

Council Minutes

12th Meeting of City Council
September 6, 2022, 4:00 PM

Present: Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, S. Hillier

Also Present: L. Livingstone, A. Barbon, J. Davison, K. Dickins, A. Job, K. Scherr, M. Schulthess

Remote attendance: A. Anderson, B. Card, S. Corman, H. McNealy, C. Smith, B. Westlake-Power, J. Wills

The meeting is called to order at 4:02 PM; it being noted that the following Members were in remote attendance, Councillors M. Salih, J. Helmer, P. Van Meerbergen, S. Turner, S. Hillier.

1. Disclosures of Pecuniary Interest

Councillor S. Hillier discloses a pecuniary interest in Item 8 (5.1) of the 10th Report of the Community and Protective Services Committee, having to do with the Deferred Matters List, specifically item number 1 on the list, by indicating that his family puts on festivals in the park.

Councillor J. Helmer discloses a pecuniary interest in Item 3 (2.2) of the 12 Report of the Strategic Priorities and Policy Committee as well as the associated Bill No. 339, having to do with the Municipal Accommodation Tax and Short-term accommodations, by indicating that he has rented out his home through Airbnb in the past and may do so again in the future.

2. Recognitions

2.1 His Worship the Mayor recognized the 2022 Queen Elizabeth Scholarships Recipients (Virtual Recognition)

2.2 His Worship the Mayor Recognized City of London Employees who have achieved 25 Years of Service during 2022:

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, In Closed Session

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

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

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

A matter pertaining to the proposed or pending acquisition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality.
(6.1/12/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. (6.2/12/CSC)

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

A matter pertaining to the proposed or pending disposition of land by the municipality, including communications necessary for that purpose; advice that is subject to solicitor-client privilege; commercial and financial information, that belongs to the municipality and has monetary value or potential monetary value and a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality. (6.3/12/CSC)

4.4 Solicitor-Client Privileged Advice

A matter pertaining to advice subject to solicitor-client privilege, including communications necessary for that purpose, and advice with respect to litigation with respect to various personal injury and property damage claims against the City. (6.4/12/CSC)

4.5 Solicitor-Client Privileged Advice

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Ontario Land Tribunal ("OLT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation. (6.1/14/PEC)

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

Absent: (1): S. Turner

Motion Passed (14 to 0)

The Council convenes, In Closed Session, from 4:34 PM to 4:46 PM.

Councillor S. Turner enters the meeting at 4:44 PM.

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

5.1 11th Meeting held on August 2, 2022

Motion made by: J. Fyfe-Millar
Seconded by: M. Hamou

That the Minutes of the 11th Meeting, held on August 2, 2022, BE APPROVED.

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

Motion Passed (15 to 0)

6. Communications and Petitions

Motion made by: P. Van Meerbergen

Seconded by: S. Hillier

That the following Communications BE RECEIVED, and BE FORWARDED, as noted on the Agenda:

6.1 3700 Colonel Talbot Road and 3645 Bostwick Road (Z-9521)

1. A. Soufan, President, York Developments

6.2 712 Base Line Road East (Z- 9474)

1. M. Poddar, Planner II, SBM and D. Traher, VP, Westdell Development Corp.

6.3 1737 Richmond Street (Z-9470)

1. S. Rasanu, Planner, SBM and D. Traher, VP, Westdell Development Corp.

6.4 183 and 197 Ann Street

1. H. Elmslie

2. M. Coles

3. A.M. Valastro

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

Motion Passed (15 to 0)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 12th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That the 12th Report of the Strategic Priorities and Policy Committee BE APPROVED, excluding item 2.2.

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: J. Morgan

Councillor J. Helmer discloses a pecuniary interest with respect to Item 2.2, having to do with the Municipal Accommodation Tax and Short-term Accommodations, by indicating that he has rented home in past with AirBNB and may do so again in the future.

Motion Passed

2. (2.1) 3rd Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee

Motion made by: J. Morgan

That the 3rd Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee, from its meeting held on August 11, 2022, BE RECEIVED.

Motion Passed

4. (4.1) Allocation of Remaining London Community Recovery Network (LCRN) Funding

Motion made by: J. Morgan

That the Civic Administration, including (but not limited to) staff in Social and Health Development BE DIRECTED to work together with Community Partners to develop London Community Recovery Network (LCRN) business cases with a focus on addressing London's social recovery, especially in mitigating the effects of homelessness, precarious employment, food insecurity, etc; it being noted that the Strategic Priorities and Policy Committee received a communication dated August 25, 2022 from K. Pagniello, Executive Director, M. Laliberte, Staff Lawyer and T. Kiefer, Housing Support Worker, Neighbourhood Legal Services with respect to this matter.

Motion Passed

3. (2.2) Municipal Accommodation Tax - Amended By-law to Include Short-Term Accommodations (Relates to Bill No. 339)

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Finance Supports, the proposed by-law as appended to the staff report dated August 30, 2022 as Appendix 'A', BE INTRODUCED at the Municipal Council meeting on September 6, 2022, with respect to the by-law entitled "A By-law to Impose a Municipal Accommodation Tax".

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Recuse: (1): J. Helmer

Motion Passed (14 to 0)

- 8.2 12th Report of the Corporate Services Committee

Motion made by: S. Lewis

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

Yeas: (15): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: S. Lewis

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) Declare Surplus - City-Owned Closed Road Allowance - Upper Canada Crossing

Motion made by: S. Lewis

That, on the recommendation of the Deputy City Manager, Finance Supports, on the advice of the Director, Realty Services, with respect to a closed public highway described as part of Upper Canada Crossing, abutting Lots 24 and 25, Plan 33M-624, and a one foot reserve being Block 186, Plan 33M-624 (the "Subject Property"), the following actions be taken:

- a) the subject property BE DECLARED SURPLUS; and,
- b) the subject property BE TRANSFERRED to Southside Construction Management Limited.

Motion Passed

3. (2.2) Municipal Compliance Audit Committee (Relates to Bill No.'s 336 and 337)

Motion made by: S. Lewis

That, on the recommendation of the City Clerk, the following actions be taken with respect to the 2022 Municipal Election Compliance Audit Committee:

- a) the proposed by-law as appended to the staff report dated August 22, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to establish a Municipal Compliance Audit Committee for the 2022 Municipal Election in accordance with section 88.37 of the Municipal Elections Act, 1996, as amended;
- b) the proposed by-law as appended to the staff report dated August 22, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to approve the appointments to the Municipal Election Compliance Audit Committee for the 2022 Municipal Election in accordance with section 88.37 of the Municipal Elections Act, 1996, as amended; and,
- c) the Elections Reserve BE APPROVED as the source of funding for the annual operating costs related to the Municipal Compliance Audit Committee for the 2022 Municipal Election.

Motion Passed

4. (4.1) Application - Issuance of Proclamation - Rail Safety Week 2022

Motion made by: S. Lewis

That based on the application dated August 3, 2022 from CN, September 19 - 25, 2022 BE PROCLAIMED as Rail Safety Week 2022.

Motion Passed

5. (4.3) Application - Issuance of Proclamation - Orange Shirt Day/National Day for Truth and Reconciliation

Motion made by: S. Lewis

That based on the application dated August 10, 2022 from N'Amerind (London) Friendship Centre Inc., September 30, 2022 BE PROCLAIMED as Orange Shirt Day/National Day for Truth and Reconciliation.

Motion Passed

6. (4.4) Application - Issuance of Proclamation - Canadian Islamic History Month (2007) and Ontario Islamic Heritage Month (2016)

Motion made by: S. Lewis

That based on the application dated August 8, 2022 from City of London Anti-Islamophobia Working Group, the month of October 2022 BE PROCLAIMED as Canadian Islamic History Month (2007) and Ontario Islamic Heritage Month (2016).

Motion Passed

7. (4.2) Application - Issuance of Proclamation - Wrongful Conviction Day

Motion made by: S. Lewis

That based on the application dated August 8, 2022 from International Wrongful Conviction Day Committee, October 2, 2022 BE RECEIVED and no action BE TAKEN.

Motion Passed

8.3 11th Report of the Civic Works Committee

Motion made by: E. Pelosa

That the 11th Report of the Civic Works Committee BE APPROVED.

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. (2.1) Amendments to the Traffic and Parking By-Law (Relates to Bill No. 346)

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the proposed by-law, as appended to the staff report dated August 23, 2022, BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022, to amend By-law PS-114 entitled, "A by-law to regulate traffic and the parking of motor vehicles in the City of London". (2022-T08)

Motion Passed

3. (2.2) Vauxhall Wastewater Treatment Plant Rotating Drum Thickener Equipment Single Source

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 August 23, 2022, related to the purchase of a rotating drum thickener at Vauxhall Wastewater Treatment Plant:

- a) the contract for purchase of a rotating drum thickener BE AWARDED to JWC Environmental Canada as a single source procurement for a total value of \$171,295.00, excluding HST, in accordance with Section 14.4 (d) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the Sources of Financing Report as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given herein BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-E07)

Motion Passed

4. (2.3) Basement Flooding Grant Program By-Law Amendment (Relates to Bill No. 338)

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the proposed by-law, as appended to the staff report dated August 23, 2022, BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022, to amend By-law No. A.-7562-160, as amended, being "A by-law to repeal and replace By-law A.-7015-285, being The Grants for Sump

Pump, Sewage Ejector and Storm Drain Connection Grant Program By-law” by deleting Schedule “A” to the By-law and by replacing it with a new Schedule “A” to clarify language and terminology within the By-law and revise the funding upset limits to account for inflation. (2022-D03)

Motion Passed

5. (2.4) Consultant Design Fee Extension Award Labatt Sanitary Siphon

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 August 23, 2022, related to the award of additional consulting fees to R.V. Anderson Associates Limited for the Labatt Sanitary Siphon Infrastructure Renewal Project:

- a) the engineering design fees for R.V. Anderson Associates Limited (RVA) BE INCREASED by \$297,474.00 in accordance with the estimates, on file, to an upset amount of \$506,287.00, excluding HST, in accordance with Section 15.2 (g) 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. (2022-D04)

Motion Passed

6. (3.1) 2021 London Transit Commission Annual Report

Motion made by: E. Pelosa

That the 2021 London Transit Commission Annual Report, as appended to the Agenda, and the delegation from K. Paleczny, General Manager, London Transit Commission, with respect to this matter, BE RECEIVED. (2022-T03)

Motion Passed

7. (5.1) Deferred Matters List

Motion made by: E. Pelosa

That the Civic Works Committee Deferred Matters List as at August 15, 2022, BE RECEIVED.

Motion Passed

8.4 14th Report of the Planning and Environment Committee

Motion made by: A. Hopkins

That the 14th Report of the Planning and Environment Committee BE APPROVED, excluding items 7, 13, 14, 16 and 17.

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: A. Hopkins

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) 4th Report of the Community Advisory Committee on Planning

Motion made by: A. Hopkins

That the 4th Report of the Community Advisory Committee on Planning from its meeting held on August 10, 2022 BE RECEIVED for information. (2022-A02)

Motion Passed

3. (2.3) Byron Gravel Pits Secondary Plan - Update

Motion made by: A. Hopkins

That, the staff report dated August 22, 2022 entitled "The Corporation of the City of London Byron Gravel Pits Secondary Plan - Update", BE RECEIVED for information. (2022-D05)

Motion Passed

4. (2.4) Building Division Monthly Report - June 2022

Motion made by: A. Hopkins

That the Building Division Monthly report for June, 2022 BE RECEIVED for information. (2022-A23)

Motion Passed

5. (2.2) 3493 Colonel Talbot Road - Request for Extension of Draft Plan Approval (39T-14504)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, based on the application by 2219008 Ontario Limited (York Developments), relating to the lands located at 3493 Colonel Talbot Road, the Approval Authority BE ADVISED that the

Municipal Council supports issuing a three (3) year extension to Draft Plan Approval for the residential plan of subdivision SUBJECT TO the revised conditions contained in Appendix “A” (File No. 39T-14504) appended to the staff report dated August 22, 2022. (2022-D09)

Motion Passed

6. (3.1) Zoning By-law: Patio Restrictions

Motion made by: A. Hopkins

That the application by The Corporation of the City of London, relating to outdoor patios BE REFERRED back to the Civic Administration to report back at a future meeting of the Planning and Environment Committee with a revised by-law removing the seasonal patio restrictions time in section 4.18 of not more than three consecutive days and the thirty-day limit, and to provide the mechanisms by which the Alcohol and Gaming Commission of Ontario regulates capacity;

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

- a communication dated August 7, 2022, from R. Webb;
 - a communication dated August 17, 2022, from S. Olivastri;
 - a communication dated August 18, 2022, from E. Mitchell;
 - a communication dated August 18, 2022, from A.M. Valastro;
- and,
- the staff presentation;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- A.M. Valastro. (2022-D23)

Motion Passed

8. (3.3) 140-142 Wellington Street - Request to Remove Properties from the Register of Cultural Heritage Resources

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the properties located at 140 and 142 Wellington Street BE REMOVED from the Register of Cultural Heritage Resources;

it being noted that no individuals spoke at the public participation meeting associated with this matter. (2022-R01)

Motion Passed

9. (3.4) Demolition Request for Heritage Designated Property at 520 Ontario Street, Old East Heritage Conservation District

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the request to demolish the building on the heritage designated property at 520 Ontario Street, within the Old East Heritage Conservation District, BE PERMITTED pursuant to Section 42(1) of the Ontario Heritage Act subject to the following terms and conditions:

- a) interim protection measures, including fencing, be implemented by the applicant to ensure that the property remains in a clean and protected state following the demolition and prior to construction of a new building; and,
- b) a Heritage Alteration Permit be required following the demolition of the existing dwelling to ensure that the replacement dwelling is consistent with the policies and guidelines of the Old East Heritage Conservation District;

it being noted that the Planning and Environment Committee received a communication dated August 2, 2022 from K. Madlener, with respect to these matters:

it being further noted that no individuals spoke at the public participation meeting associated with this matter. (2022-R01)

Motion Passed

10. (3.5) 767 Fanshawe Park Road East (Z-9499) (Relates to Bill No. 348)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, based on the application by Phuc Minh Tran, relating to the property located at 767 Fanshawe Park Road East, the proposed by-law appended to the staff report dated August 22, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London), to change the zoning of the subject property FROM a Residential (R1-7) Zone TO a Residential R5 Special Provision (R5-7(_));

it being noted that the following urban design and site plan matters were raised during the application review process for consideration by the Site Plan Approval Authority:

- a) provide an alternative building typology/form such as 3-storey townhouse or 3 storey stacked townhouse with grade level units or access to alleviate the following concerns:
 - i) break down the proposed large building massing and architecture to more identifiable individual units (e.g., townhouses) as opposed to a large single massing;
 - ii) consider a flat-roofed typology to accommodate a three-storey form with grade level accessible units;
 - iii) provide enhanced East and West side elevations (more windows, massing and articulation) reducing the blank facades proposed;
 - iv) provide weather protection (e.g., canopies/shade) above balconies and the entrance steps;
 - v) increase the accessibility to the ground floor units by reducing the excessive number of steps to ground floor. If stacked units are proposed, further steps can be incorporated within the unit and ground floor units can be accessed from the street with minimum number of steps;

- vi) robust tree planting on west, east and south property lines;
- vii) board on board fencing on the west, east and south property lines to the maximum height allowed by the Fence By-law;
- viii) ground oriented lighting within the site; and,
- ix) garbage system that will minimize odors such as a deep collection site;

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

- a communication dated May 16, 2022 from D. and S. Berberich;
- the staff presentation;
- a communication dated August 18, 2022 from R. and M. Wilson; and,
- a communication dated May 16, 2022 from S. and C. Cunningham;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- C. Kulchycki, Zelinka Priamo Ltd., on behalf of the applicant;
- S. Berberich, 768 Dalkeith Avenue;
- D. Berberich, 768 Dalkeith Avenue;
- R. Wilson, 105 Wilson Crescent; and,
- M. Wilson, 105 Wilson Crescent;

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

- the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- the recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and the Neighbourhoods Place Type;
- the recommended amendment would permit development at an intensity that is appropriate for the site and the surrounding neighbourhood; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary with an appropriate form of infill development. (2022-D09)

Motion Passed

11. (3.6) A Portion of 4519, 4535 & 4557 Colonel Talbot Road (Z-9433) (Relates to Bill No. 349)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Farhi Holdings Corp., relating to a portion of the properties located at 4519, 4535 and 4557 Colonel Talbot Road:

- a) the proposed revised, ~~attached~~, by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to amend Zoning By-law No. Z.-1, to change the zoning on a portion of the subject property FROM an Arterial Commercial (AC) Zone, a Residential R1 (R1-11) Zone and a holding Residential R1 (h-4.R1-11) Zone TO a Residential R6-5 Special Provision (R6-5(*)) Zone, Residential R8-4 Special Provision (R8-4(*)) Zone, a holding Residential R6-5 Special

Provision (h-(*).R6-5(*)) Zone, a holding Residential R8-4 Special Provision (h-(*).R8-4(*)) Zone and an Open Space (OS5) Zone;

it being noted that the following site plan and urban design matters were raised during the application review process:

- i) provide the communal amenity space for the stacked townhomes, with a direct pedestrian connection from the stacked townhomes, to be maintained under the same ownership as the stacked townhomes;
 - ii) proposed 2.5 metre setbacks to only apply to the northwest corner of the development. Proposed 0.5 m landscape strip to only apply to the southwest portion of the internal drive;
 - iii) provide enhanced architectural details on the end units that are highly visible from Colonel Talbot Road including wrapping materials, windows, and porches. Break up the width of the end unit facades through vertical articulation and material changes that create a more human scale rhythm (i.e. every 5-7m). The composition of the front façade is very successful at achieving this - consider replicating this rhythm on the side facades);
 - iv) incorporate architectural elements and massing on the buildings located adjacent to Dingman Creek so that is compatible with the feature. Consider orienting the buildings to take advantage of their location adjacent to the creek;
 - v) provide enhanced architectural details for portions of the end units that are highly visible from the main gateways into the development (i.e. 53, 80) and from the Dingman Creek corridor (i.e., 1, 54, 59, 60, 66, 67). (Note: unit numbers may change as a result of pathways and units being shifted or reconfigured);
 - vi) consider more variation in the colours and materials across townhouse blocks and between individual units to create unique identities for blocks and units, add character and assist with wayfinding;
 - vii) connect the proposed city sidewalk (in its ultimate location) to the existing sidewalk to the north as an interim condition prior to any future redevelopment of the neighbourhood sites or reconstruction of the road;
 - viii) shift the parking to ensure it is in line with or behind the proposed building. Use landscaping or low landscape walls to screen any parking that is visible from Colonel Talbot Road;
 - ix) provide details and expected use of the proposed concrete pad located behind the stacked townhouses. All outdoor garbage storage should be fully enclosed;
 - x) the applicant needs to be aware that The London Plan Policy 399 will be applied to the development. The London Plan Policy 399 requires 1 replacement tree to be planted for every 10cm dbh [diameter at breast height] removed for development. A tree preservation report will be required at Site Plan to determine the number of replacement trees; and,
 - xi) convey of all or part of the zoned Open Space lands to the City;
- b) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the recommended zoning generally implements the site concept submitted with the application. As part of the application review process a revised site plan concept was submitted with minor revisions including a new interior side yard setback and rear yard setback of 2.5 metres whereas 5.0m was proposed, a new density of 83 units per hectare whereas 81 was proposed, and a landscaped area of 0.5m whereas 1.5m was proposed in the notice of application and public meeting;

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

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- N. Dyjach, SBM Ltd.;

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 policies of The London Plan, including but not limited to the Key Directions, and Neighbourhoods Place Type;
- the recommended amendment conforms to the 1989 Official Plan;
- the recommended amendment facilitates the development of a site within the Built-Area Boundary and supports the City's commitment to reducing and mitigating climate change by supporting efficient use of existing urban lands and infrastructure and regeneration of existing neighbourhoods to limit outward growth;
- the recommended amendment facilitates the development of a site within the Southwest Area Secondary Plan, Schedule 6, Lambeth Residential Neighbourhood; and,
- the recommended holding provision will ensure that all issues regarding hydrogeology, erosion setback maintenance, erosion structural, geotechnical setbacks and all matters relating to slope stability will be dealt with through the site plan approval process to the satisfaction of the City of London and the Upper Thames Conservation Authority (UTRCA). (2022-D09)

Motion Passed

12. (3.7) 604 Beaverbrook Avenue (OZ-9483) (Relates to Bill No.'s 340 and 350)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by 604 Beaverbrook Developments Inc. relating to the property located at 604 Beaverbrook Avenue:

- a) the proposed by-law appended to the staff report dated August 22, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to amend The London Plan to create a specific area policy in the Neighbourhoods Place Type at 604 Beaverbrook Avenue to permit a four (4) storey stacked townhouse development and by ADDING the subject lands to Map 7 – Specific Policy Areas – of The London Plan;
- b) the proposed by-law appended to the staff report dated August 22, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to amend Zoning

By-law No. Z.-1, (in conformity with the 1989 Official Plan, and The London Plan for the City of London as amended in part a) above), to change the zoning of the subject property FROM an Urban Reserve (UR1)) Zone TO a Holding Residential R6 Special Provision Bonus (h-18.R6-5*B-_) Zone;

it being noted that the following site plan and urban design matters were raised during the application review process:

- i) provide sufficient setbacks for site plan planting requirements, and sufficient setbacks to retain existing trees and protect offsite tree roots, and/or provide adequate soil volumes for required perimeter plantings;
 - ii) include enough space for collection access to recycling and waste;
 - iii) provide glass railings that are bird friendly safe, or similar material to reduce the visual impact;
 - iv) ensure there is a minimum setback of 2.5m from parking to habitable space;
 - v) ensure that for the area between the proposed structure and the roadway, there is a design that balances privacy and light (e.g. lattice fence, brise-soleil structure, perennial plants, hardscaping etc.); and,
 - vi) ensure pedestrian circulation and access refinements are constructed in accordance with the Accessibility Review Checklist;
- c) the Bonus Zone shall be enabled through one or more agreements to facilitate the development of a high-quality residential stacked townhouse development, with a maximum height of four (4) storeys, 32 dwelling units and a maximum density of 92 units per hectare, which substantively implements the Site Plan and Elevations appended to the staff report dated August 22, 2022 as Schedule “1” to the amending by-law in return for the following facilities, services, and matters:

1. Exceptional Building Design

- i) a contemporary modern design with architectural details including high-quality materials, horizontal and vertical elements, and large windows, which create a design complementary to adjacent development; and
- ii) a front facing façade that establishes a built edge with primary building entrance and a pedestrian friendly public realm;

2. Provision of Affordable Housing

- i) a total of two(2) 3-bedroom residential units will be provided for affordable housing; one unit within each block;
- ii) rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- iii) the duration of affordability is set at 50 years from the point of initial occupancy;
- iv) the proponent enters into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- v) these conditions to be secured through an agreement registered on title with associated compliance requirements and remedies.

d) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of the proposed by-law as the recommended zoning generally implements the site concept submitted with the application. As part of the application review process a revised site plan concept was

submitted with minor revisions including a new interior side yard setback of 3.0m whereas 3.2m was proposed and a parking rate of 1.0 spaces per unit whereas 1.1 spaces was proposed in the notice of application and public meeting;

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

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- K. Crowley, Zelinka Priamo Ltd; and,
- J. Heddegard, 320 Sugarcreek Trail;

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 Our City, Key Directions, City Design and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City;
- the recommended amendment facilitates the development of an underutilized property and encourages an appropriate form of development;
- the recommended amendment facilitates the development of affordable housing units that will help in addressing the growing need for affordable housing in London. The recommended amendment is in alignment with the Housing Stability Action Plan 2019-2024 and Strategic Area of Focus 2: Create More Housing Stock; and,
- the recommended bonus zone for the subject site will provide a public benefit of affordable housing units, and a quality design standard to be implemented through a subsequent Site Plan application. (2022-D09)

Motion Passed

15. (3.10) 21-41 Meadowlily Road North and 20 Norlan Avenue (OZ-9500) (Relates to Bill No.'s 341 and 353)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Royal Premier Homes, relating to properties located at 21-41 Meadowlily Road North and 20 Norlan Avenue:

- a) the proposed by-law appended to the staff report dated August 22, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to amend The London Plan to add a site specific policy for 21-41 Meadowlily Road North and 20 Norlan Avenue in Policy 1077 _) to allow stacked townhouses on a Neighbourhood Street in a Neighbourhoods Place Type and amend Map 7- Specific Policy Areas to add the subject site;

b) the proposed by-law appended to the staff report dated August 22, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 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 (R1-6) Zone TO a Holding Residential R5 Special Provision Bonus (h-17. h-100. R5-7() *B-) Zone with holding provisions to address sanitary, storm and water servicing and access; a special provision to permit a balcony encroachment minimum of 4.26 metres instead of the required 6.0 metres in the exterior side yard and a Bonus Zone to allow an increase in the maximum density permitted and a reduction in parking required in return for affordable dwelling units and a larger common amenity space area; and,

the Bonus Zone shall be implemented through one or more agreements to facilitate the development of stacked townhouse buildings at a maximum density of 91 units per hectare (80 units, 4 units which are affordable) instead of 60 units per hectare, a reduced parking requirement from 120 parking spaces to 91 parking spaces and provision of additional landscaped open space area/larger common amenity area, which substantively implements the Site Plan, Renderings, and Views, appended to the staff report dated August 22, 2022 as Schedule "1" to the amending by-law and provides for the following:

1) Provision of Affordable Housing

- i) a total of four (4) residential units will be provided for affordable housing; three, one bedroom units and one, two bedroom unit within two of the four proposed townhouse blocks with a maximum of two units in each building;
- ii) rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- iii) the duration of affordability set at 50 years from the point of initial occupancy;
- iv) the proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations; and,
- v) these conditions to be secured through an agreement registered on title with associated compliance requirements and remedies;

2) Common Amenity Space

- i) provide for an appropriately sized and located ground level outdoor amenity space for the number of residents anticipated;
- ii) provide 8.2 m² per unit of landscaped open space in place of the City standard of 5.0 m², which represents an 11.3% increase;

c) the Site Plan Approval Authority BE REQUESTED to consider the following design issues through the site plan process:

- i) ensure that adequate functional common amenity space is provided;
- ii) ensure Stacked Townhouse Block D has regard for the corner location at Meadowlily Road North and Norlan Avenue;
- iii) screen surface parking exposed to Meadowlily Road;
- iv) increase the sidewalk width abutting parking areas to 2.1 metres;
- v) provide a minimum of 1.5 metres from property boundaries to parking areas, it being noted that the full setback may not be attainable on the north side immediately adjacent to the hydro corridor without impacting the ability to deliver the minimum parking

requirements;

- vi) provide 3 metre landscaped islands every 15 parking stalls;
- vii) relocate Canada Post mailbox to more centralized location;
- viii) reduce amount of site asphalt and hardscape; and,
- ix) improve pedestrian connections to rear parking area, common amenity area and both abutting roads;

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

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- H. Froussios, Zelinka Priamo Ltd.;
- G. Mariano, 4 Meadowlily Road; and,
- P. Green;

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

- the recommended amendments are consistent with the Provincial Policy Statement (PPS), 2020 which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future, including affordable housing;
- the recommended amendments generally conform to the in-force Neighbourhoods policies of The London Plan, including but not limited to the use, intensity and form of future development anticipated along a Neighbourhood Street. A special policy has been recommended to allow stacked townhouses on a Neighbourhood Street in a Neighbourhoods Place Type;
- adding a special policy to allow a stacked townhouse development at a higher density is appropriate because the property has a number of favourable locational attributes for residential uses; it is large enough to accommodate the proposal, is at the intersection of two neighbourhood streets, is separated from the single family neighbourhood by an intervening hydro corridor, is across the street from open space, , and its access point is approximately 240 metres from Hamilton Road, a Civic Boulevard, and close to Highbury Avenue, an Expressway, for easy vehicle access.
- the recommended amendments generally conform to the Low Density Residential policies of the 1989 Official Plan, including but not limited to the permitted height and density of future development as a result of density bonusing under Section 19.4.4;
- the recommended amendments facilitate the development of sites within the Built Area Boundary in The London Plan with an appropriate form of infill development; and,
- the recommended holding provisions ensure adequate services are provided before development occurs and recommendations to the site plan approval authority ensure the development will include all the elements which comprise a good infill development. (2022-D09)

Motion Passed

7. (3.2) 3700 Colonel Talbot Road and 3645 Bostwick Road (Z-9521)
(Relates to Bill No. 347)

Motion made by: A. Hopkins

That the following actions be taken with respect to the application by MHBC Planning (Scott Allen, Partner), relating to lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road:

- a) the proposed revised, ~~attached~~, by-law (Appendix "A") BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to amend Zoning By-law No. Z.-1, (in conformity with The London Plan), to amend the regulations of the Residential R1 Special Provision (R1-3(23)) Zone, Residential R1 Special Provision (R1-4(36)) Zone, Residential R2 Special Provision (R2-1(17)) Zone, Residential R2 Special Provision (R2-3(5)) Zone, Residential R4 Special Provision (R4-6(12)) Zone, Residential R6 Special Provision (R6-5(62)) Zone, Residential R6 Special Provision (R6-5(65)) Zone, and Residential R8 Special Provision (R8-4(50)) Zone by deleting Front Yard Setback, Main Dwelling 4.5 metres (Maximum) and adding Front Yard Setback, Main Dwelling for lots fronting on Neighbourhood Connectors (Royal Magnolia Avenue and Campbell Street North) 3.0 metres (Minimum) and 6.0 metres (Maximum) and modifying the regulation which states "Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage" by including after the words ".....of any porch," the following: "whichever is closer to the front lot line,"; and,
- b) the request to amend Zoning By-law No. Z.-1 to delete the Front Yard Setback, Main Dwelling 4.5 metres (Maximum) regulation from the Residential R1 Special Provision (R1-3(23)) Zone, Residential R1 Special Provision (R1-4(36)) Zone, Residential R2 Special Provision (R2-1(17)) Zone, Residential R2 Special Provision (R2-3(5)) Zone, Residential R4 Special Provision (R4-6(12)) Zone, Residential R6 Special Provision (R6-5(62)) Zone, Residential R6 Special Provision (R6-5(64)), Residential R6 Special Provision (R6-5(65)) Zone, and Residential R8 Special Provision (R8-4(50)) Zone, BE REFUSED for the following reasons:
- i) the requested amendment does not meet the intent of The London Plan City Building and Design policies; and,
- ii) the requested amendment does not meet the intent of the Southwest Area Secondary Plan (Section 20.5.4.1 iv)) with respect to residential development intensity adjacent to arterial roads that buildings shall be located close to the street and designed to be street-oriented;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- D. Ailles, York Developments;

it being noted that the Municipal Council approves the regulations of the Residential R1 Special Provision (R1-3(23)) Zone, Residential R1 Special Provision (R1-4(36)) Zone, Residential R2 Special Provision (R2-1(17)) Zone, Residential R2 Special Provision (R2-3(5)) Zone, Residential R4 Special Provision (R4-6(12)) Zone, Residential R6 Special Provision (R6-5(62)) Zone, Residential R6 Special Provision (R6-5(65)) Zone, and Residential R8 Special Provision (R8-4(50)) Zone portion of this application for the following reasons:

- the recommended zoning by-law amendment is consistent with the Provincial Policy Statement;
- the recommended zoning conforms to The London Plan, including but not limited to the Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the recommended zoning conforms to the policies of the Southwest Area Secondary Plan, including but not limited to the North Lambeth and Bostwick Residential Neighbourhood policies; and,
- the recommended zoning is appropriate and will permit dwellings on lots fronting neighbourhood streets more flexibility in design and efficiency while maintaining consistency with the planned vision of the Neighbourhood Place Type and built form that contributes to a sense of place and character;

it being further noted that the Municipal Council refuses the regulations of the request to amend Zoning By-law No. Z.-1 to delete the Front Yard Setback, Main Dwelling 4.5 metres (Maximum) regulation from the Residential R1 Special Provision (R1-3(23)) Zone, Residential R1 Special Provision (R1-4(36)) Zone, Residential R2 Special Provision (R2-1(17)) Zone, Residential R2 Special Provision (R2-3(5)) Zone, Residential R4 Special Provision (R4-6(12)) Zone, Residential R6 Special Provision (R6-5(62)) Zone, Residential R6 Special Provision (R6-5(64)), Residential R6 Special Provision (R6-5(65)) Zone, and Residential R8 Special Provision (R8-4(50)) Zone for the following reasons:

- the requested amendment does not meet the intent of The London Plan City Building and Design policies; and,
- the requested amendment does not meet the intent of the Southwest Area Secondary Plan (Section 20.5.4.1 iv)) with respect to residential development intensity adjacent to arterial roads that buildings shall be located close to the street and designed to be street-oriented. (2022-D09)

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

Motion Passed (15 to 0)

13. (3.8) 712 Baseline Road East (Z-9474) (Relates to Bill No. 351)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Wellington Gate Inc., c/o Westdell Development Corporation, relating to the property located at 712 Base Line Road East:

- a) the proposed by-law appended to the staff report dated August 22, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM a Community Shopping Area (CSA3) Zone TO a Holding Residential R9 Special Provision Bonus (h*R9-7(_)*B(_)) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate the development of a mixed-use commercial/office and residential apartment building, with a

maximum height of 16 storeys or 52.6 metres, 150 residential units, 547 square metres of commercial and office uses at grade, and a maximum mixed-density of 654 units per hectare; the development will generally implement the following design criteria:

1) Design Standards

the building design and site plan will be bonused for features which serve to support the City's objectives of promoting a high standard of design, to be implemented through a development agreement:

i) Site Layout

- a) provide for additional outdoor amenity areas within the west interior side yard and front yard, which includes transit-oriented amenities such as benches and bike racks close to the principal entrance;
- b) provide direct and convenient access throughout the site for pedestrians from the public sidewalks on Baseline Road East to primary building entrances. Pedestrian circulation should consider desire lines to the intersection of Baseline Road and Wellington Road and to the main transit station;
- c) provide for a front yard setback of 2-4m for more urban streetscape treatment with landscaping and trees (large planter beds with edge curb) along Baseline Road East;
- d) provide a functional forecourt leading to the main entrance of the proposed building; and,
- e) provide a functional drop off area;

ii) Ground Floor Design and Uses

- a) active building façade should be directed to public streets as a priority. Additional active uses may line the internal streets / drive aisles and priority should be given to highly visible areas from key entry points;
- b) locate the principal residential building entrance (lobby) on the Baseline Road East-facing elevation;
- c) differentiate the residential lobby entrance from the commercial unit entrances with architectural features such as canopies, signage, lighting, increase in glazing, double doors, framing, materials, etc.; and,
- d) back of house, service, garage and loading areas are to be accessed from internal streets / drive aisles, incorporated internal to the building as much as possible and screened from view;

iii) Podium Design

- a) parking for high-rise development should be provided mainly underground, or where that is not possible, located in the podium and wrapped with active uses along street frontages. Minimize the exposure of the above ground structured parking along Baseline Road by providing residential units, amenity spaces, and/or providing a treatment which allows for windows and views into the building's interior areas disguising the parking garage;
- b) include a minimum 5 metre step-back at the 4th floor along Base Line Road to enhance the pedestrian-oriented street wall;

iv) Tower Design

- a) design high-rise building (above 8 stories) as slender towers (seek to achieve a maximum floor plate size of up to 1000 square meters within a 1.5:1 length: width ratio) in order to reduce "slab-like" appearance of the tower, reduce shadow impacts, reduce obstruction of sky views and to be less imposing on neighbouring properties and public spaces;
- b) design the tower to include a high degree of fenestration in

order to add interest and break-up the massing of the building;
 c) increase the size & scale of proposed windows and use material change, balconies and articulation to break up the facades;
 d) include a high proportion of glazing and modulation such as projections/recesses which use material differentiation in order to break up the consistent vertical plane and massing of the tower;
 e) design and distinguish the top of the buildings (i.e. top 4-5 floors) through an articulated roof form, step-backs, cornices, material change and/or other architectural details and screen/integrate the mechanical and elevator penthouses into an architecture of the building;

2) Provision of Affordable Housing

- i) a total of 10% of the lift (12 affordable housing units based on 156 total units) will be provided in the development, representative of the bedroom and unit mix of the overall building;
- ii) rents not exceeding 80% of the Canada Mortgage and Housing Corporation (CMHC) Average Market Rent (AMR) for the London Census Metropolitan Area (CMA) at the time of building occupancy; where AMR is defined at the one-bedroom, two-bedroom and three-bedroom rate for the London CMA at the time of building occupancy;
- iii) the duration of affordability set at 50 years from the point of initial occupancy of the respective building;
- iv) the proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- v) these conditions to be secured through an agreement entered on title with associated compliance requirements and remedies;

it being noted that the following site and building design criteria, not shown on the proposed renderings, will also be addressed as part of the site plan submission:

- i) consider the incorporation of patio or forecourt space that spills out into the front yard setback(s) to further activate the space and provide an amenity for tenant businesses;
- ii) explore additional roof top amenity areas at various levels in addition to the private rooftop amenity areas proposed;
- iii) provide grading plans and particularly explain/articulate the building interfaces at the West and North edges;
- iv) explore opportunities to increase the ground floor presence on the site to accommodate active uses along the North Façade of the building and explore opportunities to direct the principal residential building entrance (lobby) closer to Wellington Road for convenient access to the transit corridor;
- v) consider relocating the Central Alarm and Control Facilities (CACF) room to the adjacent internal service block on the ground floor such that the residential lobby appears open from the street;
- vi) consider locating all podium level parking behind active uses (such as residential units fronting Base Line Road), underground or elsewhere on the site;
- vii) consider an addition of a podium floor (4 storey podium) with enlarged podium area along the North edge to integrate parking and provide active facades (residential units) along Baseline Road East;
- viii) consider moving some parking to another basement level or explore opportunities for access and parking agreements with the neighbouring property to reduce the number of parking spaces required onsite; and,

b) pursuant to Section 34(17) of the Planning Act, as determined by the Municipal Council, no further notice BE GIVEN in respect of

the proposed by-law as the recommended zoning implements the site concept submitted with the application;

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

- the staff presentation; and,
- a communication dated August 18, 2022, from M. Poddar, Planner II, Strik, Baldinelli, Moniz Ltd.;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- M. Poddar, SBM Ltd., on behalf of the applicant; and,
- P. Green;

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 intensification, redevelopment and a compact form in strategic locations to minimize land consumption and servicing costs. The amendment will provide for a range of housing types and densities to meet projected requirements of current and future residents, by promoting a land use pattern, density and a mix of uses that serve to minimize the length and number of vehicle trips and support the development of viable choices and plans for public transit and other alternative transportation modes;
- the recommended amendment conforms to the policies of The London Plan including but not limited to, Our City, Key Directions, and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City;
- the recommended amendment is appropriate for the site and surrounding context and will contribute to housing options within a Rapid Transit Corridor;
- the recommended amendment secures units for affordable housing through the bonus zone; 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. (2022-D09)

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

Motion Passed (15 to 0)

14. (3.9) 1737 Richmond Street (Z-9470) (Relates to Bill No. 352)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Richmond Hyland Inc., c/o Westdell Development Corporation, relating to the property located at 1737 Richmond Street:

- a) the proposed by-law appended to the staff report dated August 22, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to amend Zoning

By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone, TO a Business District Commercial Special Provision Bonus (BDC1()*B()) Zone;

the Bonus Zone shall be implemented through one or more agreements to facilitate a high-quality development comprised of a mixed-use apartment building with a maximum height of 22 storeys (80m), and a maximum density of 571 units per hectare, which generally implements the Site Plan, Renderings, Elevations and Views ~~attached~~ as Schedule "1" to the amending by-law, and will also implement the following outstanding design criteria:

1) Additional Building and Site Design Requirements

- i) reduce the high-rise portion (above 8 stories) as a slender tower (maximum floor plate size of up to 1000 square meters within a 1.5:1 length: width ratio) in order to reduce any possible "slab-like" appearance, shadow impacts, obstruction of sky views and to be less imposing on neighbouring properties and public spaces;
- ii) articulate the podium facades particularly on the east and west facades with recesses, projections, balconies and terraces, alternating brick tones, fenestration to provide depth and variation in the built form and to enhance the pedestrian environment and break up the massing;
- iii) reduce the blank wall facades on the west elevation ground level facing North Centre Road. Increase visual interest through the use of increased glazing, public wall art, or additional door access. Provide windows for clear sight lines facing North Centre Road from the section of abutting parking garage where the accessibility parking space is located;
- iv) provide a separate key access door to the bike storage room facing North Centre Rd for improved bicycle accessibility in and out of the building and improved streetscape activity;
- v) connect this separate bike storage entrance to the public sidewalk;
- vi) utilize a decorative or public art wall feature and treatment to address the southwest corner and provide visual interest while breaking up the podium massing and establishing a sense of place through this unique feature;

2) Provision of Affordable Housing

- i) a total of 22 units based on 10% of the "lift" of the number of units beyond 150 units per hectare (based on 297 total units) be dedicated to affordable rental housing in exchange for the granting of increased height and density. The mix of the dedicated affordable rental units should be reflective of the unit mix for the 22-storey apartment building;
 - ii) the affordable housing units should be evenly distributed throughout the individual buildings to the greatest extent possible;
 - iii) rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - iv) the duration of affordability set at 50 years from the point of initial occupancy;
 - v) the proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;
- it being noted that the following site and building design criteria, will also be addressed as part of the site plan submission:

- i) explore ways to reduce the tower floor plate size that can further minimize the shadow impact on the 5th floor amenity space;
- ii) include active ground-floor uses such as the principal building

entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Fanshawe Park Road and North Centre Road in order to activate the street edge;

iii) the ground floor commercial units shall provide for a store-front design with primary entrances facing Fanshawe Park Road and the internal shopping centre. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance include direct access from the commercial unit(s) fronting the street to the City sidewalk;

iv) provide functional primary entrances (double doors) for the commercial units along both Fanshawe Park Road and North Centre Road with walkways connecting the entrances to the City Sidewalk;

v) ensure common outdoor amenity space and landscaping at ground level will include additional elements such as benches and landscaping;

vi) lay-by to be removed and the area restored with enhanced landscaping and pedestrian connections to North Centre Road provided;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters;

- the staff presentation; and,
- a communication dated August 18, 2022 from S. Rasanu, Planner, SBM Ltd. and D. Traher, Westdell Development Corp;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- S. Rasanu, SBM Ltd., on behalf of Westdell Development Corp;

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, Our City, Key Directions, and City Building, and will facilitate a built form that contributes to achieving a compact, mixed-use City;
- the recommended amendment secures units for affordable housing through the bonus zone;
- 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; and,
- the recommended amendment is consistent with the Council adopted Masonville Secondary Plan. (2022-D09)

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

That clause 3.9 BE AMENDED to read as follows:

"That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Richmond Hyland Inc., c/o Westdell Development Corporation, relating to the property located at 1737 Richmond Street:

a) the attached proposed by-law BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan), to change the zoning of the subject property FROM an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone, TO a Business District Commercial Special Provision Bonus (BDC1()*B-()) Zone; the Bonus Zone shall be implemented through one or more agreements to facilitate a high-quality development comprised of a mixed-use apartment building with a maximum height of 22 storeys (80m), and a maximum density of 571 units per hectare, which generally implements the Site Plan, Renderings, Elevations and Views appended to the staff report dated August 22, 2022 as Schedule "1" to the amending by-law, and will also implement the following outstanding design criteria:

1) Additional Building and Site Design Requirements

- i) reduce the high-rise portion (above 8 stories) as a slender tower (maximum floor plate size of up to 1000 square meters within a 1.5:1 length: width ratio) in order to reduce any possible "slab-like" appearance, shadow impacts, obstruction of sky views and to be less imposing on neighbouring properties and public spaces;
- ii) articulate the podium facades particularly on the east and west facades with recesses, projections, balconies and terraces, alternating brick tones, fenestration to provide depth and variation in the built form and to enhance the pedestrian environment and break up the massing;
- iii) reduce the blank wall facades on the west elevation ground level facing North Centre Road. Increase visual interest through the use of increased glazing, public wall art, or additional door access. Provide windows for clear sight lines facing North Centre Road from the section of abutting parking garage where the accessibility parking space is located;
- iv) provide a separate key access door to the bike storage room facing North Centre Rd for improved bicycle accessibility in and out of the building and improved streetscape activity;
- v) connect this separate bike storage entrance to the public sidewalk;
- vi) utilize a decorative or public art wall feature and treatment to address the southwest corner and provide visual interest while breaking up the podium massing and establishing a sense of place through this unique feature;

2) Provision of Affordable Housing

- i) a total of 22 units based on 10% of the "lift" of the number of units beyond 150 units per hectare (based on 297 total units) be dedicated to affordable rental housing in exchange for the granting of increased height and density. The mix of the dedicated affordable rental units should be reflective of the unit mix for the 22-storey apartment building;

- ii) the affordable housing units should be evenly distributed throughout the individual buildings to the greatest extent possible;
- iii) rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
- iv) the duration of affordability set at 50 years from the point of initial occupancy;
- v) the proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations;

it being noted that the following site and building design criteria, will also be addressed as part of the site plan submission:

- i) explore ways to reduce the tower floor plate size that can further minimize the shadow impact on the 5th floor amenity space;
- ii) include active ground-floor uses such as the principal building entrance, lobbies, common amenity areas, and street oriented commercial/residential units, oriented towards the public streets with direct access to the sidewalk along Fanshawe Park Road and North Centre Road in order to activate the street edge;
- iii) the ground floor commercial units shall provide for a store-front design with primary entrances facing Fanshawe Park Road and the internal shopping centre. This should include a higher proportion of vision glass, signage, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance include direct access from the commercial unit(s) fronting the street to the City sidewalk;
- iv) provide functional primary entrances (double doors) for the commercial units along both Fanshawe Park Road and North Centre Road with walkways connecting the entrances to the City Sidewalk;
- v) ensure common outdoor amenity space and landscaping at ground level will include additional elements such as benches and landscaping;
- vi) lay-by to be removed and the area restored with enhanced landscaping and pedestrian connections to North Centre Road provided;

it being noted that the Planning and Environment Committee received the following communications with respect to these matters;

- the staff presentation; and,
- a communication dated August 18, 2022 from S. Rasanu, Planner, SBM Ltd. and D. Traher, Westdell Development Corp;

it being pointed out that the following individual made a verbal presentation at the public participation meeting held in conjunction with this matter:

- S. Rasanu, SBM Ltd., on behalf of Westdell Development Corp;

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, Our City, Key Directions, and City Building, and will facilitate a built form that

contributes to achieving a compact, mixed-use City;

- the recommended amendment secures units for affordable housing through the bonus zone;
- 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; and,
- the recommended amendment is consistent with the Council adopted Masonville Secondary Plan. (2022-D09)"

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

Motion Passed (15 to 0)

Motion made by: A. Hopkins

Seconded by: M. Cassidy

That Item 14, clause 3.9, as amended, BE APPROVED.

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

Motion Passed (15 to 0)

16. (4.1) 183 and 197 Ann Street - Proposed Designation By-laws Under Part IV, Section 29 of the Ontario Heritage Act - Consideration of Objections (Relates to Bill No.'s 344 and 345)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the designation of built resources located at municipal addresses 183 Ann Street and 197 Ann Street, located on the consolidated parcel legally described as – LOTS 4, 5, 6 & 7 AND PART LOT 3, SOUTH SIDE ANN STREET PLAN 183(W)DESIGNATED AS PART 1, PLAN 33R-20622, the following actions be taken:

a) the Notice of Objection, dated June 15, 2022, from York Developments appended to the staff report dated August 22, 2022 as Appendix "A" be RECEIVED for consideration;

b) the Municipal Council's intention to designate the built resources at municipal addresses 183 Ann Street and 197 Ann Street under Part IV, Section 29 of the Ontario Heritage Act as set out in Resolution (2022-D09/R01) (4.2/9/PEC) on May 4, 2022 BE REAFFIRMED;

c) the proposed by-law appended to the staff report dated August 22, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022, to designate the built resource at 197 Ann Street under the provisions of Section 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18. for the reasons outlined in Appendix B of the associated staff report; and,

d) the proposed by-law appended to the staff report dated August 22, 2022 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022, to designate the

built resource at 183 Ann Street under the provisions of Section 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18. for the reasons outlined in Appendix C of the associated staff report;

it being noted that this matter has been considered by the London Advisory Committee on Heritage (now the Community Advisory Committee on Planning) and public notice has been completed with respect to designation in compliance with the requirements of the Ontario Heritage Act;

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

- a communication dated August 17, 2022 from AM Valastro, North Talbot Community;
- a communication dated August 17, 2022 from S. Olivastri;
- a communication dated August 18, 2022 from E. Mitchell;
- a communication dated August 18, 2022 from N. Stevens;
- a communication dated August 18, 2022 from J. and J. Sayles;
- a communication dated August 18, 2022 from J. Fooks;
- a communication dated August 18, 2022 from D. Fraser;
- a communication dated August 18, 2022 from B. Benedict;
- a communication dated August 18, 2022 from J. Jacobson;
- a communication dated August 18, 2022 from D. Ferreira;
- a communication dated August 18, 2022 from V. White;
- a communication dated August 18, 2022 from R. McDowell;
- a communication dated August 18, 2022 from J. McDowell;
- a communication dated August 18, 2022 from A. Soufan, President, York Developments; and,
- a communication dated August 18, 2022 from V. Zervakos, Director, Leasing, York Developments. (2022-R01)

Yeas: (13): Mayor E. Holder, M. van Holst, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, and J. Fyfe-Millar

Nays: (2): S. Lewis, and S. Hillier

Motion Passed (13 to 2)

17. (4.2) 1067, 1069 and 1071 Wellington Road (OZ-9263 / Z-9264)
(Relates to Bill No's. 342 and 354)

Motion made by: S. Lehman

That the following actions be taken with respect to the application by Century Centre Development Inc., relating to the properties located at 1067, 1069 and 1071 Wellington Road:

- a) the proposed, ~~attached~~, by-laws BE INTRODUCED at the Municipal Council meeting to be held on September 6, 2022; and,
- b) the staff report dated August 22, 2022 entitled "Century Centre Developments Inc. - 1067, 1069 and 1071 Wellington Road" BE RECEIVED for information;

it being noted that the Planning and Environment Committee received a communication dated August 19, 2022 from M. Campbell, Senior Planner, Zelinka Priamo Ltd., with respect to these matters.

Yeas: (10): Mayor E. Holder, M. van Holst, S. Lewis, M. Hamou, J. Morgan, S. Lehman, P. Van Meerbergen, E. Pelozza, J. Fyfe-Millar, and S. Hillier

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

Motion Passed (10 to 5)

8.5 10th Report of the Community and Protective Services Committee

Motion made by: M. Cassidy

That the 10th Report of the Community and Protective Services Committee BE APPROVED, excluding items 7 (3.2) and 8 (5.1).

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

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest
2. (2.1) 2nd Report of the Accessibility Community Advisory Committee

Motion made by: M. Cassidy

That the 2nd Report of the Accessibility Community Advisory Committee, from the meeting held on July 28, 2022, BE RECEIVED.

Motion Passed

3. (2.2) 2nd Report of the Animal Welfare Community Advisory Committee

Motion made by: M. Cassidy

That the 2nd Report of the Animal Welfare Community Advisory Committee, from the meeting held on August 4, 2022, BE RECEIVED.

Motion Passed

4. (2.3) Information Report on Line of Sight for the Emergency Communications System

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Enterprise Supports, the staff report dated August 23, 2022, with respect to information on Line of Sight for the Emergency Communications System, BE RECEIVED. (2022-P16)

Motion Passed

5. (2.4) Occupant Noise Enforcement - Pilot Project

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the staff report dated August 23, 2022, with respect to an Occupant Noise Enforcement Pilot Project, BE RECEIVED; it being noted that the communication, as appended to the Added Agenda, from M. Temme, with respect to this matter, was received. (2022-P01)

Motion Passed

6. (3.1) Adult Live Entertainment Parlour - Relocation Request (from 2010 Dundas Street to 238 Dundas Street)

Motion made by: M. Cassidy

That the following actions be taken with respect to the staff report dated August 23, 2022, related to an application made under the Business Licensing By-law L.-131-16 (the By-law) to substitute an existing Adult Live Entertainment Parlour location at 2010 Dundas Street to a proposed new location at 238 Dundas Street:

- a) the above-noted staff report BE RECEIVED;
- b) the request to transfer the adult entertainment license from 2010 Dundas Street to 238 Dundas Street BE DENIED; and,
- c) the Civic Administration BE DIRECTED to undertake the necessary steps to allow Municipal Council to consider the deletion of the license from 2010 Dundas Street and hold a public participation meeting at the October 4, 2022 Community and Protective Services Committee meeting with respect to this matter;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- C. Pugh Roberts;
- T. Gray;
- M. Post, Attic Books;
- E. Moriarty;
- S. Chodis;
- J. Bancroft-Snell;
- E. Tony;
- O. Pizyo;
- D. Stambler – see ~~attached~~;
- K. Morris, London Abused Women's Centre; and,
- K. McCandles;

it being noted that the communication, as appended to the Added Agenda, from H. Minogue, with respect to this matter, was received. (2022-P09)

Motion Passed

7. (3.2) Adult Entertainment Body-Rub Parlour - Relocation Request (from 802 Exeter Road to 232 Dundas Street)

Motion made by: M. Cassidy

The following actions be taken with respect to the staff report dated August 23, 2022, related to an application made under the

Business Licensing By-law L.-131-16 to substitute an existing Adult Entertainment Body-rub Parlour location at 802 Exeter Road to a proposed new location at 232 Dundas Street,

- a) the above-noted staff report BE RECEIVED; and,
- b) the request to transfer the adult entertainment body-rub parlour license from 802 Exeter Road to 232 Dundas Street BE DENIED;

it being pointed out that the following individuals made verbal presentations at the public participation meeting held in conjunction with this matter:

- S. Keyes, representing the applicant;
- S. Centen, Ambiance Spa;
- S. Chodis;
- E. Moriarty;
- M. Post, Attic Books;
- J. Bancroft-Snell;
- D. Slansky, Ambiance Spa;
- J. Bolschetschenko, Ambiance Spa;
- S. Komaromi;
- M. Williams;
- O. Pizyo;
- D. Stambler – see ~~attached~~;
- K. Morris, London Abused Women's Centre;
- K. McCandles; and,
- E. Tony;

it being noted that the communication, as appended to the Added Agenda, from H. Minogue, with respect to this matter, was received. (2022-P09)

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, J. Fyfe-Millar, and S. Hillier

Nays: (1): J. Helmer

Motion Passed (14 to 1)

8. (5.1) Deferred Matters List

Motion made by: M. Cassidy

That the Deferred Matters List for the Community and Protective Services Committee, as at August 15, 2022, BE RECEIVED.

Motion made by: M. Cassidy

That item #1 of the Deferred Matters List, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelozo, and J. Fyfe-Millar

Recuse: (1): S. Hillier

Motion Passed (14 to 0)

Motion made by: M. Cassidy

That the balance of the Deferred Matters List BE APPROVED.

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

Motion Passed (15 to 0)

9. Added Reports

9.1 12th Report of Council in Closed Session

Motion made by: M. Cassidy

Seconded by: S. Lehman

YOUR COUNCIL IN CLOSED SESSION REPORTS:

1. That progress was made with respect to items 4.1 to 4.3, as noted on the public agenda;
2. That progress was made with respect to Item 4.4, a matter pertaining to Solicitor-Client Privileged Advice, as noted on the public agenda; and,
3. That progress was made with respect to Item 4.5, a matter, as noted on the public agenda pertaining to advice that is subject to solicitor-client privilege, with respect to an appeal at the Ontario Land Tribunal ("OLT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, S. Turner, E. Pelozza, J. Fyfe-Millar, and S. Hillier

Absent: (1): P. Van Meerbergen

Motion Passed (14 to 0)

At 6:06 PM, Councillor P. Van Meerbergen leaves the meeting.

10. Deferred Matters

None.

11. Enquiries

Councillor M. Cassidy enquires with respect to the annual display of First Nations flags in City Hall with respect to recognition of the anniversary of the London Township Treaty. The City Clerk advised that, in accordance with the Flags at City Hall Council Policy, all of the First Nations were contacted in August to invite that their flags be displayed at City Hall on September 7, 2022.

Councillor M. Cassidy further enquires as to whether there will be additional recognition of the event in the future. The City Manager advises that this matter will be a part of a future report related to steps and actions of Truth and Reconciliation.

12. Emergent Motions

None.

At 6:10 PM, Councillor S. Lewis leaves the meeting.

13. By-laws

Motion made by: M. Hamou

Seconded by: M. van Holst

That Introduction and First Reading of Bill No.'s 335 to 353, and exclusive of Bill No.'s 339, 342 and 354 and including the revised Bill No. 352, BE APPROVED.

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

Absent: (2): S. Lewis, and P. Van Meerbergen

Motion Passed (13 to 0)

At 6:13 PM, Councillor P. Van Meerbergen returns to the meeting.

Motion made by: E. Peloza

Seconded by: J. Fyfe-Millar

That Second Reading of Bill No.'s 335 to 353, and exclusive of Bill No.'s 339, 342 and 354 and including the revised Bill No. 352, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Absent: (1): S. Lewis

Motion Passed (14 to 0)

Motion made by: S. Lehman

Seconded by: M. van Holst

That Third Reading and Enactment of Bill No.'s 335 to 353, and exclusive of Bill No.'s 339, 342 and 354, and including the revised Bill No. 352, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, M. Salih, J. Helmer, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Absent: (1): S. Lewis

Motion Passed (14 to 0)

At 6:15 PM, Councillor S. Lewis returns to the meeting.

Motion made by: S. Hillier

Seconded by: A. Hopkins

That Introduction and First Reading of the Bill No. 339, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Peloza, J. Fyfe-Millar, and S. Hillier

Recuse: (1): J. Helmer

Motion Passed (14 to 0)

Motion made by: J. Fyfe-Millar
Seconded by: E. Pelosa

That Second Reading of the Bill No. 339, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, J. Fyfe-Millar, and S. Hillier

Recuse: (1): J. Helmer

Motion Passed (14 to 0)

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

That Third Reading and Enactment of the Bill No. 339, BE APPROVED.

Yeas: (14): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Cassidy, M. Hamou, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, E. Pelosa, J. Fyfe-Millar, and S. Hillier

Recuse: (1): J. Helmer

Motion Passed (14 to 0)

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

That Introduction and First Reading of the Bill No.'s 342 and 354, BE APPROVED.

Yeas: (11): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Hamou, J. Morgan, S. Lehman, P. Van Meerbergen, E. Pelosa, J. Fyfe-Millar, and S. Hillier

Nays: (4): J. Helmer, M. Cassidy, A. Hopkins, and S. Turner

Motion Passed (11 to 4)

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

That Second Reading of the Bill No.'s 342 and 354, BE APPROVED.

Yeas: (11): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Hamou, J. Morgan, S. Lehman, P. Van Meerbergen, E. Pelosa, J. Fyfe-Millar, and S. Hillier

Nays: (4): J. Helmer, M. Cassidy, A. Hopkins, and S. Turner

Motion Passed (11 to 4)

Motion made by: J. Fyfe-Millar
Seconded by: S. Hillier

That Third Reading and Enactment of the Bill No.'s 342 and 354, BE APPROVED.

Yeas: (11): Mayor E. Holder, M. van Holst, S. Lewis, M. Salih, M. Hamou, J. Morgan, S. Lehman, P. Van Meerbergen, E. Pelosa, J. Fyfe-Millar, and S. Hillier

Nays: (4): J. Helmer, M. Cassidy, A. Hopkins, and S. Turner

Motion Passed (11 to 4)

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

Bill No. 335	By-law No. A.-8295-240 - A by-law to confirm the proceedings of the Council Meeting held on the 6th day of September, 2022. (City Clerk)
Bill No. 336	By-law No. E.-191-241 - A by-law to establish the 2022 Municipal Election Compliance Audit Committee in accordance with Section 88.37 of the Municipal Elections Act, 1996, as amended. (2.2a/12/CSC)
Bill No. 337	By-law No. E.-192-242 - A by-law to approve the appointments to the Municipal Election Compliance Audit Committee for the 2022 Municipal Election in accordance with Section 88.37 of the Municipal Elections Act, 1996, as amended. (2.2b/12/CSC)
Bill No. 338	By-law No. A.-7562(d)-243 - A by-law to amend By-law No. A.-7562-160, as amended, being “A by-law to repeal and replace By-law A.-7015-285, being The Grants for Sump Pump, Sewage Ejector and Storm Drain Connection Grant Program By-law” by deleting Schedule “A” to the By-law and by replacing it with a new Schedule “A” to clarify language and terminology within the By-law and revise the funding upset limits to account for inflation. (2.3/11/CWC)
Bill No. 339	By-law No. A.-8290(a)-244 - A by-law to amend By-law No. A.-8290-227, a bylaw to impose a Municipal Accommodation Tax and to repeal By-law No. A.-7753-259, as amended, entitled, “A bylaw to impose a Municipal Accommodation Tax.” (2.2/12/SPPC)
Bill No. 340	By-law No. C.P.-1512(br)-245 - A by-law to amend The Official Plan for the City of London, 2016 relating to 604 Beaverbrook Avenue. (3.7a/14/PEC)
Bill No. 341	By-law No. C.P.-1512(bs)-246 - A by-law to amend The Official Plan for the City of London, 2016 relating to 21-41 Meadowlily Road North and 20 Norlan Avenue. (3.10a/14/PEC)
Bill No. 342	By-law No. C.P.-1512(bt)-247 - A by-law to amend The Official Plan for the City of London, 2016 relating to 1067, 1069, 1071 Wellington Road. (4.2/14/PEC)
Bill No. 343	By-law No. L.S.P.-3501-248 - A by-law to designate 6092 Pack Road to be of cultural heritage value or interest. (2.5/12/PEC)
Bill No. 344	By-law No. L.S.P.-3502-249 - A by-law to designate 197 Ann Street to be of cultural heritage value or interest. (4.1c/14/PEC)
Bill No. 345	By-law No. L.S.P.-3503-250 - A by-law to designate 183 Ann Street to be of cultural heritage value or interest. (4.1d/14/PEC)
Bill No. 346	By-law No. PS-114-22004 - A by-law to amend By-law PS-114 entitled, “A by-law to regulate traffic and the parking of motor vehicles in the City of London.” (2.1/11/CWC)
Bill No. 347	By-law No. Z.-1-223051 - A bylaw to amend By-law No. Z.-1 to rezone lands located at 3700 Colonel Talbot Road and 3645 Bostwick Road. (3.2a/14/PEC)

Bill No. 348	By-law No. Z.-1-223052 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 767 Fanshawe Park Road East. (3.5/14/PEC)
Bill No. 349	By-law No. Z.-1-223053 - A by-law to amend By-law No. Z.-1 to rezone an area of land located 4519, 4535 & 4557 Colonel Talbot Road. (3.6/14/PEC)
Bill No. 350	By-law No. Z.-1-223054 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at Beaverbrook Avenue. (3.7b/14/PEC)
Bill No. 351	By-law No. Z.-1-223055 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 712 Base Line Road East. (3.8/14/PEC)
Bill No. 352	By-law No. Z.-1-223056 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1737 Richmond Street. (3.9/14/PEC)
Bill No. 353	By-law No. Z.-1-223057 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 21-41 Meadowlily Road North and 20 Norlan Avenue. (3.10b/14/PEC)
Bill No. 354	By-law No. Z.-1-223058 - A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1067, 1069, 1071 Wellington Road. (4.2/14/PEC)

14. Adjournment

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

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourns at 6:22 PM.

Ed Holder, Mayor

Michael Schulthess, City Clerk