursuant to Section 34(17) of the *Planning Act, R.S.O. 1990, c. P.13*, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the recommended zoning implements the same range of uses for which public notification has been given albeit at a lower intensity;

it being noted that the Planning and Environment Committee reviewed and received the staff presentation with respect to these matters;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The 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;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Neighbourhood Commercial Node;
- the recommended Zoning By-law amendment conforms to the policies of The London Plan and 1989 Official Plan upon approval of the recommended amendment.
- the recommended amendment facilitates the development of a site within the Built-Area Boundary and Primary Transit Area; and,
- the recommended amendment facilitates the development of four (4)affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock. (2021-D09)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

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)

3.7 180-186 Commissioners Road West

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

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application by 180 Commissioners Road Inc., relating to the property located at 180 – 186 Commissioners Road West:

a) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to amend the 1989 Official Plan by ADDING a policy to Section 3.5. – Policies for Specific Residential Areas to permit a maximum residential density of 105 units per hectare to align the 1989 Official Plan policies with the Neighbourhood Place Type policies of The London Plan;

b) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 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 Residential R1 (R1-9) Zone TO a Residential R9 Special Provision (R9-4(_)) Zone;

it being noted that the following site plan matters were raised during the application review process:

- i) the provision of a built form that is located along both the Commissioners Road West and Viscount Road frontages, with units oriented to the street;
- ii) the provision of a building design for both street-facing facades that includes a high level of architectural detail and a variety of materials and articulation; individual front door style entrances to ground floor units; amenity spaces for individual units at ground level that create a pedestrian-oriented streetscape; and direct walkway connections from ground floor units to the public sidewalk;
- iii) the provision of an appropriately sized common outdoor amenity area for residents;
- iv) the provision of enhanced landscaping in the exterior side yard along Viscount Road, including consideration of such items as a seat wall, arbour, masonry columns and planting or other enhanced features;
- v) the provision of mitigation measures to address privacy issues/conflicts between grade-related patios and the public realm on Commissioners Road West, and between grade-related patios and the surface parking area, exploring opportunities for creating grade separation to better preserve the amenity of the porches/patios and the usability of those spaces for residents;
- vi) the provision of privacy fencing along the east and south property boundaries, where possible when co-ordinated with any tree retention on or adjacent to the property lines, noting the retention of existing trees may be less desirable than the provision of privacy fencing in combination with new enhanced landscaping for screening;

- vii) the provision of enhanced, robust landscaping along the east and south property boundaries for screening, taking into account possible compensation for trees removed from the site prior to the preparation of the Tree Preservation Report; discussions between the applicant and the neighbouring property owners; and the submission of a final Tree Preservation Report;
- viii) the location and design of snow storage areas to retain snow-melt on site;
- ix) possible external updates/modifications on Viscount Road, which may include a pavement marking exercise to implement a left turn lane into the site, and/or signal timing revisions;

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

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions, and Neighbourhoods Place Type;
- the recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-family, Medium Density Residential designation and the criteria for Policies for Specific Areas which allow Council to address development opportunities through specific policies that provide additional guidance to the general Multi-family, Medium Density Residential policies; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development. (2021-D09)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

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: S. Lewis
 Seconded by: S. Hillier

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 1047-1055 Dearness Drive

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

That the application by Leo, Maria and Christina Viglianti, relating to 1047-1055 Dearness Drive BE REFERRED to the Council meeting to be held on August 10, 2021 to hear the City Solicitor's advice on the *Veterans Land Act* and any potential impacts;

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-D09)

Yeas: (5): P. Squire, S. Lewis, S. Lehman, S. Hillier, and E. Holder

Nays: (1): A. Hopkins

Motion Passed (5 to 1)

Additional Votes:

Moved by: S. Hillier
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: 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)

3.9 Medway Valley Heritage Forest Environmentally Significant Area (OZ-9367)

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

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan:

a) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to adopt the Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan, appended to the aforementioned staff report, in accordance with London Plan policy 1421;

b) that NO ACTION BE TAKEN with respect to implementing the Green Acres Drive connection to the Medway Valley trail and pathway system at this time;

c) the portion of the pathway and trail system from Gloucester Road (Access A11) to its connection with the pathway in the Valley shown on “Appendix B” of the Medway Valley Heritage Environmentally Significant Area (South) Conservation Master Plan BE DEFERRED to be considered at a future meeting of the Planning and Environment Committee following further consultation and review with the adjacent neighbours, the Upper Thames River Conservation Authority, the Environmental and Ecological Planning Advisory Committee and the Accessibility Advisory Committee:

d) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix ‘E’ BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to amend the London Plan:

i) change Policy 1719_11 FROM Medway Valley Heritage Forest Site Planning Study TO Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan;

ii) change the Green Space Place Type and Neighbourhoods Place Type on Map 1 – Place Types in conformity with the Medway Valley Heritage Forest ESA (South) Conservation Master Plan adopted above; and,

iii) change the Medway Valley Heritage Forest Environmentally Significant Area on Map 5 – Natural Heritage, in conformity with the Medway Valley Heritage Forest ESA (South) Conservation Master Plan adopted above:

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

e) the proposed by-law appended to the staff report dated July 26, 2021 as Appendix ‘F’ BE INTRODUCED at the Municipal Council meeting to be held on August 10, 2021 to amend the 1989 Official Plan to:

i) change the Low Density Residential, Multi-family Medium Density Residential, Regional Facility, and Open Space land use designations on Schedule “A”, Land Use in conformity with the Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan adopted above; and,

ii) change the Medway Valley Heritage Forest Environmentally Significant Area on Schedule “B1”, Natural Heritage Features, in conformity with the Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan adopted above; and,

iii) change Policy 19.2.2. ii) to add the Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan to the list of guideline documents; and,

f) the members of Accessibility Advisory Committee, Environmental Ecological Planning Advisory Committee, UTRCA and local First Nations Communities BE THANKED for their work in the review and comments on the Sustainable Trail Concept Plan;

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

- a communication dated July 26, 2021 from G. and S. Sinker, 1597 Gloucester Road;
- the staff presentation; and,
- revised pages of the maps included in the staff report;

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-E18/E20)

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

Additional Votes:

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)

Moved by: S. Lewis
Seconded by: S. Lehman

Motion to approve a new part b), which reads as follows:

b) that NO ACTION BE TAKEN with respect to implementing the Green Acres Drive connection to the Medway Valley trail and pathway system at this time;

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 5th Report of the Trees and Forests Advisory Committee

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

That the 5th Report of the Trees and Forests Advisory Committee, from its meeting held on June 23, 2021 BE RECEIVED for information.

Yeas: (6): P. Squire, S. Lewis, S. Lehman, A. Hopkins, S. Hillier, and E. Holder

Motion Passed (6 to 0)

4.2 7th Report of the London Advisory Committee on Heritage

Moved by: A. Hopkins

Seconded by: S. Lewis

That, the following actions be taken with respect to the 7th Report of the London Advisory Committee on Heritage, from its meeting held on July 14, 2021:

a) the following actions be taken with respect to the Notice of Planning Application, dated June 16, 2021, from C. Maton, Senior Planner, with respect to a Zoning By-law Amendment for the properties located at 551-555 Waterloo Street:

i) C. Maton, Senior Planner, BE ADVISED that the London Advisory Committee on Heritage is satisfied with the research, assessment and conclusions of the Heritage Impact Assessment (HIA) included with the above-noted Notice of Planning Application and is in support of this development; and,

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

b) on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the following actions be taken with respect to the staff report dated July 14, 2021, related to an application under Section 42 of the *Ontario Heritage Act* seeking approval to alter the heritage designated property located at 329-331 Richmond Street, located within the Downtown Heritage Conservation District:

i) the alterations BE PERMITTED, as submitted, with the following terms and conditions:

- the cast iron columns be braced and protected in situ, as described in the Conservation Plan (Cornerstone Architecture and VanBoxmeer & Stranges, dated June 1, 2021), as appended to the above-noted staff report; and,
- the Heritage Alteration Permit be displayed in a location visible from the street until the work is completed;

ii) direction BE GIVEN to the Site Plan Approval Authority to include a clause regarding the following within the Development Agreement (DA) For the Site Plan Approval:

- alterations to the property shall conform to the Heritage Alteration Permit (HAP21-049-L); and,
- the approach, methods, and process of the in situ conservation of the cast iron columns and arched entryway feature of the property at 329 Richmond Street, before, during, and after construction, shall conform to the Conservation Plan (Cornerstone Architecture and VanBoxmeer & Stranges, dated June 1, 2021), appended to the Heritage Alteration Permit; and,

c) clauses 1.1, 2.1 to 2.5, inclusive, 2.7, 3.2, 4.1 and 4.2 BE RECEIVED for information.

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. Adjournment

The meeting adjourned at 10:03 PM.

PUBLIC PARTICIPATION MEETING COMMENTS

3.1 PUBLIC PARTICIPATION MEETING – 450 Wharnclyffe Road South

- Councillor Squire: I understand that there is no report from staff on this matter so we can so we can deal with anything from the staff in terms of questions. I'm going to go straight to members of the public and I will ask first, is the applicant present? It does not appear so. Any other members of the public wishing to speak? Before we get to that point, I just want to remind people that if you're in one of the rooms in the building that you're going to speak, where you're going to speak, you will require, it is required that you wear a mask so please keep that in mind. Any public input on this matter? Alright.
- Oz Kemal, MHBC Planning: Apologies. Can you guys hear me now?
- Councillor Squire: Yeah. Who is this?
- Sorry. This is the applicant, Oz Kemal from MHBC Planning.
- Councillor Squire: Oh, okay.
- Oz Kemal, MHBC Planning: I apologize. I had unmuted on the screen but I didn't press the unmute button on my computer itself so I was still muted.
- Councillor Squire: That's fine.
- Oz Kemal, MHBC Planning: I'm, I'm just here to answer any questions of Council along with staff if, if there are any.
- Councillor Squire: Thank you very much.
- Oz Kemal, MHBC Planning: Moving this matter forward.
- Councillor Squire: Thank you. Is there supposed to be someone else with comments? Is that person on the line?
- Mayor Holder: You are the most patient Chair in the world Chair.
- Councillor Squire: I've learned that by being a politician.
- Ira: Am I supposed to be speaking at this point?
- Councillor Squire: Yes. Can I just get your name sir?
- Ira: Hi. My name is Ira. I live right next door to the development and I was hoping to hear some information about it and possibly give you input on it.
- Councillor Squire: Okay. There is no current official presentation. If you have questions that you have you can let us know and we'll, will seek to have your questions answered but this is your opportunity to, to provide your input into, into how you feel about this application.
- Ira: Okay. The application is fine. I hope that I would, we would, the public would be provided with information on what specifically is going to be built before it's simply approved.

- Councillor Squire: Okay. That's in the application which is available in the material that we have for the meeting. We don't always get a presentation from staff so that's, that is where we are so you could get that information from, from staff if you wanted. You could follow up but most people come on and give us their position on the application, what they think of it. You seem to be okay with it but I'm not sure what else can I can provide you with.
- Ira: Okay. I will keep listening and hope to get more info. Thank you.
- Councillor Squire: Okay. Thank you. Any other members of the public? There being no one else speaking then I'm going to ask someone to move closing the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.2 PUBLIC PARTICIPATION MEETING – 360 Callaway Road - Draft Plan of Vacant Land Condominium (39CD-21504)

- Councillor Squire: Is the applicant here or a representative?
- Jay McGuffin, Monteith Brown Planning Consultants, representing Wastell, the owner of the property.
- Councillor Squire: Okay.
- Sorry. This is the applicant, Oz Kemal from MHBC Planning.
- Councillor Squire: Oh, okay. Did you want to make a presentation or say anything?
- Jay McGuffin, Monteith Brown Planning Consultants: I'd just like to say we have had the opportunity to review the staff reporting and recommendations. We're in concurrence with the conclusions and the recommendations of the staff report and we're here to answer any questions of the Committee or of the public.
- Councillor Squire: Thank you. Members of the public? There are no, I understand, no members of the public waiting to speak so I will as for a motion to close the public participation meeting.

There were no public comments for 355 Middleton Avenue; these comments relate to 915 Upperpoint Avenue but were inadvertently discussed until Item 3.3

PUBLIC PARTICIPATION MEETING COMMENTS

3.3 PUBLIC PARTICIPATION MEETING – 355 Middleton Avenue – Draft Plan of Vacant Land Condominium (39CD-21509)

- Councillor Squire: Alright. There is no staff presentation, so I am going to see if the applicant is here and wishes to make any comments.
- Yes it's Lindsay Clark here from Sifton Properties. I just would like to make a note that we are in agreement with staff's recommendation today and I'm also available if Committee has any questions. Thank you.
- Councillor Squire: Thank you very much. Members of the public? There are no members of the public I understand making presentations. Oops.
- I'm here. It's Natalie Craig.
- Councillor Squire: Okay and you are, you're address, please if that's okay.
- Natalie Craig: Certainly. It's 1453 Westdel Bourne.
- Councillor Squire: Alright. Sorry I didn't mean to skip you but I didn't know you were here on this one so have five minutes so you can make any comments you like to the Committee during that time period so go ahead.
- Natalie Craig: Okay. Thank you so much. We reside directly across from this area and we have some concerns with regards to this development as far as will there be any sort of barrier planned on that side of the road blocking the view or the noise, any of that, what is the plans?
- Councillor Squire: Okay. Other issues? I'll, I'll try to get your questions answered so that if you have other questions. Sure.
- Natalie Craig: We were concerned about the barrier whether there is going to be one.
- Councillor Squire: Yeah.
- Natalie Craig: If not we're wondering because we will be impacted by this if there is any sort of provision made so that you could perhaps help us with up some sort of barrier whether it's a wall of some sort, vegetation, something. Right now we're finding it's extremely busy already even before this part of the excavation commences. My husband was almost hit on our driveway by someone who chose to, I guess, want to turn around and didn't realize that my husband was at the end of the laneway and just about hit him. The traffic is horrendous, the speed, although the speed has been reduced, people are still driving thirty, forty kilometers faster than the speed. Our house has been so dirty from the construction and that's even further north and we're just wondering again is there anything that we, as homeowners, whether you're willing to perhaps clean our siding, windows, whatever every single day I have to go out and clean so much dirt and dust off of our windows and our front porch and they haven't even started to dig in front of our house. Also the vibration and when the excavation was taking place there's so much vibration and noise and again that's not even directly across from us, that's down the road so we're a little concerned what's going to happen when they do start to do all the construction right in front. Also what the time line is when you're intending on starting this and we're finding it very difficult to even get out of

our driveway at this point and are concerned about the safety aspect. Also we'd like to know who the contact person is at Sifton's that we would speak to if, you know, if we have any further questions or concerns. There's an awful lot of garbage that's being dumped in front of our home that's another thing that every day we have to go out and clean up garbage that people just, I don't know what has happened with society, but they love to throw out there Tim Horton's and McDonald's and Tim Horton's cups and, and such so yeah that's, that's about it at this point.

- Councillor Squire: Great. Thank you very much. What I will do is when we're finished with the public participation I'll ask the staff and the applicant to answer your concerns all right.
- Natalie Craig: Thank you so much.
- Councillor Squire: Thank you. Thanks very much for calling and we really appreciate it. Any other public comments? Nope so that is it for public participation so just need a motion to close the public participation meeting.
- Matt Feldberg, Manager, Development Planning: To you Mr. Chair, it's Matt Feldberg speaking. Just a clarification. Is this Item 3.3 or 3.4 that we're talking about?
- Councillor Squire: This is 3.4 that we are on. Are you thinking that the comments are on a different matter?
- Matt Feldberg, Manager, Development Planning: No, no the comments are certainly appropriate to Upperpoint, it's just I feel like we may have missed 3.3 public meeting.
- Councillor Squire: Yeah. I'm sorry totally wrong, we're on 3.3.
- Matt Feldberg, Manager, Development Planning: These comments are certainly appropriate for Upperpoint and we can take those under advice and deal with 3.4 when it comes up.
- Councillor Squire: Okay. Why don't we do that then. We'll deal with, we'll save those questions for Upperpoint. I apologize for confusing you.

*The public comments for this matter were inadvertently discussed until Item 3.3 - 355
Middleton Avenue*

PUBLIC PARTICIPATION MEETING COMMENTS

3.4 PUBLIC PARTICIPATION MEETING – 915 Upperpoint Avenue – Draft Plan of Vacant Land Condominium (39CD-21508)

- Councillor Squire: All right. Just to clarify we had some comments earlier, we will just apply those comments to this and I will ask those questions in that way. Have we heard from the applicant yet on this matter? Is the applicant present?
- Lindsay Clark, Sifton Properties Limited: Yes. It is Lindsay Clark from Sifton Properties, I am present, I'm not sure if you guys want me to.
- Councillor Squire: I'd like you to try to answer the questions if we.
- Lindsay Clark, Sifton Properties Limited: Sure.
- Councillor Squire: Let's go through them. The first question is whether there's any barrier plan for blocking the view or noise and if not is there any provision for any thing like green cover or anything like that.
- Lindsay Clark, Sifton Properties Limited: We do currently have a little bit of a berm along there that is currently present; however, that's just the temporary location right now, that will be removed moving forward to allow connectivity to the existing path that's on Westdel Bourne. There isn't any barrier or noise walls anticipated. We do include a noise study that is a part of the site plan approval process and is also required as part of removing holding so that has been included as a part of that there isn't any actual barriers or noise walls required along Westdel Bourne. In terms of vegetation there will be a landscape plan and, on that basis, obviously there will be some vegetation planted as per the City requirement but not in terms of an actual formal wall or barrier of vegetation, it would be individual trees and/or shrubs that would be planted. In terms of the, I guess I kind of made an opener.
- Councillor Squire: Okay.
- Lindsay Clark, Sifton Properties Limited: The issues if you want me to continue.
- Councillor Squire: Yeah. If you can continue that would be great.
- Lindsay Clark, Sifton Properties Limited: Sure. The next one was with regard to speed issues and, and along there. Unfortunately, I can't really speak to the speed issues because that's unrelated to our site. It is related to more so to capacity on our roadways so that's really unrelated to this development. In terms of dirt that comes off, unfortunately living next to developing subdivisions, is one of the issues that arises throughout the city so it's not specific to this development. As well, we try to minimize that in terms of dust that comes off the site but obviously we can't control that a hundred percent of the time. Again, with the vibrations as well and noise coming from the site it is a construction site within an approved subdivision plan so in terms of that it is the kind of part and parcel with a construction site so again that's something that is out of our control, you know, being on a construction site and a developing neighbourhood and then in terms of timeline so we would be looking hopefully to start construction on the new portion here that we're looking for approval for this evening so we're looking for Fall construction and, but the houses wouldn't actually be built most likely until Spring of next year and then I think the last question was about safety, sorry, not the last one, one of the last questions was about safety again, I mean, the

safety issue is not related to this development site specifically. It is more of a generalized comment so I can't really provide any additional feedback on that and then I think there was a question about garbage, again, that is not specific to this development. It is unfortunately our society as a whole that is being impacted at this residence, so I think that's all the questions or concerns here. If there are any other I'd be happy to answer.

- Councillor Squire: If they wanted to contact Sifton's, who do they contact for questions?
- Lindsay Clark, Sifton Properties Limited: Yes. I can provide that. I don't know who to provide that to but I can even be the main contact and then and if I need to direct internally I can do that but I think I can be the main point.
- Councillor Squire: Okay. Your name again?
- Lindsay Clark, Sifton Properties Limited: Yep. Lindsay.
- Councillor Squire: Yep.
- Lindsay Clark, Sifton Properties Limited: Clark.
- Councillor Squire: Okay.
- Lindsay Clark, Sifton Properties Limited: Lindsay, L I N D S A Y dot Clark C L A R K @ Sifton.com.
- Councillor Squire: Great. Thank you. So they can follow up on any of these questions if they want with you.
- Lindsay Clark, Sifton Properties Limited: Yes. Exactly and then I can put them through to the appropriate person internally if it's not myself directly.
- Councillor Squire: Thank you and I just wonder if staff could comment then on the traffic issue and the effect of the development on traffic in the area, if there was a traffic study or anything like that and the issue of garbage that's, that's around the area. Thank you.
- Matt Feldberg, Manager, Subdivisions and Condominiums: Thank you Mr Chair, it's Matt Feldberg speaking. As Ms. Clark noted, this is a condominium block within an approved plan of subdivision so we would have done a traffic impact study when the plan of subdivision was approved but we do, when new applications come in, we do check those and provide those revised assumptions that were made so we'll go back and take a look through the site plan process and ensure that it's reasonable for the amount of traffic on Westdel Bourne is reasonable. That said, it is, Westdel Bourne is currently a rural cross section, if I recall correctly, and over time, through the DC there will likely be an upgrade to that, an urban cross section with sidewalks, curbs and whatnot and then the second question was garbage, correct?
- Councillor Squire: Yes.
- Matt Feldberg, Manager, Subdivisions and Condominiums: With garbage, I mean we work, we try to work with the developers, the individual developers and the subdivision developers to go around and clean that up as much as possible. If it does stray off the site we're a little bit more challenged but the developers in this area have been very easy to work with and do try to make right the impacts of the development to local residents.

- Councillor Squire: All right and I'll just let my colleagues follow-up and any other questions they have at this point in time so Committee questions/comments?
Councillor Hopkins.
- Councillor Hopkins: Thank you Mr. Chair and thank you to the public for coming out. I've heard quite a few concerns on this development comes forward along Westdel Bourne and we've seen it to the north of this development; it was also approved it to the south a few months ago at, at PEC. The concerns of Westdel is continuous challenge as this area is developed and I appreciate Mr. Feldberg's comments around development charges updates to that road. Is there any, I don't want to put you on the spot here but when can the community see some, some upgrades? I know staff have reduced the, the speed limit which has been helpful but when can we expect some updates to this rural road which is really no longer a rural road coming forward? Question number one.
- Matt Feldberg, Manager, Subdivisions and Condominiums: Certainly. Through you, Mr. Chair, at this point I don't see anything particular for Westdel Bourne but I can go back and check the DC study and bring that information to you ahead of Council. We do have the upgrades planned along Oxford Street in 2025 and then the results of the roundabout planned for 2024 on Oxford and Gideon so that should help with some of the traffic volume in the area but obviously doesn't deal with Westdel Bourne.
- Councillor Hopkins: Thank you for that Mr. Feldberg. It would be good information that I could share with the community as they deal with the challenges of getting in and out on onto Westdel. I also, since the applicant is here, just want to make a quick comment on other concerns I've heard with construction vehicles in particular with all this development, the speed of the construction vehicles is becoming quite a challenge and, and I know seeing all this development is a good thing but as the community deals with not only the changes but has to sort of move along on this road I, I would caution the construction vehicles to sort of pay attention to that reduced speed limit. I want to just also mentions that the development that we have here, I'll be supporting this recommendation because it really is a continuation of what's already happening to the north but also what's happening to the south and I'm glad the resident has the information to get in touch with Sifton for further information as well. Thank you.
- Councillor Squire: Thank you. Any further questions or comments. Alright, is someone prepared to move the recommendation? We need to close the PPM so we'll do that.

Appendix A

Bill No. (number to be inserted by Clerk's Office)
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 414-418 Old Wonderland Road.

WHEREAS Four Fourteen Inc. has applied to rezone an area of land located at 414-418 Old Wonderland Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 414-418 Old Wonderland Road, as shown on the attached map comprising part of Key Map No. A106, from a Residential R1 (R1-10) Zone and an Urban Reserve (UR1) Zone, to a holding Residential R5 Special Provision (h-5*R5-7(_)) Zone and an Open Space (OS5) Zone.
- 2) Section Number 9.4 of the Residential R5 (R5-7) Zone is amended by adding the following Special Provision:
 -) R5-7() 414-418 Old Wonderland Road
 - a) Regulations
 - i) Interior Yard Depth for decks (Minimum) 3.0 metres
 - ii) Rear Yard Depth for decks (Minimum) 3.0 metres
 - iii) Parking Rate for Stacked Townhouses 1.0 space per unit
 - iv) Setback to the Open Space (OS5) Zone 0.0 metres
- 3) Section Number 36.4 of the Open Space (OS5) Zone is amended by adding the following Special Provision:
 - a) Regulations
 - i) Lot Area (Minimum) 764.0 m2

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 August 10, 2021.


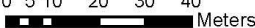

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

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



<p>File Number: Z-9293 Planner: AR Date Prepared: 2021/07/07 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,250</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Geodatabase

PUBLIC PARTICIPATION MEETING COMMENTS

3.5 PUBLIC PARTICIPATION MEETING – 414-418 Old Wonderland Road (Z-9293)

- Councillor Squire: All right and there is a staff presentation so go-ahead staff. I'm sorry, are the slides somewhere in the documents that we have?
- Alanna Riley, Senior Planner: I believe they are in the Added Agenda.
- Councillor Squire: Alright and do you have a page?
- Alanna Riley, Senior Planner: I do not. I believe Heather Lysynski will have that page number.
- Councillor Squire: Okay. I just want to make sure the Committee, before you start. 280.
- Mayor Holder: Page 280 Chair.
- Councillor Squire: Thank you very much. We're all in the same area. Go ahead. Thank you. If the applicant is here we'll hear from the applicant and then we'll do technical questions. Is the applicant present?
- Hello? Can you hear me?
- Councillor Squire: Yes. I can hear you.
- Hi. This is Colin McClure from 414 Inc. I just first want to say thank you to staff for working through this process with us and we agree with the report. Here to answer any questions that Committee or, or the public might have. I'm also joined by Harry Goossens from Dillon Consulting, our Consulting Engineers so if there any technical questions come up, I'll defer to him but I'll just go back to you from now. Happy to speak where I can.
- Councillor Squire: Thank you. Just going to Committee then. Are there any technical questions for either the staff or the applicant? Councillor Hopkins. Go ahead.
- Councillor Hopkins: Yes I was just wondering what the units per hectare are on this?
- Alanna Riley, Senior Planner: Through you, Mr. Chair, I believe the units per hectare are forty-four.
- Councillor Squire: Is that fine, Councillor? Yep. Any other questions? Technical questions only. There being none we will then to go the public for public participation. I don't know if we are going to start with the overflow rooms or yes, sir.
- Good afternoon. Can you hear me?
- Councillor Squire: I can hear you and just to be clear, you'll be allowed up to five minutes to speak to the Committee and yeah, I just need your name and your address if you would like.
- Colin Rogers, 864 Berkshire Drive.
- Councillor Squire: Okay. Go ahead.

- Colin Rogers: I would just like to comment, I believe it was Councillor Hopkins advising us all to contact staff. I've been trying to contact staff for three weeks, Alanna Riley, she doesn't answer the phone so I am not as well prepared as I would like to have been but I'm prepared to start now.

- Councillor Squire: Go ahead.

- Colin Rogers: Thank you. I have here the report which I just picked up today. It is a flawed report, it doesn't seem to have been made with a site visit and the officer seems to have dismissed all the significant complaints of the residents. The London Plan, as I understand it, is to provide for vibrant, healthy and fulfilling neighborhoods, whereas if this zoning application is put through it will turn Old Wonderland Road into an overcrowded moribund street where you're likely to get runover because of the cars having to park on the road due to lack of car parking spaces. Particularly the overall design is out of keeping with the purpose of the street. Is there to be rental units where the rest of the street is owner occupied and the rest of the street are single dwellings, single family dwellings. The appearance, as well, is out of keeping. We will have a row of very tightly close to the road of single houses and stacked units. The seven is discordant with the existing streets scene, the outlook will be blighted and it is overbearing we've already seen the garden space has been halved. The parking, well the changes are just unrealistic. Keeping in mind these are rental properties. Changing stacked unit particularly is just absurd. The housing, the stacked housing doesn't seem to conform with The London Plan but I haven't been able to check that yet due to lack of resources and staff not coming back to me. The tree loss when I first contacted the developers was twenty-two, I believe it's up to thirty-three but in this flawed report the officer suggests that the recommendations to build fences and berms, etc., will help to ease the overlook that has now been ruined of the existing properties by the new properties. I would have to say that on the report the lack of a site visit is clearer when the officer says that this is keeping the density and height compatible with the area; it is not. You just have to walk up and down the street to see it. So, in conclusion, I would like to say that this plan is unrealistic, it's cynical, we've already seen the number of changes the developers have made and this will probably just be the start and it's opportunistic to the point of license. People are anticipating a London Plan which hasn't been approved yet and they're stacking it to the nines, the massing is just inappropriate for the street, it's incompatible and it's ill-fitting as a site demonstrate, a site visit rather, will demonstrate. Thank you for your time.

- Councillor Squire: Thank you, sir. Thank you for coming this evening. Any other members of the public who wish to speak? Are they in the overflow rooms? On Zoom. Alright. Who is next?

- Good afternoon everybody. My name is Maureen Tucker. Can you hear me?

- Councillor Squire: I can hear you.

- Maureen Tucker: I live at number 410 Old Wonderland Road.

- Councillor Squire: Okay.

- Maureen Tucker: The proposed development will wrap around me like a letter "L" if you can picture that so along beside me and at the back and will loom over me. I don't really have any questions per se. I went to the open house that 414 put on. My questions have been answered but I, I just want to share my concerns and my feelings about it if I may. Of course, our number one concern is we really don't want this, we live in a single-family home, we live on a street with twenty-one other single-family homes. To add another twenty-nine families in a shoe-horned into a, you know, one

point five whatever it is hectare, two acres, whatever, right next door to us. They will literally have to be shoe-horned, will drastically affect our street and our enjoyment of our home. Other concerns, the loss of the trees, the loss of privacy. Our retaining wall between us and 414 has already been damaged. I don't know what damage could be ahead with all the digging and possible damage to our foundation. The noise, the commotion of construction, we will lose access to our backyard. Our concern that they are rentals which will destabilize the streets, twenty-nine units turning over and over and over. We're concerned about the street parking that I know darn well will happen and I know this because I walk past Trowbridge every day. I feel it's too much on too little lands. I'm not looking to the construction chaos, not looking forward to having twenty-nine families just on the other side of whatever trees are left but mostly what I want to say to you is the type of street that Old Wonderland Road is and I agree with the past, the previous speaker, I wonder if anyone proposing this has walked down the street and looked at it as a residential neighborhood. This has been the type of street for seventy-five years or more that single families have lived on. We have big lots, people come here and they stay, there are, I would guess, I'm guessing, a third of the people on our block have been here more than twenty years and they chose Old Wonderland Road for a reason. It's quiet, it's peaceful, it's, it's a friendly neighborhood of people who are here to stay and improve their properties. Old Wonderland Road, in the last five years has become very destabilized as a result of the uncertainty of 414. Also, Teeple Terrace is less than five hundred meters from my house, that development out there and if I look out my dining room window I can see the new development at Springbank and Wonderland. They are, the developers have been circling our neighborhood for many years and it is destabilized and added concern to our residents and it's as simple as well should we get a roof or do you think we'll be moving in the next few years? You know, it's things like that. We haven't felt at home here because of the uncertainty of next door and it won't just be next door, it will be next door and behind and looming over us, these are all uphill units. We will be completely, what's the word I want to use, they will cover us, that we'll feel very covered, I think. Mostly of what I want to say to you is I believe this development should not happen because it will change the DNA of the street. With the street now, our long-time homeowners who live here and love here and have put their time and energy and hearts into the street you drop twenty-nine rentals right next to me and all of those cars and that's going to change my experience of Old Wonderland Road and the experience of my neighbors. I understand The London Plan and I understand infill and I understand development and progress but frankly I don't want it and I don't know anyone that does so I appreciate you listening to me. All I can say to you is drive down on Old Wonderland Road and look at this place and decide if you think twenty-nine new rentals need to be dropped in and if you lived at 410 Old Wonderland Road I think you'd feel the same that I do. I really appreciate the opportunity to speak today and I thank all of you for your time and attention.

- Councillor Squire: Thank you very much for coming and expressing your views, we do appreciate it. Do we have another submission? We have one more person I believe to speak. Hello? Is the person muted perhaps? Alright.
- Barb Westlake-Power, Deputy City Clerk: Mr. Chair, they have been asked to unmute and haven't so perhaps they're just observing the meeting.
- Councillor Squire: I'm sorry, they're what?
- Barb Westlake-Power, Deputy City Clerk: They have been asked to unmute.
- Councillor Squire: Right.
- Barb Westlake-Power, Deputy City Clerk: They have not.
- Councillor Squire: Then you said something.

- Barb Westlake-Power, Deputy City Clerk: They may just be observing the meeting.
- Councillor Squire: Alright. I'm going to ask whoever that is that's on mute if you want to make comments on this particular development which is for 414-418 Old Wonderland Road that you have your chance to do that now and then I'll, we'll be closing the public participation meeting so I'll call once, twice and I'll ask for a motion to close the public participation meeting.

Appendix C Zoning By-law Amendment

Bill No. (number to be inserted by Clerk's Office)
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 400
Southdale Road East.

WHEREAS LJM Developments has applied to rezone an area of land located at 400 Southdale Road East, 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 400 Southdale Road East, as shown on the attached map comprising part of Key Map No. A107, from a Service Station (SS2) Zone to a holding Residential R9 (h-5*R9-1*B-) Zone.
- 2) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B-__ 400 Southdale Road East

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a residential apartment building, with a maximum height of 7-storeys plus mechanical (29.2m) and a maximum density of 462 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law, and provides for affordable housing in return for the following facilities, services and matters:

1. Exceptional Building Design

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

- The building oriented to the corner of Southdale Road East and Dundalk Street providing a well-defined built edge and creating a positive public interface and human scale at street level;
- The inclusion of building step backs, from 7-storeys to 6-storeys and 5-storeys with a variety of building materials and building articulation to break up the massing of the building;
- Purpose-designed amenity space on top of the 7-storey apartment building and parking structure;

2. Underground parking

3. Provision of Affordable Housing by requiring that LJM Developments enter into an agreement with the Corporation of the City of London (“the City”) to facilitate the transfer of ownership at no cost of four (4) new one-bedroom condominium units constructed within the development for the purposes of affordable housing, in a form prescribed by the City.

It being noted that a future development agreement will provide for the four new one-bedroom units and will include the following through further agreements as necessary:

- Assurances of the specific location, size, fixtures, and features of the bonus units are defined as to the City’s satisfaction. This includes any common and general attributes, (such as storage lockers, parking, or other building resident amenities) for each bonus unit.
- A purchase agreement, inclusive of securities as applicable, reflecting the process for the no-cost transfer of the 4 new one-bedroom units and any associated services and features upon condominium plan registration, in a form satisfactory to the City.
- Confirmation that the associated condominium declaration and by-laws shall in no way limit the use and function of the units for affordable rental housing in accordance with applicable residential rental laws.

It is further recognized that, upon ownership, the City will retain and maintain the units within the function and business of affordable rental housing as managed through the City’s Housing Stability Services. The City, as owner, would therefore be required to address costs associated with condominium and other standard fees. These factors have been considered within the bonus provisions and will be subject to separate reporting and details. The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Permitted Uses

- i) Apartment building

b) Regulations

- | | | |
|-------|---|-----------------------|
| i) | Height
(Maximum) | 29.2 metres |
| ii) | Density
(Maximum) | 462 units per hectare |
| iii) | Front Yard Setback
(Minimum) | 1.0 metres |
| iv) | Exterior Side Yard Setback
(Minimum) | 1.0 metres |
| v) | Interior Side Yard Setback
(Minimum) | 9.84 metres |
| vi) | Rear Yard Setback
(Minimum) | 0.65 metres |
| vii) | Landscaped Open Space
(Minimum) | 15% |
| viii) | Aisle Width for Access and Driveway | 6.5 metres |

- (Minimum)
- ix) Parking (Minimum) 1.06 spaces per unit
 - x) Accessible Parking (Minimum) 7 spaces
 - xi) Bicycle Parking 0.45m(width) x 1.1m (height) x 1.85m(length) where as 06.m (width) x 1.5m (height) x 1.9m(length) is required
 - xii) Balcony yard encroachment of 1.8m in all yards, no closer than 1.05m to the lot line whereas 1.5m balcony yard encroachment in all yards, no closer than 3.0m to the lot line is required

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 August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

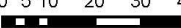
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: OZ-9261
 Planner: AR
 Date Prepared: 2021/07/15
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40
 Meters



Geodatabase

PUBLIC PARTICIPATION MEETING COMMENTS

3.6 PUBLIC PARTICIPATION MEETING – 400 Southdale Road East (OZ-9261)

- Councillor Squire: A staff presentation please. Is someone.
- Alanna Riley, Senior Planner: My apologies. Sorry. My apologies. I was trying to unmute.
- Councillor Squire: Thank you. We'll hear from the applicant if they are present and then we will have technical questions. Is the applicant or representative present?
- Good afternoon Mr. Chairman. Can you hear me okay?
- Councillor Squire: I can hear, yes.
- Thank you. My, my name is John Ariens, I'm a Registered Professional Planner with the IBI Group. With me is Julia Redfearn. Between Julia and myself we do have a brief presentation to make. As you're aware, IBI has an office in London. Julia and I both work out of our Hamilton office because the developer and owner of this property is a Burlington based mid-rise and high-rise developer, LJM Developments is their name. They specialize in apartments, mixed use, they have a number of projects in Burlington, Hamilton and Niagara and we're very pleased to now have a project before you in the City of London. I understand our power point presentation is part of your agenda, it began at the original agenda on page 333 and we'd just like to refer to that as we make our presentation. If I could ask you to please go to the second slide which is an air photo of the subject property and just to put it in context, this is a corner property on two major roadways. Southdale Road is also a transit corridor of abutting land uses as you can see on this slide we have commercial to the east, commercial and institutional to the south, kitty corner we have the Shoppers Drug Mart, the medical clinic, the dental office and across the street on Dundalk we have an eight storey rental apartment building. You can see immediately to the north there is a large, treed buffer area and then we have the low-density semi-detached homes on Stockton Street so that kind of provides the neighbourhood context. I would point out that transit is readily available on Southdale Road and the site is within walking distance to many commercial uses, services, medical and dental offices. On slide three of our presentation we just provided an overview of the technical reports and studies that were included with our submission. These dealt with servicing, transportation, parking, tree preservation and as you can appreciate this being a former gas station, a brown field site. Environmental and soil testing was also conducted. I would like to stress that all of the study's support the proposed mid-rise residential use there really are no technical issues, no technical concerns that would not cause this to be an appropriate form of development. Members of Committee on slide four it just provides a summary of the application process. I would like to commend planning staff, the application was deemed complete in middle of September last year, here it is in the middle of a pandemic and it's only ten months and we have a positive staff report and it's gone through a number of revisions and all of the revisions I should stress were meant to address public concerns and public issues. When the matter was before your Urban Design Peer Review Panel I can also point out that this Panel was extremely excited about this project, they liked the design, they liked the placement on the site. As Ms. Riley pointed out, the main mass is focused at the corner, we have a very strong street edge, it's a very exciting design. Two revisions have been made from ten storeys to eight storeys. Working with Councillor Pelosa, we entertained a developers open house meeting. A number of residents attended and, as a result of that meeting, the original proposal was actually mixed use with commercial on the ground floor and that has been removed and

another floor has been removed so we're now at a seven-storey step design and I will turn over to Julia to just give you a brief description of the project.

- Julia Redfearn, IBI Group: Can you hear me alright?
- Councillor Squire: Yes.
- Julia Redfearn, IBI Group: The proposed site plan and building elevation can be found on slide five and six. LJM Development is proposing a seven storey apartment building that steps down to six and four as it approaches the north and east property boundaries. The development comprises one hundred eighty-one dwelling units, two levels of underground parking one hundred ninety-three parking spaces and two hundred six bicycle parking spaces. Vehicular access and the building lobby entrance are proposed off the Dundalk Drive whereas ground floor patios and residential amenity space primarily front on to Southdale Road East. We received public concern forwarded by the City and during our open house pertaining to height, parking, density, massing, sun shadow, traffic and zoning non-compliance. The presentation in the agenda goes through each of these concerns to explain how we have addressed them.
- John Ariens, IBI Group: If we look at slide number eight this is an example of a very important planning tool that we use as a guideline. This is called angular plane analysis and I'm sure most members of Planning Committee are familiar with this and, and as Planners we use this as a guideline to reduce privacy and overview issues and when we apply angular plane analysis on to this project as shown on slide number nine you'll see that there is a minor encroachments within the angular plane for the upper floors of the building and this really is supportable for a number of reasons. First and foremost is the existing treed buffer that we have along our residential interface with the low-density area and that tree planting buffer will be enhanced through the site plan process with additional plantings. There are existing homes to the north also enjoy a significant setback of over twenty meters from the property line so there is a substantial separation distance that isn't really captured or reflected in the angular plane analysis and because of the encroachment that that is proposed the minor encroachment at the public information meeting that we hosted we made a commitment to the residents that through the site plan process those upper balconies that encroach would be treated with opaque or frosted glass and then that will further enhance the compatibility and together with the shadow analysis which Julia will explain we believe we have a compatible interface.
- Julia Redfearn, IBI Group: Sun shadow studies were completed for March, June, September and December to ensure there are no significant adverse impacts on adjacent properties throughout the year. The dark blue outline on slide ten and eleven show the as of right six storey building permission shadow versus the proposed seven storey building shadow. Evidently, they are comparable and there are negligible shadows cast on the adjacent property. Slide twelve, slide twelve shows the preliminary landscape plan. There's also a three-meter-wide landscape strip filled with trees to provide privacy purposes and the one point eight-meter-high wood fence between the proposed apartment building and existing dwelling to the north. There is also an approximately ten-meter yard setback proposed from the new building to the northerly property line. Currently there are several low-quality shrubs within the boulevard, soft landscaping that directly interacts with the street is proposed to create a enhance view streetscape at the intersection.
- John Ariens, IBI Group: On slide thirteen we deal with one of the other key issues that was raised at our open house and that of course is transportation and parking supply and the studies that were prepared with the original submission and following the public open house clearly demonstrated that sufficient parking is going to be provided and on top of that alternative transportation would reduce the demand for

automobiles. We have transit right on Southdale, we have biking, we have bike parking, we have walking, all these forms of active transportation would reduce the use of automobiles and also help us address climate change. Our transportation consultants looked at the level of service on neighboring intersections, they looked at the driveway locations, they analyzed and got all accident records over a five and ten year period and they concluded that no remedial measures were necessary the intersections are operating at a safe level of service and the driveway does not create.

- Councillor Squire: If I could just stop, I've been sort of indulging you've gone about eight minutes now and that's a little longer than we normally allow so I'm hoping you can wrap up fairly soon.
- John Ariens, IBI Group: I'll go right to my conclusion. How is that Mr. Chair?
- Councillor Squire: That would be great. Thank you.
- John Ariens, IBI Group: I, I appreciate your indulgence. The last slide more or less summarizes the development and staff have, have included a lot of these comments in there's. It's, it's more compact, it's more efficient, addresses climate change, it deals with alternate forms of traffic but I think one of the most important components is the density bonusing. The fact that this developer will be donating four dwelling units either to the City or to another non-profit affordable housing group I think is a significant contribution to affordable housing and I can honestly tell you as the former chair of the Hamilton affiliate of Habitat for Humanity I've been suggesting this type of density bonusing throughout Hamilton, Halton and Niagara for many, many years and now finally I have an example that I can use for other municipalities to follow. This is a great project in a great location, it's contributing to affordable housing and it's providing additional housing in, in a part of London that that really hasn't experienced the same development pressures but clearly this is an appropriate site. Those are comments and we'd be pleased to answer any questions.
- Councillor Squire: Thank you. Technical questions from the Committee?
Councillor Hopkins.
- Councillor Hopkins: Yes. Thank you and thank you to the applicant and to City staff. The technical question I have is around the affordable housing. My first thought was what is the percentage below market value and how long but as I continue to read the letter from HDC and maybe that's a question to HDC. If you could expand a little bit more as to how this affordable, or how these affordable housing units will operate moving forward as we approve the bonusing given that we really don't know how that looks like but I would like HDC to expand on that a little bit more.
- Councillor Squire: Go ahead staff.
- Steven Giustizia, HDC: Through you Mr. Chair it's Steven Giustizia speaking. I'm guessing that City staff will direct us over to myself but I just want to confirm that first. Okay. Through you Mr. Chair I understand the question was how will this work. Normally Council has seen affordable housing units that are negotiated through bonusing at a percentage of average market rent and for a certain number of years. Although the conveyance or transfer of ownership was certainly a potential and is certainly something that is doable within Section 37 so the normal process that we took was, of course, to confirm the lift we do not get involved or, or get involved in any judgments or merit related to the are proposed bonus or the proposed development at all but specific to this case as we were looking at the other bonusable elements and, and the focus on affordable housing it was through the open conversation with the developer that the option of a potential ownership would come up. What we also do is we make sure that the units and as you've seen with the other hundred and fifty plus units that we have negotiated through bonusing we always try to make sure that this

will fit directly with the people who are in greatest need in accordance with our Housing Stability Action Plan so in that respect I spoke to the Housing Stability Office of the City and confirmed that this was actually a, a very advantageous option for certain populations so I think it's important for Council to understand that we always try to align the bonus units with priority populations and that includes in these ownership ones. The mechanism then is that rather than getting units at a percentage of average market rent for a period of time you are getting a fewer number of units albeit but you're getting out of them at a much more tangible value for the proposed bonus first of all, secondly we would be using these as rental units but because there is no transfer costs then the rent would be established at a rate based on the needs of the population. What we did in our own modeling was we factored that the, the units would rent at a rate suitable for a population that would mix into the building of course and into the community because we always want that within our name list and our, our approaches there but more importantly that each unit would also provide the potential to subsidize a second unit so in that respect we did modeling, we ran that modeling by the City and then to the Councillors. I think final question within our recommendations and within our letter and then the recommendations before you the bonus would then be activated through a, what would be a purchase and sale agreement inclusive of all the security so standard purchase and sale agreement that would transfer the four units and that that would be done to the satisfaction of the City with legal noting that the rents for those units would still need to cover the costs that would be incurred by those units and including capital repair costs and then as a final comment the management of those units would be done in the same way as the City manages units that they have under supplement agreements so we already have the mechanism within the Housing Stability Office to do exactly that kind of work.

- Councillor Squire: Councillor?
- Councillor Hopkins: Thank you for that. Is it fair to say, just to follow up with that, is it fair to say that this is a new way of bonusing now? That we can see more of this kind, these kind of agreements coming forward and I guess some of the other part to that is I know the applicant said that the ownership could go to the City Of London or to a not for profit group but I just want to confirm it is to the City of London.
- Steven Giustizia, HDC: Through you Mr. Chair, it is to the City of London. The, the I will say this that the industry I believe, Council has asked us to look at innovation. Council has asked us to look at three thousand units. We know very well that bonusing has a significant benefit in its ability to integrate affordable housing across the community and secures a commitment very early on in the development cycle. When you're looking at options that are available within those parameters then yes, you will see this come forward but noting that bonusing has a potential limited lifespan this can also inform other planning tools that we will see as we move away from bonusing so the notion of a conveyance is not something that is unfamiliar to Council, not unfamiliar to the, to the industry and I think what we've seen here already, we have heard from other bonuses that we are negotiating interest in looking at this tool so I realize this is a new door that's open and I also greatly respect Council for having been with us as we've opened these doors and as we keep turning those dials. As you all know all units that we negotiate now are minimum fifty years, all units that we negotiate now are directly attached to the, the population in greatest need through the binding list and through the Housing Stability Office. We had to get to that point. To answer Councillors question I think this will actually encourage more innovation.
- Councillor Hopkins: Thank you for that and thank you for turning that dial.
- Councillor Squire: Are you finished Councillor?
- Councillor Hopkins: Yes.

- Councillor Squire: Okay. Any other comments or questions technical in nature? Alright. We'll go to the public at this point in time. Is somebody in the overflow room or we online? All online. Okay.
- Can everyone hear me?
- Councillor Squire: Yes. Can I get your name please?
- Absolutely. My name is Allison Zietsma and I live at 441 Stockton Street.
- Councillor Squire: Great. You have, despite the time that has been spent recently, you have five minutes so I will be timing you, I should have timed some other people but I didn't so you're going to be the first recipient of my stopwatch unfortunately. Go ahead.
- Allison Zietsma: I'll do my best. Good afternoon Mr Mayor, Members of Planning and Environment Committee, I'm speaking on behalf of myself, my husband and a group of concerned neighbors and residents living near the proposed development site. After reading the recommendations of the City Planning staff we're really frustrated to see that the plans they are planning to endorse this development as proposed and I'm appealing to the PEC to consider otherwise. While our concerns have been minimized both by IBI Group and the City Planning staff, these are legitimate concerns that deserve consideration and they are coming from lived experience. The amendments to the original proposal we don't feel sufficiently addressed the concerns submitted to the City since it was primarily just the removal of the commercial portion of the proposal along with some height and overall there's just too many amendments the Official Plan being requested by IBI and LJM. The prime concern for most of the residents the area is really the density proposed increase of which sets a dangerous precedent in the city and future proposed development. The increased density has a direct impact on the concerns brought up such as traffic, safety, noise, shape, parking and even privacy. If the proposed development is approved as planned safety becomes a very valid concern, in particular the Stockton Street corridor experiences heavy pedestrian traffic during rush hour when children are walking to and from nearby Cleardale school. Within about a hundred and fifty meters of the busy Southdale/Dundalk intersection there is the potential for nearly two hundred vehicles to be leaving this single proposed driveway at this development as well as the parking lot for the apartment building on the northwest corner, the townhouse development just north of that building, Stockton Street as well as bus stops for the LTC route that receives at Dundalk. Traffic at that intersection, the Dundalk/Southdale intersection is already a concern without this increase despite what the studies say both in speed and quantity. The reports presented to you today acknowledge that our neighborhood is already of mixed density housing but the difference the proposed development in existing multi density housing nearby is that the existing structures are set back from other residential homes, townhouses, etc., and they don't pose the same negative impact to its neighbors. Specifically, this project contains very little outdoor amenity space which is in direct contrast to the building mentioned on the northwest corner which has green space and parking lots surrounding it. IBI and LJM are asking for amendments to remove yard setbacks and therefore will not include that same space and this project is completely out of scale for the property size and compared with what's been approved to date. I'm also encouraging the PEC to consider that this developers not from the city and therefore does not have our city or residents best interest in mind with their proposal. This isn't exciting as has been suggested by our Councillor but demonstrates that they have no vested interest in the wellness of those directly affected by the project, in fact, the public meeting held with IBI Group they expressed disdain for our existing by-laws and Official Plan and they demonstrated a lack of knowledge in our neighborhood in response to our questions. We're well aware of the developer fees that are paid to the City for such projects and we're concerned that this is informing the Planning

department's endorsement since the number of amendments being requested is unusually large for such a project. Finally, according to our own inquiries, the shade studies included do not accurately reflect what might impact the semi-detached housing to the north on Stockton Street and some houses will find themselves in shade the majority of the day for three to four months of the year and will only experience full sunshine for seven months the year. In closing I just want to clarify we are not asking the PEC not to approve any development but to approve a development that is within the existing neighborhoods zoning of four storeys or up to six with bonusing. This proposal constitutes not only excessive requests for amendments but changes to the Official Plan as well. I'm hoping the PEC will consider this project is not consistent with positive development for the city and will have a negative impact on existing residents based on our concerns. Thank you very much.

- Councillor Squire: Thank you very much and you're, you're well ahead of schedule and, and staying within the five minutes which the Committee very much appreciates.
- Allison Zietsma: Excellent.
- Councillor Squire: Thank you very much.
- Allison Zietsma: Thank you.
- Councillor Squire: Next? Is the next person on the line?
- I can speak next.
- Councillor Squire: Okay.
- My name is Caroline McWhinney. I live at 442 Stockton Street.
- Councillor Squire: Great. You have five minutes and I will start the time right now.
- Caroline McWhinney: Okay. I previously had sent in in writing my concerns and commented that the file OZ-9261 is aptly named as only in the land of OZ would this be considered an acceptable application. In my world as a Nurse I wouldn't expect any of you today in this meeting to be able to care for my patients in ICU without extensive years of training so in return since I'm not an Architect or an Engineer I need help in understanding this proposal so please answer my questions. The conceptual rendering photo is a lovely picture of an apartment building but does state it may change. Help me understand what the special provisions mean for a minimum front yard set back of zero point zero meters whereas eleven meters is required, exterior side yard setback of zero point zero meters whereas nine meters is required, minimum landscaped open space fifteen percent where's twenty percent is required. Tell me how these requests that the drawing that shows a tree lined walkway. If I am correct does this mean the actual building is built right to the lot line? I question who would want to live in an apartment that it is just a few feet from a busy main thoroughfare with cars and motorcycles racing up and down the road day and night. Look around and show me any apartments that are built sitting on top of the busy streets. Neighboring apartments at 380 Southdale have berms or hills as sound buffers and they have been built years before the street became as busy as it is. Going along Southdale and Commissioners, I can't find any apartments that are so close to the road. Maybe those grand old apartments will be the free ones to the City for housing. That's sad to think that. The news reporter mentioned Councillor Pelozo stated that neighbours fretted about traffic privacy and hated the building. Wouldn't you too fret if you had concerns for safety in your neighborhood, having people on balconies now

peer into your backyard. An initial plan of a ten foot building on a lot made for a gas station and not one like Flying J, but a corner lot gas station. I spoke with the Principal at the school in the neighborhood and it's at max enrollment so it took many years to get a permanent addition to replace the many portables. Will it mean we're back to needing portables at Cleardale school? These presentations likely won't make a difference based on, we believe this is a done deal, but rest assured that we as a neighbourhood will voice our complaints to the City if issues present re noise, safety, traffic, etc. arise. Thank you.

- Councillor Squire: Thank you very much. Thanks for coming and thanks for staying well within the time parameters. Next person? We have two people. Could the gentleman go ahead and then we'll.
- Hi. It's Bruno DeSando.
- Councillor Squire: Okay.
- Bruno DeSando: I live at 9 Crawford Green.
- Councillor Squire: Alright.
- Bruno DeSando: Sorry. Go ahead.
- Councillor Squire: You have five minutes as I indicated and I will start your time now.
- Bruno DeSando: Just wanted to share with everybody where I live is closer to the intersection of Homeview Road and Crawford which is right adjacent to Nichols Arena. I've lived in this area for 31 years and am very familiar with that parcel of land including when it was a Petro Canada gas station. Although I appreciate the City of London's push for infill development I disagree with this particular choice of development for this parcel of land. Although there has been the amendments made and, and what have you, I still don't think that a seven storey hundred and eighty unit apartment building makes sense for that size of parcel of land. I know John shared about transit on Southdale, he failed to mention that Dundalk is a major transit line both on the east and west sides of the road, in fact, both bus stops at those locations on the northeast and the northwest corners are staging lanes where the buses wait when they're ahead of schedule. Now we have buses that are being staged, we have a new lane way for an apartment building with approximately a hundred and eighty units and this, this thought that, you know, with all the transit nearby that people aren't going to be driving vehicles isn't the reality that I know. Like I said I wanted to share with you as a thirty-one year resident of this neighborhood and probably about a two block radius from where this development occurs or is planned for, sorry. I disagree with the planned apartment building, I would have preferred to see some sort of stacked townhouse or additional semi-detached units or something low-rise. Those are my comments and I hope Committee takes not only mine but everyone else who's spoken previous to me and after me and consider our concerns with this application. Thank you.
- Councillor Squire: Thank you very much. Okay. Next speaker.
- Hi. I'm Claire Bertram. I live at 443 Stockton Street.
- Councillor Squire: Okay. Go ahead.

- Claire Bertram: Hi. I've been here since 1980 and I knew it when there was a Petro Canada station there and no other building. My main concerns have been voiced with everybody else, is the size of the building on the size of the lot. It's just too big for that size of a lot. I can't even imagine even though I keep looking at the diagram it doesn't make sense and I know one of the comments made to us in our community meeting was this is the new thing urban scape landscaping that's going to go right up to the sidewalk. There will be no green area well it doesn't fit in with anything else that's here already so I think my main concern is the size of the building and the size of the lot and the number of units and then how it impacts everything, not even just in the short term but infrastructure around. There's a lot of building going on in this area on Wharncliffe on Bradley on White Oaks Road, all these new housing developments. Do we have the infrastructure to even support them and then add another building and the buildings going up at Bradley and Wellington supposedly and that's what my concern is - it changes the whole thing and do we have all the infrastructure to support schools, roads and the comment about Southdale I can't even keep my window open anymore because of the amount of traffic on Southdale You add another hundred fifty car going up and down. Anyway that's my concerns along with both Allison and Caroline, the gentleman said along with those. Thank you .

- Councillor Squire: Thank you very much. Next please.

- Hello?

- Councillor Squire: Yes.

- Yes. My name is Joe DeSando. I'm representing the owner adjacent to the development at 456 Southdale Road East.

- Councillor Squire: Okay. Go ahead.

- Joe DeSando: Thank you Mr. Chair for letting me voice my concerns and the first concern I have was the sanitary sewer line which has been addressed and I thank you for that. You're all aware of what's going on over there. The second concern which is a major concern is the parking, okay, now we already have an issue with parking there for our tenants and the concern I see in the future there is a) with the construction vehicles parking and b) once this development is there with tenants and visitors parking over there as well. I mean, how do we police that? Like I can't be chasing people all the time not to be parking there. That, that is a major concern for myself okay and also thirdly I am, I would like to talk with regard to the dust and debris from the construction. Is the developer going to address that for all the neighbours and all the neighbouring properties because I mean that will be a messy project to do. Okay and lastly I just want to echo with every, what all the neighbours have said, I fully support them and I totally agree with all their concerns and I fully stand behind them. Those are basically the concerns I have.

- Councillor Squire: Thank you very much. Next please. Hello?

- Good evening everyone. My name is Dave Thompson. Sorry, can you hear me?

- Councillor Squire: I can. I can hear you, yes.

- Dave Thompson: I am not an immediate resident but I am a long-time resident of the Cleardale area and most of the concerns you've heard from the previous speakers I will echo, the, the density of this property or the units on the property is, is so inappropriate for this scale, for the size of the lot. The scale of the building and the size of the lot are just completely out of texture with the, with the neighborhood. The neighborhood does not have anything like this in it and, in fact, if you drive the Southdale corridor from one end to the other you will not find another property

designed in this manner and even developments that are currently in the application process are being under construction. Those are some issues that should be addressed. Some of the other things that I'd like to echo was well is and the previous, there was a gentleman on one of the previous items saying about the lack of communication with city staff and I also find the same thing, city staff not returning calls, they had to be coerced by former Council members to get back to me and also direct to me to, attempting to, they told me that information wasn't available when in fact it was and also, I'd also like to comment on the fact that whenever we had the meeting with, with IBM Group, sorry, we haven't got that right but the developer he, we had that meeting and none of this, none of this, the individuals there knew each other at all and over that time numerous other people have made comments on their concerns but they didn't get notification of this meeting, myself included. The only individuals that got notification of this meeting were the people within the hundred and twenty meter buffer and that to me is, is inappropriate when we had concerns and we were not told of this meeting, we had to be told by others. The City had our information and they didn't supply us with the meeting information so that is, is a major concern. As far as, as far as things go that one of the other things is that the, the people immediately to the north of this property are going to, are going to be really impacted way more than, than myself but the fact that they're going to have to live with this building looming over top of them for as long as they live there and the information provided to you by the, by the developer as far as a shadow impact studies, if you look back at that they strategically picked dates and times where the shadows minimized the effect that is happening there and if you were to do a study, I received information from someone who did a study to say as someone else mentioned there that these people are going to be in the shadow of this building three to four months of the year and that is inappropriate in my view and, and the other thing is the developer is going to gain from this, you've allowed him to go from to increase the number of units and it increases his profits. The City gets money for the units that they're going to inherit and I would estimate four units at the current market value is a million dollars. You're also going to get the ongoing, the increase in development fees for the extra units and the taxes for years to come and yet those residents immediately behind do not get any compensation whatsoever from this which is, it's just a travesty in my view. The other issue in my view is that during the construction phase there's going to be construction equipment here. They have to.

- Councillor Squire: You have about thirty seconds left, sir.
- Dave Thompson: They have to remove at least thirty feet of earth over the entire site and that's going to cause major issues with construction, they have to pour concrete and there's nowhere to put any of the trades vehicles and that's going to be a major issue just during construction and not to mention the noise construction for the immediate area. Thank you for your time.
- Councillor Squire: Thank you very much. Next speaker. Is there another speaker?
- Allison Zietsma: Mr. Chair, we did have one more speaker who had to leave for an appointment and she's on her way home, she's on her way home from Ernest as of six twenty so unfortunately I think she's just going to miss her opportunity but I thought I would let you know.
- Councillor Squire: Okay. I'm sorry to hear that. Is that it then Madam Clerk or do we have more speakers? Alright. That appears that is all the speakers. I want to thank them all for a) speaking and b) nicely staying within the time that they were provided that's appreciated. I just need a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.7 PUBLIC PARTICIPATION MEETING – Application – 180-186 Commissioners Road West

- Councillor P. Squire: Thank you very much. Is the applicant here? Hello is the applicant online?
- Matt Campbell, Zelinka Priamo Ltd.: Mr. Chair it's Matt Campbell from Zelinka Priamo. Can you hear me?
- Councillor Squire: Yes, I can hear you now so if you'd like to go ahead that'll be great.
- Matt Campbell: Wonderful. Wonderful. Thank you very much Mr. Chair. With me tonight is Kamal Baroudi, the developer on this project. We've been working on this file for some time and thanks to staff for the verbal presentation there. Staff have been quite helpful in processing this application and I'd like to point out that staff were extremely helpful in helping us consult with the public as well as was mentioned at the end there. So, this is a development that we're quite excited about, a four-storey building at the corner of Commissioners Road and Viscount as was noted. There will be some design changes through the site plan approval process reflecting some of the comments that were received both from staff and from the Urban Design Peer Review Panel and we're working on those at this time. There is a significant road widening process that needs to be taken into account here for the widening of Commissioners Road West so that has been taken into account that's why we have the site layout that we have with you. One thing that I would like to point out for the Committee's consideration is that there is a large area around the periphery of the site, due to the odd lot lines that we have to work with the parking arrangement doesn't line up with the lot lines and that has resulted in larger than expected or larger than normal landscape setbacks that we can use to plant a significant amount of trees that would enhance the privacy for the neighbours. As staff mentioned we did consult with the neighbors in the area and that was one of the primary concerns that we heard was you know in the landscaping, fencing and how this development was going to be buffered and I believe those discussions were quite positive. We took some points away that we're going to work through the site plan approval process, and I think it was largely a positive discussion. In terms of the London plan this is right up the London Plan's alley in terms of height, scale, density that was being suggested from that plan and that's where we took our cues from in this proposal. I think staff did an excellent overview of the development. If there are any questions that Committee or public has for us, we'd be happy to answer them.
- Councillor Squire: Thank you very much. From the Committee, any technical questions for either staff or the applicant? There being none we will go to the public.
- Colin Sutton: Hello?
- Councillor Squire: Hi! You're in the meeting now. Could I have your name please?
- Colin Sutton.
- Councillor Squire: Alright Mr. Sutton you'll have five minutes and I'll start your time now and you can go ahead.

- Colin Sutton: Thank you. Just a few concerns I did address them in the email earlier today to Deb regarding what was brought up just in that conversation here that they did an assessment at the intersection that said that there wasn't any issue but that assessment have to have been done before the seven-storey building that's going there up now so we still don't know we still don't know what kind of impact at that intersection that seven-storey building is going to dump in to that intersection which is already overstressed. The other one is the parking that is being applied they don't even have enough parking spots for the tenants, or the tenants there let alone I think there's only four visitor spots so where is all the extra parking going to be done? It's going to have to be overflowed onto Viscount Road. Now Viscount Road is also a main pedestrian traffic area for all the kids going to the two schools directly up the street there is already an increase in the amount of pedestrians coming across that intersection now you start adding parked vehicles there and the way that some of these drivers in the city like to drive and that's just the that is a recipe for disaster. Personally, for our own because I'm literally on the corner of Viscount and Commissioners and we can't even get out of our driveway now as it is. I think that it would be nice if the City took into consideration or at least there to be an x-spot in the turning lane there to give us a chance to at least get out especially if they seem bound and determined to go ahead with this complex. Personally, I believe that we've already done our part in the intensification and the infill for this area there is, we've already had a couple of apartment buildings directly across the street go up right behind them, there's two more already going there. This isn't a nice quiet neighborhood or was it doesn't really need another apartment building stuck in the middle of on this site I think we've done our share for that and I guess that's it. I'll wrap up early, so you guys don't have to stay late.
- Councillor Squire: Thank you very much, we appreciate your input tonight. Next speaker?
- Hi! We're Lori and Ray Gonsalves at 549 Viscount Road across from the site proposal.
- Councillor Squire: Okay.
- Lori Gonsalves: Prior to. I'm sorry.
- Councillor Squire: Go ahead.
- Lori Gonsalves: Okay. Prior to buying our detached house we researched the by-laws for the lots in question and sought clarity from the City on future development. We understood that a multi-residential building to go on that corner, a three-storey building with green space and driveways to the municipal address at Commissioners Road and adequate parking for tenants and guests, won't reduce our access to our driveway, violate our privacy or put pedestrians at risk in our school zone. We trusted City of London would not amend those by-laws and endanger our property and our lives. Zoning laws exist for the well-being of the community and apply equally to owners, developers, and government. Yeah, if a homeowner asked to increase the size of their house and encroach on to the regulated exterior side yard depth by forty-six percent and forty-nine into the interior, City of London would say no. If they proposed to increasing the approved height adding balconies that would hang over the sidewalk, City of London would say no. If they were on a corner and wanted to pave over their entire yard and build a triple wide driveway on the adjacent street, City of London would absolutely say no so why are we here. The goals of the rapid housing and building a sustainable city aren't to squeeze people onto a tiny lot. It isn't to design oversized buildings with balcony perched a half meter from

major road. It isn't to add physical barriers at intersections that reduce driver's visibility and endanger pedestrians. It certainly isn't to make a prejudicial and elitist assumption that families, caregivers, and guests won't have cars to park, it's to provide affordable homes for people to live with dignity and safety. Intersections are where conflict occurs moving the access point to Viscount from the municipal address will escalate current dangers at that intersection. Prior to COVID restrictions we have local traffic, vehicles ushering children to school and drivers using Viscount as a shortcut. Our speed limits are seldom obeyed. The seven-storey Vida Living building on Viscount is nearing completion, its occupancy will significantly increase traffic congestion. At the intersection Viscount has a short left turn lane, a right turn lane and twice daily a school crossing guard to stop impatient drivers from turning into the crosswalk. Now the entrance to it is at the terminus before proceeding through the intersection cars and delivery vehicles will have to wait at the light on Viscount, no vehicle behind will be able to turn right onto Commissioners. Traffic will back up and prevent access to the right turn lane. If City agrees to this site concept, you'll add another access road on the southeast corner less than thirty-five meters from the intersection. Vehicles exiting Commissioners on to Viscount will have to turn left to access that site and there's no road space to add a turn lane. Visualize that during peak times when COVID restrictions end as they sit a few car lengths from the busy intersection waiting to turn left, vehicles and busses won't be able to turn off Commissioners. At peak times one car waiting to go straight into Vida Living and one car trying to turn left into this proposal will bring north and south bound traffic on Viscount to a standstill. Public transit will be immobilized. Ambulance, police, and fire trucks won't be able to navigate the congestion and vehicles won't have space to provide clearance. Lifesaving moments will be lost for people near the junction and in our school zones. Vida Living will be fully occupied this winter before adding more traffic to the intersection conduct the due diligence investigation into this statistical reality of that occupancy without COVID restrictions limiting traffic then do a traffic impact assessment. Without due process to measure defined traffic changes at the terminus on Viscount it's impossible to assure the community that a second gateway out Viscount won't increase

- Councillor Squire: You have one minute remaining.
- Lori Gonsalves: access reduction, risk road efficiency and driveway access alternatively decrease the City of London future liability and financial impact. Design a size appropriate building with access off Commissioners. Yes scaling back will cause rentable units but families gain standard of living, drivers, pedestrian, and homeowners gain safety at that intersection how much is even one life worth. Children have low impulse control and slow reactionary skills. They lack the cognitive development to recognize the pedestrian risk in time. Impatient drivers make tragic mistakes especially at intersections please public safety first. Thank you.
- Councillor Squire: Thank you. Next speaker. Next speaker, go ahead.
- Hello?
- Councillor Squire: Yes, your name please.
- Yes so, my name is Sean Collins. I'm not sure if I'm on the right spot on the line but I'm a resident at 545 Viscount right across from the proposed development.
- Councillor Squire: Okay go ahead Sir.

- Sean Collins: Thank you okay. So, I'd like I just like to, I are very much agree with the with the other residents have brought up. There seems to be very much a consistency, stern sentiments here.
- Councillor Squire: You're fading in and out Sir.
- Sean Collins: Right can you hear me now?
- Councillor Squire: I can hear you now yes.
- Sean Collins: Okay I'll try and be a little closer close to the computer. So there's a lot of consistency with what the residents have raised and I'm very much in agreement with that. Not agreeing with the height of the building, I think that it's very much too high, not very much too high but definitely too high for the area on Viscount that it will immediately impact. If you're only considering it to be a Commissioners Road address then perhaps the vision of the height would be different but as it's on the corner and the proposed entrance is on Viscount and the City's recommendation to the developer was to even move the main entrance of the building to Viscount it's very much more would be a Viscount address that it would seem to be a Commissioners address and with all of the other single family homes in the area surrounding it the height and the volume of units in my opinion seems to be excessive. If it's something of a lower unit per hectare standard I think would be it would be much more clickable I don't see why they were there would be a requirement to approve that increase when a lower unit per hectare standard was what was in the previous planner regulation whatever it was. Additionally, the parking although it can make it, in the city in their report stated that it was common to have a one for one parking required or parking allotment the size of the parking, the parking spaces and the lack the of any additional ones that it seems unnecessary I think it be much more a much nicer development much more in line with the characteristics of the neighborhood. If there was a little more ample parking and a little less units for the space. Additionally, there's a removal of the city tree on the that's proposed which is quite a large tree it would also provide quite a bit of a cover or privacy rather for the for if any development that would go up there. So I don't think that that tree should be removed and then I just may just have just a couple questions. The first question was what was planned for the actual for the units themselves are they are the plan for rental or for sale and the second question was why the why the layout of the unit seems to all only be single bedroom suites for the and for the entire development. So those are two questions and then those are all of my points as well thank you very much.
- Councillor Squire: Thank you very much. Next speaker?
- Hi! Can you hear me?
- Councillor Squire: I can hear you yep and your name?
- My name is Carol Stewart. And I'm taking the spot.
- Councillor Squire: Okay go ahead.
- Carol Stewart: Thank you and through you Mr. Chair I'm Carol Stewart and I'm calling on behalf of my family at 223 High View Avenue West. Our property, the back of our property line boundaries the new development or the proposed development. I'd like to start by acknowledging our neighbors who have put a lot of thought through their communications with you previously and here today and who also want to share as part of that community. Many of them who have been watching since 5PM so God Bless you all for the time put into the committee.

Thank you also to Barb Debbert, City Planner who helped to I think re-establish some of the lines of communication with the planners and contractors, Mike and Kamal who are representing them here today and Barb particularly listened to our concerns that I think some of the were cited on the updated reports. So, my primary reason for calling in is to read, reiterate the concerns and issues of my neighbors some of whom you've heard from already but also their submissions are contained within your package and also to see if you have any questions for us. In short, we believe that most of these concerns would be at least partially resolved by reducing the scale of this development by reducing the number of units and to build an apartment building that's more aligned with all of the other sort of two to three storey apartments along the south side of Commissioners between Viscount and Andover. There are a lot of tall buildings going up on the north side but that at least there should have been a consistency in character to which we obviously have become accustomed. A couple of points, from my own experience I would speak again to the traffic at the intersection of Viscount and Commissioners. It's already terrifying as somebody who drives my car through there and as somebody who walks an eight-year-old child to school a block away we avoid that intersection as much as possible we'll take the back roads. You've seen and heard of the evidence or the anecdotal evidence that neighbors have communicated around that please be very careful as the City how you manage this new driveway and what it means for how traffic is controlled because it feels dangerous now and I only see it getting worse. The second point that I would speak to in terms of our own family experience with this development is that from the start this had felt very heavy handed and non-transparent. Last year in June 2020 the new property owner clear cut all of the that the urban forest corridor that was along the back of our backyard without an honest or transparent tree assessment or preservation plan. For me there's no consultation for more than a year our home and my neighbor's home have you know many of them, I'm sorry several of them who lived there for you know thirty forty years have been subjected to scorching sun and heat, increased flooding from the deforestation of these many mature trees along the corridor, the loss of privacy and significant increases in noise, light, and dust pollution. As other callers have mentioned there are other construction major construction apartment buildings going up in near vicinity. I appeal to you as also being the Forest City's environment committee and this being the planning committee please do not ignore deliberate efforts to obfuscate poor tree check and I appreciate Matt chiming in earlier recognizing that there's going to be significant efforts to replace the tree corridor however I think it's worth saying that this feels like we were it feels like a bit of a scam no offense. We understand that the City directive to staff

- Councillor Squire: You have one minute left.
- Carol Stewart: Thank you. We understand City directive to undertake to establish more housing options in turn we want you and the developers and the rest the council to understand and respect the character and concerns of our neighborhoods particularly the ones we share for our neighbors and their family's safety. We want our new neighbors who move into this development or other development in our neighborhood to inherit a neighbourhood which prioritize the safety and character so they too can enjoy it as much as we do. We appreciate you taking the time to listen to us and of course as I think of the comedian responding to participants, we're happy to answer any questions that you might have.
- Councillor Squire: Thank you very much. Next speaker.
- Hello?
- Councillor Squire: Yes, can I have your name please?

- Yes, my name is Marty Peterson.
- Councillor Squire: Okay you have five minutes. You're in front of the committee so go ahead.
- Marty Peterson: Yes, I live at 552 Viscount Road almost abutting to the property line sort of a small green space between mine and their fence. There are a few issues that I'd like to raise in regards to this building. For one you did not at all take into consideration when you did your assessment of traffic flow the 75-unit building going up directly across from the intersection at Commissioners and Viscount. You also did your assessment during a pandemic when we were in lockdown therefore skewing the numbers horrendously. The sightline was done in the middle of winter when there was no foliage on the street which greatly obscures your sightlines. A removal of a very well-established tree is lacking for the Forest City. The light and noise that will be created from the backyard overseeing us and the neighbors on High View will be horrendous. The tree removal as already mentioned was done without any consultation or I would put that the fact that it was probably done illegally. The infrastructure itself you're wanting to change from twelve metres to fourteen metres, you're wanting to change to one parking spot instead of a one point two five, all these things nothing would indicate that there is a necessity in this area a three or four building would be more than sufficient for this neighborhood as is already seen in Commissioners on our side south side already with many of them there that have no problem. The application to put in a wooden fence around the property has no validity toward sound abatement, the property values will drastically drop right away entering on to Viscount would be totally ridiculous for the traffic flow. You have a street address of Commissioners and now you want to change it over to Viscount entry it makes no sense at all. The parking structure itself only allows for forty units and forty parking space there is no parking allowed anywhere else you're not allowed overnight parking during the winter on our street you're directly across from the bus stop so then you'll have people coming and going the in and out from a bus stop and trying to traverse across an area where there's traffic coming out first thing in the morning. These are just some of the things that we've mentioned in letters that haven't really been addressed and I'll end it there. Thank you.
- Councillor Squire: Thank you. Next speaker. Hello? Can I get the next speaker?
- Clerk: Mr. Chair I believe that's all of the remote participants that we had for this item.
- Councillor Squire: Right. And there are none in the overflow room? Nope. That appears to be the public submissions so I'll need a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.8 PUBLIC PARTICIPATION MEETING – 1047-1055 Dearness Drive

- Councillor Squire: We will go to the staff presentation.
- Councillor Squire: Thank you very much. Is the applicant present?
- Laverne Kirkness: Yes, I am Mr. Chair, it's Laverne Kirkness of SBM Planning.
- Councillor Squire: All right, go ahead.
- Laverne Kirkness: Thank you very much, Mr. Chair, Committee members and members of the public that are attending. I should tell you that Leo Viglianti and his daughter, Maria, who have been the primary applicants, are attending, along with Max Sim, representing Zed Architecture, should you have any questions of them, but I'll be quick. I know we're way behind on the schedule, but we thank Planning staff for their thorough report and one that is supportive of our proposal. We agree with it and have no changes to add, and we would therefore hope the Planning Committee may be of the same mind and support, adopt the recommendation and take it on to council for August 10th. I'd like to just point out a couple of things, this is kind of a unique application, maybe unique compared to the other ones you've heard tonight. Leo and the Viglianti's are basically residents, and have been for fifty years, of the property at 1047 and 1055 Dearness in two different, single detached homes. Leo's mother lives in one and he lives in the other. The two properties make up about one acre: they're part of an old subdivision and the neighbourhood known as Dearness Drive. They're located on the very edge of the neighborhood, between the Wellington Road corridor and White Oaks Regional Mall to the west and Fanshawe College in the old Westervelt building to the east, which is Dearness Drive, and to the east of that is of course the Dearness neighbourhood, which is primarily a single detached residential neighborhood. The other unique aspect of this is that the apartment building that the Viglianti's propose is one where they would like to reside, so they want to stay in the neighborhood, and they'll be basically an owner / occupant of this rental apartment building. That's a bit different, they're not developers, they're basically citizens of London and hardworking citizens of London, but they, I guess, in a sense, are developers as soon as they start developing this site should they get the approval. I should say that the Viglianti's have been great to work with, it's been a few months getting through the City's zoning process, but we've done a Functional Servicing Study to show that there's adequate municipal services, we've done an Archaeology Study, we've done a Planning Justification Report to show conformity with the Land Use Planning policy framework in the Urban Design Guidelines, we have spent substantial money on the architecture, which you do with Bonus Zoning so you know basically the building you will get when you grant the Bonus Zone and we've done an urban design, recently appeared before the Panel and, all the while we have been responding, you're looking at about the fifth set of revisions here tonight, with basically two major changes, but the changes have

come about mainly because of the Urban Design Panel, mainly because of neighbourhood concerns, because we had our own community meeting back on April 14th, and about 18 households appeared. It was, of course, online and for an hour and a half we did exchange thoughts about the pros and cons of this development. I think one of the most significant things that came out of the meeting was the traffic problems on Dearness Drive, which we've been trying to work with the City on to see what we can do to contribute, but basically, we have one access to Dearness and it's close to Bradley. We're providing a Road Dedication to widen Bradley. We removed the commercial component, we've certainly made the building so it's narrow and is facing the residential neighborhood, we've enhanced the architecture of that end as well. We tried to be sensitive to the trees along Dearness Drive and along the east side of the property, and there would be Site Plan approval and through a tree inventory that's being required of us, so in the end Mr. Chair and Committee members, this is basically what the London Plan envisages and certainly it's a great transitional use, we think, between the very high-rise development that you know is proposed at Bradley and Wellington on the very northwest corner and the residential neighborhood to the east, and so we're hoping that that you see fit to support the Planning staff report, which is basically comprising our application. We would like to respond to any residential concerns perhaps, but we'll wait and see what they might be. Thank you very much.

- Councillor Squire: Thank you, does the committee have any technical questions for the applicant or for staff? There being none we will go to the public. First speaker?

- McLennan: Hello?

- Councillor Squire: Hello, how are you?

- Keely McLennan: Very Good. This is Keely McLennan from 914 Dearness Drive.

- Councillor Squire: Okay, go ahead sir.

- Keely McLennan: I was listening to the conversation and my biggest concern would be this traffic study that was done in 2018. I believe I kind of initiated that, I spoke with a Mr. Mark Ridley, and at that time I was told it could not be done until the Spring. Well, they set up a wire across the road and I do believe that's how they did their study. The problem was where they put the wire across the road is north of Wellingsboro, where the traffic is maybe a third of what it is going on to the south of Wellingsboro. I moved here approximately 10 years ago, and I live directly across from this intersection, and in the time that I have been here the traffic has tripled, at least. On Wellingsboro, we have the Islamic Youth Center, we have a Jehovah Witness Temple, plus they have also added a strip mall on the corner that faces Wellington, but all of the services and customers come out through the rear of the building, especially if they wish to go south on Wellington, because you can't, there's a Starbucks, there's Popeye's Chicken, Kentucky Fried Chicken, Jersey Mike's, Pizza Nova, Roy Inch, all of these businesses are emptying onto Wellingsboro, they come down that road to a stop

sign. I contacted the London Police because, as far as I'm concerned, people are breaking the law by running that stop sign, and it's also no trucks on that road, but once again, it's a service road and it's not enforced. I was told they would put it on a list, and like I say, I'm retired, and I live right across from that, and I have never seen an officer. I offered to put them in my driveway so they could watch it. Other concerns, the crosswalk that is at Dearness and Willow Lane, it empties on the west side of the road into somebody's driveway, there's no overhead markings, the bus comes down as far as from Bradley to Willow Lane and it goes east from there, it has to go over the curb in order to make the turn, which is also the crosswalk; they are extremely dangerous. We have lower income housing down at the end of the street, which is semi's. I know of two home daycares, from there there's 12 kids every day going four times a day, crossing in there. I can't do anything more; I've contacted people and it seems to be ignored. They have a three-way stop with crosswalks at Willow Lane and Osgoode, they also have a three-way stop crosswalk at Willow Lane and Willow Drive. Nothing on Dearness, there's no sidewalks on the east side of the road, so they have to cross the road. Anyways, those are just a few of the things.

- Councillor Squire: You have one minute left sire.
- Keely McLennan: Yes, I see that. The other thing, this is a residential area, the properties are large. I wonder what kind of precedent we are going to set with this. The reason they want to put this building in, because yes there is the area, but that is the reason I moved here, I like my own big lot. Is that what I'm going to do? Am I going to go to my neighbor and say "Gee, we could make a pile of money here, let's do what they did." You know, it's zoned Residential, I guess that is residential, I don't know. Anyway, that's about all I have to say, thank you.
- Councillor Squire: Thank you. Next speaker?
- Nicole Burke: Good evening everyone, first I want to take a moment to say thank you to Barb Debbert for taking my many calls and emails. My name is Nicole Burke and my husband, Trenton, and I, along with our girls, who are 2 and 4, live at 1039 Dearness Drive, which is the home next door to the proposed development. For context, we have eleven windows, those, our deck, and our front and back yards all will face the proposed site. There are currently no buildings in our community of Westminster that are of this height and scale. The Shadow Study that was conducted shows that for the entire winter months the homes to the north will have all sunlight blocked by this building. We are part of the group of neighbors who created a petition against this zoning application, as of today our petition has 198 signatures. The petition was distributed to only four neighbouring streets, including Dearness Drive, Willow Drive, Glenbanner Drive and Dunelm Lane. The number of 198 represents only 5.5 blocks of homes; therefore, the large majority of the neighbourhood are against this proposed rezoning application. Since December of last year, 11 neighbouring houses that are all located within 120m of 1047 and 1055 Dearness Drive, have joined together to oppose this rezoning application. We have secured counsel, Paula Lombardi, a Partner at Siskins, as our legal representation; she will be helping us appeal any approval of this application. I along with more than 37 other neighbors have already

submitted an email outlining the many reasons we're all against this application. I am speaking tonight to add additional concerns that have come up through speaking with neighbors, many of whom are over 70 years old and the original homeowners on the street. I have reviewed the original application and recent amendments and I wanted to outline specific areas that are attempting to address any concerns that came up in the community meeting earlier this year. We believe these areas are manipulative and intentionally misleading to look as if changes were made to the betterment of the neighboring homes. One example is on tonight's agenda, page 439; you will see that item 10 through 12 speak to protecting the privacy of the neighboring homes to the north, the misleading part is when you look at the details which are said to include an "enhanced landscape buffer" to mitigate privacy concerns. The applicants are proposing a 1.8m, or 5.6', wooden fence along the property line; our current fence is 6.4' high, the proposed fence doesn't address any privacy concerns. In addition, a line of trees will be planted along the property line, but that won't be relevant until if, and when, those trees grow over 6' in 20 to 25 years. Another part of the amendment that doesn't fit into the current neighbourhood is the additional Bonus Zone considerations, which propose moving the standard spacing for R9 Zoning; the applicants have asked for the current front yard depth of 8m to be changed to 1m; additionally, the side yard depth is proposed at 2m, rather than the standard 11m. Both of these changes negatively impact the landscape of the neighborhood, as well as the homes both across the street and to the north. The bonusing increasing the height to six storeys, rather than four, completely goes against the standard of this community, which is entirely one to two storey homes. There are many homes in in this area that have had second or third storey addition applications denied by the City due to privacy concerns; yet this application has been allowed to get this far. One of my final comments has to do with the proposed driveway and the traffic it will generate, not only is it located within 30' of my property, but there is no plan to include a driveway to the Bradley side of the property. With only one driveway the additional traffic will cause a lot of problems on an already busy road with existing traffic concerns. Since 2014, we have been contacting two City Councillor's, as well as the Traffic Division, regarding traffic concerns on Dearness Drive, specifically requesting a stop sign at Dearness and Willow Lane. We have a long trail of over 30 emails and 10 phone calls requesting a Traffic Assessment to address the current issues of speeding and an existing illegal, which I've confirmed with the Traffic Division, an illegal School Crossing sign at that intersection. A Traffic Study was conducted in 2018, but it failed by a small margin, 20 cars to be exact, to be considered for a three-way stop. A traffic calming crosswalk was approved, despite the fact that there is a sidewalk on only one side of the street and the current spot for the proposed crosswalk has a driveway in the way.

- Councillor Squire: One minute remaining.
- Nicole Burke: Thank you. I mention this backstory, as to date nothing has changed, despite many neighbors contacting the City about traffic for the past 20 years. The 2018 traffic study is being used with this application despite that it is not sufficient nor applicable to this application. The traffic at Bradley and Dearness was not looked at in 2018, as they would have seen that upwards of 10 to 20 cars an hour can be found using the driveways near Bradley to turn around and go west on Bradley. Surely the

addition of 55 units would make an existing problem exorbitantly worse. In closing, we as a community are opposing this application and currently feel disregarded. At this time, we request that the Viglianti family voluntarily withdraw their application to protect and preserve this cherished neighborhood. Thank you everyone for your time consideration.

- Councillor Squire: Thank you very much. Next speaker?
- Barbara Fisher: Hello? It's Barbara Fisher.
- Councillor Squire: Hello Barbara Fisher?
- Barbara Fisher: I'm Barbara Fisher, I did send out some emails and one of the questions, I'm going to address four issues, one of the questions I had is, do we know the outcome of the zoning bylaw that was proposed for file O-9263...
- Councillor Squire: I'm sorry, perhaps it's me, but I'm having trouble hearing you, you're breaking up a little bit.
- Barbara Fisher: Okay, I'll try and sit forward, that might help, okay I'm just asking whether we know the results of the proposal for the three 18-22 storey building units that are supposed to be on the northwest corner two blocks from where this proposed site is, and whether we've got the outcome of that, because an additional 1,239 residential dwelling places brings to question whether we really do need these additional living spaces. My second one is with regard to the traffic, I believe you do you need a traffic engineer analysis report, not only for the present situation, because when I first saw your sign saying about this proposal, the first thing I said to my husband is "there will be blood on their hands". The next couple days, that's when they took out the traffic light and I saw the car going backwards in front of McDonald's, this is not a good functioning traffic intersection, and that's prior to this proposal, that's prior to the proposal of 1,239 residences two blocks away. You need to take a look at the fact that they're coming from a left-hand turn, which again decreases the capacity for that intersection. I'm telling you the only reason I'm speaking today....
- Councillor Squire: Okay, you're speaking quickly, but you're also breaking up, I don't know about my colleagues, but I'm having trouble following what you're saying.
- Barbara Fisher: What I'm saying is, it's probably because I'm not inclined to speak like this, it's not something I do naturally.
- Councillor Squire: I understand.
- Barbara Fisher: The only reason I'm talking to you is that I'll be able to sleep at night if somebody is dead, because what's being proposed is a death sentence for someone.

- Councillor Squire: No, I'm not complaining, I mean, you are starting to say things that are little bit inflammatory, but it's the technology, we're having trouble hearing you properly on the technology that you're using.

- Barbara Fisher: What I'm saying is it is not functioning. 2018 is not an acceptable time frame. I've lived here 10 years. I almost had my husband run over at Wellingsboro; I cried for about a half hour after I pulled him back from the guy who tried to hit him. I'm telling you, the functioning in this area with the infiltration of commercial and then adding apartments, and then monster apartments two blocks away, the movement on that intersection will be deadly. Okay, that's my second point. If we are going with in and up, let's take a look at the building in the area between Commissioner and Bradley, there is one token apartment that's going to be built, it hasn't been built yet at Highbury, that area is almost the same as the area between White Oaks and Dearness Drive, and I can tell you straight out on Bradley there is one 6-storey, eight 7-storey, two 8-storey, two 9-storey, two 15-storey; there are 15 mid and high-rise buildings on Bradley. You've got one token one in the new build, if you want in and up to be a part of your building requirements, then do it from the beginning, do it as you're developing a neighbourhood, and don't use that as leverage to come into single family dwellings, because we came here under the guise that this is what the community was going to be and you're changing it. You are supposed to be our protection, the by-laws are supposed to be protecting us as citizens and that's what we depend on you to do. Finally, my last comment is if this is passed it's a slippery slope, as another gentleman said, will we not have an apartment on the other side of the road as Bradley goes? Will we have one going on Southdale at the end of the road, or two at the end of the road? Will we have on Willow Drive one on each side? Will we have them on Southdale on each side too? Because it's possible doesn't mean it should be. And what protects us from changes from senior apartment building? Maybe could be all ages start to become included, including the students from Fanshawe? And the question about that comes as a result of the bicycle storage area. I haven't seen a lot of senior citizens jumping on bicycles and...

- Councillor Squire: You just passed five minutes, so I'll just give you a few seconds to wrap up if that's okay.

- Barbara Fisher: The impact of this proposal is of paramount importance to me; I do not want to see somebody injured. You need a more updated traffic analysis to understand the risk to life, and if we're going to do in and up, it should be in the earlier development of a subdivision. How exactly are we improving this community? I believe this approach or proposal amendment to the bylaws do not help us in any positive way especially if we have...

- Councillor Squire: Okay, you're going have to, you've gone well over your time.

- Barbara Fisher: Thank you for your listening.

- Councillor Squire: Thank you. Next speaker?

- Pat McCarty: I'm Pat, Pat and Garry McCarty, we live at 1035 Dearness Drive, we are right beside Nicole Burke and her husband. So, we are the second house from the proposed project. We bought a house and land, and we sold the house, we built this house we're living in now ourselves, with the idea that it was a beautiful neighborhood with mature trees, there was a park behind us and that we would be living here until we have to go to a senior citizen home. We felt that this area is well developed, there's a mixture of different houses, which makes our street unique and this whole area unique. One of my concerns is Dearness Drive, the road itself is considerably narrower than most of the other roads; when you're going down the street from Southdale, if there's cars parked along one side, and even on the other side where they're not supposed to be, you have to stop and wait for oncoming traffic and, even then, cars are over more in your lane, you have to pull off almost onto the gravel area, right on the shoulder. The traffic has been horrible since we moved here, we've been here over 25 years and the increase in traffic every year has been just horrendous. And with this project going in the corner, 55 units means perhaps 55+ cars going in and out at all hours. The noise, the disturbance, coming in and out the lights flashing on our windows are from headlights of the cars. And also, the security lights that are going to have to be placed on this building will be shining directly in our homes and in our backyards. As well as the balconies overlooking our backyard, we will have lost any privacy we had. My other concern with this project; I really feel that you're not taking into consideration the established neighbourhoods that have been here for years and you're just shoving apartment buildings wherever you can to get people in them because of their inability to afford homes, and I understand that, but there are many other apartment buildings that could be built specifically to that, this one on the corner is not necessary because of the ones going in on Wellington Road, and I'm sure that will be accepted, there is supposed to be five towers, and all these extra people in this area, the crime, the inability to feel safe in your own backyard is going to be exponential. I just feel this area is not made for an apartment building, it was built for veterans, a lot of the veterans, some still live here or their children even, and they feel that this was their home, this street was beautiful, and this is going to be spoiled by an apartment building. And I really think that Leo and his family, and his mother, Maria, I know she wouldn't want this, I know she loves the area and wants to stay here, but I'm sure she wouldn't love an apartment building to live in with no backyard, I see her in the backyard all the time, doing the plants and looking around, she loves it back there, and then she's going to be stuck in an apartment building because her son wants this to happen and that's about all I have to say. Thanks for listening.

- Councillor Squire: Thank you. Next speaker?

- Connie Lorch: Yes.

- Councillor Squire: Hello. Your name?

- Connie Lorch: It's Connie Lorch, my husband, Brian and I, live right across from the proposed site and, of course, we have a lot of reasons we don't want it, just like everybody else in this subdivision. According to the 1989 Official Plan, the subject site

is designated Low Density Residential, within this designation developments shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. That's what we've all been talking about. The requested density of the development exceeds that permitted by both the Low-Density Residential designation and the Multi-family Medium Density Residential designation of the 1989 Official Plan. Most of the people in our area bought here because there weren't any apartment buildings, in fact, there aren't many two-story homes in this area either. When you go to a new subdivision that's being built, you can look at the plans for that subdivision and see where there's going to be townhouses, semi's and an apartment building and then you have the choice of buying a house near it or not near it. In this situation, we don't have a choice and the decision is being made for us. There is no need for this proposed apartment building since there are multiple high-rise buildings proposed for Wellington and Bradley, which is one block away, why do we need another one here in this area with lower buildings? Traffic, as you've heard over and over, is already a huge concern for our area and by adding the proposed apartment building it's only going to get worse. Now Dearness Drive has apparently 2,500 vehicles per day, backing out of our driveway will be even more difficult than it already is. Parking during construction, if it's passed, will hinder traffic greatly on Dearness and visitor parking after it's built is also a major concern. If this proposed apartment building is built, we will have a lovely view of some balconies and a six-storey wall from our front porch, not to mention no privacy when we're on the porch; definitely not why we bought our house. Living across from this proposed building will definitely affect our property value, it will be hard to sell a house across from an apartment building. The London Plan contemplates residential intensification where appropriately located and provided in a way that is sensitive to, and a good fit with, the existing neighbourhood. This apartment building doesn't fit with this neighbourhood and doesn't follow the Plan on either of the specifications. Needless to say, we're not in favor of having a six-storey apartment building built in our neighborhood for these reasons they've given you, and many more. We want our area to stay the same friendly neighborhood it is now. I have a few questions for you about this proposed project, first one is, who is the main developer? Does the developer have to post a bond with the City? What guarantee does our neighborhood have that if the project starts it will be completed? If the zoning gets changed, is it possible for the developer to slip it to another developer and, if so, can the plans change, or will they have to use the same plan? These are just a few of the concerns, we could probably go on all night, but you've been here long enough. We appreciate you listening and giving us a chance to tell you how much we do not want, and do not need, this apartment building in our neighborhood. Thank you.

- Councillor Squire: Thank you very much. That is the last member of the public to speak, so I would need a motion to close the public participation meeting.

PUBLIC PARTICIPATION MEETING COMMENTS

3.9 PUBLIC PARTICIPATION MEETING – Medway Valley Heritage Forest Environmentally Significant Area (OZ-9367)

- Councillor Squire: We will go to the staff report, which I think was contained in the Added Agenda.
- Councillor Squire: I will turn it over to the Committee for technical questions, please. All right, I have one question and that is Green Acres Drive, I'm just understanding, I know you've made comments about the Elsie Perrin Williams Estate area and Gloucester Drive, what's happening with Green Acres Drive in terms of there seemed to be some belief that there was going to be access there. Somebody can answer that?
- Gregg Barrett: The Green Acres Drive access is still identified within the Conservation Master Plan, on the trail mapping that was done the link and, I apologize, the Green Acres access is to remain, what is before you, I believe in Clause B, is the deferral of the completion of that link pending some further study. The Conservation Master Plan still identifies a pathway linkage there, but the actual location of that and the level of that pathway would be deferred subject to some further consultation with the Advisory Committees and with neighbours, as Ms. Williams indicated in her presentation.
- Councillor Squire: Thank you, anything else? All right we will go to the public then, I know there is a list, am I to follow that list at this point, should I start there? All right, let's do that then, go ahead, you're in the Committee Room, so go ahead.
- George Sinker: Thank you, Mr. Chair, my name is George Sinker and I reside at 1597 Gloucester Road with my wife Sydney, and myself, Tom Tillmann and Holden Rhodes have been involved in an ad hoc committee to represent the Medway Heights ratepayer's with respect to this matter and we've had email chains keeping them up to date with what's been going on so, I would tell you that I believe we have substantial concurrence with my remarks from the majority of residents in Medway Heights. Firstly, I would like to thank our Ward Councillor, Josh Morgan, Deputy Mayor, for the assistance that he's provided throughout and his liaising with the staff, it's been very helpful. In addition, we've had yourself, Councillor Squire, and Councillor Lehman, who have actually walked the area to get a better handle on what is going on there, so we are very thankful for the collaborative approach that staff have taken on this, and I think that this is going to lead to making a good plan great. By way of background, my family has had the privilege of living adjacent to the Medway Valley for 36 years, we did see degradation of the Valley when the trunk sewers were installed in the early 1980's, and the creation of the utility quarter. Those affected areas have never fully recovered, despite tree planting and other attempts at remedial measures. Hopefully, time and good management will bring these areas back. As you know, the Provincial Policy Statement, as it relates to natural heritage areas, states that natural heritage areas will be protected for the long term and that they should be maintained and restored, and, where possible, improved. Those policies are carried forward in the London Plan, and as you know, Council is required to make decisions consistent with those policies; accordingly, where there's a conflict, natural heritage trumps access. It is with that backdrop that we suggest certain amendments to the CMP, and we would like to laser focus on those amendments. I believe when staff was asked about Green Acres, respectfully, when that question was raised, they didn't get it correct. They were mixing and matching with Gloucester. With respect to Green Acres access, public use of that Green Acres access is problematic; for fifty years there have been two paved driveways sitting on that unopened lane and, in addition, there's a brick wall that crosses the entire width of that proposed access. In addition, there is a pool house that is located on that access, so we suggest that it wouldn't be equitable at this time, although perhaps legal, it wouldn't be equitable at this point in time to open that access point. As you may know, due to the advent of title insurance, it's quite probable that the owners who purchased those properties did so innocently without having an up-to-date

survey showing those encroachments. So, we suggest that this access not be opened and that it be deleted from the CMP, and that discussion of that access in Emily's paper, staff's paper, was not a request for a deferral, it was a request that that access be opened, so I'm stating just the opposite, that it be left, that it be closed due to those encroachments, and if the adjoining owners wish to apply for encroachment agreements, that's really up to them, not up to the city. With respect to the Gloucester Road access, that is the access that is being deferred this evening, as appendix B to your proposed motion, there is a map of the Gloucester access, and the request is that it be deferred this evening. I'd just like to tell you a little bit about that Gloucester access, because it is adjacent to me, immediately to the west, and I knew that when I purchased the property; it's a Level One access and a beautiful hiking trail. I recommend that it not be increased to a Level Two access, because that trail is a looped trail; in essence it is a trail to nowhere at the bottom of the valley. In addition, access to the valley floor at my location is very steep, and in my conversations and our committees' conversations with our professional advisors and the representative from Upper Thames who sat on the committee, we were advised by UTRCA that if that trail were to be improved with gravel or...

- Councillor Squire: You are at your five minutes, I know what you're saying is coming from your neighborhood, it's important, so I'm prepared to go a little while, but I just want you to understand that we have parameters and it's usually five minutes.
- George Sinker: I will be brief. We've had an architect look at that path and we've been advised that if wooden switchbacks were constructed, based on AODA requirements, the minimum length of the ramp that would be required would be 770 feet at a 10% slope and it would require handrails and guardrails, and at a slope of 20%, it would require a 1,300-foot ramp to get down into that valley. We realize that these decisions on access have been deferred; however, if those switchbacks were to be installed in the valley, they would do severe damage to the natural heritage there and none of us want that. We're trying to preserve this valley; it's a good Master Plan, but with the Green Acres access deleted and with this access left at a Level One, it will be a great Master Plan. The only technical correction I saw in the report is that the implementation date in the report talks about 2018-2028, when in fact it should probably now be 2021-2031, so I'd ask that you consider making that update as well. I thank you for your time, thank you, sorry for going over a little bit, I know it's late, but it's quite important to us and we have been patient this evening. Thank you.
- Councillor Squire: Thank you very much. Is there anyone else in the Committee Room who is going to speak? If you are, you will want to come to the microphone.
- Jerri Bunn: There are no more speakers in the room.
- Councillor Squire: All right, so we'll go to the those who are online.
- Sandy Levin: It's Sandy Levin, I was hoping that perhaps Jackie or Susan and Michael would speak first as part of our delegation.
- Councillor Squire: Go ahead.
- Michael Dawthorne: Sure, I am happy to Sandy. It's Michael Dawthorne. Jackie Madden and myself represented ACCAC throughout this process, actually, I've been involved in this process for well over a decade I think since I first became involved. This round we worked collaboratively with some of the members from EEPAC and tried to find solutions that we thought everyone benefited from that protected the environment and protected the entire valley. It has never been anyone's intention to do damage to the valley, what we have sought is an ability to have as many people safely and responsibly as possible enjoy the valley and I really do believe that we've come to a plan that actually does accomplish that. I'd like to thank everybody who's been involved, City staff, the EEPAC members, as well as Jackie on this, and as well as everybody here tonight for sitting through a very long meeting. Sandy, I'll turn it over to you for your comments as well.

- Sandy Levin: Thank you Michael, I share a lot of Michael's compliments to City staff and staff from the Upper Thames. This was an excellent process, and as has been mentioned, we have a very good plan here and I appreciate Mr. Sinker's comments, but I want to call to the Committee's attention the challenge that we faced with the east side of the Medway is and, I'm afraid I don't have it, I believe it's page 943 of your agenda, which is Figure 4B, and if you look at the map just to the west of A12, there is an informal trail, an unmanaged trail that was recommended for closure 25 years ago and it goes through an environmentally significant part of the valley, as well as across private property, and we're challenged to find an alternative so that people no longer do that and that's the idea behind the deferral, to try and find a way to get there. If you close, as an option, the unopen road allowance, I'm going to be challenged to figure out how do we provide that opportunity for an alternative. We've done very good work collaboratively and cooperatively during Covid and I'd like to think that this recommendation that's before you can go forward. If you want to look at the Green Acres access as part of the deferral, sure, but to totally eliminate it at this stage would be premature. Thank you, Mr. Chair.

- Councillor Squire: Thank you very much. Other members of the public? Is somebody on the line?

- Heather Davis: Heather Davis...hello?

- Councillor Squire: Heather Davis, I'm sorry, I didn't hear that clearly. Go ahead, you have five minutes to speak.

- Heather Davis: Thank you. I'm on 1500 Ryersie Road, been here for 56 years, so I've gone through a whole lot with the Elsie Perrin Estate and the trails and Medway creek. My understanding now is that the City has hired, or whatever, the Thames valley is in charge of, they've hired them to look after the Medway Valley and I spoke to someone there that was parked in the, in what we call "the blind" at the end of, the west end of Windermere, that goes down into the valley, it used to be called "dead horse canyon"; horses went through on the horse trails and so on. We had safe trails down there and they were marked accordingly by, "simple" and "more advanced", there were three divisions. My concern is safety issues at Windermere and Ryersie, because the so-called area that is covered by the City takes in the that blind area that was for emergency vehicles only, and the signage was put up as such. It's now become a parking in that area, the signage is gone as far as no parking there, the parking is unsafe, there's a bit of a ditch there, they block and come out onto Windermere facing west, excuse me facing east, as well as coming up Ryersie, blocking the visibility of that corner. Now a number of years ago, Bill Watkins, because of the safety and unsafety of it, I mean the cars were whistling right into the bank of Windermere Estate or coming up Windermere, they were ending up on the fire hydrant. And certainly living through that and helping them with changing ropes and getting their vehicles back on the road, as I say I see a safety issue there for sure and the pedestrian, there's no sidewalks, which is what the people want, but Bill Watkins at that time he, I don't know what you call it, but he curved the road in such a way that it was rounded, and because of the wet pavement in snow and ice and so on, the drainage he has going down to the ditch, and, ultimately through the estate, as well under Windermere Road, and I too have a ditch at the back of my property in the protected area, but it seems as though there's a whole lot more traffic in the area both car traffic, pedestrian traffic and a lot of pedestrian, being that the University teams are up here with their bicycling teams, whatever, conditioning, and the runners are up here and, whatever, as well as in the estate, parking is definitely a problem here for getting into the trail on the west end of Windermere and they are parking on the street. I cannot get out of my driveway when they are parking on Ryersie, in front of my property, I can't get out, I can't see, the visibility is just not there and having the cars, the zoom, zoom, zoom, cars go flying around that corner, it is unsafe.

- Councillor Squire: You have one minute left.

- Heather Davis: And, indeed, I informed and sent the incident report of a very horrific accident that happened; it took out twelve feet of a cedar hedge, as well as went

through three properties, two across the road from me and a bit on my property, as well as almost taking out two adults. So, safety, I'm a nurse, I see the possibility of serious accidents unless we have better signage and the fellow from the Thames Valley was in the park, he mentioned a couple of things that could be done, one of which was very clever I thought, was the speed bumps and putting in those and putting back signage of no parking. I did have a sign to the north of me on the telephone pole and that was there for years and years, but Hydro, Rogers and Bell did some something with the transformer, that sign came off...

- Councillor Squire: Your time is up so if you could just wrap up that would be great.
- Heather Davis: Yes, so again I just want to point out the extreme safety that is in this area, and particularly on the curve that comes around Windermere onto Ryersie. Thank you so much.
- Councillor Squire: Thank you very much. Next speaker? Do we have anyone? Okay, that's the public participation, so I need a motion to close the public participation meeting.

Strategic Priorities and Policy Committee

Report

11th Meeting of the Strategic Priorities and Policy Committee
July 28, 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, E. Pelozza, A. Kayabaga, S. Hillier

ABSENT: S. Turner

ALSO PRESENT: K. Van Lammeren; B. Westlake-Power

Remote Attendance: L. Livingstone, A. Anderson, A. Barbon, K. Dickins, C. Finn, G. Kotsifas, K. Scherr, M. Schulthess, E. Skalski, C. Smith, R. Wilcox

The meeting is called to order at 4:00 PM; it being noted that the following Members were in remote attendance: M. van Holst, M. Salih, J. Helmer, M. Cassidy, S. Lehman, A. Hopkins, P. Van Meerbergen, E. Pelozza, A. Kayabaga and S. Hillier.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

Moved by: S. Lewis

Seconded by: S. Hillier

That, pursuant to section 27.6 of the Council Procedure By-law, the order of business be changed to allow for consideration of item 4.2 at this time.

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

2. Consent

Moved by: J. Helmer

Seconded by: E. Pelozza

That items 2.1 to 2.3 BE APPROVED.

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

2.1 2020 Performance Report and May 2021 Semi-Annual Progress Report

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

That, on the recommendation of the City Manager, the staff report dated July 28, 2021 including the 2020 Performance Report, May 2021 Semi-Annual Progress Report BE RECEIVED for information.

Motion Passed

2.2 Municipal Accommodation Tax - Required Annual Report

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

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, Tourism's London annual report on the expenditure of Municipal Accommodation Tax revenues BE RECEIVED for information.

Motion Passed

2.3 Diversity Inclusion and Anti-Oppression Advisory Committee

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

That the following actions be taken with respect to the 3rd and 4th Reports of the Diversity Inclusion and Anti-Oppression Advisory Committee from its meetings held on June 17 and July 15, 2021, respectively:

a) clauses 1.1, 1.2, 2.1, 2.2, 3.1, 3.2, 3.3, 4.1 and 4.2, inclusive of the 3rd Report of the Diversity Inclusion and Anti-Oppression Advisory Committee BE RECEIVED;

b) the following actions be taken with respect to the Election of Community Diversity and Inclusion Strategy (CDIS) Leadership Table Representative:

i) the Civic Administration BE REQUESTED to attend the next Diversity, Inclusion and Anti-Oppression Advisory Committee to provide an overview of CDIS; and,

ii) the election of the representative BE POSTPONED to the next meeting;

c) clauses 1.1, 1.2, 2.1, 2.2, 3.1, 4.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7 and 6.1 of the 4th Report of the Diversity Inclusion and Anti-Oppression Advisory Committee BE RECEIVED.

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

- 4.1 Request for Delegation Status - Roula Hawa, Mischa Mackie (Schlemmer) and Reeti Chopra - Housing and Homelessness Crisis

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

The following actions be taken with respect to the delegation from Roula Hawa, Mischa Mackie (Schlemmer) and Reeti Chopra related to the Housing and Homelessness Crisis in London:

- a) the above-noted presentation BE RECEIVED: and,
- b) the recommendations forming part of the presentation BE FORWARDED to the Civic Administration, for consideration and potential implementation, including but not limited to participation in the knowledge-exchange activities related to this report.

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

Additional votes:

Moved by: M. Cassidy
Seconded by: M. van Holst

That the requested delegation status for Roula Hawa, Mischa Mackie (Schlemmer) and Reeti Chopra BE APPROVED to be heard at this time.

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

- 4.2 Consideration of Appointment to the London & Middlesex Community Housing Board (Requires 1 Council Member)

Moved by: E. Pelozza
Seconded by: P. Van Meerbergen

That Councillor J. Morgan BE APPOINTED to the London & Middlesex Community Housing Board for the term ending November 15, 2022.

Yeas: (13): 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, A. Kayabaga, and S. Hillier

Nays: (1): J. Helmer

Absent: (1): S. Turner

Motion Passed (13 to 1)

Voting Record:

Election

Appointment of a Council Member to the London and Middlesex Community Housing Board

J. Morgan(64.29 %):M. van Holst, P. Squire, J. Morgan, S. Lewis, S. Hillier, E. Pelozza, P. Van Meerbergen, S. Lehman, Mayor E. Holder

A. Kayabaga(35.71 %):M. Salih, J. Helmer, M. Cassidy, A. Hopkins, A. Kayabaga

Majority Winner: J. Morgan

5. Deferred Matters/Additional Business

5.1 (ADDED) Consideration of Vaccine Mandates

Moved by: J. Morgan

Seconded by: E. Pelozza

That the communication dated July 26, 2021 from Councillor M. van Holst BE RECEIVED and no further action BE TAKEN.

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

Nays: (2): M. van Holst, and M. Cassidy

Absent: (2): P. Van Meerbergen, and S. Turner

Motion Passed (11 to 2)

5.2 (ADDED) Regional Transportation and Mobility Across Southwestern Ontario

Moved by: Mayor E. Holder

Seconded by: J. Morgan

That, the following actions be taken with respect to the communication dated July 27, 2021 from Mayor E. Holder and Deputy Mayor J. Morgan regarding the Regional Transportation and Mobility across Southwestern Ontario:

a) the Civic Administration BE DIRECTED to develop a conceptual framework for a Regional Transportation/Mobility Hub in downtown London, including working with London Transit to explore potential connections between a regional transportation/mobility hub and local City of London transit routes, including the proposed bus rapid transit system, for Council's consideration; and,

b) the Mayor BE REQUESTED to engage with the Southwest Ontario Transportation Task Force membership on the opportunity of positioning the City of London as a Regional Transportation/Mobility Hub for consideration by the Province of Ontario under the Connecting the Southwest: A Draft Transportation Plan for Southwestern Ontario.

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

Absent: (2): P. Van Meerbergen, and S. Turner

Motion Passed (13 to 0)

6. Adjournment

Moved by: E. Pelosa

Seconded by: A. Hopkins

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 5:16 PM.

Bill No. 312
2021

By-law No. A.- _____ - ____

A by-law to confirm the proceedings of the
Council Meeting held on the 10th day of
August, 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 Ontario Land 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 August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 313
2021

By-law No. A.- _____ - ____

A by-law to authorize the Mayor and City Clerk to execute an Agreement between The Corporation of the City of London and the local power distribution company (London Hydro) with respect to the connection of power generation at Greenway Wastewater Treatment Plant.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS the Municipal Council deems it appropriate for The Corporation of the City of London (the "City") and the local power distribution company ("London Hydro") to enter into an agreement to allow for power generation at the Greenway Wastewater Treatment Plant;

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

1. The Mayor and City Clerk are hereby authorized to execute the Connection Agreement with the local power distribution company (London Hydro) as it relates to the commissioning and operation of the Organic Rankine Cycle power generation from waste heat system at Greenway Wastewater Treatment Plant, attached hereto as Schedule 'A'.
2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

June 9, 2021

William A. Milroy, P.Eng.
London Hydro Inc.
111 Horton Street
London, ON N6A 4H6

Re: Connection Agreement for Greenway WWTP Organic Rankine Cycle System

Mr. Milroy,

In response to the requirement that the City enter into a Connection Agreement for a Mid-Sized Embedded Generation Facility for the Greenway Wastewater Treatment Plant Organic Rankine Cycle system, please be advised that only the Mayor and City Clerk have the authority to bind the corporation. However, timelines for the project do not allow that process to be completed prior to the expected commissioning date of June 15, 2021. As an interim measure, we understand that London Hydro is willing to permit the short-term operation of the generator upon receipt of an acceptance of the terms of the Connection Agreement by civic administration on the understanding that the agreement will be submitted for Council approval during the next committee/Council cycle.

To that end, please take this letter as confirmation that the civic administration of the City of London intends to present a report to Council, through the Civic Works Committee at its scheduled meeting on July 27, 2021, recommending that the Mayor and Clerk be delegated the authority to execute the Connection Agreement and bind the Corporation. The final approval, if granted, would be enacted by resolution of City Council as part of their scheduled meeting on August 10, 2021. It is understood that if final approval is not granted the generator will be required to cease operation.

As requested, this letter also confirms that the City carries the requisite \$2,000,000 commercial general liability insurance, proof of which is attached hereto.

Sincerely,

Scott Mathers, MPA, P.Eng
Director,
Water, Wastewater, and Stormwater
City of London



LONDON HYDRO FORM OF CONNECTION AGREEMENT
FOR A SMALL OR A MID-SIZED EMBEDDED GENERATION FACILITY

This Connection Agreement is made this 14 day of June, 2021.

BETWEEN

London Hydro Inc. ("London Hydro") 111 Horton Street, London (Address)

AND

Corporation of City of London (the "Generator") 300 Dufferin Ave (Address)

(each a "Party" and collectively the "Parties")

RECITALS

WHEREAS London Hydro is the owner of the distribution system serving the service area as described in its electricity distribution license number RP-2002-0220/EB-2002-0557 (the "License") issued by the Ontario Energy Board (the "Board") (the "London Hydro's distribution system").

AND WHEREAS the Generator owns or operates a 965 kW embedded Biomass generation facility that is located at 109 Greenside Ave (Address)
(e.g. Solar, Wind, Biomass)

in the London Hydro licensed service area (the "Facility").

AND WHEREAS the Generator has connected or wishes to connect its Facility to the London Hydro distribution system and London Hydro has connected or has agreed to connect the Facility to the London Hydro distribution system.

AND WHEREAS London Hydro has previously reviewed and accepted the Generator's application to connect and related materials that were submitted to London Hydro in accordance with the process set out in the Distribution System Code (the "Code") (all together, the "Application") and London Hydro and the Generator have signed a connection cost agreement (both of which are attached to this Agreement as Schedule A).

AND WHEREAS the Generator has requested a connection in accordance with its License and the Code, London Hydro has agreed to offer, and the Generator has agreed to accept, distribution service in relation to the Facility.

NOW THEREFORE in consideration of the foregoing, and of the mutual covenants, agreements, terms and conditions herein contained, the Parties, intending to be legally bound, hereby agree as follows:

1. Definitions and Schedules

1.1 Words and phrases contained in this Agreement (whether capitalized or not) that are not defined in this Agreement have the meanings given to them in the *Electricity Act, 1998*, the *Ontario Energy Board Act, 1998*, any regulations made under either of those *Acts*, or the Code.

1.2 The following schedules form part of this Agreement:

Schedule A – Application and Connection Cost Agreement (recitals)

Schedule B – Single Line Diagram, Connection Point, Location of Facilities (section 2.3)

Schedule C – List of Other Contracts (section 3.4)

Schedule D – Technical and Operating Requirements (section 4.1(d))

Schedule E – Billing and Settlement Procedures (section 5.3)

Schedule F – Contacts for Notice (section 12.1)

Schedule G – Dispute Resolution (section 16.1)

Schedule H – Provisions Applicable if Facility Financed by a Lender (sections 19.3, 20.3 and 21.1)

Where a schedule is to be completed by the Parties, the Parties may not include in that schedule a provision that would be contrary to or inconsistent with the Code or the remainder of this Agreement.

2. Type of Facility

2.1 The Facility has a name-plate rated capacity of

more than 10 kW and:

(a) up to and including 500 kW, if the Facility is or will be connected to a less than 15 kV line; or

(b) up to and including 1 MW, if the Facility is or will be connected to a 15 kV or greater line

(in which case the Facility is a “Small Embedded Generation Facility”).

10 MW or less and:

(a) more than 500 kW, if the Facility is or will be connected to a less than 15 kV line; or

- (b) more than 1 MW, if the Facility is or will be connected to a 15 kV or greater line

(in which case the Facility is a “Mid-sized Embedded Generation Facility”)

2.2 The Facility is or will be connected:

- directly to the London Hydro distribution system
- on the load customer side of a connection point to the London Hydro distribution system.
 - the load customer is the same as the Generator
 - the load customer is: _____

2.3 Schedule B sets out the following:

- (a) a single line diagram of the Facility;
- (b) a list of the facilities of one Party that are on the property of the other Party; and
- (c) a diagram of the metering installations applicable to the Facility.

2.4 The Generator:

- is an “Embedded Retail Generator” and intends to:
 - sell output from the Facility to the Independent Electricity System Operator and has entered into an agreement with the Independent Electricity System Operator for that purpose; or
 - deliver and / or sell output from the Facility to London Hydro
- does not intend to sell any of the output of the Facility to the Independent Electricity System Operator or London Hydro

3. Incorporation of Code and Application of Conditions of Service and Other Contracts

3.1 The Code, as it may be amended from time to time, is hereby incorporated in its entirety by reference into, and forms part of this Agreement. Unless the context otherwise requires, all references to “this Agreement” include a reference to the Code.

3.2 London Hydro hereby agrees to be bound by and at all times to comply with the Code, and the Generator acknowledges and agrees that London Hydro is bound at all times to comply with the Code in addition to complying with the provisions of this Agreement.

3.3 In addition to this Agreement, the relationship between London Hydro and the

Generator will be governed by London Hydro's Conditions of Service that are in effect at the relevant time. In the event of a conflict or an inconsistency between a provision of this Agreement and a provision of London Hydro's Conditions of Service, the provision of this Agreement shall govern.

- 3.4 London Hydro may require or may have already required the Generator to enter into one or more of the other contracts listed in Schedule C. In the event of a conflict or an inconsistency between a provision of the Code or this Agreement and a provision of such other contract, the provision of the Code or this Agreement shall govern.

4. Facility Standards

- 4.1 The Generator shall ensure that the Facility:

- (a) meets all applicable requirements of the Electrical Safety Authority ("ESA");
- (b) conforms to all applicable industry standards including, but not limited to, those of the Canadian Standards Association ("CSA"), the Institute of Electrical and Electronic Engineers ("IEEE"), the American National Standards Institute ("ANSI") and the International Electrotechnical Commission;
- (c) is installed, constructed, operated and maintained in accordance with this Agreement, London Hydro's offer to connect, the requirements of the ESA, the connection cost agreement, all applicable reliability standards and good utility practice; and
- (d) meets the technical and operating requirements set out in Schedule D. These requirements shall not exceed any technical or operating requirements set out in the Code unless the Generator agrees.

5. Charges, Settlement and Billing

- 5.1 The Generator shall pay London Hydro such charges as may be approved by the Board in relation to the connection of, and the provision of distribution service to, the Facility.

- 5.2 The Generator agrees to the following in relation to settlement for the output of the Facility:

- if the Generator is not an Embedded Retail Generator (see section 2.4)
London Hydro will not pay the Generator for any excess generation that results in a net delivery to London Hydro between meter reads and there will be no carryover of excess generation from one billing period to the next, unless the Generator is at the relevant time a *net metered* generator
- if the Generator is an Embedded Retail Generator (see section 2.4)

London Hydro will settle all applicable payments and charges in accordance with the Retail Settlement Code

- 5.3. Billing and settlement activities will be conducted in accordance with the procedures set out in Schedule E.

6. Representations, Warranties and Liabilities

- 6.1 The Generator represents and warrants to London Hydro as follows, and acknowledges that London Hydro is relying on such representations and warranties without independent inquiry in entering into this Agreement:

- (a) the Facility is fully and accurately described in the Application;
- (b) all information in the Application is true and correct;
- (c) the Facility is in compliance with all applicable technical requirements and laws;
- (d) the Generator has been given warranty information and operation manuals for the Facility;
- (e) the Generator has been adequately instructed in the operation and maintenance of the Facility and the Generator has developed and implemented an operation and maintenance plan based on those instructions;
- (f) if the Generator is a corporation or other form of business entity, the Generator is duly incorporated, formed or registered (as applicable) under the laws of its jurisdiction of incorporation, formation or registration (as applicable);
- (g) the Generator has all necessary power, authority and capacity to enter into this Agreement and to perform its obligations under this Agreement;
- (h) this Agreement constitutes a legal and binding obligation on the Generator, enforceable against the Generator in accordance with its terms;
- (i) the Generator holds all permits, licenses and other authorizations that may be necessary to enable it to own and operate the Facility; and
- (j) any individual signing this Agreement on behalf of the Generator has been duly authorized by the Generator to sign this Agreement and has the full power and authority to bind the Generator.

- 6.2 London Hydro represents and warrants to the Generator as follows, and acknowledges that the Generator is relying on such representations and warranties without independent inquiry in entering into this Agreement:

- (a) London Hydro is duly incorporated under the laws of Ontario;
- (b) London Hydro has all necessary power, authority and capacity to enter into this Agreement and to perform its obligations under this Agreement;
- (c) this Agreement constitutes a legal and binding obligation on London

- Hydro, enforceable against London Hydro in accordance with its terms;
and
- (d) any individual signing this Agreement on behalf of London Hydro has been duly authorized by London Hydro to sign this Agreement and has the full power and authority to bind London Hydro.

7. Disconnection Device at the Point of Connection

- 7.1 The Generator shall furnish and install a disconnection switch at the point of connection for the Facility that opens, with a visual break, all ungrounded poles of the connection circuit. The disconnection switch at the point of connection shall be rated for the voltage and fault current requirements of the Facility, and shall meet all applicable CSA standards, ESA requirements, and all other applicable laws. The switch enclosure, if applicable, shall be properly grounded.
- 7.2 The disconnection switch at the point of connection shall be accessible at all times, located for ease of access to the London Hydro personnel, and shall be capable of being locked in the open position. The Generator shall follow London Hydro's procedures for switching, clearance, tagging, and locking.

8. Modifications to the Facility

- 8.1 The Generator shall not modify its connection assets or the Facility except in accordance with this section. Where the modification will not increase the maximum generation electrical output of the Facility, the Generator shall give London Hydro no less than 15 working day's notice prior to the date on which the modification will be completed.
- 8.2 Where the modification will increase the maximum generator electrical output of the Facility, the Generator shall submit a new application for connection to London Hydro who shall process that application for connection in accordance with the Code. The Generator shall not commence such modification until that process has been completed.

9. Insurance

- 9.1 Throughout the term of this Agreement, the Generator shall carry commercial general liability insurance for third party bodily injury, personal injury, and property damage in an amount as follows:
- if the Facility is a Small Embedded Generation Facility (see section 2.1)
not less than \$1,000,000 per occurrence and in the annual aggregate
 - if the Facility is a Mid-sized Embedded Generation Facility (see section 2.1) not less than \$2,000,000 per occurrence and in the annual aggregate

Prior to execution of this Agreement, the Generator shall provide London Hydro with a valid certificate of insurance. The Generator shall provide London Hydro with prompt notice of any cancellation of the Generator's insurance by the insurer.

10. Liability and Force Majeure

- 10.1 The liability provisions of section 2.2 of the Code apply to this Agreement and are hereby incorporated by reference into, and form part of, this Agreement.
- 10.2 A Party shall have a duty to mitigate any losses relating to any claim for indemnification from the other Party that may be made in relation to that other Party. Nothing in this section shall require the mitigating Party to mitigate or alleviate the effects of any strike, lockout, restrictive work practice or other labour dispute.
- 10.3 A Party shall give prompt notice to the other Party of any claim with respect to which indemnification is being or may be sought under this Agreement.
- 10.4 The force majeure provisions of section 2.3 of the Code apply to this Agreement and are hereby incorporated by reference into, and form part of, this Agreement.

11. Facility Commissioning and Testing

- 11.1 The Generator shall give London Hydro at least 15 days advance written notice of the date(s) and time(s) on which the Facility will be commissioned and tested prior to connection. The Generator shall give London Hydro the same notice in relation to the commissioning and testing of any material modification to the Generator's connection assets or Facility that occurs after connection.
- 11.2 London Hydro shall have the right to witness the commissioning and testing activities referred to in section 11.1.

12. Notice

- 12.1 Any notice, demand, consent, request or other communication required or permitted to be given or made under or in relation to this Agreement shall be given or made: by courier or other personal form of delivery; by registered mail; by facsimile; or by electronic mail. Notices shall be addressed to the applicable representative of the Party identified in Schedule F.
- 12.2 A notice, demand, consent, request or other communication referred to in section 12.1 shall be deemed to have been made as follows:
 - (a) where given or made by courier or other form of personal delivery, on

- the date of receipt;
- (b) where given or made by registered mail, on the date of receipt;
- (c) where given or made by facsimile, on the day and at the time of transmission as indicated on the sender's facsimile transmission report; and
- (d) where given or made by electronic mail, on the day and at the time when the notice, demand, consent, request or other communication is recorded by the sender's electronic communications system as having been received at the electronic mail destination.

13. Access to Facility

- 13.1 Each Party shall ensure that its facilities are secured at all times.
- 13.2 The Generator shall permit and, if the land on which the Facility is located is not owned by Generator, cause such landowner to permit London Hydro's employees and agents to enter the property on which the Facility is located at any reasonable time. Such access shall be provided for the purposes of inspecting and/or testing the Facility as and when permitted by this Agreement, the Code or the London Hydro Conditions of Service or as required to ensure the continued safe and satisfactory operation of the Facility, to ensure the accuracy of London Hydro's meters, to establish work protection, or to perform work.
- 13.3 Any inspecting and/or testing referred to in section 13.2 shall not relieve the Generator from its obligation to operate and maintain the Facility and any related equipment owned by the Generator in a safe and satisfactory operating condition and in accordance with this Agreement.
- 13.4 London Hydro shall have the right to witness any testing done by the Generator of the Facility and, to that end, the Generator shall provide London Hydro with at least fifteen working days advance notice of the testing.
- 13.5 Notwithstanding section 10.1, where London Hydro causes damage to the Generator's property as part of this access, London Hydro shall pay to the Generator the Generator's reasonable costs of repairing such property or, if such property cannot be repaired, replacing such property.
- 13.6 Notwithstanding section 10.1, if the Generator has been given access to London Hydro's property, and if the Generator causes damage to London Hydro's property as part of that access, the Generator shall pay to London Hydro reasonable costs of repairing such property or, if such property cannot be repaired, replacing such property.

14. Disconnection of Facility for System Operations

- 14.1 If the Generator requests it, the Distributor will provide the Generator with reasonable notice of any planned equipment outages in the Distributor's distribution system that occur on or after the date of the Generator's request which will impact the Facility or its connection.
- 14.2 The Distributor will make reasonable efforts to ensure that the outages referred to in section 14.1 will be of minimal duration and cause minimal inconvenience to the Generator.
- 14.3 In connection with any planned equipment outage, either Party may disconnect or isolate, or require the disconnection or isolation of, its Facility or distribution system (as applicable) from the other Party's Facility or distribution system (as applicable) so that the employees, contractors or agents of either Party may construct, maintain, repair, replace, remove, investigate, inspect or operate its own Facility or distribution system (as applicable) in accordance with the terms of this Agreement and good utility practice.
- 14.4 Where practical, the Generator shall notify London Hydro prior to temporarily isolating or disconnecting the Facility from the London Hydro distribution system.

15. Disconnection of Facility for Other Reasons

- 15.1 The Generator shall discontinue operation of the Facility and London Hydro may isolate or disconnect the Facility from the London Hydro distribution system, upon any of the following:
 - (a) termination of this Agreement in accordance with section 19;
 - (b) if the Generator's connection assets or the Facility are modified by the Generator in a manner contrary to section 8.1;
 - (c) during an emergency or where necessary to prevent or minimize the effects of an emergency;
 - (d) in accordance with section 31, 31.1 or 40(5) of the *Electricity Act, 1998*, other applicable law, the Code, the London Hydro License or the London Hydro Conditions of Service; or
 - (e) where required to comply with a decision or order of an arbitrator or court made or given under Schedule G.
- 15.2 In the event of disconnection under section 15.1(b), the Facility shall remain isolated or disconnected from the London Hydro distribution system until the connection process referred to in section 8.1 has been completed.
- 15.3 In the event of disconnection under section 15.1(c), London Hydro shall reconnect, or permit the reconnection of the Facility to London Hydro's distribution system when it is reasonably satisfied that the emergency has ceased and that all other requirements of this Agreement are met.

- 15.4 In the event of disconnection under section 15.1(d) or 15.1(e), London Hydro shall reconnect, or permit the reconnection of the Facility to London Hydro's distribution system when London Hydro is reasonably satisfied that the reason for the disconnection no longer exists, the Generator agrees to pay all Board-approved reconnection costs charged by London Hydro, and London Hydro is reasonably satisfied of the following, where applicable:
- (a) the Generator has taken all necessary steps to prevent the circumstances that caused the disconnection from recurring and has delivered binding undertakings to London Hydro that such circumstances shall not recur; and
 - (b) any decision or order of a court or arbitrator made or given under Schedule G that requires a Party to take action to ensure that such circumstances shall not recur has been implemented and/or assurances have been given to the satisfaction of the affected Party that such decision or order will be implemented.
- 15.5 Where the Facility has been isolated or disconnected, each Party shall be entitled to decommission and remove its assets associated with the connection. Each Party shall, for that purpose, ensure that the other Party has all necessary access to its site at all reasonable times.
- 15.6 The Generator shall continue to pay for distribution services provided up to the time of isolation or disconnection of its Facility.
- 15.7 The Generator shall pay all reasonable costs including, but not limited to, the costs of removing any of the London Hydro equipment from the Generator's site, that are directly attributable to the isolation or disconnection of the Facility and, where applicable, the subsequent decommissioning of the Facility. London Hydro shall not require the removal of the protection and control wiring on the Generator's site.
- 15.8 While the Facility is isolated or disconnected, London Hydro shall not be required to convey electricity to or from the Facility.

16. Dispute Resolution

- 16.1 Any dispute between the Generator and London Hydro arising under, or in relation to this Agreement will be resolved in accordance with Schedule G. The Parties shall comply with the procedure set out in Schedule G before taking any civil or other proceeding in relation to the dispute, provided that nothing shall prevent a Party from seeking urgent or interlocutory relief from a court of competent jurisdiction in the Province of Ontario in relation to any dispute arising under or in relation to this Agreement.

17. Amendments

- 17.1. The Parties may not amend this Agreement without leave of the Board except where and to the extent permitted by this Agreement.
- 17.2. The Parties may by mutual agreement amend this Agreement to reflect changes that may from time to time be made to the Code during the term of this Agreement.
- 17.3. The Parties may by mutual agreement amend any portion of a schedule that was originally to be completed by the Parties.
- 17.4. No amendment made under section 17.2 or 17.3 shall be contrary to or inconsistent with the Code or the remainder of this Agreement.
- 17.5. The Parties shall amend this Agreement in such manner as may be required by the Board.
- 17.6. Any amendment to this Agreement shall be made in writing and duly executed by both Parties.

18. Waiver

- 18.1. A waiver of any default, breach or non-compliance under this Agreement is not effective unless in writing and signed by the Party to be bound by the waiver. The waiver by a Party of any default, breach or non-compliance under this Agreement shall not operate as a waiver of that Party's rights under this Agreement in respect of any continuing or subsequent default, breach or non-compliance, whether of the same or any other nature.

19. Term of Agreement and Termination

- 19.1. This Agreement shall become effective upon execution by the Parties, and shall continue in effect until terminated in accordance with section 19.2 or 19.3.
- 19.2. The Generator may, if it is not then in default under this Agreement, terminate this Agreement at any time by giving London Hydro thirty days prior written notice setting out the termination date.
- 19.3. Except as set out in Schedule H, London Hydro may terminate this Agreement upon any material breach of this Agreement by the Generator (a "Default"), if the Generator fails to remedy the Default within the applicable cure period referred to in section 19.4 after receipt of written notice of the Default from London Hydro.
- 19.4. The Generator shall cure a Default within the applicable cure period specified

in the Code or the London Hydro Conditions of Service. If no such cure period is specified in relation to a given Default, the cure period shall be sixty working days.

- 19.5 Termination of this Agreement for any reason shall not affect:
- (a) the liabilities of either Party that were incurred or arose under this Agreement prior to the time of termination; or
 - (b) the provisions that expressly apply in relation to disconnection of the Generator's facilities following termination of this Agreement.
- 19.6 Termination of this Agreement for any reason shall be without prejudice to the right of the terminating Party to pursue all legal and equitable remedies that may be available to it including, but not limited to, injunctive relief.
- 19.7 The rights and remedies set out in this Agreement are not intended to be exclusive but rather are cumulative and are in addition to any other right or remedy otherwise available to a Party at law or in equity. Nothing in this section 19.7 shall be interpreted as affecting the limitations of liability arising from section 10.1 or the obligation of a Party to comply with section 16 while this Agreement is in force.
- 19.8 Sections 19.5 to 19.7 shall survive termination of this Agreement.

20. Exchange and Confidentiality of Information

- 20.1 Confidential information in respect of a Party means (i) information disclosed by that Party to the other Party under this Agreement that is in its nature confidential, proprietary or commercially sensitive and (ii) information derived from the information referred to in (i), but excludes the following:
- (a) information that is in the public domain; or
 - (b) information that is, at the time of the disclosure, in the possession of the receiving Party, provided that it was lawfully obtained from a person under no obligation of confidence in relation to the information.
- 20.2 Subject to section 20.3, each Party shall treat all confidential information disclosed to it by the other Party as confidential and shall not, without the written consent of that other Party:
- (a) disclose that confidential information to any other person; or
 - (b) use that confidential information for any purpose other than the purpose for which it was disclosed or another applicable purpose contemplated in this Agreement.

Where a Party, with the written consent of the other Party, discloses confidential information of that other Party to another person, the Party shall

take such steps as may be required to ensure that the other person complies with the confidentiality provisions of this Agreement.

- 20.3 Nothing in section 20.2 shall prevent the disclosure of confidential information:
- (a) where required or permitted under this Agreement, the Code, the Market Rules or the London Hydro License;
 - (b) where required by law or regulatory requirements;
 - (c) where required by order of a government, government agency, regulatory body or regulatory agency having jurisdiction;
 - (d) if required in connection with legal proceedings, arbitration or any expert determination relating to the subject matter of this Agreement, or for the purpose of advising a Party in relation thereto;
 - (e) as may be required to enable London Hydro to fulfill its obligations to any reliability organization; or
 - (f) as may be required during an emergency or to prevent or minimize the effects of an emergency.
- 20.4 Notwithstanding section 10.1, a Party that breaches section 20.2 shall be liable to the other Party for any and all losses of the other Party arising out of such breach.
- 20.5 The Parties agree that the exchange of information, including, but not limited to, confidential information, under this Agreement is necessary for maintaining the reliable operation of London Hydro's distribution system. The Parties further agree that all information, including, but not limited to, confidential information, exchanged between them shall be prepared, given and used in good faith and shall be provided in a timely and cooperative manner.
- 20.6 Each Party shall provide the other with such information as the other may reasonably require to enable it to perform its obligations under this Agreement.
- 20.7 Each Party shall, as soon as practicable, notify the other Party upon becoming aware of a material change or error in any information previously disclosed to the other Party under this Agreement and, in the case of the Generator, in any information contained in its Application. The Party shall provide updated or corrected information as required to ensure that information provided to the other Party is up to date and correct.

21. Assignment, Successors and Assigns

- 21.1 Except as set out in Schedule H, the Generator shall not assign its rights or obligations under this Agreement in whole or in part without the prior written consent of London Hydro, which consent shall not be unreasonably withheld or unduly delayed. London Hydro may withhold its consent to any proposed assignment until the proposed assignee assumes, in writing, all of the

Generator's obligations contained in this Agreement.

- 21.2 London Hydro shall have the right to assign this Agreement in whole upon written notification to the Generator.
- 21.3 This Agreement shall be binding upon and enure to the benefit of the Parties and their respective successors and permitted assigns.

22. Governing Law

- 22.1 This Agreement shall be governed by the laws of the Province of Ontario and the federal laws of Canada applicable therein.

23. Entire Agreement

- 23.1 Except as expressly provided herein, this Agreement constitutes the entire agreement between the Parties with respect to the subject-matter hereof and supersedes all prior oral or written representations and agreements of any kind whatsoever with respect to the subject-matter hereof.

IN WITNESS WHEREOF, the Parties hereto, intending to be legally bound, have caused this Agreement to be executed by their duly authorized representatives.

PER: _____

Date (dd/mm/yyyy)

~~I have authority to bind the corporation.~~

LONDON HYDRO INC.

PER: _____

William A. Milroy, P. Eng., VP Engineering and Operations
I have authority to bind the corporation.

Date (dd/mm/yyyy)

I acknowledge that this agreement will be recommended by the Civic Administration and submitted to Council during the next committee/Council cycle.



Scott Mathers

I acknowledge that the attached Connection Agreement details the agreed to terms, which will be followed, for the Operation of the Organic Rankine Cycle generator located at 109 Greenside Ave. It is my understanding that the entirety of this Agreement will be recommended for submission and approval by Council during the next committee/Council cycle.

Greg Sheil, P.Eng.
Manager of Standards & Generation
London Hydro

SCHEDULE A

Application and Connection Cost Agreement (recitals)

See the attached CIA Application, CIA Summary Report, Offer to Connect Letter and ESA Certificate.

Attach the Connection Impact Assessment Form filled by the Generator, and any other relevant information with respect to the Generator's application to connect.



Connection Impact Assessment Application Form

This Application Form is for Generators applying for a Connection Impact Assessment (CIA). In certain circumstances, London Hydro may require additional information to conduct the Impact Assessment. Should this be the case the Generator will be duly advised.

This Application Form is required for:

- **New** Generators applying for Connection Impact Assessment (“CIA”)
- **New** Generators applying for revision to their original Connection Impact Assessment (“CIA”)
- **Existing** Generators to verify information related to current connection to the London Hydro system. It is part of the overall Distribution Connection Agreement.

NOTES:

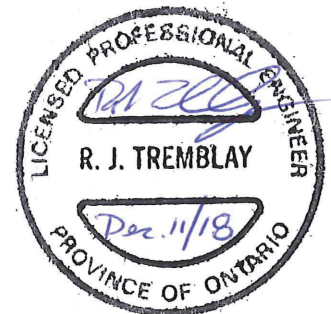
1. Applicants and generators are cautioned NOT to incur major expenses until London Hydro has completed a Connection Impact Assessment (CIA) study and approval to connect the proposed generation is granted.
2. All fields below are mandatory, except where noted. Incomplete applications may be returned by London Hydro Inc. (“London Hydro”).
3. All technical submissions (Connection Impact Assessment, single line diagrams, etc.) must be signed and sealed by a licensed Ontario Professional Engineer (P.Eng.).

Date: 11/12/2018 (dd / mm / yyyy)

Contact Person Name: ROBERT TREMBLAY
Signature:

Application Type: New CIA Application CIA Revision/Rework

LDC Name: LONDON HYDRO INC.
 Contact Person: Dane Kirilovic
 Mailing Address: 111 Horton Street, P.O. Box 2700
London, ON, N6A 4H6
 Telephone: 519-661-5800 ext. 5723
 Fax: 519-661-5275
 E-mail: generation@londonhydro.com



GREENWAY WASTEWATER TREATMENT PLANT ORC ENERGY RECOVERY SYSTEM

1. Original CIA Project ID# (if applicable): _____ Project Name: _____
2. Project Type: FIT Net Metering Load Displacement
3. Independent Electricity System Operator (IESO) Feed-In Tariff (FIT) #: N/A
4. Project Dates: Proposed Start of Construction: 20/05/2019 (dd/mm/yyyy) (estimated dates)
Proposed In-Service: 25/05/2020 (dd/mm/yyyy)
5. Project Size: Nameplate Capacity 960 kW
6. Project Location: Municipal Address 109 GREENSIDE AVE LONDON, ON N6J 2X5

7. Project Information:

Choose a Single Point of Contact: Owner Consultant

	Generator (Mandatory)	Owner (Mandatory)	Consultant (Optional)
Company/Person	CORPORATION OF THE CITY OF LONDON	CORPORATION OF THE CITY OF LONDON	GHD LTD
Contact Person	MARK ELLIOTT	MARK ELLIOTT	ROBERT TREMBLAY
Mailing Address Line 1	109 GREENSIDE AVE	109 GREENSIDE AVE	455 Phillip St
Mailing Address Line 2	LONDON, ON N6J 2X5	LONDON, ON N6J 2X5	Waterloo, ON N2L 3X2
Telephone	519-963-1366	519-963-1366	519-340-3881
Cell	226-927-5287	226-927-5287	519-240-2861
Fax	519-661-0199	519-661-0199	
E-mail	melliott@london.ca	melliott@london.ca	robert.tremblay@ghd.com

Preferred method of communication with London Hydro: E-mail Telephone Mail Fax

8. Customer Status:

Billing Account Number: 6263701

Customer name registered to this Account: GREENWAY PCC - CITY OF LONDON

Are you a HST registrant? Yes No

If yes, provide your HST registration number: - RT 0001
119420883

9. Fuel Type:

- Wind Turbine Hydraulic Turbine Steam Turbine Solar/ Photovoltaic
 Diesel Engine Gas Turbine Fuel Cell Biomass
 Co-generation/CHP (Combined Heat & Power) Bio-diesel
 Anaerobic Digester Battery
 Other (Please Specify) ORGANIC RANKIN CYCLE TURBINE,
 (Thermal vaporised Oil)

10. Please provide a sketch of your proposed point of connection to London Hydro distribution system.

Drawing / Sketch No. 8811165-E010, Rev 4

11. Connection to London Hydro's Distribution System (provided in your original IFA):

- a. Proposed connection voltage to London Hydro's distribution system: 4.16kV at PCC.
(LV side of LH owned 27.6kV:4.16kV transformer)
- b. Feeder Name: 26M54
- c. Hydro One Transformer Station Name: TALBOT TS
- d. GPS coordinates of the connection point 42°58'28.6"N, 81°16'52.5"W
- e. Fault contribution from Generator's facilities, with the fault location at the PCC:
- Three-phase generators: 3-phase short circuit 8.5 (approx) MVA; Shall be verified based on the short circuit study report.
 Single-phase generators: 1-phase short circuit _____ MVA.

12. Single Line Diagram (SLD):

Provide detailed and updated SLD of the EG facility including the Demarcation Point / Point of Common Coupling ("PCC") to London Hydro's distribution system. This drawing shall include, but not be limited to:

- Electrical equipment at EG's facilities, their principal ratings, impedances, winding configurations, neutral grounding methods, etc.
- Protective relaying, synchronizing and revenue metering arrangements. The device numbers should be in accordance with those adopted in the ANSI / IEEE Standard C37.2 – 1979: *IEEE Standard Electrical Power System Device Function Numbers*.

The SLD shall include the following, as applicable:

- Disconnecting device at the connection point with London Hydro's distribution system
- Load break switches
- Fuses
- Circuit breakers
- Interface step-up transformer
- Intermediate transformer(s)
- CTs and VTs (quantity, location, connection, ratio)
- Generators (rotating / static)
- Power factor correction capacitors and their switching arrangements (particularly for induction units)
- Motors
- Power cables
- Surge arresters
- Any other relevant electrical equipment.

- SLD Drawing Number:

8811165-E010

Rev. 4

13. Generator Characteristics

a. Characteristics of Existing Generators

If Generator's facilities include existing generators, provide details as an attached document. N/A

b. Characteristics of New Generators:

NOTE:

Please provide the manufacturer's technical data (electrical) for the generator or inverter.

Number of generating unit(s): 1

Manufacturer / Type or Model No: NIDEC / LSA 50.2 L8 / 4P

Rated capacity of each unit: 960 kW

1200 kVA

If unit outputs are different, please fill in additional sheets to provide the information.

Rated frequency: 60 Hz

Rotating Machine Type:

Synchronous Induction Inverter Other (Please Specify) _____

(If the machine type is "Other", please provide values equivalent to a Synchronous or Induction type Generator)

Generator connecting on: single phase

three phase

Limits of range of reactive power at the machine output:

i. Lagging (over-excited): 720 kVAR

power factor 0.8

ii. Leading (under-excited) 480 kVAR

power factor -0.9

Limits of range of reactive power at the PCC:

iii. Lagging (over-excited): _____ kVAR

power factor _____

iv. Leading (under-excited) _____ kVAR

power factor _____

Starting inrush current: _____ pu (multiple of full load current)
 Generator terminal connection: delta star
 Neutral grounding method of star connected generator:
 Solid Ungrounded Impedance: R 17.3 ohms X _____ ohms
 Resistance

For Synchronous Units:

i. Nominal machine voltage: .6 kV
 ii. Minimum power limit for stable operation: 960 kW
 iii. Unsaturated reactances on: 1200 kVA base .6 kV base
 Direct axis subtransient reactance, Xd'' 0.116 pu
 Direct axis transient reactance, Xd' 0.136 pu
 Direct axis synchronous reactance, Xd 2.52 pu
 Zero sequence reactance, X0 0.005 pu
 iv. Provide a plot of generator capability curve (MW output vs MVAR)
 Document Number: 609243, Sheet 8 of 11, Rev. 1

For Induction Units:

i. Nominal machine voltage: _____ kV
 ii. Unsaturated reactances on: _____ kVA base _____ kV base
 Direct axis subtransient reactance, Xd'' _____ pu
 Direct axis transient reactance, Xd' _____ pu
 iii. Total power factor correction installed: _____ kVAR
 • Number of regulating steps _____
 • Power factor correction switched per step _____ kVAR
 • Power factor correction capacitors are automatically switched off when generator breaker opens
 Yes No

For SPC / Inverter type units:

i. Terminal voltage _____ V
 ii. Line - interactive type (i.e. intended for parallel operation with electric utility) Yes No
 iii. Power factor _____ p.u.
 iv. Battery backup provided Yes No
 v. Maximum fault current for terminal faults _____ A
 vi. Standards according to which built _____
 vii. Provide Manufacturer's technical brochure and specification sheet _____ Doc. No

14. Interface Step-Up Transformer Characteristics:

a. Transformer ownership: Customer / London Hydro
 b. Transformer rating: 5000 kVA
 c. Nominal voltage of high voltage winding: 27.6 kV
 d. Nominal voltage of low voltage winding: 4.16 kV
 e. Transformer type: single phase three phase
 f. Impedances on: Z=5%
 _____ kVA base _____ kV base
 R: _____ pu, X: _____ pu
 delta star
 Grounding method of star connected high voltage winding neutral:
 Solid Ungrounded Impedance: R: _____ ohms X: _____ ohms
 Nameplate rating and impedance values of High Voltage Grounding Transformer (If applicable):
 Voltage: _____ V Rating: _____ KVA R: _____ pu X: _____ pu

- h. Low voltage winding connection: delta star
 Grounding method of star connected low voltage winding neutral:
 Solid Ungrounded Impedance: R: _____ ohms X: _____ ohms

NOTE:

- The term 'High Voltage' refers to the connection voltage to London Hydro's distribution system and 'Low Voltage' refers to the generation or any other intermediate voltage.

15. Intermediate Transformer Characteristics (if applicable):

- a. Transformer rating: 1500 kVA
 b. Nominal voltage of high voltage winding: 4.16 kV
 c. Nominal voltage of low voltage winding: .6 kV
 d. Transformer type: single phase three phase
 e. Impedances on: Z= 5% (assumed) _____ kVA base _____ kV base
 R _____ pu X _____ pu
 f. High voltage winding connection: delta star
 Grounding method of star connected high voltage winding neutral:
 Solid Ungrounded Impedance: R _____ ohms X _____ ohms
 g. Low voltage winding connection: delta star
 Grounding method of star connected low voltage winding neutral:
 Solid Ungrounded Impedance: R _____ ohms X _____ ohms

NOTE: The term 'High Voltage' refers to the intermediate voltage that is input to the interface step-up transformer and the 'Low Voltage' refers to the generation voltage.

16. Load information: BASED ON YEARLY DATA FROM LONDON HYDRO & 4160 NOMINAL VOLTAGE

- a. Maximum load of the facility: 3967 kVA 3694 kW
 b. Maximum load current (referred to the nominal voltage at the connection point to London Hydro's system): 953 A
 c. Maximum inrush current to loads (referred to the nominal voltage at the connection point to London Hydro's system): _____ A NOT AVAILABLE

Attached Documents:

Item No.	Description	Document No.	No. of Pages
1			
2			
3			

Attached Drawings:

Item No.	Description	Document No.	No. of Pages
1			
2			
3			

CHECKLIST

Please ensure the following items are completed prior to submission. The application shall be returned if incomplete:

- Completed form stamped by a Professional Engineer
- Signed Study Agreement along with payment listed in the Study Agreement
- Single Line Diagram (SLD) of the Generator's facilities, must be stamped by a Professional Engineer

NOTE:

By submitting a completed CIA application, the Proponent authorizes the collection by London Hydro Inc. ("London Hydro"), of any agreements and any information pertaining to agreements made between the Proponent and the Ontario Power Authority from the Ontario Power Authority, the information set out in the CIA application and otherwise collected in accordance with the terms hereof, the terms of London Hydro's Conditions of Service and the requirements of the Distribution System Code and the use of such information for the purposes of the connection of the generation facility to London Hydro's distribution system.

Expected Monthly Generation, Consumption and Output From the EG Facility:

Expected:	Total Generation		Total Internal Consumption		Total Output (to London Hydro's Distribution System)	
	(a)		(b)		(a-b)*	
	kWh	Peak kW	kWh	Peak kW	kWh	Peak kW
January		960 kW (max)				
February		960 kW (max)				
March		960 kW (max)				
April		960 kW (max)				
May		960 kW (max)				
June		960 kW (max)				
July		960 kW (max)				
August		960 kW (max)				
September		960 kW (max)				
October		960 kW (max)				
November		960 kW (max)				
December		960 kW (max)				

* This value would be negative when the generators are not in operation or when the internal consumption exceeds generation.

Notes:

1. Total generation shall vary, depending upon the heat available from the incinerator.



Connection Impact Assessment

Greenway Wastewater Treatment Plant ORC Energy Recovery System A Load Displacement Project

Summary Report

Prepared for
London Hydro

April 9, 2019

Prepared by:
Meir Klein, P. Eng.



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Executive Summary

This report is a summary of a connection impact assessment (CIA) study of a load displacement Organic Rankine Cycle (ORC) generator proposed to be connected to London Hydro's feeder 26M54 out of Talbot TS. The proposed 960 kW generator will be located inside the Greenway Waste Water Treatment Plant (WWTP) in London, Ontario and its generated power will be used solely to displace the local plant's load.

The purpose of the CIA study is to identify potential adverse electrical system impacts of the proposed ORC generator and determine mitigating options if any adverse impacts are found. This study assessed the impact of the generator on London Hydro's feeder with regards to a number of specific performance criteria.

The key conclusions of the study are as follows:

1. The proposed generator is not expected to have an adverse impact on the feeder's voltage or short circuit fault levels
2. The transfer trip from Talbot TS, proposed by the proponent, is required
3. The proposed synchronization scheme and its impact on the plant needs to be reviewed and an alternative scheme to synchronize through a 4.16 kV breaker needs to be investigated
4. Other requirements and connection issues, which are not part of this CIA, will be addressed by London Hydro.

1. Purpose

This report is a summary of a connection impact assessment (CIA) study of a load displacement Organic Rankine Cycle (ORC) generator proposed to be connected to London Hydro's feeder 26M54 out of Talbot TS. The proposed 960 kW generator will be located inside the Greenway Waste Water Treatment Plant (WWTP) in London, Ontario and its generated power will be used solely to displace the local plant's load.

The purpose of the CIA study is to identify potential adverse electrical system impacts of the proposed ORC generator and determine mitigating options if any adverse impacts are found. This study assessed the impact of the generator on London Hydro's feeder with regards to a number of specific performance criteria.

2. Project Description

The project covered by this CIA report is described in the table below:

Project name	Greenway WWTP ORC Energy Recovery System
Energy program	Load displacement
Developer	City of London
Municipal address	109 Greenside Ave, London, ON
Generation capacity (kW)	960
Type	Thermal generator
Generator	1200 kVA ORC, NIDEC LSA 50.2 L8 /4p
Generator rated voltage (V)	600
X''d (saturated)	9.9%
Main WWTP transformer	5 MVA, 27.6/4.16 kV, Delta/Yg, Z=5%
Generator step up transformer	1.5 MVA, 4.16/0.6 kV, Yg/Delta, Z=5%
High voltage feeder	27.6 kV, 26M54 out of Talbot TS, Bus Q1Q2
PCC voltage	27.6 kV
Other generation on feeder (kW)	1715 solar PV

3. Study Results

The table below summarizes the study findings:

Assessment Criterion	Finding
Impact on voltage	Criterion satisfied
Load flow analysis	Criterion satisfied
Continuous current rating	Criterion satisfied
Short circuit currents (TSC and LH limits)	Criterion satisfied
Proposed synchronization scheme through a 600 V breaker	Energizing the 4.16/0.6 kV GSU from the 4.16 kV side may result in an inrush current that will cause a noticeable voltage drop mainly on the plant's 4.16 kV bus
Transfer trip from Talbot TS	The proposed transfer trip is required
Connection to London Hydro's distribution system	An interlocking scheme is required to ensure that the generator is not online when the WWTP is supplied from an alternate feeder

4. Conclusions

The main conclusions of the study are as follows:

1. The proposed generator is not expected to have an adverse impact on the feeder's voltage or short circuit fault levels
2. The transfer trip from Talbot TS, proposed by the proponent, is required
3. The proposed synchronization scheme and its impact on the plant needs to be reviewed and an alternative scheme to synchronize through a 4.16 kV breaker needs to be investigated
4. Other requirements and connection issues, which are not part of this CIA, will be addressed by London Hydro.



111 Horton St.
P.O. Box 2700
London, ON N6A 4H6

Powering London.
Empowering You.

December 12th, 2019

Mark Elliott
Corporation of the City of London
109 Greenside Ave
London, ON N6J 2X5

RE: **109 Greenside Ave— 960kW Load Displacement**

This letter confirms London Hydro's costs associated with the connection of a load displacement generation service located at **109 Greenside Ave.** are **\$62,150.00 (\$55,000.00 + \$7,150.00 HST)**. This letter also summarizes London Hydro's and the customer's requirements and responsibilities for this service.

Hydro One Networks Inc. costs associated with the connection of a CHPSOP 2.0 generation service located at **109 Greenside Ave.** are **\$327,700.00 (\$290,000.00 + \$37,700.00 HST)**. Please refer to the Hydro One CCRA (42,290 CCRA Agreement) and Terms and Conditions (Terms and Conditions - CCRA LDC Embedded Generator 2012-1).

The customer will be required to provide a **disconnection device** capable of accepting a blocking signal from London Hydro and Hydro One in the event that the generator must be taken offline.

The customer's electrical contractor will be responsible for supply and installation of two 48" x 48" x 12" meter cabinets to accommodate London Hydro's metering as well as all other equipment required to interface with the customer's disconnection device. As well the customer's electrical contractor must provide a dedicated 120VAC supply receptacle in the metering cabinet. The meter cabinet must be installed on the load side of a fused disconnect or breaker and be grouped with all other meters in the same location as the main service entrance equipment.

Radio communication will be utilized for SCADA communication in replacement of the two phone lines detailed below. A radio RF study will be conducted to determine the feasibility of utilizing this method. If the results indicate that it is not feasible for radio communication to be used, then two phone lines as detailed below will need to be installed.

Communication requirements to be supplied by the customer are as follows:

- 1 dedicated dial up phone line at the customer's facility, 4 conductors with the phone number tagged to the conductor.
- Phone conductor to be run in 1/2 inch EMT conduit (or rigid PVC conduit) from the connected source to the meter cabinet.
- The 1/2 inch EMT conduit (or rigid PVC conduit) to be terminated with a 4 inch by 4 inch by 2 inch metal box within 18 inches of the meter cabinet.
- One foot of telephone conductor to be coiled in the 4 inch by 4 inch by 2 inch metal box.
- A 4 pin female RJ11 base board jack terminated on the end of the one foot coiled phone conductor in the 4 inch by 4 inch by 2 inch metal box.



Female RJ-11 Jack

Telephone Connector (RJ11)

Pin	Colour	Signal
1	Yellow	Line 2 tip
2	Green	Line 1 ring
3	Red	Line 1 tip
4	Black	Line 2 ring

- The jack should be labelled with the phone number.

The customer will be responsible for the monthly cost associated with the phone line rental and the numerical phone number must be provided to London Hydro.

The customer is also responsible for arranging with Bell Canada for an additional dedicated phone line to be installed at London Hydro's facilities at 111 Horton Street. The customer is responsible for all costs associated with the setup of this line as well as the monthly cost associated with the phone line rental.

London Hydro will supply the customer with one dry contact for OFFLINE control to their equipment. This will be an isolated contact with a 6A rating @ 24Vdc or 120Vac. As well, the customer will supply to the metering cabinet, one dry isolated contact with similar specifications as above. This will be London Hydro's verification that the customer is OFFLINE. This control wiring will be installed in conduit directly into the metering cabinet.

The above cost assumes all work will be performed during regular working hours (between 07:30 AM and 04:00 PM, Monday through Friday). **London Hydro will require a minimum of 4-6 weeks from receipt of the customer's payment to engineer, procure materials and schedule this project.**

Should you require additional information or clarification of these items, please contact our office.

Yours truly,

LONDON HYDRO

A handwritten signature in blue ink, appearing to be 'Dane Kirilovic', with a long horizontal line extending to the right.

Dane Kirilovic C.E.T.
Engineering Technologist
519 661 5800 ext. 5612
Kirilovd@londonhydro.com

February 11th, 2021

Mark Elliott
Corporation of the City of London
109 Greenside Ave
London, ON N6J 2X5

RE: **109 Greenside Ave– 960kW Load Displacement**

This letter confirms London Hydro's costs associated with the installation of primary voltage transformers located at **109 Greenside Ave.** are **\$15,142.00 (\$13,400.00 + \$1,742.00 HST)**. This letter also summarizes London Hydro's and the customer's requirements and responsibilities for this service.

As requested the marshaling box will be installed on the riser pole located near the London Hydro owned transformers. Please see attached standard for a primary metering kit. Please note that the installation will similar to this with no current transformers being installed.

The above cost assumes all work will be performed during regular working hours (between 07:30 AM and 04:00 PM, Monday through Friday). **London Hydro will require a minimum of 4-6 weeks from receipt of the customer's payment to engineer, procure materials and schedule this project.**

Should you require additional information or clarification of these items, please contact our office.

Yours truly,

LONDON HYDRO

Dane Kirilovic C.E.T.
Engineering Technologist
519 661 5800 ext. 5612
Kirilovd@londonhydro.com



**Electrical
Safety
Authority**

400 Sheldon Dr, Unit 1, Cambridge, ON , N1T 2H9

For inquiries:

TOLL FREE TEL: 1-877-372-7233

TOLL FREE FAX: 1-800-667-4278

www.esasafe.com

Connection Authorization Verification - Contractor Copy

J M R ELECTRIC LTD
301 THAMES RD E
EXETER ON N0M 1S3

NOTICE DATE: June 10, 2021
NOTIFICATION #: 16478810
INSPECTOR: Taylor, Michael
TELEPHONE: (519)521-8284
PRINT DATE: June 10, 2021
CUSTOMER ID: 381

Authorization Sent to:

LONDON HYDRO INC
PO 2700-111 HORTON ST
LONDON ON N6A 4H6

Supply Authority Business #: (519)661-5555

Re:

CITY OF LONDON
ORC ENERGY RECOVERY SYSTEM
109 GREENSIDE AVE
LONDON ON N6J 2X5

Connection Information:

Connection Type: STANDARD
Voltage Phase: HIGH VOLTAGE
Ampere Rating: OTHER
Metering Description: N/A
Service Details: NEW

Connection Authorization is only **Valid for 6 months** following the Notice Date.
After 6 months, **Re-inspection & NEW Connection Authorization are Required.**

THIS DOCUMENT IS PROVIDED FOR INFORMATION PURPOSES ONLY AND IS IN NO WAY INTENDED TO IMPLY THAT THE CONNECTION HAS BEEN COMPLETED OR WILL PROCEED AS INDICATED HEREIN. THIS CONNECTION AUTHORIZATION IS SUBJECT TO CHANGE AND THE ESA DOES NOT ACCEPT ANY LEGAL RESPONSIBILITY FOR THE INFORMATION CONTAINED HEREIN OR FOR ANY CONSEQUENCES, INCLUDING DIRECT OR INDIRECT LIABILITY, ARISING OUT OF OR RESULTING FROM ACCESS TO OR USE OF OR RELIANCE ON THIS DOCUMENT. THE ESA PROVIDES THIS DOCUMENT WITHOUT WARRANTIES OF ANY KIND EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES AS TO THE CURRENCY, ACCURACY OR COMPLETENESS OF THE INFORMATION PROVIDED AND/OR CONCERNING THE DOCUMENT'S FITNESS FOR A PARTICULAR PURPOSE OR USE, ITS MERCHANTABILITY, OR ITS NON-INFRINGEMENT OF ANY THIRD PARTY'S INTELLECTUAL PROPERTY RIGHTS.

SCHEDULE B

Single Line Diagram, Connection Point and Location of Facilities (section 2.3)

B.1 Single Line Diagram and Connection Point

Attach the Single Line Diagram

B.2 List of Facilities on the Property of the Other Party

B.2.1 The following facilities of the Generator are located on the property of London Hydro:

Not applicable

B.2.2 The following facilities of London Hydro are located in the property of the Generator:

Communication, data acquisition and disconnection equipment, etc. related to London Hydro operations in regards to this project.

B.3 Metering Installation Diagram

Included in the Single Line Diagram

SCHEDULE C

List of Other Contracts (section 3.4)

C1. Reserve Capacity

London Hydro shall make available for the Generator the Reserve Capacity set out in this Schedule to this Agreement, such Reserve Capacity to be utilized by the Generator only in the event of a Forced Outage or a Scheduled Outage of the generator(s) while connected to its preferred (normal) feeder. Pricing per kilowatt shall be as per the latest approved OEB Rate Order.

The Reserve Capacity agreed to by the Generator and London Hydro shall be as follows:

 0 kilowatts of Reserved Capacity



Schedule “D”

Operating Procedures for the Connection of the City of London Organic Rankine Cycle Generator to the London Hydro Inc. Distribution System

May 2021

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- B Supplementary Operating Memorandum
- C Metering Terms and Conditions
- D Telephone Contact Information

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1 INTRODUCTION

1.1 Background

The Corporation of the City of London Waste Water and Treatment Plant (“Greenway”) located at 109 Greenside Avenue London, Ontario N6J 2X5 has an Organic Rankine Cycle (ORC) Energy Recovery System that uses waste heat to generate electricity at their facility. These operating procedures will apply to this ORC facility, which is connected to London Hydro Inc.’s (“London Hydro”) distribution system. Greenway is connected to the 27.6 kV feeder 26M54 out of Talbot transformer station (“T.S.”) at approximately 7.3 km from the transformer station. The feeder is normally supplied by the 27.6 kV ‘Q1Q2’ bus at Talbot T.S.

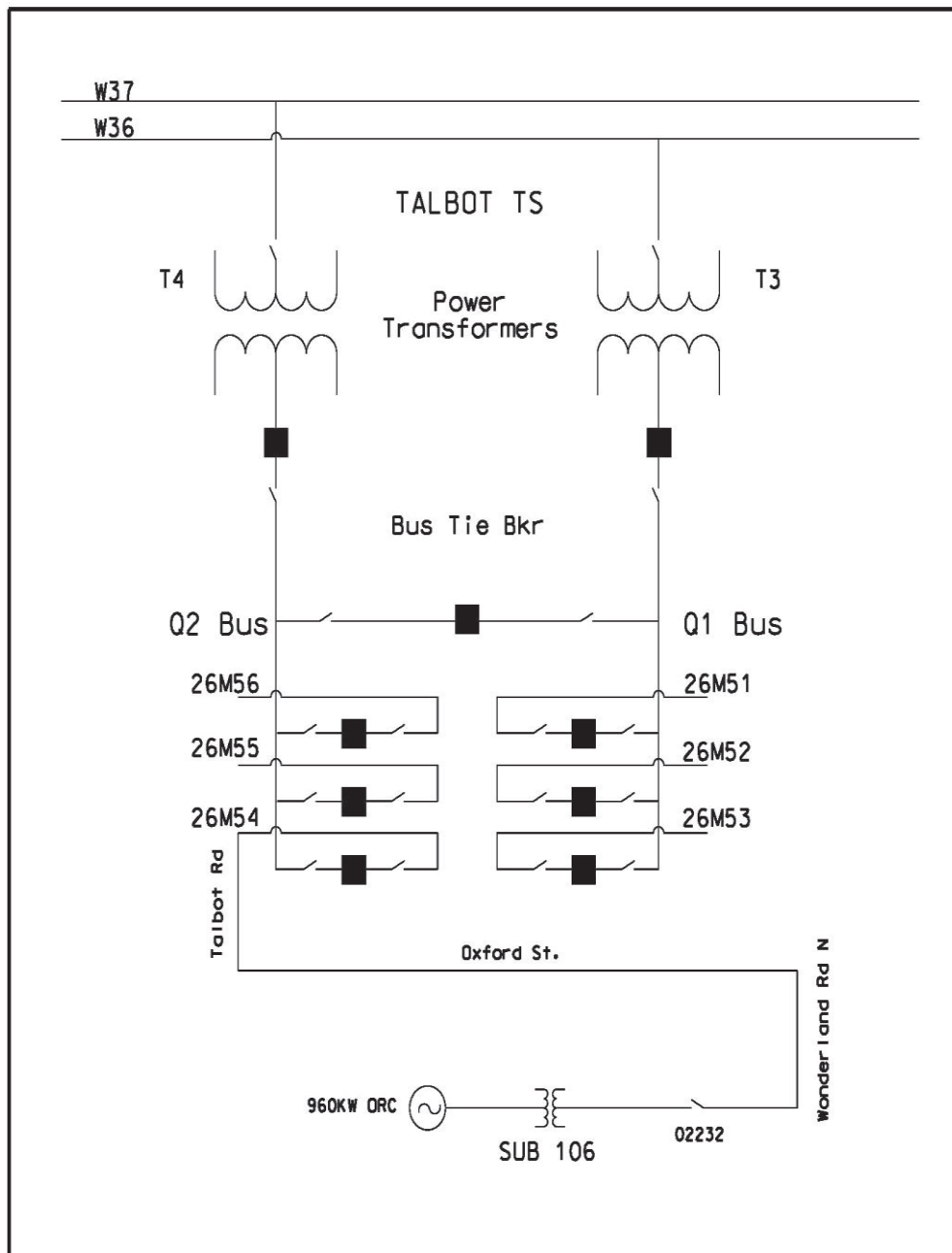


Figure 1-1, Arrangement of the Approved Generation Supply Feeder to Greenway

1.2 Intent

This document establishes the responsibilities and operating procedures to be observed by London Hydro and the City of London (COL) for the safe, secure and efficient operation of the ORC, thereby permitting their connection to the London Hydro distribution system and bulk electrical system.

The commercial arrangements (e.g. term of agreement, responsibilities for operating and maintenance costs, energy tariffs, technical performance requirements, liabilities for damages, remedies for nonperformance, etc.) are defined in a companion legal document entitled the *London Hydro Form of Connection Agreement for a Small or a Mid-Sized Embedded Generation* between London Hydro Inc. and the City of London.

1.3 Intended Audience

These Operating Procedures are intended to be a primary resource document for London Hydro System Operating Centre System Operators, Power Systems Engineers, and the COL Facility Power Plant electricians responsible for the day-to-day operation of Greenway's private distribution system, and the ORC facilities.

1.4 Definitions

The following terms are used throughout this document.

Agreement refers to the *London Hydro Form of Connection Agreement for a Small or a Mid-sized Embedded Generation Facility*, as amended from time to time by written consent of both parties.

Bulk Electric System a term commonly applied to the portion of an electric utility system that encompasses the electrical generation resources and bulk transmission system.

Supporting Guarantee A supporting guarantee is a guarantee issued in support of a Work Permit(s) and/or another Supporting Guarantee(s). It certifies that an isolated or isolated and de-energized condition exists at points under the control of the issuer of the Supporting Guarantee.

Control Authority has exclusive authority to perform, direct, instruct, or authorize the operation of specific devices in a definitive, clearly specified manner, is not synonymous with ownership, nor does it necessarily convey total independence of action

Emergency means any abnormal system condition that requires automatic or immediate manual action to prevent or limit loss of distribution or transmission facilities or generation supply that could adversely affect the reliability of the electric system.

Hold-Off means a procedure used to limit automatic operation of apparatus to facilitate work or to reduce work hazards.

IESO means Independent Electricity System Operator.

Island means a portion of a power system or several power systems that is electrically separated from the distribution grid due to the disconnection of a distribution system element.

Load Shedding means the process of deliberately removing (either manually or automatically) preselected customer demand from a power system in response to an abnormal condition to maintain the integrity of the system and minimize overall customer outages.

Medium-voltage means anything less than 50 kilovolts and above 1 kilovolt.

Operating Control means the control exercised by an operating authority when issuing instructions, in broad outline and terms, to another operating authority which, in turn may exercise its own judgement as to the proper time and method for carrying out such instructions.

Point of Common Coupling (PCC) means the connection point between the Greenway facility and the LDC distribution system. This is the interface point between ownerships.

Qualified means operating personnel are assessed for satisfactory performance and are considered qualified, with respect to competence and ability to perform the required tasks, having demonstrated a knowledge and familiarity with the apparatus, equipment, systems and devices and particularly established operational rules and procedures, including the potential dangers associated with the work, operation or process.

Supervisory Control and Data Acquisition (SCADA) means a system of remote control and telemetry used to monitor and control the electric system.

Synchronize means the process of connecting two previously separated alternating current apparatuses after matching frequency, voltage, phase angles, etc. (e.g. paralleling a generator to the electric system).

System Operator means an individual in an electric system control center whose responsibility is to monitor and control that electric system in real time.

Telemetry means the process by which measurable electrical quantities from substations and generating stations are instantaneously transmitted using telecommunication techniques.

Work Permit means a written protection guarantee issued by a London Hydro operator to a qualified person, under which specific work on specific apparatus is authorized.

1.5 Supplementary Operating Memorandums

From time to time, it may become necessary to supplement these Operating Procedures with information and interim instructions for dealing with situations that were unforeseen when this Schedule D was created (or last revised).

London Hydro may issue additional instructions and information by way of a Supplementary Operating Memorandum that will become part of this Schedule upon approval by the COL. The format of the Supplementary Operating Memorandum is included as Appendix B. Alternatively this Schedule D maybe reissued by London Hydro and the COL in its entirety.

1.6 Safe Work Planning

Safe work planning practices such as pre-job plans and tailboard conference procedures shall be followed whenever both parties (i.e. the COL and London Hydro) are involved in work on the interconnected system. Nothing in these Operating Procedures should be interpreted as altering the intent of London Hydro's safe work practices manual or safe operating procedures. Any contradictions are to be identified and resolved prior to work commencing.

2 RESPONSIBILITIES

2.1 Operating Authority & Operating Control

London Hydro has *Operating Control* of the feeder circuit breakers at Talbot T.S. Hydro One's Ontario Grid Control Centre is the *Controlling Authority* for all the circuit breakers supplying the London Hydro distribution system, and executes circuit breaker operations.

The City of London has *Control Authority* and has exclusive *Operating Control* of all 4.16 kV switching elements within the customer interconnected substation at Greenway Waste Water Treatment Plant, the ORC, and the private internal distribution system.

The operating personnel shall be as listed in Appendix D.

2.2 Training Requirements

The COL Facility electricians or designated representatives shall be qualified in ORC operation and be able to respond quickly and effectively to normal and emergency operations and conditions.

The COL Facility electricians or designated representatives shall be familiar with and be adequately trained in proper procedures for setting power distribution and control devices, protective relays, circuit breakers and operation of isolation switches in or out of service.

2.3 Maintenance Requirements

London Hydro and the COL are each responsible for the maintenance (both preventive and corrective) of the equipment under their respective ownership.

2.3.1 London Hydro

London Hydro's inspection and maintenance activities are prescribed within *System Inspection Requirements and Maintenance*, of the Ontario Energy Board's *Distribution System Code*.

2.3.2 Hydro One Networks

Hydro One's inspection and maintenance program for transformer stations fulfill the performance requirements defined within, *Requirements for Operations and Maintenance*, of the Ontario Energy Board's *Transmission System Code*.

2.3.3 City of London

The COL shall have a preventative maintenance program covering the ORC, including ancillary equipment, which reflects good industry practice.

The COL shall have a preventative maintenance program covering their electrical power coupling substation and other privately-owned medium-voltage distribution system devices that reflects good industry practice, in general accordance with the current NETA Standard, *Maintenance Testing Specifications for Electrical Power Distribution Equipment and Systems* or other standards as applicable.

In addition, the schedule outlined in the Protection and Control Systems Equipment section of the most recent Hydro One Technical Interconnection Requirements (TIR) document shall be used to re-verify interconnection Protection and Control sub-systems. The appropriate sections are listed below:

- every 8 years for IED-based protection sub-systems that employ comprehensive self-diagnostic features to detect and provide alarm telemetry
- every 4 years for electromechanical or other non IED-based protection sub-systems that do not employ comprehensive self-diagnostic features to detect and provide alarm telemetry

The COL shall have a program for periodically verifying the communication channels associated with the TT/DGEO Freewave radio protection terminal equipment to verify that the channels are operational and that their characteristics lay within specific tolerances. Such testing shall be carried out every two (2) years, and shall include signal adequacy tests and channel performance tests.

Note: If Hydro One personnel are required to participate in the verification of the Freewave radio protection channels and terminal equipment, the COL will bear all incurred costs. In such cases, the COL shall provide London Hydro with a purchase order so that Hydro One's charges may be passed on to the COL.

London Hydro, at its discretion, may participate in commissioning, inspecting, and testing customer protection (including Freewave radio protection terminal equipment) systems to ensure that equipment connected to the

distribution system will not materially reduce or adversely affect the current level of reliability of the supply feeder circuits.

2.4 Telemetry Requirements

The COL shall provide facilities and connections for telemetry of key operating information to London Hydro’s SCADA Master Station. See Tables 2-1, 2-2, and 2-3.

Table 2-1, SCADA Information

Station Name	Equipment Name	Telemetry Point
Greenway	B07-SWG3A.52-G	MW
Greenway	B07-SWG3A.52-G	MX
Greenway	B07-SWG3A.52-G	AMP R
Greenway	B07-SWG3A.52-G	AMP W
Greenway	B07-SWG3A.52-G	AMP B
Greenway	B07-SWG3A.52-G	VOLT R/W
Greenway	B07-SWG3A.52-G	VOLT W/B
Greenway	B07-SWG3A.52-G	VOLT R/B

Table 2-2, Alarms

Station Name	Equipment Name	Alarm Telemetry Point
Greenway	B07-SWG3A.52-G	TT Comm Channel Fail
Greenway	B07-SWG3A.52-G	Transfer Trip Protection Fail
Greenway	B07-SWG3A.52-G	Breaker Fail (52-G1)

Table 2-3, Status

Station Name	Equipment Name	Status Telemetry Point
Greenway	B07-SWG3A.52-G	OPEN/CLOSE
Greenway	B07.89-G	OPEN/CLOSE
Greenway	B20-SWG1B.52-L1	OPEN/CLOSE
Greenway	B20-SWG1B.52-L2	OPEN/CLOSE
Greenway	B20-SWG1B.52-T	OPEN/CLOSE
Greenway	B20-SWG1B.52-F2	OPEN/CLOSE
Greenway	B08-SWG2A.52-L1	OPEN/CLOSE
Greenway	B08-SWG2A.52-L2	OPEN/CLOSE
Greenway	B08-SWG2A.52-T	OPEN/CLOSE
Greenway	B08-SWG2A.52-G1	OPEN/CLOSE

3 COMMON OPERATING DIAGRAM

London Hydro Operators, Hydro One Operators, and the COL Facility electricians shall refer to the Common Operating Diagram (included as Appendix A) when discussing planned work or operating problems. It is the responsibility of the COL to provide London Hydro with the latest revisions of all diagrams including SLD’s, etc. in a timely manner. The Common Operating Diagram and SLD must be readily available and accessible on site at all times.

4 COMMUNICATIONS BETWEEN CONTROL ROOMS

4.1 Communication Protocol

Communications between the COL Facility electricians and London Hydro's System Operators shall normally be by landlines and/or cellular telephone.

Published and/or unlisted office and emergency telephone numbers of staff responsible for operating activities are listed in Appendix D.

The COL and London Hydro will inform each other of any changes to the telephone listings as soon as is possible.

4.2 Exception – Emergency Operations

During an emergency, Hydro One, London Hydro or the COL may take whatever immediate action it deems necessary and is qualified to perform to safeguard public safety, life, and property without first notifying the other parties.

The party who is taking such action shall promptly report the action taken and the reason for it to the other party's controlling authority.

The COL shall notify London Hydro as soon as is practical of all significant events with respect to the medium-voltage system that occur within the ORC Greenway Facility, including:

- All faults in their equipment that have caused protection operations;
- When their protection operations disconnect them from the London Hydro distribution system.

Hydro One (the provincial transmitter) may be required from time to time by the Independent Electricity System Operator (IESO) to interrupt supply to London Hydro during an emergency to protect the stability, reliability, and integrity of the provincial transmission grid. When Hydro One advises London Hydro of the transmission system's emergency status and when to expect reconnection to the transmission system, this information will be conveyed to the COL.

5 AUTOMATIC OPERATING SYSTEMS

5.1 Review of Objectives

The automatic protective and control systems associated with the COL's ORC Greenway facility are intended to prevent or protect against the following adverse conditions on London Hydro's distribution system:

- A synchronizing check is required whenever reconnecting to the grid and there is a possibility of a difference between the generator frequency and the grid frequency
- Inadvertent and unwanted re-energization of a London Hydro de-energized circuit
- Overcurrent
- Voltage unbalance
- Ground faults
- Frequency outside permitted safe limits
- Voltage outside permitted limits (prevent inrush due to transformer energization)
- Power factor or reactive power (VAR) outside permitted limits
- Abnormal waveforms

- Breaker failure
- Unintentional energization of customer owned substation by London Hydro

There shall be no changes or modifications to equipment related to the ORC connection such as but not limited to protection systems, medium-voltage electrical plant, protection settings, and metering system configuration without prior notification to London Hydro.

5.2 Transfer Trip / Distributed Generator End Open

Since the Transfer Trip / Distributed Generator End Open Freewave radio protection terminal equipment is only installed on the 26M54 feeder, anytime the COL Greenway / load is temporarily transferred to another feeder, the COL shall not be allowed to connect the ORC onto London Hydro's distribution system. London Hydro has the sole right to temporarily transfer COL's Greenway / load at its discretion to accommodate loading, system problems, construction activity, etc.

In the event of a line fault or over-current condition on the 26M54 circuit, to ensure that the feeder circuit breaker doesn't reclose before the COL's ORC has been electrically separated from London Hydro's distribution system, a Transfer Trip / Distributed Generator End Open (TT/DGEO) Freewave radio protection system shall be provided between the 26M54 feeder circuit breaker and Greenway.

A trip signal to the 26M54 feeder circuit breaker (originating from either the Q bus protection system or the 26M54 feeder protection system) is transmitted via Freewave radio to the COL Greenway facility to simultaneously trip the main circuit breaker designated B07-SWG3A.52-G, thereby electrically separating the ORC from London Hydro's distribution system.

The 26M54 feeder circuit breaker will be prevented from reclosing until it receives a permissive signal (DGEO) from the COL Greenway Facility indicating that the B07-SWG3A.52-G breaker or the B08-SWG2A.52-G1 (breaker fail scheme) have in fact tripped or any one the upstream breakers are open (B08-SWG2A.52-T or B08-SWG2A.52-L2 or B20-SWG1B.52-F2 or B20-SWG1B.52-L2), thereby separating the ORC from London Hydro's distribution system. In addition, if for some reason the COL breaker B07-SWG3A.52-G is out of service, it should not inhibit the operation of the Talbot T.S. breaker.

The TT/DGEO terminal equipment shall include monitoring circuitry that continuously assesses the condition of the interconnecting Freewave radio connection.

Upon failure of the Freewave radio connection:

- The reclosing operation is blocked on the 26M54 feeder circuit breaker
- An annunciation is activated within COL Greenway Facility and, if the condition prevails for more than 5 seconds, the main breaker B07-SWG3A.B07-SWG3A.52-G shall automatically be tripped.

5.3 Protection and Controls

5.3.1 Power Factor

The ORC shall be set so that the nominal power factor is in the range of 0.95 lag to unity (i.e. reactive power is not supplied to London Hydro's distribution system).

5.3.2 Automatic Synchronizing Control

An automatic synchronizing device is required whenever paralleling two different systems that are out of phase. Otherwise, facility equipment may experience mechanical stress that may in some circumstances lead to severe damage. Breaker B07-SWG3A.52-G is a synchronizing breaker.

5.3.3 Generator Protection

As a minimum, the COL Greenway ORC shall be equipped with the following protections:

- Synchronization check (function 25)
- Under-voltage protection (function 27)
- Reverse power protection (function 32)
- Breaker failure protection (function 50BF)
- Instantaneous overcurrent protection (function 50)
- Ground instantaneous overcurrent protection (function 50G)
- Time overcurrent protection (function 51)
- Ground time overcurrent protection (51G)
- Over-voltage protection (function 59)
- Under/Over-frequency protection (function 81O/U)

Note: The function designations given in the brackets are explicitly defined within IEEE Standard C37.2, *Electrical Power System Device Function Numbers*.

The COL Greenway ORC may have more protective relays than listed above.

5.3.4 Electrical Interlocks

An interlocking scheme shall be installed and commissioned such that in no way can the two London Hydro feeders supplying the COL Greenway facility be paralleled. In addition, the interlocks shall prevent the generator from being connected to a non-approved feeder, at any point within the customer's electrical distribution system.

6 NORMAL (PRE-CONTINGENCY) OPERATING PROCEDURES

6.1 Planned Switching on the 26M54 Feeder Circuit

For planned switching on the 26M54 feeder circuit that requires the COL's customer substation to be transferred to another distribution feeder, arrangements will have to be made to disconnect the ORC from London Hydro's distribution system.

When possible, London Hydro will endeavour to notify the COL a minimum of twelve hours in advance of planned switching that will require changing the supply feeder to the COL Greenway Facility.

It is understood that there are special situations when the notification will not be possible or the notification period will be considerably less. By way of example, if the discovered condition of a distribution system element was deemed to pose a potential threat to public safety or system reliability, London Hydro may not delay corrective action and, as such, a notification period may not be possible.

6.2 Customer Isolation Request

This subsection outlines the general procedure used to de-energize the high-voltage (4.16kV) secondary circuit to permit the customer to carry out corrective repairs and/or acceptance or maintenance tests on their underground circuit. Exact switching procedure will be determined based on the isolation request in accordance to the Utility Work Protection Code.

- A request for isolation can be submitted by completing a "Customer Isolation Request Form". The form can be made available upon request to systemoperating@londonhydro.com

- Customer substation isolations are billable, and will be billed on actual time and material rates.
- Once the application has been received, a cost estimate can be provided prior to issuing purchase order
- Isolation request forms shall be submitted at least 10 business days before the outage date required.
- London Hydro will not operate any customer-owned equipment. The Contractor shall be responsible for operating such equipment.
- The Contractor shall be competent in operating electrical equipment and understand the requirements to complete work safely.
- London Hydro is not responsible for damage created due to Contractor error, customer equipment condition, closing in on temporary working grounds, etc.
- London Hydro will make every reasonable attempt to isolate and reconnect the customer at the required times, however there may be instances where London Hydro may delay or cancel the outage due to weather, labour shortages or other unknown causes.

6.3 Failure of the Communication System for Revenue Metering

In the event of a failure of the communication system that is used by London Hydro’s MV-90 metering data collection system to interrogate the interval-style revenue meters installed within the COL’s substation, London Hydro will notify the COL and co-ordinate to repair the London Hydro owned communication equipment. Failed revenue metering communication will result in a charge for each manual meter read, required weekly, and will continue until such time as the communication is restored.

Further details are provided in Appendix C.

6.4 Failure of the Radio Communication System for SCADA

In the event of a failure of the radio communication system which extends between London Hydro’s SCADA master station and the COL Greenway Facility, London Hydro will co-ordinate with the COL to initiate immediate repairs carried out by London Hydro.

6.5 Failure of the COL Greenway Revenue Meters or Instrument Transformers

In the event that the PCC meter (or associated instrument transformers) fails, thereby preventing the recording or transmission of meter data, the ORC must be taken offline or disconnected until the meter or IT is replaced. Please see Appendix C for more details.

7 POST-CONTINGENCY OPERATING PROCEDURES

7.1 Automatic Operations on the 26M54 Feeder Circuit

7.1.1 Successful Reclosure Operation on 26M54 Feeder Circuit

A fault or overcurrent condition on the 26M54 circuit will result in the following automatic operations:

- Tripping of the Talbot T.S. 26M54 circuit breaker;
- Tripping of breaker B07-SWG3A.52-G and
- Reclosing (upon receipt of TT/DGEO permissive) of the Talbot TS 26M54 circuit breaker.

In all cases the COL Greenway Facility electricians must contact London Hydro’s System Operating Centre prior to reconnection to ensure the cause has been found and it is safe to reconnect.

7.1.2 Lockout Operation on 26M54 Feeder Circuit

For lockout operations on the 26M54 feeder circuit, the COL Greenway ORC will have to remain disconnected from London Hydro’s distribution system until such time as the underlying problem is found (often by London Hydro crews patrolling the line) and remedial works are completed on London Hydro’s system.

Depending upon the nature of the underlying problem and the expected timeframe to complete repairs, London Hydro will restore supply to the COL Greenway Facility in a timely fashion by reconfiguring the 26M54 feeder circuit via switching operations.

London Hydro’s system operators will endeavor to keep the COL Facility electricians apprised of the status of remedial repairs and the expected time when the COL Greenway ORC may be reconnected in parallel.

In all cases the COL Greenway Facility electricians must contact London Hydro’s System Operating Centre prior to reconnection to ensure the cause has been found and it is safe to reconnect.

7.2 Failure of Freewave Radio Protection Circuit

As noted in Section 5.2, failure of the TT/DGEO Freewave radio protection circuit that interconnects the COL Greenway substation with Talbot T.S. will result in annunciation and separation of the ORC from London Hydro’s distribution system if the condition prevails for more than a predefined duration.

Once repairs are completed, arrangements may be made to reconnect the ORC in parallel with London Hydro’s distribution system in accordance with established protocols for such activities.

With respect to responsibility for the work and costs associated with breakdown maintenance:

- If maintenance or repair is required on the Freewave radio protection terminal equipment located at the COL Greenway facility, the COL will bear all incurred costs.
- If maintenance is required on the Freewave radio protection terminal equipment located within Talbot T.S., Hydro One will bear all incurred costs.

8 PROVISION OF INFORMATION

8.1 Maintenance Records

The COL shall maintain records setting out the results of all performance testing and monitoring conducted to demonstrate compliance with the Agreement for seven (7) years from the date of the testing or monitoring activity and shall make those records available to London Hydro upon request.

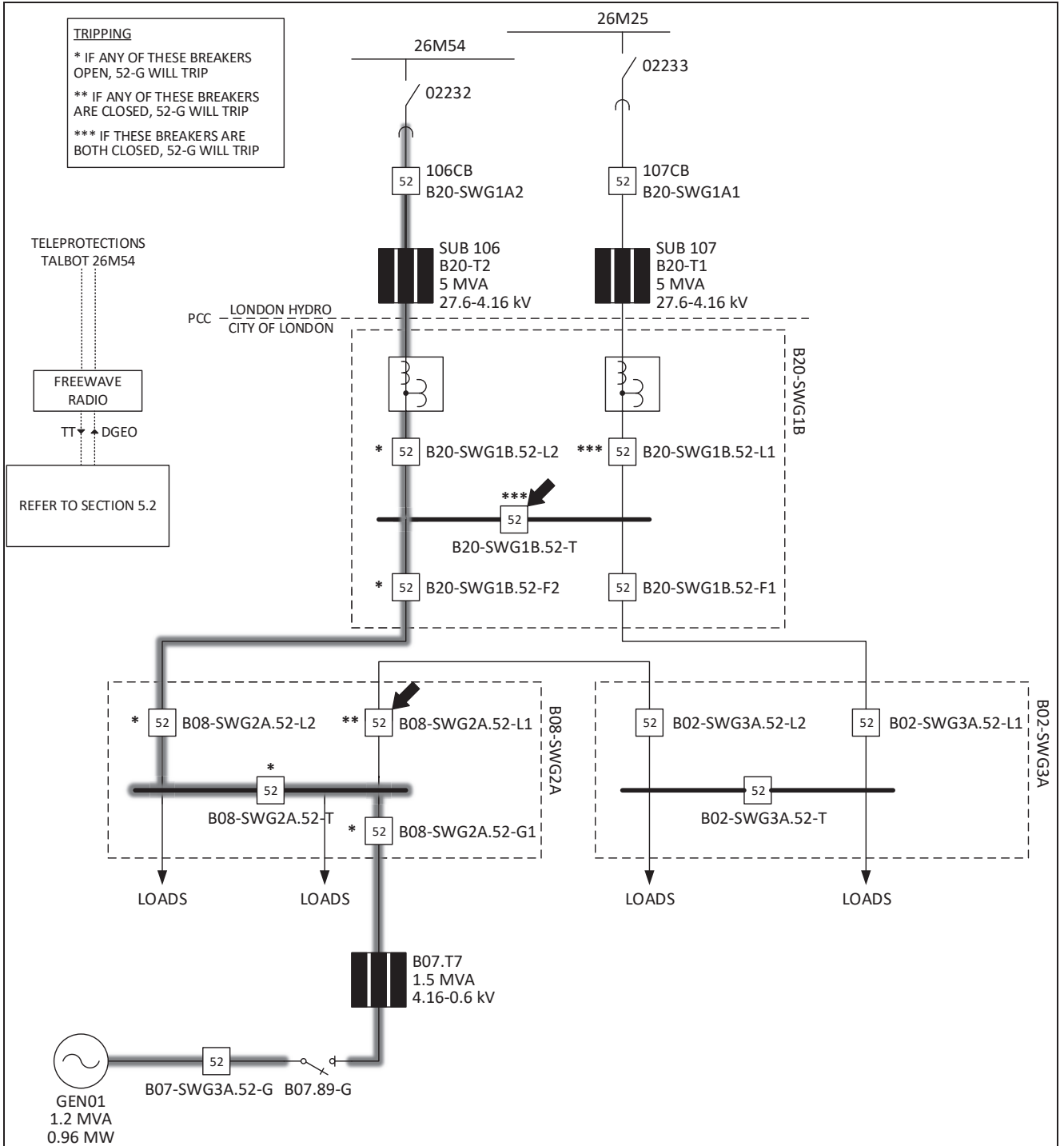
8.2 Revenue Metering Data Via the Commerce App

For help with access to information on your revenue meter please contact London Hydro’s Customer Relationship Manager for a demonstration.



Appendix A

Common Operating Diagram



Appendix B
Supplementary Operating Memorandum



Supplementary Operating Memorandum: #1

Subject:

Effective Date:

**Example
Only**

Authorizations:

Rolf Reiners
London Hydro Inc.

Name
City of London Inc.

◆ - - - ◆

Appendix C

Metering Terms and Conditions

City of London (COL) and London Hydro Inc.

1. **London Hydro Responsibility:** London Hydro will be responsible for installation, maintenance, commissioning, replacements, testing, MC-sealing and ongoing routine maintenance of the Point of Common Coupling (PCC) main meter. The Primary meter is also used for SCADA communications to London Hydro Operations. London Hydro reserves the right to perform tests at any time on the meter.

London Hydro will be responsible for all metering costs including but not limited to current transformers (CT's), potential transformers (PT's); electric meters; internal communications system and equipment; failed equipment replacement will result in a bill for time and materials; all spare equipment and storage; MC-sealing; exchange and replacements; and all related metering system costs, initially and on an ongoing basis.
2. **Trouble Call Communications:** Trouble calls for inability to communicate to or from external stakeholders such as London Hydro or Hydro One, will be directed to London Hydro and their qualified meter technician.
3. **Metering and Physical Access:** The metering cabinet and IT compartment must be locked and under London Hydro access control with a London Hydro lock.

Appendix D

Telephone Contact Information

London Hydro Inc.	
• System Operator (routine)	519-661-5800 Ext. 5585
• System Operator (emergency)	519-661-0480
• System Operating Supervisor (Rolf Reiners)	519-661-5800 Ext. 5450
• Manager Operations Engineering (Hassan El-Madhoun)	519-661-5800 Ext. 5853
•	
City of London	
• Normal Business Hours Contact (Chief Operator)	<u>519-661-2489 Ext. 1008</u>
• After Hours Contact (Chief Operator)	519-661-2489 Ext 1008
• Greenway Control Room	519-808-2455
• Supervisor of Operations (Chris McKenzie)	519-808-3432
• Manager of Operations (Mark Spitzig)	519-808-2760

SCHEDULE E

Billing and Settlement Procedures (section 5.3)

E RATES AND CHARGES

E.1 Competitive Charges to London Hydro

The London Hydro meters will be used as the basis for deriving monthly Totalized Net Bills (one billing account). London Hydro shall comply with RSC, HONI TRS, DSC, IESO market rules (Global adjustments) and OEB approved London Hydro Rate Orders (and all other applicable statutes, regulations, rules, codes and guidelines) in calculating the settlement costs. The Customer will make payment for total net charges within London Hydro's payment terms the same as any other distribution customer.

When the London Hydro settlement meter is not located at the Connection Point London Hydro shall determine and make adjustments to the measured quantities to reflect the inherent transformation and/or line losses, as defined in the London Hydro COS, IESO market rules, OPA rules and RSC, where applicable. For Capacity Power delivered from the Generator at the Connection Point to London Hydro, in excess of General Power supplied by London Hydro to the Generator in a given settlement hour, London Hydro shall settle with and make payments to the Generator in respect of the Capacity Power delivered by the Generator to London Hydro. The Generator has an opportunity, but not an obligation, to deliver Capacity Power to London Hydro. London Hydro agrees to purchase all Capacity Power delivered at the Delivery Point. London Hydro shall pay the Generator for all such delivered Capacity Power in a given settlement hour at HOEP, as per Section 3.2 of the RSC.

E.2 Competitive Charges to the Generator

The Generator shall settle with and make all payments to London Hydro in respect of the General Power supplied by London Hydro to the Generator. The Generator shall pay London Hydro for all such delivered General Power in a given settlement hour using the Customer Supply Option rules defined in either the RSC, SSSC, or retailer contract.

E.3 Non-Competitive Charges to the Generator

The Generator shall pay to London Hydro the demand and energy regulated charges for General Power using the OEB approved London Hydro regulated rates and more particularly described in London Hydro's documented COS. All non-competitive charges are applied against the General Power.

E.4 Taxes

The Generator shall pay to London Hydro and London Hydro shall pay to the Generator, as the case may be, the full amount of all Harmonized Sales Tax, Value-Added Taxes, Business Transfer Taxes, and/or any other taxes which may be imposed upon the rates and charges from time to time by any Governmental authority.

E.5 Billing Statements

London Hydro shall prepare a Totalized Net Bill for the Billing Period showing the amount billed for Power delivered and Power received as soon as practical after the end of the Billing Period (approximately 11 business days is typically required to determine the settlement prices, outlined in the RSC), and such Total Net Bill shall be remitted to the Generator with payment to be due (either to London Hydro, or to the Generator, as the case may be) within sixteen (16) days after the date of issue. London Hydro shall forward such Total Net Bill to the Generator forthwith after issue. If payment is not paid by the Generator by the due date, it shall be subject to interest and penalty charges and or disconnection for late payment on the same basis as other distribution customers of London Hydro.

E.6 Adjustment of Rates and Charges

The London Hydro OEB approved regulated rates and charges may be revised from time to time.

SCHEDULE G

Dispute Resolution (section 16.1)

- G.1 The Party claiming a dispute will provide written notice to the other Party. The Parties will make reasonable efforts through or by their respective senior executives to resolve any dispute within sixty days of receipt of such notice.
- G.2 The nature of the dispute may require civic administration of the City to obtain instructions from Council or delegated authority to bind the City. If a dispute is settled by the senior executives of the Parties, the Parties shall prepare and execute minutes setting forth the terms of the settlement. Such terms shall bind the Parties. The subject-matter of the dispute shall not thereafter be the subject of any civil or other proceeding, other than in relation to the enforcement of the terms of the settlement. If a Party fails to comply with the terms of settlement, the other Party may submit the matter to arbitration under section G.3. A copy of the minutes referred to in this section from which all confidential information has been expunged shall be made available to the public by London Hydro upon request.
- G.3 If the senior executives of the Parties cannot resolve the dispute within the time period set out in section G.1 or such longer or shorter period as the Parties may agree, either Party may submit the dispute to binding arbitration under sections G.4 to G.8 by notice to the other Party.
- G.4 The Parties shall use good faith efforts to appoint a single arbitrator for purposes of the arbitration of the dispute. If the Parties fail to agree upon a single arbitrator within ten working days of the date of the notice referred to in section G.3, each Party shall within five working days thereafter choose one arbitrator. The two arbitrators so chosen shall within fifteen working days select a third arbitrator.
- G.5 Where a Party has failed to choose an arbitrator under section G.4 within the time allowed, the other Party may apply to a court to appoint a single arbitrator to resolve the dispute.
- G.6 A person may be appointed as an arbitrator if that person:
- (a) is independent of the Parties;
 - (b) has no current or past substantial business or financial relationship with either Party, except for prior arbitration; and
 - (c) is qualified by education or experience to resolve the dispute.
- G.7 The arbitrator(s) shall provide each of the Parties with an opportunity to be heard orally and/or in writing, as may be appropriate to the nature of the dispute.
- G.8 The *Arbitration Act, 1991* (Ontario) shall apply to an arbitration conducted under this Schedule G.
- G.9 The decision of the arbitrator(s) shall be final and binding on the Parties and

may be enforced in accordance with the provisions of the *Arbitration Act, 1991* (Ontario). The Party against which the decision is enforced shall bear all costs and expenses reasonably incurred by the other Party in enforcing the decision.

- G.10 A copy of the decision of the arbitrator(s) from which any confidential information has been expunged shall be made available to the public by London Hydro upon request.
- G.11 Subject to section G.12, each Party shall be responsible for its own costs and expenses incurred in the arbitration of a dispute and for the costs and expenses of the arbitrator(s) if appointed to resolve the dispute.
- G.12 The arbitrator(s) may, if the arbitrator(s) consider it just and reasonable to do so, make an award of costs against or in favour of a Party to the dispute. Such an award of costs may relate to either or both the costs and expenses of the arbitrator(s) and the costs and expenses of the Parties to the dispute.
- G.13 If a dispute is settled by the Parties during the course of an arbitration, the Parties shall prepare and execute minutes setting forth the terms of the settlement. Such terms shall bind the Parties, and either Party may request that the arbitrator(s) record the settlement in the form of an award under section 36 of the *Arbitration Act, 1991* (Ontario). The subject-matter of the dispute shall not thereafter be the subject of any civil or other proceeding, other than in relation to the enforcement of the terms of the settlement.
- G.14 If a Party fails to comply with the terms of settlement referred to in section G.13, the other Party may submit the matter to arbitration under section G.3 if the settlement has not been recorded in the form of an award under section 36 of the *Arbitration Act, 1991* (Ontario).
- G.15. A copy of the minutes referred to in section G.13 from which all confidential information has been expunged shall be made available to the public by London Hydro upon request.
- G.16 The Parties may not, by means of the settlement of a dispute under section G.2 or section G.13, agree to terms or conditions that are inconsistent with or contrary to the Code or this Agreement.

SCHEDULE F

Contacts for Notice (section 12.1)

Telephone Contact Information

London Hydro Inc.		
•	System Operator (routine)	519-661-5800 Ext. 5585
•	System Operator (emergency)	519-661-0480
•	Operations Supervisor (Rolf Reiners)	519-661-5800 Ext. 5450
•	Distribution Engineer (Hassan El-Madhoun)	519-661-5800 Ext. 5853
•		
City of London		
•	Normal business hours contact (Chief Operator)	519-661-2489 Ext. 1008
•	After hours contact (Chief Operator)	519-661-2489 Ext. 1008
	Greenway Control Room	519-808-2455
•	Supervisor of Operations (Chris McKenzie)	519-808-3432
•	Manager of Operations (Mark Spitzig)	519-808-2760

Parties to Receive Notices

If to Generator:

City of London (Greenway WWTP)

109 Greenside Avenue

London, Ontario

N6J 2X5

Attention: Kirby Oudekerk P.Eng., Division Manager

Email: koudeker@london.ca

Mark Spitzig, Manager of Operations

Email: mospitzig@london.ca

If to London Hydro:

London Hydro Inc.

111 Horton Street

London, Ontario

N6A 4H6

Attention: William A. Milroy, P.Eng., V.P. of Engineering & Operations

Email: milroyw@londonhydro.com

SCHEDULE H

Provisions Applicable if Facility Financed by a Lender (sections 19.3, 20.3 and 21.1)

- H.1 For the purposes of this Schedule, "lender" means a bank or other entity whose principal business is that of a financial institution and that is financing or refinancing the Facility.
- H.2 Where notice of a Default has been served on the Generator under section 19.3, an agent or trustee for and on behalf of a lender ("Security Trustee") or a receiver appointed by the Security Trustee ("Receiver") shall upon notice to London Hydro be entitled (but not obligated) to exercise all of the rights and obligations of the Generator under this Agreement and shall be entitled to remedy the Default specified in the notice within the applicable cure period referred to in section 19.4. London Hydro shall accept performance of the Generator's obligations under this Agreement by the Security Trustee or Receiver in lieu of the Generator's performance of such obligations, and will not exercise any right to terminate this Agreement under section 19.3 due to a Default if the Security Trustee, its nominee or transferee, or the Receiver acknowledges its intention to be bound by the terms of this Agreement and such acknowledgment is received within 30 days of the date of receipt by the Generator of the notice of Default.
- H.3 The Generator may, without the prior written consent of London Hydro, assign by way of security only all or any part of its rights or obligations under this Agreement to a lender. The Generator shall promptly notify London Hydro upon making any such assignment.
- H.4 The Generator may disclose confidential information of London Hydro to a lender or a prospective lender.

Bill No. 314
2021

By-law No. A.-6123(_)-__

A by-law to provide for a Lead Service Extension Replacement Loan Program for residential properties of three or less dwelling units

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 Council considers it to be in the interests of the Municipality to continue the Lead Service Extension Replacement Loan Program Pilot Project;

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

1. Schedule "A" of By-law No. A.-6123-196 is amended by deleting it in its entirety.
2. This by-law includes the new Schedule "A" attached hereto and the Schedule is hereby declared to form part of this by-law.
3. That the Program is retroactive and shall apply to any approved lead service extension replacements dated on, or after, January 1, 2021, prior to the coming into force of this by-law.
4. This by-law shall come into force and effect on August 10, 2021 and shall be repealed at such time as when all lead service stubs have been replaced or when there is no longer any funding for the Project.

PASSED in Open Council August 10, 2021.

Ed Holder
Mayor

Cathy Saunders
City Clerk

First reading - August 10, 2021
Second reading – August 10, 2021
Third reading – August 10, 2021

Schedule “A”

Lead Service Extension Replacement Loan Program Project Guidelines

Purpose

Some homes in London built before the mid-1950s have lead levels in their water that are higher than Provincial Standards. Many of these homes have lead water service pipes running from the City’s water main in the street into the home. The City’s goal at this time is to replace the City’s service stub (located on City property) in conjunction with the property owner replacing the service extension (located on private property), subject to availability of funds. During this project, the property owner may be eligible for a loan to replace the owner’s portion of the water service pipe. Such loan is only available to residential properties consisting of three or less dwelling units.

Definitions

“*Contractor*” means the person hired by the owner to conduct the work;

“*dwelling*” means a building containing one to three dwelling units;

“*dwelling unit*” has the same meaning as contained in the City’s Zoning By-law;

“*owner*” means an owner in fee simple under the *Land Titles Act*, R.S.O. 1990, c. L.5;

“*property*” means a separate parcel of land which has been assigned a property identifier under section 141 of the *Land Titles Act*, R.S.O. 1990, c. L.5;

“*service extension*” means the portion of a water service pipe located on private property from the property line to the meter location, or for a fire service to the inside of the exterior wall of a structure, ie. an extension of a service stub;

“*service stub*” means the portion of a water service pipe located on City property from a main to the property line which will always include one control valve;

“*water service pipe*” means the pipe and fittings that convey potable water from a connection on a main or private main to the meter location, or, for a fire service, to the inside of the exterior wall of a structure.

Funding

The Program will be funded in an amount determined by Council in its sole discretion from time to time, which will be placed in an interest-bearing revolving loan fund which will receive loan payments and accumulate interest. The cost of lien registrations, discharges, loan defaults, and promotional costs will be a charge to this fund. Loan commitments will be provided subject to funding availability as determined by Council at its sole discretion from time to time.

Eligible Work

The only work that is eligible for this Program is the replacement of service extensions by the owner that:

- are substantially composed of lead;
- are of the same size as existing or the minimum size for the area; and
- supply residential properties (containing up to three dwelling units).

Eligibility for Loan

The applicant(s) for the loan must meet the following criteria in order to qualify for the Program:

- must be the owner(s) of the property;
- all owners of the property must apply for the loan;
- have obtained a minimum of 3 quotes for the work from *bona fide* qualified Contractors;
- has not commenced replacement of service extension prior to loan approval;
- all property taxes must be paid in full at the time of application and throughout the loan process;
- there must be no other outstanding debts to the City of London;
- the owner(s) must not have defaulted on any City-sponsored loan or grant program in the past;
- the owner(s) must complete and sign the Loan Agreement;

- the owner(s) must meet all conditions of this Program.

Approval of all loan applications is also subject to availability of funding at any given time, as determined by council.

Manufacturing businesses, or industrial or commercial enterprises, are not eligible for this Program.

The Deputy City Manager, Environment and Infrastructure retains the right and absolute discretion to reject any application which provides three or more quotes which in his or her opinion are excessive.

Loan Details

Loans may be available to cover all or part of the estimated cost (as approved and determined by the Deputy City Manager, Environment and Infrastructure) of replacing the owner's service extension (located on private property, from the water meter to the property line). Loans will not be available to cover any other associated costs (e.g. it will not cover the costs of relocating internal plumbing, repaving of an entire driveway, restoration of landscaped yards, or any other such costs that are deemed by the Deputy City Manager, Environment and Infrastructure to be unnecessary for the replacement of the owner's service extension).

The loan if approved will only be paid to the owner upon receipt of invoices for completed work, and inspection of the completed work by City staff under the plumbing permit.

The maximum amount of each loan will be determined in each case by the Deputy City Manager, Environment and Infrastructure, based on the Deputy City Manager, Environment and Infrastructure's determination of the reasonable cost and scope of the proposed work.

The loan amount plus interest will be transferred to the owner's tax roll, over a ten-year period. The loan amount plus interest will be repayable on the final tax installment due dates, and calculated as Local Improvement charges are calculated. Interest rates for this Program must be updated annually, consistent with the timing of updating the Local Improvement interest rates.

Loan approvals are subject to the availability of funding at any given time, as determined by Council. Loan applications will be processed in chronological order based on the date of receipt of applications.

Loan approvals will be valid for six months and will expire if the work is not completed within that time period (unless extended at the Deputy City Manager, Environment and Infrastructure's discretion).

Security

The loan will be added to the owners tax roll, and may also be secured through the registration of a lien on title for the total loan amount. Liens will be noted on the next tax roll. Liens will be registered and discharged by the City.

Repayment of the Loan

Repayments of the loan plus interest will be made through taxes as set out in the agreement signed by the owner(s). Full repayment (including interest) can be made at any time with no penalty to the owner. At the discretion of the City, the loan may be transferable to a new owner provided that the new owner agrees in writing to the terms and conditions of the loan. In the event of default in loan repayment over 30 days, or in the event of sale of the property, the outstanding balance (including principal and interest) may be immediately payable.

Application Procedure

1. The applicant owner(s) will be required to complete an application form provided by the Deputy City Manager, Environment and Infrastructure. Every person who is registered on title as an owner of the property is required to sign the application.

In addition to the completed application form the applicant owner(s) must provide:

- a minimum of 3 quotes for the work from *bona fide* qualified Contractors. The quotes must detail what work is to be done, and separate out costs for each portion of work (i.e. separate line item prices for service extension replacement, driveway restoration, front yard restoration, internal plumbing modifications up to the water meter, etc.). Only prices for service extension replacement are eligible for the loan;
- the Owner(s) will complete and sign the Loan Agreement;
- such other further information or documentation as may be required by the Deputy City Manager, Environment and Infrastructure;
- owner must have City confirm that the service extension material is lead.

Any work that is started or completed prior to the loan application approval will be ineligible under this Program.

2. City reviews application and supporting documentation and decides whether to approve the loan amount, and determines approximately how much the loan amount will be. City advises applicant in writing of its decision.
3. Applicant or Contractor obtains any necessary permits, including a plumbing permit from the City's Building Division (7th Floor, City Hall, 300 Dufferin Avenue, London, 519-661-4555) prior to work commencing. Failure to obtain a plumbing permit prior to work commencing will result in cancellation of any approved loan amounts.
4. The Contractor must co-ordinate work with the City well in advance. The Contractor is responsible to obtain all utility locates for the work for both private property and City property.
5. The Contractor or the applicant must arrange for an inspection by the City with respect to the plumbing permit. Plumbing permits that have not had an inspection by the City will result in cancellation of any approved loan amounts.
6. Within six months of receiving loan approval the owner(s) must submit to the City the final invoice from the Contractor setting out the amount due for the work. Any owner submitting an invoice more than six months after the loan approval will be ineligible for payment of the loan. The City will not provide a loan for an amount greater than the approximate loan amount set out in paragraph 2 above, even where the final invoice is greater than the approximate loan amount.
7. The City may register a lien on the owner's title for the amount of the loan.
8. The City may advance either the invoice amount submitted by the Contractor, or the amount of the approximate loan amount as set out in paragraph 2 above, whichever is less, to the applicant owner(s).

Information to Accompany Application

- complete application form signed by all owners;
- a minimum of 3 quotes for the work from *bona fide* qualified Contractors. The quotes must detail what work is to be done, and separate out costs for each portion of work (i.e. separate line item prices for service extension replacement, driveway restoration, front yard restoration, internal plumbing modifications up to the water meter, etc.). Only prices related to the service extension replacement are eligible for the loan;
- such other further information or documentation as may be required by the Deputy City Manager, Environment and Infrastructure.

Discontinuation of Program

The terms of the Program are subject to change. Council may periodically review the Program Guidelines to determine if the Program should continue, be modified, or cease to issue any new loans. The City may discontinue the Program at any time.

City Not Liable

In order to qualify for a loan, the owner agrees that the City shall not be liable for any damages to the owner's property as a result of any lead service extension replacement.

Bill No. 315
2021

By-law No. A.-6151()-____

A by-law to amend By-law No. A.-6151-17, as amended, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*”, by deleting and replacing Schedule “B” – “Hiring of Employees Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001* (the “Council Policy By-law”);

AND WHEREAS it is deemed expedient to amend Schedule B – Hiring of Employees Policy to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being the “Council Policy By-law”, is hereby amended by deleting Schedule “B” – Hiring of Employees Policy to By-law No. A.-6151-17 in its entirety and replacing it with the attached new Schedule “B”, which shall be Schedule “B” to By-law A.-6151-17.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Hiring of Employees Policy

Policy Name: Hiring of Employees Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17); Amended September 19, 2017 (By-law No. A.-6151(p)-333); Amended March 27, 2018 (By-law No. A.-6151(r)-120); Amended July 24, 2018 (By-law No. A.-6151(t)-380); Amended August 10, 2021 (By-law No. A.-6151-____)

Last Review Date: August 10, 2021

Service Area Lead: Manager, Recruitment and HR Advisory Services

1. Policy Statement

- 1.1. The Corporation of the City of London (“City”) is committed to ensuring that all matters related to recruitment and employment are carried out in a fair and unbiased manner, and that all applicants will have an equal opportunity for employment in compliance with legislative provisions.

2. Definitions

- 2.1. **City** –The Corporation of the City of London

3. Applicability

- 3.1. This policy applies to individuals, including employees of the City, who are applying for positions within the City and employees involved in the City’s recruitment and selection process.

4. The Policy

- 4.1 As an employer, the City is committed to workplace diversity and inclusion. Having a variety of people in our workplace helps our organization to be more flexible, creative, and responsive. It helps us provide better service to our diverse community. The City is committed to building a supportive and diverse workplace, representative of our community.
- 4.2 The City recognizes that every applicant has a right to equal treatment with respect to recruitment and employment without discrimination or harassment because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, gender identity, gender expression, age, record of offences, marital status, family status or disability.
- 4.3 The City is committed to maintaining accessible hiring and recruitment practices including providing reasonable accommodations in all parts of the hiring process for people identifying as having a disability.
- 4.4 Every bona fide application will be considered by the People Services Division.
- 4.5 Applicants having close relatives already employed by the City shall not be excluded from consideration of employment with the City. Prospective new hires or candidates for transfer or promotion must declare during the recruitment and selection process any family relationships with individuals who directly or indirectly supervise or manage the position being applied to. Additionally, existing employees must declare and not participate in or influence any part of the recruitment and selection process where another family member is an internal or external applicant for a position.
- 4.6 It is the expectation of Council that hiring practices and decision making will be centered on transparency, integrity, equal opportunity and will be free from any undue influence.

Bill No. 316
2021

By-law No. A.-6151()-____

A by-law to amend By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” by deleting and replacing Schedule “E”, being “Public Notice Policy”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” (the “Council Policy By-law”);

AND WHEREAS it is deemed expedient to amend Schedule “E” – “Public Notice Policy” to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*”, is hereby amended by deleting Schedule “E” in its entirety and replacing it with the attached new Schedule “E”, which shall be Schedule “E” to By-law A.-6151-17.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Public Notice Policy

Policy Name: Public Notice Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17); Amended July 22, 2008 (By-law No. A.-6151(a)-267); Amended October 3, 2017 (By-law No. A.-6151(q)-486); Amended (By-law No. A.-6151(u)-419); Amended August 10, 2021 (By-law No. A.-6151-_____)

Last Review Date: August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

1.1 City Council and the Civic Administration acknowledge the importance of having an informed public. This commitment is delineated in the City Council’s values of:

Good Governance;
Driven by Community;
Acting with Compassion; and
Moving Forward through Innovation.

This policy describes the circumstances in which notice shall be provided to the public and the form, manner, and times notice shall be given as required under section 270(1)4 of the *Municipal Act, 2001*.

2. Definitions

For the purpose of this policy,

2.1 “**City**” – shall mean The Corporation of the City of London

2.2 “**Council**” - shall mean the Municipal Council of The Corporation of the City of London

2.3 “**Newspaper**” - shall mean a document that:

- a) is printed in sheet form, published at regular intervals of a week or less and circulated to the general public; and
- b) consists primarily of news of current events of general interest

2.4 “**Website**” – shall mean the City of London official website at www.london.ca

3. Applicability

3.1 This policy shall apply to notice provided by the City to the public on various matters.

4. The Policy

4.1 Notice to the public shall be provided in the circumstances and in the form, manner, and times as follows:

- a) All circumstances set out in Appendix “A”, attached, in the form, manner and times as set out in Appendix “A”;
- b) If required by any Act or Regulation, in the form, manner and times as prescribed in the Act or Regulation;

- c) If required by another by-law, in the form, manner and times as set out in the said by-law;
 - d) If directed by Council, in the form, manner and times as specified by Council; or
 - e) In circumstances where, in the opinion of the City Clerk, notice is reasonable and necessary, in the form, manner and times as determined by the City Clerk.
- 4.2 No additional notice shall be required for subsequent meetings where a matter has been deferred or referred to a subsequent meeting by the Council or a Standing Committee of the Council.
- 4.3 The notice requirements under this Policy are minimum requirements and the City Clerk may give notice to the public in an extended manner if, in the opinion of the City Clerk, the extended manner is reasonable and necessary in the circumstances.
- 4.4 Where any of the form, manner or times of notice are not specified in Appendix "A", an Act, Regulation or by-law, or where Council directs that notice be given under section 4.1(d), or the City Clerk determines that notice be given under section 4.1(e), the form, manner or times of notice shall be determined by the City Clerk.

PUBLIC NOTICE POLICY - APPENDIX A

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p>BUDGET (Section 291 <i>Municipal Act, 2001</i>) Adoption of Multi-year Operating, Capital, Water and Wastewater Budgets of the City Budget public participation meeting(s)</p>	<p>Notice of Intent to adopt the budget. Notice of public participation meeting(s) with respect to the adoption of the budget.</p>	<p>Notice of intent to adopt the budget shall be posted on the City’s website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Council meeting at which the budget will be considered for adoption. Notice of any public participation meetings with respect to the budget shall be posted on the City’s website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the public participation meeting.</p>
<p>SCHEDULE OF MEETINGS – REGULAR AND SPECIAL (Section 238(2)(2.1), <i>Municipal Act, 2001</i>) Annual Schedule of Regular Council, and Standing Committee Meetings (Section 240, <i>Municipal Act, 2001</i>) Special meetings of Council and Special Standing Committee Meetings</p>	<p>Public notice to advise of the annual schedule of regular meetings of Council and Standing Committees. Public notice to advise of special meetings of Council, and/or Standing Committees.</p>	<p>Notice of the annual schedule of regular meetings of Council and Standing Committees shall be posted on the City’s website in accordance with the Procedure By-law. Notice of any special meetings of Council and/or Standing Committees outside of the annual schedule of regular meetings shall be posted on the City’s website in accordance with the Procedure By-law.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p>FEE OR CHARGE BY-LAW (Section 391, 400(f), <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of a minimum of one Standing Committee meeting to consider the enactment of a fee or charge by-law. The notice shall specify when and where information in regard to such a by-law may be obtained.</p> <p>Public notice required to advise of a Council meeting to consider the enactment of fees and charges by-laws regarding items in the Multi-year Property Tax-Supported Budget and Multi-year Water Services and Wastewater and Treatment Budgets.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a fee or charge by-law shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the meeting at which the fee or charge by-law is to be considered.</p> <p>Notice to advise of a Council meeting to consider the enactment of fees and charges by-laws regarding items in the Multi-year Property Tax-Supported Budget and Multi-year Water Services and Wastewater and Treatment Budgets shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Council meeting at which the fee or charge by-law is to be considered.</p>
<p>SEIZURE OF PERSONAL PROPERTY – PUBLIC AUCTION Seizure of Personal Property by City Treasurer to recover taxes and costs of the seizure. (Section 351(8), <i>Municipal Act, 2001</i>)</p>	<p>Subject to certain conditions, the Treasurer or their agent may seize personal property to recover taxes and costs of the seizure. The Treasurer or their agent is required to give the public notice of the time and place of public auction and of the name of the person whose personal property is to be sold.</p>	<p>The Treasurer or Treasurer's agent shall give notice of the time and place of public auction of seized personal property to recover taxes and costs of the seizure, together with the name of the person whose personal property has been seized. Notice shall be published once in a newspaper of general circulation in the City of London at least 14 days prior to the auction.</p> <p>One notice sent by regular pre-paid mail to the sheriff, bailiff, assignee, liquidator, trustee or licensed trustee in bankruptcy a minimum of 21 days prior to the auction.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p>PROPOSAL TO RESTRUCTURE THE MUNICIPALITY (Section 173, <i>Municipal Act, 2001</i>)</p>	<p>Public notice to advise of the holding of a public meeting before Council votes on whether to support or oppose a restructuring proposal.</p>	<p>Notice to advise of a public meeting to consider a restructuring proposal shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the public meeting at which the restructuring is to be considered.</p>
<p>CHANGE OF NAME OF MUNICIPALITY (Section 187, <i>Municipal Act, 2001</i>)</p>	<p>Public notice to advise of the holding of a Standing Committee meeting to consider the enactment of a by-law to change the municipality's name.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a by-law to change the municipality's name shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p>
<p>DISSOLUTION OR CHANGE TO LOCAL BOARD (Section 216, <i>Municipal Act, 2001</i>)</p>	<p>Notice to a local board required to advise of Standing Committee meeting to consider the enactment of a by-law to dissolve or change the local board.</p>	<p>One notice sent by regular, prepaid mail to the local board a minimum of 14 days prior to the Standing Committee meeting.</p>
<p>CHANGES TO COMPOSITION OF COUNCIL (Section 217, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of the holding of a public meeting by the Standing Committee designated by Council to consider the matter prior to Council's consideration of changes to the composition of Council.</p>	<p>Notice to advise of the holding of a public meeting by the Standing Committee designated by Council to consider the matter prior to Council's consideration of changes to the composition of Council, shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
<p>ESTABLISHMENT OF WARDS (Section 222, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of the Standing Committee designated to first consider the matter prior to the Council's consideration of the enactment of a by-law dividing or re-dividing the wards or dissolving wards.</p>	<p>Notice to advise of a meeting of the Standing Committee designated to first consider the matter prior to the Council's consideration of the enactment of a by-law dividing or re-dividing the wards or dissolving wards, shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p> <p>Notice advising of the passing of a by-law dividing or re-dividing the wards or dissolving wards shall be published once in a newspaper of general circulation in the City of London within 15 days of the passing of the by-law, specifying the last day for filing a notice of appeal.</p>
<p>NEW PROCEDURE BY-LAW (Section 238, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of a Standing Committee meeting to consider enactment of a new Procedure By-law or revisions to the existing Procedure By-law.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a new Procedure By-law or revisions to the existing Procedure By-law shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p>
<p>LICENSING BY-LAW (Section 151, <i>Municipal Act, 2001</i>)</p>	<p>Public notice required to advise of the intention to consider the enactment of a licensing by-law.</p>	<p>Notice to advise of a Standing Committee meeting to consider the enactment of a licensing by-law shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter is to be considered.</p>

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
NAMING OR RENAMING OF A HIGHWAY OR PRIVATE ROAD (Section 11(3), <i>Municipal Act, 2001</i>)	Public notice required to advise of the intention to pass a by-law naming or re-naming a private road.	Notice of the intention to pass a by-law to name or rename a private road shall be posted on the City's website and shall also be published once in a newspaper of general circulation in the City of London at least 7 days in advance of the Standing Committee meeting at which the matter will be considered.
HIGHWAY CLOSURE OR PERMANENT ALTERATION – ACCESS DENIED TO ANY PROPERTY	Public notice required to advise all affected property owners of a Standing Committee meeting to consider the enactment of a by-law to close or permanently alter a highway when such closure or permanent alternation would deny access to a property.	One notice sent by registered mail to the last known address of the affected property owner(s), a minimum of 14 days before the Standing Committee meeting.
SALE AND OTHER DISPOSITION OF LAND	Public notice required to advise of the intention to sell or otherwise dispose of municipally owned land.	Notice shall be in accordance with the Sale and Other Disposition of Land Policy.
LOW IMPACT PLANNED LIFECYCLE RENEWAL/REPLACEMENT/MAINTENANCE FOR RECREATION FACILITIES AND PARKS INITIATIVES, PROJECTS AND DEVELOPMENTS - AMENITIES AND/OR SMALL STRUCTURES THAT REQUIRE CANCELLATION OF EVENT(S) OR PROGRAM(S) OR RESULTS IN A TEMPORARY CLOSURE OF MORE THAN ONE DAY	Public notice to advise users and/or public of the commencement of construction and temporary closure of the space.	Signage onsite a minimum of 2 weeks prior to commencement of work. Notice will indicate nature of work, estimated timing of construction and contact information.
REPURPOSING OF EXISTING RECREATION FACILITIES OR PARKS ON A LONG TERM OR PERMANENT BASIS.	Public notice to advise users and public of the commencement of construction and temporary closure of the facility or park and of the intended repurposing.	Signage on site, notice posted on the City's website, written notice to the Ward Councillor, Community Association and neighbours within 200 meters of site 6 weeks prior to commencement of work. Notice will indicate nature of work, estimated timing of construction and contact information.

Circumstance	Summary of Requirement	Form, Manner and Times Notice to be Given
NEW PARKS	Public notice to advise users, the public and neighbours of the commencement of construction of new parks.	Signage on site, notice posted on the City's website, written notice to the Ward Councillor, Community Association and neighbours within 200 meters of site a minimum of 2 weeks prior to commencement of work.
NEW RECREATIONAL FACILITIES	Public notice to advise of the commencement of construction of a new facility.	Signage onsite and notice on the City's website indicating the intention to construct a new facility 3 months in advance of commencement of construction.
PARKS AND RECREATION MASTER PLAN AND SPORT STRATEGIES (e.g., SKATEPARK STRATEGY, DOGS OFF LEASH STRATEGY)	Public notice to advise of the intention to develop a city-wide initiative or strategy.	Notification published once in a newspaper of general circulation in the City of London and on the City's website of the intention to start development of an initiative or strategy.
UNUSUAL CIRCUMSTANCES – RECREATIONAL FACILITIES, PARKS OR STRUCTURES Emergency situations may occur, and in particular when a health and safety concern arises, immediate action is necessary and notification cannot occur prior to the commencement of such work.	No requirement of notice in emergency circumstances.	No notification will be given prior to commencement of emergency work.
ENVIRONMENTAL ASSESSMENT TERMS OF REFERENCE	Public notice to advise of a Standing Committee meeting to consider the approval of Terms of Reference for an Environmental Assessment and to make the draft Terms of Reference available to the public. Terms of Reference for Environmental Assessments are undertaken when required by provincial legislation.	Notice to advise of a Standing Committee meeting to consider the approval of draft Terms of Reference for an Environmental Assessment shall be posted on the City's website at least 30 days in advance of the Standing Committee meeting at which the matter is to be considered, and a copy of the draft Terms of Reference shall be available on the City's website during the notice period.
MUNICIPAL MANAGEMENT OF NEW PRIVATE COMMERCIAL PARKING LOT (Traffic and Parking By-law PS-113)	Public notice to advise of intention to implement new municipally managed private commercial parking lot.	Notice of intent shall be posted on the City's website and may also be published once in a newspaper of general circulation in the City of London at least seven days in advance of the committee meeting.

Bill No. 317
2021

By-law No. A.-6151()-____

A by-law to amend By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” by deleting and replacing Schedule “F”, being the Accountability and Transparency to the Public Policy.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS on December 17, 2007 the Municipal Council of The Corporation of the City of London enacted By-law A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*” (the “Council Policy By-law”);

AND WHEREAS it is deemed expedient to amend Schedule “F” – “Accountability and Transparency to the Public Policy” to By-law No. A.-6151-17;

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

1. By-law No. A.-6151-17, being “A by-law to establish policies for the sale and other disposition of land, hiring of employees, procurement of goods and services, public notice, accountability and transparency, and delegation of powers and duties, as required under section 270(1) of the *Municipal Act, 2001*”, is hereby amended by deleting Schedule “F” its entirety and replacing it with the attached new Schedule “F”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



Accountability and Transparency to the Public Policy

Policy Name: Accountability and Transparency to the Public Policy

Legislative History: Adopted December 17, 2007 (By-law No. A.-6151-17); Amended July 24, 2018 (By-law No. A.-6151(v)-420; Amended August 10, 2021 (By-law No. A.-6151_____) August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

1.1 London City Council and the Civic Administration acknowledge the importance of the transparency of its proceedings and accountability for its actions. The City of London has, as its goal, that of an open, accessible, ethical and accountable government. This commitment is further delineated in City Council’s values of:

Good Governance;
Driven by Community;
Acting with Compassion; and
Moving Forward through Innovation.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to City Council and all employees of The Corporation of the City of London.

4. The Policy

4.1 City Council shall ensure accountability and transparency of the operations of the municipality, including the activities of senior management, through the use of an accountability and transparency framework comprised of 5 key areas:

a) Purpose

- Clearly articulating the vision, mandate, values, strategic priorities and results of the organization in the form of a Council Strategic Plan
- Engaging in activities that are consistent with the Council Strategic Plan

b) Decision Making

- Undertaking a decision-making process that is transparent and accessible to the public
- Engaging effectively and openly with the public and other stakeholders

c) Communication with the Public

- Communicating with the public so that they are able to participate effectively

- Taking into consideration the needs of our audience, when making information public, through the use of different mediums and technology
 - Following all applicable legislation governing the sharing of information, including the Municipal Freedom of Information and Protection of Privacy Act
- d) Performance
- Being accountable to the citizens of London for performance by defining targets for performance in each Council term and reporting on performance on an annual basis
 - Ensuring the concept of continuous improvement is implemented in the organization
- e) Appropriate Behaviour and Conduct
- The actions of Council Members and the Civic Administration being governed by a Code of Conduct

Bill No. 318
2021

By-law No. _____

A by-law to deem a portion of Registered Plan No. 33M-251 not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

WHEREAS subsection 50(4) of the *Planning Act* provides that the Council of a local municipality may by by-law designate any plan of subdivision or part thereof that has been registered for eight years or more, and deem it not to be a registered plan of subdivision for the purposes of subsection 50(3) of the *Planning Act*;

AND WHEREAS Lot 26 and Lot 27, Registered Plan No. 33M-251, save and except part of Lot 27 designated as Part 1, Plan 33R-17747, City of London, County of Middlesex, are currently separate lots within a registered plan of subdivision;

AND WHEREAS Registered Plan No. 33M-251 has been registered for more than eight years;

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

1. That Lot 26 and Lot 27, Registered Plan No. 33M-251, save and except part of Lot 27 designated as Part 1, Plan 33R-17747, City of London, County of Middlesex, shall be deemed not to be a registered plan of subdivision for the purposes of Section 50(3) of the *Planning Act*.
2. This By-law shall come into force on the day it is enacted by the Council of the Corporation of the City of London, subject to the provisions of subsection 50(27) of the *Planning Act*.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 319
2021

By-law No. C.P.-____-____

A by-law to exempt from Part-lot Control lands located on the east side of Kains Road, north of Shore Road; being composed of Part of Block 6 on Registered Plan No. 33M-429, more accurately described as Parts 3 to 6, inclusive, on Plan 33R-19849, in the City of London, County of Middlesex.

WHEREAS pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended, and pursuant to the request from Sifton Properties Limited, it is expedient to exempt lands located on the east side of Kains Road, north of Shore Road; being composed of Part of Block 6 on Registered Plan No. 33M-429, more accurately described as Parts 3 to 6, inclusive, on Plan 33R-19849, from Part-lot Control;

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

1. Lands located on the east side of Kains Road, north of Shore Road; being composed of Part of Block 6 on Registered Plan No. 33M-429, more accurately described as Parts 3 to 6, inclusive, on Plan 33R-19849, in the City of London, County of Middlesex, are hereby exempted from Part Lot Control pursuant to subsection 50(7) of the *Planning Act, R.S.O. 1990, c.P.13*, as amended.
2. This By-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 320
2021

By-law No. C.P.-1284()-__

A by-law to amend the Official Plan for the City of London, 1989 relating to 450 Wharncliffe Road South.

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

1. Amendment No. # to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. The Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c. P.13*, as amended.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

**Amendment No.
to the
Official Plan for the City of London**

A. Purpose of this Amendment

The purpose of this Amendment is:

1. to delete policy Section 4.6.7 iii) – “Specific Service Commercial Areas - Wharncliffe Road South, between Devonshire and Baseline and 425 Wharncliffe Road South.
2. to add a policy to Section 4.4.2.11 – “Specific Service Auto-Oriented Commercial Corridors - Wharncliffe Road South, between Devonshire Avenue and Baseline Road West and 425 Wharncliffe Road South” to state: In the Auto- Oriented Commercial Corridor designation on both sides of Wharncliffe Road South between Devonshire Avenue and Baseline Road West and 425 Wharncliffe Road South, in addition to the uses typically permitted in the Auto-Oriented Commercial Corridor designation, a limited range of office, medical/dental office, clinic, laboratory, retail store and liquor, beer and wine store uses will also be permitted. The lands located at 425 Wharncliffe Road South shall also permit an automobile sales and service establishment.

B. Location of this Amendment

This Amendment applies to lands located on Wharncliffe Road South, between Devonshire and Baseline and 425 Wharncliffe Road South in the City of London.

C. Basis of the Amendment

The site-specific amendment allows for an existing building in the auto oriented commercial corridor to be used for a range of uses including office, medical/dental office, clinic, laboratory, retail and liquor, beer and wine store uses. The change in land use is appropriate for the site and compatible with the surrounding neighbourhood.

D. The Amendment

The Official Plan for the City of London is hereby amended as follows:

1. Section 4.6.7 iii) – Policies for Specific Service Commercial Areas - is amended by deleting the following-:

“Wharncliffe Road South, between Devonshire and Baseline and 425 Wharncliffe Road South”

In the Highway Service Commercial designation on both sides of Wharncliffe Road South between Devonshire Avenue and Baseline Road West, in addition to the uses typically permitted in the Highway Service Commercial designation, a limited range of office, medical/dental office, clinic, laboratory, retail store and liquor, beer and wine store uses will also be permitted. Development shall be at a Neighbourhood Shopping Area scale. The lands located at 425 Wharncliffe Road South shall also permit an automobile sales and service establishment

2. Section 4.4.2.11 – Policies for Specific Auto- Oriented Commercial Corridors of the Official Plan for the City of London is amended by adding the following:

“) Wharncliffe Road South, between Devonshire Avenue and Baseline Road Road West and 425 Wharncliffe Road South”

In the Auto- Oriented Commercial Corridor designation on both sides of Wharncliffe Road South between Devonshire Avenue and Baseline Road West and 425 Wharncliffe Road South, in addition to the uses typically permitted in the Auto-Oriented Commercial Corridor designation, a limited range of office, medical/dental office, clinic, laboratory, retail store and liquor, beer and wine store uses will also be permitted. The lands located at 425 Wharncliffe Road South shall also permit an automobile sales and service establishment

Bill No. 321
2021

By-law No. C.P.-1284()-__

A by-law to amend the Official Plan for the City of London, 1989 relating to 400 Southdale Road East.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. 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 August 10, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

**Amendment No.
to the
Official Plan for the City of London**

A. Purpose of this Amendment

The purpose of this Amendment is to add a policy in Section 10.1.3 of the Official Plan for the City of London to permit an apartment building within the Neighbourhood Commercial Node designation with residential units on the ground floor and an increased density of 462 units per hectare.

B. Location of this Amendment

This Amendment applies to lands located at 400 Southdale Road East in the City of London.

C. Basis of the Amendment

The recommended amendment is consistent with Policies for Specific Areas of the Official Plan. The recommendation provides for the comprehensive development of the subject site resulting in an appropriate and compatible use and form of development.

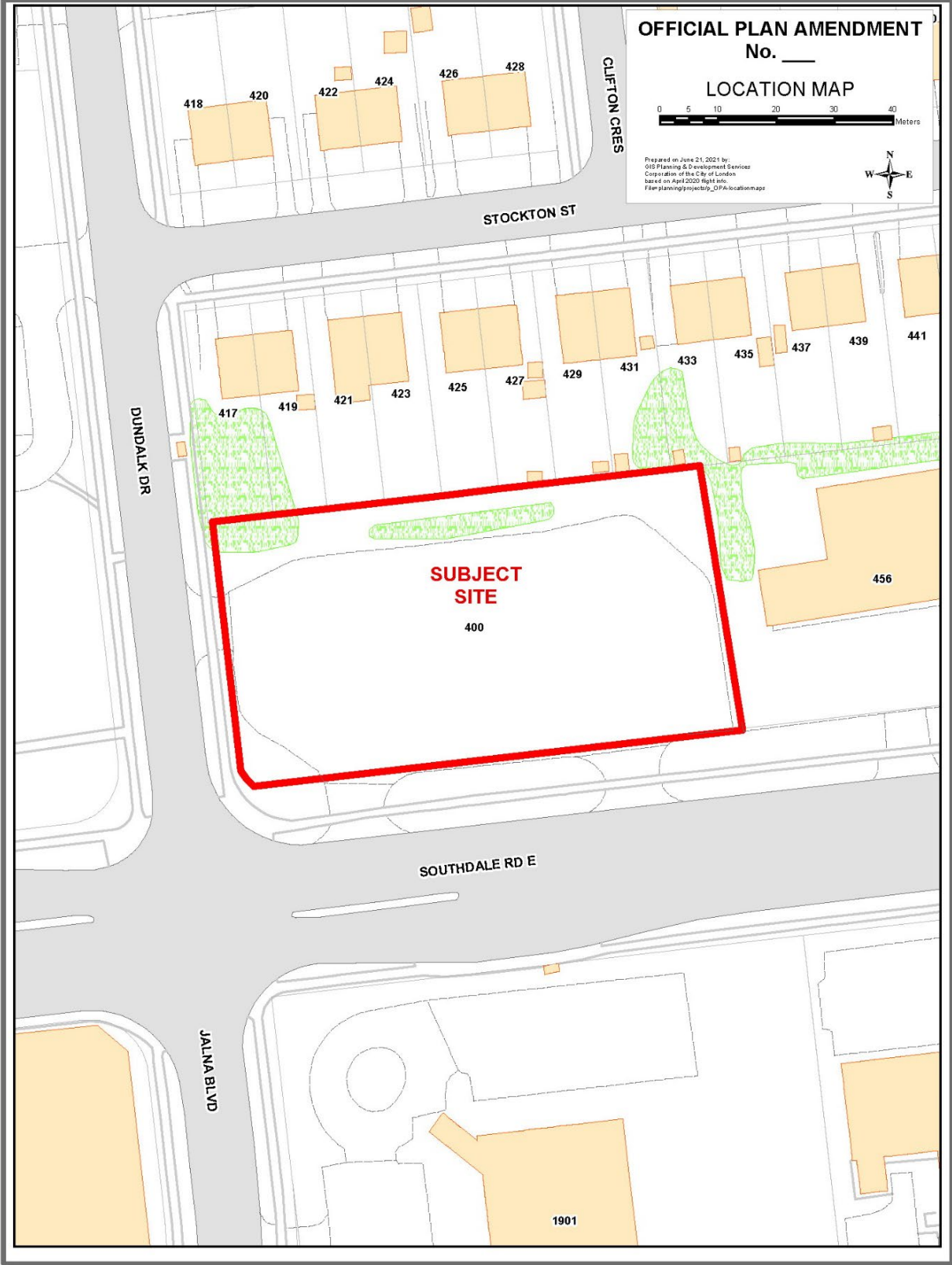
D. The Amendment

The Official Plan for the City of London is hereby amended as follows:

1. Section 10.1.3 – Policies for Specific Areas of the Official Plan for the City of London is amended by adding the following:

400 Southdale Road East

In the Neighbourhood Commercial Node designation at 400 Southdale Road East an apartment building is permitted with residential units on the ground floor and having a maximum residential density of 462 uph implemented by way of a Bonus Zone.



Bill No. 322
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
400 Southdale Road East.

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. 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 August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021.
Second Reading – August 10, 2021.
Third Reading – August 10, 2021.

**Amendment No.
to the
The London Plan for the City of London**

A. Purpose of this Amendment

The purpose of this Amendment is to add a policy to the Specific Policies for the Neighbourhoods Place Type and add the subject lands to Map 7 – Specific Policy Areas – of The London Plan to permit an apartment building with residential uses on the ground floor, a height of 7-storeys (29.2m including the mechanical penthouse) and a density of 462 units per hectare.

B. Location of this Amendment

This Amendment applies to lands located at 400 Southdale Road East in the City of London.

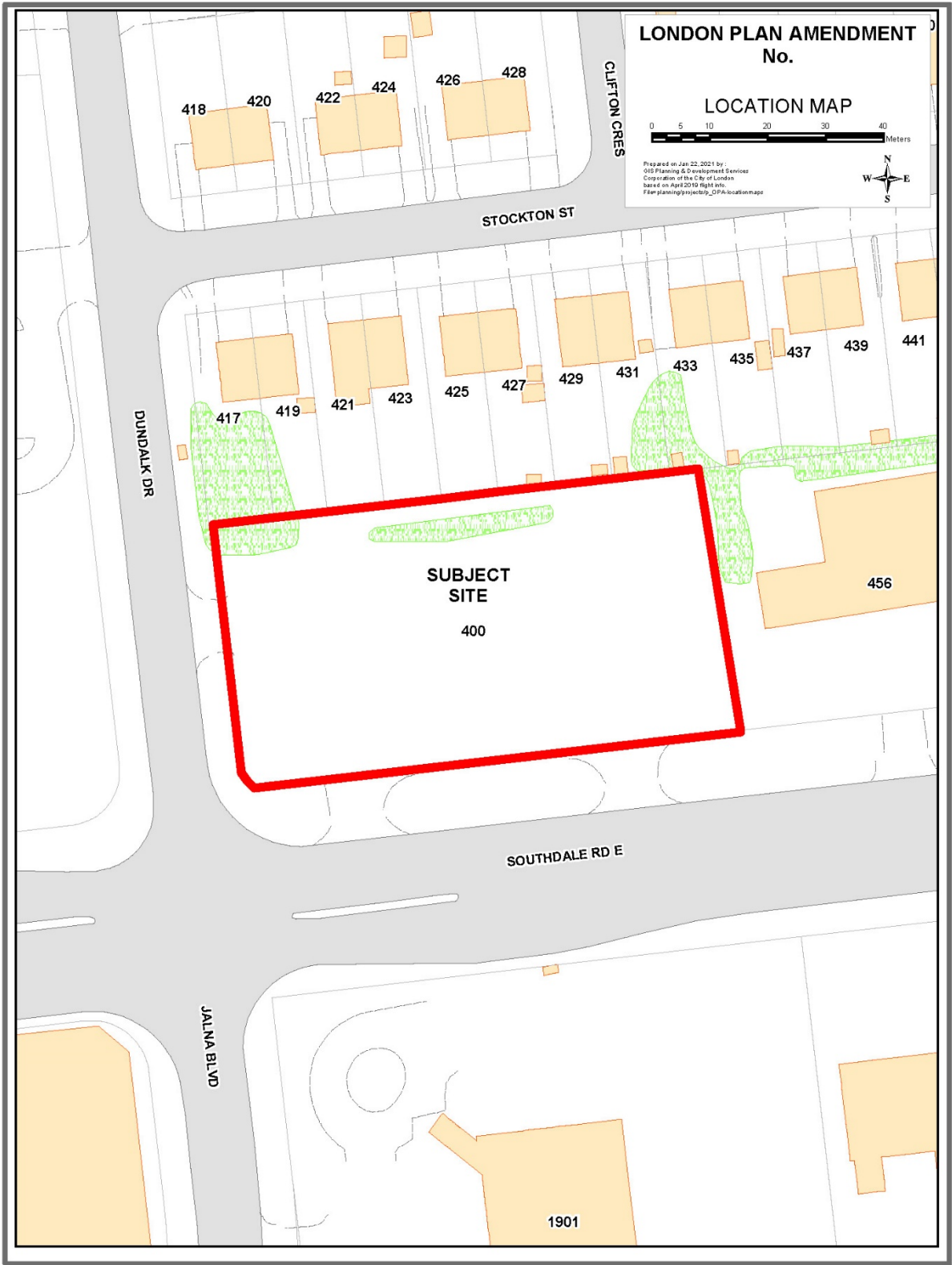
C. Basis of the Amendment

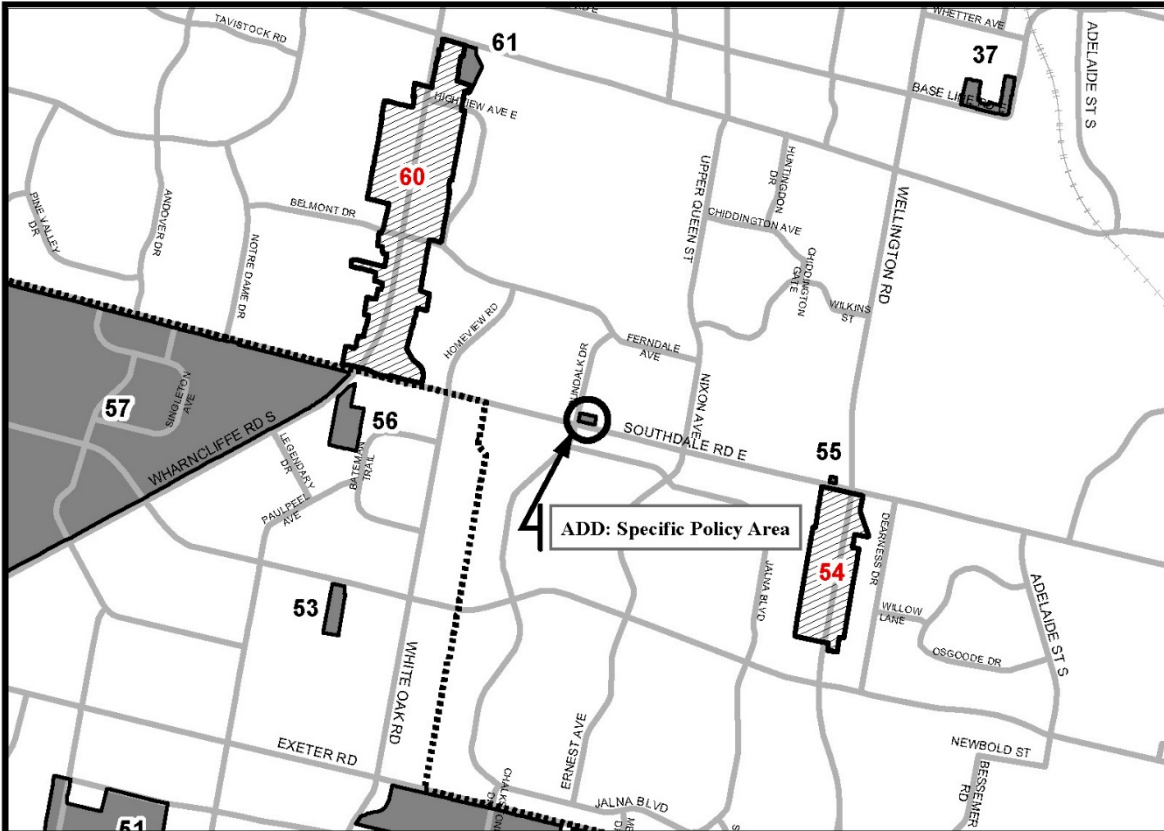
The recommended amendment is consistent with the Provincial Policy Statement 2020, and conforms to The London Plan, including affordable housing, city design and specific area policies. The recommendation provides for the comprehensive development of the subject site resulting in an appropriate and compatible use and form of development.

D. The Amendment

The London Plan for the City of London is hereby amended as follows:

1. Policy (1077) - 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 Place Type at 400 Southdale Road East an apartment building with residential uses on the ground floor, a height of 7-storeys (29.2m including the mechanical penthouse) and a density of 462 units per hectare may be permitted.
1. 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 400 Southdale Road East in the City of London, as indicated on “Schedule 1” attached hereto.





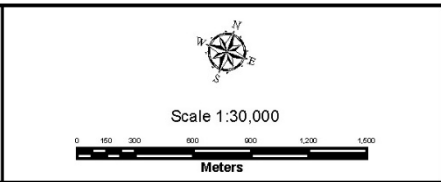
<p>LEGEND</p> <ul style="list-style-type: none"> Specific Policies Rapid Transit and Urban Corridor Specific-Segment Policies Near Campus Neighbourhood Secondary Plans 	<p>BASE MAP FEATURES</p> <ul style="list-style-type: none"> Streets (See Map 3) Railways Urban Growth Boundary Water Courses/Ponds
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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 #
TO
THE LONDON PLAN**

AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: OZ-9261

PLANNER: AR

TECHNICIAN: RC

DATE: 7/15/2021

Bill No. 323
2021

By-law No. C.P.-1284()-__

A by-law to amend the Official Plan for the City of London, 1989 relating to 180 – 186 Commissioners Road West.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

**Amendment No.
to the
Official Plan for the City of London**

A. Purpose of this Amendment

The purpose of this Amendment is to add a policy in Section 3.5. of the Official Plan for the City of London Planning Area – 1989 to provide for a permitted residential density that will allow for a development that is consistent with the Neighbourhoods Place Type policies of The London Plan.

B. location of this amendment

This Amendment applies to lands located at 180 – 186 Commissioners Road West in the City of London.

C. Basis of the Amendment

The recommended amendment is consistent with the PPS and the in-force policies of the 1989 Official Plan and The London Plan. The recommendation provides the opportunity for residential intensification in the form of a low-rise apartment building, located at the intersection of a high-order street with a collector street within an existing neighbourhood. The recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood. The recommended amendment would help to achieve the vision of the Neighbourhoods Place Type, providing a range of housing choice and mix of uses to accommodate a diverse population of various ages and abilities.

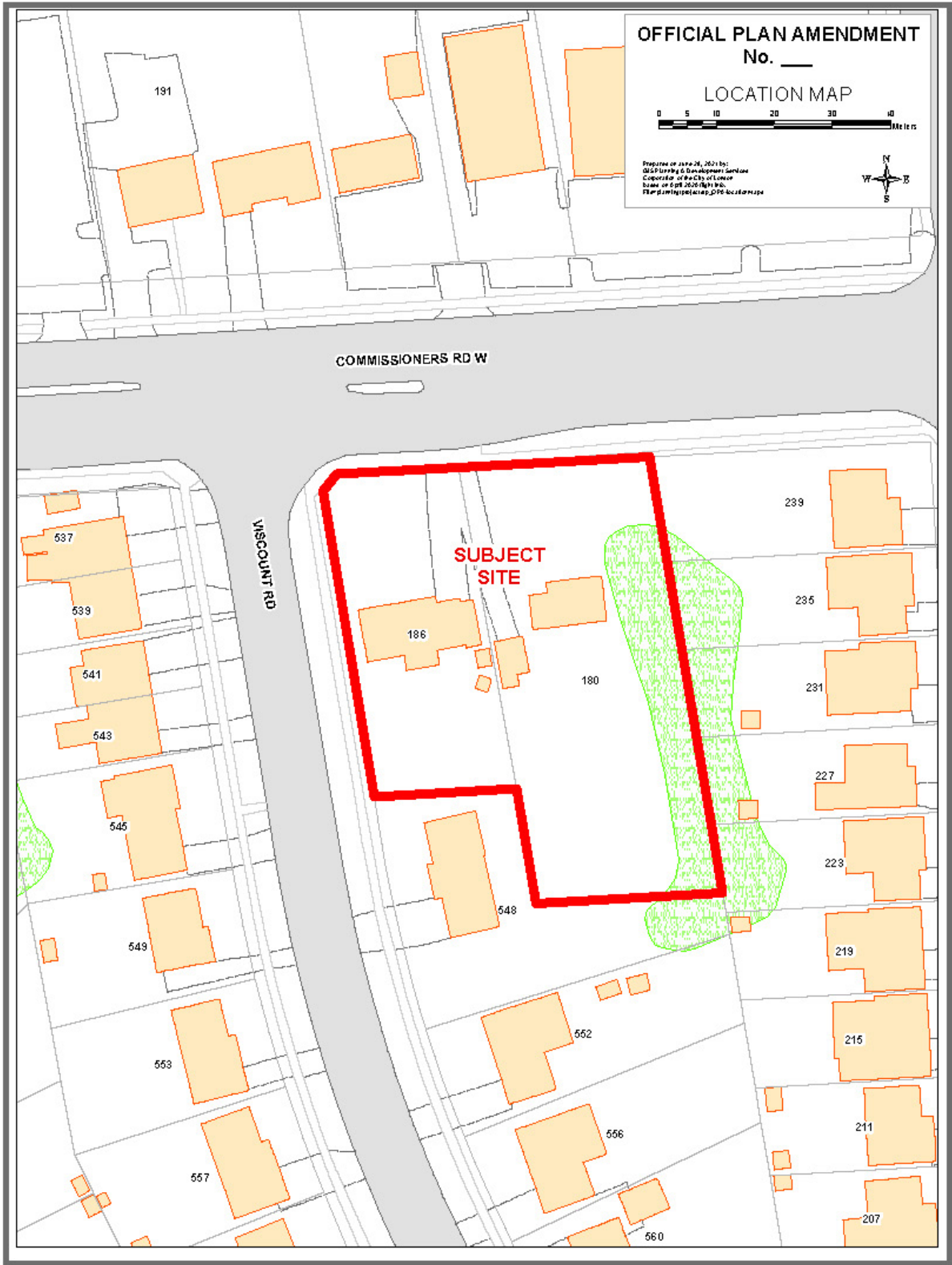
D. The Amendment

The Official Plan for the City of London Planning Area - 1989 is hereby amended as follows:

1. Section 3.5. – Policies for Specific Residential Areas of the Official Plan for the City of London – 1989 is amended by adding the following:

180 – 186 Commissioners Road West

- () At 180 - 186 Commissioners Road West, residential development for the permitted uses of the Multi-family, Medium Density Residential designation may be permitted with a maximum density of 105 units per hectare. The City Design policies of The London Plan shall apply.



Bill No. 324
2021

By-law No. C.P.-_____-____

A by-law to adopt the Medway Valley Heritage
Forest Environmentally Significant Area
(South) Conservation Master Plan.

WHEREAS the London Plan for the City of London Planning Area – 2016 includes policies for conservation master plans for environmentally significant areas and other natural heritage areas;

AND WHEREAS the Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan is a conservation master plan pursuant to policy 1421_ of the London Plan for the City of London Planning Area – 2016;

AND WHEREAS the Official Plan for the City of London Planning Area – 1989 includes policies for conservation master plans for environmentally significant areas and other natural heritage areas;

AND WHEREAS the Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan is a conservation master plan pursuant to section 15.3.8.i) of the Official Plan for the City of London Planning Area – 1989;

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

1. The Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan, as attached hereto and forming part of this by-law, is adopted.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 325
2021

By-law No. C.P.-1512()-__

A by-law to amend The London Plan for the City of London, 2016 for the Medway Valley Heritage Forest Environmentally Significant Area (South).

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

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990*, c. P.13.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor
Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 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 amend Section 1719_11 of The London Plan for the City of London, to identify the Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan as a Natural Heritage System guideline document to The London Plan.
2. To change the Place Type of certain lands described herein from Green Space Place Type to Neighbourhoods Place Type on Schedule “1”, Map 1 – Place Type, to The London Plan for the City of London.
3. To change the Place Type of certain lands described herein from Neighbourhoods Place Type to Green Space Place Type on Schedule “1”, Map 1 – Place Type, to The London Plan for the City of London.
4. To change the delineation of the Environmentally Significant Area (ESA) natural heritage feature described herein on Schedule “2”, Map 5 – Natural Heritage, to The London Plan for the City of London.

B. Location of this Amendment

1. This Amendment applies to lands of the Medway Valley Heritage Forest Environmentally Significant Area (South) in the City of London.
2. The area is generally located south of Fanshawe Park Road West, east of Wonderland Road North, north of Sarnia Road, and west of Western Road.

C. Basis of the Amendment

Amended delineation of the Environmentally Significant Area natural heritage feature is in conformity with the Medway Valley Heritage Forest (South) Conservation Master Plan. Amended delineation and addition of the CMP as a guideline document to the London Plan are consistent with the Provincial Policy Statement and conform to in force policies of the London Plan, including but not limited to Key Direction and Environmental policies. Amendments are also consistent with policies of the 1989 Official Plan.

D. The Amendment

The London Plan for the City of London is hereby amended as follows:

1. To change policy 1719_11. Natural Heritage System Guidelines is amended by deleting the existing subsection 11 and replacing with the following:
 - i. Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan”.
2. Map 1 – Place Types, to The London Plan for the City of London Planning Area is amended by changing the Place Type of a portion of those lands located at 151, 153, 155, 157, 159, and 161 Windermere Road, in the City of London, as indicated on “Schedule 1” attached hereto, from Green Space Place Type to Neighbourhoods Place Type.

3. Map 1 – Place Types, to The London Plan for the City of London Planning Area is amended by changing the Place Type of a portion of those lands located at 1394, 1400, 1406, 1412, and 1418 Corley Drive, in the City of London, as indicated on “Schedule 1” attached hereto, from Neighbourhoods Place Type to Green Space Place Type.
4. Map 5 – Natural Heritage, to The London Plan for the City of London Planning Area is amended by changing the delineation of the “Medway Valley Heritage Forest” Environmentally Significant Areas (ESA) natural heritage feature, as identified on “Schedule 2” attached hereto.

Schedule "1"

AMENDMENT NO:



Legend

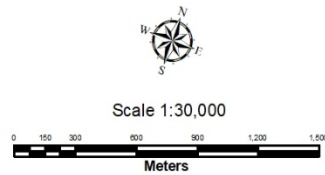
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|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | Areas Withheld from LPAT Approval |
| Neighbourhood | Green Space | |

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

**SCHEDULE 1
TO
THE LONDON PLAN**
AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: OZ-9367

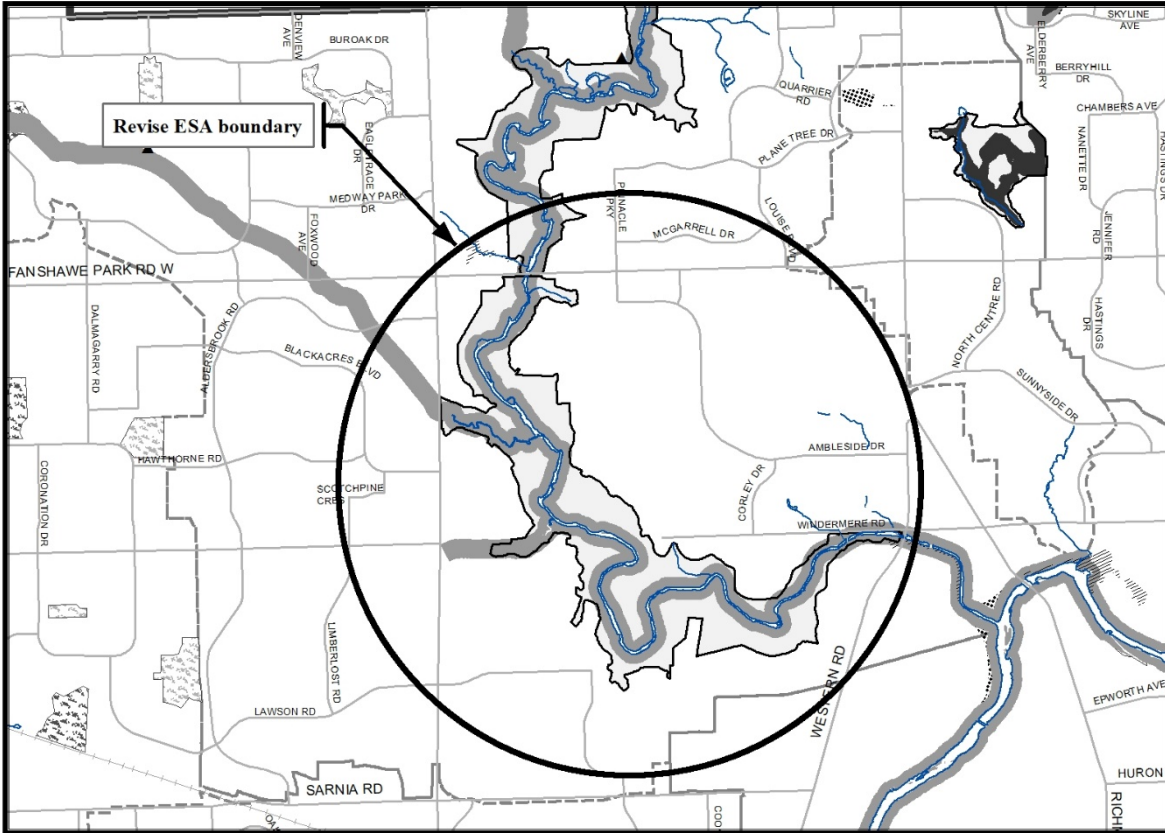
PLANNER: TM

TECHNICIAN: MB

DATE: 6/15/2021

Schedule "2"

AMENDMENT NO:

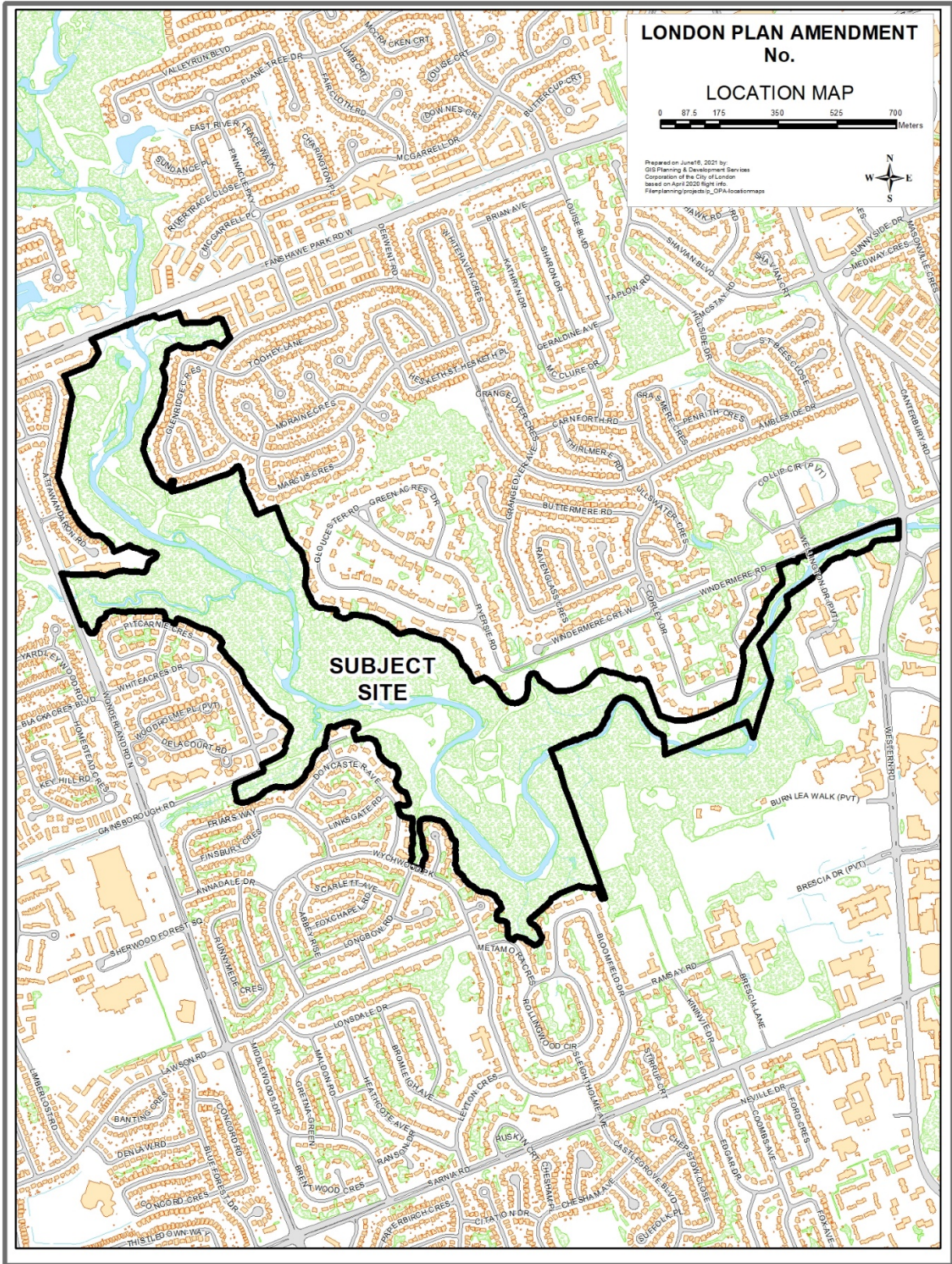


NATURAL HERITAGE SYSTEM		Base Map Features
Provincially Significant Wetlands	Areas of Natural and Scientific Interest	Railways
Wetlands	Environmentally Significant Areas (ESA)	Water Courses/Ponds
Unevaluated Wetlands	Potential ESAs	Streets (see Map 3)
Significant Woodlands	Upland Corridors	Conservation Authority Boundary
Woodlands	Potential Naturalization Areas	Subwatershed Boundary
Significant Valley Lands	Unevaluated Vegetation Patches	
Valley Lands		

This is an excerpt from the Planning Division's working consolidation of Map 5 - Natural Heritage of the London Plan, with added notations.

<p>SCHEDULE 2 TO THE LONDON PLAN</p> <p>AMENDMENT NO. _____</p> <p>PREPARED BY: Planning Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9367</p> <p>PLANNER: TM</p> <p>TECHNICIAN: MB</p> <p>DATE: 6/16/2021</p>
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Bill No. 326
2021

By-law No. C.P.-1284()-__

A by-law to amend the Official Plan for the City of London, 1989 for the Medway Valley Heritage Forest Environmentally Significant Area (South).

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(27) of the *Planning Act*, R.S.O. 1990, c.P.13.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

**Amendment No.
to the
Official Plan for the City of London**

A. Purpose of this Amendment

The purpose of this Amendment is:

1. To add the Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan to the list of Guideline Documents in Section 19.2.2 of the Official Plan for the City of London.
2. To change the designation of certain lands described herein from Low Density Residential to Open Space on Schedule "A", Land Use, to the Official Plan for the City of London.
3. To change the designation of certain lands described herein from Regional Facility to Open Space on Schedule "A", Land Use, to the Official Plan for the City of London.
4. To change the designation of certain lands described herein from Open Space to Low Density Residential on Schedule "A", Land Use, to the Official Plan for the City of London.
5. To change the designation of certain lands described herein from Open Space to Multi-Family, Medium Density Residential on Schedule "A", Land Use, to the Official Plan for the City of London.
6. To change the delineation the Environmentally Significant Areas (ESA) natural heritage feature described herein on Schedule "B1", Natural Heritage Features, to the Official Plan for the City of London.

B. Location of this Amendment

1. This Amendment applies to lands of the Medway Valley Heritage Forest Environmentally Significant Area (South) in the City of London.
2. The area is generally located south of Fanshawe Park Road West, east of Wonderland Road North, north of Sarnia Road, and west of Western Road.

C. Basis of the Amendment

Amended delineation of the Environmentally Significant Area natural heritage feature is in conformity with the Medway Valley Heritage Forest (South) Conservation Master Plan. Amended delineation of the ESA is consistent with the Provincial Policy Statement and conforms to in force policies of the London Plan and policies of the 1989 Official Plan.

D. The Amendment

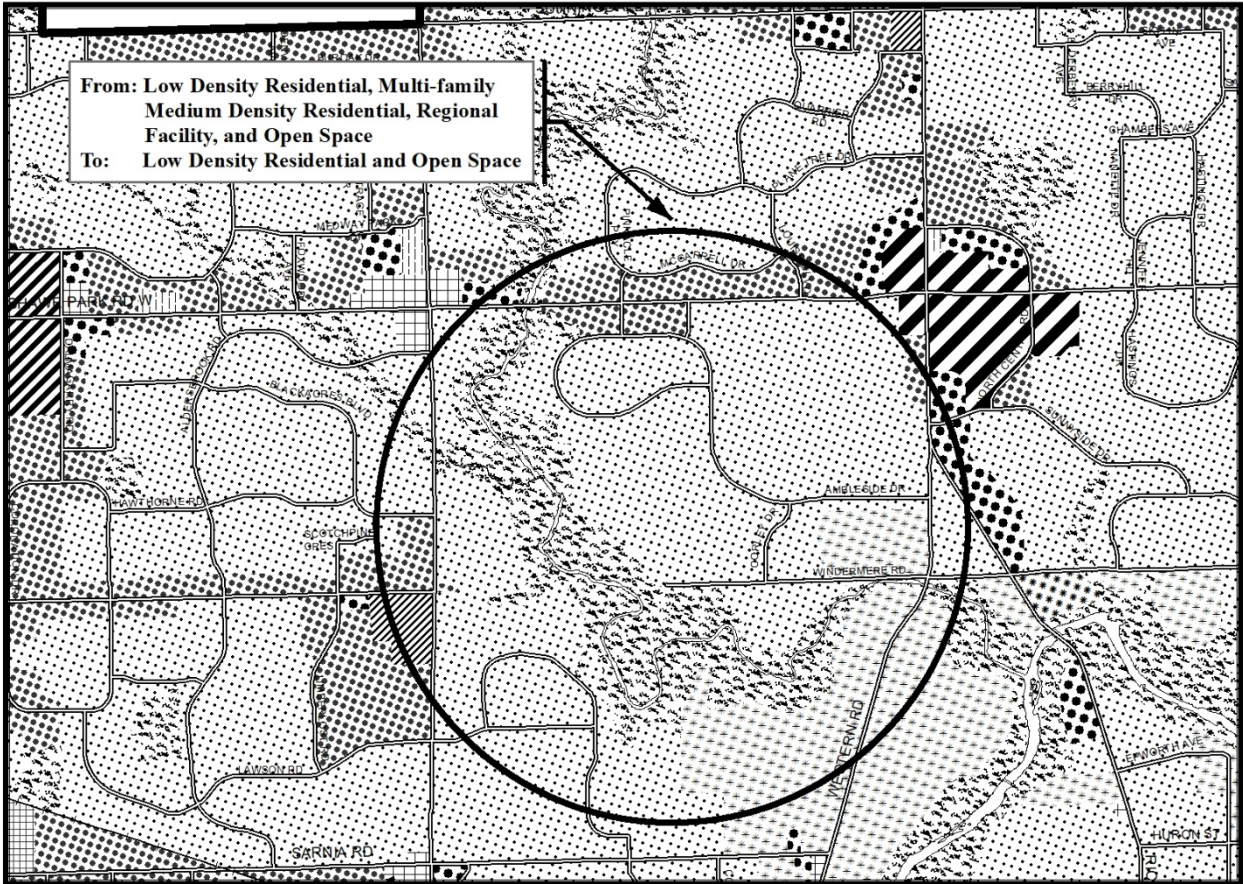
The Official Plan for the City of London is hereby amended as follows:

1. Section 19.2.2 of the Official Plan for the City of London is amended by adding the following to the list of guideline documents:
 - i. Medway Valley Heritage Forest Environmentally Significant Area (South) Conservation Master Plan
2. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating lands in the City of London from Low Density Residential to Open Space, as indicated on "Schedule 1" attached hereto.

3. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating lands in the City of London from Regional Facility to Open Space, as indicated on "Schedule 1" attached hereto.
4. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating lands in the City of London from Open Space to Low Density Residential, as indicated on "Schedule 1" attached hereto.
5. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating a portion of lands located at 410 Ambleside Drive in the City of London, as indicated on "Schedule 1" attached hereto from Open Space to Multi-Family, Medium Density Residential.
6. Schedule "B1", Natural Heritage Features, to the Official Plan for the City of London Planning Area is amended by changing the delineation of the Medway Valley Heritage Forest Environmentally Significant Areas (ESA) natural heritage feature, as indicated on "Schedule 2" attached hereto.

Schedule "1"

AMENDMENT NO:



Legend

Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

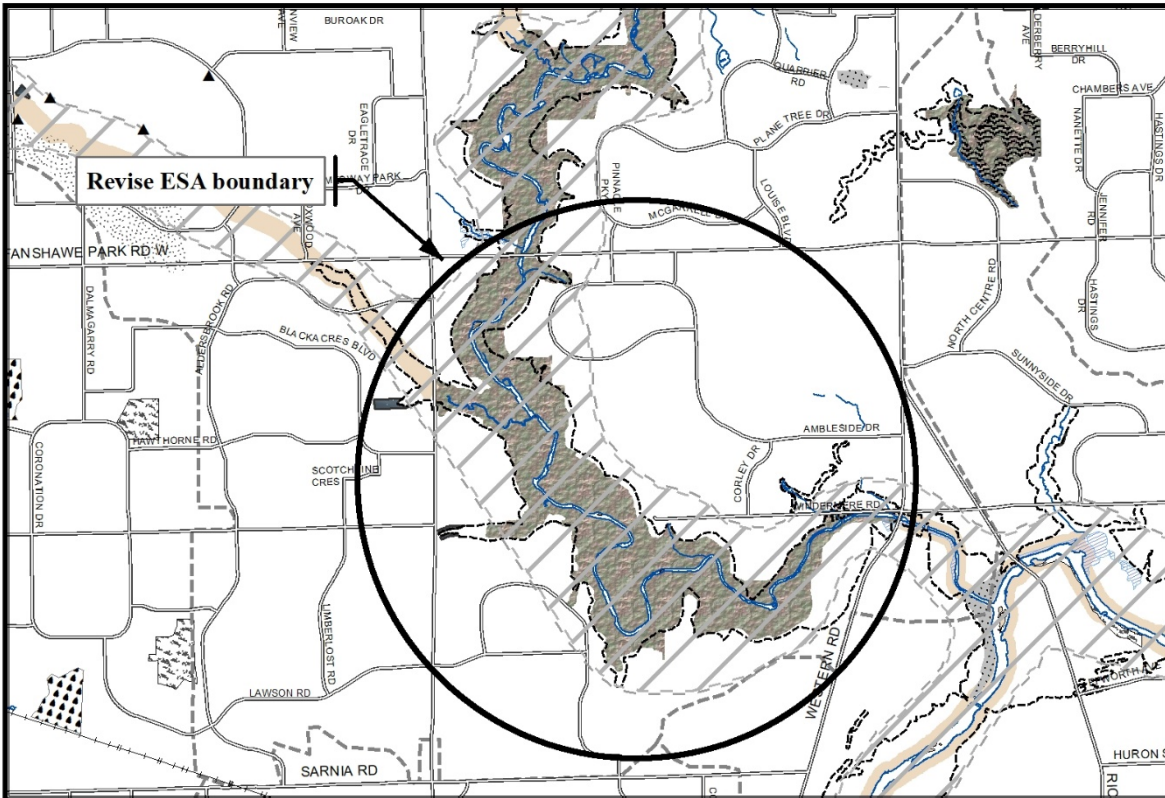
This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

<p>SCHEDULE 1 TO OFFICIAL PLAN</p> <p>AMENDMENT NO. _____</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500 Meters</p>	<p>FILE NUMBER: OZ-9367</p> <p>PLANNER: TM</p> <p>TECHNICIAN: MB</p> <p>DATE: 2021/06/15</p>
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Schedule "2"

AMENDMENT NO: _____



NATURAL HERITAGE SYSTEM

- ESAs
- Potential ESAs
- Significant Woodlands
- Woodlands
- Unevaluated Vegetation Patches
- Significant River, Stream, and Ravine Corridors
- Unevaluated Stream and Ravine Corridors
- Provincially Significant Wetlands
- Locally Significant Wetlands
- Unevaluated Wetlands
- Potential Naturalization Areas
- Potential Upland Corridors
- Ground Water Recharge Areas

NATURAL HAZARDS

- Maximum Hazard Line
- NOTE 1: Hazard Lines shown on this map are approximate. The precise delineation of hazard line mapping available from the Conservation Authority having jurisdiction.*
- NOTE 2: Flood Fringe mapping for certain areas of the city is available from the Upper Thames River Conservation Authority.*

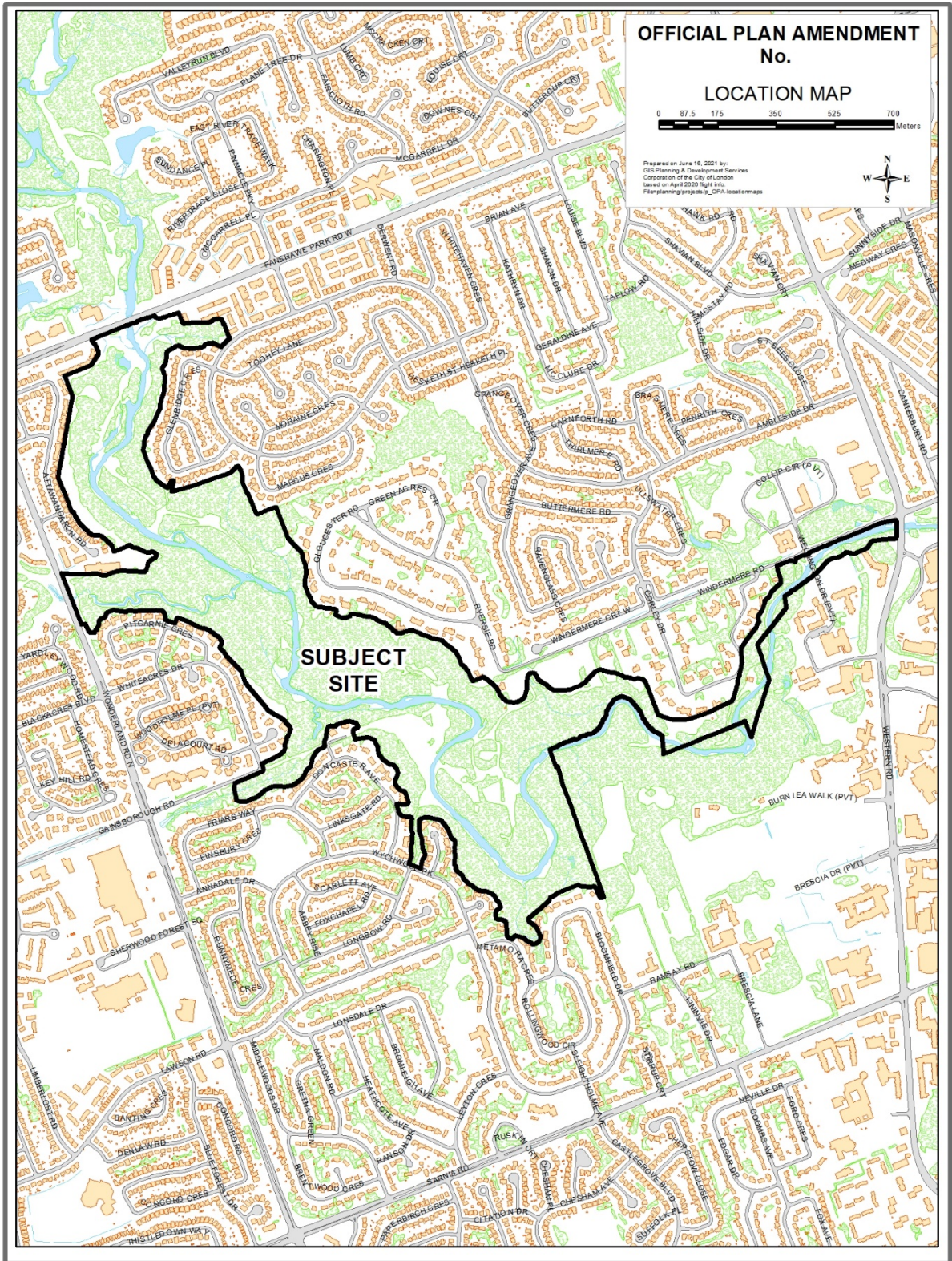
Base Map Features

- Railways
- Water Courses/Ponds
- Streets (refer to Schedule "C")
- Conservation Authority Boundary
- Subwatershed Boundary
- Big Picture Meta-Cores and Meta-Corridors

This is an excerpt from the Planning Division's working consolidation of Schedule B1 to the City of London Official Plan, with added notations.

<p align="center">SCHEDULE 2 TO OFFICIAL PLAN</p> <p align="center">AMENDMENT NO. _____</p> <p>PREPARED BY: Graphics and Information Services</p>	<p align="center"> Scale 1:30,000 0 140 280 560 840 1,120 1,400 Meters </p>	<p>FILE NUMBER: OZ-9367</p> <p>PLANNER: TM</p> <p>TECHNICIAN: MB</p> <p>DATE: 2021/06/15</p>
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Bill No. 327
2021

By-law No. CPOL.-18()-__

A by-law to amend By-law No. CPOL.-18-214, as amended, being “Mayor’s New Year’s Honour List Policy”, to clarify eligibility criteria for nomination.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-18-214, as amended, being “Mayor’s New Year’s Honour List Policy”, to clarify eligibility criteria for nomination;

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

1. By-law No. CPOL.-18-214, as amended, being “Mayor’s New Year’s Honour List Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Mayor's New Year's Honour List Policy

Policy Name: Mayor's New Year's Honour List Policy

Legislative History: Adopted June 13, 2017 (By-law No. CPOL.-18-214); Amended April 24, 2018 (By-law No. CPOL.-18(a)-144); Amended July 24, 2018 (By-law No. CPOL.-18(b)-390); Amended October 15, 2019 (By-law No. CPOL.-18(c)-288); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy establishes the Mayor's New Year's Honour List for the recognition of persons who have contributed in an outstanding manner to the community of London in one of the categories of Accessibility, Age Friendly, Arts, Distinguished Londoner, Diversity and Race Relations, Environment, Heritage, Housing, Humanitarianism, Safety & Crime Prevention and Sports.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This Council policy applies to all persons who have contributed in an outstanding manner to the community of London in prescribed categories.

4. The Policy

4.1 Categories

Persons may be recognized in any of the following categories:

- a) Accessibility (i.e. contributions to foster an environment of inclusion that embraces citizens of all abilities);
- b) Age Friendly (i.e. contributions to empowering older adults and advancing an age friendly community);
- c) Arts (i.e. contributions to fostering and/or the production of human creativity);
- d) Diversity and Race Relations (i.e. contributions to the elimination of hate and discrimination).
- e) Environment (i.e. contributions to the awareness, preservation and protection of the environment);
- f) Heritage (i.e. contributions to the awareness, preservation and protection of heritage resources);
- g) Housing (i.e. contributions to the provision of safe and accessible housing for all members of the community);
- h) Humanitarianism (i.e. contributions to human welfare through philanthropic and other efforts);
- i) Safety & Crime Prevention (i.e. contributions to a safe and secure community);
- j) Sports (i.e. contributions to the awareness of and participation in sports activity and/or demonstrated excellence within a particular sports activity);
or

- k) Distinguished Londoner (i.e., outstanding contribution to community collaboration or acts of good will by giving back to our City).

4.2 Nominating Committees/Organizations

The following Committees/Organizations shall nominate individuals in the respective categories:

- a) Accessibility – Accessibility Advisory Committee
- b) Age Friendly – Age Friendly London Network
- c) Arts – London Arts Council
- d) Diversity and Race Relations – Diversity, Inclusion and Anti-Oppression Advisory Committee
- e) Environment – Advisory Committee on the Environment
- f) Heritage – London Advisory Committee on Heritage
- g) Housing – London Housing Advisory Committee
- h) Humanitarianism – Diversity, Inclusion and Anti-Oppression Advisory Committee
- i) Safety & Crime Prevention – Community Safety and Crime Prevention Advisory Committee
- j) Sports – London Sports Council
- k) Distinguished Londoner – Each Council Member may submit one (1) name to the Mayor for consideration. The Mayor may select up to four (4) individuals for recommendation to Municipal Council.

4.3 Conditions

The following conditions shall apply to the nomination of individuals:

- a) no more than one person in each category shall be named in any one year, except for the category of Distinguished Londoner, subject to:
 - i) a person may not necessarily be named in each category each year;
 - ii) City Council may, at its sole discretion and on an exception basis, choose to recognize two individuals in any one category in a given year should the City Council determine that two individuals have inseparably partnered in contributing to their respective category, thereby increasing the aggregate amount of nominees beyond the usual maximum of ten persons to be named in any one year;
- b) the recipients shall be chosen for long standing contributions in their respective categories;
- c) the name of any one individual shall be included on the Honour List only once in their lifetime;
- d) any person currently serving as a member of any one of the Advisory Committees, City Council, Civic Administration or organizations referred to in 4.2 shall not be eligible for naming to the list during their term of appointment or employment with the City;
- e) nominees being recommended by the Advisory Committees or organizations referred to in 4.2 shall receive at least seventy-five percent of the total eligible votes on the respective Advisory Committee or organization.

4.4 Form of Recognition

- a) The recipients shall be honoured at the first meeting of City Council in January, with a reception for themselves and one guest, and presentation of an appropriately-worded certificate.
- b) A plaque shall be displayed in a prominent public area of City Hall honouring those persons named each year to the Mayor's New Year's Honour List and shall be updated annually by the City Clerk.

Bill No. 328
2021

By-law No. CPOL.-29()-___

A by-law to amend By-law No. CPOL.-29-225,
as amended, being “Grants to Centennial Hall”,
to remove outdated language.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-29-225, as amended, being “Grants to Centennial Hall”, to remove outdated language;

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

1. By-law No. CPOL.-29-225, as amended, being “Grants to Centennial Hall”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule "A"



London
CANADA

Grants to Centennial Hall

Policy Name: Grants to Centennial Hall

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-29-225); Amended June 26, 2018 (By-law No. CPOL.-341-332); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or designate)

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on grants to organizations utilizing Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the use of Centennial Hall as it relates to organizations receiving financial assistance from the City of London.

4. The Policy

That a policy be established to provide that should Municipal Council wish to support an organization using Centennial Hall, Municipal Council should give direct financial assistance to that organization without any reference to Centennial Hall.

It is noted that by following this procedure, the organization receiving the financial assistance from the City of London would be expected to deal directly with the Management of Centennial Hall on the same basis as any other individual or group wishing to use Centennial Hall and its facilities.

It is also noted that the following concepts and understandings are hereby accepted by Municipal Council with respect to Centennial Hall, namely:

- a) Centennial Hall was constructed as a multi-purpose building and because of this fact its diversity is its strength, permitting it to cater to a cross-section of the community; and
- b) the original intention of Municipal Council was that Centennial Hall would be managed as closely as possible in a private enterprise manner, and Municipal Council continues to support the Centennial Hall Management in this concept.

Bill No. 329
2021

By-law No. CPOL.-30()-___

A by-law to amend By-law No. CPOL.-30-226, as amended, being “Reduced Rental Rates for Non-Profit Groups”, to update staff titles and reference to the Fees and Charges By-law.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-30-226, as amended, being “Reduced Rental Rates for Non-Profit Groups”, be amended to update staff titles and reference to the Fees and Charges By-law;

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

1. By-law No. CPOL.-30-226, as amended, being “Reduced Rental Rates for Non-Profit Groups”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule "A"



London
CANADA

Reduced Rental Rates for Non-Profit Groups

Policy Name: Reduced Rental Rates for Non-Profit Groups

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-30-226); Amended June 26, 2018 (By-law No. CPOL.-342-333); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the rental of Centennial Hall to non-profit groups.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all non-profit organizations that are booking events at Centennial Hall.

4. The Policy

That a policy be established whereby the rental of the auditorium to non-profit organizations which book a series of events, in advance, (at least six events per calendar year) and which require a very limited amount of set-up and maintenance is at a reduced rate. Such reduced rates will be included in the Fees & Charges By-law as approved annually by City Council.

Bill No. 330
2021

By-law No. CPOL.-31()-__

A by-law to amend By-law No. CPOL.-31-227,
as amended, being “Objectives of Centennial
Hall”, to add clarifying language in section 4(b).

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-31-227, as amended, being “Objectives of Centennial Hall”, to add clarifying language in section 4(b);

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

1. By-law No. CPOL.-31-227, as amended, being “Objectives of Centennial Hall”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Objectives of Centennial Hall

Policy Name: Objectives of Centennial Hall

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-31-227); Amended June 26, 2018 (By-law No. CPOL.-343-334); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the operation of Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the operation of Centennial Hall.

4. The Policy

That the following objectives pertaining to the operation of Centennial Hall be established:

- a) to strive to operate the Hall on at least a "break-even basis";
- b) to make available public hall rentals for non-profit community groups and organizations;
- c) to establish a rental fee structure for non-profit community groups and organizations that will permit continued use of the facilities by such groups and organizations;
- d) to maximize revenues within a fee structure that recognizes reduced rentals for non-profit community groups and organizations;
- e) to provide for the public hall needs of entrepreneurs and others for the promotion of business, conventions, cultural, entertainment, industrial and religious events;
- f) to actively market the use of the facilities to increase revenues;
- g) to carry out improvements to the facilities that will enhance the use of the facilities and increase the revenue potential; and
- h) to maintain a high standard of maintenance of the facilities in keeping with the Civic Centre Complex.

Bill No. 331
2021

By-law No. CPOL.-33()-__

A by-law to amend By-law No. CPOL.-33-229, as amended, being “Lessee Protection and Non-Competitive Clauses”, to change the title to “Lessee Protection and Non-Competitive Clauses – Centennial Hall” to reflect the scope of the policy.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-33-229, as amended, being “Lessee Protection and Non-Competitive Clauses”, to change the title to “Lessee Protection and Non-Competitive Clauses – Centennial Hall” to reflect the scope of the policy;

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

1. By-law No. CPOL.-33-229, as amended, being “Lessee Protection and Non-Competitive Clauses”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Lessee Protection and Non-Competitive Clauses – Centennial Hall

Policy Name: Lessee Protection and Non-Competitive Clauses – Centennial Hall

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-33-229); Amended June 26, 2018 (By-law No. CPOL.-345-336); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

The purpose of this policy is to formalize and clarify practices for the negotiation of lessee protection or non-competitive clauses as it relates to events at Centennial Hall.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the planning of events at Centennial Hall.

4. The Policy

That a policy be established whereby the Manager of Centennial Hall is authorized to negotiate such lessee protection or non-competitive clauses, not exceeding thirty days between events having the same or similar audience appeal, as may be appropriate in the sole discretion of the Manager.

Bill No. 332
2021

By-law No. CPOL.-38()-____

A by-law to amend By-law No. CPOL.-38-234, as amended, being “London Community Grants Policy”, to delete reference to Housing Development Corporate, London (HDC) in section 4.3(b)(v).

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-38-234, as amended, being “London Community Grants Policy”, to delete reference to Housing Development Corporate, London (HDC) in section 4.3(b)(v);

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

1. By-law No. CPOL.-38-234, as amended, being “London Community Grants Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

London Community Grants Policy

Policy Name: London Community Grants Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-38-234); Amended June 26, 2018 (By-law No. CPOL.-283-274); Amended April 23, 2019 (By-law No. CPOL.-390-124); Amended February 2, 2021 (By-law No. CPOL.-402-35); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Deputy City Manager, Neighbourhood and Community-Wide Services

1. Policy Statement

The objective of this Policy is to outline the criteria for the London Community Grants Program. Funding through this program will be aligned with the City of London’s Strategic Plan and will grant funding to community organizations to advance the priorities of the Strategic Plan.

2. Definitions

- 2.1 **“Not-for-Profit”** refers to an organization incorporated without share capital under Part III of the *Corporations Act* or under the *Not-for-Profit Corporations Act*.
- 2.2 **“Grant Application”** refers to the application associated with each granting category.
- 2.3 **“Grant Agreement”** refers to the legal agreement that is signed after an application has been deemed successful under the City of London (“the City”) Community Grants Program. The Grant Agreement defines the terms and conditions under which the City of London grant will be made and cannot be altered without prior approval.
- 2.4 **“Strategic Plan”** refers to the current City of London Strategic Plan.
- 2.5 **“Host Organization”** refers to an incorporated not-for-profit organization that may act as a sponsor to an unincorporated organization in order for the unincorporated organization to be eligible for this grant. The Host Organization will be issued funding associated with the funding activity and will assume financial and legal responsibility for the funded activity and adhere to associated reporting requirements to be outlined in the Grant Agreement.
- 2.6 **“Funder”** refers to an organization that provides money for a particular purpose. This includes foundations, other government sources (Federal and Provincial), etc.
- 2.7 **“Procedural Error”** in reference to the Appeals Process, refers to a mistake that may have been made as a result of not following the process for the allocation of grants as outlined in this Policy.

3. Applicability: Funding Categories

Applications for London Community Grants will be considered under the following categories:

3.1 Multi-Year Grants

Multi-Year Grants are up to four (4) year agreements with the City of London for community organizations pursuing initiatives in alignment with the City of London's Strategic Plan or through Council-directed emerging priorities.

3.2 Innovation and Capital Grants

- a) Innovation grants are provided to new, emerging organizations and/or initiatives that engage in one or more of the following:
 - **New idea** – proven or promising early-stage innovations that need additional support to create the capacity and conditions to be effectively sustained;
 - **Collaboration** – new, emerging organizations, initiatives or collaborations that engage in dynamic community partnerships and innovative improvements to service delivery and system collaboration;
 - **Transformation of service delivery** – creative new approaches to social innovation that engage multiple stakeholders in creative collaboration to improve system delivery and/or coordination OR provide an opportunity for a sector to do things differently.
- b) Capital grants are provided for projects involving construction or purchase of physical assets, including, but not limited to, land, building and associated renovation costs. Applications to the Capital category will be considered for the following purposes:
 - **Purchase of Land and Buildings:** Grants are made in this category only when the purchase is required for the immediate capital project.
 - **Construction Costs:** Grants in this category will be for costs associated with new facilities or renovation costs associated with the provision of additional program/service space.

4. The Policy

4.1 General Program Requirements: The Grant

- a) The proposed initiative must meet the definition of the relevant funding category as outlined in Section 3 of this policy.
- b) Community need for the proposed project must clearly be demonstrated and indicate how the applicant organization is best suited to meet this need.
- c) The proposed initiative must be available to a broad cross-section of the London community.
- d) All projects must conform to all relevant legal standards and requirements and should be physically accessible to all persons.
- e) A minimum of 25% of the total funding for the Multi-Year and Innovation and Capital Funding Streams will be allocated to applications whose proposals would support anti-Black racism, anti-Indigenous racism, anti-oppression, diversity, inclusion and equity, it being noted that if no applications are received that would support these initiatives, the funding may be allocated to those applications that meet the London Community Grants Program Policy.

4.2 Specific Program Requirements

- a) Innovation
 - i) Considering the one-year term of funding for Innovation Grants, applications under this category will be strongly assessed for ongoing program sustainability. The Applicant must demonstrate a clear plan for how the proposed program will be funded after the term of the grant.

- b) Capital
 - i) The applicant must present information that demonstrates their long-term intent to remain in the building. If funding has been received to make capital improvements to the property, the organization may be required to repay a portion of the grant back to the City in the event the property is vacated. The exact terms will be laid out in the Grant Agreement signed upon notification of the awarded grant.
 - ii) All Capital projects must be either tendered or open to competitive bidding by two or more parties.
 - iii) Rehabilitation and replacement of existing facilities will be preferred as opposed to projects involving the construction of new facilities.
 - iv) Capital funding will not be granted for appliances or equipment. Funding will only be provided for construction costs for work that will be affixed to the building.
 - v) Preference will be given to organizations that demonstrate a willingness to cooperate with the community and other organizations to share the space.
 - vi) Unincorporated organizations will not be eligible to apply for Capital funding.
 - vii) Applicant must demonstrate they have applied to relevant Federal and Provincial government funding streams that align with the capital project deliverables.

4.3 Eligibility

- a) General Eligibility
 - i) A City of London grant should not be considered as the sole source of funding for the organization. City of London grants are intended to be supplementary to other sources of funding. Organizations will be expected to leverage opportunities for funding from other funders and to provide information about other sources of funding, both received and applied to, to the City of London.
 - ii) A grant made to an organization in any year is not to be regarded as a commitment by the City to continue the grant in future years.
 - iii) In making grants, the City may impose conditions as it deems fit. Specific terms and conditions will be outlined in the Grant Agreement upon award of funding.
 - iv) The amount of funding allocated to the municipal granting program will be confirmed each year as part of the annual budget process.
- b) Organization Eligibility
 - i) Organizations must be located in London (this means the organization must have an office located in London, but not necessarily the head office, and that grant supported projects must take place in London) and may be asked to provide proof of address for verification.
 - ii) Only registered not-for-profit organizations, with some exclusions (noted in 4.3(c) below) will be considered for a grant through the London Community Grants Program.
 - iii) Organizations in receipt of City of London funding (including, but not limited to Purchase of Service Agreements) will not be eligible to receive additional City of London funding for the same project.
 - iv) Agencies, Boards, and Commissions of the City of London are not eligible for grants through this program.

- v) Organizations seeking development and capital funding to support the creation of new community based supportive housing initiatives are not eligible.
- vi) Applicant organizations must have an active Board of Directors that is independent from senior staff of the organization.
- c) Eligibility Exclusions for Unincorporated Organizations
 - i) An unincorporated organization may submit an application under the Innovation category of the Innovation and Capital stream, but must officially become incorporated before any funding can be allocated to the organization.
 - ii) An unincorporated organization may apply to the London Community Grants Program (Multi-Year or Innovation Category) in partnership with a Host Organization. Under these criteria, City funding will be allocated to the Host Organization in support of the funded activity, with the host organization held to accountable for the terms and conditions outlined in the Grant Agreement.
 - iii) There are no eligibility exclusions for an organization's not-for-profit status under the Capital category of this program.

4.4 Financial Eligibility

- a) The organization must demonstrate strong financial responsibility and capability in carrying out its service to this community.
- b) The City of London, through its grants process will not contribute to outstanding deficits.
- c) The financial state of the organization will be reviewed through the grant application process. The City of London will not fund organizations that have a structural deficit.
- d) The organization must indicate a clear financial plan and demonstrate efficient use of City funds in the project.
- e) The organization must show that it has thoroughly explored all other available sources of funding. The organization must identify the full cost of the project along with all sources and amounts of confirmed and pending revenue.
- f) The organization must demonstrate fund-raising capabilities and illustrate a future plan for the project.
- g) In conjunction with a comprehensive review of the proposed initiative, funding will be directed to organizations in greater need of financial support.
- g) The organization must indicate other City contributions that are made to the organization (purchase of service, tax exemptions, etc.).

4.5 Community Review Panel

- a) Grant applications will be assessed by the community review panel in accordance with the program's respective guidelines.
 - i) A community review panel of up to 11 individuals will be convened to make decisions regarding the allocation of London Community Grants. The community review panel will be comprised of the following members:
 - Community member (2-3)
 - Expert in subject matter (specific to priorities of the Strategic Plan or Council-directed emerging priorities) (3-4)
 - Funder (1)
 - Outcomes measurement expert (1)
 - Financial expert (1)

- City Staff (1-2).
- b) Selection
 - i) Civic Administration will seek qualified London residents to be part of the community review panel based on the composition of the Panel defined above.
 - ii) Priority will be given to community members from diverse backgrounds, and staff will aim to have a cross representation of the community on the panel.
 - c) Decision Making
 - i) Decisions about all funding allocations will be determined by the Community Review Panel in accordance with the relevant program guidelines with the exception of capital funding requests in excess of the approved budget for the Innovation and Capital Stream. Capital funding requests in excess of the available budget will be reviewed by the Community Review Panel and, if recommended, be referred to the budget process noting that a detailed business case must be submitted as part of the budget request.
 - ii) All applications, regardless of the granting category, will be assessed for both alignment with, and ability to advance the City's Strategic Plan and/or Council-directed emerging priorities.

4.6 Grant Appeal Process

- a) All decisions related to grant applications for the London Community Grants Program are open to appeal by the grant applicant.
- b) Applicants to the London Community Grants Program may appeal a decision based on two criteria:
 - i) New Information: From the time the grant application was initially submitted, new information that could impact the grant decision became available that, for good reason, was not available at the time of the initial application; or,
 - ii) A Procedural Error was made when assessing the grant application.
- c) The Director of Community Development and Grants or designate will review all appeals in accordance with the Appeals Guideline to determine which appeals meet the criteria for further review.
- d) Legitimate appeals will be referred to the Deputy City Manager, Neighbourhood and Community-Wide Services.
- e) The Deputy City Manager, Neighbourhood and Community-Wide Services may refer the funding appeal to any member of the Senior Leadership Team, depending on the relevant area of the City's Strategic Plan or Council-directed emerging priorities under which the proposed initiative has been aligned.
- f) Decisions of all appeals will be final.

Bill No. 333
2021

By-law No. CPOL.-39()-__

A by-law to amend By-law CPOL.-39-235, as amended, being "Investment Policy".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS section 7 of Ontario Regulation 438/97, as amended, enacted under section 418(6) of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, provides that The Corporation of the City of London shall adopt a statement of its investment policies and goals;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law CPOL.-39-325, as amended, being "Investment Policy" to remove the investment term targets, provide for separate identification and investment type limitations for different asset groups, revise parameters for fixed income investments and revise the maximum equity holdings;

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

1. By-law CPOL.-39-325, as amended, being "Investment Policy" is hereby amended by deleting Appendix "C" to By-Law No. CPOL.- 39-325 in its entirety and replacing it with the attached new Appendix "C".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Appendix “C” – Investment Policy



London
CANADA

Investment Policy

Policy Name: Investment Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-39-235); Amended July 24, 2018 (By-law No. CPOL.-39(a)-371)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning and Business Support (or designate)

1. Policy Statement

This policy establishes the objectives, standard of care, eligible investments, reporting requirements and responsibilities of the prudent management of investments held by Corporation of the City of London (the City).

2. Definitions

- 2.1. **Active Investment Management:** an investment strategy that uses expectations about individual securities and the overall investment environment to build a portfolio aligned with those expectations. Focus is on buying and selling specific securities based on current expectations.
- 2.2. **Asset Backed Securities:** fixed income securities (other than a government security) issued by a special purpose entity, comprised of a pool of underlying assets.
- 2.3. **City Treasurer:** the individual appointed by the municipality as treasurer.
- 2.4. **Diversification:** a process of investing assets among a range of security types by sector/category, maturity, and quality rating.
- 2.5. **Liquidity:** a measure of an asset’s convertibility to cash.
- 2.6. **Market Value:** the market price of a security.
- 2.7. **Maturity:** the date on which payment of a financial obligation is due. The final stated maturity is the date on which the issuer must retire a bond and pay the face value to the bondholder.
- 2.8. **One Investment:** a professionally managed group of investment funds composed of pooled investments that meet the eligibility criteria defined by O.Reg 438/97. The program is operated by LAS (Local Authority Services Ltd. a subsidiary of the Association of Municipalities of Ontario) and the CHUMS Financing Corporation (a subsidiary of the Municipal Finance Officers' Association of Ontario).
- 2.9. **Passive Investment Strategy:** an investment strategy that does not lead to individual or specific security changes when expectations change. Focus is on indexed investing or utilization of a buy and hold strategy of securities.
- 2.10. **Purchasing Power:** the level of goods and services that can be purchased at current prices.
- 2.11. **Real Return Bonds:** a debt security with coupon payments and principal indexed to inflation
- 2.12. **Schedule I Banks:** domestic banks that are authorized under the Bank Act to accept deposits, which may be eligible for deposit insurance provided by the Canadian Deposit Insurance Corporation.

- 2.13. **Schedule II Banks:** foreign bank subsidiaries authorized under the Bank Act to accept deposits, which may be eligible for deposit insurance provided by the Canada Deposit and Insurance Corporation. Foreign bank subsidiaries are controlled by eligible foreign institutions.
- 2.14. **Schedule III Banks:** foreign bank branches of foreign institutions that have been authorized under the Bank Act to do banking business in Canada. These branches have certain restrictions.
- 2.15. **Supranational Bonds:** bonds issued by entities formed by two or more central governments.

3. Applicability

This investment policy shall govern the City's investment activities and portfolio which consists of:

- i) Operating Funds;
- ii) Reserves;
- iii) Reserve Funds; and
- iv) Trust Funds.

4. The Policy

4.1 Objectives

The primary objectives of this investment policy, in priority order, are as follows:

4.1.1 Adherence to statutory requirements

All investment activities shall be governed by the Ontario Municipal Act, 2001 as amended. Investments, unless further limited by Council, shall be those eligible under Ontario Regulation 438/97 or as authorized by subsequent provincial regulations.

4.1.2 Preservation of capital

Meeting this objective requires preserving the value of the invested principal. As such, this shall be achieved by investing in properly rated financial instruments in accordance with applicable legislation, by limiting the types of investments to a maximum percentage of the total portfolio, being mindful of the amount invested within individual institutions and utilizing a strategic asset allocation.

4.1.3 Maintenance of liquidity

The investment portfolio shall remain sufficiently liquid to meet daily operating cash flow requirements and limit temporary borrowing. The portfolio shall be structured to hold investments that, through marketability, a high level of price stability and the timing of maturities, can maintain adequate liquidity to meet the City's needs.

4.1.4 Achieving a rate of return sufficient to maintain the purchasing power of invested funds.

Within the boundaries set by the three preceding objectives, the investment portfolio shall strive to maximize total returns with the aim of maintaining the purchasing power of invested funds. The City and any Investment Manager(s) must consider current and future economic conditions, the role that each investment or course of action plays within the overall portfolio, the expected total return from income and the appreciation of capital and the need for liquidity, regularity of income and preservation or appreciation of capital.

4.2 Standard of Care

Investments shall:

- i) be made with judgment and care;
- ii) not be for speculation, but for investment;
- iii) be made with the best interests of the City.

Delegation of Authority and Authorization:

The City Treasurer shall have overall responsibility for the prudent investment of the City's investment portfolio. The City Treasurer shall have the authority to implement the investment program and establish procedures consistent with this policy. Such procedures shall include the explicit delegation of the authority needed to complete investment transactions; however, the City Treasurer shall remain responsible for ensuring that the investments are compliant with regulations and this policy. No person may engage in an investment transaction except as provided under the terms of this policy.

The City Treasurer shall be authorized to enter into arrangements with banks, investment dealers/managers and brokers, and other financial institutions for the purchase, sale, redemption, issuance, transfer and safekeeping of securities in a manner that conforms to the Municipal Act, 2001 and the City's policy manual.

Investment transactions shall be authorized by two of the individuals listed below, one of whom must be City Treasurer or Deputy City Treasurer.

- i) City Treasurer
- ii) Director, Financial Planning & Business Support
- iii) Director, Financial Services
- iv) Manager, Financial Planning & Policy
- v) Division Manager, Taxation & Revenue

4.3 Investment Strategy

4.3.1. Diversification & Liquidity

To minimize portfolio risk and to maintain liquidity of the investment portfolio, investment diversification shall be guided by the following:

- i) Limiting investments to avoid over-concentration in securities from a specific issuer or sector/category where possible;
- ii) Investing in securities with varying maturities;
- iii) Investing in securities which have an active secondary market; and
- iv) Investing in various asset classes and sectors/categories.

4.3.2. Investment Type Limitations

Portfolio limitations shall apply at the time an investment is made and shall be evaluated based on market value. Cost shall be considered where either market value is not readily available or represents an approximation of market value.

All investments shall be expressed and payable in Canadian dollars.

i) Operating Funds:

Operating funds shall be maintained to support the daily working capital needs of the City. Any funds invested shall be limited to the following fixed income investments:

Category	Minimum Credit Rating ¹	Category Maximum	Security Term Maximum (Maturity or Redeemability)
Federal & Crown Corporations	N/A	100%	2 years
Provincial	N/A	100%	2 years
Municipal	N/A	100%	2 years
Banks – Schedule I	A-	100%	2 years
Banks – Schedule II, III	A-	10%	2 years

¹ Rating as issued by Standard and Poor's (S&P). An equivalent or alternative rating from another Credit Rating Agency is permissible as listed in the Municipal Act.

ii) Reserves:

Reserves, given the contingent nature of funds held, shall normally be maintained as cash and not invested. Reserves balances can be temporarily utilized for working capital needs for operating cash flow. Should any balances be invested, the strategy shall follow this policy, specifically the provisions and limitations as outlined under Operating Funds.

iii) Reserve Funds:

Sufficient Reserve Fund cash balances shall be maintained to support the daily working capital needs of the City's Reserve Funds.

Reserve Funds that are invested shall be limited by the following:

Asset Class	Minimum Credit Rating ^a	Asset Class Maximum	Security Term Maximum (Maturity or Redeemability)
Fixed Income	See below for further breakdown	100%	See below for further breakdown
Equity	N/A	15%	N/A

Further limits on the fixed income asset class are:

Category	Minimum Credit Rating ^a	Category Maximum	Security Term Maximum (Maturity or Redeemability)
Federal & Crown Corporations	N/A	100%	10 years
Federal - Real Return Bonds	N/A	10%	10 years
Provincial	N/A	100%	10 years
Municipal	N/A	80%	10 years
Banks – Schedule I	A-	75%	10 years
Banks – Schedule II, III	A-	10%	10 years
Other Canadian Corporations	A-	50%	5 years
Asset Backed Securities	AAA	10%	10 years
Supranationals, International Bank of Reconstruction and Development	AAA	10%	10 years
Universities, Colleges, School Boards, Hospitals	AA-	10%	10 years
One Investment – High Interest Savings Account	N/A	100%	N/A

Category	Minimum Credit Rating ^a	Category Maximum	Security Term Maximum (Maturity or Redeemability)
One Investment – Money Market Portfolio	N/A	100%	N/A
One Investment – Canadian Government Bond Portfolio	N/A	100%	N/A
One Investment – Canadian Corporate Bond Portfolio	N/A	50%	N/A

As per O.Reg 438/97, Equity holdings are limited to the ONE Investment Program and shall be held in the ONE Canadian Equity Portfolio.

iv) Trust Funds:

Trust funds by nature must be maintained in a separate account and invested separately. The investment strategy will be dictated by the terms of the trust agreement. In the absence of specific direction, the strategy shall follow this policy, specifically the provisions and limitations as outlined under Operating Funds.

4.3.3. Active and Passive Management

To achieve the primary objectives of this investment policy, internally managed funds shall, for the most part, follow a passive management strategy. Externally managed funds may utilize either an active or passive strategy while weighing the risk and return of employing one strategy over the other, in consultation with external investment managers and subject to confirmation of the City Treasurer or designate.

4.3.4. Performance Standards

The performance of investments shall be measured using applicable benchmarks and performance indicators. Performance shall be reviewed at least quarterly.

4.3.5. Internal Borrowing

In developing the cash requirements for the year, sufficient cash shall be available to fund capital expenditures. Capital spending is supported (temporarily financed) by operating funds and reserves prior to securing long-term financing (primarily long-term debentures).

If operating funds or reserves do not have sufficient cash to support capital expenditures and operating expenditures during the year, the best option is to borrow from the Reserve Funds on a short-term basis in accordance with the Reserve and Reserve Fund Policy, rather than obtaining external financing. For this to occur, the Reserve Funds must have sufficient cash available. A fair rate of interest shall be applied on amounts borrowed.

4.4 Reporting

The City Treasurer shall provide an annual investment report to Council which includes, at a minimum, the requirements set forth in O. Reg. 438/97. Under the current regulations the investment report shall contain the following:

- i) a statement about the performance or the portfolio of investments of the municipality during the period covered by the report;
- ii) a description of the estimated proportion of the total investments of a

municipality that are invested in its own long-term and short-term securities to the total investments of the municipality and a description of the change, if any, in that estimated proportion since the previous year's report;

- iii) a statement by the treasurer as to whether or not, in their opinion, all investments are consistent with the investment policies and goals adopted by the municipality;
- iv) a record of the date of each transaction in or disposal of its own securities, including a statement of the purchase and sale price of each security;
- v) such other information that the council may require or that in the opinion of the treasurer, should be included;
- vi) a statement by the treasurer as to whether any of the investments fall below the standard required for that investment during the period covered by the report; and
- vii) the details of the proposed use of funds realized in the disposition of an investment for which the City sold as a result of a decline in rating below the standard required by O.Reg. 438/97.

In addition to the annual report, the City Treasurer shall report to Council any investment that is made that is not, in their opinion, consistent with the investment policy adopted by the City within thirty days after becoming aware of it.

4.5 Environmental, Social and Governance Considerations

As a Canadian municipality, the City has a duty to act responsibly and in the best interests of the City's constituents by ensuring the sustainability of the investment portfolio. As such, proactively considering Environmental, Social and Governance (ESG) risks and opportunities should be part of the City's investment strategy.

Bill No. 334
2021

By-law No. CPOL.-43()-___

A by-law to amend By-law No. CPOL.-43-239, as amended, being “Identification of Operating Surpluses – Boards and Commissions”, to align wording in applicability and policy sections with the budget monitoring process.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-43-239, as amended, being “Identification of Operating Surpluses – Boards and Commissions”, to align wording in applicability and policy sections with the budget monitoring process;

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

1. By-law No. CPOL.-43-239, as amended, being “Identification of Operating Surpluses – Boards and Commissions”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Identification of Operating Surpluses – Boards and Commissions

Policy Name: Identification of Operating Surpluses – Boards and Commissions

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-43-239); Amended June 26, 2018 (By-law No. CPOL.-351-342); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the identification of operating surpluses by the City of London’s Boards and Commissions.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to the City of London’s Boards and Commissions as it relates to the submission of their operating budget results.

4. The Policy

That a policy be established requiring the City of London’s Boards and Commissions to identify operating surpluses semi-annually as part of the Operating Budget Monitoring process as outlined in the City’s Surplus/Deficit Policy. The use or disposition of any surpluses will be determined through collaboration between the City of London and the particular Board or Commission.

Bill No. 335
2021

By-law No. CPOL.-45()-___

A by-law to amend By-law No. CPOL.-45-241, as amended, being “Multi-Year Budget Policy”, to update definition and policy sections, and to clarify applicability to the property tax supported as well as water and wastewater budgets.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-45-241, as amended, being “Multi-Year Budget Policy”, to update definition and policy sections, and to clarify applicability to the property tax supported as well as water and wastewater budgets;

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

1. By-law No. CPOL.-45-241, as amended, being “Multi-Year Budget Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Multi-Year Budget Policy

Policy Name: Multi-Year Budget Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-45-241); Amended July 24, 2018 (By-law No. CPOL.-45(a)-374); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

Municipal Act, 2001, Section 291(1) authorizes a municipality to prepare and adopt a budget covering a period of two to five years in the first year to which the budget applies or in the year immediately preceding the first year to which the budget applies. The process for preparing and adopting a multi-year budget and the requirements for a municipality’s budget are prescribed in the *Municipal Act, 2001*.

If a municipality chooses to adopt a multi-year budget, establishing an annual review process is mandatory as outlined in section 291(4) of the *Municipal Act, 2001*. The annual review process requires Council to readopt the budget for that year and subsequent years that the budget applies in order to ensure the municipality has sufficient funds to pay all debts, amounts required for sinking funds or retirement funds, and amounts required for boards, commissions or other bodies. Also, pursuant to section 290(6) of the *Municipal Act, 2001* the passing of a multi-year budget does not limit the power of a municipality to amend or revoke a budget adopted under section 290 nor does it remove the obligation of a municipality to levy taxes/rates in each year. Integration and alignment of Council’s Strategic Plan to the multi-year budget links the delivery of the Strategic Plan with the funding requirements. Benefits of multi-year budgeting include the following:

- Alignment of longer-term goals and objectives with longer-term funding plans;
- Greater certainty is provided to tax/rate payers/residents about the future direction of taxes/rates and the timing of implementation of the Strategic Plan;
- Improved accountability and transparency over spending plan changes; and
- Prioritization principles aligned with service delivery principles that include:
 - Risk profile
 - Degree and speed of implementation.
 - Balancing competing needs across various strategic areas of focus.
 - Impact to the community.

Purpose

The purpose of the Multi-Year Budget policy is to define the approach to be used for multi-year budgeting and Council approvals.

2. Definitions

- 2.1. **Capital Budget** – A budget that funds new infrastructure projects as well as expands and maintains existing infrastructure. Some of the expenses could include: A new arena, widening roads, and roof replacement on an existing community centre.
- 2.2. **City of London** – means The Corporation of the City of London
- 2.3. **City Treasurer** – The individual appointed by the municipality as treasurer.

- 2.4. **Civic Service Areas** – Service Areas that operate within the Corporation.
- 2.5. **Boards and Commissions** – Groups outside the Corporation, typically (although not always) funded by the municipal tax base, that provide specific and/or specialized services to the London community.
- 2.6. **Budget** – Means an estimated financial plan of revenue and expenditure for a set period of time.
- 2.7. **Multi-Year Budget** – Approval of a four year operating and capital budget.
- 2.8. **Multi-Year Budget Policy** – Refers to this policy.
- 2.9. **Municipal Act** – Refers to legislation that governs municipalities in Ontario.
- 2.10. **Net Budget** – The net budget is the cost to deliver the City of London’s programs and services, after accounting for all non-tax/non-rate revenues and subsidies received. This is the portion of the budget that is paid for through property taxes or utility rates.
- 2.11. **Operating Budget** – A budget that funds the day to day operations of the municipality. Some of the expenses could include personnel, utilities, and reserve fund contributions.

3. **Applicability**

The scope of multi-year budgeting, including both operating and capital, extends to all City of London Service Areas, boards, and commissions and applies to both the property tax supported as well as water and wastewater & treatment rate supported budgets.

4. **The Policy**

4.1. **Approvals / Adjustments to Multi-Year Budget:**

- 4.1.1. A Multi-Year Budget is developed covering a four year time period beginning in the second year of a new Council term. Annual updates for years two and three will be brought forward for Council consideration during the remaining Council term. The first year of a new Council term will reconfirm the fourth year of the Multi-Year Budget.
- 4.1.2. Early in a new Council term, Council will develop its Strategic Plan. Council will approve a four year average annual tax levy adjustment from rates and four year water and wastewater rates that address municipal inflationary pressures and funding for additional investments that are aligned with Council’s Strategic Plan.
- 4.1.3. After Council approves the Strategic Plan and the Multi-Year Budget, Civic Administration will prepare corporate business plans that clearly outline the current state and future direction of each service. The business plans will identify the strategies and priorities that are driving the strategic direction of the service. All strategies and priorities must be aligned with the Council’s Strategic Plan and the funding approved through the Multi-Year Budget. Throughout the Multi-Year Budget process, business plans will be modified for material changes that result from any material amendments through annual updates.
- 4.1.4. The Civic Administration will present to Council a budget that is in compliance with the *Municipal Act, 2001*. The budget will contain adjustments to reflect inflationary pressures and additional investments or disinvestments that would further adjust the budget requirement. Each additional investment or disinvestment submitted for Council consideration shall be supported with a comprehensive business case.
- 4.1.5. In the first year of a budget cycle, the Civic Administration will be seeking approval of a Multi-Year Budget for a four year period. Commencing in the

second year and in each subsequent year of the multi-year budget, Council is required by the *Municipal Act, 2001* to review and readopt the budget for that year. As part of the review process, Council is required to make changes that are required for the purpose of making the budget compliant with the provisions of the *Act* which include ensuring that the municipality has sufficient funds to pay all debts, amounts required for sinking funds or retirement funds and amounts required for boards, commissions or other bodies. As such, Council will have the opportunity to make other amendments to the budget annually. In addition to the matters required to be addressed by the *Municipal Act, 2001*, the scope of annual budget changes may include, but are not limited to, the following:

- a) **New or Changed Regulation** – A new or changed legislation or regulation with a financial impact to the municipality.
- b) **New Council Direction** – A new Council direction that has transpired after the approval of the Multi-Year Budget.
- c) **Cost or Revenue Driver** – A corporate or service area budget adjustment as a result of changes in economic conditions.

Proposed changes to future years' operating budgets should only be brought forward and approved once per year. Adjustments are limited to once per year, during the annual update period, to ensure that all requests are considered together.

- 4.1.6. The City Treasurer or designate is authorized to make adjustments considered "housekeeping" in nature including operating and capital budget transfers made by a service that do not change the net budget.
- 4.1.7. The City Treasurer or designate would be authorized to release budget funds prior to a new Multi-Year Budget or Annual Budget Update approval up to a prorated amount based on the previous fiscal year's approved budget. Such authorization will continue for a reasonable period of time until budget approval of a new Multi-Year Budget or Annual Budget Update.

Bill No. 336
2021

By-law No. CPOL.-46()-___

A by-law to amend By-law No. CPOL.-46-242, as amended, being “Surplus/Deficit Policy”, to add clarifying language in the policy section and renumber accordingly.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-46-242, as amended, being “Surplus/ Deficit Policy”, be amended to add clarifying language in the policy section and renumber accordingly;

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

1. By-law No. CPOL.-46-242, as amended, being “Surplus/Deficit Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Surplus/Deficit Policy

Policy Name: Surplus/Deficit Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-46-242); Amended October 16, 2018 (By-law CPOL.-46(a)-500); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support

1. Policy Statement

The purpose of this policy is to establish a priority framework for the allocation of any operating surpluses and funding for any operating deficits.

2. Definitions

- 2.1 **Authorized Debt:** Council approved debt financing as a source of funding for capital projects.
- 2.2 **City Treasurer:** The individual appointed by the municipality as treasurer.
- 2.3 **Deficit:** In the operating budget, when there is an excess of expenditures over revenues.
- 2.4 **Multi-Year Budget:** Approval of a four year operating and capital budget.
- 2.5 **Operating Budget:** A budget that funds day to day operations. Some of the expenses could include personnel, utilities, and reserve fund contributions.
- 2.6 **Property Tax Supported Budget:** A budget that includes property taxes as a primary source of revenue used to fund City programs and services.
- 2.7 **Reserve:** An appropriation from net revenue and/or cost savings at the discretion of Council, after the provision for all known expenditures. It has no reference to any specific asset and does not require the physical segregation of money or assets as in the case of a reserve fund. Municipal Councils may set up reserves for any purpose for which they have the authority to spend money.
- 2.8 **Reserve Fund:** Funds that have been set aside either by a by-law of the municipality or by a requirement of senior government statute or agreement to meet a future event. Municipal Councils may set up reserve funds for any purpose for which they have the authority to spend money.
- 2.9 **Reserve Fund Policy:** A policy governing the management and administration of reserve and reserve funds, establishing guiding principles, primary objectives, key management and administrative responsibilities, and standards of care for reserves and reserve funds managed by the City.
- 2.10 **Surplus:** In the operating budget, when there is an excess of revenues over expenditures.
- 2.11 **Wastewater & Treatment Rate Supported Budget:** A budget to fund services exclusively related to the collection and treatment of wastewater and stormwater through rates charged to users of the system.
- 2.12 **Water Rate Supported Budget:** A budget to fund services exclusively related to the distribution of potable water through rates charged to users of the system.

3. Applicability

This policy applies to the annual operating budgets for the Property Tax Supported Budget, Water Rate Supported Budget, and Wastewater & Treatment Rate Supported Budget, unless otherwise stated.

4. The Policy

4.1. Principles

4.1.1. All surpluses and deficits be treated as one-time in nature.

4.1.2. The year-end operating surplus or deficit for the Property Tax Supported Budget, Water Rate Supported Budget, and Wastewater & Treatment Rate Supported Budget will only be allocated (surplus) or funded (deficit) within the operations and reserves and reserve funds of each respective Budget.

Property Tax Supported Budget – In a Year of Surplus

- a) The City Treasurer, or designate is authorized to contribute an amount to the Operating Budget Contingency Reserve (OBCR) not to exceed the reserve target balance established through the Reserve and Reserve Fund Policy, subject to the contribution to the OBCR being confirmed by the Municipal Council.
- b) The City Treasurer, or designate is authorized to contribute an amount to the Unfunded Liability Reserve Fund not to exceed:
 - i) The Reserve Fund target balance established through the Reserve and Reserve Fund Policy; and
 - ii) Operational savings realized from personnel and contingency budgets at year-end.
- c) Remaining surplus to be reported in the Operating Budget Year-End Monitoring Report with the surplus contributed to the OBCR to balance year-end operations. The remaining surplus allocations shall be drawn down from the OBCR and allocated in accordance with the following proportions:
 - i) 50% of any operating surplus shall be applied to reduce authorized but unissued debt, it being noted that debt reduction will reduce future years' debt servicing costs. If the operating surplus allocation exceeds the authorized debt amount, the authorized debt shall be reduced to nil with the remaining surplus added to the allocations specified in 4.1.2 (c)(ii) and (c)(iii).
 - ii) 25% of any operating surplus shall be contributed to the Community Investment Reserve Fund to be allocated at the discretion of Municipal Council.
 - iii) 25% of any operating surplus shall be contributed to the Capital Infrastructure Gap Reserve Fund (or other reserve fund to mitigate infrastructure needs at the discretion of the City Treasurer) to address future infrastructure needs.

Property Tax Supported Budget – In a Year of Deficit

- d) The City Treasurer, or designate is authorized to drawdown from the OBCR to balance year-end operations.

Wastewater & Treatment Rate Supported Budget – In a Year of Surplus

- e) The City Treasurer, or designate is authorized to contribute an amount to the Wastewater Budget Contingency Reserve not to exceed the reserve target balance established through the Reserve and Reserve Fund Policy, subject to the contribution to the Wastewater Budget Contingency Reserve being confirmed by the Municipal Council.

- f) Remaining surplus to be reported in the Operating Budget Year-End Monitoring Report with the surplus contributed to the Wastewater Budget Contingency Reserve to balance year-end operations. The remaining surplus allocations shall be drawn down from the Wastewater Budget Contingency Reserve and allocated in accordance with the following proportions:
 - i) 50% of any operating surplus shall be applied to reduce Wastewater & Treatment authorized but unissued debt, it being noted that debt reduction will reduce future years' debt servicing costs. If the operating surplus allocation exceeds the authorized debt amount, the authorized debt shall be reduced to nil with the remaining surplus added to the allocation specified in 4.1.2 (f)(ii).
 - ii) 50% of any operating surplus shall be contributed to the Sewage Works Reserve Fund to address future infrastructure needs.

Wastewater & Treatment Rate Supported Budget – In a Year of Deficit

- g) The City Treasurer, or designate is authorized to drawdown from the Wastewater Budget Contingency Reserve to balance year-end operations.

Water Rate Supported Budget – In a Year of Surplus

- h) The City Treasurer, or designate is authorized to contribute an amount to the Water Budget Contingency Reserve not to exceed the reserve target balance established through the Reserve and Reserve Fund Policy, subject to the contribution to the Water Budget Contingency Reserve being confirmed by the Municipal Council.
- i) Remaining surplus to be reported in the Operating Budget Year-End Monitoring Report with the surplus contributed to the Water Budget Contingency Reserve to balance year-end operations. The remaining surplus allocations shall be drawn down from the Water Budget Contingency Reserve and allocated in accordance with the following proportions:
 - i) 50% of any operating surplus shall be applied to reduce Water authorized but unissued debt, it being noted that debt reduction will reduce future years' debt servicing costs. If the operating surplus allocation exceeds the authorized debt amount, the authorized debt shall be reduced to nil with the remaining surplus added to the allocation specified in 4.1.2 (i)(ii).
 - ii) 50% of any operating surplus shall be contributed to the Waterworks Reserve Fund to address future infrastructure needs.

Water Rate Supported Budget – In a Year of Deficit

- j) The City Treasurer, or designate is authorized to drawdown from the Water Budget Contingency Reserve to balance year-end operations.

4.2 Reporting

The City Treasurer, or designate shall provide the following reports related to year-end projected or actual surplus or deficit positions:

- i) Operating Budget Mid-Year Monitoring Report (January 1st to June 30th)
- ii) Operating Budget Year-End Monitoring Report (January 1st to December 31th)

Bill No. 337
2021

By-law No. CPOL.-47()-___

A by-law to amend By-law No. CPOL.-47-243, as amended, being “Assessment Growth Policy” to provide for strengthened eligibility criteria and for the prioritization of requests.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-47-243, as amended, being “Assessment Growth Policy” to provide for strengthened eligibility criteria and for the prioritization of requests;

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

1. By-law No. CPOL.-47-243, as amended, being “Assessment Growth Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Assessment Growth Policy

Policy Name: Assessment Growth Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-47-243); Amended June 26, 2018 (By-law No. CPOL.-353-344); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning and Business Support (or designate)

1. Policy Statement

The purpose of this policy is to establish a priority framework for the allocation of assessment growth funds.

2. Definitions

- 2.1. **Authorized Debt** – Council approved debt financing as a source of funding for capital projects.
- 2.2. **City** –The Corporation of the City of London.
- 2.3. **City Treasurer** – The individual appointed by the municipality as treasurer.
- 2.4. **Development Charges** – A fee charged by the City to recover capital costs associated with residential and non-residential growth. Development charges do not pay for operating costs or infrastructure renewal.
- 2.5. **Lifecycle Renewal** – Rehabilitation or renewal of existing infrastructure due to obsolescence, health and safety concerns, or general deterioration of assets related to use or age.

3. Applicability

This policy applies to the property tax supported budget.

4. The Policy

4.1. Principles

- 4.1.1. Civic service areas, boards and commissions that incur one-time or permanent costs to extend existing services due to growth in the City of London are required to submit business cases to the City Treasurer or written designate.
- 4.1.2. Business cases must be supported by strong metrics that clearly indicate a growth need for the service in question. Strong metrics typically include those that refer to growth in number of households, geographical area (e.g. hectares) or physical assets (e.g. lane-kilometres of roads). Population-based metrics may be suitable depending on the service. Metrics that address growth in demand or changes in demographics are generally not as strong as the aforementioned examples but may be appropriate in some cases.
- 4.1.3. Business cases will be considered eligible for funding and prioritized by the following categories:
 - 1) Operating or one-time capital costs directly linked to the extension of existing services to new development;
 - 2) Operating costs associated with developer-constructed capital assets assumed by the City or new Development Charges-funded growth-related

capital assets constructed by the City of London or associated agencies, boards or commissions;

- 3) Future lifecycle renewal capital costs for developer-constructed capital assets assumed by the City or new Development Charges-funded growth-related assets constructed by the City of London or associated agencies, boards or commissions;
- 4) Support services and activities required to support the delivery of services related to items 1), 2) and 3) above;
- 5) Operating or one-time capital costs related to pressures of a growing city (supported by appropriate metrics at the sole discretion of the City Treasurer or designate).

4.1.4. For greater clarity, the following requests will not be eligible for funding:

- Requests related to the introduction of a new service or program, either on a permanent or one-time basis;
- Requests for permanent funding of an existing program implemented temporarily (i.e. a “pilot program”);
- Requests related to the enhancement or expansion of existing service levels (i.e. service improvement);

4.1.5. Assessment growth funds are applied to approved business cases at the discretion of the City Treasurer or designate.

4.1.6. If funding requests through approved business cases exceed available assessment growth funding then:

- a) Business cases will be allocated funding according to the following priority order:
 - i) Flow through costs for business cases approved but not fully funded in a prior year or that require funding over multiple years;
 - ii) In accordance with the prioritized categories outlined in section 4.1.3 above; and,
 - iii) Business cases will be evaluated as to whether the service and/or funding could be deferred to next year and whether significant service disruptions would occur if the service did not receive the current year assessment growth funding.
- b) Unfunded business cases may be resubmitted for consideration in the following year and will be subject to prioritization alongside newly submitted cases in the subsequent year(s).

4.1.7. If assessment growth funding exceeds the accumulated growth costs of civic service areas, boards and commissions in any one budget year, the balance available will be applied in that year as follows:

- a) 50% to reducing authorized debt on a one-time basis; and,
- b) 50% to the Capital Infrastructure Gap Reserve Fund on a one-time basis to mitigate growth in the infrastructure gap.

4.1.8. Assessment growth funding not allocated permanently, will be carried forward to the following year as a permanent source for future growth costs.

4.2. Budgeting for Assessment Growth

4.2.1. For budgeting purposes, assessment growth will be assumed to be fully allocated to growth costs. Assessment growth and its allocation will be reported annually.

Bill No. 338
2021

By-law No. CPOL.-48()-___

A by-law to amend By-law No. CPOL.-48-244, as amended, being “Debt Management Policy”, to add intergenerational equity and maintaining a strong credit rating to objectives, and to add clarifying language in the policy section.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-48-244, as amended, being “Debt Management Policy”, to add intergenerational equity and maintaining a strong credit rating to objectives, and to add clarifying language in the policy section.;

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

1. By-law No. CPOL.-48-244, as amended, being “Debt Management Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Debt Management Policy

Policy Name: Debt Management Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-48-244); Amended June 26, 2018 (By-law No. CPOL.-354-345); Amended June 15, 2021 (By-law No. CPOL.-_____)

Last Review Date: June 15, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

1.1 Purpose

The purpose of this policy is to establish objectives for debenture and other forms of financing necessary to meet The Corporation of the City of London’s (the “City”) infrastructure and operating requirements as prescribed by the relevant sections of the Municipal Act, 2001, c 25 (the “Act”), specifically Part XIII Debt and Investment, and the applicable regulations thereunder.

This policy also establishes strategies for managing debt, including establishing parameters related to new debt being authorized or issued and ensuring that debt is at a level that will not impair the financial position or the credit rating of the City.

1.2 Objectives

The primary objectives of this policy, in priority order, are as follows;

a) Adherence to statutory requirements

The City shall secure temporary or long-term borrowing for municipal purposes as prescribed by the Act, specifically Part XIII Debt and Investment and the applicable regulations thereunder, including, but not limited to Ontario Regulation 403/02 Debt and Financial Obligation Limits; Ontario Regulation 438/97 Eligible investments, Related Financial Agreements and Prudent Investment; Ontario Regulation 247/01 Variable Interest Rate Debentures and Foreign Currency; Ontario Regulation 276/02 Bank Loans; and Ontario Regulation 653/05 Debt-Related Financial Instruments and Financial Agreements, as amended.

b) Maintain a strong credit rating

The City shall strive to maintain a strong credit rating. A strong credit rating is a key factor in minimizing the cost of debt and accessing capital markets in an efficient manner. In addition, a strong credit rating is required to meet the statutory requirements for entering into certain types of financing arrangements.

c) Intergenerational equity

The City shall structure debt financing in a way that is fair and equitable to those who pay and those who benefit from projects over time.

d) Managing long-term cost of financing

The City shall ensure that the debt program uses a systematic approach that minimizes the impact of debt servicing costs.

2. Definitions

- 2.1. **Annual Repayment Limit:** Under Regulation 403/02: Debt and Financial Obligation Limits, this limit represents the maximum amount which the municipality has available to commit to payments relating to debt and financial obligations without seeking the approval of the Ontario Land Tribunal. This limit is provided annually to a municipality by the Ministry of Municipal Affairs and Housing, additionally this limit must be updated by the City Treasurer prior to Council authorizing any increase in debt financing for capital expenditures.
- 2.2. **Authorized Debt:** Council approved debt financing as a source of funding for capital projects.
- 2.3. **Capital Financing:** A generic term for the financing of capital assets. This can be achieved through a variety of sources such as tax levy, grants, reserve funds and debt.
- 2.4. **Capital Plan:** The budget for capital projects i.e. the expenditures and resources required for capital projects.
- 2.5. **City Treasurer:** The individual appointed by the municipality as treasurer.
- 2.6. **Credit Rating:** A rating assigned by a credit rating agency as to the credit worthiness of an entity's debt obligations.
- 2.7. **Debenture:** A formal written obligation to pay specific sums on certain dates. In the case of a municipality debentures are typically unsecured (i.e. backed by general credit rather than by specified assets).
- 2.8. **Debt Management Policy:** Refers to this document.
- 2.9. **Debt Program:** Refers to the practices related to authorizing debt, issuing debt and monitoring debt. For example, part of the debt program includes issuing debt and the particulars related to issuing debt specifically the amount, timing and structure of the issuance.
- 2.10. **Debt Servicing Costs:** Cash that is required to cover the repayment of interest and principal on a debt and other costs associated with issuing debt.
- 2.11. **Financial Guarantee:** An agreement whereby the City will take responsibility for the payment of debt in the event that the primary debtor fails to perform.
- 2.12. **Growth Project:** A capital project that will service growth and is included in the Development Charges Background Study.
- 2.13. **Intergenerational Equity:** In economic, psychological, and sociological contexts, is the concept or idea of fairness or justice between generations.
- 2.14. **Internal Debt Financing Cap:** The City's internal limit on debt as a source of capital financing for capital projects which is set by the City Treasurer. This limit is not referring to limits imposed by the Act or regulations thereunder.
- 2.15. **Issued Debt:** A fixed obligation, such as a debenture, notes or other agreements between the issuer (the borrower) and the lender. Municipalities issue debt to finance a variety of projects such as infrastructure projects.
- 2.16. **Lease Financing Agreement:** A financial lease agreement for the purposes of obtaining long term financing of a capital undertaking of the municipality. For example, leasing of computer equipment.
- 2.17. **Letter of Credit:** A binding document from a bank guaranteeing that a buyer's payment to a seller will be received on time and for the correct amount. In the event that the buyer is unable to make payment on the purchase, the bank will be required to cover the full or remaining amount of the purchase (debt).

- 2.18. **Lifecycle Renewal Project:** A capital project for the rehabilitation or renewal of existing infrastructure due to obsolescence, health and safety concerns, or general deterioration of assets related to use or age.
- 2.19. **Service Improvement Project:** A capital project that provides a new or expanded level of service to the municipality or enhances an operational service area.

3. **Applicability**

This policy applies to all financial obligations made by the City on its own behalf and on behalf of its agencies, boards and commissions as well as the Elgin Area Primary Water Supply and Huron Primary Water Supply System in the City's capacity as the Administering Municipality, in accordance with the Transfer Orders issued September 15, 2000.

The following types of financial obligations are excluded from this policy;

- a) Lease Financing Agreements;
- b) Financial Guarantees; and
- c) Letters of Credit

4. **The Policy**

4.1. **Strategy**

4.1.1. Limiting and Reducing Authorized Debt

- a) The City shall limit the amount of debt authorized on an annual basis by applying debt financing to projects in the capital plan in a manner consistent with the following;
 - i) Debt financing may be utilized as a source of funding for growth projects;
 - ii) Debt financing may be utilized as a source of funding for service improvement projects after all other funding options have been applied and exhausted; and
 - iii) Debt financing shall only be authorized as a source of funding for lifecycle renewal projects after all other funding options have been applied and exhausted.
- b) The City Treasurer shall have the authority to change the above application of debt financing as a source of funding for projects in the capital plan.
- c) The City shall limit debt financing as a source of funding in the capital plan by way of an internal debt cap. The City Treasurer shall have the authority to set and modify the internal debt cap such that the internal debt cap meets the City's long-term financing strategies and does not contravene the Act or regulations thereunder.
- d) Authorized debt shall be reduced as follows;
 - i) As prescribed by the Council approved Surplus/Deficit and Assessment Growth Policies.
 - ii) By the amount of surplus debt financing in the capital financing budget in a given year, unless otherwise directed by the City Treasurer.

4.1.2. Minimizing Risk Associated with Issuing Debt

- a) The City shall not issue long-term financing on projects/capital works until they are substantially complete or a significant milestone is achieved.
- b) The timing and amount of debt issued in a given year shall be at the discretion of the City Treasurer or designate after consideration of cash flow requirements, budget constraints, and market conditions. This discretion must be exercised in accordance with the Act and the regulations.

- c) The City's general practice shall be to issue debt that is denominated in Canadian dollars with fixed interest rates over the term. Notwithstanding, if a borrowing structure is presented for which there is a material financial advantage and/or it is deemed prudent for the City to issue debt that is subject to interest rate fluctuations, the City may, at the discretion of the City Treasurer, consider entering into this type of arrangement. Variable interest rate structures must be in accordance with Ontario Regulation 247/01.
- d) Temporary financing instruments may be issued either for operating or capital purposes. Temporary financing for amounts that the City considers necessary to meet the expenses during the current fiscal year until the receipt of taxes and other revenues shall be in accordance with Section 407 of the Act and the temporary borrowing by-law passed by Council.

4.1.3. Managing Debt Servicing Costs

- a) The City Treasurer shall set debt servicing cost targets for each rate base (i.e. property tax supported, wastewater, water, and development charges) and these targets shall be a general guideline and utilized in the development of the City's budgets. These targets shall align with the City's long-term financing strategies and be subject to the requirements of the Act.
- b) The City shall strive to maintain a strong credit rating to assist in securing a favourable cost of borrowing.
- c) The City shall have a term preference of 10 years for debentures or other types of long-term financing for capital works. The term of long-term financing shall not extend beyond the lifetime of the capital work for which the debt was incurred and shall not exceed 40 years in accordance with Section 408 (3) of the Act. The term preference as well as structure of long-term financing instruments will be at the discretion of the City Treasurer or designate and subject to the requirements of the Act.
- d) The City shall monitor debt servicing costs and annual repayment limits as prescribed under Ontario Regulation 403/02: Debt and Financial Obligation Limits. The City shall also utilize other benchmarks, measures, indicators, ratios and limits as determined relevant and appropriate by the City Treasurer or designate to monitor debt levels and servicing costs. These measures shall include, but are not limited to debt servicing costs as a percentage of gross operating expenditures, debt financing as a percentage of the capital budget, debt per household and debt servicing costs as a percentage of revenue.

4.2 Reporting

In addition to any information requested by Council, or any information that the City Treasurer considers appropriate, the following shall be reported to Council;

- a) The status of issued and authorized debt as well as debt servicing costs through the budget monitoring reports;
- b) Projections for debt levels and debt servicing costs through the budget process; and
- c) Debenture issuances

Bill No. 339
2021

By-law No. CPOL.-52()-___

A by-law to amend By-law No. CPOL.-52-248, as amended, being “Capital Budget and Financing Policy”, to update the definitions and the policy sections.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-52-248, as amended, being “Capital Budget and Financing Policy”, to update the definitions and the policy sections;

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

1. By-law No. CPOL.-52-248, as amended, being “Capital Budget and Financing Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Capital Budget and Financing Policy

Policy Name: Capital Budget and Financing Policy

Legislative History: Enacted June 13, 2017 (By-law No. CPOL.-52-248); Amended June 26, 2018 (By-law No. CPOL.-355-346); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning and Business Support (or written designate)

1. Policy Statement

The purpose of this policy is to establish a framework for capital budgeting and financing in order to ensure capital investments are budgeted and monitored with a consistent approach, financed in a manner to ensure a funding mix that places a priority on maintaining long-term financial sustainability, and guidelines are established for closing out capital projects.

2. Definitions

- 2.1. **City** – The Corporation of the City of London.
- 2.2. **City Treasurer** – The individual appointed by the municipality as treasurer.
- 2.3. **Development Charges Background Study** – The background study undertaken by the City for its current Development Charges By-law.
- 2.4. **Growth** – A capital project that will service growth and is included in the Development Charges Background Study.
- 2.5. **Lifecycle Renewal** – Rehabilitation or renewal of existing infrastructure due to obsolescence, health and safety concerns, or general deterioration of assets related to use or age.
- 2.6. **Service Improvement** – A new or expanded level of service to the municipality or enhances an operational service area.

3. Applicability

This policy applies to all capital projects undertaken or administered by the City or capital projects that received funding from the City and are undertaken or administered by any of the City’s Local Boards, Commissions, Agencies or Corporations.

4. The Policy

4.1. Standard of Care

The City Treasurer shall have overall responsibility for the capital budget and financing program. The City Treasurer or written designate shall have the authority to implement the capital budget and financing program and establish procedures consistent with this Policy.

4.2. Principles

- 4.2.1. Capital Budget Classifications
 - a) Each capital project shall be classified as:
 - i) Lifecycle Renewal;

- ii) Growth; or
- iii) Service Improvement

4.2.2. Capital Budget Financing

The following guidelines be used when determining the funding mix for each capital budget classification:

4.2.2.1. Lifecycle Renewal

The funding options for Lifecycle Renewal capital budgets shall be allocated in the following 'priority order':

- a) Non Tax/Rate Supported
 - i) Eligible non-tax funding sources such as senior government funding.
- b) Tax/Rate Supported
 - i) Capital levy.
 - ii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
 - iii) Debt financing for Lifecycle Renewal capital budgets shall only be authorized after all other funding options have been applied and exhausted, noting that the objective is to avoid the use of debt financing for this classification.

4.2.2.2. Growth

The funding options for the non-growth component of the Growth capital budgets, as determined by the Development Charges Background Study, shall be allocated in the following 'priority order':

Non Tax/Rate Supported

- i) Eligible non-tax funding sources such as senior government funding, provided that non-tax funding sources are used first to reduce the total expenditure before the growth/non-growth funding splits are applied.

Tax/Rate Supported

- ii) Capital Levy after consideration is first given to Lifecycle Renewal and second given to Service Improvement capital budgets.
- iii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
- iv) Debt financing, provided that all other funding sources are exhausted.

Funding options for the growth component of the Growth capital budgets, as determined by the Development Charges Background Study, shall be funded from development charges supported funding sources, such as but not limited to eligible obligatory reserve funds and debt financing.

4.2.2.3. Service Improvement

The funding options for Service Improvement capital budgets shall be allocated in the following 'priority order':

- a) Non Tax/Rate Supported
 - i) Eligible non-tax funding sources such as senior government funding.

- b) Tax/Rate Supported
 - i) Capital Levy after consideration is first given to Lifecycle Renewal capital budgets.
 - ii) Eligible reserve funds, subject to adequate balances as determined by the City Treasurer or designate.
 - iii) Debt financing, provided that all other funding sources are exhausted.

The City Treasurer or written designate shall have the authority to set and adjust administrative capital financing targets that support the general guidelines identified above.

4.2.3. Capital Budget Development

The capital budget shall be developed in accordance with the following guidelines:

- a) A rolling ten (10) year capital plan shall be developed and maintained.
- b) The expenditure for each capital project shall be budgeted in the year spending is reasonably anticipated to occur, noting that sufficient budget must be in place to support the full estimated amount of the procurement, before procurement approval.
- c) The budget for capital projects shall include all reasonably known or anticipated costs each year the budget is requested, including but not limited to the impacts of inflation, non-refundable HST and a reasonable contingency.
- d) New capital budget funding requests that are introduced outside of the budget process shall be referred to the next budget cycle unless the request is directed to be brought forward by Municipal Council or is deemed urgent by the City Treasurer.
 - i) New capital budget requests that meet the criteria noted above, shall include a recommended source of financing as deemed appropriate by the City Treasurer or written designate.
- e) Debt financing shall be applied in accordance with the Council approved Debt Management Policy.

4.2.4. Capital Budget Monitoring and Close Out

- a) The City Treasurer or written designate, at their discretion, may close out capital project accounts.
- b) The City Treasurer or written designate shall allocate the net disposition of surplus funding for all closed capital projects as follows:
 - i) With respect to capital levy surplus, the City Treasurer or written designate shall review the balance of the capital receipts account and shall determine if funding is allocated to the capital receipts account to be used as a potential funding source for unfunded capital requests, or, allocated to an applicable tax supported reserve or reserve fund.
 - ii) Water and Wastewater & Treatment capital rates shall be returned to the appropriate rate supported reserve or reserve fund.
 - iii) The City Treasurer or written designate shall review the balance of the reserve or reserve fund which originally funded the capital project and shall determine if funding is allocated back to the respective reserve or reserve fund or

allocated to the capital receipts account to be used as a potential funding source for unfunded capital requests.

- iv) Debt financing shall be released resulting in a reduction of authorized debt.
- c) If during the capital budget monitoring process it is determined that a capital project will be significantly over budget, a separate report and associated source of financing shall be brought forward for Municipal Council approval or be brought forward during the multi-year budget process, including annual budget updates.
- d) The Civic Administration shall submit two monitoring reports to Municipal Council which will be known as the Mid-Year Monitoring Report and Year-End Monitoring Report and shall include:
 - i) A summary of the life-to-date capital budget.
 - ii) A listing of life-to-date projects three (3) years or older with no future budget.
 - iii) A listing of capital projects to be closed, including an explanation of capital projects with a variance greater than \$50,000, noting that capital projects with a variance to budget of less than \$50,000 shall be reported in aggregate only.

Bill No. 340
2021

By-law No. CPOL.-71()-___

A by-law to amend By-law No. CPOL.-71-303, as amended, being “Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy” to redefine the Council Year to align with the Council Term as set out in the *Municipal Elections Act, 1996*, as amended.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-71-303, as amended, being “Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy”, to redefine the Council Year to align with the end of the Council Term as set out in the *Municipal Elections Act, 1996*, as amended;

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

1. By-law No. CPOL.-71-303, as amended, being “Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy

Policy Name: Appointment of Council Members to Standing Committees of Council and Various Civic Boards and Commissions Policy

Legislative History: Adopted August 22, 2017 (By-law No. CPOL.-71-303); Amended July 24, 2018 (By-law No. CPOL.-71(a)-409); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy clarifies how Council Members are to be appointed to Standing Committees of Council and various Civic Boards and Commissions.

2. Definitions

2.1 **Council Year** – shall mean a one-year period commencing December 1 until November 15.

3. Applicability

3.1 This policy shall apply to all City of London Council Members.

4. The Policy

4.1 General

Council Members shall be appointed to Standing Committees of Council each Council Year, with the exception of the Strategic Priorities and Policy Committee which shall serve for the Council Term.

Council Members shall make every effort to serve on different Standing Committees throughout the *Council Term*, with the exception that the Council Procedure By-law provides for the Mayor to be, ex officio, a member of all Standing Committees of the Council, except for the Strategic Priorities and Policy Committee where the Mayor shall serve as Chair; and

Council Members shall be appointed to the Audit Committee, civic boards and commissions each Council Term, to serve for the Council Term, unless the term of office is otherwise specified by legislation.

The Strategic Priorities and Policy Committee shall nominate the appointment of Council Members to Standing Committees of Council, Audit Committee and various civic boards and commissions to the Municipal Council.

4.2 Appointment of Council Members at the Commencement of a New Council Term

The City Clerk, or written designate, shall convene a meeting of the Strategic Priorities and Policy Committee, as soon as possible after the Inaugural Council meeting, with respect to the appointment of Council Members to the Standing Committees of Council, Audit Committee and various civic boards and commissions. In advance of the above-noted Strategic Priorities and Policy Committee meeting, the City Clerk, or written designate, shall provide incoming Council Members with a communication describing

the mandate of each of the Standing Committees, Audit Committee, boards and commissions to which Council Members are to be appointed, and providing a document on which each Council Member is to indicate their committee, board and commission preferences. The latter document shall be returned to the City Clerk, or designate, by a specified date, in order to form part of the agenda for the Strategic Priorities and Policy Committee meeting. Appointments to the Standing Committees, Audit Committee and various civic boards and commissions shall be in keeping with the process approved by the Municipal Council.

4.3 Appointment of Council Members to Council Standing Committees after Appointments at the Commencement of a Council Term

The City Clerk, or written designate, shall convene a meeting of the Strategic Priorities and Policy Committee in sufficient time for a nomination to be brought forward to the Municipal Council for consideration prior to the commencement of a new Council Year, with respect to the appointment of Council Members to Standing Committees of Council for the upcoming Council Year. The City Clerk, or written designate, shall provide the Council Members with a document on which each Council Member is to indicate their Standing Committee preference. The latter document shall be returned to the City Clerk, or designate, by a specified date, in order to form part of the agenda for the Strategic Priorities and Policy Committee meeting. Appointments to the Standing Committee shall be in keeping with the process approved by the Municipal Council. In the event a Council Member is no longer able to hold office on the Municipal Council and another individual is elected in their place during a Council Year, the new Council Member shall assume the membership on the Standing Committee previously held by the Council Member which they are replacing.

4.4 Appointment of Council Members to the Audit Committee and Civic Boards and Commissions after Appointments at the Commencement of a Council Term

In the event a Council Member vacancy on the Audit Committee or a civic board or commission becomes available during a Council Term, after appointments have been made at the commencement of the Council Term, the City Clerk, or written designate, shall canvass the Council Members to determine which Council Members would be interested in filling the vacancy. The names of the Council Members who have expressed an interest in filling the vacancy shall be placed on an agenda of the Strategic Priorities and Policy Committee, at the earliest opportunity, and the selection of the Council Member to fill the vacancy shall be made based upon the same process approved by the Municipal Council for the filling of vacancies at the beginning of a Council Term.

Bill No. 341
2021

By-law No. CPOL.-77()-___

A by-law to amend By-law No. CPOL.-77-309, as amended, being “Legal Services and Accounts”, to change claim amount to align with thresholds in the Procurement Policy.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-77-309, as amended, being “Legal Services and Accounts”, to change claim amount to align with thresholds in the Procurement Policy;

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

1. By-law No. CPOL.-77-309, as amended, being “Legal Services and Accounts”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule "A"



London
CANADA

Legal Services and Accounts

Policy Name: Legal Services and Accounts

Legislative History: Enacted August 22, 2017 (By-law No. CPOL.-77-309); Amended July 24, 2018 (By-law No. CPOL.-77(a)-412); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Deputy City Manager, Legal Services

1. Policy Statement

1.1. This policy establishes the functions and duties of the City Solicitor's Office.

2. Definitions

In this policy,

- 2.1. "City Solicitor" means the person appointed to the position of Deputy City Manager, Legal Services;
- 2.2. "City Solicitor's Office" includes those employees, agents and other persons to whom any of the City Solicitor's responsibilities have been implicitly or explicitly delegated.
- 2.3. "Corporation" means the Corporation of the City of London and includes the Council, its Committees, and the several departments of the civic administration.
- 2.4. "Local board" has the meaning set out in the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended from time to time.

3. Applicability

This Policy applies to the responsibilities undertaken by the City Solicitor's Office.

4. The Policy

Functions and Duties

- 4.1. The functions and duties of the City Solicitor's Office shall be to:
 - a) provide legal advice to the Corporation in matters of law connected with and within the authority or jurisdiction of the Corporation;
 - b) act as counsel for the Corporation in administrative, civil and criminal proceedings;
 - c) institute such proceedings and take such steps in those proceedings as are considered reasonably necessary for the protection and advancement of the Corporation's interest;
 - d) discharge such other responsibilities as are at any time assigned to it.
- 4.2. Notwithstanding Section 2, the City Solicitor's Office shall not act as counsel or legal adviser:
 - a) on behalf of any person in connection with any dealings with the Corporation;
 - b) on behalf of any local board without the consent of Council unless the interests of the local board and the Corporation are identical;

- c) in respect of any matter, the undertaking of which is contrary to law and the rules and regulations of The Law Society of Ontario.
- 4.3. Unless otherwise directed by the Council, the City Solicitor's Office shall not be required to advise any member of Council as to whether the member or any other member of Council has or may have a conflict of interest pursuant to the *Municipal Conflict of Interest Act*, R.S.O. 1990, Chapter M.50.
- 4.4. a) Where it is in the best interests of the Corporation to do so, the City Solicitor's Office may retain outside legal counsel or agents to act for or represent the Corporation in any matter or proceeding, or to act as agent for the City Solicitor's Office provided provision has been made in the current budget for the payment of such counsel or agents.
- b) Where no official or employee of the Corporation is able or qualified to provide expert, technical or special knowledge with respect to any matter or proceeding involving the Corporation and such knowledge is considered reasonably necessary for the advancement or protection of the Corporation's interests, or where the Council has directed that such a person or persons be engaged, the City Solicitor's Office may engage one or more experts or persons having technical or special knowledge to assist in an advisory or other capacity or to provide expert opinion evidence and their services and disbursements may be paid out of the same provision in the current budget as for the payment of outside legal counsel, or such other manner as the Council directs.
- c) Before payment is made for services rendered and disbursements, the City Solicitor's Office shall ensure that each account submitted sets out in reasonable detail the services rendered and disbursements, and the City Solicitor's Office shall examine and approve each account as proper for payment having regard to the following:
- i) time expended;
 - ii) complexity of the matters dealt with;
 - iii) degree of responsibility assumed;
 - iv) monetary value of the matter in issue;
 - v) importance of the matter to the Corporation;
 - vi) degree of skill and competence demonstrated; and
 - vii) results achieved.
- d) Where the City Solicitor's Office calls any account or item therein into question and is dissatisfied with the explanation or revision of the account or item, the City Solicitor's Office shall apply to have the account assessed by the appropriate Court or Official.

Settlement of Claims

- 4.5. A claim or demand of whatever nature by or against the Corporation which does not exceed \$50,000.00 exclusive of costs, may be settled by the City Solicitor with the advice of any department or division interested in the claim provided, in the case of a claim against the Corporation, provision has been made in the current budget for the payment of such claims.

Action When Time Constrained

- 4.6. Where it is not practicable, prior to the expiration of the time limited by or under any Act or Order for doing any act or taking any action conducive to the interests of the Corporation, to obtain instructions from the Council, the City Manager, or the City Solicitor, the City Solicitor's Office may do or take such actions (including the payment of any fee relating thereto) and shall report the reasons and actions forthwith to the City Solicitor for such further action as may be considered appropriate.

Costs to and Against the City

- 4.7. The City Solicitor's Office shall seek an award of costs to the Corporation in any matter where costs may be awarded to a successful litigant, unless the Council or the City Solicitor have directed otherwise.
- 4.8. Costs which are awarded to the Corporation or which are payable to the Corporation by agreement or otherwise, shall be demanded in every instance and, if not fixed, shall be calculated in accordance with the prevailing practice unless the Council authorizes the:
 - a) waiver of a demand for costs, or
 - b) acceptance of a specified amount for costs upon such terms, if any, as may be considered appropriate under the circumstances

General

- 4.9. The City Solicitor may make recommendations to Council on any matter whether or not covered by this policy.
- 4.10. Where anything is directed or permitted to be done by this policy, any authority necessary to enable the doing of the thing is also given hereby, and, where the doing of anything requires the enactment of a by-law, the City Clerk may request Council directly to pass the by-law.

Bill No. 342
2021

By-law No. CPOL.-80()-___

A by-law to amend By-law No. CPOL.-80-312, as amended, being “Dedication of Fire Stations”, to update applicability by changing the number of fire stations from seven to six.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-80-312, as amended, being “Dedication of Fire Stations”, to update applicability by changing the number of fire stations from seven to six;

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

1. By-law No. CPOL.-80-312, as amended, being “Dedication of Fire Stations”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Dedication of Fire Stations

Policy Name: Dedication of Fire Stations

Legislative History: Enacted August 22, 2017 (By-law No. CPOL.-80-312); Amended June 26, 2018 (By-law No. CPOL.-287-278); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Fire Chief, London Fire Department, Neighbourhood and Community-Wide Services

1. Policy Statement

That a policy be adopted to provide for the dedication of fire stations in recognition of London firefighters who have lost their lives in the line of duty.

2. Definitions

Not applicable.

3. Applicability

This policy applies to six existing facilities (Station Nos. 5, 7, 8, 10, 11, and 14) as well as any stations constructed in the future.

4. The Policy

That applicable fire stations be dedicated in memory of fallen firefighters who have lost their lives in the line of duty.

Bill No. 343
2021

By-law No. CPOL.-114()-____

A by-law to amend By-law No. CPOL.-114-366, as amended, being “Flags at City Hall Policy”, to clarify that flags at the back entrance of City Hall are to be removed over the winter.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-114-366, as amended, being “Flags at City Hall Policy”, to clarify that flags at the back entrance of City Hall are to be removed over the winter;

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

1. By-law No. CPOL.-114-366, as amended, being “Flags at City Hall Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Flags at City Hall

Policy Name: Flags at City Hall

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-114-366); Amended July 24, 2018 (By-law No. CPOL.-114(b)-417); Amended June 11, 2019 (By-law No. CPOL.-114(c)-158); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

1.1 This policy sets out the requirements for the flying of flags at City Hall.

2. Definitions

2.1 Not applicable.

3. Applicability

3.1 This policy shall apply to any person or organization seeking to fly a flag at City Hall.

4. The Policy

4.1 Flags at Front Entrance of City Hall

- a) The following flags shall be permitted to be flown at City Hall on the flag poles over the front entrance of City Hall:
 - i) flags deemed by the City Clerk to be in accordance with the flag etiquette of Canada as established by Heritage Canada (restricted to the flag of the City of London, Canadian provinces, the Canadian flag, the personal flags and standards of the Royal Family and the Governor General and the Lieutenant Governors throughout Canada, the Royal Union flag, and the flags of the United Nations, the North Atlantic Treaty Organization and the Commonwealth); and,
 - ii) an appropriate flag on the occasion of a visiting dignitary, on the day of the dignitary's visit to London City Hall, as a gesture of respect and friendship.

4.2 Flags in City Hall

- a) As an annual observance to recognize the anniversary of the London Township Treaty, the five signatory First Nations (Chippewas of the Thames First Nation, Chippewas of Kettle and Stoney Point First Nation, Walpole Island First Nation, Aamjiwnaang First Nation and Caldwell First Nation) shall be invited to have their flags displayed on September 7th of each year, in City Hall. In the event that September 7th falls on a day on which City Hall is closed, the flags shall be displayed on the first day prior to September 7th that City Hall is open for business.

4.3 Community Flag Pole

- a) The following flags shall be permitted to be flown at City Hall on the Community Flag Pole installed at the northwest corner of City Hall, facing Wellington Street:
 - i) the Canadian flag at such times as there is no flag of a charitable or non-profit organization to be flown as provided for in 4.3a)ii), or at such times as the half-masting of a flag is in order, as provided for under 4.5c), below; and,
 - ii) to celebrate achievement, the flag of a charitable or non-profit organization to help increase public awareness of their programs and activities; an organization that has achieved national or international distinction or made a significant contribution to the community, or an organization that has helped to enhance the City of London in a positive manner.
- b) The following guidelines shall be observed for the flying of flags permitted under 4.3a)ii), above:
 - i) the organization's flag will fly in connection with a particular event by an organization;
 - ii) no flags of commercial, religious or political organizations shall be permitted;
 - iii) no flags of a group or organization whose undertakings or philosophy are contrary to City of London policies or by-laws, or espouse hatred, violence or racism shall be permitted;
 - iv) an organization's flag shall be flown no more than once per calendar year;
 - v) organizations shall be required to submit requests for their organization's flag to fly on an annual basis;
 - vi) a flag shall be flown for a period of up to one week, or for the duration of the associated event, whichever is less; and,
 - vii) flags shall only be raised and lowered on those business days that City Hall is open.

4.4 Flags at Back Entrance of City Hall

- a) The following flags shall be permitted to be flown at City Hall on the flag poles over the back entrance of City Hall facing Reginald Cooper Square:
 - i) The flags of all the provinces and territories and the Canadian Flag are hung, in order of confederation, over the back entrance facing Reginald Cooper Square. The Canadian Flag is hung as per the standards outlined in the National Flag of Canada Etiquette issued from the Federal Government.
- b) The precedence for flag order (from left to right) as per the Position of Honour is as follows:
 - i) the National Flag of Canada;
 - ii) the flags of other sovereign nations in alphabetical order (if applicable);
 - iii) the flags of the provinces of Canada (in the order in which they joined Confederation); and,
 - iv) the flags of the territories of Canada (in the order in which they joined Confederation).
- c) The flags are raised in the spring, and removed before winter.

4.5 General

- a) The City Clerk will administer the policy for the flying of flags at City Hall.
- b) The following guidelines shall apply to resolving conflicts arising from this policy:
 - i) conflicts between the flying of flags in accordance with 4.1a)i) and 4.1a)ii) shall be settled firstly in favour of those flags being flown in accordance with 4.1a)i) and secondly in favour of those flags being flown in accordance with 4.1a)ii);
 - ii) conflicts between the flying of flags in accordance with 4.3a)i) and 4.3a)ii) shall be settled firstly in favour of those flags being flown in accordance with 4.3a)i) and secondly in favour of those flags being flown in accordance with 4.3a)ii);
 - iii) conflicts between the dates requested for flags to be flown by two or more organizations on the Community Flag Pole shall be settled in favour of the organization which first made its request; and,
 - iv) in the event there is a dispute between an organization and the City Clerk as to the eligibility of a request, the appeal process shall be through the Standing Committee of Council whose mandate it is to deal with such matters, with the Municipal Council having full and final say as to whether or not the request to fly a flag will be granted.
- c) The following guidelines shall be observed for the half-masting of the Canadian flag on the Community Flag Pole:
 - i) the flying of the Canadian flag at half-mast denotes a period of official mourning or commemoration;
 - ii) the City of London will fly the Canadian flag on the Community Flag Pole at half-mast in the event of a death or to commemorate a solemn occasion. The Canadian flag will be lowered at the direction of the Mayor. In consultation with the Mayor, the City Clerk will provide instruction to lower the Canadian flag on the Community Flag Pole;
 - iii) the position of the Canadian flag when flying at half-mast will depend on its size, the length of the mast and its location; but as a general rule, the centre of the Canadian flag shall be exactly half-way down the mast;
 - iv) the official period of mourning is defined as the day of passing until the day of the funeral; and,
 - v) the Canadian flag will be flown at half-mast on the Community Flag Pole to commemorate the following occasions:

Date	Occasion
April 28	National Day of Mourning for Persons Killed or Injured in the Workplace
August 9	Peacekeepers' Day
Last Sunday in September	National Peace and Police Officers' Memorial Day
November 11	Remembrance Day*
	*Half-masting shall occur at 11:00 a.m. or according to the prescribed order of service at the Cenotaph.
December 6	National Day of Remembrance and Action on Violence Against Women

Bill No. 344
2021

By-law No. CPOL.-123()-___

A by-law to amend By-law No. CPOL.-123-375, as amended, being “Promotion of Corporate Products to City Employees” to change the policy title to “Promotion of Corporate Products or Services to City Employees”, and to update general guidelines.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-123-375, as amended, being “Promotion of Corporate Products to City Employees” be amended to change the policy title to “Promotion of Corporate Products or Services to City Employees”, and to update general guidelines;

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

1. By-law No. CPOL.-123-375, as amended, being “Promotion of Corporate Products to City Employees”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Promotion of Corporate Products or Services to City Employees

Policy Name: Promotion of Corporate Products or Services to City Employees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-123-375); Amended July 24, 2018 (By-law No. CPOL.-123(a)-378); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Manager, Rewards and Recognition

1. Policy Statement

- 1.1 To establish a consistent approach for the promotion of corporate products or services to employees of The Corporation of the City of London (“City”).

2. Definitions

- 2.1 **City** –The Corporation of the City of London

3. Applicability

- 3.1 This policy applies to individuals, groups, and companies wishing to promote products or services to City employees.
- 3.2 City sponsored programs such as corporate wellness programs, technology purchasing programs, or any other promotions or sponsorships approved in writing by the City Manager do not fall under this policy.

4. The Policy

4.1 General Guidelines

- a) Individuals, groups, and companies wishing to promote products or services must request and complete a [Request to Promote Products or Services to City Employees](#) form.
- b) Completed forms must be submitted to the People Services Division for review. A cross-functional team that may include representatives from Finance, Communications, People Services and Legal will review the forms quarterly for suitability and to ensure that any offer:
 - i) Is made available to all employees.
 - ii) Adheres to City Policies; including, but not limited to, the [Procurement of Goods and Services Policy](#), [Code of Ethics](#), [Respectful Workplace Policy](#) and [Corporate Identity Policy](#).
 - iii) Does not place the City in any type of financial risk.
- c) The cross-functional team approves the notice of any promotion for posting on the City’s intranet.
- d) Promotional events or direct solicitation is not allowed in City owned or occupied facilities.

Bill No. 345
2021

By-law No. CPOL.-139()-___

A by-law to amend By-law No. CPOL.-139-391, as amended, being “Gender Equity in Recreation Services”, to modernize language in three definitions (2.2 to 2.4), and to add a section 4.iii under Policy to address removing barriers.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-139-391, as amended, being “Gender Equity in Recreation Services”, to modernize language in three definitions (2.2 to 2.4), and to add a section 4.iii under Policy to address removing barriers;

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

1. By-law No. CPOL.-139-391, as amended, being “Gender Equity in Recreation Services”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Gender Equity in Recreation Services

Policy Name: Gender Equity in Recreation Services

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-139-391); Amended June 26, 2018 (By-law No. CPOL.-284-275); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Deputy City Manager, Neighbourhood and Community-Wide Services

1. Policy Statement

This policy addresses The Corporation of the City of London's commitment to providing welcoming and equitable recreation opportunities for everyone, regardless of gender, gender expression, or gender identity.

2. Definitions

- 2.1. **Equity** - The rights of the individual to an equitable share of the goods and services in society. However, equality of treatment will not guarantee equal results. Creating equal results sometimes requires treating people differently from each other. Focusing on the results instead of the treatment is the concept of equity.
- 2.2. **Gender** - Whereas sex is a person's physical characteristics, gender can refer to the individual and/or social experience of being a man, a woman, or neither. Social norms, expectations, and roles related to gender vary across time, space, culture, and individuals.
- 2.3. **Gender Expression** - How a person publicly presents or expresses their gender. This can include behaviour and outward appearance, such as dress, hair, make-up, body language, and voice. A person's chosen name and pronoun are also common ways people express their gender. All people, regardless of their gender identity, have a gender expression and they may express it in any number of ways.
- 2.4. **Gender Identity** - Each person's internal and individual experience of gender. It is a person's sense of being a woman, a man, both, neither, or anywhere along the gender spectrum. A person's gender identity may be the same as or different from their birth-assigned sex.

3. Applicability

This policy applies to all City of London recreation programs, parks, facilities, and services. Accordingly, it applies to all recreation employees, volunteers, users, and individuals or businesses contracted by the Corporation to provide or support recreation programs, parks, facilities, and services.

4. The Policy

Gender equity in recreation will be provided within the community, regardless of gender identity and gender expression. Recognizing the many personal, social, economic and environmental benefits to health and quality of life that are derived by participating in

physical activity and through positive leisure lifestyle development, the City of London is therefore committed to:

- i) ensuring that a full range and variety of gender equitable recreation opportunities are available in all areas of the community and are accessible in safe and welcoming environments for all Londoners, regardless of gender identity and gender expression;
- ii) working with the community to provide gender equitable recreation opportunities, projects, programs, services, staffing and facilities which are consistent with this policy;
- iii) removing gender-related barriers that may prevent Londoners from participating in recreation; and
- iv) allocating appropriate resources to accomplish this above noted commitment.

Bill No. 346
2021

By-law No. CPOL.-140()-___

A by-law to amend By-law No. CPOL.-140-392, as amended, being “Financial Assistance for Program Activity Fees”, to update and clarify language, to add a new section 4.11 concerning applicants receiving financial assistance from the province, and to renumber the sections accordingly.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-140-392, as amended, being “Financial Assistance for Program Activity Fees”, to update and clarify language, to add a new section 4.11 concerning applicants receiving financial assistance from the province, and to renumber the sections accordingly;

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

1. By-law No. CPOL.-140-392, as amended, being “Financial Assistance for Program Activity Fees”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Financial Assistance for Program Activity Fees

Policy Name: Financial Assistance for Program Activity Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-140-392); Amended June 26, 2018 (By-law No. CPOL.-291-282); Amended August 10, 2021 (By-law No. CPOL.-___)

Last Review Date: August 10, 2021

Service Area Lead: Manager of Administration and Attractions

1. Policy Statement

The intent of the policy is to:

- 1.1. Ensure that a system of financial assistance, that is easy to access by low-income Londoners, exists for directly related participation costs for recreation and leisure activities and programs offered by the City of London;
- 1.2. Provide a system of financial assistance that, within budget availability, helps as many low-income Londoners as possible to participate in recreation and leisure opportunities offered by the City of London; and,
- 1.3. Provide a system of financial assistance that is simple to understand for all customers and is easy for staff to administer.

These goals are consistent with existing corporate strategies, including the Parks and Recreation Strategic Master Plan.

2. Definitions

Not applicable.

3. Applicability

This policy provides financial assistance with the cost of registration fees, identified program materials, supplies and equipment costs, assistive devices and related supports. All City of London, recreation and leisure programs, memberships and pass plans, and admissions offered through *PlayYourWay Online* are eligible for support.

4. The Policy

Policy Conditions

- 4.1. London residents/taxpayers who considers themselves or their families unable to pay the full registration fee can apply for financial assistance (self-declaration).
- 4.2. Financial assistance is limited to a maximum value of \$300 per individual per 12 month period (from date of approval).
- 4.3. Financial assistance is available for all City of London, recreation and leisure programs, memberships and pass plans offered through PlayYourWay Online.

Policy Fee Schedule

- 4.4. A policy fee schedule based on Statistics Canada’s Low-Income Cut offs will be used by staff to determine the amount of financial assistance provided to

individuals or families. This schedule will be used for all recreation and leisure programs offered by the City of London. This policy fee schedule will be adjusted as required when new financial data becomes available from Statistics Canada.

PROCEDURE

Purpose

- 4.5. To determine the process for and amount of financial assistance that may be provided for eligible persons to participate in the City of London's recreation and leisure programs but who are unable to afford the associated program fees.

Application Process:

- 4.6. Requests to determine eligibility for financial assistance can be made in person, by telephone, mail or email. In person requests can be made at any Recreation Customer Service counter during regular business hours.
- 4.7. Documentation required to complete a request to determine eligibility for financial assistance includes:
 - a) Identification for each eligible family member;
 - b) Proof of family income; and
 - c) Proof of residency.
- 4.8. No supporting documentation is copied or retained, and application documents are maintained securely for 1 year after which point they are destroyed.
- 4.9. Eligible participants may register for recreation and leisure programs and activities through on-line registration, telephone or in person. Participants who are paying a percentage of the course fee must submit payment prior to receiving confirmation of registration in the program.
- 4.10. All applicants are to be advised at the time of the request that an appeal process exists and of the terms of the process (see Appeal Process).
- 4.11. Note: Applicants currently receiving Ontario Works (OW) or Ontario Disability Support Program (ODSP) benefits are automatically eligible for financial assistance. They must provide proof of benefits along with identification for each eligible family member.

Funding Process

- 4.11. Each year the City of London will establish a fund which will be used exclusively for the purpose of providing financial assistance to low-income Londoners who want access to recreation and leisure program activities offered by the City.
- 4.12. The amount of the fund will vary yearly as determined by the City's budgeting process.
- 4.13. The fund can be accessed prior to the start of each session on a "first-come, first-served basis" until it is exhausted. Once the fund is exhausted, applicants may have to wait until the following budget year and reapply when funding permits.
- 4.14. Demand for the fund and other indicators will be tracked and used for future forecasting of funding needs for financial assistance.

Communication Process

- 4.15. Information about the existence of the policy and how to access it will be developed and updated as necessary for distribution to community agencies and other stakeholders that serve low-income Londoners.
- 4.16. City staff will continue to work with the community to monitor the accessibility of recreation and leisure opportunities for low income Londoners.

Appeal Process

- 4.17. At the time of application, each customer will be notified of the ability to appeal and, where necessary, the details of the process as outlined below. Customers requesting a reconsideration of their eligibility or their rate of financial assistance are required to submit a letter or email to the Supervisor, Recreation Customer Service, indicating the following:
- a) Full name, address, telephone number, date of initial application for financial assistance;
 - b) Reason for request for reconsideration (e.g., extraordinary expenses); and
 - c) All supporting documents (e.g. receipts, medical notes, etc.).
- 4.18. Requests will be forwarded to the Supervisor, Recreation Customer Service, within 5 days of receipt of the appeal. All requests for reconsideration will be examined by the Supervisor, Customer Service (or designate) in consultation with the customer. Appeal decisions will be considered final.

Bill No. 347
2021

By-law No. CPOL.-145()-___

A by-law to amend By-law No. CPOL.-145-397, as amended, being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities” to change the policy title to “Request to Waive or Reduce Facility Rental Fees”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-145-397, as amended, being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities” be amended to change the policy title to “Request to Waive or Reduce Facility Rental Fees”;

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

1. By-law No. CPOL.-145-397, as amended, being “Policy for waiving or reducing fees for use of city owned community centres and recreation facilities”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Request to Waive or Reduce Facility Rental Fees

Policy Name: Request to Waive or Reduce Facility Rental Fees

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-145-397); Amended June 26, 2018 (By-law No. CPOL.-286-277); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Deputy City Manager, Neighbourhood and Community- Wide Services

1. Policy Statement

Request to Waive or Reduce Facility Rental Fees Policy will assist in determining if rental fees for facility rental may be waived or reduced for an organization requesting this in connection to booking space in City of London community centres and recreation facilities including pools, sport fields, and arenas.

2. Definitions

Rental Fees - Refers to the fees approved by the City of London's Fees and Charges by-law to cover the fee for use of a space and does not apply to other 'extra fees', tariffs, licences, and insurance costs that may be required by the nature of the activity.

3. Applicability

- 3.1 Certain community and recreation groups may be eligible to apply for a waiver or reduction of rental fees for community centre and recreation facility space if they meet all of the following conditions of eligibility of application:
- a) must be a non-profit corporation, OR
must be a newly created organization (established within 12 months of applying for the waiver or reduction of fees) which can prove they are operating on a not-for-profit basis;
 - b) must be a London-based organization and at least 80% of participants/members are London residents;
 - c) must provide evidence that regular rental fees constitute a real barrier or hardship;
 - d) activity meets a recreation or community development priority of the City of London (physical activity, healthy eating, literacy, poverty reduction, community engagement or capacity building, activities for under-served groups);
 - e) activity does not duplicate an existing program or activity;
 - f) activity is open to the public, or membership in the requesting organization is open to the public;
 - g) activity must not be for the purpose of generating revenue, including fundraising; and
 - h) activity must comply and conform with applicable legislation, Council policies and by-laws, and is not contrary to law, including but not limited to the Ontario Human Rights Code, and the Criminal Code.
 - i) The request to waive or reduce fees may be approved for up to a maximum of 15 bookings within one calendar year, or in exceptional

circumstances such further bookings as approved by the Deputy City Manager, Neighbourhood and Community-Wide Services.

4. The Policy

- 4.1. The administration of this Policy is assigned to the Deputy City Manager, Neighbourhood and Community-Wide Services, or their written designate (“Deputy City Manager”). Deputy City Manager shall generally perform all of the administrative functions under this Policy, and without limitation may:
 - a) receive and process all applications for waiving or reducing fees;
 - b) issue approvals for waiving or reducing fees in accordance with the provisions of this Policy and applicable By-laws;
 - c) impose terms and conditions on approvals in accordance with this Policy; and
 - d) refuse to issue an approval, or revoke or suspend an approval, in accordance with this policy.
- 4.2. The approval of a waiver or reduction of fees, along with entering into a Facility Rental Contract, shall constitute authorization of the Deputy City Manager, for the purposes of the City of London’s Parks & Recreation Area By-law.
- 4.3. Requests for use of space as approved under this Policy will be accommodated within un-booked capacity within regular operating hours of facilities.

Authority of the Deputy City Manager- Waiver or Reduction of Fees

- 4.4. The power and authority to refuse to issue an approval to waive or reduce fees, to cancel, revoke or suspend an approval, to impose terms and conditions, including special conditions, on an approval, or to exempt any person from all or part of this Policy are delegated to the Deputy City Manager.
- 4.5. Notwithstanding any other provision of this Policy, the Deputy City Manager may impose terms and conditions on any approval any time during the term of the approval, as are necessary in the opinion of the Deputy City Manager to give effect to this Policy.
- 4.6. The City of London reserves the right to refuse to enter into a Facility Rental Contract with respect to any application for a waiver or reduction of fees for an event on City of London Property.

Bill No. 348
2021

By-law No. CPOL.-156()-___

A by-law to amend By-law No. CPOL.-156-408, as amended, being “Mayor – Contracted Staff”, to add clarifying language about benefits.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-156-408, as amended, being “Mayor – Contracted Staff”, to add clarifying language about benefits;

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

1. By-law No. CPOL.-156-408, as amended, being “Mayor – Contracted Staff”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Mayor – Contracted Staff

Policy Name: Mayor – Contracted Staff

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-156-408); Amended July 24, 2018 (By-law No. CPOL.-156(a)-385); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Manager, Recruitment and HR Advisory Services

1. Policy Statement

- 1.1. This policy ensures a consistent approach is applied to the recruitment process when hiring contracted staff within the Mayor’s Office.

2. Definitions

Not applicable.

3. Applicability

- 3.1. The policy applies to the Office of the Mayor and potential contracted employees whose services may be retained.

4. The Policy

- 4.1 The Mayor is authorized to retain the services of contracted employees for periods not to exceed the current term of the Mayor, subject to the following:
 - a) The selection of the contracted employees will be at the discretion of the Mayor or designate.
 - b) Subject to the eligibility requirements of the applicable plans, the employees shall be entitled to participate in the City’s Extended Health Benefits only (the “Benefit Plans”), in accordance with the terms of the Benefit Plans and applicable policies for management employees as amended from time to time. The employees shall not be entitled to participate in any other benefits provided by the City, including but not limited to any life insurance, short term disability and long term disability plans.
 - c) The compensation of the contracted employees will be accommodated within the approved budget of the Mayor’s office.

Bill No. 349
2021

By-law No. CPOL.-167()-___

A by-law to amend By-law No. CPOL.-167-419, as amended, being “Urban Design Awards”, to add language to include virtual processes and to clarify selection process for People’s Choice Award (Student).

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-167-419, as amended, being “Urban Design Awards”, be amended to add language to include virtual processes and to clarify selection process for People’s Choice Award (Student);

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

1. By-law No. CPOL.-167-419, as amended, being “Urban Design Awards”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
4. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Urban Design Awards

Policy Name: Urban Design Awards

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-167-419); Amended June 26, 2018 (By-law No. CPOL.-335-326); Amended June 11, 2019 (By-law No. CPOL.-167(a)-162); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Manager, Community Planning, Urban Design & Heritage

1. Policy Statement

The City of London Urban Design Awards Program is intended to recognize, celebrate and inspire design excellence in the City of London. Awards will be granted for exceptional projects that represent visionary thinking and “raise the bar” for design excellence in London.

Urban Design Awards will be granted once every two years. Planning & Development will be responsible for administering this program in accordance with the Terms of Reference.

At the conclusion of the Awards process, a ceremony will be held for the purpose of recognizing and celebrating winners of the Urban Design Awards and for promoting the urban design agenda in the community as a whole.

The winning submission(s) of the London Urban Design Awards will be automatically submitted to the RAIC (Royal Architectural Institute of Canada) National Urban Design Awards program, which are held in the year between of the biennial London Urban Design Awards. This will be an opportunity for local developers, architects, urban designers, as well as the City to showcase their developments and compete for Urban Design Awards at the national level.

2. Definitions

Not applicable.

3. Applicability

Projects are eligible for an Urban Design Award where they are developed up to 5 years prior to the awards year. Submissions for Awards can be submitted by a project owner, a member of the team that is associated with the project, a member of Council, a member of municipal staff, or a member of the general public. To be eligible for an Award, submissions must be received by the City of London Planning & Development office within the prescribed deadline date and all entries must meet submission requirements. It should be clear that public projects, including those developed by the City of London, are eligible for awards.

4. The Policy

4.1. SUBMISSION REQUIREMENTS

Submissions will only be accepted where they meet the following requirements:

- An abstract of the project is provided to explain its design qualities and how this project significantly adds to the quality of the public realm in London. The abstract should also touch on those items that are outlined in the relevant awards category descriptions below (Section 7). This abstract is to be provided in the electronic format specified by the City.

- Two display boards maximum (sizes will be specified).
- A photo slide show, not exceeding 50 photographs, illustrating the design qualities of the project described in the abstract. This slide show is to be provided in the electronic format specified by the City.

These submissions will allow for submissions to be presented on the City's web site, and also allow for innovative display techniques for the awards ceremony and circulation of the awards.

All materials submitted to the City of London become property of the City of London and will not be returned to the applicant. Furthermore, submission of materials implies consent for the City of London to disseminate such materials at the sole discretion of the City.

4.2. AWARDS PROCESS

A call for submissions will be issued in spring of an Awards year. Planning & Development will engage in a rigorous process to raise awareness in the community that the City has issued a call for Urban Design Awards submissions. This may include, but is not limited to, advertising in newspapers, use of the City's web site, mail-outs to members of the design, architecture, landscape architecture, planning, and development industry. It may also include other vehicles, such as the preparation of a poster or other such materials, to raise awareness of the Awards, and the agenda for urban design excellence in London.

Judging of the projects will occur in summer of the Awards year. This will allow for judges to view projects including vegetation in a state of full bloom. The jury will compile a short list of projects from amongst the entries submitted. Planning & Development staff will arrange for the jury to visit the sites of the projects on the short list. This may include virtual site visits.

It shall be at the sole discretion of the jury to determine whether or not Awards will be recommended in any or all of the awards categories in a given year. A maximum of 5 urban design awards will be granted, except in exceptional circumstances. Awards will be granted in autumn of the Awards year.

Planning & Development staff will disseminate information relating to the award winning projects through the use of various mediums, including, but not limited to: web site posting, posters or other publications relating to the next design awards call for submissions, displays in prominent public spaces, etc.

4.3. AWARDS PRESENTATION

Awards will be presented to the Urban Design Award winners at a ceremony, which may combine other activities intended to advance the agenda for urban design excellence in London. Ceremonies may be held in person or virtually. Those earning honourable mention will also be congratulated at this ceremony. Two awards will be given to each award winning team. Additional awards can be ordered by winners for additional members of the team, at a cost to the winners which covers the expense of the City purchasing these awards.

4.4. URBAN DESIGN AWARDS JURY

An Urban Design Awards Jury, made up as follows, will be established annually by the City.

Voting Members:

- The Chair of the Planning Committee of Council or an appointed designate
- The President of the London Society of Architects or an appointed designate
- The Chair of the Southwestern Ontario District of the Ontario Professional Planners Institute or an appointed designate
- The President of the London Branch of the Ontario Association of Landscape Architects or an appointed designate
- An Urban Designer from outside the community (who is not involved with any

projects under consideration)

Limitations:

- No member of the Jury shall serve for more than 3 consecutive design award terms.
- No member of the jury shall be related, in any substantive way, to any projects under consideration.

Chair:

- The jury will elect from amongst its Members a Chair and a Vice-Chair at its first meeting each year.

Designates:

- Designates from any of the above groups will be accepted where jurors disqualify themselves from serving on the jury, where a jury member has already served three consecutive awards terms, or where the above-identified person cannot make himself/herself available for serving on the jury.

4.5. AWARDS CATEGORIES

The following Awards Categories and Awards are hereby established:

4.5.1. Buildings

An individual building, or a composition of buildings, which achieves urban design excellence through its relationship to the public realm, its massing, detailing and pedestrian amenity. Entrants should document and highlight how the building, or group of buildings, contributes to the quality of place. All types of buildings are eligible whether "landmark" or "background," new construction or a restoration/transformation. Building types could include: Main Street Mixed Use, Residential (multi-unit, apartment), Commercial, Institutional or Industrial.

The primary criteria for assessing the merit of entries in this category will be:

- Positive contribution to the public realm/quality of place;
- Architectural excellence;
- Demonstration of fulfilling a clearly articulated urban design intent.

4.5.2. Buildings (Small Scale Residential)

A residential building, which achieves urban design excellence through its relationship to the surrounding neighbourhood, its massing, siting and detailing. Entrants should document and highlight how the building, contributes to the overall character as well as to the quality of place in the neighbourhood in which it is located. All types of small scale non-apartment residential buildings are eligible whether new construction or restoration/transformation. Building types could include single detached residential, townhouses, semi's, 2-, 3-, or 4-plexes.

The primary criteria for assessing the merit of entries in this category will be:

- Positive contribution to the character of the existing neighbourhood/quality of place;
- Architectural excellence;
- Demonstration of fulfilling a clearly articulated urban design intent.

4.5.3. Public Realm Enhancements

Elements can be defined as a stand-alone object, or landscape element which contributes significantly to the quality of the public realm. It should provide a memorable image, reinforce the human scale and enhance the character of the surrounding area.

Examples include:

- Benches
- Gateways
- Light fixtures
- Walkways
- Fences
- Work of art

4.5.4. Public Spaces and Landscapes

Public space - generally related to, and defined by, adjacent buildings or natural/manmade elements -- which provides an extension to the public realm in an exemplary way.

Examples are:

- Courtyards
- Plazas
- Forecourts
- Gardens
- Trails
- Mews
- Parks

4.5.5. Large places and neighbourhoods

This includes designs for a new or renovated large-scale areas of the city. The project must be completed to such extent as to allow the jury to clearly understand and evaluate the plan.

The submissions in this category should clearly state the existing conditions and demonstrate how the plan creatively resolves and addresses multiple objectives and competing interests. The submission should also provide evidence of community involvement and acceptance.

Examples are:

- Area plans
- Subdivisions
- Industrial parks
- Campus plans
- Streetscapes

4.5.6. Restoration, Rehabilitation and Adaptive Reuse

This includes renovated, restored and adaptively reused buildings and groups of buildings. Submissions should demonstrate urban design excellence through their relationship to the surrounding neighbourhood, interface with the public realm and ability to highlight the original character and historic elements of the building. The transformation should be visible on the exterior of the building(s).

The submissions in this category should clearly state the history and pre-construction conditions and uses of the building(s) and demonstrate the scope of work that was involved in the restoration, renovation or adaptive reuse.

Winning submissions in this category will be submitted under the most appropriate National Urban Design Awards category.

4.5.7. People's Choice Award

One winner will be chosen from all of the submissions in all categories to receive a People's Choice Award. All submissions will be considered for this award and a formal entry into this category is not required.

The winning entry will be selected by public voting held prior to the awards ceremony. City Planning staff will disseminate information relating to the People's Choice Award through the use of various mediums, including, but not limited to: web site posting, posters, social media, etc. Voting will be conducted through online, in person and accessible methods. Voting will be open to all City of London residents.

Winning submissions in this category will not be eligible for the National Urban Design Awards hosted by RAIC, unless they have won in another category.

4.5.8. People's Choice Award (Student)

Post-secondary students will be invited to submit urban design projects. Student projects may be hypothetical, but must be designs related to locations within the city of

London. Submissions should demonstrate urban design excellence through their relationship to the surrounding neighbourhood, interface with the public realm, massing, detailing and pedestrian amenity. Submissions must include elements of the public realm as well as buildings.

The winning entry will be selected by public voting held prior to, or during the awards ceremony. City Planning staff will disseminate information relating to the People's Choice Award (Student) through the use of various mediums, including, but not limited to: web site posting, posters, social media, etc. Voting will be conducted through online, in person and accessible methods. Voting will be open to all City of London residents.

Dependent on the number of submissions, the jury may elect to shortlist the top entries, or forego this category.

Winning submissions in this category will not be eligible for the National Urban Design Awards hosted by RAIC.

It should be clear that these categories ARE INTENDED TO:

- Explain what types of projects are eligible for an Urban Design Award;
- Describe, in very general terms, how these projects will be evaluated; and
- Help to encourage submissions that are of a very high quality.

It should be equally clear that these categories ARE NOT INTENDED TO:

- Limit the number of awards that can be granted within a single category;
- Require that an award be granted in every category where there is not a submission that warrants an award; and
- Limit a submission to competing only against those projects that are within their category.

Where the Jury deems it to be appropriate, honourable mention will be given to those projects that did not win an award, but exhibited many excellent design traits worthy of recognition.

4.6. NATIONAL URBAN DESIGN AWARDS (HOSTED BY ROYAL ARCHITECTURAL INSTITUTE OF CANADA)

Following the Urban Design Awards ceremony the winning submissions will be given instructions as to how their projects can be submitted to the National Urban Design Awards program. The Submission requirements for the National Urban Design Awards can be found on the RAIC website.

Bill No. 350
2021

By-law No. CPOL.-170()-___

A by-law to amend By-law No. CPOL.-170-422, as amended, being “Notices of OPA and ZBA Received From Other Municipalities”, to clarify that where there are no municipal concerns identified by the Director, Planning & Development, no response or further action is required.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-170-422, as amended, being “Notices of OPA and ZBA Received From Other Municipalities”, to clarify that where there are no municipal concerns identified by the Director, Planning & Development no response or further action is required;

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

1. By-law No. CPOL.-170-422, as amended, being “Notices of OPA and ZBA Received From Other Municipalities”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Notices of OPA and ZBA Received From Other Municipalities

Policy Name: Notices of OPA and ZBA Received From Other Municipalities

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-170-422); Amended June 26, 2018 (By-law No. CPOL.-337-328); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Planning & Development

1. Policy Statement

This policy directs notice of Official Plans and Zoning By-law amendments from other municipalities to the Director, Planning & Development to ensure administrative review with regards to municipal concerns.

2. Definitions

Not applicable.

3. Applicability

This policy applies to the City Clerk, the Director, Planning & Development regarding notice of amendments to Official Plans and Zoning By-laws from other municipalities.

4. The Policy

That a policy be established whereby all notices received by the City Clerk from other municipalities concerning proposed or adopted amendments to Official Plans and Zoning By-laws be forwarded directly to the Director, Planning & Development for review and action as follows:

- a) where there are no municipal concerns identified by the Director, Planning & Development no response or further action is required;
- b) where there are municipal concerns identified by the Director, Planning & Development shall prepare a report for submission to the Planning and Environment Committee that indicates such concerns and recommends a course of action to be taken by the Municipal Council relating to the proposed or adopted amendment.

Bill No. 351
2021

By-law No. CPOL.-185()-___

A by-law to amend By-law No. CPOL.-183-435, as amended, being “Leasing and Licencing of City-Owned Land”, to incorporate wording from policy to be repealed “Leasing Parkland”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-183-435, as amended, being “Leasing and Licencing of City-Owned Land”, to be amended to incorporate wording from policy to be repealed “Leasing Parkland”;

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

1. By-law No. CPOL.-183-435, as amended, being “Leasing and Licencing of City-Owned Land”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule "A"



London
CANADA

Leasing and Licencing of City-Owned Land

Policy Name: Leasing and Licencing of City-Owned Land

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-183-435); Amended July 24, 2018 (By-law No. CPOL.-183(a)-442); Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Realty Services

1. Policy Statement

The purpose of this policy is to formalize and clarify practices on the leasing and licencing of City of London owned lands.

2. Definitions

Not Applicable.

3. Applicability

This policy applies to all City of London owned lands.

4. The Policy

Vacant City of London Owned Lands

- 4.1. When an application has been received, the Realty Services Division initiates action to rent vacant City of London owned and/or controlled lands for other than agricultural purposes. The Realty Services Division will ascertain if there are any restrictions or conditions on renting that may be imposed by any City Service Area, Board or Commission, and further confirm that the intended use is permitted under the existing Zoning By-laws with due consideration being given to the Official Plan.
- 4.2. If there are no objections from the Administration, the Realty Services Division will contact the abutting property owner(s) where possible and advise them that the City of London intends to rent the lands and of the proposed use.
- 4.3. If there are no objections from the abutting owner(s), and providing the term is for one year or less, with a 60-day cancellation clause, the Realty Services Division will estimate market rent and after giving the abutting owner(s) an opportunity to rent on those terms and if not accepted by the abutting owner(s), advertise the property for rent.
- 4.4. Should objections be received from the abutting owner(s), the Realty Services Division will first contact the objectors and attempt to answer the objections and failing that, forward its recommendations with the objections to the appropriate standing committee for consideration.
- 4.5. If authority is then received to rent, advertising will commence to rent the property in accordance with Council's instructions with all Offers to Rent received, delivered to the Director, Realty Services.
- 4.6. Where a prospective Lessee requests a term of more than one year, the Realty Services Division will prepare a lease and forward the same lease along with its

recommendations through the Deputy City Manager to the appropriate standing committee and Council for their consideration.

- 4.7. Collection of revenue and Policy regarding non-payment of rent will follow existing policy.

Renting of Vacant City-Owned Lands for Agricultural Purposes

- 4.8. When an application has been received, the Realty Services Division initiates action to rent vacant City of London owned and/or controlled lands for other than agricultural purposes. The Realty Services Division will ascertain if there are any restrictions or conditions on renting that may be imposed by any City of London Service Area, Board or Commission, and further confirm that the intended use is permitted under the existing Zoning By-laws with due consideration being given to the Official Plan.
- 4.9. If there are no objections from the Administration on renting the lands, the Realty Services Division, will prepare specifications and recommend to City Council that the Manager of Purchasing be authorized to call tenders for the rental of the property, with such bids to indicate the price, terms and the intended crop or use.
- 4.10. Upon the opening of the tenders the Manager of Purchasing shall forward them to the Realty Services Division for recommendation.
- 4.11. Collection of revenue and steps for non-payment of rent will follow existing Policy.
- 4.12. Persons renting City of London owned farm land shall pay to the City of London 100% of the annual rental fee at the time of the signing of the lease/rental agreement.

Bill No. 352
2021

By-law No. CPOL.-188()-__

A by-law to amend By-law No. CPOL.-188-440, as amended, being “Real Property Acquisition Policy”, to incorporate changes to legislation.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-188-440, as amended, being “Real Property Acquisition Policy” be amended to incorporate changes to legislation;

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

1. By-law No. CPOL.-188-440, as amended, being “Real Property Acquisition Policy”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Real Property Acquisition Policy

Policy Name: Real Property Acquisition Policy

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-188-440); Amended July 24, 2018 (By-law No. CPOL.-188(a)-447); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Realty Services

1. Policy Statement

- 1.1. The City of London acquires real property rights, as required, for municipal purposes consistent with City mandated programs, projects, policies and strategic plans. The general direction for this Policy is set out in “Acquisition and Disposition of Lands policies in Our Tools part of the Official Plan (The London Plan). The City of London will acquire real property rights in a transparent, fair and competitive process to ensure the best interest of the City are met.

Purpose

- 1.2. The purpose of this Policy is to establish and maintain a consistent and equitable framework for the acquisition of real property interests that support Council approved projects, programs, policies and strategic plans.

Governing Principles

- 1.3. The Policy is based on the City of London governing principles:
- Good Government
 - Respect and Integrity
 - Community Engagement
 - Fiscal Responsibility

2. Definitions

- 2.1. **Appraisal** – an appraisal is a formal, written, impartial estimate or opinion of value of an adequately described property, as of a specific date, and supported by the presentation and analysis of relevant data.
- 2.2. **Asset Rationalization** – a process to support decision-making related to the acquisition, remediation or disposal of real property, in a cost effective manner, while assuring that essential program and service delivery objectives are not compromised.
- 2.3. **Capital Projects** – have funding or budgets in place and are included in the City’s Capital Budget.
- 2.4. **City Mandated Programs** – support City of London initiatives, as reflected in the Official Plan or Capital Program.
- 2.5. **Client Department** – a City department that is a client of Realty Services and requires a real property for an approved program or project.
- 2.6. **Conflict of Interest** – a situation in which the personal interests of officers, Council Members and key staff members come into conflict, or appear to come into conflict, with the interests of the City.

- 2.7. **Council Approval Report** – a report to Council recommending approval of an acquisition by the City of London.
- 2.8. **Delegated Authority** – authority to approve pursuant to the Delegation of Authority By-law No. A-1, as amended.
- 2.9. **Due Diligence** – any activities required prior or during the acquisition of real property that will effectively assist in the decision making process of the acquisition and will provide a thorough understanding of the potential asset.
- 2.10. **Easement** – a partial interest in real property that is registered on title. An easement reflects the acquisition of property rights either on the surface, above or below ground and can be permanent or temporary and identifies a specific use.
- 2.11. **Expropriation** – acquiring real property without the consent of the owner, by an expropriating authority in the exercise of its statutory powers.
- 2.12. **Highest and Best Use** – that use, which, at the time of the appraisal, is most likely to produce the greatest net return, in money or amenities, over a given period of time.
- 2.13. **Lease** – a legal and binding agreement between two or more parties that specifies a specific property interest, for a specific term, for the right of a specific purpose of use, for a stated consideration and executed by the parties to the agreement.
- 2.14. **Market Rent** – what a willing landlord might reasonably expect to receive, and a willing tenant might reasonably expect to pay for the tenancy, in comparison with rent levels for similar properties in similar areas, if offered in the competitive market.
- 2.15. **Market Value** – the most probable price, as of a specified date, in cash, or in terms equivalent to cash, or in other precisely revealed terms, for which the specified property rights should sell after reasonable exposure in a competitive market under all conditions requisite to fair sale, with the buyer and seller each acting prudently, knowledgeably, and for self-interest, and assuming that neither is under undue duress.
- 2.16. **Public–Private Partnerships (P3)** – legal agreements between government and private sector entities, for the purpose of providing public infrastructure, community facilities and related municipal services.
- 2.17. **Real Estate Professional** – an individual or firm qualified to provide, in accordance with the City’s current standing offer(s), appraisal and/or real estate consulting services.
- 2.18. **Real Property** – real property includes land, buildings, anything that is erected or growing on or affixed to the surface of the land, minerals and anything subsurface, and all rights issuing out of, annexed to, and exercisable without or about land such as leases, licenses, mortgages, air rights, easements and rights of access.
- 2.19. **Request for Proposal (RFP)** – a process where a need is identified, but the method by which it will be achieved is not prescribed at the outset. This process allows prospective suppliers to propose solutions or methods to arrive at a desired result.
- 2.20. **Real Property Rights** – any right, interest or benefit in land, but is not limited to, fee simple acquisitions, leases, licenses, options, permits, air rights, density transfers, permanent easements, rights-of-way, linear corridors, and other limited interests such as joint-use agreements, temporary working easements, access easements, permissions to enter and construct, and any other legal binding agreement related to the acquisition of property rights for the City of London.

2.21. **Service Area Needs Assessment** – a client Service Area’s report documenting the need for and purpose of acquiring real property.

3. **Applicability**

This Policy applies where real property rights are acquired by the City of London and includes any right, interest or benefit in land including, but not limited to fee simple acquisitions, leases, licenses, options, air rights, density transfers, permanent easements, rights-of-way, linear corridors, and other limited interests such as joint-use agreements, temporary working easements, access easements, permissions to enter and construct, and any other legal binding agreement related to the acquisition of real property rights. This Policy applies to all City of London employees, and any agents acting on behalf of the City and consultants authorized to acquire real property on behalf of the City.

Real property such as road dedications and easements that are acquired pursuant to the provisions of the Planning Act and any regulations there under will continue to be dealt with as part of that process. Real property acquired through the expropriation process will continue to be dealt with as part of that process and in accordance with the Expropriations Act.

In addition, the following municipal and provincial legislation relate to the acquisition of interests of real property:

- *Municipal Act, 2001*, s. 6, s.8 and s.11
- *City of London Act, 1999*, s.12.3 (1) and s.12.5 (1)
- *Housing Development Act, 1990*, c. H.18, s. 17
- *Ontario Heritage Act, 1990*, c. O.18, s. 36 (1),36 (2) and s. 45
- By-Law No. A-1-11012, February 28, 2011, City of London
- By-Law No. CP-9-20006, September 15, 2020, City of London
- *Municipal Conflict of Interest Act, 1990*, c. M.50
- City of London Official Plan (The London Plan)
- City of London Official Plan (1989)

4. **The Policy**

4.1. **Policy Requirements**

The City of London, Realty Services, shall undertake the acquisition of real property interests in conformity with this Policy, unless otherwise directed by the City Council (Council).

4.2. **Service Area Needs Assessment**

Prior to initiating an acquisition of any real property rights as defined in Section 2., the client department will prepare on its behalf, or on behalf of a partner agency, a Service Area acquisition needs assessment. The needs assessment shall:

- a) provide justification and rationale for the proposed acquisition;
- b) state the municipal need or issue the acquisition will satisfy;
- c) evaluate the total cost of ownership including the impact of on-going operating and estimated capital expenditures over the life cycle of the asset;
- d) discuss the risks and benefits of the acquisition;
- e) identify, if any, options to asset acquisition;
- f) evaluate, if required, the lease term and proposed conditions compared to the market;
- g) prepare a Net Present Value analysis (NPV) that considers the financial costs and benefits of these options; and
- h) identify, if any, unique factors that are applicable to the acquisition, including applicable policies, plans or strategies of the City.

All assessments shall be vetted through the Realty Services and Finance in collaboration with the client Service Area to determine whether the City’s existing

real property inventory, or any capital works initiatives, may fulfill the client's requirements and determine the impact, if any, on the remainder of the City's real estate portfolio. In the case of leased property, this process shall apply to all potential leased premises and shall be evaluated by Realty Services.

4.2.1. Service Areas Needs Assessment Exemptions

For real property rights required for infrastructure, environmental acquisition, emergency scenarios and other municipal purposes at the discretion of Realty Services, a Service Area needs assessment shall not be required prior to completing the transaction.

4.3. Council Approval

City Council approval of a project shall include authority for the appropriate person(s) or body to initiate and undertake legal surveys, appraisals, environmental assessments, heritage, archaeology, negotiations, expropriations, legal and other such related activities or reports, as may be required. A budget item must be approved for the program or project, including the costs of acquiring a real property and operational budget impacts, before action is taken to acquire property.

4.4. Funding

A source of funding for the acquisition of real property, life cycle costs, including ongoing annualized operating costs of the asset, must be identified through a Council approved budget item, specific to the program, project or policy defining the need, or allocated from an approved Service Area budget, with approval of the City Treasurer.

4.5. Methods of Acquisition

Realty Services shall make a determination of the most appropriate method of acquisition, taking into account the needs of the City mandated programs, projects, policies and strategic plans and the best interests of the City and the public interest to achieve these objectives in a timely, fiscally responsible manner, adhering to existing policies and procedures, legislation and applicable Council direction, as amended, from time to time.

4.5.1. Negotiation

Negotiation is the preferred method of obtaining all types of real property rights and interests through a fair and equitable agreement mutually acceptable to all parties. Compensation may be provided as though acquisition was pursuant to the *Expropriations Act*. Negotiations may be conducted with a specific property owner as a result of a direct interest in a particular property or in an emergency situation. Negotiations may originate from a request for proposal with multiple proponents initially, until one is selected for completion of a transaction. Realty staff may negotiate directly with other levels of government, utility companies or other agencies, for direct acquisitions.

4.5.2. Unsolicited Proposals

- a) Unsolicited proposals relating to real property matters, including either requesting the City to acquire a specific property or enter into a lease agreement, shall be:
 - i) subject to the principles of the *Procurement of Goods and Services Policy*;
 - ii) in compliance with Section 4.5.14. of this Policy with respect to Emergency Acquisitions;
 - iii) in compliance with the Delegation By-laws for approval and execution for Sole Source and Single Source; and
 - iv) in all circumstances, immediately referred to Realty Services for review.

- b) In addition to a Service Area needs assessment as identified in Section 4.2. of this Policy, all unsolicited proposals under consideration and review by Realty Services must aim to:
- i) stimulate or support the economic development and growth for the City;
 - ii) illustrate the benefit of acting upon a limited or single opportunity; and
 - iii) identify budget resources for the acquisition including ongoing annualized operating costs of the asset.

Upon review by Realty Services, a report shall be forwarded to Council.

4.5.3. Request for Proposal (RFP)

The City of London may initiate the acquisition of a fee simple or lease interest in real property through a request for proposal process. The RFP process shall comply with the *Procurement of Goods and Services Policy*. The City shall not be obligated to enter into negotiations and complete a transaction under this process.

4.5.4. Expropriation

Where project requirements must be met in a timely manner, or where negotiation is unsuccessful, expropriation may be considered.

The City of London has the authority to expropriate land in accordance with the provisions of the *Expropriations Act*. Expropriation will be used as a last resort for acquisition purposes. Where necessary, Service Area departments should allow for a minimum of 18 months to 24 months lead time in their project planning, in anticipation that real property acquisition by expropriation may be required.

4.5.5. Charitable Donations

The City may acquire real property through gifts or donations, subject to Council approval, or that of its delegated authority. Before accepting a gift of real property, an analysis to determine the conditions of the gift, existing restrictions or encumbrances and assumption of liabilities or any tax implications, shall be carried out. A charitable donation receipt may be issued in the amount of the appraised market value of the donated real property. An independent appraisal shall determine the market value of any donated real property. A satisfactory Phase I Environmental Site Assessment will also be required.

4.5.6. Development Approval Process

This Policy does not apply to acquisitions of real property rights such as parkland dedications, road widening or easements obtained through pursuant to approvals under the *Planning Act* including conditions of final approval for subdivisions, site plans or consents.

4.5.7. Tax Sales – Vesting in Municipality

The municipality may acquire real property, pursuant to Part XI of the *Municipal Act*, (Sale of Land for Tax Arrears) by registering a Notice of Vesting. Procedures on the Treatment of Properties That Do Not Sell at Municipal Tax Sales are outlined in Section 4.9.

4.5.8. Land Exchanges

When an acquisition is contemplated in support of the natural heritage system, as provided for in the London Official Plan or the City's parks and open space system or other municipal purposes, and it is determined that an exchange of City-owned surplus real property is in the best interests of the City, negotiation shall be initiated based on the market value of the respective real properties, pursuant to the *Sale and Other Disposition of Land Policy* as set out in Schedule "A" of By-law No. 6151-17. Land

Exchanges may be considered for other acquisitions of real property in accordance with a departmental needs assessment.

4.5.9. Public Private Partnerships (P3)

The City of London may acquire or dispose of an interest in real property as part of a Public-Private Partnership (P3) to provide infrastructure, municipal capital facilities and related services that would benefit the municipality, the private sector and City residents.

4.5.10. Other Agencies

The City of London may acquire interests in real property as the result of a transfer of jurisdiction from one level of government to another, such as transfer of highways.

4.5.11. Other Levels of Government and Institutions

The City of London may take advantage of its preferred position as a government agency to acquire interests in real property, prior to property being available on the open market, from other levels of government, school boards and conservation authorities.

4.5.12. Land Assembly

The City of London may acquire property with the intent of a land assembly to satisfy a City mandate, policy, project or strategic plan that supports long term economic growth and be in the public interest.

4.5.13. Acquisition of Real Property by Lease/License

The City of London may, for a specified time period, acquire real property in the form of a lease or license agreement. Leases and licenses may be short or long term, and on terms and conditions satisfactory to Realty Services and the client Service Area. Lease hold interests may be acquired for a nominal sum from other levels of government or at market value. Leases can be entered into under the following situations:

- a) In the form of a long term land lease in conjunction with a P3;
- b) A commercial lease for accommodation for a specific client Service Area to fulfill a municipal requirement;
- c) An option to secure a future fee simple acquisition;
- d) Emergency situations;
- e) Where no fee simple acquisition is available and a current municipal project is approved;
- f) As an interim use; or
- g) As deemed appropriate by Realty Services and the client Service Area as an alternative to fee simple acquisition that would meet the municipal and City residents requirements without a capital expenditure.

The lease or license agreement shall be in form and content satisfactory to the City Solicitor and Realty Services. Leasehold interests must be obtained through a transparent, fair and competitive process and should include consideration of a RFP procedure.

All lease or license agreements must be in compliance with all aspects of this Policy.

4.5.14. Emergency Acquisitions

The City of London Realty Services, is authorized, to acquire any interest in real property in an emergency situation for the purposes of this Policy, an emergency situation shall be any unforeseen circumstances identified in Section 14.2 of the *Procurement of Goods and Services Policy*. In these situations, Realty Services shall provide an information report to Council, including source of financing, as soon as possible after the acquisition.

4.6. Special Acquisitions

4.6.1. Heritage Properties

Cultural Heritage policies in the City Building Policies part of the Official Plan (The London Plan) provides the policy rationale for the acquisition of properties of heritage value and interest. When acquiring real property that may have a heritage designation or historical value, a comprehensive analysis of that property shall be conducted involving Realty Services and appropriate City Service Areas. The analysis will include:

- Identification of the heritage designation or historical value of the real property (*This should include both buildings and cultural heritage landscapes and “natural heritage”*);
- Confirmation of the City of London program(s) to be implemented at this heritage property;
- Identification of the heritage value of the real property after consultation with the London Advisory Committee on Heritage;
- Identification of the desired long-term use or protection of the real property;
- Assessment of the impact of the operational costs of the real property on the City; and
- Development of an asset management plan, which forecasts the capital renewal and re-investment requirements, to preserve the heritage property.
- Prior to the acquisition of a heritage property, Realty Services requires confirmation that the client Service Area and/or City Council have provided the funding and approval for the acquisition.

4.6.2. Parkland Acquisition

The City of London may acquire real property to ensure the sustainability of its natural heritage system and the connectivity of its parks and open space system, as outlined under Land Acquisition Policies in the Green Space Place Type Policies and Parkland Acquisition and Dedication policies in Our Tools parts of the Official Plan (The London Plan). The acquisition of parkland to achieve the objectives of this section may occur through purchase, donation, bequest, expropriation, or through dedication as provided for under the *Planning Act*.

A combination of the various methods of acquisition may be required by the City in order to deliver on a specific mandate, policy or plan or to capitalize on an opportunity for the benefit of the City that can be illustrated in the Service Area needs assessment.

The Parkland Conveyance & Levy By-law, CP-9-20006 effective January 1, 2021 sets out conveyance, levy, and calculation procedures along with prescribed valuation as a condition of development or redevelopment for residential purposes of any land within the city.

4.7. Due Diligence Activities

4.7.1. Appraisal – Fee Simple or Partial Interest

An appraisal is a formal, written, impartial estimate or opinion of value of an adequately described property, as of a specific date, and supported by the presentation and analysis of relevant data.

All real property acquisitions shall be supported with a current market value appraisal. An appraisal shall be no more than twelve months old or some shorter time-frame at the discretion of the Director, Realty Services. An appraisal will be completed and the appraisal report executed by an independent real estate professional who is accredited with the Appraisal Institute of Canada or by a qualified City staff appraiser. Where the estimated market value is \$750,000 or greater, a second appraisal will be required, one of which will be undertaken by an independent real estate professional.

Appraisal reports will be based on the “Highest and Best Use” of the property in accordance with current standards of practice within the real estate industry and within the guidelines of the Appraisal Institute of Canada, which may be amended, from time to time.

4.7.2. Appraisal – Leasehold Interests

Prior to entering into a lease agreement, a market rent study shall be completed by an independent real estate professional or a qualified City staff appraiser at the discretion of the Director, Realty Services. For the purposes of this Policy market rent is defined as what a willing landlord might reasonably expect to receive, and a willing tenant might reasonably expect to pay for the tenancy, in comparison with rent levels for similar properties in similar areas, if offered in the competitive market.

4.7.3. Acquisition at Market Value

Real property rights shall be acquired on the basis of market value, and where applicable, entitlements, as defined by the Expropriations Act, unless other considerations are included in the transaction and approved by City Council. Where there is a variance between the appraised value and the acquisition price, that variance shall be explained in the approval report.

4.7.4. Environmental Due Diligence

The City of London shall complete a pre-screening on all real property to be acquired to identify potential contamination issues associated with real property e.g., Historical Land Use Inventory (HLUI). When an acquisition involves the entire fee simple interest (total buyout), or where it is deemed necessary by the client Service Area, for the acquisition of a lesser interest, a Phase I Environmental Site Assessment (ESA) shall be completed.

All such ESAs shall be completed in accordance with the Canadian Standards Association (CSA) and site remediation criteria, as set out by provincial regulations. Whenever possible or appropriate, acquisition agreements may provide for the indemnification of the City of London by the vendor for environmental conditions.

4.7.5. Compliance with Section 106 of the *Municipal Act*

Section 106 of the *Municipal Act, 2001* states that the City “shall not assist directly or indirectly any manufacturing business or other industrial or commercial enterprise through the granting of bonuses for that purpose.” The municipality shall not grant assistance by:

- a) giving or lending any property of the municipality, including money;
- b) guaranteeing borrowing;
- c) leasing or selling property of the municipality at below fair market value; or
- d) giving a total or partial exemption from any levy, charge or fee.

The acquisition of any real property rights shall comply with Section 106 of the *Municipal Act, 2011*.

4.8. Roles And Responsibilities

4.8.1. City Council

Unless otherwise provided for by By-law, City Council approval is required for the acquisition of real property right in accordance with the provisions of this Policy and any and all applicable By-laws and Legislation. In accordance with By-law A-1, as amended, executing authority is then delegated to the appropriate City officials.

Elected officials, appointed officers and employees shall not knowingly cause or permit anything to be done or communicated to anyone in a manner which is likely to cause any person to have an unfair advantage or

disadvantage in obtaining a contract for the acquisition of real property from the City. This also includes a contract with any other municipality, local board or public body involved in the purchase of real property rights either jointly or in co-operation with the City. Council Members shall operate within the conflict of interest guidelines as set out in this Policy and under the *Municipal Conflict of Interest Act*.

Elected officials shall separate themselves from the procurement process and have no involvement whatsoever in specific procurements. Elected officials should not see any documents or receive any information related to a particular procurement while the procurement process is ongoing. Elected officials who receive inquiries from suppliers related to any specific procurement shall immediately direct those inquiries to the Director, Realty Services, or the City Treasurer.

4.8.2. Realty Services

Realty Services is responsible for:

- a) Servicing the real estate needs of the client Service Area and agencies, boards and commissions identified in this Policy which can include real estate acquisitions and consulting services or advice on any real estate matters;
- b) Negotiating and representing the City on behalf of all Service Areas with perspective buyers, sellers, landlords, tenants and any other business partners with respect to any real property right proposed transaction whether it be a fee simple, partial acquisition, disposition or lease as defined in Section 2.;
- c) Coordinating with the client Service Area and Finance to review property inventory, prepare a Service Area needs assessment and conduct all real estate activity related to an acquisition;
- d) Reporting to Committee and Council on real estate transactions, subject to the provisions of this Policy; and
- e) Ensuring completion of real estate transactions and monitoring executed lease agreements to ensure all terms and conditions are adhered to.

4.8.3. City Solicitor

The City Solicitor or designate shall act as legal counsel to Service Areas and advise Council on real property transactions. The City Solicitor has authority to undertake all legal actions required to complete a real property transaction, including expropriation proceedings.

4.8.4. Client Service Area

The Client Service Area is responsible for:

- a) Requesting the services of the Realty Services when becoming aware of a real property requirement for acquisition of a fee simple, leasehold or partial interest as further defined in Section 2. or consulting purposes;
- b) Reviewing the existing real property inventory and other acquisition initiatives, in consultation through its Realty Services and Finance, to determine if real property needs can be met through current inventory or initiatives, prior to the initiation of an acquisition;
- c) Ensuring that the asset rationalization effort and confirmation that the acquisition requirement satisfies its City-mandated program, that includes participation in the preparation of the Service Area needs assessment;
- d) Providing confirmation to Realty Services that Capital and Operating Budgets to support an acquisition of real property is available prior to any site search or negotiations are undertaken by Realty Services; and
- e) Referring all third party inquires on real estate acquisition to Realty Service.

4.8.5. Finance Supports

Finance Support is responsible for:

- a) Ensuring any and all payments required under a real estate transaction, including leases/licenses are paid in accordance with the terms of the agreement to ensure no potential penalties to the City;
- b) Providing financial analysis and comment in a departmental needs assessment for property acquisitions in collaboration with the client Service Areas and Realty Services;
- c) Ensuring, in collaboration with the client Service Areas, that no existing corporate asset will meet the current property initiative;
- d) Identifying sources of funding for any proposed initiative;
- e) Providing leadership for RFP process as required by this Policy; and
- f) Engaging the Purchasing Office to support negotiations, as required.

4.8.6. Conflict of Interest

No elected official, appointed officer or employee of the City, agency, board or commission, shall have any interest either directly or indirectly of the real property to be acquired or considered for acquisition and must comply with the *Municipal Conflict of Interest Act*. Once known, any interest must be disclosed to Realty Services, Corporate Asset Management. No party having a Conflict of Interest, even once disclosed, shall have any authority to negotiate the transaction. Direct or indirect interest shall include, but not limited to, being an owner, or partial owner, of the property or a party to financing the asset.

4.8.7. Monitoring/Contraventions

Realty Services will administer the application of this Policy to ensure that all policy requirements are met.

4.9. Schedule A

Procedures on the Treatment of Properties That Do Not Sell at Municipal Tax Sales

- 4.9.1. After a failed tax sale, circulate the property to internal departments and external agencies in accordance with City Policy for the sale of City owned properties in order to determine if they have any interest in the property should the City vest the property; (If there is internal or agency interest in a property this interest will be presented to the appropriate Standing Committee of Council and Council for a decision as to whether or not to take ownership for the department or agency after conducting a Phase 1 and Phase 2 ESA as considered appropriate).
- 4.9.2. Conduct a Phase 1 Environmental Site Assessment (ESA).
- 4.9.3. Conduct a Phase 2 Environmental Site Assessment where appropriate as indicated by the Phase 1 ESA.
- 4.9.4. Report to the appropriate standing Committee and if there is no internal department or external agency interest in the property, market the property by issuing a Request for Proposal which shall include an evaluation criteria with weighted scoring and a draft Agreement of Purchase and Sale.
- 4.9.5. Evaluate the submissions received from the Request for Proposal and prepare a recommendation report for the Standing Committee for the Proponent with the highest technical combined score for the property acquisition.
- 4.9.6. Vest property and convey to purchaser after approval of sale agreement by the Standing Committee and Council.

- 4.9.7. Apply the proceeds of the sale against the tax arrears, deem any remaining tax arrears uncollectible and write off the remaining tax arrears upon registration of the notice of vesting of the property by the City.

Notes

- 4.9.8. Clauses in a form satisfactory to the City Solicitor will be included in the Agreement of Purchase and Sale to clarify that the property is being sold by the City on an as is, where is basis and that the purchaser acknowledges that the City has regulatory liability limitation from MOE orders under the EPA for the time that it owns the property (for up to five (5) years).
- 4.9.9. Where encumbrances of the Federal or Provincial Governments or their agencies exist City staff will attempt to negotiate a resolution of the interest as part of or prior to Step 4.9.4.
- 4.9.10. Where it is determined that a property has no environmental risks or liabilities or where the estimated market value will exceed the estimated costs of clean up, City staff may vest the property at any time and follow standard procedures for the designation and sale of surplus City land.
- 4.9.11. Where it is determined that environmental risks or liabilities are so severe with respect to a property that the City should not vest a property even for the purposes of immediate transfer then a recommendation to take no action with respect to the property will be provided to Council by staff.

4.10. References

City of London Council Policy Manual
Sale and Other Disposition of Land Policy

Legislative and Administrative Authorities

City of London Delegation of Authority By-law A-1-101007
City of London Execution of Certain Documents By-law A-1-11012
City of London Official Plan (1989)
City of London Official Plan (The London Plan)
Expropriations Act, 1990
Environmental Assessment Act, 1990
Ontario Heritage Act, 1990
Housing Development Act, 1990
Municipal Act, 2001
Municipal Tax Sales Act, 1990
Ontario Municipal Board Act, 1990
Planning Act, 1990
By-Law CP-9-20006 Parkland Conveyance & Levy By-Law

Enquiries

For more information on this Policy, contact:
Director, Realty Services
The Corporation of the City of London
300 Dufferin Avenue, London ON, N6B 1Z2
Tel: 519-661-2500, ext. 5445

Bill No. 353
2021

By-law No. CPOL.-193()-___

A by-law to amend By-law No. CPOL.-193-445, as amended, being “City of London Community Suite Policy” by deleting and replacing Schedule A.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-193-445, being “City of London Community Suite Policy” by deleting and replacing Schedule A;

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

1. By-law No. CPOL.-193-445, as amended, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

City of London Community Suite Policy

Policy Name: City of London Community Suite Policy

Legislative History: Adopted September 19, 2017 (By-law No. CPOL.-193-445); Amended July 24, 2018 (By-law No. CPOL.-193(a)-426); Amended June 11, 2019 (By-law No. CPOL.-193(b)-156); Amended June 15, 2021 (By-law No. CPOL.-_____)

Last Review Date: June 15, 2021

Service Area Lead: City Clerk

1. Policy Statement

- 1.1 This policy outlines the requirements associated with use of the City of London Community Suite at Budweiser Gardens.

2. Definitions

- 2.1 Not applicable.

3. Applicability

- 3.1 This policy shall apply to The Corporation of the City of London and local charitable volunteer groups for corporate use and community promotion for all events, except east end stage events (small concert mode) to be held in Budweiser Gardens.

4. The Policy

4.1 Tickets

The Suite includes ten tickets for all London Knights regular season games. Tickets for other events are purchased on an event basis.

4.2 Eligible Community Groups

Access to the Community Suite is limited to registered charities, incorporated non-profits, minor sports associations' administration, neighbourhood associations that are involved in fundraising for projects that are related to the repair, enhancement, construction or preservation of a City-owned or operated facility or the development and operation of a City-operated or supported program activity, and service clubs that are based in the City of London. Groups applying to use the Suite must provide a description of the group or organization, the legal name of the group, a contact and name of the person responsible for all costs associated with the use of the Suite, and the details on the proposed use of the Suite (e.g. fundraising, reward program for volunteers, etc.) Each group will be limited to one application. City schools are eligible for fundraising purposes only. A School may use the Suite only once. It is not the intent to draw individual classes within a School to utilize the Suite.

4.3 Allocation of Dates

- a) A list of events will be prepared, identifying community use event dates and City event dates in four-month intervals.
- b) The standing committee whose mandate includes such matters, and the City Manager, will identify those dates that the Suite will be used for City business.

- c) The City Manager shall be authorized to approve use of the Community Suite in those circumstances where an international or national event requires the use of the Community Suite as a bid condition in order to secure the event, and the City Manager shall be required to advise the Municipal Council of any such approval upon his/her notification that the subject bid was successful.
- d) The dates not being utilized for City purposes will be allocated by way of a draw or random lottery. A group submitting an application will list its priority for available events. The selected group will confirm its selection within five business days of being notified of an available date. In allocating event dates, those groups requesting only hockey will be distinguished from those groups requesting non-hockey events.
- e) Any eligible group refusing a date, once selected, shall remain eligible for future draws.
- f) All eligible groups not selected shall remain eligible for future draws.
- g) Once a group has used the Suite, they will not be eligible for re-use of the Suite until all other eligible groups have been offered use of the Suite.

4.4 Requirements of the User Group

- a) The user groups will be responsible for the behaviour of their users and will be required to abide by the same rules as other Suite holders.
- b) Each group will be responsible for all food and beverage costs, ticket costs (except regular season London Knights hockey games) and damages associated with the use of the Suite.
- c) Each group will be required to pay a \$250 refundable cheque to be used as security for the use of the Suite, provide proof of insurance, and must sign a waiver form for liability and provide evidence of Commercial General Liability insurance for an amount not less than \$2,000,000, which includes the City as an additional insured.
- d) Where tickets are required to be purchased for an event, groups will be required to purchase those tickets 10 business days prior to the event.

4.5 City Use of the Suite

- a) The City's use of the Suite will be governed by Municipal Council based on the recommendation of the standing committee whose mandate it is to deal with such matters, excluding those uses authorized by the City Manager for international or national events requiring the use of the Community Suite as a bid condition in order to secure those events.
- b) The City's use of the Suite is intended for community promotion, industrial and tourism promotion, and to recognize groups which may include persons serving on City committees and recipients of special recognition awards etc.
- c) The Suite will be available to affiliated Boards and Commissions for similar purposes as the City. Affiliated Boards and Commissions will not be considered an eligible community group for the use of the Suite, but under the policies that govern City use of the Suite.
- d) The cost of using the Suite by the City will be borne by the City and budgeted by the City Clerk and in the case of affiliated Boards and Commissions, or others that use the Suite, the cost will be borne by the user.

4.6 Administration of the Suite

The City Clerk is the primary contact for user groups and is delegated responsibility to administer this policy.

Bill No. 354
2021

By-law No. CPOL.-202()-___

A by-law to amend By-law No. CPOL.-202-454, as amended, being “Discretionary Benefits”, to address the intent of the policy and the new provincial model towards life stabilization.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-202-454, as amended, being “Discretionary Benefits”, to address the intent of the policy and the new provincial model towards life stabilization;

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

1. By-law No. CPOL.-202-454, as amended, being “Discretionary Benefits”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Discretionary Benefits

Policy Name: Discretionary Benefits

Legislative History: Enacted September 19, 2017 (By-law No. CPOL.-202-454);
Amended August 10, 2021 (By-law No. CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Ontario Works Administrator

1. Policy Statement

This policy sets the parameters for the use of the Discretionary Benefits budget.

2. Definitions

Discretionary Benefits Program – The Discretionary Benefits Program is in place to provide financial assistance to those who meet established income eligibility criteria for items and services related to their health, safety and physical well being.

3. Applicability

This policy applies to Londoners that meet established financial eligibility. An application process exists to determine eligibility and verification of need.

4. The Policy

That a policy be established whereby the Discretionary Benefits budgets be used to provide financial assistance to those who meet established criteria for items and services that impact their health, safety and physical well being.

This program is administered at the discretion of the Municipality and is cost-shared with the Provincial Government. Within established protocols, services are provided such as emergency dental, dentures, vision care, health and personal safety items, beds and appliances, funerals and moving expenses in accordance with the current budget available and any contract agreements and rates in effect.

Bill No. 355
2021

By-law No. CPOL.-368()-___

A by-law to amend By-law No. CPOL.-368-372, being "Reserve and Reserve Fund Policy", to update policy section to ensure policy directive for external loans and refinements to principles to be considered if Council approves external loans.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-368-372, being "Reserve and Reserve Fund Policy", be amended to update policy section to ensure policy directive for external loans and refinements to principles to be considered if Council approves external loans;

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

1. By-law No. CPOL.-368-372, being "Reserve and Reserve Fund Policy", is hereby amended by deleting Schedule "A" to the By-law in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Reserve and Reserve Fund Policy

Policy Name: Reserve and Reserve Fund Policy

Legislative History: Adopted July 24, 2018 (By-law No. CPOL.-368-372); Amended August 10, 2021 (CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Director, Financial Planning & Business Support (or written designate)

1. Policy Statement

A Policy governing the management and administration of reserves and reserve funds. The purpose of the Policy is to establish guiding principles, primary objectives, key management and administrative responsibilities, and standards of care for reserves and reserve funds managed by the City.

2. Definitions

- 2.1. **Budget:** An estimated financial plan of revenue and expenditure for a set period of time.
- 2.2. **Capital Asset Renewal & Replacement:** A category of reserve funds established to provide funding for the repair and maintenance of existing City assets to ensure city-owned assets do not deteriorate over time.
- 2.3. **Capital Asset Growth:** A category of reserve funds established to provide funding to new capital initiatives while allowing the City to stabilize the cost of purchasing major capital assets by spreading the cost over multiple years.
- 2.4. **City:** The Corporation of the City of London.
- 2.5. **City Treasurer:** The individual appointed by the municipality as treasurer.
- 2.6. **Contingencies/Stabilization & Risk Management:** A category of reserves and reserve funds designed to fund future obligations which are based on calculated estimates and to mitigate unforeseen events or one-time unanticipated revenue losses and expenses.
- 2.7. **Debt:** Any obligation for the payment of money. For Ontario municipalities, debt would normally consist of debentures as well as either notes or cash from financial institutions, but could also include loans from discretionary reserves and reserve funds.
- 2.8. **Development Charges Background Study:** The background study undertaken by the City for its current Development Charges By-law.
- 2.9. **Discretionary Reserves and Reserve Funds:** A reserve or reserve fund created by Council to set aside revenue to finance a future expenditure for which Council has the authority to spend money.
- 2.10. **GFOA:** Refers to the Government Finance Officers Association of the United States and Canada, a professional association of state, provincial and local finance officers dedicated to the sound management of financial resources.
- 2.11. **Intergenerational Equity:** In economic, psychological, and sociological contexts, is the concept or idea of fairness or justice between generations.

- 2.12. **Liquidity:** A measure of an asset's convertibility to cash.
- 2.13. **MFOA:** Refers to Municipal Finance Officers Association of Ontario, a professional association which promotes the interests of its members in carrying out their statutory and financial responsibilities by initiating studies and sponsoring seminars to review, discuss and develop positions on important policy and financial management issues.
- 2.14. **Obligatory Reserve Funds:** A reserve fund created when senior government statute or agreement requires that revenue received for special purposes be segregated from the general revenues of the municipality. Obligatory reserve funds are to be used solely for the purpose prescribed for them by statute or agreement.
- 2.15. **PSAB:** Refers to the Public Sector Accounting Board, an independent board with the authority to set accounting standards for the public sector.
- 2.16. **Reserve:** An appropriation from net revenue and/or cost savings at the discretion of Council, after the provision for all known expenditures. It has no reference to any specific asset and does not require the physical segregation of money or assets as in the case of a reserve fund. Municipal Councils may set up reserves for any purpose for which they have the authority to spend money.
- 2.17. **Reserve Fund:** Funds that have been set aside either by a by-law of the municipality or by a requirement of senior government statute or agreement to meet a future event. As a result, reserve funds are either "discretionary" being those set up by Council, or "obligatory" being those set up by virtue of a requirement of senior government statute or agreement. Municipal councils may set up reserve funds for any purpose for which they have the authority to spend money.
- 2.18. **Revolving Reserves and Reserve Funds:** Reserves and reserve funds used to fund normal course operating requirements or cash flow deficiencies that do not require Council approval provided they conform with intent of originating resolution or by-law.
- 2.19. **Specific Projects & New Initiatives:** A category of reserves and reserve funds established for planned savings within the budget to fund projects or expenses either identified at the time the reserve or reserve fund is set-up or after, which allows the City to save for planned or unanticipated projects or expenses that may arise and do not have another funding source.

3. **Applicability**

This Policy applies to all reserves and reserve funds administered by the City, including those administered for any of the City's Local Boards, Commissions, Agencies, or Corporations.

Furthermore, the Policy applies to all City employees who are responsible for the establishment, monitoring, administration and management of the City's reserves and reserve funds.

4. **The Policy**

4.1. **Principles & Objectives**

The guiding principles for reserves and reserve funds shall be:

a) **Budget and Strategic Financial Plan**

Reserves and reserve funds shall form an integral component of the City's budget and strategic financial plan.

b) Liquidity

Reserves and reserve funds shall be kept at an adequate level to ensure the City has sufficient cash flow to meet its financial obligations; including but not limited to:

- i) Replace and rehabilitate capital infrastructure assets as required;
- ii) Supply funds for new capital assets identified in the City's long-term plans, or that arise from time-to-time;
- iii) Fund long-term contingencies and potential liabilities; and
- iv) Provide a buffer for significant unanticipated expenditures, or loss of revenues beyond the control of the City.

c) Intergenerational Equity

Reserve and reserve fund balances shall be maintained to support the principle of intergenerational equity whereby the generation of citizens who benefit from an investment are also responsible for financing it to the greatest extent possible.

d) Credit Rating and Cost of Borrowing

Reserve and reserve fund balances impact the City's credit rating and associated cost of borrowing thus at a minimum, reserve and reserve fund balances shall be maintained at levels that support the maintenance of the City's credit rating awarded by Bond Rating Agencies.

e) Reserve and Reserve Fund Types

The type of reserves and reserve funds the City shall maintain are as follows:

- i) **Obligatory** - A *reserve fund* created when a senior government statute and/or agreement requires that revenue received for special purposes be segregated from the general revenues of the municipality. Obligatory reserve funds are to be used solely for the purpose prescribed for them by statute or agreement.
- ii) **Discretionary** - A *reserve or reserve fund* created by Council to set aside revenue and/or cost savings to finance a future expenditure for which Council has the authority to spend money.

The primary objectives for reserves and reserve funds shall be in priority order:

f) Adherence to Statutory Requirements

- i) It shall be the City's practice to establish and maintain segregated reserve funds that meet all statutory obligations.
- ii) Reserves and reserve funds shall be managed in accordance with the *Municipal Act, 2001, as amended*, this includes:
 - Section 10 (2) authorizing single-tier municipalities to pass by-laws respecting accountability, transparency and financial management;
 - Section 290 (2) the budget shall set out the estimated revenues and expenditures of reserves and reserve funds contained within a municipality's budget;
 - Section 291 covering multi-year budget requirements of municipalities;
 - Section 417 (4) that money raised for a reserve fund shall be paid into a special account and shall be invested only in securities or classes of securities prescribed;
 - Section 418 (3) as allowed by the Corporation, shall combine money held in any fund (including General, Capital and Reserves and Reserve Funds) for investment purposes; and
 - Section 418 (4) that earnings from combined investments shall be credited to each segregated fund in proportion to the amount invested in it.
- iii) Reserves shall be established by Council resolution which governs the purpose, funding sources, and drawdowns of the fund.

- iv) Reserve funds shall be established by Council by-law which governs the purpose, funding sources, drawdowns, and investment of the fund.

g) Promotion of Financial Stability and Flexibility

- i) It shall be the City's practice to maintain adequate reserves and reserve funds within the following categories to achieve long-term financial stability and flexibility (see definitions for detailed description of categories):
- Obligatory,
 - Capital Asset Renewal and Replacement,
 - Capital Asset Growth,
 - Special Projects and New Initiatives, and
 - Contingencies/Stabilization and Risk Management.
- ii) The City shall strive to maintain reserve and reserve fund levels in line with public service associations best practices (Municipal Finance Officers Association (MFOA), Government Finance Officers Association (GFOA), Public Sector Accounting Board (PSAB), etc.), bond rating agencies standards and other municipalities with comparable credit ratings.

h) Provision for Major Capital Expenditures

- i) It shall be the City's goal to maintain adequate reserves and reserve funds to replace and rehabilitate major capital assets, as required, and to provide for new capital assets that have been identified in the long-term capital plan. To achieve this goal, the following budget practices will be applied where applicable:
- Reserve funds for the full cost of replacement or rehabilitation of major assets will be funded from ongoing operations at a rate which reflects the consumption of that asset by current ratepayers. Contributions to these funds will commence in the fiscal year that the asset is acquired or put into service and will be based on an estimate of the useful life of the asset.
 - Obligatory reserve funds will be maintained for growth, parkland and gas tax related capital projects. The growth related obligatory reserve funds will be fully funded from developer contributions. Components of the growth related projects which benefit the existing ratepayers or for which a discount has been given, shall be funded from tax/rate funding sources in the year the project is built. Notwithstanding, debt may be issued for growth projects when required in accordance with the *Development Charges Act, 1997, as amended*, and other pertinent City policies.

i) Reduce Tax/Rate Supported Debt

- i) As per the principles of the Council approved Capital Budget and Financing Policy, the City shall use reserve and reserve fund balances as a source of financing for capital projects.
- ii) When appropriate, the City shall use reserve and reserve fund balances as a source of debt substitution for capital projects which were previously approved with debt financing.
- iii) If discretionary reserves and reserve funds are below established targets, all or a portion of the future debt servicing cost savings resulting from reserve and reserve fund balances applied towards debt substitution shall be considered for future contributions to discretionary reserves or reserve funds at the discretion of the City Treasurer, it being noted that such contributions are subject to Council approval through the City's budgetary process.

4.2. Reserve and Reserve Fund Management

a) Establishment and Modification of Reserves and Reserve Funds:

- i) Reserves and reserve funds shall only be established or modified if they are supported by a financial plan identifying the funding needs, targets, contribution sources, projected drawdowns and investment of funds.
- ii) Target funding levels shall be established for every reserve and reserve fund. Methods for calculating reserve and reserve fund targets shall be determined on a case-by-case basis considering the following:
 - Purpose of fund,
 - Certainty of end needs,
 - Best practices/standards regarding the identification of need and target balance levels (MFOA, GFOA, PSAB, etc.), and
 - Economic factors.
- iii) Reserve and reserve fund balances and associated targets shall be reviewed periodically to ensure adequate reserve and reserve fund levels are maintained for a ten year period.

b) Investment of Reserves and Reserve Funds:

- i) Reserves and reserve funds shall be invested while ensuring adequate liquidity is maintained;
- ii) Reserves and reserve funds shall be invested in accordance with the Council approved Investment Policy;
- iii) Investment income earned on reserves shall be recognized as revenue in the operating budget;
- iv) Investment income earned on reserve funds shall be recognized as revenue in each specific reserve fund according to its proportionate share of the investment portfolio.

c) Contributions To/Drawdowns From Reserves and Reserve Funds:

- i) Contributions to/drawdowns from reserves and reserve funds shall be made in accordance with applicable resolution, by-law and this Policy.
- ii) Contributions to/drawdowns from reserves and reserve funds shall be approved by Council as part of the annual budget process, or specifically by resolution with the following exceptions:
 - Direct contributions to/drawdowns from reserves and reserve funds such as development charges revenue, or Dearness Home gift donations;
 - Contributions to/drawdowns from that are a direct result of Council approved by-laws or resolutions such as Surplus/Deficit Policy;
 - Transfer of funds between reserves and reserve funds based upon adequacy analysis or other related information, at the discretion of the City Treasurer, or designate; and
 - Use of “revolving” reserves and reserve funds for the purpose approved by Council such as Workplace Safety Insurance Board claims.
- iii) Council approved contributions to/drawdowns from reserves and reserve funds not realized shall be reported to Council as part of the budget monitoring reports, or budgetary process.
- iv) Contributions to/drawdowns from reserves and reserve funds shall take into account intergenerational equity between current and future tax/rate payers.

d) Lending/Temporary Borrowing of Reserves and Reserve Funds:

- i) Intra-fund lending between reserves and reserve funds shall be permitted to temporarily finance capital and/or operating cash flow deficiencies to avoid external borrowing costs provided that all loans/transfers bear the

City's internal rate of return and principal and interest are credited to the appropriate reserve or reserve fund source.

- ii) External loans are generally discouraged due to the administrative effort associated with managing those loans. However, should Council elect to approve a loan to an external party, the loan should be in accordance with Section 107 of the *Municipal Act, 2001, as amended*. Prior to approving such loans, the following principles should be considered:
 - External loans shall only be made to public agencies/groups and shall benefit the public;
 - The term of external loans should not exceed five years;
 - Appropriate security shall be provided to protect the interests of the City;
 - The financial profile of the borrower shall be reviewed;
 - Adequate reserves and reserve funds should be available for the term of the external loan; and
 - An appropriate interest rate shall be applied, noting that principal and interest shall be credited to the appropriate reserve or reserve fund source.
 - iii) All lending/temporary borrowing shall be provided from discretionary reserve and reserve fund balances as the loaning of obligatory reserve funds is prohibited under the *Development Charges Act, 1997, as amended*.
 - iv) Under the *Development Charges Act, 1997, as amended*, debt may be included as a capital cost to leverage development charge (DC) revenue while waiting for DC collections to catch up to growth-related spending. Intra-fund borrowing between DC reserve funds is also permitted. In both cases, amounts borrowed must be repaid at the City's internal rate of return and principal and interest are credited to the appropriate reserve or reserve fund source.
- e) **Termination of Reserves and Reserve Funds:**
- i) A discretionary reserve or reserve fund shall be terminated (wound down and closed) when the program or project it supports meets any of the following criteria:
 - No longer in the scope of the City's strategic plans;
 - Program commitments have been completed and no future commitments are expected; and
 - The City Treasurer is confident that balances in other areas can mitigate the need to hold any remaining reserve or reserve fund balance.
 - ii) Reserves or reserve funds identified for termination shall be reported to Council for review and approval. Reports to Council shall include recommendations regarding the timing of wind down, closure and the allocation of fund balances.

4.3. Standard of Care

a) Delegation of Authority

- i) Once Council approves reserves by resolution and reserve funds by by-law, the City Treasurer shall have overall authority for the reserves and reserve funds managed by the City.
- ii) The City Treasurer may delegate management authority over the reserves and reserve funds managed by the City to a designate.
- iii) The City Treasurer, or designate has the responsibility for setting reserve and reserve fund targets, it being noted targets will be periodically reported to Council through reserve and reserve fund reports (see Reporting Requirements below).

- iv) The City Treasurer, or designate shall have overall responsibility for this Policy, and the authority to implement a program for reserves and reserve funds and establish procedures consistent with the content of this Policy. Administrative responsibilities shall include, but are not limited to the following:
- Determines need for reserves and reserve funds for operating and capital budgets.
 - Sets targets for reserves and reserve funds in line with directives contained in this Policy and other pertinent policies.
 - As part of the reporting to Council, reviews and reports on the adequacy and continuing need for reserves and reserve funds managed by the City.
 - Preparation and presentation of reports and/or by-laws associated with the establishment, monitoring, or termination of reserves and reserve funds.
 - Develops appropriate practices, procedures and processes for the investment of reserves and reserve funds in line with legislative requirements, the City's Investment Policy and other pertinent policies.
 - Prepares the City's long-term strategic financial plan with consideration of appropriate reserves and reserve funds to effectively meet the City's operating and capital budget financing needs.
 - Ensures reserves and reserve funds managed by the City are in line with senior government statutes and agreements and other pertinent policies.
- b) **Reporting Requirements:**
- i) The City Treasurer, or designate shall prepare the following reports regarding reserves and reserve funds managed by the City:
- Annual Audited Financial Statements - the annual audited financial statements shall be prepared in accordance with Public Sector Accounting Standards.
 - Reserve and Reserve Fund Report - a financial plan forecasting reserve and reserve fund balances and a comparison to target objectives shall be prepared periodically based on the most current information available; this report may include the establishment of new, modification of existing and termination of existing reserves and reserve funds.
 - Budget Reports - reserve and reserve fund balances, projected contributions and planned drawdowns for a ten year period shall be presented in each Multi-Year Budget. Annual changes to reserve and reserve fund balances shall be presented with each Annual Budget Update, or specifically by resolution if required.
 - DC Reserve Funds Report - an annual report detailing pertinent information regarding DC reserve funds shall be presented to Council as required by the *Development Charges Act, 1997, as amended*.

Other reports in line with this Policy shall be brought forward to Council as needed

Bill No. 356
2021

By-law No. CPOL.-378()-___

A by-law to amend By-law No. CPOL.-378-473, being "Access and Privacy Policy" by deleting and replacing Schedule "A".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-378-473, being "Access and Privacy Policy", by deleting and replacing Schedule "A";

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

1. By-law No. CPOL.-378-473, being "Access and Privacy Policy", is hereby amended by deleting Schedule "A" to the By-law in its entirety and by replacing it with the attached new Schedule "A".
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Access and Privacy Policy

Policy Name: Access and Privacy Policy

Legislative History: Enacted September 18, 2018 (CPOL.-378-473); Amended August 10, 2021 (CPOL.-_____)

Last Review Date: August 10, 2021

Service Area Lead: Manager, Records and Information Services

1. Policy Statement

The Access and Privacy Policy is a general guide to the *Municipal Freedom of Information and Protection of Privacy Act* (“MFIPPA” or “Act”).

The policy combines current practice and procedures and offers operational guidance to help staff:

- Understand the general framework of the legislation;
- Meet administrative and operational requirements; and
- Be aware of best practices.

The policy is not meant to provide legal advice. This policy should be referenced in conjunction with an up-to-date version of the legislation and regulations.

2. Definitions

The terms that appear below are referenced from the Act and relevant IPC guidance documents and Orders.

“**City Clerk**” means the City Clerk or their written designate.

“**Custodian**” person or organization within the meaning of the *Personal Health Information Protection Act, 2004* (“PHIPA”) that, as a result of their or its power or duties or work set out in PHIPA, has custody or control of personal health information.

“**Experienced Employee**” (IPC Order PO-3423), employees who were knowledgeable in the subject matter of the request and expend a reasonable effort to locate responsive records.

“**Head**” in respect of an institution, the individual or body determined to be head under section 3 of the Act.

“**Information and Privacy Commissioner**” and “**IPC**” mean the Commissioner appointed under subsection 4 (1) of the *Freedom of Information and Protection of Privacy Act*.

“**Institution**” (section 2 of the Act),

- (a) a municipality,
- (b) a school board, municipal service board, city board, transit commission, public library board, board of health, police services board, conservation authority, district social services administration board, local services board, planning board, local roads board, police village or joint committee of management or joint board of management established under the Municipal Act, 2001 or the City of Toronto Act, 2006 or a predecessor of those Acts,
- (c) any agency, board, commission, corporation or other body designated as an institution in the regulations; (“institution”).

“Personal Information” recorded information about an identifiable individual, including,

- (a) information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual;
- (b) information relating to the education or the medical, psychiatric, psychological, criminal or employment history of the individual or information relating to financial transactions in which the individual has been involved;
- (c) any identifying number, symbol or other particular assigned to the individual;
- (d) the address, telephone number, fingerprints or blood type of the individual;
- (e) the personal opinions or views of the individual except if they relate to another individual;
- (f) correspondence sent to an institution by the individual that is implicitly or explicitly of a private or confidential nature, and replies to that correspondence that would reveal the contents of the original correspondence;
- (g) the views or opinions of another individual about the individual; and
- (h) the individual's name if it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

“Personal Health Information” (section 4 of PHIPA), identifying information about an individual in oral or recorded form, if the information,

- (a) relates to the physical or mental health of the individual, including information that consists of the health history of the individual's family;
- (b) relates to the providing of health care to the individual, including the identification of a person as a provider of health care to the individual;
- (c) is a plan of service within the meaning of the Home Care and Community Services Act, 1994 for the individual;
- (d) relates to payments or eligibility for health care, or eligibility for coverage for health care, in respect of the individual;
- (e) relates to the donation by the individual of any body part or bodily substance of the individual or is derived from the testing or examination of any such body part or bodily substance;
- (f) is the individual's health number; or
- (g) identifies an individual's substitute decision-maker.

“Privacy Breach”

A privacy breach occurs when personal information is collected, retained, used, accessed or disclosed in ways that are not in accordance with the provisions of the Act. Among the most common privacy breaches is the unauthorized disclosure of personal information, contrary to section 32 of the Act. For example, personal information may be lost (a file is misplaced within an institution), stolen, or inadvertently disclosed through human error (a letter addressed to person A is actually mailed to person B).

“Record” (section 2 of the Act), any record of information however recorded, whether in printed form, on film, by electronic means or otherwise, and includes,

- (a) correspondence, a memorandum, a book, a plan, a map, a drawing, a diagram, a pictorial or graphic work, a photograph, a film, a microfilm, a sound recording, a videotape, an email, [an instant/text message](#), a machine readable record, any other documentary material, regardless of physical form or characteristics, and any copy thereof, and
- (b) any record that is capable of being produced from a machine readable record under the control of an institution by means of computer hardware and software or any other information storage equipment and technical expertise normally used by the institution.

“Privacy Impact Assessment” and **“PIA”** ([IPC Guide](#)), is a risk management tool used to identify the actual or potential effects that a proposed or existing information system, technology, program, process or other activity may have on an individual's privacy.

“Project” ([IPC Guide](#)) in relation to a PIA, means any work involving the collection, use, retention, disclosure, security and disposal of personal information. This may include a

new program, process, service delivery model or an information technology system or changes to an existing program, process or system.

“**Responsive Record**” (IPC Order PO-2554), any record that reasonably relates to, or is within the scope of a request under the Act.

“**Reasonable Search**” (IPC Order M-909 and [IPC Fact Sheet](#)), a search conducted by an experienced employee expending reasonable effort to identify any records that are reasonably related to the access request in locations where records in question might reasonably be located.

“**Service Area Liaison**” as designated by their Service Area Deputy City Manager or written designate, a City of London employee with sufficient experience and training in MFIPPA access processes and procedures who responds to the City Clerk with respect to routine access requests on behalf of their department.

3. Applicability

This policy applies to all City of London employees and governs the procedure by which City of London employees respond to access requests and protect personal information as required under MFIPPA.

4. The Policy

The Access and Privacy Policy is a policy governing the procedure by which City of London employees respond to access requests and protect personal information as required under the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990 (“MFIPPA” or “Act”).

4.1 Purpose and Policy Statement

The Access and Privacy Policy is a general guide to MFIPPA.

The policy combines current practice and procedures and offers operational guidance to help staff:

- Understand the general framework of the legislation;
- Meet administrative and operational requirements; and
- Be aware of best practices.

The policy is not meant to provide legal advice. This policy should be referenced in conjunction with an up-to-date version of the legislation and regulations.

Audience

The primary audience for this policy is City of London staff.

Policy Principles

The following principles will form the basis of this policy:

Transparency

- As identified in the City’s Strategic Plan, the promotion of an open and transparent government is important to the City of London.
- The City of London is committed to both the routine disclosure and the active dissemination of records when consistent with the principles and rules of the Act.
- The City of London will provide access to records and information in accordance with the principles and rules of the Act.

Accountability

- The City of London will take reasonable steps to protect the collection, use, access, and disclosure of personal information.
- The City of London will facilitate an individual’s right of access as well as the ability to correct their personal information in the custody or under the control of the institution, subject to any legislative exemptions.

4.2 Roles and Responsibilities

The Head

MFIPPA prescribes City Council as the Head of the Institution for the purposes of the Act. As Head, Council is accountable for decisions under the Act and for overseeing how the City administers the Act generally. This responsibility includes complying with access provisions of the Act, and ensuring that personal information that the institution collects, uses, and discloses is in compliance with the Act. Pursuant to section 49 of the Act, City Council has delegated to the City Clerk its powers and duties under the Act as per By-law No. A.-6067-31.

For the purposes of this policy, the City Clerk is responsible for:

- exercising the duties pursuant to Council's delegation of all its powers and duties as Head and properly discharging its statutory obligations pursuant to section 49(1) of the Act;
- receiving and managing the overall process of responding to access requests under the Act;
- communicating and liaising with staff, requesters, and third parties regarding access requests under the Act;
- preparing records for disclosure and determining access to records subject to the provisions of the Act;
- managing all aspects of the appeal process relating to access requests under the Act;
- communicating with Deputy City Managers and/or City Manager to resolve any delays by division staff in searching, retrieving or providing copies of records responsive to access requests under the Act;
- preparing and submitting the annual report to the IPC;
- reporting and investigating privacy breaches;
- providing training to employees on the Act; and
- administering, monitoring, and promoting all aspects of this policy.

City Manager and Service Area Leads

The City Manager (generally) and each Service Area Lead (with regards to their direct reports) is responsible for ensuring that the employees they oversee adhere to the procedures in this policy and the provisions of the Act.

The City Manager and Service Area Leads are responsible for:

- allocating sufficient employees and other resources to ensure that Service Areas comply with the access and privacy requirements of the Act;
- ensuring that employees meet internal and statutory deadlines for responding to access requests;
- ensuring that employees maintain division records in compliance with management policies and procedures, and the City of London's Records Retention By-law; and,
- appointing an employee to act as a Service Area Liaison between the respective Service Area and the City Clerk.

City of London Employees

All City of London employees shall be aware of and comply with this policy as required and shall also be responsible for:

- maintaining records in compliance with management policies and procedures and the City of London's Records Retention By-law;
- locating, retrieving and providing copies of records to the City Clerk in response to a request made under the Act by the deadlines provided;
- participating in MFIPPA and records management training;
- communicating and cooperating with the City Clerk with respect to requests made under the Act (for example, search time estimates, clarification requirements, concerns with records, etc.); and,
- providing the City Clerk with a completed Records Retrieval Form (**Appendix B**).

Service Area Liaisons

Each Service Area (SA) shall appoint an employee to act as the SA Liaison between the SA and the City Clerk in response to MFIPPA requests SA Liaisons will receive specialized training by the City Clerk and shall be responsible for fulfilling the access request procedures set out within this policy.

Legal Services – City Solicitor’s Office

Solicitors in the City Solicitor’s Office provide legal advice to the City Clerk on access requests, as required. Solicitors in the City Solicitor’s Office shall be responsible for:

- providing legal advice and opinions related to requests under the Act;
- representing (as required by the City Clerk) the City on appeals to the IPC of the City Clerk’s decisions under the Act and in proceedings before the IPC; and,
- preparing representations or reconsideration requests, when requested by the City Clerk, regarding inquiries conducted by the IPC in accordance with the timelines set by the IPC.

4.3 Timely Response to Access Requests

The City Clerk is legislatively required to respond to MFIPPA requests within 30 calendar days. Accordingly, requests are processed within 20 - 21 *business* days. If the City Clerk does not respond to a request within the 30-day time period, then the request is deemed to have been refused. The Act then entitles requesters to appeal immediately the “deemed refusal” to the IPC.

Because of the legislated time frames, employees should process MFIPPA requests on a priority basis. The City Clerk will send a department letter requesting records directly to the SA Liaison with a specific deadline for the responsive records to be provided. Generally, 13-15 calendar days are allocated for staff to complete the search and provide copies of responsive records to the City Clerk.

Search time estimates which exceed one (1) hour are to be provided to the City Clerk with three (3) days of receipt of the department letter. If no search time estimate is received by the City Clerk, the expectation is that the SA Liaison will provide responsive records by the due date indicated in the department letter.

Follow-up Process

If the SA Liaison has not provided the City Clerk with a search time estimate and the City Clerk has not received responsive records by the due date, the City Clerk will follow-up as follows:

- Day Records are Due – Reminder to SA Liaison that records are due today;
- 2 Days After Due Date – If no response, a second reminder to the SA Liaison;
- 4 Days After Due Date– If no response, communication sent to the Deputy City Manager advising that the division response is overdue and that, if the responsive records are not received in the next few days, the request will become overdue;
- 6 Days After Due Date – If no response, communication sent to the City Manager advising that the division response is overdue and that, if the responsive records are not received, the request will become overdue.

4.4 Access Request Procedures

Receiving Requests

The City Clerk will seek to determine whether a requester may obtain access to all or some of the requested records directly from the relevant Service Area; for example, by providing information that is public. Service Areas should advise the City Clerk of any circumstances when they can routinely disclose certain records outside of the formal freedom of information access procedure.

The City Clerk processes all other formal requests for access to records under the Act.

Clarifying Requests

The City Clerk will seek to ensure that requests are as clear as possible and will contact the requester where appropriate to seek clarification.

Access Procedure

Refer to Process Map – **Appendix A**

1. Once the City Clerk has clarified a request, a department letter, a copy of the request, and Records Retrieval Form is prepared and sent to the SA Liaison with a copy to the Deputy City Manager.
2. Requests that require searches of the Microsoft Exchange system are forwarded directly to the Director of Information Technology Services, Enterprise Supports. Results are provided directly to the City Clerk. The City Clerk will provide copies of responsive e-mails to the staff member for their review.
3. The SA Liaison may identify other Service Areas that may have responsive records.
4. SA Liaisons are required to notify the City Clerk within three (3) days of receipt of the letter if they anticipate a search for responsive records will take more than one (1) hour. If the search is anticipated to take an hour or less, SA Liaisons are advised to provide copies of records (either electronically or photocopies) by the deadline provided in the letter.
5. SA Liaisons must search for all recorded information that responds to an access request and provide copies of the records to the City Clerk no later than the return date indicated in the letter. A search for responsive electronic records can be done through keyword search or reviewing responsive content folders. A search for paper records can be done by physically looking in cabinets or boxes.
If SA Liaisons require a time extension to complete a search they should contact the City Clerk immediately to determine whether the Act permits a time extension. SA Liaisons are required to prepare documentation to justify search time estimates and requests for time extensions, if applicable. Please see the "Time Extensions" section below for detailed documentation requirements.
6. The City Clerk requires that SA Liaisons return a completed Records Retrieval Form along with responsive records indicating the actual time spent searching for records, the location and methods used to search for records, and/or whether there are any concerns with the records in question. The City Clerk also requires a completed Records Retrieval Form if no records are provided responsive to the request.
In the event of an appeal, the IPC may call on the staff that searched for the records to describe the steps they took to conduct the search. Referencing the Records Retrieval Form in such instances assists the City Clerk during the appeal process.
7. The City Clerk will, at the request of the SA Liaison or Deputy City Manager, advise when the records pertaining to their business unit will be released. Where legislative timelines permit, the City Clerk will, at the request of the SA Liaison or Deputy City Manager, provide copies of the records to be released prior to their release.

Time Extensions

The City Clerk determines extensions for a request based on input from the SA Liaison and/or the Service Area Deputy City Manager.

The Act allows the City Clerk to extend the processing time for a request when:

1. The request is for a large number of records or necessitates searching through a large number of records and meeting the time limit would unreasonably interfere with the operations of the City; or
2. Staff must consult with an external agent to comply with the request and they cannot reasonably complete the consultation within the time limit.

If either of the above factors apply, the SA Liaison should summarize in writing the reasons for an extension as follows:

- a) For a request involving a large numbers of records by:
 - explaining the steps that employees require to search for responsive records and estimating the total number of pages of records;
 - identifying any exemptions that may be applicable to the records; and,
 - providing a representative sample of records.
- b) For a request that cannot be completed without consulting with an external agent person, by providing:
 - the name of the person or organization that the City will consult;
 - the reason why consultation is necessary; and,
 - an estimate about when the consultation will be complete.

Providing Records to the City Clerk

The SA Liaison shall provide all of the responsive records to the City Clerk (by the deadline) using the following guidelines:

- Records (electronic or paper) must be provided unaltered. The City Clerk will not accept records that have been redacted or “blacked-out”.
- Original paper records are to be copied or scanned and emailed to the City Clerk. Copies must be legible.
- Electronic records should be provided via the City of London’s Internal File Transfer Service or provided on an ITS approved USB stick. Please do not print electronic records.
- The SA Liaison should identify any areas of concerns in any of the responsive records and may, solely for the purpose of assisting the City Clerk, identify any exemptions that the liaison believes may apply to the records noting that the final decision rests with the City Clerk.
- A completed Records Retrieval Form must be submitted with the records by the deadline.

Offence

No employee shall alter, conceal or destroy a record or cause another person to do so with the intention of denying a right under the Act to access the record or the information contained in the record.

It is an offence under section 48(1)(c.1) of the Act to alter, conceal or destroy a record, or cause any other person to do so, with the intention of denying a right under the Act to access the record or the information contained in the record. Every person who contravenes subsection (1) is guilty of an offence and on conviction is liable to a fine not exceeding \$5,000.00.

Reviewing and Disclosing Records

The Act requires that the City Clerk must disclose as much of the requested record as can reasonably be severed, without disclosing the information that falls under one of the exemptions. Severing is the process of “blacking out” or “redacting” information that is considered confidential and exempt from disclosure.

Only the City Clerk will sever records responsive to a formal access request under the Act. Severances are decisions on disclosure, and the City Clerk is the only decision-maker at the City of London who has the authority to make decisions on disclosure under the Act.

To assist the City Clerk in determining whether a record is exempt from access or outside the scope of the Act the City Clerk will consider recommendations of the SA Liaison. Any such recommendations should be recorded on the Records Retrieval Form.

When the City Clerk refuses access to a record or severs part of a record, the Act requires the City Clerk to provide the requester with a decision letter that:

- explains the basis for the decision;

- describes clearly to the requester the records responding to the request specifically referring to the exemption(s) that the City has applied to justify a refusal to provide access;
- may include a detailed index of records that describes the contents and subject matter of the records;
- notifies the requester if the requested record does not exist; and,
- states that the requester may appeal the City Clerk’s decision to the IPC.

If a request is received for records that appear to be excluded from the Act, the City Clerk will process the request in accordance with the procedure set out in this policy.

Fees

For all requests under MFIPPA, the requester must pay a \$5.00 application fee. The application fee is mandatory and the City Clerk cannot waive it.

The City Clerk applies different fees as prescribed by regulation, depending on whether the request is for *general records* or for the requester’s own personal information.

The City Clerk must charge fees unless the City Clerk decides to waive the fees under the fee-waiver provisions of the Act.

The regulations under the Act contain a fee schedule that sets out the amount that the City Clerk may charge for various costs that the City may incur when processing a request:

Type of Fee	Amount
Application Fee	\$5.00
Photocopies and computer printouts	\$0.20 cents per page
Disks	\$10.00 per disk
Manual search for records *	\$7.50 for each 15 minutes spent
Preparing a record for disclosure, including severing records *	\$7.50 for each 15 minutes spent
Computer programming	\$15.00 for each 15 minutes spent
Costs incurred in locating, retrieving, processing and copying the record	As specified in an invoice received by the City

* does not apply to a request from an individual for their own personal information.

4.5 Councillors’ Records

The City Clerk will determine whether the Act applies to a councillor’s records. In making this decision, the City Clerk examines the specifics of each request in light of a number of [principles established by the IPC](#).

Councillors’ records are subject to the Act where:

- (a) a councillor is acting as an officer or employee of the municipality, or performs a duty assigned by council, such that they might be considered part of the institution, or,
- (b) the records are in the custody or control of the municipality on the basis of established principles.

The access procedure for requests related to Councillors’ records shall follow the standard procedure described within this policy.

1. Once the City Clerk has clarified a request, a department letter, a copy of the request, and Records Retrieval Form is prepared and sent to the Executive Assistant (EA) to the Councillors’ Office, or designate.
2. If the search requires electronic communications, the Councillor may request a search of their Microsoft Exchange account to be completed by the Information and Technology Services Department. Results will be provided directly to the

City Clerk. The City Clerk will provide copies of responsive e-mails to the Councillor for their review.

3. Councillors (or the EA) are required to notify the City Clerk within three (3) days of receipt of the department letter if they anticipate their search for responsive records will take more than one (1) hour. If the search is anticipated to take an hour or less, Councillors (or the EA) are advised to provide copies of records (either electronically or photocopies) by the deadline provided in the letter.
4. Councillors (or the EA) must retrieve and provide copies of the records to the City Clerk no later than the due date indicated in the letter. If Councillors require a time extension to complete a search they should contact the City Clerk immediately to determine whether the Act permits a time extension.
5. The City Clerk requires that Councillors (or the EA) return a completed Records Retrieval Form along with responsive records which indicates the actual time spent searching for records, the location and methods used to search for records, whether there are any concerns with the records in questions, etc. The City Clerk also requires a completed Records Retrieval Form if no records are provided responsive to the request.
6. The City Clerk will, at the request of the Councillor, advise when the records pertaining to them will be released and/or provide copies of the records to be released prior to their release.

4.6 Access to Records of Personal Health Information

An individual may exercise a right of access to a record of personal health information by making a written request for access to the custodian that has custody or control of the information.

Organizations that are both *custodians* under PHIPA and *institutions* under the Act include municipally operated long-term care homes, for example, Dearness Home.

The City Clerk will determine whether PHIPA or MFIPPA applies to a request it receives having regard to the legislation.

If the City Clerk receives a request for personal health information in the custody or under the control of Dearness Home, the City Clerk will immediately transfer that request to the Administrator of Dearness and advise the requester of the same. If the Administrator of Dearness receives a request under the Act for information in the custody or under the control of the City of London, the Administrator will immediately transfer that request to the City Clerk and advise the requester of the same.

4.7 Appeals to the Information and Privacy Commissioner (IPC)

The Act establishes the right of a requester to appeal decisions that the City Clerk makes about access to records. After a requester receives a notice of decision, the requester has 30 calendar days to appeal the decision to the IPC.

The City Clerk, in consultation with the City Solicitor's Office, will respond to appeals as per the procedures and practice directions set out in the IPC's [Code of Procedure for appeals under the Freedom of Information Act and the Municipal Freedom of Information and Protection of Privacy Act](#), (hereafter "Code of Procedure").

The City Clerk will notify the appropriate staff member (or Councillor) and the appropriate Deputy City Manager, in the event that the Commissioner issues an order with respect to access to records. The City Clerk will ensure compliance of the order.

The City Clerk will notify the City Manager and the appropriate Deputy City Manager should the IPC notify the City Clerk that the Commissioner will be entering and inspecting any premise occupied by The City of London for the purposes of an investigation. The City Clerk will be in attendance during the IPC's inspection.

Offence

No employee shall wilfully obstruct the IPC in the performance of its functions, make a false statement to mislead the IPC or fail to comply with an order of the IPC.

Any person who wilfully obstructs the IPC in the performance of its functions, makes a false statement to mislead the IPC, or fails to comply with an order of the IPC, is guilty of an offence, and on conviction, is liable to a fine of up to \$5,000.00.

4.8 Personal Information

Protection of Personal Privacy

The Act requires that the City Clerk implement basic standards for protecting personal information in its possession. Refer to the [IPC'S Fact Sheet](#) to learn more about how *Personal Information* is defined in the Act.

Collection of Personal Information

The City, employees or consultants acting on the City's behalf, shall only collect personal information that they are authorized to collect. This authority can be one of the following:

- collection of the information is expressly authorized by provincial or federal legislation;
- the information is used for the purposes of law enforcement; or,
- the information is necessary to the proper administration of a lawfully authorized activity.

The City shall only collect personal information directly from the individual to whom it relates, except in circumstances set out in MFIPPA. Examples of these include:

- where the individual authorizes another method of collection;
- the personal information may be disclosed to the City under the authority of the Freedom of Information and Protection of Privacy Act ("FIPPA");
- where the IPC has authorized the City to collect the information indirectly from another person;
- the information is collected for the purpose of law enforcement; and,
- where other legislation provides for a different method of collection.

When collecting personal information, the City must provide the individual with a [notice of collection](#) statement that contains:

- the City's legal authority to collect the information;
- the principal purposes for which the information is intended to be used; and,
- the title, business address and telephone number of an officer or employee who can answer questions about the collection (why it is being collected, how it will be used).

Notice of collection statements are prepared by staff in consultation with the City Clerk. Exceptions to this notice requirement are set out in O. Reg. 823.

Retention of Personal Information

Personal information that has been collected by the City must be retained for at least one year after it is used, unless another retention period has been provided in the City's Records Retention by-law, or the individual has consented to its earlier disposal. The purpose of this retention period is to ensure that individuals have a reasonable opportunity to obtain access to their personal information.

Use of Personal Information

The City is required to take reasonable steps to ensure that personal information is not used unless it is accurate and up to date. The City must create a record of any use of personal information that is different from how the information is used on a regular basis.

The City is only permitted to use personal information:

- if the individual has consented to the particular information being used;
- for the purpose for which it was obtained or compiled;

- for a consistent purpose, (i.e. the individual might reasonably expect the use); or
- for the purpose for which the information was disclosed to the City under FIPPA.

Disclosure of Personal Information

The City is only permitted to disclose personal information in the following circumstances:

- in compliance with Part I of the Act;
- if the individual has consented to its disclosure;
- for the purpose for which it was obtained;
- for a consistent purpose, (i.e. the individual might reasonably expect the disclosure);
- disclosure is made to an employee who needs the record in the performance of duties;
- to comply with federal or provincial legislation;
- to a law enforcement agency in Canada to aid an investigation;
- in compelling circumstances affecting personal health or safety;
- in compassionate circumstances, (to contact next of kin or friend of an injured, ill or deceased person); and,
- to a provincial or federal government department for auditing of cost-shared programs.

Transmitting Personal Information

When employees are required to transmit personal information to parties external to the organization, the following guidelines should be considered to help ensure that personal information is protected from unauthorized access or disclosure:

- Where possible, avoid sending personal information via facsimile (fax). Sometimes, faxes do not reach their intended destination, whether it is as a result of human error in the dialling of the number, or because of a technical glitch. Faxing personal information can result in personal information being accidentally disclosed or deliberately intercepted by other people.
- Where possible, utilize the File Transfer Service to email personal information. Consider password protecting the communication and limiting the number of downloads.
- Where the use of the File Transfer Service is not suitable, consider utilizing a Courier Service to deliver hard copies of the personal information and request a signature upon receipt.

Offence

Any person who willfully discloses personal information, or maintains a personal information bank, in contravention of the Act, is guilty of an offence, and on conviction, is liable to a fine of up to \$5,000.00.

Privacy Investigations

Individuals may submit a complaint to the IPC if they believe that the City of London has improperly collected, used, disclosed, retained or disposed of their personal information. The City Clerk shall receive notice from the IPC in the event that an individual has lodged a complaint and an investigation is being undertaken.

The City Clerk shall, in consultation with appropriate staff, represent the institution during a privacy complaint investigation.

The responsible employee will cooperate and assist the City Clerk during the course of the investigation.

4.9 Protocol for Responding to a Privacy Breach Under the Act

Upon learning of a privacy breach or a potential privacy breach under MFIPPA, staff shall immediately notify their Manager and the City Clerk.

The City Clerk will assist the responsible employee in responding to the breach of personal privacy.

The following protocol shall be adopted during a breach or a potential breach of personal privacy, as per [IPC guidelines](#).

Containment: Identify the scope of the breach or potential breach and take steps to contain it:

- retrieve hard copies of any personal information that has been disclosed;
- attempt to Re-call emails sent in error containing personal information;
- ensure that no copies of the personal information have been made or retained by the individual who was not authorized to receive the information and obtain the individual's contact information in the event that follow-up is required; and,
- determine whether the privacy breach would allow unauthorized access to any other personal information (i.e. financial institutions).

Notification: If the City Clerk is of the opinion that the privacy breach poses a real risk of significant harm, staff will identify those individuals whose privacy was breached and, barring exceptional circumstances, in consultation with the City Clerk, notify those individuals accordingly:

- notification shall be conducted by telephone or in writing as soon as reasonably possible;
- details of the extent of the breach and the specifics of the personal information at issue shall be provided;
- if financial information or information from government-issued documents are involved, precautionary measures shall be included in the notice, (i.e. change passwords, contact Equifax or banking institution, etc.);
- information related to the steps that have been taken to address the breach, both immediate and long term, shall be provided;
- contact information for someone who can provide additional information, assistance and answer questions shall be provided; and,
- a statement advising whether or not the privacy breach has been reported to the IPC shall be provided along with information about how an individual may submit a complaint to the IPC.

The employee involved in the breach shall document the incident in detail, including how each step in the above process was executed.

If the City Clerk is of the opinion that the privacy breach poses a real risk of significant harm, the City Clerk may report the breach to the IPC.

4.10 Privacy Impact Assessment

A PIA is used to assess compliance with MFIPPA; it aims to identify and address the privacy impacts of proposed projects or activities.

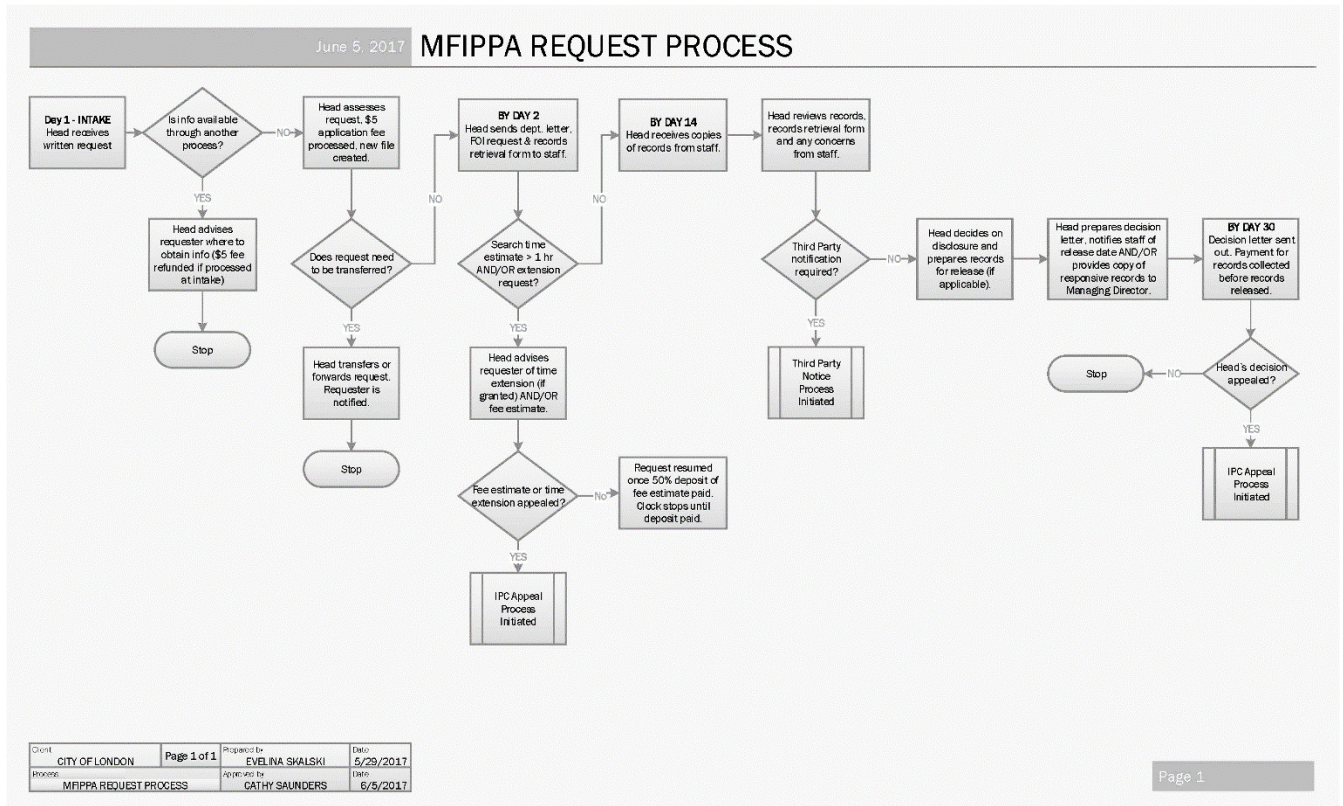
Before staff implement a project or activity that involves the collection of personal information, they shall consult with the City Clerk, who will determine whether a PIA is required. Staff may be required to conduct a preliminary assessment to assist the City Clerk in making such determination. A PIA may be required where the City Clerk determines the collection is at a large scale; where the personal information is deemed sensitive; or where the collection, use, or disclosure of the personal information impacts decision making.

Where the City Clerk determines a PIA is required, staff shall conduct a PIA, in consultation with the City Clerk, prior to the implementation of the project or activity. Staff will be supplied a PIA template to conduct the assessment.

Once the PIA is completed by staff, it shall be reviewed and/or approved by the City Clerk. If recommendations are made by the City Clerk to implement controls related to the protection of personal information or compliance with legislation, those recommendations shall be adopted by staff prior to embarking with the activity or program.

4.11 Appendices

Appendix A – MFIPPA PROCESS MAP



Appendix B – RECORDS RETRIEVAL FORM

MFIPPA RECORDS RETRIEVAL FORM

To be completed and returned to the Manager of Records and Information Services

1. Indicate the places that were searched (e.g., what files in which offices or file rooms, which shared drives or software applications):

2. Indicate methods/processes used to conduct the search and types of files searched (e.g., searching electronic files, paper files, file lists, off-site file lists, microfiche etc.):

3. Length of time required to do the search:

4. Responsive records located? (Indicate if responsive records no longer exist but did exist at one time (i.e., provide the number of the Records Retention Schedule which authorized the destruction of those records):

Yes No

5. Are there any concerns with these records or this request? (If yes, please explain):

Yes No

6. Would you like to be provided with a copy of the responsive records?

Yes No

7. Would you like to be advised when responsive records are released?

Yes No

Name:

Date:

Bill No. 357
2021

By-law No. CPOL.-383()-___

A by-law to amend By-law No. CPOL.-383-90,
being “Code of Conduct for Members of Council”
by deleting and replacing Schedule “A”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-383-90, being “Code of Conduct for Members of Council” by deleting and replacing Schedule “A”;

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

1. By-law No. CPOL.-383-90 is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Schedule “A”



London
CANADA

Code of Conduct for Members of Council

Policy Name: Code of Conduct for Members of Council

Legislative History: Adopted March 26, 2019 (By-law No. CPOL.-383-90); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: City Clerk

1. Policy Statement

1.1 This Code of Conduct is established under the authority of Part V.1 – Accountability and Transparency of the *Municipal Act, 2001*, as amended.

2. Definitions

In this Code of Conduct:

2.1 **Apparent conflict of interest** – shall mean if there is a reasonable perception, which a reasonably well-informed person could properly have, that the Member’s ability to exercise an official power or perform an official duty or function must have been affected by his or her private interest;

2.2 **Child** – shall mean a child born within or outside marriage and includes an adopted child and a person whom a parent has demonstrated a settled intention to treat as a child of his or her family;

2.3 **Code** – shall mean this Code of Conduct;

2.4 **Corporation** - shall mean The Corporation of the City of London;

2.5 **Council** - shall mean the Council of The Corporation of the City of London;

2.6 **Family member** - shall mean a child, parent or a spouse;

2.7 **Member** - shall mean a Member of Council and includes the Mayor;

2.8 **Parent** – shall mean a parent who has demonstrated a settled intention to treat a child as a member of his or her family whether or not that person is the natural parent of the child;

2.9 **Spouse** - shall mean a person to whom the person is married or with whom the person is living in a conjugal relationship outside of marriage;

3. Applicability

3.1 This Code of Conduct applies to the Mayor and all Members of Council.

4. The Code

Rule 1 - Key Principles and Framework

1.1 The Code is to be given a broad, liberal interpretation in accordance with the applicable legislation, the definitions set out herein and its general intent and purposes.

1.2 The Code operates together with, and as a supplement to, the following legislation that governs the conduct of Members:

- (i) *Municipal Act, 2001*;
- (ii) *Municipal Conflict of Interest Act*;

- (iii) *Municipal Elections Act, 1996*;
- (iv) *Municipal Freedom of Information and Protection of Privacy Act*;
- (v) *Provincial Offences Act*;
- (vi) *Occupational Health and Safety Act*;
- (vii) *Ontario Human Rights Code*;
- (viii) *Criminal Code of Canada*; and
- (ix) the by-laws and policies of Council as adopted and amended from time to time.

1.3 Members are governed by the *Municipal Conflict of Interest Act* which contains the following principles in relation to the duties of Members:

1. The importance of integrity, independence and accountability in local government decision-making.
2. The importance of certainty in reconciling the public duties and pecuniary interest of Members.
3. Members are expected to perform their duties of office with integrity and impartiality in a manner that will bear the closest scrutiny.
4. There is a benefit to municipalities and local boards when Members have a broad range of knowledge and continue to be active in their own communities, whether in business, in the practice of a profession, in community associations and otherwise.

1.4 Members seeking clarification of any part of this Code should consult with the Integrity Commissioner and submit such requests in writing.

1.5 Any advice given by the Integrity Commissioner to a Member shall be in writing and binds the Integrity Commissioner in any subsequent consideration of the conduct of the Member in the same matter as long as all the relevant facts known to the Member were disclosed to the Integrity Commissioner.

1.6 In carrying out their responsibilities regarding the Code, the Integrity Commissioner is not limited to looking at the pecuniary interest of the Member and, for clarity, the Integrity Commissioner is specifically authorized to investigate issues of conflict in a broad and comprehensive manner.

Rule 2 - General Rules

2.1 Members shall serve and be seen to serve their constituents in a conscientious, accountable, transparent and diligent manner.

2.2 Members shall be committed to performing their functions with integrity, independence and impartiality and avoid the improper use of the influence of their office, and conflicts of interest, including apparent conflicts of interest.

2.3 Members shall not extend favour in the discharge of their official duties, preferential treatment to family members, organizations or groups in which they or their family members have a direct or indirect pecuniary interest.

2.4 Members are expected to perform their duties in office and arrange their private affairs in a manner that promotes public confidence and will bear close public scrutiny.

2.5 Members shall seek to serve the public interest by upholding both the letter and the spirit of the laws of the Federal Parliament, the Ontario Legislature, and the by-laws and policies of the Corporation.

2.6 Members shall accurately and adequately communicate the decisions of the Council, even if they disagree with Council's decision, such that the respect for the decision-making processes of Council is fostered.

Rule 3 – Confidential Information

3.1 Members shall hold in strict confidence all information concerning matters dealt with at a meeting closed to the public under the *Municipal Act* or any other Act. For greater certainty, confidential information shall include, without limitation, documents, records, advice received, presented, reviewed or discussed in a closed meeting and any discussion, direction and deliberation during the closed meeting. A Member shall not, either directly or indirectly, disclose, release, make public or in any way divulge any such information or any aspect of a closed meeting to anyone unless expressly authorized by Council or required by law.

3.2 A Member shall not collect, use, or disclose information in contravention of the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*.

3.3 A Member shall not disclose information that is subject to solicitor-client privilege, unless the privilege has been expressly waived by Council.

3.4 A Member shall not misuse any confidential information such that the release thereof may cause detriment to the Corporation, Council, the public or others or benefit or detriment to themselves or others. For greater certainty, confidential information includes, without limitation, information that a Member has knowledge of by virtue of their position as a Member that is not in the public domain, including emails, and oral and written communications from other Members or third parties.

Rule 4 - Conduct at Meetings and When Representing the Council or the Corporation

4.1 A Member shall conduct themselves with appropriate decorum at all times.

4.2 A Member shall conduct themselves at meetings of Council, committees, agencies, local boards and commissions to which they are appointed by the Council, or by virtue of being an elected official, with decorum in accordance with the provisions of the applicable procedure by-law.

4.3 A Member shall make every effort to participate diligently in the activities of the Council and the committees, agencies, local boards and commissions to which they are appointed by the Council, or by virtue of being an elected official.

Rule 5 - Incompatible Activity

5.1 A Member shall not engage in any activity, financial or otherwise, which is incompatible or inconsistent with the ethical discharge of their official duties in the public interest.

5.2 Without limiting the generality of the foregoing, a Member shall not:

- a) use the influence of their office for any purpose other than for the exercise of their official duties;
- b) act as an agent before Council, any committee, board or commission of Council or the City's Hearings Officer;
- c) use any information gained in the execution of office that is not available to the general public for any purpose other than for official duties;
- d) place themselves in a position of obligation to any person or organization which might reasonably benefit from special consideration or may seek preferential treatment;
- e) give preferential treatment to any person or organization in which a Member has a financial interest;
- f) influence any administrative or Council decision or decision-making process involving or affecting any person or organization in which a Member has a financial interest; or
- g) use the Corporation's property, materials, equipment, services, supplies, facilities, officers, employees, agents or contractors for personal gain, personal purpose or for any private purpose; or

- h) influence or interfere, either directly or indirectly, financially, politically or otherwise with employees, officers or other persons performing duties under the *Provincial Offences Act*.

5.3 A Member shall not allow the prospect of their future employment by a person or entity to detrimentally affect the performance of their duties.

5.4 A Member shall avoid waste, abuse and extravagance in the provision or use of public resources.

5.5. A Member shall expose fraud and corruption of which the Member is aware.

Rule 6 - Conduct Respecting Staff

6.1 A Member shall be respectful of the Corporation's officers, employees, individuals contracted by the Corporation on a purchase of service agreement and students on placements.

6.2 No Member shall injure the professional or ethical reputation, or the prospect or practice of an officer or employee of the Corporation, an individual contracted by the Corporation on a purchase of service agreement or a student on placement, and all Members shall show respect for the professional capacities of such persons.

6.3 No Member shall compel or attempt to compel an officer and employee of the Corporation to engage in partisan political activities or be subjected to threats or discrimination for refusing to engage in such activities.

6.4 No Member shall use, or attempt to use, their authority for the purpose of intimidating, threatening, coercing, commanding or influencing any officer or employee of the Corporation, individual contracted by the Corporation on a purchase of service agreement or a student on placement with the intent of interfering in that employee's duties, including the duty to disclose improper activity.

6.5 Members shall be respectful of the role of staff to provide advice based on political neutrality and objectivity and without undue influence from an individual Member or group of Members.

Rule 7 – Discreditable Conduct

7.1 Members have a duty to treat members of the public, one another, individuals contracted by the Corporation on a purchase of service agreement, students on placement and officers and employees of the Corporation appropriately and without abuse, bullying or intimidation and to ensure that their work environment is safe and free from discrimination and harassment. *The Ontario Human Rights Code* and the *Occupational Health and Safety Act* apply and, where applicable, the Corporation's Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination).

7.2 Upon receipt of a complaint with respect to alleged discreditable conduct of a Member that relates to the Corporation's Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination) the Integrity Commissioner shall forward the information subject to the complaint to Human Resources which, in the event mediation or other informal attempts to resolve the complaint as provided for in the applicable policy are not appropriate or prove ineffective and where Human Resources determines that further inquiry is warranted, will refer it to an external investigator to conduct an independent investigation in accordance with the applicable policy and the Corporation's Formal Investigation Process.

7.3 Upon receipt of the report of the independent investigator, the Integrity Commissioner shall make a determination on the application of this Code of Conduct and the merits of the investigation respecting the conduct of the Member subject to the complaint. The findings of the Integrity Commissioner shall be reported to City Council as per the normal procedure respecting such matters.

Rule 8 – Requirement to Adhere to Council Policies and Procedures

8.1 Members shall adhere to such by-laws, policies and procedures adopted by Council that are applicable to them.

Rule 9 – Gifts, Benefits and Hospitality

9.1 No inappropriate gifts and hospitality are allowed that would, to a reasonable member of the public, appear to be in gratitude for influence, to induce influence, or otherwise to go beyond the necessary and appropriate public functions involved.

9.2 No Member shall accept, solicit, offer or agree to accept a commission, fee, advance, cash, gift, hospitality, gift certificate, bonus, reward or benefit that is connected directly or indirectly with the performance of their duties of office unless permitted by the exceptions listed in section 9.4 below. No Member shall accept the use of property or facilities, such as a vehicle, office or vacation property at less than fair market value or at no cost.

9.3 For the purpose of this Code a commission, fee, advance, cash, gift, hospitality, gift certificate, bonus, reward or benefit provided with the Member's knowledge to a friend, family member or to a Member's staff that is connected directly or indirectly to the performance of the Member's duties, is deemed to be a gift to that Member.

9.4 Members are not precluded from accepting:

- a) contributions authorized by law;
- b) political contributions that are otherwise offered, accepted and reported in accordance with applicable law;
- c) food and beverages at banquets, receptions, ceremonies or similar events, if:
 - i) attendance serves a legitimate business purpose;
 - ii) the person extending the invitation, or a representative of the organization is in attendance; and
 - iii) the value is reasonable and the invitations infrequent;
- d) services without compensation by persons volunteering their time;
- e) food, lodging, transportation, hospitality and entertainment provided by other levels of government, by other local governments, boards or commissions or by a foreign government within a foreign country;
- f) a reimbursement of reasonable expenses incurred in the performance of duties or office;
- g) a reimbursement of reasonable expenses incurred, and honorariums received in the performance of activities connected with municipal associations;
- h) token gifts such as souvenirs, mementos and commemorative gifts that are given in recognition of service on a committee, for speaking at an event or representing the Corporation at an event; and
- i) gifts that are received as an incident of protocol or social obligation that normally and reasonably accompany the responsibility of office.

9.5 A Member shall return any gift or benefit which does not comply with this Code, along with an explanation why the gift or benefit cannot be accepted.

9.6 In the case of exceptions claimed under 9.4 (c), (e), (h) and (i), if the value of the gift, hospitality or benefit exceeds \$300.00, or if the total value of gifts, hospitality or benefits received from one source during the course of a calendar year exceeds \$300.00, the Members shall within 30 days of receipt of the gift, hospitality or benefit or reaching the annual limit, complete a disclosure statement in a form prescribed by the Integrity Commissioner and file it with the Integrity Commissioner. A disclosure statement shall be a matter of public record.

9.7 On receiving a disclosure statement, the Integrity Commissioner shall examine it to ascertain whether the receipt of the gift, hospitality or benefit might, in their opinion, create a conflict between a private interest and the public duty of the Member. In the event that the Integrity Commissioner makes that preliminary determination, they shall call upon the Member to justify receipt of the gift, hospitality or benefit.

Rule 10 - Use of Municipal Property and Resources

10.1 In order to fulfil their roles as elected representatives Members have access to municipal resources such as property, equipment, services, staff and supplies. No Member shall use, or permit the use of Corporate land, facilities, equipment, supplies, services, staff or other resources for activities other than purposes connected with the discharge of Council or Corporate business.

Rule 11 - Election-Related Activity

11.1 Members are required to conduct themselves in accordance with the *Municipal Elections Act, 1996* and the Policy for the Use of City of London Resources for Municipal Election Purposes. Members shall not solicit, demand or accept the services of any corporate officer and employee, or individual providing services on a contract for service, for re-election purposes during hours in which the officer, employee, or individual providing services under a contract for service, is in the paid employment of the Corporation.

Rule 12 - Integrity Commissioner

12.1 It is a violation of the Code to obstruct the Integrity Commissioner in the carrying out of their duties and responsibilities.

12.2 No Member shall threaten or undertake any active reprisal against a person initiating an inquiry or complaint under the Code or against a person who provides information to the Integrity Commissioner in any investigation.

12.3 It is a violation of the Code to destroy any documents or erase any electronic communications or refuse to respond to the Integrity Commissioner where a formal complaint has been lodged under the Code.

12.4 The Integrity Commissioner may also recommend that Municipal Council impose one of the following sanctions:

- (a) written or verbal public apology;
- (b) return of property or reimbursement of its value or of monies spent;
- (c) removal from membership of a committee; and
- (d) removal as a chair of a committee.

The Integrity Commissioner has the final authority to recommend any of the sanctions above or other remedial actions at their discretion.

12.5 Upon receipt of a recommendation from the Integrity Commissioner, Council may, in circumstances where the Integrity Commissioner has determined there has been a violation of the Code of Conduct, impose either:

- a) a reprimand; or
- b) a suspension of the remuneration paid to the Member in respect of their services as a Member of Council or a local board, as the case may be, for a period of up to 90 days.

12.6 The Integrity Commissioner has the authority to apply sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* and investigate complaints or initiate an investigation of suspected violations of the Act. If the Integrity Commissioner determines that a violation has occurred, the Integrity Commissioner may apply to a judge for determination of the questions of whether a Member has contravened section 5, 5.1 or 5.2 of the Act.

THE CORPORATION OF THE CITY OF LONDON CODE OF CONDUCT FOR MEMBERS OF COUNCIL COMPLAINT PROTOCOL

AUTHORITY

Section 223.3 of the *Municipal Act, 2001* authorizes a municipality to appoint an Integrity Commissioner who reports to council and who is responsible for performing in an independent manner the powers and duties assigned by the municipality with respect to the application of the Code of Conduct for Members of Council.

Sections 223.4 of the *Municipal Act, 2001* provides that an Integrity Commissioner has certain powers duties and protections.

The Code of Conduct for Members of Council was adopted by Council by By-law No. CPOL.-383-90 on March 26, 2019 and amended on August 10, 2021.

This Complaint Protocol was adopted by Council by By-law No. CPOL.-383-90 on March 26, 2019.

PART A: INFORMAL COMPLAINT PROCEDURE

Any person or any representative of an organization who has identified or witnessed behaviour or an activity by a Member of Council that they believe is in contravention of the Code of Conduct for Members of Council the “Code”) may wish to address the prohibited behaviour or activity themselves as follows:

- (1) advise the Member that the behaviour or activity contravenes the Code;
- (2) encourage the Member to acknowledge and agree to stop the prohibited behaviour or activity and to avoid future occurrences of the prohibited behavior or activity;
- (3) keep a written record of the incidents including dates, times, locations, other persons present, and any other relevant information;
- (4) request the Integrity Commissioner to assist in informal discussion of the alleged complaint with the Member in an attempt to resolve the issue;
- (5) if applicable, confirm to the Member your satisfaction with the response of the Member; or, if applicable, advise the member of your dissatisfaction with the response; and
- (6) consider the need to pursue the matter in accordance with the formal complaint procedure outlined in Part B, or in accordance with another applicable judicial or quasi-judicial process or complaint procedure.

All persons and organizations are encouraged to initially pursue this informal complaint procedure as a means of stopping and remedying a behaviour or activity that is prohibited by the Code. With the consent of the complaining individual or organization and the Member, the Integrity Commissioner may be part of any informal process. However, it is not a precondition or a prerequisite that those complaining must pursue the informal complaint procedure before pursuing the Formal Complaint Procedure in Part B.

PART B: FORMAL COMPLAINT PROCEDURE:

Integrity Commissioner Requests for Inquiries - Section 1

1. (1) A request for an investigation of a complaint that a Member has contravened the Code (the “complaint”) shall be sent directly to the Integrity Commissioner by mail, e-mail, fax or courier and shall be in writing.

(2) All complaints shall be signed by an identifiable individual (which includes the authorized signing officer of an organization).

(3) A complaint shall set out reasonable and probable grounds for the allegation that the Member has contravened the Code. For example, the complaint should include the name of the alleged violator, the provision of the Code allegedly contravened, facts constituting the alleged contravention, the names and contact information of witnesses, and contact information for the complainant during normal business hours.

(4) Municipal Council may also file a complaint and/or request an investigation of any of its members by public motion.

Initial Classification by Integrity Commissioner - Section 2

2. (1) Upon receipt of the complaint, the Integrity Commissioner shall make an initial classification to determine if the matter is, on its face, a complaint with respect to non-compliance with the Code and not covered by other legislation or other Council Policies as described in subsection (2).

(2) If the complaint is not, on its face, a complaint with respect to non-compliance with the Code or the complaint is covered by other legislation or a complaint procedure under another Council Policy, the Integrity Commissioner shall advise the complainant in writing as follows:

(a) if the complaint on its face is an allegation of a criminal nature consistent with the *Criminal Code of Canada*, the complainant shall be advised that if the complainant wishes to pursue any such allegation, the complainant must pursue it with the appropriate police force;

(b) if the complaint on its face is with respect to non-compliance with the *Municipal Freedom of Information and Protection of Privacy Act*, the complainant shall be advised that the matter will be referred for review to the City Clerk;

(c) if the complaint on its face is with respect to non-compliance with a more specific Council policy with a separate complaint procedure, the complainant shall be advised that the matter will be processed under that procedure;

(d) if the complaint is in relation to a matter which is subject to an outstanding complaint under another process such as a Human Rights complaint or similar process, the Integrity Commissioner may, in their sole discretion and in accordance with legislation, suspend any investigation pending the result of the other process; and,

(e) in other cases, the complainant shall be advised that the matter, or part of the matter, is not within the jurisdiction of the Integrity Commissioner to process, with any additional reasons and referrals as the Integrity Commissioner considers appropriate.

(3) The Integrity Commissioner may report to Municipal Council that a specific complaint is not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify a person concerned.

(4) The Integrity Commissioner shall report semi - annually to Municipal Council on complaints not within the jurisdiction of the Integrity Commissioner, but shall not disclose information that could identify a person concerned.

Integrity Commissioner Investigation - Sections 3 – 5

3. (1) If the Integrity Commissioner is of the opinion that a complaint is frivolous, vexatious or not made in good faith, or that there are no grounds or insufficient grounds for an investigation, the Integrity Commissioner shall not conduct an investigation, or, where that becomes apparent in the course of an investigation, terminate the investigation.

(2) Other than in exceptional circumstances, the Integrity Commissioner will not report to Municipal Council on any complaint described in subsection (1) except as part of a semi- annual or other periodic report.

4. (1) If a complaint has been classified as being within the Integrity Commissioner's jurisdiction and not rejected under section 3, the Commissioner shall investigate and in so doing, at any time may attempt to settle the complaint.

(2) Upon receipt of a formal complaint pursuant to the Code, and where the Integrity Commissioner determines that the complaint meets the criteria to be investigated, the Integrity Commissioner may elect to conduct an informal investigation, which may include mediation, or alternatively to exercise the powers of a Commission under sections 33 and 34 of the *Public Inquiries Act, 2009* as contemplated by subsection 223.4(2) of the Act.

(3) When the *Public Inquiries Act, 2009* applies to an investigation of a complaint, the Integrity Commissioner shall comply with the procedures specified in that Act and this Complaint Protocol, but, if there is a conflict between a provision of the Complaint Protocol and a provision of the *Public Inquiries Act, 2009* the provision of the *Public Inquiries Act, 2009* prevails.

5. (1) The Integrity Commissioner will proceed as follows, except where otherwise required by the *Public Inquiries Act, 2009*:

(a) serve the complainant and supporting material upon the Member whose conduct is in question with a request that a written response to the allegation by way of affidavit or otherwise be filed within ten business days; and

(b) serve a copy of the response provided upon the complainant with a request for a written reply within ten business days.

(2) If necessary, after reviewing the written materials, the Integrity Commissioner may speak to anyone relevant to the complaint, access and examine any of the information described in subsections 223.4(3) and (4) of the *Municipal Act*, and may enter any City work location relevant to the complaint for the purposes of investigation and settlement.

(3) The Integrity Commissioner shall not issue a report finding a violation of the Code on the part of any Member unless the Member has had reasonable notice of the basis for the proposed finding and any recommended penalty and an opportunity either in person or in writing to comment on the proposed finding and any recommended penalty.

(4) The Integrity Commissioner may make interim reports to Municipal Council where necessary and as required to address any instances of interference, obstruction or retaliation encountered during an investigation.

(5) If the Integrity Commissioner has not completed an investigation before Nomination Day for a regular election, as set out in the *Municipal Elections Act, 1996*, the Integrity Commissioner shall terminate the inquiry on that day.

If an investigation is terminated in accordance with subsection 223.4(7) of the *Municipal Act, 2001*, the Integrity Commissioner shall not commence another inquiry in respect to the matter unless, within six weeks after Voting Day in a regular election, the complainant who made the request or the Member or former Member whose conduct is concerned makes a written request to the Integrity Commissioner that the investigation be commenced.

(6) The Integrity Commissioner shall retain all records related to the complaint and investigation.

Integrity Commissioner Investigation - Sections 6 – 9

6. Notwithstanding any other provisions of this Protocol, in the year of a regular election the following rules apply during the period starting on Nomination Day for a regular election, as set out in section 31 of the *Municipal Elections Act, 1996* and ending on Voting Day in a regular election, as set out in section 5 of the Act:

(i) there shall be no requests for an inquiry about whether a Member has contravened the Code applicable to the Member;

(ii) the Integrity Commissioner shall not report to the municipality about whether in their opinion, a Member has contravened the Code applicable to the Member; and,

(iii) the municipality shall not consider whether to impose penalties referred to in subsection 223.4(5) of the *Municipal Act, 2001*, on a Member.

7. (1) The Integrity Commissioner shall report to the complainant and the Member generally no later than 90 days after the intake process has been completed and an investigation has been commenced. If the investigation process takes more than 90 days, the Integrity Commissioner shall provide an interim report and must advise the parties of the date the report will be available.

(2) Where the complaint is sustained in whole or in part, the Integrity Commissioner shall also report to Municipal Council outlining the findings, the terms of any settlement or recommended penalty. The City Clerk shall process the report for the next meeting of Municipal Council.

(3) Any recommended corrective action must be permitted in law and shall be designed to ensure that the inappropriate behavior or activity does not continue.

(4) Where the complaint is dismissed, other than in exceptional circumstances, the Integrity Commissioner shall not report to Municipal Council except as part of a semi-annual or other periodic report.

8. If the Integrity Commissioner determines that there has been no contravention of the Code or that a contravention occurred although the Member took all reasonable measures to prevent it, or that a contravention occurred that was trivial or committed through inadvertence or an error of judgment made in good faith, the Integrity Commissioner shall so state in the report and shall recommend that no penalty be imposed.

9. Notwithstanding any other provision of this Protocol, the Integrity Commissioner shall not make any report to Municipal Council or to any other person during the period of time starting on Nomination Day and ending on Voting Day in any year in which a regular municipal election will be held, as set out in the *Municipal Elections Act, 1996*.

Municipal Council Review – Section 10

10. (1) Municipal Council shall consider and respond to the report within 90 days after the day the report is laid before it.

(2) Municipal Council shall not consider whether to impose sanctions on a Member, where the Integrity Commissioner makes a report to the Municipal Council regarding a contravention of the Code, during the period of time starting on Nomination Day and ending on Voting Day in a year in which a regular election will be held, as set out in the *Municipal Elections Act, 1996*.

(3) In responding to the report, Municipal Council may vary a recommendation that imposes a penalty, subject to section 223.4, subsection (5) of the *Municipal Act, 2001*, but shall not refer the recommendation other than back to the Integrity Commissioner.

(4) Upon receipt of recommendations from the Integrity Commissioner, Municipal Council may, in circumstances where the Integrity Commissioner has determined there has been a violation of the Code impose either of two penalties:

(a) a reprimand; or

(b) suspension of the remuneration paid to the member in respect of his/her services as a Member of Council or a local board, as the case may be, for a period of up to 90 days.

(5) The Integrity Commissioner may also recommend that Municipal Council impose one of the following sanctions:

(a) written or verbal public apology;

(b) return of property or reimbursement of its value or of monies spent;

- (c) removal from membership of a committee; and,
- (d) removal as a chair of a committee.

(6) The Integrity Commissioner has the authority to apply sections 5, 5.1 and 5.2 of the *Municipal Conflict of Interest Act* and investigate complaints or initiate an investigation of suspected violations of the Act. If the Integrity Commissioner determines that a violation has occurred, the Integrity Commissioner may apply to a judge for determination of the questions of whether the member has contravened sections 5, 5.1 or 5.2 of the Act.

Confidentiality – Section 11

11. (1) A complaint will be processed in compliance with the confidentiality requirements in sections 223.5 and 223.6 of the *Municipal Act*, which are summarized in the following subsections.

(2) The Integrity Commissioner and every person acting under her or his instructions shall preserve secrecy with respect to all matters that come to his or her knowledge in the course of any investigation except as required by law in a criminal proceeding.

(3) All reports from the Integrity Commissioner to Council will be made available to the public.

(4) Any references by the Integrity Commissioner in a semi-annual or other periodic report to a complaint or an investigation shall not disclose confidential information that could identify a person concerned.

(5) The Integrity Commissioner, in a report to Council on whether a member has violated the Code, shall only disclose such matters as in the Integrity Commissioner's opinion are necessary for the purposes of the report.

Bill No. 358
2021

By-law No. CPOL.-396()-___

A by-law to amend By-law No. CPOL.-396-7, being “Respectful Workplace Policy (Anti-Harassment/ Anti-Discrimination)”, to add clarifying language.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to amend By-law No. CPOL.-396-7, being “Respectful Workplace Policy (Anti-Harassment/ Anti-Discrimination)”, be amended to add clarifying language;

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

1. By-law No. CPOL.-396-7, being “Respectful Workplace Policy (Anti-Harassment/ Anti-Discrimination)”, is hereby amended by deleting Schedule “A” to the By-law in its entirety and by replacing it with the attached new Schedule “A”.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021



London
CANADA

Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination)

Policy Name: Respectful Workplace Policy (Anti-Harassment/Anti-Discrimination)

Legislative History: Replaces Workplace Harassment and Discrimination Prevention Policy Enacted September 19, 2017 (By-law No. CPOL.-155-407) and amended July 24, 2019 (By-law No. CPOL.-155(a)-384); Adopted December 10, 2019, in force and effect March 1, 2020 (By-law No. CPOL.-396-7); Amended August 10, 2021 (By-law No. CPOL.-____)

Last Review Date: August 10, 2021

Service Area Lead: Director, People Services

1. Policy Statement

- 1.1 The Corporation of the City of London (“City”) is committed to providing a safe and supportive workplace in which the diversity, dignity, and perspectives of all individuals are valued and respected.
- 1.2 Harassment and discrimination in the workplace are prohibited by law. Under Ontario’s [Human Rights Code](#), every person has a right to equal treatment in employment without discrimination and the right to be free from harassment in the workplace. Workplace measures to prevent and address workplace harassment are also required by the [Occupational Health and Safety Act](#).
- 1.3 The City will not tolerate, ignore, or condone harassment, discrimination, or reprisal of any of its employees in the workplace by anyone, including other employees, elected officials, members of the public, customers/clients, volunteers, contractors, and consultants. Workplace harassment, discrimination, and reprisal are serious forms of misconduct that may result in corrective and and/or disciplinary actions, up to and including termination of employment.

2. Definitions

The following definitions are intended to assist employees in understanding terms referenced in this policy. To the extent definitions may not be identical to legal definitions, they shall be interpreted and applied in accordance with applicable legislation, including the *Human Rights Code* and *Occupational Health and Safety Act*.

- 2.1 **Discrimination** – Actions or behaviours that result in unfavourable treatment or which have a negative impact on an individual or group because of one or more of the prohibited grounds listed in the *Human Rights Code*. Discrimination may be intentional or unintentional. It may involve direct actions that are outright discriminatory, or it may involve rules, practices or procedures that appear neutral, but disadvantage certain groups of people.
- 2.2 **Disrespectful Behaviour** – Failing or refusing, through words or actions, to treat others in a professional, courteous, civil, dignified, fair, and equitable manner.
- 2.3 **Harassment** – Engaging in offensive, hurtful, upsetting, or embarrassing comment or conduct that a person knows or ought reasonably to know is unwelcome. The fact that a person does not explicitly object to harassing behaviour, or appears to be going along with it, does not mean the behaviour is welcomed, consented to, or is not harassing. Harassment usually involves more than one incident or a pattern of behaviour, but a single incident may be sufficiently serious, offensive, or harmful to constitute harassment.

Harassment may be:

- a) **Personal** – directed at an individual(s) but not based on any prohibited ground listed in the *Human Rights Code*; or
- b) **Code-based** – based on one or more of the prohibited grounds listed in the *Human Rights Code*. Code-based harassment is also a form of discrimination.

Harassment of a worker in the workplace, including sexual harassment of a worker in a workplace, is collectively referred to as “workplace harassment” for the purposes of the *Occupational Health and Safety Act*.

2.4 **Poisoned Work Environment** – A hostile, humiliating, or uncomfortable workplace that is created by comments or conduct (including comments or conduct that are condoned or allowed to continue when brought to the attention of management) that intimidate, demean, or ridicule a person or group. The comments or conduct need not be directed at a specific person, and may be from any person, regardless of position or status. A single comment or action, if sufficiently serious, may create a poisoned work environment. Pornography, pin-ups, offensive cartoons, insulting slurs or jokes, and malicious gossip are examples of comments and conduct that can “poison the workplace” for employees.

2.5 **Prohibited Grounds** – The *Human Rights Code* prohibits harassment and discrimination in employment based on one or more of the following grounds:

- race
- ancestry
- place of origin
- colour
- ethnic origin
- citizenship
- creed (religion, including atheism)
- sex (includes pregnancy and breast feeding)
- sexual orientation
- gender identity
- gender expression
- age
- record of offences (criminal conviction for a provincial offence or for an offence for which a pardon has been received)
- marital status (includes married, single, widowed, divorced, separated, living together in a conjugal relationship outside of marriage, whether in a same-sex or opposite sex relationship)
- family status (such as being in a parent-child relationship)
- disability (includes mental, physical, developmental, or learning disabilities)
- association or relationship with a person identified by one of the listed grounds
- perception that one of the listed grounds applies, whether or not it actually does

2.6 **Reprisal** – Any act of retaliation or revenge against a person for:

- Raising a concern or making a complaint under this policy (whether on their own behalf or on behalf of another)
- Participating or cooperating in an investigation or other complaint resolution process under this policy
- Associating with or assisting a person identified in the above bullets

2.7 **Sexual Harassment** – Harassment based on sex, sexual orientation, gender identity, or gender expression and includes:

- Engaging in offensive, hurtful, upsetting, or embarrassing comment or conduct because of sex, sexual orientation, gender identity or gender

expression that a person knows or ought reasonably to know is unwelcome;

- Making a sexual solicitation (i.e., request) or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement and the person knows or ought reasonably to know that the solicitation or advance is unwelcome; and
- Retaliating against or threatening to retaliate against an individual for the rejection of a sexual solicitation or advance where the retaliation or threat of retaliation is by a person in a position to confer, grant or deny a benefit or advancement to the individual.

Sexual harassment of a worker in the workplace is referred to as “workplace sexual harassment” for the purposes of the *Occupational Health and Safety Act*.

2.8 **Supervisor** – When referenced in this policy means a management supervisor.

2.9 **Workplace** – Includes all sites, facilities, and other locations where the business, work, or social activities of the City take place. (See also the Applicability section below).

3. **Applicability**

3.1 This policy applies to:

- All City employees, including full-time, part-time, temporary, probationary, and casual employees
- Elected officials
- Volunteers (including members of Advisory Committees, Special Committees and Task Forces)
- Interns and students on placements
- Contractors and consultants acting on behalf of the City

3.2 Members of the public, including visitors to City facilities and individuals accessing services or conducting business with the City, are expected to adhere to the standards of conduct set out in this policy, including refraining from workplace harassment and discrimination of employees, elected officials, and persons acting on behalf of the City.

3.3 This policy applies at all City workplaces, whether during or outside of normal working hours and whether at or away from the worksite. This includes:

- All City facilities and worksites
- All City vehicles
- Any other location where City employees are performing work-related duties or carrying out responsibilities on behalf of the City, including work-related travel and off-site meetings, conferences, seminars, and training.
- Locations at which work-related social functions take place, including formal events officially sanctioned by the City and informal after-work social gatherings where behaviours could have an impact on the workplace.
- Social media sites (e.g., Facebook, Twitter, Instagram, etc.) and internet sites, where posts may be connected to the workplace or could have an impact on the workplace or working relationships.

3.4 This policy also applies to communications by telephone, cell phone, email, text message, or other electronic instant messaging platforms where the communication may be connected to the workplace or have an impact on the workplace or working relationships, whether the computer, phone, or other electronic device used to make the communication is a personal or -corporate-issued device.

4. The Policy

4.1 Purpose

The purpose of this policy is to:

- a) Set expectations and standards of behaviour for a respectful, safe, and supportive workplace.
- b) Define behaviours that may be offensive and prohibited by law and/or this policy.
- c) Clarify roles and responsibilities with respect to interpersonal behaviour in the workplace.
- d) Outline measures to prevent and address prohibited behaviour, including harassment, discrimination, and reprisal.
- e) Address the City's obligations under applicable employment laws, including the *Human Rights Code* and *Occupational Health and Safety Act*.

4.2 Expected Behaviour

- a) Employees will interact with one another, members of the public, and all others in the workplace in a professional, courteous, civil, dignified, fair, and equitable manner.

4.3 Prohibited Behaviour

The following behaviours are prohibited in the workplace:

- Disrespectful Behaviour
- Discrimination
- Harassment (Personal and Code-based), including Sexual Harassment
- Reprisal

See [Appendix A](#) for examples of the prohibited behaviours listed above.

4.4 Roles and Responsibilities

- a) Creating and maintaining a respectful workplace is a shared responsibility. Every individual to whom this policy applies, as well as individuals who attend at City workplaces, or who access services or conduct business with the City, are expected and required to abide by the standards of behaviour set out in this policy.
- b) Employees who are subjected to or witness prohibited behaviour in the workplace should consult the Respectful Workplace Dispute Resolution and Complaint Procedures ("[Resolution/Complaint Procedures](#)" – [Appendix B](#)) which outline various options available to address and resolve such behaviour.

4.4.1 All Employees

Every employee has a responsibility to create and maintain a respectful workplace. This includes to:

- a) Ensure words and actions are consistent with this policy.
- b) Raise concerns as soon as possible of prohibited behaviour.
- c) Accept responsibility for their workplace behaviours and their impact on others.
- d) Cooperate in investigations and handling of alleged prohibited behaviour upon request.
- e) Maintain confidentiality related to investigations of alleged prohibited behaviour.
- f) Participate in training associated with this policy.

4.4.2 Managers/Supervisors

Managers and supervisors have additional responsibilities to create and maintain respectful workplaces and must act immediately on observations or allegations of prohibited behaviour.

A manager or supervisor may be held responsible if they are aware of an incident of prohibited behaviour but do not take steps to resolve or address it.

Managers and Supervisors must:

- a) Ensure work-related practices/procedures in their areas are free from barriers and do not discriminate against groups or individuals.
- b) Set a good example by ensuring their own words and conduct adhere to this policy.
- c) Be aware of what constitutes prohibited behaviour and the procedures in place for addressing and resolving such behaviour.
- d) Act promptly to address observations or allegations of prohibited behaviour.
- e) Consult and work cooperatively with Human Rights and People Services as needed.
- f) Keep a detailed record of any violations of this policy and corrective actions taken and report this information to Human Rights as required.
- g) Support training and awareness activities related to this policy.
- h) Ensure this policy is distributed and posted in a location that is easily accessible by all employees and any other individuals who enter the workplace and ensure contractors and consultants who enter the workplace are aware of this policy.
- i) Implement disciplinary/corrective actions and workplace restoration measures as required.
- j) Monitor the workplace where prohibited behaviour has occurred to ensure it has stopped.
- k) Provide appropriate support to all those in their work area affected by prohibited behaviour, including witnesses.

4.4.3 Non-management Supervisors

Non-management supervisors must likewise set a good example by ensuring their behaviour complies with this policy and must report all observations, concerns, and/or complaints of prohibited behaviour to their supervisor/manager or Human Rights immediately to be addressed in accordance with the Resolution/Complaint Procedures (Appendix B).

4.4.4 Enterprise Supports Service Area

4.4.4.1 Human Rights Division (Human Rights)

The focus of Human Rights is to assist in preventing, correcting, and remedying prohibited behaviours. Human Rights does not advocate for, act on behalf of, or represent any party in a dispute (complainant, respondent, or management). All complaints to Human Rights will be dealt with in an unbiased manner.

Human Rights is responsible for:

- a) Reviewing and recommending updates to this policy.
- b) Providing information to employees, including to managers and supervisors, regarding this policy and the various options available for raising, addressing, and resolving concerns and complaints of prohibited behaviour.
- c) Making referrals to agencies for counselling and assistance when required.
- d) Receiving complaints, including conducting intakes.
- e) Recommending appropriate interim measures, and complaint resolution and investigation options.
- f) Conducting independent investigations.
- g) Assisting in implementing resolutions of complaints.
- h) All tracking of concerns and complaints under this policy.

4.4.4.2 People Services Division (People Services)

People Services is responsible for:

- a) Removing barriers in hiring and employment policies, practices, and procedures that may have the effect of discriminating against groups or individuals.
- b) Reporting all complaints of prohibited behaviour to Human Rights, including grievances alleging harassment, discrimination and/or reprisal filed under a collective agreement.
- c) Consulting with Human Rights as required with respect to alleged prohibited behaviour.
- d) Ensuring this policy is distributed and posted in a location that is easily accessible by all employees and any other individuals who enter the workplace and ensure contractors and consultants who enter the workplace are aware of this policy.
- e) Providing training on this policy and related practices and procedures.
- f) Providing support to managers and supervisors in responding to and addressing matters under this policy.
- g) Making referrals to agencies for counselling and assistance where required.

4.4.4.3 Emergency Management and Security Division (Security)

The focus of Security is to protect and promote the safety and security of City workplaces, employees, and the public by assisting in preventing and addressing prohibited behaviours where safety may be at risk. Security is responsible for:

- a) Providing advice and assistance to address concerns and complaints of prohibited behaviour against a member of the public or where the physical safety of employees or others may be at risk.
- b) Making referrals to agencies for counselling and assistance when required.
- c) Receiving complaints alleging a member of the public has engaged in prohibited behaviour, including conducting intakes and determining appropriate interim measures.
- d) Determining informal actions and conducting independent investigations of complaints of prohibited behaviour against a member of the public.
- e) Consulting and working cooperatively with Human Rights and People Services as required.
- f) Recommending and implementing appropriate corrective action involving members of the public when required.
- g) Reporting prohibited behaviour by members of the public and corrective actions taken to Human Rights as required.

4.4.5 Respectful Workplace Ombudsperson (RWO)

The RWO is available as a neutral and confidential resource for employees to obtain information regarding their rights and obligations under this policy. The RWO advocates for fair and transparent processes under this policy and related practices and procedures but does not act as an advocate for or provide legal advice to individuals.

The RWO will:

- a) Receive and respond on a confidential basis to questions from employees regarding this policy.
- b) Provide assistance to employees as they proceed through the Resolution/Complaint Procedures.
- c) Review complaints from employees related to processes and procedures undertaken by the City under this policy and make recommendations to the City Manager for improvements.
- d) Report annually to the City Manager about their interactions with

employees related to this policy and identify themes and potential options for action and improvement.

4.4.6 Joint Health and Safety Committees

The City's Joint Health and Safety Committees will be consulted and may provide input and feedback with respect to the implementation and maintenance of this policy and related processes and procedures in accordance with the *Occupational Health and Safety Act*.

4.4.7 Unions/Associations

Union/Association officials are available for confidential consultation and to provide representation to both complainants and respondents if they are Union/Association members. Union/Association officials can also make a referral to agencies for counselling and assistance where required.

4.4.8 Community Agencies

Community agencies are available to provide confidential advice to individuals affected by complaints.

4.5 Communication

- a) This policy shall be posted on the City's website, City's intranet, and in the City's workplaces.

4.6 Respectful Workplace Training

- a) Employees, elected officials, interns, and students on placement, will receive mandatory training on this policy upon assuming their respective roles in the workplace. Thereafter, as appropriate, they will receive refresher or in-service training with respect to specific rights and/or obligations arising from the *Human Rights Code* and/or the *Occupational Health and Safety Act* and will be reminded of the complaint mechanisms to enforce those rights and any substantial changes.

4.7 Policy Review Process

- a) The City is committed to continuing to enhance its respectful workplace policies, practices, and procedures. This policy will be reviewed as often as necessary, but at least annually, to ensure it remains current and is appropriately implemented. Employees and their representatives are encouraged to provide input and feedback to Human Rights, People Services, or the RWO.

4.8 Policy Implementation

- a) Implementation of this policy will be in accordance with applicable Council and/or City by-laws, policies and procedures, legislation, and collective agreement provisions.

4.9 Related Resources

- [Accommodation of Employees with Disabilities Procedure](#)
- [Code of Conduct for Members of Council](#)
- [Formal Investigation Process](#)
- [General Policy for Advisory Committees](#)
- Public Conduct Administrative Practice
- [Rzone Policy](#)
- [Time Off for Religious Observances Guideline](#)
- [Use of Technology Administrative Procedure](#)
- [Workplace Violence Prevention Policy](#)
- [Criminal Code](#)
- [Municipal Freedom of Information and Protection of Privacy Act](#)
- [Occupational Health and Safety Act](#)
- [Ontario Human Rights Code](#)

Appendix A: Examples of Prohibited Behaviours

The following are some examples of the prohibited behaviours listed in Section 4.3 above.

Disrespectful Behaviour

Examples could include:

- Teasing or joking that intimidates, embarrasses, or humiliates
- Belittling and use of profanity
- Using sarcasm or a harsh tone
- Deliberately expressing or exhibiting disinterest when an employee is speaking
- Spreading gossip or rumours that damage one's reputation
- Condescending or patronizing behaviour
- Actions that invade privacy or one's personal workspace
- Deliberately excluding an employee from basic civilities (e.g., saying "good morning"), relevant work activities, or decision making

Any of the behaviours listed above could also constitute discrimination (if based on one or more of the prohibited grounds) or harassment (if the behaviour is repeated, occurs in combination with other prohibited behaviours, or is severe).

Discrimination

If based on one or more of the prohibited grounds, examples could include:

- Excluding an employee from workplace activities
- Refusing to work with another employee
- Denial of hiring, promotion, work assignment, career development or training
- Failing or refusing to accommodate short of undue hardship
- Denial of services to any individual or group of individuals

Harassment

Examples of **Personal Harassment** could include:

- Angry shouting/yelling
- Abusive or violent language
- Physical, verbal, or e-mail threats or intimidation
- Aggressive behaviours (e.g., slamming doors, throwing objects)
- Targeting individual(s) in humiliating practical jokes
- Excluding, shunning, or impeding work performance
- Negative blogging or cyberbullying
- Retaliation, bullying, or sabotaging
- Unreasonable criticism or demands
- Insults or name calling
- Public humiliation
- Communicating via any means (e.g., verbal, electronic mail, voice mail, print, social media posts, or radio) that is demeaning, insulting, humiliating, or mocking

Examples of **Code-based Harassment** could include (if based on one or more of the prohibited grounds):

- Insulting, offensive, humiliating or mocking remarks, gestures, jokes, slurs, or innuendos.
- Name calling, including using derogatory or offensive terms or language.
- Refusing to work or interact with an employee.
- Attaining, viewing, retaining, or distributing insulting, derogatory, or offensive information from the internet or other sources.
- Vandalism of an individual's property.
- Interference with a person's ability to perform their work responsibilities.

- Offensive, derogatory, insulting, or demeaning communication via any means (e.g., verbal, electronic mail, voice mail, print, social media posts, or radio).
- Displaying pictures, graffiti or other materials that are derogatory or offensive.

Harassment Does Not Include:

- Reasonable performance of management or supervisory functions, including:
 - performance/probation reviews/appraisals
 - performance management (including coaching, counselling, discipline)
 - organizational changes/restructuring
 - shift/vacation scheduling
 - work direction
 - work assignments/work location
- Occasional disagreements or personality conflicts between co-workers.
- Stressful events encountered in the performance of legitimate duties.
- A single comment or action unless it is serious and has a lasting harmful effect.

Sexual Harassment

Examples could include:

- Comments, jokes, slurs, innuendos or taunting about a person's body, attire, sex, sexual orientation, gender identity, or gender expression.
- Comments or conduct of a sexual nature (verbal, written, physical).
- Jokes of a sexual nature which cause awkwardness or embarrassment.
- Negative stereotypical comments based on gender, sex, or sexual orientation.
- Gender related comments about an individual's physical characteristics or mannerisms.
- Displaying or distributing pornographic pictures or other offensive material.
- Inappropriate touching, gestures, leering, staring or sexual flirtations.
- Sexual assault (also an offence under the [Criminal Code](#)).
- Persistent unaccepted solicitations for dates (including unwelcome contact subsequent to the end of an intimate relationship).
- Unwelcome solicitation(s) made by a person in a position to confer or deny a workplace benefit or advancement on the recipient.
- Unwelcome comments or questions about a person's sex life.

Reprisal

Examples could include:

- Issuing discipline, changing work location or hours, demoting, denying of advancement or promotional opportunities, or threatening to carry out such actions if done as an act of retaliation or revenge.
- Bullying, threats, or other intimidating behaviour.
- Making false allegations of workplace misconduct.
- Pressuring an individual to withdraw or change a complaint or witness statement.

Appendix B: Respectful Workplace Dispute Resolution and Complaint Procedures

1. Purpose

These procedures are intended to:

- a) Outline internal options available for employees to raise concerns of prohibited behaviour for resolution and/or investigation.
- b) Inform managers and supervisors of actions required to address concerns and complaints of prohibited behaviour.
- c) Inform employees of what they can expect to occur in the event they raise a concern of prohibited behaviour, or are a witness to, or accused of such behaviour.
- d) Inform employees of available supports to assist them in raising concerns of prohibited behaviour or in the event they are accused of or witness such behaviour.
- e) Outline actions that will be taken to prevent, correct, and remedy incidents of prohibited behaviour.

2. Definitions

For the purposes of these procedures,

- 2.1 **Complainant** – A person(s) alleging they have been subjected to prohibited behaviour under this policy.

Note: Complaints of prohibited behaviour will be accepted from any source that provides reasonable grounds for concern (e.g., witnesses, unions/associations, or other third parties). These individuals will not be considered “complainants” for the purpose of these Resolution/Complaint Procedures or the City’s [Formal Investigation Process](#).

- 2.2 **Prohibited Behaviour** – Behaviour in the workplace that is prohibited by this policy (see Policy, Section 4.3 above).

- 2.3 **Respondent** – The person(s) who is alleged to have engaged in prohibited behaviour.

- 2.4 **Respectful Workplace Response Team** – Shall be comprised of the City Manager, relevant Deputy City Manager, Director, People Services, or their designate(s), and a member of the City Solicitor’s Office.

3. Complaints Involving the City Manager/Deputy City Managers/Director, People Services/Human Rights Intake Administrator

- a) Complaints received through these Resolution/Complaint Procedures alleging the City Manager has engaged in prohibited conduct (alone or in conjunction with another respondent(s)) shall be forwarded to the Director, People Services or the City Solicitor as soon as possible. Upon receipt of a complaint, the Director, People Services or the City Solicitor will immediately refer the complaint to an external third party.
- b) Complaints received through these Resolution/Complaint Procedures alleging a Deputy City Manager, the Director, People Services, or the Human Rights Intake Administrator (alone or in conjunction with another respondent(s) other than the City Manager) has engaged in prohibited behaviour shall be forwarded to the City Manager as soon as possible. Upon receipt of a complaint, the City Manager will immediately refer the complaint to an external third party.
- c) The external third party will perform all the functions assigned to People Services and/or Human Rights as described in this procedure and the Formal Investigation Process.
- d) In the case of the City Manager, if the external third party determines that a formal investigation is required, they will provide the investigation report

and their recommendations, if any, to the Committee designated by the Municipal Council to deal with such matters. The Committee, after consultation with the external third party and such other external and/or internal resources as appropriate and required (e.g., external legal counsel, member of the City Solicitor's Office, Director, People Services), shall make recommendations to the Municipal Council relating to corrective and/or disciplinary actions, and the Municipal Council shall consider, adopt, or otherwise deal with the recommendations from the Committee.

- e) In the case of a Deputy City Manager, Director, People Services, and the Human Rights Intake Administrator, if the external third party determines that a formal investigation is required, they will provide the investigation report and their recommendations, if any, to the City Manager. The City Manager, after consultation with such other external and/or internal resources as appropriate and required (e.g., external legal counsel, member of the City Solicitor's Office, Director, People Services) will determine or, where required, will recommend to the Committee designated by the Municipal Council to deal with such matters, appropriate corrective and/or disciplinary action.

In all other respects, the Resolution/Complaint Procedures below will apply to the processing of the complaint.

4. Complaints Involving a Member of Council (Including the Mayor)

- a) Complaints received through these Resolution/Complaint Procedures alleging a Member of Council has engaged in prohibited conduct shall be forwarded to the Director, People Services as soon as possible. In the event the Director, People Services, determines that a formal investigation of the complaint is required, they will immediately refer the complaint to the Integrity Commissioner to conduct an investigation in accordance with the Integrity Commissioner's procedures. Where such a request is made to the Integrity Commissioner, the Director, People Services shall be the complainant for the purposes of the Integrity Commissioner's procedures.
- b) Where the Integrity Commissioner conducts an investigation, the Integrity Commissioner will provide results to the Director, People Services in accordance with the Integrity Commissioner's procedures. Based on the Integrity Commissioner's reporting, the Director, People Services will provide the complainant with a written summary of the findings.
- c) Where there are findings of a violation of this policy, the Director, People Services will refer the findings to the Respectful Workplace Response Team to implement appropriate corrective action to ensure the behaviour stops in accordance with section 7.4 below.
- d) As noted in Section 7.10 below, other complaint avenues for raising concerns of prohibited behaviour by a Member of Council may be available, including directly to the Integrity Commissioner as provided for in the [Code of Conduct for Members of Council](#).

In all other respects, the Resolution/Complaint Procedures below will apply to the processing of the complaint.

5. Complaints Involving Members of the Public Attending at City Workplaces and/or Accessing City Services

- a) The Director, Emergency Management and Security, or designate, in addition to the individuals listed in sections 6.1 and 6.2 below, is available to provide advice, guidance and assistance to employees and supervisors/managers regarding available options to raise and resolve concerns of prohibited behaviour by a member of the public.
- b) The Director, Emergency Management and Security, or designate, in consultation with Human Rights as needed, may also determine an

appropriate informal course of action that may effectively resolve a complaint against a member of the public in a timely and fair manner as outlined in section 6.3 below. All findings of harassment, discrimination, and/or reprisal determined through informal action, as well as any corrective actions taken, shall be reported to Human Rights.

- c) In addition to the Director, People Services and in accordance with section 6.5 below, the Director, Emergency Management and Security or designate, in consultation with Human Rights as needed, may determine that further inquiry into a complaint of prohibited conduct against a member of the public is necessary and, if so, a formal investigation of the matter will be conducted in accordance with the City's Formal Investigation Process.
- d) Where there are findings of a violation of this policy, corrective action shall be determined in accordance with section 7.4 below.
- e) The Director, Emergency Management and Security or designate, shall report all findings of harassment, discrimination, and/or reprisal determined through formal investigation, as well as any corrective actions taken, to Human Rights.

In all other respects, the Resolution/Complaint Procedures set out below will apply to the processing of a complaint against a member of the public.

6. Resolution/Complaint Procedures

- a) There are a number of internal options available to raise and resolve concerns of prohibited behaviour under this policy, including:
 - 1) Consultation – Obtaining Advice and Assistance
 - 2) Individual Action – Talking to the Respondent
 - 3) Informal Action – Dispute Resolution without Formal Investigation
 - 4) Mediation
 - 5) Formal Investigation
- b) Whether all options are available or appropriate in a particular case will depend on the nature of the concerning behaviour and/or the parties involved. In all cases, concerns should be raised and addressed as soon as possible. Where appropriate, and especially when raised right away, individual, or informal actions can bring about a quick resolution and prevent escalation of workplace disputes.

6.1 Consultation – Obtaining Advice and Assistance

- a) Employees who believe they have witnessed or been subjected to prohibited behaviour may benefit from having access to information and advice before deciding how to proceed with a concern. Employees may consult any member of management or Human Rights or People Services staff. These individuals have responsibility to take action to resolve and stop prohibited behaviour (see Roles and Responsibilities – Policy, Section 4.4). They can provide advice, assistance, coaching, and referrals to assist employees in addressing the dispute themselves where appropriate to do so. Depending on the nature and circumstances of the concern raised, these individuals may be obligated to initiate an investigation even if the complainant does not wish to pursue that option.
- b) The RWO is also available to provide neutral, confidential advice and information regarding available resolution and complaint options (see Policy, Section 4.4.5).
- c) Employees who are members of a bargaining unit may also consult their Union/Association representative.

6.2 Individual Action – Talking to the Respondent

- a) If an employee believes they are being subjected to prohibited behaviour

and there are no immediate health or safety concerns, it is recommended the respondent be told as soon as possible that their behaviour is unwelcome and must stop.

- b) It is not necessary for the employee to advise the respondent directly. The communication may be done verbally, via e-mail, transcribed, or other suitable means. It is recommended that if the communication is done verbally, what was said, as well as the date, time, and place, be documented. Human Rights and People Services staff, a Union/Association representative, any member of management, or a trusted friend may assist.
- c) It is recommended that the complainant maintain a detailed record of incidents of prohibited behaviour, including the number of occurrences, date(s), time(s), place(s), nature of the offensive behaviour(s), names of individuals who may have observed the incidents and all actions taken.
- d) If addressing the respondent directly could raise health or safety risks, escalate the dispute, or is not appropriate, complainants may take other resolution options outlined in these procedures.

6.3 Informal Action – Dispute Resolution without Formal Investigation

- a) If individual action is not appropriate or if the prohibited behaviour continues after asking the person to stop, the employee shall advise their manager/supervisor or Human Rights of their complaint, preferably in writing. Where the employee's manager/supervisor is involved in the complaint, the employee may advise a more senior member of management. Managers and supervisors will report all complaints of behaviour that may constitute harassment, discrimination, or reprisal to Human Rights as soon as possible. When uncertain, managers/supervisors should consult Human Rights for guidance.
- b) Where the prohibited behaviour alleged is not harassment, discrimination, or reprisal, the manager or supervisor in consultation with Human Rights, as needed, and with the parties to the dispute, if appropriate, may determine an appropriate informal course of action that will effectively resolve the complaint in a timely and fair manner without the need for formal investigation. If the prohibited behaviour warrants disciplinary action, the supervisor or manager must consult with Human Rights or People Services staff before issuing discipline. The manager or supervisor shall document and report to Human Rights any informal action taken, including any corrective/disciplinary action(s) implemented, to resolve the complaint.
- c) Where the alleged prohibited behaviour may constitute harassment, discrimination, or reprisal, the Director, People Services, or designate, in consultation with Human Rights, and with the complainant if appropriate, will determine whether an informal course of action may be appropriate.
- d) Circumstances in which an informal course of action may be appropriate include the following:
 - i) Where the alleged misconduct is minor in nature.
 - ii) Where all the facts necessary for resolution are known without the need for further inquiry.
 - iii) Where no other resources or special expertise are required for an impartial and timely resolution.
 - iv) Where the alleged misconduct is acknowledged by the respondent, the parties to the complaint are in agreement as to how to effectively resolve the issues, and the agreed upon resolution is acceptable to the appropriate manager(s) and the Director, People Services or designate.

Informal action may include, among other actions:

- i) Consulting, advising, meeting with and/or interviewing those involved in the complaint (i.e., an informal review/investigation).
 - ii) Reviewing documentary evidence (e.g., emails).
 - iii) Communication of findings to the parties to the complaint and making recommendations to remedy concerns.
 - iv) A facilitated discussion to resolve the issues.
- e) The *Occupational Health and Safety Act* requires employers to conduct an investigation that is appropriate in the circumstances of all incidents and complaints of workplace harassment. Therefore, options for informal action that do not include investigation will not be available for complaints of workplace harassment until after an appropriate investigation has been completed.
 - f) Where there are findings of prohibited behaviour determined through informal action, communication of those findings will be in accordance with the Communication of Findings section of the City's Formal Investigation Process.

6.4 Mediation

- a) Mediation is a form of informal action. It is a voluntary process whereby the complainant and respondent meet with a trained mediator to determine whether the complaint can be resolved in a mutually satisfactory manner.
- b) Mediation is not appropriate in all circumstances. For example, when there are allegations of severe discrimination or harassment which, if substantiated, would result in disciplinary action, or where there are potential health or safety concerns. If the Director, People Services or designate, in consultation with Human Rights, deems mediation appropriate, it will be offered to the parties but will only be conducted with the consent of both the complainant and the respondent.
- c) It is preferable that mediation be attempted prior to a formal investigation but will remain available to the parties throughout the investigation process. Where workplace harassment is alleged, mediation will only be available, if deemed appropriate, after an investigation is completed as required by the *Occupational Health and Safety Act*.
- d) During the mediation process, the complainant and the respondent may, if desired, be accompanied by a Union/Association representative or a trusted friend.
- e) If a mediated settlement is reached, the terms of the settlement shall be reduced to writing and signed by the complainant, respondent, and the mediator. If the settlement requires any action on the part of the City, the agreement of the Director, People Services or designate will be required.
- f) Discussions at the mediation will be treated as carried out with a view to coming to a settlement. Discussions will be treated as privileged and confidential to the full extent permitted by law.

6.5 Formal Investigation

- a) If mediation or other informal options to resolve the complaint are not appropriate or are unsuccessful or where the Director, People Services or designate, in consultation with Human Rights, determines that further inquiry is necessary, a formal investigation into the matter will be conducted.
- b) Corporate-initiated Investigations: In circumstances where a complaint is made by someone other than the alleged victim, the City may conduct a formal investigation where the Director, People Services or designate, in consultation with Human Rights, deems it appropriate, including where allegations of harassment or discrimination warrant further

action/investigation or where the alleged victim does not wish to submit a complaint. The City may also conduct a formal investigation where there is information to suggest the existence of an outstanding specific or systemic problem in the workplace.

- c) Formal investigations and communication of the findings from such investigations will be conducted in accordance with the City's Formal Investigation Process.

7. General Provisions

7.1 Refusal to Act or Investigate

- a) The City may refuse to act or investigate or may discontinue an informal action or investigation where:
 - The behaviour alleged, if true, would not be a breach of this policy.
 - The complaint is anonymous and there is insufficient information to warrant any or further steps.
 - The complaint is vexatious or made in bad faith (see Section 7.5 below).
 - Another complaint avenue has been pursued or engaged regarding the same or a related concern/complaint.
 - Having regard to all of the circumstances, further investigation of the matter is unnecessary.

7.2 Interim Measures

- a) In certain circumstances such as where health or safety is at issue, it may be necessary to take immediate measures. In such a case, interim measures shall be determined by the Director, People Services, or designate, in consultation, where appropriate, with Human Rights, other members of the Respectful Workplace Response Team, Director, Emergency Management and Security, and/or the London Police Service. Interim measures may include relocating a party or placing a party on a non-disciplinary suspension with pay pending the resolution of the complaint or outcome of the investigation. The Director, Emergency Management and Security, or designate, in consultation, where appropriate, with Human Rights, other members of the Respectful Workplace Response Team, and/or the London Police Service, shall determine interim measures with respect to members of the public. The implementation of interim measures does not mean that conclusions have been reached relating to the allegations.

7.3 Support for Parties

- a) The City recognizes that involvement in a workplace investigation may be stressful and emotionally upsetting. Complainants, respondents, witnesses, and other affected employees may access the counselling services and support provided by the City's employee assistance provider. Additionally, complainants may wish to access counselling and support through outside agencies.
- b) Parties to a complaint also have the right to be accompanied by a support person of their choice during meetings relating to a complaint made pursuant to these procedures, including their Union/Association representative, if applicable, or a trusted friend (e.g., another manager if they are a management employee). Where the Human Rights Intake Administrator/investigator is of the opinion that the presence of the support person is inappropriate (e.g., they have a conflict) or is hindering the process, the relevant party may select another support person provided that doing so does not hinder or unduly delay the meeting/process.
- c) As these procedures are intended as an internal means of addressing prohibited behaviour outside of more formal legal proceedings, parties are not entitled to select legal counsel as their support person.

7.4 Corrective Action and/or Disciplinary Action

- a) Where a finding of a violation of this policy that does not constitute harassment, discrimination, or reprisal has been made, the applicable Division Manager, in consultation with the Director, People Services, or designate, will determine appropriate corrective and/or disciplinary actions.
- b) Where a finding of harassment, discrimination, or reprisal in violation of this policy has been made, the Respectful Workplace Response Team will determine appropriate corrective and/or disciplinary actions.
- c) Where it is determined that corrective or disciplinary action is to be taken against an employee of the City, such action may include the following:
 - An apology
 - Coaching or counselling
 - Education or training
 - Warning
 - Suspension or leave without pay
 - Demotion
 - Transfer
 - Termination of employment
- d) The appropriate manager or supervisor will implement corrective or disciplinary actions to be taken against an employee.
- e) Where it is determined that corrective action is to be taken against members of Council, volunteers (including members of Advisory Committees, Special Committees, and Task Forces), students on placements, contractors, consultants, members of the public, including City clients or customers, the City will take such corrective action as is reasonable in the circumstances and permitted by law to ensure the prohibited behaviour stops. This may include barring the person from City facilities or discontinuing business with contractors or consultants. The Director, Emergency Management and Security or designate will be consulted with respect to determining any corrective action to be taken against members of the public.
- f) The City may also implement any systemic remedies it deems appropriate.

7.5 Vexatious/Bad Faith Complaints

- a) Where it is determined that the complainant has made a vexatious or bad faith complaint or an individual makes allegations knowing them to be false, the Respectful Workplace Response Team will take appropriate corrective and/or disciplinary action which may include the same corrective and/or disciplinary actions noted above.
- b) A complaint is vexatious or made in bad faith if it is made for the purpose of annoying, embarrassing or harassing the respondent, out of spite or vindictiveness, or the complainant is engaging in improper behaviour such as fraud, deception, or intentional misrepresentation.
- c) A complaint that is made in good faith but is not substantiated does not constitute a vexatious or bad faith complaint.

7.6 Timing of Complaint

- a) A complaint under these procedures should be made as soon as possible after the prohibited behaviour occurred and no later than one year after the last incident occurred unless there are reasons why it was not possible to bring it forward sooner. Where failure to make a complaint in a timely fashion affects the ability of the City to conduct a full and complete investigation, the City may decline to deal with the complaint.

7.7 Timing of Completion of Actions/Investigation

- a) The City will complete any informal actions or formal investigations pursuant to these procedures in a timely manner and within three (3) months from the date of receiving a complaint/initiating an investigation, unless there are extenuating circumstances (e.g., illness, complex investigation) warranting a longer period. The Human Rights Intake Administrator/investigator, supervisor, or manager responsible for handling a complaint under these procedures will update the parties to the complaint on a regular basis (approximately every two to three weeks) as to the status of their complaint and anticipated next steps.

7.8 Confidentiality

- a) The administration of these procedures will be in accordance with the [Municipal Freedom of Information and Protection of Privacy Act](#) (“MFIPPA”). All complaints received under these procedures will be considered strictly confidential subject to the City’s obligation to safeguard employees, to conduct a thorough investigation, take appropriate corrective and/or disciplinary action, or to otherwise disclose information as required by law. The parties to the complaint and any witnesses are also expected to maintain confidentiality. Unwarranted breaches of confidentiality will result in corrective and/or disciplinary action.

7.9 Complaint Records

- a) Where an investigation results in corrective and/or disciplinary action against an employee, a record of such action will be placed in the employee’s People Services file. Where there is insufficient evidence to prove that prohibited conduct occurred, no record of the complaint shall be placed in the respondent’s People Services file.
- b) All records pertaining to enquiries and complaints under this policy will be kept in confidential storage separate from employees’ People Services files. All records will be subject to the provisions of *MFIPPA* as noted above.

7.10 Other Avenues of Complaint

- a) In addition to these internal resolution and complaint procedures, there may be other avenues available to pursue complaints of prohibited behaviour. Depending on the nature of the behaviour at issue and the parties involved, other complaint avenues may include an Application to the Human Rights Tribunal of Ontario, a complaint to the Ministry of Labour, an application to the Ontario Labour Relations Board, a civil action, a criminal complaint, a complaint to the Integrity Commissioner, and a grievance pursuant to the terms of an applicable collective agreement.
- b) These resolution/complaint procedures are not intended to interfere with or restrict employees’ rights to pursue any other available avenue(s) of complaint, including pursuant to the Ontario *Human Rights Code* and the *Occupational Health and Safety Act*. Where appropriate and/or required by law, the City will conduct its own independent investigation into the allegations and make its own determination in accordance with this policy even when another avenue of complaint is pursued. This includes circumstances where there may be a related criminal proceeding.

Bill No. 359
2021

By-law No. CPOL.-____-____

A by-law to repeal By-Law No. CPOL.-131-383, as amended, being “Leasing Parkland”, as this Policy has been incorporated into the Policy titled “Leasing and Licensing of City Owned Land”.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-131-383, as amended, being “Leasing Parkland”, as this Policy has been incorporated into the Policy titled “Leasing and Licensing of City Owned Land”, and the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-131-383, as amended, being “Leasing Parkland” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 360
2021

By-law No. CPOL.-____-____

A by-law to repeal By-Law No. CPOL.-138-390, being “Parkland Accounts”, as the Policy is redundant as the information is contained in other legislation or other policies.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-138-390, being “Parkland Accounts”, as the Policy is redundant as the information is contained in other legislation or other policies, and the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-138-390, being “Parkland Accounts” is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 361
2021

By-law No. CPOL.-__-__

A by-law to repeal By-Law No. CPOL.-233-50, as amended, being the Policy titled "Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London", as the Policy is redundant as the London Plan policies 1099A-1099F are now in force and effect.

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-233-50, as amended, being the Policy titled "Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London", because the Policy is redundant as the London Plan policies 1099A-1099F are now in force and effect, and the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-233-50, as amended, being the Policy titled "Siting of Safe Consumption Facilities and Temporary Overdose Prevention Sites in London" is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 362
2021

By-law No. CPOL.-__-__

A by-law to repeal By-Law No. CPOL.-132-384, as amended, being the Policy titled "Value of Parkland Dedication", as the Policy is redundant as the information is contained in the Policy titled "Parkland Dedication Cash in lieu".

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

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS the Municipal Council of The Corporation of the City of London wishes to repeal By-law No. CPOL.-132-384, as amended, being the Policy titled "Value of Parkland Dedication", as the Policy is redundant as the information is contained in the Policy titled "Parkland Dedication Cash in lieu", and the Municipal Council has determined that this Council Policy is no longer required;

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

1. By-law No. CPOL.-132-384, as amended, being the Policy titled "Value of Parkland Dedication" is hereby repealed.
2. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 363
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. 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
Eastbound	Dieppe Street	King Edward Avenue
Westbound	King Edward Avenue	Dieppe Street
Southbound	King Edward Avenue	Dieppe Street

2. 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
King Edward Avenue	Veronica Avenue	Scenic Drive

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
King Edward Avenue	Dieppe Street	Veronica Avenue

3. Pedestrian Crossovers

Schedule 13.1 (Pedestrian Crossovers) of the By-law PS-113 is hereby amended by **adding** the following row:

Column 1 Street	Column 2 Location
Trott Dive	At a point 50 m south of Edgar Drive

4. Higher Speed Limits

Schedule 17 (Higher Speed Limits) of the By-law PS-113 is hereby amended by **deleting** the following rows:

Column 1 Highway	Column 2 From	Column 3 To	Column 4 Maximum Rate of Speed
Hyde Park Road	North City limit	A point 50 m north of Twilite Boulevard	90 km/h
Hyde Park Road	A point 50 m north of Twilite Boulevard	A point 260 m north of North Routledge Park	60 km/h
Sunningdale Road W	West City limit	A point 150 m west of Denview Avenue	80 km/h
Sunningdale Road W	A Point 150 m west of Denview Avenue	Wonderland Road N	60 km/h
Sunningdale Road W	A point 1300 m west of Richmond Street	A point 200 m west of said street	70 km/h
Wharncliffe Road S	A point 605 m east of Campbell Street	A point 175 m east of said street	60 km/h
Wharncliffe Road S	A point 605 m north of Campbell Street	A point 50 m south of Bradley Avenue	80 km/h

Schedule 17 (Higher Speed Limits) of the By-law PS-113 is hereby amended by **adding** the following rows:

Column 1 Highway	Column 2 From	Column 3 To	Column 4 Maximum Rate of Speed
Hyde Park Road	North City limit	A point 200 m north of Sunningdale Road W	90 km/h
Hyde Park Road	A point 200 m north of Sunningdale Road W	A point 260 m north of North Routledge Park	60 km/h
Sunningdale Road W	A point 200 m west of Hyde Park Road	Wonderland Road N	60 Km/h
Sunningdale Road W	A point 1300 m west of Richmond Street	A point 200 m west of Richmond Street	60 km/h
Wharncliffe Road S	A point 175 m east of Campbell Street	Bostwick Road	60 km/h
Wharncliffe Road S	Bostwick Road	A point 50 m south of Bradley Avenue	80 km/h

5. Lower Speed Limits

Schedule 17.1 (Lower Speed Limits) of the PS-113 By-law is hereby amended by **adding** the following row:

Column 1 Highway	Column 2 From	Column 3 To	Column 4 Maximum Rate of Speed
Valetta Street	A point 150 m west of Plantation Road	A point 150 m east of Plantation Road	40 km/h

6. Community Safety Zones

Schedule 17.2 (Community Safety Zones) of the By-law PS-113 is hereby amended by **adding** the following rows:

Column 1 Street	Column 2 From	Column 3 To
Valetta Street	A point 150 m west of Plantation Road	A point 150 m east of Plantation Road
Virginia Road	Hastings Drive	Repton Avenue

7. Area Speed Limits

Schedule 17.3 (Area Speed Limits) of the By-law PS-113 is hereby amended by **adding** the following rows:

Column 1 Area Limit	Column 2 Maximum Rate of Speed
Adelaide Street N – York Street – Florence Street – Highbury Avenue N – Trafalgar Street - Hamilton Road	40 km/h
Clarke Road – Gore Road – River Road – Veterans Memorial Parkway – Hamilton Road	40 km/h
Gore Road – Clarke Road – Hamilton Road	40 km/h
Highbury Avenue N – Trafalgar Street - CN Railway - Clarke Road – Gore Road – Hamilton Road	40 km/h
Highbury Avenue N - Oxford Street E - Clarke Road - Dundas Street	40 km/h
Oxford Street W, Thames River and CN Railway; excluding: Hyde Park Road from Oxford Street W to CN Railway	40 km/h
Richmond Street - North Thames River - Adelaide Street N - Oxford Street E	40 km/h
Trafalgar Street – Highbury Avenue N – Hamilton Road	40 km/h
Wellington Street - Horton Street E – Hamilton Road - Adelaide Street N - South Thames River	40 km/h
Wonderland Road N – CN Rail – Riverside Drive	40 km/h
Wonderland Road S - Wonderland Road N – Riverside Drive - Wharncliffe Road N – Wharncliffe Road S - Springbank Drive	40 km/h

This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 10, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 364
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 Stopping

Schedule 1 (No Stopping) of the PS-113 By-law is hereby amended by **adding** the following rows:

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Creamery Road	Both	Dundas Street	North limit of Creamery Road	Anytime
Dakota Place	Both	South limit of Dakota Place	Huron Street	Anytime
Dundas Street	Both	Crumlin Sideroad	East City limit	Anytime
Evelyn Drive	Both	Rebecca Road	East City limit	Anytime
Kostis Avenue	Both	Dundas Street	North limit of Kostis Avenue	Anytime
Rebecca Road	Both	Robin’s Hill Road	Evelyn Drive	Anytime
Robin’s Hill Road	Both	Crumlin Sideroad	Rebecca Road	Anytime

This by-law comes into force and effect on August 27, 2021.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 365
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 Stopping

Schedule 1 (No Stopping) of the PS-113 By-law is hereby amended by **deleting** the following rows:

Column 1 Street	Column 2 Side	Column 3 From	Column 4 To	Column 5 Period
Creamery Road	Both	Dundas Street	North limit of Creamery Road	Anytime
Dakota Place	Both	South limit of Dakota Place	Huron Street	Anytime
Dundas Street	Both	Crumlin Sideroad	East City limit	Anytime
Evelyn Drive	Both	Rebecca Road	East City limit	Anytime
Kostis Avenue	Both	Dundas Street	North limit of Kostis Avenue	Anytime
Rebecca Road	Both	Robin’s Hill Road	Evelyn Drive	Anytime
Robin’s Hill Road	Both	Crumlin Sideroad	Rebecca Road	Anytime

This by-law comes into force and effect on the August 30, 2021.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

Bill No. 366
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 Chesterfield Avenue and Veronica 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 Chesterfield Avenue and Veronica Avenue, namely:

“Part of Lots 14 and 15 on Registered Plan 812, in the City of London and County of Middlesex, designated as Part 4 on Reference Plan 33R-20891.”

2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

LOCATION MAP



 SUBJECT LANDS

Bill No. 367
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 Adelaide Street North, south of Ross Street)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Adelaide Street North, south of Ross Street, namely:

“Part of Lot 13 on Registered Plan 7(C), in the City of London and County of Middlesex, designated as Part 1 on Reference Plan 33R-20948.”

2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

LOCATION MAP



 SUBJECT LANDS

Bill No. 368
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 Sarnia Road, west of Oakcrossing Gate)

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 Sarnia Road, west of Oakcrossing Gate, namely:

“Part of Lots 4 and 13 on Registered Plan 48(C) in the City of London and County of Middlesex, designated as Part 2 on Reference Plan 33R-19762.”

2. This by-law comes into force and effect on the day it is passed.

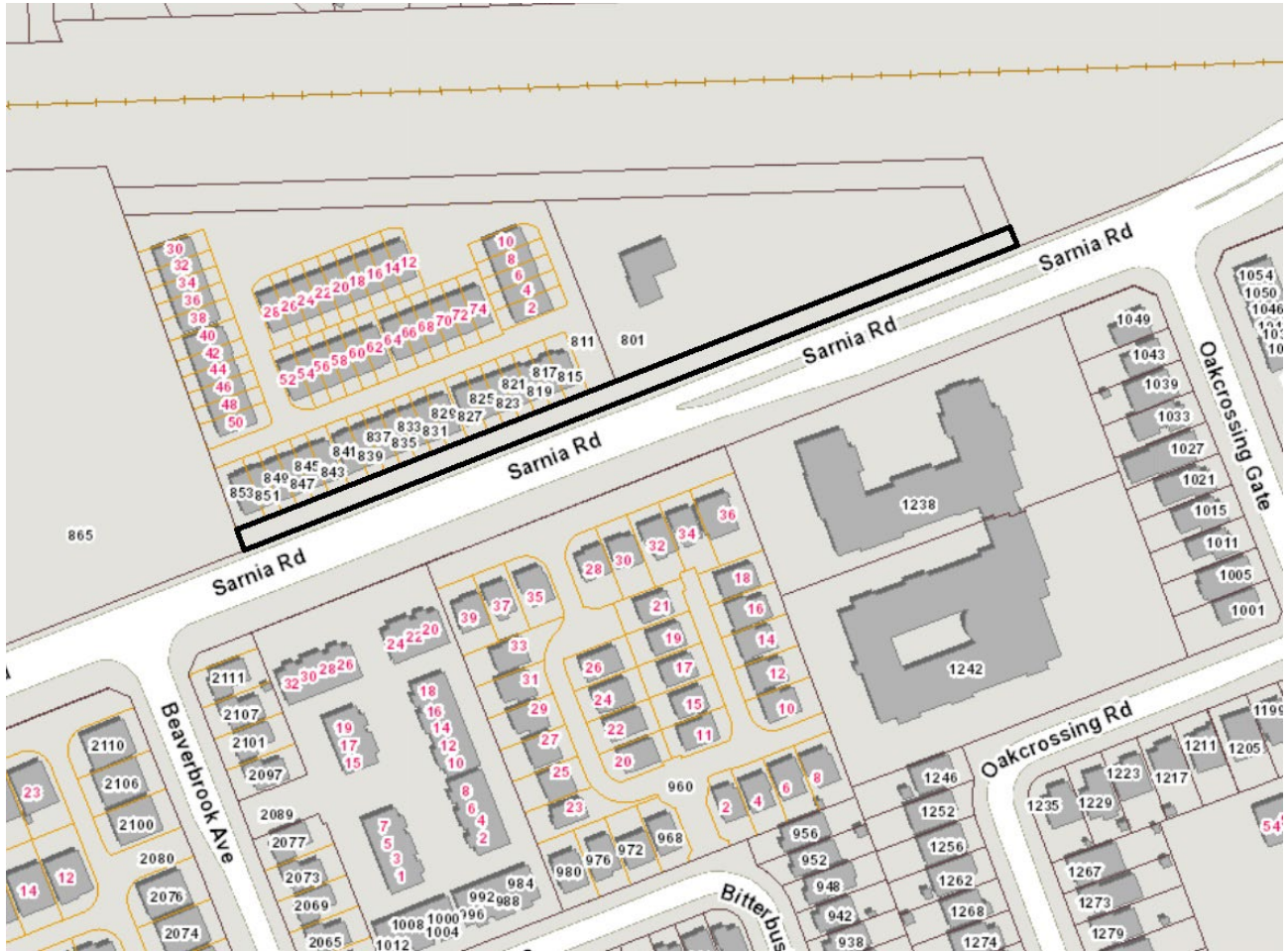
PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

LOCATION MAP



Bill No. 369
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 Wickerson Road and Byron Baseline 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 Wickerson Road and Byron Baseline Road, namely:

“Part of Lot 48 in Concession 1, 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, 7 and 8 on Reference Plan 33R-19790.”

2. This by-law comes into force and effect on the day it is passed.

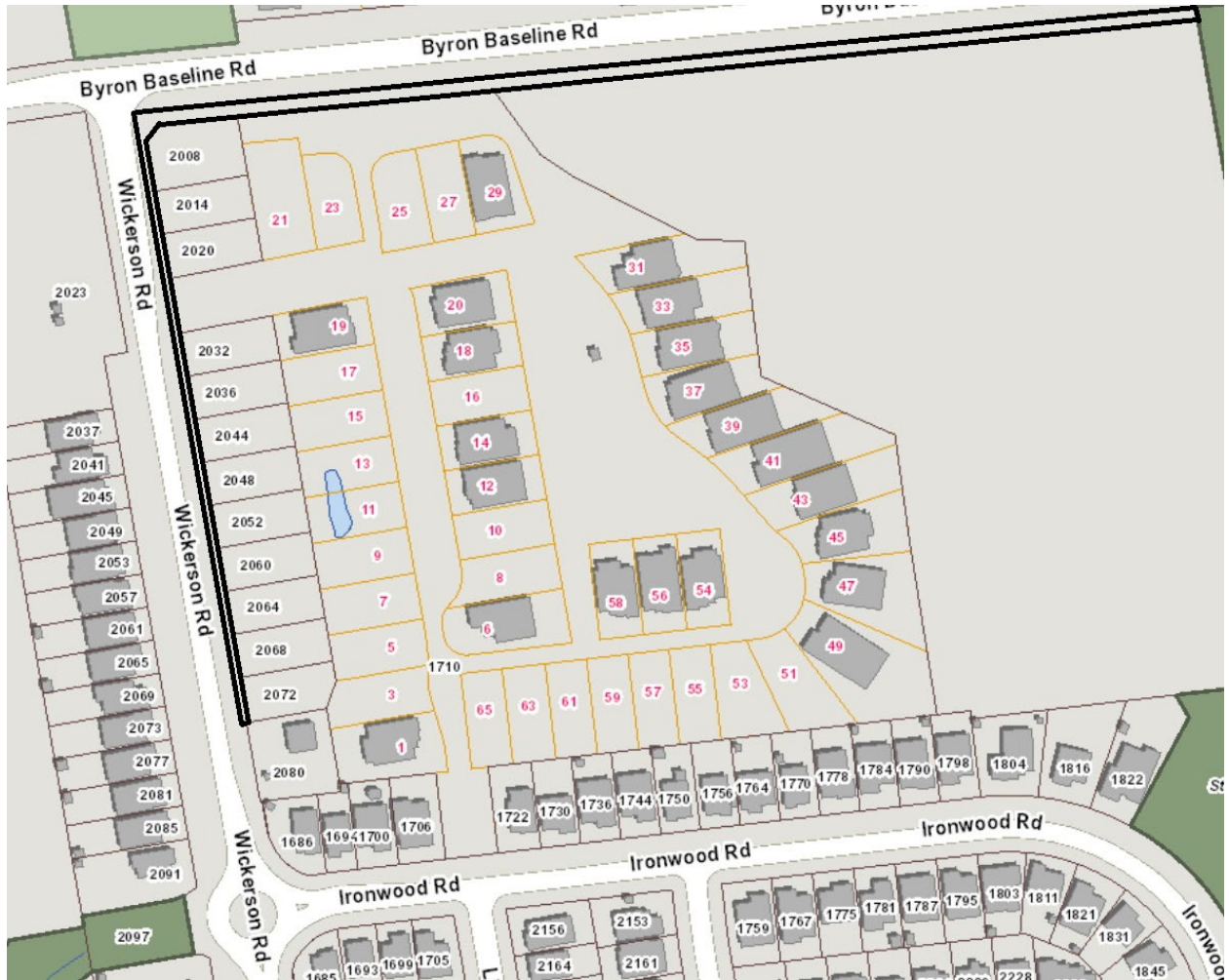
PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

LOCATION MAP



 SUBJECT LANDS

Bill No. 370
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 Horn Street, south of Beecher Street)

WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Horn Street, south of Beecher Street, namely:

“Part of Lot 33 on Registered Plan 26(4), in the City of London and County of Middlesex, designated as Part 3 on Reference Plan 33R-20866.”

2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

LOCATION MAP



 SUBJECT LANDS

Bill No. 371
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 High Street, south of Grand 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 High Street, south of Grand Avenue, namely:

“Part of Lot 25, Broken Front Concession, in the geographic Township of Westminster, now in the City of London and County of Middlesex, designated as Parts 1 and 3 on Reference Plan 33R-20273.”

2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

LOCATION MAP



 SUBJECT LANDS

Bill No. 372
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to remove holding provisions from an area of land located at 3343 Morgan Avenue.

WHEREAS Old Oak Properties has applied to remove the holding provision from the zoning for the lands located at 3343 Morgan Avenue, 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 lands;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3343 Morgan Avenue, as shown on the attached map, comprising part of Key Map No. 111 to remove the holding provisions so that the zoning of the lands as a Residential R5/R6/R7/R10 (R5-7/R6-5/R7.D100.H45/R10-3.H45) Zone comes into effect.
2. This by-law shall come into force and effect on the day it is passed.

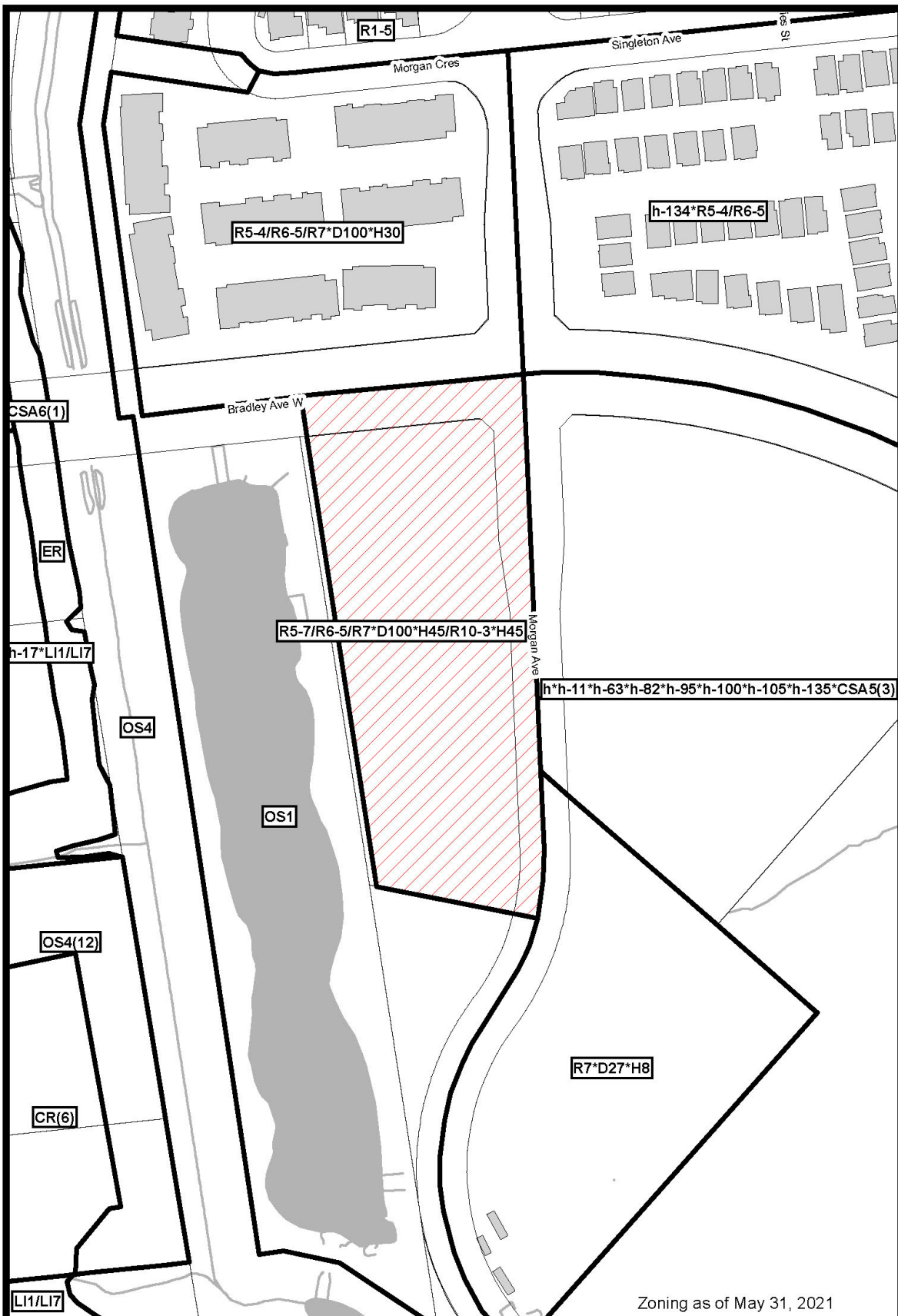
PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

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



Zoning as of May 31, 2021

File Number: H-9360

Planner: SM

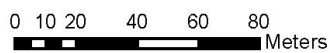
Date Prepared: 2021/06/07

Technician: RC

By-Law No: Z.-1-

SUBJECT SITE 

1:2,000



Bill No. 373
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 704 & 706 Boler Road.

WHEREAS Southside Construction Management Ltd. has applied to remove the holding provisions from a portion of the zoning for the lands located at 704 & 706 Boler Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 704 & 706 Boler Road, as shown on the attached map, to remove the "h" holding provision so that the zoning of the lands as a Residential R6 Special Provision (R6-1(18)) Zone come into effect.
2. This By-law shall come into force and effect on the day it is passed.

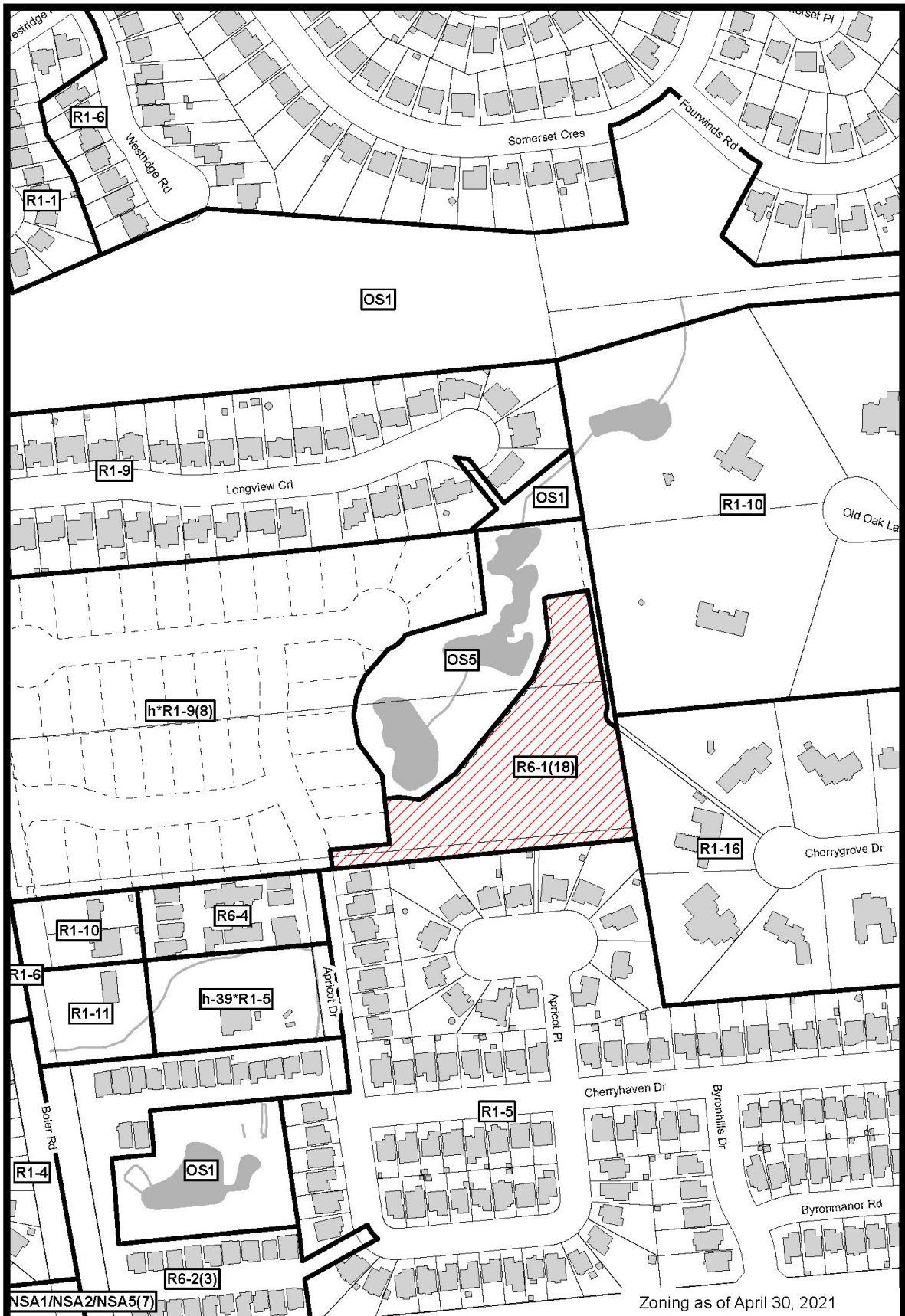
PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor




Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

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



Zoning as of April 30, 2021

<p>File Number: H-9352 Planner: MC Date Prepared: 2021/05/26 Technician: rc By-Law No: Z-1-</p>	<p>SUBJECT SITE </p> <p>1:3,000</p> <p>0 15 30 60 90 120  Meters</p> <p></p>
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Geodatabase

Bill No. 374
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 1284 Sunningdale Road West.

WHEREAS Foxhollow North Kent Development Inc. have applied to remove the holding provision from the zoning for the lands located at 1284 Sunningdale 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;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 1284 Sunningdale Road West, as shown on the attached map, to remove the h and h-100 holding provision so that the zoning of the lands as a Residential R1 (R1-3)) Zone, Residential Special Provision R1 (R1-3(8)) and Residential Special Provision R4 (R4-6(14)) comes into effect.
2. This By-law shall come into force and effect on the day it is passed.

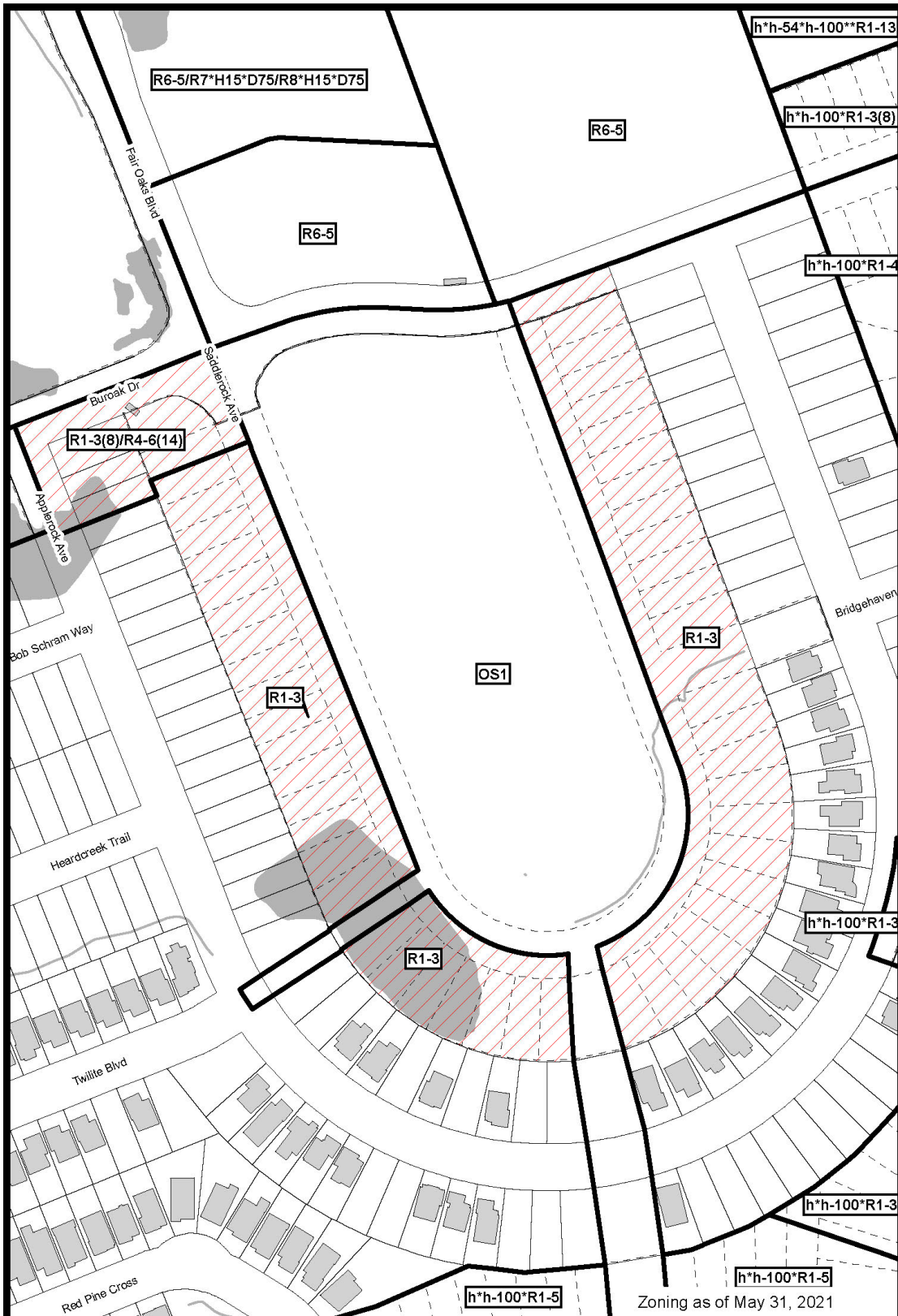
PASSED in Open Council on August 10, 2021.




Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading - August 10, 2021
Second Reading - August 10, 2021
Third Reading - August 10, 2021

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



<p>File Number: H-9365 Planner: MC Date Prepared: 2021/06/11 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,000</p> <p>0 10 20 40 60 80 Meters </p> <p></p>
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Geodatabase

Bill No. 375
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 50 Southbridge Drive.

WHEREAS Sifton Properties Ltd. have applied to remove the holding provision from the zoning for the lands located at 50 Southbridge Drive, 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;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 50 Southbridge Drive, as shown on the attached map, to remove the h, h-100, and h-198 holding provision so that the zoning of the lands as a Residential Special Provision R5 (R5-4(22)) and Residential Special Provision R6 (R6-5(50)) comes into effect.
2. This By-law shall come into force and effect on the day it is passed.

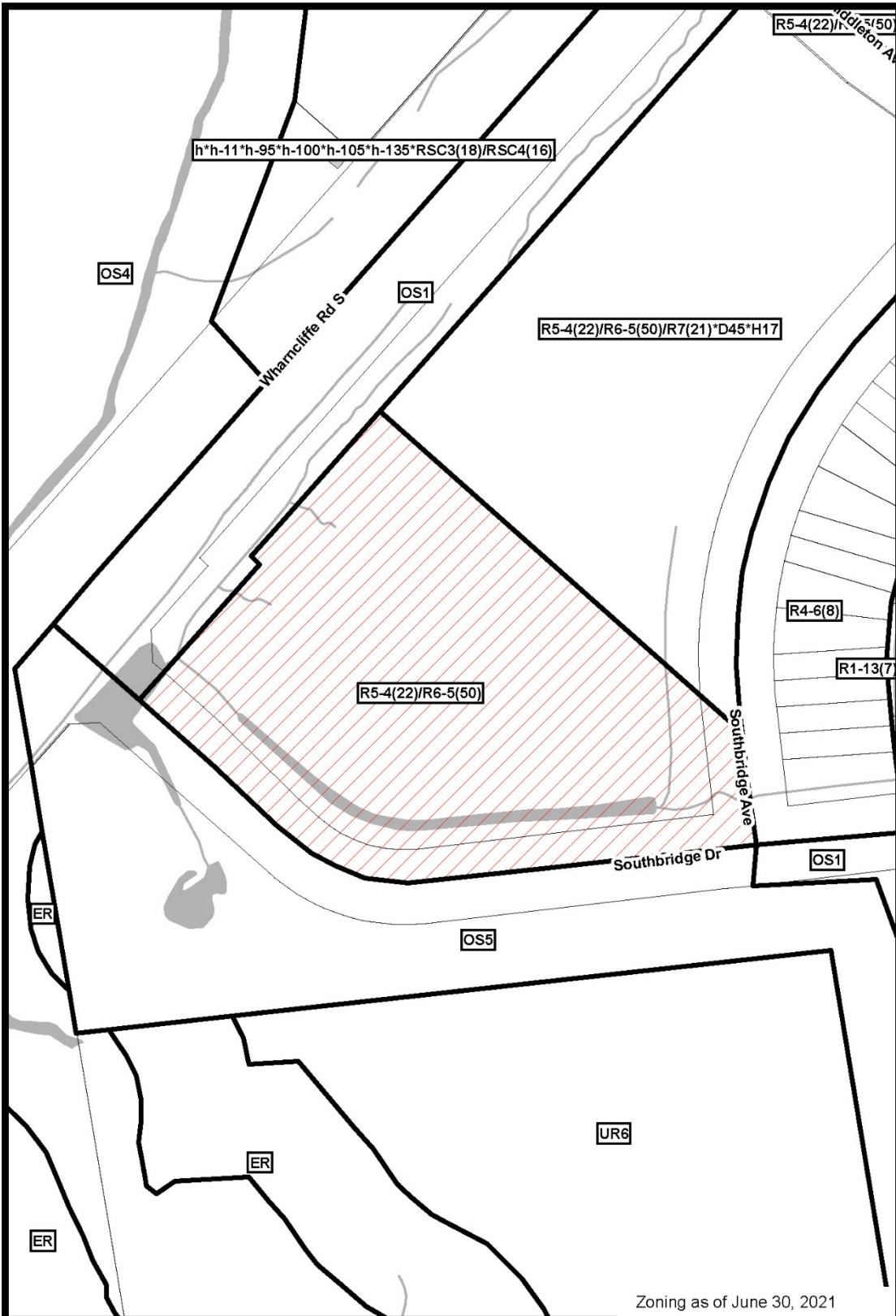
PASSED in Open Council on August 10, 2021.


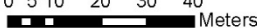

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading - August 10, 2021
Second Reading - August 10, 2021
Third Reading - August 10, 2021

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



<p>File Number: H-9361 Planner: MC Date Prepared: 2021/07/09 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,250</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Geodatabase

Bill No. 376
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 704, 706 & 720 Boler Road.

WHEREAS Sifton Properties Ltd. have applied to remove the holding provision from the zoning for the lands located at 704, 706 & 720 Boler 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;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to the lands located at 704, 706 & 720 Boler Road, as shown on the attached map, to remove the "h" holding provision so that the zoning of the lands as a Residential Special Provision R1 (R1-9(8)) Zone comes into effect.
2. This By-law shall come into force and effect on the day it is passed.

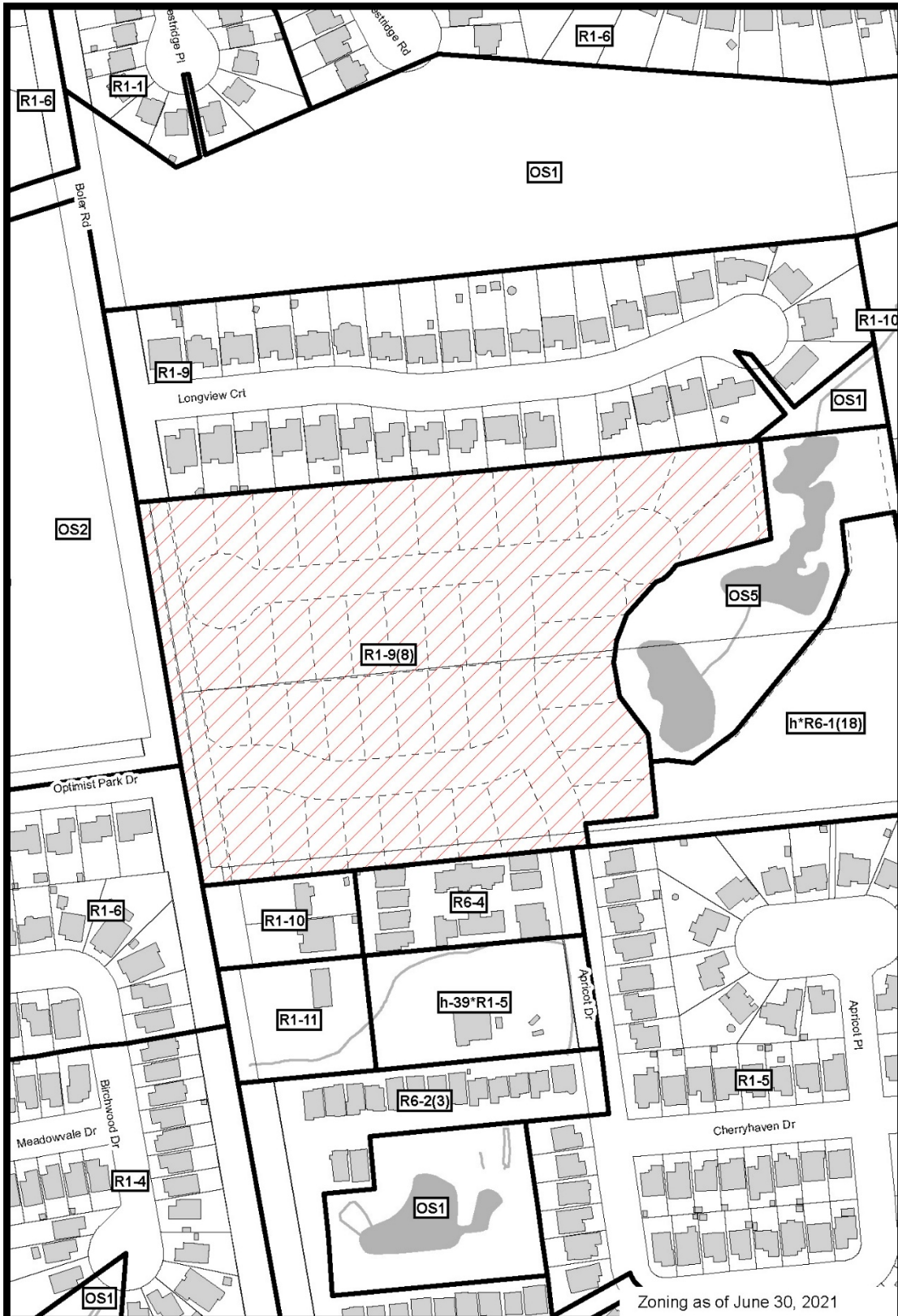
PASSED in Open Council on August 10, 2021

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading - August 10, 2021
Second Reading - August 10, 2021
Third Reading - August 10, 2021

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



File Number: H-9378
 Planner: MC
 Date Prepared: 2021/07/09
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.525 50 75 100 Meters



Geodatabase

Bill No. 377
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 450 Wharnccliffe Road South.

WHEREAS Plaza Retail Reit has applied to rezone an area of land located at 450 Wharnccliffe Road South, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number # this rezoning will conform to the Official Plan;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 450 Wharnccliffe Road South, as shown on the attached map, from a Highway Service Commercial (HS2) Zone to a Highway Service Commercial Special Provision (HS2(*)) Zone.

2. Section Number 27.4 of the Highway Service Commercial Zone is amended by adding the following Special Provision:

HS2(*) 450 Wharnccliffe Road South

a) Additional Permitted Uses:

- i) Office
- ii) Medical/Dental Office
- iii) Clinic
- iv) Laboratory
- v) Retail store
- vi) Liquor, beer, and wine store

b) Regulations:

- i) Number of parking spaces for all permitted uses in the existing building (Minimum): 13
- ii) Exterior Side Yard Parking Area Setback from required road allowance for the existing building (Minimum): 1.5m

3. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

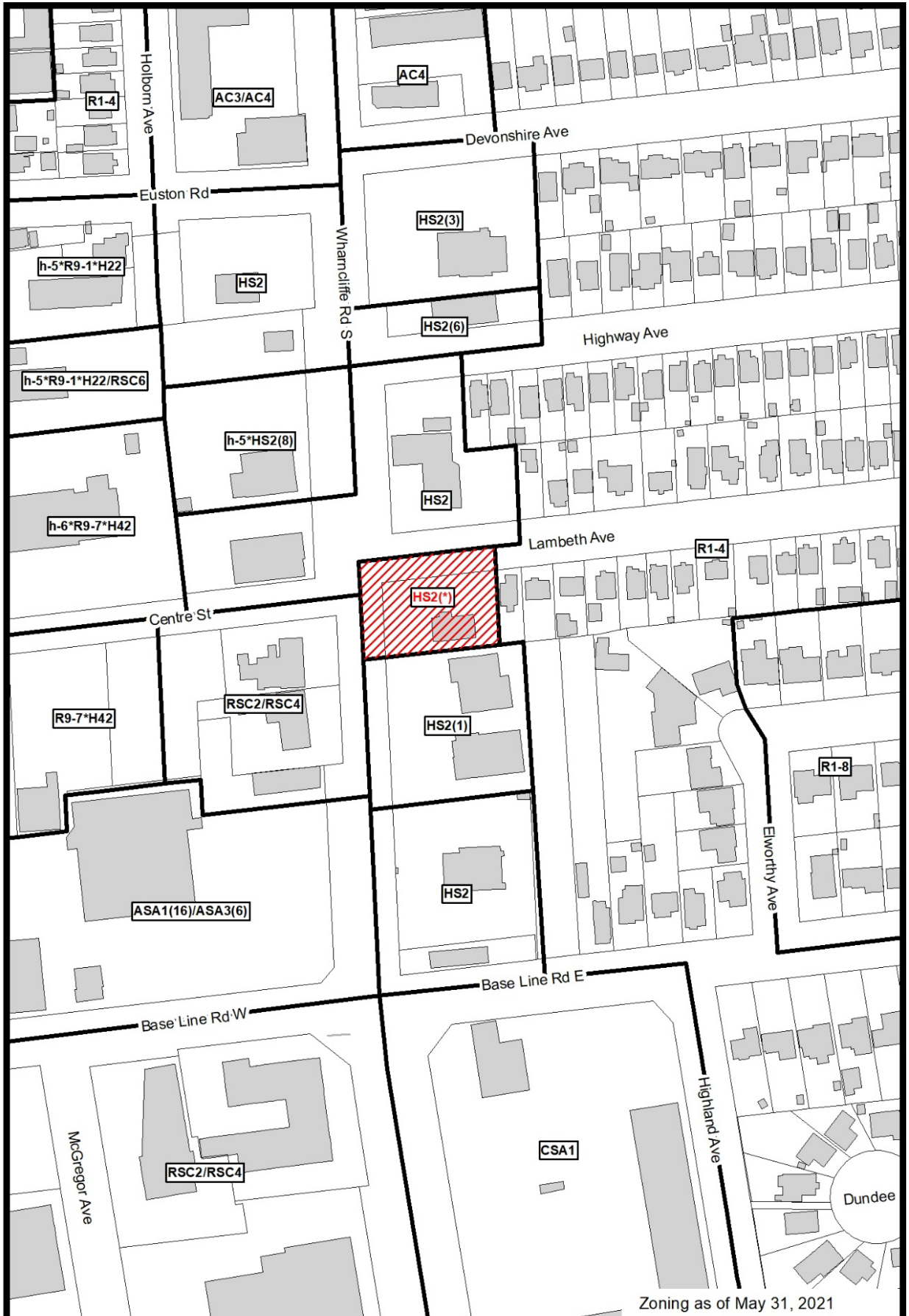
PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor


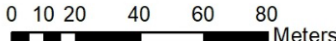

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

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



Zoning as of May 31, 2021

<p>File Number: OZ-9344 Planner: CS Date Prepared: 2021/06/21 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,000</p> <p>0 10 20 40 60 80 Meters </p> <p></p>
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Geodatabase

Bill No. 378
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 414-418 Old Wonderland Road.

WHEREAS Four Fourteen Inc. has applied to rezone an area of land located at 414-418 Old Wonderland Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 414-418 Old Wonderland Road, as shown on the attached map comprising part of Key Map No. A106, from a Residential R1 (R1-10) Zone and an Urban Reserve (UR1) Zone, to a holding Residential R5 Special Provision (h-5*R5-7(_)) Zone and an Open Space (OS5) Zone.

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

R5-7() 414-418 Old Wonderland Road

a) Regulations:

- | | | |
|------|--|--------------------|
| i) | Interior Yard Depth for decks (Minimum): | 3.0 metres |
| ii) | Rear Yard Depth for decks (Minimum): | 3.0 metres |
| iii) | Parking Rate for Stacked Townhouses: | 1.0 space per unit |
| iv) | Setback to the Open Space (OS5) Zone: | 0.0 metres |

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

a) Regulations:

- | | | |
|----|---------------------|----------|
| i) | Lot Area (Minimum): | 764.0 m2 |
|----|---------------------|----------|

4. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

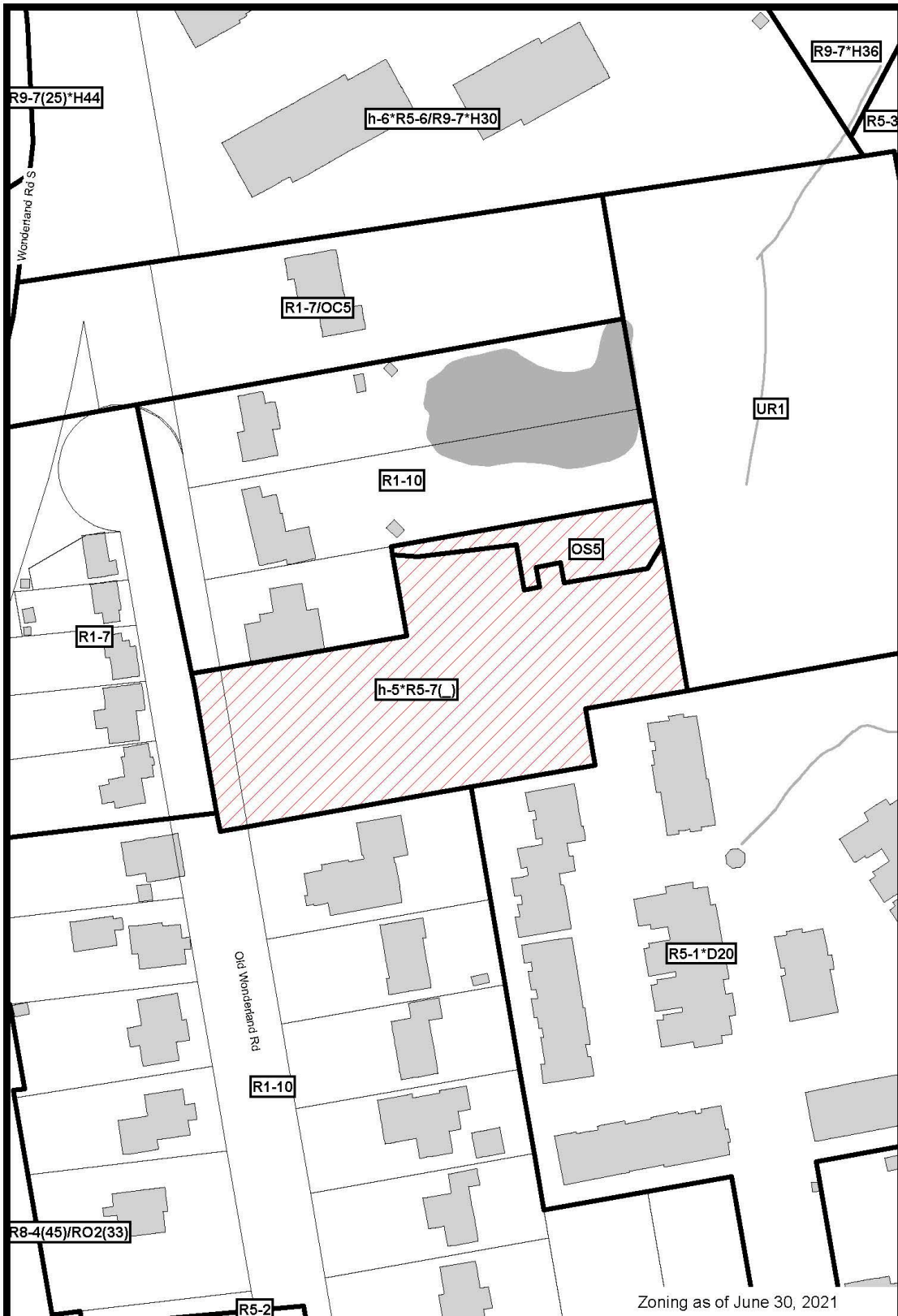
PASSED in Open Council on August 10, 2021.


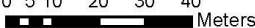

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

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



<p>File Number: Z-9293 Planner: AR Date Prepared: 2021/07/07 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,250</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Geodatabase

Bill No. 379
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 400 Southdale Road East.

WHEREAS LJM Developments has applied to rezone an area of land located at 400 Southdale Road East, 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;

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

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 400 Southdale Road East, as shown on the attached map comprising part of Key Map No. A107, from a Service Station (SS2) Zone to a holding Residential R9 (h-5*R9-1*B-_) Zone.
2. Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

B-_ 400 Southdale Road East

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a residential apartment building, with a maximum height of 7-storeys plus mechanical (29.2m) and a maximum density of 462 units per hectare, which substantively implements the Site Plan and Elevations attached as Schedule "1" to the amending by-law, and provides for affordable housing in return for the following facilities, services and matters:

1. Exceptional Building Design

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

- The building oriented to the corner of Southdale Road East and Dundalk Street providing a well-defined built edge and creating a positive public interface and human scale at street level;
 - The inclusion of building step backs, from 7-storeys to 6-storeys and 5-storeys with a variety of building materials and building articulation to break up the massing of the building;
 - Purpose-designed amenity space on top of the 7-storey apartment building and parking structure;
2. Underground parking
 3. Provision of Affordable Housing by requiring that LJM Developments enter into an agreement with the Corporation of the City of London ("the City") to facilitate the transfer of ownership at no cost of four (4) new one-bedroom condominium units constructed within the

development for the purposes of affordable housing, in a form prescribed by the City.

It being noted that a future development agreement will provide for the four new one-bedroom units and will include the following through further agreements as necessary:

- Assurances of the specific location, size, fixtures, and features of the bonus units are defined as to the City's satisfaction. This includes any common and general attributes, (such as storage lockers, parking, or other building resident amenities) for each bonus unit.
- A purchase agreement, inclusive of securities as applicable, reflecting the process for the no-cost transfer of the 4 new one-bedroom units and any associated services and features upon condominium plan registration, in a form satisfactory to the City.
- Confirmation that the associated condominium declaration and by-laws shall in no way limit the use and function of the units for affordable rental housing in accordance with applicable residential rental laws.

It is further recognized that, upon ownership, the City will retain and maintain the units within the function and business of affordable rental housing as managed through the City's Housing Stability Services. The City, as owner, would therefore be required to address costs associated with condominium and other standard fees. These factors have been considered within the bonus provisions and will be subject to separate reporting and details. The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a) Permitted Uses:

- i) Apartment building

b) Regulations:

- | | | |
|-------|---|-----------------------|
| i) | Height
(Maximum): | 29.2 metres |
| ii) | Density
(Maximum): | 462 units per hectare |
| iii) | Front Yard Setback
(Minimum): | 1.0 metres |
| iv) | Exterior Side Yard Setback
(Minimum): | 1.0 metres |
| v) | Interior Side Yard Setback
(Minimum): | 9.84 metres |
| vi) | Rear Yard Setback
(Minimum): | 0.65 metres |
| vii) | Landscaped Open Space
(Minimum): | 15% |
| viii) | Aisle Width for Access and Driveway
(Minimum): | 6.5 metres |

- ix) Parking (Minimum): 1.06 spaces per unit
- x) Accessible Parking (Minimum): 7 spaces
- xi) Bicycle Parking 0.45m (width) x 1.1m (height) x 1.85m (length) where as 06.m (width) x 1.5m (height) x 1.9m (length) is required
- xii) Balcony yard encroachment of 1.8m in all yards, no closer than 1.05m to the lot line whereas 1.5m balcony yard encroachment in all yards, no closer than 3.0m to the lot line is required

4. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

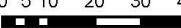
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: OZ-9261
 Planner: AR
 Date Prepared: 2021/07/15
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40
 Meters



Geodatabase

Bill No. 380
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 180 – 186
Commissioners Road West.

WHEREAS 180 Commissioners Road Inc. has applied to rezone an area
of land located at 180 – 186 Commissioners Road West, 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;

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

1. Schedule “A” to By-law No. Z.-1 is amended by changing the zoning
applicable to lands located at 180 – 186 Commissioners Road West, as shown on the
attached map comprising part of Key Map No. A107, from a Residential R1 (R1-9) TO a
Residential R9 Special Provision (R9-4()) Zone.

2. Section Number 13.4 of the Residential R9 (R9-4) Zone is amended by
adding the following Special Provision:

R9-4() 180 – 186 Commissioners Road West

a) Regulations:

- i) The front lot line is deemed to be Commissioners Road West.
- ii) Front Yard Depth (Minimum): 1.0 metres (3.28 feet)
- iii) Front Yard Depth (Maximum): 3.0 metres (9.84 feet)
- iv) Interior Yard Depth (Minimum): 7.1 metres (23.29 feet)
- v) Exterior Side Yard Depth (Minimum): 5.4 metres (17.72 feet)
- vi) Height (Maximum): 14.0 metres (45.93 feet)
- vii) Density (Maximum): 105 units per hectare
- viii) Parking (Minimum): 1 space per unit
- ix) Yard Encroachment for balconies from Commissioners Road West (Maximum):
1.5m (4.92 feet) provided the projection is no closer than 0.5 metres (1.64 feet) to the lot lines
- x) The as-of-right bonusing permitted in Table 13.3, Row 16, shall not apply

3. The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

4. This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, either upon the date of the passage of this by-law or as otherwise provided by the said section.

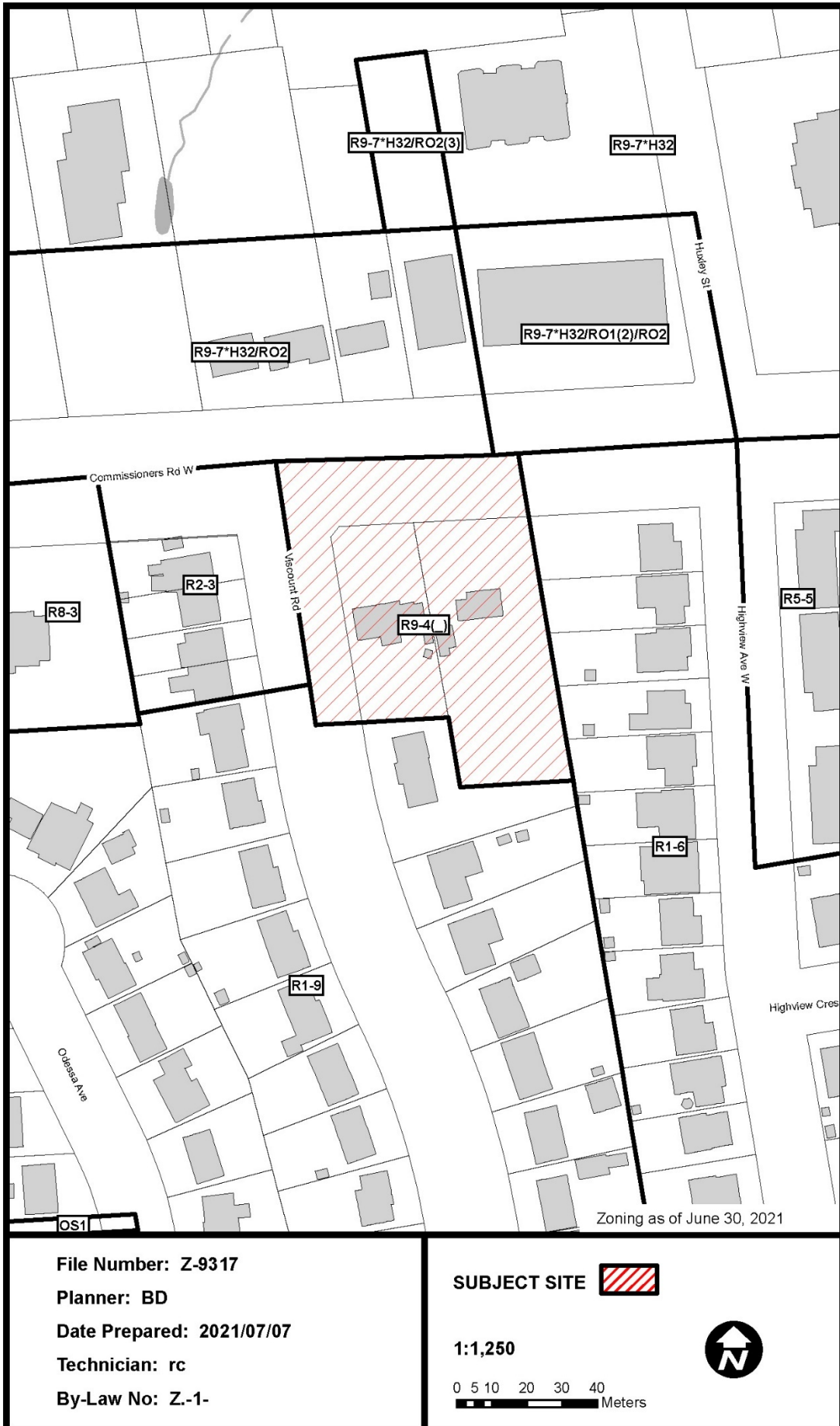
PASSED in Open Council on August 10, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – August 10, 2021
Second Reading – August 10, 2021
Third Reading – August 10, 2021

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



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