



Council Agenda

15th Meeting of City Council

November 8, 2022

4:00 PM

Council Chambers - Please check the City website for additional meeting detail information. Meetings can be viewed via live-streaming on YouTube and the City Website.

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Metis and Inuit people today.

As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

The City of London is committed to making every effort to provide alternate formats and communication supports for meetings upon request. To make a request specific to this meeting, please contact councilagenda@london.ca or 519-661-2489 ext. 2425.

Pages

1. **Disclosures of Pecuniary Interest**
2. **Recognitions**
3. **Review of Confidential Matters to be Considered in Public**
4. **Council, In Closed Session**

Motion for Council, In Closed Session (Council will remain In Closed Session until approximately 5:15 PM, at which time Council will rise and reconvene in Public Session; Council may resume In Closed Session later in the meeting, if required.)

4.1. **Solicitor-Client Privileged Advice**

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding a complaint made by Derek Satnik, Vice President of Technology, EVE Park London LP under Part IV of By-law C.P.-1496-244, as amended, the Development Charges By-law, in respect of the development charge imposed by The Corporation of the City of London in connection with development on the land known as 2050 Linkway Boulevard; Clerk's Note - this confidential session was held while the Corporate Services Committee convened as the Hearing Tribunal. (6.1/14/CSC)

4.2. **Personal Matter/Identifiable Individual**

A matter pertaining to personal matters about identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (Clerk's Note: The confidential report will be provided at the Council meeting.) (6.1/15/SPPC)

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

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8.1.	12th Report of the Community and Protective Services Committee	37
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	2. (2.1) Update on the Roadmap to 3,000 Affordable Units	
	3. (2.2) 2022 Annual Emergency Management Program Update (Relates to Bill No. 384)	
	4. (2.3) Former River Road Golf Course - Plans for Ownership and Municipal Use	
	5. (5.1) Deferred Matters List	
8.2.	14th Report of the Corporate Services Committee	40
	1. Disclosures of Pecuniary Interest	
	2. (2.1) City of London's Credit Rating	
	3. (2.2) Pre-Authorized Tax Payment Plan By-law and Collection of Interim Property Taxes By-law (Relates to Bill No's. 385 and 386)	
	4. (3.1) Development Charge Appeal - 2050 Linkway Boulevard	
8.3.	14th Report of the Civic Works Committee	61
	1. Disclosures of Pecuniary Interest	
	2. (2.1) Amendments to the Traffic and Parking By-Law (Relates to Bill No. 387)	
	3. (2.2) 2023 Stormwater Management Remediation Project Consultant Award	
	4. (2.3) 2025 Transportation Development Charges Background Study Appointment of Consultant	
	5. (5.1) Deferred Matters List	
	6. (5.2) Councillor M. van Holst - Roadway Improvements at Hamilton Road and Highbury Avenue	
9.	Added Reports	
9.1.	15th Report of the Strategic Priorities and Policy Committee (Clerk's Note: the report will be provided at the Council meeting.)	
10.	Deferred Matters	

11. Enquiries

12. Emergent Motions

13. By-laws

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

- 13.1. Bill No. 383 By-law No. A.- _____ - _____ 64
A by-law to confirm the proceedings of the Council Meeting held on the 8th day of November, 2022. (City Clerk)
- 13.2. Bill No. 384 By-law No. A.-7657()-____ 65
A by-law to amend By-law No. A.-7657-4, as amended, being “A by-law to repeal By-law No. A.-7495-21 and to adopt an Emergency Management Program and Plan” in order to repeal and replace Schedule “A” to the by-law. (2.2a/12/CPSC)
- 13.3. Bill No. 385 By-law No. A.-5505()-____ 111
A by-law to amend By-law No. A.-5505-497 entitled, “A by-law to authorize the implementation of a pre-authorized tax payment plan for The Corporation of the City of London” by changing the multiplier to determine the pre-authorized property tax payment from 1.030 to 1.0245 effective January 1, 2023. (2.2a/14/CSC)
- 13.4. Bill No. 386 By-law No. A-8-22_____ 112
A by-law to amend By-law No. A-8, as amended entitled “Property Tax Collection by-law” by changing the calculation percent for the Interim Levy from 41.2% to 40.98% effective January 1, 2023. (2.2b/14/CSC)
- 13.5. Bill No. 387 By-law No. PS-114-22_____ 113
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.” (2.1/14/CWC)
- 13.6. Bill No. 388 By-law No. S.- _____ - _____ 117
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wonderland Road South, north of Viscount Road) (Chief Surveyor – for road dedication purposes pursuant to B.041/21)
- 13.7. Bill No. 389 By-law No. S.- _____ - _____ 119
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to York Street, west of Ridout Street North; and as widening to Ridout Street North, north of York Street) (Chief Surveyor – for road dedication purposes pursuant to B.037/20)
- 13.8. Bill No. 390 By-law No. S.- _____ - _____ 121
A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Gainsborough Road, east of Hyde Park Road) (Chief Surveyor – for road dedication purposes pursuant to SPA20-068)

14. Adjournment



Council Minutes

14th Meeting of City Council
October 17, 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. Pelozza, J. Fyfe-Millar, S. Hillier

Also Present: K. van Lammeren, B. Westlake-Power

Remote Attendance: L. Livingstone, A. Barbon, G. Belch, B. Card, S. Corman, J. Davison, K. Dickins, K. Edwards, L. Marshall, S. Mathers, M. Schulthess, C. Smith, J. Stanford

The meeting is called to order at 4:01 PM; it being noted that the following Members were in remote attendance, Councillors M. van Holst, M. Salih, J. Helmer and P. Van Meerbergen

1. Disclosures of Pecuniary Interest

Councillor S. Hillier discloses a pecuniary interest in item 6 of the 11th Report of the Community and Protective Services Committee Report, having to do with the Deferred Matters List, specifically item number 1 on the list, by indicating that his family hosts a five-day event.

2. Recognitions

None.

3. Review of Confidential Matters to be Considered in Public

None.

4. Council, In Closed Session

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

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

4.1 Litigation/Solicitor-Client Privilege

A matter pertaining to litigation currently before the Superior Court of Justice, court file No. 2278/18 and 2278/18-A1 affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, related to the Bradley Avenue West Extension and Wharncliffe Road South Improvements. (6.1/13/CWC)

4.2 Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (6.2/13/CWC)

4.3 Solicitor-Client Privilege

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to 2010 Dundas Street East, a location where an Adult Live Entertainment Parlour may operate under the City's Business Licensing By-law L-6. (6.1/11/CPSC)

4.4 Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (6.2/11/CPSC)

4.5 Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (6.3/11/CPSC)

4.6 Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (6.4/11/CPSC)

4.7 Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (6.1/16/PEC)

4.8 Personal Matter/Identifiable Individual

A matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (6.1/14/SPPC)

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 4:08 PM to 4:29 PM.

At 4:36 PM, Council resumes in public session, with all members in attendance.

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

5.1 13th Meeting held on September 27, 2022

Motion made by: J. Fyfe-Millar

Seconded by: J. Helmer

That the Minutes of the 13th Meeting held on September 27, 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: S. Hillier

Seconded by: P. Van Meerbergen

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

6.1 Adult Live Entertainment Parlour - 2010 Dundas Street - Deletion of Location

1. K. Albert

6.2 Zoning Amendment to Permit a Pilot of Temporary Mobile Shelters

1. Councillor M. Van Holst

6.3 ReThink Zoning Information Report

1. M. Wallace, Executive Director, London Development Institute

6.4 Zoning By-law Amendment - Seasonal Outdoor Patios

1. AM. Valastro

6.5 1156 Dundas Street

1. C. Zaluski, Owner, McCormick Villages Inc. and S. Cornwell, Planner, Sierra Construction

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)

7. Motions of Which Notice is Given

None.

8. Reports

8.1 13th Report of the Civic Works Committee

Motion made by: E. Pelosa

That the 13th 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

Motion made by: E. Pelosa

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) 2nd and 3rd Reports of the Environmental Stewardship and Action Community Advisory Committee

Motion made by: E. Pelosa

That the following actions be taken with respect to the 2nd and 3rd Reports of the Environmental Stewardship and Action Community Advisory Committee (ESACAC), from the meetings held on September 7, 2022 and September 21, 2022, respectively:

a) the following actions be taken with respect to the 2nd Report of the ESACAC:

i) the 1470-1474 Highbury Avenue Working Group comments BE FORWARDED to the Civic Administration for consideration and the Planner BE REQUESTED to respond to the ESACAC questions;

and

- ii) clauses 1.1, 1.2, 2.1, 3.1, 3.2 and 5.1 to 5.5, BE RECEIVED;
- b) the 3rd Report of the ESACAC BE RECEIVED.

Motion Passed

3. (2.2) Emergency Repair of Incinerator Systems at Greenway Wastewater Treatment Plant

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 October 4, 2022, related to the Emergency Repair of the Incinerator at the Greenway Wastewater Treatment Plant:

- a) the purchase orders issued for emergency repairs to the incinerator and related systems at Greenway Wastewater Treatment Plant under Section 14.2 of the Procurement of Goods and Services Policy at a projected total price of \$178,483.91 (HST excluded), BE CONFIRMED;
- 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 Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations; and,
- d) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project. (2022-E03)

Motion Passed

4. (2.3) Short-Term Contract Amendment for EnviroDepot Operation and Management Program

Motion made by: E. Pelosa

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report, dated October 4, 2022, related to a Short-Term Contract Amendment for EnviroDepot Operation and Management Program:

- a) the action taken by the Deputy City Manager, Environment and Infrastructure, in accordance with Procurement of Goods and Services Policy, Section 4.3 d., BE RECOGNIZED; it being noted that the action taken is in the best interest for the safe and efficient operation of EnviroDepots during the fall season (2022) when use of the EnviroDepots is increased;
- b) the short-term amendment of the contract with Try Recycling Inc., for the provision of the EnviroDepot Operation and Management Program, in accordance with Procurement of Goods and Services Policy, Section 20.3 e)i., BE APPROVED; and,

c) the Civic Administration BE AUTHORIZED to undertake all administrative acts that are necessary in connection with this Report and the contracts referenced herein. (2022-E07)

Motion Passed

5. (2.4) Dedicated Locator Model Agreement (Relates to Bill No. 363)

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 October 4, 2022, BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to:

a) adopt the Dedicated Locator Model Agreement, as appended to the above-noted by-law, that establishes the terms and conditions Dedicated Locators must agree to when locating municipal services on behalf of the City; and,

b) delegate to the Deputy City Manager, Environment and Infrastructure, the authority to make minor amendments to the approved Dedicated Locate Model Agreement from time to time and is fully responsible for determining the terms and conditions in the above-noted Agreement, specific to each project and has the authority to approve and reject applications and execute and terminate Dedicated Locate Agreements on behalf of The Corporation of the City of London. (2022-L04A)

Motion Passed

6. (4.1) 4th Report of the Integrated Transportation Community Advisory Committee

Motion made by: E. Pelosa

That the following actions be taken with respect to the 4th Report of the Integrated Transportation Community Advisory Committee (ITCAC), from its meeting held on September 21, 2022:

a) the following actions be taken with respect to the Integrated Transportation Community Advisory Committee (ITCAC) Active Transportation Sub-Committee:

i) the Civic Administration BE REQUESTED to consult with the ITCAC during all "Advisory Committee Consultation Phases" of the Mobility Master Plan process and identify specific areas of the process where the ITCAC may provide its input, expertise and support to the Mobility Master Plan Project Team and/or the Community Engagement Panel; and,

ii) the Civic Administration BE REQUESTED to consult with the ITCAC during the development of the proposed draft by-law related to E-Scooters;

b) clauses 1.1, 2.1 and 3.1 to 3.3 BE RECEIVED.

Motion Passed

7. (5.1) Deferred Matters List

Motion made by: E. Pelosa

That the Civic Works Committee Deferred Matters List as at September 26, 2022, BE RECEIVED.

Motion Passed

8. (5.2) Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Detailed Design Consultant Award

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 October 4, 2022, related to the Greenway and Adelaide Wastewater Treatment Plants Climate Change Resiliency Detailed Design Consultant Award:

- a) CIMA Canada Inc. BE APPOINTED Consulting Engineers in the amount of \$2,104,213.00, including 10% contingency (excluding HST), in accordance with Section 15.2 (e) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report", as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-E03)

Motion Passed

8.2 11th Report of the Community and Protective Services Committee

Motion made by: M. Cassidy

That Items 1 to 4 of the 11th Report of the Community and Protective 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. Pelosa, J. Fyfe-Millar, and S. Hillier

Motion Passed (15 to 0)

1. Disclosures of Pecuniary Interest

Motion made by: M. Cassidy

That it BE NOTED that Councillor S. Hillier disclosed a pecuniary interest in clause 5.1 of this Report, having to do with the Deferred Matters List, specifically item number 1 on the list, by indicating that his family hosts a five-day event.

Motion Passed

2. (2.1) 3rd Report of the Accessibility Community Advisory Committee

Motion made by: M. Cassidy

That the 3rd Report of the Accessibility Community Advisory Committee, from its meeting held on September 22, 2022, BE RECEIVED.

Motion Passed

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

Motion made by: M. Cassidy

That the 3rd Report of the Accessibility Community Advisory Committee, from its meeting held on September 22, 2022, BE RECEIVED.

Motion Passed

4. (2.3) Property Standards Related Demolitions (Relates to Bill No. 364)

Motion made by: M. Cassidy

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the proposed by-law, as appended to the staff report, dated October 4, 2022, BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022, to approve the potential demolition of the abandoned buildings located at 421 Wharnccliffe Road South, 254 Hamilton Road and 7234 Littlewood Drive and the properties may be cleared of all identified buildings, structures, debris and refuse and left in a graded and levelled condition in accordance with the City of London Property Standards By-law and the Ontario Building Code Act. (2022-P10D)

Motion Passed

5. (3.1) Adult Live Entertainment Parlour - 2010 Dundas Street - Deletion of Location

Motion made by: M. Cassidy

That the following actions be taken with respect to the staff report, dated October 4, 2022, with respect to the Adult Live Entertainment Parlour located at 2010 Dundas Street – Deletion of Location:

- a) the Civic Administration BE DIRECTED to provide the Community and Protective Services Committee with future status

update reports with respect to licence applications for adult entertainment parlour locations;

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

c) the communication, as appended to the Added Agenda, from W. Goldsmith and J. Dunn, London Abused Women's Centre, with respect to this matter, BE RECEIVED;

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

- W. Goldsmith, London Abused Women's Centre; and,
- J. Dunn, London Abused Women's Centre. (2022-P09)

Yeas: (9): Mayor E. Holder, M. van Holst, M. Salih, J. Helmer, M. Cassidy, A. Hopkins, P. Van Meerbergen, S. Turner, and J. Fyfe-Millar

Nays: (6): S. Lewis, M. Hamou, J. Morgan, S. Lehman, E. Peloza, and S. Hillier

Motion Passed (9 to 6)

6. (5.1) Deferred Matters List

Motion made by: M. Cassidy

That the Deferred Matters List for the Community and Protective Services Committee, as at September 226, 2022, BE RECEIVED.

Motion made by: M. Cassidy

Motion to approve Item 1 of the Deferred Matters List.

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. Peloza, and J. Fyfe-Millar

Recuse: (1): S. Hillier

Motion Passed (14 to 0)

Motion made by: M. Cassidy

Motion to approve the balance of the Deferred Matters List.

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)

7. (5.2) Councillor M. Van Holst - Zoning Amendment to Permit a Pilot of Temporary Mobile Shelters

Motion made by: M. Cassidy

That the communication, dated September 30, 2022, from Councillor M. van Holst, with respect to a zoning amendment to

permit a pilot of temporary mobile shelters, BE RECEIVED. (2022-S11)

Motion made by: M. van Holst
Seconded by: E. Pelozo

That clause 5.2 BE AMENDED by adding the following:

"b) that Staff BE DIRECTED to initiate a review of the zoning by-law to consider temporary mobile shelters at places of worship."

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

That the communications from Councillor M. van Holst, as well as the proposed amendment to the clause BE REFERRED to the ongoing ReThink Zoning process, in order to consider the use of temporary mobile shelters, including on lands zoned for places of worship.

Yeas: (12): Mayor E. Holder, S. Lewis, M. Salih, J. Helmer, M. Cassidy, J. Morgan, S. Lehman, A. Hopkins, P. Van Meerbergen, S. Turner, J. Fyfe-Millar, and S. Hillier

Nays: (3): M. van Holst, M. Hamou, and E. Pelozo

Motion Passed (12 to 3)

8.3 13th Report of the Corporate Services Committee

Motion made by: S. Lewis

That the 13th 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. Pelozo, 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) Appointments and Updates to the Joint Venture Management Committee for the 4-Pad Arena Complex (Relates to Bill No. 362)

Motion made by: S. Lewis

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to the Joint Venture Management Committee for the 4-Pad Arena Complex:

a) the proposed by-law as appended to the staff report dated October 3, 2022 as Appendix "A" BE INTRODUCED at the October 17, 2022 meeting of the Municipal Council to amend By-law No. A.-6567-226 being a by-law to approve the appointment of the City's representatives to the Joint Venture Management Committee for

the 4-Pad Arena Complex located on Western Fair Association (WFA) lands; and,

b) the Western Fair Association's Chief Executive Officer, and the Director of Racing along with their Director of Corporate Services as an alternative representative BE APPROVED as Western Fair Association's nominees to the Joint Venture Management Committee.

Motion Passed

3. (4.1) Application - Issuance of Proclamation - Economic Abuse Awareness Day

Motion made by: S. Lewis

That the application from Canadian Centre for Women's Empowerment, November 26, 2022 with respect to Economic Abuse Awareness Day BE RECEIVED.

Motion Passed

4. (4.2) Application - Issuance of Proclamation - National Children's Grief Awareness Day

Motion made by: S. Lewis

That the application dated August 25, 2022 from Rainbows For All Children Canada, November 17, 2022 with respect to National Children's Grief Awareness Day, BE RECEIVED.

Motion Passed

5. (5.1) Application - Issuance of Proclamation - Treaties Recognition Week

Motion made by: S. Lewis

That based on the application dated September 22, 2022 from Oneida Nation of the Thames, November 6 - 12, 2022 BE PROCLAIMED Treaties Recognition Week.

Motion Passed

- 8.4 16th Report of the Planning and Environment Committee

Motion made by: A. Hopkins

That the 16th Report of the Planning and Environment 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. Pelozza, 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) 3rd Report of the Ecological Community Advisory Committee
Motion made by: A. Hopkins
That the 3rd Report of the Ecological Community Advisory Committee, from its meeting held on September 15, 2022 BE RECEIVED for information. (2022-D04)

Motion Passed

3. (2.2) 5th Report of the Community Advisory Committee on Planning
Motion made by: A. Hopkins
That the 5th Report of the Community Advisory Committee on Planning from its meeting held on September 14, 2022 BE RECEIVED for information. (2022-A02)

Motion Passed

4. (2.3) 3924 and 4138 Colonel Talbot Road - Heathwoods - Phase 5 (39T-12503)
Motion made by: A. Hopkins
That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to entering into a Subdivision Agreement between The Corporation of the City of London and Auburn Developments Ltd., for the subdivision of land situated on the east side of Colonel Talbot Road, north of Lambeth Walk, municipally known as 3924-4128 Colonel Talbot Road:
- a) the Special Provisions, to be contained in a Subdivision Agreement between The Corporation of the City of London and Auburn Developments Ltd., for the Heathwoods Subdivision, Phase 5 (39T-12503_5) appended to the staff report dated October 3, 2022 as Appendix "A", BE APPROVED;
 - b) the Applicant BE ADVISED that Development Finance has summarized the claims and revenues appended to the staff report dated October 3, 2022 as Appendix "B"; and,
 - c) the Mayor and the City Clerk BE AUTHORIZED to execute this Agreement, any amending agreements and all documents required to fulfill its conditions. (2022-D12)

Motion Passed

5. (2.4) Heritage Alteration Permit Application - 870 Queens Avenue, 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 application under Section 42 of the Ontario Heritage Act seeking retroactive approval for painting previously unpainted brick of the

heritage designated property at 870 Queens Avenue, within the Old East Heritage Conservation District, BE REFUSED;

it being noted that removing the paint from the brick is necessary to restore the property to its former condition. (2022-R01)

Motion Passed

6. (2.5) 634 Commissioners Road West (Z-9541)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the following actions be taken with respect to the designation of the property at 634 Commissioners Road West:

a) Notice BE GIVEN under the provisions of Section 29(3) of the Ontario Heritage Act, R.S.O. 1990, c. O. 18, of Municipal Council's intention to designate the property to be of cultural heritage value or interest for the reasons outlined in Appendix D of the associated staff report dated October 3, 2022; and,

b) should no objections to Municipal Council's notice of intention to designate be received, a by-law to designate the property located at 634 Commissioners Road West to be of cultural heritage value or interest for the reasons outlined in Appendix D of the above-noted staff report BE INTRODUCED at a future meeting of Municipal Council within 90 days of the end of the objection period;

it being noted that should an objection to Municipal Council's notice of intention to designate be received, a subsequent staff report will be prepared; and,

it being further noted that should an appeal to the passage of the by-law be received, the City Clerk will refer the appeal to the Ontario Land Tribunal. (2022-R01)

Motion Passed

7. (3.1) 2810 Roxburgh Road (Z-9525) (Relates to Bill No. 374)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, based on the application by Harpreet Singh (2309529 Ontario Inc.), relating to the property located at 2810 Roxburgh Road, the proposed by-law appended to the staff report dated October 3, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022, to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan for the City of London (The London Plan, 2016)), to change the zoning of the subject property FROM a Light Industrial (LI2) Zone TO a Light Industrial Special Provision (LI6(_)) Zone;

it being noted that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:

a) appropriate setbacks along the site boundaries, provide enhanced landscaping along the site borders, and use enhanced landscaping and street trees along Roxburgh Road to screen the development and meet City tree planting requirements; and,

b) hard surfacing for the parking lot;

it being noted that no individuals spoke at the public participation meeting associated with this matter

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 policies of The London Plan, including but not limited to the Key Directions and Light Industrial Place Type;
- the recommended amendment would facilitate the reuse of an otherwise underutilized parcel of land within an existing Industrial Area;
- the proposed use is considered appropriate for the context of the site; and,
- the recommended amendment conforms to the in-force policies of the Southwest Area Secondary Plan, including but not limited to the Land Use Designations policies for Industrial Areas within the Brockley Industrial Neighbourhood. (2022-D21)

Motion Passed

8. (3.2) 16 Wethered Street (Z-9309) (Relates to Bill No. 375)

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 24457277 Ontario Inc. (Phil Pattyn), relating to the property located at 16 Wethered Street:

- a) the proposed by-law appended to the staff report dated October 3, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend Zoning By-law No. Z-1, (in conformity with the Official Plan for the City of London (The London Plan 2016)), to change the zoning of the subject property FROM a Residential R1 (R1-6) Zone TO a Residential R5-4 Special Provision (R5-4()) Zone; and,
- b) the Site Plan Approval Authority BE REQUESTED to consider the following through the site plan process:
 - i) if board-on-board fencing will impact the existing trees, infill plantings will be required;
 - ii) provide an alternative site design to allow street facing units with garages at the rear units along the back to provide for the continued street-wall and have the rear block private amenity spaces abutting the other private amenity spaces;
 - iii) any surface parking be buffered from the street by the building with the driveway located closer to the south property line;
 - iv) centrally located amenity space that is safely and comfortably accessible from all units; and,
 - v) retain as many trees on the property as possible, specifically on the eastern border of the property;
 - vi) provide enhanced landscaping where trees are not able to be preserved;

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

- a communication dated September 19, 2022, from D. Lamont;
- the staff presentation; and,
- a communication dated September 28, 2022, from M. Leyland;

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

- M. Campbell, Zelinka Priamo Ltd.;
- J. Williams, 1171 Dobie Street;
- Joseph, one of the owners of 16 Wethered Street; and,
- M. Leyland;

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 recommended amendment conforms to the policies of the 1989 Official Plan, including but not limited to the Low-Density Residential Designation and Near-Campus Neighbourhoods;
- the recommended zoning conforms to the in-force policies of The London Plan, including, but not limited to, the Neighbourhoods Place Type, City Building and Design, Our Tools, and Near-Campus Neighbourhoods; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary and Primary Transit Area with an appropriate form of infill development. (2022-D04)

Motion Passed

9. (3.3) 850 Highbury Avenue North

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development with the advice of the Heritage Planner, the demolition request for the removal of (3) non-designated built resources on the heritage designated property at 850 Highbury Avenue North, BE PERMITTED pursuant to Section 34(1) of the Ontario Heritage Act subject to the following terms and conditions:

- a) prior to demolition, photo-documentation of the (3) non-designated built resources be provided to the City;
- b) during demolition, construction fencing and buffering of sensitive areas be implemented per Project Site Plan in Appendix B of the staff report dated October 3, 2022;
- c) during demolition, restrict construction routes to areas outside the treed allée; and,
- d) conduct and implement recommendations of a pre-condition survey, specific to the (3) non-designated built resources, to mitigate the risk of vibration from demolition activity on heritage designated resources;

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

- B. McCauley, Old Oak Properties. (2022-R01)

Motion Passed

10. (3.4) 185 and 189 Wellington Street

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, the following actions be taken with respect to the request by 2698746 Ontario Inc. and 2700875 Ontario Inc., to remove the properties located at 185 and 189 Wellington Street respectively, from the Register of Cultural Heritage Resources:

- a) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the built resource on the property at 185 Wellington Street;
- b) the Chief Building Official BE ADVISED that Municipal Council consents to the demolition of the built resource on the property at 189 Wellington Street;
- c) the property at 185 Wellington Street BE REMOVED from the Register of Cultural Heritage Resources, and;
- d) the property at 189 Wellington Street BE REMOVED from the Register of Cultural Heritage Resources;

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

- C. Pretotto, Cspace Architecture. (2022-R01)

Motion Passed

11. (4.1) ReThink Zoning Information Report - Update and Sample Place Type Zones

Motion made by: A. Hopkins

That the staff report dated October 3, 2022 entitled "ReThink Zoning Information Report - Update and Sample Place Type Zones", BE RECEIVED for information. (2022-D14)

Motion Passed

12. (4.2) Zoning By-law Amendment - Seasonal Outdoor Patios (Relates to Bill No. 376)

Motion made by: A. Hopkins

That, the following actions be taken with respect to zoning regulations related to seasonal outdoor patios:

- a) the proposed revised by-law as appended to the Planning and Environment Committee Added Agenda BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022, to amend Section 4.18 of the Zoning By-law Z.-1; and,
- b) the Civic Administration BE REQUESTED to report back at a future meeting with respect to the capacity limits and to explore any opportunities to update the limits as they relate to Section 4.18.1 of the Zoning By-law. (2022-D14)

Motion Passed

8.5 17th Report of the Planning and Environment Committee

Motion made by: A. Hopkins

That Items 1, 2 and 4 of the 17th Report of the Planning and Environment 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. Pelozza, 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. (3.1) 7098-7118 Kilborne Road (39CD-19518) (Relates to Bill No.'s 366 and 377)

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 Bluestone Properties Inc., relating to the properties located at 7098-7118 Kilbourne Road:

a) the proposed by-law appended to the staff report dated October 5, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend the Official Plan (The London Plan) to amend the Southwest Area Secondary Plan, Section 20.5.7 (Lambeth Neighbourhood) to add a special policy to permit a minimum density of 6.4 units per hectare on the site (whereas a minimum density of 15 units per hectare is required);

b) the proposed by-law appended to the staff report dated October 5, 2022 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 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 Residential R1 (R1-8), Environmental Review (ER), Open Space (OS4), a Holding Open Space (h-2*OS4), and an Open Space (OS5) Zone TO a Residential Special Provision R6 (R6-1(_)) Zone and Open Space (OS5) Zone;

c) the Approval Authority BE ADVISED that no issues were raised at the public meeting relating the application for Draft Plan of Vacant Land Condominium relating to the property located at 7098-7118 Kilbourne Road; and,

d) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 7098-7118 Kilbourne Road:

- i) the type and quality of fencing to be installed;
- ii) inquiring if the lighting will be overhead or lower lighting; and,
- iii) garbage collection;

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

- C. Wiebe, MHBC Planning; and,
- P. Davison, 3919 Stacey Crescent;

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 2020;
- the proposed amendments conform to the former in-force policies of the 1989 Official Plan, including but not limited to the Low Density Residential and Open Space policies;
- the proposed amendment conforms to the in-force policies of The London Plan, including but not limited to the Neighbourhood Place Type and Green Space policies;
- the recommended amendment facilitates the development of an underutilized property and encourages an appropriate form of development; and,
- the subject lands are located in close proximity to arterial roads, surrounding services and access to the Dingman Creek which provides pedestrian movements north and south along the Dingman Creek Corridor. (2022-D07)

Motion Passed

4. (3.3) 1033 Dundas Street (Z-9513) (Relates to Bill No. 379)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning & Development, based on the application by Drygas Properties Inc., relating to the property located at 1033 Dundas Street, the proposed by-law appended to the staff report dated October 5, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan (The London Plan 2016)), to change the zoning of the subject property FROM a Business District Commercial (BDC) Zone TO a Holding Business District Commercial Special Provision (h-()*BDC()) Zone;

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

- a communication dated October 3, 2022, from T. Brydges, Zelinka Priamo Ltd.;

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

- T. Brydges, Zelinka Priamo Ltd.

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

- the recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, 2020, which encourages 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 within the area 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 zoning conforms to the in-force policies of The London Plan, including, but not limited to, the Rapid Transit Corridor Place Type, City Building and Design, Our Tools, and all other applicable policies, to facilitate a built form that contributes to achieving a compact, mixed-use City;
- the recommended amendment conforms to the policies of the 1989 Official Plan, including but not limited to the Main Street Commercial Corridor (MSCC);
- 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 and the Primary Transit Area with an appropriate form of infill development. (2022-D02)

Motion Passed

3. (3.2) 4452 Wellington Road South (OZ-9497) (Relates to Bill No.'s 367 and 378)

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 MHBC Planning, on behalf of 2858637 Ontario Inc., relating to the property located at 4452 Wellington Road South:

- a) the proposed by-law appended to the staff report dated October 5, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend The London Plan to:
 - i) change the designation of a portion of the subject lands FROM a Shopping Area Place Type TO a Light Industrial Place Type on Map 1 – Place Types; and,
 - ii) amend section 1565_5 of the Official Plan (The London Plan), List of Secondary Plans - Southwest Area Secondary Plan, by changing the designation of a portion of the subject lands FROM Commercial TO Industrial on Schedule 4, Southwest Area Land Use Plan, and Schedule 17, Wellington Rd/Hwy 401 Land Use Designations; and,
- b) the proposed by-law appended to the staff report dated October 5, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan, (The London Plan 2016) as amended in part a) above), to change the zoning of the subject property FROM a Holding Associated Shopping Area Commercial (h-17*ASA1/ASA2/ASA6) Zone TO a Holding Light Industrial (h-17*LI6) Zone, and an Environmental Review (ER) Zone;

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

- S. Allen, MHBC;

it being 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, Industrial Place Type, Shopping Area Place Types, and Natural Heritage Features and Hazards;
- the recommended amendment conforms to the policies of the Southwest Area Secondary Plan and the 1989 Official Plan;
- the recommended amendment facilitates the development of a site within the Wellington Road/ Highway 401 Neighbourhood; and,
- the recommended amendment will delineate a natural heritage feature and ensure the appropriate environmental studies are completed. (2022-D21)

Motion made by: S. Hillier

Seconded by: S. Lehman

That consideration of Item 3 (3.2) BE REFERRED back to the Planning and Environment Committee in order to facilitate an additional public participation meeting; it being noted that a broader circulation of notice for the PPM meeting is required.

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

Nays: (7): S. Lewis, J. Helmer, M. Cassidy, J. Morgan, A. Hopkins, S. Turner, and J. Fyfe-Millar

Motion Passed (8 to 7)

5. (3.4) 366 Hill Street (Z-9511) (Relates to Bill No. 380)

Motion made by: A. Hopkins

That, on the recommendation of the Director, Planning and Development, based on the application by Drygas Properties Inc., relating to the property located at 1033 Dundas Street, the proposed by-law appended to the staff report dated October 5, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan (The London Plan 2016)), to change the zoning of the subject property FROM a Business District Commercial (BDC) Zone TO a Holding Business District Commercial Special Provision (h-()*BDC()) Zone;

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

- a project fact sheet from J. Smolarek, siv-ik;

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

- J. Smolarek, siv-ik;

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

- the recommended Zoning By-law 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 recommended zoning conforms to the in-force policies of The London Plan, including, but not limited to, the Neighbourhoods Place Type, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the recommended amendment conforms to the in-force policies of the Old Victoria Hospital Secondary Plan, including but not limited to the Low-Rise residential policies; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development. (2022-D04)

Motion made by: A. Hopkins

Seconded by: J. Fyfe-Millar

That clause 3.4 BE AMENDED to read as follows:

"That, on the recommendation of the Director, Planning and Development, with respect to the application of 366 Hill Street Inc. relating to the property located at 366 Hill Street, the proposed by-law ~~attached~~ hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on October 17, 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 Residential R3 (R3-1) Zone TO a Residential R8 Special Provision (R8-4()) Zone;

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

- a project fact sheet from J. Smolarek, siv-ik;

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

- J. Smolarek, siv-ik;

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

- the recommended Zoning By-law 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 recommended zoning conforms to the in-force policies of The London Plan, including, but not limited to, the Neighbourhoods Place Type, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the recommended amendment conforms to the in-force policies of the Old Victoria Hospital Secondary Plan, including but not limited to the Low-Rise residential policies; and,
- the recommended amendment facilitates the development of a site within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development. (2022-D04)"

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)

Motion made by: A. Hopkins

Seconded by: M. Cassidy

Clause 3.4, 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. Peloza, J. Fyfe-Millar, and S. Hillier

Motion Passed (15 to 0)

6. (3.5) 1156 Dundas Street (39T-21508 / Z-9524 / O-9545) (Relates to Bill No.'s 368, 381 and 382)

Motion made by: A. Hopkins

That the following actions be taken with respect to the application by McCormick Villages Inc., relating to lands located at 1156 Dundas Street:

a) the proposed by-law appended to the staff report dated October 5, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend the Official Plan (The London Plan), relating to the McCormick Area Secondary Plan to revise Schedule 1 "Community Structure Plan" to remove two segments of the "Potential Connection" delineation extending west from Sparton Street between Ashland Avenue and McCormick Boulevard and extending west from Osborne Street between Ashland Avenue and McCormick Boulevard, and to add a new segment of the "Potential Connection" between Ashland Avenue and McCormick Boulevard; to revise policy 20.8.2.2 to include wording such that "opportunities should be explored to create new public connections to increase the walkability of the area", and "the creation of other east-west local streets as public connections, either in the form of public streets or public pathways, are also ideal opportunities to provide new linkages when sites redevelop"; and to revise Schedule 3 "Street Hierarchy" to remove one segment of the "Future Publicly Accessible Connection" delineation extending west from Osborne Street between Ashland Avenue and McCormick Boulevard, and to add a new segment of the "Future Publicly Accessible Connection" between Ashland Avenue and McCormick Boulevard;

b) the proposed, attached, by-law (Appendix "C") BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan (The London Plan 2016)), to change the zoning of the subject property FROM a Holding Business District Commercial Special Provision (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone, a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)) Zone, a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone, a Holding

Residential R1 (h-67•h-202•h-203•h-205•R1-2) Zone, and an Open Space (OS1) Zone TO a Holding Business District Commercial Special Provision (h•h-5•h-100•h-120•h-149•h-204•h-205•h-•BDC2(11)•D150•H35) Zone, a Holding Residential R6 Special Provision (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•h- •h-•R6-5(41)•H13.5) Zone, a Holding Residential R6 Special Provision (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•h- •h- •R6-5(41)•H15) Zone, a Holding Residential R4 Special Provision (h•h-5•h-100•h-202•h-203•h-205•h- •h- •R4-3()) Zone, and an Open Space (OS1) Zone;

c) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the Site Plan Approval application submitted by McCormick Villages Inc., relating to the lands located at 1156 Dundas Street;

- i) the development should be six storeys;
- ii) the walkway should be considered parkland;
- iii) the residential stakeholders are being ignored;
- iv) the north lot was previously approved as low-density single family and is now being zoned townhouses and medium density;
- v) request development go from low-density to medium density to high density; and,
- vi) lack of public consultation on the proposed development;

d) the Approval Authority BE ADVISED that Municipal Council supports issuing draft approval of the proposed plan of subdivision as submitted by McCormick Villages Inc. (Project No. 180204), certified by Terry Dietz O.L.S., dated September 21, 2021 and revised September 2022, as red-line amended, which shows 1 medium density/commercial block, 3 medium density blocks, 1 park block, 1 future road block, 1 road widening block, 1 road realignment block, and 3 reserve blocks, served by 1 new street (Gleeson Street), SUBJECT TO the conditions contained in Appendix 'D' appended to the staff report dated October 5, 2022; and,

e) the proposed ~~attached~~, by-law (Appendix "D") BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan (The London Plan 2016)), to change the zoning of the subject property to amend the zoning on Block 3 of the proposed draft plan of subdivision from a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone to a Holding Residential R6 Special Provision (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•R6-5(41)•D150) Zone to permit a maximum height of five storeys and a maximum density of 150 units per hectare;

f) pursuant to Section 34(17) of the Planning Act, R.S.O. 1990, c. P. 13, no further notice BE GIVEN;

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

- the staff presentation;

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

- S. Cornwell, on behalf of the applicant;
- M. Kay;
- J. Fisher, 818 Elias Street;

- C. Murphy, 269 Taylor Street; and,
- J. Dombrowskis, Extencicare;

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

- the proposed and recommended amendments are consistent with the Provincial Policy Statement 2020, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents;
- the proposed Draft Plan of Subdivision and zoning conforms to the in-force policies of The London Plan, including but not limited to the Rapid Transit Corridor Place Type, Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to the Rapid Transit Corridor Place Type and the Neighbourhoods Place Type;
- the proposed and recommended amendments conform to the in-force policies of the McCormick Area Secondary Plan, including but not limited to the Transit Oriented designation, Mid-Rise Residential designation and the Low-Rise Residential designation;
- the proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to The London Plan, and the McCormick Area Secondary Plan; and,
- the recommended Draft Plan is focused on the restoration and adaptive re-use of the former McCormick's Factory into a mid-rise mixed use building. The recommended Draft Plan also supports a mix of housing types within the site including street townhouses, a long-term care facility and a seniors' apartment building. The Draft Plan has been designed to support these uses and to achieve the adaptive re-use of a significant, heritage designated former industrial building and a future development pattern that is pedestrian friendly, transit supportive and accessible to the surrounding community. The Applicant will providing a publicly accessible multi-use pathway to allow for interior and exterior connectivity to the site. The Applicant will enter into a public use agreement with the City. (2022-D12)

Motion made by: A. Hopkins

Seconded by: J. Helmer

That Item 6 (3.5) BE AMENDED to read as follows:

That the following actions be taken with respect to the application by McCormick Villages Inc., relating to lands located at 1156 Dundas Street:

- a) the proposed by-law appended to the staff report dated October 5, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend The Official Plan, (The London Plan), relating to the McCormick Area Secondary Plan to revise Schedule 1 "Community Structure Plan" to remove two segments of the "Potential Connection" delineation extending west from Sparton Street between Ashland Avenue and McCormick Boulevard and extending west from Osborne Street between Ashland Avenue and McCormick Boulevard, and to add a new segment of the "Potential Connection" between Ashland Avenue and McCormick Boulevard; to revise policy 20.8.2.2 to

include wording such that “opportunities should be explored to create new public connections to increase the walkability of the area”, and “the creation of other east-west local streets as public connections, either in the form of public streets or public pathways, are also ideal opportunities to provide new linkages when sites redevelop”; and to revise Schedule 3 “Street Hierarchy” to remove one segment of the “Future Publicly Accessible Connection” delineation extending west from Osborne Street between Ashland Avenue and McCormick Boulevard, and to add a new segment of the “Future Publicly Accessible Connection” between Ashland Avenue and McCormick Boulevard;

b) the proposed, revised, ~~attached~~, by-law (Appendix "C") BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 to amend Zoning By-law No. Z.-1, (in conformity with the Official Plan (The London Plan 2016)), to change the zoning of the subject property FROM a Holding Business District Commercial Special Provision (h-5•h-67•h-120•h-149•h-204•h-205•BDC2(11)•D150•H35) Zone, a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)) Zone, a Holding Residential R6 Special Provision (h-5•h-67•h-120•h-149•h-203•h-204•h-205•R6-5(41)•H15) Zone, a Holding Residential R1 (h-67•h-202•h-203•h-205•R1-2) Zone, and an Open Space (OS1) Zone TO a Holding Business District Commercial Special Provision (h•h-5•h-100•h-120•h-149•h-204•h-205•h_•BDC2(11)•D150•H35) Zone, a Holding Residential R6 Special Provision (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•h_•h_•R6-5(41)•H13.5) Zone, a Holding Residential R6 Special Provision (h•h-5•h-100•h-120•h-149•h-203•h-204•h-205•h_•h_•R6-5(41)•D150•H18) Zone, a Holding Residential R4 Special Provision (h•h-5•h-100•h-202•h-203•h-205•h_•h_•R4-3()) Zone, and an Open Space (OS1) Zone, it being noted that this rezoning will permit a maximum height of 18 metres and a maximum density of 150 units per hectare on Block 3 of the proposed draft plan of subdivision;

c) the Approval Authority BE ADVISED that the following issues were raised at the public meeting with respect to the Site Plan Approval application submitted by McCormick Villages Inc., relating to the lands located at 1156 Dundas Street;

i) the development should be six storeys;

ii) the walkway should be considered parkland;

iii) the residential stakeholders are being ignored;

iv) the north lot was previously approved as low-density single family and is now being zoned townhouses and medium density;

v) request development go from low-density to medium density to high density; and,

vi) lack of public consultation on the proposed development;

d) the Approval Authority BE ADVISED that Municipal Council supports issuing draft approval of the proposed plan of subdivision as submitted by McCormick Villages Inc. (Project No. 180204), certified by Terry Dietz O.L.S., dated September 21, 2021 and revised September 2022, as red-line amended, which shows 1 medium density/commercial block, 3 medium density blocks, 1 park block, 1 future road block, 1 road widening block, 1 road realignment block, and 3 reserve blocks, served by 1 new street (Gleeson Street), SUBJECT TO the conditions contained in Appendix 'D' appended to the staff report dated October 5, 2022; and,

e) pursuant to Section 34(17) of the Planning Act, R.S.O. 1990, c. P. 13, no further notice BE GIVEN;

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

the staff presentation;

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

- S. Cornwell, on behalf of the applicant;
- M. Kaye;
- J. Fisher, 818 Elias Street;
- C. Murphy, 269 Taylor Street; and,
- J. Dombrowskis, Extencicare;

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

- the proposed and recommended amendments are consistent with the Provincial Policy Statement 2020, which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs, provide for and accommodate an appropriate affordable and market-based range and mix of housing type and densities to meet the projected requirements of current and future residents;
- the proposed Draft Plan of Subdivision and zoning conforms to the in-force policies of The London Plan, including but not limited to the Rapid Transit Corridor Place Type, Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies;
- the proposed and recommended amendments conform to the in-force policies of The London Plan, including but not limited to the Rapid Transit Corridor Place Type and the Neighbourhoods Place Type;
- the proposed and recommended amendments conform to the in-force policies of the McCormick Area Secondary Plan, including but not limited to the Transit Oriented designation, Mid-Rise Residential designation and the Low-Rise Residential designation;
- the proposed and recommended zoning amendments will facilitate an appropriate form of low and medium density residential development that conforms to The London Plan, and the McCormick Area Secondary Plan; and,
- the recommended Draft Plan is focused on the restoration and adaptive re-use of the former McCormick's Factory into a mid-rise mixed use building. The recommended Draft Plan also supports a mix of housing types within the site including street townhouses, a long-term care facility and a seniors' apartment building. The Draft Plan has been designed to support these uses and to achieve the adaptive re-use of a significant, heritage designated former industrial building and a future development pattern that is pedestrian friendly, transit supportive and accessible to the surrounding community. The Applicant will providing a publicly accessible multi-use pathway to allow for interior and exterior connectivity to the site. The Applicant will enter into a public use agreement with the City. (2022-D12)

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)

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

That clause 3.5, 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. Peloza, J. Fyfe-Millar, and S. Hillier

Motion Passed (15 to 0)

8.6 14th Report of the Strategic Priorities and Policy Committee

Motion made by: J. Morgan

That the 14th Report of the Strategic Priorities and Policy 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: J. Morgan

That it BE NOTED that no pecuniary interests were disclosed.

Motion Passed

2. (2.1) 2022 Service Review Initiatives Update

Motion made by: J. Morgan

That, on the recommendation of the Deputy City Manager, Finance Supports with the concurrence of the City Manager, the staff report dated October 11, 2022 regarding the 2022 Services Review Initiatives Update BE RECEIVED for information.

Motion Passed

3. (2.2) 5th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee

Motion made by: J. Morgan

That the 5th Report of the Diversity, Inclusion and Anti-Oppression Community Advisory Committee from its meeting held on September 26, 2022 BE RECEIVED.

Motion Passed

4. (3.1) Amendments to Consolidated Fees and Charges By-law (Relates to Bill No.'s 365, 369 and 370)

Motion made by: J. Morgan

That, on the recommendation of the City Clerk, with the concurrence of the Deputy City Manager, Finance Supports, the following actions be taken with respect to Fees and Charges:

a) the proposed by-law as appended to the staff report dated October 11, 2022 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 for the purpose of repealing By-law No. A-57, as amended, being "A by-law to provide for Various Fees and Charges", and replacing it with a new Fees and Charges By-law that adds and adjusts certain fees and charges for services or activities provided by the City of London;

b) the proposed by-law as appended to the staff report dated October 11, 2022 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 for the purpose of amending By-law No. L.-130-71, as amended, being "A by-law to provide for the licensing, regulating and governing of vehicles for hire, including cabs, accessible cabs, limousines, private vehicles for hire and accessible vehicles for hire, owners and brokers" to delete all occurrences of the phrase "Schedule 5 of this By-law, and to replace it with the phrase "the City's Fees and Charges By-law, as it is amended or repealed and replaced from time to time"; and,

c) the proposed by-law as appended to the staff report dated October 11, 2022 as Appendix "C" BE INTRODUCED at the Municipal Council meeting to be held on October 17, 2022 for the purpose of amending By-law No. L.-131-16, as amended, being "A by-law to provide for the Licensing and Regulation of Various Businesses" to delete all occurrences of the phrase "Schedule 1 of this By-law, and to replace it with the phrase "the City's Fees and Charges By-law, as it is amended or repealed and replaced from time to time";

it being noted that no individuals made a verbal presentation at the public participation meeting with respect to this matter.

Motion Passed

5. (3.2) London Small Business Centre - Annual Update

Motion made by: J. Morgan

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

Motion Passed

6. (3.3) TechAlliance - Annual Update

Motion made by: J. Morgan

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

Motion Passed

7. (3.4) London Economic Development Corporation - Annual Update

Motion made by: J. Morgan

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

Motion Passed

8. (4.1) Consideration of Appointments to the Striking Committee

Motion made by: J. Morgan

That the following individuals BE APPOINTED to the Striking Committee:

Paul Seale - Pillar Non-Profit Network
Morena Hernandez - Urban League of London
Patti Dalton - London and District Labour Council
Graham Henderson - London Chamber of Commerce
Zeba Hashmi - Former Diversity, Inclusion and Anti-Oppression Advisory Committee
Anoushka - Citizen-at-Large

it being noted that the Striking Committee will proceed with the above-noted membership, notwithstanding the vacant citizen-at-large positions.

Motion Passed

9. Added Reports

9.1 13th Report of Council in Closed Session

Motion made by: M. Hamou

Seconded by: S. Hillier

That the 13th Report of the Council in Closed Session BE APPROVED, as follows:

1. That progress was made with respect to items 4.1, matter pertaining to litigation currently before the Superior Court of Justice, court file No. 2278/18 and 2278/18-A1 affecting the municipality and advice that is subject to solicitor-client privilege, including communications necessary for

that purpose, related to the Bradley Avenue West Extension and Wharncliffe Road South Improvements. (6.1/13/CWC);

2. That progress was made with respect to Item 4.2, a matter pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (6.2/13/CWC); and,

3. That progress was made with respect to Item 4.3, a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, with respect to 2010 Dundas Street East, a location where an Adult Live Entertainment Parlour may operate under the City's Business Licensing By-law L-6. (6.1/11/CPSC); and,

4. That progress was made with respect to Items 4.4 to 4.6, matters pertaining to identifiable individuals with respect to the 2023 Mayor's New Year's Honour List, Accessibility, Age Friendly and Arts categories respectively. (6.2, 6.3 and 6.4/11/CPSC); and,

5. That progress was made with respect to Item 4.7, a matter pertaining to personal matters about identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (6.1/16/PEC); and,

6. That progress was made with respect to Item 4.8, a matter pertaining to personal matters about identifiable individuals with respect to the 2023 Mayor's New Year's Honour List. (6.1/14/SPPC)

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)

10. Deferred Matters

None.

11. Enquiries

Councillor P. Van Meerbergen enquires with respect to groups of homeless individuals relocating to London, in an organized manner. The Deputy City Manager, Social and Health Development responds by indicating that narrative is difficult to substantiate. Councillor P. Van Meerbergen further enquires with respect to potential actions that the City may be able to take to mitigate any substantiated claims. The Deputy City Manager, Social and Health Development indicates that in event of any such actions, the City would look to re-establish individuals with their home municipality.

13. By-laws

Motion made by: S. Hillier

Seconded by: S. Turner

That introduction and first reading of Bill No.'s 361 to the revised Bill No. 381, excluding Bill No.'s 367 and 378, 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)

Motion made by: S. Lehman

Seconded by: M. Hamou

That second reading of Bill No.'s 361 to the revised Bill No. 381, excluding Bill No.'s 367 and 378, 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)

Motion made by: J. Helmer
Seconded by: M. Cassidy

That third reading and enactment of Bill No.'s 361 to the revised Bill No. 381, excluding Bill No.'s 367 and 378, 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)

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

Bill No. 361	By-law No. A.-8298-256 – A by-law to confirm the proceedings of the Council Meeting held on the 17th day of October, 2022. (City Clerk)
Bill No. 362	By-law No. A.-6567(d)-257 – A by-law to amend By-law No. A.-6567-226 entitled, “A By-law to approve the appointment of City of London representatives to the Joint Venture Management Committee for the 4-Pad Arena Complex located on Western Fair Association (WFA) lands” (2.1/13/CSC)
Bill No. 363	By-law No. A.-8299-258 – A by-law governing the form and approving authority for Dedicated Locator Agreements. (2.4/13CWC)
Bill No. 364	By-law No. A.-8300-259 – A by-law to approve the potential demolition of abandoned buildings with municipal addresses of 421 Wharncliffe Road South, 254 Hamilton Road, and 7234 Littlewood Drive under the Property Standards provisions of the Building Code Act. (2.3/11/CPSC)
Bill No. 365	By-law No. A-58 – A by-law to provide for Various Fees and Charges and to repeal By-law A-57, as amended, being “A by-law to provide for Various Fees and Charges”. (3.1a/14/SPPC)
Bill No. 366	By-law No. C.P.-1512(bu)-260 – A by-law to amend The Official Plan for the City of London, 2016 relating to 7098-7118 Kilbourne Road. (3.1a/17/PEC)
Bill No. 368	By-law No. C.P.-1512(bv)-261 – A by-law to amend The Official Plan for the City of London, 2016 relating to the McCormick Area Secondary Plan. (3.5a/17/PEC)
Bill No. 369	By-law No. L.-130(d)-262 – A by-law to amend By-law No. L.-130-71 entitled “A By-law to provide for the licensing, regulating and governing of vehicles for hire, including cabs, accessible cabs, limousines, private vehicles for hire and accessible vehicles for hire, owners and brokers”. (3.1b/14/SPPC)
Bill No. 370	By-law No. L.-131(g)-263 – A by-law to amend By-law No. L.-131-16 entitled “A by-law to provide for the Licensing and Regulation of Various Businesses”. (3.1c/14/SPPC)
Bill No. 371	By-law No. S.-6204-264 – A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Saddlerock Avenue) (Chief Surveyor – registration of 33M-804 requires 0.3m reserves on abutting plan 33M-750 to be dedicated as public highway for unobstructed legal access throughout the subdivision)
Bill No. 372	By-law No. S.-6205-265 – A by-law to lay out, constitute, establish and assume certain reserves in the City of London as public highway. (as part of Petty Road) (Chief Surveyor – site plan requires 0.3m reserve on 33M-795 to be dedicated as unobstructed legal access throughout the subdivision)

Bill No. 373	By-law No. S.-6206-266 – A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Oxford Street West, west of Westdel Bourne) (Chief Surveyor – for road dedication purposes pursuant to SPA21-065)
Bill No. 374	By-law No. Z.-1-223062 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 2810 Roxburgh Road (3.1/16/PEC)
Bill No. 375	By-law No. Z.-1-223063 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 16 Wethered Street. (3.2/16/PEC)
Bill No. 376	By-law No. Z.-1-223064 – A by-law to amend the Zoning By-law Z.-1 for the City of London, 1993, relating to the regulation of Seasonal Outdoor Patios associated with a Restaurant or Tavern. (4.2/16/PEC)
Bill No. 377	By-law No. Z.-1-223065 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 7098-7118 Kilbourne Road. (3.1b/17/PEC)
Bill No. 379	By-law No. Z.-1-223066 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1033 Dundas Street. (3.3/17/PEC)
Bill No. 380	By-law No. Z.-1-223067 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 366 Hill Street. (3.4/17/PEC)
Bill No. 381	By-law No. Z.-1-223068 – A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1156 Dundas Street. (3.5b/17/PEC) Revised at Council

14. Adjournment

Motion made by: S. Turner

Seconded by: P. Van Meerbergen

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 6:10 PM.

Ed Holder, Mayor

Michael Schulthess, City Clerk

Community and Protective Services Committee

Report

The 12th Meeting of the Community and Protective Services Committee
November 1, 2022

PRESENT: Councillors M. Cassidy (Chair), J. Helmer, M. Hamou, S. Hillier

ABSENT: M. Salih, Mayor E. Holder

ALSO PRESENT: J. Bunn and K. Van Lammeren

Remote Attendance: Councillors A. Hopkins and M. van Holst;
A.L. Barbon, J. Davison, K. Dawtrey, K. Dickins, M. Feldberg, S.
Mathers, J.P. McGonigle, K. Scherr, C. Smith, B. Turcotte, B.
Warner and B. Westlake-Power

The meeting was called to order at 4:00 PM; it being noted that
the following Members were in remote attendance: Councillors
M. Mamou, J. Helmer and S. Hillier.

1. Disclosures of Pecuniary Interest

That it BE NOTED that Councillor S. Hillier disclosed a pecuniary interest in
clause 5.1 of this Report, having to do with the Deferred Matters List, specifically
item number 1 on the list, by indicating that his family hosts a five day event.

2. Consent

Moved by: M. Hamou
Seconded by: J. Helmer

That Items 2.1, 2.2 and 2.3 BE APPROVED.

Yeas: (4): M. Cassidy, J. Helmer, M. Hamou, and S. Hillier

Absent: (2): M. Salih, and E. Holder

Motion Passed (4 to 0)

2.1 Update on the Roadmap to 3,000 Affordable Units

Moved by: M. Hamou
Seconded by: J. Helmer

That, on the recommendation of the Deputy City Manager, Planning and
Economic Development, the staff report, dated November 1, 2022, with
respect to an update on the Roadmap to 3,000 Affordable Units, BE
RECEIVED. (2022-D04)

Motion Passed

2.2 2022 Annual Emergency Management Program Update

Moved by: M. Hamou
Seconded by: J. Helmer

That, on the recommendation of the Deputy City Manager, Enterprise
Supports, the following actions be taken with respect to the staff report,

dated November 1, 2022, related to the 2022 Annual Emergency Management Program Update:

a) the proposed by-law, as appended to the above-noted staff report, BE INTRODUCED at the Municipal Council meeting to be held on November 8, 2022 to:

i) repeal and replace Schedule "A", being the City of London Emergency Response Plan, as appended to the above-noted staff report; and,
ii) repeal By-law No. A.-7657(d)-367; and,

b) the above-noted staff report BE RECEIVED. (2022-P03)

Motion Passed

2.3 Former River Road Golf Course - Plans for Ownership and Municipal Use

Moved by: M. Hamou

Seconded by: J. Helmer

That, on the recommendation of the Deputy City Manager, Environmental and Infrastructure and the Deputy City Manager, Finance Supports, on the advice of the Director, Parks and Forestry and the Director, Realty Services, the staff report, dated November 1, 2022, with respect to Plans for Ownership and Municipal Use related to the Former River Road Golf Course, BE RECEIVED; it being noted that the communications, as appended to the Added Agenda, from Councillor M. van Holst, S. Watson, A. McGuigan and A. Johnson, with respect to this matter, were received. (2022-R05D)

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

That the Deferred Matters List for the Community and Protective Services Committee, as at October 21, 2022, BE RECEIVED.

Motion Passed

Voting Record:

Moved by: J. Helmer

Seconded by: M. Cassidy

Motion to receive Item Number 1 on the Deferred Matters List for the Community and Protective Services Committee, as at October 21, 2022.

Yeas: (3): M. Cassidy, J. Helmer, and M. Hamou

Recuse: (1): S. Hillier

Absent: (2): M. Salih, and E. Holder

Motion Passed (3 to 0)

Moved by: S. Hillier
Seconded by: J. Helmer

Motion to receive the Deferred Matters List for the Community and Protective Services Committee, as at October 21, 2022, with the exception of Item Number 1.

Yeas: (4): M. Cassidy, J. Helmer, M. Hamou, and S. Hillier

Absent: (2): M. Salih, and E. Holder

Motion Passed (4 to 0)

6. Adjournment

The meeting adjourned at 4:24 PM.

Corporate Services Committee

Report

14th Meeting of the Corporate Services Committee
October 31, 2022

PRESENT: Councillors S. Lewis (Chair), M. Cassidy, J. Morgan, M. Hamou, J. Fyfe-Millar

ABSENT: Mayor E. Holder

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

Remote Attendance: Councillor M. van Holst; L. Livingstone, A. Anderson, A. Barbon, B. Card, I. Collins, J. Davison, P. Kokkoros, S. Mathers, C. McCreery, J. McMillan, K. Murray, M. Schulthess, J. Senese, K. Shahata, K. Wilding

The meeting is called to order at 12:00 PM; it being noted that the following members were in remote attendance, Councillors M. Cassidy and M. Hamou.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests be disclosed.

2. Consent

Moved by: J. Morgan

Seconded by: J. Fyfe-Millar

That items 2.1 and 2.2 BE APPROVED.

Yeas: (5): S. Lewis, M. Cassidy, J. Morgan, M. Hamou, and J. Fyfe-Millar

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 City of London's Credit Rating

Moved by: J. Morgan

Seconded by: J. Fyfe-Millar

That, on the recommendation of the Deputy City Manager, Finance Supports, the City of London's Credit Rating Report, providing a summary of Moody's Investors Service Credit Opinion of the City of London, BE RECEIVED for information.

Motion Passed

2.2 Pre-Authorized Tax Payment Plan By-law and Collection of Interim Property Taxes By-law

Moved by: J. Morgan

Seconded by: J. Fyfe-Millar

That, on the recommendation of the Deputy City Manager, Finance Supports, the following actions be taken with respect to property taxation for 2023:

a) the by-law, as appended to the staff report dated October 31, 2022 as Appendix A, to amend by-law A-5505-497 “a by-law to authorize the implementation of a pre-authorized payment plan”, BE INTRODUCED at the Council meeting on November 8, 2022, to change the multiplier to determine the pre-authorized property tax payment from 1.030 to 1.0245, effective January 1, 2023; and

b) the by-law, as appended to the staff report dated October 31, 2022 as Appendix B, to amend by-law A-8 “a by-law to provide for the collection of property taxes”, BE INTRODUCED at the Council meeting on November 8, 2022, to change the calculation percent for the Interim Levy from 41.2% to 40.98%, effective January 1, 2023.

Motion Passed

3. Scheduled Items

3.1 Not to be heard before 12:05 PM - Tribunal - Development Charge Appeal - 2050 Linkway Boulevard

Moved by: J. Morgan

Seconded by: M. Cassidy

That, after convening as a tribunal under section 26 of By-law C.P.-1551-337 to hear a complaint under section 20 of the *Development Charges Act 1997*, S.O. 1997, c. 27, by Derek Satnik, Vice President of Technology of EVE Park London LP, of the property located at 2050 Linkway Boulevard, regarding the development charges being appealed, for the incorrect DC rates used for the calculation of the charges on the subject property, as detailed in the attached Record of Proceeding, on the recommendation of the Tribunal, the complaint BE DISMISSED on the basis that the Tribunal finds that the amount of the development charge being applied were correctly determined and no error occurred in the application of the Development Charges By-law.

Yeas: (5): S. Lewis, M. Cassidy, J. Morgan, M. Hamou, and J. Fyfe-Millar

Absent: (1): E. Holder

Motion Passed (5 to 0)

Voting Record:

Moved by: J. Fyfe-Millar

Seconded by: M. Hamou

That the Corporate Services Committee now convene as a tribunal under section 26 of By-law C.P.-1551-337 to hear a complaint under section 20 of the *Development Charges Act, 1997* and provide the complainant an opportunity to make representations.

Yeas: (5): S. Lewis, M. Cassidy, J. Morgan, M. Hamou, and J. Fyfe-Millar

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: J. Morgan

Seconded by: J. Fyfe-Millar

That the Tribunal move to Closed Session in order to consider a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for the purpose, regarding a complaint made

by Eve Park LP under Part IV of By-law C.P.-1551-227, as amended, the Development Charges By-law, in respect of the development charge imposed by The Corporation of the City of London in connection with development on the land known as 2050 Linkway Boulevard.

Yeas: (5): S. Lewis, M. Cassidy, J. Morgan, M. Hamou, and J. Fyfe-Millar

Absent: (1): E. Holder

Motion Passed (5 to 0)

The Corporate Services Committee, convening as a tribunal under section 26 of By-law C.P.-1551-337, met in Closed Session from 12:30 PM to 12:35 PM.

Moved by: J. Morgan

Seconded by: M. Hamou

That the complaint under section 20 of the Development Charges Act 1997, S.O. 1997, c. 27, by Derek Satnik, Vice President of Technology of EVE Park London LP, of the property located at 2050 Linkway Boulevard, regarding the development charges being appealed, for the incorrect DC rates used for the calculation of the charges on the subject property, BE DISMISSED on the basis that the Tribunal finds that the amount of the development charge being applied were correctly determined and no error occurred in the application of the Development Charges By-law.

Yeas: (5): S. Lewis, M. Cassidy, J. Morgan, M. Hamou, and J. Fyfe-Millar

Absent: (1): E. Holder

Motion Passed (5 to 0)

Moved by: J. Fyfe-Millar

Seconded by: M. Cassidy

That the meeting of the Tribunal, under Section 26 of By-law C.P.-1551-337 BE ADJOURNED and the meeting of the Corporate Services Committee BE RESUMED.

Yeas: (5): S. Lewis, M. Cassidy, J. Morgan, M. Hamou, and J. Fyfe-Millar

Absent: (1): E. Holder

Motion Passed (5 to 0)

4. Items for Direction

None.

5. Deferred Matters/Additional Business

None.

6. Confidential (Enclosed for Members only.)

6.1 Solicitor-Client Privileged Advice

A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding a complaint made by Derek Satnik, Vice President of Technology, EVE Park London LP under Part IV of By-law C.P.-1496-244, as amended, the Development Charges By-law, in respect of the development charge imposed by The Corporation of the City of London in connection with development on the land known as 2050 Linkway

Boulevard; **Clerk's Note** - this confidential session was held while the Corporate Services Committee convened as the Hearing Tribunal, see item 3.1, above.

7. Adjournment

Moved by: J. Fyfe-Millar

Seconded by: M. Hamou

That the meeting BE ADJOURNED.

Motion Passed

The meeting adjourned at 12:47 PM.

RECORD OF PROCEEDING

CORPORATE SERVICES COMMITTEE

convening as a Tribunal under section 26 of By-law C.P.-1551-227 to hear a complaint under section 20 of the *Development Charges Act*, 1997, S.O. 1997, c.27 by Derek Satnik, the Vice President of Technology, EVE Park London LP, regarding the development charges imposed by The Corporation of the City of London in connection with development on the land known as 2050 Linkway Boulevard.

October 31, 2022 – 12:05 PM
Council Chambers
London City Hall

PRESENT

Councillor S. Lewis, Chair
Councillor M. Cassidy, Tribunal Member
Councillor M. Hamou, Tribunal Member
Councillor J. Morgan, Tribunal Member
Councillor J. Fyfe-Millar, Tribunal Member
B. Westlake-Power, Registrar
P. Kokkoros, Director, Building and Chief Building Official
K. Wilding, Manager, Plans Examination
A. Anderson, Solicitor II
Derek Satnik, Vice President of Technology, EVE Park London LP, Complainant

CALL TO ORDER

The Chair called the Tribunal to order at 12:06 PM on October 31, 2022.

DECLARATIONS OF PECUNIARY INTEREST

None.

HEARING

Hearing before the Corporate Services Committee (CSC), convening as a Tribunal under section 20 of the *Development Charges Act*, 1997, S.O. 1997, c. 27, with respect to the development charge imposed by The Corporation of the City of London in connection with development on the land known as 2050 Linkway Boulevard.

1. Preliminary and Interlocutory Matters:

The Chair provided a brief overview and explanation of the Hearing process.

P. Kokkoros, Director, Building and Chief Building Official, K. Wilding, Manager, Plans Examination and A. Anderson, Solicitor were in attendance on behalf of the City of London.

Derek Satnik, Vice President of Technology, EVE Park London LP, Complainant.

2. Summary of the Evidence Received by the Tribunal:

The following attached documents were submitted as Exhibits at the Hearing:

Exhibit #1: Notice of Hearing dated October 14, 2022;

Exhibit #2: Written complaint from Derek Satnik, Vice President of Technology, EVE Park London LP, emailed on August 22, 2022;

Exhibit #3: Staff report dated October 31, 2022 from the Deputy City Manager, Planning and Economic Development;

Exhibit #4: Communication dated October 31, 2022 from Derek Satnik, emailed October 31, 2022 and distributed electronically to Tribunal members along with paper copy provided at the meeting.

Mr. Satnik firstly acknowledged the assistance of the City staff with the applications associated with the project. He presented information related to the development, including an outline of the timeline for approvals, with specific notation about delays due to the global pandemic and the associated supply-chain difficulties. This information is outline in Exhibits #1 and #4, attached.

It was noted that cost increases for the project are in the millions of dollars and noted that had this process taken place in “normal time” the approvals would have resulted in the development charges being levied at the 2021 rates.

Mr. Satnik advised that all development charges to-date have been paid to the City in good faith. Mr. Satnik provided detailed information related to the development, including the use of local contractors and suppliers to the fullest extent possible. Mr. Satnik advised that they are requesting the application of the 2021 rates to all of the development charges associated with the project.

There were no questions from the Committee for the complainant.

Mr. Kokkoros provided introductory remarks on behalf of the City of London, including an acknowledgement of the significance of the development.

Mr. Wilding provided background with respect to various Bills introduced by the Provincial Government in January and September of 2020. Mr. Wilding indicated that the legislation changed how development charges were implemented for a specific period of time, however the Eve Park process was initiated prior to the Bills, and therefore was not affected by their enactment.

Mr. Wilding noted that the building permits had been issued for two of the four proposed buildings and the development charge rates were appropriately calculated at the time of permit issuance, at the 2022 rates. The Civic Administration maintains that the charges were correctly calculated, and the complaint should be dismissed.

There were no questions from the Committee for the Civic Administration.

The Chair asked the Complainant whether there was any new information to present, based on the submissions and presentation of the Civic Administration.

Mr. Satnik indicates that the Civic Administration comments were correct, however notes that the committee has the discretion to apply the by-law. He notes that this has unintentionally been an unfair process, and requests consideration of the 2021 rate application. Mr. Satnik further notes that throughout the process the Civic Administration had provided conflicting information and had previously indicated that the 2021 rates would be applicable.

The Chair asked the Tribunal Members if there was a need to go in closed session to receive legal advice regarding the matter. The Tribunal Members requested that the Tribunal go in closed session to receive legal advice with the following motion being:

That the Tribunal convene, in Closed Session, to consider a matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose, regarding a complaint made by Derek Satnik, Vice President of Technology, EVE Park London LP,

under Part IV of By-law C.P.-1496-244, as amended, the Development Charges By-law, in respect of the development charge imposed by The Corporation of the City of London in connection with development on the land known as 2050 Linkway Boulevard.

The Tribunal convened in Closed Session from 12:30 PM to 12:35 PM, with the following in attendance:

Members: Councillor S. Lewis (Chair), Councillors M. Cassidy, M. Hamou, J. Morgan, and J. Fyfe-Millar.

Others Present: Councillor M. van Holst; L. Livingstone, City Manager; A. Anderson, Solicitor; B. Card, City Solicitor; C. McCreery, Solicitor, M. Schulthess, City Clerk, and B. Westlake-Power, Registrar.

The Tribunal resumed in public session at 12:35 PM.

The following recommendation is passed.

RECOMMENDATION:

That, after convening as a tribunal under section 27 of Part IV of By-law C.P.-1496-244 to hear a complaint under section 20 of the *Development Charges Act 1997, S.O. 1997, c. 27*, by Derek Satnik, Vice President of Technology EVE Park London LP, the property located at 2050 Linkway Boulevard, regarding the development charges being appealed, for 2050 Linkway Boulevard on the subject property, as detailed in the attached Record of Proceeding, on the recommendation of the Tribunal, the complaint BE DISMISSED on the basis that the Tribunal finds that the amount of the development charge being applied were correctly determined and no error occurred in the application of the Development Charges By-law.

ADJOURNMENT

The Tribunal adjourned at 12:45 PM.



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

London
CANADA

October 14, 2022

EVE Park London LLP
c/o Derek Satnik, Vice President of Technology
Smart Communities
10 Front Street, 3rd Level
P.O. Box 547
ST. JACOBS, ON
N0B 2N0

Dear Mr. Satnik,

Re: Development Charges Appeal – EVE Park Buildings

Notice is hereby given that the development charges complaint, with respect to the calculation of development charges and the application of the development charge by-law for the EVE Park Buildings A, B, C and D, will be heard by the Corporate Services Committee on Monday, October 31, 2022, not before 12:05 PM.

This meeting will be held in the Council Chambers, City Hall, 300 Dufferin Avenue, London, but will also be hosted virtually. Please confirm with the undersigned how you would like to participate in the meeting.

You will be given the opportunity to make representations, either in person, or virtually, to the Corporate Services Committee at this meeting about the complaint. A copy of the staff report associated with this matter will be provided under separate cover and be included on the Committee Agenda of October 31, 2022.

If you have any questions regarding this hearing, please contact Barb Westlake-Power at 519 661-2489, Ext. 5391.

Barb Westlake-Power
Deputy City Clerk

- c. B. Card
 - A. Anderson
 - S. Mathers
 - P. Kokkoros
- Chair and Members, Corporate Services Committee

The Corporation of the City of London
Office: 519.661.2489 ext. 5391
Fax: 519.661.4892
bwestlak@london.ca
www.london.ca



Dear Corporate Services Committee,

Re: Complaint Regarding the Mis-Application of the Development Charges By-Law

In accordance with the City of London's Development Charges by-law Sect. 26, this letter is being submitted as a formal appeal and complaint under section 20 of the Development Charges Act.

This letter will appeal the DC Fees assessed to EVE Park Buildings A (permit #21-009953), B (permit #21-009956), C (permit #21-009959) and D (permit #21-009961), on the grounds that there was an error by the City in the application of the DC by-law.

First, we wish to acknowledge and thank Mr. Kyle Wilding and his team for their ongoing support with the various challenges we've faced in bringing this project to permit. The City of London employs many exceptional staff for whom we have utmost respect, and whom we truly have enjoyed working with.

For the benefit of the Committee, EVE Park is an 84-home development consisting of 4 stacked-townhome buildings which are nearly identical to one another and are being built in sequential (alphabetical) order. The first two of these (Phase 1) have just begun construction: building A first, then B is starting imminently. There is a webcam broadcasting our progress live at <https://eveparklivestream.cpx.ca/stream.html>. The City has been helping us with this project for several years now, having approved our Zone Change request on Dec. 10, 2019, and our Development Agreement on Feb. 17, 2021, and of course there were many meetings and consultations prior to those approvals as well. It has been quite a journey to get this far! We have continued to work towards building permits over the past ~18 months, with many delays.

The City of London's e-permits website shows that our building permit applications were made and accepted (ie: deemed complete) on Apr. 20, 2021. We understood that this initiated the typical internal review processes wherein we were pleased to be supported by many professional and courteous staff across the City's various departments, who both provided technical reviews and process advice / guidance along the way. The City's website includes several useful documents as well, such as a DC rates brochure explaining the rules in place as of when we applied, which states:

"The DC is calculated the day a complete application is received and is frozen for a period of up to two years. If a building permit has not been issued within the two year frozen period, the DC rate will revert back to the rate in effect on the date the building permit is issued" (https://london.ca/sites/default/files/2021-12/CofL_2021_DcRatesBrochureDigital_Web.pdf, pg. 1, green dialogue box on the top right).

Further, Sect. 4 of the DC By-law states that for development types under a Site Plan Application or Zoning By-Law Amendment, the DC is calculated at the day a complete application is received.

Based on these references and on advice we received repeatedly from City staff, our team was assured that our DC rate was fixed as of Apr. 20, 2021 (for all four of our buildings) and would not change until Apr. 2023. The same brochure later goes on to say that the DC fee is calculated and due for payment on the day



the building permit is issued, but we were assured by City staff that the earlier clause (promising to freeze the DC fee amount for two years) would be applied to our project, and that the DC would only be recalculated if not paid within the two-year frozen period. We paid our permit application fees and submitted complete packages for all four buildings at that time simply to ensure that the DC rate would remain fixed, even though we were planning to build our buildings sequentially over a period of 18-24 construction months and did not truly need our permits for all four buildings at that time. City staff had encouraged us that this was a wise approach, and we were happy to comply.

We continued to work with city staff towards obtaining our building permits, and London experienced ongoing increases in application/construction activity, overwhelming City staff and resulting in many further delays. While the two-year DC freeze period would typically be more than adequate to get the project to permit and get the DC paid, COVID and other challenges have made it difficult for the City to keep up to typical work flows, and this exceptionally challenging two years has been punishingly difficult for everyone. We were in regular contact with various City staff, but our building permit was ultimately not approved until June 1, 2022 (>14 months after application). We had been advised by City staff on Dec. 19, 2021, that our Foundation Permit was ready for building A (#21-009953), but the permit itself was never issued, and we, as a new developer in the region, misunderstood and believed that our permit was issued and waiting for us to pick it up. At that point we had already experienced 36 weeks of delays in reviewing our applications and had missed the 2021 construction season, so we opted to wait out the winter (avoiding winter heating costs and complications with pouring concrete during freezing weather) and pursue construction in the spring of 2022. We were also confident that we had secured our DC rate when our application was deemed complete and we had paid our building permit fee, and that we did not need to pay the DC until we were ready to pick up the building permits. The DC amount was understood at that time to be approximately \$485,000 per building, which clearly is a large enough sum that we did not wish to pay until we were ready to begin construction.

Additionally, our project team and the industry have all been very busy all the while, navigating lockdowns, supply chain disruptions, significant cost increases, and more. The delays we have experienced over the past year have been far from typical and have truly cost our project tens of millions of dollars: our 2019 construction budget has since nearly doubled (to about \$70MM including soft costs, from closer to \$40MM in 2019). We hold the City of London staff in the highest respect for their professionalism: they are truly a lovely team to work with. Yet the City has been responsible for delays in our project which caused us to miss the 2021 construction season, and inflation since that time means that the City's delays have directly resulted in significant cost increases to our project, so we believe it is only right and fair that the City should honour the DC rate set in 2021, and follow the language quoted above from the City's own website, promising that our DC fee would be frozen as of Apr. 20, 2021, for a period of two years. If the two year freeze period were to be calculated instead from the date when our Site Plan Application was submitted in 2019, we would then ask the Committee to consider the exceptional nature of the intervening years since that time and the delays caused by the City's inability to keep up to work flow demands, and extend the freeze period by another year (to at least Dec. 2022, or preferably to Apr. 2023) to make up for the cost impacts which the City's delays have already imposed on our project.



This letter is submitted as a formal appeal to the Corporate Services Committee for your intervention, and we would humbly request that you direct that the Development Charges due and payable by EVE Park be re-assessed at the 2021 levels, for all four buildings which had submitted complete Building Permit applications, and that those DC fee amounts be fixed and honoured until Apr. 20, 2023. If we, EVE Park London LP, do not pay the DC by Apr. 20, 2023, then we will expect that the applicable rates would update to the rates then in force, and would ask no further consideration.

And finally, we wish to advise the Corporate Services Committee that we did in fact pay the DC fee for buildings A and B at the higher (2022) rate even though we do not agree with the assessment, because we could not afford a further delay to our construction schedule. We therefore ask the Committee to instruct that, after reassessing the DC amount payable, that the surplus amounts paid on our account be either refunded or be allocated to offset DC fees payable for our upcoming buildings C and D.

Please do not hesitate to contact me directly to discuss this further at your earliest convenience. I will expect to delegate to the Committee at your next earliest convenience to present this request formally. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Derek Satnik".

Derek Satnik, P.Eng., LEED® AP
Vice President of Technology
EVE Park London LP
226-339-0943 | dsatnik@s2etech.com

cc. Chief Building Official, City of London
Ashley Hammerbacher, Project Leader, EVE Park London LP
Francisco Wulff, Director of Finance, EVE Park London LP

Report to Planning & Environment Committee

To: Chair and Members
Corporate Services Committee

From: Scott Mathers, MPA, P.Eng
Deputy City Manager, Planning and Economic Development

Subject: Development Charge Complaint
2050 Linkway Boulevard

Date: October 31, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the Development Charges complaint submitted by Mr. Derek Satnik, Vice President of Technology EVE Park London LP, related to development at the property situated at 2050 Linkway Blvd., **BE DISMISSED**.

Executive Summary

A complaint letter from Derek Satnik, Vice President of Technology EVE Park London LP, with respect to Development Charges (DC) to be paid for the residential development of 2050 Linkway Blvd. (hereinafter referred to as 'complaint'), was received on August 22, 2022, and is included in Appendix 'A' of this report. The complaint pertains to incorrect DC rates used for the calculation of the charges. Staff has reviewed the complaint and are of the opinion that no errors were made in the calculation of the Development Charges due.

Linkage to the Corporate Strategic Plan

Growing our Economy

- London is a leader in Ontario for attracting new jobs and investments.

Leading in Public Service

- The City of London is trusted, open, and accountable in service of our community.
- Improve public accountability and transparency in decision making.

Analysis

1.0 Background Information

A complaint letter from Derek Satnik with respect to Development Charges to be paid for the development of 2050 Linkway Blvd.

The aforementioned letter makes mention of various reasons as to why the requested Development Charges amount should be adjusted to reflect the 2021 Development Charges rates. The following reasons have been listed:

1. City of London's website provides documents relating to Industrial Lands - Community Improvement Plans Financial Incentives
2. Section 4 of the Development Charges By-law states "Development types under a Site Plan Application or Zoning By-law Amendment, the DC is calculated at the day a complete application is received.
3. City staff promised to freeze the DC fee rate for two years.
4. Overwhelmed Building Department staff were delayed in issuing the building permit resulting in missing the frozen period.

For this development, a total of four building permit applications were received.

2021 009953 – 2050 Linkway Blvd. – Block A
 2021 009956 – 2050 Linkway Blvd. – Block B
 2021 009959 – 2050 Linkway Blvd. – Block C
 2021 009961 – 2050 Linkway Blvd. – Block D

A site plan depicting the proposed development is provided in Appendix 'B'. The drawings for Block A were reviewed by staff and a permit was ready to be issued allowing for foundation work to commence on September 9, 2021, at which time the assessed Development Charges of \$485,000.00 were to be paid.

Block B's permit was ready to be issued on May 30, 2022, at which time the assessed Development Charges of \$541,380.00 were to be paid.

The remaining two permit applications are under review.

2.0 Discussion and Considerations

Section 2 of the Development Charges By-law C.P.-1551-227 (DC By-law) states:

2. Owner to Pay Development Charge

The Owner of any land in the City of London who develops or redevelops the land, or any building or structure thereon shall pay Development Charges (DC) to the City in accordance with the terms of this by-law.

Building permit applications were submitted for the construction of a stacked townhouse block with 21 units at 2050 Linkway Blvd. As this is considered development, Development Charges are due based on the provisions of the DC By-law and the Development Charges Act.

Bill 108, More Homes, More Choice Act, 2019, and Bill 197, COVID-19 Economic Recovery Act, 2020, which came into force on January 1, 2020, and September 18, 2020, respectively (the "Bills"), introduced changes to the collection of development charges. Notably, the legislation introduced a framework to calculate and "freeze" a development charge when a development is subject to a related site plan or zoning by-law amendment application. Prior to these introductions, charges were simply calculated and due at the time of issuance of building permit.

The Bills provided for transition to this new approach, that is now included in section 26.2 (6) of the *Development Charges Act*:

Transition, date of application

Clauses (1) (a) and (b) do not apply in the case of an application made before the day subsection 8 (1) of Schedule 3 to the More Homes, More Choice Act, 2019 comes into force. 2019, c. 9, Sched. 3, s. 8 (1).

The development charges paid by the applicant were calculated at the date of building permit issuance in accordance with section 26(1) of the *Development Charges Act* for the following reasons:

- (a) the legislation that provided a framework to calculate and "freeze" a development charge (Bill 108, *More Homes, More Choice Act, 2019*) came into force was January 1, 2020;
- (b) the related site plan application was made in August, 2019 (before January 1, 2020);

- (c) the related zoning by-law amendment application was made in December, 2019 (before January 1, 2020); and
- (d) the day that subsection 8(1) of Schedule 3 to the More Homes, More Choice Act, 2019 came into force was January 1, 2020.

In accordance with section 4 of the City of London's DC By-law:

4. Calculation of Development Charge

For all development types, unless application is made under a Site Plan or a Zoning By-law Amendment, a Development Charge under section 2 shall be calculated on the date a building permit is issued under the Building Code Act.

For development types under a Site Plan Application or a Zoning By-law Amendment, the Development Charge is calculated at the day a Complete Application is received. If a building permit has not been issued within the Frozen Period, the Development Charge shall be calculated on the date a building permit is issued under the Building Code Act.

Given that the Act transitions applications made prior to January 1, 2020, section 4 is to be read as if no application for site plan or zoning by-law amendment has been made. As such, "a development charge under section 2 shall be calculated on the date a building permit is issued under the *Building Code Act*."

Building Permit "Issuance"

The date that a building permit is issued is the date on which it is picked up by the applicant/ agent. The act of picking up the permit includes paying all fees that are due on that date. Once the Chief Building Official has approved the permit, the applicant/ agent is advised that the permit is ready for issuance, however, it is not issued until all fees are paid.

On September 9, 2021, the Building Division sent an invoice to the permit applicant, indicating readiness to issue a permit allowing for foundation work to commence for Building A. The invoice depicted a total DC amount of \$485,000, based on the 2021 DC rates in effect at the time. The applicant did not pick up the permit at this time; therefore, the permit was not issued.

The permit allowing the foundation work and above-grade work for Building A was issued on June 15, 2022. In accordance with section 4 of the DC By-law, the DC charges were recalculated using the 2022 rates.

The permit for Building B was issued on July 7, 2022 allowing the foundation and above-grade work. In accordance with section 4 of the DC By-law, the DC charges were calculated using the 2022 DC rate.

The Ontario Building Code prescribes timeframes whereby the Chief Building Official shall process and issue a building permit. This implies that the permit application has been deemed as complete, applicable law has been complied with, and that any outstanding deficiency items found during the review of the application have been adequately addressed. Any outstanding fees must also have been paid as well. Considering Site Plan Approval (part of applicable law) was pending, the permit applications were not considered as being complete. As such, the provincially prescribed timeframes per the Ontario Building Code for the Building Division to review, process, and issue the building permit were not applicable. As such, item no.4 of the complaint letter, pertaining to overwhelmed staff contributing to delays, is not valid.

Details related to each of the four building permit applications are provided below.

Note: the 2021 and 2022 DC payable amounts below are provided simply for comparison purposes.

Building A - Permit application 21-009-953

- Permit application received on April 01, 2021
- 21 Unit Townhouse Block
- DC payable using the 2021 rates: $\$23,100 \times 21 = \$485,100$
- DC payable using the 2022 rates: $\$25,780 \times 21 = \$541,380$
- Status: A permit allowing for foundation was ready to be issued on September 9, 2021; the invoice was provided to the applicant. A permit was ultimately not issued until June 15, 2022 after the balance of the fees owing were paid in full.

Building B - Permit application 21-009-956

- Permit application received on April 01, 2021
- 21 Unit Townhouse Block
- DC payable using the 2021 rates: $\$23,100 \times 21 = \$485,100$
- DC payable using the 2022 rates: $\$25,780 \times 21 = \$541,380$
- Status: A permit allowing for foundation and shell work was ready to be issued on June 23, 2021, the invoice was provided to the applicant. The permit was ultimately not issued until July 07, 2022 after the balance of the fees owing were paid in full.

Building C - Permit application 21-009-959

- 21 Unit Townhouse Block
- Permit application received on April 01, 2021
- DC payable using the 2021 rates: $\$23,100 \times 21 = \$485,100$
- DC payable using the 2022 rates: $\$25,780 \times 21 = \$541,380$
- Status: Permit not issued and application is under review

Building D - Permit application 21-009-961

- 21 Unit Townhouse Block
- Permit application received on April 01, 2021
- DC payable using the 2021 rates: $\$23,100 \times 21 = \$485,100$
- DC payable using the 2022 rates: $\$25,780 \times 21 = \$541,380$
- Status: Permit not issued and application is under review

Development Charges By-law C.P.-1551-227 and Grounds for Complaints

Part IV, s.27 of the Development Charges bylaw provides the following grounds for a complaint:

7. Grounds of Complaint

An Owner may complain in writing to the Corporate Services Committee (with a copy provided to the Chief Building Official) upon such grounds as are established by and in accordance with the Development Charges Act in respect of the Development Charge imposed by the City:

- 1. that the amount of the Development Charge was incorrectly determined;*
- 2. whether a credit is available to be used against the Development Charge, or the amount of the credit or the service with respect to which the credit was given, was incorrectly determined; or*
- 3. that there was an error in the application of this By-law.*

In reviewing the three grounds above, it is staff's position that the amount of the DC was correctly determined. Regarding item 1 noted above, the DC rate used was that in

effect at the time the permit was ready to be issued and was calculated in accordance with section 4 of the DC By-law and the Development Charges Act. Regarding item 2, there was no credit due against the Development Charges. Staff are also of the opinion that there was no error in the application of the DC By-law itself addressing item 3.

Staff maintains that the DC amount was properly determined under the By-law in force and effect at the time when the building permit was ready to be issued and therefore recommends dismissal of the complaint.

Conclusion

The letter submitted by Mr. Derek Satnik, Vice President of Technology EVE Park London LP suggests that the DC amounts due, should be based on the 2021 DC rates. Indeed, staff used the 2021 rates when the permit allowing for foundation work for Building A was ready to be issued. The DC amount was not paid at that time. Subsequent to additional reviews and processing, whereby foundation and above-grade work could commence, yielded a permit issuance date of June 15, 2022. As such, in accordance with section 4 of the DC By-law, the DC rates were to be those in effect in 2022 (the time the permit is issued).

It is the Chief Building Official's opinion that the Development Charges were correctly determined, and that the complaint filed by Mr. Satnik should be dismissed.

The assistance provided by Aynsley Anderson, Solicitor II and Kyle Wilding, Manager Plans Examination, is acknowledged.

Prepared by: Peter Kokkoros, P.Eng
Director, Building and Chief Building Official
Planning and Economic Development

Submitted & Recommended by: Scott Mathers, MPA, P.Eng
Deputy City Manager, Planning and Economic Development

APPENDIX "A"



Dear Corporate Services Committee,

Re: Complaint Regarding the Mis-Application of the Development Charges By-Law

In accordance with the City of London's Development Charges by-law Sect. 26, this letter is being submitted as a formal appeal and complaint under section 20 of the Development Charges Act.

This letter will appeal the DC Fees assessed to EVE Park Buildings A (permit #21-009953), B (permit #21-009956), C (permit #21-009959) and D (permit #21-009961), on the grounds that there was an error by the City in the application of the DC by-law.

First, we wish to acknowledge and thank Mr. Kyle Wilding and his team for their ongoing support with the various challenges we've faced in bringing this project to permit. The City of London employs many exceptional staff for whom we have utmost respect, and whom we truly have enjoyed working with.

For the benefit of the Committee, EVE Park is an 84-home development consisting of 4 stacked-townhome buildings which are nearly identical to one another and are being built in sequential (alphabetical) order. The first two of these (Phase 1) have just begun construction: building A first, then B is starting imminently. There is a webcam broadcasting our progress live at <https://eveparklivestream.cpx.ca/stream.html>. The City has been helping us with this project for several years now, having approved our Zone Change request on Dec. 10, 2019, and our Development Agreement on Feb. 17, 2021, and of course there were many meetings and consultations prior to those approvals as well. It has been quite a journey to get this far! We have continued to work towards building permits over the past ~18 months, with many delays.

The City of London's e-permits website shows that our building permit applications were made and accepted (ie: deemed complete) on Apr. 20, 2021. We understood that this initiated the typical internal review processes wherein we were pleased to be supported by many professional and courteous staff across the City's various departments, who both provided technical reviews and process advice / guidance along the way. The City's website includes several useful documents as well, such as a DC rates brochure explaining the rules in place as of when we applied, which states:

"The DC is calculated the day a complete application is received and is frozen for a period of up to two years. If a building permit has not been issued within the two year frozen period, the DC rate will revert back to the rate in effect on the date the building permit is issued" (https://london.ca/sites/default/files/2021-12/CofL_2021_DcRatesBrochureDigital_Web.pdf, pg. 1, green dialogue box on the top right).

Further, Sect. 4 of the DC By-law states that for development types under a Site Plan Application or Zoning By-Law Amendment, the DC is calculated at the day a complete application is received.

Based on these references and on advice we received repeatedly from City staff, our team was assured that our DC rate was fixed as of Apr. 20, 2021 (for all four of our buildings) and would not change until Apr. 2023. The same brochure later goes on to say that the DC fee is calculated and due for payment on the day

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the building permit is issued, but we were assured by City staff that the earlier clause (promising to freeze the DC fee amount for two years) would be applied to our project, and that the DC would only be recalculated if not paid within the two-year frozen period. We paid our permit application fees and submitted complete packages for all four buildings at that time simply to ensure that the DC rate would remain fixed, even though we were planning to build our buildings sequentially over a period of 18-24 construction months and did not truly need our permits for all four buildings at that time. City staff had encouraged us that this was a wise approach, and we were happy to comply.

We continued to work with city staff towards obtaining our building permits, and London experienced ongoing increases in application/construction activity, overwhelming City staff and resulting in many further delays. While the two-year DC freeze period would typically be more than adequate to get the project to permit and get the DC paid, COVID and other challenges have made it difficult for the City to keep up to typical work flows, and this exceptionally challenging two years has been punishingly difficult for everyone. We were in regular contact with various City staff, but our building permit was ultimately not approved until June 1, 2022 (>14 months after application). We had been advised by City staff on Dec. 19, 2021, that our Foundation Permit was ready for building A (#21-009953), but the permit itself was never issued, and we, as a new developer in the region, misunderstood and believed that our permit was issued and waiting for us to pick it up. At that point we had already experienced 36 weeks of delays in reviewing our applications and had missed the 2021 construction season, so we opted to wait out the winter (avoiding winter heating costs and complications with pouring concrete during freezing weather) and pursue construction in the spring of 2022. We were also confident that we had secured our DC rate when our application was deemed complete and we had paid our building permit fee, and that we did not need to pay the DC until we were ready to pick up the building permits. The DC amount was understood at that time to be approximately \$485,000 per building, which clearly is a large enough sum that we did not wish to pay until we were ready to begin construction.

Additionally, our project team and the industry have all been very busy all the while, navigating lockdowns, supply chain disruptions, significant cost increases, and more. The delays we have experienced over the past year have been far from typical and have truly cost our project tens of millions of dollars: our 2019 construction budget has since nearly doubled (to about \$70MM including soft costs, from closer to \$40MM in 2019). We hold the City of London staff in the highest respect for their professionalism: they are truly a lovely team to work with. Yet the City has been responsible for delays in our project which caused us to miss the 2021 construction season, and inflation since that time means that the City's delays have directly resulted in significant cost increases to our project, so we believe it is only right and fair that the City should honour the DC rate set in 2021, and follow the language quoted above from the City's own website, promising that our DC fee would be frozen as of Apr. 20, 2021, for a period of two years. If the two year freeze period were to be calculated instead from the date when our Site Plan Application was submitted in 2019, we would then ask the Committee to consider the exceptional nature of the intervening years since that time and the delays caused by the City's inability to keep up to work flow demands, and extend the freeze period by another year (to at least Dec. 2022, or preferably to Apr. 2023) to make up for the cost impacts which the City's delays have already imposed on our project.

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This letter is submitted as a formal appeal to the Corporate Services Committee for your intervention, and we would humbly request that you direct that the Development Charges due and payable by EVE Park be re-assessed at the 2021 levels, for all four buildings which had submitted complete Building Permit applications, and that those DC fee amounts be fixed and honoured until Apr. 20, 2023. If we, EVE Park London LP, do not pay the DC by Apr. 20, 2023, then we will expect that the applicable rates would update to the rates then in force, and would ask no further consideration.

And finally, we wish to advise the Corporate Services Committee that we did in fact pay the DC fee for buildings A and B at the higher (2022) rate even though we do not agree with the assessment, because we could not afford a further delay to our construction schedule. We therefore ask the Committee to instruct that, after reassessing the DC amount payable, that the surplus amounts paid on our account be either refunded or be allocated to offset DC fees payable for our upcoming buildings C and D.

Please do not hesitate to contact me directly to discuss this further at your earliest convenience. I will expect to delegate to the Committee at your next earliest convenience to present this request formally. Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Derek Satnik".

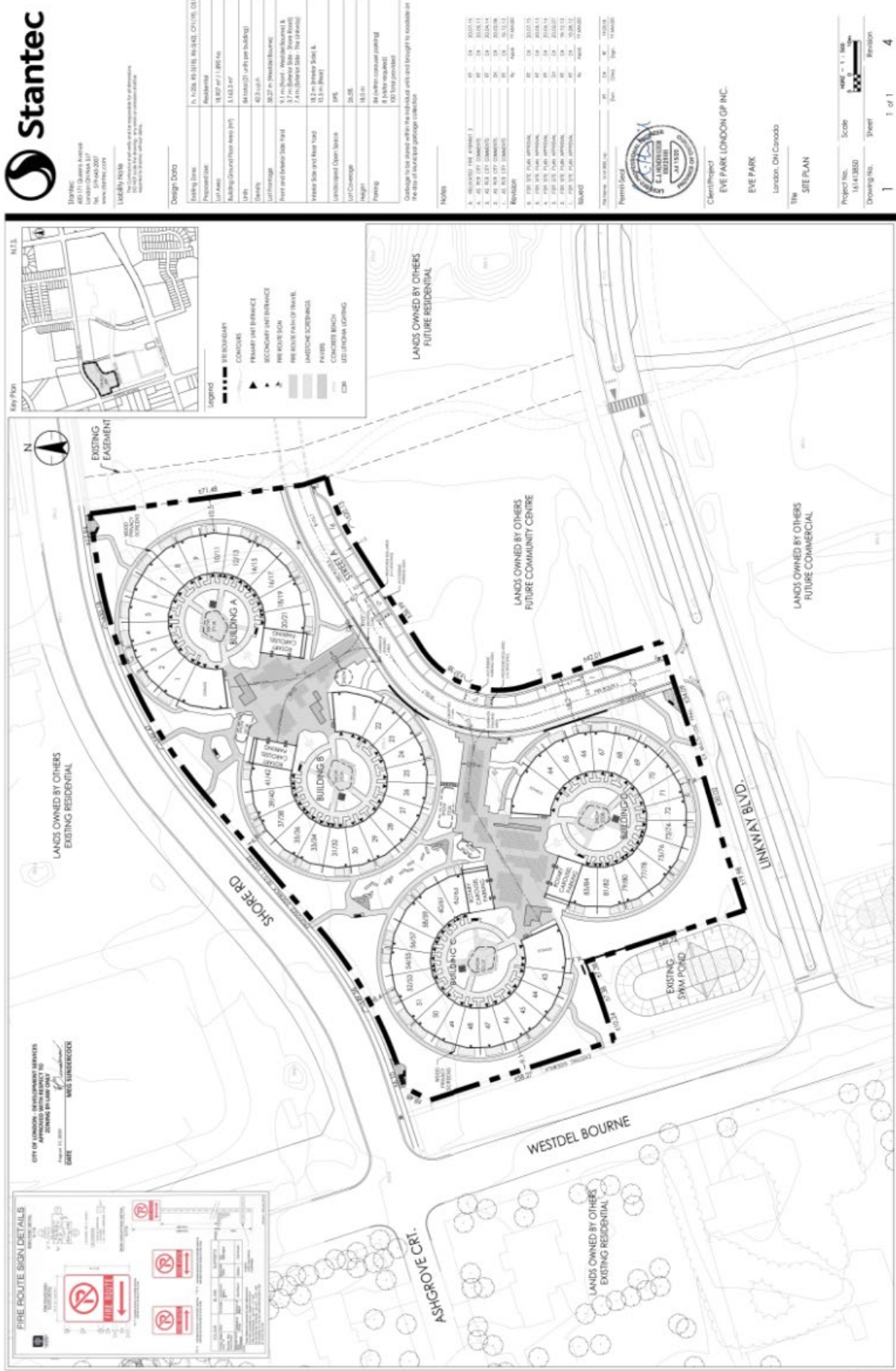
Derek Satnik, P.Eng., LEED® AP
 Vice President of Technology
 EVE Park London LP
 226-339-0943 | dsatnik@s2etech.com

cc. Chief Building Official, City of London
 Ashley Hammerbacher, Project Leader, EVE Park London LP
 Francisco Wulff, Director of Finance, EVE Park London LP

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APPENDIX 'B'

M



2050 Linkway Blvd., EVE Park, Response to staff report dated Oct. 31, 2022



Key Considerations (in no particular order):

1. 4 buildings, 21 units each, 1-3 bedroom, Net-Zero energy, with many innovations (autonomous vehicles, parking towers, microgrid, ... ask if you'd like to know more).
2. Innovative projects take extra effort, and EVE has had a Long journey already (plus COVID):
 - a. Zone Change successful on Dec. 10, 2019
 - b. Development Agreement achieved Feb. 17, 2021
 - c. Building Permit applications deemed complete Apr. 20, 2021
 - d. Partial permits for first building only not achieved until Dec. 19, 2021 (9 months later)
 - e. Building A permit released June 1, 2022: >14 months after application
3. Contractors and supplier quotes expire and need to be renegotiated after set times, usually 30 days. Delays like this make it very difficult to determine true construction costs.
4. Delays, in this case, cost the project over \$10,000,000 in price increases, and were substantial enough that the DC fees have also increased, adding another potential cost of ~\$220,000, in the middle of an affordability crisis.
5. Perverse incentive: if staff are overwhelmed, delay actually increases revenue to the City. Innovative projects get punished by extra meetings, questions, delays, and if those delays take long enough to consume time that would freeze / hold fees, then the City's fees will increase. The City makes extra money by taking longer.
6. The Ask: EVE Park is asking the City to honour the fact that the DC fee would not have increased if the City had not been overwhelmed and caused so many delays to the project. The EVE team is happy to pay the DC, and is asking that the City be fair and honour the fee that would have applied if the City had not caused so many delays in the approval process (totaling nearly 3 yrs).

Questions or concerns?

Derek Satnik

226-339-0943, dsatnik@s2etech.com

Civic Works Committee

Report

The 14th Meeting of the Civic Works Committee
November 1, 2022

PRESENT: Councillors E. Pelozza (Chair), M. van Holst, J. Helmer, P. Van Meerbergen, J. Fyfe-Millar

ABSENT: Mayor E. Holder

ALSO PRESENT: J. Bunn and K. Van Lammeren

ALSO PRESENT: A. Anderson, G. Dales, D. MacRae, S. Maguire, A. Rammeloo, K. Scherr, J. Senese and B. Westlake-Power

The meeting was called to order at 12:00 PM with Councillor E. Pelozza in the Chair; it being noted that the following Members were in remote attendance: Councillors J. Helmer, M. van Holst, and P. Van Meerbergen.

1. Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Consent

Moved by: P. Van Meerbergen

Seconded by: J. Fyfe-Millar

That Items 2.1, 2.2 and 2.3 BE APPROVED.

Yeas: (5): E. Pelozza, M. van Holst, J. Helmer, P. Van Meerbergen, and J. Fyfe-Millar

Absent: (1): E. Holder

Motion Passed (5 to 0)

2.1 Amendments to the Traffic and Parking By-Law

Moved by: P. Van Meerbergen

Seconded by: J. Fyfe-Millar

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the proposed by-law, as appended to the staff report dated November 1, 2022, BE INTRODUCED at the Municipal Council meeting to be held on November 8, 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-T02/T08)

Motion Passed

2.2 2023 Stormwater Management Remediation Project Consultant Award

Moved by: P. Van Meerbergen

Seconded by: J. Fyfe-Millar

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report, dated November 1, 2022, related to the 2023 Stormwater Management Remediation Project Consultant Award:

- a) Matrix Solutions Inc. BE APPOINTED Consulting Engineers in the amount of \$106,880.00, including 10% contingency (excluding HST), in accordance with Section 15.2 (d) of the City of London's Procurement of Goods and Services Policy;
- b) the financing for the project BE APPROVED in accordance with the "Sources of Financing Report", as appended to the above-noted staff report;
- c) the Civic Administration BE AUTHORIZED to undertake all the administrative acts that are necessary in connection with this project;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents, if required, to give effect to these recommendations. (2022-E03)

Motion Passed

2.3 2025 Transportation Development Charges Background Study Appointment of Consultant

Moved by: P. Van Meerbergen

Seconded by: J. Fyfe-Millar

That, on the recommendation of the Deputy City Manager, Environment and Infrastructure, the following actions be taken with respect to the staff report, dated November 1, 2022, related to the 2025 Transportation Development Charges Background Study Appointment of Consultant:

- a) IBI Group Professional Services (Canada) Inc. BE APPOINTED as the Consulting Engineer to complete the 2025 Transportation Development Charges Background Study, in the amount of \$251,207 (excluding HST), in accordance with their proposal and Section 15.2 (g) of the Procurement of Goods and Services Policy;
- b) the financing for this assignment 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 assignment;
- d) the approvals given, herein, BE CONDITIONAL upon the Corporation entering into a formal contract with the consultant for the work; and,
- e) the Mayor and the City Clerk BE AUTHORIZED to execute any contract or other documents including agreements, if required, to give effect to these recommendations. (2022-F21)

Motion Passed

3. Scheduled Items

None.

4. Items for Direction

None.

5. Deferred Matters/Additional Business

5.1 Deferred Matters List

Moved by: J. Fyfe-Millar

Seconded by: M. van Holst

That the Civic Works Committee Deferred Matters List as at October 21, 2022, BE RECEIVED.

Yeas: (5): E. Peloza, M. van Holst, J. Helmer, P. Van Meerbergen, and J. Fyfe-Millar

Absent: (1): E. Holder

Motion Passed (5 to 0)

5.2 (ADDED) Councillor M. van Holst - Roadway Improvements at Hamilton Road and Highbury Avenue

Moved by: M. van Holst

Seconded by: P. Van Meerbergen

That, prior to the end of Q1 of 2023, the Civic Administration BE DIRECTED to report back to the Civic Works Committee with respect to options to advance the timing of improvements to the intersection of Hamilton Road and Highbury Avenue, along with potential measures to reduce the number of severe accidents in the interim; it being noted that the communication, as appended to the Added Agenda, from Councillor M. van Holst, with respect to this matter, was received. (2022-C09)

Yeas: (5): E. Peloza, M. van Holst, J. Helmer, P. Van Meerbergen, and J. Fyfe-Millar

Absent: (1): E. Holder

Motion Passed (5 to 0)

6. Adjournment

The meeting adjourned at 12:16 PM.

Bill No. 383
2022

By-law No. A.- _____ - ____

A by-law to confirm the proceedings of the
Council Meeting held on the 8th day of
November, 2022.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Every decision of the Council taken at the meeting at which this by-law is passed and every motion and resolution passed at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted, except where prior approval of the Ontario Land Tribunal is required and where any legal prerequisite to the enactment of a specific by-law has not been satisfied.
2. The Mayor and the proper civic employees of the City of London are hereby authorized and directed to execute and deliver all documents as are required to give effect to the decisions, motions and resolutions taken at the meeting at which this by-law is passed.
3. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on November 8, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – November 8, 2022
Second Reading – November 8, 2022
Third Reading – November 8, 2022

Bill No.
2022

By-law No. A.-7657()-___

A by-law to amend By-law No. A.-7657-4, as amended, being “A by-law to repeal By-law No. A.-7495-21 and to adopt an Emergency Management Program and Plan” in order to repeal and replace Schedule “A” to the by-law.

WHEREAS Section 3.1 of the *Emergency Management and Civil Protection Act, R.S.O 1990, c. E.9* (the EMCPA) provides that every municipality shall formulate an emergency plan governing the provision of necessary services during an emergency and the procedures under and the manner in which employees of the municipality and other persons will respond to the emergency and the council of the municipality shall by by-law adopt the emergency plan;

AND WHEREAS the EMCPA requires the municipality and council to implement an emergency management program to protect the public safety, public health, the environment, the critical infrastructure and property and to promote economic stability and a disaster-resilient community;

AND WHEREAS the EMCPA makes provision for the Head of Council to declare that an emergency exists in the community or in any part thereof and also provides the Head of Council with the authority to take such action or deliver such orders as he/she considers necessary and are not contrary to law to implement the emergency plan of the community and to protect property and the health and welfare of the inhabitants of an emergency area;

AND WHEREAS Subsection 9 of the *Municipal Act, 2001* provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS Subsection 5(3) of the *Municipal Act, 2001* provides that a municipal power shall be exercised by by-law;

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

1. Schedule “A”, being the City of London Emergency Response Plan, to by-law No. A.-7657-4 is hereby repealed and replaced with the attached new Schedule “A”.
2. By-Law No. A.- 7657(d)-367 is hereby repealed.
3. This by-law shall come into force and effect on the day that it is passed.

PASSED in Open Council on November 8, 2022

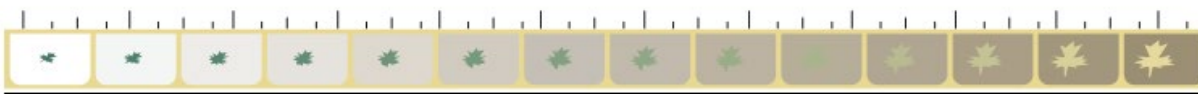
Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – November 8, 2022
Second Reading – November 8, 2022
Third Reading – November 8, 2022

City of London

Emergency Response Plan



November 2022



www.london.ca/emergency

CITY OF LONDON EMERGENCY RESPONSE PLAN

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1.0 INTRODUCTION

1.1 DEFINITION OF AN EMERGENCY

The Provincial *Emergency Management and Civil Protection Act* defines an emergency as:

“An emergency means a situation or an impending situation that constitutes a danger of major proportions that could result in serious harm to persons or substantial damage to property and that is caused by the forces of nature, a disease or other health risk, an accident or an act whether intentional or otherwise.”

These situations could threaten public safety, public health, the environment, property, critical infrastructure or economic stability. In order to protect residents, businesses and visitors, the City of London supports a coordinated emergency response by various agencies under the direction of the Municipal Emergency Control Group (Emergency Operations Centre Policy Group). These are distinct arrangements and extraordinary procedures from the normal core services normally delivered by the emergency services.

The City of London Emergency Management and Security Services in conjunction with the Community Emergency Management Program Committee developed this emergency response plan to ensure that all Civic Departments, Service Areas, Boards, Commissions and Municipal Council are prepared to carry out assigned responsibilities in the event of an emergency situation.

The *Emergency Management and Civil Protection Act* requires that the Emergency Response Plan be a risk-based plan, developed and maintained to respond to an emergency. This includes steps to guide the response effort, identify persons, equipment and resources for activation in an emergency and outline how they will be coordinated.

In addition, it is important that residents, businesses and interested visitors be aware of the Emergency Response Plan and its provisions. Copies of the City of London Emergency Response Plan may be viewed on the City of London web site www.london.ca/emergency and are available through the Emergency Management Office.

1.2 AIM

The aim of this plan is to make provision for the extraordinary arrangements and measures that may be required to safeguard property, the environment and the health, safety and welfare of the residents, businesses and visitors of the City of London when faced with an emergency. The response plan enables a centralized controlled and coordinated response to emergencies in the City of London and meets the legislative requirements of the *Emergency Management and Civil Protection Act*.

1.3 AUTHORITY

The legal authority for London's Emergency Response Plan is the Provincial *Emergency Management and Civil Protection Act*, RSO 1990 Chapter E-9. In accordance with the *Emergency Management and Civil Protection Act*, the following actions were taken with respect to London's Emergency Response Plan:

- Issued under authority by City of London By-law
- Emergency Management Ontario; and
- For the purposes of the Act and Regulations, London's Municipal Emergency Control Group (MECG) shall be referred to in this plan as the Emergency Operations Centre Policy Group.

1.4 EMERGENCY RESPONSE

Emergency action will include the earliest possible recognition of and response to the situation by all services; the earliest possible establishment of overall control of emergency operations by municipal authorities; the provision of essential aid and assistance for persons affected by the emergency; the recording of decisions taken by Municipal authorities and of costs incurred in relation to the emergency; and the timely distribution of information on the emergency to all services, to the public, the media and senior governments.

When an incident or an emergency can be handled by emergency services in the normal course of routine operations, they are authorized to carry out their respective duties and this plan does not take effect.

When an emergency exists but has not yet been declared, actions may be taken under this emergency response plan as required to protect life, property, environment and the health, safety and welfare of the citizens of the City of London.

When an emergency exists as defined by the act or determined by an emergency service that has major impact on the municipality or the health, safety and welfare of the citizens, the City of London Emergency Operations Centre Policy Group shall be notified of the incident.

1.5 LEVELS OF EMERGENCIES

Emergency levels are defined based on the impact in the following areas:

- Evacuation;
- Impact on infrastructure;
- Threat to/loss of life;
- Impact on essential services;
- Emergency service response; and
- Declared emergency.

It should be noted that, while this plan sets out procedures for major emergencies and disasters, responsibilities outlined in Section 5 are applicable for all levels of emergencies, and whether the EOC Policy Group is convened or not.

There are three levels of emergencies:

1.5.1 LEVEL ONE

Criteria:

- Limited Evacuation - small number of people and for short duration;
- Impact on Infrastructure - secondary roadway closed for short duration;

- Threat to/Loss of Life - threat or loss of life is minimal;
- Emergency Service Response - limited to one or two agencies with short duration response; and
- EOC – Monitoring Activation.

1.5.2 LEVEL TWO

Criteria:

- Localized Evacuation - of an area requiring a reception centre or other extra-ordinary measures;
- Impact on Infrastructure - major roadway or facility impacted;
- Disruption to business or industry;
- Threat to/Loss of Life - loss of life is minimal or non-existent. Threat to public may be substantial;
- Emergency Service Response - may or may not affect all essential services, activation of the Operations Section, EIO, etc. (example severe storm);
- Policy Group members may be advised of the incident but not convened;
- EOC - Enhanced Activation; and
- Incident Management used at the site.

1.5.3 LEVEL THREE

Criteria:

- Evacuation - large scale evacuation;
- Impact on Infrastructure - all or most roads closed/loss of major municipal facilities, reducing or eliminating essential service;
- Threat to/Loss of Life - major loss of life or threat to a large number of people;
- Emergency Service Response - all or most emergency services involved, impact on coverage;
- Incident Management System used at the site;
- Emergency Operations Centre - activated and/or Policy Group convened; and
- EOC - Full Activation.

1.6 EXERCISING THE PLAN

The ability to respond under emergency conditions must be assessed under non-emergency conditions. The efficacy of this Plan will be tested as follows:

- Annual testing in accordance with the Emergency Management and Civil Protection Act regulations; and
- A notification exercise to test the alerting network will be conducted as required.

1.7 REVIEW AND AMENDMENT

This Plan will be maintained by the Emergency Management and Security Services. It will be reviewed annually by members of the Community Emergency Management Program Committee. Normal administrative changes will be updated as part of the annual review. Changes that directly impact on the viability of the plan shall be brought to the attention of the City Manager and/or the Senior Leadership Team.

1.8 ANNEXES

- A – EOC Policy Group Contact Lists
- B – Contact and Resource List
- C – Alternate Emergency Operations Centre
- D – Exercise “Snow Ball” Practice Alerting Exercise
- E – Glossary of Terms and Acronyms
- F – EOC Policy Group Alerting System
- G – Flood Plan (E&I)
- H – Emergency Procedures for Major Power Utilities Service Disruptions (London Hydro)
- I – Environmental Spills Response Plan (E&I)
- J – Communications Plan (EIO)
- K – Emergency Social Services Plan (NCWS & SHD)
- L – Hazardous Materials Plan (CEMPC)
- M – Railroad Emergency Plan (CEMPC)
- N – Pandemic Plan (MLHU)
- O – Disaster Recovery Assistance (EMO)
- P – Extreme Temperature Protocol (MLHU)

2.0 DECLARATION / TERMINATION OF AN EMERGENCY

2.1 DECLARATION OF AN EMERGENCY

Where serious and extensive steps to protect property and the health, safety and welfare of the public are deemed necessary in managing the emergency, the Mayor or Acting Mayor, on the advice of the EOC Policy Group, may declare that an emergency exists under the provisions of Section 4 of the Emergency Management and Civil Protection Act, R.S.O. 1990 and may designate an area within the City of London as an "Emergency Area."

Upon declaring an emergency, the Mayor may authorize notification to any of the following:

- Emergency Management Ontario, Treasury Board Secretariat;
- Members of City Council;
- Neighbouring Community Emergency Management Coordinators, as appropriate;
- The Public;
- Neighbouring community officials, as appropriate;
- Local Members of Provincial Parliament (MPP); and
- Local Members of Parliament (MP).

The mayor (or Designate) will authorize notification to the EMO, Treasury Board Secretariat as mandated under the Emergency Management and Civil Protection Act.

Under such a declaration, the Mayor may authorize any of the following actions:

- Evacuation of buildings within the vicinity considered dangerous to occupants;
- Dispersal of persons judged to be in danger or whose presence hinders emergency operations;
- Discontinuation of any service without reference to other consumers where continuation of service constitutes a hazard within the emergency area;
- Provision of shelter as required and available for residents of the emergency area in need of assistance due to conditions of the emergency;
- Deployment of Municipal personnel and equipment;
- Request assistance from volunteers and other agencies not under Municipal control such as St. John Ambulance, the Salvation Army, Canadian Red Cross, Amateur Radio Emergency Service, London Search and Rescue, Intercommunity Health Care, Community Foundation, snowmobile clubs, local industry; and
- Request assistance from the County of Middlesex and its Constituent Municipalities.

2.2 REQUESTS FOR ASSISTANCE

Assistance may be requested by the City in a declared emergency when needed, under the following guidelines:

- The assistance of Federal and Provincial Ministries may be requested via Emergency Management Ontario through the Community Emergency Management Coordinator; and
- Assistance from other municipalities may be requested through the respective head of council and/or through senior staff.

The City Clerk (Planning Section) will maintain a record of requests made for Municipal, Provincial or Federal Government assistance in the emergency.

Direction and control of emergency operations will rest with Municipal authorities except where the Provincial or the Federal Government assumes control.

2.3 TERMINATION OF AN EMERGENCY

A community emergency may be terminated at any time by:

- Mayor or Acting Mayor; or
- City Council; or
- Premier of Ontario.

When terminating an emergency, the Mayor may authorize notification to:

- Ontario Emergency Management, Treasury Board Secretariat;

- Members of City Council;
- County Officials, as appropriate;
- Members of the Media;
- Public;
- Neighbouring community officials, as required;
- Local Members of Provincial Parliament; and
- Local Members of Parliament.

2.4 RECOVERY AND RESTORATION OF SERVICES

EOC Policy Group

The Policy Group will direct responsibilities for the recovery and restoration of services, the orderly and safe return of citizens to their homes and the clean-up following an emergency situation.

The Deputy City Manager, Environment and Infrastructure (or designate) will be responsible to coordinate this phase of the emergency with support and advice from other agencies as required. Where a spill of hazardous material is involved, the responsibility of the consignor or owner of the material will be considered.

Inspection of dwellings and buildings to ensure safe occupation will also be organized by the Deputy City Manager, Planning and Economic Development with inspection assistance being provided by the Fire Department, London Hydro, Electrical Safety Authority, Middlesex-London Health Unit, and other agencies as required.

Communications

The Director of Communications acting as the Emergency Information Officer will work with the EOC Policy Group to arrange for the prompt release of information and direction to the public through the media concerning clean-up operations and the occupation of dwellings and buildings. This includes the use of the Public Inquiry Centre to assist with public inquiries.

3.0 NOTIFICATION AND ACTIVATION

3.1 NOTIFICATION OF AN EMERGENCY

Emergency Services personnel are typically first on the scene mitigating the incident during any emergency. When the Police, Fire, EMS, or Engineering Supervisor at the site considers the situation or potential situation beyond the capability of the emergency service to manage or support without outside assistance, he/she will so advise the Chief of Police, the Fire Chief, EMS Chief or the Deputy City Manager of Environment and Infrastructure.

The following EOC Policy Group members (or their alternates), in consultation with the Community Emergency Management Coordinator, will decide if the situation calls for assembly of the EOC Policy Group:

- Chief of Police;
- Fire Chief;
- Paramedic Service (EMS) Chief;
- City Manager, Deputy City Manager;
- Deputy City Manager, Environment and Infrastructure;
- Community Emergency Management Coordinator;
- Medical Officer of Health;
- Deputy City Manager, Neighbourhood and Community-Wide Services and Deputy City Manager, Social and Health Development (Emergency Social Services); and
- Chief Executive Officer, London Hydro.

Based on the scope of the emergency they will determine what EOC members, advisors and support staff are required and if so, will request their attendance through the Community Emergency Management Coordinator.

3.2 POLICY GROUP OPERATIONS

Emergency Operations Centre (EOC)

Emergency Management and Security Services will maintain the Emergency Operations Centre in a state of readiness. This facility is located at the #12 Fire Station in Byron. This is the location where the EOC Policy Group would convene. This centre may be activated at other times to monitor situations that may escalate or for coordination of planned events.

This facility main role is to support the Incident Commander and assist in ensuring service levels to other parts of the Community.

The EOC consists of several rooms:

- **OPERATIONS ROOM** – A large room where operational, planning, logistics, finances/administration is monitored. Information is gathered, collated, evaluated, and disseminated in order to provide situation, status reports and EOC action plans to the EOC Policy Group.
- **POLICY ROOM** – Adjoining the Operations Room, a boardroom that allows the Mayor and City Manager to obtain updates from the EOC Director. The City Manager (Policy Group Chair) determines the membership of the Policy Group, normally senior representatives of the key agencies/departments. The EOC Director is appointed by Policy Group to provide leadership in the Operations Room and consolidate information to provide situation reports and upcoming priorities to the Policy Group. This room can also be used by the Operations Section or EOC Director for Section meetings, while the Policy Group is not in session.
- **BREAK-OUT ROOM** – A smaller meeting room is available for working group or separate task-based discussions.
- **ADMINISTRATIVE AREAS** – Access control and the Amateur Radio station are housed in the front administrative area. The Manager’s Office can also be used as a breakout room.

- COMMUNITY ROOM – A segregated room at the rear of the building can be setup to house the Public Inquiry Centre.

Operating Cycle

Members of the Policy Group will meet at regular intervals to receive situation reports from the EOC Director. The Policy Group Chair will establish the frequency of meetings based on discussions with the EOC Director and the Emergency Site - Incident Commander. Meetings will be kept as brief as possible allowing members to carry out their individual responsibilities. A display board identifying the status of actions will be maintained and prominently displayed in the Operations Room.

The City Manager will chair operating sessions of the Policy Group. The Policy Group will consider strategic decisions and will break to permit members to consult the Operations Room staff, help develop action plans, continuity of government, business continuity and contact others as necessary.

The intent of these conference sessions is to provide an uninterrupted forum for the Policy Group members to update one another and to recommend necessary actions to be taken. The Mayor will join conference sessions when available and confirm extra-ordinary decisions recommended by the Policy Group.

The Policy Group will require support staff to assist and to record key decisions. The CEMC will provide a Scribe to the Policy Group. Members will require staff at the EOC to handle communications to and from their department or agency to the emergency site. It is the responsibility of all members to notify their staff and associated volunteer organizations.

EOC Meeting Cycle

Members of the EOC IMS team will work in their functional sections; EOC Management, Operations, Planning, Logistics and Finance/Administration. The sections will work during an operational period and develop an EOC action planning process:

- Understand Current Situation and build situational awareness;
- Identify Objectives and priorities;
- Develop the EOC Action Plan;
- Obtain Approvals and distribute EOC action plan; and
- Review and Monitor Progress.

3.3 SUPPLEMENTARY PLANS

Separate emergency plans (Annex's or Appendices) are maintained by Service Areas, Boards and Commissions to respond to specific emergency situations. One copy of each such plan should be available in the Emergency Operations Centre and be updated by the responsible agency. Copies should also be filed with the Community Emergency Management Coordinator.

4.0 EOC POLICY GROUP

The Emergency Operations Centre Policy Group is responsible for providing immediate and continuing interchange of information, assessment and planning among the officials responsible for emergency operations. Each member will have identified designate(s) to act on their behalf when they are not available. The EOC Policy Group could consist of two groups of officials (depending on the situation) to build the EOC Policy Group:

4.1 EOC POLICY GROUP MEMBERSHIP

The Membership of the EOC Policy Group will be comprised of the following officials:

- Mayor, or Deputy Mayor;
- City Manager, Deputy City Manager or Alternate;
- City Clerk, Deputy City Clerk or Alternate;
- Chief of Police, or Deputies;
- Fire Chief, or Deputies;
- Deputy City Manager, Environmental and Infrastructure or Alternate;
- Deputy City Manager, Neighbourhood and Community-Wide Services and Deputy City Manager, Social and Health Developments or Alternates;
- Medical Officer of Health, or Associate MOH;
- Middlesex-London Paramedic Services Chief, or Deputies;
- Director of Strategic Communications and Government Relations or Manager;
- Community Emergency Management Coordinator, or Alternate;
- Hospital(s) Representative or Alternate;
- Chief Executive Officer, London Hydro or Alternate; and
- General Manager, London Transit or Alternate.

Note: in the absence of the primary member the alternate or designate will fulfil their role.

4.2 EOC ADVISORS

The EOC Staffing can be comprised of any or all of the following officials:

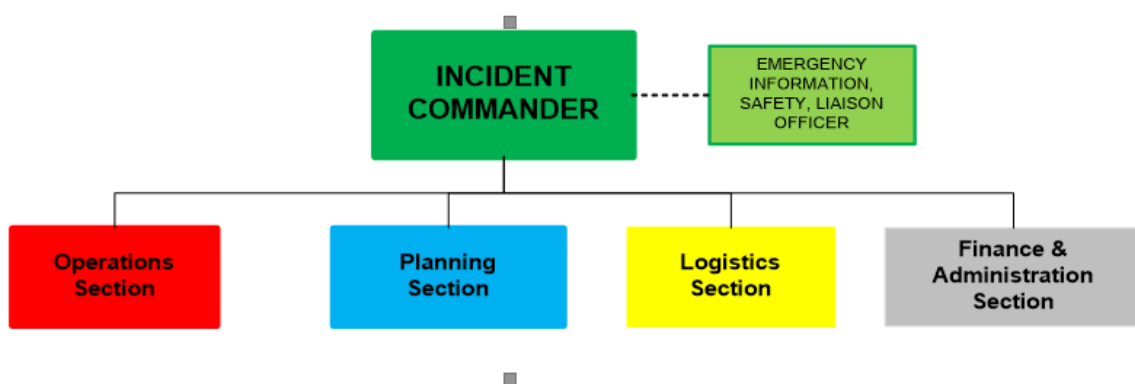
- Director, People Services;
- Deputy City Manager, Planning and Economic Development;
- Deputy City Manager, Finance Supports;
- Deputy City Manager, Enterprise Supports;
- Deputy City Manager, Legal Services;
- Director, Information Technology Services;

- Regional Coroner;
- The Thames Valley District School Board;
- The London District Catholic School Board;
- The Incident Industrial Representative;
- The Ministry of the Environment;
- The Upper Thames River Conservation Authority;
- CN / CP
- Emergency Management Ontario Representative (Field Officer);
- Ontario Provincial Police Representative;
- Department of National Defense, Canadian Armed Forces Regional Liaison Officer;
- Liaison staff from Provincial and Federal Ministries; and
- Any other officials, experts, or representatives from the public or private sectors as deemed necessary.

All members of the EOC Policy Group shall designate alternates to act for them in the EOC, in their absence. Alternate designations are noted in Annex A. Some members may also be required to fulfill positions in the EOC Management, Operations, Planning, Logistics and Finance/Administration Sections.

4.3 THE INCIDENT COMMANDER

The City of London has utilized standard Emergency Management protocols for many years. The City of London has adopted the Provincial model, using “best practices” the Incident Management System (IMS). In a Complex Incident one agency takes the lead role as Incident Commander (IC) or Unified Command. The IC provides coordination and leadership at the site/scene using the IMS model. This person is normally drawn from the lead agency and other leaders take over directing the operations section. This approach has been advocated in both federal and provincial levels.



INCIDENT COMMANDER

The Incident Commander (IC) is appointed by those response agencies on site. He/she will usually be from the lead agency (jurisdiction) involved in the specific type of emergency. For example, in a fire incident, an IC from the Fire Department would be appointed. Another officer from the Fire Department would then assume responsibility for fire ground operations. In a criminal incident, the IC would most probably be from London Police.

However, the collaborative decision on which person is most appropriate is based on the Knowledge, Skills and Abilities of the on-scene personnel.

This appointment would be amended or confirmed by the EOC Policy Group if activated. This appointment may be reassessed or transferred as the incident moves from response to recovery.

COMMAND STAFF

It may be necessary for the Incident Commander (IC) to designate a Command Staff who will provide information, liaison, and safety services for the entire organization at the site, they report directly to the IC.

EMERGENCY INFORMATION OFFICER

This person develops and releases information about the incident to the news media, incident personnel, city administrative and political leaders, and other appropriate agencies and organizations. He/she supports the IC with media interviews and works with other involved communications personnel to ensure consistent, accurate and timely communications.

SAFETY OFFICER

The Safety Officer is tasked with creating systems and procedures for the overall health and safety of all responders.

LIAISON OFFICER

The Liaison Officer serves as the primary contact for organizations cooperating with or supporting the incident response.

GENERAL STAFF

OPERATIONS SECTION

The Operations Section implements the incident action plan and is responsible for developing and managing the first responders to accomplish incident objectives set by the Incident Commander. Operations organize, assigns, and supervises all resources assigned to an incident including the staging area. It works closely with other members of the Command and General Staff to assign resources from the following agencies:

London Fire Department;
London Police Service;
London - Middlesex Paramedic Service (EMS);
Environment and Infrastructure (E&I);
London Transit;
London Hydro; and
Other Agencies.

PLANNING SECTION

The Planning Section at the site develops the Incident Action Plan. It collects, evaluates, analyzes and disseminates emergency information. The planning process includes preparing and documenting the Incident Action Plan and conducts long range contingency planning.

LOGISTICS SECTION

The Logistics Section coordinates the provision of all resources assigned to the incident. It obtains, maintains and accounts for essential personnel, equipment and supplies.

FINANCE / ADMINISTRATION SECTION

The Finance/Administration Section provides financial and cost analysis support to an incident.

RADIO COMMUNICATIONS

Services likely to be at an emergency site include Police Services, Fire Department, Middlesex-London Paramedic Service (EMS), Environment and Infrastructure (E&I), London Hydro and London Transit personnel. They will make every effort to ensure there is an efficient means of communication in place, both to and from the Incident Commander between emergency service groups.

A clear communications link must be established between the Incident Commander and the EOC. This is done using LCOM1 or LIMS 1, the 800 Mhz. common channels. This talkgroup is to communicate key information relative to Command decisions. Each Agency utilizes their own operational channels/tacs to relay information within their own organization

Communications relating to operational decisions should utilize individual agency channels or talk groups to communicate with staff in the Emergency Operations Centre. Agencies must have access to both radios.

4.4 RESPONSIBILITIES OF THE INCIDENT COMMANDER

Coordination by all resources at the emergency site is important to an effective response. The Senior Fire, Police, EMS Supervisor in conjunction with the Environment & Infrastructure (E&I) Supervisor (when applicable) on site will agree who should act as the initial Incident Commander (IC) depending on the nature of the emergency and will advise the Fire Chief and/or Chief of Police, Paramedic Chief respectively.

An on-site "Incident Command Post" will be established by the IC as soon as practical, to bring together supervisors of all emergency services operating at the scene for the purposes of coordinated action. It may also be necessary to establish a resource staging area so that outside resources have a definitive assembling/marshalling point. It will also be necessary to establish an area close, yet in safe proximity, to the emergency site for the media to assemble. The location should be easily identified and located in proximity to the on-scene Incident Command Post.

The Incident Commander, in liaison with the Senior Fire, Police, Paramedic, E&I and other officials on site, is responsible to:

- Implement the Incident Management System
- Direct, control and coordinate the on-site emergency response effort of the Emergency Response Agencies, in accordance with direction from the Senior Officers;
- Maintain contact with the leader of each agency and inform on progress on each;
- Assess the situation, establish an aim and determine the incident action plan;
- In conjunction with Police, Fire, EMS, E&I and other key agencies, establish site layout and an Incident Command Post, including a staging area for additional staff resources for the control and coordination of emergency site operations;
- Establish Emergency Site communications capabilities;
- Establish which agencies/personnel are allowed access past the outer and inner perimeters and advise on-site police;
- In coordination with the Director of Strategic Communications and Government Relations establish an Assistant Emergency Information Officer - Site Media Spokesperson. Request public information support, as required;
- Request the activation of Alert London – mass notification system;
- Request the activation of the EOC and EOC Policy Group for additional support to the site;
- Maintain continuous contact with EOC Director and Operations Section Chief and or Branch Operations to report the operations status at the emergency site and advise of any assistance or other resources required;
- Take such necessary actions to minimize the effects of the emergency;
- When recovery operations are nearing completion, monitor and advise the EOC about agencies preparing to depart the site;
- Maintain a log of all major decisions, instructions, IMS forms and actions taken; and
- Prepare and submit a final report containing operational evaluation of his/her area of responsibility, including recommendations on changes to the Emergency Response Plan and Supplementary Plans.

4.5 INCIDENT MANAGEMENT SYSTEM

The City of London adopted the Incident Management System (IMS) at the emergency site and has adopted it at the Emergency Operations Centre. IMS is internationally recognized and is endorsed by Emergency Management Ontario (IMS 2.0 Guidance), based on the National Incident Command System (NIMS 2017) and NFPA 1600.

IMS Principles:

Communication;
Coordination;
Collaboration; and
Flexibility.

IMS Characteristics:

1. Common Terminology
2. Management by Objectives
3. Manageable Span of Control
4. Comprehensive Resources Management
5. Establishment and Transfer of Command
6. Chain of Command and Unity of Command
7. Dispatch/Deployment
8. Modular Organization
9. Incident/EOC Action Plan
10. Incident Facilities and Locations
11. Integrated Communications
12. Unified Command
13. Accountability
14. Information and Intelligence Management

IMS consists of five key functions:

1. Command
2. Operations
3. Planning
4. Logistics
5. Finance / Administration

IMS is the standardized emergency response system, which defines the basic command structure and the roles and responsibilities, required for the effective management of an emergency.

4.6 EOC IMS ORGANIZATIONAL STRUCTURE

The majority of emergency incidents are managed at the site, by the Incident Commander. Incident objectives, strategies and tactics for the site are formulated and directed from the Incident Command Post (ICP). In larger emergencies, onsite responders may require policy, coordination and resources to support site activities by requesting support from the EOC.

An Emergency Operations Centre (EOC) is a pre-designated facility, set up off site, to provide this support. The EOC provides policy direction and support to the site, business continuity. The EOC Director coordinates resources requests from the site(s) and manages all non-site activities.

An EOC may be established by any level of government or the private sector to support individual response agencies or the overall response effort. Emergency Operations Centres are normally activated at the request of the Incident Commander or EOC Policy Group.

When an EOC is activated, the City may establish a EOC Policy Group (formally the Community Control Group), comprised of the head of the organization (e.g. Mayor, City Manager, Deputy City Manager, Directors, Chiefs, etc.) and other senior executive officers, in order to provide the EOC Director with policy direction.

The EOC is organised into five major functions; Management, Operations, Planning, Logistics and Finance/Administration. A diagram of this EOC structure is provided on the next page. The primary responsibilities of each of these functions are described below:

EOC Management: Responsible for overall policy and coordination through the joint efforts of government agencies and private organizations. Management includes the EOC Director, Deputy Director, Legal/Risk Management Officer, Liaison and Emergency Information Officers.

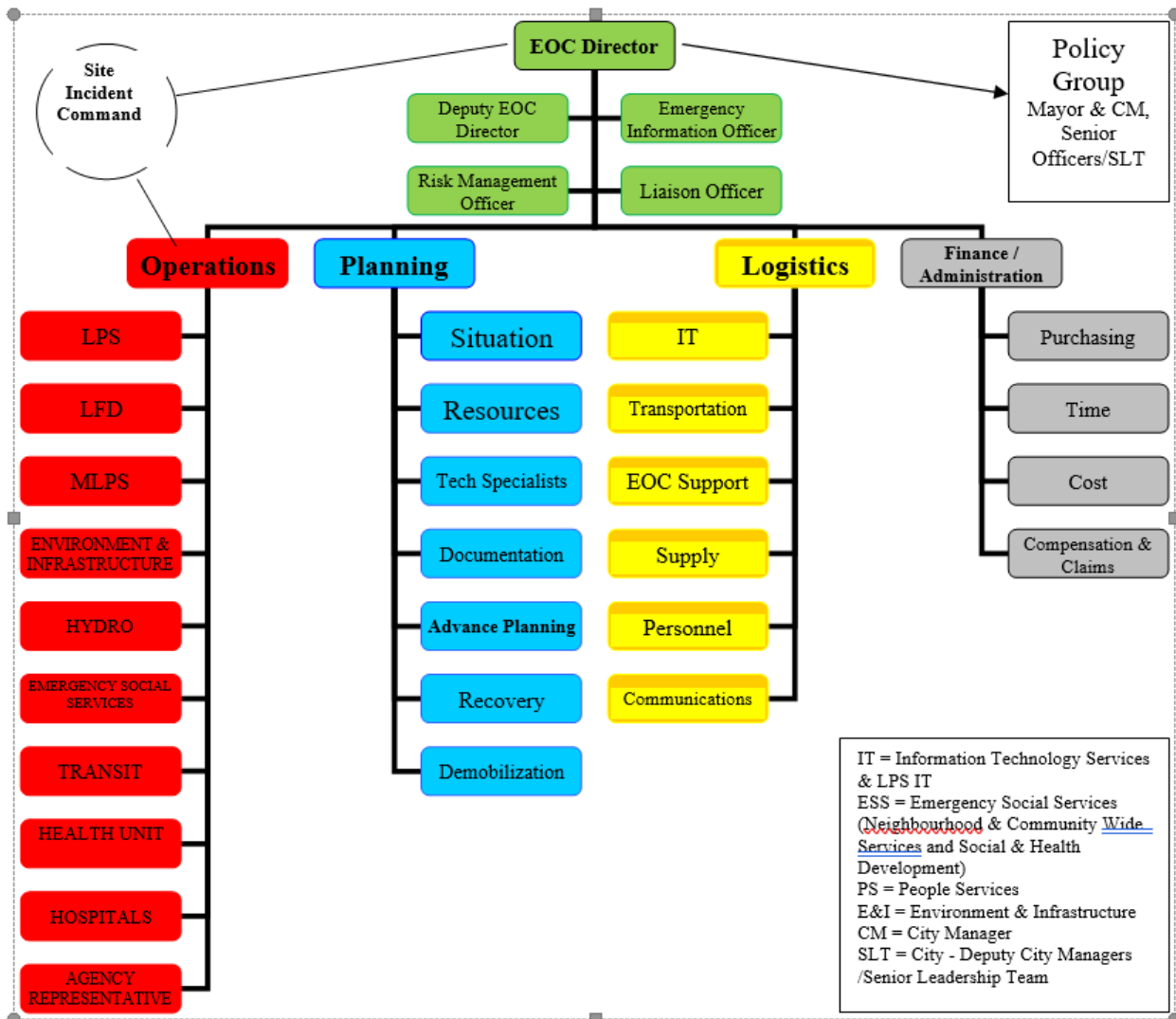
Operations: Responsible for coordinating all jurisdictional operations in support of the emergency response through the Incident Report and implementation of the EOC Action Plan.

Planning: Responsible for collecting, evaluating and disseminating information; developing the EOC's Action Plan and Situation Report in conjunction with other functions; and maintaining EOC documentation.

Logistics: Responsible for ensuring the EOC is operational and providing facilities, services, personnel, equipment and materials.

Finance/Administration: Responsible for financial activities and other administrative aspects

EOC IMS ORGANIZATIONAL CHART



More information on IMS in the EOC in chapter 8

5.0 RESPONSIBILITIES OF THE EOC POLICY GROUP MEMBERS

The members of the EOC Policy Group (Municipal Emergency Control Group) are appointed on the annual emergency management program update; Bylaw, the EOC Policy Group are authorized to take the following actions:

- Calling out and mobilizing their respective services, equipment or other agencies as required;
- Supporting the Incident Management System at the site and at the Emergency Operations Centre;
- Designating an Agency representative to the EOC Operations Section as Branch Coordinator;
- Assist in the staffing of the EOC Planning, Logistics, Finance/Administrative Sections;
- Coordinating and directing services and ensuring that any actions necessary for mitigating the effects of the emergency are taken;
- Determining if the location and composition of the EOC are appropriate (and that appropriate advisory and support members are present);
- Advising the Mayor as to whether the declaration of an emergency is recommended;
- Advising the Mayor on the need to designate all or part of the City as an emergency area;
- Ensuring that an Incident Commander (IC) is appointed and confirmed if required;
- Ensuring support to the IC in terms of equipment, staff and other resources as required;
- Discontinuing utilities or services provided by public or private agencies, e.g. hydro, water, gas, closing down a shopping plaza/mall;
- Arranging for services and equipment from outside local agencies;
- Notifying, requesting assistance from and/or liaising with various levels of government and other public or private agencies not under municipal control, as considered necessary;
- Determining if volunteers are required and authorizing requests to identify agencies for assistance;
- Implementing Business Continuity Plans to ensure the delivery of services outside of the emergency area;
- Authorizing transportation arrangements for evacuation or transport of persons and/or supplies;
- Ensuring that pertinent information is promptly forwarded to Communications for dissemination;
- Determining the need to establish advisory groups and/or sub-committees/working groups for any aspect of the emergency including recovery;
- Authorizing expenditure of money required to deal with the emergency;
- Notifying personnel under their direction, of the declaration and termination of the emergency;

- Maintaining a log outlining issues, decisions made and actions taken for submission to the City Manager within one week of the termination of the emergency;
- Requesting activation of the London Alert – emergency mass notification system;
- Participating in the operational debriefing following the emergency; and
- Ensuring support to emergency service personnel and the citizens suffering emotional trauma as a result of critical incident stress.

5.1 ELECTED OFFICIALS

5.1.1 The Mayor is responsible for the following:

- Member of the EOC Policy Group;
- Providing overall leadership to the community;
- Provide advice and information from Councillors;
- Designating specific responsibilities to members of the Policy Group as deemed appropriate and receiving interim reports on a continuing basis for such special areas of concern;
- Representing the City of London with Senior Government officials and making the appropriate notifications;
- Serving as main media spokesperson for the Municipality;
- Determining if and when an emergency is declared;
- Declaring an emergency;
- Ensuring Council members are advised of the declaration and termination of an emergency;
- Ensuring Council members are informed of the emergency situation as per Corporate policy; and
- Declaring termination of the emergency.

5.1.2 The Deputy Mayor is responsible for the following:

- In the absence of the Mayor, the Deputy Mayor will assume the duties of the Mayor; and
- In the absence of the Deputy Mayor, the Alternate Deputy Mayor will assume the duties of the Mayor.

5.1.3 City Councillor's are responsible for the following:

- Councillors may be appointed as Alternate Deputy Mayor;
- Adopt by by-law the City of London's Emergency Management Program;
- Approve at council the City of London's Emergency Response Plan, including any amendments;
- Reinforce emergency preparedness messages to their constituents;

- Consider receiving training in emergency management and the Incident Management System provided by the City;
- Refer questions from the public to the City's Public Inquiry Centre, which may be operational during an emergency;
- When receiving calls from their constituents, Councilors can compile issues and concerns to share with the Mayor that will be passed on to the EOC Director and Emergency Information Officer;
- If calls from the media are received by a Councillor, then the information should be forwarded to Corporate Communications/Emergency Information Officer; and
- When the EOC is activated, it is important to note that information should not be posted on websites and social media sites that have not been approved for release by the EOC Director.

5.2 CITY MANAGER

The City Manager, Deputy City Manager(s) or designate is responsible for the following:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Act as the Emergency Operations Centre Director; assign the Command Staff and General Staff Chiefs in the EOC. Activate the Operations, Planning, Logistics and Finance / Administration Sections;
- Chairing Policy Group meetings, determining the meeting cycle and agenda during emergencies or other meeting;
- Act as Chief Advisor to the Mayor on policies and procedures as appropriate;
- Ensuring a master event log is made recording all important decisions and actions taken by the EOC and EOC Policy Group;
- Approving, in conjunction with the Mayor, major announcements and media releases prepared by Communications; and
- Ensuring that a communications link is established between the EOC and IC.

5.3 CITY CLERK

The City Clerk or designate is responsible for the following:

- Member of the EOC Policy Group;
- Assisting the City Manager and/or EOC Director as required;
- Advising the EOC Policy Group in matters of: bylaws and protocols, governing Council;
- If assigned by the EOC Director, act / assign the Finance / Administration Section Chief. Activate the Finance/Admin Section in the EOC; be prepared to assist in the Operations, Planning and Logistics Section.
- Recording emergency expenditures authorized by the EOC Policy Group;

- Maintain a record of requests made for Municipal, Provincial or Federal Government assistance in the emergency; and
- Upon direction of the Mayor, arranging special meetings of Council; and advising Councillors of the time, date and location of the meetings.

5.4 CHIEF OF POLICE

The Chief of Police or deputy will have the following responsibilities in addition to the normal responsibilities of the Police Service:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Alerting persons endangered by the emergency and coordinating evacuation procedures;
- Depending on the nature of the emergency, providing the Incident Commander at the Emergency Site and inform the EOC;
- If assigned by the EOC Director, act / assign the Operations Section Chief, activate the Police Branch of the Operations Section in the EOC, be prepared to assist in the Planning and Logistics Section.
- Establishing an ongoing communications link with the Senior Police on scene;
- Where applicable, establish and/or secure the inner perimeter of the emergency scene;
- Where applicable, establish the outer perimeter in the vicinity of the emergency to facilitate the movement of evacuees, emergency vehicles and to restrict access to all but essential emergency personnel;
- As feasible, provision of the police mobile command vehicle to serve as the multi-agency incident command post;
- Initiating traffic control to facilitate the movement of emergency vehicles and services;
- Provision of facilities for the City's, third alternate Emergency Operations Centre at Police Headquarters;
- Authorizing movement of the primary EOC to the alternate EOC location;
- Providing communications support, and information on the emergency to the Policy Group;
- Arranging for additional Police assistance when necessary;
- Evacuation of buildings or areas as authorized by the Mayor (IC/EOC Director), or the immediate evacuation of residents from a building or area for urgent safety reasons on the decision of the Senior Police Officer on scene in consultation with Fire Services where appropriate, and notifying the EOC or City Manager and the Deputy City Manager of Neighbourhood and Community-Wide Services of such actions;
- Arranging for the maintenance of order in any emergency reception centre, morgue and other facilities established by the EOC;
- Notifying the coroner of fatalities;
- Ensure the protection of life and property and the provision of law and order;

- Securing the emergency site to protect evidence so that subsequent investigation by other agencies is not hindered, for example an aircraft crash site; and
- Liaising with other municipal, provincial and federal law enforcement/intelligence agencies as required. The Chief of Police will ensure that the OPP Western Region Duty Officer is kept informed of any emergency situation in or affecting the City of London, so that current information on the emergency will be on hand at OPP General Headquarters.

5.5 FIRE CHIEF

The Fire Chief or deputy will have the following responsibilities in the emergency in addition to the normal responsibilities of the London Fire Department:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Providing the EOC with information and advice on firefighting and rescue matters;
- Depending on the nature of the emergency, providing the Incident Commander at the Emergency Site and informing the EOC;
- If assigned by the EOC Director, act / assign the Operations Section Chief, activate the Fire Branch of the Operations Section in the EOC, be prepared to assist in the Planning and Logistics Section.
- Establishing an ongoing communications link with the Senior Fire official on scene;
- Informing Mutual Aid Fire Chiefs and/or initiating mutual aid arrangements for the provision of additional firefighters and equipment, if needed;
- Determining if additional or special equipment or capabilities are required and recommending possible sources of supply, e.g. breathing apparatus, protective clothing;
- Determining the level and nature of Mutual Aid Fire assistance to provide to neighbouring communities when requested;
- Providing support to non fire fighting operations if necessary, e.g. rescue, casualty collection, evacuation;
- Maintaining plans and procedures for dealing with spills of hazardous material from the viewpoint of public safety, prevention of explosions and the spread of noxious fumes; and
- Providing advice to other City Services as required in the emergency.

5.6 DEPUTY CITY MANAGER OF ENVIRONMENT AND INFRASTRUCTURE

Deputy City Manager, Environment and Infrastructure or designate are responsible for the following:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;

- Depending on the nature of the emergency, providing the Incident Commander at the Emergency Site and informing the EOC;
- If assigned by the EOC Director, act / assign the Operations Section Chief, activate the Engineering Branch of the Operations Section in the EOC, be prepared to assist in the Planning and Logistics Section;
- Establishing an ongoing communications link with Senior E&I on the scene of the emergency;
- Maintaining communications with public works representatives from neighbouring communities to ensure a coordinated response;
- Ensuring provision of engineering assistance;
- Maintaining and repairing sanitary sewage and water systems;
- Providing emergency potable water, supplies and sanitation facilities as required by the Medical Officer of Health;
- Liaising with public utilities to disconnect any services representing a hazard to the public and/or arranging for the provision of alternate services or functions;
- Liaising with the Upper Thames River Conservation Authority regarding flood control, conservation and environmental matters;
- Arranging for snow or building debris clearance on an emergency basis so that vehicle movement can be maintained;
- Developing and implementing a plan for the removal and disposal of debris;
- Arranging for procurement of special purpose vehicles/equipment not in City inventory;
- Obtaining advice from the Chief Building Official on the structural safety of any buildings affected by the emergency and take action as required under the Building Code Act;
- Arranging for the demolition of unsafe structures as required;
- Maintaining flood plans including river watch in liaison with the Upper Thames River Conservation Authorities and the weather services, when required;
- Maintaining procedures and plans for Environment and Infrastructure response to spills of hazardous and environmentally damaging materials including containment, neutralizing and clean-up, upon advice from the Fire Department as to the material involved and the remedial action required;
- Arranging for repair of the water distribution system in case of ruptured mains in order to restore availability of water for fire-fighting purposes;
- Providing assistance to accomplish tasks as requested by London Police to support evacuations; and
- Arrange for the provision of forestry crews as required.

5.7 DEPUTY CITY MANAGER OF NEIGHBOURHOOD AND COMMUNITY-WIDE SERVICES AND SOCIAL AND HEALTH DEVELOPMENT

The Deputy City Manager of Neighbourhood and Community-Wide Services and/or Deputy City Manager, Social and Health Development or designate is responsible for the following:

- Member of the EOC Policy Group;
- Emergency Social Services lead;
- Activating the EOC Policy Group notification system, when applicable;
- Ensuring the well-being of residents who have been evacuated from their homes by arranging emergency lodging, clothing, food, registration, inquiries and other personal services;
- Activation of the Emergency Social Services Plan;
- Coordinating the opening and operation of temporary and/or long-term reception/evacuation centres and ensuring adequate staffing;
- If assigned by the EOC Director, activate the Emergency Social Services Branch of the Operations Section in the EOC; be prepared to assist in the Planning and Logistics Section.
- Liaising with the EOC with respect to the designated reception/evacuation centres that can be opened on short notice;
- Liaising with the Medical Officer of Health on areas of mutual concern regarding operations in reception centres;
- Liaising with the Ministry of Children, Community and Social Services;
- Liaising with volunteer organizations (non-government organizations) in regards to providing staff for registering the public in reception centres and providing clergy to the site; and
- Notifying Western Fair and London school boards when their facilities are required as reception centres.

5.8 MEDICAL OFFICER OF HEALTH

The Medical Officer of Health or designate will have the following responsibilities:

- Member of the EOC Policy Group;
- Activate EOC Policy Group notification system in the event of a health emergency;
- Acting as a coordinating link for all emergency health services at the EOC;
- If assigned by the EOC Director, act / assign the Operations Section Chief, activate the Health Unit Branch of the Operations Section in the EOC, be prepared to assist in the Planning and Logistics Section.
- Depending on the nature of the emergency, assigning the Incident Commander at the Emergency Site and informing the EOC;
- Liaising with the Ontario Ministry of Health, Public Health Branch;
- Establishing an ongoing communications link with the senior health official at the scene of the emergency;
- Liaising with senior EMS representatives, hospital officials, relevant health care organizations (i.e. Southwest Local Health Integration Network, the Ministry of Health and relevant government agencies);

- Providing authoritative instructions on health and safety matters to the public through Communications;
- Coordinating the response to disease related emergencies or anticipated emergencies such as epidemics, according to the Ministry of Health policies;
- Coordinating care of bed-ridden and special needs citizens at home and in reception centres during an emergency;
- Liaise with Local Health Integration Network
- Liaising with voluntary and private health care agencies, as required, for augmenting and coordinating public health resources;
- Coordinating efforts towards prevention and control of the spread of disease during an emergency;
- Notifying the Environment and Infrastructure and City Engineer regarding the need for potable water supplies and sanitation facilities;
- Liaising with the Emergency Social Services on areas of mutual concern regarding health services in reception centres;
- Providing advice to the Mayor and the EOC Policy Group on health matters;
- When advised by emergency services of an emergency situation involving hazardous substances or any threat to public health, providing advice for the safety of emergency service workers and activities to reduce the adverse affects on the public health;
- Directing precautions in regard to food and water supplies when warranted;
- Arranging for mass immunization where required; and
- Notifying other agencies and senior levels of government about health-related matters in the emergency.

5.9 PARAMEDIC SERVICE (EMS) CHIEF

The Middlesex-London Paramedic Service (MLPS) Chief or deputy or designate is responsible for the following:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Providing information on patient care activities and casualty movement from the emergency site;
- If assigned by the EOC Director, activate the Ambulance (EMS) Branch of the Operations Section in the EOC; be prepared to assist in the Planning and Logistics Section.
- Establishing an ongoing communications link with the EMS official at the scene of the emergency;
- Liaising and obtaining EMS resources from the Provincial Ministry of Health Emergency Health Services Branch, Senior Field Manager or On Call EMS Superintendent and from other municipalities for support if required;

- Liaising with the London Central Ambulance Communications Centre regarding patient status, destination, and department case load;
- Organizing the EMS response to assist and coordinate actions of other Social Service agency EMS branches (i.e. patient transport services, and other transportation providers);
- Advising the EOC if other means of transportation are required for large scale responses;
- Obtain EMS Mutual Aid assistance as required for both land and air based patient transport;
- Assist with the emergency evacuation when required;
- Ensure balanced emergency EMS coverage is available at all times throughout the community;
- Liaising with the receiving hospitals; and
- Liaising with Police, Fire, Coroner and Medical Officer of Health, as required.

5.10 DIRECTOR OF STRATEGIC COMMUNICATIONS AND GOVERNMENT RELATIONS EMERGENCY INFORMATION OFFICER (EIO)

The Director of Strategic Communications and Government Relations or designate; responsibilities include:

- Member of the EOC Policy Group;
- Establishing a communications link with the Community Spokesperson (s) and any other media coordinator(s) (i.e., provincial, federal, private industry, hospitals, etc.) involved in the incident;
- Implementing the Emergency Communications Plan;
- Designate an Emergency Information Officer (EIO) for the EOC
- If assigned by the EOC Director, designate the Emergency Information Officer at the Site and Assistant EIO's in the EOC; be prepared to assist in the Operations and Planning Section.
- Ensuring that all information released to the public is timely, full and accurate;
- Ensuring an Emergency Information Centre is set up and staffed for the purpose of disseminating information to the media;
- Ensuring media releases/PSAs are approved by the Mayor prior to dissemination;
- Handling inquiries from the public and media;
- Coordinating individual interviews and organizing press conferences;
- Ensuring a Public Inquiry Centre is set up (if necessary) to process email and/or phone inquiries;
- Ensuring a Public Inquiry Centre Supervisor is designated and to liaise often with this Supervisor regarding the nature of inquiries;
- Distribute media releases/PSAs to the EOC, Public Inquiry Centre Supervisor and other appropriate key persons;

- Ensuring the public is advised of the Public Inquiry Centre phone number(s) through public service media announcements;
- Monitoring news coverage and social media and correcting any erroneous information;
- Maintaining copies of media releases pertaining to the emergency; and
- Ensure information notification protocols for Elected Officials are exercised.

5.11 COMMUNITY EMERGENCY MANAGEMENT COORDINATOR (CEMC)

The Community Emergency Management Coordinator or alternate responsibilities include:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Ensuring Alert London – Mass Notification System and EOC Policy Group contact lists are kept up to date, for EOC activation;
- Ensuring the email lists and cell phone, electronic device applications are utilized to supplement telephone call-out system;
- Providing advice and support to the Incident Commander and initial responders including liaison with appropriate agencies, service areas and departments;
- Assisting with the decision making process to determine whether to activate the EOC Policy Group notification system when applicable;
- Preparing and arranging the Emergency Operations Centre in readiness to activate;
- If assigned by the EOC Director, act as Deputy EOC Director, assign a Liaison Officer, activate the Incident Management System in the EOC, be prepared to assist in the Operations, Planning, Logistics and Finance/Administration Sections and EOC Support;
- Ensuring EOC Policy Group members have all plans, resources, supplies, maps and equipment;
- Ensuring that a communications link is established between the EOC and Site;
- Providing advice and clarification regarding the London Emergency Response Plan;
- Lead contact between the Municipality and Office of the Fire Marshal and Emergency Management (OFMEM);
- Liaising with Provincial and Federal agencies as required;
- Liaising with support agencies (i.e., Red Cross, St. John Ambulance, Salvation Army, Amateur Radio Emergency Service) as required;
- Addressing any action items that may result from the activation of the London Emergency Response Plan;
- Maintaining logs for the purpose of debriefings and post emergency reporting;
- Acting as Deputy EOC Director, EOC Director and/or Liaison Officer to the EOC as required, provide members for the EOC Support Unit;
- Advising on the implementation of the City of London emergency plans;

- To initiate arrangements with telephone authorities for priority attention to key municipal offices;
- Arranging the provision of administrative staff to assist in the EOC, as required;
- Maintaining plans in place, for the alternate EOC at City Hall and alternate back up at LPS HQ, for use by the EOC as outlined in Annex C of this plan;
- Providing a process for registering EOC and EOC Policy Group members; and
- Forwarding all Provincial Media releases to the Director of Communications (EIO).

5.12 HOSPITALS REPRESENTATIVE

London Hospitals' work collaboratively together on their Emergency Management programs. They would send a representative to attend the EOC Policy Group and EOC Operations Section provide direct liaison to the hospitals' control groups.

Providing information on overall hospital capacity, patient care activities and casualty movement at the hospitals including decontamination status for CBRNE events;

- If assigned by the EOC Director, assist the Hospital Branch of the Operations Section in the EOC; be prepared to assist in the Planning and Logistics Section;
- Liaising with the Ambulance Communications Centre and EMS regarding patient status, destination, and department case load;
- Activating their emergency plans as appropriate;
- Establishing ongoing communications links with the hospital control groups;
- Liaising and obtaining hospital resources from the Provincial Ministry of Health, Emergency Health Regulatory and Accountability, and from other hospitals for support if required;
- Ensure communication regarding availability of essential hospital services occurs at all times throughout the community; and
- Liaising with Police, Fire, Coroner and Medical Officer of Health, Community Care Access Centre, and Southwest Local Health Integration Network (LHIN) as required.

5.13 CHIEF EXECUTIVE OFFICER, LONDON HYDRO

The Chief Executive Officer, or designate London Hydro responsibilities include:

- Member of the EOC Policy Group;
- Activating the EOC Policy Group notification system, when applicable;
- Monitoring the status of power outages and customers without services;
- Providing updates to the EOC on power outages, as required;
- Depending on the nature of the emergency, providing the Operations Section Hydro resources at the Emergency Site and informing the EOC;
- If assigned by the EOC Director, activate the Utilities Branch of the Operations Section in the EOC; be prepared to assist in the Planning and Logistics Section;

- Liaising with the Independent Electrical System Operators regarding local and global power outage issues;
- Monitoring service status to inform customers relying on home medical equipment, (i.e., oxygen, dialysis machines);
- Providing assistance with accessing generators for essential services or other temporary power measures;
- Arranging to discontinue electrical services to any consumer where considered necessary in the interest of public safety;
- Maintaining plans in place for alternative electrical service, where necessary, and for the priority restoration of affected services as dictated by emergency needs of City services and other essential users;
- Arranging for the clearance of power lines and fallen trees on emergency routes in order that emergency response personnel have access to perform their duties;
- Establishing procedures and maintaining plans for emergency response to transformer oil leaks and for the coordination of response efforts by other departments and agencies in such situations; and
- Assisting with post-disaster clean-up and restoration of services.

5.14 GENERAL MANAGER, LONDON TRANSIT

The General Manager, or designate London Transit responsibilities include:

- Member of the EOC Policy Group;
- Co-ordination of evacuation transportation resources;
- Responding as directed by London Police and/or the EOC regarding the utilization of transportation resources under emergency evacuation conditions;
- Depending on the nature of the emergency, providing the Operations Section transportation resources at the Emergency Site and informing the EOC;
- If assigned by the EOC Director, activate the Transportation Unit of the Logistics Section; and /or Transportation Branch of the Operations Section, in the EOC, be prepared to assist in the Planning Section.
- Coordinating the acquisition, distribution and scheduling of various modes of transport (i.e. public transit, school buses, etc.) for the purpose of transporting persons and/or supplies, as required in an emergency;
- Procuring staff to assist with transit issues, as required;
- Ensuring that a record is maintained of drivers and operators involved;
- Establishing an emergency availability system for all transportation vehicles according to time of day, excluding London Central Ambulance Communications Centre (L.C.A.C.C) dispatched vehicles which will remain the responsibility of the L.C.A.C.C., and
- Provide transportation support for on-site emergency responders as required.

6.0 RESPONSIBILITIES OF EOC ADVISORS

6.1 DIRECTOR, PEOPLE SERVICES

The Director, People Services (Human Resources) is responsible for the following:

- If assigned by the EOC Director, act as the Risk Management Officer in the EOC
- Assisting with providing necessary staff to help with emergency operations by matching employees' skills with required job (prior to an emergency). Obtaining, recording and maintaining an inventory of employee skills and limitations related to emergency operations, to be verified through the EOC Policy Group and support staff;
- Coordination of staff information hotline and internal Corporation of the City of London communications in conjunction with Emergency Management;
- Ensuring safe workplace practices are followed and that appropriate safeguards are in place to protect staff and volunteers. Advising the EOC Policy Group on matters concerning Occupational Health and Safety legislation;
- Advising the EOC Policy Group on legislative and collective agreement aspects of the response. Make recommendations to ensure staff are fairly compensated for extra-ordinary efforts. Work with Union leadership to address any issues arising during the incident.
- Providing identification cards to staff, volunteers and temporary employees when required;
- Providing personal assistance to those employees who are impacted by the emergency. Establishing the necessary support services to allow employees to continue to report to work during the emergency (i.e. daycare, elder care, food services, rest areas, etc.);
- Recommendation to the EOC Policy Group on alternate work schedules, site, telecommuting, etc. in the event that City facilities are impacted;
- Ensuring that records of human resources and related administrative issues that cover financial liability are completed;
- Arranging Critical Incident Stress Debriefing Teams and employee counseling services to respond to the needs of municipal emergency response staff and registered volunteers, during and post emergency, as required; and
- Providing additional staff to the EOC, as required.

6.2 DEPUTY CITY MANAGER, PLANNING AND ECONOMIC DEVELOPMENT

The Deputy City Manager, Planning and Economic Development or alternate will:

- Where possible, inspect buildings for visual assessment of damage and advise if any dangerous or unsafe conditions exist; If necessary, retain or request the owner to retain the services of a professionally qualified engineer to determine the structural adequacies of the structure;
- Obtaining advice from the Chief Building Official on the structural safety of any buildings affected by the emergency and take action as required under the Building Code Act;

- Arranging with London Police for building evacuation where appropriate;
- Providing advice on the structural safety of any buildings affected by the emergency in liaison with the Chief Building Official and arranging with London Police for building evacuation where appropriate;
- Coordinating action for the recovery and restoration of services as outlined in the London Emergency Response Plan, including the inspection of homes and buildings for safe re-occupation where required;
- Providing technology services personnel to assist with geomatics, mapping needs of the EOC and EOC Policy Group;
- Providing advice on Bylaw, licensing and compliance to the EOC Director;
- Issue orders as necessary for remedial actions to be undertaken; and
- Proceed with any actions as necessary to “make safe” any building or structure.

6.3 DEPUTY CITY MANAGER, FINANCE SUPPORTS

The Deputy City Manager, Finance Supports responsibilities includes:

- Co-ordinate financial management of the emergency;
- Ensure necessary purchasing and stores support is available to support the incident;
- Assisting the EOC Director, if assigned by the EOC Director, assign a Finance/Administration Section Chief;
- Providing information and advice on financial matters related to the emergency; and,
- Ensuring that records of expenses are maintained for future claim procedure.

6.4 DEPUTY CITY MANAGER, LEGAL SERVICES

The Deputy City Manager, Legal Services responsibilities includes:

- Co-ordinate legal management of the emergency;
- Ensure necessary support is available to the Policy Group, EOC and emergency site;
- Assisting the EOC Director, if assigned by the EOC Director, assign a Legal/Risk Management Officer; and
- Providing information and advice on legal matters related to the emergency.

6.5 DEPUTY CITY MANAGER, ENTERPRISE SUPPORTS

The Deputy City Manager, Enterprise Supports responsibilities includes:

- Co-ordinate support to emergency management and EOC operations;

- Ensure necessary support is available to support the incident;
- Assisting the EOC Director, if assigned by the EOC Director, assign a Liaison Officer; and
- Provide information and advice on matters related to the emergency.

6.6 DIRECTOR, INFORMATION TECHNOLOGY SERVICES

The Director, Information Technology Services is responsible for the following:

- Providing information technology services personnel to assist with telecommunications, computer, LAN and GIS needs of the EOC and EOC Policy Group;
- Assisting the EOC Director, if assigned by the EOC Director, assign a IT unit leader in the Logistics Section and emergency city mapping; and
- Provide co-ordination with London Police IT services in the EOC.

6.7 REGIONAL CORONER

When the Regional Coroner is called upon to join the EOC, the following responsibilities will be carried out:

- Providing information on the handling of fatalities;
- Liaising with London Police Service regarding victim identification and evidence gathering/preservation;
- Liaising with the Medical Officer of Health regarding associated health risks to emergency responders and the public;
- Arranging for adequate staffing to deal with the situation;
- Advising the Mayor/City Manager regarding information to be released to the media; and
- Providing information with respect to the establishment of a temporary morgue.

6.8 THE THAMES VALLEY DISTRICT SCHOOL BOARD AND THE LONDON DISTRICT CATHOLIC SCHOOL BOARD

When the Boards of Education, including French Immersion schools are called upon to join the EOC Policy Group, they will provide liaison officer(s) who will have the following responsibilities:

- Provide the EOC with information with respect to the Boards action to ensure the safety and well-being of their students;
- Providing school facilities (as appropriate and available) for use as public information and/or reception centres as required;

- Provide staffing to coordinate the maintenance, use, and operation of the facilities being used as public convergence/assembly and/or reception centres; and
- Act as liaison between the Boards of Education to keep them informed of EOC Policy Group decisions that will impact the Boards activity.

6.9 EMERGENCY MANAGEMENT ONTARIO

Treasury Board Secretariat: and Emergency Management Ontario (EMO) can assist with facilitating access to Provincial and Federal agencies and resources. EMO can provide advice on managing an emergency and provide information and access to additional private and public agencies that may assist in the management of the emergency. EMO can deploy field officers to provide advice and assistance to the Policy Group and also ministry staff from the MCS&CS communications branch to assist with emergency public information. Access to EMO is through the CEMC, who should notify the Provincial Emergency Operations Centre of all major incidents.

6.10 INCIDENT INDUSTRIAL REPRESENTATIVE

When the emergency has been caused by an industrial accident, the EOC may request that the company involved provide the EOC with an advisor.

6.11 DND – REGIONAL LIASION OFFICER

A Canadian Armed Forces Regional Liaison Officer will provide a link between the community and local Department of National Defence resources in London; including 31 Canadian Brigade Group and HMCS Prevost.

6.12 ADDITIONAL E.O.C. ADVISORS

Dependent upon the nature of the emergency, the EOC may require further consultation from, but not limited to, the following internal and external agencies;

External

Ministry of the Environment
 Ministry of Community and Social Services
 Ministry of Municipal Affairs and Housing
 Ministry of Health and Long-Term Care
 Ontario Provincial Police
 Office of the Fire Marshal
 Ministry of Transportation
 Upper Thames River Conservation Authority
 London International Airport
 Canadian National/Canadian Pacific Railroad
 Western University
 Fanshawe College

7.0 OTHER AGENCIES AND ORGANIZATIONS

7.1 LONDON CENTRAL AMBULANCE COMMUNICATIONS CENTRE

The Ambulance Communications Centre is responsible for the dispatch of ambulances in London and Middlesex County operating 24 hours per day, 7 days per week.

7.2 ST. JOHN AMBULANCE

Southwestern Ontario Branch of the St. John Ambulance Community Services Unit has resources in first aid and emergency reception centre medical support. St. John Ambulance will respond to requests from the Emergency Services or the EOC. St. John Ambulance resources are staffed by volunteers and their response is governed by the availability for duty of volunteers.

7.3 THE SALVATION ARMY

The Salvation Army has emergency resources for public welfare, short term accommodation, clothing, feeding, mobile canteen, emergency responder critical incident stress issues, and emergency reception centre support and will respond within their budgetary capabilities when requested by the EOC. The Salvation Army is also prepared to arrange for clergy assistance, emotional and spiritual care personnel at a disaster site or at reception centres when called upon by Police or Fire authorities (IC) or by the (Emergency Supervisor On Call), or Managing Director of Neighbourhood, Children and Fire Services or Delegate.

7.4 CANADIAN RED CROSS

The London and Middlesex Branch of the Canadian Red Cross is prepared to provide Red Cross assistance to the community in the form of a registration and inquiry service as described in the Public Health Agency of Canada "Registration and Inquiry Manual". This service will assist the public in locating immediate relatives who have left their homes as a result of the emergency. Inquiry services may be operated from outside the disaster area in accordance with Red Cross standard operating procedures. Registration and inquiry services will be provided at the request of the (Emergency Supervisor on Call), or the Deputy City Manager, Neighbourhood and Community-Wide Services and or Social and Health Development or Designate.

7.5 AMATEUR RADIO EMERGENCY SERVICE

The Amateur Radio Emergency Service (A.R.E.S.) is the volunteer group which coordinates amateur radio in the London-Middlesex area. They are prepared to establish and maintain emergency radio communications for any purpose required, including assisting Red Cross with registration and inquiry services at reception centres, communications between London hospitals, to supplement municipal communications resources, and to establish a Shadow Network of backup communication paths. Radio operators can deploy mobile and portable radios throughout the area to supplement existing radio networks. An A.R.E.S. control station can be activated at the EOC in a major emergency at the request of the CEMC. Other stations are available at the Middlesex London Health Unit, the London Police Community Command Vehicle, and any location that is reachable by car.

7.6 FEDERAL GOVERNMENT AGENCIES

Federal resource assistance should be accessed through Treasury Board Secretariat; and Emergency Management Ontario - Provincial Emergency Operations Centre. The financial burden for Federal resource assistance requests made directly from the municipality is born by the Municipality.

7.7 BELL CANADA

Bell Canada is aware of key emergency personnel and departments and will ensure that these telephones are given priority attention in maintenance and restoration of service in emergency situations. Bell Canada can provide additional emergency telephone lines if the incident has not caused major disruption to their installed services. They also have a telephone and radio equipped mobile command post which can be positioned at emergency sites to augment the City's telecommunications capability.

7.8 ENBRIDGE GAS

Enbridge Gas Limited (Union Gas Limited) has emergency plans in place, personnel and equipment available to handle the restoration of gas mains and services in an emergency when contacted by City Emergency Services.

7.9 LONDON INTERCOMMUNITY HEALTH CENTRE

The InterCommunity Health Centre has emergency resources for public welfare, triage, medical care, medications/prescriptions, emergency reception centre support and will respond when requested by the Emergency Operations Centre Policy Group.

7.10 LONDON COMMUNITY FOUNDATION

In the event of an emergency situation affecting the City, the London Community Foundation has agreed to take on the role of coordinating donation management. To facilitate this important and supportive role, the Foundation will work closely with the City to continually ensure there are efficient policies and processes in place.

8.0 INCIDENT MANAGEMENT SYSTEM IN THE EOC

The London Emergency Response Plan adopts the principles of the Incident Management System (IMS) from the Ontario IMS Guidance Version 2.0. Based on the five key functions that must occur during any emergency situation, IMS can be used for any size or type of emergency to manage response personnel, facilities and equipment. Principles of the Incident Management System include the use of common terminology, modular organization, integrated communications, unified command structure, EOC action planning, manageable span of control, personnel accountability, unity and chain of command, management by objectives and comprehensive resource management.

The Emergency Operations Centre consists of the IMS five major functions Management, Operations, Planning, Logistics, Finance/Administration Sections and the EOC Policy Group. (formally known as the Municipal Emergency/Community Control Group).

Response Goals

The following response goals are applied to all emergency situations:

- Provide for the health and safety of all responders;
- Save lives;
- Reduce suffering;
- Protect public health;
- Protect government/critical infrastructure;
- Protect property;
- Protect the environment;
- Reduce economic and social losses; and
- Maintain public confidence.

8.1 POLICY GROUP

When an EOC is activated, the Municipal Emergency Control Group and local authorities may establish a Policy Group comprised of the head of the local authority (e.g. Mayor) and other elected officials and senior executive officers in order to provide the Incident Commander and EOC Director with policy direction. An example of this level of policy direction is the declaration of a “state of emergency”. The Policy Group is responsible for executing the emergency response plan and making decisions on issues not covered in the London Emergency Response Plan (LERP). This group decides whether to declare or cancel a Declaration of Emergency. It is also responsible for the continuity of government and business continuity plans for the City of London. It is responsible, through emergency information staff, for ensuring that the public is informed during an emergency. Members of the policy group are found on page 14 of the plan.

Roles and Responsibilities:

- Provide overall policy direction;
- Changing/amending bylaws or policies;
- Could request Municipal/Provincial level assistance;
- Declare a State of Local Emergency;
- Declare termination of State of Local Emergency; and
- Acting as an official spokesperson.

8.2 EOC MANAGEMENT

Management Section

The Management Section is responsible to provide, for the overall management and coordination of site support activities and consequence management. Coordination through the joint efforts of the EOC, City, government agencies and private organizations. Coordination between EOC sections and between the site.

The EOC Management Section consists of the following positions:

EOC Director (City Manager, CEMC, City Senior Leadership Team and/or Chiefs)

Deputy EOC Director

Emergency Information Officer (Director of Strategic Communications and Government Relations, and CE Division)

Risk Management/Legal Officer (City Senior Leadership Team)

Liaison Officer (City Senior Leadership Team)

EOC Director:

- Overall authority and responsibility for the activities of the EOC;
- Ensures organizational effectiveness;
- Provides leadership to the EOC Management team;
- Sets out priorities and objectives for each operational period and ensures they are carried out;
- Liaises with the Policy Group; and
- Approves emergency information releases.

The EOC Director is responsible for ensuring that the EOC is ready for use on short notice. The EOC contains information display materials, telecommunications and any additional supporting equipment, documents, and supplies required to ensure efficient operations and effective emergency management on a 24-hour per day basis. In addition, power generation capabilities and other special life support systems may be required to allow for continuous operations apart from normal public utilities and services.

Emergency Information Officer:

- Establishes, maintains media contacts;
- Coordinates information for release;
- Coordinates media interviews;
- Liaises with other information officers;
- Prepares public information materials; and
- Prepares EOC messaging sheets.

Legal, Risk Management Officer:

- Monitors EOC safety, recommends safety modifications to operations;
- Maintains link with safety officers as applicable;
- Assesses unsafe situations and halts operations if necessary;
- Provides advice and assistance on matters related to occupational health and safety regulations for the response and for the EOC personnel;
- Identifies liability and loss exposures to personnel and property and for City;
- Provides advice and assistance on matters related to law and how they may be applicable to the actions of the City during the emergency; and
- Provide advice on Human Resource matters, such as collective agreements and work scheduling

Liaison Officer:

- Invites required or requested agencies to the EOC, as identified by the EOC Director and EOC Management Team;
- Maintains regular contact with cooperating agencies, assist guest agencies in the EOC; and
- Assists EOC Director with activities (meetings & briefings).

8.3 EOC GENERAL STAFF

Operations Section

The Operations Section is responsible for coordinating all jurisdictional operations in support of the emergency response. The Operations Section is also responsible for gathering current situation information from the site and sharing it with the Planning Section and other Management Team personnel, as appropriate; coordinating resources requested from the site to the Planning Section.

The Operations Section consists of the following positions:

Operations Section Chief
Fire Branch
Police Branch
EMS Branch
Emergency Social Services Branch
Public Health Branch (Health Unit and Hospitals)
Environment and Infrastructure (Engineering) Branch
Utilities Branch (London Hydro, London Transit, Enbridge/Union Gas)
Other

Operations Chief:

- Ensures coordination of the Operations function including supervision of the various Branches required to support the emergency event;
- Ensures that operational objectives and assignments identified in EOC Action Plans are carried out effectively;
- Establishes the appropriate level of Branch and Unit organizations within the Operations Section, continuously monitoring the effectiveness and modifying accordingly;
- Consults with Planning Chief to clearly define areas of responsibility between the Operations and Planning Sections;
- Maintains a communication link between Incident Commander at the site and the EOC, for the purpose of coordinating the overall response, resource requests and event status information;
- Ensures that the Planning Section is provided with Branch Status Reports and Incident Reports;
- Conducts periodic Operations briefing for the EOC Director and EOC Management Team as required or requested;
- Approves special resource requests and/or obtains the EOC Directors approval of critical and extra ordinary resources; and
- Supervises the Operations Section.

Branch Directors

Branch Directors oversee the operations of a particular city service area or outside agency. A Branch Director will be responsible for coordinating the activities of their service agency site personnel, dispatch centre, with other branches in the operations section. Additional Branch staff may be required, dependent on the size of the emergency event and the support required. Each Branch has a Roles and Responsibilities binder in the EOC.

Planning Section

Responsible for compiling, evaluating and disseminating situation information in coordination with other functions, anticipating / planning for future needs and maintaining all EOC documentation.

The Planning Section consists of the following positions:

Planning Section Chief;
Situation Unit;
Resources Unit;
Documentation Unit;
Advanced Planning Unit;
Demobilization Unit;
Recovery Unit; and
Technical Specialists.

Planning Chief:

- Collects, processes, evaluates and displays situational information;
- Develops EOC Action Plans in coordination with other functions;
- Tracks the status of EOC issued resources;

- Maintains all EOC documentation;
- Conducts advanced planning activities and makes recommendations for action;
- Obtains technical experts for the EOC;
- Plans for EOC demobilization of personnel and resources; and
- Facilitates the transition to the recovery phase.

Logistics Section

Responsible for ensuring the EOC is operational and providing / obtaining facility services, personnel, equipment, and materials.

The Logistics Section consists of the following positions:

Logistics Section Chief
 Information Technology Branch
 EOC Support Branch
 Supply Unit
 Personnel Unit
 Transportation Unit

Logistics Chief:

- Provides / acquires requested resources including personnel, facilities, equipment and supplies;
- Arranges access to technological and telecommunications resources and support;
- Acquires and arranges resources for the transportation of personnel, evacuees, and goods; and
- Provides other support services such as arranging for food and lodging for workers within the EOC and other sites.

Finance and Administration Section

Responsible for cost accounting, compensation, and administration in the EOC.

The Finance and Administration Section consists of the following positions:

Finance & Administration Section Chief
 Time Unit
 Compensation and Claims Unit
 Procurement Unit
 Cost Accounting Unit

Finance & Administration Chief:

- Monitors the expenditures process and response and recovery costs;
- Coordinates claims and compensation;
- Tracks and reports on personnel time;
- Develops service agreements and / or contracts; and
- Oversees the purchasing processes.

9.0 POPULATION EVACUATION

It may be necessary in an emergency for the residents of an area of the City to be temporarily evacuated from their homes for their own welfare and safety. Such a requirement may be of an urgent or short-notice nature caused by an immediate hazard and decided upon and directed by Police in collaboration with Fire authorities. Police and Fire authorities will consider the advice of the Medical Officer of Health when deciding on the need for such immediate evacuation where health matters are involved. A less immediate but probably larger scale evacuation could be decided upon and directed by the EOC, as in the case of an impending flood situation. The aim in any such operation will be to care for the evacuated persons, to bring families together, and to re-establish residents in their homes.

When the Police and/or Fire authority decides that an immediate and urgent evacuation is necessary, they will attempt to arrange for a nearby facility such as a community centre, shopping mall, or a school, to be utilized as a Reception Centre to provide essential needs to those adversely affected by the event.

The Incident Commander will notify the EOC Policy Group of the initial actions taken. When transportation beyond private vehicles is required to assist residents to move, the City Manager will request London Transit to provide buses for this purpose.

Further arrangements for the welfare of evacuees while accommodated at such a temporary shelter facility by City direction will be the responsibility of the Managing Director of Neighbourhood, Children and Fire Services, assisted by City Service Areas and Departments as necessary and if possible by volunteer agencies noted here. When an urgent evacuation is considered necessary by the Medical Officer of Health, he will so advise the Mayor and the assistance of municipal essential service agencies will be made available.

In a situation where a less urgent, but major evacuation of an area is decided on by the EOC or by the City Manager, coordination of measures to arrange for one or more suitable reception facilities and for the welfare of evacuees will be the responsibility of the Managing Director of Neighbourhood, Children and Fire Services assisted by other municipal service and volunteer agencies. In the case where the City accepts a commitment to provide temporary shelter and welfare requirements for a group of evacuees from another community in Ontario, the City Manager will direct responsibilities of municipal agencies for management of the commitment.

10.0 PLAN DISTRIBUTION LIST

EOC Policy Group Membership

- Mayor
- City Manager
- City Clerk
- Chief of Police
- Fire Chief
- Deputy City Manager of Environment & Infrastructure
- Deputy City Manager of Neighbourhood and Community-Wide Services and or Social and Health Development
- Medical Officer of Health
- Middlesex-London Emergency Medical Services Chief
- Director Communications & Emergency Information Officer
- Community Emergency Management Coordinator
- Chief Executive Officer, London Hydro
- General Manager, London Transit
- London Health Sciences Centre
- St. Joseph's Health Care London

EOC Staff and Others

- Corporate Services and Service Areas
- Middlesex County – CEMC
- Western University
- Fanshawe College
- London Central Ambulance Communications Centre
- St. John Ambulance
- Canadian Red Cross
- The Salvation Army
- Amateur Radio Emergency Service (ARES) London
- Commander, Canadian Forces, Army Reserve, 31 Canadian Brigade Group
- Commander, Canadian Forces, Navy Reserve, HMCS Prevost
- Office of the Fire Marshal
- Emergency Management Ontario Community Officer – St. Clair Sector
- CN & CP – Police
- Ontario Provincial Police - Western Region Headquarters
- RCMP - O Division and London Detachment
- London International Airport
- London Community Foundation
- London InterCommunity Health Centre
- Local Health Integration Network

A copy of the London Emergency Response Plan can be found on our website at:
www.london.ca/emergency

Bill No. 385
2022

By-law No. A.-5505()-__

A by-law to amend By-law No. A.-5505-497 entitled, "A by-law to authorize the implementation of a pre-authorized tax payment plan for The Corporation of the City of London" by changing the multiplier to determine the pre-authorized property tax payment from 1.030 to 1.0245 effective January 1, 2023.

WHEREAS subsection 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

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

AND WHEREAS subsection 342(1) of the Municipal Act, 2001, provides the municipality with the power to pass by-laws regarding the payment of taxes;

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

1. Schedule "A" of By-law No. A.-5505-497 is amended by repealing paragraph 10 therein and by enacting the following new paragraph 10 in its place:
 10. For 2023 the amount of the pre-authorized payment for the period January to May shall be calculated as the most recently available assessments consistent with the previous year's assessment valuations multiplied by the total tax rates applicable to the property in the previous year and then multiplied by 1.0245 and then increased by any local improvement or similar charge applicable to the property in 2023 and then divided by 10 and rounded to the nearest dollar.
2. This by-law comes into force on January 1, 2023

PASSED in Open Council on November 8, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – November 8, 2022
Second Reading – November 8, 2022
Third Reading – November 8, 2022

Bill No. 386
2022

By-law No. A-8-22_____

A by-law to amend By-law No. A-8, as amended entitled "Property Tax Collection by-law" by changing the calculation percent for the Interim Levy from 41.2% to 40.98% effective January 1, 2023.

WHEREAS subsection 5(3) of the Municipal Act, 2001, S.O. 2001, c. 25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the Municipal Act, 2001 provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act;

AND WHEREAS section 317 of the Municipal Act, 2001 provides for the passing of by-laws for the levying of interim rates of taxation;

AND WHEREAS sections 342 and 307 of the Municipal Act, 2001, provide the municipality with additional flexibility with respect to due dates and payment arrangements;

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

1. Part 1 of By-law A-8, the Property and Business Tax Collection By-law, is hereby amended by deleting sections 1.8 in its entirety and by replacing it with the following new section 1.8:

"1.8 Interim Levy – calculation

For the year 2023 the interim levy for a property shall be calculated as 40.98% of the total amount of taxes for municipal and school purposes levied on the property for the previous year."

2. This by-law comes into force on January 1, 2023.

PASSED in Open Council on November 8, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – November 8, 2022
Second Reading – November 8, 2022
Third Reading – November 8, 2022

Bill No. 387
2022

By-law No. PS-114-22_____

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.”

WHEREAS subsection 10(2) paragraph 7. Of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

AND WHEREAS subsection 5(3) of the *Municipal Act, 2001*, as amended, provides that a municipal power shall be exercised by by-law;

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

1. No Stopping

Schedule 3 (No Stopping) of the PS-114 By-law is hereby amended by **adding** the following rows:

1-Street	2- Side	3-From	4-To	5-Period
Meadowgate Boulevard	South/West	Dormer Drive	Maguire Drive	8:30 a.m. to 9:30 a.m. and 3:00 p.m. to 4:00 p.m. Monday to Friday September 1 st to July 30 th
Meadowgate Boulevard	North/East	A point 177 m west of Chelton Road	A point 134 m south of Goodfellow Court	8:30 a.m. to 9:30 a.m. and 3:00 p.m. to 4:00 p.m. Monday to Friday September 1 st to July 30 th

2. No Parking

Schedule 4 (No Parking) of the PS-114 By-law is hereby amended by **deleting** the following row:

1-Street	2- Side	3-From	4-To	5-Period
Evans Boulevard (south leg)	South, West and North	Jackson Road	A point 80 m west of Green Gable Road	Anytime

Schedule 4 (No Parking) of the PS-114 By-law is hereby amended by **adding** the following rows:

1-Street	2- Side	3-From	4-To	5-Period
Evans Boulevard (south leg)	North	A point 182 m west of Candice Road	A point 226 m west of Candice Road	Anytime
Evans Boulevard (south leg)	North	A point 90 m west of Candice Road	A point 70 m west of Candice Road	Anytime
Evans Boulevard (south leg)	North	A point 56 m east of Southport Crescent	A point 76 m east of Southport Crescent	Anytime
Evans Boulevard (south leg)	North	A point 55 m west of Chelton Road	Chelton Road	Anytime
Evans Boulevard (south leg)	North	Chelton Road	A point 48 m east of Chelton Road	Anytime
Evans Boulevard (south leg)	North	A point 132 m east of Chelton Road	A point 162 m east of Chelton Road	Anytime
Evans Boulevard (south leg)	South and West	Jackson Road	A point 217 m west of Candice Road	Anytime

3. Pedestrian Crossovers

Schedule 18 (Pedestrian Crossovers) of the PS-114 By-law is hereby amended by **adding** the following rows:

1-Street	2- Location
Meadowgate Boulevard	At the south side of the intersection with Maguire Drive
Meadowgate Boulevard	At the west side of the intersection with Dormer Drive

4. School Bus Loading Zones

Schedule 21 (School Bus Loading Zones) of the PS-114 By-law is hereby amended by **adding** the following row:

1-Street	2-Side	3-From	4-To
Meadowgate Boulevard	North/East	A point 177 m west of Chelton Road	A point 134 m south of Goodfellow Court

5. Rate of Speed

Schedule 24 (Rate of Speed) of the PS-114 By-law is hereby amended by **deleting** the following rows:

1-Street	2- From	3-To	4-Maximum Rate of Speed
Colonel Talbot Road	A point 200 m north of Four Winds Road	A point 20 m north of Lambeth Walk	60 km/h
Highbury Avenue N	A point 150 m north of Jensen Road	A point 150 m north of Blackwell Drive	60 km/h
Highbury Avenue N	North City limit	A point 150 m north of Blackwell Drive	80 km/h

Schedule 24 (Rate of Speed) of the PS-114 By-law is hereby amended by **adding** the following rows:

1-Street	2- From	3-To	4-Maximum Rate of Speed
Colonel Talbot Road	A point 150 m north of Southdale Road W	A point 20 m north of Lambeth Walk	60 km/h
Highbury Avenue N	A point 150 m north of Jensen Road	A point 350 m south of Sunningdale Road E	60 km/h
Highbury Avenue N	A point 350 m south of Sunningdale Road E	North City Limit	70 km/h
Nixon Avenue	A point 96 m north of Southdale Road E	A point 25m south of Eden Avenue	40 km/h

6. Area Speed Limits

Schedule 25 (Area Speed Limits) of the By-law PS-114 is hereby amended by **adding** the following rows:

1-Area Limit	2-Maximum Rate of Speed
Wonderland Road N – Sunningdale Road W – Sunningdale Road E – Highbury Avenue N – Fanshawe Park Road E – Fanshawe Park Road W (Except Richmond Street and Adelaide Street N remains 60 km/h)	40 km/h
Wonderland Road N – Sarnia Road – Western Road – Wharnccliffe Road N – Oxford Street W	40 km/h
Wonderland Road S – Springbank Drive – Horton Street W – Wharnccliffe Road S – Commissioners Road W	40 km/h

7. Community Safety Zones

Schedule 26 (Community Safety Zones) of the By-law PS-114 is hereby amended by **deleting** the following row:

1-Street	2-From	3-To
Base Line Road W	Robin Road	Southcrest Drive

Schedule 26 (Community Safety Zones) of the By-law PS-114 is hereby amended by **adding** the following rows:

1-Street	2-From	3-To
Base Line Road W	Beachwood Avenue	Southcrest Drive
Meadowgate Boulevard	Chelton Road	A point 525 m north of Chelton Road
Nixon Avenue	A point 96 m north of Southdale Road E	A point 25 m south of Eden Avenue

This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on November 8, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – November 8, 2022
 Second Reading – November 8, 2022
 Third Reading – November 8, 2022

Bill No. 388
2022

By-law No. S.- ____ - ____

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Wonderland Road South, north of Viscount Road)

WHEREAS section 5(3) of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, provides that a municipal power shall be exercised by by-law;

WHEREAS subsection 10(2) paragraph 7 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

WHEREAS subsection 31(2) of the *Municipal Act, 2001, S.O. 2001, C.25*, as amended, provides that land may only become a highway by virtue of a by-law establishing the highway and not by the activities of the municipality or any other person in relation to the land, including the spending of public money;

AND WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highways as widening to Wonderland Road South, north of Viscount Road, namely:

“Part of Block ‘F’, Registered Plan No. 979 in the City of London and County of Middlesex, designated as Part 10 on Reference Plan 33R-21261.”

2. This by-law comes into force and effect on the day it is passed.

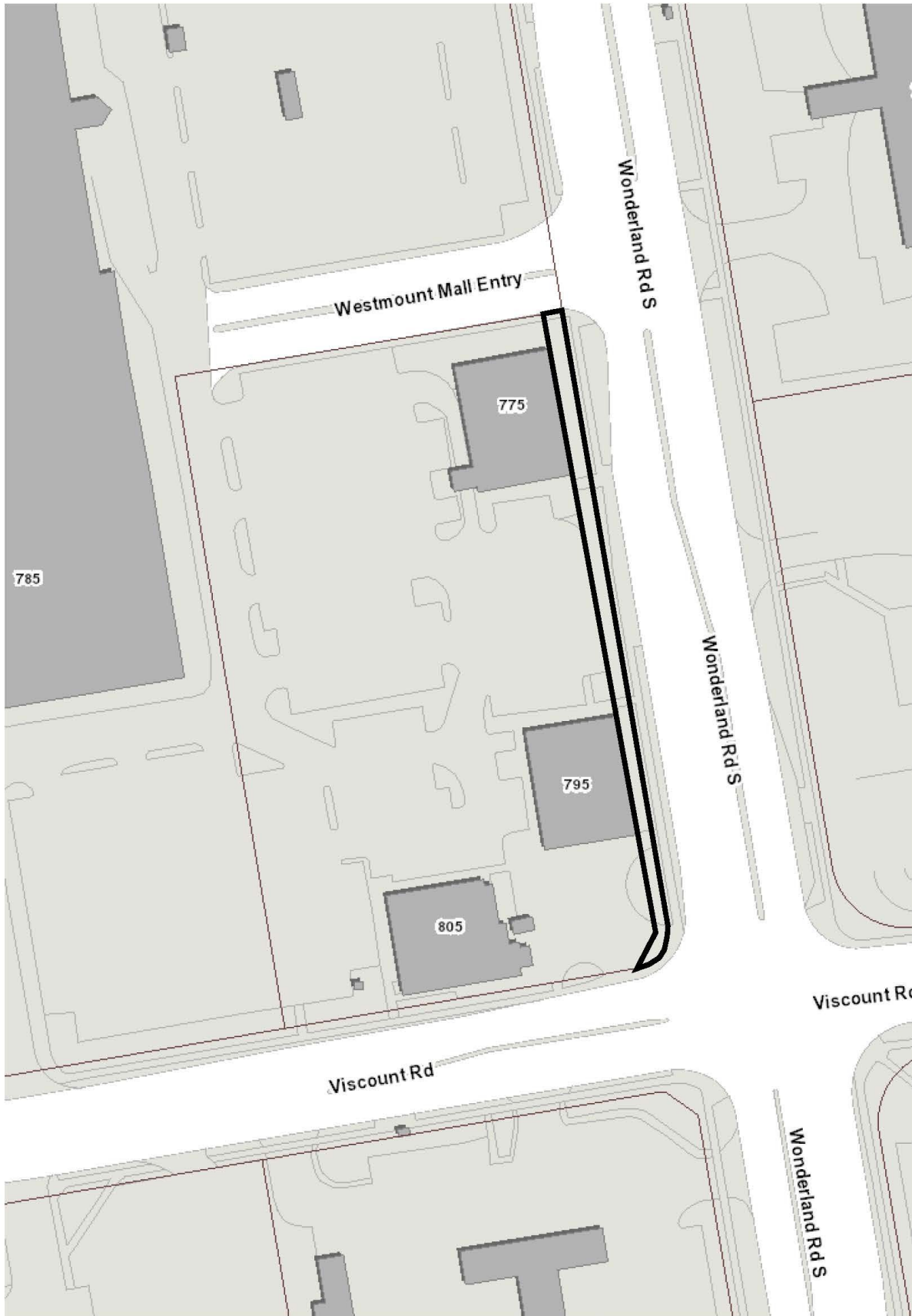
PASSED in Open Council on November 8, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – November 8, 2022
Second Reading – November 8, 2022
Third Reading – November 8, 2022

LOCATION MAP



————— SUBJECT LANDS

Bill No. 389
2022

By-law No. S.- ____ - ____

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to York Street, west of Ridout Street North; and as widening to Ridout Street North, north of York Street)

WHEREAS section 5(3) of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, provides that a municipal power shall be exercised by by-law;

WHEREAS subsection 10(2) paragraph 7 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

WHEREAS subsection 31(2) of the *Municipal Act, 2001, S.O. 2001, C.25*, as amended, provides that land may only become a highway by virtue of a by-law establishing the highway and not by the activities of the municipality or any other person in relation to the land, including the spending of public money;

AND WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to York Street, west of Ridout Street North namely:

“Part of Lot 22, north of York Street West, in the City of London and County of Middlesex, designated as Parts 1 and 2 on Reference Plan 33R-21308;” and

“Part of Lot 22, north of York Street West in the City of London and County of Middlesex, designated as Parts 3 and 4 on Reference Plan 33R-21308.”

2. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Ridout Street North, north of York Street, namely:

“Part of Lot 21, north of York Street West and Part of Lot 21, south of King Street West, in the City of London and County of Middlesex, designated as Part 5 on Reference Plan 33R-21308.”

3. This by-law comes into force and effect on the day it is passed.

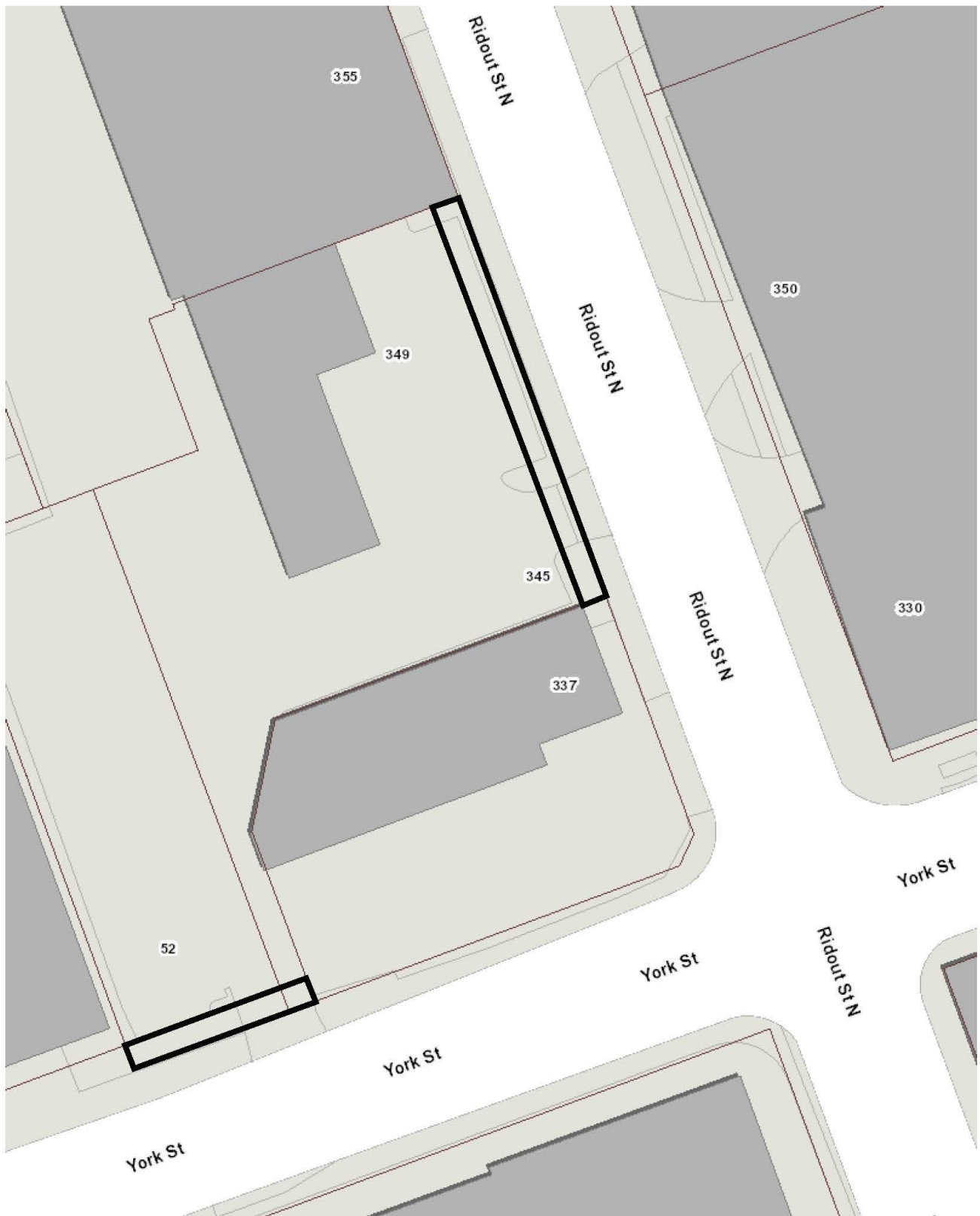
PASSED in Open Council on November 8, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – November 8, 2022
Second Reading – November 8, 2022
Third Reading – November 8, 2022

LOCATION MAP



 SUBJECT LANDS

Bill No. 390
2022

By-law No. S.- ____ - ____

A by-law to lay out, constitute, establish and assume lands in the City of London as public highway. (as widening to Gainsborough Road, east of Hyde Park Road)

WHEREAS section 5(3) of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, provides that a municipal power shall be exercised by by-law;

WHEREAS subsection 10(2) paragraph 7 of the *Municipal Act, 2001, S.O. 2001, c.25*, as amended, provides that a municipality may pass by-laws to provide any service or thing that the municipality considers necessary or desirable to the public;

WHEREAS subsection 31(2) of the *Municipal Act, 2001, S.O. 2001, C.25*, as amended, provides that land may only become a highway by virtue of a by-law establishing the highway and not by the activities of the municipality or any other person in relation to the land, including the spending of public money;

AND WHEREAS it is expedient to establish the lands hereinafter described as public highway;

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

1. The lands and premises hereinafter described are laid out, constituted, established and assumed as public highway as widening to Gainsborough Road, east of Hyde Park Road, namely:

“Part of Lot 24, Concession 3 (Geographic Township of London) now in the City of London and County of Middlesex, designated as Part 1 on Reference Plan 33R-20765.”

2. This by-law comes into force and effect on the day it is passed.

PASSED in Open Council on November 8, 2022.


Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – November 8, 2022
Second Reading – November 8, 2022
Third Reading – November 8, 2022

LOCATION MAP



 SUBJECT LANDS